

蒙特雷湾区华人协会 章程

By-laws of Monterey Bay Chinese Association

蒙特雷华人协会成立于 2012 年 10 月 1 日

Monterey Bay Chinese Association was formed on October 1, 2012

1.0 名称、性质、宗旨

1.0 Name, Nature, and Mission of the Association,

1.1.1 名称：本组织中文名称为“蒙特雷湾区华人协会”，（下文称“协会”）；英文名称为“Monterey Bay Chinese Association”，英文简称为 MBACA。

1.1.1 Name: The Chinese name of the Association is called 蒙特雷湾区华人协会，协会 as its shortened name; The English name of the Association is called Monterey Bay Chinese Association, MBACA as its shortened name.

1.2.1 性质：蒙特雷湾区华人协会 在加利福尼亚州注册，为非盈利性独立组织。

1.2.1 Nature: Monterey Bay Chinese Association is registered in California as an independent, non-profit organization.

1.3.1 宗旨：(Suggestion: need to point out that the organization is also a platform for mutual help and support within the Chinese community.)

1.3.1 Mission:

- (1) 以多种方式和活动弘扬中华文化，增进所住地人民对中华文化的了解，从而促进华人与所在地居民的文化互动与相互了解及和谐生活。
- (1) Via multiple venues and activities the Association is to promote Chinese Culture, to increase local residents' understanding about Chinese Culture, and to promote mutual interaction and understanding between Chinese and local communities, together create a harmonious life and society.
- (2) 积极代表和维护华人的合法权益；为华人在美国社会中的发展创造条件；并为社区中有困难者提供慈善性服务。
- (2) Actively represents and defends the legal rights of Chinese; creates opportunities for Chinese to grow in American society; and provides philanthropic services for those Chinese in difficulties.
- (3) 促进来自中国地区、台湾地区、美国和其他地区华人之间在文化，教育，商贸和科技等方面的交流和合作。

(4) Promotes communication and cooperation in areas of culture, education, commerce, and science and technology in China region, Taiwan region and other regions in American society

(5) 传扬和表彰华人对美国社会的贡献。

(5) Award Chinese who have made significant contributions to American society.

2.0 会员资格

本会为公开非政治性组织,凡符合本会上述宗旨,并同意遵守本会规章,同时每年登记并缴纳会费者,均可成为本会会员。

2.0 Membership

The nature of the Association is non-political and open to all. Anyone who abides by her Bylaws and pays dues annually is welcome to become a member.

3.0 组织与职责

本会的组织基础为全体会员大会(以下简称大会),下设董事会,负责施政大会制定的方针和计划。董事会须对大会负责。

3.0 Organization and Obligations

The exclusive right lies within the plenary membership assembly under which is the board of directors that drafts the principles and execute plans of the assembly. The board is responsible for the plenary assembly.

4.0 董事会

4.0 Board of Directors

4.1.0 董事为本会决策机关,代表大会监督本会所属下属机构的工作。

4.1.0 Board of Directors is the decision making body of the Association, and it will, on behalf of the Association, supervise the work of subordinate organizations of the Association.

4.1.1 职责: 任免下属机构负责人、工作人员、审订及通过预算决算及各机构的计划方案。

4.1.1 Responsibilities: in charge of personnel assignment in subordinate organizations; review and finalize the Association budget as well as the administrative and budgetary plans of subordinate organizations.

4.2.0 董事会设有董事若干人,任期四年,连选得连任。(见附注)

4.2.0 Board of Directors will consist of a certain number of directors with a 4-year term. A Director could serve consecutively if so elected. (Refer to *Notes* for more details)

4.2.1 董事之职责: 参加有关事务的商讨与表决, 为协会积极捐资、集资、募捐, 以及与董事会有关的工作。

4.2.1 Responsibilities of Board Directors: Participate in the conference and voting of Association affairs; donate, collect, and raise funds for the Association; provide assistance for other work related to the Association.

4.2.2 董事如因故不能任职期满时, 得须于三十天前向董事会提出辞呈。

4.2.2 In case a Board Director cannot serve the full tenure, the Director should submit a written notification of resignation to the Board of Directors 30 days prior to the actual resignation.

4.2.3 董事人数于必要时可酌予增减, 但需现任董事半数以上通过, 方为有效。

4.2.3 The total number of Board Directors might be adjusted when necessary. However, change in the total number of Board Directors won't be considered valid without approval of over half of Board Directors.

4.2.4 董事出缺时, 得由现任候补董事依次递补。

4.2.4 In the absence of a Board Director, an alternate director will fill the vacancy.

4.2.5 候补董事: 票数少于当选董事之董事候选人, 候补资格有效四年。

4.2.5 Alternate Director: 票数少于当选董事之董事候选人, 候补资格有效四年。(I don't understand the Chinese)

4.2.6 每年的十一月十五日起, 董事会开始接受董事候选人之提名。董事会于每年一月一日以前将候选人名单以书面通知所有现任会员, 并在春节联欢会时或其他聚会时公布新的董事会成员。每四年举行一次选举。投票, 投票采不记名方式, 会员必须亲自前往投票所签名领取选票并当场投票以示公允。通信投票者, 必须亲笔写信给董事会开列所选之人名, 并亲自签名, 该信必须于投票日以前送达董事会。

4.2.6 Starting from Oct. 15 every year, the Board of Directors will begin accepting nominations. Before January 1, the Board of Directors will inform all members of the Association of all the nominations in writing. Names of new directors will be released to the Association members during the annual Spring Festival Gala or any other occasions. Board director elections will be held every four years by anonymous voting. Association members must personally go to the voting venue to sign their names to get the votes, and then cast their votes. If a member decides to vote by mail, the member should personally write to the Board of Directors to recommend his/her nomination with personal signature. This mail should reach the Board of Directors prior to the voting day.

4.3.0 董事会设正董事长一人副董事长二至三人, 由董事推选产生, 各任期四年。(见附注)

4.3.0 The Board of Directors will have one Chairman and two to three vice Chairmen. They will all be elected by the Board of Directors, each position with a 4-year tenure. (Refer to *Notes* for more details)

4.3.1 董事长职责

4.3.1 Responsibilities of the Chairman of the Board of Directors

4.3.1.1 代表董事会向大会负责。担任协会的法人代表；负责解释

4.3.1.1 Take full responsibilities of the Association on behalf of the Board of Directors; act and the legal representative of the Association.

4.3.1.2 对外代表本会, 负责一切对外活动。对外名称为协会会长。

4.3.1.2 Being responsible for all social events and activities on behalf of the Association; official social title is Chief of the Association.

4.3.1.3 负责主持召开定期或非定期的董事会议, 商讨运作方针和计划、财经预算等事项。董事会定期于每月第一个周六下午一点在商定的地址开一次会, 无会通知应于会期前两星期通知各董事。 Monthly meeting is a bit too frequent.

4.3.1.3 Responsible for initiating and hosting Board meeting on a regular or irregular basis, discuss the operational policies and plans of the association as well as budget and other matters. It is decided that Board meeting will be held at 1:00pm on the afternoon of the first Saturday each month in a agreed venue. Should a monthly meeting not be held, a notice need be sent to all directors two weeks in advance.

4.3.1.4 负责主持召开定期或临时大会, 选举、罢免、或表决等。

4.3.1.4 Responsible and in charge of presiding regular and irregular board meeting, election, recalling officials, and voting, etc.

4.3.1.5 召开临时大会: 三分之一以上会员联名要求召开大会时, 董事长必须尽快安排召开临时大会。

4.3.1.5 Irregular meetings: should a third of the board members request an irregular board meeting be held, the president has to arrange the meeting as soon as possible.

4.3.2 董事会设有会议记录, 由秘书长掌管, 于每次会议结束前, 或下次会议开始时, 向参会者宣读。如无异议, 则正式成为会议记录。董事会议记录一切公开, 任何现任会员均有权索取。

4.3.2 The secretary general is in charge of all the meeting memorandums, which are read before the meeting ends or in the beginning of the next meeting. If agreed by the board members, the memorandums will be become official and public. Members of the association all have the right to request access to any board meeting memorandum.

4.3.3 董事会决议如双方票数相等时, 该议案是否接纳应由董事长决定。

4.3.3 Should the board has equal votes on any resolution, the president has the plenary power to make the final decision.

4.4 董事、正副董事长如有违反本会宗旨行为若有三分之一会员签名同意, 会员可召集会员大会, 以三分之二大多数通过罢免之。董事、正副董事长, 如一年内有两次无故不出席董事会, 由董事会投票过半数免除其董事、正副董事长的职务。董事, 正副董事长于一年之内, 因事或因病不能参加董事会三次者, 需则自动放弃其董事, 正副董事长之职位。

4.4 Should the president, vice president have any misconduct, or injustice, or violation of the association bylaw, members of the association can motion and if seconded by signatures of a third of the members of the association to hold a member meeting to recall the president or vice president if the motion is supported by two thirds of the members. Should the president or vice president of the board have two unexcused absences for the board meeting, after investigation, the Board of Directors can decide whether to remove them from the positions with the support of over 50% of the directors.

4.5 董事会下设秘书、文娱、财务、总务、技术组负责日常行政事。

4.5 The Board of Directors governs the Secretariat, Office of Cultural Recreation, Office of Finance, Office of General Affairs, and Office of Technology to handle daily administrative matters.

4.6 董事长不在时, 其职务应由副董事长轮流代理, 如副董事长不在时, 应由秘书长 代理。如秘书长亦不在时, 应由资深董事代理。

4.6 Should the president be not available, the vice presidents will serve in turn as the acting board president. Should the vice presidents be unavailable, the Secretary General will be the acting president. Should the Secretary General be unavailable, a senior board director will be the acting president.

4.7 如董事长因故不能任职期满时, 其职务应由副董事长代理。(见附注)

4.7 Should the president be unable to serve the full term for any reason, the vice president will serve as the interim board president.

4.8 秘书组: 秘书组设秘书长一人, 由董事长指定一董事兼任。

4.8 Secretariat: The Secretariat has only one Secretary General, which is appointed by the president among the board directors.

4.8.0 秘书组的职责

4.8.0 Responsibilities of the Secretariat

4.8.1 负责记录并保管董事会议记录,及有关董事会之一切文件档案。

4.8.1 Writing and taking care of board meeting memorandums and other board documents.

4.8.2 负责录取并保管会议记录,及有关之一切文件档案。

4.8.2 Writing and taking care of other meeting memorandums and other related documents.

4.8.3 发注册及会员入会表格及其他通知。

4.8.3 Issuing and distributing membership registrations, membership applications, and other notices.

4.8.4 对外联络, 如, 文化学术交流、办学等有关协会事务。

4.8.4 Outreaching: arranging academic conferences, establishing schools, and other association-related businesses.

5.0 总务组

5.0 General Operation Division (GOD)

5.1 总务组之职责: 掌管协会的资产、会议办公用品及其他财产, 并按有董事会要求进行采购。

5.1 Responsibilities of GOD: Managing association assets, office supplies and other properties, procuring according to the Board requirements.

5.2 设干事一人, 由董事兼任, 经董事会以多数赞成通过后任免之, 任期一年, 连选得连任。

5.2 GOD has one director that will be appointed or removed by the MBCA Board with the approval of the majority of its board members. The term of service is one year and can be reelected.

5.3 总务干事之职责掌管并册列本会财产。

5.3 The responsibility of the GOD director includes managing and accounting for the properties of MBCA.

5.4 采购。

5.4 procurement.

5.5 其他有关本会之总务。

5.5 and other matters of MBCA

6.0 文娱组

6.0 Entertainment Team (ET)

6.1 设总监若干人, 正干事可由董事兼任, 经董事会以多数赞成通过任免, 任期四年, 可以连选连任, 副干事由正干事指定, 送交董事会备案。

6.1 There will be several managers in ET. A board member can serve as the primary manager that can be appointed or removed by the Board with the approval by the majority of the board members. The term of service of the primary manager is 4 years and can be reelected. The assistant managers can be appointed by the primary manager with a notice to the Board for record.

6.2 文娱干事的职责

6.2 Responsibilities of Entertainment Managers include the following.

6.2.1 主办春节晚会, 电影、聚餐、舞会等娱乐活动, 于每年三月事先提交董事会商讨通过。

6.2.1 Hosting Chinese New Year party, movie shows, dinners, dances and other entertainment activities, which will be discussed by the Board in March each year.

6.2.2 组织举办学术座谈会, 以及各种青少年活动。

6.2.2 organizing academic seminars, and various youth activities.

7.0 财务组

7.0 Accounting Team (AT)

7.1 设干事一人, 由董事兼任, 经董事会以多数赞成通过任免之, 任期四年, 连选得连任 7.1
There will be an AT manager. A board member can serve as the primary manager that can be appointed or removed by the Board with the approval by the majority of the board members. The term of service of the manager is 4 years and can be reelected.

7.2 财务干事职责

7.2 AT Manager Responsibilities

7.2.1 主管本会之财经预算, 收支平衡, 税务等有关事宜。

7.2.1 Taking care of MBCA budget, balance of income and expenses, taxation and other related matters.

7.2.2 出席董事会, 提出下一年度之财经预算案, 经通过后执行之。

7.2.2 Attending Board meetings, proposing budget for the next fiscal year and executing the financial budget after being passed by the Board.

7.2.3 详细登录财经收支帐簿, 定期送交董事会审核。

7.2.3 Keeping detailed booking of income and expenses and turning it in to the Board for review in fixed time.

7.2.4 每年春节联欢时收会员费。

7.2.4 Collecting membership fee during Annual Chinese New Year Celebration Event.

7.3 本会财政预算年度定为由每年三月一日始。

7.3 The MBCA accounting year starts on March 1st every year.

8.0 董事会与所有附设之机构之行政年度, 一律定为第四年三月第一个星期六, 新旧交接须当日内办理完成。

8.0 On 1st Saturday of March of the 4th year, Board and all affiliated institutions, will be scheduled for transfer in between the old and new officers. The transfer must be completed within the day.

8.0 如董事会由于任何不可预见的原因全体辞职时, 新董事会应由大会选举产生之。

8.0 In a case where all Board members resign at once under any unforeseen circumstance, the new board member will be selected through election by all members.

9.0 技术组

9.0 Tech Support Team

9.1 管理协会网站

9.1 Web-site Maintenances Team

9. 2 更新网页, 处理网站相关技术问题。

9.2 Updating, troubleshooting any technical website related issues.

10.0 附注

10.0 Notes

10.1 必要时,可随时召开董事会修改本章程,但须得至少三分之二董事附议,方始可召开修改章程会议。一切修改议案由董事会起草通过,送交会员。若如手两星期内无异议,则该修正案自动生效。会员如有异议,必需具有三分之一以上会员联名始可交由董事会决议。

10.1 When necessary, Board members can call for meeting for bylaw amendment under two thirds of board members agreements. The amendment will be drafted by board members and all members shall be notified. The amendment will start taking effect automatically if no opponents after two weeks. Under the circumstance where members have a different opinion, the suggestion must be brought up by over two thirds of members' signatures.

10.2 董事会每四年只改选二分之一,以维持其稳定性。增补选不在此限。副董事长于每年董事改选后,由董事间互相推选产生之。副董事长出缺时得按章程于三十日内由董事会依法选举产生之。

10.2 in order to maintain the stability of the organization. Board member election will take two parts to be done. Addendum is not limited in this case. Vice president is recommended amount board members and will take place after the president is elected. When vice president position is available, board member needed to call for election within thirty calendar days.

10.3 会员二分之一以上联名提出对本会任何决议案,行政方针或人事任免等事项有所异议时,董事会必须竞速寻求圆满解决反案。

10.3 under an circumstance where over one half of the members questioning regarding any decisions, administrative policy, or any terms, board is responsible to provide an acceptable solution.

待加入条款:

Articles to be added:

第一条: 经费

I. Revenue

1. 经费来源: 会员所缴会费和各公司、商会、企业、社团或个人的赞助以及本协会所组织各项活动收入为本协会经费的主要来源。

1. Sources of revenue: membership dues, donations from business firms, industry organizations, enterprises, social organizations, individuals and proceeds from events sponsored by the Association are the main sources of revenue.

2. 经费使用: 一切经费收入只能作为本协会活动的开支。本协会一切职务均为义务服务。

2. Funds utilization: All funds should be only used for activities and events of the Association. All work done by personnel of the Association is voluntary.

3. 消费监督：会计人员和出纳人员应严格执行财会制度，账目公开，每年向全体会员公布一次，定期向理事会汇报账目情况，会计不可由会长兼任。任免会计人员和出纳人员由会长提名，理事会通过而确定。

3. Supervision of spending: All accounting personnel and cashiers must follow the accounting policies strictly, all accounts should be transparent and be reported to all members of the Association once a year, and to the board regularly. The president of the Association cannot be the accountant at the same time. All accounting personnel and cashiers shall be nominated by the president of the Association and approved by the board.

第二条：章程条目 II. Chapters and Articles

本章程未尽事项，由本会之理事会修改或补充之，并经理事会通过后予以实施。

Anything which are not included in the Bylaws will be revised, amended, and approved by the board of director to take effect and be implemented.

第三条： 专项功能组织

III. Functional Bodies

1. 协会可以根据需要设立专业性功能组织。

1. The Association can set up functional bodies when deemed necessary.

2. 专业性功能组织是协会的直属职能机构,由理事会批准成立，在理事会监督下进行工作。

2. The functional bodies report to the Association. They need to be approved by the board, and shall operate under the supervision of the board.

3. 各专业性功能组织的宗旨应与协会宗旨一致，但根据专业性质的不同，各专业性功能组织应制定各自的工作条例，并报理事会备案。

3. Objectives of functional bodies shall be in line with those of the Association, and each such body can formulate its own rules depending on its function, and these rules shall be put in record with the Association.

4. 各专业性功能组织设首长一名，副职首长若干名。首长与副职首长均应为会员。首长由理事会根据该组织的提名任命，任期一年，可以连任。副职首长在组织内部协商或选举产生，报理事会备案。专业性功能组织负责人有责任定期向理事会汇报工作。

4. Each functional body shall have one principal leader and several associate leaders. The principal leader is to be approved by the board based on nomination of the functional body, and term of office shall be one year. The principal leader can serve for multiple terms. Associate leaders shall be generated within the functional body through discussion or election, and result shall be put in record with the Association. Leaders of the functional bodies shall report to the board on a regular basis.

5. 专业性功能组织的职能范围为:

5. The responsibilities of the functional bodies include:

- (1) 在协会的统一筹划协调下实施与该专业有关的各类活动;
- (2) 受协会委托承办或参与跨专业的或综合性的活动;
- (3) 自主举办符合协会章程的, 不与协会所属其他组织功能相冲突的活动。

(1) Coordinated by the unified planning of the Association, implementing various activities related to the professions;

(2) Commissioned by the Association to undertake or to participate in multi-disciplinary or integrated activities;

(3) Self-organized activities must be in accordance with the Constitution of the Association and may not conflict with the Association's affiliated organizational functions.

6. 专业性功能组织对外签署协议须经理事会预先批准。

6. Agreements with external professional organizations are subject to the Association's approval.

7. 专业性功能组织实行独立核算, 自负盈亏的财务原则。但对于不具备独立法人资格的专业功能组织, 协会有权力对其财务状况进行监督。专业功能组织有义务向协会汇报其财务收支状况。

7 External professional organizations must implement financial principles of independent accounting and self-financing.

For those external professional organizations that do not have independent legal status, the Association has the responsibility to supervise their financial position. These professional organizations are obligated to report their financial status to the Association.

8. 专业性功能组织的撤消，合并与改组以及专业性功能组织名称的使用和更改，由协会理事会决定。

8. The decision of revocation, merger, restructuring or the use and change of the external professional organization's name should be decided by the Association.

第四条： 会章的解释、修改及协会的有关条例

Article IV: Council Chapter interpretation, modification and other regulations of the Association.

1. 本会章的解释权在理事会。

The Council reserves the right to interpret the Association's Constitution.

2. 对本会章的任何修改或增补，须经会员大会与会会员三分之二多数通过。在会员大会休会期间，本会章的修改或增补须经会员总数半数以上会员通信投票通过，或经理事会全体理事五分之四多数通过。

Any modifications or additions to this Constitution shall be made by the members of the General Assembly by a two-thirds majority vote of attending members. During the recess of the members of the General Assembly, any modifications or additions to this Constitution shall be made by more than half of the total number of the proxy votes, or by four-fifths majority vote of total number of the Council members.

3. 理事会根据需要制订各种条例，以规范协会的运作。任何条例中与本会章有矛盾的内容均无效。

Council members are to develop a variety of regulations needed to regulate the operation of the Association. Regulations in contradiction with the contents of the Constitution are invalid.

4. 条例的修改须经理事会理事总数三分之二的多数通过。

Two-third majority vote of the total number of Council members shall be required to modify any regulations.

第五条： 协会的工作语言、会徽及解散

Article V: The working language of the Association, and the dissolution of the emblem.

1. 协会工作语言为中文和英文。任何文件的文本可以是中文，也可以是英文。同一文件拥有两种文本而内容有出入时，以中文文本为准。

The working languages of Association are Chinese and English. Any text file may be in Chinese and or English. If there is a discrepancy between the Chinese and English versions of a text file, the Chinese version shall prevail.

2. 协会的会徽为大写 A 字与 C 字之艺术变体（如右图）。



Emblem of the Association for the arts is composed of the capital letters A and C , as shown in the logo.

3. 协会一旦解散，协会的所有财产和资金应捐献给理事会确定的非盈利性的福利组织。

Once the dissolution of the Association, all property and funds shall be donated to a non-profit association or welfare organization established by the Council.

董事会成员签字：

Signatures of board members:

Hanwei Tan

Weijiang Zhang

Peiju Chang

Zhenli Qiao

Yue Meng

Lihua Yao

Chongwei Shen

Charles Fuller

Huimei Cheng

Yong Hong Cheng

Bo Zhao

Hsu Huichu

Yang Li

Qian Xiao

Aizhe Wang

March 9, 2014