

立法會
Legislative Council

LC Paper No. CB(2)1969/03-04

(These minutes have been
seen by the Administration)

Ref : CB2/BC/4/02

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

**Minutes of meeting
held on Wednesday, 24 March 2004 at 8:30 am
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 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**

: Hon LEE Cheuk-yan

**Public Officers
attending**

: Mrs Fanny LAW, GBS, JP
Permanent Secretary for Education and Manpower

Mr M Y CHENG
Deputy Secretary for Education and Manpower (3)

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

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

Mr W L CHEUNG
Senior Government Counsel
Department of Justice

Clerk in attendance : Ms Doris CHAN
Chief Council Secretary (2)2

Staff in attendance : Ms Bernice WONG
Assistant Legal Adviser 1

Mr Stanley MA
Senior Council Secretary (2)6

I. Meeting with the Administration

[LC Paper Nos. CB(2)1660/03-04(01) and CB(2)933/03-04(01)]

The Bills Committee deliberated on the Administration's response to the four proposed amendments to the Bill raised by members at the meeting on 3 March 2004 (index of proceedings attached at **Annex**).

Proposed amendments raised by members at the last meeting

2. Members noted that the Administration had agreed to prepare draft Committee Stage amendments (CSAs) to –

- (a) delineate clearly the powers between the school sponsoring body (SSB) and the Incorporated Management Committee (IMC) in handling school assets and properties, loans, fund-raising and contracts;
- (b) designate the chairperson of IMC as the supervisor; and
- (c) empower a SSB to nominate candidate(s) to the principal selection committee. The IMC would then recommend the selected principal candidate to the Permanent Secretary for Education and Manpower for approval.

Further amendments proposed by members

3. Mr CHEUNG Man-kwong suggested that proposed section 40AD of the Bill should expressly specify that –

- (a) SSBs were empowered to stipulate in the IMC constitution the rules and procedures for the selection and nomination of principals by a principal selection committee on an open and transparent basis. In essence, the Bill should provide SSBs with a choice in nomination of principals for their schools, i.e., a SSB could either nominate a candidate for consideration by the principal selection committee of an IMC, or delegate the power to nominate to an IMC, or collaborate with an IMC to nominate a candidate;
- (b) SSBs were empowered to determine the number of persons in each category comprising a principal selection committee to be established under proposed section 57A;
- (c) IMCs must follow the vision and mission of the school set out by SSBs in formulating the education policies of the school under proposed section 40AD(2)(a); and
- (d) a SSB was empowered to redeploy principals and teachers, among its schools.

The Administration undertook to prepare draft CSAs in respect of the suggestions in paragraphs 3(a) to (d) for members' consideration at the next meeting.

II. Clause-by-clause examination of the Bill

[LC Paper No. CB(2)1549/03-04(03)]

Admin 4. The Bills Committee requested the Administration to provide a full set of draft CSAs to facilitate clause-by-clause examination of the Bill at the next meeting.

III. Any other business

Dates of future meetings

5. Members agreed to cancel the meeting scheduled for 7 April 2004 and hold the next meeting on 14 April 2004 at 8:30 am. To speed up the Committee's deliberation work, members also agreed to hold double time-slot

meetings from 8:30 am to 12:45 pm on 14, 21 and 28 April 2004 and 5, 12, and 19 May 2004.

6. The meeting ended at 10:00 am.

Council Business Division 2
Legislative Council Secretariat
8 April 2004

**Proceedings of the meeting of the Bills Committee on
Education (Amendment) Bill 2002
on Wednesday, 24 March 2004 at 8:30 am
in Conference Room A of the Legislative Council Building**

Time marker	Speaker	Subjects	Action required
0014 - 0228	Chairman	Briefing	
0229 - 0833	Admin Chairman	Briefing by PSEM on the Administration's paper.	
0834 - 2754	Mr CHEUNG Man-kwong Chairman Admin	Amendments in respect of the power of a SSB to recommend principals, determine the composition of the principal selection committee, and redeploy staff among its schools; and the formulation of education policies by IMCs in accordance with the vision and mission of the school.	See para 3 of the minutes
2755 - 5738	Ms Emily LAU Chairman Admin Mr SZETO Wah	Consultation with SSBs on the establishment of IMCs in school management and the views of parents and teachers in participation of IMC work; and Selection of principals in schools.	
5739 - 010635	Mr LEUNG Yiu-chung Admin Mr SZETO Wah Chairman Mr Tommy CHEUNG Mr YEUNG Yiu-chung	Power of SSBs to arrange transfer of staff between their schools.	
010636 - 011530	Chairman Mr CHEUNG Man-kwong Mr Tommy CHEUNG Mr SZETO Wah	Clause-by-clause examination	See para 4 of the minutes

011531 - 012213	Chairman Mr CHEUNG Man-kwong Mr Tommy CHEUNG Mr SZETO Wah	Dates of future meetings	
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Council Business Division 2
Legislative Council Secretariat
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