

立法會
Legislative Council

LC Paper No. CB(2)2218/02-03

(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 Monday, 12 May 2003 at 4:30 pm
in Conference Room B of the Legislative Council Building**

- Members Present** : Hon Cyd HO Sau-lan (Chairman)
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
- Members Absent** : Ir Dr Hon Raymond HO Chung-tai, JP
Hon LEE Cheuk-yan
- Public Officers Attending** : Mr CHENG Yan-chee
Deputy Secretary for Education and Manpower (4)
- 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)
Department of Justice

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. Meeting with the Administration

[LC Paper Nos. CB(2)1723/02-03(01), CB(2)1983/02-03(01)-(03) and
CB(2)1818/02-03(01)]

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

2. The Bills Committee requested the Administration -

Election, nomination and terms of offices of managers

- (a) To examine whether Incorporated Management Committees (IMCs) should be required to submit an updated membership list each year to the Permanent Secretary for Education and Manpower (Director of Education in the Bill);
- (b) To examine whether the Bill should incorporate a provision to the effect that the constitution should specify the duration of the term of office of managers appointed by School Sponsoring Bodies (SSBs);
- (c) To consider whether re-appointment of an IMC manager should follow the procedures for registration of a manager;

- (d) To consider whether re-appointment of a manager who was above the age of 70 should be supported by a medical certificate for his fitness;
- (e) To provide a draft IMC constitution incorporating sample procedures for election, nomination and termination of appointment for different categories of IMC managers as well as a draft constitution of parent-teacher association (PTA) incorporating sample procedures for election, nomination and change of parent manager in IMC;
- (f) To explain whether and how an ex-officio manager of a School Management Committee designated by virtue of an ordinance governing an existing school could be exempted from the requirement on duration of the term of office, if specified and the grounds for cancellation of registration of manager specified in proposed amended section 31(1)(g);
- (g) To explain how the Administration would amend the incorporation ordinances of eight aided schools containing provisions in conflict with the Bill after the enactment of the Bill;
- (h) To set out the criteria and procedures for an IMC to recognize a PTA or an alumni association in schools where more than one PTA or alumni association had been established; and
- (i) To explore the need to establish a system of rules and procedures for nomination and election of parent, alumni and independent managers in order to avoid any dispute in the process.

III. Any other business

3. The Chairman reminded members that the next meeting would be held on Friday, 23 May 2003 at 8:30 am.

(Post-meeting note : The meeting scheduled for Friday, 23 May 2003 had been cancelled in order to release the time slot for the Bills Committee on Revenue Bill 2003.)

4. The meeting ended at 6:20 pm.

**Proceedings of the meeting of the Bills Committee on
Education (Amendment) Bill 2002
on Monday, 12 May 2003 at 4:30 pm
in Conference Room B of the Legislative Council Building**

Time marker	Speaker	Subjects	Action required
0033 - 0635	Chairman Admin	Introduction and briefing on Admin papers in response to members' concerns raised at meetings on 17 and 27 March 2003.	
0636 - 1744	Mr CHEUNG Man-kwong Admin Chairman Mr LEUNG Yiu-chung	Whether the Bill should incorporate a provision to the effect that the constitution should specify the period of the terms of offices of IMC managers.	
1745 - 2320	Mr SZETO Wah Admin	Whether IMCs should be required to submit an updated membership list to PSEM at specified time.	See para 2(a) of the minutes
2321 - 5756	Mr YEUNG Yiu-chung Mr CHEUNG Man-kwong Chairman Mr SZETO Wah Admin Ms Emily LAU Mr Tommy CHEUNG	Flexibility and considerations in respect of setting requirements on the terms of offices and requiring a medical certificate for appointment and re-appointment of SSB managers.	See para 2(b) and (c) of the minutes
5757 - 011221	Mr Tommy CHEUNG Chairman Ms Emily LAU Mr CHEUNG Man-kwong Mr YEUNG Yiu-chung Admin Mr LEUNG Yiu-chung Mr SZETO Wah	Exemptions of ex-officio managers of SMC designated by virtue of an ordinance governing an existing school from certain requirements in the Bill, and whether and how such incorporation ordinances should be amended after the enactment of the Bill.	See para 2(e), (f) and (g) of the minutes
011222 - 012301	Mr LEUNG Yiu-chung Chairman Mr YEUNG Yiu-chung Mr CHEUNG Man-kwong Mr SZETO Wah Mr Tommy CHEUNG	Re-appointment of a manager above the age of 70 and grounds for cancellation of registration of manager.	See para 2(d) of the minutes

012302 - 014200	Mr CHEUNG Man-kwong Admin Chairman Mr SZETO Wah Mr Tommy CHEUNG Ms Emily LAU	Electoral system for managers in IMC	See para 2(h) and (i) of the minutes
014201	Chairman	Date of next meeting	

Council Business Division 2
Legislative Council Secretariat
27 May 2003