

**ARTICLE 1: NAME**

1.1 The name of the Association shall be Students' Basketball Club, HKUSTSU, HKUSTSU in English  
and 香港科技大學學生籃球學會 in Chinese.

**ARTICLE 2: OBJECTIVES**

2.1 The objectives of the Association shall be:

- (a) To promote sporting activities amongst students;
- (b) To bring the University up to be a super giant in the field of sports;
- (c) To coordinate members of the basketball club and represent them in matters affecting their interest.

**ARTICLE 3: MEMBERSHIP**

3.1 All associations, clubs or societies established for sporting purposes desiring affiliation to the HKUSTSU shall become "Member Clubs" of the Sports Association.

3.2 Representatives of Member Clubs shall be entitled to attend and vote for their respective club at all elections, meetings and referenda conducted by the Association, and to hold office as an office bearer of the Association.

3.3 Member Clubs shall be liable to pay such subscription to the Association as the General Meeting may from time to time determine by resolution.

**ARTICLE 4: ORGANISATION**

4.1 The ultimate authority in the Association shall be vested in a general meeting of Member Clubs.

4.2 The administration of the Association shall be vested in the Executive Committee and subject to the ultimate authority of a general meeting of Member clubs.

4.3 The Executive Committee shall appoint representatives to represent the Association in matters affecting its interest.

## **ARTICLE 5: THE GENERAL MEETING**

5.1 An Annual General Meeting, being a general meeting of Member Clubs, shall be held by May of each year.

5.2 The date of the Annual General Meeting shall be determined by the Executive Committee. The Executive Committee shall also determine what further business, if any, shall be transacted at the Annual General Meeting in addition to those matters stated in 5.3.

5.3 The business of the Annual General Meeting shall be:

- (a) to receive and adopt the agenda;
- (b) to consider and if thought fit to approve the minutes of the Annual General Meeting and any Extraordinary General Meeting(s) of previous session;
- (c) to consider and if thought fit to pass the amendments of the constitution, if any;
- (d) to consider and if thought fit to approve the annual report of the Executive Committee;
- (e) to consider and if thought fit to approve the financial report of the Executive Committee;
- (f) to elect the Executive Committee for the coming Session;
- (g) to consider and if thought fit to approve the financial budget for the coming session;
- (h) any other business specified in the notice of meeting by Executive Committee;
- (i) to hand over the session.

5.4 In addition to the Annual General Meeting, a general meeting of Full Members, to be known as an Extraordinary General Meeting, may be convened:

- (a) By a resolution of the Executive Committee;
- (b) By the Executive Committee on receiving a written requisition signed by not less than one third of Member Clubs.

5.5 The Executive Committee shall give not less than ten clear days' notice for an Annual General Meeting and five clear days' notice for an Extraordinary General Meeting. The notice shall be in writing and shall specify the date, time and venue of the meeting and the business to be transacted thereat. Notice shall be given by delivery to all Member Clubs.

5.6 Any resolution or requisition for an Extraordinary General Meeting shall be in writing and shall specify the resolution to be proposed at such meeting. No other resolution shall be proposed at an Extraordinary General Meeting.

5.7 The quorum for a General Meeting shall be one-third of the Member Clubs of the Association. If the quorum cannot be formed within one hour, the General Meeting shall be postponed and the final decision shall be vested to the chairperson.

## **ARTICLE 6: THE EXECUTIVE COMMITTEE**

6.1 The Executive Committee shall be elected in the Annual General Meeting and shall hold office from the conclusion of the Annual General Meeting in the year of their election until the conclusion of the Annual General Meeting in the following year.

6.2 The Executive Committee shall be composed of

- (a) President
- (b) Internal Vice-President
- (c) External Vice-President
- (d) Internal Secretary
- (e) External Secretary

(f) Financial Secretary

And at least **four** of the following posts

- (g) Marketing Secretary
- (h) Promotion Secretary
- (i) Publication Secretary
- (j) Information Technology Secretary
- (k) Activity Organizing Secretary

The President, the Internal Vice-President, the External Vice-president and the Financial Secretary shall not hold any other positions in the Executive Committee.

### 6.3 The duties of members of Executive Committee

- (a) The President shall be the chief executive of the Association and represent the Executive Committee and the Association in affairs whenever the Executive Committee and/or the Association are concerned and shall be responsible for administration of the Association.
- (b) The Internal Vice-President shall assist the President in all internal affairs.
- (c) The External Vice-President shall assist the President in all external affairs.
- (d) The Internal Secretary, who shall assist the Internal Vice-President in carrying out his/her duties and in addition, be responsible for maintaining all minutes and documents.
- (e) The External Secretary, who shall assist the External Vice-President in carrying out his/her duties and in addition, be responsible for the external executive duties including all booking affairs.
- (f) The Financial Secretary shall draft the annual budget, keep a true account of all financial transactions of the Association and present the annual financial report at the Annual General Meeting and shall be responsible for all financial matters of the Association.

- (g) The Marketing Secretary shall be responsible for seeking financial and/or material sponsorship from the university organizations and other external organization of any kinds, to assist the President in negotiation with potential sponsors and to give hand to individual projects on marketing affairs.
- (h) The Promotion Secretary shall be responsible for all matters concerning the promotion of the Association and assist in the promotion work of the programs organized by the Association including all art works.
- (i) The Publication Secretary shall be responsible for all editorial works of the publication of any issues by the Association.
- (j) The Information Technology Secretary shall be in charge of any technical support and keep track of all electronic records of the Association.
- (k) The Activity Organizing Secretary shall be responsible for organization of sports and other activities of the Association as determined by the Executive Committee.

6.4 The Executive Committee shall not consist of more than three representatives of any one Member Club.

6.5 In addition to such duties of their individual posts, the members of the Executive Committee shall collectively and individually be responsible for the performance of the duties of the Executive Committee under this Constitution. The Chairperson or in his absence the Internal Vice-Chairperson shall preside over and coordinate the work of the Executive Committee and individual office bearers.

6.6 All the Members of Executive Committee shall be the full members of the Students' Union.

## **ARTICLE 7: ELECTIONS**

7.1 An Annual Election shall be held for the posts of the Executive Committee at the Annual General Meeting in each year. A by-election, either at an Extraordinary General Meeting or a referendum, shall be held to fill a vacancy in any of the offices referred to above within a reasonable time of the occurrence of the vacancy, except where a specific provision for co-option has been made in this

Constitution.

- 7.2 The Executive Committee shall determine the election date and announce the same not less than two weeks in advance in the case of a by-election.
- 7.3 Not more than three representatives of a Member Club shall be eligible to become candidates for the posts open for the Annual Election or any-election, in addition to the condition given by 6.3
- 7.4 Nomination of candidates for the posts open for election may be made from the day of announcement of the date of Annual General Meeting, or in case of by-election, the date of the by-election. Nomination must be made in the form prescribed by the Executive Committee and shall be delivered in person by the candidate at the time and place specified by the Election Committee.
- 7.5 The Executive Committee shall verify the contents of the nomination form and thereafter immediately announce the candidate by posting a notice which shall be reasonably visible to Member Clubs.
- 7.6 Unless otherwise determined by the General Meeting, voting shall be made by show of hands. Each Member Club shall have one vote in respect of each post open for election.
- 7.7 Unmarked or improperly marked ballot papers shall not be counted.
- 7.8 Where a post is uncontested the sole candidate with the highest number of the voters shall be declared.
- 7.9 Where there are two candidates for a post the candidate with the highest number of votes shall be declared elected.
- 7.10 Where there are more than two candidates for a post, the single transferable vote system shall be used.
- 7.11 The following definitions shall be used in respect of the single transferable vote system:

(a)  $Quota = 1 + v / (n+1)$

where  $v$  = number of valid voting papers  
 $n$  = number of places to be filled

- (b) Continuing Candidate: any candidate not yet deemed elected and not eliminated.
- (c) Invalid Voting Paper: any paper on which a first preference is not clearly defined.
- (d) Transferable Voting Paper: any paper which clearly indicates a preference for some continuing candidate.

7.12 The following procedure shall be followed in respect of the single transferable vote system:

- (a) A ballot paper must indicate a first preference.
- (b) A ballot paper may or may not indicate an order of preference of any number of candidates in addition to the first preference.
- (c) The number of first preference for each candidate is counted and any candidate having a quota is deemed elected.
- (d) Each transferable voting paper supporting a candidate deemed elected is given a "weight: (equal to the number of excess votes divided by the total number of votes obtained by the candidate) and transferred to the continuing candidate indicated as next preference, so that votes in excess of the quota are redistributed.
- (e) Any candidate having a quota after transfer is deemed elected and the excess votes redistributed as in (d).
- (f) If the number of places to be filled is equal to the number of continuing candidates, those candidates are deemed elected; otherwise the candidate supported by the smallest number votes is eliminated.
- (g) If the number of placed is still less than the number of continuing candidates, transferable voting papers, weighted and outweighed,

supporting the eliminated candidate are transferred to the continuing candidates indicated as next preference and the procedure (e) shall be repeated.

- (h) The number of invalid and non-transferable voting papers at each stage shall be recorded by the Election Committee.
- (i) When a candidate has to be eliminated and there is a tie between candidates having the lowest number of votes, the candidate with fewest votes at the earliest unequal count shall be eliminated.
- (j) If votes for these candidates were equal at all previous counts, their votes shall be re-distributed as if they has all been eliminated, each being one of the continuing candidates, If as a result one candidate then has fewest votes, he shall be eliminated. If the votes are still equal. Then one candidate shall be eliminated by low.

7.13 The Executive Committee of the Association shall have the priority to represent the Association in Students? Union Council, to be the councilor.

7.14 The Executive Committee shall be responsible for the formation of the Election Board.

7.15 The Election Board shall be formed before the announcement of the date of Annual General Meeting, or in case of by-election, the date of by-election.

7.16 The composition of election board shall consist of both executive committee members and other non- executive committee members nominated by Member Clubs. All nominators or nominees cannot be any members of election committee.

7.17 Duties of the Election Board should include:

- (a) to conduct and monitor all the activities concerning the Election;
- (b) to examine the eligibility of the candidates and to approve or disapprove the applications of candidates within seven clear days after receiving their

applications;

- (c) to invite a returning officer from the University staff to supervise the Election Board;
- (d) to explain the Election Regulations and Rules in accordance with the Constitution;
- (e) to introduce a maximum amount of expenses allowed for each cabinet or candidate.

## **ARTICLE 8: FINANCE**

8.1 All bank accounts of the Association shall be operated by the President and the Financial Secretary for the current Session.

8.2 The Association shall not apply or accept any loans outside the Union.

## **ARTICLE 9: REFERENDA**

9.1 The Executive Committee, or a General Meeting may refer any question to Member Clubs for determination by a referendum, and shall thereafter be bound to act in accordance with the result of such referendum. The Executive Committee shall be responsible for the conduct of referenda in accordance with the provisions of this Constitution.

9.2 The Executive Committee shall give not less than five clear days' notice of a referendum, such notice to be given in the same manner as the notice for a general meeting. The question to be referred to a referendum shall be put in the form of a resolution and Full Members shall be requested to vote for or against the resolution. In the event of a referendum in a resolution being put to Member Clubs by a general meeting, the result of the referendum shall have the same effect as a resolution carried or defeated at a general meeting as the case may be.

9.3 Voting at a referendum shall be by secret ballot and shall take place on the appointed day, and shall last not less than eight hours. Each Member Clubs shall have one vote. Votes shall be counted immediately after the close of balloting. At

the conclusion of the counting of votes the result shall immediately be declared by the Executive Committee.

#### **ARTICLE 10:       PROCEDURE AT GENERAL MEETINGS**

10.1 The President of the Executive Committee is in his absence the Internal Vice-President or the External Vice-President of the Executive Committee shall preside as chairperson at every general meeting. If neither of them shall be present, the representatives of Member Clubs present shall elect one of themselves to preside as chairperson.

10.2 The Chairperson may, with the consent of the meeting, and shall if so directed by the meeting, adjourn the meeting from time to time and from place to place.

10.3 No resolution shall be passed at any general meeting other than the resolution specified in the notice of meeting. A resolution may be amended with the consent of a majority of the Full Members present but no amendment shall be permitted which has the effect of substantially altering the meaning or intent of the original resolution. The Chairperson shall not put to the meeting any amendment which he considers to have such effect.

10.4 At any general meeting a resolution put to the vote of the meeting shall be decided on a show of hands, unless the meeting decides on a procedural motion to vote on the resolution by secret ballot.

10.5 A general meeting may resolve that, in place of voting on a resolution at the meeting, the resolution should be put to all Member Clubs by a referendum conducted in accordance with the provisions of this Constitution.

10.6 Each Member Club shall have one vote at any general meeting or referendum held pursuant to a resolution at a general meeting, to be cast by its representatives. With the exception for matters as stated in the Constitution which have additional requirement, a simple majority shall in all cases be sufficient to carry or defeat a resolution. The result shall come valid only for more than half of the representatives presence vote in such resolution. In event of an equality votes, the Chairperson shall have a casting vote.

#### **ARTICLE 11:       VANCATION OF OFFICES**

11.1 Should the President resign, an Extraordinary General Meeting shall be convened by the Internal Vice-President concerning the re-election of a President. In the absence of both the Internal and External Vice-President, an Extraordinary General Meeting shall be held and chaired by any Full Member of the Society appointed by the Executive Committee.

11.2 Any elected office bearer of the association other than the President may at any time resign from office by giving written notice to the Executive Committee. A notice concerning the resignation shall also be posted.

11.3 A vacancy in the Executive Committee, other than that of the President, can be filled by any Full Member of the Union appointed by the Committee;

11.4 Any elected office bearer of the Association may be removed from office by a vote of no-confidence passed by a two thirds majority at a general meeting of Member Clubs;

11.5 In the event of receiving no nomination of the Executive Committee, a maximum of six Union Full Members shall be appointed by the Executive Committee of the previous session to become the Provisional Executive Committee to take up the administrative work of the Association. Such appointment should have corresponding notice posted.

11.6 The Provisional Executive Committee shall be dissolved:

- (a) when at least ten nominated candidates for the Executive Committee is deemed elected during the session; or
- (b) at the end of the session.

## **ARTICLE 12: AMENDMENT OF CONSTITUTION**

12.1 An amendment to this Constitution may be made by a resolution of not less than two thirds of the Full Members voting at a general meeting for which proper notice has been given.

## **ARTICLE 13: INTERPRETATION**

13.1 In this Constitution, unless where the context otherwise requires, the following expressions shall have the following meanings:

Association	shall mean the Students' Basketball Club, HKUSTSU
Executive Committee	shall mean the office bearers of the Association referred to in Article 6.
HKUSTSU	shall mean the Hong Kong University of Science and Technology Students' Union
Session	shall mean a session beginning with the conclusion of the Annual General meeting in one year and ending at the conclusion of the Annual General Meeting in the following year.
Union	shall mean the Hong Kong University of Science and Technology Students Union
University	shall mean the Hong Kong University of Science and Technology

13.2 In this Constitution, unless where the context otherwise requires, the plural as shall be deemed to include the singular and vice versa and the masculine gender shall be deemed to include the feminine and neuter genders