



HONG KONG
PEST MANAGEMENT ASSOCIATION

CONSTITUTION

(Second Edition – Amended)

November 17, 1992

(Third Edition – Amended)

January 1997

(Fourth Edition – Amended)

January 1999

(Fifth Edition – Amended)

March 2009

1. The name of the organization shall be Hong Kong Pest Management Association (香港殺蟲業協會) (hereinafter referred to as “the Association”).
2. The address of the Association shall be the President’s office address of the new office bearer term.
3. Objectives of the Association shall be :-
 - a) To promote the interests and general welfare of the persons / organization directly or indirectly engaged in the pest control industry.
 - b) To conduct and promote scientific, technical and business researches.
 - c) To promote a broader understanding and acceptance of the pest control industry as indispensable to the health, comfort, safety and convenience of the public.
 - d) To encourage, establish and maintain high standards of competence, knowledge and performance.
 - e) To encourage and establish ethical methods of competition.
 - f) To co-operate with government authorities for the benefit of the community and the pest control industry.
 - g) To co-operate with scientific and educational institutions in matter of interest to the pest control industry.
 - h) To disseminate, by all appropriate means, accurate knowledge and information with respect to the pest control industry.
 - i) To promote a closer and more friendly relationship among those engaged in the industry.
 - j) To do all other acts that are lawful and appropriate in the furtherance of the above objects.
4. The financial year period with effect from 1999 would be commencing from January 1 to December 31.

5 Membership:-

There shall be five categories of membership open to those organizations or individuals who are of good conduct and who are willing to abide by the Constitution of the Association:

- a) Active Member
Licensed pest control companies with at least two year of actual operating experience in the field and have met all the qualification requirements to be reviewed and revised as and when required by the Executive Committee. The qualification requirements will be printed and circulated to all members and other interested parties.
- b) Allied Member
Manufacturers or suppliers of pesticides or equipment.
- c) Overseas Member
Licensed pest control companies &/or Manufacturers / Suppliers of pesticides or equipment which domicile out of and with no direct operations in Hong Kong &/or Macau.
- d) Deleted
- e) Limited Member
Licensed pest control companies who are not qualified to become active member for one reason or another.
- f) Honorary Life Member
Individuals/entities who had given loyal and good service to the pest control industry or, in reciprocal honors between pest control associations elsewhere.

When applying for membership, an applicant shall submit to the Association a duly completed application form and shall become a member when the application is approved by the Executive Committee upon the favourable recommendation of the Membership Sub-Committee and the prescribed fees are paid. The Executive Committee who with the best interests of the Association in mind, has the absolute power to approve or disapprove any application for membership and the committee shall not be required to disclose reason(s) to the applicant for its determination. Honorary member may only be offered to qualified individual / entity by the Association. Limited members may apply for reclassification if all the qualification requirements of the membership are met. Guidelines for the membership sub-committee will be established by the Executive Committee and may be revised as and when necessary.

- 6 Rights of Members :-
- a) To elect, be elected, propose, vote and recall.
 - b) To enjoy the benefit as set forth in Chapter 3 of this Constitution.
 - c) Limited, honorary and overseas members are not entitled to elect, be elected, propose, vote and recall.
 - d) Limited members are not entitled to use the Association's name or logo in their advertising or promotional activities.
 - e) Deleted
- 7 Obligations of Members :-
- a) To abide by the Constitution of the Association and resolutions passed by the General and Extraordinary General Meetings.
 - b) To pay the prescribed fees with effect from January 2010:-
 - (i) Active and Allied members of the Association shall upon admission to the membership pay an initial fee of HK\$5,000.- and his first annual membership fee of HK\$3,000.-. Thereafter, a membership fee of HK\$3,000.- per annum shall be paid in advance in each subsequent year.
 - (ii) Overseas members of the Association shall upon admission to membership pay his first annual membership fee of HK\$3,000. Thereafter, a membership fee of HK\$3,000.- per annum shall be paid in advance in each subsequent year.
 - (iii) Deleted
 - (iv) Limited members of the Association shall upon admission to membership pay an initial fee of HK\$5,000.- and his first annual membership fee of HK\$1,500.-. Thereafter, a membership fee of HK\$1,500.- per annum shall be paid in advance in each subsequent year.
 - (v) There is no levy on honorary life member.
 - (vi) Those members who have not paid their membership fees for the current year prior to January 31 of the same year, their respective member's right will be temporarily suspended until full settlement of all dues. The Executive Committee has full discretion to accept or reject any reason(s) given by members to defer payment of dues and all relevant papers will be filed for records. Those members who have not paid their membership fees for two years, their membership in the Association will be rescinded immediately at the end of the second year. Should these members wish to re-join the Association as members, new application will be submitted for regular processing and appropriate initial entrance fee as well as first annual membership fee at time of the re-application will be levied accordingly if new membership is approved.

Chapter 3

ORGANIZATION; FUNCTIONS & POWERS

- 8 The supreme authority of the Association shall be vested in the General Meeting, during the recess of which, the Executive Committee shall be the executive organ.
- 9 The Executive Committee shall be formed by five Executive Committee Members (of which at least three shall be active members) who shall be elected together with two reserve committee members by the General Meeting of every term. The Executive Committee members shall elect from among themselves a President, a Vice President, a Secretary, a Treasurer and a Public Relations Officer. The immediate past president will remain a member (but without voting rights) of the Executive Committee as the sixth member, unless he is elected to be an executive office in which case the number of the Executive Committee members will remain at five.
- 10 All the Executive Committee members of the Association shall serve gratis. Their term of office shall be two years from the date of election and they may be re-elected. The Executive Committee shall not become salaried staff of the Association, nor shall they receive from it any remuneration.
- 11 Deleted.
- 12 the President vacates his office, he shall be replaced by the Vice-President while the Vice-President shall be taken over by another executive committee member who shall be elected amongst the remaining executive committee members. If an executive committee other than the President and the Vice-President vacates his office, the vacancy shall be filled by a reserve committee members in the order of the number of votes voted in his favour during the last general election. In the case that all the reserve committee members declined to fill the vacated offices, or the total number of committee member is less than four (4), an extra general meeting shall be conducted for the purpose of electing new member(s) to fill the vacancy(ies) until the end of the original office term. If the remaining

office term of the vacated committee member(s) is less than six months, an extra general meeting may be conducted only at the discretion of the remaining committee members.

- 13 Necessary, the Association may take on employees, whose employment, discharge, and salaries shall be decided by Executive Committee.
- 14 Functions and Powers of the General Meetings :-
 - a) To pass amendments to the Constitution of the Association.
 - b) To elect Executive Committee members.
 - c) To consider and adopt the progress and financial reports of the Association and to appoint auditor(s) for the purposes of auditing the Association's accounts.
 - d) To re-elect office bearer who has committed dereliction of duty.
 - e) To decide on any other matters which the Association may be required to consider from time to time.
- 15 Functions and Powers of The Executive Committee :-
 - a) To implement the resolutions passed by the General and Extraordinary General Meetings.
 - b) To prepare budget.
 - c) To decide on the employment, discharge, and salaries of employee of the Association.
 - d) To make recommendations to the General Meeting.
 - e) To carry out any other actions as deem necessary according to the Constitutions.
- 16 Functions and Powers of the Executive Committee Members :-
 - a) The President shall represent the Association, direct the various officers of the Executive Committee in their work, take overall charge of the work of the Association and preside over all meetings of the Executive Committee, and of the Association.
 - b) The President shall represent the Association to attend all conventions etc. of associated associations or other public / government bodies meetings as appropriate.
 - c) The Vice President shall assist the President in his work and shall act for him when he is absent, on leave or has vacated his office.
 - d) The Secretary shall attend to all the secretarial work, keep the seals and documents under safe custody, compile the agenda and record the minutes of meetings.
 - e) The Treasurer shall make purchases and payments for the Association and shall attend to all the work which do not fall within the charters of other Executive Committee members.
 - f) The Treasurer shall also take charge of the financial matters of the Association. He shall compile the monthly statement of accounts which, after due approval by the Executive Committee shall be kept in a special file. He shall also compile the annual statement of accounts which shall be submitted to the auditor(s) for auditing purposes, 15 days before the General Meeting to which it shall be presented for adoption. Funds of the Association in excess of HK\$1,000.- shall be deposited with a bank designated by the Executive Committee. Cheques of the Association shall be signed by any two of the following officers, namely, President, Vice President, Secretary and Treasurer. Apart from the recurrent expenditure, monthly expenses less than HK\$1,000.- may be authorized by the President, but if the sum exceeds HK\$1,000.- approval from the Executive Committee shall be obtained before the money may be spent.
 - g) The Treasurer shall provide necessary assistance to the appointed auditor(s) for the purpose of auditing all the accounts of the Association.
 - h) The Public Relations Officer shall take charge of all the public relationship activities on behalf of the Association as well as the welfare activities as detailed in Chapter 3 of this Constitution.

Chapter 4

MEETINGS

- 17 The General Meetings shall be held annually in the month of January or latest by February and it shall be convened by the President. Members of the Association shall be notified of the meeting seven days in advance in writing by post or by facsimile transmission. The quorum of the Annual General Meeting shall consist of over half of the active and allied/associate members. In the absence of a quorum, the meeting shall be adjourned and to be convened again within fourteen days. For this adjourned meeting, members of the Association shall again be notified of the meeting in written form or by facsimile transmission. At this adjourned meeting, one-third of the active and allied members present shall form a valid quorum.
- 18 If necessary, an Extraordinary General Meeting may be held upon the request of over half of the active and allied members of the Association who shall raise such a request in written form, bearing

their signatures, to the President. Upon receipt, the President shall cause the meeting to be held within 15 days. However, discussions held and resolutions passed at the meeting shall be confined to only those points listed in the request. The quorum of the meeting and the way of notifying the members shall be the same as that of the Annual General Meeting.

- 19 The Executive Committee shall hold regular meeting once a month and extraordinary meetings may be held whenever the President deems it necessary. For every meeting, members of the Executive Committee shall be notified by the Secretary of the meeting seven days in advance in writing. The quorum of an Executive Committee Meeting shall consist of over half of all the Executive Committee Members.
- 20 Motions at all meetings shall be carried by the approval of over half of those present. If a tie occurs in voting, the President of the meeting shall put in his casting vote for the decision.
- 21 If both the President and Vice-President are absent from the meeting, those Executive Committee Members present shall elect among themselves a temporary president to preside over the meeting.

Chapter 5

ELECTION

- 22 a) Primary Election – one month before the General Meeting of every term, the Executive Committee shall elect at least three members to form an election committee, which shall take charge of electoral affairs. The Chairman of the election committee shall be elected from among its own members. Notice will be served to all active / allied members to invite candidates for the election. All qualified candidates must be enrolled by completion of the Election Form (Exhibit A) and return same to the Chairman of Election Committee at least fourteen days before the date of the annual general meeting.

Qualified candidates are defined as follows:

- a) being a designated representative of an active / allied member company for at least one full year.
- b) has attended over 75% of the total numbers of activities organized annually by the Association.
- c) willing to participate international events of the pest control industry at their own expenses. Only the President's expenses incurred for attending these international activities will be subsidized by the Association and should be claimed on actual costs with the maximum not more than HK\$20,000.- per annum with effective from the financial year of 2009.

Seven days before the General Meeting, the election committee shall send to every member of the Association, together with the notice of the meeting, a list of candidates for the election and request him to mark on the list five Executive Committee members and then cast the list into the polling box specially installed by the Association. The polling box shall be opened only at the General Meeting where the votes shall be counted. The first five members who receive the highest number of votes shall become the Executive Committee members and the next two members who receive the second highest number of votes shall become reserve committee members. In the event of a tie in votes, the decision shall be made by drawing lots.

- b) Secondary Election – after the election of the Executive Committee members, the Election Committee shall cause a meeting of the newly elected to be held within seven days so that they may elect one another to fill the various offices in the Executive Committee. When this secondary election is completed, the election committee shall dissolve immediately and the out-going office bearers shall hand over their duties within seven days. A list of the new office bearers shall be submitted to the Registrar of Societies for his information.

Chapter 6

AWARDS AND PENALTIES

23. a) The Executive Committee may, subject to the approval of the General Meeting, present letter of commendation to those who have offered meritorious services to the Association.
- b) The Executive Committee may offer honorary life membership to individual / entities who had given loyal and good service to the industry, or, in reciprocal honours between pest control associations elsewhere.
- c) The Executive Committee may, subject to the approval of the general meeting, offer the title of "Honorary President" to past presidents who had given loyal and good service to the Association on condition that he/she had satisfactorily served at least one full office term as "President" and "Immediate Past President" respectively and has retired from the industry. The title of Honorary President is, however, shall not be considered as a classification of membership.

24. Members (including honorary life member) who commit one of the following breaches may, subject to the approval of the General Meeting, be warned or expelled from the Association by the Executive Committee:-
- a) Infringement of the Constitution and the resolutions passed by the General or Extraordinary General Meeting.
 - b) Violation of the local criminal law and having been convicted by the court.
 - c) False use of the name of the Association in unlawful or improper activities thereby impairing its reputation.
 - d) Arrears of payment of the membership fee for one year.
 - e) Serious repeated infringement of Code of Practice.
25. Fees already paid or donations made by members who withdraw voluntarily or are expelled from the Association shall not be recoverable. If the members concerned are office bearers, they shall have their office forfeited automatically.

Chapter 7

USE OF FUNDS

26. a) Funds of the Association shall be applied solely to meet its recurrent expenditure and for the activities stipulated in Chapter 3 of this Constitution and for the activities or functions that work for the interests of members, the industry and the society and shall not be used for any other purposes unless being proposed and approved at the General Meeting.

Chapter 8

DEBTS AND LIABILITIES

27. Any debts of the Association shall be borne by all the Executive Committee Members of the term in which the debts are incurred.

Chapter 9

APPENDIX

28. In case the Association should dissolve, the decision shall be made by the General or Extraordinary General Meeting and assented to by over half of all the active and allied members of the Association. Any remaining assets of the Association upon its dissolution shall be donated to local charitable organization as specified by the General or Extraordinary Meeting.
29. Any Amendment to this Constitution shall be passed by the General or Extraordinary General Meeting and, if necessary, approved by the Registrar of Societies before it comes into effect.

(Exhibit A)

<p>Hong Kong Pest Management Association ELECTION FORM For office bearers _____ term</p>
<p>Mr / Ms _____ (Name of designated representative)</p> <p>Of _____ (Name of member company)</p> <p>wishes to be enrolled as candidate for the forthcoming office bearers election to be held on _____.</p> <p>We certify that the above named person meets all the qualification requirement for the office bearer election.</p> <p>_____</p> <p>(Name in block letter and title) Authorized signature of Member Co. with Company Chop Date: _____</p> <p>THIS FORM MUST BE SIGNED BY AN AUTHORIZED SIGNER OF THE MEMBER COMPANY WITH COMPANY CHOP OTHERWISE THE ELECTION COMMITTEE HAS ALL THE RIGHTS TO INVALID THIS ELECTION FORM</p>