

OASA Member's Terms and Conditions

Removal and Disciplinary Policy

General Principles of the Membership Removal and Disciplinary Policy

OASA sets reasonable standards of conduct and behavior for all its members that are consistent with the Academy's core values. This policy provides the framework within which these values and standards can be achieved and maintained by members. This policy references and is linked to the Academy's Code of Conduct and the Article of Association.

This policy aims to regulate as well as improve members' behavior and conduct as it relates to activities within or on behalf of the Academy. At the same time, the policy also provides a framework to ensure that the Membership Committee shall exercise disciplinary actions in a just, fair, and consistent manner, and in accordance with the established standards and procedures laid down and as agreed with the members.

By becoming a member, the member agrees and accepts these terms and conditions.

This policy applies to OASA membership and all business entities affiliated to and associated with the Academy, as well as all grades of staff under different forms of employment.

Behavior leading to Removal or Disciplinary Actions

Removal and Disciplinary behaviors are classified and categorized according to the nature and severity of the violations. Sanctions are also set based on the categorization. A case with sufficient number of violations is first established by the Honorary Internal Auditor or the Honorary Compliance Officer under the written request of another member, then is brought to the attention of the Membership Committee. Unless an action has been initiated by a member or a staff, any action or discussion about a member's removal or some sort of discipline action would be premature.

If a member is not in good standing (membership fees paid in full) and not abide by the Code of Conduct during an event or activity of the Academy or found to be putting/have put the Academy's reputation at risk, the member may face disciplinary procedures, warning, removal from his post or responsibility, or removal as a member, or fines.

Suggested Actions to be Taken

Communication: The member in question should be informed of his membership status and the revised decisions and the charges so brought forth by the Membership Committee and will be given a chance to explain his position to the Committee. References should be made to standard grievance procedures that the Committee may not have developed. At this juncture, it is best to leave further development and consideration of the appellate process to the Committee to adopt, with support by the Board.

The Committee will also update the registry of membership.

Length of Exclusion: The members may be excluded for a period or indefinitely, as so determined by the Membership Committee.

Fines and Demerits: At this point in writing and given the Academy is a new entity, it has not been determined whether there should be a fine, the penalty amount and type of penalty. Any such scale should be approved by the Board, however.

Timing of Decision: In keeping with the practice of other membership-based association, if the event is being investigated or being adjudicated by a Court of Law, then the Membership Committee shall wait for that judgement, and evaluate the status of membership with that decision in mind. If it is being decided by another party such as our hosts or where such infraction has been done, the Membership Committee shall also wait for such judgment before commencing a review and decision.

Refund: If annual fees have been paid in full, the member's current fees will be refunded to the nearest quarter before the present quarter. The complete annual fees may be refunded subject to the approval of the Finance Committee or when the Committee isn't meeting, by the Financial Controller. Founding members can still be removed and his lifetime fee be refunded in full.

Principles underpinning the Member's Removal and Disciplinary Policy and the Relevant Regulations

- The Disciplinary Policy and related procedures shall be readily accessible to and made aware of to all members;
- The existence of this Policy shall be made known to the members and a set of this policy is provided to all members upon joining;
- Disciplinary actions should be handled justly, promptly, and carefully. Authority of and responsibilities for carrying out disciplinary actions shall be crystal clear. That is, the Membership Committee shall delegate the action to an executive who shall send a documented decision to the party;
- The disciplinary procedures shall be fact-based and carried out justly and objectively;

- All personnel involved in the process shall abide by the principle of confidentiality and the person concerned shall not be address openly by name;
- Personnel responsible for deciding on and taking disciplinary actions should maintain impartiality;
- A Points System associated with disciplinary actions may be introduced and if it is introduced, it should be clearly defined to avoid ambiguity and the need to exercise judgment; and
- That said, any abuse of this policy will result in disciplinary actions.

Authority and Responsibilities in carrying out Disciplinary Actions

- Decisions of initiating procedures of disciplinary actions shall rest with the Membership Committee with the authority to execute disciplinary actions as delegated to it by the Board of Directors;
- If a member's misconduct is outside the scope defined in this policy, personnel in charge of the case shall consult the Board of Directors in determining the course of action;
- All members being sanctioned has the right to appeal against the disciplinary actions and this is handled independently by the Chief Compliance Officer. If an independent outside party is sought, the Academy will seek the service of eBRAM (an independent arbitration institution of the HKSAR Government) who will negotiate, mediate, or arbitrate a decision on behalf of the Membership Committee;
- The Academy has the right to suspend a member who is alleged to commit misconduct from his or her duties in order to carry out investigation.

Record Keeping and Reporting

- Disciplinary action records are considered confidential information and the Secretary of the Membership Committee is responsible for their safe-keeping;
- The Membership Committee will periodically publicize and report discipline situations on an aggregate and no-name basis.

Review

The Board of Directors or its designated officers shall review this policy annually and, if amendments are required, will share such changes to the members at large.