

香港商船高級船員協會 Merchant Navy Officers' Guild - Hong Kong

Date : 4th April 2023

Proposal for the Amendment of Guild Rules

All Ordinary Members of the Guild are welcome to comment on the following proposal before 4th May 2023.

Original version	Office	2	The registered office and the postal address of the Guild shall be at Room 1401-2, 14th Floor, Alliance Building, 130-136 Connaught Road Central, Hong Kong or any other place as may be decided upon by the Executive Council.
Amended version	Office	2	The registered office and the postal address of the Guild shall be at Room 1401-2 <u>2004-6</u> , 14 <u>20</u> th Floor, Alliance Building, 130-136 Connaught Road Central, Hong Kong or any other place as may be decided upon by the Executive Council.
Original version	Membership	4 (d) (i)	officers shall be Masters, Navigating and Engineering and Radio and Electronic officers who are in possession of a valid seagoing or river trade licence or certificate certifying their competence as such issued by the appropriate authorities in Hong Kong, the United Kingdom, the British Commonwealth and other marine Nations; and
Amended version	Membership	4 (d) (i)	officers shall be Masters, Navigating and Engineering and Radio and Electronic officers who are in possession of a valid seagoing or river trade licence or certificate certifying their competence as such issued by the appropriate <u>competent</u> authorities in or outside Hong Kong, that the United Kingdom, the British Commonwealth and other marine Nations <u>Executive Council considers acceptable at its absolute discretion</u> ; and
Original version	Membership	4(e) (i)	An applicant for either Ordinary or Associate Membership or his representative shall fill in and sign the form of enrolment for admission as prescribed by the Executive Council and pay the Entrance Fee and Subscriptions for the time being in force in accordance with Rule 12(a) below.

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Amended version	Membership	4(e) (i)	An applicant for either Ordinary or Associate Membership, or his <u>such applicant's</u> representative, shall fill in and sign the form of enrolment for admission as prescribed by the Executive Council and pay the Entrance Fee and Subscriptions for the time being in force in accordance with Rule 12(a) below.
Original version	Membership	4(h) (ii)	Any Ordinary Member who ceases to meet the requirements of both Ordinary and Associate Memberships as set out in Rules 4(a) and (b) above respectively for whatever reason, including a change in the Rules, shall cease to be a Member altogether automatically forthwith unless he has been elected as a Life Member pursuant to Rule 4(g) above.
Amended version	Membership	4(h) (ii)	Any Ordinary Member who ceases to meet the requirements of both Ordinary and Associate Memberships as set out in Rules 4(a) and (b) above respectively for whatever reason, including a change in the Rules, shall cease to be a Member altogether automatically forthwith unless he <u>such Ordinary Member</u> has been elected as a Life Member pursuant to Rule 4(g) above.
Original version	Membership	4(i) (ii)	Any Associate Member who ceases to meet the requirements of such as set out in Rule 4(b) above for whatever reason, including change in the Rules, shall cease to be a Member automatically forthwith unless he has been elected as a Life Member pursuant to Rule 4(g) above.
Amended version	Membership	4(i) (ii)	Any Associate Member who ceases to meet the requirements of such as set out in Rule 4(b) above for whatever reason, including change in the Rules, shall cease to be a Member automatically forthwith unless he <u>such Associate Member</u> has been elected as a Life Member pursuant to Rule 4(g) above.
Original version	Membership	4(j)	An unemployed Ordinary Member who has found temporary work other than as a merchant marine officer may be permitted by the Executive Council to retain his Ordinary Membership up to a maximum of one year after obtaining such temporary employment.
Amended version	Membership	4(j)	An unemployed Ordinary Member who has found temporary work other than as a merchant marine officer

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may be permitted by the Executive Council to retain ~~his~~the Ordinary Membership of such Ordinary Member up to a maximum of one year after obtaining such temporary employment.

Original version	Membership	4(k)	If any Member shall be convicted of or imprisoned for an indictable offence, he shall, ipso facto, cease to be a Member of the Guild forthwith, but the Executive Council shall have the power at its discretion to reinstate him with or without Entrance Fee.
Amended version	Membership	4(k)	If any <u>Any</u> Member shall be <u>who is</u> convicted of or imprisoned for an indictable offence, he shall, ipso facto, cease to be a Member of the Guild forthwith, but the Executive Council shall have the power at its discretion to reinstate him <u>such Member</u> with or without Entrance Fee.
Original version	Membership	4(l)	Any Ordinary or Associate Member whose Subscriptions fall seven months in arrears, whether having received notification of the fact or not, shall automatically forfeit his membership and lose all rights, interest and claims as a Member. The forfeiture of membership shall be reported to the Executive Council at its next meeting.
Amended version	Membership	4(l)	Any Ordinary or Associate Member whose Subscriptions fall seven months in arrears, whether having received notification of the fact or not, shall automatically forfeit his <u>the</u> membership and lose all rights, interest and claims as a Member. The forfeiture of membership shall be reported to the Executive Council at its next meeting.
Deleted	Obligations of Membership	5(c)	Before entering into any contract or arrangement for service, Ordinary Members and Associate Members should ascertain the standard wages and conditions currently applicable as approved by the Guild and without reference to the Guild they shall not sail or enter into any contract or arrangement to sail for less wages or less favourable conditions, and furthermore, every Member shall immediately report to the Administrator in writing, where it has come to his knowledge or he has good reason to believe, that any Member is contravening or attempting to contravene the provisions of this Rule 5(c) or where any company or employer is attempting to

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			induce any Member to contravene the provisions of this Rule 5(c).
Deleted	Obligations of Membership	5(d)	Where any Member to whom Rule 5(c) above applies has contravened or attempted to contravene or has been a party knowingly to any contravention either in the letter or spirit of such Rule, such defaulting Member shall be deemed to have acted against the interest of the Guild and may be suspended or expelled under Rule 6 below. Furthermore, the Guild reserves the right to withhold any service, assistance or advice legal or otherwise to such defaulting Member in the event of him experiencing any difficulty or trouble whatsoever.
Original version	Suspension and Expulsion of Members	6(a) (v)	behaved in such a manner as to make his further membership detrimental to the interest of the Guild and/or its Members;
Amended version	Suspension and Expulsion of Members	6(a) (v)	behaved in such a manner as to make his <u>such Member's</u> further membership detrimental to the interest of the Guild and/or its Members;
Original version	Suspension and Expulsion of Members	6(b) (i)	the Member concerned during his suspension shall have no right to use nor enjoy the privileges and amenities of the Guild and shall not be able to exercise his right to vote in case of a Paid Up Ordinary Member;
Amended version	Suspension and Expulsion of Members	6(b) (i)	the Member concerned, during his <u>such Member's</u> suspension, shall have no right to use nor enjoy the privileges and amenities of the Guild and shall not be able to exercise his <u>any</u> right to vote in case of a Paid Up Ordinary Member;
Original version	Suspension and Expulsion of Members	6(b) (ii)	in the event that the suspended Member is a member of the Executive Council, he shall automatically be suspended from his rights and duties as an Executive Council member;
Amended version	Suspension and Expulsion of Members	6(b) (ii)	in the event that the suspended Member is a member of the Executive Council, he <u>such Member</u> shall automatically be suspended from his <u>any</u> rights and duties as an Executive Council member;
Original version	Suspension and Expulsion of Members	6(b) (iii)	the Member concerned may within 30 days from his receipt of the notification pursuant to Rule 6(d) below appeal against such suspension by giving notice in writing to the Administrator, who shall place such appeal before the next Executive Council meeting and

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			such Member shall remain suspended pending such appeal; and
Amended version	Suspension and Expulsion of Members	6(b) (iii)	the Member concerned may within 30 days from his <u>the</u> receipt of the notification pursuant to Rule 6(d) below appeal against such suspension by giving notice in writing to the Administrator, who shall place such appeal before the next Executive Council meeting and such Member shall remain suspended pending such appeal; and
Original version	Suspension and Expulsion of Members	6(c) (i)	the Member concerned may within 30 days from his receipt of notification pursuant to Rule 6(d) below appeal against such expulsion by requesting the Administrator in writing to place the matter before the next General Meeting to decide whether the appeal should be upheld or rejected; and
Amended version	Suspension and Expulsion of Members	6(c) (i)	the Member concerned may within 30 days from his <u>the</u> receipt of notification pursuant to Rule 6(d) below appeal against such expulsion by requesting the Administrator in writing to place the matter before the next General Meeting to decide whether the appeal should be upheld or rejected; and
Original version	Suspension and Expulsion of Members	6(c) (ii)	a Member expelled shall cease to be a Member of the Guild forthwith but may resume his membership if an appeal made under Rule 6(c)(i) above is upheld.
Amended version	Suspension and Expulsion of Members	6(c) (ii)	a Member expelled shall cease to be a Member of the Guild forthwith but may resume his <u>the</u> membership if an appeal made under Rule 6(c)(i) above is upheld.
Original version	Suspension and Expulsion of Members	6(d)	Should any Member of the Guild be suspended or expelled as set out above, a notification setting out the reason for such action and the right to appeal shall be sent to him.
Amended version	Suspension and Expulsion of Members	6(d)	Should any Member of the Guild be suspended or expelled as set out above, a notification setting out the reason for such action and the right to appeal shall be sent to him <u>such Member</u> .
Original version	Ultimata	7(b)	In the event of the negotiations for settlement being broken off or if no settlement is reached within a reasonable time, the Executive Council shall cause a statement of the matter at issue together with its views thereon to be sent to each Paid Up Ordinary Member

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			and request his view on the presentation of an ultimatum.
Amended version	Ultimata	7(b)	In the event of the negotiations for settlement being broken off or if no settlement is reached within a reasonable time, the Executive Council shall cause a statement of the matter at issue together with its views thereon to be sent to each <u>all</u> Paid Up Ordinary Member <u>Members</u> and request his view <u>their views</u> on the presentation of an ultimatum.
Original version	Members of the Executive Council	9(d)	The newly elected members of the Executive Council shall within one month after the date of the Annual General Meeting in which they were elected hold the first Executive Council meeting when they shall by secret ballot, elect among themselves the President, the First Vice-President, the Second Vice-President, the General Secretary and the Treasurer; provided that no member of the Executive Council shall be elected as an Guild Officer without his consent.
Amended version	Members of the Executive Council	9(d)	The newly elected members of the Executive Council shall within one month after the date of the Annual General Meeting in which they were elected hold the first Executive Council meeting when they shall by secret ballot, elect among themselves the President, the First Vice-President, the Second Vice-President, the General Secretary and the Treasurer; provided that no member of the Executive Council shall be elected as an Guild Officer without his <u>such member's</u> consent.
Original version	Members of the Executive Council	9(f) (i)	Should the office of President be vacated for any reason during his term of office, the First Vice-President shall become President for the unexpired period of the term of such President
Amended version	Members of the Executive Council	9(f) (i)	Should the office of President be vacated for any reason during his <u>the</u> term of office, the First Vice-President shall become President for the unexpired period of the term of such President
Original version	Members of the Executive Council	9(f)(ii)	In the event that the office of First Vice-President becomes vacant for whatever reason during his term of office, then the office may be filled by the Second Vice-President until the end of the

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			current term of office of the original First Vice-President.
Amended version	Members of the Executive Council	9(f)(ii)	In the event that the office of First Vice-President becomes vacant for whatever reason during his <u>the</u> term of office, then the office may be filled by the Second Vice-President until the end of the current term of office of the original First Vice-President.
Original version	Members of the Executive Council	9(g)	If the office of Second Vice-President, General Secretary or Treasurer become vacant for whatever reason during his term of office, then the Executive Council shall elect one of its members by secret ballot to fill the vacancy until the end of the current term of office of the original Second Vice-President, General Secretary or Treasurer.
Amended version	Members of the Executive Council	9(g)	If the office of Second Vice-President, General Secretary or Treasurer become vacant for whatever reason during his <u>the</u> term of office, then the Executive Council shall elect one of its members by secret ballot to fill the vacancy until the end of the current term of office of the original Second Vice-President, General Secretary or Treasurer.
Original version	Members of the Executive Council	9(h) (i)	Not less than one month's notice of retirement from the Executive Council shall be given to the General Secretary in writing by any Executive Council member other than the General Secretary who shall give his written notice of retirement to the President.
Amended version	Members of the Executive Council	9(h) (i)	Not less than one month's notice of retirement from the Executive Council shall be given to the General Secretary in writing by any Executive Council member other than the General Secretary who shall give his <u>whose</u> written notice of retirement <u>shall be given</u> to the President.
Original version	Members of the Executive Council	9(h) (ii)	A Guild Officer may resign from his office without resigning as a member of the Executive Council.
Amended version	Members of the Executive Council	9(h) (ii)	A Guild Officer may resign from his office without resigning as a member of the Executive Council.
Original version	Members of the Executive Council	9(i)	An Executive Council member shall cease to be a member of the Executive Council :- (i) (i) if he resigns from his office in accordance with Rule 9(h)(i) above; or

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			<p>(ii) if he ceases to be an Ordinary Member for whatever reason; or</p> <p>(iii) if he has been adjudged a bankrupt, or make any arrangement or composition with his creditors; or</p> <p>(iv) if he is removed in accordance with Rule 9(l) below.</p>
Amended version	Members of the Executive Council	9(i)	<p>An Executive Council member shall cease to be a member of the Executive Council <u>in the event that such member:-</u></p> <p>(i) if he resigns from his office in accordance with Rule 9(h)(i) above; or</p> <p>(ii) if he ceases to be an Ordinary Member for whatever reason; or</p> <p>(iii) if he has been adjudged a bankrupt, or make any arrangement or composition with his<u>any</u> creditors <u>of such member</u>; or</p> <p>(iv) if he is removed in accordance with Rule 9(l) below.</p>
Original version	Members of the Executive Council	9(j)	<p>In the event of the General Secretary being temporarily absent from Hong Kong the Executive Council may appoint an Executive Council member by secret ballot to act in the General Secretary's place and stead during his absence.</p>
Amended version	Members of the Executive Council	9(j)	<p>In the event of the General Secretary being temporarily absent from Hong Kong the Executive Council may appoint an Executive Council member by secret ballot to act in the General Secretary's place and stead during his<u>the General Secretary's</u> absence.</p>
Original version	Members of the Executive Council	9(l)(i)	<p>In the event that any Executive Council member or Guild Officer elected pursuant to the Rules fails to carry out the duties of his office or fails to attend meetings of the Executive Council without permission from the Executive Council for a period of 6 months, the Executive Council may by secret ballot resolve to remove such Executive Council member or Guild Officer from his office provided that in the case of a Guild Officer, the Executive Council can elect to remove such person as a Guild Officer without removing such person as an Executive Council member.</p>

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Amended version	Members of the Executive Council	9(l)(i)	In the event that any Executive Council member or Guild Officer elected pursuant to the Rules fails to carry out the <u>any</u> duties of his <u>the</u> office or fails to attend meetings of the Executive Council without permission from the Executive Council for a period of 6 months, the Executive Council may by secret ballot resolve to remove such Executive Council member or Guild Officer from his office provided that in the case of a Guild Officer, the Executive Council can elect to remove such person as a Guild Officer without removing such person as an Executive Council member.
Original version	Members of the Executive Council	9(l) (iii)	Any person who has been removed as an Executive Council member may within 30 days from his removal appeal against such removal by requesting the Administrator in writing to place the matter before the next General Meeting to decide whether the appeal should be upheld or rejected.
Amended version	Members of the Executive Council	9(l) (iii)	Any person who has been removed as an Executive Council member may within 30 days from his <u>the</u> removal appeal against such removal by requesting the Administrator in writing to place the matter before the next General Meeting to decide whether the appeal should be upheld or rejected.
Original version	Duties of Guild Officers	10 (a) (i)	The President shall, in so far as his professional duties permit, take the chair at all meetings of Members or Executive Council, preserve order thereat and see that the Rules are at all times observed.
Amended version	Duties of Guild Officers	10 (a) (i)	The President shall, in so far as his <u>the President's</u> professional duties permit, take the chair at all meetings of Members or Executive Council, preserve order thereat and see that the Rules are at all times observed.
Original version	Administration of the Guild	11(b)	The Administrator who shall not be a member of the Executive Council and not required to be a Member shall report to and be directed by the General Secretary. Without prejudice to the overall responsibilities of the Administrator, he shall be responsible for carrying out the following matters under the supervision of the General Secretary in relation to (i) to (vi) below and the Treasurer in relation to (vii) to (x) below as appropriate:-

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Amended version	Administration of the Guild	11(b)	The Administrator, who shall not be a member of the Executive Council and <u>shall not be</u> required to be a Member, shall report to and be directed by the General Secretary. Without prejudice to the overall responsibilities of the Administrator, he <u>the Administrator</u> shall be responsible for carrying out the following matters under the supervision of the General Secretary in relation to (i) to (vi) below and the Treasurer in relation to (vii) to (x) below as appropriate:-
Original version	Administration of the Guild	11(d)	In the event that the Administrator is temporarily absent or on leave or for any other reason unable to carry out his duties, the Executive Council shall appoint another staff or Executive Council member to act in his stead for the time being.
Amended version	Administration of the Guild	11(d)	In the event that the Administrator is temporarily absent or on leave or for any other reason unable to carry out his <u>the Administrator's</u> duties, the Executive Council shall appoint another staff or Executive Council member to act in his <u>the Administrator's</u> stead for the time being.
Original version	Fees	12(a)	Each Ordinary Member and Associate Member shall pay the Entrance Fee with the completed enrolment form together with 12 months' Subscriptions. If for any reason an application is rejected, he shall be notified and the Entrance Fee and Subscriptions paid on application be returned to him. No Entrance Fee shall be payable on the conversion of membership in accordance with Rules 4(h) and (i) above.
Amended version	Fees	12(a)	Each Ordinary Member and Associate Member shall pay the Entrance Fee with the completed enrolment form together with 12 months' Subscriptions. If for any reason an application is rejected, he <u>the applicant concerned</u> shall be notified and the Entrance Fee and Subscriptions paid <u>by the applicant</u> on application <u>shall</u> be returned to him <u>such applicant</u> . No Entrance Fee shall be payable on the conversion of membership in accordance with Rules 4(h) and (i) above.
Original version	Fees	12(d)	An Ordinary or Associate Member unemployed for six full calendar months after the month in which he ceases to be employed may at the discretion of the Executive Council have his subscriptions reduced by one half

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during the period of continued unemployment provided that such Ordinary or Associate Member shall have applied to the Administrator in writing for such reduction. This privilege shall continue up to twelve months from the date granted, on the expiration of which should such Member still be unemployed his membership may be examined at a meeting of the Executive Council for a decision as to whether the privilege shall be further continued.

Amended version	Fees	12(d)	An Ordinary or Associate Member unemployed for six full calendar months after the month in which he <u>such Member</u> ceases to be employed may at the discretion of the Executive Council have his <u>the</u> subscriptions <u>of such Member</u> reduced by one half during the period of continued unemployment provided that such Ordinary or Associate Member shall have applied to the Administrator in writing for such reduction. This privilege shall continue up to twelve months from the date granted, on the expiration of which should such Member still be unemployed his <u>the</u> membership <u>of such Member</u> may be examined at a meeting of the Executive Council for a decision as to whether the privilege shall be further continued.
Original version	Fees	12(e) (i)	Cessation of membership from whatsoever cause shall not entitle a person to reimbursement from Guild funds or refund of any part of his Entrance Fee or Subscriptions paid and shall be without prejudice to any claim the Guild may have against him in relation to outstanding Entrance Fee or Subscriptions.
Amended version	Fees	12(e) (i)	Cessation of membership from whatsoever cause shall not entitle a person to reimbursement from Guild funds or refund of any part of his <u>the</u> Entrance Fee or Subscriptions paid <u>by such person</u> and shall be without prejudice to any claim the Guild may have against him <u>such person</u> in relation to outstanding Entrance Fee or Subscriptions.
Original version	Fees	12(e) (ii)	An Ordinary or Associate Member whose membership is suspended shall still be required to keep up with his payment of Subscriptions for the period of suspension.

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Amended version	Fees	12(e) (ii)	An Ordinary or Associate Member whose membership is suspended shall still be required to keep up with his <u>the</u> payment of <u>such Member's</u> Subscriptions for the period of suspension.
Original version	Resignation of Members	13(a)	No Member shall cease to be a Member unless he has been expelled under Rule 6 above or any other Rules dealing with expulsion or cessation of membership, until he has given one clear month's notice in writing to the Administrator of his intention to resign. On the expiration of such notice and upon payment of all outstanding Entrance Fee and Subscriptions, if any, he shall cease to be a Member of the Guild and shall have no interest in and no claim upon the property and/or funds of the Guild.
Amended version	Resignation of Members	13(a)	No Member shall cease to be a Member, unless he <u>such Member</u> has been expelled under Rule 6 above or any other Rules dealing with expulsion or cessation of membership, until he <u>such Member</u> has given one clear month's notice in writing to the Administrator of his <u>such Member's</u> intention to resign. On the expiration of such notice and upon payment of all outstanding Entrance Fee and Subscriptions, if any, he <u>such person</u> shall cease to be a Member of the Guild and shall have no interest in and no claim upon the property and/or funds of the Guild.
Original version	Resignation of Members	13 (c)	An application to rejoin the Guild from a former Member who had resigned shall be submitted at the following meeting of the Executive Council together with a report from the Administrator stating the time and reason for his resignation and nature of his previous membership. The case will then be given close consideration after which the applicant may be re-elected to membership on a vote of not less than two thirds of members of the Executive Council present at the meeting.
Amended version	Resignation of Members	13 (c)	An application to rejoin the Guild from a former Member who had resigned shall be submitted at the following meeting of the Executive Council together with a report from the Administrator stating the time and reason for his <u>such former Member's</u> resignation and nature of his <u>such former Member's</u> previous membership. The

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case will then be given close consideration after which the applicant may be re-elected to membership on a vote of not less than two thirds of members of the Executive Council present at the meeting.

Original version	Funds	15(b)(iii)	the prosecution or defence of any legal proceeding to which the Guild or any Member is a party when such prosecution or defence is undertaken for the purpose of securing or protecting any rights of the Guild as such or any rights arising out of the relations of any Member with his employer;
Amended version	Funds	15(b)(iii)	the prosecution or defence of any legal proceeding to which the Guild or any Member is a party when such prosecution or defence is undertaken for the purpose of securing or protecting any rights of the Guild as such or any rights arising out of the relations of any Member with his <u>such Member's</u> employer;
Original version	Voting	18(c)	A Paid Up Ordinary Member shall be entitled to appoint another Paid Up Ordinary Member to be his proxy to attend and to vote on a poll at all general meetings provided that a proxy shall not be allowed to speak in such General Meeting or to vote on a show of hands.
Amended version	Voting	18(c)	A Paid Up Ordinary Member shall be entitled to appoint another Paid Up Ordinary Member to be his <u>as</u> proxy to attend and to vote on a poll at all general meetings provided that a proxy shall not be allowed to speak in such General Meeting or to vote on a show of hands.
Original version	Voting	18(d)(iii)	Except in relation to matters set out in Rule 18(b) above which must be decided by secret ballot, a Paid Up Ordinary Member appointing a proxy may state on the proxy form the manner in which the proxy should exercise his vote.
Amended version	Voting	18(d)(iii)	Except in relation to matters set out in Rule 18(b) above which must be decided by secret ballot, a Paid Up Ordinary Member appointing a proxy may state on the proxy form the manner in which the proxy should exercise his vote.
Original version	Voting	18(d)(iv)	In the absence of any clear indications on the proxy form as to the exercise of voting right by the proxy, the

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			proxy shall be deemed to have been authorised to vote according to his own discretion.
Amended version	Voting	18(d) (iv)	In the absence of any clear indications on the proxy form as to the exercise of voting right by the proxy, the proxy shall be deemed to have been authorised to vote according to his <u>the proxy's</u> own discretion.
Original version	Voting	18(d) (v)	A Paid Up Ordinary Member appointing a proxy to vote in relation to matters which must be decided by secret ballot is deemed by the Guild to have authorised his proxy to vote at his own discretion and any default on the part of a proxy in following such Paid Up Ordinary Member's instructions in relation to voting by secret ballot shall not invalid any vote by the proxy.
Amended version	Voting	18(d) (v)	A Paid Up Ordinary Member appointing a proxy to vote in relation to matters which must be decided by secret ballot is deemed by the Guild to have authorised his <u>the</u> proxy to vote at his <u>the proxy's</u> own discretion and any default on the part of a proxy in following such Paid Up Ordinary Member's instructions in relation to voting by secret ballot shall not invalid any vote by the proxy.
Original version	Indemnity and Compensation	22(a)	Subject always to the provisions of the Trade Unions Ordinance, every member of the Executive Council of the Guild shall be indemnified by the Guild against all costs, claims, losses, damages and expenses which any such Executive Council member may incur or become liable for by reason of any contract entered into or act or thing done by such Executive Council member, or in any way in the discharge of his duties, except such as he shall incur by reason of his own wilful neglect or default, nor shall he be answerable for the acts, neglect or defaults of any other Executive Council member or for joining in any receipt for the sake of conformity nor for the solvency nor honesty of any bankers or other persons with whom any moneys or effects of the Guild may be lodged for safe custody or for the insufficiency or deficiency of any security upon which any moneys of the Guild may be invested or for any other loss or damage due to any such cause.
Amended version	Indemnity and Compensation	22(a)	Subject always to the provisions of the Trade Unions Ordinance, every member of the Executive Council of the

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Guild shall be indemnified by the Guild against all costs, claims, losses, damages and expenses which any such Executive Council member may incur or become liable for by reason of any contract entered into or act or thing done by such Executive Council member, or in any way in the discharge of ~~his~~any duties of such Executive Council member, except such as ~~he~~the Executive Council member shall incur by reason of ~~his own~~any wilful neglect or default of such Executive Council member, nor shall ~~he~~the Executive Council member be answerable for the acts, neglect or defaults of any other Executive Council member or for joining in any receipt for the sake of conformity nor for the solvency nor honesty of any bankers or other persons with whom any moneys or effects of the Guild may be lodged for safe custody or for the insufficiency or deficiency of any security upon which any moneys of the Guild may be invested or for any other loss or damage due to any such cause.

Original version	Indemnity and Compensation	22(b)	<p>The Guild shall compensate any Member for his loss as a result of taking paid or no-paid leave from his employment to attend to the business of the Guild upon the Guild's request and such compensation:-</p> <p>(i) in the case of paid leave shall be the amount of wages including overtime and bonus, if any, the Member would have received had he worked during such time;</p> <p>(ii) in the case of no-paid leave shall be the amount of wages deducted by the employer of the Member plus other bonus or overtime payment which the Member would be entitled to had he not taken the no pay leave.</p>
Amended version	Indemnity and Compensation	22(b)	<p>The Guild shall compensate any Member for his<u>any</u> loss <u>suffered by such Member</u> as a result of taking paid or no-paid leave from his<u>the</u> employment <u>of such Member</u> to attend to the business of the Guild upon the Guild's request and in such compensation:-</p> <p>(i) in the case of paid leave shall be the amount of wages including overtime and bonus, if any, the Member would have received had he worked during such time;</p> <p>(ii) in the case of no-paid leave shall be the amount of wages deducted by that the employer of the Member plus other bonus or overtime payment which the Member</p>

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~~would be entitled to had he not taken the no pay leave~~
Executive Council may at its absolute discretion determine to be reasonable.

Original version	Rules and their Alteration	23(a)	A copy of the Rules shall be given by the Guild to each new Member at the time of his admission. Members shall be notified of any amendments as soon as possible and be provided with the text of the amendment free of charge. Additional copies of the Rules shall be supplied to Members on payment of a sum not exceeding HK\$2.00.
Amended version	Rules and their Alteration	23(a)	A copy of the Rules shall be given by the Guild to each new Member at the time of his admission. Members shall be notified of any amendments as soon as possible and be provided with the text of the amendment free of charge. <u>Additional copies</u> of the Rules shall be supplied to Members on payment of a sum not exceeding HK\$2.00.
Original version	Legal Defence	24(a)	Every Member whose Subscriptions are fully paid up and is not in breach of any of his obligations under the Rules is entitled to make application to the Guild for financial assistance in the provision of legal advice and/or representation in the following cases :-
Amended version	Legal Defence	24(a)	Every Member whose Subscriptions are fully paid up and is not in breach of any of his <u>the</u> obligations <u>of such Member's</u> under the Rules is entitled to make application to the Guild for financial assistance in the provision of legal advice and/or representation in the following cases :-
Original version	Legal Defence	24(a) (ii)	where criminal proceedings are instituted against any Member for an offence involving a shipping casualty allegedly committed by a Member during the course of his employment as a merchant marine officer; or
Amended version	Legal Defence	24(a) (ii)	where criminal proceedings are instituted against any Member for an offence involving a shipping casualty allegedly committed by a Member during the course of his <u>such Member's</u> employment as a merchant marine officer; or
Original version	Legal Defence	24(b)	Subject to the proviso in Rule 24(a) above, where a Member is to be the subject of a Marine Court of Inquiry outside Hong Kong he may obtain the services of a local lawyer whose name should be notified to the Executive Council for approval forthwith. In the event of Member

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			requiring legal aid at ports other than Hong Kong the Executive Council shall take into account the importance of engaging a solicitor with some knowledge of ships and proper instructions.
Amended version	Legal Defence	24(b)	Subject to the proviso in Rule 24(a) above, where a Member is to be the subject of a Marine Court of Inquiry outside Hong Kong he , <u>such Member</u> may obtain the services of a local lawyer whose name should be notified to the Executive Council for approval forthwith. In the event of Member requiring legal aid at ports other than Hong Kong the Executive Council shall take into account the importance of engaging a solicitor with some knowledge of ships and proper instructions.
Original version	Legal Defence	24(e)	A Member should have immediately available a receipt for his current monthly or annual Subscriptions or evidence of paid up membership to avoid considerable trouble and complication and to speed up the application procedure for financial assistance under this Rule 24.
Amended version	Legal Defence	24(e)	A Member should have immediately available a receipt for his <u>the</u> current monthly or annual Subscriptions or evidence of paid up membership <u>of such Member</u> to avoid considerable trouble and complication and to speed up the application procedure for financial assistance under this Rule 24.
Original version	Legal Defence	24(g)	In the event of any Member contemplating legal proceedings against his employer in relation to his contract of employment or where legal proceedings have been instituted by his employer against him in relation to the same, the Executive Council where the Guild funds permit may at its absolute discretion provide for the payment of the fees of solicitors and where appropriate counsel for advice, the commencement of prosecution and/or defence of legal proceedings.
Amended version	Legal Defence	24(g)	In the event of any Member contemplating legal proceedings against his <u>the</u> employer <u>of such Member</u> in relation to his <u>such Member's</u> contract of employment or where legal proceedings have been instituted by his <u>such Member's</u> employer against him <u>such Member</u> in relation to the same, the Executive Council where the Guild funds permit may at its absolute discretion provide

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for the payment of the fees of solicitors and where appropriate counsel for advice, the commencement of prosecution and/or defence of legal proceedings.

Original version	Complaint Procedure	25(a)	Any Member who is not satisfied with the operation of the Guild or the conduct of any other Member in that person 's capacity as Member or Executive Council member or consider that any Member has breached the Rules may lodge his complaint with the President in writing.
Amended version	Complaint Procedure	25(a)	Any Member who is not satisfied with the operation of the Guild or the conduct of any other Member in that person 's capacity as Member or Executive Council member or consider that any Member has breached the Rules may lodge his ^a complaint with the President in writing.
Original version	Complaint Procedure	25(c)	If the Member who made the complaint considers that the Executive Council has no ground to come to the result of its investigation and/or discussion, he can by notice in writing to the Executive Council within 30 days from the date of the President's reply request the Executive Council to refer the complaint to the next General Meeting and the Executive Council shall be bound by such request unless the Executive Council considers that the request not to be bona fide.
Amended version	Complaint Procedure	25(c)	If the Member who made the complaint considers that the Executive Council has no ground to come to the result of its investigation and/or discussion, he ^{such} Member ^{Member} can by notice in writing to the Executive Council within 30 days from the date of the President's reply request the Executive Council to refer the complaint to the next General Meeting and the Executive Council shall be bound by such request unless the Executive Council considers that the request not to be bona fide.

