

SJCOBA Executive Committee Member Election By-Laws

[Passed by resolution of the Executive Committee on 16 May 2008]

[Amended by resolution of the Executive Committee on 9 February 2009]

[Amended by resolution of the Executive Committee on 28 December 2020]

[Amended by resolution of the Executive Committee on 16 August 2021]

Definition

1. These By-laws are made in pursuant to Article 72 and shall apply to every election of Executive Committee Member (“Election”).

“**Ex-Com**” means Executive Committee of SJCOBA.

“**Ex-Com Member(s)**” means the member(s) of the Executive Committee of SJCOBA.

“**Officer(s)**” means the appointed person(s) as per Section III of the Board (Ex-Com) Governance Bye-Law.

“**Co-Opt Member(s)**” means the member(s) appointed by the Executive Committee of SJCOBA as per Section VII of the Board (Ex-Com) Governance Bye-Law to assist SJCOBA operation and/or SJCOBA related events.

General Rule

2. At every Election that is contested:-
 - (a) a poll shall be taken of the electors;
 - (b) the voting at the poll shall be by ballot; and
 - (c) the Election shall be conducted in accordance with these By-laws.

Formation of the Election Sub-Committee and Appeal Committee

3. There shall be an Election Sub-Committee (“ESC”) responsible for implementation of these Rules and to oversee the general conduct of the election proceedings in each year. It shall be formed not later than 3 months before an Annual General Meeting (“AGM”).
4. The ESC shall consist of a Convenor and not more than 4 members to be decided by the President of the OBA (“the President”) after consultation with the Convenor.
5. The Convenor must be a member of and elected by the Executive Committee and the members of the ESC (“the Members”) shall be appointed by the President after consultation with the Convenor. The Convenor and the Members are not eligible to stand for an Election.
6. There shall be an Appeal Committee consisting of 3 members to deal with any appeal against the result of an Election. It shall be formed not later than 3 months before an AGM.
7. The Supervisor or the Principal of Saint Joseph’s College or their representative shall be a member of the Appeal Committee. The other 2 members of the Appeal Committee must be a member of and be elected by the Executive Committee. The members are not eligible to stand for an Election.

8. The Convenor and members of the ESC are not eligible to be elected as a member of the Appeal Committee.
9. Any notice or publication required to be given or made by these by-laws may be given or made at the OBA website.

Candidate

10. Only members properly elected in accordance with the Articles of the SJCOBA (“the Articles”) are eligible to nominate a Candidate. With regard to nomination of Candidate, each member can propose 1 candidate and second 1 candidate at an Election.
11. Only immediate retiring Ex-Com Members, retired Ex-Com Members or Co-Opt Members are eligible to run as a Candidate at an Election. A Candidate must be nominated by a Proposer and a Secunder. An intended Candidate shall complete the Nomination Form as prescribed by the ESC and submit it to the ESC before a date to be specified by the ESC.
12. Nomination submitted after the specified date will not be entertained.
13. If an Election is a contested one, the ESC shall assign a candidate number to each candidate by drawing lots and publish a Candidate List within 7 days after the closure of nomination.
14. If an Election is a contested one, Candidates shall hold substantially similar duties on the day of the AGM, and Candidates who are OBA Officers shall be entitled to carry out their usual functions at the AGM.

Voting Methods

15. Apart from voting in person, the ESC may at its sole discretion allow other additional/ alternative methods of voting including but not limited to electronic voting and voting by mail.

Entitlement to Vote

16. A person is entitled to vote at an Election only if he is a member properly elected in accordance with the Articles and that his name is included in the Final Register of Voters (“FRV”). Such person is hereinafter referred as Voter.
17. The ESC shall appoint a date not later than end of September (“Cut Off Date”) when the ESC shall publish a Provisional Register of Voters (“PRV”) listing out the names and year of graduation /leaving school of all old boys properly elected by the Executive Committee pursuant to the Articles as members of the OBA by the date of publication. Notice of the appointment of the Cut Off Date shall be given by the ESC at least one month before the Cut Off Date.
18. The Executive Committee shall not admit any old boy as a member of the OBA after the publication of the PRV until after the conclusion of the AGM that year.
19. Any person who is of the opinion that his name should be but is not on the PRV shall within

14 days after the publishing of the PRV inform the ESC of the same in writing. The ESC shall make an investigation as it thinks fit and if it is satisfied that the person is a member of the OBA as on the Cut-Off Date, the ESC shall rectify the PRV accordingly, and vice versa if it is not so satisfied. The decision of the ESC shall be final.

20. The ESC shall not entertain any complaint not made within time as stated hereinabove.
21. The ESC shall not later than end of October of that year (i) publish the FRV (listing out the names and year of graduation /leaving school of all old boys properly admitted by the Executive Committee pursuant to the Articles as members of the OBA by the date of publication); and (ii) specify methods of voting, the date and time of the voting and the time during which physical ballots are to be issued.

Election Process of Physical Voting

22. A ballot is to be issued to each Voter and Proxy Holder who attends the AGM personally during the time specified by the ESC. There shall be no re-issuance of ballot for whatever reason.
23. Notice of the time and place where the votes are to be counted shall be put up at a conspicuous place in the vicinity of the voting boxes.
24. At an Election, the Voters may vote for not more than the number of Executive Committee Members to be returned.
25. The ESC shall ensure that the voting boxes and the ballots therein are free from tampering.
26. The vote counting shall be conducted in public. However, no person other than the ESC members may participate in the counting process.
27. Only those ballots which are (i) placed into the specified voting boxes before the time specified by the ESC, (ii) properly marked in accordance with the instructions given by the ESC and accepted by the ESC as a valid ballot shall be counted in the Election.
28. The ESC shall declare (i) blank ballots; (ii) a ballot voting for more than the number of Executive Committee Members 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 as an invalid ballot and not to be counted in the Election.
29. Where an Election is contested by more Candidates than the number of Executive Committee Members to be returned at the Election and if more than one Executive Committee Member is to be returned, the Candidates to be elected are those who obtain the greatest number of votes at the Election and then the next greatest and so on until the required number of Executive Committee Members is elected.
30. If, after the counting of votes in respect of the Election is finished, an Executive Committee Member 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 ESC shall

determine the result of the Election by drawing lots. The person on whom the lot falls shall be returned as elected.

31. The ESC shall after determining the result of the Election, (i) announce the results of the voting; and (ii) inform the Candidates the number of ballots issued, the number of ballots returned, the number of votes obtained by them and the number of invalid ballots.
32. The ESC shall, after the announcement of the results of the Election, put all ballots, whether valid or invalid one, into an envelope and seal the same. The envelope shall be handed over to either the President, Vice-President, Secretary or Legal Adviser of the SJCOBA, in descending order of priority, who is not a Candidate for safe keeping before the conclusion of the AGM. The ESC shall be dissolved thereafter.

Election Process of other methods of voting

33. 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 ESC.

Proxy

34. A Proxy Holder is entitled to vote only if he is properly appointed pursuant but not limited to s.596 and s.598 of Cap. 622.

Appeal

35. Only an unsuccessful Candidate is entitled to lodge an appeal in respect of the Election.
36. An appeal must be lodged, together with written Grounds of Appeal, to the Appeal Committee within 7 working days ("the Appeal Period") after the declaration of the result of the Election.
37. No appeal shall be entertained unless it is brought within the Appeal Period and the Appeal Committee is of the reasonable opinion that the outcome of the appeal will materially affect the result of the Election.
38. If the Appeal Committee is of the reasonable opinion that the outcome of the appeal will materially affect the result of the Election, it shall deal with the appeal in such manner as it directs and at its sole discretion.
39. The Appeal Committee must determine an appeal and inform the appellant of the outcome within 14 days after the lodging of the appeal. The determination of the Appeal Committee shall be final.
40. The Appeal Committee shall be dissolved after expiration of the Appeal Period or after it had determined all appeals whichever is later.