

Legislative Council Building
8 Jackson Road, Central,
Hong Kong.

To Members of the Legislative Council

Honourable Councillors,

Allow me once more to state before you my concern and worries in regard to the “Education (Amendment) Bill 2002”.

Here are the main points:

1. There are many loopholes in the Bill especially with regard to the authority and responsibilities of the members of the “Incorporated Management Committee”. It will be irresponsible to pass the Bill before such ambiguities are clarified.
2. The Government promised to amend some of the articles of the Bill. What in fact has been amended? If we do not have access to the text of the new amended Bill it will not appease our minds as regards, for example:
 - (a) What are the components of the “Selection Committee” and how does it function? How will the School Sponsoring Bodies (SSBs) nominate the candidates for school principals? What will the procedure be for transferring principals and teachers from one school to another?
 - (b) The Government said it will allow the SSB to appoint the Supervisor but it is obvious that his role under the new system will not be the

same as he has under the existing system. So what will his future role be?

3. In fact all the amendments so far have been doing patching work here and there. The real change in the new Bill is in fact “revolutionary”. Under the existing system the SSB, through the Supervisor and the “School Management Committee”, controls the school and is answerable to the Government. Under the new system the “Incorporated Management Committee” will replace the SSB and be directly answerable to the Government. The larger SSBs with their existing supportive structures (e.g. the Central Management Committee, the Education Office, etc.) will lose their function. They will not be able to intervene and offer help to the schools. The SSB will no longer retain its function as an authentic sponsoring body that bears the responsibility for the school.

The Government makes use of the new Bill to devolve the power from the SSB to the individual school’s “Incorporated Management Committee”. At the same time the Government maintains and tightens its own control over the schools. It abrogates the intermediary control structures. This is centralization by the Government through decentralization from the School Sponsoring Bodies, radically altering the effective educational system that has gained international admiration. (It may be that the Bill contravenes Article 141 of the Basic Law!)

4. In the Bills Committee of the Legislative Council it was suggested that instead of deferring its obligatory implementation for a period of five years if the Bill is passed, a period of five years should be given as a trial before passing the Bill. That is a positive suggestion as it allows a time for experimentation to test the validity of the Bill before it is passed. It is more reasonable to make a decision after a trial. On the contrary if the Bill is passed now and in five years’ time it is proved to be unworkable or unnecessary, will it not make the legislation look flimsy to have to revoke the Bill?
5. In the coming five years we should not experiment with the new Bill because if we register the individual “School Management Committee” as an

“Incorporated Management Committee” there will be no way back. The new Bill may be suitable for some SSB but not for us. Whether the Bill will be passed now or in five years’ time we shall adjust ourselves passively.

During the coming five years we shall prove that “in order to practise ‘school-based-management’ it is not necessary to have a new Bill”.

We shall do so by:

- (a) Encouraging our schools to seek out more teachers, parents and alumni who share our vision and mission to join the “School Management Committees”.
- (b) Implementing the recommendations in the “Quality School Education” (Report No. 7) to set up “School Executive Committees” with elected members representing teachers, parents and alumni.

I hope these points will be taken into consideration in your debate and I thank you for your attention.

Bishop Joseph ZEN, SDB
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18 May 2004