

**The Student Union of The Chinese University of Hong Kong
Affiliated Clubs and Societies Ordinance**

To replace the ‘Affiliated Clubs and Societies Ordinance, The Student Union of The Chinese University of Hong Kong’, the ‘Affiliated Clubs and Societies Investigation Procedures Bylaw, The Student Union of The Chinese University of Hong Kong’ and the ‘Annual Joint Conference of Affiliated Clubs and Societies Appendix, The Student Union of The Chinese University of Hong Kong’.

To regulate establishment, annual registration, general operation, dissolution procedures and related matters of the Affiliated Clubs and Societies of the Union; and on other related matters.

Formulated by The Council.

Part 1: Preliminary

1. Short Title

This Ordinance may be cited as ‘Affiliated Clubs and Societies Ordinance’. The Chinese translation of the title of this Ordinance is “香港中文大學學生會屬下團體條例”.

2. Interpretation

In this Ordinance, unless the context otherwise requires —

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| “Affiliated Clubs and Societies” | means | International Student Union, societies of faculties or departments, affiliated clubs and societies and recognised clubs and societies, which have been registered under this Ordinance. |
| “Basic Member” | means | Basic members of the Union; to avoid ambiguity, if wordings such as ‘Affiliated Clubs and Societies’, ‘Clubs’, ‘Societies’ or other pronouns to replace the wordings above, are not found in front of the term ‘Basic Member’, this term should be interpreted as basic members of the Union. |
| “Basic member of an affiliated club or society” | means | a member of an affiliated club or society who can vote on resolutions and enjoys the right to elect and be elected, regulated by the Ordinance of the affiliated club or society. |
| “Club Meeting or Society Meeting” | means | a meeting that basic members of an affiliated club or society can join and resolve matters of the club or society, including but not limited to ‘Members’ Meeting’, ‘General Meeting’ or other meetings or |

		similar nature, which is conducted according to the Ordinance of the affiliated club or society.
“Committee Member”	means	committee members of The Affiliated Clubs and Societies Committee.
“Department”	means	a department established according The Chinese University of Hong Kong Ordinance.
“Designated date”	means	1st January 2019, or an earlier date announced to all basic members of the Union by the Affiliated Clubs and Societies Committee according to the statutes of the Union.
“Executive Committee of an affiliated club or society”	means	the executive committee of an affiliated club or society, or an administrative organisation with equivalent functions, status and powers, regulated by the Ordinance of the affiliated club or society.
“Faculty”	means	a faculty established according to The Chinese University of Hong Kong Ordinance.
“Interim Executive Committee of an affiliated club or society”	means	the interim administrative organisation of an affiliated club or society, or an administrative organisation with equivalent functions, status and powers, regulated by the Ordinance of the affiliated club or society.
“Legal status”	means	the status obtained through the annual registration under Section 36 ‘Final Approval of the Annual Registration’ of this Ordinance.
“Major”	means	a major programme established by the Senate of the University.
“Organisational Relationship”	means	a subordinate relationship, or the situation when an individual becomes a member of an affiliated club or society, or when an organisation becomes a branch or extension of the affiliated club or society.
“Probationary Clubs or Societies”	means	clubs or societies established under Section 31 ‘Probationary Period of Affiliated Clubs and Societies’ of this Ordinance, but had yet to pass the probational period.
“Referendum of an affiliated club or society”	means	all basic members of an affiliated club or society are to vote on resolutions anonymously, according to the Ordinance of the affiliated club or society.
“Register”	means	the Register of the Affiliated Clubs and Societies of The Student Union of The Chinese University of Hong Kong, established under Section 6 ‘Register

		of the Affiliated Clubs and Societies' of this Ordinance.
“The Affiliated Clubs and Societies Committee”	means	the Affiliated Clubs and Societies Committee of The Council of The Chinese University of Hong Kong.
“The Council”	means	The Council of The Student Union of The Chinese University of Hong Kong (香港中文大學學生會代表會), to avoid ambiguity, whenever ‘The Council’ is used alone, it shall only refer to The Council of The Student Union of the Chinese University of Hong Kong.
“The Council of the Chinese University of Hong Kong”	means	The Council of the Chinese University of Hong Kong (香港中文大學校董會), to avoid ambiguity, whenever this organisation is mentioned in this Ordinance, it shall only have its name cited in full.
“The Judicial Committee”	means	The Judicial Committee of The Student Union of The Chinese University of Hong Kong.
“The Union”	means	The Student Union of The Chinese University of Hong Kong.
“The University”	means	The Chinese University of Hong Kong.

3. Effective Date

- (1) Except for Part 1, this Ordinance comes to effect on the designated date.
- (2) Part 1 of this Ordinance comes to effect on the day when The Council announces to all basic members of the Union according to statutes of the Union.

4. This Ordinance Is Not Applicable to the College Student Unions and Their Branches or Extensions

To avoid ambiguity, this Ordinance is not applicable to any organisations primarily formed by undergraduates which expressly or implicitly state themselves as College Student Unions or branches or extensions of College Student Unions, unless proven otherwise.

Part 2: General Regulations

5. Regulatory Authority of the Affiliated Clubs and Societies

- (1) The Affiliated Clubs and Societies Committee is the statutory organisation responsible for monitoring affiliated clubs and societies of the Union.
- (2) The Affiliated Clubs and Societies Committee is one of the standing committees of The Council. The Council may by its resolution -
 - (a) Overturn all resolutions or actions of the Affiliated Clubs and Societies Committee;

- (b) Order the Affiliated Clubs and Societies Committee to act in accordance with the resolution of The Council; or
- (c) Exercise any power granted to the Affiliated Clubs and Societies Committee under this Ordinance.

6. Register of the Affiliated Clubs and Societies

- (1) 'The Register of the Affiliated Clubs and Societies of The Student Union of The Chinese University of Hong Kong' is established to register all affiliated clubs and societies under the Union.
- (2) The secretary of the Affiliated Clubs and Societies Committee is responsible for registering affiliated clubs and societies and keeping the Register.
- (3) Regardless of their legal status, all affiliated clubs and societies whose Chinese and English names are recorded in the Register by the secretary of the Affiliated Clubs and Societies Committee, which were dissolved without following proper legal procedures, shall be permanently listed in the Register.

7. Affiliated Clubs and Societies are the Branches of the Union

- (1) The Union is established in accordance with the laws of Hong Kong and the school's regulations, it is approved and established by the Council of the Chinese University of Hong Kong as a part of the University. All affiliated clubs and societies are regarded as branches of the Union under supervision of the Union.
- (2) Any organisation of CUHK primarily formed by undergraduates, shall become an affiliated club or society of the Union once it has been successfully registered with the Union. The secretary of the Affiliated Clubs and Societies Committee shall register its Chinese and English names in the Register.
- (3) Any organisation of CUHK that is primarily formed by undergraduates, and -
 - (a) Enjoys the status of formal extra-curricular activities in CUHK;
 - (b) Has official contact with CUHK; or
 - (c) Enjoys the status of representing students officially in CUHK, faculties, departments and majors -Shall register with the Union.

8. Name of Affiliated Clubs and Societies

- (1) Affiliated clubs and societies shall have a Chinese name, and place the words 「香港中文大學學生會」 before its Chinese name.
- (2) Affiliated clubs and societies shall have an English name that corresponds to their Chinese name, and place the words "The Student Union of The Chinese University of Hong Kong" after its English name.
- (3) If necessary, affiliated clubs and societies may have names in other languages, subject to the approval of the Affiliated Clubs and Societies Committee.

9. Prohibition of Becoming Branch of the Union or CUHK without Permission

- (1) No person or organisation shall, without the approval by the Union's statute or the resolution of The Council -
 - (a) Expressly or implicitly state that they enjoy the official status of extra-curricular activities in CUHK;
 - (b) Expressly or implicitly state that they enjoy the official status of representing students in CUHK, faculties, departments and majors;
 - (c) Have official contact with CUHK;
 - (d) Place the words 'Student Union of the Chinese University of Hong Kong' within their name;
- (2) Unless approved by The Council of the Chinese University of Hong Kong, any organisation primarily formed by undergraduates shall not place the words 'The Chinese University of Hong Kong' within their names, to expressly or implicitly state that it is a branch of CUHK or the Union without The Council's approval.
- (3) The Affiliated Clubs and Societies Committee may take any necessary actions, including but not limited to legal actions, to prevent any person or organisation from violating this Ordinance.

10. Rights of Affiliated Clubs and Societies

Affiliated clubs and societies with valid legal status shall enjoy the following rights -

- (1) Recruit members;
- (2) Hold events;
- (3) Collect membership fees and accept sponsors;
- (4) Buy, sell and keep assets;
- (5) Participate in events of the Union;
- (6) Enjoy welfare facilities of the Union; and
- (7) Apply for resources managed by the Union according to the regulations of the Union.

11. Responsibilities of Affiliated Clubs and Societies

Affiliated clubs and societies shall fulfil the following responsibilities regardless of the validity of their legal status -

- (1) Act in accordance with the principles and objects of the Union stated in the 'Constitution of The Student Union of The Chinese University of Hong Kong';
- (2) Comply with this Ordinance, statutes, resolutions of The Council, resolutions of the Affiliated Clubs and Societies Committee, and orders of The Judicial Committee;
- (3) Comply with their own constitutions, and ensure that they will not act beyond the principles stated in their constitutions;
- (4) Accept the supervision of the Affiliated Clubs and Societies Committee;
- (5) Have effective self-supervision; and
- (6) Promote their affairs properly and actively.

Part 3: Constitutions of Affiliated Clubs and Societies**12. Effect of the Constitutions of Affiliated Clubs and Societies**

- (1) After the Council's legislation, the constitutions of affiliated clubs and societies are part of the statutes of the Union. The constitutions are considered as Private Ordinances of the Union, which are regulations established for certain interests of individuals, associations or corporations, but not for the general public.
- (2) The provisions of the constitution of the affiliated clubs and societies do not affect and shall not be deemed to affect the referendum, general meeting, joint meeting, Judicial Committee, The Council, Executive Committees and Committees under The Council in accordance with the 'Constitution of The Student Union of The Chinese University of Hong Kong' and other rights of any political body or affiliated clubs and societies or any other person in other enactments, except as description in the constitution of the affiliated clubs and societies and exceptions made by, through or under them.
- (3) The constitutions of affiliated clubs and societies possess overriding status over the actions of affiliated clubs and societies, except when the "Constitution of The Student Union of The Chinese University of Hong Kong" and Public Ordinances legislated by The Council applies. Actions of affiliated clubs and societies shall not go beyond the requirements of their constitutions.

13. Provisions of the Constitutions of Affiliated Clubs and Societies

- (1) The Council shall regulate affiliated clubs and societies through their own constitutions on the following items-
 - (a) Names of affiliated clubs and societies;
 - (b) Principles of their establishment;
 - (c) Definitions, rights and obligations of different kinds of members, basic members of the club or society shall be basic members of the Union as well, they enjoy the right to vote to resolve, the right to elect, and the right to be elected;
 - (d) Corresponding regulations on referendums;
 - (e) Corresponding regulations on club meetings or society meetings, the provisions shall refer to Section 34(2)(g) of this Ordinance (i.e. regulations on the invalidity of club meetings or society meetings);
 - (f) Corresponding regulations of The Council or equivalent monitoring organisations, not subject to affiliated clubs and regulations without constitutions;
 - (g) Powers and responsibilities of executive committees of affiliated clubs and societies, positions of members and other relevant regulations;
 - (h) Corresponding regulations on the election of the executive committees of affiliated clubs and societies, the provisions shall refer to Section 34(2)(f) of this Ordinance (i.e. regulations on the invalidity of relevant elections);

- (i) The formation of interim administrative organisations (interim executive committees of affiliated clubs and societies) when the executive committee of an affiliated club or society falls vacant, and other corresponding regulations;
 - (j) Corresponding regulations on the accountability of executive committees or interim administrative organisations (interim executive committees of affiliated clubs and societies), including formalities of reviewing and approving work plans, work reports, budgets and financial reports;
 - (k) Finance, including regulations for membership fees and establishment of funds; and
 - (l) Other matters that The Council considers beneficial to the operation of affiliated clubs or societies which are not mentioned above.
- (2) Specific practices in the constitutions of affiliated clubs and societies shall expressly refer to relevant provisions of this Ordinance.

14. Amendment of the Constitutions of Affiliated Clubs and Societies

- (1) Executive committees or the basic members of affiliated clubs and societies shall obtain no objection from the Affiliated Clubs and Societies Committee before proceeding with the procedures set out in the constitution of their affiliated clubs or societies to amend their constitutions.
- (2) If the Affiliated Clubs and Societies Committee does not object to the relevant amendments, it shall, within a reasonable and practicable period, notify the person or organisation who made the amendment notice according to Subsection (1) of this Section in writing, to indicate that the Affiliated Clubs and Societies Committee does not object to the amendment.
- (3) After receiving the final approval of constitution amendments through established procedures within constitutions of affiliated clubs and societies, The Affiliated Clubs and Societies Committee shall submit the constitution amendment bill to the Council. The bill shall come into effect after it is legislated by The Council and the amended constitution is announced to the basic members of the club or society.
- (4) For the purposes of this Section, if the constitution of the affiliated club or society does not provide for the amendment procedures for the constitution, final approval of constitution amendment shall only be given through a referendum in the club or society.

15. Power of Interpretation of the Constitutions of Affiliated Clubs and Societies

The Affiliated Clubs and Societies Committee or affiliated clubs and societies themselves may ask for an interpretation from The Judicial Committee on legal issues regarding the constitution of affiliated clubs and societies. Affiliated clubs and societies shall abide by the relevant interpretation.

Part 4: Categories of Affiliated Clubs and Societies**16. International Student Unions**

- (1) Affiliated clubs and societies with all undergraduates having the same or multiple non-Hong Kong origin or nationality as basic members are considered as 'International Student Unions'.
- (2) Affiliated clubs and societies established under Subsection (1) of this Section may use 「學生會」 in their Chinese name and 'Student Union' in their English name.
- (3) Constitutions of the International Student Unions may use English as their official language and use English as the standard.

17. Societies of Faculties or Departments

- (1) Affiliated clubs and societies with all undergraduates of the same faculty as basic members of the affiliated clubs or societies are considered as 'Societies of Faculties'.
- (2) Affiliated clubs and societies with all undergraduates of the same department as basic members of the affiliated clubs or societies are considered as 'Societies of Departments'.
- (3) Affiliated clubs and societies established under Subsection (2) of this Section, under the instructions of the Affiliated Clubs and Societies Committee, may use 「院會」 in their Chinese names, but this does not affect its status under Subsection (2) of this Section.

18. Clubs and Recognised Clubs

- (1) Unless specified under Subsection (2) of this Section, affiliated clubs and societies with the basic members of the Union as its basic members established for specific purposes, including but not limited to interests, academics, services or religious beliefs, are considered as 'clubs'.
- (2) An affiliated club or society with an organisational relationship with an external organisation, including but not limited to the affiliated club or society becoming an on-campus branch of an external organisation; or it is recognised by the Affiliated Clubs and Societies Committee for its special nature, with the Affiliated Clubs and Societies Committee's approval, is considered a 'Recognised Club'.
- (3) Affiliated clubs and societies established under this Section shall not include 'Student Union', 'Societies of Faculties' or 'Societies of Departments' in their English names.
- (4) If the recognised club is a branch of an external organisation, The English name may include the external organisation's name before the words 'Student Union of the Chinese University of Hong Kong'.

19. Recruitment of Basic Members of Affiliated Clubs and Societies

- (1) Basic members of the Union who fulfil the conditions under constitutions of Societies of Faculties or Departments of becoming basic members of Societies of Faculties or Departments will automatically become basic members of the Societies of Faculties and

Departments, unless they have submitted a written application for renunciation to the Affiliated Clubs and Societies Committee.

- (2) No person shall become a member of any International Student Union, clubs or recognised clubs, unless the person has voluntarily applied for the membership of the aforementioned organisations. The person in charge of The International Student Union, club or recognised club shall keep the application documents for at least one year after the end of that person's membership.
- (3) The person in charge of The International Student Union, club or recognised club shall keep the member list of his or her organisation, which includes but not limited to names, student ID numbers, Constituent Colleges, majors, years of study, at least one contact method, and the duration of membership.

Part 5: Relationships with an External Organisation

20. Occurrence of Organisational Relationships

- (1) No affiliated clubs or societies under the Union shall have an organisational relationship with an external organisation without the approval of the Affiliated Clubs and Societies Committee, including but not limited to being an on-campus branch of an external organisation.
- (2) If an affiliated club or society needs to have an organisational relationship with an external organisation, it shall -
 - (a) Apply and submit relevant information to the Affiliated Clubs and Societies Committee;
 - (b) Submit the application to The Council for approval after being considered and approved by the Affiliated Clubs and Societies Committee; and
 - (c) Operate after The Council has approved its application.
- (3) Once the Affiliated Clubs and Societies Committee has ruled that the affiliated club or society violated the provisions of Subsection (1) of this Section, the Affiliated Clubs and Societies Committee shall freeze the legal status of the affiliated club or society, and may submit to The Judicial Committee to dissolve the organisation.
- (4) The Affiliated Clubs and Societies Committee shall give the affiliated club or society found to be in violation of Subsection (1) of this article a reasonable opportunity to remedy, including but not limited to the cancellation of the external relationship within a reasonable and practicable time, otherwise the Affiliated Clubs and Societies Committee shall not submit to The Judicial Committee to dissolve the organisation.

21. Prohibition of Organisational Relationships with Student Unions of Constituent Colleges

Under no circumstances shall any affiliated clubs or societies of the Union become a part of the student unions of Constituent Colleges, including but not limited to becoming affiliated clubs and societies, committees or equivalent organisations to subordinate to one or more student union of Constituent Colleges.

22. Prohibition of Organisational Relationships with Illegal Organisations

- (1) Under no circumstances shall any affiliated clubs and societies of the Union have organisational relationships with illegal organisations.
- (2) Any organisation that does not possess legal status in any jurisdiction or is classified as illegal in the jurisdiction of Hong Kong, or that it is illegal to declare oneself as a member of that organisation in Hong Kong are 'illegal organisations'.

Part 6: Registration Procedures of the Affiliated Clubs and Societies

23. Preparatory Committee

- (1) Five or more basic members of the Union wishing to establish an affiliated club or society shall first establish a preparatory committee, which is responsible for applications and preparatory work. The name of the preparatory committee shall start with the name of the proposed affiliated club or society and end with the words 'Preparatory Committee'.
- (2) The Preparatory Committee shall be dissolved under the following circumstances-
 - (a) The preparatory committee has been established for 180 days, starting from the day the Affiliated Clubs and Societies Committee received its application, and the Affiliated Clubs and Societies Committee has not decided to extend the preparatory committee's term;
 - (b) The preparatory committee resolves to dissolve;
 - (c) Requirements under Section 30 of this Ordinance was fulfilled (preparatory committee to dissolve after the end of the legislative process); or
 - (d) Fourteen days have passed after the formal rejection of the preparatory application, unless the preparatory committee appeals to The Judicial Committee or apply for judicial review within fourteen days.
- (4) No one shall act in the name of the dissolved Preparatory Committee, including but not limited to bringing an action against someone or applying for judicial review.

24. Preparatory Application Form

- (1) The Preparatory Committee shall submit the application form specified in the resolution of the Affiliated Clubs and Societies Committee, in the specified format, time and place in the resolution of the Affiliated Clubs and Societies Committee, as well as any supplementary documents specified in this Section and the resolution of the Affiliated Clubs and Societies Committee.
- (2) The information needed for a preparatory application shall include but not limited to -
 - (a) The Chinese and English names of the proposed affiliated club or society;
 - (b) The category of the proposed affiliated club or society;

- (c) The list of members of the preparatory committee, including their names, student ID numbers, Constituent Colleges, majors/departments, years of study and at least one contact method, and one of the members shall be made the person in charge; and
 - (d) The principles, objects and detailed descriptions of the aforementioned of the proposed affiliated club or society.
- (3) Unless ordered by the courts of Hong Kong or the Judicial Committee, the Affiliated Clubs and Societies Committee shall not disclose any personal information from the list to anyone.
 - (4) The Affiliated Clubs and Societies Committee shall commence to the process to consider the application within 30 days after receiving the application.
 - (5) The Affiliated Clubs and Societies Committee does not need to process any applications which have already been rejected in the same term.
 - (6) In this Section –
'term' means the term of office of The Council.

25. Prohibition of Repeated Establishment of Affiliated Clubs and Societies

- (1) When applying for the preparation or registration of an affiliated club or society, if an organisation of similar nature, purpose of establishment, or a similar name is found to be registered on the Register, and the Affiliated Clubs and Societies Committee believes that if they accept the application, the proposed affiliated club or society will have direct competition with one or more affiliated clubs and societies on the Register, i.e. the work or recruited members of the respective clubs or societies will likely overlap, the Affiliated Clubs and Societies Committee shall not approve the relevant registration application.
- (2) The Affiliated Clubs and Societies Committee shall give the preparatory committee a reasonable chance to explain and remedy, before formally rejecting the application under Subsection (1) of this Section.
- (3) For the remedy of Subsection (2) of this Section, the Affiliated Clubs and Societies Committee may also request one or more of the affiliated clubs and societies on the Register to announce their renunciation of some of their original natures, purposes of establishment, principles, recruitment targets or qualification, or change of names, so that the to-be-rejected application no longer violates the provisions of Subsection (1) of this Section.
- (4) The Affiliated Clubs and Societies Committee shall not execute Subsection (3) of this Section without a referendum or approval from the Members' Meeting of the relevant existing affiliated club or society.

26. Conditions for the Rejection of Preparatory Applications

- (1) The Affiliated Clubs and Societies Committee may reject an application for preparation of an affiliated club or society, if it has reasonable grounds to believe that the acceptance of the application will lead to the following conditions-
 - (a) Section 24 of this Ordinance ('Preparatory Application Forms') will be violated;
 - (b) Section 25 of this Ordinance ('Prohibition of Repeated Establishment of Affiliated Clubs and Societies ') will be violated;
 - (c) Overall interests of the Union will be harmed;
 - (d) Actions of the proposed affiliated club or society will contravene provisions of this Ordinance and the laws of Hong Kong, if it is established;
 - (e) The proposed affiliated club or society will not operate sustainably if it is established; or
 - (f) The workload of the proposed affiliated club or society will be much lower than other affiliated clubs and societies if it is established.
- (2) The burden of proof to show that the preparation of the proposed affiliated club or society will not lead to the conditions listed in Subsection (1) of this Section, lies with the preparatory committee.
- (3) In addition to paragraph (1) of this article, the Affiliated Clubs and Societies Committee may also reject the application on other reasonable grounds. However, the relevant burden of proof lies with the Affiliated Clubs and Societies Committee.
- (4) The Affiliated Clubs and Societies Committee shall give the preparatory committee a reasonable chance to explain and remedy before its formal rejection.
- (5) The Affiliated Clubs and Societies Committee's decision to reject shall only be official, when after it has decided to reject, it has informed the secretariat of The Council of the resolution and grounds of rejection, and announced its decision to all basic members of the Union according to statutes of the Union.
- (6) If the preparatory committee is dissatisfied with the grounds for rejection announced by the Affiliated Clubs and Societies Committee, it may appeal to The Judicial Committee, for which it may assess and decide on the reasonability of the grounds, and dismiss the rejection of the Affiliated Clubs and Societies Committee.
- (7) No one, including the Affiliated Clubs and Societies Committee, shall submit evidence originating from procedures yet to be considered and registered by the Affiliated Clubs and Societies as a reasonable defence, within the premises of Subsection (6) of this Section.

27. Approval of Preparatory Application and Necessity of Re-examination

- (1) The Affiliated Clubs and Societies Committee, after its decision to approve of the preparatory application, shall notify the secretariat of The Council, and announce the resolution, together with the principles and objects of the affiliated club or society to all basic members of the Union in the manner prescribed by the statutes of the Union.

- (2) Within 10 days after the announcement made by the Affiliated Clubs and Societies Committee to all basic members of the Union according to Subsection (1) of this Section, if 20 basic members jointly or separately submit written objections to the establishment of the relevant affiliated club or society, to the Affiliated Clubs and Societies Committee, the original decision to approve will be void. The Affiliated Clubs and Societies Committee shall re-examine the application within 10 days after receiving the written objections.
- (3) If the Affiliated Clubs and Societies Committee decides to approve once again, any objections from the basic members of the Union shall be void.

28. Registration Application Form

- (1) The preparatory committee shall submit the registration application form specified by the resolution of the Affiliated Clubs and Societies Committee, together with the finalised draft of its constitution and supplementary documents specified by the Affiliated Clubs and Societies Committee, in the manner, time and location specified by the resolution of the Affiliated Clubs and Societies Committee, if no basic members of the Union objects to the establishment of the affiliated club or society under Section 27 of this Ordinance ('Approval of Preparatory Application and Necessity of Re-examination').
- (2) If the type of the affiliated club or society to be registered is an International Student Union, a club or a recognised club, the affiliated club or society shall submit a list with at least 30 founding members, including but not limited to their names, student ID numbers, Constituent Colleges, majors and at least one contact method. Unless ordered by the courts of Hong Kong or the Judicial Committee, the Affiliated Clubs and Societies Committee shall not disclose any personal information from the list to anyone.
- (3) If the type of the affiliated club or society to be registered is a Society of Faculty or a Society of Department, the list mentioned in Subsection (2) shall be submitted together with -
 - (a) Proof issued by the faculty office, department office or major programme office of CUHK on the number of students; and,
 - (b) A statement jointly signed by undergraduates of the corresponding faculty, department or major programme in support of the establishment of the Society of Faculty or Society of Department, with not less than-
 - (i) One fourth of the total number of undergraduates; or
 - (ii) Twenty undergraduates-
whichever condition has a higher number.
- (4) The preparatory committee shall form the election committee for the election for the first executive committee, with three or more persons, under the following rules -

- (a) (If the proposed affiliated club or society is an International Student Union, a club or a recognised club) Members of the election committee shall be members of the preparatory committee or founding members of the affiliated club or society; or
- (b) (If the proposed affiliated club or society is a Society of Faculty or a Society of Department) Members of the election committee shall be undergraduates of the corresponding faculty, department or major.
- (5) The Affiliated Clubs and Societies Committee shall commence the process to examine the application for registration within 30 days after receiving the application.

29. Conditions for Approving Registration Applications and Submitting them to The Council for Approval

- (1) After the Affiliated Clubs and Societies Committee decided to approve of the registration, it shall submit the constitution of the affiliated club or society to The Council, according to the legislative procedures of The Council. Any constitutions of affiliated clubs or societies that has been passed by The Council is regarded part of the statutes of the Union.
- (2) After examining the draft constitutions of the affiliated club or society, the application may be rejected if the Affiliated Clubs and Societies Committee has reasonable grounds to believe the approval of registration would lead to the following conditions-
 - (a) Section 25 of this Ordinance (‘Prohibition of Repeated Establishment of Affiliated Clubs and Societies ’) will be violated;
 - (b) Section 28 of this Ordinance (‘Registration Application Form ’) will be violated;
 - (c) Overall interests of the Union will be harmed;
 - (d) Actions of the to-be-registered affiliated club or society will contravene provisions of this Ordinance and the laws of Hong Kong, if it is registered;
 - (e) The to-be-registered affiliated club or society will not operate sustainably if it is registered; or
 - (f) The workload of the to-be-registered affiliated club or society will be much lower than other affiliated clubs and societies if it is registered.
- (3) The burden of proof to show that the registration of the affiliated club or society will not lead to the conditions listed in Subsection (2) of this Section, lies with the preparatory committee.
- (4) In addition to paragraph (2) of this article, the Affiliated Clubs and Societies Committee may also reject the application on other reasonable grounds. However, the relevant burden of proof lies with the Affiliated Clubs and Societies Committee.
- (5) The Affiliated Clubs and Societies Committee shall give the preparatory committee a reasonable chance to explain and remedy before its formal rejection.

- (6) The Affiliated Clubs and Societies Committee's decision to reject shall only be official, when after it has decided to reject, it has informed the secretariat of The Council of the resolution and grounds of rejection, and announced its decision to all basic members of the Union according to statutes of the Union.
- (7) If the preparatory committee is dissatisfied with the grounds for rejection announced by the Affiliated Clubs and Societies Committee, it may appeal to The Judicial Committee, for which it may assess and decide on the reasonability of the grounds, and dismiss the rejection of the Affiliated Clubs and Societies Committee.
- (8) No one, including the Affiliated Clubs and Societies Committee, shall submit evidence originating from procedures yet to be considered and registered by the Affiliated Clubs and Societies as a reasonable defence, within the premises of Subsection (6) of this Section.

30. Legislation for Constitutions of Affiliated Clubs and Societies by The Council

- (1) The Council shall adopt the legislative procedures established by the constitution of the Union to legislate the constitutions of affiliated clubs and societies.
- (2) If the drafted constitution is passed by The Council, the secretariat of The Council shall make an announcement of the result according to the legislative procedures of the constitution of the Union, to put the constitution of the affiliated club or society into effect. The secretary of the Affiliated Clubs and Societies Committee shall immediately register the affiliated club or society in the Register.
- (3) If the draft constitution is not passed by The Council, it shall be regarded as officially rejected. The secretariat of The Council shall make an announcement of the result according to the requirements stated in the constitution of the Union. The Affiliated Clubs and Societies Committee shall inform the preparatory committee the result in writing.
- (4) Regardless of the result of the legislative procedures of The Council, the preparatory committee shall be dissolved after the legislative procedures ceased.
- (5) If the affiliated club or society does not have enough members due to the enrolment of the relevant faculties, departments or majors, and the Affiliated Clubs and Societies Committee considers the number of members of the affiliated club or society too small, The Affiliated Clubs and Societies Committee may submit to The Council, that when passing the constitution of the affiliated club or society, determine the number of executive committee members of the first two terms, and include this resolution in the annex of the constitution of the affiliated club or society. The resolution has overriding legal effect over the constitution of the affiliated club or society.

31. Probationary Period of Affiliated Clubs and Societies

- (1) From the day the constitution of affiliated clubs and societies come into effect, the probationary period of the affiliated club or society will be 180 days. Their status will be The Union's 'Probationary Clubs and Societies'.

- (2) The Affiliated Clubs and Societies Committee shall resolve to assign no less than two observers to observe the affairs of the probationary club or society. Observers appointed under this Section -
 - (a) May be a non-member of the Affiliated Clubs and Societies Committee but must be a basic member of the Union and not a member of the probationary club or society;
 - (b) Shall observe the probationary club or society in a manner they consider appropriate, but not in any way that interferes with the affairs of the probationary club or society;
 - (c) Submit observation reports to the Affiliated Clubs and Societies Committee 40 days before the end of the probationary period; and
 - (d) Have a term not shorter than the time between the commencement of their term and when the observation report they submitted is approved.
- (3) The probationary club or society shall submit a work report to the Affiliated Clubs and Societies Committee within 40 days before the end of the probationary period.
- (4) The Affiliated Clubs and Societies Committee shall complete the examination of the observation report submitted by the observers and the work report submitted by the probationary club or society within 20 days after receiving both reports. If the Affiliated Clubs and Societies Committee decides to allow the probationary club or society to pass the probationary period, or no order was made by the Affiliated Clubs and Societies Committee at the end of the probationary period, the probationary club or society will officially become the Affiliated Club or Society of the Union.
- (5) After examining the observation report and the work report, if the Affiliated Clubs and Societies Committee has reasonable grounds to believe that the probationary club or society -
 - (a) Will have direct competition, i.e. the work or recruited members of the respective clubs or societies will likely overlap, with one or more affiliated club or society of similar nature, purpose of establishment, or a similar name registered on the Register,
 - (b) Will harm the overall interests of the Union;
 - (c) Will act in a way that contravenes provisions of this Ordinance and the laws of Hong Kong;
 - (d) Will not operate sustainably; or
 - (e) Will have a workload much lower than other affiliated clubs and societies-Then the Affiliated Clubs and Societies Committee may resolve to extend the probationary period, by up to 90 days each time, and instruct the observers and the probationary club or society to submit observation reports and work reports before specified times.
- (6) Subsection (5) of this Section is limited to two extensions. If the probationary period is not allowed to extend beyond two times and the reasonable grounds proposed by the Affiliated Clubs and Societies Committee under Subsection (5) of this Section fails to

resolve the issue, The Affiliated Clubs and Societies Committee shall submit to The Judicial Committee to dissolve the probationary club or society.

- (7) If the probationary period is passed, and -
 - (a) The first term of office of the executive committee of the affiliated club or society has not expired, it shall register in accordance with the provisions of this Ordinance again; or
 - (b) The first term of office the executive committee of the affiliated club or society has expired, the second executive committee shall register in accordance with the provisions of this Ordinance.

32. First Executive Committee

- (1) The election committee for the first executive committee of the affiliated club or society shall hold the election for the first executive committee during the probationary period of the affiliated club or society. The election shall follow the requirements under the constitution of the affiliated club or society and the provisions of this Ordinance.
- (2) Members of the first election committee shall not stand for election.
- (3) If the first executive committee is dismissed by anyone in accordance with the constitution of the affiliated club or society or vacant due to other circumstances, re-election needs to be held in accordance with Subsection (1) of this Section, and the re-elected executive committee shall still be considered as the first executive committee of the affiliated club or society.
- (4) The election committee for the first executive committee of the affiliated club or society shall not hold more than two elections in one year. If the first executive committee is still vacant, it will be deemed as not being able to pass the probationary period. The Affiliated Clubs and Societies Committee shall submit to The Judicial Committee to dissolve the probationary club or society.
- (5) The probationary club or society shall go through the annual registration formalities with the Affiliated Clubs and Societies Committee within one month after the end of the election for its first executive committee.
- (6) The Affiliated Clubs and Societies Committee may resolve to instruct the probationary club or society to perform certain tasks, but it shall not violate this Ordinance and the principles of the club or society.
- (7) If the Affiliated Clubs and Societies Committee approves the annual registration of the probationary club or society, the chairperson of the Affiliated Clubs and Societies Committee may then issue the 'Registration Certificate of (Probationary) Affiliated Clubs and Societies', its validity period is the same as the probationary period.

Part 7: Annual Registration Procedure**33. Submission of Preliminary Annual Registration**

- (1) Affiliated Clubs and Societies shall, within one month after their executive committees or interim executive committees have taken office, submit the preliminary annual registration form specified by the Affiliated Clubs and Societies Committee, as well as supplementary documents specified by this Ordinance and the supplementary documents specified by the Affiliated Clubs and Societies Committee, in the manner, time and place specified by the Affiliated Clubs and Societies Committee. Once submitted, all documents shall not be modified further.
- (2) The information for the preliminary annual registration shall include, but not limited to-
 - (a) A list of the members of the executive committee or interim executive committee, which includes but not limited to their names, student ID numbers, Constituent Colleges, majors, years of study and at least one contact method, and their positions;
 - (b) Appointment documents of the executive committee or interim executive committee, which includes but not limited to the referendum records and the minutes of the Members' Meeting. In the case of an interim executive committee, depending on the constitution of the affiliated club or society, it may use the voting and resolution records of the organisation that appointed the interim executive committee as appointment documents;
 - (c) The current work plan and budget yet to be approved by a referendum or in a Members' Meeting of the affiliated club or society;
 - (d) The previous work report and financial report yet to be approved by a referendum or in a Members' Meeting of the affiliated club or society, if the registration is for the first ever term, this requirement does not apply;
 - (e) The certification of the balance of the bank account and all savings accounts that the affiliated club or society has actual control over from the last fiscal year, attached with a statement indicating the affiliated club or society's actual control over the accounts, or cash surplus certifications signed by any designated person authorised by the Affiliated Clubs and Societies Committee, if the registration is for the first ever term, this requirement does not apply;
 - (f) Asset Statement;
 - (g) (In the case of clubs, recognised clubs or International Student Unions) A member list, including but not limited to the members' names, student ID numbers, Constituent Colleges, majors, years of study, at least one contact method, and the duration of membership; (In the case of Societies of Faculties or Societies of Departments) Proof issued by the faculty office, department office or major programme office of CUHK on the number of students.

- (3) Any document submitted by affiliated clubs or societies shall be written in the official language of the Union, and follow the formats and requirements of the Union. If the constitution of the affiliated club or society specifies that the official language or the working language includes English, with the approval from the Affiliated Clubs and Societies Committee, some designated documents can be written in English.
- (4) Any document that is not signed by the person in charge of the affiliated club or society and sealed with its stamp is void.
- (5) During the annual registration, affiliated clubs and societies shall declare in writing that within their capabilities, and to their knowledge and belief, the information submitted is true and accurate and is the entirety of the facts, and authorizes the Affiliated Clubs and Societies Committee to use the relevant personal information in the annual registration.
- (6) Unless ordered by the courts of Hong Kong or the Judicial Committee, the Affiliated Clubs and Societies Committee shall not disclose any personal information submitted by the affiliated club or society to anyone.

34. Preliminary Approval of Annual Registration

- (1) The Chairperson of the Affiliated Clubs and Societies Committee may designate two to three committee members to be responsible for processing certain designated applications for preliminary annual registration. Responsible committee members may approve the preliminary annual registration application in consensus, exercising the power of the Affiliated Clubs and Societies Committee to examine documents of annual registration applications as provided under this Section, and report to the Affiliated Clubs and Societies Committee. Unless the Affiliated Clubs and Societies Committee resolves to overturn the responsible committee members' decision in consensus, the decision made shall be regarded as valid.
- (2) When examining the annual registration application documents of affiliated clubs or societies, if the Affiliated Clubs and Societies Committee or the members responsible for approval has reasonable grounds to believe the affiliated club or society -
 - (a) Harms the overall interests of the Union;
 - (b) Acts in contravention of the provisions of this Ordinance or the laws of Hong Kong;
 - (c) Will not operate sustainably in the foreseeable future;
 - (d) Has much lower workload than other affiliated clubs and societies;
 - (e) Fails to perform the obligations set out in this Ordinance;
 - (f) Holds the Election of the executive committee in a way that-
 - (i) The election was not conducted anonymously, i.e. the voting method that the voting preference of a particular voter is not known by anyone other than the voter himself, unless the voter voluntarily discloses the information;
 - (ii) The executive committee was not elected in the manner specified in the constitution of the affiliated club or society;

- (iii) The election does not have at least one-sixth of its basic members of the affiliated club or society casting valid votes, i.e. the ballot papers are drawn in accordance with the ballot instructions;
- (iv) The election was not open in a reasonable and practicable manner to all basic members to run in;
- (v) The election was not announced to all basic members of the affiliated club or society seven days before the commencement of the election voting period;
- (vi) Electoral impropriety was found; or
- (vii) The election results have not been confirmed by a qualified scrutineer, i.e. a staff member of CUHK, or people designated by the Affiliated Clubs and Societies Committee-

Which renders the election null and void;

- (g) Calls a Members' Meeting in a way that-
 - (i) The meeting was not announced to all basic members of the affiliated club or society within the time specified by the constitution of the affiliated club or society;
 - (ii) The meeting was not announced to all basic members of the affiliated club or society seven days the meeting takes place;
 - (iii) Agendas and documents were not attached in the announcements; or
 - (iv) The Affiliated Clubs and Societies Committee was not notified of the meeting -

Which renders one or more Members' Meeting null and void;

- (h) Has its number of basic members of the affiliated club or society below 30, Societies of Faculties and Societies of Departments are not limited by this Subsection; or
- (i) Has its number of basic members lower than four times that of the number executive committee members of the affiliated club or society -

the Affiliated Clubs and Societies Committee or the members responsible for approval shall reject the relevant annual registration application.

- (3) Any affiliated club or society that does not meet the number of basic members required in Subsections (2)(h) and (i) of this Section shall suspend all events in its name, except recruitment of members.
- (4) For each re-application, the Affiliated Clubs and Societies Committee shall regard all documents as re-submissions and re-examine all application documents.
- (5) The Affiliated Clubs and Societies Committee may set out regulations specifying that the affiliated club or society shall not re-apply for an annual registration in the name of the executive committee or the interim executive committee until a certain condition is met, but if the affiliated club or society forms the executive committee or the interim executive committee again, the specified condition set out by the Affiliated Clubs and

Societies Committee in the above shall be invalid to the new executive committee or interim executive committee.

35. Self-supervision Procedures

- (1) After the executive committee or the interim executive committee of an affiliated club or society got the preliminary approval of annual registration by the Affiliated Clubs and Societies Committee, the affiliated club or society shall submit the current work plan, current budget, previous work report and previous financial report that the Affiliated Clubs and Societies Committee considers appropriate, to a referendum or a Members' Meeting of the affiliated club or society for approval, in accordance with the constitution of the affiliated club or society.
- (2) In a preliminary approval of the annual registration of an affiliated club or society, the Affiliated Clubs and Societies Committee considers that the current work plan, current budget, previous work report and previous financial report is appropriate. In this regard, it only states that the relevant documents met the requirements of the Affiliated Clubs and Societies Committee. No one shall use this adjudication to force the approval or rejection of the affiliated club or society in a referendum or a Members' Meeting. The powers prescribed in the constitution of the affiliated club or society shall not be disparaged.
- (3) If the current work plan and current budget, or the previous work report and previous financial report is amended by the referendum or the Members' Meeting of an affiliated club or society, the executive committee or the interim executive committee shall re-submit the relevant documents to the Affiliated Clubs and Societies Committee. If the Affiliated Clubs and Societies Committee decides that the amendments were appropriate, the amended document or documents shall be regarded as appropriate, vice versa .
- (4) If the current work plan and current budget, or the previous work report and previous financial report are rejected by the referendum or the Members' Meeting of the affiliated club or society, the document or documents shall be regarded as inappropriate.
- (5) The executive committee or interim executive committee shall re-submit any inappropriate document to the Affiliated Clubs and Societies Committee; until the Affiliated Clubs and Societies Committee has determined that the relevant documents are appropriate, the executive committee or interim executive committee shall submit the appropriate document or documents to a referendum or the Members' Meeting under Subsection (1) of this Section.
- (6) The chairperson of the Affiliated Clubs and Societies Committee may designate two to three committee members to handle cases in relation to Subsection (3) or (5) of this Section. Responsible committee members may, after reaching a consensus, exercise the power of this Section on behalf of the Affiliated Clubs and Societies Committee to re-examine the relevant documents and determine whether the documents or their

amendments are appropriate and report to the Affiliated Clubs and Societies Committee. Unless the Affiliated Clubs and Societies Committee resolves to overturn the responsible committee members' decision in consensus, the decision made shall be regarded as valid.

- (7) The burden of proof to show that the actions of the referendum or the Members' Meeting of the affiliated club or society are true and accurate, whether or not it is effective in self-supervision, and fulfils the requirements of this Ordinance and the constitution of the affiliated club or society lies with the affiliated club or society.

36. Submission of Subsequent Annual Registration and Final Approval of the Annual Registration

- (1) Affiliated clubs and societies shall submit the subsequent annual registration form specified by the resolution of the Affiliated Clubs and Societies Committee and supplementary documents specified by the Affiliated Clubs and Societies Committee in the manner, time, and place specified by the Affiliated Clubs and Societies Committee after completing their self-supervision procedures. Once submitted, all documents shall not be modified further.
- (2) The chairperson of the Affiliated Clubs and Societies Committee may designate two to three committee members to handle subsequent annual registration cases. Responsible committee members may, after reaching a consensus, exercise the power of this Section on behalf of the Affiliated Clubs and Societies Committee to examine the relevant documents and give final approval for the application and report to the Affiliated Clubs and Societies Committee. Unless the Affiliated Clubs and Societies Committee resolves to overturn the responsible committee members' decision in consensus, the decision made shall be regarded as valid.
- (3) Affiliated clubs or societies that have been approved for the final annual registration shall be granted legal status and issued an "Affiliated Club or Society Registration Certificate".
- (4) In regard to Section 35 (7), the Affiliated Clubs and Societies Committee may decide that the information for the subsequent annual registration shall include but not limited to -
 - (a) Minutes of Members' Meetings;
 - (b) Genuine, accurate and complete audio or video recordings of Members' Meetings; and,
 - (c) A list of members attending the Members' Meeting or participating in the referendum, together with their signatures.
- (5) Affiliated clubs or societies shall declare in writing during their annual registration that within their capabilities, and to their knowledge and belief, the information submitted is true and accurate and is the entirety of the facts, and authorizes the Affiliated Clubs and Societies Committee to use the relevant personal information in the annual registration.

Part 8: Annual Joint Conference of Affiliated Clubs and Societies

37. Annual Joint Conference of Affiliated Clubs and Societies

- (1) Annual Joint Conference of Affiliated Clubs and Societies is now established.
- (2) The Annual Joint Conference of Affiliated Clubs and Societies is a non-standing body under the Affiliated Clubs and Societies Committee, which is chaired by the Affiliated Clubs and Societies Committee, its actions are regulated by resolution of the Affiliated Clubs and Societies Committee.
- (3) Annual Joint Conference of Affiliated Clubs and Societies is responsible for -
 - (a) Accepting the affiliated clubs and societies representatives of the Affiliated Clubs and Societies Committee's work report for the year;
 - (b) Electing affiliated clubs and societies representatives for the Affiliated Clubs and Societies Committee in the next term;
 - (c) Accepting briefings from the Affiliated Clubs and Societies Committee on matters related to each affiliated club or society;
 - (d) Serving as a platform for the exchange of Affiliated Clubs and Societies affairs; and
 - (e) Making recommendations to The Council on Affiliated Clubs and Societies affairs.

38. Right to Attend the Annual Joint Conference of Affiliated Clubs and Societies

- (1) All affiliated clubs and societies on the Register, regardless of their legal status or whether they are probationary clubs or societies, have the right and the responsibility to attend the Conference and each club or society represents one vote. The executive committee or the interim executive committee shall appoint at least one representative to attend the Conference. If the affiliated club or society does not possess legal status, its identity shall be confirmed by the chairperson and the secretary of the Affiliated Clubs and Societies Committee.
- (2) The quorum for Annual Joint Conference of Affiliated Clubs and Societies is one fifth of the total number of affiliated clubs and societies on the Register.
- (3) The following persons may attend Annual Joint Conference of Affiliated Clubs and Societies -
 - (a) Preparatory committees which have submitted a preparatory application, they may appoint at least one representative for each committee to attend the Conference;
 - (b) Candidates of affiliated clubs and societies who are not appointed as legal representatives;
 - (c) The President of the Union;
 - (d) The Chairperson of The Council; and
 - (e) Any basic member of the Union.

- (4) Any affiliated clubs or societies on the register will lose their legal status for their next executive committee if they failed to attend the Conference without reasonable explanations approval from the Affiliated Clubs and Societies.

Part 9: Financial and Asset Management

39. Asset Ownership

- (1) Affiliated clubs and societies may purchase, sell and keep assets, and possess asset ownership.
- (2) No one, including the Union, may illegally embezzle any assets of affiliated clubs and societies.
- (3) Any transfer of liability from the affiliated clubs and societies to the Union is invalid.
- (4) The affiliated clubs and societies shall properly keep the asset statement and at least 3 years of financial reports, account balances, and copies of receipts.

40. Fundraising, Sponsorships and Fees

- (1) Affiliated clubs and societies may raise funds, accept sponsorships and charge for specific purposes and plans, but the relevant funds shall be used for that specific purpose or plan only.
- (2) Affiliated clubs and societies shall not make relevant fundraising and fees a necessary condition for membership, this shall also be indicated clearly by affiliated clubs and societies; if any member is unaware of this right, or if the affiliated club or society expressly or implicitly indicates that the relevant fundraising or charge is part of the membership fee, the funds paid to or promised to pay to the affiliated club or society shall be regarded as invalid, the affiliated club or society shall return the received funds.
- (3) The Affiliated Clubs and Societies Committee may instruct affiliated clubs or societies to accept sponsorship from the University, outsiders or groups.
- (4) Affiliated clubs and societies shall honour their contracts and commitments.
- (5) Affiliated clubs and societies shall submit the financial report of the fundraising to the Affiliated Clubs and Societies Committee within one month after the fundraising has finished.

41. Financial Affairs and Assets on Trust

- (1) When a new executive committee or interim executive committee of an affiliated club or society fails to take office two months after the previous executive committee or interim executive committee has left office, financial matters and assets of the affiliated club or society shall be surrendered and held on trust by the Affiliated Clubs and Societies Committee until the new executive committee or interim executive committee has taken office.
- (2) If the Affiliated Clubs and Societies Committee determines that the financial affairs and asset management of the affiliated club or society are mismanaged, the Affiliated Clubs

and Societies Committee may submit to The Judicial Committee to freeze and hand over the financial affairs and assets of the affiliated club or society to the Affiliated Clubs and Societies Committee to hold on trust.

Part 10: Legal Status, Adjudications, Punishment and Dissolution Procedures

42. Legal Status

- (1) An affiliated club or society shall be granted legal status after passing the annual registration by the Affiliated Clubs and Societies Committee. The effective date of the legal status commences from the issue of the 'Registration Certificate of the Affiliated Clubs and Societies' until the end of the term of office of the executive committee or the interim executive committee of the affiliated club or society.
- (2) The probationary affiliated club or society shall be granted legal status after the Affiliated Clubs and Societies Committee passes the registration of its first executive committee. The effective date of the legal status commences from the issue of the 'Registration Certificate of (Probationary) Affiliated Clubs and Societies' until the end of the probationary period.
- (3) The Affiliated Clubs and Societies Committee may indicate the evaluation of the performance of the affiliated club or society on the 'Registration Certificate of the Affiliated Clubs and Societies'.

43. Invalid Legal Status

- (1) An affiliated club or society shall have invalid legal status if it--
 - (a) Fails to pass the annual registration;
 - (b) Has its legal status frozen; or
 - (c) Loses its legal status.
- (2) Where an affiliated club or society has an invalid legal status, except for the rights listed in Section 34, it shall not exercise the rights of an affiliated club or society in its name.
- (3) The list of affiliated clubs and organisations whose legal status are frozen or have lost their legal status shall be published in a manner prescribed by the statutes of the Union for all basic members.

44. Power of Adjudication and Punishment of the Affiliated Clubs and Societies Committee

- (1) The Affiliated Clubs and Societies Committee may resolve to investigate any affiliated club or society, it may also appoint any person, or set up any investigation committee to exercise the power of investigation.
- (2) After investigation, the Affiliated Clubs and Societies Committee may determine that the affiliated club or society -
 - (a) Failed to properly conduct affairs of the club or society;
 - (b) Deliberately submitted false documents or deceived the Affiliated Clubs and Societies Committee;

- (c) Harm the overall interests of the Union;
 - (d) Acted in contravention of the provisions of this Ordinance or the laws of Hong Kong;
 - (e) Would be unable to operate sustainably in the foreseeable future;
 - (f) Had a much lower workload than that of other affiliated clubs and societies; or
 - (g) Failed to perform obligations set out in this Ordinance.
- (3) After adjudication, the Affiliated Clubs and Societies Committee may, according to the severity of the circumstances, -
- (a) Send a warning letter to the affiliated club or society;
 - (b) Add the affiliated club or society to a watch list, if the affiliated club or society is included on the watch list for a second year consecutively, the executive committee for the next term will lose its legal status;
 - (c) Freeze the legal status of the affiliated club or society;
 - (d) Declare the loss of the legal status of the affiliated club or society;
 - (e) Reduce the resources of the Union available to and the rights enjoyed by the affiliated club or society;
 - (f) Impose a fine on the affiliated club or society, subject to the final decision of The Judicial Committee; or
 - (g) Submit to The Judicial Committee to dissolve the affiliated club or society.
- (4) The Affiliated Clubs and Societies Committee shall not make any adjudication in accordance with Subsection (2) of this Section or make any decisions in accordance with Subsection (3) of this Section unless the Affiliated Clubs and Societies Committee has already allowed the affiliate club or society in question to make explanations in a reasonable scope.

45. Conditions for Dissolution of Affiliated Clubs and Societies

Under any condition stated below, the affiliated club or society enters into the dissolution procedures-

- (1) The affiliated club or society submits to the Affiliated Clubs and Societies Committee to have itself dissolved, after going through the legal procedures in its constitution;
- (2) If the affiliated club or society has invalid legal status for three consecutive years, the Affiliated Clubs and Societies Committee shall resolve to dissolve it;
- (3) If the executive committee of the affiliated club or society is vacant, and no interim executive committee takes office, the Affiliated Clubs and Societies Committee shall resolve to dissolve it;
- (4) If the executive committee of the affiliated club or society has been vacant for three consecutive years, the Affiliated Clubs and Societies Committee shall resolve to dissolve it;
- (5) If the affiliated club or society does not meet the minimum number of basic members of this Ordinance for two consecutive years, the Affiliated Clubs and Societies Committee shall resolve to dissolve it;

- (6) If the probationary affiliated club or society fails to pass the probationary period, the Affiliated Clubs and Societies Committee shall submit to The Judicial Committee to dissolve it;
- (7) If the affiliated club or society meets the requirements of Section 44 (Power of Adjudication and Punishment of the Affiliated Clubs and Societies Committee) of this Ordinance, it shall be dissolved by the instructions of The Judicial Committee

46. Dissolution Procedures of Affiliated Clubs and Societies

- (1) If the condition of Section 45 (1) was met-
 - (a) Before the dissolution of an affiliated club or society, a Members' Meeting shall be convened to deal with the financial affairs of the affiliated club or society after the dissolution, and the Meeting shall be announced within three days after the Affiliated Clubs and Societies Committee's resolution to dissolve was passed and notify the Affiliated Clubs and Societies Committee of the relevant resolutions.
 - (b) If the affiliated club or society is unable to convene a Members' Meeting, or the relevant Members' Meeting is unable to provide solutions for the financial affairs, the affiliated group may submit to the Affiliated Clubs and Societies Committee to resolve the issue according to the following procedures:
 - (i) The Affiliated Clubs and Societies Committee shall resolve to designate two committee members and two members of the affiliated club or society to form an Affiliated Club or Society Dissolution Committee.
 - (ii) The Dissolution Committee shall deal with the affiliated club or society's financial matters following the dissolution of the affiliated club or society.
 - (iii) The Dissolution Committee shall publish the relevant solutions and serve them to the members of the affiliated club or society. If there are no objections from the members of the affiliated club or society within two weeks after the service, the solution shall be adopted and the Affiliated Clubs and Societies Committee shall be notified.
 - (iv) If the members of the affiliated club or society object to the solution proposed by the Dissolution Committee, The Judicial Committee shall decide on the solution.
- (2) If the conditions in Section 45 (2) (3) (4) (5) (6) were met -
 - (a) After the Affiliated Clubs and Societies Committee has resolved to dissolve the group, the dissolution shall be conducted according to the following procedures:
 - (i) The Affiliated Clubs and Societies Committee shall resolve to designate two committee members and two members of the affiliated club or society to form an Affiliated Club or Society Dissolution Committee. The list of members of the Dissolution Committee shall be announced to the basic members of the affiliated club or society by the Affiliated Clubs and Societies Committee.

- (ii) The Dissolution Committee shall deal with the affiliated club or society's financial matters following the dissolution of the affiliated club or society.
 - (iii) The Dissolution Committee shall publish the relevant solutions and serve them to the members of the affiliated club or society. If there are no objections from the members of the affiliated club or society within two weeks after the service, the solution shall be adopted and the Affiliated Clubs and Societies Committee shall be notified.
 - (iv) If the members of the affiliated club or society object to the solution proposed by the Dissolution Committee, The Judicial Committee shall decide on the solution.
- (b) If the Affiliated Clubs and Societies Committee failed to form an Affiliated Club or Society Dissolution Committee to dissolve the affiliated club or society in accordance with the dissolution procedure specified in Section (a) of this Section, it shall submit to The Council to resolve the issue in accordance with the following procedures:
- (i) The Council resolves to designate two Council Members and five basic members of the Union nominated by the Affiliated Clubs and Societies Committee to form the Special Affiliated Club or Society Dissolution Committee. The list of members of the Special Affiliated Club or Society Dissolution Committee shall be announced to the basic members of the affiliated club or society by The Council.
 - (ii) The Special Affiliated Club or Society Dissolution Committee shall be responsible for performing the duties of the Affiliated Club or Society Dissolution Committee specified in Subsection (a) of this Section, and shall announce the solution according to the prescribed procedures.
 - (iii) If there are no objections from the members of the affiliated club or society within two weeks after the announcement, the solution shall be adopted and The Council shall be notified.
 - (iv) If the members of the affiliated club or society object to the introduction of the Special Affiliated Club or Society Dissolution Committee or the solution proposed by the Special Affiliated Club or Society Dissolution Committee, The Judicial Committee shall decide on the solution.
- (3) If the condition of Section 45 (7) was met-
- (a) After being instructed to dissolve, the affiliated club or society shall convene a Members' Meeting to deal with the financial affairs of the affiliated club or society after the dissolution, and announce the resolution notify the Affiliated Clubs and Societies Committee of the relevant resolution three days after the resolution was passed.

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- (b) If the affiliated club or society is unable to convene a Members' Meeting, or the relevant Members' Meeting is unable to provide solutions for the financial affairs, the Affiliated Clubs and Societies Committee may resolve the issue in accordance with the following procedures:
- (i) The Affiliated Clubs and Societies Committee shall resolve to designate two committee members and two members of the affiliated club or society to form an Affiliated Club or Society Dissolution Committee.
 - (ii) The Affiliated Club or Society Dissolution Committee shall deal with the affiliated club or society's financial matters following the dissolution of the affiliated club or society.
 - (iii) The Dissolution Committee shall publish the relevant solutions and serve them to the members of the affiliated club or society. If there are no objections from the members of the affiliated club or society within two weeks after the service, the solution shall be adopted and the Affiliated Clubs and Societies Committee shall be notified.
 - (iv) If the members of the affiliated club or society object to the solution proposed by the Dissolution Committee, The Judicial Committee shall decide on the solution.
- (c) If the Affiliated Clubs and Societies Committee fails to form an Affiliated Club or Society Dissolution Committee to dissolve the affiliated club or society in accordance with the dissolution procedure specified in subsection (b) of this Subsection, it shall submit to The Council to resolve the issue in accordance with the following procedures:
- (i) The Council resolves to designate two Council Members and five basic members of the Union nominated by the Affiliated Clubs and Societies Committee to form the Special Affiliated Club or Society Dissolution Committee. The list of members of the Special Affiliated Club or Society Dissolution Committee shall be announced to the basic members of the affiliated club or society by The Council.
 - (ii) The Special Affiliated Club or Society Dissolution Committee shall be responsible for performing the duties of the Affiliated Club or Society Dissolution Committee specified in Subsection (a) of this Section, and shall announce the solution according to the prescribed procedures.
 - (iii) If there are no objections from the members of the affiliated club or society within two weeks after the announcement, the solution shall be adopted, and The Council shall be notified.
 - (iv) If the members of the affiliated club or society object to the introduction of the Special Affiliated Club or Society Dissolution Committee or the solution proposed by the Special Affiliated Club or Society Dissolution Committee, The Judicial Committee shall decide on the solution.

- (4) After the dissolution of the affiliated club or society, -
 - (a) The secretary of the Affiliated Clubs and Societies Committee shall remove the affiliated club or society from the Register and announce the dissolution of the affiliated club or society to all basic members; and
 - (b) The constitution of the affiliated club or society shall become invalid as if the constitution has been abolished by The Council.

Part 11: The Power of the Affiliated Clubs and Societies Committee

47. Special Power of the Affiliated Clubs and Societies Committee

The Affiliated Clubs and Societies Committee may resolve to hold a referendum or a Members' Meeting for affiliated clubs and societies.

48. Power of the Affiliated Clubs and Societies Committee to Set Out Regulations

- (1) Regulations are considered subsidiary legislation in the statutes of the Union.
- (2) The Affiliated Clubs and Societies Committee may resolve to set out regulations -
 - (a) To prescribing anything to be or may be prescribed under this Ordinance;
 - (b) To specify the necessary content and format of the constitutions of affiliated clubs and societies;
 - (c) To specify the content and format of the preparation application form, registration application form, preliminary annual registration form, subsequent annual registration form, and supplementary documents;
 - (d) To specify that the Affiliated Clubs and Societies Committee shall possess information and records of affiliated clubs and societies;
 - (e) To specify the style of the seal of affiliated clubs and societies;
 - (f) To specify that affiliated clubs and societies shall not re-apply for annual registration in the name of an executive committee or interim executive committee until a certain condition is met;
 - (g) To specify the conditions, methods and relevant receipts for payment of administrative fees;
 - (h) To specify the formats of financial documents and that Affiliated Clubs and Societies shall keep the financial documents;
 - (i) To specify the matters to be put on the watch list;
 - (j) To prescribe rules for the Annual Joint Conference of Affiliated Clubs and Societies;
 - (k) To prescribe procedures for investigations by the Affiliated Clubs and Societies Committee;
 - (l) To prescribe the criteria for approval of preparation, approval of registration, passing of probationary period and passing of annual registration;
 - (m) To prescribing evaluation criteria for the performance of affiliated clubs and societies;

- (n) To prescribing requirements for registration of associations with the Hong Kong Police;
- (o) To implement provisions of this Ordinance in general.
- (3) The relevant regulations shall take effect from the announcement to all basic members by the Affiliated Clubs and Societies Committee.
- (4) The secretariat of The Council shall be informed of the regulations made by the Affiliated Clubs and Societies Committee, in order to announce them to all basic members, and then submit them to The Council for a brief overview. The Council may, by resolution, amend the subsidiary legislation at any Council Meeting held within 45 days after the regulations are submitted.
- (5) Before the expiry of the review period of the regulations, The Council may extend the time limit by a resolution passed at the Council Meeting.

Part 12: Amending Existing Statutes

49. Repeal ‘Affiliated Clubs and Societies Ordinance, The Student Union of The Chinese University of Hong Kong’

‘Affiliated Clubs and Societies Ordinance, The Student Union of The Chinese University of Hong Kong’ is repealed.

50. Repeal ‘Affiliated Clubs and Societies Investigation Procedures Bylaw, The Student Union of The Chinese University of Hong Kong’

‘Affiliated Clubs and Societies Investigation Procedures Bylaw, The Student Union of The Chinese University of Hong Kong’ is repealed.

51. Repeal ‘Annual Joint Conference of Affiliated Clubs and Societies Appendix, The Student Union of The Chinese University of Hong Kong’

‘Annual Joint Conference of Affiliated Clubs and Societies Appendix, The Student Union of The Chinese University of Hong Kong’ is repealed.

Part 13: Miscellaneous Provisions

52. Transitional Provisions

- (1) All actions conducted before the designated date, under the Ordinances repealed by Part 12 shall be regarded as valid, as if this Ordinance had not been enacted, but affiliated clubs and societies shall still comply with the provisions of this Ordinance.
- (2) Affiliated clubs and societies established before the designated date of this Ordinance will be automatically registered on the Register.

Note: The English Translation is for reference only.