

HONG KONG SPECIAL ADMINISTRATIVE REGION

ORDINANCE NO. 2 OF 2005

L.S.

Donald TSANG
Acting Chief Executive
14 April 2005

An Ordinance to amend the Vocational Training Council Ordinance to empower the Vocational Training Council to perform its functions outside Hong Kong; to revise the scope of the functions, taking into account the performance of functions outside Hong Kong; to empower the Deputy Chairmen of the Council to sign statements of accounts; and to make other minor amendments.

[15 April 2005]

Enacted by the Legislative Council.

1. Short title

This Ordinance may be cited as the Vocational Training Council (Amendment) Ordinance 2005.

2. Interpretation

Section 2 of the Vocational Training Council Ordinance (Cap. 1130) is amended—

- (a) in the definition of “disabled person”, by repealing “disabled person” and substituting “person with a disability”;
- (b) in the definition of “skills training”, in paragraphs (a) and (b), by repealing “disabled persons” and substituting “persons with a disability”.

3. Objects of the Council

Section 5(d) is amended by repealing “disabled persons” and substituting “persons with a disability who are”.

4. Functions of the Council

(1) Section 6(2) is amended—

- (a) in paragraph (v), by repealing “and”;
- (b) in paragraph (w), by repealing the full stop and substituting a semicolon;
- (c) by adding—
 - “(x) enter into a partnership or other form of joint venture with other persons;
 - (y) acquire, hold and dispose of interests in other corporate bodies and form or take part in forming corporate bodies;
 - (z) provide for profit or otherwise training or educational programmes, advisory, consultancy, research or other related services; and
 - (za) make a loan to any person on such terms as it considers appropriate in furtherance of its objects or the exercise of its functions.”.

(2) Section 6 is amended by adding—

“(3) Subject to subsection (4), the Council may perform any of its functions under this section in Hong Kong or elsewhere either on its own or through an agent or jointly with or as agent for other person or organization.

(4) If the Council performs any of its functions outside Hong Kong for the training or education of a person (other than an eligible person), no subsidy shall be made available by the Government towards the performance of such functions and no subsidy provided by the Government to the Council shall be used to subsidize the performance of such functions.

(5) For the purposes of subsection (4) and this subsection—
“eligible person” (合資格的人) means a person who—

- (a) holds an identity card issued under the Registration of Persons Ordinance (Cap. 177); and
- (b) (i) is not subject to any condition of stay imposed in respect of the person under the Immigration Ordinance (Cap. 115), other than a limit of stay; and
- (ii) is not in breach of any limit of stay;

“limit of stay” (逗留期限), in relation to a person, means a condition of stay limiting the period during which the person may remain in Hong Kong.”.

5. Accounts

Section 17 is amended—

(a) in subsection (3), by repealing everything after “thereof” and substituting a full stop;

(b) by adding—

“(4) The statement and balance sheet required by subsection (3) shall be signed by the Chairman, or if the Chairman is absent from Hong Kong or is for any other reason unable to exercise the powers or perform the duties of a Chairman, by any one of the Deputy Chairmen.”.