

立法會
Legislative Council

LC Paper No. LS 239/98-99

**Paper for the House Committee Meeting
of the Legislative Council
on 2 July 1999**

**Legal Service Division Further Report on
Lingnan University Bill**

Members may recall that the Legal Service Division made a report to the House Committee on 25 June 1999 on the Bill (LC Paper No. LS 206/98-99). The purpose of the Bill is to convert the body corporate known as Lingnan College under the Lingnan College Ordinance (Cap. 422) into a university to be known as the Lingnan University (“the University”). Members agreed to defer the decision on the Bill pending receipt of the Committee Stage amendments proposed by the Administration.

2. The Committee Stage amendments to be moved by the Administration are at the Annex. The effect of these amendments are :

- (a) to increase the number of members of the Court elected by the eligible staff from 1 to 2;
- (b) to delete the provision for election of 1 member of the Court by the Professors and Chair Professors of the University;
- (c) to increase the number of members of the Council of the University elected by the eligible staff among themselves from 2 to 3;
- (d) to delete the provision for election of 1 member of the Council of the University by the Professors and Chair Professors;
- (e) to make consequential amendments; and
- (f) to make technical amendments to the drafting of the Chinese text.

3. The Committee Stage amendments do not provide for appointment of Legislative Council members as members of the Council of the University.

4. Clause 37 of the Bill proposes to replace the reference to “Board of Governors of the Lingnan College” with “Council of Lingnan University” in Schedule 1 to the Legislative Council Ordinance (Cap. 542). This Schedule would be repealed by virtue of clause 42 of the Legislative Council (Amendment) Bill 1999 (“the related Bill”) and the composition of the education functional constituency would be set out in a new section 20E proposed under clause 13 of the related Bill. If Members recommend resumption of the Second Reading debate of this Bill within the current session, it is advisable that the remaining legislative proceedings on this Bill should precede those on the related Bill. The Administration has been advised to move necessary Committee Stage amendments to the related Bill following the passage of this Bill.

5. With the Committee Stage amendments, we are satisfied that the legal and drafting aspects of the Bill are in order. Members may wish to discuss whether the policy aspects of the Committee Stage amendments proposed by the Administration are acceptable.

Encl

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30 June 1999

Hui

1st draft : 6.99

LINGNAN UNIVERSITY BILL

COMMITTEE STAGE

Amendments to be moved by the Secretary for
Education and Manpower

<u>Clause</u>	<u>Amendment Proposed</u>
9(1)	(a) In paragraph (d), by deleting "1 member" and substituting "2 members". (b) By deleting paragraph (f).
9(5)	By deleting ", (f)".
9(7)	By deleting ", (f)".
9(8)	By deleting ", (e) or (f)" and substituting "or (e)".
12(1)	(a) In paragraph (d), by deleting "2" and substituting "3". (b) By deleting paragraph (f).
12(6)	By deleting ", (e) or (f)" and substituting "or (e)".

- 12(8) By deleting ", (e) or (f)" and substituting "or (e)".
- 12(9) By deleting ", (e) or (f)" and substituting "or (e)".
- 14(2) By deleting "並可視其認為合適而就或不" and substituting "如校董會認為合適、並可".
- 16(1) By deleting "並可視其認為合適而就或不" and substituting "如校董會認為合適、並可".
- 17(1) By deleting "並可視其認為合適而就或不" and substituting "如校長認為合適、並可".
- 23(1)(g) By deleting ", (e) or (f)" where it twice appears and substituting "or (e)".
- Schedule 1, paragraph By deleting ", (e) or (f)" and substituting " or 7 (e)".
- Schedule 2, paragraph 6 By deleting ", (e) or (f)" and substituting "or (e)".