



# Hong Kong University Students' Union Council

香港大學學生會評議會

## Hong Kong University Students' Union Council, Session 2011 5<sup>th</sup> Ordinary Council Meeting [CM5] Minutes

**Date:** 8<sup>th</sup> July 2011 (Friday)

**Time:** 19:30

**Venue:** Council Chamber (G11), Technology Innovation and Incubation Building

### Attendance

Present: CC, HS, P, IVP, EVP, FS, UAS1, SWS, PS, CAS, AS, SAP, ICAP, CAP, RICA, RCA, HHR, LCHHR, LHHR, LHTHR, LSKHR, MHR, RCLHR, SCSHR, SJCR, SKYLHR, STHR, SWHR, UHR, WLHR, ASR, AAR, BEAR, DSR, EDSR, ENSR, LAR(s), MSR, SSR, SSSR, ECU, CTVC

Absent: GS, RSA, RHR

Absent due to attending less than half of the meeting (i.e. 4 hours): N/A

Absent due to being late for more than 45 minutes and without prior notification: N/A

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### 0. Meeting call to order and sing the Union Song

#### Section A

##### 1. To read out the correspondences

- LAR would be substituted by the general secretary of LA.
- LHHR would early leave at 21:30 due to the meeting with warden and tutors about admission.
- RHR would be absent due to personal reason.
- UAS1 and SAP would late arrive due to work.

##### 2. To receive the maiden speech of new Councilor(s)

##### 3. To report motion(s) carried by circulation

##### 4. To receive and adopt the agenda

###### Motion 1

To receive and adopt the amended agenda

Proposer: LI Tsz Shu

Seconder: LO Ka Ming

Time received: 19:37

Resolution: There was no objection. Motion carried.



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Time resolved: 19:37

## 5. To receive and adopt the minutes of CM4

### Motion 2

To receive and adopt the minutes of CM4

Proposer: LI Tsz Shu

Secunder: LO Ka Ming

Time received: 19:39

Resolution: There was no objection. Motion carried.

Time resolved: 19:39

## Section B

### 1. To terminate the affiliation of Fishing Club, HKUSU as recommended by Independent Clubs Association, HKUSU

- RICA presented to the Council the reasons of recommending the termination of affiliation of Fishing Club, HKUSU.
- RICA mentioned that a thorough discussion regarding the unsatisfactory performance of recruiting the Club members and the situation of not having any executive committee members for two consecutive years was conducted among the councilors in the ICA Council meetings. It came to a conclusion that the Club was no longer viable and sustainable.
- P reminded the Councilors that the proposed motion shall be passed with a two-thirds majority.
- FS said that all material and monetary asset of the Club would be returned to the Union after the termination of affiliation.

### Motion 3

To terminate the affiliation of Fishing Club, HKUSU

Proposer: LI Uen Yan

Secunder: TSE Sung Hong

Time received: 19:45

Resolution: Vote by two-thirds majority. Motion carried.

Total votes: 33 For: 33 Against: 0 Abstain: 0

Time resolved: 19:46

### 2. To approve the partial affiliation of Morrison Hall Students' Association, HKUSU

- P introduced the background information and reasons for the affiliation of Morrison Hall Students' Association to the Union. He added that the AGM was held on 7 July 2011.
- Speaking rights were granted to the Chairperson, Internal Vice-chairperson and External Vice-chairperson of MHSA.



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- MHSА Chairperson explained the arrangement of Union subscription fee payment.
- MHSА Chairperson and P mentioned that some alumni would sponsor the Union entrance and subscription fee for the postgraduate residents for this academic year, and the postgraduate residents would have to pay the Union entrance and subscription fee together with their hall fee starting from next academic year.
- P concluded that the proposed partial affiliation would last for three years on the condition that the full members of MHSА could sustainably pay the annual subscription fee as Union full members.

### Motion 4

To approve the partial affiliation of Morrison Hall Students' Association, HKUSU for 3 years on condition that its full members can sustainably pay the annual subscription fee as Union full members

Proposer: LI Tsz Shu

Secunder: CHEUNG Chor Hei Ernest

Time received: 19:52

Resolution: There was no objection. Motion carried.

Time resolved: 19:53

### 3. To discuss Union finance

#### Union Budget 2011

- FS quoted that according to the style stipulated in the Union Financial Regulations, the total income of 2011 would be \$4,497,000 while the total expenditure would be \$4,336,170. A total of \$160,830 surplus was expected. However, in terms of audited report style, FS foresaw a deficit of \$ 1,170,700.
- PS questioned about the debt repayment of photocopy shop. FS said the shop would repay \$7,500 per month to the Union since September 2011.
- SWHR questioned FS why there would be a deficit. FS thought the reasons were the significant expense of renovation of Union Building, and sharp decrease of booth and rental income in 2011 owing to the relocation of Union Building.
- SSSR asked how FS would deal with the deficit, and he said it would be compensated by the reserve.
- WLHR and LSKHR expressed their concern over the actual use of subscription fee to Hong Kong Federation of Students (HKFS), and questioned if there was monitoring system of usage of the fee.
- EVP replied that the usage of fee shall be bound by HKFS Constitution. A large portion of subscription fee went to the salary of HKFS administrative staff. CAS added that the salary of those staff members were more or less the same as that of the Union staff members.
- LSKHR asked what HKFS did for the Union members, and what the Union did for HKFS.
- EVP mentioned the 54<sup>th</sup> AGM of HKFS which aimed to increase the sense of belonging among the universities. He thought that the return of HKFS to the Union shall not be calculated in terms of material value only.
- EVP claimed that the report of HKFS would be available soon.
- Moreover, P said that he was considering concrete methods to cut down the Union expense, for example, by abolishing the Union presidential loan fund.



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- CAP asked how many past Presidents / Vice-Presidents of the Union had not repaid the presidential loan.
- FS replied CAP that by 30 June 2011 there were still six past Presidents / Vice-Presidents who had not repaid the loan, including Chan Chi Kin (2004 P), Ho Chun Sing (2004 IVP), Lau Fong (2006 P), Wan Hoi Sang (2007 P), Tsui Wise (2007 IVP), Tsang Ho Him (2007 EVP).
- FS promised that he would send letters and make phone calls to the above persons by late August 2011. Union Finance Committee (UFC) would decide the follow-up action if no progress was made by the deadline. He mentioned that claiming the debts through Small Claims Tribunal could be a possible way.
- P was also willing to solve this problem in this session.
- SSSR pointed out a loophole that there might be discrepancies between the budget adopted by the Council at the moment and the version of budget which would be finalized.
- P suggested all true copies of draft and finalized budget shall be submitted to the Council for examination. He recommended UFC shall follow up this issue in the future.

### **Sports competition deposits owed by Sports Association**

- It was recommended that all deposits owed by Sports Association (SA) to other Union sub-organizations, for holding the inter-hall and inter-faculty sports competition, during or before SA Session 2009-2010 shall now be deemed to have been paid.
- All Union sub-organizations shall only be entitled to claim deposits owed by SA starting from its Session 2010-2011.
- P requested the relevant motion to be included in the Important Motions of the Council.

### **Chinese Society, AA entering legal procedures**

- It was reported that 11 executive committee members of Chinese Society, AA, HKUSU received the notice from Small Claims Tribunal on 22 March 2011 that a BA student, who was a pipa (琵琶) performer during the event held by Chinese Society on 11 February 2011, would claim the loss for the damage of the pipa. After thorough consideration, the executive committee of Chinese Society gave up to defend on the day of hearing (i.e. 29 April 2011), and agreed to offer the compensation to the claimant.
- AAR said that it was not desirable for every individual member of executive committee of Chinese Society to pay the compensation for the Society.
- P recommended a motion that all Union sub-organizations, when facing any legal procedures, shall immediately inform the Council; otherwise, that Union sub-organization shall bear own consequences. He requested the above motion to be included in the Important Motions of the Council.
- AAR asked if there would be any further actions other than the Important Motion.
- AS would mention the case as a reminder to all Union sub-organizations in the upcoming orientation briefing sessions. P added that the motion could be delivered to all Union members through mass email.
- WLHR was doubtful about the way to deal with the case when the executive committee member, instead of the organization, was sued when performing his/her duties.
- P replied that the relevant executive committee member(s) shall inform the Council immediately after the commencement of legal procedures; otherwise, the Union shall not be obligated to provide any assistance to the executive committee. The relevant motion was expected to be adopted in the AOB section, and included in the Important Motions of the Council.



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## Motion 5

To receive and adopt the Union Budget 2011

Proposer: FU Yi Jun

Seconder: CHEUNG Chor Hei Ernest

Time received: 20:30

Resolution: There was no objection. Motion carried.

Time resolved: 20:51

## Motion 6

The Union Council regards all deposits owed by Sports Association, HKUSU to other Union sub-organizations, for holding the inter-hall and inter-faculty sports competition, during or before Sports Association Session 2009-2010 shall now be deemed to have been paid. All Union sub-organizations shall only be entitled to claim deposits owed by Sports Association starting from its Session 2010-2011.

Proposer: LI Tsz Shu

Seconder: FU Yi Jun

Time received: 20:52

Resolution: There was no objection. Motion carried.

Time resolved: 20:55

## Motion 7

All Union sub-organizations, when facing any legal procedures, shall immediately inform the Union Council. Otherwise, that Union sub-organization shall bear own consequences.

Proposer: LI Tsz Shu

Seconder: HUI Hoi Tik

Time received: 21:03

Resolution: There was no objection. Motion carried.

Time resolved: 21:14

## **4. To discuss the issues concerning Academic Society after the 2010 General Polling**

- In order to ensure that the proposal of constitutional amendment of the faculty societies would not contradict to the Council By-laws, CC proposed a suspension to Part IV (Criteria for the formation of academic society) and Part V Article 1 (Rules for affiliation of academic societies) of Section Eight of the Council By-laws.
- IVP was doubtful whether the proposed suspension was an amendment to the Council By-laws, which required a notice five clear days prior to the Council meeting.



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- ICAP questioned about the urgency to suspend the relevant sections.
- CC suggested an alternative way that the Council could interpret the mentioned sections of Council By-laws in violation of the definition of Academic Society stipulated in the Union Constitution.
- No conclusion was drawn at the moment. The discussion would be postponed to the AOB section.

### 5. To endorse the press statement(s) issued by CAC

- CAS presented to the Council the press statement “香港未死——哀莫大於心死” regarding 1<sup>st</sup> July 2011.

#### Motion 8

To endorse the press statement on July-first “香港未死——哀莫大於心死” issued by CAC, HKUSU Council, Session 2011

Proposer: SIU Kin Tao Benson

Secunder: LI Tsz Shu

Time received: 21:35

Resolution: There was no objection. Motion carried.

Time resolved: 21:35

### 6. To discuss external affairs

- EVP reported the HKFS's stance upon the government proposal on the arrangements for filling vacancies in the Legislative Council.
- He also mentioned the participation of the Union in the 1 July Demonstration.

### 7. To discuss the arrangement of General Polling requested by the Executive Committee

- CC consulted the Councilors regarding the arrangement of General Polling (GP). The points of consideration included the dates of polling, the location of polling station, and the arrangement of returning officers.
- CC announced that he had received the resignation notice from EVP at 18:00 on 8 July 2011.
- EVP delivered his statement of resignation in the Council afterwards.
  - ✧ EVP reassured that he had never sneaked eating during HKFS Hunger Strike, and believed it was intentionally distorted on the internet.
  - ✧ He had made a formal apology upon the request of the Council.
  - ✧ He mentioned that the Executive Committee had decided to request for GP in the meeting dated 24 June 2011. Such decision was passed with simple majority.
  - ✧ Towards the end of statement, EVP claimed that the proposed GP would only cause further negative impact towards the Union. He added that he lost confidence and team spirit towards other Executive Committee members so that he could no longer fulfill the election promise. Due to the above reasons, he decided to request for the resignation.
- WLHR thought that the regret motion adopted in the previous Council meeting, which pinpointed his inappropriate comment on the internet, sufficiently served as a punishment to EVP. He needed not to resign.



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- SKYLHR questioned about the substitution arrangement after EVP's resignation. EVP replied that according to the HKFS Constitution, P would replace him in DHKFS. CC added that according to the Council By-laws, in case of absence of a member at a meeting of the HKFS, he shall be replaced in that meeting by P.
- RCLHR asked EVP which reason of resignation was more important to him. He thought that such resignation would not help much. EVP replied that both reasons coexisted.
- SWS mentioned that he received negative comments regarding the EVP's speech after HKFS Hunger Strike from the students. SWS admitted that he suggested holding a GP. He had no more confidence upon EVP.
- EVP intended to read out the AOB Section of the minutes of Executive Committee meeting on 24 June 2011 word by word. P immediately reminded him the appropriate use of those minutes which shall be confidential.
- P clarified on behalf of the Executive Committee that the GP was proposed after the Executive Committee received students' comments upon EVP's speech and Council's regret motion. The Executive Committee preferred referring the decision to the electors.
- WLHR asked whether the adverse relationship between EVP and other Executive Committee members served as a factor of resignation.
- There was a hot debate over the disclosure of minutes of Executive Committee meeting dated 24 June and 30 June 2011. The former focused on the Executive Committee's decision of requesting a GP, whereas the latter emphasized the reasons of requesting the GP.
- ECU and CTVC preferred the disclosure since they looked for a more comprehensive picture of this incident and such disclosure shall guarantee a better understanding.
- SWS and AS did not understand the necessity of disclosure of those minutes which contained confidential information and were not yet adopted. AS doubted about the reason why the disclosure of minutes would be better than the live presentation of Executive Committee members in the Council meeting.

**The meeting recessed at 22:25 on 8<sup>th</sup> July 2011 and resumed at 23:10 on 8<sup>th</sup> July 2011.**

**Due to the disclosure of two set of minutes of Executive Committee, which were deemed confidential documents, the meeting room was sealed from 23:13 on 8<sup>th</sup> July 2011 to 01:24 on 9<sup>th</sup> July 2011. Only Council members were allowed in the meeting room.**

### Motion 9

To regret Siu Kin Tao Benson, as a member of the Executive Committee, for violating a non-disclosure agreement made among Executive Committee members in their Executive Committee meeting

Proposer: CHAN Chun Lung

Seconder: Evans LAM

Time received: 00:10

Resolution: There was no objection. Motion carried.



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Time resolved: 00:10

- Due to the non-disclosure agreement made among Executive Committee members, EVP was willing to amend his resignation statement without mentioning the result of voting to decide whether a GP shall be held.
- EVP felt there was a great gap between him and the students. He always focused on fighting for justice outside and did not understand what the students actually thought.
- For the sake of reputation of the Union, he would prefer resignation rather than GP.
- CC and HS agreed that the Council could accept the resignation, and then issue a statement for explanation.
- EVP replied PS that he admitted the mistakes of causing much trouble.
- SWS said what he most cared about was the attitude of EVP.
- EVP would submit the statement of resignation to the Council after the Council meeting.
- It was concluded that the statement issued by the Council shall not be a rebuttal to EVP's statement. It was also recommended that the Council members shall follow the direction of the Council statement when being interviewed by the mass media.
- PS looked forward to the impartial news report by the campus media.
- In the overall comment session, ENSR thought that no Councilors shall deny the effort made by former EVP during his term of office.
- IVP expressed his sadness towards the resignation when witnessing the change of former EVP's attitude in this meeting.
- SSSR appreciated former EVP's contribution in the Union external affairs.
- Former EVP gave a conclusion towards the end. He expressed his gratitude to his former fellow Executive Committee members, family members and girlfriend, and apologized for bringing them much pressure. He would insist his belief in external affairs even after the term of office.
- CC commented EVP's skills of communication and understanding thoughts of students were insufficient; yet he appreciated EVP's effort. CC said that every Council member could learn a lesson positively from the incident.
- CC would unlimitedly postpone the GP due to the resignation of EVP.

## Motion 10

To receive and adopt the resignation of Siu Kin Tao Benson (UID: 2009403994) as the Vice-President (External) of the Hong Kong University Students' Union, Session 2011

Proposer: SIU Kin Tao Benson

Secunder: LI Tsz Shu

Time received: 02:03

Resolution: Vote by two-thirds majority. Motion carried.

Total votes: 38 For: 38 Against: 0 Abstain: 0

Time resolved: 02:04



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## Motion 11

To appoint Li Tsz Shu (President) as the acting Chairman and the acting Chief Delegate of the Delegation to Hong Kong Federation of Students, HKUSU Council, Session 2011

Proposer: CHEUNG Chor Hei Ernest

Secunder: WU Ka Chun Kelvin

Time received: 02:54

Resolution: There was no objection. Motion carried.

Time resolved: 02:55

## **8. To receive and adopt amendments of Internal Regulations**

- IVP proposed the use of the new Online Booking System in the daily operation after trial run in the Orientation Period 2011.
- IVP still needed some time for technical examination and debugging, and suggested starting the System from 20 August 2011 and waiving any content in the Internal Regulations contradicting to the operation of this booking system.
- He also recommended changing the principle of booking system from 'first-come-first-served' to 'random seeding' (i.e. drawing system).
- A show of preference had been conducted. Five out of 27 Councilors preferred 'first-come-first-served' while the rest preferred 'drawing system'.
- IVP preferred waiving any content in the Internal Regulations contradict to the operation of this System, and using motion of approval by circulation to amend the Internal Regulations specific for this purpose later.

## Motion 12

To approve the Executive Committee to use a new Online Booking System starting from 20/8/2011 and waive any content in the Internal Regulations contradicting to the operation of this booking system

Proposer: CHEUNG Chor Hei Ernest

Secunder: FU Yi Jun

Time received: 03:18

Resolution: Vote by two-thirds majority. Motion carried.

Total votes: 31 For: 31 Against: 0 Abstain: 0

Time resolved: 03:18

## Motion 13

To change the booking system from first-come-first-served to drawing system and waive any content in the Internal Regulations contradict to the operation of this, and use motion of approval by circulation to amend the Internal Regulations specific for this purpose



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Proposer: CHEUNG Chor Hei Ernest

Secunder: HUI Hoi Tik

Time received: 03:27

Resolution: Vote by two-thirds majority. Motion carried.

Total votes: 30 For: 30 Against: 0 Abstain: 0

Time resolved: 03:28

## Motion 14

To vacate the chairmanship to Wong Po Kit until the end of this Council Meeting

Proposer: CHEUNG Ting

Secunder: WU Ka Chun Kelvin

Time received: 03:30

Resolution: There was no objection. Motion carried.

Time resolved: 03:31

## **9. To discuss orientation affairs**

- IVP and AS presented the proposed amendments to the Orientation Regulations.
- The major amendments included:-
  - ✧ Amendment to Part A 2.1.1 – Addition of Group 5 – Campus Media – 2 timeslots each media; Group 6 – Special organization – 4 timeslots each special organization
  - ✧ Amendment to Part A 3.3.1 – Zone 1 – Faculty and Academic Societies; Zone 2 – 3A Clubs; Zone 3 – Hall SAs
  - ✧ Addition of Part A 3.3.2 – Intersection Zone between Zone 2 and 3 – G/F Foyer, Union Building
  - ✧ Addition of Part A 4.2.4.3 – The Union sub-organizations and Special organizations shall not display any trademarks of the cooperating external parties during the Registration Day.
  - ✧ Abolition of Part A 4.2.5
  - ✧ Addition of Part B 11.2 – Other resources during the Registration Day would be allocated by Orientation Affairs Committee (OAC) centrally. Those organizations which would apply shall submit special applications to OAC in written form at least one week before the Registration Day.
- AS also proposed the adoption of Orientation Affairs Arbitration Mechanism and the establishment of Orientation Affairs Arbitration Committee (OAAC).
- The Council noted that all newly added penalties in the Orientation Affairs Arbitration Mechanism contradicted with the Orientation Regulations which OAC would make relevant amendments to.
- Amendments were made to the Orientation Affairs Arbitration Mechanism that CC would be the Tribunal Chairperson while HS would be the Tribunal Secretary. GS shall be the Secretary General of OAAC.

## Motion 15

To receive and adopt the amended Orientation Regulations



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Proposer: CHEUNG Chor Hei Ernest

Seconder: MA Ho Yin Michael

Time received: 03:58

Resolution: Vote by two-thirds majority. Motion carried.

Total votes: 27 For: 27 Against: 0 Abstain: 0

Time resolved: 03:59

## Motion 16

To establish the Orientation Affairs Arbitration Committee (OAAC), HKUSUC, Session 2011

Proposer: CHEUNG Chor Hei Ernest

Seconder: HUI Hoi Tik

Time received: 04:10

Resolution: There was no objection. Motion carried.

Time resolved: 04:10

## Motion 17

To receive and adopt the Orientation Affairs Arbitration Mechanism for HKUSU, Session 2011

Proposer: CHEUNG Chor Hei Ernest

Seconder: MA Ho Yin Michael

Time received: 04:10

Resolution: There was no objection. Motion carried.

Time resolved: 04:10

## **10. A.O.B.**

### Motion 18

如屬會幹事因屬會事故進入法律程序，則屬會幹事有責任於法律程序開始後隨即通知評議會，否則學生會將無必然責任向屬會幹事提供任何援助。

Proposer: MA Ho Yin Michael

Seconder: TAM Chun Sing

Time received: 04:12

Resolution: There was no objection. Motion carried.

Time resolved: 04:13

### Motion 19

To suspend Union Council By-laws Section Eight (Union sub-organizations) Part IV and Part V Article 1



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Proposer: TAM Chun Sing

Seconder: CHEUNG Chor Hei Ernest

Time received: 04:15

Resolution: Vote by two-thirds majority. Motion carried.

Total votes: 29 For: 29 Against: 0 Abstain: 0

Time resolved: 04:16

The meeting lasted for 8 hours and 50 minutes, and ended at 04:20 on 9<sup>th</sup> July 2011.

Prepared by,

Approved by,

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**WONG Po Kit, Jeffrey**  
Honorary Secretary  
HKUSU Council  
Session 2011

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**TAM Chun Sing**  
Council Chairman  
HKUSU  
Session 2011