Rules of Procedures
for the Alumni Manager Election
for the Incorporated Management Committee of La Salle College

Background

1. La Salle College Old Boys' Association Limited ("**LSCOBA**") is the recognized alumni association ("**RAA**") for the purposes of making nomination of such person for registration as the alumni manager ("**Alumni Manager**") of the Incorporated Management Committee ("**IMC**") of La Salle College ("**School**").

2. These Rules are adopted by the Committee of the LSCOBA ("**OBA Committee**") pursuant to Article 22(aa) of the Articles of Association of the LSCOBA, and shall apply to every election ("**Election**") of nominee for registration as the Alumni Manager for the purpose of Education Ordinance, Cap 279 ("**Ordinance**") to be held by the LSCOBA.

General Principles

3. Elections shall be conducted in accordance with these Rules. In particular, at every Election that is contested:-

   a. a poll shall be taken of the voters; and

   b. the voting at the poll shall be by secret physical ballot[1].

   Elections must be held in Hong Kong.

4. Unless otherwise provided in these Rules, it shall be sufficient for any notice or publication required to be given or made under these Rules to be given or made on the LSCOBA website.

The Returning Officer and the Appeal Committee

5. There shall be a returning officer ("**Returning Officer**") to implement these Rules and to oversee the general conduct of the election proceedings, including without limitation making of nominations, issuance of ballot papers and counting of votes. The Returning Officer is not eligible to stand for an Election.[2]

6. The Returning Officer shall be an Old Boy appointed by the OBA Committee. Current members of the OBA Committee (other than the Immediate Past President) shall not be appointed as the Returning Officer.[3]

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[1] Para 16 & 17, EDB Guide
[2] Para 8, EDB Guide
[3] Para 8, EDB Guide

7. There shall be an appeal committee ("**Appeal Committee**") consisting of three (3) members to deal with any appeal against the result of an Election. Members of the Appeal Committee are not eligible to stand for an Election.

8. All members of the Appeal Committee shall be Old Boys appointed by the OBA Committee. When making appointments, the OBA Committee shall take into consideration the proposed appointees' professional capability and experience serving in public office and/or the School.

9. The Returning Officer and current members of the OBA Committee (other than the Immediate Past President) are not eligible to be appointed as a member of the Appeal Committee.

10. In the event any intended Candidate submitted his Nomination Form in accordance with paragraph 19, and such intended Candidate is a family member of the Returning Officer or a member of the Appeal Committee, such Returning Officer or member of the Appeal Committee in question shall immediately cease to perform his role in the Election. The OBA Committee shall make another appointment in his place accordingly.

Timetable of the Election Proceedings

11. In principle, the term of office of the Alumni Manager should align with the school year. Election timetables shall be planned accordingly to the extent practicable.

12. The Returning Officer shall, after consulting the School, appoint a date for holding the Election and shall publish a notice at the LSCOBA website to notify all Old Boys within seven (7) days thereafter. The said notice should inform all Old Boys of alumni manager vacancy, the period of nomination, method of nomination, date of voting, arrangement for counting of votes and announcement of results and other relevant information. The said notice should also inform all Old Boys of the eligibility of candidature and responsibilities of a school manager. The Returning Officer should also provide Old Boys with practicable means of communication, such as contact email or telephone, so that all enquiries related to the election can be timely handled.[4]

13. The period of nomination of candidates (the "**Nomination Period**") shall not be less than two (2) weeks.[5] The entire Nomination Period shall fall within the Voters Registration Period (defined below).

14. The period between the date of the Election and the closure of the Nomination Period shall at least be two (2) weeks.[6]

Nomination of Candidates

[4] Para 10, 17 & 24, EDB Guide
[5] Para 9, EDB Guide
[6] Para 15, EDB Guide

15. An Old Boy whose name is included in the Register of Voters (defined below) may nominate oneself or another eligible candidate to stand for an Election. Each nomination is to be supported by fifty (50) other seconders each of whom must be an Old Boy. Each Old Boy may only nominate or second one (1) person for each Election. An "**Old Boy**" shall mean any person who has been a pupil of the School but is no longer such a pupil, whether or not he is a member of LSCOBA.[7]

16. For the purpose of these Rules and the Election Guidelines (defined below), "**Candidate**" includes a person who has publicly declared an intention to stand for an Election, or such an intention could be inferred, at any time before the close of nominations for the Election, whether or not he has submitted a Nomination Form (defined below).

17. An Old Boy shall not be nominated as a candidate of Alumni Manager if he is a serving teacher of the School, or if he does not meet the registration requirements of managers set out in section 30 of the Ordinance.[8] An Old Boy shall also not be nominated as a candidate of Alumni Manager if he is serving his second consecutive term as Alumni Manager.

18. No manager shall serve in the IMC in more than one capacity. If there are two manager elections under different categories to be conducted concurrently in the School, an Old Boy shall not be nominated as a candidate of Alumni Manager in the event he also stands as a candidate of manager in another election.[9]

19. An intended Candidate shall complete the nomination form as prescribed (the "**Nomination Form**") together with such declaration(s) and personal information as may be required by the Returning Officer (including without limitation to a brief introductory statement of the intended Candidate within 300 words[10]), and submit it to the Returning Officer before a date to be specified by the Returning Officer. Without limiting the generality of the above, a Candidate shall submit with his Nomination Form his written confirmation that his nomination to the IMC for registration as an Alumni Manager does not infringe s40AL(5) [serving the IMC in more than one capacity], s40AP(6) [not a teacher of the School] and he meets all the registration requirements of an Alumni Manager in that none of the grounds of refusal under s30 of the Ordinance applies to him or would apply to him for the full term of office as such Alumni Manager if so elected and registered.

20. Nominations submitted after the specified date or without any of the required documents or information specified hereinabove will be invalid for the purpose of the relevant Election.

21. If an Election is a contested one, the Returning Officer shall assign a candidate number to each Candidate by drawing lots and publish, on the LSCOBA website only, a notice to all Old Boys setting out and/or attaching a Candidate List, with the names and brief introductory statements of the Candidate(s), election process and/or

[7] Para 10, EDB Guide
[8] Para 5, EDB Guide
[9] Para 6, EDB Guide
[10] Para 12, EDB Guide

procedures and timetable of the Election not less than seven (7) days before the Election day.[11]

22. If there is only one (1) eligible Candidate, no Election shall be conducted and the said only Candidate shall be declared the successful Candidate.[12]

23. If no one is nominated, the LSCOBA may, in its entire discretion, consider extending the deadline of nomination, or conducting the Election again after a lapse of a reasonable time. Arrangements should be made according to the principle of fairness and transparency.[13]

Registration of Voters

24. Only registered voters whose names are included in the Register of Voters ("**Register of Voters**") are entitled to vote at an Election. Such persons are hereinafter referred as "**Voters**".[14]

25. The Returning Officer shall appoint a period of not less than 28 days ("**Voters Registration Period**") for Old Boys to apply to the Returning Officer to be registered as a Voter. The Returning Officer shall publish notice of the appointment at the LSCOBA website with detailed information as to the registration procedure and requirements.

26. All Old Boys are eligible to apply to be registered as a Voter.

27. All members of the LSCOBA are automatically registered as a Voter without further application.

28. The Returning Officer may at any time at his discretion seek verification of identity, name and year of graduation/leaving school from any Old Boy in case of any doubt arising from similar, incomplete or inaccurate names or year of graduation/leaving school. The Returning Officer may refuse to register individuals who fail to comply with reasonable requests for such verification as a Voter or remove such individuals from the Register of Voters.

29. The Returning Officer shall register the Old Boys who have complied with the registration procedure and requirements as a Voter.

30. The Returning Officer shall not entertain any application for registration if the application is not made within the Voters Registration Period.

31. Old Boys registered as Voters under the Register of Voters for one Election need not re-register for subsequent Elections unless he has a change of name or identification document.

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[11] Para 13, EDB Guide
[12] Para 20, EDB Guide
[13] Para 11, EDB Guide
[14] Para 14, EDB Guide

Conduct at Elections

32. The Returning Officer may, for the purpose of an Election, designate one or more places as: (a) polling station, (b) ballot sorting and counting station, and (c) no canvassing zone.

33. No one shall take film or take photographs or make any audio or video recordings within the polling station on the Election day.[15]

34. If a person misconducts himself on the Election day, whether in or from outside the no canvassing zone, or in the polling station, the Returning Officer or any of his authorized persons shall be entitled to order that person to stop the misconduct and/or to leave immediately.

35. The Election Guidelines at Appendix I of these Rules ("**Election Guidelines**") shall govern every Election. The Returning Officer may at any time give such directions as he considers necessary or desirable for securing the Election be conducted in a just, expeditious and economical manner ("**Directions**"). The Directions must be in writing and provided to all Candidates of an Election.[16]

36. All Candidates, and all persons, whether or not Old Boys, promoting the election of any Candidate, must observe and abide by these Rules, the Election Guidelines and the Directions.[17]

37. All complaints in relation to infringement of these Rules, the Election Guidelines or the Directions, shall be in writing and made to the Returning Officer before the announcement of the results of an Election. No complaint shall be entertained by the Returning Officer after the announcement of the results.

38. The Returning Officer shall be entitled to, on its entire discretion, deal with any possible misconduct or contravention of these Rules, the Election Guidelines or the Directions, whether upon complaint or on its own motion, in such a way as it deems fit and take such action as it deems fit including but not limited to disqualifying a Candidate to stand for the Election involved. The decision of the Returning Officer is final.

39. The Returning Officer shall submit his report to the OBA Committee on all actions he took, including without limitation all Directions given by him, by virtue of paragraph 38 together with the cause and reason for the same ("**Returning Officer Report**") within seven (7) days after the announcement of the results of the Election. The Returning Officer Report shall be published on the website of LSCOBA within three (3) days of the receipt by LSCOBA.

Election Process

[15] Para 17, EDB Guide
[16] Para 28, EDB Guide
[17] Para 28, EDB Guide

40. In case of physical voting, a ballot is to be issued to the Voter who attends the venue of the Election personally during the time specified by the Returning Officer and have his identification verified by presentation of his Hong Kong Identity Card or other identification document submitted on registration as Voter. There shall be no re-issuance of ballot for whatever reason unless in exchange for a spoilt or void ballot.

41. Notice of the time and venue where the votes are to be counted shall be put up at a conspicuous place in the vicinity of the voting boxes. Unless the Returning Officer considers it impracticable, voting and voting counting should in principle take place on the same day.[18]

42. At an Election, the Voters may vote for not more than the number of Nominee(s) to be returned.

43. The Returning Officer shall ensure that the voting boxes and the ballots therein are free from tampering, and that all ballot papers have been poured out from the ballot box before counting starts.[19]

44. The vote counting shall be conducted in public by the Returning Officer and those persons under his authorization.[20] All Old Boys, all Candidates, the Principal and other members of the IMC may be invited to witness the vote counting.[21]

45. Only those ballots which are (i) placed into the specified voting boxes during the time specified by the Returning Officer, (ii) properly marked in accordance with the instructions given by the Returning Officer and accepted by the Returning Officer as a valid ballot shall be counted in the Election.[22]

46. The Returning Officer shall declare the following as an invalid ballot and not to be counted in the Election: (i) blank ballots; (ii) a ballot voting for more than the number of Nominee(s) to be returned; (iii) a ballot which contains anything marked by the voter that reveals the identity of the voter; or (iv) a ballot which contains anything other than a mark or marking allowed.[23]

47. Should any additional/alternative methods of voting be allowed, directions which are necessary and appropriate for the purpose of conducting such voting in a fair and transparent manner may be given by the Returning Officer.

48. If, after the counting of votes in respect of the Election is finished, a Nominee is still to be returned and the most successful Candidates or the most successful Candidates remaining (as the case may be) have an equal number of votes, the Returning Officer shall determine the result of the Election by drawing lots. The person on whom the lot falls shall be returned as elected.[24]

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[18] Para 18, EDB Guide
[19] Para 19, EDB Guide
[20] Para 19, EDB Guide
[21] Para 18, EDB Guide
[22] Para 17, EDB Guide
[23] Para 17 & 19, EDB Guide
[24] Para 20, EDB Guide

49. The Returning Officer shall within three (3) days of determining the results of the Election, announce the results of the Election at the LSCOBA website, stating the number of ballots issued, the number of ballots returned, the number of ballots exchanged for spoilt or void ballots, the number of votes obtained by the respective Candidates and the number of invalid ballots.[25]

50. The Returning Officer shall, after the announcement of the results of the Election, put all ballots, whether valid or invalid ones, into an envelope and sign and seal the same. The envelope shall be handed over to either the President, Vice President, Honorary Secretary or Honorary Treasurer of the LSCOBA, in descending order of priority, who is not a Candidate of the Election for safe keeping for at least six (6) months, upon expiry of which the said envelope and the ballots inside shall be destroyed as soon as practicable.[26]

51. The Returning Officer shall be relieved from his appointment after he has submitted the Returning Officer Report.

52. The successful Candidate shall within seven (7) days after the announcement of the results of the Election, provide a statutory declaration to the OBA Committee of the matters covered under his written confirmation submitted with his Nomination Form.

53. The LSCOBA shall, if no Appeal is received by the Appeal Committee after expiration of the Appeal Period (defined below), nominate the successful Candidate(s) as the Nominee to register as its Alumni Manager for the purpose of the Ordinance, and notify the IMC of the result of the Election. The successful Candidate(s) shall apply to the Permanent Secretary for registration as manager(s) of the School. [27]

Appeal

54. Only an unsuccessful Candidate is entitled to lodge an objection or appeal in respect of the results of an Election ("**Appeal**"), and the only ground for this must be based on:

    a. a complaint against infringement of these Rules, the Election Guidelines or the Directions which results in the Election not being conducted in a fair and transparent manner; and / or

    b. a complaint against the conduct of the election proceedings by the Returning Officer which prejudices the perception of fairness and the transparency of the Election Proceedings.

55. An Appeal must be lodged, together with written Grounds of Appeal (accompanied by all relevant supporting particulars and evidence), to the Appeal Committee within seven (7) days ("**Appeal Period**") after the announcement of the results of the Election. No Appeal shall be entertained unless it is brought within the Appeal Period

[25] Para 22, EDB Guide
[26] Para 21, EDB Guide
[27] Para 25, EDB Guide

and the Appeal Committee is of the reasonable opinion that the outcome of the appeal will materially affect the results of the Election.[28]

56. If the Appeal Committee entertains the Appeal, an announcement shall be promptly made on the website of LSCOBA. The Appeal Committee shall deal with the Appeal in such manner as it directs and at its sole discretion including but not limited to, taking evidence from the appellant, other Candidates and/or any person (whether or not a Voter), considering the Returning Officer Report, dismissing or allowing the Appeal, disqualifying any Candidate, declaring the results of the relevant Election void, declaring that the appellant and/or any other unsuccessful Candidate shall be deemed elected in the relevant Election, and/or ordering a fresh Election.

57. The Appeal Committee must determine an Appeal and inform the appellant and other Candidates of the outcome in writing within twenty-eight (28) days after the lodging of the Appeal. Such determination shall also be published on the website of LSCOBA within three (3) days after the date of issuance. The determination of the Appeal Committee shall be final.

58. The Appeal Committee shall be dissolved after expiration of the Appeal Period or after it had determined all Appeals, whichever is later.

Filling of Casual Vacancies

59. If a vacancy arises as a result of an Alumni Manager resigning during his term of office or by any other reason, the LSCOBA shall conduct a by-election in the same manner to elect another Alumni Manager to fill the vacancy within three (3) months. If the LSCOBA cannot conduct the by-election in time, the LSCOBA shall apply to the IMC on good grounds for further extension of the period for filling the vacancy.[29]

[28] Para 23, EDB Guide
[29] Para 26, EDB Guide

Appendix I

Guidelines on Ethical Conduct Required in the Alumni Manager Election[30]

Nomination of Candidates

1. Do not offer any advantage to get any person to stand or not to stand as a candidate.
2. Do not offer any advantage to get any person having been nominated as a candidate to withdraw his candidature.
3. Do not offer any advantage to get any candidate's not using his best endeavours to promote his candidature.
4. Do not solicit or accept any advantage for any person's standing or not standing as a candidate.
5. Do not solicit or accept any advantage for any person's withdrawal of his candidature.
6. Do not solicit or accept any advantage for any candidate's not using his best endeavours to promote his candidature.
7. 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.
8. Do not induce by deception, any person to stand or not to stand as a candidate, or to withdraw his candidature.

Electioneering

9. 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.
10. 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.
11. 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

12. Do not offer any advantage to induce any person not to vote at an election.
13. Do not offer any advantage to induce any person to vote or not to vote for a particular candidate at an election.

[30] Adopted from Annex III of the EDB Guide

14. 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.

15. 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.

16. 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.

17. Do not induce by deception any person not to vote at an election.

18. Do not induce by deception any person to vote or not to vote for a particular candidate at an election.