

立法會
Legislative Council

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(These minutes have been
seen by the Administration)

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**Bills Committee on
Education (Amendment) Bill 2002**

**Minutes of meeting
held on Thursday, 27 February 2003 at 4:30 pm
in Conference Room A of the Legislative Council Building**

**Members
Present**

: Hon Cyd HO Sau-lan (Chairman)
Ir Dr Hon Raymond HO Chung-tai, JP
Hon LEE Cheuk-yan
Hon CHEUNG Man-kwong
Hon LEUNG Yiu-chung
Hon YEUNG Yiu-chung, BBS
Hon Emily LAU Wai-hing, JP
Hon SZETO Wah
Hon Tommy CHEUNG Yu-yan, JP
Hon Audrey EU Yuet-mee, SC, JP

**Member
Absent**

: Dr Hon YEUNG Sum

**Public Officers
Attending**

: Mr Andrew POON
Principal Assistant Secretary for Education and
Manpower (Quality Assurance)

Mrs YU LAW Siu-man
Senior Education Officer (Education Ordinance Review
and Compliance)

Mr Gilbert MO
Deputy Law Draftsman
(Bilingual Drafting and Administration)

Mr CHEUNG Wing-leung
Senior Government Counsel
Department of Justice

Clerk in Attendance : Miss Flora TAI
Chief Assistant Secretary (2)2

Staff in Attendance : Ms Bernice WONG
Assistant Legal Adviser 1

Mr Stanley MA
Senior Assistant Secretary (2)6

I. Election of Chairman

Ms Cyd HO was elected Chairman of the Bills Committee.

II. Meeting with the Administration

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

3. The Bills Committee requested the Administration to respond in writing to the following so as to facilitate future discussions –

Historical development of School-based Management (SBM)

- (a) to give an account of the historical development of SBM and the scope of consultation conducted in respect of its implementation in public sector primary and secondary schools;

Justifications for the Bill

- (b) to explain the justifications for enacting the Bill to give formal legal backing to the SBM governance framework;

Powers of school principals and appeal channel in schools with an Incorporated Management Committee (IMC)

- (c) to elaborate on the checks and balances in respect of the day-to-day operation of IMC schools to prevent possible abuse of powers

of principals and the appeal channels for teaching and non-teaching staff in IMC schools after the commencement of the Bill;

Powers of IMC

- (d) to consider improving the proposed section 40AE(2)(b) and (c) to provide expressly that IMCs should be subject to the respective Codes of Aid for primary, secondary and special schools in determining the terms and conditions of employment for their teaching staff under the approved establishments;

Implementation of SBM

- (e) to provide information on the number of existing school management committees with principal, teacher, parent, alumni or independent members in government and aided schools; and
- (f) to provide a timetable for implementing the SBM proposals in the Bill and the resource implications of the supporting measures to be provided to schools in the establishment of IMCs.

Take-over of schools

4. The Bills Committee also requested the Administration to consider the need of a contingency plan in case a large School Sponsoring Body (SSB) decided to terminate operation as a protest against the Bill.

III. Any other business

Consultation and dates of next two meetings

5. Members agreed to receive views from organisations concerned at the next two meetings scheduled for Monday, 17 March 2003 at 8:30 am and Thursday, 27 March 2003 at 10:45 am. Members also agreed that a notice should be posted in the Council's website on the Internet to invite views from members of the public on the Bill.

6. There being no other business, the meeting ended at 6:15 pm.

Council Business Division 2
Legislative Council Secretariat
14 March 2003