

## **Rule 1**

### **TITLE AND OFFICE**

- (1) The name of the Association shall be "Association of Government Technical and Survey Officers".  
『政府工程技術及測量人員協會』  
( hereinafter referred to as the Association )
- (2) The registered office and postal address of the Association shall be at Flat A-B, 3/F., 249-253 Reclamation Street, Kowloon, Hong Kong., or such other place as may be decided upon by the Executive Council.

## **Rule 2**

### **OBJECTS**

The objects of the Association shall be as follows :-

- (1) To secure the complete organisation in the Association of all officers employed in the Hong Kong Government as provided in Rule 3(1)(i).
- (2) To obtain and maintain just and proper conditions of employment and to protect the general interests of members.
- (3) To regulate the relations and to settle disputes between members and the employer, between one member and another, and between members and other employees by amicable agreements whenever possible.
- (4) To promote a spirit of mutual respect and understanding between the employer and the Association and to secure the establishment of recognised and permanent machinery for negotiation with the management.
- (5) To provide, for members and in certain circumstances their families, any or all of the following benefits and such others as the Annual or Extraordinary General Meeting may decide :-
  - (i) monetary relief, or such other benefits as may be decided, for sickness, accident, disablement, distress, maternity, and retirement;
  - (ii) death gratuities and funeral expenses;
  - (iii) education fees;
  - (iv) victimisation and trade dispute benefits;
  - (v) legal advice and legal assistance where necessary in connection with the employment of members.
- (6) Generally to promote the material, cultural, social, educational, and recreational welfare of the members and their families in any lawful manner by the provision of educational facilities, and other undertakings, industrial or otherwise, which the Annual or Extraordinary General Meeting may from time to time deem expedient.
- (7) The furtherance, financial or otherwise, of the work or purpose of any lawful association or federal body having for its objects the promotion of the interests of labour, trade unionism, or trade unionists.
- (8) The establishment of, carrying on, or participation, financial or otherwise, in the business of the printing or publishing of a general newspaper or of journals, books, pamphlets, or publications, in the interests of and with the main purpose of furthering the interests of the Association or of trade unionism generally.
- (9) The promotion of legislation in the interests of its members.
- (10) To co-operate with other lawful associations or organisations or institutions whose objects are similar to those of the Association.

### **Rule 3**

### **MEMBERSHIP**

- (1) (i) Any person employed in Hong Kong Government in the
    - (a) Technical Officer Grade, or
    - (b) Survey Officer Grade (as referred to in Rule 6(6)(iii))is eligible for enrolment as member of the Association, subject to the approval of the Executive Council or a Membership Sub-committee appointed specially for the purpose by the Executive Council.

(hereinafter referred to as T.O. and S.O. respectively or other new titles introduced and approved by the Hong Kong Government to replace those as in (a) & (b) of this rule.);
  - (ii) Any member who retires from the Hong Kong Government employment and is not fully employed elsewhere may be eligible to remain as a retired member or a life retired member in the case of life member of the Association, subject to the approval of the Executive Council. A retired member or a life retired member shall not be entitled to vote in any decision of the Association or to be elected to hold office in the Executive Council. They may participate in and enjoy all the benefits provided by the Association and shall be liable to payment of annual subscriptions at full rates (except life retired member) and all other fees, contributions or dues.
- (2) (i) On joining the Association, members shall pay once for all an Entrance Fee of \$50.
  - (ii) With effect from 1<sup>st</sup> January 2000, the annual subscription shall be \$60, which shall be payable immediately on admission to membership and in advance on the first working day of October each year and shall be paid not later than 31st March each year.
  - (iii) Retired members shall pay the annual subscription in sub-clause (ii) of clause (2) hereinbefore provided.
  - (iv) With effect from 1st April 2014, a voting member or a retired member who pays once and for all a subscription equivalent to 15 times the current annual subscription, shall become respectively a life member or life retired member and shall have the same rights and obligations as a voting member or a retired member respectively. A life member or a life retired member shall not be required to pay the annual subscription under Rule 3(2)(ii) and 3(2)(iii), but is still subject to Rule 3(2)(i), 3(4), 3(5) and Rule 11.
- (3) The Annual or Extraordinary General Meeting of the Association shall have power to alter all fees, subscriptions, and contributions, and to impose additional fees, subscriptions, and contributions for the purpose of providing further benefits for members.
  - (4) All members must abide by the rules of the Association. Any member breaking the rules of the Association may be liable to appropriate punishment or expulsion by the Executive Council, (See Rule 7(8)). Any member so punished or expelled shall have the right of appeal to the Annual or Extraordinary General Meeting, whose decision shall be final.
  - (5) Members who fail to pay the annual subscription by the end of March each year as prescribed by Rule 3(2)(ii) or any contributions duly authorized three months after a due date shall, Ipso facto, lose their membership but they may be re-instated at the discretion of the Executive Council. Members, including life members who resign from the Government service or leave the grades of Technical Officer or Survey Officer shall, Ipso facto, cease their membership and all fees previously paid are not refundable.

### **Rule 4**

### **CONSTITUTION AND GOVERNMENT**

The supreme authority of the Association shall be vested in the Annual General Meeting and, subject to that authority, the Association shall be governed by the Executive Council.

**Rule 5**

**ANNUAL GENERAL MEETING AND EXTRAORDINARY GENERAL MEETING**

- (1) The Annual General Meeting shall be held in the month of November or December every year at such place as the Executive Council may decide.
- (2)
  - (i) All members qualified by the rules of the Association are entitled to attend the Annual General Meeting or the Extraordinary General Meeting;
  - (ii) Only voting members qualified by the rules of the Association shall be entitled to vote at the Annual or Extraordinary General Meeting.
- (3) Extraordinary General Meetings may be called by the Executive Council or at the request of not less than one fifth of the total number of qualified voting members of the Association.
- (4) The business of the Annual General Meeting shall be :-
  - (i) To receive reports from the Executive Council, to review the past work of the Association, and to plan future policy;
  - (ii) To elect by secret ballot the members of the Executive Council;
  - (iii) To receive the audited accounts for previous financial year and to consider the financial position of the Association;
  - (iv) To consider any other business.
- (5) The Annual General Meeting, subject to clauses (3) and (7) of this rule, shall be the only authority to make, after, amend and rescind any of these rules, provided no rules providing for any matters specified in the Second Schedule to the Trade Union Ordinance may be rescinded.
- (6) The General Secretary, on the instructions of the Executive Council, shall prepare an agenda of the Annual or Extraordinary General Meeting and shall make it known to members in such manner as the Executive Council shall decide, provided not less than seven days notice shall be given to all qualified members for the calling of the Annual General Meeting.
- (7) Not less than seven days notice shall be given to all qualified members for the calling of an Extraordinary General Meeting and an agenda showing the business shall accompany the notice. Discussion at the Extraordinary General Meeting shall be limited to those matters contained in the agenda. Decisions reached at the Extraordinary General Meeting shall have the same validity as decisions reached at the Annual General Meeting provided that, where any change in the rule of the Association is contemplated, such change shall be specially stated in the agenda of the meeting.
- (8) The quorum for all Annual and Extraordinary General Meetings of the Association shall not be less than one half of the total qualified voting members or one hundred qualified voting members whichever is the less. With the exception of decisions regarding change of name of the Association, federation or amalgamation with any other trade union, or discussion of the Association, all decisions taken at the Annual or Extraordinary General Meeting will be valid if passed by a majority of votes of all qualified voting members present constituting the requisite quorum.
- (9) In the event of insufficient number of qualified voting members present to form a quorum at an Annual or Extraordinary General Meeting, such meeting shall be adjourned to such time and such place as determined by the Executive Council but not more than 14 days interval. A notice to this effect shall be sent to all qualified members at least 7 days in advance, and whatever number of qualified voting members are present at the meeting shall constitute a quorum and business shall be conducted and decisions taken, except those on matters for which requisite votes are prescribed by the Trade Unions Ordinance or the rules of the Association, shall be valid if passes by majority of votes of those present constituting the requisite quorum and shall be binding on all members of the Association.

## **Rule 6**

## **ELECTION AND SECRET BALLOT**

- (1) All elections or other matters for decision by secret ballot at the Annual or Extraordinary General Meeting of the Association shall be held under the authority of the Executive Council or under the authority of an Election Sub-committee appointed specially for the purpose by the Executive Council.
- (2) All decisions in respect of the following items shall be taken by secret ballot :-
  - (i) election of the officer of the Association and the Executive Council Members;
  - (ii) change in the name of the Association;
  - (iii) amalgamation of the Association with another trade union;
  - (iv) federation of the Association with any other trade union or trade union federation.
- (3) The General Secretary or other officer appointed for the purpose shall be responsible for issuing ballot forms. Ballot forms will be issued only to those members qualified by the rules of the Association to exercise their votes.
- (4) All ballot forms must be filled in at the place provided. They must not be signed by the respective persons filling them in. They must be placed in the sealed ballot box (or boxes) provided for the purpose only by the respective persons filling in the ballot forms. The Executive Council or the Election Sub-Committee will appoint persons to supervise and safeguard the ballot box (or boxes).
- (5) Two or more scrutineers shall be elected at the Annual or Extraordinary General Meeting from members. The scrutineers will be responsible under the Executive Council or Election Sub-Committee for collection ballot box (or boxes) and counting and checking ballot forms.
- (6)
  - (i) The nomination of candidates for the Executive Council shall be conducted annually by the sitting Executive Council. To this effect the Executive Council shall issue to each qualified voting member a nomination form one month before the Annual General Meeting which shall be duly filled with acceptance of the nominee endorsed to be Executive Council Member or officer of the Association upon being elected, and returned to the General Secretary not later than the date given in the nomination form. The General Secretary shall then submit a list of the nominees to Executive Council for confirmation and circulate to members one week before the election. All nominees shall become candidates for election as Executive Council Members at the Annual General Meeting;
  - (ii) In case there is insufficient number of candidates nominated for the Executive Council, further nomination shall be made at the Annual General Meeting by issuing additional nomination forms to the qualified voting members present at the meeting to nominate candidates from among themselves. Nomination forms duly filled with candidate's consent to serve on the Executive Council if elected shall be returned to the General Secretary at the meeting. All nominations shall be properly proposed and seconded;
  - (iii) From among the nominated candidates, fifteen shall be elected by Secret Ballot at the Annual General Meeting by qualified voting members to be Executive Council Members or whom at least one but not more than eight shall be from each of the following four groups :-
    - (a) Architectural Group - consisted of members of Technical Officer (Architectural) only;
    - (b) Cartographic Group - consisted of members of Technical Officer (Cartographic) & (Reprographic) only;
    - (c) Engineering Group - consisted of members of all Technical Officers not specially mentioned above in (a) & (b) of this rule; and
    - (d) Survey Group - consisted of members of all Survey Officers.
  - (iv) In case two or more candidates who secured the same number of votes, decision will be made by a further election by secret ballot by the qualified voting members present at the Annual General Meeting.

**Rule 7**

**EXECUTIVE COUNCIL**

- (1) The government of the Association in the periods between Annual General Meetings and the conduct of its business shall be vested in the Executive Council.
- (2) The Executive Council shall consist of a President, a Vice-President, a General Secretary, a Deputy General Secretary, a Treasurer, and ten Executive Council Members who shall be elected by Secret Ballot from the elected Executive Council Members within one month after the Annual General Meeting. They shall serve for a term of one year and shall be eligible for re-election.
- (3) The Executive Council shall meet at least once a month or at other times requested by the majority members of the Executive Council. Over one half of the total number of Executive Council Members shall form a quorum. Decisions taken at an Executive Council meeting will be valid if passed by majority of votes of all Executive Council Members present constituting the requisite quorum.
- (4) In the event of death, resignation, or dismissal of any Officer or Executive Council Member between two Annual General Meeting or when, during such period, any Officer or Executive Council Member is unavoidable absent from Hong Kong and such absence is likely to be permanent or unduly prolonged, the vacancy shall be filled from among the Executive Council Members by Secret Ballot in the case of an officer, and by the candidate who, subject to Rule 6(6)(iii), secures the next highest number of votes in the election at the last Annual General Meeting to be the Executive Council Member in the case of an Executive Council Member.
- (5) The Executive Council shall pursue the objects of the Association and shall protect its funds against extravagance or misappropriation. It shall give instructions as to the investment of the general fund of the Association subject to Rule 9(3).
- (6) The Executive Council shall give instructions to the General Secretary and other officers for the conduct of the affairs of the Association. It may appoint organisers and such clerical staff as it may consider necessary and dismiss such organisers and staff for reasons deemed good and sufficient. It shall appoint sub-committees where necessary to carry out the special work of the Association.
- (7) The executive Council may suspend or dismiss any officer or Executive Council Member of the Association for neglect of duty, dishonesty, incompetence, refusal to carry out the decisions of the Executive Council, or for any other reason which it deems good and sufficient in the interests of the Association. Any officer or Executive Council Member so suspended or dismissed shall have right of appeal to the Annual or Extraordinary General Meeting whose decision shall be final.
- (8) The Executive Council may impose appropriate punishment on any member who is proved, to the satisfaction of the Council, to have been guilty of conduct prejudicial to the interests of the Association or may suspend or expel such member from the Association. Any member so punished, suspended, or expelled shall have the right of appeal to the Annual or Extraordinary General Meeting whose decision shall be final.
- (9) The decision of the Executive Council shall be binding on all members of the Association.
- (10) Between Annual General Meetings the Executive Council shall interpret the Rules, when necessary, and determine any point which the Rules do not adequately cover.
- (11) All Officers and Members of Executive Council must be fully paid up with all subscriptions, fees and contributions.

**Rule 8**

**OFFICERS OF THE ASSOCIATION**

- (1)
  - (i) The President shall preside at all Annual and Extraordinary General Meetings and Executive Council Meetings and shall be responsible for the proper conduct of business. He shall have a casting vote. He shall sign the minutes of each meeting after they are approved.
  - (ii) With the assistance of the General Secretary and Treasurer he shall superintend the general administration of the affairs of the Association and shall endeavor to secure the observance of the Association rules by all the concerned.
  - (iii) He shall, in conjunction with the General Secretary or the Treasurer, countersign every instrument

of the Association to which the common seal of the Association is affixed.

- (v) He shall, in conjunction with the Treasurer, sign cheques, withdrawal forms or other documents as prescribed by banks, on behalf of the Association.
- (2)
- (i) The Vice-President shall carry his duties as defined by the Executive Council. In the absence of the President on Association business or for any other reason he shall deputize until such time as the President returns or the Executive Council shall carry out the provision of the Rule 7(4).
  - (ii) He shall, in conjunction with the Treasurer, sign cheques withdrawal forms or other documents as prescribed by banks, on behalf of the Association.
- (3)
- (i) The General Secretary shall conduct the business of the Association in accordance with the Rules and shall carry out the instructions of the Annual or Extraordinary General Meeting and of the Executive Council;
  - (ii) He shall keep a register of all members and the Association's common seal in safe custody
  - (iii) He shall attend all meetings of the Executive Council and shall record the minutes. He shall have the right to speak and to vote on all matters;
  - (iv) He shall prepare the Annual Report of the Association for submission to the Annual General Meeting and any other reports necessary for the Extraordinary General Meetings;
  - (v) He shall, in conjunction with the President, countersign every instrument of the Association to which the common seal of the Association is affixed;
  - (vi) He shall, in conjunction with the Treasurer, sign cheques, withdrawal forms or other documents as prescribed by banks, on behalf of the Association.
- (4)
- (i) The Deputy General Secretary shall carry out his duties as defined by the Executive Council. In the absence of the General Secretary on Association business or for any other reason he shall deputize until such time as the General Secretary returns or the Executive Council shall carry out the provision of Rule 7(4).
  - (ii) He shall, in conjunction with the Treasurer, sign cheques, withdrawal forms or other documents as prescribed by banks, on behalf of the Association.
- (5)
- (i) The Treasurer shall be responsible for the safety of all money and the safeguarding of all investments belonging to the Association and shall keep full and accurate accounts of all transactions conducted in the name of the Association. He shall prepare a financial statement for each meeting of the Executive Council and an annual statement of accounts for audit and for presentation to the Annual General Meeting. He shall have the right to speak and to vote on all matters but he shall not be allowed to vote on the annual financial statement.
  - (ii) He shall, in conjunction with the President countersign every instrument of the Association to which the common seal of the Association is affixed;
  - (iii) He shall give to every member of the Association requesting an annual audited statement of accounts of all the receipts and expenditure and of the assets and liabilities of the Association free of charge;
  - (iv) He shall, in conjunction with either the President, the Vice-President, General Secretary, or the Deputy General Secretary sign cheques, withdrawal forms or other documents as prescribed by banks, on behalf of the Association;
  - (v) He shall deposit in the bank appointed by the Executive Council all sums over \$2000 retaining the remainder in a safe place.
- (6) Any Officer whose duties involve financial responsibility shall provide such security as the Executive Council may require.

## **Rule 9**

## **USE OF FUNDS**

- (1) The funds of the Association shall be divided into two sections.
  - (i) General Fund, which may be used by the Executive Council for lawful purpose approved at the Annual General Meeting or Extraordinary General Meeting of the Association;
  - (ii) Welfare Fund, to be used by the Executive Council solely for welfare purposes approved at the Annual General Meeting or Extraordinary General Meeting of the Association, not for any other purpose.
- (2) General Fund, This fund shall be used for :-
  - (i) The payment of salaries to clerical staff of the Association allowance, and expenses of Officers of the Association incurred on official business;
  - (ii) The payment of expenses for administration of the Association, including audit of the accounts of the funds of the Association;
  - (iii) The prosecution or defence of any legal proceedings to which the Association or any member is a party, when such prosecution or defence is undertaken for the purpose of securing or protecting any rights of the Association as such or any rights arising out of the relations of any member with his employer;
  - (iv) The conduct of trade disputes on behalf of the Association or any member;
  - (v) The compensation of members for loss arising out of trade disputes;
  - (vi) The payment of donations or grants to registered trade unions or other lawful bodies in Hong Kong and subscriptions, fees, and contributions necessary for affiliation to any trade union federation or other lawful trade union organization in Hong Kong;
  - (vii) The payment of fines imposed on the Association for any offence of which it is convicted under the Trade Unions Ordinance or any other Ordinance;
  - (viii) The payment of expenses incurred in the promotion of recreational, cultural, and social pursuits in the interests of members;
  - (ix) The provision and maintenance of welfare fund.
- (3) Investment of General Fund
  - ( i ) The General Fund of the Association which is not required for current expenses may, on the direction of the Executive Council, be invested in Government or such other securities, as the Executive Council may think fit, subject to the approval of members at the Annual General Meeting or Extraordinary General Meeting.
  - ( ii ) Any proposals on investment shall be specifically stated in the agenda of Annual General Meeting or the related Extraordinary General Meeting. Any counter proposals, if reached at the Annual General Meeting or the related Extraordinary General Meeting, shall have the same validity.
- (4) Financial Year

The Financial Year of the Association shall commence on the 1st day of October of each year and terminate on the 30th day of September of the following year.

**Rule 10**

**ESTABLISHMENT OF WELFARE BENEFIT FUND**

The Executive Council shall have the power to establish and/or administer a Welfare Benefit Fund or to appoint a sub-committee to administer the Fund. The Fund shall be open to all members and give benefits to members and/or their families in the event of death, accident, sickness, disablement, distress, maternity or retirement in accordance with Rule 2(5)(i), (ii) and (iii). (The Rules of the Welfare Benefit Fund, if any, shall be made separately).

**Rule 11**

**LEVIES**

- (1) The Executive Council may, if necessary, impose a levy upon all members of the Association and all members shall be required to pay such levy provided that, if members object to payment of the levy, they shall have the right to refer the matter to the Annual General Meeting or Extraordinary General Meeting called in accordance with Rule 5(3).
- (2) If any member fails to pay a levy within 3 months of its imposition, the amount shall be treated as arrears of annual subscription (see Rule 3(5)).

**Rule 12**

**AUDITORS**

- (1) One or more auditors, who need not be members of the Association shall be appointed or elected at the Annual General Meeting.
- (2) The auditor shall audit all the accounts of the Association, general, welfare and subsidiary accounts (if any) as soon after the close of each Financial Year as possible and at other times when necessary. All books and accounts of the Association will be examined and a certification as to their correctness or otherwise be given by the auditor. A report of the auditor will be made to the members at the Annual General Meeting.
- (3) A copy of auditor's report shall accompany the annual accounts to be sent to all members.

**Rule 13**

**INSPECTION OF BOOKS**

Any qualified member or any authorized agent of the member will be allowed to inspect the account books, registered rules and the register of members of the Association. Applications must be made in advance to the General Secretary or Treasurer, who will be allowed reasonable time to make the necessary documents available.

**Rule 14**

**TRADE DISPUTES**

In the event of any trade dispute arising, the members concerned shall make the same known to the General Secretary of the Association, who shall immediately report the same to the Executive Council, but in no case shall a cessation of work be threatened or take place without the sanction of the Executive Council.

**Rule 15**

**LEGAL ASSISTANCE**

Consistent with the provisions of Rule 2(5)(V) the Executive Council shall have the power to provide legal advice and assistance to any qualified members on any matter connected with the prosecution or defence undertaken for the purpose of securing or protecting any right arising out of the relations or the member with his employer provided the Executive Council are satisfied that the case is one on which it is advisable that legal advice or assistance shall be given and also provided that the necessity for legal assistance is not caused by drunkenness, willful neglect of duty or by any criminal act on the part of member.

**Rule 16**

**EDUCATIONAL WORK**

The Association may undertake the education of its members through meetings or classes and bulletins reporting the activities of the Association. It may publish literature and take such other action as will promote professional, industrial, cultural and social knowledge.



**Rule 17****RULE BOOK**

- (1) A copy of these registered Rules shall be given to every person accepted into membership of the Association.
- (2) A copy of these registered Rules shall be readily available at the Association premises for perusal by any members.

**Rule 18****DISSOLUTION**

- (1) The Association shall not be dissolved, except with the consent of not less than 5/6 of the qualified voting members of the Association obtained by means of secret ballot.
- (2) In the event of the Association being dissolved all debts and liabilities legally incurred on behalf of the Association shall be fully discharged and remaining funds divided amongst all qualified members in equal proportions.
- (3) When the Association is dissolved, notice of such will be sent by the General Secretary to the Registrar of Trade Unions.

**Rule 19****COMMON SEAL AND CONTRACT**

- (1) The Association shall have a common seal which shall be in the safe custody of the General Secretary, and this common seal shall only be used by authority of the Executive Council in resolution.
- (2) Contracts or instrument made by the Executive Council on behalf of the Association to which the common seal of the Association shall be affixed shall be signed by an officer or a qualified voting member appointed by the Council for the purpose and countersigned by the President, Treasurer or General Secretary (or by such members who for the time being and under the Rules of the Association, act as President, Treasurer or General Secretary).

**Rule 20****PREMISE OF ASSOCIATION**

- (1) The Association's premise is at Flat A-B, 3/F, 249-253 Reclamation Street, Kowloon, Hong Kong.
- (2) The usage of the premise shall be determined by the Executive Council, or a Committee approved by the Executive Council.
- (3) The Association's premise shall only be sold upon the resolution from Annual or Extraordinary General Meeting.