

Hong Kong Institute of Planners

Constitution

CONSTITUTION

	Clauses
Title	1
Objects	2
Interpretation	3
Membership and Affiliateship	4-22
Constitution and Government	23
Council	24-31
General Meetings on Bye-laws	32-36
Meetings	37-40
Financial Year	41
Institute Year	42
Income and Properties	43-45
Amendment to the Constitution	46-47
Dissolution	48
Common Seal	49-50
Marginal Headings	51

TITLE

1. The Institute as hereunder constituted shall be known as the Hong Kong Institute of Planners. It is hereafter referred to as the “Institute”.

OBJECTS

2. The objects of the Institute include:-
 - 2.1 To promote and safeguard social, physical and economic development of the urban and rural environment of Hong Kong in the best interest of the community;
 - 2.2 To raise the character and the status and to safeguard and advance the interests of the profession of town planning and those engaged therein;
 - 2.3 To promote public awareness of the role of town planning in the community;
 - 2.4 To promote the education and research in town planning and associated arts and sciences;
 - 2.5 To secure the confidence of the community in the employment of recognized town planners by admitting into the membership of the Institute only such persons as shall have satisfied the Council that they have adequate knowledge of both the theory and practice of town planning with particular reference to Hong Kong;
 - 2.6 To promote co-operation and understanding with other institutes or associations, in Hong Kong or elsewhere, that have similar objects to this Institute so as to encourage communication and discussion among all professions concerned with improving the quality of the living environment: provided that the identity, autonomy and interests of the Institute shall not thereby be lost or adversely affected; and
 - 2.7 To provide for listing by the Institute of professionally qualified town planners and to establish such examinations as are necessary to ensure their competence.

INTERPRETATION

3. In this Constitution, except so far as the contrary is provided or

the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned them, that is to say: –

“Bye-laws” means Bye-laws of the Institute;

“Constitution” means the Constitution of the Institute;

“Council” means the Council of the Institute for the time being constituted under this Constitution and the Bye-laws;

“Honorary Members”, “Fellows”, “Full Members”, “Retired Members”, “Visiting Members” and “Students” constitute the different classes of membership of the Institute as defined in the Constitution and Bye-laws of the Institute;

“Institute” means the Hong Kong Institute of Planners;

“Students” means persons listed as Students in accordance with the Constitution and Bye-laws of the Institute; and

“Affiliates” means persons listed as Affiliates in accordance with the Constitution and Bye-laws of the Institute.

MEMBERSHIP AND AFFILIATESHIP

Classes of
Membership

4. The Institute shall comprise the following classes of membership:-
- (a) Honorary Members
 - (b) Fellows
 - (c) Full Members
 - (d) Retired Members
 - (e) Visiting Members
 - (f) Students

Honorary
Members

5. An Honorary Member shall be elected by the Council and shall be a person whom, for reason of his work for the Institute or in the sciences of town planning or related fields, the Institute desires to honour. Honorary Members need not necessarily be a resident of Hong Kong. A person shall remain an Honorary Member at the pleasure of the Council and shall have no voting rights in any affairs of the Institute and shall not hold office in the Institute.

General

6. Membership of the Institute shall not be restricted by reasons of citizenship, nationality, race, religion or length of residence in Hong Kong. The qualifications required for and methods and the terms of admission to membership, the conditions governing resignation from membership, the responsibility of

Members in each class, the liability to suffer suspension, expulsion or removal of their names from the List of the Institute shall be such as the Bye-laws shall provide, subject always to the objects of the Institute as set out in Clause 2 hereof.

- | | | |
|------------------------------------|-----|--|
| | 7. | The Institute may enter into agreement on mutual professional recognition with other institutes or associations. Upon endorsement of the agreement at a General Meeting, any person who has satisfied all the requirements under such agreement is eligible to apply for full membership. |
| Retired Members | 8. | Any Fellow or Full Member who has retired from practice as a town planner and has ceased to receive remuneration for his town planning services may either retain his existing class of membership or apply to be a Retired Member, subject to the approval of the Council. A Retired Member shall have no voting right at a General Meeting and shall not be a Council Member of the Institute. |
| Power of Council on Membership | 9. | The Council alone shall have the power to elect Honorary Members, Fellows, Full Members, Retired Members and Visiting Members and to accept Students and Affiliates in accordance with the provisions in the Constitution and the Bye-laws and the decision of the Council shall be final. Membership Committees or Boards may from time to time be appointed by the Council to investigate applications for membership and Affiliateship or to conduct admission examinations or interviews in order to make recommendations to the Council on applications for the various classes of membership and Affiliates. |
| Rights of Fellows and Full Members | 10. | Every Fellow or Full Member shall be eligible for election to the Council, for election or appointment to all offices of the Institute, and shall be entitled to all his rights and privileges, including voting at all meetings. |
| Designatory Titles | 11. | Every Fellow shall be entitled to use after his name the initials FHKIP (that is, Fellow of the Hong Kong Institute of Planners). |
| | 12. | Every Full Member shall be entitled to use after his name the initials MHKIP (that is, Full Member of the Hong Kong Institute of Planners). |
| Visiting Members | 13. | Eligible town planners from outside Hong Kong residing temporarily in Hong Kong may apply to be elected as "Visiting Members". No person shall be permitted to hold such membership for more than one year. Visiting Members shall have no voting rights and shall not be awarded any designatory |

titles of the Institute.

- | | |
|------------------------------------|--|
| Students | <p>14. The Council may list such persons as Students as it may deem eligible under the provision in the Bye-laws and may give such privileges as the Council may think fit and as this Constitution and the Bye-laws provide.</p> <p>15. Students shall have no voting rights except their voting rights in meetings of Council, Committees, Boards or Working Parties of which they are members and their voting rights at any General Meetings on matters directly concerned with Students. Students shall not be awarded any designatory titles of the Institute.</p> <p>16. Students shall have the right to participate in all discussions on all matters in any meetings which they are eligible to attend.</p> |
| Affiliates | <p>17. The Council may list such persons as Affiliates as it may deem eligible under the provisions in this Constitution and the Bye-laws and may give such privileges as the Council may think fit and as provided under the Constitution and the Bye-laws.</p> <p>18. Affiliates do not constitute a class of membership of the Institute as defined in Clause 4 hereof. They shall have no voting rights at a General Meeting and shall not be a Council Member of the Institute. Affiliates shall not be awarded any designatory titles of the Institute.</p> <p>19. Affiliates shall have the right to participate in all discussions on all matters in any meetings which they are eligible to attend.</p> |
| Subscriptions
and
Membership | <p>20. Any Fellow, Full Member, Retired Member, Student or Affiliate whose subscription has been unpaid by the end of the first half of any financial year shall by that very fact cease to be a Fellow, Full Member, Retired Member, Student or Affiliate as the case may be, but may be reinstated subject to satisfying the requirements in relevant provisions of the Bye-laws.</p> <p>21. All Fellows, Full Members, and Students, must abide by the Constitution, Bye-laws and Code of Professional Conduct of the Institute. Any Fellow, Full Member or Student who willfully refuses to comply with or acts in contravention of the Constitution, Bye-laws or Code of Professional Conduct in a manner which is either prejudicial to the interests of the Institute, or render such person unfit to be a Fellow, Full Member or Student, shall be liable to appropriate punishment, suspension or expulsion by resolution of the Council: provided that he shall be given the opportunity of explanation before the Council makes its decision.</p> |

22. In the case of any person who ceases to be a Fellow, Full Member, Retired Member, Student or Affiliate for any reason, any subscriptions or contributions or fees previously paid shall not be refunded.

CONSTITUTION AND GOVERNMENT

Supreme Authority

23. The supreme authority of the Institute shall be vested in the Annual General Meeting and, subject to that authority, the Institute shall be governed by the Council. Between the Annual General Meetings, the Council shall have the power to interpret the Constitution and Bye-laws.

COUNCIL

Composition

24. The Council shall consist of such Fellows, Full Members and Students holding such qualifications and elected or appointed in such manner to hold office for such periods and on such terms as may be provided in this Constitution and the Bye-laws.

Powers

25. The Council shall have sole control, management and superintendence of the properties, income, affairs and concerns of the Institute and may appoint such clerks, secretaries, officers, Committees, Boards, and Working Parties as shall at its discretion be deemed necessary for the purpose of carrying out the objects of the Institute and if not contrary to or inconsistent with the provisions in this Constitution or any Bye-laws.
26. In addition to the powers stipulated elsewhere in this Constitution or in the Bye-laws, the Council shall have the following powers to carry out the objects of the Institute:-
- 26.1 to spend the funds of the Institute on the activities of the Institute;
 - 26.2 to accept any gift or property for any of the objects of the Institute;
 - 26.3 to invest any money of or belonging to the Institute in such manner as the Council from time to time may determine;
 - 26.4 to borrow, raise or secure the payment or repayment of monies in such manner as it may think fit;
 - 26.5 to purchase, rent, construct, maintain or alter any

building or works independently or jointly with other related institutes or associations if such action is necessary or convenient for the purposes of the Institute; and

26.6 to sell, lease, mortgage, dispose of or otherwise deal with all or part of the properties of the Institute.

Professional
Conduct of
Members

27. The Council shall have the power to inquire into, entertain complaints as to, and adjudicate upon the professional conduct and behaviour of Fellow, Full Member and Student of the Institute.

28. The Council shall submit for the approval of a General Meeting rules governing matters referred to in Clause 27 hereof and the rules so approved by such Meeting and in such manner provided in the Bye-laws shall forthwith be part of the Bye-laws and shall be binding upon all Fellows, Full Members and Students.

29. The Council shall have the power to reprimand, suspend or expel a Fellow, Full Member or Student as provided in Clause 21 hereof.

Delegation of
Council
Functions

30. The Council shall have the authority to delegate any of its functions to Committees, Boards or Working Parties consisting of any such Fellows, Full Members, Retired Members or Students as it may think fit to appoint: provided that any such Committees, Boards or Working Parties shall only carry out the functions delegated to them and shall be responsible to the Council and provided further that the final decisions shall be made by the Council except otherwise specified and provided that the Council shall have the sole power to dissolve such Committees, Boards and Working Parties.

Appointment of
Advisors

31. The Council may from time to time invite, appoint or commission any person, whether a Member of the Institute or not, or firm to advise the Council or any Committee, Board or Working Party referred to in Clause 30 hereof in the consideration of conduct of matters referred to the Council or Committee, Board or Working Party.

GENERAL MEETINGS ON BYE-LAWS

General
Meetings to
Enact, Revoke,
Alter or Add
Bye-laws

32. The majority of the total number of the Fellows and Full Members present in person and voting at a General Meeting, whether an Annual General Meeting or an Extraordinary General Meeting specially called for the purpose, shall have power from time to time to make and enact such Bye-laws deemed by the Council to be requisite and convenient for the

governing and advantage of the Institute, of all classes of membership and Affiliates, of its properties, and for the furtherance of its objects and purposes, and from time to time to revoke, alter or amend any Bye-laws made under and subject to this Constitution, but any revocation, alteration or amendment shall be subject to the recommendation of the Council.

- | | |
|---|--|
| Request by
Fellows and
Full Member | 33. The Council shall at all times be required to summon an Extraordinary General Meeting to decide on new Bye-law or Bye-laws, revocation, alteration or amendment of any existing Bye-law or Bye-laws, requested in writing by not less than 20 percent of the total number of Fellows and Full Members. |
| Request by
Students | 34. Students may request the addition of any new Bye-law or Bye-laws, revocation, alteration or amendment of any existing Bye-law or Bye-laws affecting the welfare of the Students. A request shall be made in writing by not less than 20 percent of the total number of Students. |
| Notice of
General
Meetings on
Bye-laws | 35. All classes of membership shall have not less than <u>four weeks'</u> written notice of the time and place of a General Meeting convened to decide on the enactment of new Bye-laws or revocation, alteration or amendment of any existing Bye-laws. The notice shall state the general objects of any new Bye-laws or revocation, alteration or amendment of any existing Bye-laws, and the business of the Meeting shall be limited thereto. |
| Quorum | 36. All Fellows and Full Members shall have a right, subject to this Constitution and the Bye-laws, to attend a General Meeting and vote. Thirty such Members present in person and entitled to vote shall constitute a quorum. |

MEETINGS

- | | |
|------------------------|---|
| Classes of
Meetings | 37. The meetings of the Institute shall be of such classes and shall be held for such purposes as may from time to time be convened by the Council or at the request of a requisite number of Fellows, Full Members or Students as prescribed in the Constitution and the Bye-laws. |
| | 38. The rights of the several classes of membership and Affiliates shall be subject to such restrictions as may be prescribed by the Constitution and Bye-laws. |
| | 39. There shall be not less than one General Meeting every Institute year. |
| Decision by | 40. Any decision made at a General Meeting by a majority of |

Majority voting Members as the Constitution or Bye-laws may from time to time prescribe shall be deemed to be a decision duly passed by the Institute.

FINANCIAL YEAR

41. The financial year of the Institute shall commence on the 1st day of April of each year and terminate on the 31st day of March the following year.

INSTITUTE YEAR

42. The Institute year shall commence on the 1st day of May each year and terminate on the 30th day of April the following year.

INCOME AND PROPERTIES

Use 43. The income and properties of the Institute shall be applied solely to promote and carry out the objects of the Institute.

Handling after Dissolution 44. If on the winding up or dissolution of the Institute there remain any properties or funds whatsoever after the settlement of all its debts and liabilities, the use of the same shall be decided by the majority of the total number of Fellows, Full Members, Retired Members and Students at a General Meeting at or before the time of dissolution.

45. On the winding up or dissolution of the Institute, the liability of Members of any class and Affiliates shall be limited to the amount of their entrance fees and subscriptions in arrears.

AMENDMENT TO THE CONSTITUTION

Requirements for Decision Making 46. This Constitution may only be revoked, altered or added to by a resolution supported by not less than 75 per cent of the total number of Fellows and Full Members present in person and voting at an Extraordinary General Meeting convened for the purpose of amending the Constitution and related Bye-laws, if any.

Notice 47. Not less than four weeks' written notice shall be given to all classes of membership if an Extraordinary General Meeting is convened to decide on the enactment of, revocation of, alteration or addition to the existing Constitution. The notice shall state the general objects of any enactment of, revocation of, alteration or addition to the existing Constitution.

DISSOLUTION

48. The Institute shall continue until a resolution for its dissolution shall be passed by not less than 75 percent of the total number of the Fellows and Full Members present in person and voting at a General Meeting duly convened in accordance with this Constitution and the Bye-laws and for that purpose.

COMMON SEAL

49. The common seal of the Institute shall remain in the custody of the Honorary Secretary, who shall comply with any regulation made by the Council as to the use and safe-keeping of the said common seal.
50. The said common seal shall not be affixed to any deed or other writing except in pursuance of a resolution by the Council.

MARGINAL HEADINGS

51. The marginal headings in the Constitution and Bye-laws are inserted only for ease of reference and do not form part of the Constitution or of the Bye-laws.