

立法會

Legislative Council

LC Paper No. CB(2)857/02-03

(These minutes have been
seen by the Administration)

Ref : CB2/BC/3/02

Bills Committee on Education Reorganization (Miscellaneous Amendments) Bill 2002

**Minutes of first meeting
held on Monday, 16 December 2002 at 8:30 am
in Conference Room A of the Legislative Council Building**

- Members present** : Hon Cyd HO Sau-lan (Chairman)
Hon Mrs Selina CHOW LIANG Shuk-yee, GBS, JP
Hon CHEUNG Man-kwong
Dr Hon YEUNG Sum
Hon YEUNG Yiu-chung, BBS
Hon SZETO Wah
Hon Abraham SHEK Lai-him, JP
Hon Tommy CHEUNG Yu-yan, JP
- Members absent** : Hon LEE Cheuk-yan
Hon Emily LAU Wai-hing, JP
Hon Audrey EU Yuet-mee, SC, JP
- Public Officers attending** : Mr John LEUNG
Principal Assistant Secretary
for Education and Manpower (9)
- Mr Andrew POON
Assistant Director of Education
(Chief Inspector of Schools)
- Mrs YU LAW Siu-man
Senior Education Officer (Registration) 2

Ms Grace LEUNG
Government Counsel

Clerk in attendance : Mrs Percy MA
Chief Assistant Secretary (2)3

Staff in attendance : Ms Bernice WONG
Assistant Legal Adviser 1

Mr Paul WOO
Senior Assistant Secretary (2)3

Action

I. Election of Chairman

Ms Cyd HO Sau-lan was elected Chairman of the Bills Committee.

II. Meeting with the Administration

(The Bill circulated vide LC Paper No. CB(3)129/02-03; the Legislative Council Brief issued by the Education and Manpower Bureau (File Ref : EMBCR 6/2/3231/90 Pt.3); LS21/02-03; LC Paper No. CB(2)668/02-03(02) and 296/02-03(01))

2. The Bills Committee deliberated (index of proceedings attached at **Annex**).

3. The Administration was requested to -

- (a) clarify the role of the existing and new Education Commission (EC);
- (b) respond to the view of a member of the Bills Committee that since the role of the new EC would in effect be reduced to that of the existing Board of Education (BoE), BoE, instead of EC, should be retained;
- (c) explain the rationale for and implications of the Administration's proposal to transfer the statutory functions of BoE to EC, a non-statutory body;
- (d) respond to the view that the new EC should continue to advise the Chief Executive;

Action

- (e) respond to the view that the new EC should be a statutory body with its terms of reference set out in legislation; and
- (f) respond to the view that the Administration should give an undertaking to the effect that the new EC would operate with transparency and be accountable to the public.

Admin

III. Date of next meeting

4. The second and third meetings of the Bills Committee were scheduled for 23 December 2002 at 10:45 am and 14 January 2003 at 4:30 pm respectively.

5. The meeting ended at 10:15 am.

Council Business Division 2
Legislative Council Secretariat
13 January 2003

Annex

Proceedings of the first meeting of the Bills Committee on Education Reorganization (Miscellaneous Amendments) Bill 2002 on Monday, 16 December 2002 at 8:30 am in Conference Room A of the Legislative Council Building

Time marker	Speaker	Subject(s)	Action required
000000 - 000047	Ms Cyd HO Sau-lan/ Mrs Selina CHOW/ Mr YEUNG Yiu-chung/ Mr SZETO Wah	Election of Chairman of Bills Committee	
000048 - 000243	Chairman/ Mrs Selina CHOW/ Mr YEUNG Yiu-chung/ Mr SZETO Wah	Brief discussion on the Bill	
000244 - 000449	Administration/ Chairman	Introduction of the Bill, highlighting the proposed merger of Education and Manpower Bureau with Education Department and Education Commission (EC) with Board of Education (BoE)	
000450 - 000936	Mr CHEUNG Man-kwong/ Administration	The scope of the role and function of the new EC as compared to that of the existing EC	
000937 - 003614	Mr CHEUNG Man-kwong/ Administration/ Chairman/ Mr YEUNG Yiu-chung/ Mrs Selina CHOW/ Mr Abraham SHEK	(a) Whether the role and function of the new EC would be reduced because it would no longer cover development of university, vocational and continuing education which were matters within the terms of reference of the existing EC; (b) Terms of reference of the existing BoE and EC and the revised terms of reference of the new EC (set out in a paper presented to the Panel on Education in November 2002 under LC Paper No. CB(2)296/02-03(01))	Admin to clarify the role of the existing and new EC in the light of the queries raised by members of the Bills Committee
003615 - 004410	Mr Abraham SHEK/ Administration/ Chairman	Rationale for the Administration's proposal that the new EC should advise the Secretary for Education and Manpower (SEM), instead of the Chief Executive (CE) (paragraph 9 of the Legislative Council Brief on the Bill prepared by the Education and Manpower Bureau)	

Time marker	Speaker	Subject(s)	Action required
004411 - 004901	Mr Abraham SHEK/ Chairman/ Administration/	Necessity of maintaining the independent role of EC in advising on education policy issues	
004902 - 005036	Dr YEUNG Sum	The new EC should continue to advise CE, instead of SEM	Admin to give a written response
005037 - 010450	Mr CHEUNG Man-kwong/ Administration/	As the role of the new EC would in effect be reduced to that of BoE, BoE, instead of EC, should be retained (paragraphs 5 to 7 and Annex A and B of LC Paper No. CB(2)296/02-03(01))	Admin to give a written response
010451 - 011252	Administration/ Mr CHEUNG Man-kwong/ Chairman/	Role and function of BoE	
011253 - 011524	Mr YEUNG Yiu-chung/ Administration	The different role played by EC and BoE in policy formulation and execution	
011525 - 012304	Chairman/ Mrs Selina CHOW	(a) Rationale for and implications of the Administration's proposal to transfer the statutory functions of BoE to the new EC, a non-statutory body; (b) Whether the new EC should be a statutory body with its terms of reference set out in legislation	Admin to respond to the issues raised
012305 - 012454	Dr YEUNG Sum	The new EC should be made a statutory body to ensure transparency in its operation and that the public could become fully aware of its role and function	
012455 - 012857	Mrs Selina CHOW	The Administration should give an undertaking that the new EC could operate with transparency and be accountable to the public	Admin to consider the proposal
012858 - 013607	Mr CHEUNG Man-kwong/ Chairman/ Administration	The new EC should be a statutory body with its terms of reference laid down in the law to ensure consistency in pursuing educational objectives and policies	
013608 - 013939	Mrs Selina CHOW/ Mr CHEUNG Man-kwong/ Chairman	Way forward for the Bills Committee's work	

Time marker	Speaker	Subject(s)	Action required
013940 - 014347	Chairman/ Mr CHEUNG Man-kwong/ Mrs Selina CHOW/ Dr YEUNG Sum	Dates of the second and third meetings of the Bills Committee	

Note : The audio records of the above proceedings are kept at the LegCo Library

Council Business Division 2
Legislative Council Secretariat
13 January 2003