

立法會
Legislative Council

LC Paper No. CB(2)1472/02-03
(These minutes have been seen
by the Administration)

Ref : CB2/PL/ED

Panel on Education

Minutes of meeting
held on Monday, 17 February 2003 at 4:30 pm
in Conference Room A of the Legislative Council Building

Members Present : Dr Hon YEUNG Sum (Chairman)
Hon Cyd HO Sau-lan
Hon Eric LI Ka-cheung, JP
Hon CHEUNG Man-kwong
Hon LEUNG Yiu-chung
Hon Jasper TSANG Yok-sing, GBS, JP
Hon Emily LAU Wai-hing, JP
Hon CHOY So-yuk
Hon SZETO Wah
Hon Tommy CHEUNG Yu-yan, JP
Dr Hon LO Wing-lok
Hon WONG Sing-chi
Hon Audrey EU Yuet-mee, SC, JP
Hon MA Fung-kwok, JP

Members Attending : Hon SIN Chung-kai
Dr Hon LAW Chi-kwong, JP

Members Absent : Hon YEUNG Yiu-chung, BBS (Deputy Chairman)
Dr Hon David CHU Yu-lin, JP

**Public Officers
Attending** : Item IV

Professor Arthur K C LI, GBS, JP
Secretary for Education and Manpower

Mrs Fanny LAW, JP
Permanent Secretary for Education and Manpower

Mr Peter CHEUNG, JP
Secretary-General
University Grants Committee

Mr Clement LEUNG
Principal Assistant Secretary for Education and
Manpower (Higher Education)

Item V

Mrs Fanny LAW, JP
Permanent Secretary for Education and Manpower

Mr Andrew POON
Principal Assistant Secretary for Education and
Manpower (Quality Assurance)

Item VI

Mrs Fanny LAW, JP
Permanent Secretary for Education and Manpower

Mrs Betty IP
Principal Assistant Secretary for Education and
Manpower (School Administration and Support)

Mr Tony CHENG
Principal Assistant Secretary for Education and
Manpower (Manpower Infrastructure)

Item VII

Mr Andrew POON
Principal Assistant Secretary for Education and
Manpower (Quality Assurance)

Mr FUNG Pak-yan
Assistant Director of Social Welfare (Family and
Childcare)

Clerk in Attendance : Miss Flora TAI
Chief Assistant Secretary (2)2

Staff in Attendance : Mr Stanley MA
Senior Assistant Secretary (2)6

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I. Confirmation of minutes

[LC Paper Nos. CB(2)1127/02-03 and CB(2)1177/02-03]

The minutes of the meetings held on 13 and 20 January 2003 were confirmed.

II. Information paper issued since the last meeting

[LC Paper No. CB(2)1106/02-03(01)]

2. Members noted the paper on “Grant to the Language Fund” provided by the Administration.

III. Items for discussion at the next meeting

[Appendix I to LC Paper No. CB(2)1125/02-03]

3. At the Administration's suggestion, members agreed to discuss the following items at the next regular meeting scheduled for Monday, 17 March 2003 at 4:30 pm -

- (a) Proposed amendments to the Hong Kong Examinations and Assessment Authority Ordinance;
- (b) Block insurance policy for aided and caput schools;
- (c) Funding levels of capacity enhancement grant; and
- (d) Study on effective strategies of class and group teaching in primary schools.

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[*Post-meeting note*: At the request of the Administration, discussion of item 3(b) was deferred to the regular meeting in April 2003.]

IV. Deregulation of university salaries

[LC Paper No. CB(2)1125/02-03(05)]

4. The Chairman declared interest as an academic staff member of the University of Hong Kong.

5. At the invitation of the Chairman, Secretary for Education and Manpower (SEM) briefed members on the background of the proposed deregulation of university salaries as highlighted in the Administration's paper on the subject.

Members' concerns on deregulation of university salaries

6. Referring to paragraph 7 of the Administration's paper, Mr CHEUNG Man-kwong asked whether the 35% recurrent funding attributable to non-pay-related expenditure would be reduced in the light of the fiscal deficit. He pointed out that heads of University Grants Committee (UGC)-funded tertiary institutions would have to accept the proposed deregulation of university salaries as it would enable institutions to achieve savings from those pay-related expenditure items in order to make up for the shortfalls of allocation for non-pay-related expenditure items. He considered that institutions were in effect forced to implement deregulation to cope with the upcoming budget cut in recurrent funding arising from a fiscal deficit.

7. In response, SEM explained that reduction in education resources including the recurrent funding for UGC-funded tertiary institutions as a result of the fiscal deficit would be announced by the Financial Secretary in due course. He pointed out that recurrent funding for UGC-funded tertiary institutions was provided in the form of a block grant which was not separated into a pay-related component and a non-pay-related component. Institutions were free to decide the allocation of their recurrent funding to pay-related expenditure. The Administration had already given an assurance that it would continue to adjust the portion of pay-related expenditure in the recurrent grants to the UGC sector annually to reflect any adjustments (upward, downward or freeze) in civil service salaries.

8. Mr CHEUNG Man-kwong considered that the proposal on deregulation of university salaries should incorporate an assurance that the existing level of recurrent funding for UGC-funded tertiary institutions would not be reduced. He asked whether staff would be given the opportunity to participate in the

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decision-making process of their institutions of whether their staff salaries should be delinked from the civil service pay system.

9. SEM explained that the problem of fiscal deficits had not emerged when UGC conducted the Higher Education Review and made its recommendations. He pointed out that in the course of conducting the Review, Lord SUTHERLAND had discussed with heads of UGC-funded tertiary institutions about the idea of delinking university salaries from the civil service pay system and the majority of university heads had responded positively to the idea. SEM considered that even if there was not the problem of fiscal deficits, the majority of university heads would still support deregulation as it would give individual institutions the flexibility to devise their own remuneration systems. He believed that institutions would consult their staff in detail on any changes proposed. SEM stressed that ultimately the governing bodies of individual institutions would have to make the decision.

10. Ms Audrey EU pointed out that while it seemed that heads of UGC-funded tertiary institutions were in favour of deregulating university salaries from the civil service pay system, university staff were resolutely opposed to such a proposal. She expressed concern that disputes in staff administration would increase as a result of implementing new remuneration systems. Ms EU pointed out that in the absence of proper channels for the affected staff to lodge complaints, many of these disputes would be referred to the Legislative Council (LegCo) for assistance. She asked whether UGC would collaborate with institutions to establish a fair and transparent mechanism with a high level of creditability to deal with disputes arising from competition for resources within an institution and award of salary increments, etc. She added that although members were well aware that LegCo would not be an ideal forum for handling disputes in universities, the Panel had to provide a channel for aggrieved staff in the higher education sector to voice their grievances when there was no other alternative for them to do so.

11. SEM responded that it was unavoidable for any organisation to have disputes over personnel matters and these disputes should be handled by a fair and legitimate mechanism. He believed that institutions had put in place fair and transparent mechanisms to handle staff disputes and the involvement of LegCo Members under special circumstances had facilitated settlement of such disputes. He added that institutions implementing deregulation would collaborate with UGC in the design of their own remuneration systems.

12. Secretary-General, UGC (SG(UGC)) supplemented that deregulation of university salaries and review of university governance structure were interrelated issues and both were proposed under the Higher Education Report. In essence, the Report had recommended that institutions should review their governance structure with a view to enhancing transparency and public accountability. The University of Hong Kong was the first to conduct such

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review and had published the results of the review, incorporating some recommendations on areas of personnel and salary administration. In particular, it had recommended the establishment of a salary committee comprised of a majority of external members. In the long term, apart from an increased external participation in the university governance structure, UGC would play a more proactive role in monitoring the performance of university management. SG(UGC) believed that with the establishment of a more transparent and accountable governance structure, university management should be able to implement deregulation of university salaries without causing a lot of staff disputes over salaries and benefits administration.

13. Ms Audrey EU asked how many existing staff in UGC-funded tertiary institutions were employed on superannuation terms and whether their terms and conditions of employment would be affected as a result of deregulating university salaries.

14. SG(UGC) responded that the percentage of academic staff employed on superannuation terms in UGC-funded tertiary institutions ranged from 50% to 90%. He pointed out that the terms and conditions of employment would vary from institutions to institutions. Any adjustments to the terms and conditions of employment in an institution should be agreed by the staff and the management. He pointed out that university salaries had followed the recent downward adjustment of civil service salaries by way of staff consultation and mutual consent. He anticipated that universities would follow the same practice in their future salary adjustment exercises. In response to Ms Audrey EU, he clarified that an adjustment of salary levels in an institution did not necessitate a legislative exercise.

15. Ms Audrey EU asked whether there were prerequisite conditions such as the establishment of a transparent and accountable governance structure for universities to achieve before they could delink their staff salaries from the civil service pay system after 1 July 2003.

16. SEM responded that heads of UGC-funded tertiary institutions would make every effort to avoid staff disputes arising from delinking staff salaries from the civil service pay system. He envisaged that they would consult their staff in the design of a new remuneration system in order to minimise disputes. In addition, the UGC would also look at these proposals. He stressed that the Administration planned to submit the proposal for the Finance Committee (FC)'s consideration at its meeting on 7 March 2003 and if the proposed effective date i.e. 1 July 2003 for deregulating university salaries was approved by FC, individual institutions could decide on the timing for deregulation and implementing their new remuneration packages.

17. Ms Cyd HO considered that apart from reduction of salaries and benefits, staff were most concerned that deregulation would lead to staff conflicts as a

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result of competition for resources, intensify the “shoe-shining” culture, and bring about nepotism and unfair dismissals in staff administration. She asked how the Administration would ensure the establishment of fair and transparent mechanisms to handle staff grievances and complaints in individual institutions. She pointed out that UGC-funded tertiary institutions should also consider establishing a centralised mechanism to deal with staff disputes over the employment-related problems arising from implementing their new remuneration systems. She added that in the face of a budget cut, heads of universities would have to consider the deregulation of university salaries to cope with the increased academic and non-academic work in universities.

18. The Chairman remarked that the Panel had discussed with the Administration the idea of establishing a centralised mechanism for handling staff grievances and complaint in the higher education sector. However, the Administration had rejected the idea on the ground that individual institutions should establish their own mechanism to handle staff grievances and complaints in the light of institutional autonomy.

19. SEM responded that most, if not all, academics were independent intellectuals who would not flatter their superiors for the sake of competing for more resources. He considered it an insult to the academics that a “shoe-shining” culture would be intensified after deregulation of university salaries. He pointed out that deregulation was the trend in overseas universities and there was not a “shoe-shining” culture in these universities. He stressed that the “shoe-shinning” practices did not exist in UGC-funded tertiary institutions. He reiterated that institutions had fair and transparent mechanisms for handling staff grievances and complaints. The question of whether deregulation would bring about more disputes would remain to be seen.

20. Ms Cyd HO responded that she held high respect for academics who would play the role of opinion leaders in the community. She pointed out that many academics had expressed no confidence in the existing mechanism for handling grievances and complaints in UGC-funded tertiary institutions, and they considered that deregulation would promote a “shoe-shining” culture within institutions. Ms HO said that the principle of institutional autonomy would not be compromised if the Administration only assisted institutions in establishing an independent and centralised mechanism for handling staff grievances and complaints for the eight UGC-funded tertiary institutions.

21. SEM stressed that the Administration would not establish a centralised mechanism to deal with staff grievances and complaints in UGC-funded tertiary institutions as it was contradictory to the spirit of institutional autonomy. Instead, UGC would play an advisory role to assist institutions in implementing their deregulation programmes. He also did not consider it appropriate to set up a central authority to handle staff grievances and complaints in the eight institutions which had different historical developments.

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22. Mr LEUNG Yiu-chung said that he considered that there was already a “shoe-shining” culture in universities. He pointed out that in pursuit of a world-class status, universities would encourage staff to conduct better researches for publication in international journals. In order for a research study to be published in these journals, the research should focus on international rather than domestic issues. As a result, academics often would follow the preference of the university management and engage in researches on popular international issues. Mr LEUNG also said that he shared the views of those staff members who had expressed concern about the absence of fair and transparent mechanisms to handle disputes arising from implementing the deregulation. He asked whether the Administration had considered their concerns and how it would respond to these concerns.

23. SEM reiterated that he did not believe that there was a “shoe-shining” culture in UGC-funded tertiary institutions. He expressed understanding of staff’s concerns in the face of a major policy change which would affect their interests. He considered it natural that staff would reject the proposed deregulation when they were unsure of its future implications. He, however, pointed out that as highlighted in the Higher Education Review, deregulation was the trend for universities to modernise its remuneration systems and to compete globally for talents. He agreed that an effective and impartial mechanism for staff to lodge complaints was essential for effective implementation of the deregulation proposal. He stressed that UGC would have a role to play in the process and in strengthening the institutions’ governance. He anticipated that institutions would not decide to deregulate university salaries without consulting staff.

24. The Chairman and Mr LEUNG Yiu-chung queried whether UGC-funded tertiary institutions would give up the idea of deregulating university salaries if they could not secure the support of their staff as a whole.

25. SEM responded that deregulation of university salaries aimed to give institutions more autonomy in salary administration so as to compete with their overseas counterparts in recruitment of international talents. The Administration had a responsibility to provide the flexibility for institutions to adapt their remuneration packages to pursue different roles and missions in response to changing local and international circumstances. SEM reiterated that institutions were free to decide whether they would implement deregulation.

Consultation and deregulation of housing benefits

26. Ms Emily LAU said that there were different views in the higher education sector about the proposed deregulation of university salaries. Noting that the deregulation proposal would be considered by the FC on 7 March 2003,

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she suggested that the Panel should invite the governing bodies and staff associations of UGC-funded tertiary institutions to give views at a special meeting to be held before 7 March 2003. She cited the implementation of one-line vote for non-governmental organisations in the social welfare sector as an example to illustrate that a proposal with a good intention might bring about adverse consequences. She considered that university management should clarify whether they would substantially reduce staff salaries in recruitment of new staff after deregulation. It would also be ideal if institutions could provide their proposed remuneration package for consideration at the special meeting.

27. The Chairman shared Ms Emily LAU's views that parties concerned including student representatives should be invited to give views on the proposed deregulation. To allow sufficient time for the Panel to consider the concerns of deputations, he asked whether the Administration would defer submission of its proposal to the FC to a later date.

28. SEM responded that the Administration would not wish to defer the submission of the proposal to the FC on 7 March 2003 because early approval would give more time for institutions to design their own remuneration systems. He stressed that institutions would like to have an early indication as to whether deregulation would be implemented so that they could proceed with the necessary preparation as soon as possible. SEM added that the Panel on Education had received the views from staff associations, student unions and concern groups on the report of UGC on Higher Education in Hong Kong at its meeting on 7 May 2002 and the issue of deregulating university salaries had been discussed.

29. SG(UGC) supplemented that the deregulation proposal was part of the recommendations of the Higher Education Review which had undergone a prolonged stage of consultation with the institutions, the staff and the staff associations. In order to provide sufficient time for institutions to design their own remuneration systems, the Administration intended to remove with effect from 1 July 2003 the various salary scales previously approved by the FC for application to certain categories of staff in UGC-funded tertiary institutions.

30. The Chairman said that the recent surveys conducted by the Federation of Higher Education Staff Associations (the Federation) and the Hong Kong Professional Teachers' Union (the Union) had indicated that most staff objected to the proposed deregulation of university salaries. He considered it essential that the Panel should listen to staff's views and suggestions.

31. Ms Emily LAU considered that to enhance the relationship between the Executive Authorities and the LegCo, the Administration should submit its proposal to the FC only after the Panel had expressed support for the proposed deregulation, given the controversies over the issue.

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32. Mr CHEUNG Man-kwong said that he failed to see why submission of the proposal of deregulating university salaries and housing benefits to the FC could not be postponed. He pointed out that the proposed deregulation of housing benefits after 1 July 2003 had not been discussed by the Panel nor included in the Higher Education Review. He considered that the proposal to remove the requirement for the institutions to provide Home Financing Scheme (HFS) allowances as the only form of housing benefit available to staff appointed on or after 1 July 2003 should be discussed by the Panel and the parties concerned before it was submitted to the FC for consideration. He pointed out that neither the Federation nor the Union had consulted their members about the proposal. He stressed that Panel members should be given more time to consider the proposal and urged the Administration to defer submission of the proposal to the FC on 7 March 2003. He considered that a deferment of one to two weeks would not affect institution's schedule of work. The Chairman expressed support for Mr CHEUNG's view.

33. SEM clarified that the proposed deregulation of housing benefits would not affect existing staff and if approved, the proposal would cover only staff appointed on or after 1 July 2003. The Government would honour its full commitment to serving staff already receiving monthly allowances under the HFS. He explained that serving staff appointed before 1 July 2003 who were not yet eligible for the HFS but had a legitimate expectation of receiving the allowance in due course would be given the option of joining the HFS when they become eligible, or taking up alternative remuneration packages to be offered by the institutions. SEM supplemented that the proposal was put forward to address the concerns expressed by institutions and their staff over the uncertainties about the future provision of housing benefits, and the proposal would give an assurance of the eligibility to HFS for all serving staff appointed before 1 July 2003.

34. The Chairman stressed that the Administration should consult the Panel on a new or change in education policies before submission of the relevant proposal to the FC. The Panel would decide whether the affected parties should be invited to present their views before the Panel. Since the proposed deregulation of housing benefits had not been discussed by the Panel, he held a strong view that members should be given sufficient time to consider the proposal and decide whether the proposal should be supported or not. The Chairman reiterated his request that the Administration should consider deferring the submission of the proposal to the FC to a later date.

35. Ms Emily LAU suggested that if the Administration decided to ignore the request of the Panel and insisted on submitting the deregulation proposal to the FC on 7 March 2003, the Chairman should report the case to the House Committee. She held a strong view that such practice was not in line with the spirit of enhancing co-operation between the Executive Authorities and the

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Legislative Council. She urged the Administration to consider the strong views of members on the matter.

36. In response to members' request, SEM said that he would re-consider the Chairman's suggestion of postponing the submission of the deregulation proposal to the FC and inform the Chairman of his decision in a few days' time. He pointed out that the Administration had discussed the issue arising from the Higher Education Review with the Panel at a number of meetings and the voices of staff and various interested groups had also been heard. It was understandable that parties concerned would voice objection to the proposal if they considered that their interest would be affected adversely. SEM said that the Administration valued the views of LegCo Members highly and he would respect the decision if the Panel decided to hear views from affected parties on deregulation. He expected that the affected parties would reiterate their objection to deregulation anyway. However, it was his personal view that LegCo Members should not procrastinate their decision on deregulation simply because there were opposing views aired time and again.

37. Ms Audrey EU said that she was surprised to hear the personal view of SEM as it seemed to imply that there was no need for LegCo Members to listen to the views of parties affected on a proposal if it was obvious that these parties would object to the proposal. She stressed that the role of LegCo was to reflect the views and expectations of the community to the Administration. She considered it essential that LegCo Members should listen to the views and concerns of staff and concern organisations. Ms Cyd HO expressed a similar view, adding that the Administration should respect the role of LegCo Members in reflecting the views of the community to the Executive Authorities.

38. At Ms Cyd HO's suggestion, the Chairman requested the Administration to provide information for members' consideration on its broad direction in setting up an independent and transparent mechanism for handling grievances and complaints relating to salary administration in UGC-funded tertiary institutions before the special meeting.

39. In concluding the discussion, the Chairman said that the Panel would consider the implications of each financial proposal in deciding whether the Panel should invite public views on a particular issue. As the Chairman of the Panel, he had the duty to ensure that members had the opportunity to raise enquiries and express views on the proposal, and were given sufficient time for deciding whether to support the proposal or not.

40. Members agreed that the Panel would hold a special meeting on Monday, 3 March 2003 at 2:30 pm to receive views on the governing bodies, heads and staff associations and students' unions of UGC-funded tertiary institutions. At the suggestion of Mr Tommy CHEUNG, members also agreed that there would be a discussion session during that special meeting for

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members to discuss whether they would support or oppose the deregulation proposal after consideration of the deputations' views.

V. Education (Miscellaneous Amendments) Bill

[LC Paper No. CB(2)1125/02-03(03)]

Raising the minimum qualifications of Permitted Teachers (PTs) to post secondary level

41. Mr CHEUNG Man-kwong expressed support for the proposal of raising the minimum qualifications of PTs to post secondary level with effect from the beginning of the 2003-04 school year. He, however, expressed reservations that no transitional arrangement was provided for PTs holding the minimum qualification as set out in Part II of the Second Schedule of the Education Regulations with substantial approved teaching experience which was slightly below the specified requirement of 10 years to become registered teachers (RTs).

42. Permanent Secretary for Education and Manpower (PSEM) explained that it would be more realistic to encourage continuing education than to prescribe a minimum requirement of approved teaching experiences for provision of transitional arrangements in the proposed legislative amendment for serving PTs to become RTs. Currently, PTs holding the minimum qualifications with 10 years approved teaching experience and PTs holding an approved degree with three years approved teaching experience could apply for registration as a RT. According to records, some 400 PTs had become eligible for registration as RTs each year but only 10-odd of them had actually applied for registration as RTs. This illustrated the fact that the job of teachers was very challenging today and most PTs would prefer to pursue a formal teacher qualification through continuing education.

43. Mr CHEUNG Man-kwong noted that the Advisory Committee on Teacher Education and Qualifications (ACTEQ) recommended that PTs in primary schools, secondary schools or schools offering post-secondary education should possess at least a higher diploma or an associate degree or its equivalent. The Administration intended to implement the recommendation with effect from the beginning of the 2003-04 school year which would apply to serving PTs. This would mean that after enactment of the Bill, a PT who sought to have a new permit to teach upon change of school, subjects or levels of subjects taught would be governed by the new qualification requirement. Since no transitional period would be given, Mr CHEUNG considered the requirement unreasonable as a serving PT might lose his job if for some reasons he was required to change school, the subject or the level of subject he taught. He asked how the Administration would assist PTs with substantial approved teaching experience such as nine years to become RTs after the

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commencement of the proposed provision. He pointed out that PTs with a long service had a reasonable expectation to become a RT when they had acquired 10 years of service. In other words, it was unfair to change the existing rule without providing a transitional arrangement for these PTs to become RTs.

44. In response, PSEM said that the Administration did not want to see that serving PTs would lose their job as a result of the legislative amendments. The recommendation of ACTEQ that a person should possess an approved teacher education qualification before being eligible for registration as a RT was made with the intention to motivate serving PTs to pursue an approved qualification. Having said that, PSEM agreed that PTs with substantial approved teaching experience should be given priority in enrolment to recognised teacher training courses. She also undertook to give special consideration to granting permits to serving PTs who were attending a relevant training but for some justifiable reasons had to change school, subject or the level of subject taught after the commencement of the proposed provision. Mr CHEUNG Man-kwong and Mr SZETO Wah expressed support for PSEM's suggestion.

45. Mr CHEUNG Man-kwong suggested that the qualification requirement for PTs teaching in tutorial, commercial, computer and language schools, etc should at least be comparable to those required for kindergarten teachers. He considered that the proposed requirement i.e. having a pass in not less than five separate subjects taken in not more than two sittings in the Hong Kong Certificate of Education Examination (HKCEE) too low for PTs teaching general subjects. He held the view that a PT should at least possess five passes in HKCEE, including English Language and Chinese Language.

46. PSEM explained that the minimum qualifications for PTs teaching in tutorial, commercial, computer and language schools was a controversial issue which had been thoroughly discussed by ACTEQ. She pointed out that many serving PTs in these private schools had special attributes and merits in the subjects they taught, but had not acquired five passes in one sitting of HKCEE. Operators of these private schools held a strong view that the minimum qualifications for their PTs should be set realistically, having regard to the qualifications of most serving PTs. The Administration considered it appropriate to adopt an incremental approach in raising the qualification requirements of these PTs.

47. Mr CHEUNG Man-kwong did not concur with the Administration's view. He stressed that PTs teaching academic subjects in these private schools should at least possess the same level of qualifications as their counterparts in kindergartens. Mr SZETO Wah expressed a similar view.

48. PSEM responded that the Administration had taken into account the views of serving PTs and operators of private schools in recommending an incremental approach to raise the minimum qualifications of PTs teaching in

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tutorial, commercial, computer and language schools. PSEM explained that operators of private schools had expressed concern that if the requirement of having five passes in HKCEE including English Language and Chinese Language applied to their PTs, they would have recruitment difficulties, and some serving PTs who did not meet the requirement would lose their jobs. She pointed out that a PT teaching geography in private school might have achieved excellent result in geography in HKCEE but failed in other subjects. The Administration therefore considered it appropriate to provide some flexibility for the operators of private schools. In light of members' views, PSEM suggested that if the proposed qualification for PTs in kindergarten had to apply to PTs in the private schools, there must be discretion for the executive authority to waive the requirement where necessary.

Professional competency requirements

49. Mr SZETO Wah enquired about the purpose of empowering the Chief Executive (CE) in Council to make subsidiary legislation to stipulate the professional competency requirements of principals and teachers.

50. PSEM explained that in recent years, the Administration had introduced pre-employment requirements on new principals and continuing professional development of serving principals in the light of changing circumstances and community expectations. In fact, ACTEQ was currently reviewing the professional competency requirements of teachers. To provide legal backing to the administrative measures, which should apply to both private and subsidised schools, the Administration proposed to amend the Education Ordinance to include an enabling provision for the CE in Council to make subsidiary legislation to stipulate the professional competency requirements of principals and teachers as and when necessary.

Legislative timetable

51. Ms Cyd HO expressed doubts about the Administration's target to implement the proposals in the Education (Miscellaneous Amendments) Bill (the Bill) with effect from the 2003-04 school year. She asked about the legislative timetable for the Bill and whether the Administration would take out some of the proposals to facilitate early enactment of the Bill.

52. PSEM responded that the Administration intended to introduce the Bill into the Legislative Council on 9 April 2003 and hoped that the Bill would be enacted in the current session. She stressed that the proposals, such as raising the qualifications of teachers, were made in the light of community expectations and were not controversial in nature. The Administration welcomed any suggestions from members on the Bill.

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Operation of classes on Sundays and public holidays

53. In response to Mr LEUNG Yiu-chung, PSEM confirmed that the Administration intended to amend the Education Ordinance and the Post Secondary Colleges Ordinance to the effect that all schools and post-secondary colleges could operate classes or courses on Sundays or public holidays.

VI. Review of the adult education courses operated by the Education and Manpower Bureau

54. Members noted the two submissions from Mr Eric LEUNG and Mr Wilson TONG which were tabled at the meeting [LC Paper Nos. CB(2)1223/02-03(01) and (02)].

55. At the invitation of the Chairman, PSEM highlighted the main points of the Administration's paper on the subject [LC Paper Nos. CB(2)1125/02-03(04)].

Adult Education Courses (General Background) (AEC(G))

56. Ms Emily LAU enquired about the adult education programmes provided under Continuing Education Fund (CEF), the Employees Retraining Board (ERB) and the Skills Upgrading Scheme (SUS).

57. PSEM explained that the programmes provided under the CEF, ERB and SUS were more relevant to the needs of adult learners and in general had better enrolment and completion rates. The Administration was currently reviewing the CEF with a view to broadening its scope to include more programmes at the basic levels and to benefit more adult learners. She added that in recent years, a wide variety of continuing education opportunities were available in the market, and as a result the enrolment for both AEC(G) and Government Evening Secondary School Course (GESSC) had declined over the years, falling to 60% and 83% respectively in 2002-03.

Government Evening Secondary School Course

58. Mr CHEUNG Man-kwong asked how the Administration would provide a second learning opportunity to students between the age of 15 and 19 to pursue secondary education at Secondary 3 (S3) and Secondary 5 (S5) levels. He stressed that the provision of a second learning opportunity was very important for those who left school after completing junior secondary education and those who were unsuccessful in their first attempt in HKCEE and could not repeat their S5 studies at their mother schools. He added that

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many students had made use of the second learning opportunity provided by GESSC.

59. PSEM responded that the Administration held the view that students within the age of 15 to 19 should be studying in day schools, instead of the evening adult education courses. She pointed out that eight senior secondary schools would become operational in the 2003-04 school year, some of which would also operate S1-3 classes. They would provide some 780 S1-3 places and 2 000 S4-5 places with more diverse curricula to meet the needs of students with different talents and abilities.

60. PSEM further said that S5 repeaters made up 70% of the S5 enrolment in GESSC but only 30% of them attained five passes or above in HKCEE. S5 repeaters enrolled in day schools providing a conventional curriculum had a better performance. PSEM considered that the sense of frustration among S5 repeaters who failed in their second attempt was damaging. She suggested that S5 school leavers, who failed badly in the HKCEE, should consider Project Yi Jin which was designed to provide an alternative route to attaining the equivalent of five passes in HKCEE. The curriculum of Project Yi Jin was more practical and developed the students' generic skills on languages and application of information technology. Yi Jin graduates had demonstrated a higher sense of self-achievement and self-awareness. She added that needy students who had successfully completed Project Yi Jin would receive full reimbursement of the programme fees.

61. Mr CHEUNG Man-kwong asked how the Government could ensure provision of sufficient S5 places for those who were aspired to repeat S5 studies. He was worried that discontinuation of GESSC would reduce the supply of S5 places to meet the needs of persons who wished to repeat S5 studies.

62. PSEM responded that there were many experienced school operators and continuing education providers who were capable of taking over the three adult education courses. As long as there was demand for S5 places, there would be corresponding supply in the market. She added that although mainstream education was still the predominant preference among parents and students, students who were less academically oriented would be better off pursuing alternative progression paths such as Project Yi Jin and other higher diploma and associate degree programmes.

63. The Chairman expressed concern that the S5 courses run by private operators would charge higher fees. PSEM responded that the Administration would commission non-profit-making operators to run the GESSC for two years with government subvention so that existing learners would not have to pay higher fees. Ms Cyd HO added that the Administration should specify the level of fees which could be charged by these operators for existing learners of

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GESSC two years after the take-over. PSEM responded that interested operators should, in accordance with the tender specifications, propose a fee schedule and a financial assistance scheme for needy students in their tenders. The Administration would examine whether the proposed fee levels were reasonable.

64. Mr SZETO Wah expressed concern that serving teachers might become unemployed when EMB ceased to operate the three adult education courses in September 2003. He asked how many of the serving teachers were working on a part-time basis.

65. PSEM responded that the vast majority of GESSC teachers were working on a part-time basis. In view of Mr SZETO's concern, the Administration would consider inserting a requirement in the tender that serving teachers should continue to be employed as far as possible.

Transitional arrangements

66. Mr TSANG Yok-sing asked about the details of the transitional arrangements and how the Administration could ensure continuity for existing learners.

67. PSEM replied that a number of alternative and transitional arrangements were proposed to minimise the disruption to those who were already enrolled in AEC(G), GESSC and English courses currently run by EMB. There were many experienced school operators and continuing education providers who had expressed the interest to take over the three adult education courses. Since most of the existing learners would have completed a key stage of study within two years i.e. by the end of the 2004-05 school year, the Administration would commission suitable operators to run the three courses for two years with government subvention and existing students would continue to pay the same level of tuition fees. Thereafter, the operators would arrange other learning programmes in response to the needs of the learners. Operators would be given the option to use the existing government school premises or their own premises to run the courses. The Administration anticipated that after two years of operation, these operators would be able to establish a good track record to attract enrolment in a free market.

68. On the provision of English programmes, PSEM said that vocational English was more relevant than the formal school curriculum for adult learners and students who were less academically oriented should consider pursuing alternative studies such as those funded by the Language Fund (Workplace English Campaign) and CEF. She added that the English Language component in ERB's courses had demonstrated a 96% enrolment and a completion rate of 80% overall.

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69. Ms Emily LAU noted that the provision in 2002-03 for the three education courses run by EMB was \$74.6 million. She asked whether CEF could provide sufficient funding support for some 13 000 learners currently provided under the three courses.

70. PSEM responded that CEF aimed to help people pursue continuous learning to enhance their competitiveness in a knowledge-based economy and its operation was currently under review. Any Hong Kong resident aged 18 to 60 without a university degree who enrolled in an accredited course could apply to the Students Financial Assistance Agency to open a personal continuing education account and, subject to the availability of funds, an amount of \$10 000 would be earmarked. So far some 20 000 accounts had been opened. On provision of English course, the Administration would liaise with the Vocational Training Council and the Hong Kong Caritas for the provision of a wider range of English programmes to meet the needs of learners. She added that given the resources constraint, it would not be realistic to provide all adult learners with financial assistance. As a matter of fact, not all learners were in need of financial assistance to further their studies.

71. The Chairman, Mr LEUNG Yiu-chung and Mr CHEUNG Man-kwong were of the strong view that the Administration should let existing S1 students complete their secondary study through the GESSC. Mr LEUNG considered that S1 learners were being discriminated if only S3 learners of GESSC were given the opportunity to complete their S5 study. The Chairman added that S1 learners had their own reasons to pursue secondary education through GESSC. It was also reasonable for these S1 learners to expect that they could complete their GESSC studies up to S5 level. Mr CHEUNG also requested the Administration to provide a flow chart to indicate the progression paths for the existing learners of GESSC upon completion of the key stages of study.

72. PSEM reiterated that learners within the age of 15 to 19 should preferably be studying in day schools, instead of the evening adult education courses. She reckoned that the number of current S1 learners who would prefer to continue their secondary study in GESSC after two years would not be large. She pointed out that most adults would prefer to pursue studies which would benefit their career development. PSEM then highlighted the alternative progression paths available to adult learners with S3 level and the eligibility criteria for enrolment to the various programmes as detailed in Annex B to the Administration's paper. At the request of Mr CHEUNG Man-kwong, she undertook to provide a flow chart to indicate the available progression paths for the existing learners of GESSC after the meeting.

Adm

[Post-meeting note: The flow chart on the progression paths for the existing learners of GESSC upon completion of the key stages of study was subsequently issued to members vide LC Paper No. CB(2)1321/02-03(01) on 27 February 2003.]

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Continuing education for women

73. Ms Cyd HO pointed out that some 388 000 and 1.2 million women had not completed kindergarten and primary school education respectively. She urged the Administration to liaise with the Women's Commission for measures to upgrade the overall education standard of women in Hong Kong.

74. PSEM shared the view of Ms Cyd HO and said that some 48% of the population aged 15 or above had completed only junior secondary education. She stressed that EMB was examining feasible options to improve the situation. She added that Ms Cyd HO's concern could only be dealt with in the broader context of raising the overall education standards of the population in Hong Kong.

75. In concluding the discussion, the Chairman said that members were concerned about the continuity and fee levels of the adult education courses after they were taken over by private operators, as well as the transitional arrangements for the enrolled learners, particularly the S1 learners enrolled to GESSC. Members also considered that the continuity of teachers' employment should be protected. He urged the Administration to take into account members' views in planning the way ahead.

VII. Progress on the harmonisation of pre-primary services
[LC Paper No. CB(2)1125/02-03(01) to (02)]

76. Due to time constraint, the Panel decided to defer discussion of the item to the special meeting scheduled for Monday, 3 March 2003 at 2:30 pm.

VIII. Any other business

77. There being no other business, the meeting ended at 7:10 pm.

Council Business Division 2
Legislative Council Secretariat
14 March 2003