

**立法會**  
**Legislative Council**

LC Paper No. CB(2)1982/02-03

Ref : CB2/BC/4/02

**Bills Committee on  
Education (Amendment) Bill 2002**

**Minutes of meeting  
held on Friday, 11 April 2003 at 8:30 am  
in Conference Room B of the Legislative Council Building**

- Members Present** : Hon Cyd HO Sau-lan (Chairman)  
Ir Dr Hon Raymond HO Chung-tai, JP  
Hon LEE Cheuk-yan  
Hon CHEUNG Man-kwong  
Hon LEUNG Yiu-chung  
Hon Emily LAU Wai-hing, JP  
Hon SZETO Wah  
Hon Tommy CHEUNG Yu-yan, JP  
Hon Audrey EU Yuet-mee, SC, JP
- Member Absent** : Hon YEUNG Yiu-chung, BBS
- Public Officers Attending** : Mr CHENG Yan-chee  
Deputy Secretary for Education and Manpower (4)
- Mr Andrew POON  
Principal Assistant Secretary for Education and  
Manpower (Quality Assurance)
- Mrs YU LAW Siu-man  
Senior Education Officer (Education Ordinance Review  
and Compliance)
- Mr CHEUNG Wing-leung  
Senior Government Counsel  
Department of Justice

**Clerk in Attendance** : Miss Flora TAI  
Chief Assistant Secretary (2)2

**Staff in Attendance** : Ms Bernice WONG  
Assistant Legal Adviser 1

Mr Stanley MA  
Senior Assistant Secretary (2)6

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**I. Confirmation of minutes**

LC Paper No. CB(2)1725/02-03 and CB(2)1726/02-03]

The minutes of the meetings held on 17 and 27 March 2003 were confirmed.

**II. Meeting with the Administration**

2. Members noted the Administration's responses to the issues raised by members at the meeting on 27 February 2003 [LC Paper No. CB(2)1570/02-03(04)] and by members and deputations at the meetings on 17 and 27 March 2003 [LC Paper No. CB(2)1723/02-03(01)].

3. The Bills Committee deliberated (Index of proceedings attached at **Annex**).

4. The Bills Committee requested the Administration -

Power of Incorporated Management Committee (IMC)

(a) To provide the Bills Committee with a draft Committee Stage amendment to the new section 40AE(2)(b) to state explicitly that IMCs shall be subject to the respective Codes of Aid for primary, secondary and special schools in determining the terms and conditions of employment for teaching staff under the approved establishment and certain non-teaching staff;

(b) To provide the number of aided primary and special schools which had opted for the Revised Administration Grant introduced in 1999 as a transitional measure and which had to follow the conditions for appointment of clerical staff set out in the respective Codes of Aid for primary and special schools;

- (c) To provide members with the updated version of the Codes of Aid for primary, secondary and special schools;
- (d) To explain the procedures for amending these Codes of Aid;

Take-over of schools

- (e) To describe the Administration's contingency procedures in case a large School Sponsoring Body (SSB) decided to cease operation of its schools as a protest against implementation of the proposals in the Bill;

Powers of SSBs and IMCs

- (f) To consider whether a SSB should be empowered to veto the decision of an IMC which the SSB considered in conflict with the vision and mission for the school;

Operational problems for large SSBs in implementation

- (g) To address the practical problems which a large SSB may face in appointing up to 60% of the maximum number of managers to each of its sponsored school, having regard to the restriction that a school manager might serve on no more than five IMCs; and
- (h) To explore the operational problems a large SSB might face as it had to coordinate attendance of sufficient SSB managers at IMC meetings and supervise the work of these IMCs.

**III. Any other business**

Date of future meetings

5. Members agreed to schedule the next seven meetings as follows –

<u>Date</u>	<u>Time</u>
Friday, 9 May 2003	8:30 am
Monday, 12 May 2003	4:30 pm
Friday, 16 May 2003	10:45 am
Friday, 23 May 2003	8:30 am
Friday, 30 May 2003	10:45 am
Tuesday, 3 June 2003	10:45 am
Tuesday, 17 June 2003	8:30 am

*[Post-meeting note : The meeting scheduled for Friday, 16 May 2003 was subsequently cancelled in order to release the time slot for the Bills Committee on Revenue Bill 2003.]*

6. There being no other business, the meeting ended at 10:45 am.

Council Business Division 2  
Legislative Council Secretariat  
6 May 2003

**Proceedings of the meeting of the Bills Committee on  
Education (Amendment) Bill 2002  
on Friday, 11 April 2003 at 8:30 am  
in Conference Room B of the Legislative Council Building**

<b>Time marker</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action required</b>
0000 – 1524	Chairman and members	Date of future meetings	
1525 – 1633	Chairman	Confirmation of minutes	
1634 - 2401	Chairman Admin	Briefing on the Administration's response to the meeting held on 27 February 2003.	
2402 - 2456	Chairman Mr CHEUNG Man-kwong Admin	Proposed amendment to new section 40AE(2)(b) to state explicitly that IMCs shall be subject to the respective Codes of Aid for primary, secondary and special schools in determining the terms and conditions of employment for teaching staff under the approved establishment and certain non-teaching staff.	<b>See para 4(a) of the minutes</b>
2457 - 3413	Ms Emily LAU Admin Chairman Mr CHEUNG Man-kwong	Non-teaching staff in aided schools were not subject to Codes of Aid, but aided primary and special schools which had opted for the Revised Administration Grant in 1999 as a transitional measure had to follow the conditions of appointment of clerical staff set out in the Codes of Aid.	<b>See para 4(b) of the minutes</b>
3414 - 5429	Ms Audrey EU Chairman Admin Mr CHEUNG Man-kwong Mr SZETO Wah	Scope of applications of proposed new section 40AE(2)(c) in respect of IMC's power to engage the service of "such professionals or other persons" as it thinks fit and determine the terms and conditions of service of such staff.	<b>See para 4 (c) and (d) of the minutes</b>

5430 - 011644	Mr LEE Cheuk-yan Admin Mr LEUNG Yiu-chung Chairman	Review of the linking between salaries of non-teaching staff and the civil service pay system in aided schools.	
011645 - 012244	Mr CHEUNG Man-kwong Chairman	Way forward for deliberations of the Bill	
012245 - 013949	Mr LEE Cheuk-yan Admin Mr LEUNG Yiu-chung	The need to legislate for implementation of School-based Management, given the concerns as highlighted in paragraph 12 of the Administration's response [LC Paper No.CB(2)1570/02-03(01)].	
013950 - 015934	Mr CHEUNG Man-kwong Chairman Admin Mr SEZTO Wah Mr LEUNG Yiu-chung Mr LEE Cheuk-yan	<ul style="list-style-type: none"> <li>- The concerns of SSBs about the implementation of the proposals in the Bill should be carefully examined and addressed; and</li> <li>- Support measures for parents and parent managers to facilitate implementation.</li> </ul>	<b>See para 4(e) of the minutes</b>
015935 - 020824	Mr SZETO Wah Chairman Admin Mr CHEUNG Man-kwong Mr LEUNG Yiu-chung-	<ul style="list-style-type: none"> <li>- Operational difficulties of a large SSB in identification and appointment of sufficient IMC managers holding the same educational ideals and values; and in the supervision of IMC work and co-ordination of attendance to IMC meetings; and</li> <li>- Whether a SSB could veto the decision of an IMC which was considered by the SSB as in conflict with the vision and mission of the school.</li> </ul>	<b>See para 4(f), (g) and (h) of the minutes</b>
020813 - 020852	Chairman	Date of next meeting	