

**The Student Union of The Chinese University of Hong Kong
Council Ordinance**

This Ordinance sought to stipulate provisions on account of the matters of the constitution and the qualification of The Council's acts and representations; announcing and defining certain powers, privileges and exemptions of The Council; stipulating provisions on account of the matter of testifying in the proceedings of meetings of The Council or its Committees; regulating such matters as entering the Chamber Area of The Council and the acts therein; stipulating provisions for other ancillary or relevant purposes; and abolishing certain enactments.

Formulated by The Council.

Part 1: Preliminary

1. Short Title

- (1) This Ordinance may be cited as the "Council Ordinance".
- (2) The English translation of the name of this Ordinance is the "Council Ordinance, The Student Union of The Chinese University of Hong Kong".

2. Interpretation

Unless otherwise stated, —

"Union" (本會)	means	The Student Union of the Chinese University of Hong Kong.
"Member" (代表)	means	Member of The Council/Council Member.
"Standing Orders" (會議常規)	means	the "Standing Orders of The Student Union of the Chinese University of Hong Kong".
"Officer of the Council" (代表會人員)	means	Secretary of The Council or any other officers or persons acting in the Chamber Area by the orders of Chairperson of The Council.
"Committee" (委員會)	means	any Standing Committee, Select Committee or other Committees, and the Subcommittees of any Committees.
"Chamber" (會議廳)	means	the chamber where The Council conducts the proceedings of meetings.
"Rules of Procedure" (議事規則)	mean	the rules of procedure for the time being in force.
"Faculty Member of the Senate" (教務會學院學生成員)	means	the Student Member of the Senate of The Chinese University of Hong Kong elected by all undergraduates and postgraduates of such faculties.

3. Date of Commencement

This Ordinance commences from the announcement of the Secretary General of The Council to all Full Members of The Union in accordance with the statutes of The Union.

Part 2: General Provisions**4. Status**

- (1) The Council is the highest legislative and overseeing body, democratically representing The Union established by “The Constitution of The Student Union of the Chinese University of Hong Kong”.
- (2) The English translation of the name of the Council is “The Council of The Student Union of the Chinese University of Hong Kong”.

5. Term of Office and Session

Each term of office of The Council is 1 year, while the session is the same as the term of office, which commences on the 1st of April every year and ends on the 31st of March the following year.

Part 3: Member Eligibility**6. Ex-officio Eligibility of President/Chairperson of The Student Union of the colleges in the Chinese University of Hong Kong**

- (1) Each president/chairperson of The Student Unions of the constituent colleges of the Chinese University of Hong Kong is an Ex-officio Member.
- (2) Each president/chairperson of The Student Unions of the constituent colleges of the Chinese University of Hong Kong may appoint a member from the Executive Committee thereof to replace him.
- (3) The Ex-officio Member appointed in accordance with Term (2) after such appointment by such president/chairperson of The Student Unions of the constituent colleges of the Chinese University of Hong Kong shall not be changed without consent of The Council.

7. Ex-officio Eligibility of Head of Legislature of The Student Union of the constituent colleges of the Chinese University of Hong Kong

- (1) Chairperson of Representative Council, Student Union, Chung Chi College;
- (2) Chairperson of Representative Council of the Student Union, New Asia College;
- (3) Chairperson of the United College Student Union Council;
- (4) Chairperson of the Representative Council, Shaw College Student Union;
- (5) Chairperson of Student Union Representative Council, S.H. Ho College;
- (6) President of Representative Council, Morningside College Student Union;
- (7) President of The Representative Council, CW Chu College Student Union;
- (8) President of Representative Council of The Student Union of Wu Yee Sun College; and

(9) President of Council Committee of Lee Woo Sing College Student Union;
are Ex-officio Members.

8. Relevant Provisions for Eligibility of Ex-officio Members

- (1) Ex-officio Members shall assume office on the earliest 1st of April in accordance with the assuming of the term of office of the corresponding capacity of such Student Union of the constituent college of the Chinese University of Hong Kong until the 31st of March the following year.
- (2) Unless such Ex-officio Member is dismissed by The Council or The Student Unions of the constituent colleges of the Chinese University of Hong Kong, such eligibility shall not be affected thereby. For the avoidance of ambiguity, it is declared that after the natural end of the term of office of such Executive Committee of the Student Union of the Ex-officio Member's constituent college of the Chinese University of Hong Kong under this provision, the seat of such Ex-officio Member shall still be retained.
- (3) The Chairperson of The Council shall accept the capacity of the Ex-officio Member in conformity with the enactments or resolutions of the Legislature of The Student Union of the constituent colleges of the Chinese University of Hong Kong.

9. Forbiddance of Dismissed Ex-Officio Member Re-occupying the Position of Ex-Officio Member

Any person in the case of having been appointed as Ex-officio Member of such term of office of The Council during such term of office due to occupying a position in such Student Union of the constituent colleges of the Chinese University of Hong Kong shall not make representations to the Chairperson of The Council in the same capacity as the Student Union of the constituent colleges; during such term of office of The Council, demanding to resume such seat of the Ex-officio Member provided that such person has formerly been removed from such duty of Ex-officio Member (with or without self-resignation).

10. Loss of Eligibility from the Occupation of the Position of Appointed Member

Any person, in the case of being dismissed automatically due to undue absence from 4 meetings of The Council in such term of office of The Council shall not be appointed as Appointed Member therein; but such person is still qualified to re-occupy the position of Elected Member through by-election, and is qualified to occupy the position of Ex-officio Member.

11. Eligibility of Elected Member

- (1) Student Union, Chung Chi College, Student Union, New Asia College, The Student Union, United College, Shaw College Student Union may elect 4 seats; The Student Union of Wu Yee Sun College, Lee Woo Sing College Student Union may elect 3 seats; Morningside College Student Union, S.H. Ho College Student Union, The Student Union of CW Chu College shall elect 2 seats.

- (2) The Elected Member shall be elected by Full Members of such Student Union of the constituent college of the Chinese University of Hong Kong.
- (3) After the annual election is held, in the case of the number of Elected Members being insufficient to meet the number of seats obtained by the Student Union of the constituent college of the Chinese University of Hong Kong in accordance with Term (1), each Student Union of the constituent colleges of the Chinese University of Hong Kong shall by way of appointment appoint at most 1 Member who shall be considered as an Appointed Member,
- (4) The term of office of Elected Members and Appointed Members is 1 year, commencing on the 1st of April each year, or from the issue of warrant by the Student Union of the constituent college of the Chinese University of Hong Kong, whichever is the later, and ending on the 31st of March the following year.
- (5) The Chairperson of The Council shall accept the capacity of Ex-officio Member in conformity with the enactments or resolutions of the Legislature of The Student Union of the constituent college of the Chinese University of Hong Kong.
- (6) As regards to this Provision — ‘Annual Election’ means an election held each year by The Student Union of the constituent colleges of the Chinese University of Hong Kong, to democratically elect a Member.

12. Temporarily Suspended Member

Members may apply for temporary suspension for appointed time from The Council, interdicting from discharge of Member duties of The Council, and not having the capacity and power of Member therein; The Council shall by way of resolution pass applications for temporary suspension of Members.

13. Occasion of Member Ceasing to Occupy Seat

In the case of a Member falling within the conditions hereinafter, such seat shall be vacant —

- (a) Resignation and coming into force by activating “The Constitution of The Student Union of the Chinese University of Hong Kong” in writing to the Chairperson of The Council and Head of Legislature of such Student Union of the constituent college of the Chinese University of Hong Kong;
- (b) Undue Absence from 4 meetings of the Council, including General Council Meeting, Extraordinary Council Meeting and adjournment meeting thereof (other than in cases where such meeting is held not later than 12 hours after the end of the last meeting);
- (c) Disqualification from Full Member of The Union;
- (d) Deceased; or
- (e) Occupying the position of committee member of Judicial Committee, Executive Committee, CU Student Press Publication Committee or Campus Radio Editorial Board.

The Chairperson of The Council shall, as regards to the above, announce vacant seats to all Full Members and notify the Legislature of such Student Union of the constituent college of the Chinese University of Hong Kong.

Part 4: Power of The Council

14. Power of Appointment of The Council

- (1) The Council has the power of appointing non-executive committee members of the Executive Committee in accordance with the nomination therefrom.
- (2) The Council has the ultimate power in appointing an existingly appointed committee member of the Student Press Publication Committee in accordance with the nomination therefrom.
- (3) The Council has the power of appointing an existingly appointed committee member of the Campus Radio Editorial Board in accordance with the nomination therefrom.
- (4) In cases where the Executive Committee, Student Press Publication Committee or the Campus Radio Editorial Board are left unfilled, The Council—
 - (a) shall appoint the Provisional Executive Committee thereof; and
 - (b) has the power of passing the reconstitution and dissolution of Provisional Executive Committee at any time; and
 - (c) has the power of passing the resignation and re-appointment of the member of the Provisional Executive Committee at any time.
- (5) The Council, except where otherwise provided, has the power of appointing The Union external representatives and delegation, etc., in accordance with the nomination from the Executive Committee or Provisional Executive Committee thereof.
- (6) Apart from the requirements of this Provision, The Council also has the power of conducting other appointments in accordance with enactments.

15. Power of Overseeing of The Council

The Council is the statutory overseeing body of The Union owning the duty and power of overseeing central bodies, Faculty Member of the Senate, Delegation to The Hong Kong Federation of Students and University Committees Student Members.

16. Public Officer Attending Meetings of The Council

- (1) The Chair's Committee of The Council has the power of directing committee members of the Executive Committee, Student Press Publication Committee, elected committee members of the Campus Radio Editorial Board, members of Provisional Executive Committees and members of Delegation to The Hong Kong Federation of Students in writing to attend designated meetings of The Council to provide information or to accept questions from The Council, and such directions in writing shall be issued not less than 24 hours before the commencement of meetings.
- (2) Chair's Committee of The Council and Chairperson of Committees under The Council have the power to invite in writing any public officer, Representative of University Committee, Faculty Member of the Senate and Faculty Board Student Member to attend

meetings of The Council.

- (3) Public officers hereinafter shall attend General Council Meetings of The Council, and Extraordinary Council Meetings of The Council designated by the Chairperson of The Council to report the progress of work to The Council——
 - (a) any one from the Chairperson, Deputy Chairperson, and External Deputy Chairperson of Executive Committee;
 - (b) any one from the Chief Editor and Deputy Chief Editor of Student Press Publication Committee;
 - (c) any one from the Chairperson, Deputy Chairperson and External Deputy Chairperson of the Campus Radio Editorial Board; and
 - (d) any one from the Chairperson and Deputy Chairperson of any Provisional Executive Committee.

17. Power of Punishment of The Council

- (1) The Council has the power of imposing sanctions on prescribed public officers of misconduct, breach or dereliction of duty or misfeasance by way of admonition, reprimands or impeachment, and ——
 - (a) Motions of The Council having purpose or effect of admonishing having been passed shall be written on record;
 - (b) Motions of The Council having purpose or effect of reprimanding or impeaching having been passed shall be announced by notice and written on record.
- (2) Motions with impeaching effects —
 - (a) being conducted towards elected public officers and such accusations not having been acknowledged by Judicial Committee or the motions not having been agreed by two-thirds of all Members of The Council or above shall not be passed;
 - (b) being conducted towards prescribed public officers other than democratically elected public officers ——
 - (i) and such motions not having acquired majority votes from two-thirds of Members present in the meetings of The Council shall not be passed.
 - (ii) and in the case of such motions having been passed, such public officers shall be dismissed immediately.
- (3) The Council may by resolution towards Council Members, Council Officials, Ordinary Committee Members of Executive Committees, Elected Committee Members of Student Press Publication Committee, or Elected Committee Members of Campus Radio Editorial Board demand the Judicial Committee to investigate when the matters of breaching the Constitution or breaching duties have been conducted and the Judicial Committee may issue orders to dismiss such public officers for not longer than 30 days.
- (4) Impeached public officers shall be dismissed for the remaining term of office and shall submit their resignation at a reasonable time.

- (5) The Council has the power of passing the dismissal of the duties of Council Officials by the consent of two-thirds of all Members or above, but such dismissals shall not affect the original Member capacities.
- (6) In accordance with this Provision, 'Prescribed Public Officers' include—
- (a) Council Member;
 - (b) Officials of the Council;
 - (c) Officials of Committees under The Council, etc.;
 - (d) Committee members of Committees under The Council;
 - (e) Ordinary Committee Members of Executive Committees;
 - (f) Elected Committee Members of Student Press Publication Committee;
 - (g) Elected Committee Members of Campus Radio Editorial Board;
 - (h) Representatives and Observers of Delegation to Hong Kong Federation of Students;
 - (i) Extraordinary Committee Members of Executive Committees;
 - (j) Appointed Committee Members of Student Press Publication Committee;
 - (k) Appointed Committee Members of Campus Radio Editorial Board;
 - (l) Faculty Members of the Senate;
 - (m) Faculty Board Student Members and
 - (n) Student Members of the University Committees
- (7) In accordance with this Provision, 'Elected Public Officers' include—
- (a) Council Members;
 - (b) Ordinary Committee Members of Executive Committees;
 - (c) Elected Committee Members of Student Press Publication Committee;
 - (d) Elected Committee Members of Campus Radio Editorial Board; and
 - (e) Assigned Representatives of Delegation to Hong Kong Federation of Students directly elected by all Full Members.

Part 5: Privileges of The Council

18. Freedom of Speech and Debate

There is freedom of speech and debate in The Council and in the proceedings of meetings of Committees and such freedom thereof shall not in any places be called into question.

19. Forbiddance of Testifying on account of the Proceedings of Meetings of The Council or any Committee without Permission

- (1) Without special permission from The Council, any Member or Officer of the Council and person employed for taking minutes of the Council or any committee meetings or preserving evidence records on the table of The Council or any Committee; shall not testify in other places on account of the contents of the meeting's minutes or evidence records as aforesaid or the contents of the documents submitted to The Council or any Committee or the proceedings of meetings or examinations conducted by The Council or

any Committee.

- (2) In the period of adjournment of Council meetings, the special permission referred to in Term (1) may be granted by the Chairperson of The Council. In cases where the Chairperson is absent from Hong Kong or incapacitated, rendering him/her incapable of acting, it may be granted in accordance with the Rules of Procedure.

20. Regulations on Entry of the Chamber Area

- (1) Unless otherwise stated in this provision, meetings of The Council shall be held openly.
- (2) Except for Members or Officers of The Council, the right of any person to enter or stay in the Chamber Area shall be regulated by the Rules of Procedure or resolutions passed by The Council for limiting or prohibiting the entitlement of this right.
- (3) To maintain security of the Chamber Area, to ensure that the demeanour and behaviours of persons therein are appropriate and for other administrative purposes, the Chairperson of The Council may from time to time issue administrative instructions considered to be necessary or appropriate to regulate non-Members or non-Council Officers from entering the Chamber Area and to regulate conducts of the persons as aforesaid therein.
- (4) Copies of the administrative instructions issued by the Chairperson of The Council in accordance with Term (3) shall be duly authenticated by the Secretary General of The Council and be displayed in conspicuous places in the Chamber Area; in so far as such copies having been so authenticated and displayed, this shall be regarded as all persons affected by such administrative instructions having been adequately notified.
- (5) Except Members or Council Officers in so far as any person——
 - (a) breaching any of these Rules of Procedure or resolution, entering or attempting to enter the Chamber area; or
 - (b) breaching administrative instructions issued in accordance with this provision or directions issued in accordance with such instructions while such instructions or directions are used to regulate any person from entering the Chamber area or to regulate the conducts of such persons therein,
Such person may be transferred to the Judicial Committee for punishments.
- (6) As regards to this provision ——
The ‘Chamber Area’ means premises under the management of The Council designated by the passing of resolution by The Council, and is managed by the Secretariat of the Council.

21. Power of Ordering Witnesses’ Attendance

- (1) The Council or its Standing Committees thereof may order any person to appear before The Council or such Standing Committees to testify or present any paper, book, record or document in such person’s possession or under the control of such person.

- (2) The power conferred by Term (1) to the Standing Committee may be exercised by any other Committee provided that such Committee shall be specially authorized by The Council by resolutions to be the exerciser of the power as aforesaid as regards any matter or problem specified in the resolutions.

22. Notification of Attendance by Summons

- (1) In so far as any person having been lawfully ordered to appear before The Council or any Committee to testify or present documents, such person shall be notified by summons under the hand of the Secretary General of The Council in accordance with instructions from the Chairperson of The Council.
- (2) Each summon issued to any person in accordance with Term (1) shall state the name of such person and the attending time and place and designated documents necessary for such person to present (if any).

23. Objection to Answering Questions or Presenting Papers

- (1) In so far as a person having been lawfully ordered to appear before The Council to testify or to present any paper, book, record or document and such person refusing to answer any questions proposed thereto or refusing to present any paper, book, record or document as aforesaid provided that the reason of such person is that such questions or such papers, books, records or documents are of private nature and have no influence on the theme of the inquiry; such person may be exempted by the Chairperson of The Council from answering such questions or presenting such papers, books, records or documents (in cases where such questions or presenting such papers, books, records or documents is confirmed to be irrelevant to the inquiry, such person shall be exempted from answering or presenting them) or may be ordered to answer or present them.
- (2) In so far as a person having been lawfully ordered to appear before The Council to testify or to present any paper, book, record or document and such person refusing to answer any questions proposed thereto or refusing to present any paper, book, record or document as aforesaid provided that the reason of such person is that such questions or such papers, books, records or documents are of private nature and have no influence on the theme of the inquiry, the Chairperson of the Committee may report to the Chairperson of The Council the matter of rejection of such person and the reasons of such rejection. Afterwards, such person may thereupon be exempted by the Chairperson of The Council from answering such questions or presenting such papers, books, records or documents (in the case of such questions or presenting such papers, books, records or documents is confirmed to be irrelevant to the inquiry, such person shall be exempted from answering or presenting them) or may be ordered to answer or present them.

24. Forbiddance of Contempt of The Council

In so far as any person——

- (a) Having disobedience to lawful orders issued by The Council or any Committee demanding him to appear in the Council or such Committee or to appear before The Council or such Committee to present any paper, book, record or document, unless such person has been exempted from appearing in them or presenting them in accordance with Provision 23; or
- (b) During the course of examination, refusing to accept examinations from The Council or any Committees or refusing to answer any lawful and relevant questions raised by The Council or any Committee, unless such person has been exempted from answering them in accordance with Provision 23; or
- (c) Creating or participating in any disturbance while The Council or any Committee is holding a meeting, causing the proceedings of meetings of The Council or such Committee to be interrupted or likely to be interrupted,

Such person may be transferred to the Judicial Committee for punishments.

25. False evidence and Deception

- (1) Any person deliberately providing false answers to crucial questions on the theme of inquiry during the examination raised by The Council or any Committee shall be transferred to the Judicial Committee for punishments.
- (2) Any person presenting false, untrue, fabricated or falsified documents to The Council or any Committee with intent to deceive The Council or such Committee may be transferred to the Judicial Committee for punishments and the University may be requested to initiate disciplinary proceedings.

26. Intervention against Member, Council Officer or Witness

In so far as any person ——

- (1) Assaulting, physically blocking or harassing any Member proceeding to or leaving the Chamber Area or within the Chamber Area, or endeavoring to compel any Member by force or intimidation to announce such approval or objection upon motions proposed to be approved or matters of The Council or any Committee; or
- (2) Assaulting, intervening, harassing, resisting or physically blocking any Council Officer acting in the execution of his duty; or
- (3) Intervening, precluding, threatening, harassing, or by any means improperly affecting such witness as regards any evidence imminently given by any witness before The Council or any Committee; or
- (4) Threatening, harassing or by any means punishing or injuring or attempting to punish or injure such person on account of such individual having testified before the Council or any Committee or having provided any evidence before The Council or any Committee

Such person may be transferred to the Judicial Committee for punishments and the University may be requested to initiate disciplinary proceedings.

Part 6: Act of the Council**27. Rules of Procedure**

- (1) In accordance with Provision 77 of the Constitution of The Union, Rules of Procedure of The Council are enacted on The Council's own provided that they shall not be in conflict with the Constitution or Ordinances of The Union.
- (2) Rules of Procedure created in accordance with this Provision shall be constituted as the other requirements under Provision 41 of the Standing Order and The Council shall act in accordance with the Rules of Procedure without acting in accordance with the Standing Order.

28. Power of Communicating Vote in Writing

- (1) The Council has the power of adopting the form of communicating votes in writing as an alternative to the practice of carrying out resolutions, subject to the regulations of Rules of Procedure.
- (2) Motions passed by communicating vote in writing shall still be acknowledged in Council meetings.

29. Dissolution and Cease of Operation of the Council

The Council shall cease to operate under the circumstances hereinafter in the term of office thereof, including all Committees thereunder —

- (1) Dissolving automatically on account of the number of all Members being less than 10; or
- (2) Dissolving on account of passing the motions of impeachment or dismissal against The Council.

30. Exercise of Power of the Chairperson of The Council after Dissolution of The Council

For the carrying out of this Ordinance, notwithstanding The Council having been dissolved, the Chairperson of The Council may still exercise the power conferred by this Ordinance.

Part 7: Amendment of Enactments**31. Amendment of Council Ordinance**

Council Ordinance may be repealed.

32. Repealing of Certain Enactments

Ordinances hereinafter —

- (a) Affiliated Clubs and Societies Committee Bylaw, Representative Council;
- (b) Constitution Committee Bylaw, Representative Council;
- (c) Finance Committee Bylaw, Representative Council;
- (d) Monitory and Advisory Committee Bylaw, Representative Council;
- (e) Election Committee Bylaw, Representative Council;

- (f) Records Committee Bylaw, Representative Council;
 - (g) Chair's Committee Bylaw, Representative Council;
 - (h) Secretariat Bylaw, Representative Council; and
 - (i) Representative Council Pre-Assumption Meeting Bylaw —
- shall repeal such enactments starting from the establishment of Rules of Procedure by The Council.

Note: The English Translation is for reference only.