

**President's Ruling on  
Hon SZETO Wah's proposed amendments to  
Education (Amendment) Bill 1999**

Hon SZETO Wah has given notice to move Committee Stage amendments (CSAs) to various clauses in the Education (Amendment) Bill 1999, so that the Bill, which seeks to give legal effect to the Government's policy in regard to the retirement age for principals and teachers of aided schools, will also cover those of schools under the Government's direct subsidy scheme (DSS).

2. The Secretary for Education and Manpower, who introduced the Bill, has been asked to offer his comments on the proposed CSAs. He is of the view that Mr SZETO's amendments seek to extend the application of the Bill and raise major questions of policy not contemplated within the original scope of the Bill. They are therefore not relevant to the subject matter of the Bill for the purpose of Rule 57(4)(a) of the Rules of Procedure of the Legislative Council.

3. In response, Mr SZETO states that the Administration has sought to adopt a particularly narrow view of the scope of the Bill which expressly states its purpose as being "to amend the Education Ordinance". Mr SZETO argues that the scope of the Bill is wider than the narrow view adopted by the Administration.

**My opinion**

4. Having sought the advice of Counsel to the Legislature, I am of the opinion that the purpose, hence the scope, of the Bill is specifically to amend the Education Ordinance (Cap 279) so that the Government is empowered to enforce its policy on the retirement age of principals and teachers of aided schools only, i.e. those schools which receive subsidies from the Government in accordance with the relevant codes of aid, as defined in clause 2 of the Bill. Neither the Bill nor the Legislative Council Brief complementing it includes schools which receive subsidies from the Government through other sources including the DSS schools which Mr SZETO's amendments seek to include.

## **Ruling**

5. I rule under Rule 57(4)(a) of the Rules of Procedure that Mr SZETO may not move his proposed CSAs as they are not relevant to the subject matter of the Education (Amendment) Bill 1999.

( Mrs Rita FAN )  
President  
Legislative Council

10 March 2000