

立法會
Legislative Council

LC Paper No. CB(4)287/13-14
(These minutes have been seen
by the University of Hong Kong)

Ref : CB4/SS/3/13

**Subcommittee on
Statutes of the University of Hong Kong (Amendment) Statute 2013**

**Minutes of the meeting
held on Thursday, 5 December 2013, at 8:30 am
in Conference Room 2A of the Legislative Council Complex**

Members present : Hon MA Fung-kwok, SBS, JP (Chairman)
Hon Abraham SHEK Lai-him, GBS, JP
Hon YIU Si-wing
Hon Gary FAN Kwok-wai
Hon Charles Peter MOK
Dr Hon Kenneth CHAN Ka-lok
Dr Hon Fernando CHEUNG Chiu-hung
Hon IP Kin-yuen
Hon Martin LIAO Cheung-kong, JP
Hon Christopher CHUNG Shu-kun, BBS, MH, JP

Member absent : Hon NG Leung-sing, SBS, JP

Attendance by invitation : Item II

University of Hong Kong

Professor Roland CHIN
Deputy Vice-Chancellor and Provost

Mr Henry WAI
Registrar

Ms Dora YUE
Senior Assistant Registrar, Registry

Clerk in attendance : Miss Polly YEUNG
Chief Council Secretary (4) 4

Staff in attendance : Mr Timothy TSO
Assistant Legal Adviser 2

Mr KWONG Kam-fai
Senior Council Secretary (4) 4

Ms Sandy HAU
Legislative Assistant (4) 3

Action

I. Election of Chairman

Mr YIU Si-wing, the member present who had the highest precedence, presided at the meeting and called for nominations for the chairmanship of the Subcommittee. Mr Christopher CHUNG nominated Mr MA Fung-kwok and the nomination was seconded by Mr Charles MOK. Mr MA Fung-kwok accepted the nomination. There being no other nomination, Mr MA Fung-kwok was declared Chairman of the Subcommittee.

2. Members agreed that it would not be necessary to elect a deputy chairman for the Subcommittee.

Declaration of interests

3. Mr Abraham SHEK, Mr Christopher CHUNG and Mr IP Kin-yuen declared interest as the representatives of Legislative Council Members sitting on the Court of the University of Hong Kong ("HKU"). Mr Abraham SHEK and Mr Martin LIAO declared that they were members of the Council of HKU.

II. Meeting with the University of Hong Kong/Administration

((Issued by the University of Hong Kong in November 2013)) -- Legislative Council Brief

LC Paper No. CB(4)205/13-14(02) -- Marked-up copy of the Statutes of the University of Hong Kong (Amendment) Statute 2013

L.N. 184 of 2013 -- Statutes of the University of Hong Kong (Amendment) Statute 2013

LC Paper No. LS15/13-14 -- Legal Service Division Report)

4. The Subcommittee deliberated (index of proceedings attached at **Annex**).

5. The Subcommittee made the following suggestions regarding the titles of degrees and academic distinctions –

(a) Instead of specifying the relevant disciplines of studies in the titles of the degrees and academic distinctions, consideration might be given to using the formulation of "as determined by the Senate from time to time" so as to obviate the need for amending the Statutes from time to time; and

(b) Consideration might be given to articulating the Chinese titles of degrees and academic distinctions in a more uniform manner.

HKU took note of members' views, and would convey them to the relevant departments and faculties for reference.

Legislative timetable

6. In conclusion, the Chairman said that the Subcommittee had completed the scrutiny of the Statutes of the University of Hong Kong (Amendment) Statute 2013 ("Amendment Statute") and would not propose any amendment to the Amendment Statute. The Subcommittee agreed that the urgent permission of the Chairman of the House Committee ("HC") would be sought for the Chairman to make a verbal report on the deliberations of the Subcommittee to HC on the following day (i.e. meeting on 6 December 2013). If the Subcommittee's request could not be acceded to, the Chairman would move a motion at the Council meeting of 11 or 18 December 2013 to extend the scrutiny period of the Amendment Statute to the Council meeting of 8 January 2014 so as to enable the Subcommittee to complete the reporting process.

(Post-meeting note: The Chairman made a verbal report on the deliberations of the Subcommittee to HC on 6 December 2013, followed by the issuance of the written report on 10 December 2013 vide LC Paper No. CB(4)224/13-14.)

III. Any other business

7. There being no other business, the meeting ended at 9:15 am.

Council Business Division 4
Legislative Council Secretariat
8 January 2014

**Proceedings of the meeting of the
Subcommittee on
Statutes of the University of Hong Kong (Amendment) Statute 2013
on Thursday, 5 December 2013, at 8:30 am
in Conference Room 2A of the Legislative Council Complex**

Time marker	Speaker(s)	Subject(s)	Action required
<i>Agenda Item I - Election of Chairman</i>			
000158 – 000324	Mr YIU Si-wing Mr Christopher CHUNG Mr MA Fung-kwok Mr Charles MOK	Election of Chairman	
000325 - 000435	Mr Abraham SHEK Mr IP Kin-yuen Mr Martin LIAO Mr Christopher CHUNG	Declaration of interests	
<i>Agenda Item II - Meeting with the University of Hong Kong / Administration</i>			
000436 - 000624	Chairman Professor Roland CHIN	Professor Roland CHIN's briefing on the Statutes of the University of Hong Kong (Amendment) Statute 2013 ("Amendment Statute")	
000625 - 001058	Mr Charles MOK Professor Roland CHIN Mr Henry WAI Chairman	<p>Mr Charles MOK enquired whether –</p> <p>(a) other University Grants Committee ("UGC")-funded institutions were required to go through similar legislative procedures whenever new degrees and academic distinctions were to be conferred and awarded; and</p> <p>(b) similar additions/changes in future would require legislative amendment.</p> <p>Professor Roland CHIN advised that additions and changes to the titles of degrees and academic distinctions to be conferred by the University of Hong Kong ("HKU") would require amendments to Statute III of the Statutes in the Schedule to the University of Hong Kong Ordinance (Cap. 1053). The Amendment Statute had been made to enable HKU to confer the relevant degrees and academic distinctions on the graduates.</p> <p>Mr Henry WAI advised that –</p> <p>(a) the current practice was historical. At least four UGC-funded institutions did not have similar requirement under their respective governing legislation to introduce legislative amendments for similar addition and changes;</p> <p>(b) under the current practice, new academic programmes proposed by individual departments required the approval of the Faculty Boards, the</p>	

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		<p>Academic Board and the Senate. The titles of degrees and academic distinctions to be conferred, which would be listed in Statute III, were subject to the approval of the Senate, the Council and the Court of HKU; and</p> <p>(c) after consultation with the Education Bureau and the Law Draftsman, proposed amendments to the Statutes would be gazetted and introduced into the Legislative Council ("LegCo"). The entire process might take about one year.</p> <p>Mr Charles MOK remarked that the authorities concerned should examine whether relevant provisions under different governing ordinances should be aligned to provide for more streamlined and consistent arrangements among UGC-funded institutions in handling the addition and changes to the titles of degrees and academic distinctions.</p> <p>In response to Mr MOK's enquiry about any prior consultation with students and academic staff on the Amendment Statute, Professor Roland CHIN advised that pursuant to the principle of institutional autonomy a bottom-up approach was adopted within HKU. The offering of new programmes was initiated by individual departments, and the proposals were scrutinized by the Faculty Boards whose members included academic staff and students. The proposals also required quality assurance by the Academic Board comprising members of HKU Senior Management Team and senior academics.</p>	
001059 - 001404	Mr Christopher CHUNG Mr Henry WAI Chairman	<p>Mr Christopher CHUNG referred to the title of "Master of Dental Surgery, in dental disciplines as determined by the Senate from time to time", and enquired whether similar formulation could be used in the titles of other degrees and academic distinctions.</p> <p>Mr Henry WAI explained that the proposed formulation was to cater for the wide range of study disciplines offered under the Master of Dental Surgery programme, and would obviate the need for amending the Statutes from time to time. HKU took note of members' view for consideration and appreciated the advice.</p>	
001405 – 001739	Chairman Professor Roland CHIN Mr Christopher CHUNG Mr Abraham SHEK	<p>The Chairman enquired whether the new programmes leading to the degrees listed in the Amendment Statute had already been offered, with students having been enrolled.</p> <p>Professional Roland CHIN advised that some of the programmes had already been launched to tie in with the intake of the first cohort of secondary school graduates under the New Academic Structure. While</p>	

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		<p>the offer of the new programmes and the funding had been approved by HKU and UGC respectively, it was necessary to make the Amendment Statute to enable HKU to confer the relevant degrees and academic distinctions on the graduates upon satisfactory completion of the study programmes.</p> <p>Mr Abraham SHEK reiterated that whilst the proposals for the new programmes had been endorsed by HKU in accordance with its proper procedure and funding had been approved by UGC, it was necessary to amend the Statutes in order that the degrees and academic distinctions could be duly conferred by HKU. The entire process was in line with the established requisite procedures.</p>	
001740 - 001929	Dr Fernando CHEUNG Professor Roland CHIN Chairman	<p>Dr Fernando CHEUNG was pleased to note the offering of more diversified programmes by HKU, and indicated his support for the proposed amendments.</p> <p>Dr CHEUNG remarked that to meet the needs of the community, the programmes on dental surgery should contain appropriate contents geared to catering for the special needs of elderly persons and persons with disabilities.</p> <p>Professor Roland CHIN noted the concern and advised that he had recently discussed with the Chairman of the Dental Council of Hong Kong on the service component in the practical training for dental programmes.</p>	
001930 - 002359	Mr YIU Si-wing Professor Roland CHIN Chairman	<p>Mr YIU Si-wing enquired about the process of offering new academic programmes and the procedures leading to the Amendment Statute.</p> <p>Professor Roland CHIN advised that –</p> <p>(a) all departments and faculties were required to draw up strategic plans for academic development. These strategic plans were subject to review by HKU as well as by local and overseas external reviewers once every five years. New academic programmes were offered in a planned and structured manner; and</p> <p>(b) a bottom-up approach was adopted within HKU. It was for individual departments to propose new programmes with regard to their respective strategic plans and the needs of the community. The programme proposals would be rigorously examined by the Faculty Boards and the Academic Board and approved by the Senate. Amendments to the Statutes would need to be</p>	

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		approved by the Senate, the Council and the Court of HKU before being introduced into LegCo for scrutiny.	
002400 - 002435	Chairman Professor Roland CHIN	<p><u>Clause-by-clause examination of the Chinese version of the Amendment Statute</u></p> <p><u>Sections 1 and 2 of the Amendment Statute</u></p> <p>Members raised no query.</p>	
002436 - 002834	Chairman Professor Roland CHIN Ms Dora YUE ALA2	<p><u>Section 3(1) of the Amendment Statute</u></p> <p>ALA2 advised that pursuant to the current practice of the Law Drafting Division of the Department of Justice, the relevant titles of the degrees and academic distinctions were arranged in alphabetical order in the English version, while those in the Chinese version were arranged according to the number of strokes in the Chinese characters.</p>	
002835 – 003534	Chairman Ms Dora YUE Mr Gary FAN Mr Christopher CHUNG Mr IP Kin-yuen Mr Henry WAI Professor Roland CHIN	<p><u>Section 3(2) and (3) of the Amendment Statute</u></p> <p>Members raised no query.</p> <p><u>Section 3(4) of the Amendment Statute</u></p> <p>Mr Gary FAN referred to the Chinese title of "Master of Psychological Medicine (Psychosis Studies)" as "精神醫學(思覺失調學)碩士" and enquired whether the title should be articulated as "精神醫學碩士(思覺失調學)" so as to align with the Chinese titles of other degrees, such as the degrees of "理科碩士(全科牙醫學)" and "理科碩士(社會牙醫學)".</p> <p>Mr Christopher CHUNG considered it more appropriate to align the articulation of the Chinese titles of the degrees and academic distinctions.</p> <p>Mr IP Kin-yuen remarked that the Chinese title, as currently articulated, might tie in with the formulation of the English title, namely, "Master of Psychological Medicine (Psychosis Studies)".</p> <p>Mr Henry WAI indicated that the Chinese titles had been proposed by the relevant department and faculty.</p> <p><u>Section 3(5) and (6) of the Amendment Statute</u></p> <p>Members raised no query.</p> <p><u>Section 3(7) and (8) of the Amendment Statute</u></p> <p>Mr Christopher CHUNG also noted the Chinese title of "Postgraduate Diploma in Psychological Medicine (Psychosis Studies)" and "Postgraduate Certificate in</p>	

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		<p>Psychological Medicine (Psychosis Studies)" as "精神醫學(思覺失調學)深造文憑" and "精神醫學(思覺失調學)深造證書" respectively.</p> <p>Professor Roland CHIN took note of members' views, and indicated that HKU would have no objection to make the changes as suggested by some members.</p>	
003535 - 004202	<p>Dr Kenneth CHAN Mr Abraham SHEK ALA2 Mr Christopher CHUNG Mr Martin LIAO Professor Roland CHIN Chairman</p>	<p>Dr Kenneth CHAN said that he did not have any strong view about the Chinese title of the master degree in question as currently formulated. He was however concerned about the time and procedures required by HKU to make further amendment to the Amendment Statute.</p> <p>Mr Abraham SHEK stressed the principle of institutional autonomy. While welcoming members' views and suggestions, he said that it would be for HKU to take into account members' views and to decide on its own volition whether or not to make further amendment.</p> <p>Noting the time and procedure involved if further amendment to the Amendment Statute was to be made, Mr Martin LIAO was not in support of making further amendment on this occasion.</p> <p>ALA2 advised that amendments could be made through the following options -</p> <p>(a) HKU could make another amendment statute in the future to amend the titles of the degrees/academic distinctions specified in the Statutes; or</p> <p>(b) amendments to the Amendment Statute could be moved by the Subcommittee Chairman (or any LegCo Member) or by the Administration in accordance with the relevant Rules of Procedure.</p> <p>In consideration of the principle of institutional autonomy, Mr Christopher CHUNG and Dr Kenneth CHAN did not find it advisable for LegCo and/or the Administration to propose any amendments to the Amendment Statute.</p> <p>Professor Roland CHIN agreed to convey members' views to relevant department and faculty for consideration.</p> <p>In reply to the Chairman, ALA2 said that he did not have any query on the English version of the Amendment Statute.</p>	

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004203-004500	Chairman Clerk Mr Abraham SHEK	<p>The Subcommittee decided that it was not necessary to invite public views on the Amendment Statute.</p> <p>The Clerk informed members of the legislative timetable, including the need or otherwise for the Subcommittee to extend the scrutiny period.</p> <p>The Subcommittee agreed that the urgent permission of the Chairman of the House Committee ("HC") would be sought for the Chairman to make a verbal report on the deliberations of the Subcommittee to HC on the following day (i.e. meeting on 6 December 2013). If the Subcommittee's request could not be acceded to, the Chairman would move a motion at the Council meeting of 11 or 18 December 2013 to extend the scrutiny period of the Amendment Statute to the Council meeting of 8 January 2014 so as to enable the Subcommittee to complete the reporting process.</p>	
<i>Agenda Item III – Any other business</i>			
004501-004511	Chairman	Closing remarks	