

立法會
Legislative Council

LC Paper No. CB(2)3162/03-04

(These minutes have been
seen by the Administration)

Ref : CB2/BC/4/02

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

**Minutes of meeting
held on Thursday, 10 June 2004 from 2:00 pm to 4:35 pm
in Conference Room B of the Legislative Council Building**

- Members present** : Hon Cyd HO Sau-lan (Chairman)
Hon CHEUNG Man-kwong
Hon LEUNG Yiu-chung
Hon YEUNG Yiu-chung, BBS
Hon Emily LAU Wai-hing, JP
Hon SZETO Wah
Hon Tommy CHEUNG Yu-yan, JP
Hon Audrey EU Yuet-mee, SC, JP
- Member absent** : Ir Dr Hon Raymond HO Chung-tai, JP
Hon LEE Cheuk-yan
- Public Officers attending** : Mr M Y CHENG, JP
Deputy Secretary for Education and Manpower (3)
- Mr Andrew POON
Principal Assistant Secretary for Education and
Manpower (Quality Assurance)
- Mrs YU LAW Siu-man
Senior Education Officer (School Registration and
Compliance)
Education and Manpower Bureau

Mr Gilbert MO
Deputy Law Draftsman (Bilingual Drafting and
Administration)
Department of Justice

Clerk in attendance : Ms Doris CHAN
Chief Council Secretary (2)2

Staff in attendance : Ms Bernice WONG
Assistant Legal Adviser 1

Mr Stanley MA
Senior Council Secretary (2)6

I. Meeting with the Administration

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

Committee Stage amendment (CSA) to proposed section 40BJ

2. Mr CHEUNG Man-kwong briefed the meeting on his draft CSA to section 40BJ [LC Paper No. CB(2) 2721/03-04(01)] which would enable the Legislative Council, by way of a resolution at any time after 1 January 2008, to extend the time for School Sponsoring Bodies (SSBs) of aided schools to submit draft constitutions. Mr CHEUNG also requested the Administration to consider moving the amendment to address the concern of some large SSBs. Ms Audrey EU considered that the Administration should clarify whether it would be consistent with Article 74 of the Basic Law for a member to move a motion if Mr CHEUNG's CSA was passed. The Administration undertook to consider Mr CHEUNG's suggestion, and said that the proposed CSA might encourage some SSBs to adopt a wait-and-see attitude during the first three years after the commencement of the Amendment Ordinance.

Admin

Clause-by-clause examination of the Bill

[LC Paper Nos. CB(2)2601/03-04(01) to (02) and CB(2)2613/03-04(01)]

3. The Bills Committee requested the Administration to -

Regulation 63 - Formal receipts

- (a) examine whether the requirement to issue formal receipts in writing for all payments received from pupils was still feasible in

the light of the various methods of payment adopted by schools nowadays;

Regulation 97 - Expelled or suspended pupil not to enter school premises without permission

- (b) consider repealing regulation 97(2) which restricted a pupil who had been suspended from a school under regulation 96(1) from entering or remaining in the school premises without the permission of the Permanent Secretary for Education and Manpower; and

Proposed section 40AE - Powers of Incorporated Management Committee (IMC)

- (c) refine the drafting of proposed CSA to section 40AE(1) to specify that an IMC should operate in accordance with the vision and mission, and the general educational policies and principles set by the SSB concerned.

II. Any other business

- 4. Members noted that the next meeting would be held after the House Committee meeting scheduled for 2:30 pm on Friday, 11 June 2004.
- 5. The meeting ended at 4:35 pm.

Council Business Division 2
Legislative Council Secretariat
30 July 2004

**Proceedings of the meeting of the Bills Committee on
Education (Amendment) Bill 2002
on Thursday, 10 June 2004 from 2:00 pm to 4:35 pm
in Conference Room B of the Legislative Council Building**

Time marker	Speaker	Subjects	Action required
0000 - 0200	Chairman	Briefing on the legislative timetable.	
0201 - 5050	Chairman Mr Tommy CHEUNG Mr CHEUNG Man-kwong Admin Mr LEUNG Yiu-chung ALA1 Ms Emily LAU Ms Audrey EU Mr SZETO Wah	CSA to section 40BJ proposed by Mr CHEUNG Man-kwong.	See para 2 of the minutes
5051 - 011035	Chairman Admin Mr CHEUNG Man-kwong Ms Audrey EU	Offences under regulation 101(7).	See para 3(a) of the minutes
011036 - 012035	Admin Chairman Mr CHEUNG Man-kwong Ms Emily LAU	Offences under regulation 101(8).	See para 3(b) of the minutes
012036 - 012414	Chairman Admin Mr CHEUNG Man-kwong	Offences under regulation 101(9).	
012415 - 012600	Chairman Admin Mr CHEUNG Man-kwong Ms Emily LAU	Offences under regulation 101(10).	
012601 - 014800	Chairman Admin Mr CHEUNG Man-kwong Ms Emily LAU Clerk Mr SZETO Wah ALA1	Discussions on way forward, legislative time-table and CSAs, and dates of additional meetings.	
014801 - 022858	Chairman Admin Mr CHEUNG Man-kwong Ms Emily LAU ALA1 Mr SZETO Wah	Part III B - Discussion on the latest CSAs to sections 40AA, 40AB, 40ABA, 40AC, 40AD, 40AEA and 40AE.	See para 3(c) of the minutes
022859 - 022931	Chairman	Date of next meeting	