

Post Secondary Colleges (Amendment) Ordinance 2025

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HONG KONG SPECIAL ADMINISTRATIVE REGION

ORDINANCE NO. 28 OF 2025

L.S.

John KC LEE
Chief Executive
3 July 2025

An Ordinance to amend the Post Secondary Colleges Ordinance and its subsidiary legislation to provide for the registration of post secondary colleges and members of the Boards of Governors, Presidents, Vice-Presidents and teachers of the colleges; to adjust the mechanism for the refusal, cancellation and suspension of such registration; to adjust the requirements for visiting registered post secondary colleges; to adjust the requirements for approving names of registered post secondary colleges; to provide for the award of degrees etc. by registered post secondary colleges; to simplify the requirements for the governance structure of registered post secondary colleges; to adjust the requirements for the premises of registered post secondary colleges; to adjust the requirements for permitting teacher training courses; to provide for the submission of strategic plans and annual reports, and the publication of key financial information, of registered post secondary colleges; to remove obsolete requirements; to provide for transitional matters; and to make related amendments.

[1 August 2025]

Enacted by the Legislative Council.

Part 1

Preliminary

1. Short title and commencement

- (1) This Ordinance may be cited as the Post Secondary Colleges (Amendment) Ordinance 2025.
- (2) Subject to subsections (3) and (4), this Ordinance comes into operation on 1 August 2026.
- (3) The following provisions come into operation on 1 August 2025—
 - (a) Part 1;
 - (b) section 5(2);
 - (c) section 5(4) in so far as it relates to the new definitions of *Post Secondary College*, *registered college*, *Secretary* and *sub-degree*;
 - (d) section 10(2) and (4);
 - (e) section 13 in so far as it relates to the new section 6F;
 - (f) section 15(3) and (5);
 - (g) section 17;
 - (h) section 20 except in so far as it relates to the new section 14, and sections 1(3), 2, 3, 4, 5, 6 and 7 of the new Schedule.
- (4) Section 35 comes into operation on 1 August 2028.

2. Enactments amended

The enactments specified in Parts 2 to 5 are amended as set out in those Parts.

Part 2

**Amendments to Post Secondary Colleges Ordinance
(Cap. 320)**

3. Long title amended

The long title—

Repeal

“certain”.

4. Part 1 heading added

Before section 1—

Add

“Part 1

Preliminary”.

5. Section 2 amended (interpretation)

(1) Section 2—

Repeal

“, unless the context otherwise requires”.

(2) Section 2, English text, definition of *Permanent Secretary*—

Repeal

“Education.”

Substitute

“Education;”.

(3) Section 2—

(a) definition of *Board of Governors*;

(b) definition of *College*—

Repeal the definitions.

(4) Section 2—

Add in alphabetical order

“*authorized person* (獲授權人士) means a person authorized by the Permanent Secretary under section 6G;

Post Secondary College (專上學院) means an institution that provides self-financing degree or sub-degree education, but excludes an institution that solely provides regulated courses as defined by section 2(1) of the Non-local Higher and Professional Education (Regulation) Ordinance (Cap. 493);

registered college (註冊學院) means a Post Secondary College registered under this Ordinance;

Secretary (局長) means the Secretary for Education;

sub-degree (副學位) means an associate degree or a higher diploma.”.

6. Part 2 heading added

Before section 3—

Add

“Part 2

Registration of Post Secondary Colleges etc.”.

7. Section 3 amended (registers)

(1) Section 3, Chinese text, heading—

Repeal

“註冊”.

- (2) Section 3, English text—

Repeal

“shall”

Substitute

“must”.

- (3) Section 3(a)—

Repeal

“Colleges”

Substitute

“registered colleges”.

- (4) Section 3(b), after “Governors”—

Add

“of registered colleges”.

- (5) After section 3(b)—

Add

“(ba) a register of Presidents and Vice-Presidents of registered colleges; and”.

- (6) Section 3—

Repeal paragraph (c).

- (7) Section 3(d)—

Repeal

“in Colleges”

Substitute

“of registered colleges”.

- (8) Section 3, Chinese text—

Repeal

“以下註冊”

Substitute

“以下”.

8. Section 4 amended (requirements for registration)

- (1) Section 4, heading—

Repeal

“Requirements”

Substitute

“Specified requirements”.

- (2) Section 4—

Renumber the section as section 4(1).

- (3) Section 4(1), English text—

Repeal

“shall be”

Substitute

“is”.

- (4) Section 4(1)—

Repeal

“section 3 and thereafter to remain on the register”

Substitute

“section 4A and to remain, after registration, on the register of registered colleges kept under section 3(a)”.

- (5) Section 4(1)—

Repeal

“where the Permanent Secretary”

Substitute

“if the Secretary”.

- (6) Section 4(1)—

Repeal paragraph (a)

Substitute

“(a) the organizational structure of the Board of Governors, the staffing structure and the constitution, statutes or other instruments that govern the Post Secondary College being such as to ensure—

(i) satisfactory academic and general standards and conduct; and

(ii) efficient and effective governance and management of the Post Secondary College;”.

- (7) Section 4(1)—

Repeal paragraph (b).

- (8) Section 4(1)(c)—

Repeal

“and including major courses extending over at least 4 years”.

- (9) After section 4(1)(d)—

Add

“(da) the policy and procedures for the recruitment and appointment of the staff of the Post Secondary College being open, fair and transparent to ensure fitness and properness of the staff;”.

- (10) Section 4(1)(f)—

Repeal

“purposes” (wherever appearing)

Substitute

“purpose”.

(11) Section 4(1)—

Repeal paragraph (g)

Substitute

“(g) the policy and procedures for admitting students being open, fair and transparent to ensure that the students to be admitted are qualified to pursue the relevant programmes;”.

(12) Section 4(1)(h)—

Repeal

everything after “admitted”

Substitute

“, having regard to the maintenance of status and standards, facilities available and community needs, being sufficient to provide a meaningful learning environment and experience for—

(i) achieving the learning objectives and outcomes of the programmes offered by the Post Secondary College; and

(ii) implementing the strategic plan of the Post Secondary College;”.

(13) Section 4(1)(i), after “admitted”—

Add

“, and staff being recruited or appointed,”.

(14) Section 4(1)(i)—

Repeal

“Permanent”.

- (15) Section 4(1)(j)—

Repeal

“Permanent”.

- (16) Section 4(1)(k)—

Repeal

“for the encouragement of corporate and social life and for recreation;”

Substitute

“for—

- (i) a suitable environment conducive to teaching and learning;
- (ii) the encouragement of corporate and social life; and
- (iii) recreation;”.

- (17) Section 4(1)(l), after “finances”—

Add

“and sustainability”.

- (18) Section 4(1)(m), English text—

Repeal

“which shall be”

Substitute

“being”.

- (19) Section 4(1)(m)—

Repeal

“to the approval of the Permanent”

Substitute

“with the approval of the”.

(20) Section 4(1)—

Repeal paragraph (n)

Substitute

“(n) the attainment and maintenance of an Institutional Review status granted by the Accreditation Council, which demonstrates that the Post Secondary College—

(i) has the abilities to comply with the requirements under this Ordinance for the purpose of being registered as a registered college; and

(ii) has an overall competence to operate self-financing programmes at the degree or sub-degree level;

(o) the development and institutional capabilities of the Post Secondary College being such as to be consistent with the strategic plan of the Post Secondary College;

(p) the academic standards of the Post Secondary College, particularly in respect of teaching and learning, teaching capacity and programme delivery; and

(q) the operation of the Post Secondary College complying in all respects with any law.”.

(21) After section 4(1)—

Add

- “(2) A registered college is eligible to remain on the register if the Secretary is satisfied as to the college complying in all respects with the condition of the registration and with the requirements under this Ordinance.
- (3) For the eligibility of a registered college to remain on the register, the requirement under subsection (2) is in addition to, and does not derogate from, those provided under subsection (1).
- (4) In this section—

Accreditation Council (評審局) means the Hong Kong Council for Accreditation of Academic and Vocational Qualifications established under section 3(1) of the Hong Kong Council for Accreditation of Academic and Vocational Qualifications Ordinance (Cap. 1150).”.

9. Section 4A added

After section 4—

Add

“4A. Registration of Post Secondary Colleges

- (1) A person who is proposed to be the Chairperson of the Board of Governors of a Post Secondary College (***applicant***) may apply to the Permanent Secretary for registration of the Post Secondary College as a registered college.
- (2) An application under subsection (1) must be—
- (a) made in the form specified by the Permanent Secretary; and

- (b) accompanied by any information or document the Permanent Secretary may require.
- (3) The Secretary may approve an application for registration of a Post Secondary College under subsection (1) if the Secretary is satisfied that the Post Secondary College is eligible for registration under the requirements for registration specified in section 4(1) (*specified requirements*).
- (4) In deciding whether to approve an application for registration of a Post Secondary College under subsection (1), the Secretary may exempt the Post Secondary College from complying with any of the specified requirements as the Secretary considers appropriate.
- (5) The Secretary may impose conditions on the registration of a Post Secondary College as the Secretary considers appropriate.
- (6) As soon as reasonably practicable after the Secretary approves an application under subsection (3), the Permanent Secretary must—
 - (a) enter the name of the Post Secondary College in the register of registered colleges kept under section 3(a); and
 - (b) by written notice, inform the applicant of—
 - (i) the approval;
 - (ii) any exemption granted under subsection (4); and
 - (iii) any condition imposed under subsection (5).

- (7) If, in relation to a Post Secondary College, the Secretary is not satisfied as to any specified requirement, the Secretary may refuse to approve an application for the registration of the Post Secondary College under subsection (1).
- (8) As soon as reasonably practicable after the Secretary refuses to approve an application under subsection (7), the Permanent Secretary must, by written notice, inform the applicant of the refusal and the reasons for the refusal.”.

10. Section 5 amended (effect of registration)

- (1) Section 5, heading, after “**registration**”—

Add

“**of Post Secondary Colleges**”.

- (2) Section 5—

Renumber the section as section 5(1).

- (3) Section 5(1)—

Repeal

everything after “a” and before “exempt”

Substitute

“registered college remains on the register of registered colleges kept under section 3(a), it is”.

- (4) After section 5(1)—

Add

“(2) Subject to subsection (3), a registered college—

- (a) may, with the prior approval of the Secretary, award degrees;
- (b) may award sub-degrees; and

- (c) may award diplomas and certificates.
- (3) A registered college may not award a degree (other than an honorary degree) or a sub-degree unless there is a statement in the accreditation report of the college to the effect that the degree or sub-degree—
 - (a) comes within a description of qualification specified in section 1 or 3 of Schedule 3 to the Accreditation of Academic and Vocational Qualifications Ordinance (Cap. 592); and
 - (b) may be entered in the Qualifications Register.
- (4) In deciding whether to grant an approval for the purposes of subsection (2)(a), the Secretary may have regard to—
 - (a) for a degree that is not an honorary degree—
 - (i) the manpower needs of the sectors to which the degree relates;
 - (ii) the sustainability of the degree programme; and
 - (iii) the strategic plan and track record of the registered college;
 - (b) for an honorary degree—
 - (i) the maturity and track record of the registered college; and
 - (ii) whether the college has been approved under section 8(1) for its name to contain the English word “University” or the Chinese characters “大學”; and
 - (c) any other factors that the Secretary considers relevant.

- (5) If, in relation to a registered college, the Secretary refuses to grant such an approval, the Permanent Secretary must, by written notice, inform the college of the refusal and the reasons for the refusal.
- (6) In this section—
accreditation report (評審報告) has the meaning given by section 2 of the Accreditation of Academic and Vocational Qualifications Ordinance (Cap. 592);
Qualifications Register (資歷名冊) has the meaning given by section 2 of the Accreditation of Academic and Vocational Qualifications Ordinance (Cap. 592).”.

11. Section 5A added

After section 5—

Add

“5A. Registration of members of Board of Governors, Presidents, Vice-Presidents and teachers

- (1) The following person may apply to the Permanent Secretary for registration of a person as a member of the Board of Governors, a President or a Vice-President of a registered college—
 - (a) the Chairperson of the Board of Governors of the college; or
 - (b) if there is no Chairperson of the Board of Governors of the college—the person proposed to be the Chairperson.
- (2) The President of a registered college may apply to the Permanent Secretary for registration of a person as a teacher of the college.
- (3) An application under subsection (1) or (2) must be—

- (a) made in the form specified by the Permanent Secretary; and
 - (b) accompanied by any information or document the Permanent Secretary may require.
- (4) A person is eligible to be registered as a member of the Board of Governors, a President, a Vice-President or a teacher of a registered college if the person is a fit and proper person to act as such a member, President, Vice-President or teacher (as the case requires).
- (5) If the Permanent Secretary is satisfied that a subject person is eligible to be registered under subsection (4), the Permanent Secretary may—
 - (a) approve the application;
 - (b) enter the name of the subject person in—
 - (i) for an application for registration as a member of the Board of Governors of a registered college—the register of members of Boards of Governors of registered colleges kept under section 3(b);
 - (ii) for an application for registration as a President or a Vice-President of a registered college—the register of Presidents and Vice-Presidents of registered colleges kept under section 3(ba); or
 - (iii) for an application for registration as a teacher of a registered college—the register of teachers of registered colleges kept under section 3(d); and
 - (c) by written notice, inform the applicant and the subject person of the approval.

- (6) If the Permanent Secretary is not satisfied that a subject person is eligible to be registered under subsection (4), the Permanent Secretary may refuse to approve the application.
- (7) As soon as reasonably practicable after refusing to approve an application under subsection (6), the Permanent Secretary must, by written notice, inform the applicant and the subject person of the refusal and the reasons for the refusal.
- (8) In this section—
 - applicant* (申請人) means the person who makes an application under subsection (1) or (2);
 - subject person* (待註冊人) means the person for whose registration an application is made under subsection (1) or (2).”.

12. Section 6 repealed (refusal of registration and cancellation)

Section 6—

Repeal the section.

13. Provisions added

Before section 7—

Add

“6A. Cancellation of registration of registered colleges

- (1) If, in relation to a registered college, the Secretary is no longer satisfied as to any requirements specified in section 4(1) and (2) due to any circumstance, the Secretary may, by written notice to the Chairperson of the Board of Governors of the college, do one or more of the following—

- (a) request the college to provide explanations for and take actions to rectify the circumstance within a period specified in the notice (*compliance period*);
 - (b) impose conditions or restrictions, or both, on the registration of the college as the Secretary considers necessary.
 - (2) If a registered college fails to comply with a request made under subsection (1)(a) to the satisfaction of the Secretary within the compliance period, the Secretary may, by written notice to the Chairperson of the Board of Governors of the college, do one or more of the following—
 - (a) extend the compliance period;
 - (b) impose further conditions or restrictions, or both, on the registration of the college as the Secretary considers necessary.
 - (3) The Secretary may cancel the registration of a registered college if—
 - (a) the college fails to comply with a request made under subsection (1)(a) to the satisfaction of the Secretary within the compliance period or (if applicable) the compliance period extended under subsection (2)(a); or
 - (b) the college fails to comply with a condition or restriction imposed under subsection (1)(b) or (2)(b).
 - (4) The Secretary may also cancel the registration of a registered college if—
 - (a) it appears to the Secretary that the college has ceased to operate; or

- (b) the Chairperson of the Board of Governors of the college, on the authorization of the Board of Governors, requests the Secretary to cancel the registration of the college.
- (5) As soon as reasonably practicable after the Secretary cancels the registration of a registered college under subsection (3) or (4), the Permanent Secretary must, by written notice, inform the Chairperson of the Board of Governors of the college of—
 - (a) the cancellation; and
 - (b) the reasons for the cancellation.
- (6) A cancellation of registration under subsection (3) or (4) takes effect on—
 - (a) the date of the notice given under subsection (5); or
 - (b) if a later date is specified in the notice—the later date.
- (7) If the Secretary cancels the registration of a registered college under subsection (3) or (4), the Permanent Secretary may, by written notice to all members of the Board of Governors of the college, impose any requirement on the Board of Governors to ensure that the transition towards cessation of the operation of the college is handled in the public interest and in the best interests of the affected students.
- (8) If a Board of Governors fails to comply with a requirement imposed under subsection (7), a person who is a member of the Board of Governors at that time commits an offence and is liable on conviction to a fine of \$250,000 and to imprisonment for 2 years.

- (9) It is a defence for a person charged with an offence under subsection (8) to establish that—
 - (a) the failure of the Board of Governors took place without the person's knowledge or consent; or
 - (b) the person had taken all reasonable steps to prevent the failure of the Board of Governors.
- (10) A person is taken to have established a matter that needs to be established for a defence under subsection (9) if—
 - (a) there is sufficient evidence to raise an issue with respect to that matter; and
 - (b) the contrary is not proved by the prosecution beyond reasonable doubt.

6B. Suspension and cancellation of registration of members of Board of Governors, Presidents, Vice-Presidents and teachers

- (1) Subsection (2) applies if the Permanent Secretary is of the opinion that a registered person is not, or is no longer, a fit and proper person to act as a member of the Board of Governors, a President, a Vice-President or a teacher of a registered college due to any circumstance.
- (2) The Permanent Secretary may, by written notice to the registered person, do one or more of the following—
 - (a) request the person to provide explanations for and take actions to rectify the circumstance within a period specified in the notice (*compliance period*);

- (b) impose conditions or restrictions, or both, on the registration of the person as the Permanent Secretary considers necessary.
- (3) If a registered person fails to comply with a request made under subsection (2)(a) to the satisfaction of the Permanent Secretary within the compliance period, the Permanent Secretary may, by written notice to the person, do one or more of the following—
 - (a) extend the compliance period;
 - (b) impose further conditions or restrictions, or both, on the registration of the person as the Permanent Secretary considers necessary.
- (4) The Permanent Secretary may suspend or cancel the registration of a registered person if—
 - (a) the person fails to comply with a request made under subsection (2)(a) to the satisfaction of the Permanent Secretary within the compliance period or (if applicable) the compliance period extended under subsection (3)(a); or
 - (b) the person fails to comply with a condition or restriction imposed under subsection (2)(b) or (3)(b).
- (5) The Chairperson of the Board of Governors of a registered college must, within 30 days beginning on the date on which a registered person ceases to be a member of the Board of Governors, a President or a Vice-President of the college, inform the Permanent Secretary of the cessation by written notice.

- (6) The President of a registered college must, within 30 days beginning on the date on which a registered person ceases to be a teacher of the college, inform the Permanent Secretary of the cessation by written notice.
- (7) If—
 - (a) the Permanent Secretary is informed under subsection (5) or (6) that a registered person has ceased to be a member of the Board of Governors, a President, a Vice-President or a teacher of a registered college; or
 - (b) it has otherwise come to the notice of the Permanent Secretary that a registered person ceases to be a member of the Board of Governors, a President, a Vice-President or a teacher of a registered college,the Permanent Secretary must cancel the registration of the person as such a member, President, Vice-President or teacher (as the case requires).
- (8) On the cancellation of the registration of a registered college of which a registered person is a member of the Board of Governors, a President, a Vice-President or a teacher, the registration of the person in respect of the college is cancelled.
- (9) As soon as reasonably practicable after suspending or cancelling the registration of a registered person under subsection (4) or (7), the Permanent Secretary must, by written notice, inform the following persons of the matters specified in subsection (10)—
 - (a) the registered person; and
 - (b) either of the following—

- (i) for a registration as a member of the Board of Governors, a President or a Vice-President of a registered college—the Chairperson of the Board of Governors of the college;
 - (ii) for a registration as a teacher of a registered college—the President of the college.
- (10) For the purposes of subsection (9), the matters are—
 - (a) the suspension or cancellation;
 - (b) in the case of suspension—the period of suspension; and
 - (c) the reasons for the suspension or cancellation.
- (11) A suspension or cancellation of registration under subsection (4) or (7) takes effect on—
 - (a) the date of the notice given under subsection (9); or
 - (b) if a later date is specified in the notice—the later date.
- (12) In this section—

registered person (註冊人士) means a person registered under this Ordinance as a member of the Board of Governors, a President, a Vice-President or a teacher of a registered college.

6C. Powers of Chief Executive in Council to order refusal or cancellation of registration

- (1) If it appears to the Chief Executive in Council that the registration of a Post Secondary College as a registered college is or would be prejudicial to the public interest, to the welfare of students or to

education generally, the Chief Executive in Council may, after considering any written representation submitted under subsection (4), order the Secretary to refuse to approve an application for, or to cancel, the registration.

- (2) If it appears to the Chief Executive in Council that the registration of a person as a member of the Board of Governors, a President, a Vice-President or a teacher of a registered college is or would be prejudicial to the public interest, to the welfare of students or to education generally, the Chief Executive in Council may, after considering any written representation submitted under subsection (4), order the Permanent Secretary to refuse to approve an application for, or to cancel, the registration.
- (3) The powers exercisable under subsection (1) or (2) are in addition to, and do not derogate from, the powers exercisable under sections 4A, 5A, 6A and 6B.
- (4) Before making an order under subsection (1) or (2), the Chief Executive in Council must afford the Post Secondary College or the person (as may be appropriate) an opportunity to submit written representation.
- (5) If the Chief Executive in Council makes an order under subsection (1)—
 - (a) the Secretary must refuse to approve the application for, or cancel, the registration of the Post Secondary College in compliance with the order; and
 - (b) as soon as reasonably practicable after the Secretary makes the refusal or cancellation, the

Permanent Secretary must, by written notice, inform the person proposed to be the Chairperson of the Board of Governors of the Post Secondary College (in the case of refusal) or the Chairperson of the Board of Governors of the Post Secondary College (in the case of cancellation) of—

- (i) the refusal or cancellation; and
 - (ii) the reasons for the refusal or cancellation.
- (6) If the Chief Executive in Council makes an order under subsection (2)—
- (a) the Permanent Secretary must refuse to approve the application for, or cancel, the registration of the person in compliance with the order; and
 - (b) as soon as reasonably practicable after making the refusal or cancellation, the Permanent Secretary must, by written notice—
 - (i) for an order against the registration as a member of the Board of Governors, a President or a Vice-President of a registered college—inform the person and the Chairperson of the Board of Governors of the college or the person proposed to be the Chairperson (as may be appropriate) of—
 - (A) the refusal or cancellation; and
 - (B) the reasons for the refusal or cancellation; or

- (ii) for an order against the registration as a teacher of a registered college—inform the person and the President of the college of—
 - (A) the refusal or cancellation; and
 - (B) the reasons for the refusal or cancellation.
- (7) A cancellation of registration under subsection (5)(a) or (6)(a) takes effect on—
 - (a) the date of the notice given under subsection (5)(b) or (6)(b) (as the case requires); or
 - (b) if a later date is specified in the notice—the later date.
- (8) If the Secretary cancels the registration of a registered college in accordance with subsection (5)(a), the Permanent Secretary may, by written notice to all members of the Board of Governors of the college, impose any requirement on the Board of Governors to ensure that the transition towards cessation of the operation of the college is handled in the public interest and in the best interests of the affected students.
- (9) If a Board of Governors fails to comply with a requirement imposed under subsection (8), a person who is a member of the Board of Governors at that time commits an offence and is liable on conviction to a fine of \$250,000 and to imprisonment for 2 years.
- (10) It is a defence for a person charged with an offence under subsection (9) to establish that—

- (a) the failure of the Board of Governors took place without the person's knowledge or consent; or
 - (b) the person had taken all reasonable steps to prevent the failure of the Board of Governors.
- (11) A person is taken to have established a matter that needs to be established for a defence under subsection (10) if—
 - (a) there is sufficient evidence to raise an issue with respect to that matter; and
 - (b) the contrary is not proved by the prosecution beyond reasonable doubt.

6D. Offences relating to registration

- (1) A person who in an application for registration, or in relation to an application for registration or a suspension or cancellation of registration, under this Ordinance—
 - (a) provides any information that is false or misleading in a material particular; and
 - (b) knows or reasonably ought to know that the information is false or misleading in a material particular,
 commits an offence and is liable on conviction to a fine of \$250,000 and to imprisonment for 2 years.
- (2) A person must not act as a member of the Board of Governors of a registered college if—
 - (a) the person is not registered as such a member under this Ordinance; or
 - (b) the registration of the person as such a member—

- (i) is suspended or cancelled under section 6B;
or
 - (ii) is cancelled under section 6C.
- (3) Subsection (2)(a) does not prohibit a person from acting as a member of the Board of Governors of a registered college if, within 6 months immediately before the person so acts—
 - (a) an application has been made under section 5A(1) for registration of the person as such a member; and
 - (b) the application has not yet been decided by the Permanent Secretary.
- (4) A person who contravenes subsection (2) commits an offence and is liable on conviction to a fine of \$250,000 and to imprisonment for 2 years.
- (5) A person must not act as a President or a Vice-President of a registered college if—
 - (a) the person is not registered as such a President or Vice-President (as the case requires) under this Ordinance; or
 - (b) the registration of the person as such a President or Vice-President (as the case requires)—
 - (i) is suspended or cancelled under section 6B;
or
 - (ii) is cancelled under section 6C.
- (6) Subsection (5)(a) does not prohibit a person from acting as a President or a Vice-President of a registered college if, within 6 months immediately before the person so acts—

- (a) an application has been made under section 5A(1) for registration of the person as such a President or Vice-President (as the case requires); and
 - (b) the application has not yet been decided by the Permanent Secretary.
 - (7) A person who contravenes subsection (5) commits an offence and is liable on conviction to a fine at level 6 and to imprisonment for 2 years.
 - (8) A person must not act as a teacher of a registered college if—
 - (a) the person is not registered as such a teacher under this Ordinance; or
 - (b) the registration of the person as such a teacher—
 - (i) is suspended or cancelled under section 6B; or
 - (ii) is cancelled under section 6C.
 - (9) Subsection (8)(a) does not prohibit a person from acting as a teacher of a registered college if, within 6 months immediately before the person so acts—
 - (a) an application has been made under section 5A(2) for registration of the person as such a teacher; and
 - (b) the application has not yet been decided by the Permanent Secretary.
 - (10) A person who contravenes subsection (8) commits an offence and is liable on conviction to a fine at level 5 and to imprisonment for 2 years.

Part 3

Appeals

6E. Appeal to Chief Executive in Council

- (1) If a Post Secondary College, or a person who makes an application under section 4A(1) for registration of a Post Secondary College, is aggrieved by—
 - (a) a decision to impose a condition on the registration of the Post Secondary College under section 4A(5); or
 - (b) a decision to refuse to approve an application for the registration of the Post Secondary College under section 4A(7),the Post Secondary College or the person (as the case may be) may appeal to the Chief Executive in Council against the decision.
- (2) If a registered college, or the Chairperson of the Board of Governors of a registered college, is aggrieved by—
 - (a) a decision to impose a condition or restriction on the registration of the college under section 6A(1)(b) or (2)(b); or
 - (b) a decision to cancel the registration of the college under section 6A(3) or (4)(a),the college or the Chairperson (as the case may be) may appeal to the Chief Executive in Council against the decision.
- (3) A person aggrieved by any of the following decisions may appeal to the Chief Executive in Council against the decision—

- (a) a decision to refuse to approve an application for the registration of the person under section 5A(6);
 - (b) a decision to impose a condition or restriction on the registration of the person under section 6B(2)(b) or (3)(b);
 - (c) a decision to suspend or cancel the registration of the person under section 6B(4);
 - (d) a decision to cancel the registration of the person under section 6B(7)(b).
- (4) An appeal against a decision under subsection (1), (2) or (3) may only be made by petition to the Chief Executive in Council within 30 days beginning on the date on which a notice is given in relation to the decision under section 4A(6)(b) or (8), 5A(7), 6A(1), (2) or (5) or 6B(2), (3) or (9).
- (5) For considering a petition and determining an appeal under this section, the Chief Executive in Council may—
 - (a) appoint a tribunal to inquire into the matters raised in the petition; and
 - (b) empower the tribunal to hear evidence and do all other things that are necessary for a proper inquiry by the tribunal.
- (6) A tribunal appointed under subsection (5) is required to conduct its inquiry in private and submit a written report to the Chief Executive in Council.
- (7) On an appeal under this section against a decision, the Chief Executive in Council may confirm, vary or reverse the decision.

- (8) A determination of the Chief Executive in Council for an appeal under this section is final.

6F. Appeal to Chief Secretary for Administration

- (1) If a registered college, or the President of a registered college, is aggrieved by a decision to refuse to grant to the college an approval mentioned in section 5(2)(a), the college or the President (as the case may be) may appeal to the Chief Secretary for Administration against the decision.
- (2) An appeal against a decision under subsection (1) may only be made by a written notice to the Chief Secretary for Administration within 30 days beginning on the date on which a notice is given in relation to the decision under section 5(5).
- (3) On an appeal under this section against a decision, the Chief Secretary for Administration may confirm, vary or reverse the decision.
- (4) A determination of the Chief Secretary for Administration for an appeal under this section is final.

Part 4

Regulation of Registered Colleges etc.

6G. Authorization of persons

The Permanent Secretary may in writing authorize a person as an authorized person for the purposes of this Ordinance.”.

14. Section 7 amended (visits)

- (1) Section 7—

Repeal

“financial assistance from”

Substitute

“any assistance from the”.

- (2) Section 7—

Repeal

everything after “and any” and before “and the”

Substitute

“authorized person, may visit any registered college, and are to be afforded all reasonable facilities and information by the college”.

- (3) Section 7, Chinese text, after “由”—

Add

“特區”.

15. Section 8 amended (name of College)

- (1) Section 8, heading—

Repeal

“College”

Substitute

“registered college”.

- (2) Section 8(1)—

Repeal

“College shall”

Substitute

“registered college must”.

- (3) Section 8(1)—

Repeal

“Permanent”.

- (4) Section 8(1), English text—

Repeal

“who shall”

Substitute

“who must”.

- (5) Section 8(1)—

Repeal

everything after “containing”

Substitute

“the English word “University” or the Chinese characters “大學”.”.

- (6) Section 8(2)—

Repeal

“College”

Substitute

“registered college”.

16. Section 8A added

After section 8—

Add

“8A. Conducting courses on general holidays

Despite the General Holidays Ordinance (Cap. 149), a registered college may conduct educational courses or give instructions on a general holiday.”.

17. Sections 9, 10 and 11 repealed

Sections 9, 10 and 11—

Repeal the sections.

18. Section 12 amended (regulations)

(1) Section 12(1)(a)—

Repeal

everything after “to the”

Substitute

“organizational structure of Boards of Governors and Academic Boards, the staffing structure and the conditions of service of the staff and generally for the administration of the registered college;”.

(2) Section 12(1)(b), before “conduct”—

Add

“operation and”.

(3) Section 12(1)(b)—

Repeal

“College”

Substitute

“registered college”.

(4) Section 12(1)—

Repeal paragraph (c).

- (5) Before section 12(1)(d)—

Add

“(ca) the strategic plan and annual report of the registered college; and”.

- (6) Section 12(2)—

Repeal

“College, officer, teacher or student thereof”

Substitute

“registered college”.

19. Section 13 repealed (conducting courses on general holidays)

Section 13—

Repeal the section.

20. Part 5 and Schedule added

After Part 4—

Add

“Part 5

Miscellaneous

14. 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.

15. Savings and transitional provisions for Post Secondary Colleges (Amendment) Ordinance 2025

The savings and transitional provisions set out in the Schedule have effect for the purposes of the amendments made to this Ordinance by the Post Secondary Colleges (Amendment) Ordinance 2025 (28 of 2025).

Schedule

[s. 15]

Savings and Transitional Provisions for Post Secondary Colleges (Amendment) Ordinance 2025

1. Interpretation

(1) In this Schedule—

Amending Ordinance (《修訂條例》) means the Post Secondary Colleges (Amendment) Ordinance 2025 (28 of 2025).

- (2) For the purposes of this Schedule, where the word “former” appears immediately before a reference to a section, the reference is to be construed as a reference to the section of this Ordinance as in force immediately before the section was amended by the Amending Ordinance.
- (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.

2. Register of Colleges, register of members of Boards of Governors and register of teachers in Colleges

On and after 1 August 2026—

- (a) a register of Colleges kept under the former section 3(a) is to be regarded as a register of registered colleges kept under section 3(a);
- (b) a register of members of Boards of Governors kept under the former section 3(b) is to be regarded as a register of members of Boards of Governors of registered colleges kept under section 3(b); and
- (c) a register of teachers in Colleges kept under the former section 3(d) is to be regarded as a register of teachers of registered colleges kept under section 3(d).

3. Provision of self-financing degree or sub-degree programmes during transitional period

- (1) This section applies to an institution that, immediately before 1 August 2026—

- (a) was not on the register of Colleges kept under the former section 3(a); and
 - (b) has provided a self-financing degree or sub-degree programme (*programme*) under any other Ordinance.
- (2) The institution may, during the transitional period, continue to provide the programme as if section 9 of the Amending Ordinance had not come into operation.
- (3) However, if the institution is registered as a registered college under section 4A at any time during the transitional period, this Ordinance applies to the institution on the registration.
- (4) In this section—
- transitional period* (過渡期) means the period of 2 years beginning on 1 August 2026.

4. Request for cancellation not yet dealt with

If a request for cancellation of registration of a College—

- (a) has been made by the Chairman of the Board of Governors of the College under the former section 6(2)(a); but
- (b) has not been dealt with by the Permanent Secretary before 1 August 2026,

the Permanent Secretary is to, on or after that date, deal with the request under the former section 6 as if section 12 of the Amending Ordinance had not come into operation.

5. Appeal not yet made to Chief Executive in Council

- (1) If—

- (a) but for the Amending Ordinance, a Post Secondary College or person would have had a right to appeal to the Chief Executive in Council under the former section 6(4);
- (b) the Post Secondary College or person has not made the appeal before 1 August 2026; and
- (c) on that date, the period within which the Post Secondary College or person may make the appeal has yet to expire,

on or after that date, the Post Secondary College or person may make the appeal to the Chief Executive in Council under the former section 6 within that period as if section 12 of the Amending Ordinance had not come into operation.

- (2) If the Post Secondary College or person makes an appeal to the Chief Executive in Council under subsection (1), the Chief Executive in Council is to deal with the appeal under the former section 6 as if section 12 of the Amending Ordinance had not come into operation.

6. Appeal not yet determined by Chief Executive in Council

If an appeal—

- (a) has been made to the Chief Executive in Council under the former section 6(4); but
 - (b) has not been determined before 1 August 2026,
- the Chief Executive in Council is to, on or after that date, continue to deal with the appeal under the former section 6 as if section 12 of the Amending Ordinance had not come into operation.

7. Authorization of persons

(1) If, immediately before 1 August 2026, an authorization for a person made in writing by the Permanent Secretary for the purposes of a specified provision has effect, the authorization continues to have effect on and after that date as if it had been made by the Permanent Secretary under section 6G.

(2) In this section—

specified provision (指明條文) means—

- (a) the former section 7; or
- (b) regulation 3(1)(a) or 9(2) of the Post Secondary Colleges Regulations (Cap. 320 sub. leg. A) as in force immediately before 1 August 2026.

8. Approval for names

If, immediately before 1 August 2025, an approval for the name of a College granted by the Permanent Secretary under the former section 8(1) has effect, the approval continues to have effect on and after that date as if it had been granted by the Secretary under section 8(1).

9. Prior approval of Chief Executive in Council for awarding degrees

(1) If, immediately before 1 August 2025, a College has had the prior approval of the Chief Executive in Council under the former section 10(a) for awarding degrees (***prior approval***), it may, on or after that date, continue to award the degrees as if section 17 of the Amending Ordinance had not come into operation.

(2) However—

- (a) the Secretary may withdraw the prior approval at any time on or after 1 August 2025; and
- (b) the prior approval ceases to have effect if, at any time on or after 1 August 2025, the registration of the College as a registered college under this Ordinance is cancelled.”.

Part 3

Amendments to Post Secondary Colleges Regulations (Cap. 320 sub. leg. A)

21. Title amended

The title, English text—

Repeal

“Regulations”

Substitute

“Regulation”.

22. Regulation 1 repealed (citation)

Regulation 1—

Repeal the regulation.

23. Regulation 2 amended (constitution)

(1) Regulation 2—

Repeal

“College shall”

Substitute

“registered college must”.

(2) Regulation 2(a)—

Repeal

“college bodies shall”

Substitute

“registered college bodies must”.

(3) Regulation 2(a)(i), English text—

Repeal

“shall be”

Substitute

“is”.

- (4) Regulation 2(a)(i)—

Repeal

“College;”

Substitute

“college; and”.

- (5) Regulation 2(a)—

Repeal subparagraph (ii).

- (6) Regulation 2(a)(iii), English text—

Repeal

“shall regulate”

Substitute

“regulates”.

- (7) Regulation 2(a)(iii), English text—

Repeal

“College subject”

Substitute

“college subject”.

- (8) Regulation 2(a)(iii)—

Repeal

“College Council; and”

Substitute

“Board of Governors;”.

- (9) Regulation 2(a)—
Repeal subparagraph (iv).
- (10) Regulation 2—
Repeal paragraph (b)
Substitute
“(b) the registered college bodies specified in paragraph (a) are subject to the provisions in the following Table relating to composition and standing orders—

Table

Column 1	Column 2	Column 3	Column 4	Column 5
Registered college body	Composition	Statutory meetings	Convened meetings	Quorum
Board of Governors	Not less than 10 nor more than 40	At least twice in each academic year	The Chairperson may convene at any time and must do so on written request of 5 members	One-half of the members
Academic Board	—	At least once in each term	The Chairperson may convene at any time	One-half of the members”.

- (11) Regulation 2(c)—
Repeal
“College body shall be”
Substitute

“registered college body is”.

- (12) Regulation 2(d)(i)—

Repeal

“College bodies”

Substitute

“registered college bodies”.

- (13) Regulation 2(d)(ii)—

Repeal

“College body”

Substitute

“registered college body”.

- (14) Regulation 2—

Repeal paragraphs (e), (f), (g), (h) and (i)

Substitute

“(e) there must be the following officers—

- (i) a President (being the principal academic and administrative officer), who is to be appointed or dismissed by the Board of Governors;
- (ii) a Vice-President;
- (iii) a Chairperson and a Vice-Chairperson of the Board of Governors;
- (iv) a Chairperson and a Vice-Chairperson of the Academic Board;
- (v) for each faculty (or such unit with any other name) in the college, an officer who is primarily responsible for the management of the faculty or unit (commonly known as a dean);

- (vi) an officer who is primarily responsible for the financial affairs of the college (commonly known as a bursar or treasurer); and
- (vii) an officer who is primarily responsible for the registry of the college (commonly known as a registrar);
- (f) a person must not concurrently hold the offices of the President and the Chairperson of the Board of Governors of the college;
- (g) the college must have open, fair and transparent procedures and a robust system, which are approved by the Board of Governors after considering the recommendations of the Academic Board, to ensure that the titles of the academic staff of the college are commensurate with their academic qualifications, experience and achievements;
- (h) application for a person to be registered as a member of the Board of Governors, a President or a Vice-President of the college must be made to the Permanent Secretary by the Chairperson of the Board of Governors on the authorization of the Board of Governors;
- (i) application for a person to be registered as a teacher of the college must be made to the Permanent Secretary by the President;
- (j) the Board of Governors must appoint an auditor (who is a certified public accountant (practising) as defined by section 2(1) of the Accounting and Financial Reporting Council Ordinance (Cap. 588)) to audit the accounts of the college annually.”.

24. Regulation 3 amended (premises)

(1) Regulation 3(1)—

Repeal

“College premises shall”

Substitute

“Any premises of a registered college must”.

(2) Regulation 3(1)—

Repeal

“person authorized by him in writing in that behalf”

Substitute

“authorized person”.

(3) Regulation 3(1)(a)—

Repeal

“safety;”

Substitute

“safety; and”.

(4) Regulation 3(1)—

Repeal paragraphs (b) and (c).

(5) At the end of regulation 3(1)—

Add

“(d) be used and maintained in compliance in all respects with any law.”.

(6) Regulation 3—

Repeal subregulation (2).

(7) At the end of regulation 3—

Add

- “(3) If the Permanent Secretary or any authorized person is not satisfied as to any matters specified in subregulation (1) in relation to any premises of a registered college, the Permanent Secretary or the authorized person may, by written notice to the Chairperson of the Board of Governors of the college, do one or more of the following—
- (a) suspend the operation of the college in the premises, or any part of the premises, for a period that the Permanent Secretary or the authorized person considers appropriate or until further notice;
 - (b) prohibit the use of any part of the premises for the college for a period that the Permanent Secretary or the authorized person considers appropriate or until further notice;
 - (c) give such directions to, and impose such requirements on, the college as the Permanent Secretary or the authorized person considers necessary.”.

25. Regulations 4, 5 and 6 repealed

Regulations 4, 5 and 6—

Repeal the regulations.

26. Regulation 7 substituted

Regulation 7—

Repeal the regulation

Substitute

“7. Permission required for programmes and courses for teachers

Except with the permission of the Permanent Secretary, a registered college must not provide any degree or sub-degree programme or training course the completion of which qualifies a participant of the programme or course to be registered as a registered teacher under the Education Ordinance (Cap. 279).”.

27. Regulation 8 repealed (examinations)

Regulation 8—

Repeal the regulation.

28. Regulations 8A and 8B added

Before regulation 9—

Add

“8A. Strategic plans

- (1) A registered college must submit a strategic plan for every academic year to the Permanent Secretary.
- (2) A registered college—
 - (a) must, within 30 days beginning on 1 August 2026 or the registration date of the college (whichever is the later), submit a strategic plan under subregulation (1) in the way specified by the Permanent Secretary; and
 - (b) must, within 5 academic years next following the date on which a strategic plan is submitted in accordance with this subregulation, submit another strategic plan under subregulation (1) in the way specified by the Permanent Secretary.

-
- (3) A strategic plan under subregulation (1) must contain an academic development plan, expected goals and performance targets of the registered college formulated for—
- (a) for a strategic plan submitted in accordance with subregulation (2)(a)—
 - (i) the academic year within which 1 August 2026 falls or (if the college is registered on or after that date) the academic year next following the registration date; and
 - (ii) at least 2 consecutive academic years next following the academic year ascertained in accordance with subparagraph (i); or
 - (b) for a strategic plan submitted in accordance with subregulation (2)(b)—at least 3 consecutive academic years that fall after the academic year within which the strategic plan is submitted.
- (4) A registered college—
- (a) may, having regard to any change of circumstances and on its own initiative, revise a strategic plan submitted in accordance with subregulation (2); and
 - (b) must, within 30 days beginning on the date on which a strategic plan is revised under paragraph (a), submit the revised strategic plan to the Permanent Secretary in the way specified by the Permanent Secretary.
- (5) A registered college must make available to the public, in the form specified by the Permanent Secretary, an abstract of the latest strategic plan submitted in accordance with subregulation (2) or (4)(b) for the current academic year.

- (6) A registered college must arrange a strategic plan submitted in accordance with subregulation (2) or (4)(b) to be reviewed by its Board of Governors in each of the academic years for which the strategic plan is formulated.
- (7) For the purposes of this regulation—
 - (a) if a registered college has submitted, before 1 August 2026, to the Permanent Secretary one or more plans (*pre-existing plan*) containing an academic development plan, expected goals and performance targets of the college formulated for the academic year within which that date falls, then on and after that date—
 - (i) the latest pre-existing plan is taken to be the strategic plan submitted in accordance with subregulation (2)(a);
 - (ii) the latest pre-existing plan is taken to be submitted on that date; and
 - (iii) the latest pre-existing plan is taken to have complied with subregulation (3)(a); or
 - (b) if a registered college has submitted, on or after 1 August 2026, and before the registration date of the college, to the Permanent Secretary one or more plans (*pre-registration plan*) containing an academic development plan, expected goals and performance targets of the college formulated for the academic year next following the registration date, then on and after the registration date—
 - (i) the latest pre-registration plan is taken to be the strategic plan submitted in accordance with subregulation (2)(a);

- (ii) the latest pre-registration plan is taken to be submitted on the registration date; and
- (iii) the latest pre-registration plan is taken to have complied with subregulation (3)(a).

(8) In this regulation—

registration date (註冊日期), in relation to a registered college, means the date on which the application for registration of the college is approved under section 4A(3) of the Ordinance.

8B. Annual reports

- (1) A registered college must submit an annual report to the Permanent Secretary in every academic year after—
 - (a) the academic year within which 1 August 2026 falls; or
 - (b) if the college is registered on or after 1 August 2026—the academic year next following the registration date.
- (2) A registered college must, within 30 days beginning on the date on which an annual report is made, submit the report under subregulation (1) in the way specified by the Permanent Secretary.
- (3) An annual report submitted in an academic year under subregulation (1) must contain—
 - (a) a review of the activities undertaken by the registered college during the academic year (**review year**) immediately before the academic year within which the annual report is submitted; and

- (b) a review of the performance of the registered college in the review year with reference to the strategic plan of the college for the review year submitted under regulation 8A.
- (4) A registered college must make available to the public, in the form specified by the Permanent Secretary—
 - (a) if the college has submitted only one annual report under subregulation (1)—an abstract of the report;
 - (b) if the college has submitted 2, 3, 4 or 5 annual reports under subregulation (1)—an abstract of each of the reports; or
 - (c) if the college has submitted more than 5 annual reports under subregulation (1)—an abstract of each of the 5 latest annual reports.
- (5) In this regulation—
registration date (註冊日期), in relation to a registered college, means the date on which the application for registration of the college is approved under section 4A(3) of the Ordinance.”.

29. Regulation 9 amended (finance)

- (1) Regulation 9(1)—
Repeal
 “College Council shall”
Substitute
 “Board of Governors must”.
- (2) Regulation 9(1)—
Repeal

“the College”

Substitute

“the registered college”.

- (3) Regulation 9(2), English text—

Repeal

“, shall”

Substitute

“must”.

- (4) Regulation 9(2)—

Repeal

“person authorized by him in writing in that behalf”

Substitute

“authorized person”.

- (5) After regulation 9(2)—

Add

“(3) The registered college must make available the following financial information to the public—

- (a) the aggregate income;
- (b) the tuition fee income;
- (c) the aggregate income from sources other than tuition fees;
- (d) the aggregate expenditure;
- (e) the aggregate reserve; and
- (f) any other financial information that the Permanent Secretary considers appropriate.”.

30. Regulation 10 repealed (forms)

Regulation 10—

Repeal the regulation.

31. Schedule repealed

The Schedule—

Repeal the Schedule.

Part 4

Related Amendments to Education Ordinance (Cap. 279)

32. Section 2 amended (application)

Section 2(d)—

Repeal

“post secondary college registered under”

Substitute

“registered college defined in section 2 of”.

33. Section 3 amended (interpretation)

Section 3(1)—

Add in alphabetical order

“*sub-degree* (副學位) means an associate degree or a higher diploma;”.

34. Section 18A amended (approval of Permanent Secretary required for post secondary education)

After section 18A(1)—

Add

“(1A) An approval under subsection (1) in relation to the provision of post secondary education through a programme at the sub-degree level at a school expires at midnight on 31 July 2028.”.

35. Section 86 amended (prohibition of issue of degrees or documents resembling degrees)

(1) Section 86, heading—

Repeal

“degrees or documents resembling degrees”

Substitute

“degrees, sub-degrees or documents resembling degrees or sub-degrees”.

- (2) Section 86(a), after “degree”—

Add

“or sub-degree”.

- (3) Section 86(b), after “degree”—

Add

“or sub-degree”.

36. Section 101 added

After section 100—

Add

“101. Transitional provisions relating to Post Secondary Colleges (Amendment) Ordinance 2025

- (1) This section applies to a school that continues to provide post secondary education through a programme at the sub-degree level (*post secondary programme*) on or after 1 August 2028.
- (2) The Permanent Secretary may, by written notice served on the management authority and every manager of the school, impose any requirement on the management committee or incorporated management committee (as may be appropriate) of the school to ensure that the transition towards

cessation of the operation of the post secondary programme is handled in the public interest and in the best interests of the affected students.

- (3) If a management committee of a school without IMC fails to comply with a requirement imposed on the committee under subsection (2), a person who is a member of the management committee at that time commits an offence and is liable on conviction to a fine of \$250,000 and to imprisonment for 2 years.
- (4) If an incorporated management committee of an IMC school, with the consent or connivance of a manager of the school, fails to comply with a requirement imposed on the committee under subsection (2), the manager commits an offence and is liable on conviction to a fine of \$250,000 and to imprisonment for 2 years.
- (5) If a manager of a school without IMC is charged with an offence under subsection (3), it is a defence to the charge if the manager establishes that—
 - (a) the failure of the management committee took place without the manager's knowledge or consent; or
 - (b) the manager had taken all reasonable steps to prevent the failure of the management committee.
- (6) A person is taken to have established a matter that needs to be established for a defence under subsection (5) if—
 - (a) there is sufficient evidence to raise an issue with respect to that matter; and
 - (b) the contrary is not proved by the prosecution beyond reasonable doubt.

- (7) If the management authority of a school is required by a notice under subsection (2) to continue to provide the post secondary programme, the management authority must not, by doing so in compliance with the notice, be regarded as having contravened section 18A.
- (8) If a person or school is required by a notice under subsection (2) to—
- (a) award a sub-degree to another person; or
 - (b) issue a document that could reasonably be taken as signifying the award of a sub-degree to another person,
- the person or school must not, by doing so in compliance with the notice, be regarded as having contravened section 86.”.
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Part 5

Consequential Amendments

Division 1—Amendments to Specification of Public Offices Notice (Cap. 1 sub. leg. C)

37. Schedule amended (specification of public offices)

- (1) The Schedule, entry relating to the Permanent Secretary for Education specified for the purposes of the Post Secondary Colleges Ordinance (Cap. 320)—

Repeal

“8, 9, 11”

Substitute

“4A, 5, 5A, 6A, 6B, 6C”.

- (2) The Schedule, after the entry relating to the Secretary for Development specified for the purposes of the Buildings Ordinance (Cap. 123)—

Add

“Secretary for Education	Post Secondary Colleges Ordinance (Cap. 320), sections 4, 4A, 5, 6A, 6C and 8 and section 9(2)(a) of the Schedule.”.
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Division 2—Amendment to Public Order Ordinance (Cap. 245)

38. Section 7 amended (regulation of public meetings)

Section 7(2)(c)—

Repeal

“college registered under”

Substitute

“registered college as defined in”.

Division 3—Amendment to Education Regulations (Cap. 279 sub. leg. A)

39. Second Schedule, Part 1 amended (qualifications for a registered teacher)

Second Schedule, Part 1, paragraph (b)(xi)—

Repeal

“Post Secondary College registered under”

Substitute

“registered college as defined in”.

Division 4—Amendment to Education (Exemption) (Private Schools Offering Non-Formal Curriculum) Order (Cap. 279 sub. leg. F)

40. Section 2 amended (interpretation)

Section 2, definition of *specified institution*, paragraph (k)—

Repeal

“Post Secondary College registered under”

Substitute

“registered college as defined in”.

Division 5—Amendment to Road Traffic Ordinance (Cap. 374)

41. Section 2 amended (interpretation)

Section 2, definition of *educational institution*, paragraph (b)—

Repeal

“post secondary college registered under”

Substitute

“registered college as defined in”.

Division 6—Amendments to Sex Discrimination Ordinance (Cap. 480)

42. Schedule 1 amended (educational establishments and their responsible bodies)

(1) Schedule 1, item 4—

Repeal

“post secondary college registered under”

Substitute

“registered college defined in section 2 of”.

(2) Schedule 1, item 4—

Repeal

“(or Board of Trustees where no Board of Governors exists) or the College Council, according to which of them has the function concerned”.

Division 7—Amendments to Family Status Discrimination Ordinance (Cap. 527)

43. Schedule 1 amended (educational establishments and their responsible bodies)

(1) Schedule 1, item 4—

Repeal

“post secondary college registered under”

Substitute

“registered college defined in section 2 of”.

(2) Schedule 1, item 4—

Repeal

“(or Board of Trustees where no Board of Governors exists) or the College Council, according to which of them has the function concerned”.

Division 8—Amendment to Copyright Ordinance (Cap. 528)

44. Schedule 1 amended (educational establishments)

Schedule 1, item 3—

Repeal

“post secondary college registered under”

Substitute

“registered college defined in section 2 of”.

Division 9—Amendments to Legislative Council Ordinance (Cap. 542)

45. Section 20E amended (composition of the education functional constituency)

(1) Section 20E(a)(ii)—

Repeal

“approved post secondary colleges registered under”

Substitute

“registered colleges as defined in”.

(2) Section 20E(b)(xxii)—

Repeal

“post secondary colleges registered under”

Substitute

“registered colleges as defined in”.

Division 10—Amendment to Chief Executive Election Ordinance (Cap. 569)

46. Schedule, section 39V amended (specified entities of the education subsector)

The Schedule, section 39V(b)—

Repeal

“post secondary colleges registered under”

Substitute

“registered colleges as defined in”.

Division 11—Amendments to Race Discrimination Ordinance (Cap. 602)

47. Schedule 1 amended (educational establishments and their responsible bodies)

(1) Schedule 1, item 4—

Repeal

“Post Secondary College registered under”

Substitute

“registered college as defined in”.

(2) Schedule 1, item 4—

Repeal

“(or the Board of Trustees where no Board of Governors exists) or the College Council, according to which of them has the function concerned”.

Division 12—Amendment to Minimum Wage Ordinance (Cap. 608)

48. Schedule 1 amended (education institutions)

Schedule 1, item 11—

Repeal

“Approved post secondary colleges registered under”

Substitute

“Registered colleges as defined in”.