



CIWEM HK

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THE CHARTERED INSTITUTION OF
WATER AND ENVIRONMENTAL MANAGEMENT
HONG KONG

香港水務及環境
管理學會

Response to CIWEM Governance Review – Comments from Hong Kong Branch Committee

Overview

The HK Branch welcomes the Headquarters's (HQ) initiative to improve and strive for best practice governance. From the consultation documents, however, the proposed change in governance does not seem to produce apparent benefits to CIWEM members as a whole and the HK Branch in particular. For HK Branch, there will be issues on role of representatives in the Council under current HK Branch arrangement. The HK Branch is also concerned of the potential resources to implement the proposed changes, given the current constrained conditions. Details of some proposals may need further clarifications.

Governance of the Institution

CIWEM HK has a Chairman and his committee to organise various activities and manage financial matters, etc., following the advice and approval of the Council in HQ. The HK Representative in the Council is simply a representative and is practically unable to carry out the entire role of the Trustee within the Charity Framework. There is also a need to clarify the status of CIWEM HK, which is registered in HK with the Police as a non-profit-making association, while CIWEM in the UK is a Charity organisation carrying a special commitment for the benefit of the community. It appears that CIWEM HK can only follow the requirements of the Charity Commission in spirit.

From the amended bye-laws (Clause 69), the Trustee Board shall consist of a max. of 15 Trustees, who shall include the officers (Chair, Hon. Treasurer and the Presidential officers) and up to 10 other members. Hence there will not be 1 Trustee per branch or group. In Clause 71b, it states that the Trustees shall be appointed from corporate members by the Trustee Board according to "Nolan" standards in public life. The HK Branch is unclear regarding the criteria for the appointment of these 10 members. The approach and guidance under the transparent principle for appointment/election of Trustees should be clearly established.

Presumably the 15 Trustees will be appointed from the representatives of the Branches. Are there any Trustees to be appointed from the existing 3 Groups of CIWEM? In future, is there any mechanism other than changing the Royal Charter and By-laws to adjust the number of Trustees in the Board when deemed necessary?

Also, The HK Branch is concerned how the appointed Trustee members to be allocated as Lead Members for Branches and Groups (B&Gs). What would be the operating mechanisms for the appointed Lead Members to champion the B&Gs affairs if they are not part of the B&Gs? Do the Lead Members provide guidance to B&Gs only, or they will participate in the operation of the B&Gs? This should be clearly defined, especially to overseas branches where we expect to have considerable degree of autonomy.

There will be issues regarding the future communication channel between HK Branch and HQ. It does not clear that the channel should be made through the appointed Lead Member or Director of International Development.

There will be a need to look into the possible modifications of the Rules and Constitutions in HK Branch in relation to the proposed changes in the bye-laws.

Financial Planning/Budgeting

Trustees are now proposed to be empowered to review and fix the budget, fees and subscriptions each year as an essential part of business planning, but the scope of "Lead Member" responsibilities is not explicitly defined. Are there any overlapping of the roles between the Trustee and Chairman within a Branch? Who will have the final decision? Considering the unique status and remoteness of CIWEM HK, the proactive involvement of our Trustee may be difficult to exercise his/her responsibilities within the Trustee Board in UK. These issues will need to be addressed and resolved.

Others

We do not have specific views on the proposed changes on Assembly of Members, Branches and Groups, Membership and Membership Grades, and Royal Charter. CIWEM HK will need to further assess how it would be influenced by proposed change, considering (i) our own Rules and Constitutions in Hong Kong, (ii) our unique status as registered society under the Law of Hong Kong compared with other branches and groups (We wonder if Bulgaria and Balkans and Republic of Ireland also face the same situation as overseas branches), (iii) whether CIWEM HK needs to allocate substantial resources to go through the same change so as to tie in with Head Office in this exercise.

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