

## CONSTITUTION OF HAINAN TAN CLAN ASSOCIATION

### Chapter I: Overview

- 1.1 The Association shall be known as the "Hainan Tan Clan Association".
- 1.2 Its place of business shall be at "27 Seah Street, Singapore 188383" or such other address as may subsequently be decided upon by the Management Council and approved by the Registrar of Societies. The Association shall carry out its activities only in places and premises which have the prior written approval from the relevant authorities, where necessary.
- 1.3 The Mission of the Association is to pay tribute to our ancestors; emphasize education among clan members' families; organize charitable activities; inculcate the Chinese culture and maintain good traditions; foster the kinship among clan members and to work toward their welfare.
- 1.4 The Association shall celebrate its anniversary on 1<sup>st</sup> December of Gregorian Calendar yearly. The Spring Ritual and Autumn Ritual of the Association are to be scheduled on the Sunday before or after the 20th day of the first lunar month and the 20th day of the seventh lunar month respectively.
- 1.5 The anthem of the Association shall be the "承先启后进行曲 (Connecting the Past and Marching into the Future)". The Association also has an emblem and a flag. The Newsletter of the Association shall be entitled the "椰韵" (Enchanted Melody of the Coconut Palms).
- 1.6 The Pledge of the Association is: "We, the members of the Hainan Tan Clan Association do solemnly pledge: to treat each other with the spirit of equality; fraternity; friendship and unity for the purpose of overcoming all difficulties; preserving our heritage and inspiring our future generations to build a better tomorrow."

### Chapter II: Membership Eligibility and Organization

- 2.1 Membership to the Association is divided into two categories namely: Ordinary Members, Life Members and Associate Members:
  - (a) Ordinary Members: This category of membership is opened to all Hainanese Singapore Citizen with surname "陈 (Tan)" and/or his spouse, who is 16 years old and above; of good character; law-abiding and in agreement with the Mission Statement of the Association, may on the recommendation of an existing member

- submit an application form together with payment of \$10 entrance fee. Once the application is approved by the Management Council, the applicant shall become an Ordinary Member.
- (b) Life members: The eligibility requirement and application procedure are the same as for Ordinary Membership. Upon approval by the Management Council and payment of the entrance fee of \$100, the applicant will become a Life Member.
  - (c) Associate Members: This category of membership is opened to all members of the public at the invitation of the Management Council. Such persons shall be of good character, law-abiding, and keen to support the cultural activities organized by the Association. Once the applicant has submitted the application form and paid an entrance fee of either \$10 or \$50 to the Association, the applicant will become an Associate Member for 1 or 5 years respectively. Associate Members shall enjoy all the privileges offered by the Association and participate in the activities organized by the Association. However they do not have the rights to vote and hold office. The Management Council of the Association reserves the right to terminate the Associate Memberships at any time
- 2.2 If a male member is deceased, his wife or one of his children may inherit the membership and enjoy the same privileges. No such privilege shall be extended to a deceased female member. If a female member who is the wife of a member of the Association but remarries someone of another surname or of another clan, she will cease to be a member of the Association.
- 2.3 The Association adopts a Council System, which consists of elected Council Members, Ex-officio and appointed Council Members to manage the affairs of the Association.
- 2.4 The Management Council consists of twenty-nine (29) elected Council Members, one (1) Ex-officio (Immediate Past President) and not more than eight (8) appointed Council Members. The Management Council is made up of the President, the Immediate Past-President, the Deputy President, the four (4) Vice Presidents, a Secretary General and his/her Deputy, a Treasurer and his/her Deputy, the eight (8) Directors and their Deputies to look after the Estates Department; Culture & Education Department; Information Department; Youth Department; Women Department; Liaison Department; Etiquette Department and Internal Audit Department and not more than 11 ordinary Council Members.
- 2.5 The Ex-Co Committee shall consist of the President, the Deputy President, the Immediate Past President, four (4) Vice Presidents, the Secretary General and the Treasurer.

- 2.6 With the sanction and approval by the Management Council, the President may appoint not more than eight (8) Council Members to serve in the Council. The appointed Council Members shall be entitled to all the rights of elected Council Members.

### **Chapter III: Election and Terms of Office**

- 3.1 Management Council Members are elected by the members through voting. Candidates standing for election shall be proposed and seconded by existing members. Each member can nominate only one (1) candidate for the election; however a member may second as many candidates as he/she wishes. All contesting candidates, nominees and seconders shall not have any arrears in their membership dues as stipulated in this Constitution before the Nomination date.
- 3.2 Candidates who are standing for election for the Management Council must be a voting member for at least three (3) months prior to his/her election. Candidates who are standing for election for the post of President must be a voting member for at least three (3) years.
- 3.3 An Election Committee shall consist of the Immediate Past President and two members who are not part of the Management Council. The Election Committee shall perform the following duties:
- (a) To inform the member on the opening of the nomination;
  - (b) To verify the validity of the nomination of the candidate according to Rule 3;
  - (c) To announce the results of election.
- 3.4 The Election Committee shall notify all voting members in writing 14 days before nomination is opened. Nomination forms should be submitted to the Association Secretariat within 14 days after the Nomination has started. The list of candidates shall be sent by the Election Committee to all voting members one week before the election.
- 3.5 Elections are held on the same day of the Annual General Meeting. Members must be present in person on the polling day with proof of identity and to collect the designated balloting papers issued by the Election Committee. The completed balloting papers shall be deposited into the sealed ballot boxes.
- 3.6 After the voting is closed, the sealed ballot boxes shall then be opened in front of the assembled members, and the vote counting is to be carried out

in the presence of scrutineer, who have been nominated by the Election Committee and approved by the Management Council.

3.7 The candidate who gets the most votes shall be elected as a Council Member. In the case of more than one candidate obtains equal number of votes, the Chairman of the Election Committee shall draw lots to decide which candidate is deemed elected.

3.8 The tenure of the Management Council shall be three (3) years. The Treasurer and Internal Auditor shall not be re-elected to the same or related position for a consecutive term.

~~The tenure of the Management Council shall be two years. The post of President shall not be held by the same person for more than two (2) consecutive terms, while the Treasurer and Internal Auditor shall not be re-elected to the same or related position for a consecutive term.~~

3.9 Within seven (7) days after the Annual General Meeting, the incoming Management Council should convene a Management Council meeting to elect the President of the Management Council. The President is to be elected among the Management Council Members by a simple majority of votes. If there is tie, the Chairman of the Election Committee shall cast the deciding vote to decide the winner.

3.10 The elected President shall appoint the Deputy President, the Vice-Presidents, the Secretary General, the Treasurer; the Directors of the various Departments & their respective Deputies and not more than eight (8) appointed Council Members within seven days; the organization chart prepared by the President is to be endorsed by the incoming Management Council.

3.11 The Management Council may appoint one or more Advisers; the appointees must be professionals, scholars or supportive individuals who have made significant contribution and sponsorships to the Association activities. The tenure of the Adviser is the same as that of the Management Council.

#### Chapter IV: Convening Meetings and Duties

4.1 Any member of the Association conducts himself/herself in a manner that is detrimental to the interests or image of the Association or in contravention to the Association regulations, the President shall call for a Management Council meeting to review the conduct of the member in question. Should the Management Council consider the legal actions are necessary against or expel the member concerned, the motion shall be tabled at an Extraordinary General Meeting or Annual General Meeting,

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The member in question shall be summoned in writing to attend the meeting and to defend himself/herself. The General Meeting will make the final decision. If the majority of the members present at the General Meeting empower the Management Council to deal with the case, the Management Council shall proceed in accordance with the rules and regulations stipulated in the Association's Constitution. The outcome will be communicated in writing to the member in question. Be it expulsion or voluntarily withdrawal, all fees paid by the member in question shall not be refunded.

- 4.2 The Association's Meetings are to be convened as follows:
- (a) The President shall convene the Annual General Meeting by the end of December.
  - (b) The President shall convene an Extraordinary General Meeting within 30 days when:-
    - (i) the Management Council deems it necessary;
    - (ii) the Management Council receives a joint request submitted by more than thirty (30) members in writing stating the reasons.
  - (c) The President must call for at least six (6) Management Council meetings within a year. However the President may decide to convene additional Management Council meetings from time to time. Majority of the Management Council Members must be present for its proceedings to be valid.
  - (d) There is no limit to the number of meeting to be convened by the Ex-Co Committee, and the President may convene the Ex-Co Committee meeting when it is necessary. Majority of the Ex-Co Committee Members must be present for its proceedings to be valid.
- 4.3 If the Management Council does not within 30 days after the date of the receipt of the joint request proceed to convene an Extraordinary General Meeting, the members who requested for the Extraordinary General Meeting shall convene the Extraordinary General Meeting by giving ten (10) days' notice to voting members setting forth the business to be transacted and simultaneously posting the agenda on the Association's notice board.
- 4.4 The quorum for all General Meetings shall be ten (10) percent of the total voting membership. If the attendees are less than the quorum at the beginning of the General Meeting, the General Meeting shall be adjourned for half an hour and should the number then be insufficient to form a quorum, the meeting will still proceed regardless of the number of attendees. However, at such meetings, no motions or amendments to the Constitution or any resolutions shall be passed.

- 4.5 During the Annual General Meeting or Extraordinary General Meeting, the Chairman of the Meeting has the absolute power to expel a member who is disrupting the progress of the Meeting.
- 4.6 The supreme authority of the Association is vested in a General Meeting of the members, and its powers shall include the following:
- (a) Accept the reports from the Management Council or proposals by members.
  - (b) Approve financial reports.
  - (c) Elect Council members and approve the Trustees.
  - (d) Pass the amendment of the Association's Constitution.
- 4.7 The Management Council may not act contrary to the expressed wishes of the General Meeting without prior reference to it and shall always remain subordinate to the General Meetings. Its duties shall include the following:
- (a) Implement the resolutions adopted by the General Assembly.
  - (b) Plan the Association's activities schedule.
  - (c) Promote the cultural and educational activities.
  - (d) Fix the remuneration of the staff.
  - (e) Draw up a budget for all income and expenses.
  - (f) Establish various subsidiary bodies.
- 4.8 The duties for the Ex-Co Committee shall include the following:-
- (a) Plan and schedule the operations of the Association.
  - (b) Supervise the Directors of the various departments in carrying out their respective duties.
  - (c) Deal with unexpected incidences.
- 4.9 The duties of the President shall include the following:
- (a) Represent the Association to deal with all external affairs.
  - (b) Implement the resolutions passed by the Ex-Co Committee.
  - (c) Supervise various departments to ensure the completion of the assigned tasks promptly.
  - (d) Convene and chair the meetings, and take on the role of the Principal Ritual Descendant at the Spring and Autumn Rituals.
  - (e) Act as the principal custodian of the Association's title deeds and seals of the Association. Title deeds must be kept in the safe-box.
  - (f) Sign off all correspondences, documents, receipts and vouchers of the Association.
  - (g) Approve any single expenses not exceeded \$2,000.
  - (h) In the absence of the President, the Deputy President shall carry out the functions of the President.
- 4.10 The duties of the Deputy President shall include:

- (a) Assist the President in carrying out the Association operations, revitalize and innovate the Association to meet the needs of the times.
  - (b) Vet Minutes of Meeting recorded by the Executive Secretary and forward them to the President and the Secretary General for their perusal and initial.
  - (c) In the absence of the Deputy President, the President shall appoint one of the Vice Presidents to carry out the functions
- 4.11 The duties of the Vice President are as follows:
- (a) Execute special assignments as delegated by the President.
  - (b) Plan activities and events appropriate for senior members.
  - (c) Supervise the activities to be organized by the subsidiary bodies of the Association.
- 4.12 The duties of the Immediate Past President are as follows:
- (a) Serve in the Management Council as an ex-officio member.
  - (b) Serve as the Chairman of the Election Committee and chair the Election Meeting.
- 4.13 The duties of the Secretary General are as follows:
- (a) Verify payment vouchers of all general expenditures of the Association.
  - (b) Supervise the Executive Secretary.
  - (c) Interpret the provisions of the Constitution.
  - (d) Handle all matters that do not fall under the responsibility of any department.
  - (e) In the absence of the Secretary General, the Deputy Secretary General shall carry out the functions.
- 4.14 The duties of the Treasurer are as follows:
- (a) Prepare the Annual Budget of the Association.
  - (b) Manage the accounts of the Association.
  - (c) Collate and prepare the monthly income and expenditure reports.
  - (d) In the absence of the Treasurer, the Deputy Treasurer shall carry out the functions.
- 4.15 The duties of the Director of Estates Department are as follows:
- (a) Manage all leasing matters of the Association, and prepare terms and conditions of Tenancy Agreements to be signed by the President and tenants.
  - (b) Monitor the monthly rental payments.
  - (c) Manage the maintenance of properties and related items.
  - (d) In the absence of the Director of Estates Department, the Deputy Director of Estates Department shall carry out the functions.

- 4.16 The duties of the Director of Culture and Education Department are as follows:
- (a) Formulate the detailed rules governing the awards of the Association Scholarship.
  - (b) Assess and verify the scholarship application form and documents submitted by members or their children and take charge of all educational matters.
  - (c) Organize various cultural talks and activities.
  - (d) Publish regularly the periodic publication of the Association's Newsletter "椰韵".
  - (e) The director and deputy director will serve as the Chief Editor and Deputy Editor respectively of the "椰韵" Newsletter Editorial Board; they also act as the chief and deputy Chief of the Educational & Cultural Fund Committee respectively..
  - (f) In the absence of the Director of Culture and Education Department, the Deputy Director of Culture and Education Department shall carry out the functions.
- 4.17 The duties of the Director of Information Department are as follows:
- (a) Responsible for the Association's computer system.
  - (b) Computerize the member information system and update the member's particular timely.
  - (c) Instruct and guide the Executive Secretary to update the Association's website periodically.
  - (d) In the absence of the Director of information Department, the Deputy Director of Information Department shall carry out the functions.
- 4.18 The duties of the Director of Youth Department are as follows:
- (a) Mobilize the younger members to participate in cultural events organized by the Association.
  - (b) Induct scholarship recipients into the Youth League.
  - (c) Encourage younger members and their children to learn the Hainanese dialect.
  - (d) Organize suitable overseas trip and activities for scholarship recipients, so as to broaden their world outlook and enhance the cohesiveness.
  - (e) Guide younger members and their children to seek their roots and explore the heritage.
  - (f) Chair the Youth League, a subsidiary body of the Association.
  - (g) In the absence of the Director of Youth Department, the Deputy Director of Youth Department shall carry out the functions.
- 4.19 The duties of the Director of Women Department are as follows:
- (a) Organize the Association's recreational activities, such as Karaoke sessions.

- (b) Identify common interest and organize classes for the members
  - (c) Arrange regular Hainanese cuisine appreciation sessions.
  - (d) Organize family outings and activities.
  - (e) Chair the Women League, a subsidiary body of the Association.
  - (f) In the absence of the Director of Women Department, the Deputy Director of Women Department shall carry out the functions.
- 4.20 The terms of reference of the Director of Liaison Department are as follows:
- (a) Oversee and manage the interaction between communities and societies.
  - (b) Liaise with fellow clan organizations.
  - (c) Organize Festival functions.
  - (d) Strengthen the kinship of fellow clan members within the Association.
  - (e) In the absence of the Director of Liaison Department, the Deputy Director of Liaison Department shall carry out the functions'
- 4.21 The terms of reference of the Director of Etiquette Department are as follows:
- (a) Organize all Spring and Autumn Rituals and prepare all offerings, joss sticks, candles and joss paper, as well as refreshment for all participating members.
  - (b) Attend all matters related to the joy and sorrow of the members and their immediate families.
  - (c) Act as the master of ceremonies for the Spring Ritual and Autumn Ritual and other ceremonies. .
  - (d) In the absence of the Director of Etiquettes Department, the Deputy Director of Etiquette Department shall carry out the functions.
- 4.22 The terms of reference of the Internal Audit Department are as follows:
- (a) Assist Treasurer to prepare the annual financial statements and submit to the Honorary Auditors.
  - (b) In the absence of the Director of Internal Audit Department, the Deputy Director of Internal Audit Department shall carry out the functions.
- 4.23 Any Council member who was absent for six (6) regular Council meetings during his 2 years term will automatically lose his Council Membership. With the consent of the Management Council, the President may appoint another replacement from deserving members to serve the remaining term. Any changes in the Management Council shall be notified to the Registrar of Societies within two (2) weeks of the change.
- 4.24 With the consent of the Deputy President, the Secretary General and the Treasurer, the President may employ an Executive Secretary to help out

the daily administrative work. If the Executive Secretary cannot cope with the heavy workload, the President may recruit more staff. The Executive Secretary of the Association shall be responsible for the following matters:

- (a) Execute tasks assigned by the President and the Secretary General
- (b) Record minutes of meetings.
- (c) Draft, receive and send all correspondences.
- (d) Help prepare written reports on Association operations and financial statements.
- (e) Oversee the normal daily operations of the Association
- (f) Direct general workers on making regular operational purchases and to deal with all miscellaneous matters.
- (g) Arrange the daily tasks of the house keeper.

4.25 The Secretarial Office is the general office managed by the Executive Secretary. The Secretarial Office shall not keep more than S\$2000 as petty cash and all excess money must be deposited in bank accounts under the name of the Association. All cheques must jointly bear the signatures of any two of the following persons: the President, the Deputy President, the Secretary General and the Treasurer to validate the payment.

4.26 All appointments in the Council are honorary in nature and carry no remuneration.

4.27 The quorum for convening Management Council and Ex-Co Committee meetings shall be more than half of all members of the respective meetings. No resolutions can be passed when the attendees do not meet the minimum requirement quorum. In the event that there is a tie in votes cast during the meeting, the Chairperson shall cast the deciding vote.

## **Chapter V: Obligations and Rights & Privileges**

5.1 Members are required to meet the following obligations:

- (a) Comply with all rules & regulations and resolutions passed of the Association.
- (b) Pay all fees due.
- (c) Help to promote the Association's activities.

5.2 Ordinary and Life Members will have the following rights and privileges:

- (a) The right to vote and to stand for elections.
- (b) The right to table motions and to vote on the motions.
- (c) The right to participate in the activities organized by the Association and to utilize the facilities offered by the Association.

- 5.3 Membership fees payable are as follows:
- (a) For Spring and Autumn Rituals, Ordinary Members shall pay \$5 per ritual to cover all expenses; Life Members are exempted from these fees.
  - (b) Ordinary Members shall from the date of becoming members pay annual fees of the \$12; life members are exempted.
  - (c) Members who are in arrears for more than 6 months will lose their rights and privileges. Once the arrears are paid in full, their rights & privileges will be resumed after 14 days.
  - (d) Newly joined member must make good for all membership dues upon the approval by the Management Council and will be entitled the rights only after 14 days.

#### **Chapter VI: Financing and Audit**

- 6.1 The main revenues of the Association are as follows:
- (a) Fees collected from Ordinary member and their annual membership fees.
  - (b) Income from Spring and Autumn Rituals.
  - (c) Income from estates rentals.
  - (d) Prayer donations.
- 6.2 When the Association's financial situation is healthy and sound, the surplus may be used solely to invest in real estate only. Such investment projects must be supported unanimously by all Ex-Co Committee members. The decision of the Ex-co Committee shall be final unless it is reversed by the Management Council or the General Meeting of members.
- 6.3 The Management Council may channel donations from members of the Tan Clan and general public to finance and promote educational efforts and cultural activities. The Management Council may also set up rewarding criteria to recognize deserving donors.
- 6.4 The income and property of the Association whensoever derived shall be applied towards the promotion of the objects of the Association as set forth in this Constitution and no portion thereof shall be paid or transferred directly or indirectly by way of dividend or bonus or otherwise howsoever by way of profit to the persons who at any time are or have been members of the Association or to any of them or to any person claiming through any of them.
- 6.5 Two (2) voting members, not being members of the Management Council, shall be elected as Honorary Auditors at alternate Annual General Meeting and will hold office for a term of two years only and shall not be re-elected

for a consecutive term. The accounts of the Association shall be audited by a firm of Certified Public Accountants if the gross income or expenditure of the Association exceeds \$500,000 in that financial year, in accordance with Section 4 of the Societies Regulations.

6.6 The financial year of the Association is from 1<sup>st</sup> October to 30<sup>th</sup> September.

#### **Chapter VII: Trusteeship**

- 7.1 The members of the Association are the appointing party and sole principal beneficiary of the assets of the Association.
- 7.2 The Trustees of the Association's assets must be reputable members of the Association. They shall possess upright character and are financially sound. There must be at least two (2) and not more than five (5) Trustees. Trustees must be recommended by the Management Council and endorsed by the General Meeting of members. All Trustees are to be registered with the relevant government authorities
- 7.3 The Trustees must abide by the deeds of the Association. They shall follow the Association's desire to manage the Association's assets and concern solely for the interests of the beneficiary. They shall not seek any personal gains or self interests.
- 7.4 The Trustees shall receive no remuneration from the Association and bear no liabilities from the loss of the assets.
- 7.5 In the event on the death of a Trustee, or who becomes mentally unsound, or bed-ridden for more than six (6) months; absents from Singapore for more than a year, over 80 years of age, convicted in court, declared a bankrupt, hinders and delays legal proceedings from completing trustee transfers, or resigns on his own accord, the President shall propose to the Management Council to convene an Extraordinary General Meeting, or at the Annual General Meeting to table a motion to appoint a replacement. The legal proceedings should start within one month from the meeting. The result of such General Meeting shall then be notified to the Registrar of Societies.
- 7.6 The address of each immovable property, name of each trustee and any subsequent change must be notified to the Registrar of Societies.

#### **Chapter VIII: Self-governance and Incentives**

- 8.1 In the event of disputes among members regarding Association matters, the President shall mediate to settle the matter amicably; if mediation fails, it will hand over to the Ex-Co Committee for the decision. If the Ex-co fails to resolve the matter, they shall attempt to resolve the matter at an Extraordinary General Meeting in accordance with this Constitution. Should the members fail to resolve the matter, they may bring the matter to a court of law for settlement.

#### **Amendment**

- 8.2 After amendment, the Constitution Rule 8.2 shall be: The Association will set up an Educational and Cultural Activities Fund. This is to encourage members themselves and their direct children to study diligently, expand their horizons and broaden their outlooks. To this end, the Educational and Cultural Activities Fund Committee is set up to formulate the governing rules and regulations for such fund.
- 8.3 The congratulatory message in the newspapers to honor Members who are bestowed with national honor or awards shall not be more than \$2000/-.

#### **Chapter IX: Prohibitions**

- 9.1 The promotion and conduct of a private lottery in the Association premises is not allowed unless it has been permitted under the private lotteries Act Cap.250.
- 9.2 The introduction of materials for drugs taking into the premises is prohibited. Persons of questionable characters are strictly denied access to the Association's premises.
- 9.3 The Association shall not indulge in any political activity or allow its funds and/or premises to be used for political purposes.
- 9.4 The funds of the Association shall not be used to pay the fines of members who have been convicted in court of law.
- 9.5 The Association shall not engage in any trade union activity as defined in any written law relating to trade unions for the time being in force in Singapore.
- 9.6 The Association shall not hold any lottery, whether confined to its members or not, in the name of the Association or its office-bearers, Management Council or members unless with the prior approval of the relevant authorities.

- 9.7 The Association shall not raise funds from the public for whatever purposes without the prior approval in writing of the Assistant Director Operations, Licensing Division, Singapore Police Force and other relevant authorities.

#### **Chapter X: Constitution & Interpretation**

- 10.1 The Management Council is empowered to exercise their own discretion to deliberate and decide on any issues in respect of which there is no applicable expressed provision within the Constitution. The decision of the Management Council shall be final unless it is reversed at a General Meeting of members. All approved motions, resolutions or past adopted practices should be categorized, compiled & documented as an Annex to the Constitution to serve as reference for deciding on future difficult cases or issues.
- 10.2 To keep pace with social changes while adapting to the surrounding & environment demand, out-dated, irrelevant, vague or ambiguous provisions stipulated in the Constitution must be amended accordingly and submit to the Annual General Meetings or Extraordinary General Meetings for approval. The Association shall not amend its Constitution without the prior approval in writing of the Registrar of Societies. No alteration or addition/deletion to this Constitution shall be passed except at a general meeting and with the consent of two-thirds (2/3) of the voting members present at the General Meeting.
- 10.3 The Association shall not be dissolved except with the consent of not less than 90% of the total voting membership expressed at a General Meeting convened for the purpose.
- 10.4 In the event that the Association is dissolved provided for above, all debts and liabilities shall fully discharged and the remaining net balance shall be donated to schools and charitable organizations approved by the General Meeting of members.
- 10.5 A Certificate of Dissolution of the Association shall be given to the Registrar of Societies within 7 days of the dissolution.