

立法會
Legislative Council

Ref : CB2/BC/15/04

LC Paper No. CB(2)774/06-07

(These minutes have been seen by the
Administration)

**Bills Committee on
Accreditation of Academic and Vocational Qualifications Bill**

**Minutes of meeting
held on Monday, 4 December 2006, at 4:30 pm
in Conference Room A of the Legislative Council Building**

Members present : Hon TAM Yiu-chung, GBS, JP (Chairman)
Hon LEE Cheuk-yan
Hon Margaret NG
Hon CHAN Yuen-han, JP
Hon LEUNG Yiu-chung
Hon SIN Chung-kai, JP
Hon Jasper TSANG Yok-sing, GBS, JP
Hon LI Fung-ying, BBS, JP
Hon Tommy CHEUNG Yu-yan, JP
Hon Vincent FANG Kang, JP
Dr Hon Joseph LEE Kok-long, JP
Hon Andrew LEUNG Kwan-yuen, SBS, JP
Dr Hon Fernando CHEUNG Chiu-hung
Hon WONG Ting-kwong, BBS

Members absent : Hon Andrew CHENG Kar-foo
Hon LEUNG Kwok-hung

Public Officers attending : Mrs Betty FUNG
Deputy Secretary for Education and Manpower

Mr Daniel CHENG
Principal Assistant Secretary for Education and Manpower

Mr Thomas WU
Assistant Secretary for Education and Manpower

Ms Leonora IP
Senior Government Counsel

Department of Justice

Mr Peter CHEUNG
Executive Director
Hong Kong Council for Academic Accreditation

Ms Connie LOK
Senior Registrar
Hong Kong Council for Academic Accreditation

Clerk in attendance : Mrs Sharon TONG
Chief Council Secretary (2) 1

Staff in Attendance : Mr Stephen LAM
Assistant Legal Adviser 4

Mr Raymond LAM
Senior Council Secretary (2)5

Miss Helen DIN
Legislative Assistant (2)1

I. Meeting with the Administration

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

2. The Bills Committee requested the Administration -

- (a) to consider amending "remove" in clause 7(1)(e) along the lines of "remove or amend";
- (b) to review the drafting of clause 7(5) and clause 16(4), with a view to spelling out their relationship;
- (c) to consider whether the operation of a decision under clause 8(7)(b)(iii) should be unaffected by an appeal;
- (d) to consider revising the drafting of clause 13(1) and 13(2) in relation to the Chinese counterpart of "unless"; and
- (e) to consider amending clause 13(4)(a)(iii), having regard to some members' view that the clause might be too stringent to people engaged in publishing and advertising.

3. The Administration advised that it would move Committee Stage amendments to amend clause 7(4) and clause 8(3) along the lines of its proposed Committee Stage amendment to clause 3(1).

II. Date of next meeting

4. The Bills Committee noted that the next meeting would be held on 19 December 2006 at 4:30 pm to continue discussion with the Administration.

5. The Bills Committee agreed that further meetings would be scheduled as follows to continue discussion with the Administration -

<u>Date</u>	<u>Time</u>
Wednesday, 3 January 2007	2:30 pm - 4:30 pm
Friday, 26 January 2007	8:30 am - 10:30 am
Thursday, 1 February 2007	2:30 pm - 4:30 pm
Wednesday, 14 February 2007	2:30 pm - 4:30 pm
Tuesday, 6 March 2007	10:45 am - 12:45 pm
Tuesday, 27 March 2007	4:30 pm - 6:30 pm

6. The meeting ended at 6:20 pm.

Council Business Division 2
Legislative Council Secretariat
3 January 2007

**Proceedings of meeting of the
Bills Committee on
Accreditation of Academic and Vocational Qualifications Bill
on Monday, 4 December 2006, at 4:30 pm
in Conference Room A of the Legislative Council Building**

Time marker	Speaker	Subject(s)	Action Required
000000 - 000242	Chairman Hon LEUNG Yiu-chung	Opening remarks; schedule of meetings for January to March 2007	
000243 - 002642	Admin Chairman Hon LEUNG Yiu-chung	Examination of clause 7(1) and Schedule 3; meaning of "validity period" in clause 7(1)(a); whether compensation could be sought in respect of mistakes under clause 7(1)(e); specifying the validity period of a qualification; amending "remove" in clause 7(1)(e) along the lines of "remove or amend"	Admin to consider amending "remove" in clause 7(1)(e) along the lines of "remove or amend"
002643 - 004149	Admin Chairman Hon LEUNG Yiu-chung ALA4	Examination of clause 7(2) to clause 7(4); Committee Stage amendments (CSAs) proposed by the Administration to clause 7; drafting of clause 7(3); whether the Qualifications Register Authority would disclose the reasons for the removal of an entry of a qualification	
004150 - 005039	Admin Chairman ALA4	Examination of clause 7(5) to 7(7); provisions in the Bill where the fees to charged were subject to the prior approval of the Secretary for Education and Manpower; relationship between clause 7(5) and clause 16(4)	Admin to review the drafting of clause 7(5) and clause 16(4), with a view to spelling out their relationship

Time marker	Speaker	Subject(s)	Action Required
005040 - 005605	Admin Hon LEE Cheuk-yan Chairman ALA4	Examination of clause 8(1); whether assessment agencies would be involved in conducting trade tests; examples under clause 8(1)(c)	
005606 - 005957	Admin Chairman	Examination of clause 8(2) and clause 8(3); amending clause 7(4) and clause 8(3) along the lines of its proposed CSA to clause 3(1)	
005958 - 011424	Admin Hon WONG Ting-kwong Hon LEE Cheuk-yan Chairman ALA4	Examination of clause 8(4) to clause 8(7); whether a judicial review could be sought in respect of a decision referred to in clause 8(7)(a) or (b); whether there was a time limit for lodging an appeal under clause 8(7); difference between the appeal mechanism provide under clause 8(7) and those provided in other parts of the Bill; whether the operation of a decision under clause 8(7)(b)(iii) should be unaffected by an appeal	Admin to consider whether the operation of a decision under clause 8(7)(b)(iii) should be unaffected by an appeal
011425 - 011501	Admin Chairman	Examination of Part 3 of the Bill at a subsequent meeting	
011502 - 012237	Admin Hon TSANG Yok-sing	Examination of clause 13(1) to clause 13(3); drafting of the Chinese version of clause 13(1) and clause 13(2); revising the drafting of clause 13(1) and 13(2) in relation to the Chinese counterpart of "unless"	Admin to consider revising the drafting of clause 13(1) and 13(2) in relation to the Chinese counterpart of "unless"

Time marker	Speaker	Subject(s)	Action Required
012238 - 014625	Admin Hon TSANG Yok-sing Chairman Hon LEUNG Yiu-chung Dr Hon LEE Kok-long Hon WONG Ting-kwong ALA4	Examination of clause 13(4) to clause 13(6); scope of clause 13(1); whether clause 13(4)(a)(iii) was too stringent to people engaged in publishing and advertising	Admin to consider amending clause 13(4)(a)(iii), having regard to some members' view that the clause might be too stringent to people engaged in publishing and advertising
014626 - 014727	Chairman	Date of next meeting	

Council Business Division 2
Legislative Council Secretariat
3 January 2007