

## **LEGISLATIVE COUNCIL BRIEF**

Hong Kong Examinations and Assessment Authority Ordinance  
(Chapter 261)

### **HONG KONG EXAMINATIONS AND ASSESSMENT AUTHORITY ORDINANCE (AMENDMENT OF SCHEDULE 2) ORDER 2004**

#### **INTRODUCTION**

At the meeting of the Executive Council meeting on 20 April 2004, the Council ADVISED and the Chief Executive ORDERED that the Hong Kong Examinations and Assessment Authority Ordinance (Amendment of Schedule 2) Order 2004 at the Annex should be made to effect changes to the membership numbers and categories of the Hong Kong Examinations and Assessment Authority (HKEAA).

#### **JUSTIFICATION**

2. HKEAA is a statutory body established in May 1977 under the Hong Kong Examinations and Assessment Authority Ordinance (the Ordinance). Its statutory responsibility is to administer the Hong Kong Certificate of Education Examination and the Hong Kong Advanced Level Examination. It also conducts over 120 overseas and other local examinations on behalf of overseas examination bodies and local organizations.

3. HKEAA presently consists of 27 members drawn from tertiary institutions, schools, the business sector and

Government officials, as specified in the Schedule 2 of the Ordinance and in accordance with Section 3(2) of the Ordinance. Section 8 of the Ordinance provides that the Chief Executive in Council may, by order published in the Gazette, amend Schedule 2.

4. In support of the Education Reform and to keep pace with increasing demand and expectations from the public, HKEAA conducted and completed in May 2003 a Strategic Review that bid to improve the operation and management structure of HKEAA. Amongst other recommendations, the Review suggested that the current size of the HKEAA should be reduced because it is now too large for effective deliberation and decision making. Moreover, as the HKEAA shall move to strengthen its capacity in developing and providing assessment services in line with trends in curriculum development, instead of only focusing on the conventional public examinations, it needs input from a wider spectrum of representatives in the HKEAA. The proposal was discussed and supported by the current HKEAA.

5. Having taken into account the above recommendation, Government intends to exercise the power under Section 8 of the Ordinance to amend Schedule 2 of the Ordinance to amend the membership numbers and categories of HKEAA. The future HKEAA will be smaller but has a wider membership spectrum with, namely, members from tertiary institutions, primary and secondary schools, teachers, parents, the business sectors, curriculum experts, professionals and Government officials. This shall give the HKEAA a stronger strategic drive to push ahead examination and assessment reforms in the coming years.

## **THE ORDER**

6. The main provisions are to –

(a) reduce the number of members who are the Vice-Chancellor, President or other chief officer of each university established in Hong Kong by enactment, or their representative. Instead of taking all the above persons as ex-officio members of HKEAA, Government intends to invite the Heads of Universities Committee to nominate amongst themselves two persons from the University sector to serve as members in HKEAA;

(b) add the new membership categories of primary school principal and parent association to strengthen input from their respective areas to the work of HKEAA;

(c) delete an existing category of a person experienced in teacher education whose expertise shall be otherwise represented in other categories; and

(d) adjust the numbers of members in selected categories to result in a smaller membership size of HKEAA.

7. The change of the membership numbers and categories is summarized as follows –

<b>Existing membership (number)</b>	<b>New membership</b>
Heads of Universities (8)	Changed to 2
Chairman of the Curriculum Development Council (1)	No change
Executive Director of the Vocational Training Council (1)	No change
Permanent Secretary for Education and Manpower (1)	No change
Secretary General of HKEAA (1)	No change
Person experienced in teacher training (1)	Deleted
Principals of secondary schools (5)	Changed to 3

Teachers in secondary schools (3)	Changed to 1
Persons experienced in commerce, industry of a profession (3)	Changed to 2
Other persons appointed by CE (3)	No change
--	1 principal of primary school
--	1 person representing parents of pupils
<b>Total: 27</b>	<b>Total: 17</b>

## **LEGISLATIVE TIMETABLE**

8. The legislative timetable will be -

Publication in the Gazette	30 April 2004
Tabling at the Legislative Council	5 May 2004
Commencement	1 September 2004

## **IMPLICATONS OF THE PROPOSAL**

9. The proposal is in conformity with the Basic Law, including the provisions concerning human rights. The amendments will not affect the current binding effect of the HKEAAO. The proposal has no productivity, environmental and sustainability implications.

10. HKEAA is a self-financing statutory body. The proposal does not have financial and civil service implications to the Government. A better membership composition of HKEAA for steering its work will be of benefit to the school sector, which in turn will be of benefit to education for Hong Kong's population and workforce.

## **PUBLIC CONSULTATION**

11. The current HKEAA has deliberated the proposal and is fully supportive. The Heads of Universities Committee was consulted in January 2004 and agreed to the intended changes. We have consulted the LegCo Panel on Education on 15 December 2003. The Panel raised no objection to the proposal.

## **PUBLICITY**

12. A press release will be issued when the Order is gazetted. A spokesman will be available to answer media and public enquiries.

## **ENQUIRIES**

13. For any enquiries relating to this Brief, please contact Mr Andrew Poon, Principal Assistant Secretary, Education and Manpower Bureau, at telephone number 2892 6501 or fax number 2573 2805.

**Education and Manpower Bureau**

**May 2004**

**HONG KONG EXAMINATIONS AND ASSESSMENT AUTHORITY  
ORDINANCE (AMENDMENT OF SCHEDULE 2) ORDER 2004**

(Made by the Chief Executive in Council under section 8  
of the Hong Kong Examinations and Assessment  
Authority Ordinance (Cap. 261))

**1. Commencement**

This Order shall come into operation on 1 September 2004.

**2. Members of the Authority**

Schedule 2 to the Hong Kong Examinations and Assessment  
Authority Ordinance (Cap. 261) is amended -

- (a) by repealing paragraph (a)(i);
- (b) by adding -
  - "(aa) 2 persons nominated by the Heads of  
Universities Committee;"
- (c) by repealing paragraph (b)(ii);
- (d) in paragraph (b)(iii), by repealing "5" and  
substituting "3";
- (e) in paragraph (b), by adding -
  - "(iiia) 1 person who is a principal of a  
registered school providing  
primary education within the  
meaning of the Education  
Ordinance (Cap. 279);"
- (f) in paragraph (b)(iv), by repealing "3 persons  
who are registered teachers in registered  
schools" and substituting "1 person who is a  
registered teacher in a registered school";

- (g) in paragraph (b)(v), by repealing "3" and substituting "2";
- (h) in paragraph (b), by adding -
  - "(vi) 1 person who is able, in the opinion of the Chief Executive, to represent the interests of parents of pupils in Hong Kong;".

Clerk to the Executive Council

COUNCIL CHAMBER

20 April 2004

#### **Explanatory Note**

This Order amends Schedule 2 to the Hong Kong Examinations and Assessment Authority Ordinance (Cap. 261) to make certain changes in the membership of the Hong Kong Examinations and Assessment Authority.