

立法會
Legislative Council

LC Paper No. LS43/15-16

**Paper for the House Committee Meeting
on 11 March 2016**

**Legal Service Division Report on
The Hong Kong Institute of Education (Amendment) Bill 2016**

I. SUMMARY

- 1. The Bill**

The Bill seeks to amend The Hong Kong Institute of Education Ordinance (Cap. 444) to change the title of The Hong Kong Institute of Education (HKIED) to The Education University of Hong Kong (EdUHK); to provide for the continuation of the body corporate; and to make consequential amendments.
- 2. Public Consultation**

HKIED has conducted an extensive consultation exercise with its staff and students on the proposed change of title from HKIED to EdUHK.
- 3. Consultation with LegCo Panel**

The Panel on Education was consulted on 1 February 2016. Panel members supported the early passage of the Bill.
- 4. Conclusion**

No difficulties relating to the legal and drafting aspects of the Bill have been identified. Subject to Members' views, the Bill is ready for resumption of the Second Reading debate.

II. REPORT

The date of First Reading of the Bill is 2 March 2016. Members may refer to the LegCo Brief (File Ref.: EDB(HE)CR 4/2041/07) issued by the Education Bureau in January 2016 for further details.

Object of the Bill

2. The Bill seeks to amend The Hong Kong Institute of Education Ordinance (Cap. 444) to change the title of The Hong Kong Institute of Education (HKIEd) to The Education University of Hong Kong (EdUHK); to provide for the continuation of the body corporate; and to make consequential amendments.

Background

3. HKIEd was formally established in 1994 as a body corporate under section 3(1) of Cap. 444 to provide teacher education and facilities for research into and the development of education. In July 2014, HKIEd submitted an application for university title to the Education Bureau, which invited the University Grants Committee (UGC) to carry out a special review on HKIEd to determine whether it possesses the necessary capacity and qualities to be accorded university title. According to paragraph 16 of the LegCo Brief, the Administration is satisfied with UGC's findings and takes the view that university title should be granted to HKIEd.

Provisions of the Bill

4. The Bill proposes to amend Cap. 444 to –

- (a) repeal section 3(1) to change the title of HKIEd to EdUHK;
- (b) provide for the continuation of the body corporate in the title of EdUHK despite the proposed repeal of section 3(1), and that the rights, obligations and liabilities of that body corporate would not be affected by the proposed change of title; and
- (c) replace all references to "Institute" by "University" and introduce a new definition of "University" in place of the definition of "Institute".

5. The Bill also proposes consequential amendments to 17 other enactments so that all references to HKIEd are amended to EdUHK (Parts 1 to 17 to the Schedule).

Commencement

6. The Bill, if passed, would come into operation on the day on which the enacted Ordinance is published in the Gazette.

Public Consultation

7. According to paragraph 17 of the LegCo Brief, HKIEd has conducted an extensive consultation exercise with its staff and students on the proposed change of title of HKIEd.

Consultation with LegCo Panel

8. According to the Clerk to the Panel on Education, the Panel was briefed on the development and change of title of HKIEd at the meeting held on 1 February 2016. Panel members strongly supported the early passage of the Bill to grant university title to HKIEd. They noted that according to HKIEd, some 3 000 graduates this year could be awarded qualifications by EdUHK if the Bill could be passed within the current session. HKIEd and some Panel members suggested that the legislative process could be expedited if the Bill would not require the scrutiny of a Bills Committee.

Conclusion

9. No difficulties relating to the legal and drafting aspects of the Bill have been identified. Subject to Members' views, the Bill is ready for resumption of the Second Reading debate.

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