

立法會
Legislative Council

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**Paper for House Committee Meeting
on 12 October 2001**

**Nomination of Members of the Legislative Council
to The English Schools Foundation**

Purpose

This paper invites the House Committee to nominate two Members to serve on The English Schools Foundation.

Background

2. Regulations made under section 10 of The English Schools Foundation Ordinance (Cap. 1117) provide, inter alia, that two members of the Foundation shall be nominated by Members of the Legislative Council (LegCo) from among their own number. The composition, powers and duties of the Foundation, as set out in Regulation 3 of The English School Foundation Ordinance, are detailed in **Appendix I**. Regulation 3.3 provides that a nominated Member shall hold office for not more than three years at a time. The Foundation meets twice a year, in June and December.

3. Hon Jasper TSANG Yuk-sing and Mr Ronald ARCULLI were elected in the first LegCo term to serve on the Foundation. Their terms of office will expire on 22 October 2001.

Nomination procedure

4. The nomination procedure of Members to The English Schools Foundation, as agreed to by Members at the House Committee meeting on 20 October 2000, is that the nomination and election of Members should be held at a House Committee meeting. A valid nomination shall be made orally by a Member, seconded by at least one other Member, and accepted by the Member being nominated. A Member who nominates a Member who is absent from the meeting when the nomination is made shall state that the absent Member's acceptance of the nomination has been secured. If there is objection to a

nomination or if the number of nominations exceeds that required for appointment, a vote will be taken by a show of hands.

Advice sought

5. Members are invited to nominate two Members to serve on The English Schools Foundation. For Members' easy reference, the names of the Members nominated to serve on other governing bodies of educational institutes and advisory bodies are in **Appendix II**.

Council Business Division 2
Legislative Council Secretariat
10 October 2001
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Extract from The English Schools Foundation Regulations

Regulation 3 **The Foundation**

3.1 Subject to the provisions of the Ordinance, the Foundation shall be the supreme governing body over the Executive Committee, the Standing Committees, the School Councils, the schools and any other committees established thereunder, and the Executive Committee, the Standing Committees, the School Councils, the schools and any other committee shall comply with any resolutions made by the Foundation.

3.2 Membership

The members of the Foundation shall be -

(a) Government and Community

- (i) two persons nominated by the Unofficial Members of the Legislative Council from among their own number;
- (ii) the Chief Secretary or his appointed representative;
- (iii) the Director of Education or his appointed representative;
- (iv) two persons nominated by the Director of Education as advisers;
- (v) three persons appointed by the Executive Committee to represent the interests of professional groups;
- (vi) three persons nominated by the Hong Kong General Chamber of Commerce;
- (vii) the Vice Chancellor of the University of Hong Kong or his appointed representative;
- (viii) the Vice Chancellor of the Chinese University of Hong Kong or his appointed representative;
- (ix) the Director of the Hong Kong Polytechnic or his appointed representative;
- (x) the Director of the City Polytechnic or his appointed representative;
- (xi) the Bishop of Victoria, Hong Kong, or his appointed representative;
- (xii) the Roman Catholic Bishop of Hong Kong or his appointed representative;
- (xiii) one person appointed by the Ministers of the Union Church, Hong Kong, the Kowloon Union Church and the English Methodist Church jointly;
- (xiv) one person nominated by the Association of European Civil Servants in Hong Kong;
- (xv) one person nominated by the Senior Non-Expatriate Officers' Association;
- (xvi) such persons, or representatives of organisations, as shall be appointed by the Foundation to be permanent members of the Foundation;
- (xvii) such other persons, not exceeding six in number at any one time, as may be co-opted by the Foundation from time to time. Such persons may be selected to represent national, business or professional groups, or persons with special knowledge of education, not otherwise included among members of the Foundation and shall serve for a period not greater than three years. At the expiry of that period they shall be again eligible for co-option:

(b) Parents

- (i) three persons, who shall be parents of pupils at the school, nominated by the Parent Teacher Association of each secondary school of the Foundation;
- (ii) two persons, who shall be parents of pupils at the school, nominated by the Parent Teacher Association of each primary school of the Foundation;
- (iii) two persons, who shall be parents of pupils in any of the special units managed by the Foundation, nominated by the Joint Council of Parent Teacher Associations:

(c) Teachers

- (i) three persons, who shall be teachers at the school, nominated by the teaching staff of each secondary school of the Foundation;
- (ii) two persons, who shall be teachers at the school, nominated by the teaching staff of each primary school of the Foundation;
- (iii) two persons, who shall be teachers in special units, nominated by the teaching staff of the special units jointly;
- (iv) the Chairman and the Vice-Chairman of the Association of Professional Teachers in English Schools Foundation Schools:

(d) School Management

- (i) the Principal of each of the secondary schools of the Foundation;
 - (ii) the Principal of each of the primary schools of the Foundation;
 - (iii) the head of The Jockey Club Sarah Roe Centre;
 - (iv) the Chairman of the Council of each of the secondary schools of the Foundation;
 - (v) the Chairman of the Council of each of the primary schools of the Foundation;
 - (vi) the Chairman of the Council for The Jockey Club Sarah Roe Centre;
 - (vii) the Chairman and the Vice-Chairman of the Association of the Non-Teaching Staff in English Schools Foundation schools;
 - (viii) the person appointed by the Executive Committee as Secretary of the Foundation;
 - (ix) the person appointed by the Executive Committee as Treasurer of the Foundation.
- 3.3 Nominated, elected and co-opted members shall hold office for not more than three years at a time and shall be eligible for re-appointment on expiry of their term of office.
- 3.4 Any member of the Foundation except an ex-officio member may resign by written notice addressed to the Secretary of the Foundation.
- 3.5 A nominated member of the Foundation shall continue to act at the expiry of his term of office until his successor has been appointed.
- 3.6 Vacancies shall be filled as soon as they occur or as soon after as convenient.
- 3.7 If a member gives notice of his intended absence from Hong Kong for three months or more the nominator or electing body of the Foundation may nominate, elect or co-opt as the case may require another person to act as member in his place during his absence. The acting member shall vacate office on the return of the absent member to Hong Kong, or on the expiry of the absent member's term of office, whichever first happens.
- 3.8 The ex-officio members and their representatives shall continue members so long only as such ex-officio members hold the office by virtue of which they became appointed members of the Foundation.

Duties and Powers

- 3.9 Subject to the provisions of the Education Ordinance and Regulations, and of the English Schools Foundation Ordinance and these Regulations, the Foundation shall -
- (a) consider the annual budget estimates and make representations thereon to the Executive Committee;
 - (b) consider the annual accounts together with any comments that may have been made by the auditors;
 - (c) consider any reports that may be made by the Executive Committee to the Foundation;
 - (d) discuss any motion on general policy that may be introduced by a member;
 - (e) decide upon such matters as may be referred to the Foundation by the Executive Committee or the School Councils;
 - (f) receive the advice of the Arbitration Board upon any appeal against a decision of the Executive Committee and note the resolution of the difference;
 - (g) appoint permanent members to the Foundation and prescribe the procedure for making such appointments;
 - (h) elect the Chairman and Vice-Chairman of the Foundation from among their own members;
 - (i) appoint auditors;
 - (j) make such other appointments as may be required by the Ordinance or Regulations;
 - (k) by special resolution, approve additions to, or the amendment or revocation of any of the regulations on the proposal of the Executive Committee.

Meetings

- 3.10 The Foundation shall meet at least once in each academic year.
- 3.11 The Chairman may convene a meeting of the Foundation at any time provided always that not less than fourteen days notice shall be given of such meeting.
- 3.12 The Chairman shall call a meeting of the Foundation at the written request of at least twelve members of the Foundation. In this case seven clear days notice of such meeting shall suffice: such notice shall state the nature of the business to be discussed at the meeting, which shall be held within fourteen days of the request.
- 3.13 No meeting of the Foundation shall be valid unless at least two Officers are present in person and a quorum of one quarter of the members of the Foundation for the time being.
- 3.14 The Secretary may require any member of the staff of the Foundation to be present at a meeting to assist him.

Appendix II

Members nominated in the second Legislative Council term to serve on other governing bodies of educational institutes and advisory bodies

| <u>Governing Bodies of Educational Institutes/Advisory Bodies</u> | <u>Name of Members</u> |
|---|---|
| (a) Disaster Relief Fund Advisory Committee | Hon Mrs Sophie LEUNG LAU Yau-fun, SBS, JP Hon CHAN Yuen-han, JP |
| (b) Po Leung Kuk Advisory Board | Hon HUI Cheung-ching, JP |
| (c) Tung Wah Group of Hospitals Advisory Board | Hon YEUNG Yiu-chung, BBS |
| (d) Council of the Chinese University of Hong Kong | Hon James TIEN Pei-chung, GBS, JP Hon CHEUNG Man-kwong Hon CHAN Kam-lam |
| (e) Court of the University of Hong Kong | Hon Mrs Selina CHOW LIANG Shuk-yee, JP Hon LAU Chin-shek, JP Hon James TO Kun-sun Dr Hon TANG Siu-tong, JP Hon IP Kwok-him, JP |

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