

Post Secondary Colleges (Amendment) Bill 2025

Committee Stage

Amendments to be moved by the Secretary for Education

<u>Clause</u>	<u>Amendment Proposed</u>
1	<p>By deleting subclause (2) and substituting—</p> <p>“(2) Subject to subsections (3) and (4), this Ordinance comes into operation on 1 August 2026.</p> <p>(3) The following provisions come into operation on 1 August 2025—</p> <p>(a) Part 1;</p> <p>(b) section 5(2);</p> <p>(c) section 5(4) in so far as it relates to the new definitions of <i>Post Secondary College</i>, <i>registered college</i>, <i>Secretary</i> and <i>sub-degree</i>;</p> <p>(d) section 10(2) and (4);</p> <p>(e) section 13 in so far as it relates to the new section 6F;</p> <p>(f) section 15(3) and (5);</p> <p>(g) section 17;</p> <p>(h) section 20 except in so far as it relates to the new section 13A, and sections 1(3), 2, 3, 4, 5, 6 and 7 of the new Schedule.</p> <p>(4) Section 35 comes into operation on 1 August 2028.”.</p>
9	<p>In the proposed section 4A(8), by deleting “If” and substituting “As soon as reasonably practicable after”.</p>
11	<p>In the proposed section 5A(7), by deleting “If the Permanent Secretary refuses” and substituting “As soon as reasonably practicable after refusing”.</p>
20	<p>In the proposed Part 5, in the heading, by deleting “Savings and Transitional Provisions” and substituting “Miscellaneous”.</p>

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In the proposed Part 5, by adding—

“13A. Secretary may give directions

- (1) The Secretary may give any directions the Secretary considers appropriate (whether generally or in any particular case) to the Permanent Secretary or an authorized person, or both, with respect to the performance of a function under this Ordinance.
- (2) A person to whom a direction is given under subsection (1) must, in performing the function, comply with that direction.
- (3) In this section—
function (職能) includes a power and a duty.”.

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In the proposed Schedule, in section 1—

- (a) in subsection (1), in the definition of *Amending Ordinance*, by deleting “(of 2025);” and substituting “(of 2025).”;
- (b) in subsection (1), by deleting the definition of *College*;
- (c) by adding—
“(3) In section 4, 8 or 9 of this Schedule, a reference to a College is a reference to a College as defined by section 2 of this Ordinance as in force immediately before 1 August 2026.”.

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In the proposed Schedule, in section 2, by deleting “the date on which section 7 of the Amending Ordinance comes into operation” and substituting “1 August 2026”.

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In the proposed Schedule, in section 3—

- (a) in subsection (1), by deleting “the commencement date” and substituting “1 August 2026”;
- (b) in subsection (4), in the definition of *transitional period*, by deleting “the commencement date” and substituting “1 August 2026”;
- (c) in subsection (4), by deleting the definition of *commencement date*.

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In the proposed Schedule, in section 4(b), by deleting “the date on which section 12 of the Amending Ordinance comes into operation” and substituting “1 August 2026”.

- 20 In the proposed Schedule, in section 5—
- (a) in subsection (1)(b), by deleting “the commencement date” and substituting “1 August 2026”;
 - (b) in subsection (1)(c), by deleting “the commencement date” and substituting “that date”;
 - (c) in subsection (1), by deleting “after the commencement date” and substituting “after that date”;
 - (d) by deleting subsection (3).
- 20 In the proposed Schedule, in section 6(b), by deleting “the date on which section 12 of the Amending Ordinance comes into operation” and substituting “1 August 2026”.
- 20 In the proposed Schedule, in section 7—
- (a) in subsection (1), by deleting “before the commencement date” and substituting “before 1 August 2026”;
 - (b) in subsection (1), by deleting “after the commencement date” and substituting “after that date”;
 - (c) in subsection (2), in the definition of *specified provision*, in paragraph (b), by deleting “the commencement date” and substituting “1 August 2026”;
 - (d) in subsection (2), by deleting the definition of *commencement date*.
- 20 In the proposed Schedule, in section 8, by deleting “the date on which section 15 of the Amending Ordinance comes into operation” and substituting “1 August 2025”.
- 20 In the proposed Schedule, in section 9—
- (a) in subsection (1), by deleting “before the commencement date” and substituting “before 1 August 2025”;
 - (b) in subsection (1), by deleting “after the commencement date” and substituting “after that date”;
 - (c) in subsection (2)(a) and (b), by deleting “the commencement date” and substituting “1 August 2025”;
 - (d) by deleting subsection (3).
- 28 In the proposed regulation 8A—

- (a) in subregulation (2)(a), by deleting “the commencement date” and substituting “1 August 2026”;
- (b) in subregulation (3)(a)(i), by deleting “the commencement date falls” and substituting “1 August 2026 falls”;
- (c) in subregulation (3)(a)(i), by deleting “after the commencement date” and substituting “after that date”;
- (d) in subregulation (7)(a), by deleting “before the commencement date” and substituting “before 1 August 2026”;
- (e) in subregulation (7)(a), by deleting “the commencement date falls” and substituting “that date falls”;
- (f) in subregulation (7)(a), by deleting “after the commencement date” and substituting “after that date”;
- (g) in subregulation (7)(a)(ii), by deleting “the commencement date” and substituting “that date”;
- (h) in subregulation (7)(b), by deleting “the commencement date” and substituting “1 August 2026”;
- (i) in subregulation (8), by deleting the definition of *commencement date*.

28 In the proposed regulation 8B—

- (a) in subregulation (1)(a), by deleting “the commencement date” and substituting “1 August 2026”;
- (b) in subregulation (1)(b), by deleting “the commencement date” and substituting “1 August 2026”;
- (c) in subregulation (5), by deleting the definition of *commencement date*.

34 In the proposed section 18A(1A), by deleting “after 2 years beginning on the date on which section 34 of the Post Secondary Colleges (Amendment) Ordinance 2025 (of 2025) comes into operation” and substituting “at midnight on 31 July 2028”.

36 In the proposed section 101—

- (a) in subsection (1), by deleting “after the end of the transitional period” and substituting “on or after 1 August 2028”;
- (b) by deleting subsection (9).