Constitution

of

The Open University of Hong Kong Students’ Union (the Union)

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Name

1. The name of the Union shall be “The Open University of Hong Kong Students’ Union” in English and “香港公開大學學生會” in Chinese.

Objects

2. The objects of the Union shall be:-

   2.1 to act as a channel of communication between the students and The Open University of Hong Kong (OUHK) and other bodies;
   2.2 to promote a school spirit amongst the students;
   2.3 to promote the welfare of the students;
   2.4 to promote and develop social and educational opportunities for the students; and
   2.5 to represent the students.

Session

3. The Union session and the term of office holders shall coincide with the financial year of OUHK.

Membership

4.1 Every student who is registered on a credit-bearing course of study offered by OUHK during a session shall be entitled to exercise the rights and enjoy the privileges of membership during such session.
4.2 Any member of the Union Council or the Executive Committee who ceases to meet the requirements in article 4.1 within a current session nevertheless may continue to hold office and enjoy the rights of membership until the end of the session.

**Membership rights**

5. A member shall be entitled –

5.1 to use the facilities of the Union;
5.2 to participate in the activities and functions of the Union;
5.3 to become a member of an Affiliated Body subject to its rules;
5.4 to attend and vote at general meetings;
5.5 to vote in a general polling; and
5.6 to hold Union office.

**Obligation of Member**

6. A member shall abide by any rules and regulations currently in force regarding the activities set out in article 5.

**Council**

7. The Union shall have a Union Council consisting of:-

7.1 one representative from each Affiliated Body;
7.2 five elected members of the Union; and
7.3 the immediate past President of the Union

PROVIDED that no member of the Union Council may be a current member of the Executive Committee. Where the immediate Past President is a current member of the Executive Committee his place shall be taken by the President which preceded him.

8. The Union Council shall determine the policies of the Union, subject to the overall authority of a general meeting or general polling.
9. Where there is no Executive Committee the Union Council may act in place of the Executive Committee.

10. The quorum for a meeting of the Union Council shall be one third of Union Council Members or 10 Union Council Members, whichever is the higher number. Where there is a quorum the Union Council may transact any business in meetings notwithstanding any vacancy in its composition. The Union Council may from time to time adopt regulations governing its procedure, including the election of the chairman and the secretary.

**Executive Committee**

11. The Union shall have an Executive Committee consisting of :-

11.1 the President;
11.2 the Internal Vice-President
11.3 the External Vice-President;
11.4 the Financial Controller;
11.5 the General Secretary; and
11.6 Not less than one and not more than ten additional members as may be elected as part of a slate of candidates.

The Internal Vice-President and External Vice-President shall be students of different study modes.

12. The Executive Committee shall implement the policies determined by the Union Council, be responsible for the general management of the Union and co-ordinate all the activities of the Union.

13. The Executive Committee shall be subject to the control of the Union Council.

14. The quorum for a meeting of the Executive Committee shall be one half of the Executive Committee Members and must include members from two different study modes. Subject to the approval of the Union Council the Executive Committee may from time to time adopt regulations governing its procedure.
**Affiliated Body**

15. An Affiliated Body means an organization of members undertaking extra-curricular activities within the context of OUHK, the constitution of which provides that its membership is open to OUHK students and for its office bearers to be annually elected by its members.

16. An Affiliated Body shall obtain recognition by the Union. The Union and OUHK shall establish a set of criteria and procedures for the recognition of Affiliated Bodies.

17. OUHK shall on behalf of the Union maintain a register of Affiliated Bodies and a record of relevant information relating to the Affiliated Bodies on the register and such information shall be annually updated by an Affiliated Body.

18. Each Affiliated Body may by a resolution of its office bearers nominate a representative to be a member of the Union Council and remove or replace such representative.

19. An Affiliated Body which has failed to update its information or has ceased to be active for more than one year may be removed from the register by a resolution of the Union Council.

**Election of the Executive Committee and Union Council**

20. The Executive Committee and the 5 elected members of the Union Council for a session shall be elected by the members within the period of three months prior to the commencement of that session and shall take office on the commencement of that session.

21. The Executive Committee and Union Council shall be elected in accordance with the Election Regulations attached to and forming part of this Constitution.

**General Meetings**

22. The Union shall hold an annual general meeting in the first month of each session at which the Executive Committee for the previous session shall present a report of the activities of the Union for that session.
23. The Union Council may by resolution and shall if requisitioned by not less than one hundred members in writing convene an extraordinary general meeting of the Union for the purpose specified in such resolution or requisition not earlier than 21 days and not later than 42 days from the date of such resolution or requisition.

24. Not less than 21 days notice of a general meeting shall be given, and notice shall be given by posting the same on the Union notice board in the campus of OUHK and sending the same by electronic means to members.

25. The quorum for a general meeting shall be 100 members present in person.

**General polling**

26. The Council may from time to time resolve to conduct a general polling on a matter specified in such resolution.

27. The general polling shall set out a proposition to which members shall be requested to signify approval or disapproval.

28. Notice of a general polling containing the proposition the subject matter of the polling shall be given not less than 21 days and not more than 42 days before the day on which it is to take place. Notice shall be given in the same manner as that for a general meeting.

29. The procedure for conducting a general polling may from time to time be determined by the Union Council and the same shall be published to members at the same time that notice of a general polling is given.

30. A general polling shall not have binding effect on the Union Council unless not less than 10% of members have voted in such polling.

**Funding**

31. OUHK shall provide reasonable funding to the Union and to the Affiliated Bodies for the purposes of activities under this Constitution. OUHK shall in consultation with the Union establish procedures for submitting and approving funding requests and disbursing funds.
32. The Union shall not engage in any fund raising and sponsorship activity except with the written approval of OUHK.

Language

33. The Union may use either the Chinese or the English language in conducting its affairs and maintaining its records.

Amendment

34. This Constitution and the Election Regulations may be amended by a resolution of 75% of the members present and voting at a general meeting of the Union and subject to the written approval of OUHK.

Establishment provisions

35. On or before [30 June] 2008, the Preparatory Committee of the OUHK Students’ Union (SUPC) and OUHK shall:

35.1 take steps to register all Affiliated Bodies;
35.2 request each of them to appoint a representative to become a member of the Council for the period from [1 August 2008] to the end of the 2008/2009 financial year of OUHK; and
35.3 cause an election to be held for the Union Council and Executive Committee for the session from [1 August 2008] to the end of the 2008/2009 financial year of OUHK in accordance with the Election Regulations, subject to any necessary modifications, and for such purpose the SUPC shall be entitled to exercise all the powers of the Union Council and the Election Board contained in the Election Regulations.

36. For the first Union Council, the Chair of the SUPC shall take up the position of ‘the immediate past President of the Union’ as specified in article 7.3.

37. These establishment provisions shall only have effect for the establishment of the Union Council and the election of the Executive Committee for the period up to the end of the 2008/2009 financial year of OUHK, and shall thereafter cease to be part of this Constitution.
Constitution

of

The Open University of Hong Kong Students’ Union (the Union)

Election Regulations

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1. The elected members of the Union Council and the Executive Committee shall be elected in accordance with these Regulations.

2. Any individual member of the Union may be elected as a member of the Union Council.

3. Only an entire slate of candidates for all the posts in the Executive Committee, not fewer than one third of whom must be from a different study mode than the other candidates, may be elected as the Executive Committee.

4. The Union Council shall have full power to conduct an election and to decide on all matters arising out of or in connection with an election in accordance with these Regulations.

5. The Union Council may delegate a part or the whole of its power in respect of an election to an Election Board consisting of such persons and on such terms as the Council may from time to time determine. A reference to the Union Council in these Regulations shall, where appropriate, include a reference to the Election Board.

6. No member of an Election Board may stand for election or nominate or second a candidate for election.

7. The Union Council shall announce the opening of nominations for election in the first week of January in each year.

8. Nominations shall be open for a period of 14 days, exclusive of the day of announcement.

9. Nominations may only be made on forms specified for the purpose by the Council.
10. Each nomination form shall contain the name and written consent of the candidate and the names and signatures of a proposer and a seconder.

11. No member may nominate or second more than one candidate, except a member may nominate and second one candidate for election to the Union Council and in addition one candidate for election to the Executive Committee.

12. No member who has nominated or seconded a candidate may be a candidate in the same election.

13. If no or insufficient nominations are received by the close of the nomination period the Union Council may extend the nomination period for a further 14 days.

14. The Union Council shall announce the names of the candidates within 2 days after the close of the nomination period excluding Saturdays, Sundays and public holidays.

15. If the number of candidates for election to the Union Council exceeds the number of vacancies there shall be an election which shall take place 14 days after the names of the candidates are announced, exclusive of the day of the announcement.

16. If the number of candidates for election to the Union Council does not exceed the number of vacancies they shall be deemed to have been elected and the Union Council shall declare them to be elected.

17. If there are more than one slate of candidates for election to the Executive Committee there shall be an election 14 days after the announcement of the slates of candidates, exclusive of the day of announcement.

18. Voting shall be by secret ballot.

19. Each member shall have one vote.

20. A member may only vote in person at polling stations and on the date and during the hours specified by the Union Council or the Election Board. Subject to consultations with and approval by OUHK the Council may adopt additional ways of voting including voting by post or electronic means.
21. Ballot papers to be used in an election shall be authenticated in such manner as the Union Council may determine.

22. A member shall fill in a ballot paper in such manner as indicated in the ballot paper and failure to do so shall invalidate the ballot.

23. A torn or disfigured ballot paper shall be invalid.

24. Each member may vote for a maximum of 5 candidates in respect of an election to the Union Council.

25. Each member may vote for one slate of candidates in respect of an election to the Executive Committee.

26. Where there is only one slate of candidates for election to the Executive Committee an election shall still be held and a member shall vote for or against the sole slate of candidates taking office as the Executive Committee.

27. A sole slate of candidates for the Executive committee shall only be declared elected if there is a majority of votes for their taking office as the Executive Committee.

28. The Union Council shall appoint Election Officers to verify the eligibility of voters and to hand over an authenticated ballot paper to each eligible voter, and to attend to any administrative matter in connection with voting.

29. Completed ballot papers shall be placed by voters in sealed ballot boxes.

30. After close of voting the Election Officers shall deliver the sealed ballot boxes to a Returning Officer at an Election Centre designated by the Union Council.

31. The Returning Officer shall be a member of the staff of OUHK appointed by the Union Council.
32. The Returning Officer shall open the sealed ballot boxes at the Election Centre in the presence of the Election Officers, the candidates or their representatives and members of the Union Council and the Election Officers shall proceed to count the votes in their presence. A candidate who wishes to appoint a representative must do so in writing and deliver the authorization to the Union Council before the polling date.

33. The Returning Officer shall declare a vote to be invalid where the relevant ballot paper does not comply with these Regulations.

34. If a candidate wishes to challenge the validity of any vote or a decision of the Returning Officer he must do so prior to the Returning Officer declaring the result at the Election Centre.

35. If there is a challenge by a candidate which is not resolved the Returning Officer shall refer the challenge to the Union Council and shall defer declaring the result until after the Union Council has decided on the challenge. The Union Council’s decision shall be final.

36. If there is no challenge by any candidate the Returning Officer shall declare the result at the Election Centre and the Union Council shall declare the relevant candidates duly elected to their respective posts.