

ARTICLES OF ASSOCIATION
OF
ST. LOUIS OLD BOYS' ASSOCIATION LIMITED

Regulations for the election of the Alumni Manager

66 Purpose

66.1 This set of Regulations shall govern all matters related to the election of the Alumni Manager of the Incorporated Management Committee ("the IMC") of St. Louis School and is prepared pursuant to Section 40AP of the Education Ordinance, Chapter 279 (the "Education Ordinance").

66.2 For the avoidance of doubt, if any of the provisions under this set of Regulations is inconsistent with the Education Ordinance or any other legislations of Hong Kong, the Education Ordinance of those relevant legislations shall prevail

67 Candidate

67.1 The candidate must be an Ordinary Member of the Association

67.2 A person should not be nominated in the event of the following situations:

67.2.1 He is serving teacher of St. Louis School;

67.2.2 He does not meet the requirements of managers set out in section 30 of the Education Ordinance; or

67.2.3 As stipulated in the Education Ordinance, no manager shall serve in an IMC in more than one capacity. Thus, no one can serve as an Alumni Manager and a parent manager at the same time. If there are two elections under different categories to be conducted concurrently in the School, no candidate shall participate in more than one election.

68 Tenure

68.1 Subject to the provisions of the constitution of the IMC in the Education Ordinance, the term of office of the Alumni Manager shall be two (2) years starting from 1st of September and terminate on 31st of August. The Alumni Manager shall be eligible for re-election to the same office. The same member can be re-elected for (3) three consecutive terms.

69 Nomination and Polling

69.1 Returning Officer

69.1.1 The Board of Directors may assign a Director of the Association as Returning Officer to monitor the nominations and supervise the issue of ballot papers and counting of votes.

69.1.2 The Returning Officer must not be a candidate for the Alumni Manager election.

69.1.3 The Returning Officer should inform all the members of the number of Alumni Manager vacancies, the nomination period, the method of nomination, the date of voting and counting, the date of announcement of results and other relevant information.

69.1.4 At the same time, the Returning Officer should inform all the members of the eligibility and responsibilities of candidates.

69.2 Nomination

69.2.1 Nomination for the election shall be opened for at least 14 days and shall be closed at least 14 days prior to the election. The nomination period would be extended for at least 2 weeks and at most 3 months if no nomination has been received during the nomination period. The Returning Officer shall give notice to all alumni regarding the second nomination period within 7 days after the first nomination period ends and 14 days before the closing of the second nomination period.

69.2.2 Nomination shall be made only via the prescribed nomination form provided by the Returning Officer, which has to be properly filled and submitted to the Returning Officer of the Association in hard copy within the open nomination period.

69.2.3 Each nomination shall be signed by two Ordinary Members and seconded by eight other Ordinary Members.

69.2.4 Each Ordinary Member may nominate one candidate and second one candidate.

69.2.5 Nominations not made in accordance with this set of Regulations shall be invalid.

69.2.6 Not less than 14 days before the voting day, the Returning Officer shall announce the name(s) of the candidate(s).

69.2.7 Withdraw from candidature

69.2.7.1 Any Candidate who wishes to withdraw from the Election shall notify the Returning Officer in writing of the reasons of his withdrawal.

69.2.7.2 The Returning Officer shall make an announcement in relation to the withdrawal of nomination.

69.2.7.3 If no person is validly nominated after the expiration of the second nomination period, the Returning Officer shall report to the Board of Directors and IMC of the St. Louis School that it is unable to elect an Alumni Manager. The Board of Directors may invite the IMC to nominate an alumnus for registration as Alumni Manager.

69.3 Electors' Eligibility

69.3.1 All alumni of the St. Louis School who has attained the age of 18 years are

eligible to vote. All eligible electors have equal voting right.

69.3.2 Each eligible elector shall have one vote.

69.3.3 The St Louis School shall provide the records of the alumni of St. Louis School to the Association for the Election. Verification of the identity of voters shall be carried out at the polling station by the Returning Officer.

69.4 Uncontested Candidate

69.4.1 If only one candidate is validly nominated at the end of the nomination period, such uncontested candidate shall be elected as the Alumni Manager and no poll is to be held.

69.5 Voting Method

69.5.1 To ensure a fair election, the voting should be conducted by secret ballot, i.e. electors are not allowed to put down their names or any other marks of identification on the ballot paper and should not let the other electors see whom they have voted for.

69.5.2 Each voter can only cast one vote for not more than one candidate.

69.6 Counting of votes

69.6.1 Within two hours after the close of voting, the Returning Officer shall open the ballot box in the polling station and count the votes

69.6.2 Only the Returning Officer or the Directors of the Association who are not candidates of the Election can count the votes

69.6.3 The counting of votes shall be conducted in a fair and transparent manner, and all alumni of the St. Louis School, including the candidate(s), may enter the polling station to witness the counting process.

69.6.4 Each candidate may request for one re-counting of the votes at the conclusion of counting. The request shall be made within 10 minutes upon announcement of the polling results.

69.6.5 The candidate who obtained the greatest number of votes shall be elected. When two or more candidates obtain the same number of votes, lots shall be drawn to determine the successful candidate.

69.6.6 The Returning Officer shall declare a ballot paper invalid if:

69.6.6.1 The ballot paper contains the name of the voter or any other marks of identification of the voter;

69.6.6.2 It is damaged;

69.6.6.3 It records a vote in a manner other than that stipulated in the ballot paper.

69.7 Announcement of Results

69.7.1 The Returning Officer shall make an official announcement of the results of

the Election to all the members within 48 hours after the conclusion of counting of re-counting (if there is one).

69.7.2 The official announcement shall include:

- 69.7.2.1 The total number of votes casted;
- 69.7.2.2 The number of valid and invalid ballot papers;
- 69.7.2.3 The number of voters casted for each candidates; and
- 69.7.2.4 The name of the elected candidate.

69.8 Complain and Appeals

69.8.1 All complains/ appeals related to the Election must be lodged to the Board of Directors in writing and signed within 7 days from the date of the official announcement.

69.8.2 The Board of Directors shall form an ad-hoc committee with 3 or more members (who shall not be candidate of the Election) to conduct an investigation into the complaint/appeal, and to submit an investigation report to the Board of Directors within 14 days after the receipt of complain.

69.8.3 The Board of Directors shall decide whether to allow or dismiss an appeal. A decision to allow an appeal and declare an Election invalid can only be made if it is agreed by more than two-thirds of the Directors of the Association. If the Board of Directors decides to allow an appeal, it shall declare the Election invalid and make an announcement to all members.

69.9 By-election

69.9.1 If any Alumni Manager resigns during the term of his office, a by-election shall be announced within a reasonable timeframe from the date of resignation. The Association shall conduct the by-election in the same manner to elect another Alumni Manager to fill the vacancy. The term of office for a new Alumni Manager filling a vacancy arising prematurely should not run afresh but is the remainder of the term of the resigned Alumni Manager.

69.9.2 No by-election shall be held if the resignation is less than 4 months from the end of the term of the resigned Alumni Manager.

69.9.3 If an Election is declared invalid under Clause 4.8.3 above, a by-election shall be announced within a reasonable timeframe from the date of the declaration.

69.10 Notice

69.10.1 All notices or announcement mentioned above shall be deemed to have been given to all alumni if such notice or announcement is posted on the website of St. Louis School (<http://www.stlouis.edu.hk>) or the Association's website (<http://www.sloba.org>)

Education Ordinance

Provisions relating to Election of Alumni Managers

Section

Content

30

The Permanent Secretary may refuse to register an applicant as a manager of a school if it appears to the Permanent Secretary that —

- the applicant is not resident in Hong Kong for at least 9 months in each year;
- the applicant is not a fit and proper person to be a manager;
- the applicant is a person in respect of whom a permit to teach has previously been cancelled;
- the applicant is under the age of 18 years;
- the applicant has attained the age of 70 years and he fails to produce a valid medical certificate certifying that he is physically fit to perform the functions of a manager;
- the applicant is under the age of 70 years and he fails to produce, upon a request by the Permanent Secretary, a valid medical certificate certifying that he is physically fit to perform the functions of a manager;
- in making or in connection with any application —
- for registration of a school;
- for registration as a manager or a teacher; or
- to employ a person as a permitted teacher in a school,

the applicant has made any statement or furnished any information which is false in any material particular or by reason of the omission of any material particular;

- the applicant is a bankrupt within the meaning of the Bankruptcy Ordinance (Cap. 6) or has entered into a voluntary arrangement under that Ordinance;
- the applicant has previously been convicted in Hong Kong or elsewhere of a criminal offence punishable with imprisonment; or
- the applicant has been registered as a manager of 5 or more schools.

40AL

- For an IMC school, at least one alumni manager shall be provided.

40AP

- If the school is a bi-sessional school, the IMC or sponsoring body (as may be provided for in the constitution of the IMC) may recognise an alumni association for each session separately.

- The IMC or sponsoring body may recognise one body of persons as recognised alumni association. The body of persons shall be recognised only when its constitution specifies the following items –
 - its membership is open to all alumni of the school;
 - only the alumni of the school may elect or become office-bearers of the body; and
 - the system of election is fair and transparent.
- A recognised alumni association may nominate such number of persons for registration as alumni manager of the school as may be provided for in the constitution of the IMC of the school.
- If no person is nominated, the IMC may nominate such number of persons for registration as alumni manager as may be provided for in its constitution.
- A candidate must be an alumnus of the school.
- A candidate must not be a teacher of the school.

40AU

- The person who fills the vacancy of alumni manager shall be nominated for registration as a manager in the same manner as the manager who ceased to hold the office concerned.

40AX

- On the ground that a manager is not suitable to continue to hold office, the recognised alumni association of a school may pass a resolution, in a manner which is similar to the manner in which the manager concerned is elected, and make a written request to the IMC to cancel the registration of the manager. The IMC shall, upon receiving the request, issue a notice in writing to the Permanent Secretary as regards the cancellation of the registration of the alumni manager.

Annex II

Ethical Conduct Required in the Alumni Manager Election

Nomination of Candidates

- Do not offer any advantage to get any person to stand or not to stand as a candidate.
- Do not offer any advantage to get any person having been nominated as a candidate to withdraw his candidature.
- Do not offer any advantage to get any candidate's not using his best endeavours to promote his candidature.
- Do not solicit or accept any advantage for any person's standing or not standing as a candidate.
- Do not solicit or accept any advantage for any person's withdrawal of his candidature.
- Do not solicit or accept any advantage for any candidate's not using his best endeavours to promote his candidature.
- Do not use or threaten to use force or duress to induce any person to stand or not to stand as a candidate, or to withdraw his candidature.
- Do not induce by deception, any person to stand or not to stand as a candidate, or to withdraw his candidature.

Electioneering

- Do not make any materially false or misleading statement of fact including but not limited to the character, qualifications or previous conduct of a candidate or candidates.
- Do not take part in any activity that is likely to give rise to criticism and allegation of malpractices and should abide by the principle of fairness in election.
- Do not state overtly or covertly the support of any person or organisation in any campaign activities, especially in the campaign literature before written consent has been obtained.

Voting

- Do not offer any advantage to induce any person not to vote at an election.
- Do not offer any advantage to induce any person to vote or not to vote for a particular candidate at an election.
- Do not provide or pay for the provision of any food, drink or entertainment as an inducement to or a reward for any person's not voting at an election.
- Do not provide or pay for the provision of any food, drink or entertainment as an

inducement to or a reward for any person's voting or not voting for a particular candidate at an election.

- Do not use or threaten to use force or duress against any person for the purpose of influencing his or any other person's voting decision.
- Do not induce by deception any person not to vote at an election.
- Do not induce by deception any person to vote or not to vote for a particular candidate at an election.