

File Ref: EDB(SCR) 9/578/07

LEGISLATIVE COUNCIL BRIEF

Hong Kong Examinations and Assessment Authority Ordinance (Chapter 261)

HONG KONG EXAMINATIONS AND ASSESSMENT AUTHORITY ORDINANCE (AMENDMENT OF SCHEDULE 1) ORDER 2007

INTRODUCTION

At the meeting of the Executive Council on 16 October 2007, the Council ADVISED and the Chief Executive ORDERED that the Hong Kong Examinations and Assessment Authority Ordinance (Amendment of Schedule 1) Order 2007 at the Annex should be made to add to the list of specified examinations the Hong Kong Diploma of Secondary Education Examination in respect of which the Hong Kong Examinations and Assessment Authority can perform its statutory functions.

BACKGROUND AND ARGUMENT

2. The Hong Kong Examinations and Assessment Authority (the Authority) is a statutory body established under the Hong Kong Examinations and Assessment Authority Ordinance (the Ordinance) (Cap. 261) to conduct public examinations and assessments in Hong Kong, and other examinations or assessments approved by the Chief Executive. According to section 7(1A) of the Ordinance, the Authority shall conduct specified examinations listed in Schedule 1 to the Ordinance, approve the syllabuses for them and determine the eligibility requirements for candidates sitting them. At present, there are two specified examinations, namely, The Hong Kong Certificate of Education Examination (HKCEE) and The Hong Kong Advanced Level Examination

(HKALE). Pursuant to section 8 of the Ordinance, the Chief Executive in Council may, by order published in the Gazette, amend Schedule 1.

3. In 2012, the Authority will introduce the Hong Kong Diploma of Secondary Education Examination (HKDSEE) which will replace HKCEE and HKALE. The change is part of the reform of the secondary education academic structure which is undergoing a transition from 7 years of education (5 years of secondary education plus 2 years of matriculation) to 6 years of education (3 years of junior secondary education followed by 3 years of senior secondary education). After six years of secondary education, students will sit HKDSEE.

4. The Authority plans to conduct the last full scale HKCEE in 2010 but the examinations for certain subjects such as English Language, Chinese Language, and Mathematics will be administered in 2011 for the last time because some students may wish to sit these examinations again to achieve better results. The Authority also plans to conduct the last full scale HKALE in 2012 but examinations for certain subjects will be administered in 2013 for the same reason mentioned above. Thus, HKCEE and HKALE will be administered until 2011 and 2013 respectively according to the Authority's plan.

5. We need to make the amendment as soon as possible because the Authority has to make the necessary preparatory arrangements for HKDSEE well before 2012. According to its work plan, the Authority will publish the regulations of HKDSEE as well as syllabuses, descriptors and sample examination papers for all HKDSEE subjects in 2008 before schools start to teach the new senior secondary curriculum in 2009. We will not remove the references of "The Hong Kong Certificate of Education Examination" and "The Hong Kong Advanced Level Examination" from Schedule 1 by this Order because the Authority plans to administer HKCEE and HKALE until 2011 and 2013 respectively. We will propose to remove the references of the two examinations from Schedule 1 after 2013, when it is confirmed that they will no longer be administered.

THE ORDER

6. The Order is to add “Hong Kong Diploma of Secondary Education Examination” in Schedule 1 to the Ordinance so that the Authority can perform its statutory functions in respect of HKDSEE.

LEGISLATIVE TIMETABLE

7. The Order will be published in the Gazette on 26 October 2007 and laid on the table of the Legislative Council on 31 October 2007 for negative vetting. Subject to negative vetting, the Order will come into operation on 20 December 2007.

IMPLICATIONS OF THE PROPOSAL

8. 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 Ordinance. The proposal has no economic, productivity, environmental and sustainability implications.

9. The Authority is a self-financing statutory body. The current proposal for empowering the Authority to conduct HKDSEE does not carry any new financial and civil service implications for the Government. While the Government will provide \$85 million to the Authority for a mock examination a few months preceding the first actual HKDSEE in the summer of 2012, the new HKDSEE will continue to operate on a self-financing basis (as the current HKCEE and HKALE) with operating costs to be funded by examination fees and will have no financial implications on the Government under the current funding model.

PUBLIC CONSULTATION

10. The introduction of HKDSEE in 2012 has been made known to the public as an integral part of the reform of the secondary education academic structure. The amendment is technical and straightforward. No public

consultation is deemed necessary.

PUBLICITY

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

ENQUIRIES

12. For enquiries on this Brief, please contact Mr Eddie Cheung of the Education Bureau at telephone number 29218940.

Education Bureau
23 October 2007

**HONG KONG EXAMINATIONS AND
ASSESSMENT AUTHORITY ORDINANCE
(AMENDMENT OF SCHEDULE 1) ORDER 2007**

(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 20 December 2007.

2. Examinations

Schedule 1 to the Hong Kong Examinations and Assessment Authority Ordinance (Cap. 261) is amended by adding at the end –

“Hong Kong Diploma of Secondary Education Examination.”.

Clerk to the Executive Council

COUNCIL CHAMBER

16 October 2007

Explanatory Note

The object of this Order is to add the Hong Kong Diploma of Secondary Education Examination to the list of specified examinations in respect of which

the Hong Kong Examinations and Assessment Authority can perform its statutory functions. The Hong Kong Diploma of Secondary Education Examination will be introduced in 2012.