

(25.6.2018)

RULE 1 - NAME AND OFFICE

- Name 1.1. The name of the association shall be Government Information Technology Professionals Association 政府資訊科技專業人員協會 .
(hereinafter referred to as the association)
- Address 1.2. The registered office and postal address of the association shall be at
(revised by EC 2022/23 dated 10.6.2022)
- Office of the Government Chief Information Officer
12/F, The Treasury Building,
No. 3 Tonkin Street West,
Cheung Sha Wan,
Kowloon.
- or such other place as may be decided upon by the Executive Committee.

RULE 2 - OBJECTS

- Objects The objects of the association shall be as follows :
- 2.1. To secure the complete organisation in the association of all persons as specified in Rule 3.1.(a).
- 2.2. To obtain and maintain just and reasonable scales of salaries, hours of work and other conditions of employment, and generally to protect the interests of members.
- 2.3. To regulate relations and to settle disputes between members and the employer, between one member and another, and between members and other employees by amicable and conciliatory means.
- 2.4. To promote a spirit of mutual respect and understanding between the association and the employer and to secure the establishment of recognised and permanent machinery for negotiation with the employer.
- 2.5. To provide for members and in certain circumstances their families any or all of the following benefits and such others as the General Meeting may decide:-
- (a) monetary relief for sickness, accident, disablement, distress, unemployment, maternity and retirement;
- (b) death gratuities and funeral expenses;

- (c) education expenses;
 - (d) victimisation and trade dispute benefits;
 - (e) legal advice and legal assistance in connection with the employment of members.
- 2.6. To promote generally the material, cultural, social, educational and recreational welfare of the members and their families in any lawful manner by the provision of educational facilities, clinics and other undertakings which the General Meeting may from time to time decide.
- 2.7. To further the work or purpose of any lawful organisation whose objects are to promote the interests of labour, trade unionism or trade unionists.
- 2.8. To establish, carry on or participate in the business of the printing or publishing a general newspaper, journals, books, pamphlets or other publications in the interests of members, the association or trade unionism generally.
- 2.9. To promote legislation in the interests of members.

RULE 3 - MEMBERSHIP

- Membership 3.1. (a) The association is open to all persons employed by the Hong Kong Government in all ranks of the Analyst/Programmer Grade below the Assistant Director Rank;
- (b) a person, who applies for membership of the association, shall sign and present to the Secretary an application in such form and upon such terms as the Executive Committee may specify;
- (c) a member, including life members, who retires from the employment referred to in Rule 3.1.(a) on account of age or ill-health and is not fully employed elsewhere may, subject to the decision of the Executive Committee, be appointed an honorary member who shall not have the right to vote but may participate in the benefits provided by the association.
- (d) a member, upon payment of HK\$600 and subject to the decision of the Executive Committee shall be a Life Member. A Life Member shall not be required to pay annual subscriptions but shall continue to pay any other levies as may be decided by the Executive Committee.
- Honorary Membership
(revised on AGM 1998 dated 23.5.1998)
- Life Membership
(added on AGM 1998 dated 23.5.1998; revised on AGM 2017 dated 17.5.2017)

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- Entrance Fee and annual subscription
(revised on AGM 1995 dated 27.5.1995)
- 3.2. (a) the entrance fee to the association shall be \$20 per person and the annual subscription shall be \$25 per person payable on admission and thereafter due on the 1st day of January every year;
- (b) an honorary member shall not be required to pay annual subscriptions but shall continue to pay any other levies as may be decided by the Executive Committee.
- Alteration of fees
- 3.3. The General Meeting of the association shall have power to alter any fees, subscriptions and contributions, and to impose additional levies for the purpose of providing further benefits for members.
- Members leaving employment
(revised on AGM 1998 dated 23.5.1998)
- 3.4. Subject to Rule 3.1.(c), a member, including life members, who has left the employment referred to in Rule 3.1.(a) shall cease to be a member.
- Members breaking rules
- 3.5. All members must abide by the rules of the association. Any member breaking the rules of the association is liable to disciplinary action or expulsion by the Executive Committee (see Rule 7.8). Any member disciplined or expelled may appeal to the General Meeting.
- Arrears
(revised on AGM 1996 dated 25.5.1996)
- 3.6. A member who is more than 3 months in arrears of either subscriptions, contributions, fees or any other levies from the date due shall cease to be a member, but he may be reinstated at the discretion of the Executive Committee on condition that the current year subscription is fully paid.
- Withdrawal of Membership
- 3.7. When a person withdraws from the membership or ceases to be a member for any reason, all subscriptions, contributions, fees or levies previously paid shall not be refunded.

RULE 4 - CONSTITUTION AND GOVERNMENT

- General Meeting
4. The supreme authority of the association shall be vested in the Annual General Meeting and subject to this authority the association shall be governed by the Executive Committee.

RULE 5 - ANNUAL GENERAL MEETING AND EXTRAORDINARY GENERAL MEETING

- Date of Annual General Meeting
- 5.1. The Annual General Meeting shall be held in the month of May every year.

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- Calling of Extraordinary General Meeting 5.2. An Extraordinary General Meeting may be called by the Executive Committee or at the request of not less than one-fifth of the total number of members of the association.
- Attendance at the Annual general Meeting and Extraordinary General Meeting 5.3. (a) All members shall be entitled to attend the General Meeting.
(b) Only voting members shall be entitled to vote at the General Meeting.
- Business of Annual General Meeting 5.4. The business of the Annual General Meeting shall be:-
(a) to confirm the minutes of the previous Annual General Meeting and of any intervening Extraordinary General Meeting;
(b) to consider reports of the Executive Committee;
(c) to consider and approve the statement of accounts for the previous financial year together with the report on the audit of accounts of the association;
(d) to elect by secret ballot the officers of the association;
(e) to elect or appoint an auditor or auditors;
(f) to consider any other business.
- Amendment of rules 5.5. The General Meeting shall be the sole authority to make, alter, amend or rescind any of these rules provided that no rules providing for any matters specified in the Second Schedule to the Trade Unions Ordinance may be rescinded.
- Agenda of General Meeting 5.6. The Secretary, on the instructions of the Executive Committee, shall prepare the agenda of the General Meeting and shall make them known to members in such a manner as the Executive Committee may decide. No less than 14 days notice shall be given to all members for calling the Annual General Meeting. No less than 3 working days notice shall be given to all members for calling an Extraordinary General Meeting.
- Business of Extraordinary General Meeting 5.7. The business of the Extraordinary General Meeting shall be confined to those matters specified in the agenda. Decisions reached at the Extraordinary General Meeting shall have the same validity and authority as decisions reached at the Annual General Meeting. Provided that, where any change in the rules of the association is contemplated, such proposed change shall be specifically stated in the agenda of the meeting.
- Quorum 5.8. The quorum for any General Meeting shall be formed by not less than one third of the total voting members, present or by proxy.

With the exception of those matters regarding change in the name of the association, federation or amalgamation with other trade unions and any other matters for which requisite votes are prescribed by the Trade Unions Ordinance or by the rules of the association, all decisions of the General Meeting shall be valid if they are made by a majority of votes of all voting members present or by proxy constituting a quorum.

RULE 6 - ELECTIONS AND SECRET BALLOT

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| Secret ballot held under the authority of the Executive Committee or Sub-Committee | 6.1. | All elections or other matters for decision by secret ballot at the General Meeting shall be held under the authority of the Executive Committee or a Sub-Committee appointed specifically for the purpose by the Executive Committee. |
| Matters to be decided by secret ballot | 6.2. | All decisions in respect of the following items shall be taken by secret ballot :-

(a) election of officers;

(b) change in the name of the association;

(c) amalgamation of the association with any other trade union;

(d) federation of the association with any other trade union or trade union federation. |
| Issue of Ballot Forms | 6.3. | The Secretary or any voting member appointed by the Executive Committee for the purpose of issuing ballot forms shall issue them only to voting members. |
| | 6.4. | All ballot forms must be marked or inscribed by the voters concerned. They must not be signed by the persons who mark or inscribe them. They must be placed in the sealed ballot box or boxes as provided. The Executive Committee or the Sub-Committee shall appoint voting members to supervise and safeguard the ballot box or boxes. |
| | 6.5. | Two or more scrutineers shall be elected at the General Meeting from among the voting members. The scrutineers shall be responsible to the Executive Committee or a Sub-Committee for collecting the ballot box or boxes and counting and checking the votes. |

RULE 7 - EXECUTIVE COMMITTEE

- Government of association vested in Executive Committee 7.1. The government of the association and the conduct of its business shall be vested in the Executive Committee.
- Composition of Executive Committee
(revised on AGM 2017 dated 17.5.2017) 7.2. (a) The Executive Committee shall consist of the Chairman, Vice-Chairman, Secretary, Treasurer and seven (7) Committee Members. They shall be elected annually by secret ballot at the Annual General Meeting. They shall serve for a term of one year and shall be eligible for re-election;
- (b) The eleven members of the Executive Committee shall include a minimum of one Analyst/Programmer II, one Analyst/Programmer I, and one Systems Manager. In the event of members of any rank stated above not offering themselves for election, the prescribed number of Executive Committee Member(s) may be elected from members of other rank(s) as the Executive Committee may decide.
- Meeting and quorum of Executive Committee 7.3. The Executive Committee shall meet at least once a month. Over one half of the total number of members of the Committee shall form a quorum. With the exception of those matters regarding amalgamation with other trade unions and any other matters for which requisite votes are prescribed by the Trade Unions Ordinance or by the rules of the association all decisions of the Executive Committee shall be valid if they are made by a majority of votes of all those members of the Committee present constituting a quorum.
- Vacancy on the Executive Committee 7.4. In the event of death, resignation or dismissal of any member of the Executive Committee between two Annual General Meetings or when, during such period, any member of the Executive Committee is unavoidably absent from Hong Kong and such absence is likely to be permanent or unduly prolonged, the vacancy shall be filled by the candidate who secured the next highest number of votes at the last election subject to Rule 7.2.(b) above. In the case of an office-holder, the vacancy shall be filled from among all the members of the Executive Committee by secret ballot.
- Protection of funds by Executive Committee 7.5. The Executive Committee shall pursue the objects of the association and shall protect its funds against extravagance or misappropriation. It may give instructions as to the investment of the funds of the association subject to Rule 9.3.

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- Appointment and dismissal of paid staff and sub-committees 7.6. The Executive Committee shall give instructions to the Secretary and other office-holders for the conduct of the affairs of the association. It may appoint paid staff and may dismiss them for reasons deemed good and sufficient in the interests of the association. It may appoint sub-committees to carry out the routine work of the association and may dissolve them.
- Dismissal of officers 7.7. The Executive Committee may suspend or dismiss any member of the Executive Committee for neglect of duty, dishonesty, incompetence, refusal to carry out the decisions of the Executive Committee, or for any other reason deemed good and sufficient in the interests of the association. Any member of the Executive Committee suspended or dismissed may appeal to the General Meeting.
- Discipline and expulsion of members 7.8. The Executive Committee may discipline or expel from the association any member who is proved to its satisfaction to have been guilty of conduct prejudicial to the interests of the association. Any member disciplined or expelled may appeal to the General Meeting.
- Decisions of Executive Committee 7.9. Subject to Rule 7.3. and the overriding authority of the General Meeting all decisions of the Executive Committee shall be binding on all members of the association.
- Interpretation of rules 7.10. The Executive Committee shall interpret the rules and determine any points which the rules do not adequately cover.
- Fully paid subscriptions etc. 7.11. All members of the Executive Committee must duly pay up all subscriptions, contributions, fees and levies.

RULE 8 - OFFICE-HOLDERS OF THE ASSOCIATION

- Duties of Chairman 8.1. (a) The Chairman shall preside at all General Meetings and Executive Committee Meetings and shall be responsible for the proper conduct of business of such meetings. He shall have a casting vote. He shall sign the minutes of each meeting after they are approved;
- (b) With the assistance of the Secretary and the Treasurer he shall superintend the general administration of the association and shall ensure the observance of the association rules by all members;
- (c) He 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 18.2.

- (e) He shall not keep cash in hand in excess of \$500, and shall deposit all other sums of money in the bank account opened in the name of the association and appointed by the Executive Committee.
- Compensation to officers 8.5. Any officer whose duties call for full-time services for the association may be compensated for loss of hours of work or wages as may be decided by the Executive Committee.
- Financial Security 8.6. Any officer whose duties involve financial responsibility shall provide such security as the Executive Committee may require.

RULE 9 - FUNDS AND FINANCIAL YEAR

- Use of the Funds 9.1. The funds of the association may be used with the authority of the Executive Committee only for the following purposes:-
- (a) the payment to officers and staff of the association of salaries, allowances and expenses in dealing with the affairs of the association;
 - (b) the payment of expenses for the administration of the association including audit of the accounts of the association;
 - (c) the prosecution or defence of any legal proceeding 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;
 - (d) the conduct of trade disputes on behalf of the association or any member;
 - (e) the compensation of members for loss arising out of trade disputes;
 - (f) the payment of subscriptions, fees, contributions or donations to a registered trade union or other lawful association or combination established within Hong Kong.
 - (g) 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;
 - (h) the payment for any other lawful purposes approved at the General Meeting.
- Welfare Fund 9.2. The General Meeting may authorise the Executive Committee to establish a Welfare Fund which shall be administered by the

Executive Committee or by a Sub-Committee appointed by the Executive Committee. The Fund shall be open to all members and give benefits to members and/or their families for the purposes set out in Rule 2.5(a), (b) and (c). It may also be used for payment of expenses incurred in the promotion of recreational, cultural and social pursuits in the interests of members. Specific rules shall be made before a Welfare Fund is created.

- Investment of funds 9.3. The funds of the association which are not required for current expenses may be invested in bonds, securities or property as may be decided at the General Meeting.
- Financial year 9.4. The financial year of the association shall commence on the 1st day of April each year and terminate on the 31st day of March of the following year.

RULE 10 - LEVIES

- Imposition of levy 10. The Executive Committee may, if necessary, impose a levy upon all members. If members object to payment of such levy they may refer the matter to the General Meeting.

RULE 11 - AUDITORS

- Election or Appointment of Auditors 11.1. One or more auditors, who must not be members of the Executive Committee, shall be appointed or elected at the Annual General Meeting.
- Vacancy of auditor 11.2. In the event of an auditor vacating his office between two Annual General Meetings, the Executive Committee shall have power to appoint a suitable person to fill the vacancy. The appointment will be referred to the next General Meeting for covering approval.
- Audit of accounts 11.3. The auditor shall audit all the accounts of the association, including those of the General Fund and the Welfare Fund, and any subsidiary accounts, as soon as possible after the close of each financial year and at other times when necessary. He shall examine all books and accounts of the association, certify as to their correctness or otherwise and make a report to the Annual General Meeting.
- Copy of auditor report 11.4. A copy of the auditor's report shall be conspicuously displayed at the office of the association.

RULE 12 - INSPECTION OF BOOKS

- Inspection of books 12. Any member or his authorised agent shall be allowed to inspect the association's account books, original copy of registered rules and register of members. An application to this effect must be made in advance to the Secretary or the Treasurer, who shall be allowed reasonable time to make the necessary documents available.

RULE 13 - TRADE DISPUTES

- Industrial action 13.1. When a trade dispute arises the members concerned shall inform the Secretary who shall immediately report it to the Executive Committee. In no case shall a stoppage of work take place or be threatened to take place without the sanction of the Executive Committee.
- Action for better conditions 13.2. Should any branch or body of members of the association desire steps to be taken for an increase of salaries or for better conditions of employment, the Secretary shall report it to the Executive Committee which shall determine what action to be taken.

RULE 14 - LEGAL ASSISTANCE

- Legal advice or assistance 14. In pursuance of the object in Rule 2.5(e) the Executive Committee shall have power to provide legal advice and assistance to any member on any matter connected with the prosecution or defence under-taken for the purpose of securing or protecting any rights arising out of the relations of the member with his employer, provided that the Executive Committee is satisfied that the case merits legal advice or assistance.

RULE 15 - EDUCATIONAL WORK

- Education 15. The association may undertake the education of its members through meetings, classes or 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 of its members.

RULE 16 - RULE BOOK

- Rules to be printed and made available 16.1. A copy of these registered rules shall be given to every person accepted into membership of the association.
- 16.2. A copy of these registered rules shall be readily available at the association premises for perusal by any members.

RULE 17 - DISSOLUTION

- Dissolution 17.1. The association can only be dissolved with the consent of the majority of all voting members obtained by means of a secret ballot.
- Debts and liabilities fully discharged 17.2. 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 divided amongst all members in equal proportions.
- Notice sent to Registrar of Trade Unions 17.3. When the association is dissolved the Secretary shall notify the Registrar of Trade Unions to this effect within 14 days after the dissolution.

RULE 18 - COMMON SEAL AND CONTRACT

- Common seal 18.1. The association shall have a common seal which shall be in the safe custody of the Secretary, and it shall only be used by the authority of the Executive Committee.
- Contracts 18.2. Any contracts or instruments made by the Executive Committee on behalf of the association to which the common seal of the association is affixed shall be signed by an officer or a voting member appointed by the Committee for the purpose and countersigned by the Chairman together with the Treasurer or the Secretary.

RULE 19 - DEFINITIONS

- Definitions 19. In these rules, unless the context otherwise requires,
- "General Meeting" includes Annual General Meeting and Extraordinary General Meeting.
- "Members of the Executive Committee" means all persons who constitute the Executive Committee.
- "officer" means any member of the Executive Committee including any office-holder.
- "voting member" means any member of the association entitled to vote for any purposes under the rules of the association.
