

Legislative Council Brief on the
Statutes of The Chinese University of Hong Kong (Amendment) Statutes 2010

INTRODUCTION

1. The Chinese University of Hong Kong (CUHK) proposes to amend the Statutes contained in Schedule 1 of The Chinese University of Hong Kong Ordinance (CUHK Ordinance) as set out in the “Statutes of The Chinese University of Hong Kong (Amendment) Statutes 2010” (the Amendment Statutes).
2. Section 13(1) of the CUHK Ordinance stipulates that “The Council may by special resolution make Statutes, subject to the approval thereof by the Chancellor

CONSULTATION

3. CUHK submitted to the Panel on Education of the Legislative Council to seek members’ views on November 9, 2009 and January 11, 2010, an earlier version of the Amendment Statutes which included the proposed definition of “teacher” and the proposed reorganization of the Senate. CUHK respects the views expressed by members of the Panel and are conducting further consultation among its stakeholders on these two matters.
4. In view of the presence of the aforesaid yet-to-be-resolved matters, and that the remaining matters have to be processed as early as possible, the University Council decided **to remove** those parts related to (a) the statutory definition of “teacher”, and (b) the reorganization of the Senate, from the Amendment Statutes pending further review, and submit only the remaining parts of the Amendment Statutes for enactment.

THE AMENDMENT STATUTES

5. In the Explanatory Note of the Amendment Statutes, it is stated that:

“These Statutes amend the Statutes of The Chinese University of Hong Kong in Schedule 1 to The Chinese University of Hong Kong Ordinance (Cap. 1109) to provide for -

- (a) the inclusion of Associate Deans and Assistant Deans of the Faculty concerned and one student member to the membership of each Board of Faculty;
- (b) the removal of the detailed administrative procedures for making University appointments from the Statutes, to allow such procedures to be determined by the Council from time to time;

- (c) the conferring of a new master's degree, the Master of Nursing Science (M.N.Sc.) and a new doctoral degree, the Doctor of Nursing (D.Nurs.) by the University.”

6. The background information concerning the Amendment Statutes are as follows:-

- (a) Addition of New Members to the Board of Faculties

The Senate (comprising representatives of teaching staff and students) has recommended and the University Council has approved that the student membership of the Boards of Faculties be formally established. It has also been proposed that all Associate Deans and Assistant Deans of each Faculty should be added to the membership of the Board of Faculty concerned. Hence, amendments have to be made to Statute 15 of the CUHK Ordinance.

- (b) Procedures for Appointment of Academic and Senior Administrative Staff

Section 7(d) of the CUHK Ordinance stipulates that the University Council shall make such University appointments as it thinks proper, and subparagraphs (k) and (l) of Statute 11.8(2) also stipulate that it shall be the duty of the University Council to make University appointments as the University Council deems necessary. In order to streamline the administrative procedures for making such University appointments, it has been proposed that subparagraphs (j), (k) and (l) of Statute 11.8(2) and Statute 20 of the CUHK Ordinance be amended to specify that all University appointments shall be made on such terms and conditions and in accordance with such procedures as the University Council may determine. In line with the common practice in other major universities, the detailed procedures as contained originally in Statute 20 of the CUHK Ordinance which are subject to change from time to time, have been removed from the Statutes and rendered into Regulations which the University Council may make and amend from time to time.

- (c) New Postgraduate Degrees

The Senate proposes to add two new degrees of Master of Nursing Science (M.N.Sc.) and Doctor of Nursing (D.Nurs.) under paragraph 2 of Statute 26 of the CUHK Ordinance for the addition of new programmes of study.

LEGISLATIVE TIMETABLE

7. The legislative timetable is as follows –

Publication in the Gazette	December 31, 2010
Tabling at the Legislative Council	January 5, 2011

Subject to negative vetting by the Legislative Council, the Amendment Statutes will come into operation on March 1, 2011.

ENQUIRIES

8. Any enquiry on this brief can be addressed to Mr. Jacob Leung, Secretary of CUHK (Telephone: 2609 7262).

The Chinese University of Hong Kong
December 2010