

只供參考

校友校董選舉指引

引言

1. 本選舉指引按照《教育條例》(以下簡稱條例)的規定，建議校友校董的選舉程序。條例中有關校友校董選舉的規定，請參閱附件一。法團校董會須把本指引分發給學校認可的校友會參閱，以便制訂校友校董的選舉機制。校友會可參考本指引，按照本身的需要，在校友會章程設訂有關校友校董選舉的細則。
2. 自從公營學校於2000年實施校本管理以來，教育局一直致力推動學校各主要伙伴參與學校的管理和決策事宜。條例的目的，是透過教師、家長和校友等主要伙伴加入法團校董會，在學校推行一個公開、具透明度和多方共同參與的學校管治架構。法團校董會須設有最少一名校友校董。法團校董會或辦學團體(視乎法團校董會章程的規定)可承認一個團體為認可校友會，為校友校董作出提名。如認可校友會沒有校友校董的提名，法團校董會可根據條例第40AP(5)條，提名其章程所規定數目的人士，註冊為該校的校友校董。
3. 校友校董選舉須透過認可的校友會舉行，校友會章程須就校友校董的選舉程序作出規定，並確保有關機制公平和公開，以及向所有校友會會員公布有關詳情。**如有需要，校友會可修訂其會章，以便合乎條件成為認可校友會，舉行校友校董選舉。**校友會在制訂校友選舉機制前，必須諮詢所有校友會會員。校友會日後對選舉機制所作的一切修訂，亦須妥為記錄。

候選人資格

4. 學校的所有校友都有資格成為候選人。
5. 如出現下列情況，有關校友便不能獲提名為校友校董—
 - (i) 他/她是學校的在職教員（因為教員可用教員校董的身分加入法團校董會）；或
 - (ii) 他/她並不符合《教育條例》第30條所載有關校董的註冊規定。
6. 根據條例規定，校董不可在法團校董會內同時出任多於一個界別的校董。因此，任何人士均不可同時出任校友校董及家長校董。如兩個界別於同一時間在學校舉行選舉，候選人亦不可同時參選兩個界別的校董選舉。

人數和任期

7. 法團校董會應在其章程內訂明校友校董的人數和任期。一般情況下，校友校董的任期宜在九月一日生效及在八月三十一日終止。

提名程序

選舉主任

8. 校友會可委派主席或一名幹事為選舉主任，監察有關提名、分發選票及點票工作。但選舉主任本身不可以是校友校董選舉的候選人。

提名期限

9. 校友會應在其章程內訂明校友校董選舉的提名期限。

提名

10. 選舉主任應通知所有校友會會員，有關校友校董選舉事項，其中包括校友校董的空缺數目、提名期限、提名方法、投票及點票日期、公布結果日期及其他資料。同時，選舉主任須通知所有校友會會員，有關校友校董候選人的資格（上述第4至6段）和職責。每名校友會會員可提名本人或另一名合資格的候選人參選。校友會章程可說明每名校友會會員最多可提名多少位候選人，以及是否需要設立和議機制。如設有和議機制，校友會章程須訂明與和議程序有關的規定，例如和議人必須是認可校友會的會員，以及和議人的數目。所有規定必須合理，以確保和議機制公平及公正。

11. 如沒有人獲提名參選，校友會可考慮延長提名的截止日期或在一段合理的時間後重新進行選舉。有關的選舉程序及特別安排應顧及實際情況，並以公平、公正、公開及簡約為原則。

候選人資料

12. 每位獲提名的候選人須向選舉主任提供有關其個人資料的簡介，字數須符合校友會的規定。

13. 選舉主任須於選舉日之前不少於7天，向所有校友另行發信，列出獲提名候選人的姓名。選舉主任可隨通知信附上候選人的簡介，包括他們在簡介內所申報的資料。校友會應保障本身不會因刊登有關簡介而涉及任何訴訟的法律責任。該信亦須解釋有關選舉的安排和時間表。如可能的話，選舉主任可為候選人安排一個簡介會，以便他們向所有校友介紹自己及解答校友提出的問題。

投票人資格

14. 學校的所有校友均符合資格投票，所有合資格投票的人士都享有同等的投票權。

選舉程序

投票日期

15. 校友校董選舉的投票日期應與提名截止日期相距最少兩星期。

投票方法

16. 為確保選舉公平，投票應以不記名的方式進行，即投票人不得在選票上寫上自己的姓名或任何可辨識身分的符號，亦不得讓其他投票人目睹他投票給哪一位候選人。選票樣本見附件二。

點票

17. 選舉主任可安排投票與點票同日進行，並可邀請所有校友會會員、各候選人及校長見證點票工作。

18. 如有多於一個校友校董空缺，獲得最多選票的候選人，可成功當選校友校董，然後是獲得第二最多選票的候選人，如此類推，直至填滿所有空缺為止。校友會應事先在其章程列明，若兩個或以上候選人得票相同，會以何種方式決定當選人，例如進行第二輪投票或抽籤決定。有關規定應以公平、公正、公開及簡約為原則。

公布結果

19. 選舉主任應通知所有校友會會員有關選舉的結果。

20. 落選的候選人可在選舉結果公布的一星期內，以書面方式向校友會提出上訴，並列明上訴的理由。校友會應在其章程內訂明校友校董選舉的上訴機制，並確保有關機制公平及公正。

選舉後跟進事項

21. 校友會須向法團校董會提名獲選的校友，出任該校的校友校董。其後，法團校董會須向常任秘書長申請，將獲選的校友註冊為該校的校友校董。

填補臨時空缺

22. 如校友校董在任期內離任，出現空缺，校友會須以同樣方式在三個月內進行補選，填補有關的空缺。如校友會無法於該段期間進行補選，則法團校董會可基於充分理由，向常任秘書長申請將填補有關空缺的時限再繼續延長。

注意事項

23. 如學校屬上下午班制，法團校董會或辦學團體可分別為上、下午班各認可一個校友會。另外，如上下午班制學校只有一個認可的校友會，同時代表上、下午班，則上午班及下午班須分別設有最少一名校友校董。

24. 作為校友校董選舉的候選人及投票人，校友須留意載於附件三的道德操守，以確保選舉的公平。

25. 常任秘書長接獲學校校董註冊的申請後，須進行他認為需要的探究，並可以《教育條例》第30條規定的理由拒絕申請人註冊為某間學校的校董。

教育局

《教育條例》

有關校友校董選舉的規定

規定	內容
30	<p>如常任秘書長覺得有以下情況，可拒絕申請人註冊為某間學校的校董—</p> <ul style="list-style-type: none"> • 申請人每年最少有 9 個月不在香港居住； • 申請人並非出任校董的適合及適當人選； • 申請人的准用教員許可證以前曾被取消； • 申請人未滿 18 歲； • 申請人年滿 70 歲而無法出示有效的醫生證明書，以證明他在健康方面適合執行校董的職能； • 申請人未滿 70 歲，而他在常任秘書長提出要求後，無法出示有效的醫生證明書，以證明他在健康方面適合執行校董的職能； • 申請人在提出以下任何申請時，即— <ul style="list-style-type: none"> (i) 學校註冊； (ii) 註冊為校董或教員；或 (iii) 僱用校內准用教員， 或在與該等申請有關的事項中，作出虛假的陳述或提供虛假的資料，或因在要項上有所遺漏而屬虛假； • 申請人是《破產條例》(第 6 章)所指的破產人，或已根據該條例訂立自願安排； • 申請人曾在香港或其他地方被裁定已犯可判處監禁的刑事罪行；或 • 申請人已註冊為五間或以上的學校校董。
40AL	<ul style="list-style-type: none"> • 設有法團校董會的學校須設有最少一名校友校董。
40AP	<ul style="list-style-type: none"> • 如學校屬上下午班制，法團校董會或辦學團體(視乎法團校董會章程的規定而定)可為上、下午班各認可一個校友會。 • 法團校董會或辦學團體可承認一個團體為認可

規定	內容
	<p>的校友會，惟其章程必須列明下述的事項，方能獲認可－</p> <ul style="list-style-type: none"> (i) 該校的所有校友均可成為其會員； (ii) 只有該校的校友可選出或成為該會的幹事；及 (iii) 選舉制度是公平及開放透明的。 <ul style="list-style-type: none"> • 認可校友會可提名有關學校的法團校董會的章程所規定數目的人士，註冊為校友校董。 • 如沒有人獲提名，法團校董會可提名其章程所規定數目的人士，註冊為校友校董。 • 候選人必須是該校的校友。 • 候選人不得是該校的教員。
40AU	<ul style="list-style-type: none"> • 填補校友校董空缺人士的提名方式必須與停止擔任有關職位的校董的提名方式相同。
40AX	<ul style="list-style-type: none"> • 如學校的認可校友會認為某校友校董不適宜繼續擔任校董，可用類似選出該校董的方式通過決議，向法團校董會提出書面要求，取消該校友校董的註冊。當接獲有關要求後，法團校董會須向常任秘書長發出書面通知，要求取消該名校友校董的註冊。

XXX School Alumni Association

XXX 學校校友會

Election of Alumni Manager 校友校董選舉

Ballot Paper 選票

Voting Date:

投票日期：

Please read carefully the “Directions for Voting” overleaf before casting vote.

填寫選票前請細閱背頁的「投票人須知」

Please use a blue or black ball-point pen to mark a “✓” in the box against the number of the candidates you vote for. The number of “✓” you marked on the ballot paper should not be more than the number of vacancies. Otherwise, your ballot paper will be considered null and void.

請用藍色或黑色原子筆在選票上候選人編號旁邊的空格內加上「✓」號。你在選票上所填的「✓」號，不能超過空缺的數目，否則，選票便會作廢。

Candidates 候選人

<input type="checkbox"/>	1	XXX(英文姓名)	XXX(中文姓名)
<input type="checkbox"/>	2	XXX	XXX
<input type="checkbox"/>	3	XXX	XXX

XXX School Alumni Association

XXX 學校校友會

Directions for Voting

1. Put no other marks on the ballot paper other than the mark “✓” or it will be considered null and void.
2. Fold the ballot paper into two and do not let anyone see whom you vote for. The ballot is secret.
3. Put the ballot paper into the ballot box.

投票人須知

1. 除「✓」號外，請勿在選票上劃上其他記號，否則選票便會作廢。
2. 將選票對摺，切勿讓他人看見你的選擇。投票是保密的。
3. 將選票放入投票箱。

校友校董選舉中須留意的道德操守

候選人的提名

1. 不得提供利益令任何人參選或不參選。
2. 不得提供利益令任何已獲提名的候選人退出競選。
3. 不得提供利益令任何候選人不盡最大努力促使其本人當選。
4. 不得索取或接受任何人的利益而參選或不參選。
5. 不得索取或接受任何人的利益，而在獲提名為候選人後退出競選。
6. 不得索取或接受任何人的利益，而不盡最大努力促使其本人當選。
7. 不得施用或威脅施用武力或脅迫手段令任何人參選或不參選，或退出競選。
8. 不得以欺騙手段令任何人參選或不參選，或退出競選。

競選活動

1. 不得發表包括（但不限於）候選人的品格、資歷或以往的行為的虛假或具誤導性達關鍵程度的陳述。
2. 不得參與任何可能引致批評或指稱不適當的活動，並須遵守選舉的公平原則。
3. 不得在任何競選活動中，特別是在競選刊物中聲稱或暗示獲得任何人士或機構支持，除非已得到該名人士或機構的書面同意。

投票

1. 不得提供利益，令他人在選舉中不投票。
2. 不得提供利益，令他人在選舉中投票或不投票予某候選人。
3. 不得提供食物、飲料或娛樂，或償付用於提供該等食物、飲料或娛樂的費用，以影響他人在選舉中不投票。

4. 不得提供食物、飲料或娛樂，或償付用於提供該等食物、飲料或娛樂的費用，以影響他人在選舉中投票或不投票予某候選人。
5. 不得向任何人施用或威脅施用武力或脅迫手段，以影響他人的投票決定。
6. 不得以欺騙手段誘使他人在選舉中不投票。
7. 不得以欺騙手段誘使他人在選舉中投票或不投票予某候選人。

FOR REFERENCE ONLY

Guide for Alumni Manager Election

Introduction

1. This election guide outlines the procedures in accordance with the Education Ordinance (the Ordinance) for the election of alumni managers. Please refer to Annex I for the provisions of election of alumni managers in the Ordinance. The Incorporated Management Committee (IMC) is requested to pass this guide to the recognised alumni association of the school for reference in working out an election mechanism for electing alumni managers. Alumni associations may adapt this election guide to suit their own needs and provide for matters relating to alumni manager election in the constitutions of alumni associations.

2. Since the implementation of school-based management in all public sector schools in 2000, the Education Bureau has promoted the participation of key stakeholders in school management and decision-making. The Ordinance aims at introducing an open and transparent participatory school governance framework in schools by including key stakeholders like teachers, parents and alumni in the IMC. There shall be at least one alumni manager in the IMC. The IMC or sponsoring body (as may be provided for in the constitution of IMC) may recognise one body of persons as recognised alumni association for nominating alumni manager. If the recognised alumni association does not have any nomination for alumni manager(s) of the school, the IMC may, in accordance with section 40AP(5) of the Ordinance, nominate such number of persons for registration as alumni manager of the school as may be provided for in its constitution.

3. The election of alumni managers should be conducted by the recognised alumni association. The constitution of alumni association should provide for the election procedures of alumni manager and to ensure that the mechanism is fair and transparent. Detailed arrangements of the election should be made known to all members of the alumni association. **The alumni association may amend its constitution where necessary in order that it fulfils the conditions for**

recognition by the IMC and hence is responsible for nominating alumni manager(s). All members of the alumni association should be consulted on such changes and any subsequent amendments to the election mechanism should be properly documented.

The Candidature

4. All alumni of the school are eligible to become candidates.
5. An alumnus should not be nominated in the event of the following situations —
 - (i) He / she is a serving teacher of the school (because teachers can join the IMC in the capacity of teacher managers); or
 - (ii) He / she does not meet the registration requirements of managers set out in section 30 of the Ordinance.
6. As stipulated in the Ordinance, no manager shall serve in an IMC in more than one capacity. Thus, no one can serve as an alumni manager and a parent manager at the same time. If there are two elections under different categories to be conducted concurrently in a school, no candidate shall participate in more than one election.

Number & Tenure

7. The IMC should specify the number and tenure of office of alumni manager(s) in its constitution. Generally, the term of office of an alumni manager is recommended to come into effect on 1 September and terminate on 31 August.

Nomination Procedures

Returning Officer

8. The alumni association may assign the chairperson or an office-bearer as Returning Officer to monitor the nominations and supervise the issue of ballot papers and counting of votes, but the Returning Officer must not be a candidate for the alumni manager election.

Period of Nomination

9. The alumni association should specify in its constitution the period of nomination for the alumni manager election.

Nomination

10. The Returning Officer should inform all its members of the number of alumni manager vacancies, the period of nomination, method of nomination, date of voting and counting, date of announcement of results and other relevant information. At the same time, the Returning Officer should inform all its members of the eligibility (paragraphs 4 to 6 above) and responsibilities of candidates. An alumnus may nominate oneself or another eligible candidate to stand for the election. The alumni association may specify in its constitution the maximum number of nominees that each alumnus can nominate, and consider whether it is necessary to establish a mechanism for supporting the motion. If such a mechanism is to be established, the constitution should set out detailed arrangements, such as seconders must be a member of the alumni association and the number of seconders required. All requirements must be reasonable in order to ensure that the mechanism is fair.

11. If no one is nominated, the alumni association may consider extending the deadline of nomination or conducting the election again after a lapse of some time. The election procedures should cater for such occasions and special arrangements should be made based on the principles of fairness, openness and simplicity.

Candidates' Information

12. Each nominated candidate should supply a brief statement of his / her personal information to the Returning Officer within the number of words as required by the alumni association.

13. Not less than 7 days before the election day, the Returning Officer should issue a letter to all alumni listing the names of the candidates being nominated and the brief introductory statements of the candidates including their declarations should be attached. The alumni association should guard against the risk of incurring any legal liability in publishing those statements. The letter should also explain the procedures and the time-table of the election. If possible, the Returning Officer can arrange a meeting for the candidates to introduce themselves to all alumni and answer questions from them.

Electors' Eligibility

14. All alumni of the school are eligible to vote. All eligible electors have equal voting right.

Election Procedures

Date of Voting

15. The period between the date of voting for alumni manager election and the deadline of nomination should at least be two weeks.

Voting method

16. To ensure a fair election, the voting should be conducted by secret ballot, i.e. electors are not allowed to put down their names or any other marks of identification on the ballot paper and should not let the other electors see whom they have voted for. A sample of the ballot paper is at Annex II.

Counting of votes

17. The Returning Officer may arrange to conduct voting and counting on the same day. All members of the alumni association, all candidates, and the principal may be invited to witness the counting of votes.

18. If there are more than one vacancy, the successful candidates are the ones who obtain the greatest number of votes, then the next greatest and so on until all vacancies are filled. When two or more candidates obtain the same number of votes, the arrangement should be specified in advance in the constitution of alumni association to determine who shall be elected, such as conducting a second round of voting or drawing lots. The principles of fairness, openness and simplicity should be observed in this regard.

Announcing Results

19. The Returning Officer should inform all its members of the results of the election.

20. Unsuccessful candidate may, within one week of the announcement, appeal to the alumni association in writing together with the reasons. The alumni association should stipulate in its constitution the appeal mechanism for the election of alumni managers and ensure that the mechanism is fair.

Follow-up Actions after Election

21. The alumni association should nominate to the IMC the alumnus elected as an alumni manager of the school. Afterwards, the IMC shall apply to the Permanent Secretary for registration of the alumnus elected as an alumni manager of the school.

Filling of casual vacancies

22. If an alumni manager vacancy arises as a result of an alumni manager resigning during his / her term of office, the alumni association shall conduct a by-election in the same manner to elect another alumni manager to fill the vacancy within three months. If the alumni association cannot conduct the by-election accordingly, the IMC shall apply on good grounds to the Permanent Secretary for further extension of the period for filling the vacancy.

Points to note

23. If the school is a bi-sessional school, the IMC or sponsoring body may recognise an alumni association for each session separately. On the other hand, if a bi-sessional school has only one recognised alumni association representing both the AM and PM sessions, there needs to be at least one alumni manager from each session.

24. Alumni, being candidates and voters in the alumni manager election, should note the ethical conduct listed at Annex III to ensure fairness in the election process.

25. On receiving an application for registration as a manager of a school, the Permanent Secretary shall make such inquiry as he considers necessary. Also, the Permanent Secretary may refuse to register an applicant as a manager of a school on grounds stipulated in section 30 of the Education Ordinance.

Education Bureau

Education Ordinance

Provisions relating to Election of Alumni Managers

Section	Content
30	<p>The Permanent Secretary may refuse to register an applicant as a manager of a school if it appears to the Permanent Secretary that –</p> <ul style="list-style-type: none"> • the applicant is not resident in Hong Kong for at least 9 months in each year; • the applicant is not a fit and proper person to be a manager; • the applicant is a person in respect of whom a permit to teach has previously been cancelled; • the applicant is under the age of 18 years; • the applicant has attained the age of 70 years and he fails to produce a valid medical certificate certifying that he is physically fit to perform the functions of a manager; • the applicant is under the age of 70 years and he fails to produce, upon a request by the Permanent Secretary, a valid medical certificate certifying that he is physically fit to perform the functions of a manager; • in making or in connection with any application – <ul style="list-style-type: none"> (i) for registration of a school; (ii) for registration as a manager or a teacher; or (iii) to employ a person as a permitted teacher in a school, the applicant has made any statement or furnished any information which is false in any material particular or by reason of the omission of any material particular; • the applicant is a bankrupt within the meaning of the Bankruptcy Ordinance (Cap. 6) or has entered into a voluntary arrangement under that Ordinance; • the applicant has previously been convicted in Hong Kong or elsewhere of a criminal offence punishable with imprisonment; or • the applicant has been registered as a manager of 5 or more schools.
40AL	<ul style="list-style-type: none"> • For an IMC school, at least one alumni manager shall be provided.

Section	Content
40AP	<ul style="list-style-type: none"> • If the school is a bi-sessional school, the IMC or sponsoring body (as may be provided for in the constitution of the IMC) may recognise an alumni association for each session separately. • The IMC or sponsoring body may recognise one body of persons as recognised alumni association. The body of persons shall be recognised only when its constitution specifies the following items – <ul style="list-style-type: none"> (i) its membership is open to all alumni of the school; (ii) only the alumni of the school may elect or become office-bearers of the body; and (iii) the system of election is fair and transparent. • A recognised alumni association may nominate such number of persons for registration as alumni manager of the school as may be provided for in the constitution of the IMC of the school. • If no person is nominated, the IMC may nominate such number of persons for registration as alumni manager as may be provided for in its constitution. • A candidate must be an alumnus of the school. • A candidate must not be a teacher of the school.
40AU	<ul style="list-style-type: none"> • The person who fills the vacancy of alumni manager shall be nominated for registration as a manager in the same manner as the manager who ceased to hold the office concerned.
40AX	<ul style="list-style-type: none"> • On the ground that a manager is not suitable to continue to hold office, the recognised alumni association of a school may pass a resolution, in a manner which is similar to the manner in which the manager concerned is elected, and make a written request to the IMC to cancel the registration of the manager. The IMC shall, upon receiving the request, issue a notice in writing to the Permanent Secretary as regards the cancellation of the registration of the alumni manager.

XXX School Alumni Association

XXX 學校校友會

Election of Alumni Manager 校友校董選舉

Ballot Paper 選票

Voting Date:

投票日期：

Please read carefully the “Directions for Voting” overleaf before casting vote.

填寫選票前請細閱背頁的「投票人須知」

Please use a blue or black ball-point pen to mark a “✓” in the box against the number of the candidates you vote for. The number of “✓” you marked on the ballot paper should not be more than the number of vacancies. Otherwise, your ballot paper will be considered null and void.

請用藍色或黑色原子筆在選票上候選人編號旁邊的空格內加上「✓」號。你在選票上所填的「✓」號，不能超過空缺的數目，否則，選票便會作廢。

Candidates 候選人

<input type="checkbox"/>	1	XXX(Name in English)	XXX(中文姓名)
<input type="checkbox"/>	2	XXX	XXX
<input type="checkbox"/>	3	XXX	XXX

XXX School Alumni Association

XXX 學校校友會

Directions for Voting

1. Put no other marks on the ballot paper other than the mark “✓” or it will be considered null and void.
2. Fold the ballot paper into two and do not let anyone see whom you vote for. The ballot is secret.
3. Put the ballot paper into the ballot box.

投票人須知

2. 除「✓」號外，請勿在選票上劃上其他記號，否則選票便會作廢。
2. 將選票對摺，切勿讓他人看見你的選擇。投票是保密的。
3. 將選票放入投票箱。

Ethical Conduct Required in the Alumni Manager Election

Nomination of Candidates

9. Do not offer any advantage to get any person to stand or not to stand as a candidate.
10. Do not offer any advantage to get any person having been nominated as a candidate to withdraw his candidature.
11. Do not offer any advantage to get any candidate's not using his best endeavours to promote his candidature.
12. Do not solicit or accept any advantage for any person's standing or not standing as a candidate.
13. Do not solicit or accept any advantage for any person's withdrawal of his candidature.
14. Do not solicit or accept any advantage for any candidate's not using his best endeavours to promote his candidature.
15. Do not use or threaten to use force or duress to induce any person to stand or not to stand as a candidate, or to withdraw his candidature.
16. Do not induce by deception, any person to stand or not to stand as a candidate, or to withdraw his candidature.

Electioneering

4. Do not make any materially false or misleading statement of fact including but not limited to the character, qualifications or previous conduct of a candidate or candidates.
5. Do not take part in any activity that is likely to give rise to criticism and allegation of malpractices and should abide by the principle of fairness in election.
6. Do not state overtly or covertly the support of any person or organisation in any campaign activities, especially in the campaign literature before written consent has been obtained.

Voting

8. Do not offer any advantage to induce any person not to vote at an

election.

9. Do not offer any advantage to induce any person to vote or not to vote for a particular candidate at an election.
10. Do not provide or pay for the provision of any food, drink or entertainment as an inducement to or a reward for any person's not voting at an election.
11. Do not provide or pay for the provision of any food, drink or entertainment as an inducement to or a reward for any person's voting or not voting for a particular candidate at an election.
12. Do not use or threaten to use force or duress against any person for the purpose of influencing his or any other person's voting decision.
13. Do not induce by deception any person not to vote at an election.
14. Do not induce by deception any person to vote or not to vote for a particular candidate at an election.