



香港中文大學 THE CHINESE UNIVERSITY OF HONG KONG

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BY FAX ONLY (2509 0775)

Miss Odelia Leung
Clerk to Panel
Panel on Education
Legislative Council
Legislative Council Secretariat
3rd floor, Citibank Tower
3 Garden Road
Hong Kong

Dear Miss Leung,

Statutes of The Chinese University of Hong Kong (Amendment) Statutes 2010

1. The Chinese University of Hong Kong (CUHK) proposes to amend the Statutes contained in Schedule 1 of The Chinese University of Hong Kong Ordinance (CUHK Ordinance) as set out in the "Statutes of The Chinese University of Hong Kong (Amendment) Statutes 2010" (the Amendment Statutes).
2. According to Section 13(1) of the CUHK Ordinance, the University Council having considered the report of the Senate thereon, passed and confirmed a special resolution on October 5, 2010 and November 16, 2010 respectively for making the Amendment Statutes which were approved by the Chancellor on December 17, 2010 and gazetted on December 31, 2010. The Amendment Statutes have just been submitted for tabling at the Legislative Council on January 5, 2011 for negative vetting.
3. CUHK submitted to the Panel on Education of the Legislative Council to seek members' views on November 9, 2009 and January 11, 2010, an earlier version of the Amendment Statutes which included the proposed definition of "teacher" and the proposed reorganization of the Senate. CUHK respects the views expressed by members of the Panel and are conducting further consultation among its stakeholders on these two matters.
4. In view of the presence of the aforesaid yet-to-be-resolved matters, and that the remaining matters have to be processed as early as possible, the University Council decided to remove those parts related to (a) the statutory definition of "teacher", and (b) the reorganization of the Senate, from the Amendment Statutes pending further review, and submit only the remaining parts of the Amendment Statutes for enactment at this time.

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Miss Odelia Leung
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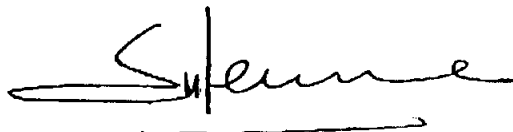
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Ongoing Consultation/Review

5. During the past year, an Ad Hoc Working Group of CUHK consisting of two Pro-Vice-Chancellors and a Professor has conducted many sessions of consultation with the Instructors and employees on related grades of CUHK, to hear their views on the statutory definition of "teacher", as well as on other related matters. The outcome of the review will be announced by CUHK very soon.
6. Regarding the reorganization of CUHK's Senate, it should be noted that the original proposal had been made on the basis of a consensus reached after broad-based consultation and careful deliberations. In the reorganized Senate, the three student members as recommended, will be elected by way of "one person one vote" to ensure their representativeness. The said proposal was recommended to the Senate by an Ad Hoc Committee (which included as members, the then President of The Student Union of The Chinese University of Hong Kong (CUSU) as well as elected representatives of teaching staff and students) in accordance with normal procedures. The said original proposal was endorsed without any dissenting vote by the Senate, and then approved by the University Council for implementation.
7. The subsequent suggestion of CUSU to make the President of CUSU an ex officio Senate member will run counter to the principle of election of a representative to the Senate by and from among all the full-time undergraduate students. CUHK believes that candidates who aspire to be the representative of the undergraduate students on the Senate should run for election as an individual person. The President and other officers of CUSU are of course eligible to stand in such an election. Furthermore, CUSU has also proposed to add two more student members to the reorganized Senate which will alter the proportion of representation among different groups of stakeholders. These two subsequent and additional suggestions of CUSU will require further review by the University after proper consultation is conducted with various stakeholders of CUHK.
8. We shall brief the Panel when the two aforesaid matters are presented again for statutory amendment.

Yours sincerely,



Jacob Leung
Secretary of the University

JL/mm