

**The Student Union of The Chinese University of Hong Kong
Affiliated Clubs and Societies Investigation Procedures Bylaw**

(Established in November 2009)

(Not revised)

Chapter 1: Preliminary

1. Aim

The Bylaw is to improve the Constitution of the Student Union specifying the supervision on Affiliated Clubs and Societies, for the operation of the Clubs and Societies to comply with the Union's ordinance and their respective Constitutions as well as for the proper and active promotion of their affairs.

2. Abbreviation

The Bylaw shall be cited as the "Affiliated Clubs and Societies Investigation Procedures Bylaw". The English translation of the Bylaw shall be "Affiliated Clubs and Societies Investigation Procedures Bylaw, The Student Union of the Chinese University of Hong Kong".

3. Definitions

Unless the context indicates otherwise:

"The Union"	means	The Student Union of the Chinese University of Hong Kong.
"The Council"	means	The Council of the Student Union of the Chinese University of Hong Kong.
"Regulatory Body"	means	the Regulatory Body specified in the ordinance of the Union.
"Independent Committee"	means	a Committee established by the Regulatory Body according to the Union's Ordinance
"The Constitution"	means	The Constitution of the Student Union of the Chinese University of Hong Kong.
"The Ordinance"	means	The Constitution of the Union and all relevant regulations governing its Affiliated Clubs and Societies.
"Clubs and Societies"	means	the Affiliated Clubs and Societies of the Student Union.
"Investigation Procedures"	means	the investigation procedures taken on Affiliated Clubs and Societies according to the Constitution.
"Annual Registration"	means	the annual registration of Affiliated Clubs and Societies as instructed by "The Affiliated Clubs and Societies Ordinance".

“List or Watch List”	means	“The Watch List of the Affiliated Clubs and Societies” established in accordance with the provisions of the ordinance.
“Watched Affiliated Clubs and Societies”	means	the Affiliated Clubs and Societies to be investigated by the Regulatory Body under the ordinance.
“Judiciary”	means	the judicial body as stipulated in the Constitution of the Union.
“Verdict”	means	the verdict announced by the Regulatory Body after completing the investigation procedure stated in the ordinance.

Chapter 2: Watch List

4. Listing

The Club or Society shall be listed in the watch list if it is ruled to fail in its duties after investigation.

5. Delisting

- (1) The Club or Society shall be ruled as fulfilling its duties after investigation.
- (2) If the delisted Club or Society is included in the watch list again in the future, the number of listed years shall be recounted.

6. Consecutive Listing

- (1) For Club or Society that has been on the watch list for the second consecutive year and shares the same reason to be listed, the Regulatory Body shall request the dissolution of the Club or Society executed by the Judiciary.
- (2) For Club or Society that has been on the watch list for the third consecutive year, the Regulatory Body shall request the dissolution of the Club or Society executed by the Judiciary.

7. Notice and Record

- (1) For any listing or delisting of the watch list, the Regulatory Body shall notify the members of the Union and relevant Club or Society.
- (2) The Regulatory Body shall clearly state the reasons of listing, date of listing and verdict number of the listed Club or Society in the watch list.
- (3) The Regulatory Body shall update the list regularly and keep it properly stored for public inspection.

Chapter 3: Watched Clubs and Societies

8. Reasons

Clubs and Societies shall be listed as watched Club or Society due to the following reasons:

- (1) The Clubs or Societies being listed as watched Club or Society in the last term of office.
- (2) Decisions made by the Regulatory Body.
- (3) Decisions made by the Council.

9. Principles

The Regulatory Body or the Council shall consider the following principles for the Club or Society to be watched Club or Society:

- (1) Complaints received regarding the Club or Society with preliminary and credible evidence.
- (2) Reasonable suspicion on the Club or Society's improper operation.
- (3) Any suspicion found in the annual registration application.

Chapter 4: Investigation Procedures

10. Actions to be taken by the Regulatory Body

- (1) The monitory body shall investigate watched Clubs and Societies.
- (2) The monitory body shall appoint an Independent Committee to investigate.
- (3) An Independent Committee shall be established under column two of this section:
 - (1) The members, term of office, personnel and other procedural matters must be announced by the Regulatory Body.
 - (2) The applicable investigation authority must be announced by the Regulatory Body.
 - (3) The President must be a member of the Regulatory Body.
 - (4) The members must be Basic Members of the Student Union and not members of the relevant watched Club or Society.
 - (5) The members should not be less than 3 people.
 - (6) The investigation report must be submitted to the Regulatory Body for approval and verdict.
- (4) Members of the Regulatory Body and Independent Committee shall declare all relationships with relevant watched Club or Society before the investigation is conducted, and the Regulatory Body shall, at its discretion, decide if the relevant members should participate in the investigation or adjudication.
- (5) The monitory body shall hold the annual registration application of the watched Club or Society until the completion of investigation.
- (6) The watched Club or Society shall follow the instructions made by the investigation authority; any complaints regarding the investigation shall be lodged to the judicial body, whereas the final decisions shall reside with the Judiciary.

11. Investigation

- (1) If the Club or Society was in the watch list during the last term, the investigating authority should start the investigation three months prior to the end of current term.
- (2) If the Club or Society is listed as the watched Club or Society as decided by the Regulatory Body or the Council, the investigation authority shall commence the investigation within one month after the effective date of the decision.
- (3) The investigation authority shall notify the relevant Club or Societies 14 days prior to the investigation.

12. Investigation Period

- (1) The investigation authority shall complete the investigation within one month once it is launched.
- (2) If the investigation authority needs more time for investigation due to special circumstances, an extension shall be made 7 days before the deadline, and verdict should be ruled within 2 months after the launch of the investigation.
- (3) If the investigation lasts over the term of office of the Regulatory Body, the investigating authority from last term shall continue to investigate before and after the current monitory body takes office, whereas the actual arrangements and decisions shall be made by the current Regulatory Body.

13. Investigation Methods

The investigation authority may choose the following investigation methods as required:

- (1) Public Hearing:
 - (1) To be conducted in the campus.
 - (2) To summon past committees, members, consultants or other related persons of the Club or Society.
 - (3) Hearing rules shall be made and announced by the investigation authority.
- (2) To review the documents and instruct the Club or Society to submit supplementary information as needed.
- (3) To attend the Club or Society's committee meetings or the equivalent.
- (4) To observe activities held by the Club or Society.
- (5) To request the Club or Society to submit information regarding to activities .
- (6) Any methods deemed appropriate by the investigation authority.

Chapter 5: Investigation Evaluation

14. Principles of Evaluation

- (1) The investigation authority shall consider special circumstances to review and evaluate various investigation information in accordance with some or all of the principles from Schedule 1 of "The Affiliated Clubs and Societies Ordinance".

- (2) The investigation authority shall refer to the verdicts of similar past investigation cases during evaluation.

Chapter 6: Investigation Verdict

15. Verdict

- (1) After reviewing investigation report and evaluation, the Regulatory Body shall make one of the following verdicts on the watched Club or Society:
 - (1) The Club or Society operates properly.
 - (2) It is found that the Club or Society has not fulfilled its duties properly and shall be in the watch list. Reasons of failing to meet the requirements of evaluation shall also be listed.
 - (3) The Judiciary shall be requested to warn or punish the Club or Society in accordance with the relevant provisions of “The Affiliated Clubs and Societies Ordinance” depending on the degree of severity. The penalty for dissolution of Club or Society shall only be brought in accordance with Section 6 [Consecutive Listing] of the Bylaw.
- (2) The verdict must be passed by two-thirds or more of the members present at the meeting of the Regulatory Body.

16. Effects of Listing on Annual Registration

- (1) The Regulatory Body shall accept the annual registration application of watched Club or Society under the following circumstances:
 - (1) The Club or Society is listed for the first year.
 - (2) The Club or Society is listed for the second consecutive year, and the reason being listed is not the same as the first year.
- (2) The Regulatory Body shall reject the annual registration application of the watched Club or Society and request the Judiciary to dissolve the relevant Club or Society in accordance with Section 6 [Consecutive Listing] of the Bylaw under the following circumstances:
 - (1) The Club or Society is listed for the second consecutive year and has one or more of the same reasons being listed as the first year.
 - (2) The Club or Society is listed for the third consecutive year.

17. Announcement of the Verdict

- (1) The Regulatory Body shall make the verdict within 7 days after the investigation.
- (2) The Regulatory Body shall announce the verdict to the watched Club or Society within 3 days after the verdict is made.
- (3) The Regulatory Body shall publish the verdict within 14 days after the judgment is announced; Reasons and justifications shall be clearly stated in the judgment.

18. Appeal

- (1) The Club or Society shall appeal to the Judiciary in written form within 14 days after the verdict, whereas the final decision resides with the Judiciary.
- (2) The Judiciary shall review the appeal within 30 days upon receipt.
- (3) Members of the Regulatory Body shall not participate in voting during the arbitration made by the Judiciary.
- (4) The Judiciary shall announce the result of appeal within 3 days after the final verdict.

Chapter 7: Empowering Section**19. Amendments of the Bylaw**

Amendments of the Bylaw shall be passed and announced by the Council.

20. Constitutional Clash

For any conflict between the Bylaw and the Constitution or “The Affiliated Clubs and Societies Ordinance”, the latter shall prevail.

21. Right of Interpretation

The Judiciary owns the right of final interpretation of the Bylaw as stipulated by the Constitution.

(The Bylaw was passed at the fourth General Council Meeting of the 39th Session of the Council on November 26, 2009 and became effective on January 1, 2010.)

Note: The English Translation is for reference only.