

HONG KONG SPECIAL ADMINISTRATIVE REGION

ORDINANCE NO. 20 OF 2011

L.S.

Donald TSANG
Chief Executive
21 July 2011

An Ordinance to amend the University of Hong Kong Ordinance.

[22 July 2011]

Enacted by the Legislative Council.

1. Short title

This Ordinance may be cited as the University of Hong Kong (Amendment) Ordinance 2011.

2. Court, Council and Senate, their constitutions, powers and duties

(1) Section 7(2) of the University of Hong Kong Ordinance (Cap. 1053) is amended by repealing “governing” and substituting “advisory”.

(2) Section 7(3) is amended by repealing “executive body” and substituting “supreme governing body”.

(3) Section 7(3) is amended by repealing “it shall administer the property and manage the affairs of the University” and substituting “the Council may exercise all the powers and is to perform all the duties of the University other than those vested or imposed by this Ordinance or the statutes in some other authority of the University or in an officer”.

3. Officers and teachers, their appointment, powers, duties and emoluments

(1) Section 12(9) is amended by repealing “The teachers shall be the Professors, Readers, Lecturers, and such other persons as may be designated teachers by the statutes. The teachers shall be appointed by the Council.” and substituting “The teachers are the Chairs, Professors, Associate Professors and

Assistant Professors of the University, and such other persons as may be designated as teachers by the statutes. The teachers are to be appointed by the Council on such terms as it thinks fit.”.

(2) Section 12(10)(b) is amended by repealing “or probationary” and substituting “or for a fixed term”.

4. Statutes of the University of Hong Kong

(1) Statute XII of the Statutes of the University of Hong Kong in the Schedule is amended, in paragraph 1, by repealing “the senior lecturers, the assistant lecturers,”.

(2) Statute XIX is amended, in paragraph 1, by repealing “The Council shall administer the affairs of the University other than those vested by the Ordinance” and substituting “The Council may exercise all the powers and is to perform all the duties of the University other than those vested or imposed by the Ordinance”.

(3) Statute XIX is amended by repealing paragraph 2(s) and substituting—

“(s) to do all such acts and things and perform all such duties as may be necessary for or incidental to exercising the powers or performing the duties vested or imposed on the Council by the Ordinance or the statutes.”.

(4) Statute XXVIII is amended by repealing paragraph 1(1)(b) and substituting—

“(b) the Chairs, Professors, Associate Professors, Assistant Professors, Readers, Senior Lecturers, Lecturers, Assistant Lecturers, Tutors and Demonstrators of the University;”.

5. Transitional provision

(1) The Council must not terminate the appointment of a person who was a teacher and entitled to the protection against termination of appointment described in section 12(9) of the University of Hong Kong Ordinance (Cap. 1053) immediately before the commencement of this Ordinance except where after due enquiry into the facts and after receiving the advice of the Senate on the findings of such enquiry there exists in the opinion of the Council good cause for such termination.

(2) Any person who was a teacher holding a title of Reader, Senior Lecturer or Lecturer immediately before the commencement of this Ordinance is permitted to retain the title and the status of a teacher after the commencement of this Ordinance as long as the person remains in the same grade of employment in the University.

6. Saving

Nothing in this Ordinance shall affect or be deemed to affect the rights of the Central Authorities or the Government of the Hong Kong Special Administrative Region under the Basic Law and other laws, or the rights of any body politic or corporate or of any other person except such as are mentioned in this Ordinance and those claiming by, from or under them.