

**CONSTITUTION OF
ASSOCIATION OF GOVERNMENT SECRETARIAL STAFF**

Rule 1

TITLE AND OFFICE

- Name (1) The name of the Association shall be Association of Government Secretarial Staff (政府秘書職務人員協會) (hereinafter referred to as the Association).
- Address (2) The registered office of the Association shall be : Room B, 5/F Harvard Commercial Building, 105-111 Thomson Road, Wanchai, Hong Kong (香港灣仔譚臣道105-111號豪富商業大廈五字樓B室) (in Chinese) or such other place as may be decided upon by the Executive Committee.
- The postal address of the Association shall be: PO Box 23749, Wan Chai Post Office.

Rule 2

OBJECTS

The objects of the Association shall be as follows :-

- Objects (1) To secure the complete organization in the Association of all secretarial staff as specified in Rule 3(1)(i).
- (2) To obtain and maintain just and proper rates of salaries, hours of work, and other conditions of service and, generally, to protect and promote the interests of members.
- (3) To regulate the relations and to settle disputes between members and the Government of the Hong Kong Special Administrative Region, between one member and another, and between members and other employees by sincere negotiation whenever possible.
- (4) To secure the establishment of recognized and permanent machinery for negotiation with the Government of the Hong Kong Special Administrative Region.
- (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) victimization and trade dispute benefits;
 - (iv) legal advice and legal assistance where necessary in connection with the employment of members; and
 - (v) educational fees.
- (6) To establish, carry on or participate in, financially or otherwise, the business of the printing or publishing of a general newspaper or of journals, books, pamphlets, or other publications, in the interests of and with the main purpose of furthering the interests of the Association or of trade unionism generally.
- (7) To seek affiliation with any other association, institution, trade union or trade union federation whose objects include the advancement of the status of Government secretarial staff, civil servants and the promotion of trade unionism in general.

Rule 3

MEMBERSHIP

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| Membership | (1) (i) The Association is open to any persons employed in the secretarial class of the Government of the Hong Kong Special Administrative Region including Typists, Personal Secretary Grades and Supervisors of Typing Services. |
| Life members | (ii) Members may join as ordinary member or life member. Life members may remain as such even after retirement and not in full employment elsewhere. Life members, upon retirement, shall not have the right to vote in any decisions of the Association or be an officer of the Association but may enjoy the benefits provided by the Association. |
| Retired members | (iii) Ordinary members, upon retirement on account of age or ill |

health from the Government of the Hong Kong Special Administrative Region and not in full employment elsewhere, may, subject to the decision of the Executive Committee of the Association, be eligible to remain as retired members. Retired members shall not have the right to vote in any decisions of the Association or be an officer of the Association but may enjoy the benefits provided by the Association.

Members
breaking
rules

- (iv) All members must abide by the rules of the Association. Any member who breaks the rules of the Association may be liable to suspension or expulsion by the Executive Committee. Any member so suspended or expelled shall have the right to appeal to the Annual or Extraordinary General Meeting, whose decision shall be final.
- (v) Subject to Rule 3(1)(ii) and (iii), any member who is no longer in the service of the Government of the Hong Kong Special Administrative Region as defined in Rule 3(1)(i) shall, ipso facto, cease to be a member of the Association.

FEES

Annual
Subscription

- (2) (i) Ordinary members shall pay an annual subscription fee of \$100 immediately upon admission and thereafter annually on 1st January every year.
- (ii) Life members shall pay a one-off subscription fee of \$600 immediately upon admission.
- (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.

Arrears

- (4) Any member who fails to pay the annual subscription fee before 1st April every year shall cease to be a member, but may be reinstated at the discretion of the Executive Committee.

Rule 4

CONSTITUTION AND GOVERNMENT

Annual General Meeting 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 Committee.

Rule 5

ANNUAL GENERAL MEETING AND EXTRAORDINARY GENERAL MEETING

- Date of Annual General Meeting** (1) The Annual General Meeting shall be held in February to April every year.
- Attendance at the Annual or Extraordinary General Meeting** (2) All qualified members are entitled to attend at the Annual or Extraordinary General Meeting. Only voting members qualified by the rules of the Association shall be entitled to vote at the Annual or Extraordinary General Meeting.
- Calling of Extraordinary General Meeting** (3) Extraordinary General Meeting may be called by the Executive Committee or at the request of one-fourth of the total number of qualified members of the Association. 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.
- Business of Annual General Meeting** (4) The business of the Annual General Meeting shall be :-
- (i) To receive reports from the Executive Committee, to review the past work of the Association, and to plan future policy.
 - (ii) To elect biennially by secret ballot the Chairperson, Vice-Chairperson, Secretary, Assistant Secretary, Treasurer, Assistant Treasurer and other members of the Executive Committee.
 - (iii) To receive the audited annual statement of accounts and auditor's report for the previous financial year and to consider the financial position of the Association.
 - (iv) To consider any other business of the Association.

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| Amendment of rules | (5) The Annual or Extraordinary General Meeting shall be the sole authority to make, alter, amend and rescind any of the rules of the Association. |
| Notice & Agenda of Annual or Extraordinary General Meeting | (6) The Secretary, on the instructions of the Executive Committee, shall prepare an agenda of the Annual or Extraordinary General Meeting and shall make it known to members in such manner as the Executive Committee shall decide, provided not less than seven days notice shall be given to all qualified members for the calling of the Annual or Extraordinary General Meeting. |
| Quorum | <p>(7) The quorum for all Annual and Extraordinary General Meetings of the Association shall be not less than one-seventh or 50, whichever is the less, of the total voting members. With the exception of decisions regarding change of name of the Association, federation or amalgamation with another trade union and any other matters for which requisite votes are prescribed by the Trade Unions Ordinance or by the rules of the Association, all decisions taken at an Annual or Extraordinary General Meeting shall be valid if passed by a majority of votes of all voting members present constituting the requisite quorum.</p> <p>(8) 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 Committee 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 present at that meeting shall constitute a quorum and business shall be conducted and decisions taken except those on matters of which requisite votes are prescribed by the Trade Unions Ordinance or the rules of the Association, shall be valid if passed by a majority of votes of all voting members present.</p> |

Rule 6

ELECTIONS AND SECRET BALLOT

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| Secret ballot held under the authority of the Executive Committee or Sub-Committee | (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 Committee or under the authority of an Election Sub-Committee appointed specifically for the purpose by the Executive Committee. |
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- (2) All decisions in respect of the following items shall be taken by secret ballot :-
- (i) election of the officers and the office-bearers of the Association;
 - (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;
 - (v) being or becoming a member of an organization established in a foreign country;
 - (vi) resolution on payment of electoral expenses referred to in section 33A(1) of the Trade Unions Ordinance when no electoral fund has been established;
 - (vii) dissolution of the Union.
- (3) The Secretary or other officer appointed for the purpose shall be responsible for issuing ballot forms. Ballot forms shall be issued only to those members qualified by the rules of the Association to exercise their voting right.
- (4) All ballot forms must be marked or inscribed at the place provided. They must not be signed by the respective persons marking or inscribing them. They must be placed in the sealed ballot box (or boxes) provided for the purpose only by the respective persons marking or inscribing the ballot forms. The Executive Committee 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 qualified members. The scrutineers will be responsible under the Executive Committee or Election Sub-Committee for collecting ballot box (or boxes) and counting and checking ballot forms.

Rule 7

EXECUTIVE COMMITTEE

Composition of
Executive
Committee

- (1) The government of the Association in the periods between Annual General Meetings shall be vested in the Executive Committee which consists of Chairperson, Vice-Chairperson, Secretary, Assistant Secretary, Treasurer, Assistant Treasurer and another five members all of whom shall be elected biennially by secret ballot at the Annual General Meeting. Each of them shall hold office for a period of two years and shall be eligible for re-election.

Meeting and
quorum of
Executive
Committee

- (2) The Executive Committee shall meet at least once every two months and at other such times as may be deemed necessary. Not less than one half of the total number of members shall form a quorum. Decisions taken at the Executive Committee Meeting shall be valid if passed by a majority of votes of all Executive Committee Members present constituting the requisite quorum. The decision of the Executive Committee shall be binding on all members.

Dismissal of
officers

- (3) The Executive Committee may suspend or dismiss any office-bearer or Executive Committee Members of the Association for neglect of duty, dishonesty, incompetence, refusal to carry out the decisions of the Executive Committee, or for any other reason which it deems good and sufficient in the interests of the Association. Any office-bearer or Executive Committee Member so suspended or dismissed shall have the right of appeal to the Annual or Extraordinary General Meeting, whose decision shall be final.

Vacancies on the
Executive
Committee

- (4) The Executive Committee may suspend or expel any member who is proved, to the satisfaction of the Committee, to have been guilty of conduct prejudicial to the interests of the Association. Any member so suspended or expelled shall have the right of appeal to an Annual or Extraordinary General Meeting, whose decision shall be final.

Vacancies

- (5) If the Chairpersonship, Vice-Chairpersonship, Secretaryship or Treasurership falls vacant between Annual General Meetings, the position shall be filled from among the members of the Executive Committee by secret ballot. Any consequent committee vacancy shall be filled by the member who was the highest in the list of unsuccessful candidates at the last election.

Protection of
funds by
Executive
Committee

- (6) The Executive Committee shall pursue the objects of the Association and shall protect its funds against extravagance or misappropriation.

Appointment
of Sub-
Committee

- (7) The Executive Committee shall give instructions to the Secretary and other officers for the conduct of the affairs of the Association. It may appoint Sub-Committees where necessary to carry out the routine work of the Association.

Rule 8

OFFICE-BEARER OF THE ASSOCIATION

Duties of
Chairperson

- (1) The Chairperson shall preside at all Annual and Extraordinary General Meetings and Executive Committee Meetings and shall be responsible for the proper conduct of business. He/She shall have a casting vote. He/She shall sign the minutes of each meeting after they are approved. He/She shall, with the assistance of the Secretary and Treasurer, superintend the general administration of the affairs of the Association, and shall endeavour to secure the observance of the rules of the Association by all concerned. He/She shall, in conjunction with the Secretary or the Treasurer, countersign every document of the Association to which the common seal of the Association is affixed as provided under Rule 21(2). He/She shall, in conjunction with the Treasurer, sign cheques on behalf of the Association.

Duties of
Vice-
Chairperson

- (2) The Vice-Chairperson shall assist the Chairperson for Association business. In the absence of the Chairperson on the business of the Association or for any other reason he/she shall deputise until the Chairperson returns or the Executive Committee shall carry out the provisions of Rule 7(5).

Duties of
Secretary and
Assistant
Secretary

- (3) The 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 Committee. He/She shall keep the register of members of the Association. He/She shall be responsible for recording the minutes of all meetings. He/She 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. He/She shall keep the common seal of the Association in safe custody. He/She shall, in conjunction with the Chairperson, countersign any document of the Association to which the common seal of the Association is affixed as provided under Rule 21(2). He/She shall, in conjunction with the Treasurer, sign cheques on behalf of the Association. The Assistant Secretary shall assist the Secretary in his/her work.

Duties of
Treasurer and
Assistant
Treasurer

- (4) The Treasurer shall be responsible for the safety of all monies and the safeguarding of all investment documents belonging to the Association and shall keep full and accurate accounts of all transactions conducted in the name of the Association. He/She shall prepare a financial statement for each meeting of the Executive Committee and an annual statement of accounts for audit and for presentation to the Annual General Meeting. He/She shall not keep any sum in cash in excess of \$500 and shall deposit the remainder at a bank approved by the Executive Committee. He/She shall give to every member of the Association upon request an annual audited statement of account of all the receipts and expenditure and of the assets and liabilities of the Association free of charge. He/She shall, in conjunction with the Chairperson, countersign any document of Association to which the common seal of the Association is affixed as provided under Rule 21(2). He/She shall have the right to speak and to vote on all matters at any meeting of the Association except voting on financial matters. He/She shall, in conjunction with the Chairperson or Secretary, sign cheques on behalf of the Association. The Assistant Treasurer shall assist the Treasurer in his/her work.

Duties of
Committee
Members

- (5) All office-bearers and all kinds of Committee Members are in an honorary capacity.

Rule 9

USE OF FUNDS

Use of Funds

- (1) General Fund of the Association shall be used for :-
- (i) the payment of expenses of officers of the Association incurred on Association business;
 - (ii) the payment of expenses for the 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 the employer, i.e. the Government of the Hong Kong Special Administrative Region;

- (iv) the conduct of trade disputes on behalf of the Association or any member;
- (v) the compensation to 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; and
- (ix) the payment for the promotion of all objects of the Association.

Investment (2) The funds of the Association which are not required for current expenses may, on the direction of the Executive Committee, be invested in Government or such other securities with the approval of Annual or Extraordinary General Meeting.

Financial year (3) The financial year of the Association shall commence on the 1st day of February and terminate on the 31st day of January the following year.

Rule 10

ESTABLISHMENT OF WELFARE BENEFIT FUND

The Executive Committee shall have the power to establish and/or administer a Welfare Benefit Fund or to appoint a Sub-Committee to administer the Fund to give benefits to members and/or their families in the event of death, accident, sickness, distress, disablement, maternity, retirement and other welfare relief in accordance with Rule 2(5). Welfare Fund, if any, shall be used by the Executive Committee solely for welfare purposes. (Detailed Welfare Benefit Rule, if any, shall be made separately.)

Rule 11

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| Imposition of
levy | (1) The Executive Committee 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 the Extraordinary General Meeting called in accordance with Rule 5(3). |
| Failure of pay
levy | (2) If any member fails to pay a levy within three months of its imposition, he/she shall cease to be a member, but may be reinstated at the discretion of the Executive Committee. |

Rule 12

AUDITORS

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| Auditors need
not be
members | (1) One or more auditors, who need not be members of the Association, shall be appointed or elected biennially at the Annual General Meeting. |
| Audit of
accounts | (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 a certification as to their correctness or otherwise be given by the auditor. A report by the auditor shall be made to the members at the Annual General Meeting. |
| Copy of
auditor's
report | (3) A copy of the auditor's report shall be conspicuously placed at the office of the Association. |

Rule 13

INSPECTION OF BOOKS

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| Inspection of
books | Any qualified member or any authorized professional agent of the member shall be allowed to inspect the account books, registered rules and the register of members of the Association. Application must be made in advance to the Secretary or Treasurer, who shall be allowed reasonable time to make the necessary documents available. |
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Rule 14

TRADE DISPUTES

Cessation of
work

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

Action for
improved
conditions

- (2) Should any member of the Association desire steps to be taken for any improved conditions of employment, the Secretary of the Association shall report the claim to the Executive Committee, who shall determine what action shall be taken.

Rule 15

LEGAL ASSISTANCE

Legal advice
or assistance

Consistent with the provisions of Rule 2(5)(iv) the Executive Committee shall have power to provide legal advice and assistance to any qualified member on any matter connected with the prosecution or defence undertaken for the purpose of securing or protecting any rights arising out of the relations of the member with his/her employer provided that the Executive Committee is 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, wilful neglect of duty or by any criminal act on the part of the member.

Rule 16

EDUCATIONAL WORK

Education

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

Rule 17

SIGNING OF CHEQUES

Signing of
cheques

The Chairperson or the Secretary in conjunction with the Treasurer shall jointly sign cheques on behalf of the Association.

Rule 18

INTERPRETATION OF RULES

Interpretation
of rules

The Executive Committee shall interpret the rules, when necessary, and determine any point which the rules do not adequately cover.

Rule 19

RULE BOOK

Rules to be
printed and
made
available

- (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 20

DISSOLUTION

Dissolution

- (1) The Association shall not be dissolved, except with the consent of at least two-thirds of the voting membership of the Association obtained by means of a secret ballot.

Debts and
liabilities
fully
discharged

- (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 the remaining funds shall be disposed of in such manner as decided at the General Meeting.

Notice sent to
Registrar of
Trade Unions

- (3) When the Association is dissolved, notice of such shall be sent by the Secretary to the Registrar of Trade Unions.

Rule 21

COMMON SEAL AND CONTRACT

Common Seal
and Contract

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

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Updated in June 2024