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EDUCATION (AMENDMENT) BILL 2002

COMMITTEE STAGE

Amendments to be moved by the Secretary for
Education and Manpower

<u>Clause</u>	<u>Amendment Proposed</u>
Long title	By deleting "Director of Education's" and substituting "Permanent Secretary for Education and Manpower's".
2(b)(iv)	In the proposed definition of "sponsoring body", by deleting "Director" and substituting "Permanent Secretary".
2(b)(v)	By deleting the proposed definition of "DSS school".
2(c)	In the proposed section 3(2), by deleting "Director" and substituting "Permanent Secretary".

- 3 In the heading, by deleting "**Director**" and substituting "**Permanent Secretary**".
- 3(b) In the proposed section 8(3), by deleting "register maintained under subsection (1)(da) shall be made available in such manner as the Director" and substituting "entries referred to in subsection (1)(da)(i) and (ii) shall be made available in such manner as the Permanent Secretary".
- 7 (a) In the heading, by deleting "**Director**" and substituting "**Permanent Secretary**".
- (b) In paragraph (b), by deleting everything after "subsection (1)" and substituting "with the consent or connivance of a manager of the school, the manager shall be guilty of an offence and shall be liable on conviction to a fine at level 3 and to imprisonment for 3 months."."
- 11 In the proposed section 28(a), by deleting "Director" and substituting "Permanent Secretary".
- 12(b) (a) In the proposed section 30(1A), by deleting "Director" where it twice appears and substituting "Permanent Secretary".

(b) In the proposed section 30(1A)(a), by deleting "previously".

12(c) In the proposed section 30(2)(a) and (b)(i), by deleting "Director" and substituting "Permanent Secretary".

13(a)(iv) (a) In the proposed section 31(1)(g), by deleting "Director" and substituting "Permanent Secretary".

(b) In the proposed section 31(1)(g)(i), by deleting everything after "without" and substituting "the consent of the committee from all meetings of the committee in a school year; and".

(c) By deleting the proposed sections 31(1)(h) and (i).

(d) In the proposed section 31(1)(j), by deleting "Director" and substituting "Permanent Secretary".

(e) In the proposed section 31(1)(k), by deleting "署" and substituting "常任秘書".

13(b)(ii) In the proposed section 31(2)(aa) and (ab), by deleting "署" and substituting "常任秘書".

17 (a) In the proposed section 40AB, in the

definition of "alternate manager", by adding
", alternate sponsoring body manager" before
"or".

- (aa) In the proposed section 40AB, by adding -
"alternate sponsoring body manager" (替代辦學
團體校董) means a manager who is
nominated for registration as such
under section 40AK;".
- (ab) In the proposed section 40AB, in the
definition of "scheduled opening date", by
deleting "Director" and substituting
"Permanent Secretary".
- (b) In the proposed section 40AB, in the
definition of "specialist staff", in
paragraph (b), by deleting "Director" and
substituting "Permanent Secretary".
- (c) In the proposed section 40AB, in the
definition of "sponsoring body manager", by
deleting "by the sponsoring body".
- (ca) In the proposed section 40AB, in the
definition of "teacher", by deleting
everything after "means" and substituting "a
permitted teacher or registered teacher
employed in a school;".
- (cb) In the proposed section 40AB, in the
definition of "現有學校", in paragraph (c),
by deleting "署" and substituting "常任秘書".

- (cc) In the proposed section 40AB, in the definition of “籌辦中的學校”, in paragraph (c), by deleting “署” and substituting “常任秘書”.
- (cd) In the proposed section 40AD(1)(a) and (2)(c), by deleting “Director” and substituting “Permanent Secretary”.
- (d) In the proposed section 40AE(3)(b), by deleting “Director” and substituting “Permanent Secretary”.
- (e) In the proposed section 40AE(3)(c), by deleting everything after “school) the” and substituting “relevant code of aid;”.
- (f) In the proposed section 40AE(3)(d), by deleting “Director” and substituting “Permanent Secretary”.
- (g) In the proposed section 40AE, by adding -
 - “(4) Without prejudice to the generality of subsection (3), if a person is employed by the incorporated management committee of an aided school to occupy a post in the establishment of staff provided for in the relevant code of aid, his terms and conditions of service determined pursuant to subsection (2)(b) must conform with those provided for in the relevant code

of aid in relation to the post.

(5) In this section, "relevant code of aid" (有關的資助則例) means -

- (a) in relation to an aided school which is a primary school, the code of aid for primary schools;
- (b) in relation to an aided school which is a secondary school, the code of aid for secondary schools;
- (c) in relation to an aided school which is a special school, a practical school or a skills opportunity school, the code of aid for special schools."