

Duty to ensure proper supervision.

7. Every person registered in respect of a clinic shall appoint and maintain a registered medical practitioner in a supervisory capacity who shall be responsible for the medical management of the clinic in relation to which he has been appointed.

Power of Registrar to exempt, cancel exemption and impose conditions.

8. (1) The Registrar may, in his absolute discretion, exempt any clinic in existence at the date of the enactment of this Ordinance from the provisions of sections 6 and 7, and in granting such exemption he may impose such conditions as he may think fit.

(2) Without derogating from the generality of the power conferred under subsection (1) the conditions imposed on granting exemption under that subsection shall include conditions relating to—

- (a) the standard of premises to be used as a clinic and of the equipment to be used therein;
- (b) the supervision to be exercised by the applicant or by some other person nominated by the Registrar;
- (c) the application of any income derived from the clinic; and
- (d) the remuneration to be paid to any persons practising medicine in the clinic other than registered medical practitioners.

(3) The Registrar may, in his absolute discretion and without assigning any reason therefor, cancel any exemption granted under subsection (1).

Schedule.

(4) The clinics named in the Schedule shall be deemed to be exempted from the provisions of this Ordinance, and the Governor in Council may from time to time by order add to or delete from the Schedule.

(Cap. 161).
(25 of 1957).

(5) Notwithstanding the provisions of section 14 of the Medical Registration Ordinance and section 27 of the Medical Registration Ordinance, 1957, persons practising medicine in a clinic and in receipt of remuneration from the clinic in accordance with the conditions attached to an exemption granted under this section shall not by reason solely of such practice be guilty of an offence under such sections.

(6) The power conferred on the Registrar under subsection (1) to exempt a clinic from the provisions of section 7 shall cease to be exercisable, and exemptions granted in the exercise of that power shall cease to have effect, on the expiration of three years from the coming into operation of this Ordinance.

Cancellation of registration.

9. Subject to the provisions of this Ordinance, the Registrar may at any time cancel the registration of a person in respect of a clinic on any ground which would entitle the Registrar to refuse an application for the registration of that person in respect of that clinic, or on

the ground that that person has been convicted of an offence against the provisions of this Ordinance or that any other person has been convicted of such an offence in respect of that clinic.

10. (1) In his absolute discretion the Registrar may, before refusing an application for registration or cancelling any registration, give to the applicant or to the person registered, as the case may be, notice of his intention so to do, stating the grounds on which he intends to refuse the application or cancel the registration and containing an intimation that the applicant or the person registered may make written representations to him.

Notice of refusal or of cancellation of registration.

(2) If the Registrar decides to refuse the application for registration or to cancel the registration, he shall make a written order properly dated to that effect and shall send a copy thereof by registered post to the applicant or the person registered, at the address last known to the Registrar.

11. (1) Any person who is aggrieved by an order refusing an application for registration or cancelling a registration, or by a refusal to grant an exemption or by a cancellation of an exemption may, within fourteen days of such refusal or cancellation, appeal against it by way of petition to the Governor in Council.

Right of appeal.

(2) No order for cancellation of registration or of exemption shall come into force or be gazetted under section 4 until the expiration of fourteen days from the date on which it is made, or, where there is an appeal, until the appeal has been decided or withdrawn.

12. The Registrar, or any public officer authorized in writing by him, may, subject to such regulations as may be prescribed, at any time enter and inspect any premises which are used, or which the Registrar or such a public officer has reasonable cause to believe to be used, for the purposes of a clinic, and may inspect any records prescribed by this Ordinance.

Inspection of clinics.

13. Any person who—

Offences.

(a) carries on or takes part in the management of a clinic which is neither registered nor exempted, or who therein does any diagnosis or prescribes any treatment or takes part in any treatment of any person shall be guilty of an offence and shall be liable—

(i) for the first offence to a fine of one thousand dollars; and

(ii) for a second or subsequent offence to a fine of one thousand dollars and to imprisonment for three months; or

- (b) carries on or takes part in the management of a clinic which has no registered medical practitioner in a supervisory capacity as required under section 7, or who therein does any diagnosis or prescribes any treatment or takes part in any treatment of any person shall be guilty of an offence and shall be liable to a fine of one thousand dollars and to imprisonment for three months; or
- (c) fails to display in a conspicuous place in any clinic which is registered or exempted the current certificate of registration issued in respect of such clinic shall be guilty of an offence and shall be liable to a fine of one thousand dollars; or
- (d) fails to comply with any condition imposed by the Registrar under section 5, 6 or 8, shall be guilty of an offence and shall be liable to a fine of one thousand dollars and to imprisonment for three months; or
- (e) obstructs the Registrar or any public officer in the execution of his powers under section 12 shall be guilty of an offence and shall be liable to a fine of one thousand dollars and to imprisonment for three months.

Power to
make
regulations.

14. (1) The Governor in Council may by regulation prescribe or provide for—

- (a) the duties and responsibilities of persons registered in respect of clinics and of persons connected with their management and control;
- (b) the keeping and submission of accounts by a person registered in respect of a clinic in respect thereof;
- (c) reports and information to be supplied in respect of a clinic;
- (d) the forms for use for the purposes of this Ordinance;
- (e) the requirements, structural or otherwise, to be fulfilled in relation to the premises in which a clinic is carried on, and without prejudice to the generality of the foregoing, requirements may be made in respect of—
 - (i) ventilation;
 - (ii) light, natural as well as artificial;
 - (iii) fire precautions;
 - (iv) storage of dangerous drugs and poisons;
 - (v) latrine accommodation and other matters of sanitation;
 - (vi) water supply;
 - (vii) sterilization facilities;
 - (viii) the cleanliness of premises used as clinics;
 - (ix) the hygiene of the staff employed by a clinic;

(f) generally, the carrying into effect of the provisions of this Ordinance.

(2) Any regulation made under this Ordinance may provide that a contravention thereof shall be an offence and may provide penalties for such offence not exceeding a fine of one thousand dollars.

SCHEDULE.

[s. 8.]

Clinics operated by the following Institutions—

The Alice Memorial and Affiliated Hospitals (The Alice Memorial Hospital, the Alice Memorial Maternity Hospital, the Nethersole Hospital and the Ho Miu Ling Hospital).
 The St. Teresa's Hospital.
 The Hong Kong Anti-Tuberculosis Association's Ruttonjee Sanitorium.
 The Grantham Hospital.
 The Hong Kong Central Hospital.
 The Hong Kong Sanitorium and Hospital (formerly Yeung Wo Hospital).
 The Kwong Wah Hospital.
 The Matilda and War Memorial Hospital.
 The St. Paul's Hospital.
 The Sisters of the Precious Blood Hospital.
 The Tung Wah Hospital.
 The Tung Wah Eastern Hospital.
 The Pok Oi Hospital.
 The Canossa Hospital.
 The Lutheran Hospital, Fanling.
 The Hei Ling Chau Leprosarium.
 The Haven of Hope Tuberculosis Sanitorium.
 Sandy Bay Children's Convalescent Home.
 Our Lady of Maryknoll Hospital.

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 4th day of September, 1963, and is found by me to be a true and correctly printed copy of the said Bill.

Crusier.

Deputy Clerk of Councils.

(Secretariat CR3862/57)

HONG KONG

No. 28 OF 1963.



I assent.

A handwritten signature in blue ink, appearing to be 'R. S. Br...' with a flourish at the end.

Governor.

19th September, 1963.

An Ordinance to establish the Chinese University of Hong Kong, to provide for its incorporation, constitution, functions and matters connected therewith.

[]

WHEREAS it is desirable to establish a University with a federal constitution in which the principal language of instruction shall be Chinese—

Preamble.

- (a) to assist in the preservation, dissemination, communication and increase of knowledge;
- (b) to provide with the Colleges regular courses of instruction in the humanities, the sciences and other branches of learning of a standard required and expected of a University of the highest standing;

- (c) to stimulate the intellectual and cultural development of Hong Kong and thereby to assist in promoting its economic and social welfare:

NOW, THEREFORE, BE it enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof, as follows—

Short title and commencement.

1. This Ordinance may be cited as the Chinese University of Hong Kong Ordinance, 1963, and shall come into operation on a day to be appointed by the Governor by Proclamation in the *Gazette*.

Interpretation.

2. (1) In this Ordinance and in any Statutes made thereunder, unless the context otherwise requires—

“Appointed Teachers”, “Recognized Lecturers” and “Directors of University Studies” respectively mean the Appointed Teachers, Recognized Lecturers and Directors of University Studies of the University as provided by section 18;

“approved course of study” means a course of study approved by the Senate;

“Board of Governors” means the Board of Governors or Board of Trustees of a College;

“Chancellor”, “Vice-Chancellor”, “Pro-Vice-Chancellor” and “Treasurer”, respectively mean the Chancellor, Vice-Chancellor, Pro-Vice-Chancellor and Treasurer of the University;

“College” means a college of the University as provided by section 5;

“Council”, “Senate”, “Convocation”, “Faculties” and “Boards of Studies” respectively mean the Council, Senate, Convocation, Faculties and Boards of Studies of the University;

“Foundation Colleges” means Chung Chi College, New Asia College and The United College of Hong Kong;

“graduates” and “students” respectively mean the graduates and students of the University;

“members” means such persons as are prescribed by the Statutes to be members;

“Officers” means the officers of the University as provided by section 6;

“President” means President of a College;

“Registrar” and “Librarian” respectively mean the Registrar and Librarian of the University;

“Statutes” means the Statutes of the University made under section 20;

“University” means the Chinese University of Hong Kong (香港中文大學) incorporated by section 4.

(2) A special resolution is a resolution passed at one meeting of the Council and confirmed at a subsequent meeting held not less than one calendar month nor more than six months after the former meeting, and which is approved at each meeting by—

Special resolution.

(a) not less than three fourths of those present and voting, and

(b) not less than half the whole membership of the Council.

3. The Council may, when it thinks fit, appoint one or more persons to visit any College of the University, with power to inspect the records, buildings, equipment and general facilities in any department and in any subject of study in such College and report thereon to the Council.

Visitation.

4. There shall be established in the Colony of Hong Kong a University with the name of the Chinese University of Hong Kong (香港中文大學) and the Colleges and members of the University shall be a body corporate and shall have perpetual succession and may sue and be sued in that name and shall have and may use a common seal and may take by gift or otherwise purchase and hold, grant, demise or otherwise dispose of real or personal estate:

Incorporation.

Provided that no dividend or bonus whatsoever shall be paid and no gift or division of money shall be made by or on behalf of the University to any of its members except by way of prize, reward or special grant.

5. (1) The constituent Colleges of the University shall comprise Chung Chi College, New Asia College and The United College of Hong Kong as Foundation Colleges and such other institutions as may from time to time by Ordinance in accordance with a special resolution of the Council be declared to be Colleges of the University.

Composition.

(2) No provision in the constitution of any of the Colleges shall be of effect if it is in conflict with or is inconsistent with the provisions of this Ordinance.

(3) No person shall be excluded from being a member of the University by reason of his race or religion.

Officers.

6. (1) The Officers of the University shall be the Chancellor, the Vice-Chancellor, the Pro-Vice-Chancellor, the Treasurer, the Registrar, the Librarian and such other persons as may by special resolution be designated as officers.

(2) The Chancellor shall be the head of the University and may confer degrees in the name of the University.

(3) The Governor shall be the Chancellor.

(4) The Vice-Chancellor shall be the chief academic and administrative officer of the University and shall be a member of the Council and the Chairman of the Senate, and may confer degrees.

(5) The Pro-Vice-Chancellor shall carry out all the functions and duties whatsoever of the Vice-Chancellor in the absence of the Vice-Chancellor, except that he may not confer degrees.

(6) The manner and period of appointment of the Treasurer shall be as prescribed by the Statutes, and his duties shall be such as the Council may determine.

Council,
Senate and
Convocation;
their con-
stitutions,
powers and
duties.

7. There shall be a Council, a Senate and a Convocation whose respective constitutions, powers and duties shall be such as are prescribed by this Ordinance and the Statutes.

Council.

8. The Council, subject to the provisions of this Ordinance and the Statutes, shall be the governing and executive body of the University and shall provide for the custody and use of the University seal and shall administer the property of the University as distinct from that of the Colleges and shall manage the affairs of the University.

Senate.

9. The Senate shall, subject to the provisions of this Ordinance and the Statutes and subject also to review by the Council, have the control and regulation of—

- (a) instruction, education and research;
- (b) the conducting of examinations for students;
- (c) the conferring of degrees other than degrees *honoris causa*; and

(d) the award of diplomas, certificates and other academic distinctions of the University.

10. The Convocation of the University shall, subject to the provisions of this Ordinance and the Statutes, consist of the graduates and such other persons as may be prescribed by the Statutes and may make representations to the Council and the Senate upon any matters affecting or concerning the interests of the University.

Convocation.

11. The Council shall consist of—

Composition
of the
Council.

- (a) the Chairman of the Council;
- (b) the Vice-Chancellor;
- (c) the Pro-Vice-Chancellor;
- (d) the Treasurer;
- (e) the Director of Education;
- (f) one member elected from among its own members by the Board of Governors of each of the Colleges;
- (g) the President or, where applicable, the Acting President of each of the Colleges and, where the President of any College is the Pro-Vice-Chancellor, such representative of that College as the Pro-Vice-Chancellor shall nominate;
- (h) members of the Senate, equal in number to the number of the Colleges, elected by the Senate so that there shall be one member of the Academic Board of each College;
- (i) two persons from universities or educational organizations outside Hong Kong who shall be nominated by the Council;
- (j) four persons nominated by the Chancellor;
- (k) three persons elected by Unofficial Members of the Legislative Council;
- (l) not more than three other persons, normally resident in Hong Kong, who shall be elected by the Council;
- (m) after a date to be appointed by the Council, three members of the Convocation to be elected by the Convocation in a manner to be determined by the Council.

Ineligibility
for member-
ship of
Council.

12. Persons who hold appointments in the University or any of the Colleges or who are members of the Board of Governors of any of the Colleges shall not be eligible for nomination, election or appointment as the case may be to membership of the Council under paragraph (j), (k), (l) or (m) of section 11.

Chairman
of Council.

13. (1) The Chairman of the Council shall be appointed by the Chancellor on the nomination of the Council from persons under paragraph (j), (k), (l) or (m) of section 11.

(2) The Chairman of the Council shall hold office for four years and may be re-appointed for additional periods not exceeding a total of four years:

Provided that no person shall hold the office of Chairman for more than a period of eight years in all.

Period of
service on
Council.

14. Members of the Council shall serve for such period as may be prescribed by Statute.

Powers of
the Council.

15. The Council shall, subject to the provisions of this Ordinance and to any Statute made thereunder—

- (a) exercise a general supervision of the affairs, purposes and functions of the University;
- (b) have the custody, control and disposition of all the property, funds, fees and investments of the University as distinct from the property, funds and investments of the Colleges and shall manage the financial affairs of the University as distinct from those of the Colleges, save that no College shall—
 - (i) without the consent of the Council apply for or receive any money or money's worth from the Government of Hong Kong or from any other government or government source; or
 - (ii) accept any benefaction which in the opinion of the Council may adversely affect the interests of the University;
- (c) make such University appointments as it deems proper;
- (d) have power to approve the fees charged by the Colleges in respect of approved courses of study.

Composition
of the
Senate.

16. (1) The Senate shall consist of—
- (a) the Vice-Chancellor who shall be Chairman;
 - (b) the Presidents or, where applicable, the Acting Presidents of the Colleges;
 - (c) one Vice-President from each of the Colleges;
 - (d) the Professors;
 - (e) the Directors of University Studies who are not Professors;

(f) six members who shall be Readers, Senior Lecturers or Recognized Lecturers but not Directors of University Studies and who shall be elected two from each College by the Readers, Senior Lecturers and Lecturers within such College;

(g) the Librarian or, where applicable, the Acting Librarian.

(2) Membership of the Senate shall be for such period as may be prescribed by the Statutes.

17. (1) The Council shall establish a Finance Committee and the Council and the Senate may establish such other committees as they think fit.

Committees
generally.

(2) Unless otherwise expressly provided, any committee may consist partly of persons who are not members of the Council or the Senate, as the case may be.

(3) Subject to the provisions of this Ordinance and the Statutes, the Council and the Senate respectively may, subject to any conditions they may think proper to impose, delegate any of their powers and duties to any Board or committee or to any Board of Studies or to any Officer or Director of University Studies.

(4) Any committee established under this section may make such Standing Orders including provision allowing a casting vote to the chairman thereof for the conduct of meetings as it thinks fit.

18. (1) The Appointed Teachers shall be the Professors, the Readers and the Senior Lecturers.

Appointed
Teachers,
Directors of
University
Studies and
Recognized
Lecturers.

(2) One of the Appointed Teachers shall be designated by the Council in consultation with the Senate in respect of each academic subject as Director of University Studies in that subject.

(3) A person who is teaching in a College, but who is not an Appointed Teacher, may be designated in the manner prescribed by the Statutes a Recognized Lecturer.

19. (1) There shall be a Faculty of Arts, a Faculty of Science and such other Faculties as may be prescribed by the Statutes.

Faculties,
etc.

(2) The Council, on the recommendation of the Senate, may form such institutes for the promotion of study and learning as the Council may from time to time determine.

(3) The Senate may establish such Boards of Studies as it may from time to time determine.

20. (1) The Council may by special resolution make Statutes subject to the approval thereof by the Chancellor prescribing or providing for—

Statutes.

(a) the administration of the University;

- (b) membership of the University;
- (c) appointments, elections, resignation and retirement and removal of officers and staff of the University;
- (d) examinations;
- (e) the conferring of degrees and the award of other academic distinctions;
- (f) the powers of the Council and the Senate;
- (g) the Convocation;
- (h) the Faculties, their membership and functions;
- (i) the Boards of Studies, their membership and functions;
- (j) the exercise of any function by the University, the Council, the Senate, the Chancellor, the Vice-Chancellor, the Pro-Vice-Chancellor, Officers, teachers and members;
- (k) financial procedure;
- (l) fees payable to the University as a condition of admission to any examinations held by the University or for the conferring of any of the degrees of the University or for the award of any diploma or certificate or other academic distinction or for attendance at a University Extension Course or any similar purpose;
- (m) the admission of students;
- (n) welfare of students;
- (o) discipline of students;
- (p) generally the carrying into effect of this Ordinance.

(2) No Statute may be made which will result in a change in the constitution of any of the Colleges unless the consent of the College concerned to the making thereof has first been obtained.

Decrees and regulations.

21. The Council and the Senate may from time to time make decrees and regulations respectively to direct and regulate the affairs of the University, subject to the provisions of this Ordinance and the Statutes. The power to make decrees and regulations shall include the power to repeal, amend, add to or alter any decrees or regulations theretofore made.

Degrees and other awards.

22. The University may—
- (a) confer such degrees as may be specified in the Statutes;
 - (b) award diplomas and certificates and such other academic distinctions as may be specified in the Statutes;
 - (c) provide such lectures and instruction for persons not being members of the University as the University may determine;

- (d) confer degrees *honoris causa* of Master or Doctor in accordance with the Statutes; and
- (e) subject to the provisions of the Statutes deprive any person of any degree conferred or diploma, certificate or other academic distinction awarded by the University.

23. There shall be an Honorary Degrees Committee which shall be constituted as provided by the Statutes for the purpose of advising the Council with regard to the award of degrees *honoris causa*.

Honorary Degrees Committee.

24. (1) Contracts on behalf of the University may be made as follows—

Contracts.

- (a) a contract which if made between private persons would be required by law to be in writing and if made according to English law to be under seal may be made on behalf of the University in writing under the common seal of the University;
- (b) a contract which if made between private persons would be required by law to be in writing and signed by the parties to be charged therewith may be made on behalf of the University in writing signed by any person acting under the express or implied authority of the Council;
- (c) a contract which if made between private persons would be valid by law although made by parole only and not reduced into writing may be made by parole on behalf of the University by any person acting under the express or implied authority of the Council.

(2) A contract made according to this section shall be effectual in law and shall bind the University and all other parties thereto.

(3) A contract made according to this section may be varied or discharged in the same manner in which it is authorized by this section to be made.

(4) Instruments under seal made on behalf of the University sealed with the common seal of the University signed by the Chancellor or Vice-Chancellor or Treasurer of the University and countersigned by the Registrar shall be deemed to be duly executed.

25. (1) No vacancy in any of the offices described in section 6 nor any deficiency in the numbers nor defect in the composition of the Council or of the Senate or of the Convocation shall impair or affect the corporate existence of the University or any powers, rights or privileges conferred thereon by this Ordinance.

Saving as to certain deficiencies.

(2) No act or resolution of the Council or the Senate shall be invalid by reason only of any vacancy in, or any want of qualification by, or any invalidity in, the election or appointment of any member thereof.

Crown rent.

26. Rent payable to the Crown in respect of all land granted to the University by the Crown shall be limited in total to ten dollars per annum.

INTERIM PROVISIONS.

Effect of constitutions of the Foundation Colleges. (29 of 1955). (3 of 1957).

27. Upon the commencement of this Ordinance, the Chung Chi College Incorporation Ordinance, 1955, the Board of Trustees of The United College of Hong Kong Incorporation Ordinance, 1957, and the Memorandum and Articles of Association of the New Asia College shall have effect only in so far as the provisions thereof are not in conflict with or inconsistent with the provisions of this Ordinance.

First Vice-Chancellor and first Pro-Vice-Chancellor.

28. The Governor shall appoint the first Vice-Chancellor and the first Pro-Vice-Chancellor.

Interim Statutes. Schedule.

29. The Statutes in the Schedule shall be of effect from the commencement of this Ordinance for a period of twenty-four months or until they are replaced by Statutes made under section 20, whichever period is the shorter, as though they had been made under section 20.

SCHEDULE.

[s. 29.]

STATUTE 1.

Interpretation.

In these Statutes, unless the context otherwise requires—
"Ordinance" means the Chinese University of Hong Kong Ordinance, 1963.

STATUTE 2.

Congregations.

1. The time, place and procedure of the Congregations of the whole University shall be determined by the Chancellor.
2. The Chancellor, or in his absence, the Vice-Chancellor, shall preside at Congregations.
3. At least one Congregation shall be held in each academic year.

STATUTE 3.

Members of the University.

The members of the University shall be—

- (a) the Chancellor;
- (b) the Vice-Chancellor;
- (c) the Pro-Vice-Chancellor;
- (d) the Treasurer;
- (e) the Presidents and the Vice-Presidents of the Colleges;
- (f) the members of the Council;
- (g) the members of the Senate;
- (h) the Appointed Teachers and Recognized Lecturers of the University during the tenure of their appointments;
- (i) the Librarian and Registrar of the University during their tenure of office;

- (j) such other members of the staff of the University and of the several Colleges during the tenure of their appointments as the Council may from time to time determine;
- (k) Emeritus and Honorary Professors;
- (l) the graduates and such other persons as are entitled in accordance with the provisions of paragraph 3 of Statute 12 to have their names placed upon the Convocation roll;
- (m) the students.

STATUTE 4.

The Chancellor.

1. The Chancellor, when present, shall preside at Congregations of the University.
2. The Chancellor shall be entitled—
 - (a) to call for information in regard to any matter relating to the welfare of the University from the Vice-Chancellor and the Chairman of the Council whose duty it shall be to provide such information; and
 - (b) on the receipt of such information to recommend to the Council such action as he deems proper.

STATUTE 5.

The Vice-Chancellor.

1. The Vice-Chancellor other than the first Vice-Chancellor shall be appointed by the Council after receiving the advice of a committee established by the Council and composed of the Chairman of the Council, the President of each of the Colleges, two members nominated by the Council from among its number and two members nominated by the Senate from among its number.
2. The Vice-Chancellor shall hold office for such period and on such terms as may be determined by the Council.
3. The Vice-Chancellor shall—
 - (a) have the right and duty to advise the Council on any matter affecting the policy, finance and administration of the University;
 - (b) be generally responsible to the Council for the maintenance of the efficiency and good order of the University and for ensuring the proper enforcement of the Statutes, decrees and regulations;
 - (c) be responsible for the discipline of every student outside the College to which he belongs and shall report to the Senate at its next meeting if he has suspended or proposes to expel any student; and
 - (d) present an annual report to the Convocation on the state of the University;
 - (e) have power to appoint a person to discharge the functions and duties of the Pro-Vice-Chancellor, a Dean of a Faculty, a Director of University Studies, the Registrar, or the Librarian during a temporary vacancy in any such appointment or during the temporary absence or inability of the holder of any such appointment;
 - (f) have power in case of emergency to appoint external examiners.

STATUTE 6.

The Pro-Vice-Chancellor.

1. The Pro-Vice-Chancellor other than the first Pro-Vice-Chancellor shall be appointed by the Council, after consultation with the Vice-Chancellor, from among the Presidents of the Colleges who shall normally hold this office in rotation.
2. The Pro-Vice-Chancellor shall hold office for two years.

STATUTE 7.

The Treasurer.

The Treasurer shall be appointed by the Council and shall hold office for three years, and may be re-appointed and where he is re-appointed he shall hold office for a further period or periods of three years.

STATUTE 8.

The Registrar and the Librarian.

1. The Registrar—
 - (a) shall be appointed by the Council on the recommendation of a Board of Advisers on such terms and conditions as may be determined by the Council;
 - (b) shall be Secretary of the Council, the Senate, the Convocation, the Faculties and the Boards of Studies and shall cause minutes of their proceedings to be kept;
 - (c) shall be responsible for the custody of the University seal and for affixing it to documents in accordance with the directions given by the Council in the exercise of its powers under the Ordinance and these Statutes;
 - (d) shall be custodian of the records of the University;
 - (e) shall discharge such other duties as are specified in the Ordinance and Statutes and such other duties as may be determined by the Council.
2. The Librarian shall be appointed by the Council on the recommendation of a Board of Advisers on such terms and conditions as may be determined by the Council, and shall have such duties as the Council shall determine after consultation with the Senate.

STATUTE 9.

The Council.

1. The nominated and elected members of the Council shall hold office for three years from the date of their nomination or election and shall be eligible for re-nomination or re-election provided that members elected under the provision of paragraphs (f) and (h) of section 11 of the Ordinance shall cease to be members of the Council if they cease to be members of the Board of Governors or of the Senate respectively which elected them.
2. Should a nominated or elected member of the Council die or resign during his period of membership, the body which nominated or elected him shall duly nominate or elect, as the case may be, a successor whose membership of the Council shall be for the unexpired period of membership of his predecessor.
3. Members of the Council whose membership derives from the provisions of paragraphs (b), (c), (d), (e) and (g) of section 11 of the Ordinance shall remain members of the Council for so long as they hold the office or appointment by reason of which they became members of the Council.

4. The Council shall elect from among its members a Vice-Chairman who shall hold office for a period of two years. A retiring Vice-Chairman may be re-elected.
5. Subject to the provisions of the Ordinance and the Statutes and without derogating from the generality of its power, it is specifically prescribed—
 - (1) that the Council shall have the power—
 - (a) to make Statutes, provided that no Statute shall be made until the Senate of the University and the Board of Governors of each College shall have had an opportunity of reporting thereon to the Council;
 - (b) to make decrees for any purpose for which decrees are or may be authorized to be made, provided that no decree shall be made until the Senate of the University and the Board of Governors of each College shall have had an opportunity of reporting thereon to the Council;
 - (c) to invest any money belonging to the University;
 - (d) to borrow money on behalf of the University;
 - (e) to sell, buy, exchange, lease or accept leases of any real or personal property on behalf of the University;
 - (f) to enter into, vary, perform and cancel contracts on behalf of the University;
 - (g) to require the Board of Governors of each College annually to submit in such form and at such time as the Council may determine estimates of the expenditure necessary to carry out the work of that College;
 - (h) to require the Board of Governors of each College annually to produce its audited accounts in such form and at such time as the Council may determine;
 - (i) to receive from public sources grants for capital and re-current expenditure;
 - (j) to receive gifts;
 - (k) to make grants to the Boards of Governors of the several Colleges for capital and re-current expenditure;
 - (l) to provide for the welfare of persons employed by the University as distinct from the Colleges and the wives, widows and dependants of such persons, including the payment of money, pensions, or other payments and to subscribe to benevolent and other funds for the benefit of such persons;
 - (m) to provide for the discipline and welfare of students;
 - (n) to recommend the conferment of degrees *honoris causa*;
 - (o) after report from the Senate to establish additional Faculties or to abolish, combine or subdivide any Faculty;
 - (p) with the consent of the Senate and the Board of Governors of the College in which the appointment is tenable to abolish or hold in abeyance any professorship, readership or senior lectureship;
 - (2) that it shall be the duty of the Council—
 - (a) to elect a Treasurer and to determine his duties;
 - (b) to appoint bankers, auditors and any other agents whom it seems expedient to appoint;
 - (c) to appoint an Academic Planning Committee, consisting of the Vice-Chancellor and the Presidents of the several Colleges and to receive reports therefrom;

- (d) to cause proper books of account to be kept for all sums of money received and expended by the University and for the assets and liabilities of the University so that such books give a true and fair statement of the financial transactions and position of the University;
 - (e) to cause the accounts of the University to be audited within six months after the termination of such financial year as the Council may determine and to be submitted with a copy of the auditor's report thereon to the Government of Hong Kong;
 - (f) to receive annually from the Vice-Chancellor and to approve, after report from the Senate, estimates of expenditure required to carry out the central activities of the University as defined in Statute 24;
 - (g) to receive annually from the Board of Governors of each College the estimates of expenditure required to carry out the work of that College and approve these estimates with such amendments as the Council deems necessary after consultation with the Academic Planning Committee;
 - (h) to authorize capital expenditure upon the provision of buildings, libraries, laboratories, premises, furniture, apparatus and other equipment needed for carrying on the central activities of the University as defined in Statute 24;
 - (i) to receive from the Boards of Governors of the several Colleges estimates of the capital funds required to enable the Colleges to provide buildings, libraries, laboratories, premises, furniture, apparatus and other equipment needed for carrying out the work of the Colleges and University, and to approve the same with such amendments as the Council deems necessary;
 - (j) in consultation with the Senate to encourage and provide for research by members of the University;
 - (k) to receive reports from the Senate and to review the instruction and teaching in courses of study leading to degrees, diplomas, certificates and other awards of the University;
 - (l) after consultation with the Senate, to institute professorships, readerships and senior lectureships and, with the consent of the Board of Governors of the College concerned, to assign thereto any such professorship, readership or senior lectureship;
 - (m) to establish Boards of Advisers and to appoint external experts thereto on the recommendation of the Senate;
 - (n) to appoint on such terms and conditions as the Council may determine each professor, reader and senior lecturer and the Librarian and the Registrar on the recommendation of duly constituted Boards of Advisers;
 - (o) to make, on such terms and conditions as the Council may determine, such other University appointments as the Council deems necessary;
 - (p) on the recommendation of the Senate to designate an Appointed Teacher in each subject as Director of University Studies in that subject;
 - (q) to appoint external examiners on the recommendation of the Senate;
 - (r) to provide for the printing and publication of works which may be issued by the University; and
 - (s) to consider reports from the Senate, and if the Council deems it proper to do so, to take action thereon.
6. The Council shall meet at least three times in each academic year and additionally on the written request of the Chairman of the Council or the Vice-Chancellor or any five members of the Council.

- 7. Seven days' notice in writing of any meeting of the Council shall be sent by the Registrar to each person entitled to receive notice of the meeting with the agenda thereof, and no business not included in the agenda shall be transacted if the Chairman or any two members present object.
- 8. The Council may make for the proper conduct of its business Standing Orders which it may amend or rescind by simple majority at any of its meetings provided that not less than seven days' notice has been given in writing by the Registrar to members of the Council of the proposal so to amend or rescind.
- 9. The quorum at any meeting of the Council shall be ten.

STATUTE 10.

Financial Procedure.

- 1. The Council shall fix the financial year.
- 2. The Council shall appoint a Finance Committee, to which persons who are not members of the Council may be appointed, and all matters within the jurisdiction of the Council which have important financial implications shall stand referred to the Finance Committee.
- 3. The Finance Committee shall submit to the Council, before the beginning of the financial year, draft estimates of income and expenditure, and such estimates, amended as the Council may think fit, shall be approved by the Council before the beginning of the financial year.
- 4. The Council may revise the estimates during the course of the financial year.
- 5. The estimates shall show the income and expenditure of the University and the estimated surplus or deficit for the year. The estimated expenditure shall be shown under votes, heads and sub-heads. Any variation of the amount of any vote, head or sub-head shall require the sanction of the Council. Any transfer between votes shall require the sanction of the Council. Any transfer between heads shall require the sanction of the Finance Committee. Any transfer between sub-heads shall require the sanction of the Vice-Chancellor and the Treasurer.
- 6. As soon as practicable after the end of the financial year, a balance sheet and income and expenditure account with supporting schedules shall be submitted to the auditors.
- 7. The audited accounts, with any comments thereon made by the auditors, shall be submitted to the Council.
- 8. Nothing in this Statute shall deprive the Council of power to invest surpluses or prospective surpluses at any time.

STATUTE 11.

The Senate.

- 1. Members of the Senate whose membership derives from the provisions of paragraphs (a), (b), (c), (d), (e) and (g) of section 16 of the Ordinance shall remain members of the Senate for so long as they hold the office or appointment by reason of which they became members of the Senate.
- 2. Elected members shall hold office for three years from the date of their election and shall be eligible for re-election provided that they shall cease to be members of the Senate if they cease to be Readers, Senior Lecturers or Recognized Lecturers within the College by whose members they were elected or if they become Directors of University Studies. Should an

elected member die or resign from the Senate or cease to be a Reader, Senior Lecturer or Recognized Lecturer within the College by whose members he was elected or become a Director of University Studies a successor shall be duly elected who shall be a member of the Senate for the unexpired period of membership of his predecessor.

3. Subject to the Ordinance and Statutes, the Senate shall have the following powers and duties—
- (a) to promote research by members of the University;
 - (b) to regulate the admission of persons to approved courses of study and their attendance at such courses;
 - (c) to direct and regulate the instruction and teaching in approved courses of study and to conduct the examinations leading to degrees, diplomas, certificates and other awards of the University;
 - (d) to make, after report from the Faculties concerned, all regulations for giving effect to the Statutes and decrees relating to approved courses of study and examinations;
 - (e) to appoint internal examiners after report from the Boards of Studies concerned;
 - (f) to recommend after report from the Boards of Studies concerned, external examiners for appointment by the Council;
 - (g) to recommend the conferment of degrees (other than degrees *honoris causa*) and to award diplomas, certificates and other distinctions;
 - (h) to fix, subject to any conditions made by the donors and accepted by the Council, the times, the mode and the conditions of competition for University scholarships, bursaries and prizes, and to award the same;
 - (i) to recommend to the Council, the institution, abolition or holding in abeyance of any professorship, readership or senior lectureship and the assignment of any such post to a College;
 - (j) to confer the title of "Recognized Lecturer" on the recommendation of a Board of Advisers constituted in accordance with the provisions of paragraph 3 of Statute 16;
 - (k) to recommend to the Council external experts to serve as members of Boards of Advisers;
 - (l) to elect members of the Senate to be members of the Council as provided in paragraph (h) of section 11 of the Ordinance;
 - (m) to report to the Council on all Statutes and decrees and proposed changes thereof;
 - (n) to report to the Council on any academic matter;
 - (o) to discuss any matter relating to the University and to report its views to the Council;
 - (p) to report to the Council on any matters referred to the Senate by the Council;
 - (q) to consider estimates of expenditure prepared in respect of the central activities of the University, and to report thereon to the Council;
 - (r) to formulate, modify, or revise schemes for the organization of Faculties and to assign to such Faculties their respective subjects; also to report to the Council on the expediency of establishing at any time other Faculties or as to the expediency of abolishing, combining or sub-dividing any Faculties;
 - (s) to establish, modify, or abolish any Board of Studies and to determine its functions;
 - (t) to supervise the central library and laboratories;

- (u) to require any undergraduate or student on academic grounds to terminate his studies at the University;
 - (v) to determine—
 - (i) the academic year, which shall be a period not exceeding twelve consecutive months, and
 - (ii) the academic terms which shall be part of an academic year;
 - (w) to exercise such other powers and perform such other duties as the Council may authorize or require;
 - (x) to discipline students.
4. The Senate shall hold at least three meetings in each academic year and additionally at any time at the direction of the Chairman or on the written request of any five members of the Senate.
5. Seven days' notice in writing of any meeting of the Senate shall be sent by the Registrar to each person entitled to receive notice of the meeting with the agenda therefor and no business not on such agenda shall be transacted if the Chairman or any two members present object.
6. The Senate may make for the proper conduct of its business Standing Orders which it may amend or rescind by simple majority at any of its meetings provided that not less than seven days' notice has been given in writing by the Registrar to members of the Senate of the proposal so to amend or rescind.
7. The quorum at any meeting of the Senate shall be ten.

STATUTE 12.

The Convocation.

1. The Convocation of the University shall consist of all persons whose names appear on the Convocation roll.
2. All persons who become graduates of the University shall be entitled to have their names entered on the Convocation roll:

Provided that persons on whom a degree *honoris causa* has been conferred shall not solely by reason thereof, be members of Convocation, but may be elected by Convocation to be members thereof.
3. Any person who obtains a diploma issued by the Post-Secondary Colleges Joint Diploma Board in the academic year of establishment of the University shall be entitled to have his name entered on the Convocation roll.
4. The Convocation shall from its own members elect a Chairman and may elect a Vice-Chairman who shall respectively hold office for such periods as the Convocation may determine. No member shall be eligible for election as Chairman or Vice-Chairman unless he is normally resident in Hong Kong. Any retiring Chairman or Vice-Chairman shall be eligible for re-election.
5. In case of any casual vacancy in the office of Chairman or Vice-Chairman, the Convocation shall elect one of its members to fill the vacancy and the person so elected shall hold office for the remainder of the term for which his predecessor was appointed.
6. The Registrar shall be the Secretary of the Convocation and shall keep the roll thereof.
7. The Convocation shall from a date to be appointed by the Council elect three of its members to be members of the Council provided that no person who holds an appointment in the University or in any of the Colleges

or who is a member of the Board of Governors of any of the Colleges shall be eligible for such election.

8. The Convocation shall meet at least once in each calendar year and notice of such meeting shall be given four weeks before the date of meeting. Any member desiring to bring forward any business thereat shall forward a statement in writing to reach the Secretary at least three weeks before the date of meeting, setting forth in the form of motions the subject or subjects proposed for consideration.
9. The quorum at any meeting of the Convocation shall be as prescribed by the Council after report from the Convocation.

STATUTE 13.

The Faculties.

1. In addition to the Faculties prescribed by section 19 of the Ordinance, there shall be a Faculty of Commerce and Social Science.
2. The Vice-Chancellor and the President of each of the Colleges shall be members of each Faculty *ex officio*.
3. Each Appointed Teacher and each Recognized Lecturer of the University shall be assigned by the Senate to a Faculty or Faculties and shall be a member of such Faculty or Faculties during the tenure of his appointment.
4. The members of each Faculty shall elect in such form and manner and for such period as may be determined by the Senate one of themselves to be Dean of the Faculty.
5. The Dean of any Faculty shall be eligible, but not immediately, for re-election provided he is still a member of the Faculty.
6. Each Faculty shall have the power to discuss any matters relating to that Faculty and to express its opinion thereon to the Senate.

STATUTE 14.

The Boards of Studies.

1. It shall be the duty of each Board of Studies to advise the Senate on the courses of study within the purview of that Board of Studies, on the appointment of internal and external examiners and on such other matters as the Senate may request.
2. Each Board of Studies shall consist of—
 - (a) the Vice-Chancellor *ex officio*;
 - (b) the President of each of the Colleges *ex officio*;
 - (c) all the Appointed Teachers and Recognized Lecturers in the subject concerned; and
 - (d) such Appointed Teachers and Recognized Lecturers in other subjects as in the opinion of the Senate contribute substantially to the teaching of students who are pursuing courses in the subject in which the Board is established.
3. Each Board of Studies shall elect a Chairman from among those of its members who are Directors of University Studies for such period as may be determined by the Senate.

STATUTE 15.

Academic Staff.

The academic staff of the University shall consist of—

- (a) the Vice-Chancellor;
- (b) the President of each of the Colleges;
- (c) one Vice-President from each of the Colleges;
- (d) the Appointed Teachers who shall be the Professors, Readers and Senior Lecturers;
- (e) the Recognized Lecturers;
- (f) the Librarian; and
- (g) such other persons as the Council on the recommendation of the Senate may prescribe.

STATUTE 16.

Boards of Advisers.

1. A Board of Advisers shall be constituted as follows for each appointment of Professor, Reader and Senior Lecturer—
 - (a) the Vice-Chancellor, who shall be Chairman, or a deputy appointed by him;
 - (b) the President of the College to which the post is assigned, or a deputy appointed by him;
 - (c) one member of the Council, appointed by the Council, who is not a member of the College to which the post is assigned;
 - (d) one member appointed by the Board of Governors of the College to which the post is assigned;
 - (e) two members of the Senate, appointed by the Senate, who are not members of the Academic Board of the College to which the post is assigned;
 - (f) one member nominated by the Academic Board of the College to which the post is assigned;
 - (g) two external experts appointed by the Council who shall not be members of the academic staff of the University or of any of the Colleges.
2. (1) No person shall be recommended by a Board of Advisers for appointment as Professor or Reader or Senior Lecturer unless—
 - (a) the members of the Board of Advisers in categories (b), (d) and (f) set out in paragraph 1 concur; and
 - (b) the external experts certify in writing that the person to be recommended is of the required academic standing.
 (2) In the case of disagreement between the experts or between the members of the Board of Advisers in categories (b), (d) and (f) set out in paragraph 1 and the experts, the matter shall be referred to the Senate who may determine the dispute.
3. A Board of Advisers shall be constituted as follows for the conferment of each title of Recognized Lecturer—
 - (a) the Vice-Chancellor who shall be Chairman, or a deputy appointed by him;
 - (b) the President of the College at which the appointment is tenable, or a deputy appointed by him;

- (c) two members of the Senate, nominated by the Senate, who are not members of the College in which the appointment is tenable;
 - (d) one member appointed by the Academic Board of the College at which the appointment is tenable.
4. The conferment of a title of Recognized Lecturer shall not be recommended by a Board of Advisers unless the members of the Board of Advisers in categories (b) and (d) set out in paragraph 3 concur.
 5. A Board of Advisers shall be constituted as follows for the appointment of the Registrar—
 - (a) the Vice-Chancellor, who shall be Chairman, or a deputy appointed by him;
 - (b) the Chairman of the Council, or in his absence a person appointed by the Council;
 - (c) the President of each of the Colleges;
 - (d) three members of the Senate, appointed by the Senate, one from each College.
 6. A Board of Advisers shall be constituted as follows for the appointment of the Librarian—
 - (a) the Vice-Chancellor, who shall be Chairman, or a deputy appointed by him;
 - (b) three members of the Council, appointed by the Council one from each College;
 - (c) three members of the Senate, appointed by the Senate, one from each College;
 - (d) two external experts appointed by the Council who shall not be members of the academic staff of the University or of any of the Colleges.
 7. No person shall be recommended for appointment as Librarian by a Board of Advisers unless the external experts certify in writing that the person to be recommended is of the required academic and professional standing.

STATUTE 17.

Honorary and Emeritus Professors.

1. The Council may appoint Honorary Professors and may confer the title of Emeritus Professor on any Professor who has retired from office provided that such appointment or conferment is recommended by the Senate with the consent of the College in which the professorship will be or has been tenable as the case may be.
2. An Honorary or Emeritus Professor shall not *ex officio* be a member of the Senate or of any Faculty or of any Board of Studies.

STATUTE 18.

Retirement of Certain Officers and Academic Staff.

The Vice-Chancellor, all Professors, Readers and Senior Lecturers, the Registrar, the Librarian and persons holding such other appointments made by the Council as the Council may determine—

- (a) shall vacate their offices or appointments by the 30th day of September following the date on which they attain the age of sixty years unless the Council by a vote of at least two-thirds of the number of members

present shall request any such person to continue in his office or appointment for such period thereafter as it shall from time to time determine, or

- (b) may retire, or upon the direction of the Council shall retire, at any time between the ages of fifty-five and sixty.

STATUTE 19.

Resignations.

Any person wishing to resign from any office or membership of any body shall do so by notice in writing addressed to the Registrar.

STATUTE 20.

Removal from Office, Membership or Appointment.

1. The Council may for good cause as defined in paragraph 2 remove the Pro-Vice-Chancellor and Treasurer from their offices and any member of the Council other than those referred to in paragraphs (a) and (h) of section 11 of the Ordinance from his membership of the Council.
2. "Good cause" in paragraph 1 means—
 - (a) conviction of any felony or misdemeanor which shall be judged by the Council to be of an immoral, scandalous or disgraceful nature;
 - (b) actual physical or mental incapacity which shall be judged by the Council to prevent the proper execution of the duties of the office or membership; or
 - (c) any conduct which shall be judged by the Council to be of an immoral, scandalous or disgraceful nature.
3. The Council may for good cause as defined in paragraph 5 remove from their appointments the Vice-Chancellor, and Professor or Reader or Senior Lecturer, the Librarian, the Registrar and any other person holding in the University an academic or administrative appointment made by the Council.
4. The Council may and shall if requested by the person concerned or by any three members of the Council before such removal appoint a committee consisting of the Chairman of the Council, two other members of the Council and three members of the Senate to examine the complaint and to report to the Council thereon.
5. "Good cause" in paragraph 3 means—
 - (a) conviction of any felony or misdemeanor which the Council after consideration if necessary of a report of the Committee referred to in paragraph 4 shall deem to be of an immoral, scandalous or disgraceful nature;
 - (b) actual physical or mental incapacity which the Council after consideration if necessary of a report of the committee referred to in paragraph 4 shall deem to be such as to render the person concerned unfit for the execution of the duties of his office or appointment;
 - (c) conduct of an immoral, scandalous or disgraceful nature which the Council after consideration if necessary of a report of the committee referred to in paragraph 4 shall deem to be such as to render the person concerned unfit to continue to hold his office or appointment;
 - (d) conduct which the Council after consideration if necessary of a report of the committee referred to in paragraph 4 shall consider to be such as to constitute failure or inability to perform the duties of his office or appointment or to comply with the conditions of the tenure of his office or appointment.

6. Subject to the terms of his appointment no person referred to in paragraph 3 shall be removed from his appointment save for good cause as defined in paragraph 5 and in pursuance of the procedure specified in paragraph 4.

STATUTE 21.

The Students and Associate Students.

1. No student shall be permitted to pursue an approved course of study for a Bachelor's degree of the University unless he shall have—
 - (a) been admitted by and to one of the Colleges;
 - (b) been registered as a matriculated student of the University; and
 - (c) satisfied such other requirements for admission to the course as shall have been prescribed by regulation.
2. Notwithstanding paragraph 1, the Senate shall have power to regard as matriculated students of the University and admit to approved courses of study for a Bachelor's degree students who have been admitted to courses in the Foundation Colleges before the date of the establishment of the University.
3. No student shall be permitted to pursue an approved course of advanced study or research leading to a higher degree of the University unless he shall have—
 - (a) been admitted by and to one of the Colleges;
 - (b) been registered as an advanced student of the University; and
 - (c) satisfied such other requirements for admission to the course as shall have been prescribed by Regulation.
4. No student shall be permitted to pursue an approved course of study or research not leading to a degree or diploma of the University unless he shall have—
 - (a) been registered as an associate student of the University or of a College; and
 - (b) satisfied such other requirements for admission to the course as shall have been prescribed by regulation.
5. Each student shall be subject to the disciplinary control of the University except within the College of which he is a member.
6. Where a College expels or suspends a student, the Senate shall, within a period of two months of the order of such expulsion or suspension, consider the case and shall, if it think fit, expel or suspend the student concerned from the University.
7. The University may demand and receive from any student such fees as the Council may from time to time determine.
8. The Senate shall from time to time determine the requirements which must be fulfilled for matriculation as a student of the University.
9. There shall be a University Students Union. The constitution, functions, privileges and other matters relating to such Union shall be subject to the approval of the Council.

STATUTE 22.

Degrees and Other Awards.

1. The University may confer the degrees of Bachelor, Master and Doctor with the designations prescribed in paragraph 2 to students who—
 - (a) have attended a course of study, provided by the University or by one or more of the Colleges and approved by the University;

- (b) have passed the appropriate examination or examinations; and
 - (c) have complied in all other respects with the requirements prescribed therefor.
2. The degrees which may be conferred by the University shall have the following designations—
 - (a) in the Faculty of Arts—
Bachelor of Arts (B.A.)
Master of Arts (M.A.)
Doctor of Literature (D.Lit.)
 - (b) in the Faculty of Science—
Bachelor of Science (B.Sc.)
Master of Science (M.Sc.)
Doctor of Science (D.Sc.)
 - (c) in the Faculty of Commerce and Social Science—
Bachelor of Commerce (B.Comm.)
Master of Commerce (M.Comm.)
Doctor of Commerce (D.Comm.)
Bachelor of Social Science (B.S.Sc.)
Master of Social Science (M.S.Sc.)
Doctor of Social Science (D.S.Sc.)
 - (d) in all Faculties—
Doctor of Philosophy (Ph.D.)
 3. Save as provided by paragraph 4 the degree of Bachelor shall not be conferred upon a student unless he shall have attended approved courses of study as a matriculated student of the University for at least four academic years.
 4. The Senate may by way of special exceptions to the conditions prescribed in paragraph 3—
 - (a) accept as part of the attendance of a student qualifying him for the conferment of the degree of Bachelor periods of attendance as a matriculated student at another university recognized by the Senate for this purpose provided that the degree of Bachelor shall not be conferred upon such student unless—
 - (i) he shall have attended an approved course of study as a matriculated student of the University for at least two academic years, one of which shall be the final year; and
 - (ii) his total period of attendance as a matriculated student of this and another university or universities shall have been not less than three academic years;
 - (b) accept, until a date four years after the date of establishment of the University, as part of the attendance of a student qualifying him for the conferment of the degree of Bachelor attendance as a registered student of one or more of the Foundation Colleges before the establishment of the University provided that the degree of Bachelor shall not be conferred upon such student unless—
 - (i) he shall have attended as a matriculated student of the University at least the final year of an approved course of study for a Bachelor's degree; and
 - (ii) his total period of attendance as a matriculated student of the University and as a registered student of one or more of the Foundation Colleges shall have been not less than the complete period prescribed for the conferment of the degree.

5. The Senate may—

- (a) accept a certificate of proficiency in any subject issued by another university recognized for this purpose by the Senate; and
- (b) until a date four years after the establishment of the University, accept a certificate of proficiency in any subject issued by any of the Foundation Colleges as the result of an examination taken not later than the year of establishment of the University,

as exempting from any examination of the University in such subject for the degree of Bachelor other than an examination qualifying for that degree in the final year of an approved course of study therefor.

- 6. Save as provided in paragraphs 10 and 11, the degree of Master shall not be conferred upon any person in any Faculty unless he has pursued an approved course of study or research for a period of at least twelve months after satisfying the requirements for the conferment of the degree of Bachelor in the Faculty concerned or after admission as a research student in terms of paragraph 9.
- 7. Save as provided in paragraphs 10 and 11 the degree of Doctor of Philosophy in any Faculty shall not be conferred upon any person unless he has—
 - (a) followed an approved course of research as a student of the University for a period of at least twenty-four months after satisfying the requirements for the conferment of the degree of Bachelor in the Faculty concerned or after admission as a research student in terms of paragraph 9; and
 - (b) submitted a thesis which is certified by examiners to make a distinct contribution to the knowledge or understanding of the subject and to afford evidence of originality shown either by the discovery of new facts or by the exercise of independent critical power.
- 8. Save as provided in paragraphs 10 and 11 the degree of Doctor of Literature, Doctor of Science or Doctor of Social Studies shall not be conferred upon any person unless—
 - (a) he shall be a graduate of the University of not less than seven years standing; and
 - (b) he shall have made in the opinion of the examiners a sustained contribution of distinction to the advancement of his subject.
- 9. A person who has graduated in another university or who as a registered student of one of the Foundation Colleges has obtained before the date of establishment of the University a diploma or certificate issued by or on behalf of such Foundation College may be specially exempted from the matriculation requirement of the University and may be admitted as a research student and may proceed to the degree of Master or Doctor under such conditions as may be prescribed by the Statutes and by decrees and regulations made thereunder.
- 10. The Senate may recommend the conferment of the degree of Master or Doctor in any Faculty on any member of the academic staff of the University or on any full-time member of the teaching staff of any of the Colleges and for this purpose may exempt any such person from any of the requirements prescribed for the conferment of the degree other than the examination therefor.
- 11. The Council may recommend the conferment without requiring attendance or examination of a degree of Master or Doctor *honoris causa* upon any person who has rendered distinguished service in the advancement of any branch of learning or who has otherwise rendered himself worthy of such a degree; provided that the holder of a degree which has been conferred *honoris causa* shall not, by the fact that he has been admitted thereto, be entitled to practise any profession.

- 12. The Council shall not recommend the conferring of any degree of Master or Doctor *honoris causa* except after consideration of recommendations submitted by an Honorary Degrees Committee consisting of—
 - (a) the Chancellor;
 - (b) the Vice-Chancellor;
 - (c) the Presidents of the several Colleges;
 - (d) the Chairman of the Council;
 - (e) two members of the Council nominated by the Council; and
 - (f) members of the Senate, equal in number to the number of the Colleges, elected by the Senate so that there shall be one member of the Academic Board of each College.
- 13. The University may award diplomas and certificates—
 - (a) to students who—
 - (i) have attended a course of study provided by the University or by one or more of the Colleges and approved by the University;
 - (ii) have passed the appropriate examination or examinations; and
 - (iii) have complied in all other respects with the requirements prescribed therefor; and
 - (b) to persons other than those provided for in sub-paragraph (a) above who are deemed by the Senate to possess the qualification appropriate for the award of such diplomas and certificates provided that such persons—
 - (i) have pursued a course of study therefor at one or more educational institutions in Hong Kong recognized for this purpose by the Senate; and
 - (ii) have passed the appropriate examination or examinations of the University.
- 14. Subject to the right of appeal from the decision of the Senate to the Council and from the decision of the Council to the Chancellor, the Senate may deprive any person who has been convicted of a felony or who in their opinion has been guilty of dishonourable or scandalous conduct of any degree, diploma, certificate or other award of the University.

STATUTE 23.

Examinations.

Every examination or other test of the University qualifying in any subject in the final year of study for a degree or diploma or qualifying for a higher degree of the University shall be conducted by a board of examiners which shall consist of—

- (a) one or more internal examiners who shall be Appointed Teachers or Recognized Lecturers in the subject of the examination; and
- (b) one or more external examiners who shall not be members of the academic staff of the University or of any of the Colleges and who shall not have taken part in the teaching of the candidates.

STATUTE 24.

Central Activities.

The central activities of the University shall be those for which the University is directly responsible and shall include the work of—

- (a) the administrative headquarters of the University;
- (b) the University library and laboratories;
- (c) such other buildings, institutes and organized activities as shall be determined by the Council.

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 18th day of September, 1963, and is found by me to be a true and correctly printed copy of the said Bill.

Gustav.

Deputy Clerk of Councils.

(Secretariat CR12/204/63)

HONG KONG

No. 29 OF 1963.



I assent.

Governor.

19th September, 1963.

An Ordinance to amend the Crown Lands Resumption Ordinance,
Chapter 124.

[20th September, 1963.]

BE it enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof, as follows—

1. This Ordinance may be cited as the Crown Lands Resumption (Amendment) Ordinance, 1963. Short title.

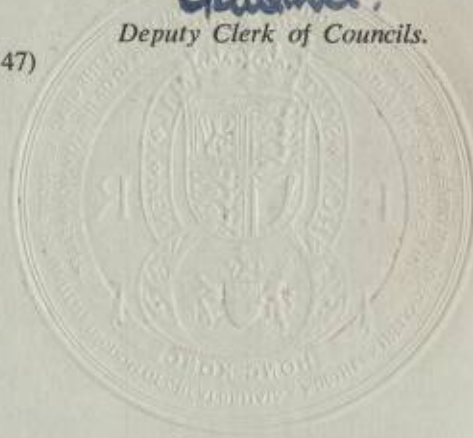
2. Section 6 of the Crown Lands Resumption Ordinance is amended in subsection (2) by the deletion of the words "or justice of the peace" and the substitution therefor of the following— Amendment of section 6. (Cap. 124).

" , justice of the peace, barrister at law or solicitor".

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 18th day of September, 1963, and is found by me to be a true and correctly printed copy of the said Bill.

(Secretariat BL3/5/4911/47)

C. S. Lo
Deputy Clerk of Councils.



HONG KONG

No. 30 OF 1963.



I assent.

Governor.

10th October, 1963.

An Ordinance to authorize a supplementary appropriation to defray the charges of the financial year ended the 31st day of March, 1963.

[11th October, 1963.]

WHEREAS it has become necessary to make further provision for the public service of the Colony for the financial year ended the 31st day of March, 1963, in addition to the charge upon the revenue and other funds of the Colony authorized by the Appropriation (1962-63) Ordinance, 1962: Preamble.

NOW, THEREFORE, BE IT ENACTED by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof, as follows—

1. This Ordinance may be cited as the Supplementary Appropriation (1962-63) Ordinance, 1963. Short title.

Appropriation from general revenue and other funds, Schedule.

2. A sum of six million, five hundred and fifty-six thousand, four hundred and ninety-five dollars is hereby charged upon the revenue and other funds of the Colony for the service of the financial year ended the 31st day of March, 1963, the appropriation of the sum so charged being approved as specified in the Schedule

SCHEDULE.

<i>Number of Vote.</i>	<i>Head of Expenditure.</i>	<i>Amount of Vote.</i>
		\$
26.	Colonial Secretariat & Legislature	326,575
27.	Commerce and Industry Department	510,776
30.	Defence: Hong Kong Regiment (The Volunteers)	464,090
31.	Defence: Hong Kong Royal Naval Reserve	32,330
35.	Defence: Auxiliary Medical Service	21,350
51.	Miscellaneous Services	1,794,397
63.	Public Works Recurrent	180,744
73.	Stores Department	2,039,334
77.	Subventions: Miscellaneous	1,087,779
83.	Colonial Development and Welfare Schemes	99,120
	Total	\$6,556,495

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 9th day of October, 1963, and is found by me to be a true and correctly printed copy of the said Bill.

C. Foster.

Deputy Clerk of Councils.

(Secretariat FIN3/2311/62)

HONG KONG

No. 31 OF 1963.



I assent.

Governor.

24th October, 1963.

An Ordinance to amend the Places of Public Entertainment Ordinance, Chapter 172.

[25th October, 1963.]

BE it enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof, as follows—

1. This Ordinance may be cited as the Places of Public Entertainment (Amendment) Ordinance, 1963. Short title.

2. Section 2 of the Places of Public Entertainment Ordinance (hereinafter referred to as the principal Ordinance) is amended by the addition after the words "In this Ordinance—" of the following new definition— Amendment of section 2. (Cap. 172).

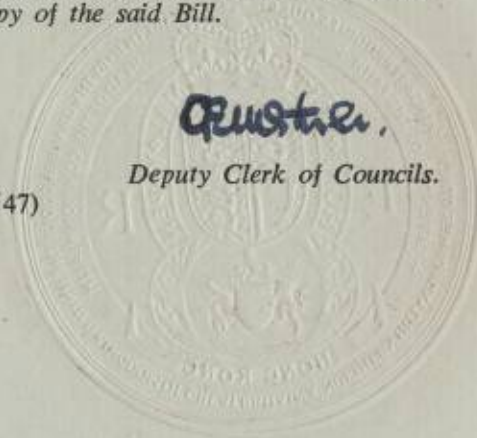
“Building Authority” means the Director of Public Works;”

3. The principal Ordinance is amended by the addition, after section 2, of the following new section— Addition of new section 2A.

“Delegation of powers. **2A.** Where under any provision of this Ordinance any powers are conferred upon a public officer, such powers

may be exercised by any public officer in the same department as that of the officer on whom the powers are conferred who is authorized in writing in that behalf by such officer."

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 23rd day of October, 1963, and is found by me to be a true and correctly printed copy of the said Bill.



Quater.

Deputy Clerk of Councils.

(Secretariat GR73/3231/47)

HONG KONG

No. 32 OF 1963.



I assent.

Governor.

24th October, 1963.

An Ordinance to amend the Public Health and Urban Services Ordinance, 1960.

[25th October, 1963.]

BE it enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof, as follows—

1. This Ordinance may be cited as the Public Health and Urban Services (Amendment) Ordinance, 1963. Short title.

2. Section 2 of the Public Health and Urban Services Ordinance, 1960 (hereinafter referred to as the principal Ordinance) is amended— Amendment of section 2. (30 of 1960).

(a) by the deletion, in the definition "food", of item (a) and the substitution therefor of the following—

"(a) water, live animals, live birds or live fish (excluding shell fish);"

- (b) by the insertion, after the definition "food", of the following—
 "“Force” means the Hawker Control Force established by the Hawker Control Force Ordinance, 1960;”;
- (c) by the deletion of the definition "Hawker Control Force";
- (d) by the insertion in the definition "milk", after the words "cows milk", of the following—
 “, buffaloes milk and goats milk;” and
- (e) by the deletion, in the definition "premises", of the word "easements" and the substitution therefor of the following—
 "basements".

Amendment
of section 27.

3. Section 27 of the principal Ordinance is amended—

- (a) in subsection (1), by the insertion, after the words "upon the owner, of such premises", of the following—
 “, or, where the premises consist of a building site or a building under construction, upon such person as shall have been appointed and shall have accepted the appointment as registered contractor in respect of such site in accordance with the provisions of regulations made under the Buildings Ordinance, 1955”; and
- (b) in subsection (3), by the insertion, after the words "the owner thereof", of the following—
 “or, where the premises consist of a building site or a building under construction, such person as shall have been appointed and shall have accepted the appointment as registered contractor in respect of such site in accordance with the provisions of regulations made under the Buildings Ordinance, 1955”.

(68 of 1955).

(68 of 1955).

Amendment
of section 84.

4. Section 84 of the principal Ordinance is amended by the deletion of subsection (4).

Repeal and
replacement
of section 85.

5. Section 85 of the principal Ordinance is repealed and replaced by the following—

“Procedure
for dealing
with arrested
person, etc.

85. (1) Any person (hereinafter referred to as an arrested person) who is arrested under subsection (1) of section 84 by a public officer shall forthwith be taken to the nearest police station or to the nearest Force duty room or given into the custody of a police officer.

- (2) Whenever an arrested person is brought to the police station the provision of section 47 of the Police Force Ordinance shall apply.
- (3) Whenever an arrested person is brought to a Force duty room the provision of section 19 of the Hawker Control Force Ordinance, 1960 shall apply.
- (4) Whenever an arrested person is given into the custody of a police officer, the provisions of sections 46 and 47 of the Police Force Ordinance shall apply.”.

(Cap. 232).

(31 of 1960).

(Cap. 232).

6. Section 86 of the principal Ordinance is amended—

Amendment
of section 86.

(a) in subsection (1)—

- (i) by the deletion of the words "any police officer or"; and
 (ii) by the insertion, after the words "particular case", of the following—

“, or any police officer”; and

(b) in subsection (2)—

- (i) by the deletion of the words and commas "the Authority for its return, the Authority shall, if" and the substitution therefor of the following—

“the Commissioner of Police or the Authority, as the case may be, for its return, the Commissioner of Police or the Authority, as the case may be, shall, if he or”; and

- (ii) by the deletion of the words "as it may consider just" and the substitution therefor of the following—

“as he or it may consider just”.

7. Section 93 of the principal Ordinance is amended by the insertion in subsection (1) and in subsection (2), after the words "by notice in writing", of the following—

Amendment
of section 93.

“served on the owner or on the licensee of the scheduled premises”.

8. Section 94 of the principal Ordinance is amended by the deletion of subsection (3) and the substitution therefor of the following—

Amendment
of section 94.

“(3) Any supplier who furnishes to the licensee of any such premises, for the purposes of this section, a certificate which is false or misleading shall be guilty of an offence.

(4) In this section, "supplier" means the importer or manufacturer of the ventilation system and his authorized agent.”.

Amendment
of section 95.

9. Section 95 of the principal Ordinance is amended, in subsection (1)—

(a) by the insertion, after the words "every ventilating system", of the following—

"in any scheduled premises"; and

(b) in paragraph (f)—

(i) by the deletion of sub-paragraph (iii) and the substitution therefor of the following—

"(iii) where its size is sufficient to allow any person to enter therein, be fitted with access openings to allow a person to enter the same for the purpose of cleaning, and shall be constructed to bear the weight of any person who has so entered;";

(ii) by the insertion, in sub-paragraph (iv) after the word "floor" wherever it occurs, of the following—

", wall or ceiling"; and

(iii) by the deletion, in sub-paragraph (iv), of the commas and words ", constructed of iron or steel not less than a quarter inch in thickness,".

Amendment
of section 96.

10. Section 96 of the principal Ordinance is amended by the deletion, in subsection (2), of the words "at the commencement of this Ordinance" and the substitution therefor of the following—

"otherwise than pursuant to the requirements of a notice given under the provisions of subsection (1) or (2) of section 93".

Amendment
of section 97.

11. Section 97 of the principal Ordinance is amended by the insertion in subsection (1), after the words "ventilating system", of the following—

"in any scheduled premises".

Amendment
of section
105.

12. Section 105 of the principal Ordinance is amended by the insertion in subsection (1), after the words "fire hazard", of the following—

"or an obstruction to any fire escape or other means of exit from any building".

Repeal and
replacement
of section
107.

13. Section 107 of the principal Ordinance is repealed and replaced by the following—

"Management
and control
of public
pleasure
grounds.

107. (1) The general management and control of public pleasure grounds, including the exclusive right to provide amenities of any kind, shall be vested in the Authority.

(2) The Authority may demarcate playing fields and playing pitches for the conduct of organized games and sports, construct tennis courts and make such provision for other facilities for physical and other recreation as it may consider fit.

(3) Subject to the provisions of subsection (1) of section 106 and of subsection (4) the Authority may, from time to time, specify the purpose for which any public pleasure ground or any part of any such ground may be used, whether for the provision of facilities for physical or other recreation or otherwise.

(4) The Governor, where he considers it necessary or desirable, may require the Authority to refrain from using, or permitting the use of, any public pleasure grounds or any part of any public pleasure grounds for any purposes which may have been specified by it under the provisions of subsection (3)."

14. The Third Schedule to the principal Ordinance is amended—

Amendment
of Third
Schedule.

(a) by the deletion in the second column, opposite the figures, word and symbols "56(1) and (5)", of the words "Urban Council" and the substitution therefor of the following—

"Urban Council and, in respect of drugs, Director of Medical and Health Services."; and

(b) by the deletion, in the first column, of the figures, word and symbols "107(1) and (2)" and the substitution therefor of the following—

"107(1), (2), (3) and (4)".

15. The Fifth Schedule to the principal Ordinance is amended by the insertion in Part II, in the first and second columns in the appropriate places in alphabetical order, having regard to the initial letters of each of them, of the following items—

Amendment
of Fifth
Schedule.

"Buddhist Cemetery	Cape Collinson";
"Chinese Permanent Cemetery	Cape Collinson";
"Muslim Cemetery	Cape Collinson";
"Roman Catholic Cemetery	Cape Collinson".

16. The Sixth Schedule to the principal Ordinance is amended—

Amendment
of Sixth
Schedule.

(a) by the insertion, respectively in the first, second and third columns, after the item in the first column "81(2)", of the following—

"94(3)	Urban Council	Director of Urban Services"; and
--------	---------------	-------------------------------------

- (b) by the deletion in the second and third columns, opposite the figures in the first column "115(3)", "117(2)" and "118(2)", of the word "Fourth" and the substitution therefor of the following—

"Fifth".

Amendment
of Seventh
Schedule.

17. The Seventh Schedule to the principal Ordinance is amended by the deletion of Forms B and C.

Amendment
of Ninth
Schedule.

18. The Ninth Schedule to the principal Ordinance is amended by the deletion in the third and fourth columns thereof of the following—

"By-laws under the heading Section 29."

"Latrine Accommodation."

Amendment
of Tenth
Schedule.

19. The Tenth Schedule to the principal Ordinance is amended—

- (a) by the insertion in column 1, after the figures and symbols "27(2) (a)", of the following—

"or (3)";

- (b) by the deletion in the first, second and third columns, of the following—

"27(3) \$200 fine —"; and

- (c) by the insertion, respectively in the first, second and third columns, after the item in the first column "81(2)", of the following—

"94(3) \$1,000 fine —".

Amendment
of Regula-
tions.
(G.N.A.
74/60).

20. Regulation 2 of the Food and Drugs (Composition and Labeling) Regulations, 1960, is amended by the insertion, after the definition "container", of the following—

" "milk" means cows milk and includes cream and separated milk but does not include dried milk, condensed milk or reconstituted milk or buffaloes milk or goats milk."

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 23rd day of October, 1963, and is found by me to be a true and correctly printed copy of the said Bill.

Christina
Deputy Clerk of Councils.

(Secretariat GR8/3281/54)

HONG KONG

No. 33 OF 1963.



I assent.

[Handwritten signature of the Governor]

Governor.

7th November, 1963.

An Ordinance to amend the Summary Offences Ordinance.

[8th November, 1963.]

BE it enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof, as follows—

1. This Ordinance may be cited as the Summary Offences Short title. (Amendment) Ordinance, 1963.

2. Section 9 of the Summary Offences Ordinance (hereinafter referred to as the principal Ordinance) is repealed and replaced by the following—

Repeal and
replacement
of section 9.
(Cap. 228).

"Occupation,
etc. of
Crown land
without a
licence.

9. (1) Any person who, except under and in accordance with a valid current licence or permit issued by a lawful authority, occupies any land which is not held under a Crown lease shall be guilty of an offence and, on summary conviction, shall be liable to a fine of one thousand dollars.

(2) On the conviction of any person under subsection (1), a court, in addition to any other penalty which may be imposed, may by order authorize the forcible eviction from the land of any person and the demolition and removal from the land of any structure or thing found thereon and may order to be paid to the Crown such sum as may be reasonable claimed by the Crown as being the cost of enforcement of the order.

(3) Where it is shown to the satisfaction of a court that a contravention of the provisions of subsection (1) has been committed in respect of any land, the court may make an order under subsection (2) notwithstanding that no person has been convicted under subsection (1) in respect of the occupation of the land.

(4) The provisions of subsection (1) shall not apply to—

- (a) any person who lawfully entered upon the land in accordance with a lease from the Crown or a licence or permit issued by a lawful authority so long as such person has continued in uninterrupted occupation of the land since the date of expiry or determination of the lease, licence or permit; or
- (b) the erection of such structure of wood or of bamboo on the land as is necessary for the removal from the house of a dead body, for a period of forty-eight hours from the commencement of the erection of such structure or such greater period as may be specified in a permit in writing previously issued by the Commissioner of Police.

(5) In this section—

“Crown lease” means a lease granted by the Crown and any agreement for a lease by the Crown;

“lawful authority” means such person as may be designated by regulations made under section 36 to be the lawful authority in respect of any land and any public officer authorized under section 2A to exercise the powers of the lawful authority under this section and such regulations.

(6) A prosecution for an offence under subsection (1) shall not be instituted except by or with the consent of the Attorney General.”

3. Section 36 of the principal Ordinance is repealed and replaced by the following—

Repeal and replacement of section 36.

“Regulations.

36. The Governor in Council may by regulation provide for—

- (a) the designation of lawful authorities for the purposes of sections 3 and 9;
- (b) the issue by lawful authorities of licences and permits under sections 3 and 9 and the conditions to be prescribed in any such licence or permit and the determination of any licence or permit issued under these sections;
- (c) the fees which may be charged for the issue of any licence or permit under this Ordinance and the issue of licences and permits without payment of fee;
- (d) the control of noises and the delineation of areas under section 12; and
- (e) generally for the better carrying out of the provisions of this Ordinance.

Conditions of issue of a permit.

37. On the issue of a licence or permit under section 3 or section 9, a lawful authority may make the licence or permit subject to any conditions—

- (a) not inconsistent with the provisions of this Ordinance or of any regulations made under section 36; and
- (b) not imposing any fee greater than the appropriate fee prescribed by such regulations.”

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 6th day of November, 1963, and is found by me to be a true and correctly printed copy of the said Bill.

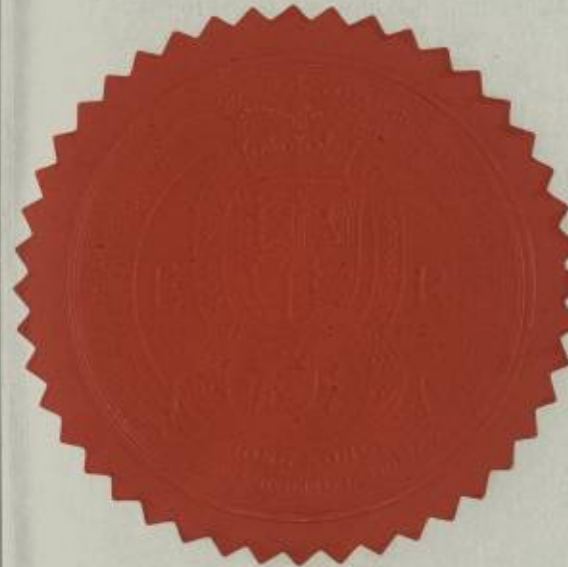
C. R. S. S. S.

Deputy Clerk of Councils.

(Secretariat BL1/741/63)

HONG KONG

No. 34 OF 1963.



I assent.

Governor.

7th November, 1963.

An Ordinance to provide for the establishment and administration of a trust fund to be known as the Li Po Chun Charitable Trust Fund and for the purposes connected therewith.

[8th November, 1963.]

BE it enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof, as follows—

1. This Ordinance may be cited as the Li Po Chun Charitable Trust Fund Ordinance, 1963. Short title.

2. In this Ordinance, unless the context otherwise requires—
“committee” means the Li Po Chun Charitable Trust Fund Committee established in accordance with the provisions of section 5;
“fund” means the Li Po Chun Charitable Trust Fund;
“member” means a member of the committee;
“trustee” means the Secretary for Chinese Affairs Incorporated as trustee of the fund.

Interpreta-
tion.

Establishment of fund.
Schedule.

3. (1) There is hereby established a trust fund to be known as the Li Po Chun Charitable Trust Fund which shall consist of the shares enumerated in the Schedule hereto, donated by Li Po Chun to the Government, together with any interest thereon which shall have accrued prior to the commencement of this Ordinance and together with such further monies and assets as may from time to time be donated to the fund and accepted by the committee, or any investments from time to time representing any such monies and together with such interest and income derived from any such monies and assets.

(2) The committee may, from time to time, solicit and accept on behalf of the trustee donations and bequests to the fund:

Provided that it shall be a condition of the acceptance by the committee of any further donations to the fund that the name of the fund shall remain unchanged.

The trustee.
(Cap. 310).

4. (1) The fund is hereby vested in the Secretary for Chinese Affairs Incorporated, a body corporate incorporated under and by virtue of the Secretary for Chinese Affairs Incorporation Ordinance, as trustee.

(2) The trustee shall hold the fund upon the trusts and with and subject to the powers and provisions hereinafter contained in this Ordinance.

Administration of the fund.

5. (1) The fund shall be administered by a committee, to be known as the Li Po Chun Charitable Trust Fund Committee which shall consist of—

- (a) the Secretary for Chinese Affairs who shall be the chairman of the committee;
- (b) Li Po Chun or, during his lifetime, his nominee and after his death such person as may be nominated to be a member in accordance with the provisions of subsection (2);
- (c) not more than three members appointed by the Governor.

(2) Li Po Chun may by deed executed in his lifetime or by his will appoint any descendant of Li Po Chun to take his place on the committee or to exercise the power to nominate a representative on the committee and such right to sit on the committee and such power of nomination of a representative to sit on the committee may be passed by deed or will by any such person and by any other person to whom such right and power have been duly passed by deed or by will:

Provided that—

- (a) save as is hereinafter provided, the right to be a member or the power to nominate a member in substitution for Li Po Chun shall not be exercised other than by a descendant of Li Po Chun; and

- (b) if at any time any descendant of Li Po Chun who has a right to be a member or the power to nominate a person to be a member dies without having nominated any person to take his place, the power of such nomination shall vest in the Governor who may appoint a descendant of Li Po Chun to be a member or, if no descendant of Li Po Chun is available and in the Colony and willing to be a member, may appoint any other person to be a member so long only as no descendant of Li Po Chun is available and in the Colony and willing to be a member, such power to be in addition to and not in derogation from the power of appointment conferred by paragraph (c) of subsection (1).

(3) A member appointed by the Governor shall hold office for three years from the date of his appointment, and may be re-appointed or removed by the Governor at his pleasure.

(4) The quorum necessary for the transaction of the business of the committee may be fixed by rules made under section 8 and unless so fixed, three members shall form a quorum.

6. (1) Subject to the provisions of subsection (2), the trustee shall apply the income of the fund, in each year ending on the 31st day of August, at the direction of the committee—

The trust.

- (a) as to not more than one thousand four hundred pounds sterling in the payment for the education, travelling expenses and maintenance in the United Kingdom for the purpose of post-graduate training for periods of up to two years of graduates of universities established in Hong Kong, each such graduate to be resident in Hong Kong at the date of the award and not concurrently holding any other award and to be selected by a Selection Board appointed by the Director of Education, not more than one graduate to be selected in each year and the continuation for a second year of every such award being dependent on the Director of Education being satisfied as to the progress and conduct of the recipient thereof and not more than seven hundred pounds sterling to be paid to any graduate in any year;
- (b) out of the balance remaining after making provision for the payments referred to in paragraph (a), in the payment, by the award of the following Li Po Chun Scholarships for the education of students resident in the Colony—
 - (i) seven scholarships in each of the following schools—
 - (a) King's College;
 - (b) Queen's College;
 - (c) Queen Elizabeth School;
 - (d) Belilios Public School;

(ii) one scholarship of one thousand two hundred and fifty dollars each year in the University of Hong Kong to a student selected by the Registrar thereof from poor students who are considered to be sufficiently intelligent and progressive to profit from such education. This scholarship shall extend to a degree course in any faculty beginning in the first year of attendance at the University and shall be tenable, subject to satisfactory progress and conduct for three years:

Provided that—

- (a) any one scholarship granted may, at the discretion of the Registrar of the University, be extended to a degree course in a faculty tenable longer than three years, beginning in the first year of attendance at the University;
- (b) a second new scholarship may be granted while the first scholarship duly granted is in progress and that a third scholarship may be granted while the first and the second scholarships are in progress and so forth;
- (c) the total amount designated for the scholarship under this sub-paragraph shall not exceed three thousand seven hundred and fifty dollars per annum in all.

(iii) one hundred scholarships in Chinese middle schools for poor students selected by the Director of Education and being considered by him as being sufficiently intelligent and progressive to profit from such education:

Provided that the total amount for the purpose of these scholarships shall not exceed thirty-two thousand dollars per annum.

- (c) as to the balance of such income remaining after making provision for the payments referred to in paragraphs (a) and (b), to provide the Director of Social Welfare with funds to enable him to assist those in distress to overcome any period of difficulty in cases where no adequate relief or assistance is available from other sources,

(2) If in any year the committee is of the opinion that it is not practicable or desirable to apply any part of the income arising from the fund in that year, whether or not such part has been allocated to a specific object in accordance with the provisions of subsection (1), such part of the income may be retained and may be invested as capital and in any subsequent year may be applied towards any of the objects of the fund set forth in subsection (1).

7. The trustee may invest any monies of the fund including the proceeds of the realization of any of the shares enumerated in the Schedule hereto in such investments, whether or not such investments are trust investments, as the committee may advise, subject, in the case of investments which are not trust investments, to the prior approval of the Financial Secretary and may remit monies comprised in the fund through the Accountant General to the Crown Agents for investment in the name of the trustee. Investments.

8. (1) The committee may make rules for its procedure in the transaction of business and the maintenance of good order at meetings and generally all matters relating to the administration and management of the fund and the discharge of the duties of the committee. Rules.

(2) A copy of every rule made in accordance with the provisions of subsection (1) shall be furnished to the Colonial Secretary and any such rule shall be subject to disallowance or amendment at any time by the Governor.

9. (1) The committee shall have power to write off from the monies of the fund any sums which the committee finds to be irrecoverable. Express powers of committee.

(2) Save as is provided in subsection (2) of section 6, the committee shall not have power to apply or to direct that the trustee should apply any of the capital funds of the trust as income.

10. All questions which may arise at any meeting of the committee shall be decided by a majority of votes by members present and, in the case of equality of votes, the chairman shall have a casting vote in addition to his original vote: Determination of questions at meeting.

Provided that in any case in which the committee is equally divided in opinion without the casting vote of the chairman, any three members of the committee may demand that the point be referred to the Governor for his decision and in such event the decision of the Governor shall be final.

11. (1) The trustee shall cause proper accounts to be kept of all transactions of the fund and shall cause to be prepared for the period from the commencement of this Ordinance to the 31st day of August, 1963, and thereafter for every period of twelve months ending on the 31st day of August in each year, a statement of the accounts of the fund, which statement shall include an income and expenditure account and a balance sheet and shall be signed by the trustee. Accounts.

(2) The accounts of the fund and the signed statement of accounts shall be audited by the Director of Audit who shall certify the statement subject to such report, if any, as he may think fit.

(3) A copy of the signed and audited statement of accounts together with the report, if any, of the Director of Audit and a report by the trustee on the administration of the fund during the period covered by the audited accounts shall be laid on the Table of the Legislative Council not later than the 28th day of February next following the end of such period, or so soon thereafter as the Governor, in his absolute discretion, may allow.

Cost of
administra-
tion.

12. The cost of administering the fund other than the salaries and fees paid under the provisions of subsection (2) of section 13 shall be a charge on the general revenue of the Colony:

Provided that the Financial Secretary may direct that an annual supervision fee to be determined by him shall be charged against the income of the fund and paid into the general revenue of the Colony.

Servants and
advisers.

13. (1) The committee may appoint upon such salary and upon such terms as it may think proper such servant as it may think necessary for the purpose of carrying out the provisions of this Ordinance, and may employ any professional person to advise it on any matter arising out of or in connexion with such provisions.

(2) All salaries and fees of any person so appointed or employed shall be paid by the trustee out of the fund.

Saving.

14. Nothing in this Ordinance shall affect or be deemed to affect the rights of Her Majesty the Queen, Her Heirs or Successors, or the rights of any body politic or corporate or of any other persons except such as are mentioned in this Ordinance and those claiming by, from or under them.

SCHEDULE.			[s. 3.]
Item	No. of Shares	Corporation	
1.	20,000	China Light & Power Co. Ltd.	
2.	20,000	Hong Kong Electric Co. Ltd.	
3.	10,000	China Provident Co. Ltd.	
4.	20,000	Hong Kong Tramways Ltd.	
5.	1,000	Hong Kong & Kowloon Wharf & Godown Co. Ltd.	
6.	10,000	Humphrey's Estate & Finance Co. Ltd.	

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 6th day of November, 1963, and is found by me to be a true and correctly printed copy of the said Bill.

Opus

Deputy Clerk of Councils.

(Secretariat CR12/3231/59)

HONG KONG

No. 35 OF 1963.



I assent.

R. J. Shaw

Governor.

5th December, 1963.

An Ordinance to amend the Copyright Ordinance.

[6th December, 1963.]

BE it enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof, as follows—

1. This Ordinance may be cited as the Copyright (Amendment) Ordinance, 1963. Short title.

2. Section 3 of the Copyright Ordinance is amended—

(a) in subsection (1), by the deletion of the following, namely, "shall be guilty of an offence and shall upon summary conviction be liable to a fine of fifty dollars for every copy dealt with in contravention of this section, but not exceeding one thousand dollars in respect of the same transaction, or in the case of a second or subsequent offence, either to such fine or to imprisonment for three months." and the substitution therefor of the following—

Amendment
of section 3.
(Cap. 39).

"shall be guilty of an offence and shall be liable on summary conviction to a fine of five hundred dollars for every copy dealt with in contravention of this section,

but not exceeding ten thousand dollars in respect of the same transaction, or in the case of a second or subsequent conviction, to a fine of fifty thousand dollars and to imprisonment for twelve months.”;

- (b) in subsection (2), by the deletion of the following, namely, “one thousand dollars, or in the case of a second or subsequent offence, either to such fine or to imprisonment for three months.” and the substitution therefor of the following—

“ten thousand dollars, or in the case of a second or subsequent conviction, to a fine of fifty thousand dollars and imprisonment for twelve months.”;

- (c) by the insertion of the following new subsection—

“(4) Where it appears to any police officer that any copies of a work in which copyright subsists or any plates for the purpose of making any such copies which have come into the possession of the police are infringing copies of any such work or plates for the purpose of making infringing copies of such work, he may, where no proceedings are taken against any person in respect of an offence against this section, make application to a magistrate for a destruction order in respect of such infringing copies or plates and upon such application, the magistrate, if he is satisfied that the copies or plates are infringing copies shall order their destruction.”.

This printed impression has been carefully compared by me with the Bill which passed the Legislative Council on the 4th day of December, 1963, and is found by me to be a true and correctly printed copy of the said Bill.

Quistler.

Deputy Clerk of Councils.

(Secretariat GR3245/57)

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