

# **The Constitution of the Asian Law Students' Association Hong Kong**



**The Second Amended Constitution of Asian Law Students' Association Hong Kong is effective from 1<sup>st</sup> March 2021 in the Hong Kong Special Administrative Region of the People's Republic of China**

# **Table of Contents**

Section I	Interpretation
Section II	General Provisions
Section III	Governing Board
Section IV	Ad-Hoc Committee
Section V	Local Chapter
Section VI	Delegation to the ALSA Forum/ Conference
Section VII	Patrons
Section VIII	Constitution
Section IX	Members

## **Section I**

### **INTERPRETATION**

#### **1. Interpretation**

- (1) For the purpose of this Constitution, unless the context otherwise requires-
  - (a) “ALSA” shall mean the Asian Law Students’ Association;
  - (b) “the Association”, “ALSA HK” and “ALSA Hong Kong” shall mean the Asian Law Students’ Association Hong Kong;
  - (c) “Constitution” shall mean the Constitution of the Asian Law Students’ Association Hong Kong;
  - (d) “Governing Board” shall mean the Governing Board of the Asian Law Students’ Association Hong Kong;
  - (e) “National President” shall mean the President of the National Chapter of Asian Law Students’ Association in Hong Kong;
  - (f) “The Honorary Presidents” shall mean the Honorary President of the Association, if such a person is appointed.
  - (g) “The Councilors” shall mean all Councilors of the Governing Board of the Asian Law Students’ Association Hong Kong;
  - (h) “Local Chapter” shall mean the Local Chapter of the Asian Law Students’ Association Hong Kong;
  - (i) “University Representative” shall mean the President of the Local Chapter of the Asian Law Students’ Association Hong Kong;
  - (j) “Unaffiliated Local Chapter” shall mean “Unaffiliated Local Chapter, ALSA Hong Kong”;
  - (k) “Executive Committee” shall mean the Executive Committee of the Local Chapter of the Asian Law Students’ Association Hong Kong; and
  - (l) If the context permits and requires, words and expressions importing the masculine gender shall include the feminine gender. Words and expressions in the singular shall include the plural and words and expressions in the plural shall include the singular.

## **Section II**

### **GENERAL PROVISIONS**

#### **2. Title**

- (1) The title of the Association shall be the “Asian Law Students’ Association Hong Kong”, with the abbreviation “ALSA Hong Kong” or “ALSA HK”.

#### **3. Purpose**

- (1) The purpose of the Association is to act as the platform of the student association of the law schools in Hong Kong and to represent them internationally on ALSA matters.

#### **4. Official Language(s)**

- (1) The official language of the Association shall be English. Chinese may be used as a working language of the Association.

### **Section III**

#### **GOVERNING BOARD**

##### **5. Authority**

- (1) The Governing Board shall possess the highest authority in the Association.

##### **6. Function**

- (1) The Governing Board shall be responsible for all administrative work and all other relevant matters of the Association.

##### **7. Term of Office**

- (1) The session of the Governing Board shall commence on November 1st of the current year and until November 30th of the following year.
- (2) The term of office shall be extended for no more than one year in exceptional circumstances, including but not limiting to natural disaster and pandemic.

##### **8. Composition**

- (1) The Governing Board shall consist of the following positions:
  - (a) National President;
  - (b) Internal Vice-President;
  - (c) External Vice-President;
  - (d) Secretary General;
  - (e) Chief Financial Officer;
  - (f) Director of Information Technology;
  - (g) Director of Academic Activities;
  - (h) Director of Public Relations;
  - (i) Director of Training, Exchange and Development;
  - (j) University Representatives;
  - (k) Honorary Presidents and
  - (l) Councilors.
- (2) All the above mentioned positions in the Governing Board shall meet the following requirements:
  - (a) he/she shall be a member of ALSA Hong Kong.
- (3) The Governing Board may by resolution establish additional positions on the Board. The positions will expire upon the ending of the term of office of the respective Governing Board.

## **9. National President**

- (1) The National President shall:
  - (a) convene the Governing Board Meetings and chair at these meetings;
  - (b) represent the Association locally and internationally; and
  - (c) attend the International Governing Council meetings.
- (2) The National President, or in the absence of the National President any member of ALSA HK appointed by a resolution of the Governing Board, shall have voting right in the International Governing Council meetings.
- (3) The National President shall form an Interview Panel with the other officer(s) in the board to select the new committee of the Association.

## **10. Internal Vice-President**

- (1) The Internal Vice-President shall:
  - (a) be the acting President of the Association in the absence of the President; and
  - (b) assist the President in the discharge of his duties.

## **11. External Vice-President**

- (1) The External Vice-President shall:
  - (a) be responsible for STEP (Student Trainee Exchange Programme) as well as any matters relevant to student exchanges;
  - (b) Handle matters relating to affairs of external organizations; and
  - (c) Oversee the works of the Director of Public Relations.

## **12. Secretary General**

- (1) The Secretary General shall:
  - (a) prepare the agenda of and take minutes in the Governing Board Meetings; and
  - (b) handle administrative matters on behalf of the Governing Board.

## **13. Chief Financial Officer**

- (1) The Chief Financial Officer shall:
  - (a) handle all financial matters of the Association;
  - (b) give a bimonthly report to the Governing Board;
  - (c) take note of every transaction made on behalf of ALSA HK;
  - (d) create and update a current list of members of ALSA HK;
  - (e) attend the International Governing Council Treasury meeting; and
  - (f) convene monthly meetings with the Treasurers of the Local Chapters.

## **14. Director of Information Technology**

- (1) The Director of Information Technology shall:
  - (a) be responsible for the website of the Association;
  - (b) manage the social media accounts of the Association; and
  - (c) attend the International Governing Council Information Technology meeting.

## **15. Director of Academic Activities**

- (1) The Director of Academic Activities shall:
  - (a) be responsible for the academic activities of the Association;
  - (b) attend the International Governing Council Academic Activities Coordinator meetings;
  - (c) be responsible for the ALSA International Academic Programme; and

- (d) Manage ALSA Hong Kong's academic publications.

#### **16. Director of Public Relations**

- (1) The Director of Public Relations shall:
  - (a) promote public relations of ALSA HK within and beyond Hong Kong;
  - (b) be responsible for marketing materials;
  - (c) attend the International Governing Council Public Relations meeting; and
  - (d) convene monthly meetings with the Public Relations Officers of the Local Chapters.

#### **17. Director of Training, Exchange and Development**

- (1) The Director of Training, Exchange and Development shall:
  - (a) oversee and coordinate the conduct of ALA HK internship and exchange activities
  - (b) promote and support the organization of ALSA HK internship and exchange activities
  - (c) develop and maintain a framework through which other ALSA national chapters organize international internship and exchange activities;
  - (d) attend the International Governing Council Training, Exchange and Development; and
  - (e) convene monthly meetings with the Training, Exchange and Development Officers of the Local Chapters.

#### **18. University Representatives**

- (1) The University Representatives shall consist of the Presidents of each Local Chapter. If the President of the Local Chapter is unavailable, a representative shall be chosen by the President of the Local Chapter to represent the Local Chapter.
- (2) The University Representatives shall:
  - (a) represent the views of their respective Local Chapter; and
  - (b) report to the Governing Board on the activities of the Local Chapter.

#### **19. Honorary Presidents**

- (1) Members who have held office as Presidents may be elected as Honorary President and shall continue as such for as long as they remain members of the Association, to honor their significant contributions to the Association.
- (2) Honorary Presidents shall be entitled to attend meetings of the Governing Board, but shall not have the right to vote at Governing Board Meeting.
- (3) A member could hold the title of the Honorary President and Councilor at the same time.
- (4) Honorary Presidents are not subject to a limit of the term of office.

#### **20. Councilors**

- (1) The Councilors shall:
  - (a) The term of office of the Council member shall only last for twelve months and correspond to the Association session of the respective organizations in accordance with its Constitution;
  - (b) The extension of term of office in Section 7 is not applicable in the case of councilors;
  - (c) Each councilor shall be a former Governing Board member;
  - (d) The councilors of every Governing Board session shall be generated by a simple majority vote in the Governing Board Meeting of the previous session; and
  - (e) There shall not be more than 2 councilors in the Governing Board of each

**21. Participation in International Events**

- (1) Every member of the Governing Board shall attend at least one ALSA Forum and/or ALSA Conference in their terms of office.
- (2) Councilors are exempted from the obligation in section (1).
- (3) University representatives are exempted from the obligation in section (1).

**22. Quorum**

- (1) The Quorum shall be formed by the presence of the majority of the members of the Governing Board, excluding the University Representatives and Councilors.
- (2) The Chairperson or the Vice-Chairperson must be present in every Governing Board Meeting.

**23. Governing Board Meetings**

- (1) The Governing Board Meetings may be held at any time, and shall be convened only by the President.
- (2) A notice of the Governing Board Meeting and the agenda thereof shall be given to each Governing Board member at least 3 days beforehand provided always, in case of urgency, that this clause may be waived if all Governing Board members agree.

**24. Resolutions of the Governing Board**

- (1) Resolutions of the Governing Board shall be passed by a simple majority of Quorum of the Governing Board, excluding the University Representatives and Councilors.
- (2) A resolution shall not be effective without the approval of at least one Councilor. Where a Councilor does not give approval, the Councilor shall be allowed to explain his or her stance. Following the Councilor's explanation, the resolution shall be put forth before the Governing Board for another vote. The passing of this resolution shall not be passed unless voted for by at least three-fourth of the Quorum.
- (3) In the event of a tie, the Chairperson shall recess the meeting immediately, and upon its resumption, the motion or amendment shall be put to vote at once without any discussion. Upon a further tie of votes, the Chairperson shall have the casting vote.

**25. Removal of a member of the Governing Board**

- (1) The National President has the discretion to remove any member of the Governing Board in cases of a member's breach of his statutory duty, failure to fulfill his responsibility as an officer of the Association or violation of the Constitution. Such removal discretion is final and not subject to any appeal.
- (2) Removal of a member of the Governing Board could also be conducted in the form of a motion of no confidence if the National President disagrees to remove him. Such motion could only be declared if more than two-third of the board members agree so and will be deemed to be effective despite the opposition from the President.
- (3) A new member should be appointed if possible.

## **Section IV**

### **AD-HOC COMMITTEE**

**26. Formation of Ad-Hoc Committee**

- (1) An Ad-hoc Committee shall be formed by passing resolution in Governing Board Meetings.

**27. Relationship between the Governing Board and Ad-hoc Committee**

- (1) The Governing Board shall oversee and supervise the Ad-hoc Committee on all matters.
- (2) The Ad-hoc Committee shall carry out the resolutions of the Governing Board.

**28. Composition**

- (1) The member of the Ad-hoc Committee shall consist of at least one present Governing Board member.

**29. Person-in-charge of the Ad-hoc Committee**

- (1) The Person-in-charge of the Ad-hoc Committee must be a member of ALSA HK appointed by a resolution of the Governing Board.

## **Section V**

### **LOCAL CHAPTER**

**30. Establishment of Local Chapter**

- (1) The Association shall establish five local chapters.
- (2) The Local Chapters shall be present in:
  - (a) The University of Hong Kong;
  - (b) The Chinese University of Hong Kong;
  - (c) The City University of Hong Kong; and
- (3) There shall be two Local Chapters for relevant law students unaffiliated with any university. This Local Chapter shall be formally called ‘Unaffiliated Local Chapter, ALSA Hong Kong’ and informally called ‘Local Chapter, ALSA Hong Kong’.
- (4) Members of the Unaffiliated Local Chapters shall be students of the Department of Law and Business, Hong Kong Shue Yan University and students of University of Law, Hong Kong.

**31. Authority**

- (1) The Governing Board shall govern over the Local Chapters whose authority shall be derived from this Constitution.
- (2) The Executive Committee of the Local Chapter shall be the highest authority in the Local Chapter.

**32. Registration of the Local Chapter**

- (1) Each Local Chapter shall be registered with the Student Union of their respective University, except Unaffiliated Local Chapter, which shall be registered with ALSA Hong Kong.
- (2) The Local Chapter shall submit its Constitution for approval by the Governing Board. All amendments shall be approved by the Governing Board.



### **33. Function**

- (1) The Local Chapter shall be:
  - (a) responsible for all administrative work and all other relevant matters of the Local Chapter;
  - (b) responsible for the registration and regulation of its members falling within its own university;
  - (c) regulate the internal affairs of the Local Chapter, including the process of choosing the Executive Committee; and
  - (d) carry out the resolutions of the Governing Board.
- (2) The Local Chapter may prescribe additional functions within its own Constitution.

### **34. Composition**

- (1) The Executive Committee shall consist of the following positions:
  - (a) President
  - (b) Vice-President;
  - (c) Secretary;
  - (d) Treasurer; and
  - (e) Public Relations Officer.
  - (f) Each Local Chapter may create additional positions within the Executive Committee by submitting a resolution to the Governing Board declaring its intention to do so. The Governing Board shall have the power to approve or dismiss the resolution.
- (2) All the above mentioned positions in the Local Chapter shall meet the following requirements:
  - (a) he/she shall be a member of ALSA Hong Kong.

### **35. Term of Office**

- (1) The session of the Local Chapter shall commence on November 1st of the current year and until November 30th of the following year.
- (2) The term of office shall be extended for no more than one year in exceptional circumstances, including but not limiting to natural disaster and pandemic.

### **36. Removal of a member of the Local Chapter**

- (1) The President has the discretion to remove any member of the Local Chapter Executive Committee in cases of a member's breach of his statutory duty, failure to fulfill his responsibility as an officer of the Association or violation of the Constitution. Such removal discretion is final and not subject to any appeal.
- (2) Removal of a member of the Local Chapter Executive Committee could also be conducted in the form of a motion of no confidence if the President disagrees to remove him. Such motion could only be declared if more than two-third of the board members agree so and will be deemed to be effective despite the opposition from the President.
- (3) A new member shall be appointed by the Governing Board in consultation with the Local Chapter Executive Committee.
- (4) The Local Chapter may have additional measures regarding the resignation of members on its own Executive Committee.

### **37. Roles**

- (1) The President shall:
  - (g) convene the Executive Committee Meetings and chair at these meetings;
  - (h) represent the Association as a University Representative to the Governing Board;and

- (i) The Local Chapter may establish additional roles of the President.
- (2) The Vice-President shall:
  - (b) be the acting President of the Local Chapter in the absence of the President; and
  - (c) assist the President in the discharge of his duties.
- (3) The Secretary shall:
  - (a) prepare the agenda of and take minutes in the Executive Committee Meetings; and
  - (b) handle administrative matters on behalf of the Executive Committee .
- (4) The Treasurer Shall
  - (a) handle all financial matters of the Local Chapter;
  - (b) give a bimonthly report to the Chief Financial Officer;
  - (c) Take note of every transaction made on behalf of the Local Chapter; and
  - (d) The Treasurer shall attend monthly meetings with the Treasurers of the Local Chapters.
- (5) The Public Relations Officer shall
  - (a) promote ALSA HK and the activities of the Local Chapter; and
  - (b) attend monthly meetings with the Public Relations Officers of the Local Chapters.

## **Section VI**

### **DELEGATION TO ALSA FORUM/CONFERENCE**

#### **38. Chief Delegate**

- (1) The Chief Delegate shall:
  - (a) Carry out the resolutions of the Governing Board; and
  - (b) Represent the Association through the delegation
- (2) His signature for any treaty or declaration on behalf of the Association shall be valid only by passing resolution in Governing Board meetings on prior approval or subsequent ratification.

#### **39. Appointment of the Chief Delegate**

- (1) The National President shall ex-officio be the Chief Delegate of the Delegation.
- (2) In case where the National President is not in part of the delegation, a Chief Delegate shall be appointed by the Governing Board.

#### **40. Eligibility of the Participants**

- (1) The participants of the delegation to ALSA Forum/Conference shall be a member of ALSA HK and appointed by passing resolution in the Governing Board Meeting.

## **Section VII**

### **PATRONS**

#### **41. Patron**

- (1) The Governing Board may pass a resolution designating an individual as a patron of the Association.

#### **42. Patron Organization**

- (1) The Governing Board may pass a resolution designating an organization, institutions, or companies as a Patron Organization of the Association.

#### **43. Amendment**

- (1) This Constitution shall not be amended except by a motion carried at the Governing Board Meeting.
- (2) The motion to alter or amend any part of this Constitution shall be carried only when so agreed to by more than two-third of the Governing Board, except councilors who shall not have the right to vote.
- (3) All Local Chapters shall be notified 7 days in advance of any motion to amend the Constitution.

## **Section IX**

### **MEMBERS**

#### **44. Registration**

- (1) Members shall be registered with ALSA Hong Kong and become affiliated members of their respective Local Chapter through the relevant application process.
- (2) Each Local Chapter shall be responsible for recruiting the members of its respective University.

#### **45. Rights of Members**

- (1) Members shall have the right to:
  - (a) Participate in ALSA Hong Kong events and activities, including any international events.
  - (b) Propose events to the Local Chapter and the Governing Board.
  - (c) Run for election in a position in the Executive Committee, Governing Board, and International Board.
  - (d) Terminate their membership with ALSA Hong Kong.
  - (e) Represent ALSA Hong Kong on an international level, with the approval of the Governing Board by a resolution.

#### **46. Duties of Members**

- (1) Members shall abide by the Constitution.

#### **47. Eligibility**







- (1) Only the following law students shall be eligible to become a member of ALSA Hong Kong:
  - (a) full members of the Law Students' Society, City University of Hong Kong Student Union;
  - (b) full members of the Undergraduate Law Society, Chinese University of Hong Kong Student Union and the Graduate Law Students' Association, Chinese University of Hong Kong;
  - (c) BBA-JD students of the Chinese University of Hong Kong;

- (d) full and associate members of the Law Association, University of Hong Kong Student Union;
- (e) students of the Department of Law and Business, Hong Kong Shue Yan University; or
- (f) students of the University of Law, Hong Kong

**48. Suspension and Removal**

- (1) Members may be suspended from their rights for a time determined by the Governing Board. Such suspension shall be in the form of a resolution passed by the Governing Board.
- (2) Only a resolution by the Governing Board shall be reason for the removal of membership. Such a resolution shall be on the grounds of the serious violation of the Constitution or commission of any legal offence under the Hong Kong jurisdiction in the capacity of a member of the Association.

***Signature of officers of ALSA Hong Kong Governing Board 2020-2021 to grant approval of the amendment of Constitution, which takes effect from 1<sup>st</sup> March 2021 in the Hong Kong Special Administrative Region, People's Republic of China***

<b>National President</b> 	<b>Internal Vice-President</b> 	<b>External Vice-President</b> 
<b>Secretary General</b> 	<b>Chief Financial Officer</b>  N/A	<b>Director of Information Technology</b>  N/A
<b>Director of Academic Activities</b>  	<b>Director of Public Relations</b>  	<b>Director of Training, Exchange and Development</b>  