

**立法會**  
**Legislative Council**

LC Paper No. CB(2)26/03-04  
(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 Thursday, 18 September 2003 at 2:30 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 Tommy CHEUNG Yu-yan, JP  
Hon Audrey EU Yuet-mee, SC, JP
- Member absent** : Hon SZETO Wah
- Public Officers attending** : Mr M Y CHENG  
Deputy Secretary for Education and Manpower (3)
- 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 W L CHEUNG  
Senior Government Counsel  
Department of Justice

**Clerk in attendance** : Mr Stanley MA  
Senior Assistant Secretary (2)6

**Staff in attendance** : Ms Bernice WONG  
Assistant Legal Adviser 1

---

**I. Meeting with the Administration**

[LC Paper Nos. CB(2)1723/02-03(01), CB(2)3055/02-03(01) and CB(2)2316/02-03(01) circulated to members.]

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

2. The Bills Committee requested the Administration –

Composition of Incorporated Management Committee (IMC)

- (a) To consider whether the Bill should specify that the morning session and the afternoon session of a bi-sessional school should each have not less than one teacher manager in IMC to represent the views and interests of their teachers;

Justifications for establishing a statutory framework for implementation of school-based management

- (b) To re-examine the need to legislate for implementation of school-based management; and if a statutory framework was necessary, consider whether flexibility should be given for aided schools to decide whether and when they should establish an IMC in accordance with the proposals in the Bill;
- (c) To specify the proposals in the Bill that must be enforced by legislation; and those that could be implemented through administrative instructions or guidelines; and

Measures for implementation of school-based management during the transitional period

- (d) To elaborate on the Administration's measures proposed to be taken to prevent malpractices in school management during the five-year transitional period, as well as to facilitate implementation of the proposals in the Bill after the five-year transitional period.

3. The Chairman instructed the Clerk to send the Administration's response to issues raised at previous meetings [LC Paper No.CB(2)3055/02-03(01)] to the deputations who had presented their views to the Bills Committee at the meetings held on 17 and 27 March 2003 respectively. Members agreed that the Committee should invite these deputations to give comments on the Administration's response, and schedule a meeting to receive those who would like to make an oral presentation.

**II. Any other business**

Date of future meetings

4. Members agreed that the Clerk would issue a circular on a tentative schedule of future meetings for members' reference.
5. The meeting ended at 4:20 pm.

Council Business Division 2  
Legislative Council Secretariat  
9 October 2003

**Proceedings of the meeting of the Bills Committee on  
Education (Amendment) Bill 2002  
on Thursday, 18 September 2003 at 2:30 pm  
in Conference Room A of the Legislative Council Building**

<b>Time marker</b>	<b>Speaker</b>	<b>Subjects</b>	<b>Action required</b>
0000 - 0358	Chairman	Introduction of the paper on proposed areas of study and the Administration's response to issues raised at previous meetings.	
0359 - 2324	Ms Emily LAU Admin Mr CHEUNG Man-kwong Chairman	% of sponsoring body managers, parent managers and teacher managers in an IMC.	
2325 - 3417	Chairman Mr CHEUNG Man-kwong Ms Emily LAU Admin Mr YEUNG Yiu-chung	Number of parent managers and teacher managers in a bi-sessional school.	<b>See para 2 (a) of the minutes</b>
3418 - 010629	Mr LEUNG Yiu-chung Admin Chairman Ms Emily LAU Ir Dr Raymond HO	- Justifications for a legal backing for implementation of school-based management; and - Sponsoring bodies' reception of the Bill.	
010630 - 013534	Ms Audrey EU Admin Chairman Mr LEE Cheuk-yan Ir Dr Raymond HO	- Provision of flexibility to aided schools in the implementation of the Bill; and - Proposals in the Bill which must be enforced by legislation.	<b>See para 2(b) of the minutes</b>

013535 - 014344	Chairman Mr CHEUNG Man-kwong Admin	<ul style="list-style-type: none"><li>- Re-consideration of the need of the Bill;</li><li>- Proposals in the Bill which must be enforced by legislation or could be implemented by administrative instructions;</li><li>- Measures to be taken to prevent malpractices in school management during the transitional period and to facilitate implementation of the proposals in the Bill after the transitional period; and</li><li>- Invitation of deputations' comments on the Administration's response.</li></ul>	<b>See para 2(c) and (d) of the minutes</b>
014345 - 014630	Chairman	Dates of future meetings.	

Council Business Division 2  
Legislative Council Secretariat  
9 October 2003