

**For discussion  
on 14 January 2013**

**Legislative Council Panel on Education**

**Review of Post Secondary Colleges Ordinance (Cap. 320) and  
Post Secondary Colleges Regulations (Cap. 320A)**

**Purpose**

This paper invites Members' views on the proposed legislative amendments to the Post Secondary Colleges Ordinance (Cap. 320) (the Ordinance) and the Post Secondary Colleges Regulations (Cap. 320A) (the Regulations).

**Review**

2. The Ordinance and the Regulations were first enacted in 1960 to govern the registration and operation of post-secondary colleges and their consequent exemption from the provisions of the Education Ordinance (Cap. 279). At present, there are six institutions registered under the Ordinance, namely:

<u>Institution</u>	<u>Year of Registration</u>
The Hong Kong Shue Yan University ( <i>first registered as Hong Kong Shue Yan College</i> )	1976
Caritas Institute of Higher Education ( <i>first registered as Caritas Francis Hsu College</i> )	2001
Chu Hai College of Higher Education	2004
Hang Seng Management College	2010
Tung Wah College	2011
Centennial College	2012

3. The Hong Kong Baptist College and Lingnan College were once registered in 1970 and 1978 respectively but later became University Grants Committee (UGC)-funded institutions and de-registered with the enactment of their own ordinances.

4. The only major amendment to the Ordinance took place in 2001, when Section 10 was revised by allowing registered post-secondary colleges to award degrees with the approval of the Chief Executive in Council (CE-in-Council). A copy of the Ordinance and the Regulations are at **Annexes A and B** respectively.

5. The Ordinance and the Regulations stipulate the legal requirements for the registration and monitoring of post-secondary education institutions. Some of the legal requirements have become archaic and can no longer keep abreast of the rapid changes in the post-secondary education sector, including the introduction of sub-degree qualification. The review of the Ordinance and the Regulations aims to provide necessary technical updates and replace obsolete legal requirements to keep pace with the changes in the sector.

6. It is noteworthy that the proposed legislative amendments are purely technical in nature to facilitate the development of the post-secondary education sector. It is not our intention to impose any new control measures, through this legislative exercise, on post secondary colleges registered or to be registered under the Ordinance. As a matter of fact, not all post-secondary education institutions are required to be registered under the Ordinance. For example, UGC-funded institutions (as well as their self-financing arms) are governed by their own ordinances and are not subject to the regulatory framework of the Ordinance.

7. Furthermore, while the approval authority for registration under the Ordinance rests with the Permanent Secretary for Education, she would take into account the outcome of the Institutional Review (IR) conducted by the Hong Kong Council for Accreditation of Academic and Vocational Qualifications (HKCAAVQ) on the institution concerned and other considerations as appropriate. The IR exercise already calls for substantial evidence from the institution regarding a high level of maturity in the development and implementation of a sound institutional structure and processes, financial resource and academic planning, appropriate staffing and quality assurance mechanisms for the planning, development, delivery and continuous improvement of the programmes. The six institutions currently registered under the Ordinance are all accredited and quality-assured by the HKCAAVQ.

## **Proposed Legislative Amendments**

8. Following a review of the Ordinance and the Regulations and in view of the implementation of the New Academic Structure, we propose a number of legislative amendments as set out below:

**(a) Removal of Registration Requirement on Length of Programmes Offered**

At present, the scope of post-secondary colleges registered under the Ordinance is very restrictive as Section 4(c) stipulates that the courses offered shall “*include major courses extending over at least four years*”. With the development of an increasingly diversified post-secondary education sector with multiple entry and exit points, post-secondary courses now vary considerably in length of study. It is also a trend that greater emphasis is placed on learning outcomes rather than on length of study. For instance, sub-degree programmes, i.e. Associate Degree (AD) and Higher Diploma (HD), normally last for two to three years. The requirement under Section 4(c) is too rigid and could not cover these programmes. More flexibility should be allowed to enable colleges to meet the modern day needs.

We therefore propose that the course duration requirement be removed and instead, the main types of courses offered could be defined by the levels of qualifications awarded, namely AD/HD or above.

**(b) Removal of Admission Requirement on Student Age**

Section 4(g) of the Ordinance requires that the Permanent Secretary for Education has to be satisfied with “*the conditions as to age and attainments of the students qualifying for admission*” and Regulation 6(1) of the Regulations provides that “*no students should be admitted to a College unless he is at least 17 years of age*”. The age requirement for admission is obsolete nowadays as students should be admitted to a post-secondary college on the merit of performance or attainment and prior learning experience rather than age. In fact, some outstanding students may be admitted earlier than the age of 17. We therefore propose that the admission requirement on student age be removed.

**(c) Removal of Admission Requirement on Academic Qualifications**

Regulation 6(2) of the Regulations provides that the minimum academic qualification for entry into a college shall “*be the possession of a Hong Kong School Certificate or Hong Kong Chinese School Certificate*”. Both academic qualifications have become obsolete now. However, it may not be appropriate to replace them in the Regulations by stipulating the Hong Kong Diploma of Secondary Education (HKDSE) Examination as the only new minimum academic qualification in view of the fact that Hong Kong’s education sector is becoming increasingly internationalised. There is a growing diversity of acceptable equivalent qualifications such as International Baccalaureate (IB), General Certificate of Education (GCE) A-Level, etc.

Moreover, with the introduction of the Qualifications Framework since 2008, vocational qualifications are getting wider recognition. It would therefore not be appropriate to restrict admission into a post-secondary college to one local qualification, for example, HKDSE. The HKCAAVQ or the appropriate authority<sup>1</sup> conducting local accreditation will ensure, during the accreditation exercise<sup>2</sup>, that the programmes concerned have set appropriate minimum entry requirements.

**(d) Removal of Requirement of CE-in-Council’s Approval for Using “Hok Yuen”(學院)**

Section 8(1) of the Ordinance requires that CE-in-Council’s approval be sought before using the name “Hok Yuen” (學院). Generally speaking, “Hok Yuen” (學院) is a modern term denoting either a post-secondary college or a constituent college of a university. The term has become commonly used nowadays. In fact, save for the Hong Kong Shue Yan University which is a university, the remaining five registered post-secondary colleges under the Ordinance use the Chinese

---

<sup>1</sup> The UGC-funded institutions enjoy self-accrediting status. The Hong Kong Institute of Education also has self-accrediting status in respect of its teacher education programmes at degree and above levels. Its non-teacher education programmes are subject to validation by HKCAAVQ.

<sup>2</sup> In conducting the accreditation, HKCAAVQ and appropriate authority will take into account any prevailing guidelines for the programme/qualification concerned. For instance, for AD and HD qualifications, the Education Bureau has issued the Common Descriptors which set out, among other things, the minimum entry qualifications.

name “學院”. To streamline the procedures, we propose removing the requirement of seeking CE-in-Council’s approval for using this name.

**(e) Removal of Registration Requirement of Evening Colleges**

Sections 9(1) and (2) of the Ordinance stipulate that a college operating evening classes may be required to bear the word “evening” in its name and if so required, must be separately registered from the college operating day classes. This is an obsolete requirement as most post-secondary colleges nowadays run evening classes and there are no strong reasons to distinguish between day classes and evening classes under registration in a society promoting lifelong learning. Moreover, similar legislative requirement in the Education Ordinance (Cap. 279) was repealed in 2003. We therefore propose that the registration requirement of evening colleges be removed.

**(f) Streamlining of Procedures for Approving Award of Degrees**

At present, CE-in-Council’s approval is required for a college to award degrees under Section 10(a) of the Ordinance. As more and more post-secondary colleges begin to offer degree programmes, approval from CE-in-Council has to be sought for the launch of each and every such programme. However, the key issue of whether a post-secondary college should be allowed to award degree is whether it has the capability to deliver degree programmes and the quality of the degree programmes concerned. This would be considered by the HKCAAVQ or the appropriate authority when conducting local accreditation exercises of the programmes concerned. More streamlined procedures for granting degree-awarding authority to accommodate the vibrant development of the sector would certainly be of merit. We therefore propose that the approval authority for a college to award degrees be rested in the Secretary for Education instead of the CE-in-Council, with reference to the local accreditation granted by the HKCAAVQ for the programmes concerned.

**(g) Updating of Provision on Other Qualifications and Awards to be Conferred**

While Section 10(a) of the Ordinance stipulates that CE-in-Council’s approval is required for a college to award degrees, Section 10(b) provides that a registered post-secondary college may award “*diplomas and certificates*”. Regulation

8(1) and (2) of the Regulations have also referred to “*diplomas and certificates*” when setting out the examination arrangement. In line with the introduction of the Qualifications Framework and the development of the post-secondary education sector, we propose to amend these provisions so that a broader coverage of the qualifications and other awards including honorary degrees and honorary awards may be conferred by registered post-secondary colleges.

**(h) Removal of Medical Requirements on College Hostels**

Regulation 3(2) of the Regulations stipulates that all “*College hostels shall be provided with adequate sick rooms and all boarders shall be medically examined by a registered medical practitioner before admission to any College hostels and re-examined at least once in every 6 months thereafter.*” These medical requirements, which were laid down in the 1960s, are obsolete now and indeed onerous on the post-secondary colleges. Moreover, Regulation 4 of the Regulations already empowers the Permanent Secretary for Education to require, if necessary, any person in a college to undertake medical examination and be excluded from school should the person be found to be suffering from infectious diseases. Hence, we consider the requirement of Regulation 3(2) unnecessary and propose its removal. This would also avoid micro-managing institutions. In any case, Regulation 3(1) of the Regulations - “*College premises shall at all times to the satisfaction of the Permanent Secretary or any person authorized by him in writing in that behalf*” in various aspects such as cleanliness, safety, provision of facilities, etc. - is also applicable to college hostels and should suffice as a general provision regarding college premises and related facilities.

## **Public Consultation**

9. Consultation on the proposed legislative amendments was conducted with the Committee on Self-financing Post-secondary Education<sup>3</sup> (CSPE). A consultation session with institutions providing self-financing post-secondary programmes was also held on 8 November 2012. Besides, a consultation document was uploaded on the Education

---

<sup>3</sup> Following the recommendation of the UGC’s Report on Higher Education Review, the Committee on Self-financing Post-secondary Education was set up on 1 April 2012 as an advisory body to oversee the development of the self-financing post-secondary education sector in Hong Kong. It serves as a platform for discussing strategic issues of common interest to the sector as well as formulating and promoting good practices.

Bureau website for public consultation from 26 October to 20 November 2012, and a total of 12 written submissions were received.

10. Overall speaking, the proposed legislative amendments are welcome and fully supported by the self-financing post-secondary education sector, while some miscellaneous amendments on registration requirements, structure of the governing bodies, etc. were suggested. The institutions noted that the Ordinance and its Regulations were enacted a long time ago and it might take time for a complete overhaul of the entire legislation. To avoid unnecessary delay, they agreed that an incremental approach should be adopted to first focus on the legislative amendments proposed by the Administration by updating or removing obsolete provisions which would hinder the development of the sector. Other miscellaneous amendments would require detailed deliberations and consensus among the stakeholders, and could be considered at a future stage.

### **Advice Sought**

11. Members' views are sought on the proposed amendments to the Ordinance and the Regulations stipulated in paragraph 8 above. Subject to Members' comments, the Administration plans to introduce the Amendment Bill to the Legislative Council (LegCo) in the second half of the 2012-13 LegCo session.

Education Bureau  
January 2013

Chapter:	320	POST SECONDARY COLLEGES ORDINANCE	Gazette Number	Version Date
		Long title		30/06/1997

To provide for the registration and control of certain Post Secondary Colleges and their consequent exemption from the provisions of the Education Ordinance (Cap 279) and for other matters connected therewith.

[20 May 1960]

(Originally 15 of 1960)

Section:	1	Short title		30/06/1997
----------	---	-------------	--	------------

This Ordinance may be cited as the Post Secondary Colleges Ordinance.

Section:	2	Interpretation	L.N. 130 of 2007	01/07/2007
----------	---	----------------	------------------	------------

Remarks:

For the saving and transitional provisions relating to the amendments made by the Resolution of the Legislative Council (L.N. 130 of 2007), see paragraph (12) of that Resolution.

In this Ordinance, unless the context otherwise requires-

"Board of Governors" (校董會) includes a Board of Trustees where such a body exists in place of a Board of Governors;

"College" (學院) means a Post Secondary College registered under this Ordinance, and such College should be known as an Approved Post Secondary College;

"Permanent Secretary" (常任秘書長) means the Permanent Secretary for Education. (Amended 3 of 2003 s. 24; L.N. 130 of 2007)

(Amended 3 of 2003 s. 24)

Section:	3	Registers	3 of 2003	28/02/2003
----------	---	-----------	-----------	------------

For the purposes of this Ordinance the Permanent Secretary shall keep the following registers- (Amended 3 of 2003 s. 25)

- (a) a register of Colleges;
- (b) a register of members of Boards of Governors;
- (c) a register of members of College Councils;
- (d) a register of teachers in Colleges.

Section:	4	Requirements for registration	3 of 2003	28/02/2003
----------	---	-------------------------------	-----------	------------

A Post Secondary College shall be eligible for registration under section 3 and thereafter to remain on the register where the Permanent Secretary is satisfied as to- (Amended 3 of 2003 s. 25)

- (a) the composition of the Board of Governors, College Council and teaching staff being such as to ensure satisfactory academic and general standards and conduct;
- (b) the constitution, statutes or other instruments which govern the Post Secondary College; (Amended 37 of 1962 s. 2)
- (c) the courses offered being suitable in all respects for Post Secondary Colleges meeting a community need and including major courses extending over at least four years;
- (d) the equipment, laboratories, library and general facilities being adequate for the courses offered;
- (e) the number, qualifications, remuneration and conditions of service of the Post Secondary College staff;
- (f) the premises being adequate for the purposes of a Post Secondary College and being in all ways suitable and safe for such purposes;



- (g) the conditions as to age and attainments of the students qualifying for admission, the standard of instruction and the final examination standards;
- (h) the number of students being admitted having regard to the maintenance of status and standards, facilities available and community need;
- (i) students being admitted without favour being shown on grounds of race, nationality or religion save where on the application of the Post Secondary College the Permanent Secretary approves of an exception in favour of a class of persons holding a particular religious faith; (Amended 3 of 2003 s. 25)
- (j) the Post Secondary College being free from affiliation with or control by any government other than the Government of the Hong Kong Special Administrative Region or any organization outside Hong Kong or any political group and the students teachers and officers refraining from political propaganda and from any undesirable political activity and from any other activity whatsoever which the Permanent Secretary considers inimical to the interests of the College; (Amended 53 of 2000 s. 3; 3 of 2003 s. 25)
- (k) adequate provision being made in the Post Secondary College for the encouragement of corporate and social life and for recreation;
- (l) the finances of the Post Secondary College;
- (m) the legal status of the Post Secondary College which shall be a corporation unless other arrangements are made, to the approval of the Permanent Secretary, for the proper discharge of legal obligations and safeguarding of rights of the College; (Amended 3 of 2003 s. 25)
- (n) the College complying in all respects with the provisions of this Ordinance.

Section:	5	Effect of registration		30/06/1997
----------	---	------------------------	--	------------

So long as a College remains registered under section 3 it shall be exempt from the provisions of the Education Ordinance (Cap 279).

Section:	6	Refusal of registration and cancellation	3 of 2003	28/02/2003
----------	---	--	-----------	------------

(1) The Permanent Secretary may refuse to register or may cancel the registration of- (Amended 3 of 2003 s. 25)

- (a) any Post Secondary College where he is not satisfied in respect of any of the matters specified in section 4;
- (b) any person as a member of a Board of Governors or College Council or as a teacher where it appears to him that such person is not a fit and proper person to act in that capacity or that such person fails to comply with the provisions of this Ordinance.

(2) The Permanent Secretary shall cancel the registration of- (Amended 3 of 2003 s. 25)

- (a) any College where it appears to him that such College has ceased to function or where the Chairman of the Board of Governors, on the instructions of the Board of Governors, requests cancellation;
- (b) any person from the register of members of Boards of Governors or College Councils or teachers where such person ceases to act in that capacity.

(3) The Permanent Secretary shall give notice in writing of any refusal to register or of any cancellation to the Post Secondary College or person concerned. (Amended 3 of 2003 s. 25)

(4) Where the Permanent Secretary refuses to register or cancels a registration under subsection (1) the Post Secondary College or person concerned may within twenty-one days of the receipt of the notice under subsection (3) appeal by way of petition to the Chief Executive in Council, and the decision of the Chief Executive in Council shall be final. (Amended 53 of 2000 s. 3; 3 of 2003 s. 25)

(5) For the purpose of considering a petition and determining the appeal the Chief Executive in Council may appoint a tribunal to inquire into the matters raised in such petition, and may empower such tribunal to hear evidence and do all other such things as are necessary for its due inquiry. Any tribunal so appointed shall conduct its inquiry in private and submit a report in writing to the Chief Executive in Council. (Amended 53 of 2000 s. 3)

- (6) (a) In addition to the powers of the Permanent Secretary under subsection (1) the Chief Executive in Council may order the Permanent Secretary to refuse to register or to cancel the registration of any Post Secondary College or of any person as a member of a Board of Governors or College Council or as a teacher where it appears to the Chief Executive in Council that the registration or the continued

registration of such College or person would be prejudicial to the public interest, to the welfare of students or to education generally. (Amended 3 of 2003 s. 25)

- (b) Before making any order under this subsection the Chief Executive in Council shall afford to the Post Secondary College or person concerned the opportunity to submit any representations in writing which shall be considered by the Chief Executive in Council. (Amended 53 of 2000 s. 3)

Section:	7	Visits	3 of 2003	28/02/2003
----------	---	--------	-----------	------------

For the purposes of this Ordinance, and for the purpose of ensuring compliance with any conditions attaching to financial assistance from Government, the Permanent Secretary and any person authorized by him in writing in that behalf, may visit any College, and shall be afforded all reasonable facilities and information by the College and the teachers and officers.

(Amended 3 of 2003 s. 25)

Section:	8	Name of College	3 of 2003	28/02/2003
----------	---	-----------------	-----------	------------

(1) Every College shall be registered under such name in both English and Chinese as may be approved by the Permanent Secretary, who shall not without the prior sanction of the Chief Executive in Council approve any name containing the word "University", or the Chinese words "Tai Hok" (大學) or "Hok Yuen" (學院). (Amended 53 of 2000 s. 3; 3 of 2003 s. 25)

(2) No College may use any name other than its registered name.

Section:	9	Evening Colleges	3 of 2003	28/02/2003
----------	---	------------------	-----------	------------

(1) Where any Post Secondary College provides courses in the evening of a like nature to those provided in a College, such Post Secondary College may be required by the Permanent Secretary to include the word "Evening (夜)" in its name. (Amended 3 of 2003 s. 25)

(2) Every Post Secondary College so required shall be deemed a separate College and shall be required to register as such, notwithstanding that it is registered as a College in respect of the courses conducted during the day.

Section:	10	Award of degrees, diplomas and certificates	16 of 2001	29/06/2001
----------	----	---	------------	------------

A College may-

- (a) with the prior approval of the Chief Executive in Council, award degrees; and
- (b) award diplomas and certificates.

(Replaced 16 of 2001 s. 2)

Section:	11	Research and special studies	3 of 2003	28/02/2003
----------	----	------------------------------	-----------	------------

Colleges may establish institutes or departments of research or special studies with the approval in writing of the Permanent Secretary, who in giving his approval shall take into consideration the need for any such institute or department and the ability of the College to maintain satisfactory standards therein with reference to the adequacy of the teaching staff, equipment and general facilities.

(Amended 3 of 2003 s. 25)

Section:	12	Regulations	3 of 2003	28/02/2003
----------	----	-------------	-----------	------------

(1) The Chief Executive in Council may by regulation provide for- (Amended 53 of 2000 s. 3)

- (a) the provisions required to be in college constitutions including provisions relating to the composition of Boards of Governors, College Councils, Academic Boards and Faculty Boards, the officers and academic staff with their conditions of service and generally for the administration of the College;
- (b) the conduct of the affairs of the College;
- (c) forms;
- (d) generally for the carrying into effect of the provisions of this Ordinance.

(2) The Permanent Secretary may exempt any College, officer, teacher or student thereof from any of the provisions of any regulations made under this section. (Amended 3 of 2003 s. 25)

Section:	13	Conducting courses on general holidays	L.N. 18 of 2004	01/04/2004
----------	----	--	-----------------	------------

Notwithstanding anything in the General Holidays Ordinance (Cap 149), a College may conduct educational courses or give instructions on a general holiday.

(Added 1 of 2004 s. 22)

Chapter:	320A	POST SECONDARY COLLEGES REGULATIONS	Gazette Number	Version Date
		Empowering section		30/06/1997

(Cap 320 section 12)

[20 May 1960]

(Originally G.N.A. 39 of 1960)

Regulation:	1	Citation		30/06/1997
-------------	---	----------	--	------------

These regulations may be cited as the Post Secondary Colleges Regulations.

Regulation:	2	Constitution	23 of 2004	08/09/2004
-------------	---	--------------	------------	------------

The constitution of every College shall include the following provisions-

- (a) the following college bodies shall be constituted-
  - (i) a Board of Governors which shall be the supreme governing body of the College;
  - (ii) a College Council which shall be the executive body of the College administering the property and managing the general affairs of the College subject to the directions of the Board of Governors;
  - (iii) an Academic Board which shall regulate the academic affairs of the College subject to the financial control of the College Council; and
  - (iv) a Faculty Board for each faculty in the College which shall be responsible to the Academic Board for the teaching and general organization of the courses assigned to that faculty reporting thereon from time to time to the Academic Board;
- (b) the College bodies specified in paragraph (a) shall be subject to the provisions in Table A relating to composition and standing orders-

TABLE A

College body	Composition	Statutory meetings	Convened meetings	Quorum
Board of Governors.	Not less than 10 nor more than 40.	Once in each academic year.	The Chairman may convene at any time and shall do so on written request of 5 members.	One-half of the members.
College Council.	Not less than 10 members nor more than 25.	Four times a year.	The Chairman may convene at any time and shall do so on written request of 5 members.	One-half of the members.
Academic Board.	-	Once in every term.	The Chairman may convene at any time.	One-half of the members.
Faculty Board.	The Dean of each Faculty to be Chairman of the Board of that Faculty.	Once in every term.	-	-

- (c) no act or resolution of any College body shall be in valid by reason only of any vacancy in, or any want of qualifications by or validity in the election or appointment of any member of such body;
- (d)
  - (i) the College bodies specified in paragraph (a) may establish such committees as they see fit;
  - (ii) a committee established under sub-paragraph (i) may be constituted partly of persons who are not members of the particular College body establishing it;
- (e) there shall be the following officers-
  - (i) a President who shall be the principal academic and administrative officer, and who shall be

- appointed and dismissed by the Board of Governors on the advice of the College Council subject to the approval of the Permanent Secretary; (3 of 2003 s. 27)
- (ii) a Vice-President;
  - (iii) a Chairman and Vice-Chairman of the Board of Governors;
  - (iv) a Chairman and Vice-Chairman of the College Council;
  - (v) a Chairman and Vice-Chairman of the Academic Board;
  - (vi) a Dean for each Faculty in the College;
- and either
- (vii) an Academic Registrar;
  - (viii) a Bursar;
  - (ix) a Librarian;
- or
- (x) a Dean of Studies;
  - (xi) a Registrar;
  - (xii) a Librarian;
  - (xiii) a Comptroller;
  - (xiv) a Dean of Students;
- (f) all the officers specified in sub-paragraphs (vi) to (xiv) in paragraph (e) shall be appointed and dismissed by the College Council subject to the approval of the Board of Governors;
  - (g)
    - (i) teachers shall be classified as senior lecturers, lecturers, assistant lecturers, tutors and demonstrators; and such persons shall be appointed by the College Council on recommendations of the Academic Board subject to the approval of the Board of Governors;
    - (ii) save for termination at the end of a period of probation the appointment of a teacher may be terminated by the College Council for good cause only, and in every case the College Council shall consider the recommendations of the Academic Board;
    - (iii) the minimum qualification of a teacher shall be a university degree;
    - (iv) teachers in receipt of full time salaries from the College shall not engage in outside practice for reward without the consent of the College Council and subject to such conditions as it may impose;
  - (h)
    - (i) application for any person to be entered on the register of members of Boards of Governors or of members of College Councils shall be made to the Permanent Secretary by the Chairman of the Board of Governors on the instructions of the majority of the same of the prescribed form; (See Form 2)
    - (ii) application for any person to be entered on the register of teachers shall be made to the Permanent Secretary by the President subject to the approval of the College Council on the prescribed form; (See Form 3) (3 of 2003 s. 27)
  - (i) the College Council shall appoint as auditor a certified public accountant (practising) as defined in the Professional Accountants Ordinance (Cap 50), who shall audit the College accounts annually, and who shall hold office for one year but shall be eligible for re-appointment. (76 of 1973 s. 3; 23 of 2004 s. 56)

Regulation:	3	Premises	3 of 2003	28/02/2003
-------------	---	----------	-----------	------------

(1) College premises shall at all times to the satisfaction of the Permanent Secretary or any person authorized by him in writing in that behalf- (3 of 2003 s. 27)

- (a) be kept in a state of repair, cleanliness and safety;
- (b) be adequately ventilated, lighted and provided with satisfactory water supply and with washing and latrine arrangements;
- (c) be adequately protected against fire and equipped with fire fighting appliances.

(2) College hostels shall be provided with adequate sick rooms and all boarders shall be medically examined by a registered medical practitioner before admission to any College hostel and re-examined at least once in every 6 months thereafter.

Regulation:	4	Health	3 of 2003	28/02/2003
-------------	---	--------	-----------	------------

(1) The Permanent Secretary or any person authorized by him in writing in that behalf may require any person employed in a College and any teacher or student to be medically examined.

(2) The College Council shall, if so required in writing by the Permanent Secretary or any person authorized by him in writing in that behalf, cause any employee, teacher or student found to be suffering from an infectious disease to be excluded from the College for such period as he may direct.

(3) The College shall provide adequate first aid equipment, and in particular there shall be first aid boxes adjacent to all laboratories and workshops, and the staff shall be familiar with the contents and use of such first aid boxes.

(3 of 2003 s. 27)

Regulation:	5	Dangerous experiments and equipment		30/06/1997
-------------	---	-------------------------------------	--	------------

(1) The College Council shall ensure that no student performs dangerous experiments or uses dangerous equipment without adequate supervision.

(2) Poisons, dangerous chemicals and other dangerous equipment shall be properly guarded and under the charge of a responsible member of the College staff.

Regulation:	6	Admission and age of entry of students	3 of 2003	28/02/2003
-------------	---	--	-----------	------------

(1) No student shall be admitted to a College unless he is at least 17 years of age.

(2) The minimum academic requirement for entry into a College shall, save where the Permanent Secretary or any person authorized by him in writing in that behalf otherwise permits, be the possession of a Hong Kong School Certificate or Hong Kong Chinese School Certificate. (3 of 2003 s. 27)

Regulation:	7	Permission required for courses for teachers	53 of 2000	01/07/1997
-------------	---	--	------------	------------

Remarks:

Adaptation amendments retroactively made - see 53 of 2000 s. 3

No College shall give a course of training for teachers, except with the written permission of the Chief Executive.

(53 of 2000 s. 3)

Regulation:	8	Examinations	3 of 2003	28/02/2003
-------------	---	--------------	-----------	------------

(1) Examinations for degrees, diplomas and certificates of a College shall be conducted by examiners appointed by the College Council on the recommendation of the Academic Board.

(2) The Permanent Secretary or any person authorized by him in writing in that behalf shall have the right to nominate, if he so wishes, additional examiners for any examination for a degree, diploma or certificate of a College. (3 of 2003 s. 27)

(16 of 2001 s. 3)

Regulation:	9	Finance	3 of 2003	28/02/2003
-------------	---	---------	-----------	------------

(1) The College Council shall ensure the keeping of correct and adequate accounts of all income and expenditure of the College.

(2) All books of accounts, receipts, vouchers, etc., shall be open to inspection by the Permanent Secretary or any person authorized by him in writing in that behalf. (3 of 2003 s. 27)

Regulation:	10	Forms		30/06/1997
-------------	----	-------	--	------------

Applications for registration of a Post Secondary College, for registration of a member of the Board of

Governors or member of a College Council, or for registration of a teacher shall be made on the forms set out in the Schedule.

Schedule:		SCHEDULE	L.N. 130 of 2007	01/07/2007
-----------	--	----------	------------------	------------

Remarks:

For the saving and transitional provisions relating to the amendments made by the Resolution of the Legislative Council (L.N. 130 of 2007), see paragraph (12) of that Resolution.

[regulation 10]

## FORM 1

### POST SECONDARY COLLEGES ORDINANCE

(Chapter 320)

Application to register a college as an approved Post Secondary College

Address (for correspondence) .....  
 .....  
 Tel. No. ....  
 Date .....

Permanent Secretary for Education,  
 Education Bureau,  
 Hong Kong.

1. I hereby apply for registration of the college, particulars of which are set out below, as an approved Post Secondary College.

2. Particulars-

- (a) Proposed name of College (in English) .....
- .....
- (b) Proposed name of College (in Chinese) .....
- .....
- (c) Proposed address of College .....
- .....
- (d) Whether (i) day College,  
 (ii) evening College.
- (e) Fees per student per year .....
- (f) Sources and amount of annual revenue other than fees .....
- .....
- (g) Amount of capital funds available for building and equipment or already spent for such purposes .....
- (h) Name and address of lessee of college premises .....
- .....
- (i) Rent of college premises .....
- (j) Number of teaching weeks in academic year .....
- .....
- (k) Number of students it is proposed to admit per annum .....
- .....
- (l) Total number of students for which the College will provide .....
- .....
- (m) Names of proposed Faculties and Departments in each Faculty .....

.....  
 .....  
 .....  
 .....  
 .....  
 .....  
 .....  
 .....

3. I attach applications in duplicate for the persons listed in Appendix A to be registered as a Member of the Board of Governors of the College.
4. I attach applications in duplicate for the persons listed in Appendix B to be registered as Members of the College Council.
5. I attach applications in duplicate for the persons listed in Appendix C to be registered as teachers.
6. I attach particulars (including salaries) of all officers it is proposed to appoint.
7. I attach 3 copies of a rough plan or diagram of the college premises (with dimensions).
8. I attach a list of proposed courses and outline contents and length of each course.
9. I attach a copy of the Conditions of Service and Contract for Employment of a full-time teacher of the College.
10. I attach a copy of the Requirements for Admission of a student to the College.
11. I attach a copy of the Ordinance in incorporating the College or other evidence of incorporation together with a copy of the Constitution of the College.
12. I attach a general account of the proposed conduct, organization, courses and finance of the College.
13. The Board of Governors request approval for the appointment of ..... as President.

(Signed) .....  
 Chairman of the Board of Governors

Note: Registration of a college does not release the Board of Governors or any other person from compliance with any relevant requirements of the Buildings Ordinance (Chapter 123) or any other Ordinance, nor does it in any way affect or modify any agreements or covenants whatsoever relating to the premises intended for use as the college.

(3 of 2003 s. 26; L.N. 130 of 2007)

## FORM 2

### POST SECONDARY COLLEGES ORDINANCE

(Chapter 320)

Application for registration of a Member of a Board of Governors  
 and or Member of a College Council of Post Secondary College

Address (for correspondence) .....

Tel. No. ....

Date .....

Permanent Secretary for Education,  
 Education Bureau,  
 Hong Kong.

College .....



Address .....

On the instructions of the majority of the members of the Board of Governors of .....  
College I hereby make application for Mr./Mrs./Miss ....., particulars of whom are given below, to be  
registered as a Member of the Board of Governors/a Member of the Council\* of this college.

2. Particulars-

- (a) Name (in English) ..... (In Chinese) .....
- (b) Aliases .....
- (c) Residential Address .....
- (d) Date of Birth .....
- (e) Place of Birth .....
- (f) Occupation(s) during the last 10 years. (If full and complete information has already been supplied in a  
previous application for registration as a manager of a college, this section need not be  
completed) .....  
.....  
.....
- (g) Particulars of education .....
- (h) Experience in or knowledge of educational matters .....  
.....
- (i) Special interest in the above College .....
- (j) Any other relevant remarks .....  
.....

(Signed) .....

Chairman of the Board of Governors

..... College.

Note: This form should be completed in duplicate.

\* Delete as necessary.

(3 of 2003 s. 26; L.N. 130 of 2007)

FORM 3

POST SECONDARY COLLEGES ORDINANCE

(Chapter 320)

Application for registration of a teacher of an approved  
Post Secondary College

..... College

Date .....

Permanent Secretary for Education,  
Education Bureau,  
Hong Kong.

1. With the approval of the College Council I hereby make application for Mr./Mrs./Miss .....,  
particular of whom are given below, to be registered as a teacher in this College.

2. Particulars-

- (a) Name (in English) .....
- (b) Name (in Chinese) .....
- (c) Aliases .....
- (d) Sex .....
- (e) Date of Birth .....
- (f) Place of Birth .....
- (g) Where educated with dates-

School or University	From Month/Year	To Month/Year
..... ..... ( )		
..... ..... ( )		
..... ..... ( )		

- (h) Educational qualifications .....  
(Certificates, diplomas, degrees) .....

- (i) Details of occupation(s) other than teaching since leaving school, college or university .....

- (j) Details of all teaching experience-

School (with dates month/year)	Classes taught	Subjects taught

- (k) Details of any publications or original research .....

3. Subjects to be taught .....

4. Proposed salary .....

5. Full-time or part-time .....  
(if part-time, state hours) .....

6. The following persons who are/are not aware of the statements made on this form may be referred to regarding the character of the teacher:-

(a) Name ..... Occupation .....  
Address .....

(b) Name ..... Occupation .....  
Address .....

7. I attach-

(a) 3 signed photographs

(b) medical certificate

(c) educational certificates, or other evidence of educational qualifications of the teacher.

Photograph

Identity Card No. ....  
(Signed) .....  
President

Note: This form should be completed in duplicate.

(3 of 2003 s. 26; L.N. 130 of 2007)