

October 20, 2003

Mr Arthur Cheung
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Legislative Council Legal Service Division
Legislative Council Building
8 Jackson Road
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(BY FAX: 2877 5029)

Dear Mr Cheung,

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

Further to the meeting this morning of the Subcommittee set up to examine the above-captioned Statutes, we would like to propose the following revision:

Under Section 7 on the **Powers of the Council**,

Statute XIX is amended –

- (a) in paragraph 2(*l*), by repealing “to entertain and adjudicate upon” and substituting “to appoint any person or committee to entertain and, *if appropriate*, adjudicate upon, on its behalf.”;

[revision in italics]

[(b) and (c) remain unchanged].

This revision will enable the Council, on a case by case basis, *either* to delegate the adjudicating power to a person or committee *or* to retain its own adjudicating power and exercise it on the recommendation of a person or committee that has entertained the complaints or grievances, in line with Recommendation 5 of the *Fit for Purpose* report on the review of HKU’s governance and management structures:

To enable the Council to function most effectively and to focus more on strategic issues, the Council should review how the hearing of complaints, appeals and grievances could be streamlined so that, without compromising fairness, not every case would necessarily be heard by the full Council. In particular, Council should avoid adjudicating in cases of a purely academic nature.

I should mention that at its meeting on June 30, 2003, when the University Court, under the presidency of the Chancellor, approved the amended Statutes, including Statute XIX, it also authorised the Implementation Working Party for the Reform of the University's Governance and Management Structures subsequently to make any necessary changes of a technical nature to the wording of the Amendment Statutes during the legislative process following Government and legal advice. I am pleased to report that the Vice-Chancellor, acting as Chairman on behalf of the Implementation Working Party, has approved the revision above.

I should be grateful therefore if you would report to the House Committee the revision we have proposed. Many thanks.

Yours sincerely,

H. W. K. Wai
Registrar

c.c. Miss Linda So, Education and Manpower Bureau