



Constitution (Revised on September 11, 2020)

1. General Principles

Name

1.1 The name of the Association shall be "HKMA David Li Kwok Po College Parent –Teacher Association".

Registered Address

1.2 The registered address of the Association shall be 'No.8, Hoi Wang Road, Mongkok West, Kowloon, Hong Kong'.

Aim

1.3 The aims of the Association shall be:

To promote closer contact between HKMA David Li Kwok Po College (hereafter referred to as "the School" and families; parents and teachers, as well as to facilitate communication and exchange of views in matters of mutual concern in order to foster a concerted effort in improving the personal development of students.

2. Organization

2.1 The "HKMA David Li Kwok Po College Parent-Teacher Association" (hereafter referred to as "the Association") shall be composed of all members and is a legal, registered independent association.

2.2 "The General Assembly" is the highest authority of the Association. When the General Assembly is in recess, the Executive Committee shall be responsible for the management of the Association.

3. Members, Subscription, Membership, Rights and Obligations

3.1 Members

There are four kinds of members:

Teacher-Member

3.1.1 The present School Head and teachers of the School shall be Teacher-Members automatically.

Parent-Member

3.1.2 Parents or guardians of enrolled students are eligible to apply for membership as Parent-Members. The parent or guardian of a student shall be entitled to apply for only one place of membership in respect of one child studying in the School. If there is more than one child studying in the School with any parent or guardian, the other parent or guardian may



apply for the membership of Parent-Members in respect of the other child. (Revised on October 25, 2019)

Emeritus Members

3.1.3 Former Parent-Members or former Teacher-Members are eligible to apply for membership as Emeritus Members.

Honorary-Members

3.1.4 The former Chairperson and School Heads, and other persons who have contributed to the well-being of the Association may be invited by the General Assembly or the Committee to be Honorary-Members.

3.2 Subscription

3.2.1 Teacher-Members, Emeritus-Members and Honorary-Members shall not be required to pay the annual subscription. (Revised on April 26, 2014)

3.2.2 Parent-Members shall pay a subscription when first joining the PTA as a membership fee. The amount of subscription shall be determined by the Committee. (Revised on April 26, 2014)

3.3 Membership

3.3.1 The membership period shall begin on his/ her child's admission to school and will expire upon their graduation/ departure. (Revised on October 25, 2019)

3.3.2 Teacher-Members, Emeritus-Members and Honorary-Members shall not be required to renew their membership. (Revised on April 26, 2014)

3.4 Rights of the members

Parent-Members

3.4.1 Shall have the right to elect and to be elected in the General Assembly.

3.4.2 Shall have the right to propose, second and vote on motions in the General Assembly.

3.4.3 May participate in all activities launched by the Association.

3.4.4 May bring up suggestions about teaching and activities of the School through the Association for reference or discussion purposes.

Teacher-Members, Emeritus Members and Honorary-Members

3.4.5 May participate in all activities launched by the Association.

3.4.6 May bring up suggestions about the activities of the Association for reference or discussion purposes.

3.4.7 Shall not have the right to elect, to be elected, to propose, second and vote on motions in the General Assembly. (Revised on April 26, 2014)



3.5 Obligations of the members

3.5.1 All members shall abide by the Constitution of the Association and observe its resolutions.

3.6 Termination of membership

3.6.1 The Committee, after examining the evidence, may terminate the current membership of a member who has contravened the Constitution of the Association or has breached the regulations of the Association.

3.6.2 The Committee shall investigate and decide whether or not to terminate the current membership of a member who has employed the name of the Association for any improper purpose without the consent of the Committee.

3.6.3 Any member whose current membership is terminated shall not be entitled to refund of the subscription or money paid by him.

3.6.4 Any member whose current membership is terminated may apply for membership again in the next term, subject to the deliberations and decisions of the Committee on whether the application for membership should be accepted or not. (Revised on October 25, 2019)

3.7 Withdrawal of membership

3.7.1 If any member wishes to withdraw his/ her membership, for whatever reason, the Committee must be notified in writing. (subscription once submitted cannot be retrieved)
(Revised on April 26, 2014)

4. General Assembly

The General Assembly consists of two authorities, "Annual General Meeting" and "Extraordinary General Meeting".

4.1 Annual General Meeting (AGM)

4.1.1 The AGM shall be convened once a year not later than the end of October.

4.1.2 The powers and duties of the AGM shall be:

- a) To approve the minutes of the last AGM.
- b) To approve the Annual Report of the Association.
- c) To approve the audited Financial Report of the Association.
- d) To amend the Constitution of the Association.
- e) To criticize, impeach or dismiss the Committee-Members. (e.g. those who have contravened the Constitution.)
- f) To elect members to form the Committee.



- g) To discuss other agenda proposals.

Notice of the AGM

4.1.3 The Committee shall notify all members by notice in writing served on them twenty-one days prior to the meeting stating the date, time, place and the agenda of the AGM.

4.1.4 Any member who proposes a motion (e.g. amendments to the Constitution) shall together with not less than three members notify the Committee by notice in writing served on the Committee fourteen days prior to the AGM.

4.1.5 The proposed motion shall be included in the agenda after deliberation by the Committee and the Committee shall notify all members by notice in writing served on them seven days prior to the AGM.

The Quorum of the AGM

4.1.6 The quorum of an AGM shall be five percent of the Parent-Members of the Association. (Revised on April 26, 2014)

4.1.7 Any member who cannot attend the AGM in person may authorize, in writing, an adult member of his/ her family to represent him/ her at the meeting.

4.1.8 If within half an hour from the time appointed for the AGM a quorum is not present, the Chairperson shall declare that the AGM adjourned. The second meeting shall be convened within fourteen days after the date of the original AGM. The Committee shall notify all members in writing details of the second meeting.

4.1.9 At the second meeting, the members present, irrespective of number, shall form the quorum and the business shall be transacted.

Resolutions

4.1.10 Any resolution can only be passed at an AGM by a majority (over 50%) vote of the Parent-Members present. (Revised on April 26, 2014)

4.2 Extra-ordinary General Meeting (EGM)

4.2.1 The Committee shall call for an EGM if the Committee shall deem it necessary, e.g., to amend the PTA Constitution, to criticize, to impeach or to expel a Committee member, or under other similar situations.

4.2.2 If the Committee receives a written request jointly signed by more than ten percent of Parent-Members and an agenda is submitted, the Committee shall convene an EGM. (Revised on April 26, 2014)

4.2.3 Any matter not listed on the agenda shall not be discussed at the EGM.



4.2.4 The Committee shall notify all members in writing, served on them seven days prior to the meeting stating the date, time, place and the agenda of the EGM.

4.2.5 The quorum of an EGM shall be five percent of the total number of Parent-Members of the Association. (Revised on 26th April 2014)

4.2.6 Any member who cannot attend the EGM in person may authorize, in writing, an adult member of his/ her family to represent him/ her at the meeting.

4.2.7 Any resolution at an EGM shall be passed by a majority vote of two-thirds of the Parent-Members present. (Revised on April 26, 2014)

4.2.8 If within a half an hour from the time appointed for the EGM a quorum is not present, the Chairperson shall declare that the EGM be aborted. Any matters not discussed shall be transacted in another meeting to be convened in accordance with the procedures for the EGM.

5. The Executive Committee

5.1 When the General Assembly is in recess, the Executive Committee (hereafter referred to as "the ExCo") shall be responsible for the management of the Association.

5.2 The ExCo shall comprise not more than 16 members, four of whom shall be Teacher-Members and the others shall be Parent-Members. The formation of the ExCo is as follows:

<u>Office</u>	<u>No. of Persons</u>	<u>Member</u>
Chairperson	1	Parent-Member
Vice-Chairperson	2	Parent-Member (1) Teacher-Member (1)
Secretary	2	Parent-Member (1) Teacher-Member (1)
Treasurer	1	Parent-Member
General Affairs	1	Parent-Member
Recreation	3	Parent-Member (2) Teacher-Member (1)
Coordinator of Volunteers	1	Parent-Member
Newsletters	2	Parent-Member (1) Teacher-Member (1)
Task Force	3	Parent-Member (3)

(Revised on October 25, 2019)

5.3 The present School Head shall be the Standing Advisor who may attend the meetings of the Committee but without voting right.

5.4 The Teacher-Members of the ExCo shall be appointed by the incumbent School Head. The Parent-Members of the Committee shall be elected by Parent-Members at the AGM or the EGM on



a one-member-one-vote basis. Committee Members should then select among themselves the respective posts specified in Section 5.2.

5.5 The duties of the ExCo Members are as follows:

5.5.1 The duties of the “Chairperson”:

- a) To convene and to take charge of the ACM and the EGM.
- b) To convene the meetings of the ExCo and to be responsible for the management of the ExCo.
- c) To submit the Annual Report of the Association at the AGM.
- d) To administer all the affairs of the Association and sign relevant documents.
- e) To represent the Association to attend activities relating to external affairs.

5.5.2 The duties of the “Vice-Chairperson”

- a) To assist the Chairperson in handling the affairs of the Association.
- b) In the absence of the Chairperson, the Vice-Chairperson who is the Parent-Member shall carry out the duties of the Chairperson and if the Vice-Chairperson who is the Parent-Member is also absent, the Vice-Chairperson who is the Teacher-Member shall take up the duties of the Chairperson.

5.5.3 The duties of the “Secretary”:

- a) To manage the correspondence and the register of members of Association.
- b) To prepare the agenda and release notice of meetings.
- c) To keep the minutes at the meetings.
- d) To keep the chop, correspondences and file all documents for the Association.

5.5.4 The duties of the “Treasurer”:

- a) To administer all financial matters of the Association.
- b) To submit the Financial Report of the Association at the AGM.
- c) To compile the monthly accounting reports.
- d) To compile annual budget for the following year.
- e) To present the Financial Report at the ExCo meeting.

5.5.5 The duties of the ExCo Member for “General Affairs”:

- a) To assist and support all kinds of activities conducted by the Association and to arrange and utilize appropriate resources and facilities.
- b) To assist the Association in handling the general routine work.



5.5.6 The duties of the ExCo Member for “Recreation”

- a) To plan for the cultural and recreational activities of the Association.
- b) To promote welfare activities in conformity with the aim of the Association.

5.5.7 The duties of the ExCo Member for “Coordinator of Volunteers”

- a) To be responsible for recruiting and liaising with volunteers.
- b) To be responsible for the manpower deployment of volunteers with task force groups in PTA activities.
- c) To be responsible for the preparation of volunteer attendance records.

(Added on October 25, 2019)

5.5.8 The duties of the ExCo Member for “Newsletters”

- a) To compile and publish the Newsletters of the Association.
- b) To arrange for the translation of articles in the Newsletter.

5.5.9 The duties of the “Task Force” ExCo Members

- a) To assist the work of the above-mentioned ExCo Members.
- b) To assist and support the special working groups to serve the members.
- c) To plan for lectures and arrange for symposiums and workshops for Parent-Members.

5.6 The term of office of an ExCo Member shall be two years. It begins on November 1 of a year and expires on October 31 of the 3rd year. The ExCo Member who is a Parent-Member shall be eligible for re-election at the AGM and the present School Head shall be entitled to re-appoint Teacher-Members to be the ExCo Members.

5.6.1 If the child of an ExCo Member of the Association graduates from the School during the term of office of the ExCo Member, the tenure of office and the duties of this ExCo Member shall expire on August 31 of the year of graduation of the child, with exception to the offices of Chairperson, Vice-chairperson and Treasurer of the Association, whose tenure of offices and duties shall expire on October 31 of the same year, to facilitate the execution of the forthcoming election and the standing duties of the offices.

5.6.2 If the child of an ExCo Member withdraws from studying in the School, or the ExCo Member is terminated the membership of the Association, or the ExCo Member withdraws from the membership of the Association, the tenure of office and duties of this ExCo Member shall cease with immediate effect.

5.6.3 All ExCo Members must handover clearly the duties to the Chairperson and the successor within thirty days upon resignation from the office.



(Revised on October 25, 2019)

5.7 The ExCo Members should complete all handover formalities within thirty days after the expiration of the term of office. (Revised on October 25, 2019)

5.8 In case any ExCo Member wishes to resign from his/her post, for whatever reason, the ExCo must be notified in writing. He/she must handover his / her duties to the Chairperson and a person who replaces him / her within thirty days. (Revised on October 25, 2019)

5.9 If there is vacancy arising from the resignation of ExCo Member or for whatever reason, the ExCo Members shall appoint another ExCo Parent-Member to fill the position. If the vacancies of Parent-Members account for more than 20% of the overall Parent-Members, the current remaining ExCo shall decide holding by-election to fill the vacancies. However, if the vacant position is that of the Chairperson, the Vice-Chairperson who is the Parent-Member shall fill the position automatically. If the vacant position is that taken up by a Teacher-Member, the present School Head shall appoint another Teacher-Member to fill the position. (Revised on October 25, 2019)

5.10 The number of meetings shall be determined and convened by the ExCo depending upon the affairs of the Association, provided that there shall be at least four meetings a year.

5.11 The notice and the agenda of the ExCo meetings shall be served on each ExCo Member seven days prior to the meeting.

5.12 The quorum of the ExCo meetings shall be 50% of the number of ExCo Members.

5.13 The resolution of a motion at an ExCo meeting shall be passed by majority vote (more than 50%) among members present.

5.14 The ExCo has the final authority on the interpretation of the Constitution of the Association.

5.15 All the ExCo members are volunteers for the Association. They shall not receive any remuneration for the services or duties rendered for the Association.

6. Method for the Formation of Executive Committee

6.1 Election for the Members of Executive Committee

6.1.1 The election for the Members of the ExCo shall be convened once in every two years at the AGM.

6.1.2 An Election Committee shall be formed to prepare the overall plan regarding the election of the Members of the ExCo. Members of the Election Committee cannot be candidates in the same Election.

6.1.3 The Election Committee shall comprise three or more members of the Association, including a Parent-Member and Teacher-Representative. These members shall be appointed by the present Chairperson and the School Head forty days prior to the Election



Day.

6.1.4 Duties of the Election Committee are as follows:

- a) To register and verify the qualifications of the candidates.
- b) To approve the nomination of the candidates.
- c) To record and scrutinize the ballot papers.
- d) To declare the names of newly elected Committee-Members.
- e) To determine and stipulate the rules and regulations of the election, and the alternative mode and method of giving out ballot papers in the event of foreseeable circumstances that render it not practicable to give out ballot papers to Parent-Members at the meeting on the Election Day. (Added on September 11, 2020)

6.1.5 The Election Committee shall serve the election forms on the Parent-Members twenty-one days prior to the Election Day.

6.1.6 In order to qualify as a candidate, the Parent-Member shall fill in the election form and return it to the Election Committee before the closing date that shall be prescribed by the Election Committee.

6.1.7 The Election Committee shall serve the list of candidates on the Parent-Members seven days prior to the Election Day.

6.1.8 The election shall be held through a secret ballot system. A ballot paper will be given to each Parent-Member present at the meeting. Ballot papers not completed in accordance with the regulations stipulated by the Election Committee shall be void. In the event of foreseeable circumstances that render it not practicable to give a ballot paper to each Parent-Member at the meeting on the Election Day, the Election Committee shall determine the alternative mode and method of giving out ballot papers to reach Parent-Members and the procedures of returning ballot papers by Parent-Members for vote counting. (Revised on September 11, 2020)

6.1.9 In the case of an equality of votes, the final outcome should be decided in accordance with the rules and regulations as stipulated by the Election Committee.

6.2 By-election for the Members of Executive Committee

6.2.1 The by-election for the Members of the ExCo shall be convened during the current tenure of office and may be convened at the AGM or EGM.

6.2.2 An Election Committee shall be formed to prepare the overall plan regarding the election of the Members of the ExCo. Members of the Election Committee cannot be candidates in the same Election.



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6.2.3 The Election Committee shall comprise three or more members of the Association, including a Parent-Member and Teacher-Representative. These members shall be appointed by the present Chairperson and the School Head forty days prior to the Election Day.

6.2.4 Duties of the Election Committee are as follows:

- a) To register and verify the qualifications of the candidates.
- b) To approve the nomination of the candidates.
- c) To record and scrutinize the ballot papers.
- d) To declare the names of newly elected Committee-Members.

6.2.5 The Election Committee shall serve the election forms on the Parent-Members twenty-one days prior to the Election Day.

6.2.6 In order to qualify as a candidate, the Parent-Member shall fill in the election form and return it to the Election Committee before the closing date that shall be prescribed by the Election Committee.

6.2.7 The Election Committee shall serve the list of candidates on the Parent-Members seven days prior to the Election Day.

6.2.8 The election shall be held through a secret ballot system. A ballot paper will be given to each Parent-Member present at the meeting. Ballot papers not completed in accordance with the regulations stipulated by the Election Committee shall be void.

6.2.9 In the case of an equality of votes, the final outcome should be decided in accordance with the rules and regulations as stipulated by the Election Committee.

(Added on October 25, 2019)

7. Finance

7.1 The ExCo shall have the right to utilize the funds and the capital assets of the Association according to the aims of the Association.

7.2 The Treasurer shall deposit the income of the Association into a designated bank account. Any two of the four ExCo Members, namely, the Chairperson, the Vice-Chairperson, the Secretary and the Treasurer, shall jointly sign on all cheques to be issued or sign for money withdrawn with the chop of the Association affixed. One of the joint signatures shall be from the Parent-Members and the other from the Teacher-Members.

7.3 The Treasurer shall maintain a financial report and report to the members and the ExCo twice a year.

7.4 The Association shall at the AGM appoint a person who is not an ExCo Member to be the voluntary auditor to audit the accounts at least once a year.

7.5 Any funds, income and capital assets of the Association should be used solely for



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discharging expenditures in line with the aims of the Association. The ExCo will determine the details of the expenditures, including the decision of waiving ExCo Members' fees in any activities organized by the Association. Any member who takes up or assists the work of the Association is a volunteer, and shall not receive any remuneration.

7.6 The financial year of the Association shall begin from November 1 of a year to October 31 of the following year. (Revised on October 25, 2019)

7.7 If the Association is dissolved, all remaining assets shall be donated to the School or any charities recognized by the government.

8. Official Language

8.1 The official languages of the Association shall be Chinese and English. In the case of discrepancy, the Chinese version shall prevail.

9. Dissolution

9.1 The Association shall be dissolved upon resolution by a three-quarter majority of the members present at the AGM or the EGM; or in accordance with the law in Hong Kong or by a court order.

10. Notice

10.1 The written notice to be given as provided in the Constitution of the Association shall be served by post, by hand or by fax to the current address or number in the register of the Association, or in such other manner as the ExCo may reasonably direct. The notice is deemed served one day after the date of posting.

11. Effective Date

11.1 The Constitution shall be effected immediately after it is approved and adopted in the General Assembly.