

Speech at
Bills Committee on University of Hong Kong
(Amendment) Bill 2010

by

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Madam Chairman,

Thank you for giving the University of Hong Kong the opportunity to explain the University of Hong Kong (Amendment) Bill 2010 to Members.

This Bill is straightforward. It aims to bring the University of Hong Kong Ordinance into line with existing practice at the University.

There are two parts to the Bill. The first part concerns the roles of the Council and the Court. The second concerns the recognition of staff titles that have been in use by the University and its academic staff since the year 2004.

When I presented the Bill for Second Reading at the Council, I pointed out that the Public Accounts Committee of the Legislative Council had requested that the University of Hong Kong amend the University of Hong Kong Ordinance to ensure that the statutory roles of its Council and Court reflected their actual functions.

Report 40a of the Public Accounts Committee (PAC), issued on 5th November, 2003, records that the Vice Chancellor told the Committee that the University had no objection to amending its Ordinance, if such amendment was considered necessary by the Committee.

In its report, the Committee expressed concern that the Court of the University largely functions as an advisory body, while the University of Hong Kong Ordinance specifies that the Court is the supreme governing body.

The Committee recommended that the Secretary-General of the University Grants Committee request that the University amend the University of Hong Kong Ordinance to ensure that the statutory roles of its Council and Court reflect their actual functions.

The Bill now before us aims to carry out this recommendation.

The Committee further stated that it wished to be kept informed of the progress of the University's action to amend the University of Hong Kong Ordinance regarding the statutory roles of its Council and Court.

The University has been making regular reports to the Public Accounts Committee throughout the past seven years.

Therefore, the concern of this Bills Committee should be whether this Bill properly implements the request that has been put to the University. This is not the time for debate on the rationale for these amendments. The Public Accounts Committee has already expressed the Legislative Council's view in this regard.

PAUSE

On the matter of staff titles, the overwhelming majority of the University's academic staff is already using the new staff titles. In order to give recognition to their titles and protect their interests, it is essential that the new titles be incorporated into the Ordinance. That is the aim of this Amendment Bill.

There are a very few staff members who continue to use the old academic titles of Senior Lecturer and Lecturer. Their interests are fully protected under this Amendment Bill.

Notwithstanding, in response to a request from the Panel on Education, the University revised the draft Bill to incorporate additional protection for those who retain the old staff titles. Specifically, a new transitional provision has been incorporated to re-emphasise the ability of staff members to retain their old titles with no change in their conditions of employment.

PAUSE

I also wish to point out that the Legislative Council Legal Advisor has suggested that the English version of the Bill should be revised to replace the term "protection on termination" in clause 5(1) of the Bill with the term "protection against termination". This technical issue does not arise in the Chinese version of the Bill.

The University of Hong Kong has no objection to this change, and I will introduce a Committee Stage Amendment upon resumption of the Second Reading debate in this regard.

Madam Chairman, members of the University of Hong Kong administration and legal advisors are here today, and look forward to briefing Members on the detailed aspects of the Bill.

Thank you.