



英國中華國術學院  
Chinese Kuoshu Institute

# Constitution and Rules

Revised April 2006

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## **1 Name**

- 1.1 The name of the organisation shall be the 'Chinese Kuoshu Institute' (hereinafter referred to as 'CKI').

## **2 Objects**

### **2.1 The Objects of the CKI**

- a) To promote the benefits and practice of Chinese Kuoshu (traditional Chinese martial arts) in the United Kingdom.
- b) To co-operate with Chinese Kuoshu organisations worldwide in order to develop and promote Chinese Kuoshu.
- c) To represent the interests of its members in relations with International Governing Bodies and principally: the International Chinese Kuoshu Federation (ICKF); and the World Kuoshu Federation (TWKSF).
- d) To regulate and improve the conditions of Chinese Kuoshu practice.
- e) To ensure that prospective participants of Chinese Kuoshu are not excluded on the grounds of race, creed, religion, sex, sexual orientation, age or disability.

- 2.2 Without prejudice to any other provisions of these rules, the CKI may, in furtherance of these objects or any one or more of them:

- a) Provide funds by way of membership or otherwise as may from time-to-time be determined and accept gifts of money or in kind and carry out any trusts in relation to any such gifts which are in conformity with the objects of the CKI or any of them.
- b) Acquire, purchase, lease, hold, charge, exchange, sell, or otherwise deal with land and buildings of any tenure and property of all kinds which it is lawful for the CKI to hold.
- c) Contribute to the funds of, or guarantee money for, or otherwise aid, or combine with, or affiliate to, or enter into agreement or arrangements with any other organisation, whether corporate or incorporate, having all or any objects similar to those of the CKI.
- d) Carry out educational work in the interests of its members, publish articles and reports, produce video tape or DVD recordings, and other suitable material to the furtherance and promotion of Chinese Kuoshu.

- 2.3 For all or any of the above objects, the CKI may do all such things not hereinbefore specified as are identical, or conducive to, or which will further the objects of the CKI.

### **3 Membership**

#### **3.1 United Kingdom**

- a) Membership is restricted to those regions belonging to the United Kingdom and Ireland. Applications for membership of the CKI from countries outside of the United Kingdom and Ireland must be considered by the full Executive Board of the CKI.

#### **3.2 Executive Board Members**

- a) The Executive Board of the CKI is composed of the Directors, Secretariat, and Advisors. The Directors: Director General; Deputy Director General; Director of Admissions; Director of Finance; Director of Marketing; Director of Operations; Director of Programmes; Director for Scotland; and Director for Wales. The Secretariat: Secretary General; and Deputy Secretary General. The Advisors: Legal Advisor; and Medical Advisor.
- b) The Executive Board is chaired by the Director General who acts as the Chairman of the Executive Board; administered by the Secretary General; and financial matters are managed by the Director of Finance.
- c) The Director General and Secretary General are elected from the membership of the Executive Board for a term of four years; and may not serve more than two terms in succession.

#### **3.3 Admission**

- a) Application for membership of the CKI shall be certified as correct by the Secretary General and approved by the Director of Admissions.
- b) Where there is no school or organisation promoting Chinese Kuoshu in the area, the applicant may seek individual membership. The applicant will then apply to the Secretary General for membership of the CKI, in writing. The application shall be made in such form and with such particulars (including first year's membership fee) as the Executive Board shall from time-to-time prescribe.
- c) Where there is a duly constituted school or organisation that is recognised by the CKI as a body to promote Chinese Kuoshu, individuals will be advised to become members of these schools or organisations.
- d) If the application is rejected, the Secretary General shall notify the applicant in writing. The applicant shall then be notified and informed that an appeal can be made against that decision to the Executive Board, and that notice of appeal must be given in writing to the Secretary General within fourteen days of the date when the applicant received notice of the said decision.

- e) The applicant shall be entitled to make representations in writing to the Executive Board and the Secretary General shall inform the Executive Board of the reasons for the rejection. The Executive Board shall consider the appeal on the basis only of the said written representations. The decision of the Executive Board shall be final.
- f) On acceptance of an application, membership shall commence on the date the applicant receives their membership documentation.

### **3.4 Associate Membership**

- a) A member of any other Chinese martial arts school or organisation, whose objects are in line with those of the CKI, may apply for associate membership to the Secretary General. Their application shall be considered by the Secretary General and approved by the Director of Admissions. The usual rules of admission will then apply.

### **3.5 General**

- a) Where any doubt arises as to the eligibility of an applicant, the application shall be referred to the Executive Board whose decision on eligibility shall be final.
- b) In the case of an applicant who has previously belonged to the CKI has ceased, for any reason, to be a member (whether by exclusion for non-payment of membership, or by expulsion or otherwise), the application or impose conditions as to payment of any monies or membership fees previously unpaid or other conditions as it may, in its discretion, think fit.
- c) Notwithstanding anything in these rules, the Executive Board may, by giving 28 days notice in writing, terminate the membership of any member, if necessary, in order to comply with a decision based on appropriateness of conduct.
- d) A member may, by not less than 28 days notice in writing to the Secretary General, resign from the CKI.

## **4 Rights and Duties of Members**

- 4.1 **Members:** All members shall be entitled to take part in all the activities of the CKI to which he/she belongs and to vote on any matter requiring decision by vote. He/she shall be qualified, subject to any restrictions imposed by these rules, and provided that he/she is not a member of any 'subversive' organisations, to hold any office in the CKI and be entitled to such benefits and privileges as are provided by these rules or may from time-to-time be determined in accordance with these rules.
- 4.2 **Associate Members:** An associate member shall only be entitled to attend and speak (but not to propose or second any motion or

amendment) at CKI meetings, with prior approval of the Director General. He/she shall have no voting rights, nor shall he/she be eligible to be nominated for, or be elected to, any office in the CKI.

- 4.5 **Duties:** It is the responsibility of all members of the CKI to ensure that their membership does not lapse.
- 4.6 Every member shall pay: membership and other sums required to be paid under these rules, as and when the same may be payable.
- 4.7 Members shall, at all times, observe the rules of the CKI and any regulations made thereunder, and abide by any decisions properly made under the rules, and shall carry out any duty or obligation imposed and any orders or directions given by, or under the rules.
- 4.8 A person ceasing to be a member of the CKI for any reason, shall cease to have any interest or right whatsoever in, or over the funds and property of the CKI.
- 4.9 On an ordinary member ceasing for any reason to be an ordinary member, he/she shall thereupon cease to hold any office in the CKI to which he/she was elected or appointed as an ordinary member, or to represent the CKI on any other body. Save that if an ordinary member, who has been elected as a trustee or member of the Executive Board becomes an associate member, he/she shall not be required to relinquish that office until the conclusion of the next Annual Conference.

## 5 Membership Fees

- 5.1 **Members:** Each Chinese martial arts school or organisation shall pay an annual membership fee determined by the Annual Conference and published by the Executive Board. This membership, fee will cover school or organisation membership of the CKI.
- 5.2 **Associate Members:** Associate members shall pay a membership fee of an amount determined by the Annual Conference.
- 5.3 **Payment:** When membership fees are paid in cash such membership fees shall be due and payable not later than the 5 days after expiry of membership.
- 5.4 **Arrears:**
  - a) A member in arrears with membership fees at any time, amounting to not less than one years' membership fee, shall be given notice by the Director of Finance that, if the same is not paid or some explanations given in writing within one month of the service of such notice which, in the opinion of the Executive Board is considered satisfactory and the arrears due are not paid or arrangements satisfactory to the Director of Finance for such payment are not made within that period then, on the expiration of that period, the member will be excluded from the CKI.

- b) If a member gives an explanation which the Director of Finance considers unsatisfactory, it shall so-inform the member in writing who may then, within seven days thereafter, appeal in writing to the Executive Board which, after considering the written representations of the shall decide whether to exclude the member or not. A member so appealing, shall not be excluded under this rule, unless and until the Executive Board so determines. The decision of the Executive Board shall be final.
- c) If a member is indebted to the CKI for any reason, in a sum exceeding one years' membership fee (except for a loan made to the member by the CKI and not then due for repayment), he/she shall be deemed, for the purposes of this rule, to be in arrears with the membership fee to the extent of his/her indebtedness.

## **6 Structure**

- 6.1 The governing body of the CKI shall be the Annual Conference hereinafter provided.
- 6.2 The general management and control of the CKI, and the handling of its affairs, shall be vested in the Executive Board. The Executive Board is to conduct its affairs in accordance with the principles and policies of the CKI as determined by the Annual Conference.
- 6.3 The membership of the CKI shall be organised in branches of the CKI.

## **7 Annual Conference**

### **7.1 Annual Conference:**

- a) The Annual Conference shall be held in either April or May, at such time and place as the Executive Board may decide.
- b) Annual Conference shall receive a report and statement of accounts for the year from the retiring Executive Board. This should be in the hands of the membership at least two (2) weeks before the date of the Annual Conference.
- c) Annual Conference shall determine the principles and policy of the CKI and elect to all positions falling due to be filled.

### **7.2 General:**

- a) Voting at Annual Conference shall be by show of hands except when a card vote or ballot is demanded by at least two thirds of the Executive Board.
- b) The Director General, in his/her absence the Deputy Director General, shall preside at Annual Conferences. The officer presiding at the time shall be entitled only to a casting vote in the event of an equal number of votes being cast on either side of the motion.

- c) The Executive Board shall attend any conferences held under this rule.

## **8 Conference Representation**

### **8.1 Qualifications:**

- a) Representation at the Annual Conference shall be from members and official branch representatives (usually the Head Instructor) which are not one year or more in arrears with membership, license and insurance fees as at 1 March preceding the Annual Conference. The membership of the branches shall be calculated on the basis of the number of members who are not one year or more in arrears with membership, license and insurance fees at that date. Branches will be required to render to headquarters a membership return on the basis by 31 March of the year in which the Annual Conference is to be held.
- b) In the event of any branch failing to submit such a return by 31 March, the number of members in the branch, as at 31 December preceding, shall be decided by a headquarters' audit which shall establish the average number of members in the year ending 31 March and shall declare that to be the membership as at 31 March.
- c) Exceptionally, the Executive Board shall have power to allow representation to a branch one year or more in arrears where it can be shown that the arrears derive from factors other than incompetent branch organisation.

### **8.2 Representation of Branches**

- a) Branches not officially represented under rule 8.1 shall be deemed to have waived their right to official representation at Annual Conference.

### **8.3 Section representation:**

#### **Qualifications:**

- a) Representation at the Annual Conference shall be from official branch representatives designated as a 'delegate' and members who are not one year or more in arrears with membership, license and insurance fees as at 31 March preceding the Annual Conference.
- b) Exceptionally, the Executive Board shall have power to allow official representations to a member one year or more in arrears, where it can be shown that the arrears derive from factors related to incompetent branch organisation.

### **8.5 General:**

- a) The Secretary General shall invite all Branches to nominate an official branch representative to Annual Conference, the expenses being paid by the said branch members.
- b) The Executive Board shall have power at its discretion to allow branches, including those overseas for which direct Annual Conference official

representation is not otherwise provided, to be directly represented by an attending member, at Annual Conference, if circumstances justify this course.

- c) A branch may, at its own expenses, send one (1) observer to the Annual Conferences. The allocation of seats shall be determined by the Executive Board according to the accommodation available. Such observers shall be provided with all official Annual Conference documents as issued to branch delegates.
- d) The Executive Board shall have power to invite sponsors and funding organisations to attend the Annual Conference as visitors. The expenses being paid by the said sponsors and funding organisations.
- e) Any designated delegate under these rules must be a member of the CKI and the branch that he/she officially represents.

## **9 Motions**

### **9.1 Ordinary motions:**

- a) Motions for the Annual Conference shall be received by the Secretary General not later than eight weeks before the date of such Annual Conference. The Secretary General shall then circulate the document, containing the motions, to the branches at least two (2) weeks before the date of the Annual Conference.
- b) Motions for discussion at the Annual Conference must proceed either from branches or the Executive Board. Motions must have been previously passed at a properly constituted meeting of the members of the branch submitting such motion or of the Executive Board and shall, when being forwarded to the Secretary General, be signed by the Branch Secretary.
- c) Motions from branches shall only be submitted on specially prepared motion forms available from the Secretary General.

### **9.2 Emergency motions:**

- a) Emergency motions for discussion at the Annual Conference must proceed either from branches or the Executive Board. Emergency motions must have been previously passed at a properly constituted meeting of the members of the branch submitting such motions, or the Executive Board and shall, when being forwarded to the Planning Committee, be signed by the Branch Secretary.
- b) Branches wishing to submit emergency motions for the Annual Conference, shall notify the Annual Conference Committee in writing by 5.30pm on the Tuesday preceding conference of their intention to convene a Special General Meeting of their branch together with the terms of the proposed emergency motion.

- c) A decision of a Special General Meeting, or of the Executive Board, to submit an emergency motion to conference, must be notified to the Annual Conference Committee by 7.00pm on the Thursday evening preceding conference together with confirmation of the actual wording of the motion.
- d) The Annual Conference Committee shall circulate the document containing the emergency motions on the day preceding conference.

## **10 Annual Conference Committee**

### **10.1 Composition:**

- a) There shall be Annual Conference Committee consisting of five members of the CKI who shall be ordinary members. Each Annual Conference shall elect at least one member of the Annual Conference Committee to serve until the conclusion of the Annual Conference in the third year after his/her election.
- b) The Chairperson of the Annual Conference Committee shall be the member, or one of the members, with the highest rank or such other member of the Annual Conference Committee as the Annual Conference Committee shall select.
- c) In the event of any casual vacancy, a member of the Executive Board may fill the vacancy until the conclusion of the next Annual Conference. In the event of the Chairperson ceasing to be a member of the Annual Conference Committee, the member with the longest continuous service on the Annual Conference Committee shall become Chairperson for the unexpired period of office of the former Chairperson and shall, if so qualified, remain Chairperson for the next succeeding period or, in the event of two or more members being equally qualified, the Chairpersonship shall be decided by lot.
- d) A member of the Annual Conference Committee shall be eligible for re-election on the expiry of the term for which he/she was last elected or appointed.
- e) The quorum for the Annual Conference Committee shall be three.

### **10.2 Functions:** The Annual Conference Committee shall operate for all Annual Conferences of the CKI and shall:

- a) Upon receipt from the Secretary General of all motions submitted by branches and the Executive Board for consideration by delegate conference, accept such motions as are in compliance with these rules and are received in due time. All other motions shall be rejected. The Annual Conference Committee shall ensure that the Chairperson is supplied with copies of all motions as received from branches. Before rejecting any motion, the Annual Conference Committee shall consult with the Chairperson thereon.

- b) Arrange approved motions into a convenient agenda and construct composite or comprehensive motion therefrom.
  - c) After consultation with the Chairperson, or the presiding officer of the conference, draws up a timetable for the conference, and submit agenda timetable and any other recommendations it may think desirable to facilitate the business of the conference, for consideration and decision.
  - d) The Chairperson or the presiding officer of the conference, will manage all matters relating to conference agenda, timetable, procedure (including admission of emergency motions) and report and recommend thereon as necessary.
  - e) At all stages, supply the Secretary General with all necessary material within the authority of the Annual Conference Committee to enable the agenda to be issued according to the rules.
- 10.3 **Publication of motions:** Withdraw from conference or from the agenda for, or from any report to conference, any matter which the Director General and the Secretary General may consider (after taking legal advice - such legal advice shall be in writing) may provide grounds for any civil or criminal process against the CKI or its officers, or agents or printers, The decision of the Director General and Secretary General on such a matter shall be final and shall not be open to discussion or challenge in any form by, or at conference, or at all.

## **11 Executive Board**

### **11.1 Composition:**

- a) The Executive Board shall consist of: Senior Directors; Directors; Secretariat; and Advisors. Senior Directors, Directors and Secretariat are elected. Advisors are appointed by the Executive Board.
  - b) The Senior Directors are: Director General; Deputy Director General; and Director of Finance.
  - c) The Directors are: Director of Admissions; Director of Marketing; Director of Operations; Director of Programmes; Director for Scotland; and Director for Wales.
  - d) The Secretariat is: Secretary General; and Deputy Secretary General.
- 11.2 The Senior Directors and Secretariat shall be elected every four years in accordance with the procedures laid down in rule 14.
- 11.3 The Directors shall be elected every two years in accordance with the procedures laid down in rule 14.

**11.4 Limitations:**

- a) The election of the Deputy Director General and ordinary members of the Executive Board shall be subject to the limitation provided in the sub-rule.
- b) One person from any one branch may initially be elected to fill any vacancy on the Executive Board. If more than one person from any such branch, should receive the highest votes and, but for this sub-rule, would be elected to fill other vacancies for these positions, the total number to be elected from that branch shall be restricted to not more in proportion to the aggregate number of vacancies the total of the ordinary members of the CKI.
- c) In the event of a casual vacancy for the office of ordinary member, the member receiving the next highest vote at the last election of a member ceasing to hold office, and whose election would not transpose the limitation imposed by the preceding sub-rule, shall be appointed by the Executive Board or, in its discretion, an election shall be held to fill the vacancy for the unexpired term of the member ceasing to hold office.
- d) If a candidate receives the highest number of votes in more than one of the ballots for Director General, Deputy Director General and other positions on the Executive Board, he/she must only accept one of those positions, and the runner-up in each of the ballots for the position or positions which have been declined by that candidate, shall be deemed to have been elected to that position.
- e) A successful candidate for Director General, must accept that position and decline any other position to which he/she may have been elected. A successful candidate for Deputy Director General, must accept that position and, and if he/she has also been elected to another position on the Executive Board (with the exception of the position of Director General), decline that position.

**11.5 Powers:**

- a) The Executive Board shall , in particular but without limiting its general powers under rule 6 or any other power vested in the Executive Board under these rules, have power:
  - i) to organise, open, amalgamate, subdivide or close branches and other units or organs of the CKI;
  - ii) to organise a head office branch for members of the CKI who are not members of any other branch constituted under these rules, and to appoint an official at the head office of the CKI to administer the affairs of that branch;
  - iii) except as provided in the next succeeding sub-clause, to make, vary or rescind regulations and bye-laws for the conduct of the business of the CKI and all committees, units or organs of the CKI;
  - iv) upon the recommendation, or with the agreement of a branch or assembly of branches, to vary, rescind, replace the regulations in the appendices to these rules in accordance with local circumstances but not otherwise generally to vary or replace such regulations except with the

approval of an Annual Conference. Where however any branch or other organ of the CKI, by reason of the geographical distribution of its members or for any other cause, is unable or fails to convene an Annual Conference, or to carry out the regulations set out in the Constitution, the Executive Board may, at its discretion, suspend the operation of such regulations as may be proper under rule 11.5 (a) (iii) hereof;

- v) to appoint such sub-committees as it may deem necessary and to delegate to any such sub committee any powers of the Executive Board except the powers provided in rules 7.2(a), 9.1(b), 10.1(c), 11.5(a)(viii), (ix) and 22. All decisions of sub-committees shall be ratified by the Executive Board.
- vi) to appoint advisory committees which may include members of the CKI who are not member of the Executive Board, as the Executive Board may from time-to-time think fit;
- vii) to fill any casual vacancies on the Executive Board, or in any other office filled by election for which no other provision is made in these rules;
- viii) to defray out of the central funds of the CKI, the travel and subsistence expenses of existing Executive Board members to Annual Conferences;
- ix) to take levies in addition to membership, license and insurance fees if it considers this to be necessary;
- x) to require the attendance of any member of the CKI at any meeting of the Executive Board or sub-committee and to invite any other person to such a meeting.

11.6 Procedure:

- a) The Executive Board shall meet regularly on a monthly basis.
- b) The Executive Board shall meet at such other times as the Director General or Secretary General deem necessary, or at the request in writing of a majority of the ordinary members (in the last event for the purpose of dealing only with the matter for which such members request the meeting).
- c) Any member absent from a Executive Board meeting shall furnish a reason for such absence. Any member absent for three consecutive regular meetings without a reason which is, in the opinion of the Executive Board, satisfactory, shall be deemed to have resigned from office.
- d) The quorum of any meeting of the Executive Board shall be five.
- e) The Director General or, in is/her absence, a Deputy Director General or, in their absence an ordinary member of the Executive Board appointed by the meeting, shall preside at meetings of the Executive Board.
- f) All questions arising at a meeting, except any question which, by these rules, or by any agreement or contract made by the Executive Board are to be decided in a special manner, shall be decided by a majority of the votes cast; provided that, in the event of an equality of votes, the presiding officer shall have a second or casting vote. Save on the exercise of a casting vote, the Director General shall have no vote at any meeting of the Executive Board or any sub-committee over which he/she presides.
- g) The Executive Board shall, in all matters where his procedure is not expressly laid down by, or under these rules, determine its own procedure.
- h) Any sub-committee of the Executive Board shall conduct its business in

accordance with such procedures as these rules provide, or as the Executive Board may direct or, failing such provision or directions, as the sub-committee itself may decide.

## **12 Officers**

- 12.1 The CKI Officers shall be all qualified Master Instructors, Instructors and Assistant Instructors teaching within CKI branches, who are not members of the Executive Board.
- 12.2 In the event of a vacancy for an officer of the CKI, the Executive Board shall make the necessary arrangements for an appointment or recruitment (voluntary or paid). The vacancy shall be advertised and open to applicants from within and outside the CKI. The procedure for the appointment or recruitment of the officer shall be in accordance with the CKI's Equal Opportunities policy. The successful candidate shall serve a term in line with the contractual obligations established as part of the appointment or recruitment process. The Executive Board shall make no recommendation as to the suitability of the candidates or their references in any form whatsoever either prior to, or during the appointment or recruitment process, unless elected to sit on the Evaluation Committee; and only then within the parameters of a Evaluation Committee.
- 12.3
  - a) The CKI shall have such number of Assistant Secretaries as Annual Conferences may from time-to-time authorise.
  - b) The Executive Board shall appoint initially for a probationary period of twelve months. On the expiration of that period, the Executive Board may either confirm the appointment or recommend to the next succeeding Annual Conference that the appointment be not confirmed. The Annual Conference shall, in that event, determine or confirm the appointment. Between the end of the probationary period and conference decision, the officer will remain in post.
- 12.4 The Executive Board shall decide the date on which any decision under this rule shall become operative, and shall determine the appointment.
- 12.5 The Secretary General, under the direction of the Executive Board, shall be empowered to deal with all matters affecting Assistant Secretaries of the CKI including the number required, appointment, dismissal, and discipline.
- 12.6 It shall be the policy of the CKI to deal with recognised Chinese martial arts matters for the purpose of collective discussions on behalf of all members.
- 12.7 The CKI shall maintain a fund for the provision of benefits to associates of the CKI as Annual Conference may, from time-to-time, approve. The Executive Board shall be responsible for the administration of such fund and shall appoint and remove trustees as may be requisite, and may arrange such policies of insurance or other matters as may be deemed proper in connection therewith.

## 13 Ballots

- 13.1 **Ballots:** Elections, except for those under rule 11.1, shall be by ballot at the Annual Conference called for that purpose, voting in the ballot being on the same basis as for card vote.
- 13.2 Returning Officers:
- a) The Executive Board shall appoint at least three Branch Secretaries to act as Returning Officers over all ballots of the CKI authorised by the Annual Conference or the Executive Board whenever taken. The appointed Branch Secretaries will decide on the Chief Returning Officer from their number.
  - b) The Returning Officers shall issue such regulations as they consider necessary after consultation with the Executive Board for the procedure and conduct of any national ballot, and such regulations shall be published with the annual report referred to in rule 7.1(b).
  - c) Provide to the Chairperson duly certified results of any ballot.
  - d) Provide to ordinary members, a copy of any ballot paper completed for this branch on receipt of a request in writing at any time after the ballot but not later than 28 days after the publication of the official record of decisions booklet.
- 13.3 **Eligibility:** Members who become associate members, shall immediately cease to be eligible for the election to any office. They shall, forthwith, relinquish any offices they may hold.
- 13.4 **Vacancies:** The Executive Board shall have power to fill vacancies that occur between Annual Conferences.

## 14 Executive Board Elections

- 14.1 This rule applies to all posts due for election under rule 11.1.
- 14.2 **The Secretary General shall:**
- a) After consultation with the Director General, and subject to these rules and any decision made thereunder promulgate such regulation as they may consider necessary for the conduct of an election which shall be published to branches and be binding on all members.
  - b) Satisfy himself/herself that the rules relating to any nominations, have been complied with, and that the consent of the nominees had been procured
  - c) In the event of doubt as to the validity of a nomination, consult with the Director General and thereafter, decide whether the nomination is valid.
  - d) Supply the returning officers with a list of valid nominations giving, in respect of each nominee, the name, grade and nominating branches, in time for issue with the election addresses and branch ballot papers.
  - e) Make all arrangements for the conduct of such elections.
  - f) The returning officers shall conduct the elections and supply the Director General with a certified statement of the results of the election to be declared.
- 14.3 **Nominations:**
- a) Nominations may be made only by branches.
  - b) Nominations may be made only at branch meetings duly held of which

due notice, including notice of the business to be transacted, has been given to all members.

- c) The consent of the nominee must first be obtained.
- d) Official nomination papers shall be issued to all branches by the Secretary General not later than six (6) weeks before the date of the relevant Annual Conference, and shall be returned to the Secretary General, and be received by him/her duly completed, not later than 3pm on the Friday last preceding four (4) weeks before the date of such conference. All nominations papers received shall, forthwith, be delivered to the returning officers.
- e) A nomination shall only be valid if made on an official nomination paper with a certificate duly made by the Branch Secretary that the provisions of paragraph (b) of this sub-rule have been complied with.
- f) Each nominee shall be invited to prepare an election address, not exceeding 1,000 words in length. Such election addresses shall be received by the Secretary General not later than 3pm on the Friday last preceding three (3) weeks before Annual Conference.

**14.4 Voting:**

- a) Votes shall be cast by members present at the Annual Conference.
- b) Each member attending the aforementioned conference, shall have an equal number of votes to the number of vacancies to be filled by elections to the posts referred to in rule 11.
- c) The Secretary General shall cause to be printed, branch ballot papers containing all nominations made under this rule. These will be distributed to the Branch Secretaries, not later than two weeks before the first day of the Annual Conference, with election addresses.
- d) Votes cast by members for each candidate shall be aggregated at branch level. These votes are to be registered on the branch ballot paper which will be signed by the Branch Secretary as the Branch Scrutineer. The branch ballot paper will then be forwarded to the Chief Returning Officer and received by 3pm on the Friday before the commencement of the Annual Conference.

**14.5 The Returning Officer** will notify the Director General of the election results, who will announce them at an appointed time during the Annual Conference.

**14.6 General:** Where any member is a candidate for election to a position within the CKI to which geographical or other limitations apply, the candidate's desire to serve as a CKI Director or Officer, shall be the governing consideration.

**14.7** Once elected, no member shall be required to resign his/her post by reason of any change of location provided he/she remains eligible to be an ordinary member of the CKI.

**14.8 Complaints:**

- a) In the event of any complaint of a breach of these rules arising regarding the validity of any nomination for election to be conducted under this rule, such complaint shall be made to the returning officer not less than one week prior to the date when the branch ballot papers must be issued. In the event of a complaint being upheld which may affect the conduct of the election, the returning officer shall, after consultation with the Director General, decide whether the election shall proceed, or whether any

candidates shall be disqualified, and take such decisions as may seem proper to them.

- b) If a complaint as to an alleged breach of rules concerning a nomination shall be made less than one week prior to the date by when the branch ballot papers must be issued, the election shall proceed but the complaint shall be submitted to the returning officer who shall investigate the same and report thereon to the Director General if the report reveals a breach of these rules, the Director General may declare an election void, or the election of any particular person void, or a particular nominee disqualified.
- 14.9 The decision of the returning officer on any matter under this rule shall be final and binding on all members.

## **15 Delegates to Annual Conference**

15.1 This rule applies to any post held at Annual Conference.

### **15.2 The Secretary General shall:**

- a) After consultation with the Director General, and subject to these rules and any decision made thereunder promulgate such regulation as they may consider necessary for the conduct of an appointment which shall be published to branches and be binding on all members.
- b) Satisfy himself/herself that the rules relating to any nominations, have been complied with, and that the consent of the nominees had been procured.
- c) In the event of doubt as to the validity of a nomination, consult with the Director General and thereafter, decide whether the nomination is valid.

### **15.3 Nominations:**

- a) Nominations may be made only by branches.
- b) Nominations may be made only at branch meetings duly held of which due notice, including notice of the business to be transacted, has been given to all members.
- c) The consent of the nominee must first be obtained.
- d) Nominations must be received by the Secretary General from the Branch Secretary four (4) weeks prior to Annual Conference.
- e) The confirmation of 'delegate' status will be confirmed in writing two (2) weeks before Annual Conference.

### **15.4 Complaints:**

- a) In the event of any complaint of a breach of these rules arising regarding the validity of any nomination for election to be conducted under this rule, such complaint shall be made to the returning officer not less than one week prior to the date when the branch ballot papers must be issued. In the event of a complaint being upheld which may affect the conduct of the election, the returning officer shall, after consultation with the Director General, decide whether the nomination as delegate shall proceed, or whether any candidates shall be disqualified, and take such decisions as may seem proper to them.
- b) If a complaint as to an alleged breach of rules concerning a nomination shall be made less than one week prior to the date by when the branch ballot papers must be issued, the election shall proceed but the complaint

shall be submitted to the returning officer who shall investigate the same and report thereon to the Director General if the report reveals a breach of these rules, the Director General may declare an election void, or the election of any particular person void, or a particular nominee disqualified.

- 15.9 The decision of the returning officer on any matter under this rule shall be final and binding on all members.

## 16 Referendum

- 16.1 **Referendum:** A referendum shall be taken on any question, at any time, at the discretion of the Executive Board, or at the request of branches representing a majority of the membership.

## 17 Branch Organisation

- 17.1 **Composition:**  
Branches of the CKI shall be formed within the prescribed styles or systems of Chinese martial arts. A branch shall comprise the members in a particular Chinese martial arts system in any centre as defined by the Executive Board. The Executive Board may, at its discretion, permit the formation of more than one branch comprising members of a particular Chinese martial arts system in any town, or the formation of a branch comprising the members within a Chinese martial arts body but training in different towns, or the formation of a branch comprising members of more than one Chinese martial arts body in the any area. The minimum number of members which may comprise a branch, shall be seven (7). The Executive Board shall have power, in exceptional circumstances, to authorise groups of less than seven (7).
- 17.2 **Rules:** Each branch shall be governed in accordance with principles of this constitution. Branches may make amendments to their rules, or create additional ones for the conduct of their business save that:
- a) any motion to amend or add to the rules of the branch, must be supported by, not less than two-thirds of the total votes cast at an annual general meeting or at a special meeting convened specifically for that purpose; and
  - b) all such amendments or additions shall be subject to the approval of the Executive Board and shall not be valid, or binding, until approved by that body.
- 17.3 **Membership:** Members and associate members shall belong to the branch of the CKI appropriate and locality in which they train.
- 17.4 **Accounts:** The Branch Secretary shall produce a monthly statement of accounts together with relevant books and supporting vouchers that shall be inspected and initialled by the Director of Finance.

## 18 Discipline

- 18.1 **Executive Board:** Members of the Executive Board, may be removed from office by a decision of an Annual Conference. The recommendation for removal shall be made by the Executive Board which shall, by a three-quarters majority decision, have power to suspend any such person from

duty in his/her office, pending a final decision by conference.

18.2 **Full-time officers:** The Executive Board may, subject to the provisions as to dismissal in any existing service agreement, recommend the dismissal of a full-time officer to Annual Conference. The decision will lead to automatic forfeiture of membership of the CKI, where held, and all rights, benefits and privileges thereto.

18.3 **Members:**

a) *Arrears of membership, license and insurance fees:* Members who are one year or more in arrears with their membership, license and insurance fees, shall be deemed to forfeit their membership. The member may, upon giving a satisfactory explanation and paying or undertaking to pay the arrears of membership, license and insurance fees, apply to the Branch Secretary for reinstatement which may decide to reinstate the member with retrospective effect. Should the Branch Secretary refuses reinstatement, the member may appeal to the Executive Board which may order or refuse reinstatement.

b) *Action by Executive Board:* Where the Executive Board, by its own judgement or on a recommendation under paras (b) or (c) below, considers that the conduct of a member appears to be detrimental to the interests of the CKI, the Executive Board may refer the matter for investigation by an enquiry tribunal under paragraph (d) of this clause.

c) *Action by branches:* The governing committee of a branch may recommend to the Executive Board that action shall be taken under this rule against a member belonging to that branch and whose conduct is considered to be detrimental to the interests of the CKI, but the governing committee shall have no power to make any order in respect of the member. Before making a recommendation under this paragraph, the governing committee shall give written notice to the member, setting-out the nature of the complaint and shall invite the member to reply to the complaint, within four weeks of the date of the notice; and shall make available to the Executive Board the notice and reply to it. The governing committee shall not make any recommendations as to penalty.

d) *Enquiry tribunal:* For the purpose of enquiring into the alleged conduct of a member under paras (b) or (c) of this clause, the Executive Board shall appoint a person who is not a member of that committee and not an ordinary or associate member, to enquire whether there appears to be a prima facie case in respect of such allegation, and report his/her findings to the Executive Board.

If a prima facie case is found, the Executive Board shall then appoint an uneven number of persons (who may or may not be members of the CKI) not exceeding seven, who shall constitute an enquiry tribunal but so that a majority of the persons composing the enquiry tribunal shall not be members of the Executive Board.

A member shall be given written notice setting-out the nature of the complaint against him/her, and he/she shall be given reasonable notice in writing of the time and place for the hearing of the tribunal so that he/she shall have a proper opportunity of preparing his/her defence.

The member shall be entitled to be present when evidence is given before the tribunal, and he/she shall be entitled to cross-examine witnesses. He/she shall be entitled to give evidence, either orally or in writing, and to call witnesses or submit written statements on his/her

behalf.

An enquiry tribunal shall have power to call such evidence, appoint a Chairperson, and adopt such procedures as it shall think proper in each case for the purpose of making a fair enquiry into the allegation, and a decision of the majority of the members of the enquiry tribunal shall be effective, shall be made known to the member and the Executive Board. If the enquiry tribunal finds against the member, the Executive Board may make one or more of the following orders, ie: that the member shall be:

- i) expelled from membership;
- ii) suspended from membership for any period with forfeiture of such benefits, rights and privileges of membership as may be ordered;
- iii) prohibited from holding office (not being an officer named in clause 1 of this rule) for any period;
- iv) removed from any office (not being an officer named in clause 1 of this rule) which he/she may be holding.
- g) *Appeal to conference:* Any member against whom an order has been made by the Executive Board under this rule, may appeal to Annual Conference which may refuse to confirm the order or may confirm the order with such modifications thereto as Annual Conference may consider fit. The decision of the Annual Conference shall be final.
- h) *Position pending appeal:* Any order made by the Executive Board under this rule shall, in the event of an appeal by that member to Annual Conference, remain in force until a final decision is given by the conference but, in the case of an order for the expulsion or suspension from membership, the member's rights, and personal benefits, shall be preserved in the event of appeal until the order is confirmed.
- i) *Effect of expulsion:* Where, by final decision a member has been expelled from the CKI, he/she shall thereupon cease to be a member and shall forfeit all benefits, rights and privileges as a member, and shall cease to hold or be eligible for any office whatsoever in the CKI.
- j) *Effect of suspension:* Where, by final decision a member has been suspended from membership for any period, he/she shall cease to be a member for such period and shall forfeit all benefits, rights and privileges of membership for such period subject to any modification thereto expressed in such decision. At the end of the period, membership together with all benefits rights and privileges thereto forfeited by the decision shall, forthwith, be restored to the member.
- k) *Effect of prohibition:* Where, by final decision a member has been prohibited from holding office for any period, any nomination in respect of that member for office during such period shall be void.
- l) *Effect of removal:* Where, by final decision a member has been removed from office, he/she shall, forthwith, cease to act in such office for the unexpired period of his/her appointment to such office which shall thereupon become vacant.
- m) *Right after prohibition or removal:* Where, by final decision a member has been prohibited from holding an office in the CKI for any period or removed from such office then in, all other respects his/her benefits, rights and privileges as a member shall remain unaffected unless he/she shall, at the same time, have been suspended from membership.

**18.4 Branches:**

- a) *Arrears of membership, license and insurance fee:* When a branch fails to remit its membership, license and insurance fees for one year or more, the Executive Board may suspend the branch. A branch so suspended shall have the opportunity to remit outstanding membership, license and insurance fees within a period required by the Executive Board and, upon so-doing, shall, forthwith, be reinstated. If a branch fails to comply within the required period, the Executive Board may order the dissolution of the branch. A branch shall have the right to appeal against suspension or dissolution to Annual Conference.
- b) *Breach of rule:* When a branch fails to comply with the rules (other than as in clause (a) of this rule), the Executive Board may suspend the branch. A branch so-suspended, shall have the opportunity of complying with the rules or of giving assurances of future compliances, and within such a period as the Executive Board may require and, upon so-doing shall, forthwith, be reinstated. If a branch fails to comply or give such assurances within the required period, the Executive Board may order the dissolution of the branch. A branch shall have the right to appeal against suspension or dissolution to Annual Conference.
- c) *Effect of suspension:* When, by final decision a branch has been suspended, the branch shall have no right to send delegates or observers to any delegate conference, nor to receive any advice or guidance from any officer or committee of the CKI, nor to receive any papers or documents dealing with the affairs or business of the CKI. The branch shall, unless otherwise ordered by the Executive Board, account for, pay and transfer all monies and assets in its possession, or under its control, to the Director of Finance.
- d) *Effect of dissolution:* When, by final decision a branch is ordered to be dissolved, the branch shall cease to exist and, all papers and documents and all monies and assets in its possession or under its control shall, forthwith be paid, accounted for, and transferred to the general Director of Finance.
- e) *Effect of suspension and dissolution upon members:* When an order has been made to suspend or dissolve a branch either by, or pending final decision, no member of that branch shall attend any delegate conference either as a delegate or observer or be eligible for nomination to any office. Any financial or personal benefits to which any member is entitled, under the rules, shall not be affected by any suspension or dissolution of a branch to which he/she belongs provided he/she continues to pay his/her membership, license and insurance fees and levies.

**18.5 Right to information and to defend:** When any person is likely to be affected by disciplinary action under this rule, that person shall be entitled, on demand, to a statement in writing, of the reasons why such action is under consideration and shall also be entitled to put forward such statements in writing, or in person, as may be reasonable, either initially, or on appeal.

**18.6 Notification of orders to members, branches, and Executive Boards:** Any order involving disciplinary action against a member, shall be notified to the member in writing within fourteen days of the decision.

- 18.7 **Appeals:**
- a) *By branches and section Executive Boards or members:* Any appeal by a branch or section Executive Board or member, against an order involving disciplinary action under this rule, shall be in writing, and shall reach the head office of the CKI within twenty-eight days from the date when the branch, Executive Board. If a branch or section Executive Board or member fails to serve such notice of appeal in writing within the said period of twenty-eight days, the order of the Executive Board shall be deemed to be final.
  - b) *No appeal when case rejected:* When the Executive Board or Annual Conference, as the case may be, has refused to take disciplinary action under this rule, no right of appeal or application for reconsideration in respect of such decision shall be allowed to any person, branch or section Executive Board, including the Executive Board, aggrieved by refusal, unless it appears beyond doubt that such refusal was made as a result of deliberate misrepresentation of the facts.
- 18.8 **Defalcations:** Whenever it appears that a member has misappropriated any monies or assets of the CKI, the branch or area committee to which the member belongs, shall immediately notify the Executive Board which shall assume all action against the member. The member and the branch or area committee shall ensure that all papers, documents, monies and assets in the possession or under the control of the member, shall be made available to the Director of Finance without delay.
- 18.9 **Civil and criminal proceedings:** Nothing in this rule shall prevent the CKI from taking civil or criminal proceedings in respect of any matter for which disciplinary action is, or has been taken, or is under consideration, under this rule.
- ii) that branch has failed to remit to the Director of Finance any cash membership, license and insurance fees received by the branch in accordance with rule 5.4 - until the branch has made good the default.
- 18.10 If any branch incurs, or has incurred, or desires to incur, any exceptional expenditure, it may apply to the Executive Board for a supplementary payment. The Executive Board may, in its absolute discretion, grant or refuse such application and its decision shall be final.
- 18.11 **Sections:**
- a) The Executive Board shall make payments for each calendar year out of the general fund of the CKI, to sections to defray their expenses according to the number of ordinary members within the section as last determined for purposes of branch representation at delegate conference before the commencement of that year, or at such later date as the Executive Board shall determine.
  - b) ***The amount of the annual payment shall be:***
    - i) For the first 1,000 members: an annual sum equivalent to one fifth Annual membership, license and insurance fee.
    - ii) For each 1,000 members: an annual sum equivalent to one tenth Annual membership, license and insurance fee.
- 18.12 The Executive Board may, at any time, review the payments to any section, in any year, to take account of any material changes in membership.
- 18.13 The Executive Board may, at its discretion, make supplementary

payments to any section where, in the opinion of the Executive Board, there are special circumstances. It may, in making any payment to a section, disregard rule 23.6 and in substitution, therefore, provide funds, at its discretion, for that section. In any such case, the whole of the balance remaining in the section funds at the end of the financial year, shall be returned to the general fund of the CKI.

## 19 Funds

- 19.1 The funds of the CKI shall be under the control of the Executive Board who shall delegate the management thereof to the Treasurer subject to any directions from time-to-time given by the Executive Board and under the general supervision of the Secretary General.
- 19.2 All the funds and properties of the CKI shall be used for the furtherance of the objects of the CKI and in accordance with any direction given or decision made by or under these rules.
- 19.3 The financial year of the CKI shall be from 1 April to 31 March.
- 19.4 **Promotion Fund:**
  - a) The Executive Board shall set aside, out of all each membership, license and insurance fees received, £3.00 thereof for the purposes of a "Tournament Fund".
  - b) The Tournament Fund shall be applied by the Executive Board solely for the purposes of financing tournaments, events or demonstration duly authorised by the Executive Board by, or under these rules. The Executive Board may, with the prior approval of Annual or Special conference or of the ordinary members on a referendum, apply further sums out of the general fund of the CKI to the Tournament Fund.
- 19.5 **Investment:** All funds and monies of the CKI requiring investment, shall be invested by the trustees, in the name of the trustees on the direction of the Executive Board or with the prior approval of the Executive Board, in any investments authorised for the investment of trust-monies under the Trustee Investment Act 1961 and in, or upon the stock or loan of shares of any society registered under the Industrial and Provident Societies Act 1965 and in, or upon any shares, debentures or other securities of any company registered under the Companies Act 1948 to 1967, and the trustees may, on a like direction or with a like approval, vary or transpose such investments for others of an authorised nature.
- 19.6 All monies, funds, accounts, books, records and other property whatsoever in the possession of a section, area committee, branch or any other unit or organ of the CKI or any member or any other person on behalf of, or with the authority of any such unit or organ or any member, are at all times the property of the power, at any time, to require the delivery up of any such monies, funds, accounts, records and property and the same shall, forthwith upon demand therefore, be delivered up to the Executive Board, or as the Executive Board may direct.

## **20 Accounts and Financial Statement**

- 20.1 The CKI shall publish the accounts and financial statement with the annual report in accordance with the provisions undertaken by charitable associations.
- 20.2 The accounts of the CKI and financial statement shall be presented to the Executive Board and thereafter, together with any observations of the Executive Board thereon, to the next Annual Conference following the completion of the internal audit.
- 20.3 The auditors shall be suitably qualified ordinary members appointed by the Executive Board.
- 20.4 The auditors shall appoint one of their number to attend Annual Conference and to address the conference, if so-requested by the Director General, on any matter solely related to their examination of the accounts.
- 20.5 The Executive Board may, at any time, request the auditors or may appoint other persons as special auditors, to examine the CKI accounts, the accounts of any branch, documents, vouchers, deeds, securities and receipts which they may require to see, and they may take possession of any of them provided a written acknowledgement of possession is given.
- 20.6 A copy of these rules shall be published with each Annual Report and Financial Statement of the CKI. Any ordinary member may request the Secretary General for a copy of these rules. The Secretary General must make a copy of the rules available within one week of the request. All Executive Board members shall be given a revised copy of the rules after each revision thereof. Any other member shall be supplied with a copy on request for a nominal fee determined by the Executive Board.
- 20.7 Any ordinary member having an interest in the funds of the CKI may, on giving not less than two weeks notice in writing to the Director of Finance, may inspect at the head office of the CKI, the accounts of the CKI and the annual return made by the CKI.

## **21 Trustees**

- 21.1 The trustees shall be elected as Trustee of the Chinese Kuoshu Institute (herein called "the corporate trustee")
- 21.2 Three corporate trustees shall be ordinary members elected by Annual Conference who are, of not less than three years continuous membership of the CKI immediately preceding election, to hold office until the close of the third Annual Conference following election. A corporate trustee shall not hold any other office in the CKI so long as he/she is a corporate trustees.
- 21.3
  - a) The office of corporate trustee shall be declared vacant on his/her death or resignation or bankruptcy or on his/her ceasing to be a member of the CKI or in the event of his/her becoming disqualified from holding office as a director of a limited company or if he/she be removed from office by Annual Conference on the recommendation of the Executive Board.
  - b) A casual vacancy in the office of director of the corporate trustee shall be

filled by the Executive Board until the next Annual Conference when a new trustee or director shall be elected to hold office for the remainder of the term for which the director, whose position has been declared vacant, was last elected.

- c) A director of the corporate trustee shall be eligible for re-election.

## **22 Indemnities**

- 22.1 Every member of the Executive Board, full-time officer, corporate trustee, and any other member of the CKI holding any office to which he/she has been elected or appointed under these rules, and every employee of the CKI, shall be indemnified in such manner, and to such extent, as the Executive Board may, in its discretion determine, out of the general fund of the CKI against all losses or liabilities which he/she may sustain or incur in or about the discharge of the duties of his/her office expressly or impliedly authorised by, or on behalf of, the CKI or otherwise in relation thereto by reason of any matter not caused by the wilful neglect or default or fraud of misconduct of the member or person concerned.
- 22.2 The Executive Board may, in its absolute discretion indemnify, out of the general fund of the CKI in full or in part, any member or employee of the CKI against losses sustained or liabilities incurred or accident sustained in connection with any industrial action authorised under rule 11.5(b)
- 22.3 The Executive Board may indemnify any member or employee of the CKI to such extent as the Executive Board may, in its discretion, think expedient, against loss or damage sustained by accident arising out of or in the course of the performance of any duty imposed or accepted by or under these rules or martial arts practice by the CKI or in the course of travelling in the performance of such duties.
- 22.4 The Executive Board, where it considers it expedient, may effect such policies of assurance against all or any liabilities under this rule and pay out of the general fund any premiums in respect thereof and may receive and dispose of any sum payable under such policy as the Executive Board may consider proper.
- 22.5 Nothing in this rule shall debar a member from seeking aid from the benevolent fund of the CKI.

## **23 Dissolution**

- 23.1 The CKI shall only be dissolved by decision of the Annual Conference at which a resolution for such dissolution is approved, by not less than five-sixths of the votes cast.
- 23.2 Such a decision may appoint the time at which the CKI shall be dissolved and may appoint such person or persons as may be thought fit to carry out such winding-up, and all or any matters consequential thereon.
- 23.3 If, upon dissolution there remains, after satisfying all the liabilities of the CKI and the costs of winding-up any property of any kind, such property shall not be distributed among the members but shall be given or transferred to such other association, society or institute having objects wholly, or in-part, similar to those of the CKI or in such other manner as may be laid down in the said resolution for dissolution.

## **24 Rules**

- 24.1 No new rule shall be made, nor any of the rules for the time being in force be amended or rescinded, except at an Annual Conference and approved by not less than two-thirds of the votes cast thereon. Any motion for such alteration shall be submitted and dealt with as provided for motions for delegate conference under rule 9.
- 24.2
- a) Should any question arise as to the interpretation or meaning of these rules, the Director General shall determine the same.
  - b) Should any question arise as to whether or not the rules are silent on any matter, the Director General shall answer that question.
  - c) Should any question arise on a matter which is not provided for by these rules, the Executive Board shall determine the same.
- 24.3 When, by reason of industrial action or other cause beyond the control of the CKI, or in case of emergency, any time-limit within which any matter is to be done, or conference or meeting is to be held cannot, in the opinion of the Executive Board be fulfilled, the Executive Board may, notwithstanding any other provisions of these rules, alter any such times or alter the date of any conference or meeting as the Executive Board considers necessary or expedient.

## **25 Director General's Directives**

- 25.1 Any directive made by the Director General may only be challenged by:
- a) a member of the Executive Board;
  - b) Annual Conference;
  - c) a branch as defined in rule 17;
  - d) an ordinary member of the CKI.
- 25.2 The procedure for challenging a Director General's Directive shall be as follows:-
- a) by a member of the Executive Board:
    - i) in writing to the Secretary General stating the reasons for such a challenge;
  - b) by Annual Conference:
    - i) by the proposal of a motion which states, "This conference challenges the Director General's Directive made in connection with...";
  - c) by a branch:
    - i) by conveying a motion challenging the Director General's Directive to the Secretary General in writing;
    - ii) any such motion must have been passed in accordance with the procedure set forth in rule 9.1(b);
  - d) by an ordinary member of the CKI:
    - i) in writing to the Secretary General stating the reasons for such a challenge.
- 25.3 The decision as to whether or not a Director General's Directive be upheld, shall be made by:
- a) a simple majority of the Executive Board;
  - i) by delegates voting on the motion "That the Director General's Directive

- be upheld” which shall be put to conference, without debate, by the Vice Director General immediately after the passage of a motion challenging the Director General’s Directive;
- ii) the motion shall only be defeated by a two-thirds majority of those voting;
  - iii) the decision of conference shall be final and binding on all members of the CKI.

## **26 Notices**

- 26.1 Any notice or order required to be given under these rules or otherwise may, except where otherwise provided under these rules, be given:
- a) to a member by sending the same ordinary prepaid post (except in the case of a notice under rule 5.5 (arrears), or rule 22 (discipline) when it shall be sent by recorded delivery post) to the last known address of the member or delivered personally to him/her;
  - b) to the members of the CKI by notice published in ‘Kuoshu’ the official journal of the CKI, in circulars or other official publications to branches and sent to the branch secretaries for publication to the members as provided in paragraph (c) hereof;
  - c) to the members of any branch by notice circulated as provided in paragraph (a) of this rule or published as provided in paragraph (b) of this rule or by displaying such notice as the usual Training Hall (Kuan) of such members on the CKI notice board;
  - d) to a branch or other organ of the CKI, by sending the same by ordinary prepaid post or by delivering it to any officer thereof at his/her last known address;
  - e) to the CKI by sending the same by ordinary prepaid post (except in the case of a notice under rule 22 when it shall be sent by recorded delivery service) to, or delivered at the head office of the CKI;
  - f) where notices or orders as in (d) above require action to be taken by branches, a minimum of fourteen days’ notice shall be given to branches to allow adequate time for any necessary meeting or consultation with the members to be arranged
- 26.2 Any such notice shall be deemed to have been received, if sent by letter post on the day on which such communication would have been received in due course of post or if personally delivered at the time when it was so delivered and in the case of publication in the official journal fourteen days after the same are despatched to the branch secretaries or if published by display at Training Hall (Kuan) on the day following the first display of such notice.

## **27 Counting Rules**

- 27.1 The ballot shall be conducted so as to secure that the votes given in the ballot are fairly and accurately counted (any inaccuracy in counting being disregarded for the purposes of this rule if it is accidental and on a scale which could not affect the result of the ballot).
- 27.2 At the date and time appointed of the counting of the votes, the counting officers shall supervise the opening of the packets and envelopes received. No persons shall be present at the count other than the

- counting officers, those acting under the supervision and the Secretary General and as many members of the Executive Board as desire to attend. The Secretary General shall arrange for the destruction of any ballot papers at the head office which have not been used for voting.
- 27.3 The counting officers shall decide whether any ballot paper shall be rejected as being invalid under rule 4 and shall, forthwith, separate any paper so rejected and mark it "REJECTED".
- 27.4 The total number of votes given for, and against, and the total number of votes rejected shall be recorded on two forms of return supplied by the certification officer, signed by the counting officers, the Director General of the Executive Board and the Secretary General. One of these returns shall be forthwith, posted-up and kept posted-up in a conspicuous place accessible to members at the head office of the union for at least one month. The other return shall be sent, forthwith, to the certification officer. A copy of the return shall be printed in the next available issue of the journal, report, or other periodical publication of the union.
- 27.5 The Executive Board shall secure that the ballot papers which have been counted, and those which have been rejected, are respectively placed in sealed parcels which are then deposited in a secure place and kept so-deposited for at least six months and that the lists, or other records of members used for the ballot, are also kept available for at least six months.

## **28 Definitions**

- 28.1 In these rules, where the context so admits or requires:
- a) Words in the singular shall include the plural and vice-versa.
  - b) References to a statute shall include any statutory modification or re-enactment thereof for the time being in force.
  - c) References to the "Executive Board" include any sub-committee thereof.
  - d) References to "rules" include any addition or amendment for the time being in force.
  - e) References to any other officer of the CKI or of any unit or organ of the CKI include any person for the time being performing the duties of that office.

**End**