

October 10, 2003

BY FAX (2804 6499)

Miss Linda P S So
Assistant Secretary (Higher Education)
Education and Manpower Bureau
Government of the Hong Kong Special Administrative Region
9/F CGO (West Wing)
Ice House Street
Central
Hong Kong

Dear Linda,

**Subcommittee on Statutes of the University of Hong Kong
(Amendment) (No 2) Statutes 2003**

Meeting on October 15, 2003

Thank you for your letter of October 7, 2003 providing details of the meeting with the subcommittee established by the LegCo House Committee to study the above-captioned Amendment Statutes. HKU will be represented by the following members of staff at the meeting on October 15:

Professor Johannes Chan, Member of the Implementation Working Party for the Reform of the University's Governance and Management Structures and Dean of Law

大學管治及管理架構改革執行小組成員及法律學院院長 陳文敏教授

Mr Henry Wai, Registrar

教務長 韋永庚先生

Mr Eric Ng, Senior Assistant Registrar and Secretary to the Implementation Working Party for the Reform of the University's Governance and Management Structures

高級助理教務長及大學管治及管理架構改革執行小組秘書 吳樹培先生

In regard to the letter from the HKU Non-Academic Staff Association, our response is as follows:

The existing composition of the Council does not include any elected members of staff. The new membership, as recommended in the *Fit for Purpose* report and proposed under the Amendment Statutes, will enable staff members to elect to the Council:

- (a) four full-time teachers; and
- (b) one full-time employee who is not a teacher.

The first recommendation in the *Fit for Purpose* report is that each member of the Council should serve in a personal capacity “as a trustee rather than delegate or representative of a particular constituency”. The proposal that the student and staff members of the Council should be elected from their own number, rather than ex-officio members of representative bodies, is to ensure that the student/staff members of the Council will consider the views and any formally adopted positions of the student or staff bodies, without being bound to adopt a predetermined stance or to act as a proxy for another body. It will also enable the student and staff members of the Council to avoid, and be seen to be protected from, any potential conflict of interest when dealing with Council business related to student and staff affairs.

It should be noted that the proposal to preclude office holders from simultaneously serving on the Council does not in fact form part of the Amendment Statutes, but will be provided for in the Regulations. We are consulting members of the University on the drafting of these Regulations.

現時校務委員會成員組合並沒有任何經由教職員選任的成員，在《與時並進》大學管治及管理檢討報告書中，建議就成員資格一項提出修訂，讓教職員選出代表參與會務，在修訂規程內的新建議如下：

- (a) 四名全職教師；及
- (b) 一名全職非教學員工。

報告書的第一項建議指出，每位校務委員會的成員應以個人及信託人的身分出任，而非代表某特定組織。故此，學生及僱員成員應透過全民選舉產生，而非由職工會或學生會的幹事以當然成員身分加入校務委員會，從而確保校務委員會內的學生及僱員成員可以客觀考慮學生及職工組織的意見及任何經過正式議決的立場，避免受到局限而要採納其他組織的既定立場或作為他們的代表。此舉避免校務委員會的學生及僱員委員，在因處理有關學生或僱員事務的會務時產生利益衝突問題，也確保他們在校務委員會內的決定，不會被視為因利益問題影響。

該項用以防止在學生及僱員組織擔當職務的人士同時出任校務委員會成員的建議，其實並未列入修訂規程，此建議將會在條例內說明；目前我們正就草擬條例的工作諮詢大學成員的意見。

I should be grateful if you could arrange for the information above to be transmitted to the LegCo Secretariat.

Yours sincerely,

H.W.K. Wai
Registrar

cc Secretary-General, University Grants Committee