



立法會秘書處 法律事務部  
LEGAL SERVICE DIVISION  
LEGISLATIVE COUNCIL SECRETARIAT

來函檔號 YOUR REF :

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By Fax (2840 1976)

23 April 2015

Miss Helen CHUNG  
Principal Assistant Secretary  
(Constitutional & Mainland Affairs)  
Constitutional and Mainland Affairs Bureau  
12/F, East Wing  
Central Government Offices  
2 Tim Mei Avenue  
Tamar  
Hong Kong

Dear Miss CHUNG,

**Electoral Legislation (Miscellaneous Amendments) Bill 2015**

I refer to the captioned Bill.

Section 20E(1)(aa) of the Legislative Council Ordinance (Cap. 542) provides that the education functional constituency is composed of full-time academic staff engaged in teaching or research and administrative staff of equivalent rank in the following institutions –

- (i) School of Continuing and Professional Education of the City University of Hong Kong;
- (ii) School of Continuing Education of the Hong Kong Baptist University;
- (iii) Lingnan Institute of Further Education of the Lingnan University;
- (iv) School of Continuing and Professional Studies of The Chinese University of Hong Kong;
- (v) HKIEd School of Continuing and Professional Education Limited;

- (vi) School of Professional Education and Executive Development of The Hong Kong Polytechnic University;
- (vii) HKUST College of Lifelong Learning Limited; and
- (viii) HKU School of Professional and Continuing Education.


Clause 4(1) of the captioned Bill seeks to repeal paragraph (aa) and substitute it with a new one. The new paragraph (aa) seeks to replace the above institutions with institutions which –

- (i) offer post secondary education leading to the award of any qualification entered into the Qualifications Register established under the Accreditation of Academic and Vocational Qualifications Ordinance (Cap. 592); and
- (ii) are set up by –
  - (A) an institution of higher education funded through the University Grants Committee;
  - (B) The Hong Kong Academy for Performing Arts; or
  - (C) The Open University of Hong Kong.

Please clarify whether it is intended that the institutions described in the new paragraph (aa) cover those in the existing paragraph (aa). If it is the case, please clarify whether all the institutions set out in the existing paragraph (aa) are funded through the University Grants Committee and are therefore covered by the new paragraph (aa).

We should be most grateful if you may let us have your reply in both Chinese and English as soon as practicable.

Yours sincerely,

  
(Kelvin Ka-yun LEE)  
Assistant Legal Adviser

c.c. D of J (Attn.: Mr Gilbert MO, DLD) )  
D of J (Attn.: Miss Emma WONG, SGC) )  
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