

HEEP YUNN PRIMARY SCHOOL PARENT TEACHER ASSOCIATION

The Constitution

1. Definitions

In this Constitution, the following expressions shall have the meanings respectively ascribed to them as follows:

- (a) “Association” shall mean the “Heep Yunn PRIMARY School Parent-Teacher Association (協恩中學附屬小學家長教師會)”.
- (b) “Constitution” shall mean the constitution for the time being of the Association.
- (c) “Council” shall mean the Council of the Heep Yunn School (協恩學校管治委員會)
- (d) “Executive Committee” shall mean the Executive Committee of the Association as provided in this Constitution.
- (e) “Incorporated Management Committee” shall mean the Incorporated Management Committee of the Heep Yunn Primary School.
- (f) “member” shall mean a member of the Association.
- (g) “parents” shall mean the parents/guardians of the students for the time being of the Primary School.
- (h) “parent-member” shall mean a member of the Association who is the parent/guardian of a student.
- (i) “Primary School” shall mean the Heep Yunn Primary School.
- (j) “student” shall mean a student for the time being of the Primary School and shall not include any person who has for any reason ceased to be a student of the Primary School.
- (k) “teacher” shall mean a teacher for the time being of the Primary School.
- (l) “teacher-member” shall mean a member of the Association who is a teacher of the Primary School.

2. Establishment and name of Association

- (a) The Association is established by the Council for the purposes more particularly set out in Clause 3 and is to function and operate at all times in accordance with the provisions of this Constitution and under the control of the Council.
- (b) The name of the Association shall be “Heep Yunn Primary School Parent-Teacher Association (協恩中學附屬小學家長教師會)”.

3. Objects

The objects of the Association are :

- (a) To promote the mutual communication and co-operation between the parents and the Primary School;
- (b) To support the Primary School in all aspects, whether cultural, educational, financial, moral or otherwise;
- (c) To do such works or participate in such activities or functions as shall be conducive to the promotion of the welfare and benefit of the students.

4. Membership

- (a) A parent/guardian of a student may be admitted as a member of the Association. Irrespective of whether there is one or more than one daughter in a family being student or students of the Primary School, only one parent/guardian of such students shall be admitted as the member of the Association.
- (b) A parent/guardian who wishes to become a member of the Association shall apply to the Executive Committee for admission in the form prescribed for such application. Where there are more than one parent/guardian of a student applying for membership, unless they agree

between themselves as to which one is to proceed with the application, the decision of the Executive Committee as to which one to be admitted as the member of the Association shall be final and binding on the applicants.

- (c) A teacher who wishes to become a member of the Association shall apply to the Executive Committee for admission in the form prescribed for such application.

5. Obligation of members

- (a) A member shall observe and comply with the rules of the Constitution and such other rules or regulations as the Executive Committee may from time to time promulgate for the observance and compliance of members of the Association.
- (b) A parent-member shall pay the annual subscription fee (if any) as and when the same is due for payment.
- (c) A member shall support the works and activities of the Association.
- (d) A member shall not do or suffer to be done anything which will cause embarrassment, disrespect or ridicule to the Association.
- (e) A member shall not, without having been authorized by the Council, disclose to any person who is not a member of the Association or a member of the Executive Committee any matters of or concerning the Association, the Primary School, any of the teachers or the Council.

6. Rights of members

A parent-member shall have the right to elect and to be elected the parent-members of the Executive Committee.

7. Members have no claim to the property or funds of the Association or refund of annual subscription fee.

- (a) A member shall not have any interest in the property or claim to the property or fund of the Association whatsoever.
- (b) A member shall not have any claim for refund of the annual subscription fee after he or she ceases to be a member of the Association.

8. Membership fee

The Executive Committee may at any time resolve to charge parent-members the annual membership fee which shall be in the amount and payable by parent-members at the time or times as the Executive Committee may from time to time resolve. Failure to pay the annual membership fee by a parent-member for 30 days after the same has become due (whether or not demand has been sent by the Association to the member) shall disqualify the faulting parent-member from being a member. Upon the payment of the annual membership fee and payment of the fine in such sum as the Executive Committee may impose, the defaulting parent-member may be re-instated as a member by the Executive Committee.

9. Resignation and expulsion of member

- (a) A member may by notice in writing to the Association resign the membership.
- (b) If a member shall be in breach of any of rules of this Constitution or shall cause embarrassment, disrepute or ridicule to the Association, the Primary School, the Council or any of the teachers or other members, the Executive Committee may invite that member to appear before the Executive Committee to give an explanation for such conduct of that member and if the Executive Committee shall decide that the member's conduct is so serious as to cause the Association, the Primary School, the Council or any of the teachers or members embarrassment, disrepute or ridicule, the Executive Committee may resolve to expel the member from the membership of the Association.

10. Executive Committee

- (a) Subject as the Council may otherwise decide, there shall be an Executive Committee to manage the business and affairs of the Association, including but not limited to,
 - (i) admission and expulsion of members;
 - (ii) employment of staff for the purpose of the Association but so that no member shall be employed by the Association,
 - (iii) organization of or support for activities for the benefit of the students or the Primary School,
 - (iv) making arrangements for and conducting the election of the parent manager of the Incorporated Management Committee and nomination of such parent manager, through a subcommittee designated for such purpose;
 - (v) approval of payments by the Association, and
 - (vi) approval of commitments by the Association.
- (b) Subject as the Council may otherwise decide, the Executive Committee shall consist of 7 persons, of whom
 - (i) 3 parent-members shall be elected from and by the parent-members, and
 - (ii) 4 teachers to be appointed by the Council, whether or not the teachers so appointed are members of the Association.
- (c) Subject as the Council may otherwise decide, an elected member of the Executive Committee shall hold office from the date of his or her election until the completion of the election of members of the Executive Committee at the next Annual General Meeting of the Association. An elected member retiring at the next Annual General Meeting under this sub-rule (c) shall be eligible for re-election.
- (d) Subject as the Council may otherwise decide, an appointed member of the Executive Committee shall hold office from the date of his or her appointment until the conclusion of the Annual General Meeting of the Association next after his or her appointment. An appointed member retiring at the next Annual General Meeting under this sub-rule (d) shall be eligible for re-appointment.
- (e) Subject as the Council may otherwise decide, no member of the Executive Committee can serve as such for more than three consecutive terms.
- (f) The Supervisor of the Primary School shall be entitled to attend and speak at all meetings of the Executive Committee but shall not be entitled to vote.

11. Election of members of the Executive Committee

- (a) The election of the parent-members of the Executive Committee shall be held at the Annual General Meeting of the Association.
- (b) Nominations of the parent-members for the election to the Executive Committee shall be delivered to the Honorary Secretaries of the Association (by post, fax or hand) care of the Supervisor of the Primary School at least 14 days before the date of the Annual General Meeting to be held. Nominations received less than 14 days before the date of the Annual General Meeting to be held shall not be received or valid.
- (c) The nomination of a parent-member shall be signed by one parent-member as proposer and another parent-member as seconder and shall also be signed by the candidate.
- (d) At the Annual General Meeting, voting shall be by secret ballot among the parent-members for the election of parents-members.

12. Cessation of office of a member of the Executive Committee

A member of the Executive Committee shall cease to be a member of the Executive Committee:

- (a) if he or she gives notice of resignation in writing to the Association,
- (b) if he or she becomes of unsound mind or bankrupt,
- (c) if he or she, being a member of the Executive Committee as a parent-member, ceases to be a parent-member by reason of his or her daughter having ceased to be a student,

- (d) if he or she, being a parent-member, is removed by the Association by a resolution passed by not less than 75% of the members present and voting at the meeting at which such resolution is passed;
- (e) if he or she, being appointed as a member of the Executive Committee, is removed by the Council;
- (f) if he or she has been absent from three consecutive meetings of the Executive Committee without the consent of the majority of the other members of the Executive Committee.

13. Officers of the Executive Committee

Members of the Executive Committee shall elect among their number:

- (a) one person from the parent-members as the Chairman of the Executive Committee who shall be the President of the Association,
- (b) one person from the teachers as the Vice Chairman of the Executive Committee who shall be the Vice President of the Association,
- (c) two persons, one being a parent-member and the other a teacher, as the Joint Honorary Treasurers of the Association, and
- (d) two persons, one being a parent-member and the other a teacher, as the Joint Honorary Secretaries of the Association.

Each of the officers shall hold office until the conclusion of the next Annual General Meeting.

14. Casual vacancies of the Executive Committee

- (a) A casual vacancy of a member of the Executive Committee who is a parent-member shall be filled up by a parent-member selected by the Executive Committee, and
- (b) A casual vacancy of a member of the Executive Committee who is a teacher shall be filled up by a teacher appointed by the Council.

15. Meetings of the Executive Committee

- (a) The Executive Committee shall meet at least three times in a calendar year and the intervals between two meetings shall not be more than 6 months. A resolution passed by a simple majority of members present and voting shall be duly passed and a resolution in writing signed by not less than 80% of the members of the Executive Committee shall be deemed to have been duly passed at a meeting of the Executive Committee.
- (b) Until and unless the Executive Committee shall otherwise resolve, 3 members of which at least 2 being teacher members and at least 1 being parent members shall constitute a quorum.
- (c) In the case of an equality of votes, the chairman of the meeting shall be entitled to a second or casting vote.

16. General Meetings of the Association

- (a) The Annual General Meeting of member of the Association shall be held once every calendar year and the interval between two Annual General Meetings shall not be more than 15 months.
- (b) Any meetings of the members other than the Annual General Meeting shall be called Extra-ordinary General Meetings.
- (c) The Executive Committee may, whenever it thinks fit, convene an Extra-ordinary General Meeting. An Extra-ordinary General Meeting may also be convened by requisition of not less than 50 members of the Association.
- (d) At the Annual General Meeting, there shall be presented to the members for approval the audited accounts and statement of the Association which shall be for the period ended on the day of not more than 6 months before the date of the Annual General Meeting at which such audited accounts and statements are presented.

17. Notice of General Meetings

- (a) Not less than 14 days' notice in writing for the Annual General meeting or the General meeting called for the passing of a special resolution business, shall be given to every member. Any other General Meetings shall be called by not less than 7 days' notice in writing. A notice shall specify the day, the place and the hour of the meeting and in the case of a meeting for the passing of a special resolution, the resolution to be proposed.
- (b) With the consent of not less 95 per cent of the members entitled to attend and vote at a General Meeting, that meeting may be called by notice shorter than that required as aforesaid.
- (c) The accidental omission to give notice of a meeting to, or the non-receipt of a meeting by, any person entitled to receive notice shall not invalidate the proceedings at that meeting.

18. Proceedings at General Meetings

- (a) The presence at a General Meeting of not less than 10 members who are entitled to attend and to vote thereat shall be a quorum.
- (b) At a General Meeting, a resolution other than a special resolution shall be duly passed if passed by a simple majority of the members present and voting thereat. A special resolution shall be duly passed if passed by a majority of not less than 75% of the persons present and voting thereat.
- (c) Each member shall have one vote.
- (d) In the case of an equality of votes, the chairman of the meeting shall be entitled to a second or casting vote.

19. Proxy

A member may appoint any other member or any adult member (over the age of 18) of the family to be his or her proxy under an instrument in writing signed by the appointor member. The proxy shall be deposited with the Association at the address for the time being appointed for the General Meeting for which the proxy is appointed to attend and vote thereat for the appointor member.

20. Audited accounts and statements

The accounts of the Association shall be audited annually and the audited accounts and statements shall be signed by one of the Joint Honorary Treasurers and such one of the members of the Executive Committee as the Executive Committee may resolve to confirm the correctness thereof.

21. Signing of contracts and cheques etc

- (a) All cheques and other bank documents of the Association shall be jointly signed by one of the following 2 groups:
 - group I: [Chairman/Honorary Treasurer (parent)],
 - group II: [Vice Chairman/Honorary Treasurer (Teacher)].
- (b) All contracts and other documents by which the Association is committed shall be jointly signed by one of the following 2 groups:
 - group I: [Chairman/Honorary Treasurer (parent)]
 - group II: [Vice Chairman/Honorary Treasurer (Teacher)]and the signatures of the persons mentioned above shall be witnessed by the Joint Honorary Secretaries.

22. Election of parent manager of the Incorporated Management Committee

- (a) The election of the parent manager and alternate parent manager of the Incorporated Management Committee shall be conducted by, through and under the scrutiny of a subcommittee formed under the Executive Committee. Membership of the subcommittee shall consist of the 3 teacher-members of the Primary School appointed by virtue of Clause 10(b)(ii) and the 2 parent-members of the Primary School elected in accordance with Clause 10(b)(i) and Clause 11.
- (b) One parent manager and one alternate parent manager shall be elected and nominated to sit on the Incorporated Management Committee.
- (c) All parents for the time being of the Primary School are eligible as candidates in the election of the parent manager.
- (d) Only parents for the time being of the Primary School are eligible to vote in the election of the parent manager.
- (e) The subcommittee shall ensure that the election of parent manager is conducted in accordance with the rules of election as specified in Schedule I and nominate the elected person(s) as the parent manager and alternate parent manager of the Incorporated Management Committee.

23. Amendments of the Constitution

The constitution may be amended by the Council by prior notice given to the Association or by special resolution passed at an Extraordinary General Meeting of the Association. An amendment so passed by the Association shall not take effect unless and until the same has been approved by the Council.

24. Dissolution of the Association

- (a) The Association shall be wound up if
 - (i) a special resolution to that effect is passed at an Extra-ordinary General Meeting of the Association and such resolution is approved by the Council within 28 days after the passing of the same, or
 - (ii) the Council shall resolve that the Association be dissolved and prior notice of such intention of the Council shall be given to the Association.
- (b) Upon the winding up of the Association, any surplus assets after payment of the liabilities of the Association and the expenses of the winding up shall be donated to the Primary School absolutely.

25. Service of notices

- (a) Notice to a member shall be deemed to have been properly served on the member if delivered or sent to his or her address for the time being registered with the Association.
- (b) Notice to the Association shall be deemed to have been properly served on the Association if delivered or sent to the address of the Association for the time being registered with the Council.

26. No disqualification

A parent may at the same time be a member of this Association and a member of the Heep Yunn School Parent Teacher Association. No member of the Heep Yunn School Parent Teacher Association who is a parent of a student or students of the Primary School shall be disqualified to be a member of the Association or to elect or to be elected as an parent-member of the Executive Committee or to elect or to be elected as a parent manager or alternate parent manager of the Incorporated Management Committee.

27. Language

In case of discrepancy between the English and Chinese version of this Constitution, the English version shall prevail.