



Disciplinary Regulations and Procedures
for
DAB Members

Passed by the Central Committee and the Senate

December 2009 (2nd version)

(This English version has been translated from the Chinese version passed by the Central Committee and the Senate. Therefore, in event of inconsistencies between the Chinese and English versions, the Chinese version shall prevail)

1. Members' Basic Obligations and Disciplinary Regulations

- 1.1 Members' Basic Disciplinary Regulations
- 1.1.1 to support DAB's Political Objectives
- 1.1.2 to comply with DAB's Memorandum and Articles of Association, subsidiary rules, and resolutions and disciplinary regulations passed by General Meeting, Central Committee, Standing Committee, Senate and other committees of DAB;
- 1.1.3 to pay annual fees on time. The annual fees are varied according to types of membership, or be set at zero;
- 1.1.4 to uphold DAB's goodwill;
- 1.1.5 to uphold solidarity of the DAB;
- 1.1.6 not to join organisations with conflicting objectives to the DAB. The Central Committee has the right to decide on whether an organisation's objectives are in conflict with those of the DAB;
- 1.1.7 members of the Central Committee, Standing Committee, Senate and other committees, policy groups, or working groups of the branches of DAB shall not disclose information classified as confidential and contents of the relevant meetings, except the followings: 1. information already known by recipient party via other sources; 2. information already in public domain; 3. information agreed to be disclosed by the relevant committee working group;
- 1.1.8 not to, whether directly or indirectly, interfere, damage or sabotage events held or co-sponsored in the name of DAB.

2. Statement-making Regulations

- 2.1 Except for representatives appointed by the Central Committee, Standing Committee, Senate, other committees of DAB or DAB branches, under prescribed procedures, no members shall make any public announcement or stand in the name of DAB or its associated organisations.
- 2.2 All public statements made by members shall not damage the interests or standing of DAB.
- 2.3 All members of the Central Committee, Standing Committee, Senate and other committees of DAB, District Councillors, Legislative Councillors, Policy Spokespersons (including Policy Deputy Spokespersons) and committee members of all DAB branches have to oblige by the guidelines of making public statements and announcements issued by the Central Committee and Standing Committee.

3. District Councillors and Legislative Councillors Regulations

- 3.1 District Councillors and Legislative Councillors need not submit part of their remunerations or subsidies to DAB. This arrangement shall be decided and amended by the Central Committee.
- 3.2 District Councillors and Legislative Councillors shall observe their responsibilities in the Councils and shall not absent from meetings of the Councils and their subsidiary committees without good reason.
- 3.3 Whether the District Councillors and Legislative Councillors are inside or outside the Councils, they shall abide by DAB's Political Objectives and the policy stands decided by the Central Committee and Standing Committee. If for special reasons, any Councillor who cannot abide by these Political Objectives and policy stands, he or she shall request for a waiver from the Central Committee or Standing Committee beforehand.
- 3.4 District Councillors and Legislative Councillors shall make declarations to the Central Committee or its belonging branch if they accept donations or sponsorships. If the donations or sponsorships are conditional, they shall be approved by the Central Committee.
- 3.5 District Councillors and Legislative Councillors shall attend the meetings of their belonging caucus of DAB and oblige by the decisions of the caucus meetings. The caucuses shall report all decisions to the Central Committee for record.

4. District Council and Legislative Council Election Campaigns Regulations

- 4.1 All members of District Council and Legislative Council election campaigns shall be screened and approved by the Central Committee and shall campaign in the capacity of DAB members.
- 4.2 No member shall endorse any candidate in any capacity unless:
- 4.2.1 that candidate campaigns for the election in capacity of a DAB member;
- 4.2.2 that candidate is endorsed by the Central Committee, or the candidate represents the campaign alliance or organisation endorsed by the Central Committee; or
- 4.2.3 the endorsement is consented by the Central Committee.
- 4.3 All members shall endorse DAB candidates in their belonging Geographical Constituencies or Functional Constituencies.
- 4.4 DAB candidates for District Council and Legislative Council shall observe the following rules:
- 4.4.1 abide by the election laws;
- 4.4.2 obey DAB's coordination, decisions and arrangements; and
- 4.4.3 without the Central Committee's approval, candidates shall not form campaign alliances with other organisations or candidates (in same or different geographical constituencies).

5. Handling of Breach of these Regulations

- 5.1. Complaint procedures
- 5.1.1 the Central Committee, Standing Committee, Senate, all DAB branches and committees may file a written complaint to the Disciplinary Committee in accordance with their respective area of responsibilities;
- 5.1.2 all members may file a self-identified written complaint to the Disciplinary Committee concerning any member's breach of these Regulations;
- 5.1.3 the Disciplinary Committee has the right to refuse complaints made by non-members or anonymous complaints;

- 5.1.4 all written complaints shall be sealed and addressed to the Disciplinary Committee. The written complaint shall specify the name of the accused member, the matter concerned and relevant facts;
- 5.1.5 all complaints shall be filed within six months from the time the breach occurs. However, the Disciplinary Committee may extend this time limit for special cases.
- 5.2 The structure and area of responsibilities of Disciplinary Committee
 - 5.2.1 The Disciplinary Committee consists of a Chairman, a Vice-chairman, and a certain number of committee members. The Disciplinary Committee is appointed by and reports to the Senate. The tenure of the Chairman, Vice-Chairman and committee members shall be the same as that of the Senate;
 - 5.2.2 the quorum of the Disciplinary Committee is three (one of them must be the Chairman or Vice-chairman);
 - 5.2.3 the area of responsibilities of the Disciplinary Committee includes:
 - 5.2.3.1 to accept complaints concerning disciplinary issues of members, to conduct investigations and submit investigation reports to the Senate, and to recommend appropriate disciplinary actions in the event that the complaint is substantiated;
 - 5.2.3.2 to monitor the statements and actions of DAB members which may cause breaches to DAB's objectives or damages to its interests;
 - 5.2.3.3 to make suggestions for and review the Disciplinary Regulations and Procedures for DAB members;
 - 5.2.3.4 to carry out instructions as assigned by the Senate in relation to disciplinary matters.
- 5.3 Working procedures of the Senate
 - 5.3.1 Upon receipt of a complaint, the Disciplinary Committee shall call for a meeting to decide on whether an investigation is required. If it is decided not to pursue the complaint further, the complainant should be briefed on the reasons for not doing so. If it is decided that the Disciplinary Committee shall pursue the complaint further, the following procedure;
 - 5.3.2 the Disciplinary Committee may appoint two or more of its members to form a working group to interview the complainant and conduct an investigation. The complainant (according to clause 5.1.1, the complainant refers to the person who files the complaint or the person who seconds the complaint to the relevant committee or branch of DAB) and the accused shall not be members of the working group;
 - 5.3.3 the working group shall prepare a written investigation report and submit it to the Disciplinary Committee;
 - 5.3.4 the Disciplinary Committee shall make a conclusion based on the report, and recommend disciplinary actions to the Senate if the breach is substantiated;
 - 5.3.5 the Senate can call for a meeting to pass resolution for disciplinary actions in a majority of votes in view of the recommendations made by the Disciplinary Committee. However, (1) the accused should be informed of this meeting at least seven days in advance; (2) the accused has the right to attend the meeting and give explanations verbally or in writing to defend himself or herself.
- 5.4 Disciplinary actions include:
 - 5.4.1 verbal or written warning;
 - 5.4.2 written reprimand;
 - 5.4.3 suspension (with specified length of time) or termination of office in DAB;
 - 5.4.4 expulsion from DAB.
- 5.5 Disciplinary Actions, Appeal and Implementation Procedures
 - 5.5.1 the Senate shall work out and from time to time make appropriate amendments to Disciplinary Actions, Appeal and Implementation Procedures;
 - 5.5.2 the Procedures and this Regulations shall be placed in the DAB Headquarters and all branches for members' reference.
- 5.6 Declaration of interests
 - 5.6.1 All committee and working group members shall declare their interests (including relatives and financial interests) before handling the relevant complaints (including implementation of procedures, calling for meetings or passing resolutions);
 - 5.6.2 all declarations of interests shall be recorded and filed.

6. Subsidiary Rules

- 6.1 These Regulations shall be effective upon passing the Senate and the Central Committee. The Disciplinary Committee may upon appropriate time recommend amendments or supplements to these Regulations to the Senate and Central Committee for discussion and resolution.
- 6.2 The Senate, Disciplinary Committee and their appointed working groups have the rights to make interpretations to these Regulations when conducting disciplinary hearings;
- 6.3 The interpretation of these Regulations and all DAB Subsidiary Rules and documents by the Central Committee shall be final.
- 6.4 The "Majority of vote" mentioned in these Regulations refers to those who vote for passing the resolution account for not less than 50% of the members present and attending the meeting; "number of members present and attending the meeting" refers to the actual number of members, who are qualified to be present and vote in the meeting, being present at the time of voting regardless of whether they have voted or not.
- 6.5 Definition: Terms defined in these Regulations, except for specific meanings otherwise:

"DAB"	Democratic Alliance for the Betterment and Progress of Hong Kong
"members"	members of DAB
"committees"	the committees set up based on regulations and guidelines of DAB (including members of relevant committees)
"information classified as confidential"	information confirmed to be confidential by the Central Committee
"expulsion from DAB"	including termination of all offices in DAB, if any