

**立法會**  
**Legislative Council**

LC Paper No. CB(2)1017/06-07  
(These minutes have been  
seen by the Administration)

Ref : CB2/BC/1/06

**Bills Committee on  
City University of Hong Kong (Amendment) Bill 2006**

**Minutes of meeting  
held on Wednesday, 13 December 2006, at 9:00 am  
in Conference Room A of the Legislative Council Building**

- Members present** : Hon Emily LAU Wai-hing, JP (Chairman)  
Ir Dr Hon Raymond HO Chung-tai, SBS, S.B. St.J, JP  
Hon CHEUNG Man-kwong  
Dr Hon YEUNG Sum  
Hon Tommy CHEUNG Yu-yan, JP  
Dr Hon Fernando CHEUNG Chiu-hung  
Prof Hon Patrick LAU Sau-shing, SBS, JP
- Member absent** : Hon LEE Cheuk-yan
- Public Officers attending** : Miss Charmaine LEE  
Principal Assistant Secretary for Education and  
Manpower (Higher Education)
- Miss Joyce LEE  
Assistant Secretary-General (Capital), University Grants  
Committee
- Attendance by invitation** : Council of City University of Hong Kong  
Mr CHUNG Shui-ming, GBS, JP  
Chairman of the Council

Prof CHANG Hsin-kang, GBS, JP  
President of City University of Hong Kong

Mr Vincent CHOW, BBS, JP  
External Council member

Dr Ellen KO  
Internal Council Member

Mr John DOCKERILL  
Secretary to Council

*Resource Person*

Miss Beatrice LEE  
Assistant Secretary to Council

City University of Hong Kong Staff Association

Dr TSE Wing-ling  
Chairperson

City University Postgraduate Association

Miss Mandi LEUNG  
President

Mr Vincent TAI  
Career Development Leader

City University Convocation Organizing Committee

Dr Bryan WONG  
Member

Mr Savio WONG  
Member

**Clerk in attendance** : Miss Odelia LEUNG  
Chief Council Secretary (2)6

**Staff in attendance** : Mr Arthur CHEUNG  
Senior Assistant Legal Adviser 2

Mr Stanley MA  
Senior Council Secretary (2)6

Miss Carmen HO  
Legislative Assistant (2)6

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Action

**I. Confirmation of minutes of meeting**  
[LC Paper No. CB(2)588/06-07]

The minutes of the meeting held on 10 November 2006 were confirmed.

**II. Meeting with deputations and the Administration**

[LC Paper Nos. CB(2)521/06-07(01), CB(2)584/06-07(01),  
CB(2)618/06-07(01) and (02)]

2. The Bills Committee deliberated (Index of proceedings attached at **Annex**).

Membership of the Council of the City University of Hong Kong

3. Members expressed reservations about the proposed composition of 28 members for the restructured Council of City University of Hong Kong (the CityU Council) as detailed in LC Paper No. CB(2)618/06-07(02). Members considered that the proposed membership was larger than the current membership of 27 and was not in line with the spirit of the review of the fitness for purpose of the governance and management structure of University Grants Committee (UGC)-funded institutions.

4. The Chairman of the CityU Council and the President of City U argued for the importance of having Dean representation in the CityU Council, which was supported by representatives of the City University Convocation Organizing Committee and the City University Postgraduate Association.

5. Dr YEUNG Sum indicated support for the composition of the CityU Council with 23 members.

6. Dr Fernando CHEUNG expressed support for a CityU Council of 23 members.

7. Mr Tommy CHEUNG indicated that the Liberal Party supported a membership of 23 members.

Action

8. Ir Dr Raymond HO indicated support for a CityU Council of 23 members and raised no objection to a membership size of 24. Mr CHEUNG Man-kwong agreed to Dr Raymond HO's view.
9. The Chairman considered the proportion of external to internal members at 3:1 important and was disappointed at any proposal to reduce the proportion.
10. Principal Assistant Secretary for Education and Manpower (Higher Education) indicated that in the view of the Administration, a membership size of 28 was too large. The Administration did not see the need for increasing the external members appointed by the Chief Executive from 15 to 17.
11. The Bills Committee requested the CityU Council to review the proposed composition with regard to the views of the Bills Committee and the deputations, and the need to strike an appropriate proportion between internal and external members.
12. The CityU Council was requested to provide a copy of the confirmed minutes of the CityU Council meeting on 27 November 2006 when available.
13. The Bills Committee also requested the Administration to -
  - (a) compile a table comparing the membership of Councils of the UGC-funded institutions; and
  - (b) provide details on the proposed changes, if any, to their council membership following a review of the fitness for purpose of their governance and management structures recommended in the Report on Higher Education in Hong Kong in March 2002.

**III. Any other business**

14. Members agreed to hold the next meeting after the CityU Council had reconsidered the matter and informed the Bills Committee of the outcome of its discussion.
15. There being no other business, the meeting ended at 10:55 am.

**Proceedings of the meeting of Bills Committee on  
City University of Hong Kong (Amendment) Bill 2006  
on Wednesday, 13 December 2006, at 9:00 am  
in Conference Room A of the Legislative Council Building**

Time marker	Speaker	Subjects	Action required
000000 - 000223	Chairman	Confirmation of minutes	
000224 - 000354	Chairman	Welcome to Members of the Council of the City University of Hong Kong (CityU Council).	
000355 - 000506	Chairman	Briefing on the proposed composition of CityU Council.	
000507 - 001656	Chairman and President of CityU Council	Briefing on the deliberations of the CityU Council at the meeting on 27 November 2006 and the reasons for the proposal to increase the membership of the CityU Council to 28 members which included two Deans.	
001657 - 003829	Mr CHEUNG Man-kwong Admin Chairman and President of City U Council Chairman	<p>Views of Mr CHEUNG Man-kwong that the proposed composition of CityU Council of 28 members after restructuring was not in line with the spirit of the review of the fitness for purpose of the governance and management structure of UGC-funded institutions. The proposal would reduce the ratio of external to internal members from 3.1 to 1 to 1.54 to 1. The proposed membership was even greater than the current membership of 27.</p> <p>Chairman of CityU Council's explanation of the request of five Deans of CityU for representation in the CityU Council. CityU Council had considered their request and resolved to propose a new composition of 28 members. He further argued for the importance of having Dean representation in the Council, and that if the composition of the CityU Council was to be reduced to some 25 members, it should also include two Deans.</p> <p>President of CityU's explanation of the grounds put forth by the Deans of CityU for representation on the CityU Council, namely, need for reflection of views of the management and balance of views of various sectors.</p>	

Time marker	Speaker	Subjects	Action required
		<p>The Administration's view that a membership of 28 was too large and there was no need to increase the number of members appointed by the Chief Executive from 15 as proposed in the Bill to 17.</p> <p>CityU Council, at the request of the Bills Committee, tabled the joint letter from five Deans of CityU to CityU Council on the composition of the CityU Council [LC Paper No. CB(2)652/06-07(01)].</p>	
003830 - 005430	Dr Fernando CHEUNG Chairman President of CityU Council	<p>Dr Fernando CHEUNG's views that</p> <ul style="list-style-type: none"> <li>(a) the views of the management could be reflected by the President in the CityU Council;</li> <li>(b) the Deans could attend meetings of the CityU Council to express views; and</li> <li>(c) the CityU Council should confine the size of its membership to 23.</li> </ul> <p>Referring to the minutes of the CityU Council meeting on 31 October 2006, Dr Fernando CHEUNG's views that</p> <ul style="list-style-type: none"> <li>(a) members of the CityU Council were representatives of their constituents and should reflect their view; and</li> <li>(b) members of the CityU Council should be encouraged to freely express their views on issues even if these had already been decided by the CityU Council as this would enhance transparency and accountability of the CityU Council. His expression of concern about the provision of the Code of Practice of the CityU Council which stated that CityU Council exercised its responsibilities in a corporate manner and CityU Council members should not reopen issues outside the framework of the CityU Council and its committees.</li> </ul> <p>President of CityU Council's clarification that the Code of Practice was endorsed by the CityU Council and the minutes only restated the provision of the Code of Practice.</p>	

Time marker	Speaker	Subjects	Action required
		<p>Chairman of CityU Council's clarification that the provision in the Code of Practice did not restrict CityU Council members to express their personal views and similar provision was included in the Code of Practice of other local and overseas tertiary institutions. The Review Committee expected the CityU management to attend meetings of the CityU Council after the restructuring to provide input pertinent to matters being considered if necessary.</p>	
005431 - 010639	<p>Ir Dr Raymond HO Chairman of CityU Council Chairman</p>	<p>Ir Dr Raymond HO's view that the representation of postgraduate and alumini in the CityU Council was essential. He did not accept the proposed increase of CityU Council membership to 28 as this was not in line with the spirit of Lord Sutherland's report on Higher Education in Hong Kong in 2002 and the report of the Review Committee.</p> <p>Chairman of CityU Council's explanation for not communicating with Ir Dr Raymond HO beforehand. His clarification that the proposed composition of 28 members was proposed on the spot and agreed by the majority of members at the meeting on 27 November 2006. His expression of personal view that including one or two representatives from the Deans in the CityU Council was reasonable. His agreement to provide a copy of the confirmed minutes of the CityU Council meeting on 27 November 2006 when available.</p>	<p><b>See para 12 of the minutes</b></p>
010640 - 012340	<p>Dr YEUNG Sum Council of City University of Hong Kong Chairman Admin</p>	<p>Dr YEUNG Sum's indication of objection to the proposed membership of 28. His views that the membership of CityU Council after restructuring should not be larger than its current membership of 27; the inclusion of two representatives from the Deans in the CityU Council would create unnecessary dynamic among the Deans of CityU; the proposed composition of CityU Council of 23 members including the Chairman of the Convocation, representative from the postgraduates and two representatives from staff was reasonable.</p>	

Time marker	Speaker	Subjects	Action required
		<p>Agreement of Chairman of CityU Council to relay members' views to the CityU Council for consideration.</p> <p>Provision of information from the Admin on the current composition of University Grants Committee (UGC)-funded institutions, and agreement to provide a table to compare their composition.</p> <p>Admin's advice that the UGC-funded institutions had completed review of their governance structures.</p>	<p><b>See para 13 of the minutes</b></p>
012341 - 012722	Mr CHEUNG Man-kwong Chairman	Mr CHEUNG Man-kwong's suggestion of adding a representative from the Deans in the CityU Council and maintaining the number of external members appointed by the Chief Executive at 15.	
012723 - 012947	Ir Dr Raymond HO	Dr Raymond HO's view that a membership of 23 or 24 was acceptable and the CityU Council should reconsider the matter having regard to members' views.	
012948 - 013118	Dr YEUNG Sum	Dr YUENG Sum's view that members of the Bills Committee should respect the autonomy of the CityU Council. CityU Council should inform the Bills Committee of its decision in due course, having considered members' views.	
013119 - 013331	City University Convocation Organizing Committee	The inclusion of a representative elected among the Deans in the CityU Council to represent the views of academics was agreeable.	
013332 - 013600	City University of Hong Kong Staff Association	A membership of 23 of the CityU Council was appropriate to balance the interests of stakeholders. The inclusion of a representative elected among the Deans was unnecessary.	
013601 - 013705	Dr Fernando CHEUNG Chairman	Dr Fernando CHEUNG's view that the Deans represented the management rather than the academic staff. His indication of respect of the autonomy of the CityU Council in considering its membership.	

Time marker	Speaker	Subjects	Action required
013706 - 014524	City University Postgraduate Association Chairman Admin Chairman of CityU Council Dr YEUNG Sum	<p>CityU's Postgraduate Association's view that the representation of the Deans in the CityU was important and support their representation in the CityU Council. The Association's concern about the absence of criteria and procedures for the Council's nomination of external members of CityU Council, given the imminent expiry of the term of a number of existing external members.</p> <p>Admin's advice that it was discussing with the CityU Council on the proposed nominations to the Council having regard to the expiry of the term of some Council Members. The number of external members to be appointed by the Chief Executive would not exceed 15 as proposed in the Bill. Admin's confirmation that as a general principle, it would follow the "six-years, six-boards" rule in appointing members to advisory and statutory boards.</p> <p>The Chairman of CityU Council's explanation that the CityU Council would form a Nominations Committee to recommend individuals for membership of the CityU Council after restructuring.</p>	
014525 - 014727	SALA2 Chairman	SALA's advice that according to the Rules of Procedure, only amendments to the Bill which would have a charging effect would need the consent of the Chief Executive.	
014728 - 015302	Chairman Council of City University of Hong Kong Dr YEUNG Sum Ir Dr Raymond HO Mr Tommy CHEUNG Mr CHEUNG Man-kwong Admin	<p>Members' expression of views on the membership of the CityU Council.</p> <p>Dr YEUNG Sum's indication of support for a membership of 23 and that Dr Fernando CHEUNG, who had left the meeting, had expressed support for 23.</p> <p>Mr Tommy CHEUNG's indication of the Liberal Party's support for a membership of 23.</p> <p>Ir Dr Raymond HO's indication of support for 23 and of no objection to a membership of 24.</p> <p>Mr CHEUNG Man-kwong indication of agreement with Ir Dr Raymond HO's view.</p>	

<b>Time marker</b>	<b>Speaker</b>	<b>Subjects</b>	<b>Action required</b>
		The Chairman summed up that members agreed to adding to the original 20 three internal members; the number of external member remains at 15; and considered the proportion of external to internal members at 3:1 important and was disappointed at any proposal to reduce the proportion.	
015303 - 015345	Chairman	Date of next meeting	

Council Business Division 2  
Legislative Council Secretariat  
2 February 2007