

**Response to Issues related to the  
Education (Miscellaneous Amendments) Bill 2003  
Raised at the Meeting on 7 October 2003**

**Purpose**

This paper sets out the Administration's response to the issues in relation to the Education (Miscellaneous Amendments) Bill 2003 (the Bill) raised by Members of the Bills Committee at the meeting held on 7 October 2003.

**Raising the professional standards of teachers**

(a) Breakdown of number of permitted teachers (PTs) by school type

2. Table 4 of the Administration's paper [LC Paper No. CB(2)3100/02-03(02)] specified that there were about 1360 PTs who had five HKCEE passes but less than 10 years of approved teaching experience. The breakdown of the PTs serving in aided or private sector schools is in **Table 1**.

**Table 1**

School Type	Aided	Private
Approximate no. of PTs with 5 HKCEE passes and less than 10 years' approved teaching experience	310	1050

(b) Statistics on attendance of recognised teacher education courses

3. PTs with a degree may enrol in an in-service Postgraduate Diploma in Education (PGDE) or Postgraduate Certificate in Education (PCEd) course in order to gain Registered Teacher (RT) status. The year 1 enrolment figures of University Grants Committee (UGC)-funded and non-UGC-funded in-service PGDE/ PCEd courses in the current and last two academic years are in **Table 2**.

**Table 2**

Programme	Year 1 Enrolment Figures		
	2001/2002	2002/2003	2003/04
In-service PGDE (UGC-funded)	1166	1267	1214
In-service PGDE (non-UGC-funded)	47	428	118
Total:	1213	1695	1332

4. PTs without a degree may gain RT status by attending an In-service Course of Training for Teachers (ICTT). The UGC-funded ICTT will be phased out in the 2003/04 academic year. The year 1 enrolment figures of various ICTT courses in the last two academic years are in **Table 3**.

**Table 3**

Programme	Year 1 Enrolment Figures	
	2001/2002	2002/2003
2-year ICTT (Primary)	54	48
3-year ICTT (Primary)	54	0
2-year ICTT (Secondary)	5	0
2-year ICTT (Technical)	10	0

(c) Provision of training places

5. The estimated number of training places for each of the 5 years during the proposed grace period is currently not available.

(d) Level of fees

6. Fees for a UGC-funded in-service PGDE/ PCEd course are about \$42,000. Fees for a non-UGC-funded PGDE courses are about \$52,000. The fees for a self-financed ICTT course are estimated to be from \$50,000 to \$60,000.

## **Appeals Boards Panel**

### **(a) Selection of Board members**

7. For the purpose of ensuring fairness in selection of members of an Appeal Board from the Panel and reducing unnecessary controversies against the adjudication of Appeal Boards, a queuing system for members of the Appeal Boards Panel to serve the Appeals Boards in turn is feasible and that there will be no serious practical difficulty in the Secretariat adopting such a system upon the commencement of the Bill.

### **(b) Operation of Appeal Boards Panel**

8. According to the proposed section 59(3), the Appeal Boards Panel may regulate its own procedure and make standing orders for that purpose. The rules and procedures currently adopted in the Appeals Board, with ample opportunities given to both the appellant and the respondent to state their case and examine/cross-examine the evidence presented, have been well tested. On that basis, we recommend that the same procedures be adopted in the proposed panel system. As for the proposed section 62(1B) on the appointment of another member of the Appeal Boards Panel in case a member of an Appeal Board cannot exercise his functions for some reasons, the legislative intention is to ensure smooth and efficient conduct of Board hearings. With the consent of both the appellant and respondent, the provision does not violate the principle of natural justice. Should either the appellant or the respondent raise his disagreement to the appointment of the replacement board member, another mutually agreed hearing date will be fixed so as to allow the return of the absent board member.

## **Section 84(4) of the Education Ordinance**

### **(a) Waiver granted under section 84(4)**

9. Section 84(4) of the Ordinance provides that the Permanent Secretary for Education and Manpower (PSEM) may by notice in writing to the supervisor of any school waive wholly or partly the requirements of any regulation in respect of the school. PSEM, before waiving the requirements of any regulation, will consult respective departments and consider their views as well

as condition of school concerned to ensure that it would not cause danger or be detrimental to the safety or health of pupils.

(b) Number of schools granting with waiver

10. The number of schools for which PSEM has waived the requirements of regulations 9(3)(b), 43(1), 43(5) and 46(1) according to section 84(4) is as follows:

Regulation	Content of Regulation	Number of schools				
		Secondary School	Primary School	Kindergarten	Others	Total
9(3)(b)	<p><b>Ventilation and lighting</b></p> <p>The ceiling of every classroom shall in premises not designed and constructed for the purposes of a school, be not less than 2.75m above the floor level of such classroom.</p>	0	0	0	3	3
43(1)	<p><b>Latrines</b></p> <p>Every school shall be provided with latrine accommodation and sanitary arrangements of a type approved by the PSEM, which shall conform with the requirements of the First Schedule.</p>	34	6	0	0	40
46(1)	<p><b>Ablutions</b></p> <p>The premises of every school shall be equipped with adequate washing facilities for pupils and teachers.</p>					

43(5)	<p><b>Latrines</b></p> <p>In the premises of every co-educational school separate latrines and adequately screened approaches thereto shall be provided for each sex.</p>	0	0	0	6	6
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Education and Manpower Bureau  
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