

- (b) by deleting subsection (2) and substituting the following—

"(2) The Authority may by notification in the *Gazette* declare any public cemetery or any Commonwealth War Graves Commission Cemetery, or any part of such a cemetery, to be closed."

Amendment of section 117.

4. Section 117(1) of the principal Ordinance is amended by inserting after "public cemetery" the following—

"or any Commonwealth War Graves Commission Cemetery".

Amendment of Third Schedule.

5. The Third Schedule to the principal Ordinance is amended in the second column—

- (a) in the item relating to section "114(1) and (2)", by deleting "Parts I and II" and substituting the following—

"Parts I, II and IVA";

- (b) in the item relating to section "115(1) and (2)", by inserting after "Schedule" the following—

"and Director of Urban Services in respect of cemeteries specified in Part IVA of the Fifth Schedule";

- (c) in the item relating to section "116(1) and (2)", by inserting after "Schedule" the following—

"and Director of Urban Services in respect of cemeteries specified in Part IVA of the Fifth Schedule";

- (d) in the item relating to section "118(2)", by deleting "Urban Council" and substituting the following—

"Director of Urban Services in respect of any place in a cemetery specified in Part IVA of the Fifth Schedule, and Urban Council in respect of any other place".

Amendment of Fifth Schedule.

6. The Fifth Schedule to the principal Ordinance is amended—

- (a) in Part II by deleting the following—

"Sai Wan War Cemetery	Cape Collinson Road
Stanley Military Cemetery	Stanley"; and

- (b) by adding, after Part IV, the following new Part—

"PART IVA

Commonwealth War Graves Commission Cemeteries

Sai Wan War Cemetery	Cape Collinson Road
Stanley Military Cemetery	Stanley".

Amendment of Sixth Schedule.

7. The Sixth Schedule to the principal Ordinance is amended in the second column—

- (a) in the item relating to section "117(2)", by inserting after "Schedule" the following—

", and Director of Urban Services in respect of cemeteries specified in Part IVA of Fifth Schedule"; and

- (b) in the item relating to section "118(2)", by deleting "Urban Council" and substituting the following—

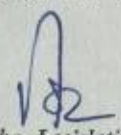
"Director of Urban Services where the offence was committed in any place in a cemetery specified in Part IVA of the Fifth Schedule, and Urban Council where the offence was committed in any other place".

8. The Ninth Schedule to the principal Ordinance is amended in the item relating to section "117(2)" by deleting "20" and substituting the following—

"100".

Amendment of Ninth Schedule.

Passed by the Hong Kong Legislative Council this 28th day of October, 1976.


Clerk to the Legislative Council.

This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.


Clerk to the Legislative Council.



I assent.

Samuel Roberts

Acting Governor.

25th November, 1976.

An Ordinance to amend the Medical Registration Ordinance.

HONG KONG

No. 70 OF 1976



I assent.

David Roberts

Acting Governor.

25th November, 1976.

An Ordinance to amend the Medical Registration Ordinance.

[26th November, 1976]

Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

1. This Ordinance may be cited as the Medical Registration (Amendment) Ordinance 1976. Short title.

2. Section 2 of the principal Ordinance is amended by inserting the following new definitions in the appropriate alphabetical order— Amendment of section 2. (Cap. 161.)

“Committee” means the Licentiate Committee of the Medical Council of Hong Kong established under section 20C;”;

“Licentiate” means any person holding a licence granted under section 13A;”.

3. Section 6(1) of the principal Ordinance is amended— Amendment of section 6.

(a) by deleting “and” at the end of paragraph (a);

(b) by deleting the full stop at the end of paragraph (b) and substituting a semicolon; and

(c) by adding after paragraph (b) the following new paragraphs—

“(c) in Part III of the register, of all Licentiates; and

(d) in Part IV of the register, of all persons who have passed the examinations under section 8A(1)(a).”.

Amendment of section 7.

4. Section 7 of the principal Ordinance is amended—
- (a) by deleting the full stop at the end of paragraph (b) and substituting a semicolon; and
- (b) by adding after paragraph (b) the following new paragraph—
“(c) any Licentiate.”.

Addition of new section 8A.

5. The principal Ordinance is amended by adding after section 8 the following new section—

“Requirements for becoming a Licentiate.

8A. (1) No person shall be eligible to become a Licentiate unless—

- (a) he has passed such examinations as may from time to time be determined by the Council; and
- (b) he has completed the period of assessment provided for in section 10A.

(2) No person shall be eligible to take any examination under subsection (1)(a) unless—

- (a) he satisfies the Council—
- (i) that he has completed not less than 5 years full time medical training and is the holder of a medical qualification other than one which would entitle him to be registered under section 7(a) or (b);
- (ii) that he is of good character; and
- (iii) that he is ordinarily resident in Hong Kong; and

- (b) he pays to the Registrar such fees as may be prescribed.”.

Addition of new section 10A.

6. The principal Ordinance is amended by adding after section 10 the following new section—

“Period of assessment.

10A. (1) For the purposes of section 8A(1)(b) a person wishing to be eligible to become a Licentiate shall, after passing the examinations under section 8A(1)(a), complete, to the satisfaction of the Council, such period of assessment as the Council may determine, not exceeding the prescribed period, in an approved hospital or in an approved institution.

(2) The Council may reduce the period of assessment determined in the case of any person, or may extend the period so determined and any such extension of that period may require a period of assessment exceeding the prescribed period.

(3) Where the Council is of the opinion that a person undergoing a period of assessment is unlikely to attain the professional standards required of a Licentiate, the Council may terminate that person's period of assessment.

(4) In this section “approved”, in relation to a hospital or institution, means approved by the Council for the purposes of this section.”.

Amendment of section 12.

7. Section 12 of the principal Ordinance is amended—
- (a) by inserting after subsection (1) the following new subsection—
“(1A) Any person who has passed the examinations under section 8A(1)(a) shall be entitled to have his name

recorded in Part IV of the register on application to the Registrar and on payment to the Registrar of such fee as may be prescribed.”; and

- (b) in subsection (2)—
- (i) by inserting after “provisionally registered” the following—
“in Part II of the register or who has had his name recorded in Part IV of the register”; and
- (ii) by inserting after paragraph (a) the following new paragraph—
“(aa) to enable him to serve a period of assessment under section 10A;”.

8. The principal Ordinance is amended by adding after section 13 the following new section—

Addition of new section 13A.

“Grant of licence.

13A. (1) A person who is eligible to become a Licentiate shall, on application to the Council, be entitled to a licence granted by the Council.

(2) A licence shall be in such form as the Council may specify.

(3) The holder of a licence shall be entitled to be known in the English language as a Licentiate of the Medical Council of Hong Kong (L.M.C.H.K.) and in the Chinese language as “香港醫務委員會執照”.

9. Section 15 of the principal Ordinance is amended—

Amendment of section 15.

- (a) in subsection (1) by inserting after “Part I” the following—
“or Part III”; and
- (b) in subsection (2) by inserting after “Part I” the following—
“or Part III”; and
- (c) in subsection (5) by deleting “registered or provisionally registered” and substituting the following—

“registered in Part I or III of the register or provisionally registered in Part II of the register or recorded in Part IV of the register”.

10. The principal Ordinance is amended by adding after Part III the following new Part—

Addition of new Part IIIA.

“PART IIIA

LICENTIATE COMMITTEE AND APPEALS

Licentiate Committee.

20C. (1) There shall be a Committee of the Council to be known as the Licentiate Committee of the Medical Council of Hong Kong.

(2) The Committee shall consist of—

- (a) a Chairman who shall be elected by the Council from among its members;
- (b) the public officer holding the post of Administrator (Licentiate);
- (c) two registered medical practitioners appointed by the Council after consultation with the University;

- (d) one registered medical practitioner appointed by the Council after consultation with the Hong Kong Medical Association;
- (e) one registered medical practitioner appointed by the Council after consultation with the Hong Kong Branch of the British Medical Association; and
- (f) not more than two registered medical practitioners appointed by the Council after consultation with the Director.

(3) Any member of the Committee who is not a public officer shall hold office for three years but shall be eligible for re-appointment.

(4) There shall be a Secretary of the Committee who shall be appointed by the Director.

(5) The Chairman shall preside at every meeting of the Committee:

Provided that if at any meeting the Chairman is absent there shall preside such member of the Committee as shall be elected from among those present of the meeting.

(6) No person against whom the Council has, at any time, made an order under section 21 shall be eligible for appointment or re-appointment to the Committee.

(7) At any meeting of the Committee five members shall be a quorum.

(8) Subject to this Ordinance the Committee and any sub-committee thereof may determine its own procedure at meetings.

Delegation
of powers.

20D. (1) The Council may delegate any of its powers and functions imposed under or by virtue of section 8A or 10A to the Committee.

(2) The Committee may delegate any powers and functions which have been delegated to it under subsection (1) to any sub-committee appointed under section 20E.

Sub-committees.

20E. (1) Subject to subsection (2), the Committee may appoint sub-committees to discharge any powers or functions delegated to the Committee under section 20D(1).

(2) The Committee shall appoint a sub-committee for the purpose of hearing a review under section 20G and shall appoint a secretary of that Committee.

(3) A sub-committee appointed under this section may include persons who are not members of the Committee.

Appeals.

20F. (1) Any person aggrieved by a decision of the Committee or of any sub-committee made in pursuance of powers conferred on the Committee or sub-committee by virtue of section 20D(1) or (2) may appeal against such decision in accordance with this section and section 20G.

(2) In the case of a decision of the Committee, other than a decision of the Committee under section 20G(4), the person aggrieved may, within 14 days of being notified of the Committee's decision, appeal to the Council against that decision.

(3) Upon the hearing of the appeal the Council may confirm, vary or revoke the decision of the Committee.

(4) The decision of the Council under subsection (3) shall be final.

Review etc.
of decision of
sub-committee.

20G. (1) In the case of a decision of a sub-committee, the person aggrieved may, within 14 days of being notified of the sub-committee's decision, apply to the review sub-committee for a review of the sub-committee's decision.

(2) Upon the hearing of a review under subsection (1) the review sub-committee may confirm, vary or revoke the decision of the sub-committee.

(3) Any person aggrieved by a decision of the review sub-committee may, within 14 days of the decision, appeal against that decision to the Committee.

(4) Upon the hearing of an appeal the Committee may confirm, vary or revoke the decision of the review sub-committee.

(5) The decision of the Committee under this section shall be final.

(6) In this section "review sub-committee" means the sub-committee appointed under section 20E(2)."

11. Section 33(1) of the principal Ordinance is amended by inserting after paragraph (f) the following new paragraphs—

Amendment of
section 33.

"(fa) the procedure to be followed in relation to—

- (i) appeals to the Council under section 20F(2);
(ii) reviews and appeals under section 20G;

(fb) the period of assessment for the purposes of section 10A;"

Passed by the Hong Kong Legislative Council this 24th day of November, 1976.

Clerk to the Legislative Council.

This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.

Clerk to the Legislative Council.



I assent.

Douglas Roberts
Acting Governor.
25th November, 1976.

HONG KONG

No. 71 OF 1976



I assent.

David Roberts
Acting Governor.
25th November, 1976.

An Ordinance to amend the Employment Ordinance.

[2nd January, 1977]

Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

1. This Ordinance may be cited as the Employment (Amendment) (No. 2) Ordinance 1976 and shall come into operation on the 2nd January 1977. Short title and commencement.
2. Section 2 of the principal Ordinance is amended— Amendment of section 2. (Cap. 57.)
 - (a) in the definition of "rest day" by inserting after "entitled" the following—
"under Part IV"; and
 - (b) in the definition of "statutory holiday" by inserting after "39(1)" the following—
"or granted under section 39(5) or (8)".
3. Section 17 of the principal Ordinance is amended in subsection (1) by deleting "4 rest days in each month" and substituting the following— Amendment of section 17.
"1 rest day in every period of seven days".

Amendment of
section 18.

4. Section 18 of the principal Ordinance is amended—
- (a) in subsection (1) by deleting "during a month"; and
- (b) in subsection (4) by deleting "month" and substituting the following—

"period of seven days".

Amendment of
section 39.

5. Section 39 of the principal Ordinance is amended—
- (a) in subsection (4) by deleting the words "or a holiday under subsection (5) or (8)" in both places they appear; and
- (b) in subsection (5) by deleting "statutory holiday" and substituting the following—

"holiday under subsection (1)".

Amendment of
section 40.

6. Section 40 of the principal Ordinance is amended by deleting the words "or a holiday under section 39(5) or (8)" in both places they appear.

Passed by the Hong Kong Legislative Council this 24th day of November, 1976.

Clerk to the Legislative Council.

This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.

Clerk to the Legislative Council.



I assent.

Acting Governor.

25th November, 1976.

An Ordinance to amend the Public Omnibus Services Ordinance.

HONG KONG

No. 72 OF 1976

following—

"period of seven days".

Amendment of
section 39.

5. Section 39 of the principal Ordinance is amended—

(a) in subsection (4) by deleting the words "or a holiday under subsection (5) or (8)" in both places they appear; and


(b) in subsection (5) by deleting "statutory holiday" and substituting the following—

"holiday under subsection (1)".

Amendment of
section 40.

6. Section 40 of the principal Ordinance is amended by deleting the words "or a holiday under section 39(5) or (8)" in both places they appear.

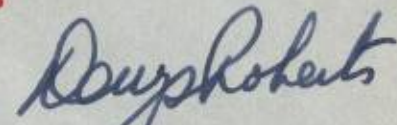
Passed by the Hong Kong Legislative Council this 24th day of November, 1976.


Clerk to the Legislative Council.

This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.



I assent.



Acting Governor.

25th November, 1976.

An Ordinance to amend the Public Omnibus Services Ordinance.

[26th November, 1976]

Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

1. This Ordinance may be cited as the Public Omnibus Services Short title. (Amendment) Ordinance 1976.

2. Section 4 of the principal Ordinance is amended in subsection (3) by deleting paragraph (a) and substituting the following—

Amendment of
section 4.
(Cap. 230.)

"(a) a tour service, that is to say, a service—

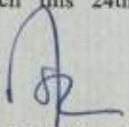
(i) for the carriage of passengers at separate fares;

(ii) entitling the passengers to travel together on a journey, with or without breaks, from the place or places at which they are taken up (being the same place or two or more places in the same vicinity) to one or more other places and back to the place or places at which they were taken up;

(iii) in which all the passengers are carried for the greater part of the journey; and

(iv) in which no passenger is a person who frequently, or as a matter of routine, travels, at or about the time of day at which the journey is made, to or to the vicinity of a place from or through which the journey is made;"

Passed by the Hong Kong Legislative Council this 24th day of November, 1976.

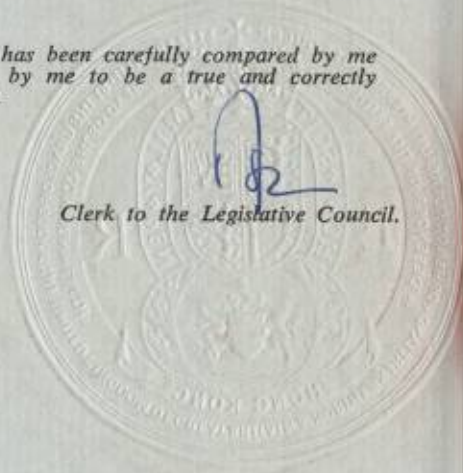


Clerk to the Legislative Council.

This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.



Clerk to the Legislative Council.



I assent.

Denis Roberts
Acting Governor.

25th November, 1976.

An Ordinance to further and protect the activities in Hong Kong of the

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Clerk to the Legislative Council.

This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.



Clerk to the Legislative Council.

HONG KONG

No. 73 OF 1976



I assent.

Deputy Roberts

Acting Governor.

25th November, 1976.

An Ordinance to further and protect the activities in Hong Kong of the British Red Cross Society, and to incorporate the Hong Kong Branch thereof.

[26th November, 1976]

Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

1. This Ordinance may be cited as the British Red Cross Society Short title. (Hong Kong Branch) Ordinance 1976.

2. In this Ordinance, unless the context otherwise requires— Interpretation.
"Charter" means the Royal Charter dated the 3rd September 1908 and all Supplemental Charters, granted to the Society;

"Hong Kong Branch" means the Hong Kong Branch of the Society;

"Society" means the British Red Cross Society incorporated by Royal Charter dated the 3rd September 1908.

3. No person shall, except with the authority of the Society or the Hong Kong Branch, distribute or sell or expose for sale— Unauthorized distribution of badges.

(a) any badge, token or emblem specifically adopted by the Society or the Hong Kong Branch for use by members thereof; or

(b) any badge, token or emblem containing the words "The British Red Cross Society" or "The British Red Cross Society (Hong Kong Branch)" or "Hong Kong Red Cross" or the characters "英國紅十字會" or "英國紅十字會(香港分會)" or "香港紅十字會".

Unauthorized possession of badges.

4. No person shall, except with the authority of the Society or the Hong Kong Branch or with lawful authority or lawful excuse, have in his possession—

- (a) any badge, token or emblem specifically adopted by the Society or the Hong Kong Branch for use by members thereof; or
- (b) any badge, token or emblem containing the words "The British Red Cross Society" or "The British Red Cross Society (Hong Kong Branch)" or "Hong Kong Red Cross" or the characters "英國紅十字會" or "英國紅十字會(香港分會)" or "香港紅十字會".

Unauthorized possession of devices resembling badges.

5. No person shall without lawful authority or lawful excuse have in his possession—

- (a) any device which so closely resembles any badge, token or emblem specifically adopted by the Society or the Hong Kong Branch for use by members thereof as to lead to the belief that the device in question is such badge, token or emblem; or
- (b) any badge, token or emblem containing any words or characters so closely resembling any words or characters ordinarily used to describe any member of the Society or the Hong Kong Branch as to be calculated to deceive or mislead.

Unauthorized bodies.

6. (1) No person shall form, or work in connexion with, or be a member of—

- (a) any organization which without authority from the Society or the Hong Kong Branch claims or purports to be the Society or the Hong Kong Branch or the Hong Kong Red Cross;
- (b) any organization, other than the Society or the Hong Kong Branch, which uses the title of the Society or the Hong Kong Branch or Hong Kong Red Cross or the equivalent Chinese title therefor or any title in any language which, with or without additional words or characters, so closely resembles any of the said titles as to be calculated to deceive or mislead; or
- (c) any organization which, by the use of any such title or otherwise, without due authority, purports or claims to be connected with the Society or the Hong Kong Branch.

(2) No person, other than a member of the Society or the Hong Kong Branch, shall wear or use any uniform or equipment of the Society or the Hong Kong Branch.

Offences and penalty.

7. Any person who contravenes any of the provisions of section 3, section 4, section 5, or section 6 shall be guilty of an offence and shall be liable on conviction to a fine of \$1,000.

Incorporation.

8. The President, the Chairman, the Director, the Honorary Treasurer and the Secretary for the time being of the Hong Kong Branch shall be a body corporate, hereinafter called "the Corporation", and shall have the name "The British Red Cross Society (Hong Kong Branch)", and in that name shall have perpetual succession and may sue and be sued in all courts and shall have and may use a common seal.

Vesting of property. Schedule.

9. On the commencement of this Ordinance, all those pieces or parcels of ground specified in the Schedule, together with all rights, easements and appurtenances thereto belonging, shall vest in the Corporation for the unexpired residue of the respective term of years created by the Crown Lease or Conditions of Grant specified in relation thereto, subject to payment of the rent and performance of the covenants and conditions reserved by and contained in the said Crown Leases and Conditions of Grant.

10. (1) The Corporation shall have power to acquire, accept leases of, purchase, take, hold, and enjoy any lands, buildings, messuages or tenements of what nature or kind soever and wheresoever situate, and also to invest moneys upon mortgage of any lands, buildings, messuages or tenements, or upon the mortgages, debentures, stocks, funds, shares or securities of any government, municipality, corporation or company, and also to purchase, acquire and possess vessels, goods and chattels of what nature and kind soever.

Powers of Corporation.

(2) The Corporation shall further have power by deed under its seal to grant, sell, convey, assign, surrender, exchange, partition, yield up, mortgage, demise, reassign, transfer or otherwise dispose of any lands, buildings, messuages, tenements, mortgages, debentures, stocks, funds, shares or securities, vessels, goods or chattels, which are for the time being vested in or belonging to the Corporation upon such terms as to the Corporation may seem fit.

11. All deeds and other instruments requiring the seal of the Corporation shall be sealed in the presence of, and shall be signed by any two of the following: the President, the Chairman, the Director, the Honorary Treasurer and the Secretary for the time being of the Hong Kong Branch.

Execution of documents.

12. All matters of internal management of the Corporation shall be settled and carried out in accordance with the Charter and Rules of the Society and the rules and regulations for the time being of the Hong Kong Branch.

Internal management.

13. 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.

Saving.

SCHEDULE

[s. 9.]

PROPERTY VESTED IN THE CORPORATION

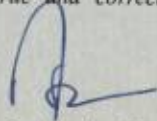
All those pieces or parcels of ground known and registered in the Land Office as—

1. Inland Lot 7966 (Anne Black Red Cross Headquarters; Crown Lease dated 21.1.1971)
2. Inland Lot 8101 (John F. Kennedy Centre, Sandy Bay; Crown Lease dated 2.7.1971)
3. Inland Lot 8265 (Margaret Trench Red Cross School, Sandy Bay; Conditions of Grant No. 9863 dated 10.3.1971)
4. Kwun Tong Inland Lot 255 (Princess Alexandra Residential School, Kwun Tong; Conditions of Grant No. 7058 dated 9.3.1962)

Passed by the Hong Kong Legislative Council this 24th day of November, 1976.

Clerk to the Legislative Council.

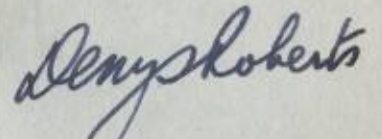
This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.



Clerk to the Legislative Council.



I assent.



Acting Governor.

9th December, 1976.

An Ordinance to amend the Criminal Procedure Ordinance.

[Handwritten signature]

Clerk to the Legislative Council.

HONG KONG

No. 74 OF 1976



I assent.

[Handwritten signature: Denis Roberts]

Acting Governor.

9th December, 1976.

An Ordinance to amend the Criminal Procedure Ordinance.

[10th December, 1976]

Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

1. This Ordinance may be cited as the Criminal Procedure (Amendment) (No. 2) Ordinance 1976. Short title.

2. Section 109H of the Principal Ordinance is repealed.

Repeal of section 109H. (Cap. 221.)

Passed by the Hong Kong Legislative Council this 8th day of December, 1976.

[Handwritten signature]

Clerk to the Legislative Council.

This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.

[Handwritten signature]

Clerk to the Legislative Council.



I assent.

Henry Roberts
Acting Governor.

HONG KONG

No. 75 OF 1976



I assent.

Henry Roberts

Acting Governor.

9th December, 1976.

An Ordinance to amend the Buildings Ordinance.

[1st January, 1977]

Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

1. This Ordinance may be cited as the Buildings (Amendment) Ordinance 1976 and shall come into operation on the 1st January 1977. Short title and commencement.

2. Section 3 of the principal Ordinance is amended—

Amendment of section 3. (Cap. 123.)

(a) by deleting subsection (11) and substituting the following—

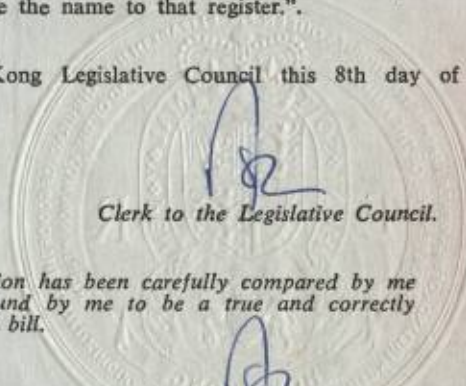
“(11) The Building Authority may remove from the authorized persons’ register or the structural engineers’ register the name of any person who—

- (a) is deceased;
- (b) is not practising the profession in respect of which the name of that person was included in the register; or
- (c) being a person required to pay the annual fee prescribed for the retention of that person’s name in the register fails for a period exceeding 6 months to pay such annual fee.”; and

(b) by adding after subsection (11) the following—

“(12) Any person whose name has been removed from the authorized persons’ register or the structural engineers’ register under subsection (11)(c) may apply within 2 years after such removal to the Building Authority for the restoration of his name to the register from which it has been removed and, subject to the payment of the prescribed fee for the restoration of a name, the Building Authority shall thereupon restore the name to that register.”

Passed by the Hong Kong Legislative Council this 8th day of December, 1976.



[Handwritten signature]

Clerk to the Legislative Council.

This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.

[Handwritten signature]

Clerk to the Legislative Council.

NO. 70 OF 1976



I assent.

[Handwritten signature]

Acting Governor.
9th December, 1976.

the authorized persons register or the structural engineers' register under subsection (11)(c) may apply within 2 years after such removal to the Building Authority for the restoration of his name to the register from which it has been removed and, subject to the payment of the prescribed fee for the restoration of a name, the Building Authority shall thereupon restore the name to that register."

Passed by the Hong Kong Legislative Council this 8th day of December, 1976.



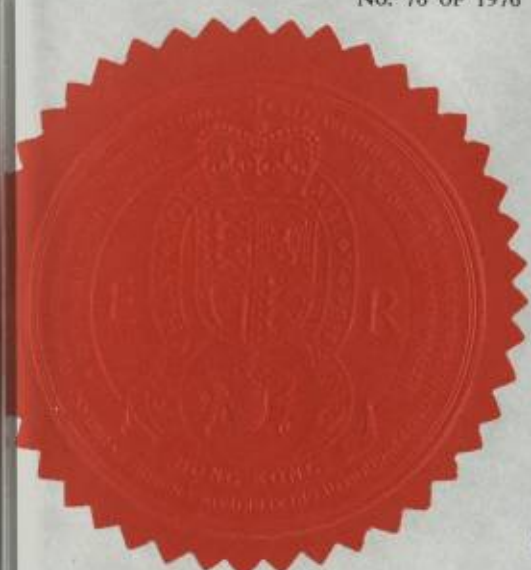
[Signature]
Clerk to the Legislative Council.

This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.

[Signature]
Clerk to the Legislative Council.

HONG KONG

No. 76 OF 1976



I assent.

[Signature]
Acting Governor.

9th December, 1976.

An Ordinance to amend the Stamp Ordinance.

[1st January, 1977]

Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

1. This Ordinance may be cited as the Stamp (Amendment) (No. 3) Ordinance 1976 and shall come into operation on the 1st January 1977. Short title and commencement.

2. Section 25(1) of the principal Ordinance is amended by deleting "architect". Amendment of section 25. (Cap. 117.)

Passed by the Hong Kong Legislative Council this 8th day of December, 1976.

[Signature]
Clerk to the Legislative Council.

This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.

[Signature]
Clerk to the Legislative Council.



I assent.

Oliver Roberts
Acting Governor.

HONG KONG

No. 77 OF 1976



I assent.

Oliver Roberts
Acting Governor.

9th December, 1976.

An Ordinance to amend the Army Legal Services Ordinance.

[10th December, 1976]

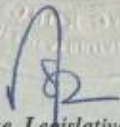
Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

1. This Ordinance may be cited as the Army Legal Services Short title.
(Amendment) Ordinance 1976.
2. The long title of the principal Ordinance is amended by inserting Amendment of
after "Army Legal Services" the following— long title.
"and of the Royal Air Force Legal Services". (Cap. 286.)
3. Section 1 of the principal Ordinance is amended by inserting Amendment of
after "Army" the following— section 1.
"and Royal Air Force".
4. Section 2 of the principal Ordinance is amended— Amendment of
(a) by deleting subsection (1) and substituting the following— section 2.
(Cap. 159.) "(1) Notwithstanding anything contained in the Legal Practitioners Ordinance, any commissioned officer of the Army Legal Services or of the Royal Air Force Legal

Services may act as solicitor for a person having a relevant association with Her Majesty's forces in criminal proceedings against such person if—

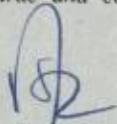
- (a) the officer has filed with the Registrar of the Supreme Court a certificate, signed by the Commander, British Forces, that the officer is an officer of the Army Legal Services or of the Royal Air Force Legal Services, as the case may be, and an affidavit of identity in such form as may be approved by the Chief Justice; and
 - (b) the officer has satisfied the Chief Justice that he is a member of the Bar or a solicitor in England or Northern Ireland or an advocate or solicitor in Scotland.”;
- (b) by inserting after subsection (1) the following new subsection—
- “(1A) In subsection (1) “a person having a relevant association with Her Majesty's forces” means a person of one or other of the following descriptions, that is to say—
- (a) a member of Her Majesty's forces or a member of a civilian component of any of those forces;
 - (b) a person who is a dependant of any such member.”.

Passed by the Hong Kong Legislative Council this 8th day of December, 1976.

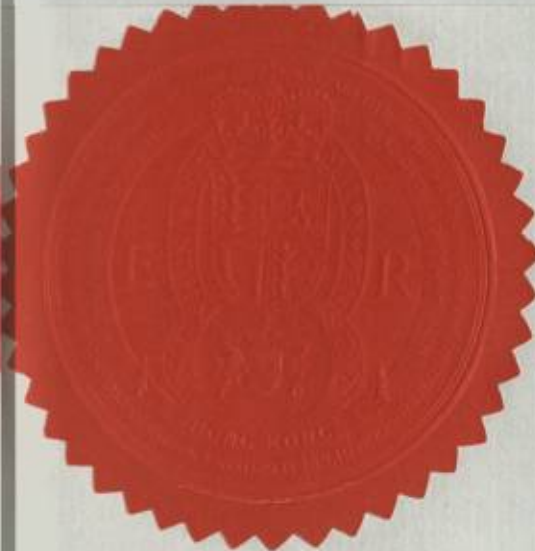


Clerk to the Legislative Council.

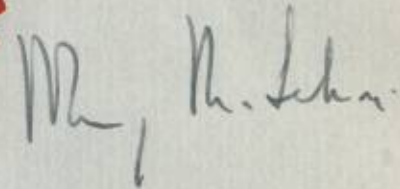
This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.



Clerk to the Legislative Council.



I assent.



Governor.

23rd December, 1976.

supreme Court a certificate, signed by the Commander, British Forces, that the officer is an officer of the Army Legal Services or of the Royal Air Force Legal Services, as the case may be, and an affidavit of identity in such form as may be approved by the Chief Justice; and

(b) the officer has satisfied the Chief Justice that he is a member of the Bar or a solicitor in England or Northern Ireland or an advocate or solicitor in Scotland.”;

(b) by inserting after subsection (1) the following new subsection—

“(1A) In subsection (1) “a person having a relevant association with Her Majesty’s forces” means a person of one or other of the following descriptions, that is to say—

(a) a member of Her Majesty’s forces or a member of a civilian component of any of those forces;

(b) a person who is a dependant of any such member.”.

Passed by the Hong Kong Legislative Council this 8th day of December, 1976.

Clerk to the Legislative Council.

HONG KONG

No. 78 OF 1976



I assent.

Governor.

23rd December, 1976.

An Ordinance to validate certain purported appointments to the panel for the Inland Revenue Board of Review, to provide for the continuation after the 15th November 1976 of membership of certain members of that panel until the 29th November 1976 and to confer validity upon appeals heard and determined, acts and things done, and meetings held by that Board.

[24th December, 1976]

Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

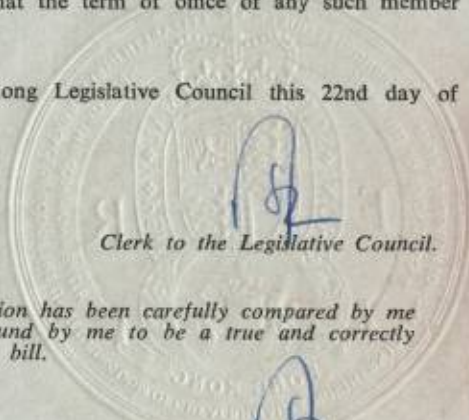
1. This Ordinance may be cited as the Inland Revenue Boards of Review (Validation) Ordinance 1976. Short title.

2. (1) Where before the commencement of this Ordinance a person was appointed under section 65 of the Inland Revenue Ordinance to be a member of the panel for a Board of Review and the appointment purported to be made with effect from a date prior to the date on which it was made, the appointment shall not be invalid by reason only that it purported to be so made and shall be deemed to have taken effect on that prior date without prejudice to any other ground which may affect its validity; and accordingly no act or thing done by, or meeting of, a Board of Review comprised of any such member of such panel shall be invalid by reason only that the appointment of such member purported to be made as aforesaid.

Validation of purported appointments to the panel for, continuation of membership of and validation of acts of Inland Revenue Board of Review. (Csp. 112.)

(2) Any person who was on the 15th November 1976 a member of the panel for a Board of Review constituted under section 65 of the Inland Revenue Ordinance shall for all purposes whatsoever be deemed to have continued thereafter, until the 29th November 1976 (inclusive), to be a member of such panel notwithstanding that he was appointed to be a member thereof for a period of 3 years with effect from 15th November 1973; and accordingly no act or thing done by, or meeting of, a Board of Review comprised of any such member of such panel shall be invalid by reason only that the term of office of any such member had expired.

Passed by the Hong Kong Legislative Council this 22nd day of December, 1976.

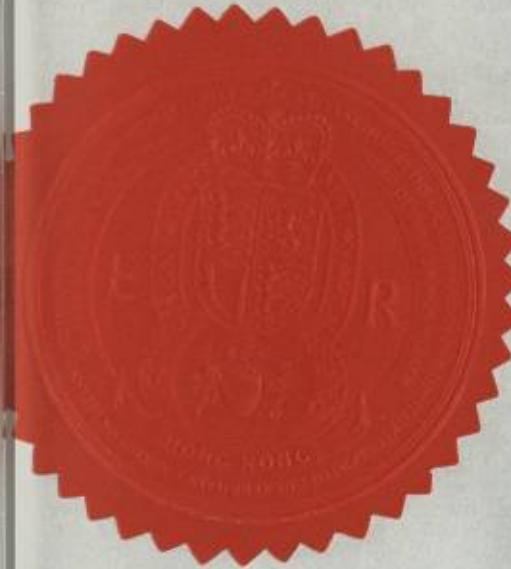


Clerk to the Legislative Council.

This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.



Clerk to the Legislative Council.

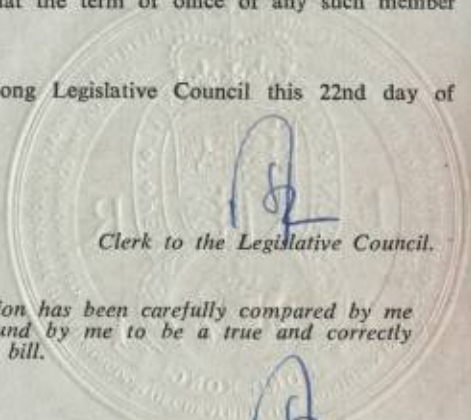


I assent.

Governor.

November 1973; and accordingly no act or thing done by, or meeting of, a Board of Review comprised of any such member of such panel shall be invalid by reason only that the term of office of any such member had expired.

Passed by the Hong Kong Legislative Council this 22nd day of December, 1976.



[Signature]
Clerk to the Legislative Council.

This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.

[Signature]
Clerk to the Legislative Council.

HONG KONG

No. 79 OF 1976



I assent.

[Signature]

Governor.

23rd December, 1976.

An Ordinance to amend the Commodities Trading Ordinance 1976.

[24th December, 1976]

Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

1. This Ordinance may be cited as the Commodities Trading Short title. (Amendment) Ordinance 1976.

2. Section 2(1) of the principal Ordinance is amended in the definition of "shareholder" by deleting "and is a dealer". Amendment of section 2. (59 of 1976.)

3. Section 4 of the principal Ordinance is repealed and replaced by the following— Replacement of section 4.

¹Membership of the Commission.

(Cap. 333.)

4. (1) The Commission shall consist of 7 members of whom—

- (a) one shall be the Chairman of the Securities Commission under the Securities Ordinance;
- (b) another shall be the Commissioner; and
- (c) the remaining 5 shall be persons appointed by the Governor.

(2) At least one of the members of the Commission appointed under subsection (1)(c) shall be a person qualified in law.

(3) Subject to this section, a member of the Commission appointed under subsection (1)(c) shall hold office for a period of 2 years from the date of his appointment.

(4) At the expiry of his period of appointment, every retiring member of the Commission shall, subject to this section, be eligible for reappointment.

(5) Any member of the Commission appointed under subsection (1)(c) may at any time resign by giving notice in writing to the chairman of the Commission.

(6) Where any such member of the Commission resigns or the office of any such member otherwise becomes vacant before the expiry of the period of his appointment, the Governor may appoint another person to hold office until the expiry of the period for which such member was originally appointed.

(7) If any such member of the Commission—

(a) has been absent from the meetings of the Commission without its permission for a period longer than 3 months;

(b) becomes bankrupt or makes an arrangement with his creditors;

(c) becomes incapacitated by physical or mental illness;

(d) is found guilty, whether in Hong Kong or elsewhere, of any offence involving fraud or dishonesty or is sentenced to a term of imprisonment for any offence (whether or not involving fraud or dishonesty);

(e) ceases to be ordinarily resident in Hong Kong; or

(f) is otherwise unable or unfit to discharge the functions of a member of the Commission,

the Governor may by notice in writing declare his office as a member of the Commission to be vacant.

(8) The powers of the Commission shall not be affected by any vacancy in its membership."

Passed by the Hong Kong Legislative Council this 22nd day of December, 1976.

Clerk to the Legislative Council.

This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.

Clerk to the Legislative Council.



I assent.

Governor.

23rd December, 1976.

An Ordinance to approve a supplementary appropriation to the service of the financial year which ended on 31st March 1976.

(3) Subject to this section, a member of the Commission appointed under subsection (1)(c) shall hold office for a period of 2 years from the date of his appointment.

(4) At the expiry of his period of appointment, every retiring member of the Commission shall, subject to this section, be eligible for reappointment.

(5) Any member of the Commission appointed under subsection (1)(c) may at any time resign by giving notice in writing to the chairman of the Commission.

(6) Where any such member of the Commission resigns or the office of any such member otherwise becomes vacant before the expiry of the period of his appointment, the Governor may appoint another person to hold office until the expiry of the period for which such member was originally appointed.

(7) If any such member of the Commission—

(a) has been absent from the meetings of the Commission without its permission for a period longer than 3 months;

(b) becomes bankrupt or makes an arrangement with his creditors;

(c) becomes incapacitated by physical or mental illness;

(d) is found guilty, whether in Hong Kong or elsewhere, of any offence involving fraud or dishonesty or is sentenced to a term of imprisonment for any offence (whether or not involving fraud or dishonesty);

(e) ceases to be ordinarily resident in Hong Kong; or

HONG KONG

No. 80 OF 1976



I assent.

Governor.

23rd December, 1976.

An Ordinance to approve a supplementary appropriation to the service of the financial year which ended on 31st March 1976.

[24th December, 1976]

Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

1. This Ordinance may be cited as the Supplementary Appropriation (1975-76) Ordinance 1976. Short title.

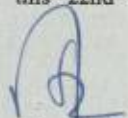
2. The appropriation in the manner expressed in the Schedule of a sum of one hundred and twenty-three million, nine hundred and one thousand one hundred and eighty-three dollars from the general revenue and other funds of Hong Kong for the service of the financial year which ended on 31st March 1976, is approved. Approval of appropriation. Schedule.

SCHEDULE

<i>Number of Vote</i>	<i>Head of Expenditure</i>	<i>Amount</i>
		\$
23.	Audit Department	104,168
24.	Census and Statistics Department	625,226
26.	Colonial Secretariat	2,322,704
27.	Colonial Secretariat: London Office	226,062

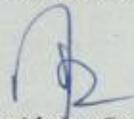
<i>Number of Vote</i>	<i>Head of Expenditure</i>	<i>Amount</i>
		\$
30.	Defence: Auxiliary Medical Service	71,967
31.	Defence: Civil Aid Services	776,616
34.	Defence: Royal Hong Kong Auxiliary Air Force	186,034
35.	Defence: Royal Hong Kong Regiment (The Volunteers)	107,459
36.	Education Department	5,922,209
42.	Information Services Department	335,206
51.	Medical and Health Department	7,728,036
52.	Miscellaneous Services	20,476,616
58.	Post Office	25,620,682
61.	Public Debt	1,537,865
63.	Public Works Department: Headquarters	1,514,265
65.	Public Works Department: Engineering Development	2,658,347
66.	Public Works Department: Lands and Survey	380,742
68.	Public Works Department: Water Supplies	774,970
75.	Radio Hong Kong	97,622
77.	Registrar General's Department	1,171,910
81.	Social Welfare Department	29,878,331
84.	Subventions: Miscellaneous	655,506
88.	Universities and Polytechnic	19,395,600
89.	Urban Services Department	1,333,040
	TOTAL	\$123,901,183

Passed by the Hong Kong Legislative Council this 22nd day of December, 1976.



Clerk to the Legislative Council.

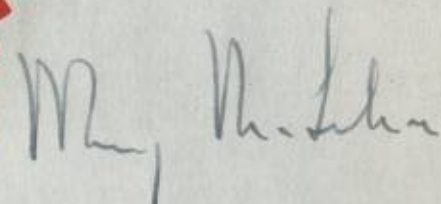
This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.



Clerk to the Legislative Council.



I assent.



Governor.

23rd December, 1976.

An Ordinance to amend the Companies Ordinance.

30.	Defence: Auxiliary Medical Service	71,967
31.	Defence: Civil Aid Services	776,616
34.	Defence: Royal Hong Kong Auxiliary Air Force	186,034
35.	Defence: Royal Hong Kong Regiment (The Volunteers)	107,459
36.	Education Department	5,922,209
42.	Information Services Department	335,206
51.	Medical and Health Department	7,728,036
52.	Miscellaneous Services	20,476,616
58.	Post Office	25,620,682
61.	Public Debt	1,537,865
63.	Public Works Department: Headquarters	1,514,265
65.	Public Works Department: Engineering Development	2,658,347
66.	Public Works Department: Lands and Survey ...	380,742
68.	Public Works Department: Water Supplies	774,970
75.	Radio Hong Kong	97,622
77.	Registrar General's Department	1,171,910
81.	Social Welfare Department	29,878,331
84.	Subventions: Miscellaneous	655,506
88.	Universities and Polytechnic	19,395,600
89.	Urban Services Department	1,333,040
	TOTAL	\$123,901,183

HONG KONG

No. 81 OF 1976



I assent.

Governor.

23rd December, 1976.

An Ordinance to amend the Companies Ordinance.

[1st January, 1977]

Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

1. This Ordinance may be cited as the Companies (Amendment) (No. 2) Ordinance 1976 and shall come into operation on the 1st January 1977. Short title and commencement.

2. Section 178 of the principal Ordinance is amended in paragraph (a) by deleting "\$500" and substituting the following— Amendment of section 178. (Cap. 32.)
"\$5,000".

3. Section 227D of the principal Ordinance is amended in subsection (2) by deleting "\$100" and substituting the following— Amendment of section 227D.
"\$250".

4. The principal Ordinance is amended by adding after section 227E the following— Addition of section 227F.
“(iiB) WINDING UP BY THE COURT BY WAY OF SUMMARY PROCEDURE

Application of Ordinance to small windings-ups. **227F.** (1) Where after the presentation of a winding-up petition—

(a) the court is satisfied; or

(b) the Official Receiver reports to the court, that the property of the company is not likely to exceed in value \$10,000, the court may make an order that the company be wound up in a summary manner, and thereupon the provisions of this Ordinance shall apply subject to the following modifications—

- (i) the Official Receiver shall be the liquidator;
- (ii) there shall be no committee of inspection, and the Official Receiver may do all things which may be done by a liquidator with the sanction of a committee of inspection;
- (iii) such other modifications as may be prescribed with a view to saving expense and simplifying procedure.

(2) The court may, upon the application of the Official Receiver, at any time before the dissolution of the company rescind an order made under subsection (1) and thereupon the winding up shall proceed as if the order had not been made.”

Amendment of
section 267.

5. Section 267 of the principal Ordinance is amended—

(a) by deleting “within 6 months” and substituting the following—
“within 12 months”; and

(b) by deleting “rate of 5 per cent per annum.” and substituting the following—

“rate specified in the charge or at the rate of 12 per cent per annum whichever is the less.”

Amendment of
Eighth Schedule.

6. Part I of the Eighth Schedule to the principal Ordinance is amended—

(a) in paragraph (b) by inserting after “before such increase” the following—

“Provided that no additional fee shall be payable under this sub-paragraph by a company which has paid the additional fee under paragraph (ba).”;

(b) in paragraph (ba) by inserting after “unissued” the following—
“as at the date of payment of this fee”; and

(c) in paragraph (c)(i) by deleting “has increased its nominal share capital and paid the additional fee under paragraph (b);” and substituting the following—

“has paid the additional fee under paragraph (b) or (ba).”

Passed by the Hong Kong Legislative Council this 22nd day of December, 1976.

Clerk to the Legislative Council.

This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.

Clerk to the Legislative Council.



I assent.

M. J. L.

Governor.

23rd December, 1976.

HONG KONG

No. 82 OF 1976



I assent.

Governor.

23rd December, 1976.

An Ordinance to amend the Landlord and Tenant (Consolidation) Ordinance.

[24th December, 1976]

Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

1. This Ordinance may be cited as the Landlord and Tenant Short title, (Consolidation) (Amendment) (No. 2) Ordinance 1976.

2. Section 10(1) of the principal Ordinance is amended—

Amendment of
section 10.
(Cap. 7.)

(a) by deleting "105" and substituting the following—
"155"; and

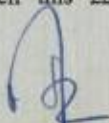
(b) by deleting "250" and substituting the following—
"350".

3. Section 58(5)(b) of the principal Ordinance is amended by inserting after "shall be final" the following—

Amendment of
section 58.

" , but the rateable value as so determined shall not exceed the value which would have been ascribed thereto if the premises had been included in the valuation list declared on the 9th March 1973".

Passed by the Hong Kong Legislative Council this 22nd day of December, 1976.

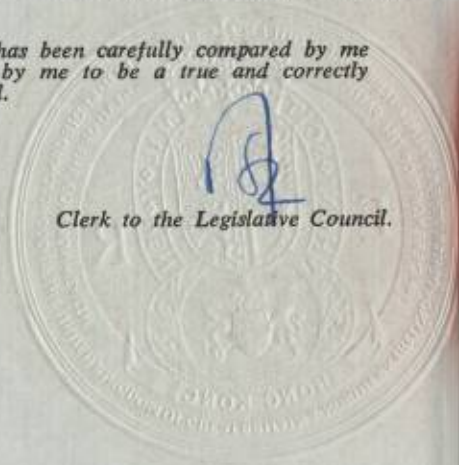


Clerk to the Legislative Council.

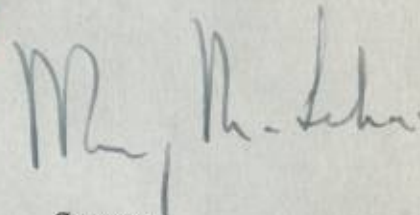
This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.



Clerk to the Legislative Council.



I assent.

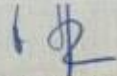


Governor.

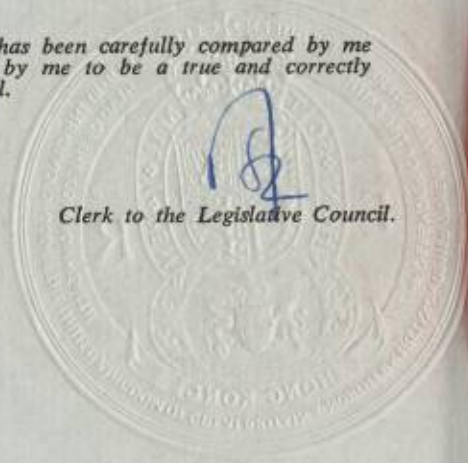
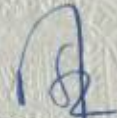
23rd December, 1976.

HONG KONG

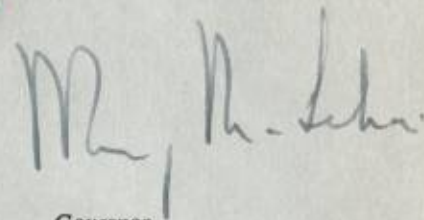
No. 83 OF 1976


Clerk to the Legislative Council.

This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.



Clerk to the Legislative Council.

I assent.


Governor.

23rd December, 1976.

An Ordinance to amend the Dutiable Commodities Ordinance.

[24th December, 1976]

Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

1. This Ordinance may be cited as the Dutiable Commodities Short title. (Amendment) (No. 2) Ordinance 1976.

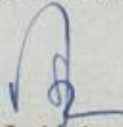
2. Section 53 of the principal Ordinance is amended by deleting the definition of "adulterated liquor" and substituting the following—

Amendment of section 53. (Cap. 109.)

"adulterated liquor" means any liquor mixed or coloured with any ingredient whatever or with water, so as to increase the bulk and measure of the liquor, to impair its quality or to conceal its inferior quality, and any liquor, whether injurious to health or not, which is in nature and quality not virtually as labelled, but does not include—

- (a) whisky or rum mixed with water only so as not to reduce the strength below 25 degrees under proof;
- (b) brandy, gin or vodka mixed with water only so as not to reduce the strength below 30 degrees under proof;
- (c) brandy which in the opinion of the Director is very old liqueur brandy;".

Passed by the Hong Kong Legislative Council this 22nd day of December, 1976.



Clerk to the Legislative Council.

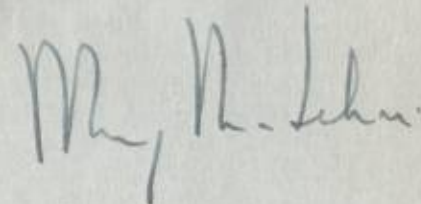
This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.



Clerk to the Legislative Council.



I assent.



Governor.

23rd December, 1976.

An Ordinance to amend the Detention Centres Ordinance.

HONG KONG

No. 84 OF 1976

12
Clerk to the Legislative Council.

This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.

Clerk to the Legislative Council.

I assent.

Governor.

23rd December, 1976.

An Ordinance to amend the Detention Centres Ordinance.

[]
Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

1. This Ordinance may be cited as the Detention Centres (Amendment) Ordinance 1976 and shall come into operation on a day to be appointed by the Governor by notice in the *Gazette*; and notices under this section may appoint different dates for different provisions of this Ordinance.

Short title and commencement.

2. Section 2 of the principal Ordinance is amended—

Amendment of section 2. (Cap. 239.)

- (a) in the definition of "detainee", by inserting after "detention order" the following—
"or recall order";
- (b) in the definition of "detention centre", by deleting "by the Governor"; and
- (c) by deleting the definition of "young offender" and substituting the following—

"young offender" means an offender of or over 14 and under 25 years of age."

3. Section 3 of the principal Ordinance is amended by deleting "Governor" and substituting the following—

Amendment of section 3.

"Secretary for Security".

Amendment of section 4.

4. Section 4 of the principal Ordinance is amended—
- (a) by inserting after subsection (1) the following new subsection—
- “(1A) In making a detention order against a person the court shall state in such order whether such person is apparently under 21 years of age or apparently of or over 21 years of age.”;
- (b) by deleting subsection (2) and substituting the following—
- “(2) A person against whom a detention order is in force shall be detained in a detention centre for such period from the date of the order as the Commissioner, having regard to the health and conduct of such person, may determine, being a period which—
- (a) in the case of a person stated in the detention order to be apparently of or over 21 years of age, is not less than 3 months and not more than 12 months;
- (b) in the case of a person stated in the detention order to be apparently under that age, is not less than 1 month and not more than 6 months, and shall then be released.”;
- (c) in subsection (3) by deleting “or a detention centre”;
- (d) in subsection (4) by inserting after “has” the following—
- “not earlier than one month before the date of the order”.

Amendment of section 5.

5. Section 5 of the principal Ordinance is amended—
- (a) by deleting subsection (1) and substituting the following—
- “(1) The Commissioner may make a supervision order—
- (a) against a person who is released under section 4(2);
- (b) against a person who is released under section 6(3) before the expiration of 12 months from the date when he was last released under section 4(2).”;
- (b) in subsection (2) by deleting paragraph (a) and substituting the following—
- “(a) for the period stated therein, which in the case of a person released under section 4(2) shall not exceed 12 months from the date of his release and in the case of a person released under section 6(3) shall not exceed 12 months from the date when he was last released under section 4(2), the person released shall be subject to supervision by such organization or person as may be specified therein.”.

Amendment of section 6.

6. Section 6(3) of the principal Ordinance is amended by deleting “, and a supervision order shall not be made in respect of such person”.

Replacement of section 7.

7. Section 7 of the principal Ordinance is repealed and replaced by the following—

“Sentence of detention in training centre and imprisonment for detained person.

7. (1) If a person in respect of whom a detention order, a supervision order or a recall order is in force is sentenced—

- (a) to detention in a training centre; or
- (b) to a term of imprisonment which is not suspended, the detention order, supervision order or recall order shall lapse.

(2) A detention order, a supervision order or a recall order made against any person on whom a suspended sen-

tence has been passed (whether made before or after the suspended sentence was passed) shall lapse if that suspended sentence is ordered to take effect.”.

8. The principal Ordinance is amended by adding after section 8 the following new section—

Insertion of new section 8A.

“Transfers from detention centre to prison or training centre.

8A. If a detainee is reported to the Governor by the Commissioner to be—

- (a) physically or mentally incapable of full participation in the programme of a detention centre;
- (b) exercising a bad influence on the other inmates of the detention centre; or
- (c) incorrigible,

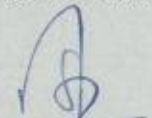
the Governor may direct—

- (i) that such detainee be detained in a training centre; or
- (ii) that he be detained in prison for such term as the Governor may, after consultation where practicable with the judge or magistrate who made the detention order, determine, not exceeding the maximum term of imprisonment to which he was liable for the offence of which he was convicted;

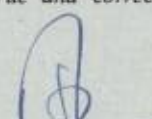
(Cap. 280.)
(Cap. 234.)

and for the purposes of this Ordinance and for the purposes of the Training Centres Ordinance or the Prisons Ordinance, according to whether such detainee is directed to be detained in a training centre or in prison, he shall be deemed to be a person who, on the day on which the detention order was made against him, had instead been sentenced to detention in a training centre or, as the case may be, to imprisonment for the term so determined by the Governor.”.

Passed by the Hong Kong Legislative Council this 22nd day of December, 1976.


Clerk to the Legislative Council.

This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.


Clerk to the Legislative Council.



I assent.

Wm. H. Schaefer

Governor.

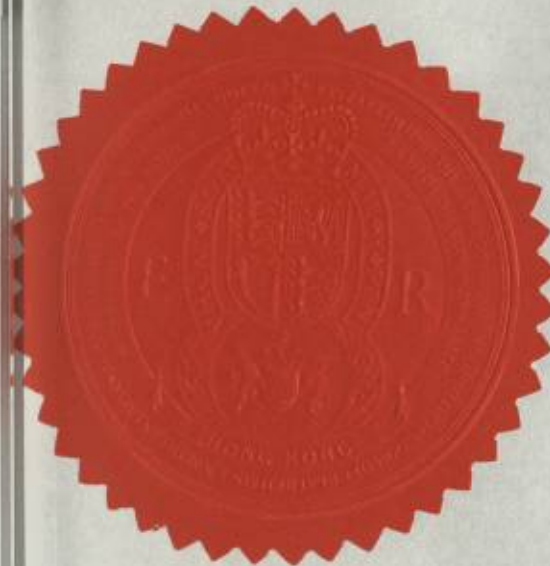
23rd December, 1976.

An Ordinance to amend the Pensions (Increase) Ordinance.

1976

HONG KONG

No. 85 OF 1976



I assent.

Governor.

23rd December, 1976.

An Ordinance to amend the Pensions (Increase) Ordinance.

[21st November, 1975]

Enacted by the Governor of Hong Kong, with the advice and consent of the Legislative Council thereof.

1. This Ordinance may be cited as the Pensions (Increase) (Amendment) Ordinance 1976 and shall be deemed to have come into operation on the 21st November 1975. Short title and commencement.

2. Section 5 of the principal Ordinance is repealed and replaced by the following— Repeal and replacement of section 5. (Cap. 305.)

5. The amount of an authorized increase shall not be taken into account for the purposes of section 9 of the Pensions Ordinance or section 8 or 10 of the Widows and Orphans Pension Ordinance.”

“Authorized increases to be ignored for certain purposes. (Cap. 89.) (Cap. 94.)

Passed by the Hong Kong Legislative Council this 22nd day of December, 1976.

Clerk to the Legislative Council.

This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.



Clerk to the Legislative Council.



I assent.

A handwritten signature in black ink, which appears to be 'Murray S. Lehman'.

Governor.

23rd December, 1976.

An Ordinance to repeal and replace The Chinese University of Hong Kong Ordinance, to repeal the Chung Chi College Incorporation Ordinance, the Board of Trustees of The United College of Hong



HONG KONG

No. 86 of 1976



I assent.

Governor.

23rd December, 1976.

An Ordinance to repeal and replace The Chinese University of Hong Kong Ordinance, to repeal the Chung Chi College Incorporation Ordinance, the Board of Trustees of The United College of Hong Kong Incorporation Ordinance and the New Asia College Incorporation Ordinance and to make new provision concerning the Chung Chi College, The United College of Hong Kong and the New Asia College, and for purposes connected therewith.

WHEREAS—

Preamble.

- (a) The Chinese University of Hong Kong was established and incorporated in 1963 by The Chinese University of Hong Kong Ordinance as a University with a federal constitution; (Cap. 1109.)
- (b) the constituent Colleges of the University are Chung Chi College, New Asia College and The United College of Hong Kong;
- (c) it is considered desirable that some of the powers and functions conferred on the said Colleges under their respective constitutions and Ordinances should be vested in The Chinese University of Hong Kong and that the principal role of the said Colleges be the provision of student-orientated teaching under the direction of The Chinese University of Hong Kong;
- (d) it is also considered desirable to make certain alterations in the constitution of The Chinese University of Hong Kong;
- (e) it is declared that The Chinese University of Hong Kong, in which the principal language of instruction shall be Chinese, shall continue to—
- (i) assist in the preservation, dissemination, communication and increase in knowledge;

(ii) provide 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;

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

[24th December, 1976]

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.

1. This Ordinance may be cited as The Chinese University of Hong Kong Ordinance 1976.

Definitions.

2. (1) In this Ordinance, unless the context otherwise requires—
“approved course of study” means a course of study approved by the Senate;

“Assembly of Fellows” means the Assembly of Fellows of a College;

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

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

“College” means a constituent College of the University as provided by section 3;

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

“Fellow” means a Fellow of a College;

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

“Head” means the Head of a College;

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

“officers” means the officers of the University as provided by section 5;

“precincts” means, in relation to the University, the boundaries of Lot No. 725 in Demarcation District 42;

(Cap. 1109.)

“repealed Ordinance” means The Chinese University of Hong Kong Ordinance repealed by section 21;

First Schedule.

“Statutes” means the Statutes of the University contained in the First Schedule as the same may from time to time be amended or replaced under section 13(1);

“teacher” means a member of the full-time teaching staff of the University of the rank of Assistant Lecturer and above;

“University” means The Chinese University of Hong Kong (香港中文大學) continued under 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 month nor more than 6 months thereafter and which is approved at each such meeting by—

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

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

3. (1) The constituent Colleges of the University are Chung Chi College, New Asia College and The United College of Hong Kong 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.

University to have constituent Colleges.

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

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

4. (1) The Colleges and members of the University shall continue to be a body corporate called The Chinese University of Hong Kong (香港中文大學) which shall be the same University as that established by The Chinese University of Hong Kong Ordinance 1963.

Continuation of incorporation of the University.

(28 of 1963.)

(2) The University 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.

(3) No dividend or bonus 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 officers of the University shall be the Chancellor, the Pro-Chancellor, the Vice-Chancellor, the Pro-Vice-Chancellors, the Treasurer, the Head of each College, the Dean of each Faculty and of the Graduate School, the Secretary, the Registrar, the Librarian, the Bursar and such other persons as may by special resolution be designated as officers.

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 Chancellor may appoint a person to be the Pro-Chancellor of the University; and the Pro-Chancellor shall exercise such powers and perform such duties as may be prescribed in the Statutes.

(5) 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 in the name of the University.

(6) The Council shall appoint, after consultation with the Vice-Chancellor, one or more Pro-Vice-Chancellors from among the regular staff of the University to exercise such powers and perform such duties as the Council may direct.

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

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

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

Provision for Council, Senate and Convocation.

7. Subject to this Ordinance and the Statutes, the Council shall—

(a) be the governing and executive body of the University;

Powers and duties of the Council.

- (b) have the management and control of the affairs, purposes and functions of the University;
- (c) have the control and management of the property and financial affairs of the University including the property of the Colleges, but in the exercise of such power of control and management in respect of any immovable property of any College the Council shall not alter the use of any such property without the prior consent of the Board of Trustees of the College concerned;
- (d) make such University appointments as it thinks proper;
- (e) have power to approve the fees charged by the University in respect of approved courses of study;
- (f) provide for the custody and use of the University's seal.

Powers and duties of Senate.

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

- (a) instruction, education and research;
- (b) the conducting of examinations for students;
- (c) the award of degrees other than degrees *honoris causa*;
- (d) the award of diplomas, certificates and other academic distinctions of the University.

Composition and function of the Convocation.

9. Subject to this Ordinance and the Statutes, the Convocation shall 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.

Committees.

10. (1) The Council and the Senate may establish such committees as they think fit.

(2) Unless otherwise 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 this Ordinance and the Statutes, the Council and the Senate may, subject to such conditions as they may impose, delegate any of their powers and duties to any Board or committee or to any officer.

(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.

Appointment of staff.

11. Subject to this Ordinance and the Statutes, the Council shall appoint, on such terms and conditions as it thinks fit, the staff of the University.

Faculties, etc.

12. (1) The Council may establish such Faculties, Schools of Studies and other institutions as it thinks fit.

(2) The Council, on the recommendation of the Senate, may form such institutions 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.

Statutes.

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

- (a) the administration of the University;
- (b) the membership of the University;

- (c) appointments, elections, resignation and retirement and removal of officers and teachers of the University;
- (d) examinations;
- (e) the conferring of degrees and the award of other academic distinctions;
- (f) the composition, powers and duties of the Council and the Senate;
- (g) the Faculties and Schools of Studies, their membership and functions;
- (h) the Boards of Studies, their membership and functions;
- (i) the Convocation;
- (j) the exercise of any function by the University, the Council, the Senate, the Chancellor, the Pro-Chancellor, the Vice-Chancellor, the Pro-Vice-Chancellors, other officers, teachers and other 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, welfare and discipline of students; and
- (n) generally, the carrying into effect of this Ordinance.

(2) The Statutes contained in the First Schedule shall have effect as if made and approved under subsection (1). First Schedule.

14. Subject to this Ordinance and the Statutes, the Council and the Senate may from time to time make decrees and regulations respectively to direct and regulate the affairs of the University. Decrees and regulations.

15. The University may— Degrees and other awards.

- (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 Statutes, deprive any person of any degree conferred or diploma, certificate or other academic distinction awarded by the University.

16. 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.

17. Any instrument purporting to be executed under the seal of the University and signed by the Chancellor, Pro-Chancellor, Vice-Chancellor, a Pro-Vice-Chancellor or Treasurer and counter-signed by the Secretary shall be received in evidence upon its production without further proof and shall, unless the contrary is proved, be deemed to be an instrument so executed. Execution and authentication of documents.

18. Rent payable to the Crown in respect of all land granted to the University by the Crown shall be limited in total to \$10 a year. Crown rent.

Transfer of property etc. from Colleges to University.
Second Schedule.
Third Schedule.

19. (1) The Second Schedule shall apply to the transfer of property and staff of the Colleges to the University.

(2) No stamp duty shall be payable in respect of any transfer or vesting of property, whether movable or immovable, or any surrender of an agreement or any assignment of rights affected by the Second or Third Schedule; and no stamp duty shall be payable on any agreement executed in accordance with paragraph 2 of Part I of the Second Schedule.

Repeals.
(Cap. 1081.)
(Cap. 1092.)
(Cap. 1118.)
Third Schedule.

20. (1) The Chung Chi College Incorporation Ordinance, the Board of Trustees of The United College of Hong Kong Incorporation Ordinance and the New Asia College Incorporation Ordinance are repealed.

(2) The Third Schedule shall have effect with respect to the constitution and powers of the Boards of Trustees of Chung Chi College, The United College of Hong Kong and the New Asia College.

Repeal of The Chinese University of Hong Kong Ordinance and the Statutes.
(Cap. 1109.)

21. The Chinese University of Hong Kong Ordinance and the Statutes of The Chinese University of Hong Kong are repealed.

Savings and transitional.

22. (1) The Council and Senate appointed under the repealed Ordinance shall continue to be the Council and the Senate of the University until a new Council and Senate are constituted under the Statutes.

(2) No other appointment made under the repealed Ordinance shall be affected by the repeal but shall, unless otherwise varied, continue on the same terms and conditions as if this Ordinance had not been enacted.

(3) All property, whether movable or immovable, rights and privileges vested in the University immediately prior to the commencement of this Ordinance shall continue to be vested in the University on the terms and conditions, if any, on which the same were then vested at that date, and the University shall continue to be subject to the obligations and liabilities to which it was subject immediately prior to the commencement of this Ordinance.

FIRST SCHEDULE [ss. 2 & 13(2).]

STATUTES OF THE CHINESE UNIVERSITY OF HONG KONG

STATUTE 1

INTERPRETATION

In these Statutes, unless the context otherwise requires—

“Ordinance” means The Chinese University of Hong Kong Ordinance 1976.

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 Pro-Chancellor or, in the absence of both of them, 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 Pro-Chancellor;
- (c) the Vice-Chancellor;
- (d) the Pro-Vice-Chancellors;
- (e) the Treasurer;
- (f) the members of the Council;
- (g) the Heads of the Colleges;
- (h) the members of the Senate;
- (i) Emeriti, Honorary and Research Professors;
- (j) the teachers;
- (k) the Secretary, Registrar, Librarian and Bursar;
- (l) such other persons holding such other offices or appointments at or made by the University as the council may from time to time determine;
- (m) the graduates and such other persons as are entitled in accordance with Statute 18 to have their names placed upon the Convocation roll;
- (n) 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 PRO-CHANCELLOR

1. The Pro-Chancellor may, on the authorization of the Chancellor and on his behalf, exercise any of the powers or perform any of the duties conferred or imposed on the Chancellor by the Statutes.
2. The Pro-Chancellor may resign by written notice addressed to the Chancellor.

STATUTE 6

THE VICE-CHANCELLOR

1. The 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, 3 members nominated by the Council from among its number and 3 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) report to the Senate at its next meeting if he has suspended or expelled any student;
 - (d) have power to appoint a person to discharge the functions and duties of the Pro-Vice-Chancellors, a Dean of a Faculty, the Chairman of a Board of Studies, the Secretary, Registrar, the Librarian or the Bursar during a temporary vacancy in any such appointment or during the temporary absence or inability of the holder of any such appointment;
 - (e) have power in case of emergency to appoint external examiners.

STATUTE 7

THE PRO-VICE-CHANCELLORS

A Pro-Vice-Chancellor shall hold office for 2 years and may be re-appointed for further periods not exceeding 2 years.

STATUTE 8

THE TREASURER

The Treasurer shall be appointed by the Council and shall hold office for 3 years, and may be re-appointed and when he is re-appointed he shall hold office for a further period or periods of 3 years.

STATUTE 9

THE HEADS OF COLLEGES

1. The Head of each College, other than the first Head, shall be appointed or re-appointed by the Council on the recommendation of a committee consisting of—
 - (a) the Vice-Chancellor, who shall be Chairman;
 - (b) one member of the Board of Trustees of the College for which the Head is to be appointed or re-appointed, elected by the Board; and
 - (c) 6 Fellows of that College elected under paragraph 6(b) of Statute 16 for the purpose by the Assembly of Fellows of that College.
2. The first Head of each College shall be appointed by the Council on the recommendation of the Vice-Chancellor in consultation with the Chairman of the Board of Trustees of the College concerned for such term as the Council shall determine.

3. The Head of a College, other than the first Head, shall be appointed for a period of 4 years and shall be eligible for re-appointment for a maximum of 2 further periods, each of 3 years.
4. The Head of a College shall be responsible for the welfare of the College and the students assigned to it and shall collaborate closely with the Vice-Chancellor in the conduct of the College and its work.
5. The Head of a College shall be the Chairman of the Assembly of Fellows of that College.
6. A Head of a College shall be an academic, but need not be on the academic staff of the University at the time of his appointment.

STATUTE 10

THE SECRETARY AND OTHER OFFICERS

1. The Secretary—
 - (a) shall be appointed by the Council on the recommendation of a Board of Advisers;
 - (b) shall be the custodian of the common seal of the University;
 - (c) shall be with the Registrar, the joint custodian of the records of the University;
 - (d) shall be the Secretary of the Council;
 - (e) shall discharge such duties as are specified in the Ordinance and Statutes and such other duties as may be determined by the Council.
2. The Registrar—
 - (a) shall be appointed by the Council on the recommendation of a Board of Advisers;
 - (b) shall keep a register of all members of the University under their respective qualifications as specified in Statute 3;
 - (c) shall be, with the Secretary of the Council, the joint custodian of the records of the University;
 - (d) shall be the Secretary of the Senate;
 - (e) shall discharge such duties as are specified in the Ordinance and Statutes and such other duties as may be determined by the Council and Senate;
 - (f) may exercise his functions as Secretary of the Boards of the Faculties by deputy.
3. The Librarian—
 - (a) shall be appointed by the Council on the recommendation of a Board of Advisers;
 - (b) shall be responsible for administering the library services of the University;
 - (c) shall discharge such duties as may be determined by the Council after consultation with the Senate.
4. The Bursar—
 - (a) shall be appointed by the Council on the recommendation of a Board of Advisers;

- (b) shall be responsible for the keeping of all University accounts and such inventories as the Council may determine;
- (c) shall discharge such other duties in connexion with University finance and otherwise as may be determined by the Council;
- (d) shall be Secretary of the Finance Committee.

STATUTE 11

THE COUNCIL

1. The Council shall consist of—
 - (a) the Chairman, who shall be appointed by the Chancellor on the nomination of the Council from persons under sub-paragraphs (k), (l), (m) and (n);
 - (b) the Vice-Chancellor;
 - (c) the Pro-Vice-Chancellors;
 - (d) the Treasurer;
 - (e) 2 members elected by the Board of Trustees of each College from among its own members;
 - (f) the Head of each College;
 - (g) the Dean of each Faculty and of the Graduate School;
 - (h) one Fellow of each College elected by the College's Assembly of Fellows;
 - (i) 3 members elected by the Senate from among the academic members of the Senate;
 - (j) not more than 4 persons from Universities or education organizations outside Hong Kong who shall be nominated by the Council;
 - (k) 4 persons nominated by the Chancellor;
 - (l) 3 persons elected by the Unofficial Members of the Legislative Council;
 - (m) not more than 4 other persons, normally resident in Hong Kong, who shall be elected by the Council;
 - (n) after a date to be appointed by the Council, such number of members of the Convocation not exceeding 3 as shall be determined by the Council from time to time, to be elected by the Convocation in the manner determined by the Council.
2. (1) Persons who hold appointments in the University shall not be eligible for nomination or election under paragraph 1(k), (l), (m) or (n).
 (2) Any person who is a member of the Board of Trustees of any College who is nominated or elected under paragraph 1(k), (l) or (m) shall resign from membership of the Board of Trustees.
3. The Chairman of the Council shall hold office for 3 years and may be re-appointed for further periods of 3 years.
4. The nominated and elected members of the Council shall hold office for 3 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 provisions of paragraph 1(e) and (h) shall cease to be members of the Council if they cease

- to be members of the Board of Trustees or of the Assembly of Fellows respectively which elected them.
5. 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.
 6. Members of the Council whose membership derives from paragraph 1(b), (c), (d), (f) and (g) 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.
 7. The Council shall elect from among its members a Vice-Chairman who shall hold office for a period of 2 years and who may be re-elected.
 8. Subject to 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 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 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 Trustees of each College annually to produce its audited accounts in such form and at such time as the Council may determine;
 - (h) to receive from public sources grants for capital and recurrent expenditure;
 - (i) to receive annually and for such longer periods as the Council may determine from time to time from the Vice-Chancellor, after he has consulted the Senate, and to approve, estimates of expenditure;
 - (j) to receive gifts and to approve, subject to such conditions as the Council thinks fit, the receipt of gifts by the Colleges;
 - (k) to provide for the welfare of persons employed by the University 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;
 - (l) to provide for the discipline and welfare of students;
 - (m) to recommend the award of degrees *honoris causa*;
 - (n) after report from the Senate to establish additional Faculties or to abolish, combine or subdivide any Faculty;
 - (o) to prescribe fees of the University;

- (2) that it shall be the duty of the Council—
- (a) to appoint bankers, auditors and any other agents whom it deems expedient to appoint;
 - (b) to appoint an Administrative and Planning Committee;
 - (c) 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 financial transactions and position of the University;
 - (d) to cause the accounts of the University to be audited within 6 months after the termination of each financial year as the Council may determine;
 - (e) to provide the buildings, libraries, laboratories, premises, furniture, apparatus and other equipment needed for the University;
 - (f) in consultation with the Senate to encourage and provide for research by members of the University;
 - (g) to review the instruction and teaching in courses of study leading to degrees, diplomas, certificates and other awards of the University;
 - (h) after consultation with the Senate, to institute all teaching posts;
 - (i) to administer or cause to be administered a Superannuation Fund or Funds for the benefit of persons employed by the University;
 - (j) to establish Boards of Advisers and to appoint external experts thereto on the recommendation of the Senate;
 - (k) to appoint on such terms and conditions as the Council may determine each Professor, Reader and Senior Lecturer and the Secretary, the Registrar, the Librarian and the Bursar on the recommendation of duly constituted Boards of Advisers;
 - (l) to make, on such terms and conditions as the Council may determine, such other University appointments as the Council deems necessary;
 - (m) on the recommendation of the Senate, to appoint a Director of Studies for each academic subject;
 - (n) to appoint external examiners on the recommendation of the Senate;
 - (o) to provide for the printing and publication of works which may be issued by the University; and
 - (p) to consider reports from the Senate, and if the Council deems it proper to do so, to take action thereon.
9. The Council shall meet at least 3 times in each academic year and additionally on the written request of the Chairman of the Council or the Vice-Chancellor or any 5 members of the Council.
 10. 7 days' notice in writing of any meeting of the Council shall be sent by the Secretary 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.
 11. 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 7 days' notice has been

given in writing by the Secretary to members of the Council of the proposal so to amend or rescind.

12. The quorum at any meeting of the Council shall be 12.

STATUTE 12

FINANCIAL PROCEDURE

1. The Council shall fix the financial year.
2. There shall be a Committee of the Council known as the Finance Committee, which shall consist of—
 - (a) the Treasurer, who shall be Chairman;
 - (b) the Vice-Chancellor or his representative;
 - (c) the Head of each College; and
 - (d) 3 other persons, including persons who are not members of the Council, as the Council shall appoint.

There shall be referred to the Finance Committee all matters within the jurisdiction of the Council which have important financial implications.

3. The Finance Committee shall submit to the Council, before the beginning of the financial year, draft estimates of income and expenditure of the University 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 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 (where applicable) sub-heads. Any transfer between votes or 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, with the exception of transfers between sub-heads solely concerning a College, which shall require the sanction of the Head of that College, subject to any rules and directions that the Finance Committee may issue.
5. The Finance Committee shall report to the Council, at such times as the Council may determine, any transfer between votes or heads. The Council may revise the estimates during the course of the financial year.
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 13

THE ADMINISTRATIVE AND PLANNING COMMITTEE

1. There shall be a Committee of the Council known as the Administrative and Planning Committee, which shall consist of—

- (a) the Vice-Chancellor, who shall be the Chairman;
- (b) the Pro-Vice-Chancellors;
- (c) the Head of each College;
- (d) the Dean of each Faculty and of the Graduate School;
- (e) the Secretary;
- (f) the Registrar; and
- (g) the Bursar.

The Secretary or his deputy shall serve as secretary of the Committee.

2. Subject to the Ordinance and the Statutes, it shall be the duty of the Administrative and Planning Committee—
 - (a) to assist the Vice-Chancellor in the performance of his duties;
 - (b) to initiate plans of University development;
 - (c) to assist the Vice-Chancellor in reviewing and co-ordinating the annual and supplementary estimates of recurrent and capital expenditures of the University, before transmitting them to the Finance Committee of the Council;
 - (d) to review or propose academic and administrative appointments that are at and above the level of Tutors and Demonstrators or their equivalent before these appointments are made;
 - (e) to deal with other matters referred to it by the Council.
3. The Administrative and Planning Committee shall report to the Council through the Vice-Chancellor.

STATUTE 14

THE SENATE

1. The Senate shall consist of—
 - (a) the Vice-Chancellor who shall be Chairman;
 - (b) the Pro-Vice-Chancellors;
 - (c) the Head of each College;
 - (d) the Dean of each Faculty and of the Graduate School;
 - (e) the Professors, or the Reader in respect of each academic subject in which there is no professor;
 - (f) the Directors of Studies if not a member under paragraph (e);
 - (g) 6 Fellows, 2 being elected by its Assembly of Fellows from each College;
 - (h) the Registrar;
 - (i) the Librarian or, where applicable, the Acting Librarian.
2. Members of the Senate (other than Fellows) 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.
3. Fellows elected under paragraph 1(g) shall hold office for 2 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 assigned to the College by whose Assembly of Fellows they were elected. Should an elected member die or resign from the Senate or cease to be a Fellow within the College by whose members he was elected a successor shall be duly elected who shall

be a member of the Senate for the unexpired period of membership of his predecessor.

4. 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; and to assign students to Colleges with due regard to the preferences of both the students and the Colleges;
 - (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 consider, upon the advice of the Assembly of Fellows of each College, measures necessary for the conduct of student-orientated teaching, and to consider also measures necessary for the conduct of subject-orientated teaching;
 - (e) 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;
 - (f) to appoint internal examiners after report from the Boards of Studies concerned;
 - (g) to recommend after report from the Boards of Studies concerned external examiners for appointment by the Council;
 - (h) to recommend the conferment of degrees (other than degrees *honoris causa*) and to award diplomas, certificates and other distinctions;
 - (i) 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;
 - (j) to recommend to the Council the institution, abolition or holding in abeyance of all teaching posts and the assignment of teachers to a College after consultation with the Assembly of Fellows of the College concerned;
 - (k) to recommend to the Council external experts to serve as members of Boards of Advisers;
 - (l) to report to the Council on all Statutes and Decrees and proposed changes thereof;
 - (m) to report to the Council on any academic matter;
 - (n) to discuss any matter relating to the University and to report its views to the Council;
 - (o) to report to the Council on any matters referred to the Senate by the Council;
 - (p) to consider estimates of expenditure prepared in respect of the University, and to report thereon to the Council;
 - (q) 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;
 - (r) to establish, modify or abolish any Board of Studies and to determine its functions;

- (s) to supervise the libraries and laboratories;
 - (t) to require any undergraduate or student on academic grounds to terminate his studies at the University;
 - (u) to determine—
 - (i) the academic year which shall be a period not exceeding 12 consecutive months, and
 - (ii) the academic terms which shall be part of an academic year;
 - (v) to exercise such other powers and perform such other duties as the Council may authorize or require.
5. The Senate shall hold at least 3 meetings in each academic year and additionally at any time at the direction of the Chairman or on the written request of any 5 members of the Senate.
 6. 7 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 2 members present object.
 7. 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 7 days' notice has been given in writing by the Registrar to members of the Senate of the proposal so to amend or rescind.
 8. The quorum at any meeting of the Senate shall be 12.

STATUTE 15

THE FACULTIES AND THE GRADUATE SCHOOL

1. The Vice-Chancellor, the Pro-Vice-Chancellors and the Head of each of the Colleges shall be members of each Faculty.
2. Each teacher 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.
3. The members of each Faculty shall elect, in such form and manner as may be determined by the Senate, a Dean of their Faculty from among the members of their Board of Faculty who hold the rank of Senior Lecturer or above; and a Dean so elected shall hold office for a term of 3 years.
4. The Dean of any Faculty shall be eligible for re-election not less than 2 years after the expiry of his first term of office provided he is still a member of the Faculty.
5. Each Faculty shall meet at least once a year, and shall have the power to discuss any matters relating to the Faculty and to express its opinion thereon to the Senate.
6. A Board of Faculty shall be established for each Faculty and shall consist of—
 - (a) the Vice-Chancellor;
 - (b) the Pro-Vice-Chancellors;
 - (c) the Head of each College;

- (d) the Dean, who shall be Chairman;
 - (e) the Chairman of each Board of Studies within the Faculty;
 - (f) other Professors, Readers and Directors of Studies within the Faculty;
 - (g) one representative of each Assembly of Fellows who shall be on the relevant Board of Studies of the Faculty;
 - (h) 2 Senior Lecturers elected by the Senior Lecturers within the Faculty;
 - (i) 4 Lecturers or Assistant Lecturers elected by the Lecturers and Assistant Lecturers within the Faculty.
7. The Board of Faculty shall co-ordinate the activities of the Boards of Studies within the Faculty and it shall be its function to consider and deal with the recommendations of the Boards of Studies—
 - (a) on the content of courses for the degree or degrees; and
 - (b) on the details of syllabuses.
 8. The Dean of the Graduate School shall be appointed by the Council on the recommendation of the Vice-Chancellor for a period to be determined by the Council.
 9. The Council of the Graduate School shall consist of—
 - (a) the Dean of the Graduate School, who shall be Chairman;
 - (b) the Deans of the Faculties;
 - (c) the Heads of the Divisions in the Graduate School;
 - (d) the Librarian;
 - (e) the Master of the Postgraduate Hall Complex.
 10. Subject to the Ordinance and the Statutes, the Council of the Graduate School shall have the following powers and duties—
 - (a) to advise the Senate on all graduate programmes of studies;
 - (b) to co-ordinate the activities of the Divisions within the Graduate School;
 - (c) to consider and deal with the recommendations of the various Divisions on the content of courses and on the details of syllabuses.

STATUTE 16

FELLOWS

1. The Council shall initially appoint 6 Fellows for each College on the recommendation of a Committee consisting of—
 - (a) the Vice-Chancellor, who shall be Chairman;
 - (b) 3 Professors, Readers or Senior Lecturers nominated by staff in those grades, who are on the existing staff of that College; and
 - (c) 3 Lecturers or Assistant Lecturers nominated by staff in those grades, who are on the existing staff of that College.
 At least 3 of the 6 Fellows so appointed shall be drawn from the existing staff of that College.

2. The Fellows of each College appointed under paragraph 1, together with the Head of the College, shall form an Assembly of Fellows for that College.
3. The Head of a College shall be the Chairman of the Assembly of Fellows of that College.
4. Subject to paragraph 6, the Assembly of Fellows of each College may elect additional Fellows to that Assembly from the academic staff of the University who have been assigned to the College concerned.
5. A Fellow shall hold office for 5 years and shall be eligible to hold office again as a Fellow.
6. The Assembly of Fellows of each College shall—
 - (a) elect one of their number to be a member of the Council;
 - (b) when necessary, elect 6 Fellows of varying academic seniority for the purposes of serving on the Committee constituted under paragraph 1 of Statute 9;
 - (c) be responsible for—
 - (i) arranging the tutorial instruction, pastoral counselling and student-orientated teaching of the students assigned to the College;
 - (ii) the supervision of residential accommodation for certain students at the College; and
 - (iii) the maintenance of discipline within the College.
7. An Assembly of Fellows may make Standing Orders for the proper conduct of its business.

STATUTE 17

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;
 - (b) the Pro-Vice-Chancellors;
 - (c) the Head of each College;
 - (d) all the teachers in the subject concerned, serving in their individual capacities; and
 - (e) such teachers 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 Studies for such period as may be determined by the Senate.

STATUTE 18

THE CONVOCATION

1. There shall be a Convocation of the University which shall consist of all persons whose names appear on the Convocation roll.

2. All persons who are 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 such number of members of the Convocation not exceeding 3 as the Council shall determine from time to time to be members of the Council:

Provided that no person who holds an appointment in the University or who is a member of the Board of Trustees of any of the Colleges shall be eligible for such election.

8. The Convocation shall, after a date to be determined by the Council, meet at least once in each calendar year and notice of such meeting shall be given 4 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 3 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.
10. The constitution, functions, privileges and other matters relating to the Convocation shall be subject to the approval of the Council.

STATUTE 19

ACADEMIC STAFF

The academic staff of the University shall consist of—

- (a) the Vice-Chancellor;
- (b) the Pro-Vice-Chancellors;
- (c) the Head of each of the Colleges;
- (d) the teachers;
- (e) the Librarian; and
- (f) such other persons as the Council on the recommendation of the Senate may prescribe.

STATUTE 20

APPOINTMENT OF ACADEMIC AND SENIOR ADMINISTRATIVE STAFF

1. There shall be Boards of Advisers which shall make recommendations to the Council concerning the appointment of academic and senior administrative staff. Recommendations concerning the appointment of academic staff shall be conveyed through the Senate.
2. The Board of Advisers for each appointment of Professor, Reader and Senior Lecturer shall consist of—
 - (a) the Vice-Chancellor, or a deputy appointed by him, who shall be Chairman;
 - (b) one member of the Council appointed by the Council, who is not a member of the College to which the appointee will be assigned;
 - (c) 2 members of the Senate, appointed by the Senate, who are not members of the College to which the appointee will be assigned;
 - (d) the Head of the College to which the appointee will be assigned;
 - (e) the Chairman of the Board of Studies appropriate to the subject in which the appointment is to be made, except that no such Chairman shall serve on a Board that is concerned with a post senior to his own post; and
 - (f) 2 external experts.
3. The Board of Advisers for each appointment of Lecturer shall consist of—
 - (a) the Vice-Chancellor, or a deputy appointed by him, who shall be Chairman;
 - (b) one member of the Council appointed by the Council, who is not a member of the College to which the appointee will be assigned;
 - (c) 2 members of the Senate appointed by the Senate, who are not members of the College to which the appointee will be assigned;
 - (d) the Head of the College to which the appointee will be assigned;
 - (e) the Chairman of the Board of Studies appropriate to the subject in which the appointment is to be made; and
 - (f) one external expert.
4. The Board of Advisers for each appointment of Assistant Lecturer shall consist of—
 - (a) the Vice-Chancellor, or a deputy appointed by him, who shall be Chairman;
 - (b) one member of the Council appointed by the Council, who is not a member of the College to which the appointee will be assigned;
 - (c) one member of the Senate appointed by the Senate, who is not a member of the College to which the appointee will be assigned;
 - (d) the Head of College to which the appointee will be assigned;
 - (e) the Chairman of the Board of Studies appropriate to the subject in which the appointment is to be made.
5. The Board of Advisers for the appointment of the Librarian shall consist of—
 - (a) the Vice-Chancellor, or a deputy appointed by him, who shall be Chairman;

- (b) one member of the Council appointed by the Council;
 - (c) 2 members of the Senate appointed by the Senate; and
 - (d) 2 external experts.
6. The Board of Advisers for the appointment of the Secretary and the Registrar shall consist of—
 - (a) the Vice-Chancellor, or a deputy appointed by him, who shall be Chairman;
 - (b) the Chairman of the Council or in his absence a person appointed by the Council;
 - (c) one other member of the Council appointed by the Council; and
 - (d) 2 members of the Senate appointed by the Senate.
 7. The Board of Advisers for the appointment of the Bursar shall consist of—
 - (a) the Vice-Chancellor, or a deputy appointed by him, who shall be Chairman;
 - (b) the Treasurer;
 - (c) one member of the Council appointed by the Council; and
 - (d) 2 members of the Senate appointed by the Senate.
 8. The Boards of Advisers constituted under paragraphs 4 and 6 may, for the purposes of making any recommendation, consult an external expert.
 9. For the purposes of this Statute an external expert shall be appointed by the Council and shall not be a member of the staff of the University.
 10. No person shall be recommended for appointment to any post in respect of which the relevant Board of Advisers includes an external expert or experts unless that expert, or if there are two, those experts certify in writing that the person to be recommended is of the required academic or professional standing.
 11. Where, in relation to any recommendation for appointment to any post, the Board of Advisers has 2 external experts and those experts are unable to agree over the recommendation, the matter shall be referred to the Administrative and Planning Committee, who may determine the dispute.

STATUTE 21

HONORARY AND EMERITUS PROFESSORS

1. The Council may appoint Honorary Professors and may award the title of Emeritus Professor to any Professor who has retired from office provided that such appointment or award is recommended by the Senate.
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 22

RETIREMENT OF CERTAIN OFFICERS AND ACADEMIC STAFF

The Vice-Chancellor, the Pro-Vice-Chancellors and all other salaried officers and teachers—

- (a) shall vacate their offices or appointments by the 31st July following the date on which they attain the age of 60 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 after attaining the age of 55 and before attaining the age of 60.

STATUTE 23

RESIGNATIONS

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

STATUTE 24

REMOVAL FROM OFFICE, MEMBERSHIP OR APPOINTMENT

1. The Council may for good cause as defined in paragraph 2 remove the Treasurer from his office and any member of the Council other than the Chairman and any person appointed under paragraph 1(k) and (l) of Statute 11 from his membership of the Council.
2. "Good cause" in paragraph 1 means—
 - (a) conviction of any crime 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 officer 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, the Pro-Vice-Chancellors, the Head of each of the Colleges, any of the Professors or Readers or Senior Lecturers, the Secretary, the Registrar, the Librarian, the Bursar and any other person holding an academic or administrative appointment made by the Council.
4. The Council may and shall if requested by the person concerned or by any 3 members of the Council before such removal appoint a committee consisting of the Chairman of the Council, 2 other members of the Council and 3 members of the Senate to examine the complaint and to report to the Council thereof.
5. "Good cause" in paragraph 3 means—
 - (a) conviction of any crime which the Council after consideration if necessary of a report of the committee referred to in paragraph 4 shall consider 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 consider 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 consider 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 25

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 the University;
 - (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. No student shall be permitted to pursue an approved course of advanced study or research leading to a certificate, diploma or higher degree of the University unless he shall have—
 - (a) been admitted by and to the University;
 - (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.
3. 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; and
 - (b) satisfied such other requirements for admission to the course as shall have been prescribed by regulation.
4. Each student shall be subject to the disciplinary control of the University.
5. The University may demand and receive from any student such fees as the Council may from time to time determine.
6. The Senate shall from time to time determine the requirements which an applicant must fulfil for matriculation as a student of the University.
7. There may be a University Students Union. The constitution shall be subject to the approval of the Council.
8. There may be a Students Union for each College. The constitution shall be subject to the approval of the Council, on the recommendation of the Assembly of Fellows of the College concerned.

STATUTE 26

DEGREE 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 an approved course of study;
 - (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.)
 - Master of Divinity (M.Div.)
 - 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 Social Science—
 - Bachelor of Social Science (B.S.Sc.)
 - Master of Social Science (M.S.Sc.)
 - Doctor of Social Science (D.S.Sc.);
 - (d) in the Faculty of Business Administration—
 - Bachelor of Business Administration (B.B.A.)
 - Master of Business Administration (M.B.A.)
 - Doctor of Business Administration (D.B.A.);
 - (e) in all Faculties—
 - Master of Philosophy (M.Phil.)
 - 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 4 academic years.
4. The Senate may, by way of special exceptions to the conditions prescribed in paragraph 3, 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—

 - (a) he shall have attended an approved course of study as a matriculated student of the University for at least 2 academic years, one of which shall be the final year; and
 - (b) his total period of attendance as a matriculated student of this and another university or universities shall have been not less than 3 academic years.

5. The Senate may accept a certificate of proficiency in any subject issued by another university recognized for this purpose by the Senate 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 12 months after satisfying the requirements for the conferment of the degree of Bachelor in the Faculty concerned or after admission as a postgraduate 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 24 months after satisfying the requirements for the conferment of the degree of Bachelor in the Faculty concerned or after admission as a postgraduate 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, Doctor of Social Science or Doctor of Business Administration shall not be conferred upon any person unless—
 - (a) he shall be a graduate of the University of not less than 7 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. (1) A person who has graduated in another university or who as a registered student of Chung Chi College, The United College of Hong Kong or New Asia College has obtained before the date of establishment of the University a diploma or certificate issued by or on behalf of such Colleges may be exempted from the matriculation requirement of the University and may be admitted as a postgraduate 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.
 - (2) A person who—
 - (a) has completed a course of study in a tertiary educational institution and holds professional or similar qualifications equivalent to a degree; and
 - (b) has satisfied such other requirements as may be prescribed by the Statutes and by decrees and regulations made thereunder,
 may be exempted from the matriculation requirements of the University and may be admitted to be a postgraduate student with the approval of the Senate.
10. The Senate may recommend the award of the degree of Master or Doctor in any Faculty to any member of the academic staff of the University 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 award 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 award 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 Heads of the 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.
13. The University may award diplomas and certificates—
- (a) to students who—
 - (i) have attended an approved course of study;
 - (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 an arrestable offence 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 27

EXAMINATIONS

Every examination or other test of the University qualifying in any subject 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 teachers 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 and who shall not have taken part in the teaching of the candidates.

STATUTE 28

CITATION

The Statutes may be cited as the Statutes of The Chinese University of Hong Kong.

SECOND SCHEDULE

[s. 19.]

PROVISIONS APPLICABLE TO TRANSFER OF PROPERTY AND STAFF OF COLLEGES TO UNIVERSITY

PART I

TRANSFER OF COLLEGE PROPERTY AND STAFF

1. All immovable property within the precincts of the University and vested in any of the Colleges or its Board of Governors or Board of Trustees as the case may be immediately before the commencement of this Ordinance, is hereby transferred to and without further assurance vested in the same interest in the University; and the agreements made between the University and Chung Chi College dated 3rd July 1970, the University and the Board of Governors of New Asia College dated 29th December 1970 and the University and the Board of Trustees of The United College of Hong Kong dated 21st January 1971 are hereby surrendered to the University.
2. The Registrar General shall prepare such agreements as he considers necessary to effect a sub-letting by the University to the respective Colleges of the buildings specified in Part II of this Schedule and the land on which such buildings stand, together with such adjoining land, if any, as the Registrar General or a public officer appointed by him considers essential to the use and enjoyment of the buildings, containing such terms as the Registrar General thinks fit, which agreements shall be executed by the University as landlord and the Boards of Trustees of each College as tenants when so required by the Governor.
3. All movable property, assets and liabilities of the Colleges, other than movable property held on trust by or for the Colleges, are hereby transferred to and vested without further assurance in the University, and the University shall have all the powers necessary to take possession of recover and deal with such movable property and assets and discharge such liabilities.
4. Every agreement, whether in writing or not, (other than the agreements surrendered under paragraph 1) to which any College, or any Board of Governors or Board of Trustees of any College, was a party, and whether or not of such a nature that the rights or liabilities thereunder could be assigned shall have effect as if—
 - (a) the University had been a party to such agreement; and

- (b) for any reference to the College, or to the Board of Governors or Board of Trustees of any College however worded and whether express or implied, there were substituted in respect of anything to be done on or after the commencement of this Ordinance a reference to the University.
5. The appointment of any officer or servant of any College subsisting immediately before the commencement of this Ordinance shall be deemed to have been made by the University under this Ordinance, and for all purposes the service of such officer or servant shall be regarded as continuous from the time he was appointed by the College.
 6. Where anything has been commenced by or under the authority of any College prior to the commencement of this Ordinance and such thing is within the power of the University or was done in relation to any of the property, agreements, rights and liabilities transferred by this Schedule to the University, such thing may be carried on and completed by, or under the authority of, the University.
 7. The Governor may by order provide for any matters which appear to him necessary or expedient for the better carrying out of the provisions of this Schedule.

PART II

BUILDINGS TO BE LEASED BACK TO THE COLLEGES
SUBJECT TO SECTION 7(c)

College	Description of Property
Chung Chi College	1. The Administration Building.
	2. The Teaching Block and Library.
	3. The multi-purpose Hall and Orchid Lodge.
	4. The Stadium and Athletic Field.
	5. The Music Centre.
	6. The Student Hostels known as the Ying Lin Tang, the Hua Lien Tang, the Ming Hua Tang and the Wen Lin Tang.
	7. The Staff Quarters.
	8. The Old Clinic Quarters.
	9. The Single Staff Quarters.
	10. The Chapel.
	11. The Theology Building.
United College	1. The Staff Residence.
	2. The Adam Schall Residence.
New Asia College	1. The Junior Staff Quarters (Friendship Lodge).

THIRD SCHEDULE [ss. 19(2) & 20(2).]

CONSTITUTION OF THE COLLEGES

Interpretation.

1. In this Schedule, unless the context otherwise requires—
"Boards of Trustees" means the Boards of Trustees of the Colleges incorporated under paragraph 2;

"Chairman" means the Chairman of each Board of Trustees;
"Council" means the Council of The Chinese University of Hong Kong.

2. (1) There shall be a Board of Trustees of Chung Chi College which shall be a body corporate and shall have the name of "The Trustees of Chung Chi College" and in that name shall have perpetual succession, and may sue and be sued, and shall have and use a common seal. Incorporation of Board of Trustees.

(2) There shall be a Board of Trustees of The United College of Hong Kong which shall be a body corporate and shall have the name of "The Trustees of The United College of Hong Kong" and in that name shall have perpetual succession, and may sue and be sued, and shall have and use a common seal.

(3) There shall be a Board of Trustees of New Asia College which shall be a body corporate and shall have the name of "The Trustees of New Asia College" and in that name shall have perpetual succession, and may sue and be sued, and shall have and use a common seal.

3. (1) Each Board of Trustees shall hold in trust, and administer for the benefit of its College the movable property which is vested in the Board under paragraph 7; and shall hold in trust for the benefit of the University the buildings the subject of the agreements to be made under paragraph 2 of the Second Schedule. Powers and duties of Boards of Trustees.
Second Schedule.

(2) Subject to sub-paragraph (3), each Board of Trustees may, for the purpose of the trusts under sub-paragraph (1), exercise the powers conferred on trustees by the Trustee Ordinance. (Cap. 29.)

(3) A Board of Trustees shall not, without the prior approval of the Council, which may be subject to such conditions as the Council thinks fit, accept any gift for the benefit of the College.

(4) Each Board shall make written provision for its procedure in the transaction of business, the discharge of its aims and duties and the maintenance of good order at its meetings.

(5) The Board of Trustees of Chung Chi College shall—

(a) recommend to the Council, through the Administrative and Planning Committee, all appointments to the Theology Division, or whatever part of the University shall succeed the Division as being responsible for theological education, including the appointment of the Head of the Theology Division (or equivalent post) and of the warden of the Theology Hostel;

(b) allocate for the promotion of theological education, including the upkeep of the Theology Building, the resources made available from private funds;

(c) provide for and appoint the Chaplain of the Chapel; and

(d) advise the Senate on all major policy matters relating to theological education,

and the Board of Trustees may delegate to a Theological Council appointed by it the power to discharge the functions and duties imposed on the Board by this sub-paragraph.

4. (1) The persons who, immediately before the commencement of this Ordinance, were members of the Board of Governors of Chung Chi College shall, on the commencement of this Ordinance, become the members of the Board of Trustees of that College incorporated under paragraph 2(1). Composition of Boards of Trustees.

(2) The persons who, immediately before the commencement of this Ordinance, were members of the Board of Trustees of The United College of Hong Kong shall, on the commencement of this Ordinance, become members of the Board of Trustees of that College incorporated under paragraph 2(2).

(3) The persons who, immediately before the commencement of this Ordinance, were members of the Board of Governors of New Asia College shall, on the commencement of this Ordinance, become members of the Board of Trustees of that College incorporated under paragraph 2(3).

(4) Any person who is at the commencement of this Ordinance, or who becomes, a member of a Board of Trustees may retire as a member of that Board of Trustees, but no person shall retire so as to reduce the number of members of the Board of Trustees below 4.

(5) Vacancies in the number of members of a Board of Trustees shall from time to time be filled by such legal means as would have been available for the appointment of new trustees if the Board of Trustees had not been incorporated, and, without prejudice to the generality to the foregoing, section 42 of the Trustee Ordinance shall apply in relation to the appointment of new Trustees.

5. (1) Each Board of Trustees shall forward to the Registrar of Companies—

- (a) notice of the address of the principal office of the Board of Trustees and any change thereof;
 - (b) a list of the names and addresses of the members of the Board of Trustees, and any change therein, certified as correct by the Chairman; and
 - (c) a copy of the written provision made under paragraph 3(4), and any change therein, certified as correct by the Chairman.
- (2) Notification in accordance with sub-paragraph (1)(a) and (b) shall be made—
- (a) within 3 months of the commencement of this Ordinance; and
 - (b) thereafter within 28 days of any change.

(3) Notification under sub-paragraph (1)(c) shall be made within 28 days after the making of any written provision under paragraph 3(4) or the making of any change therein.

(4) Any person may inspect at the office of the Registrar of Companies any of the documents registered under this paragraph.

(5) A fee of \$5 shall be payable for registering or inspecting any document referred to in this paragraph.

6. Each Board of Trustees shall in each year, prepare and produce to the Council its audited accounts in such form and at such times as the Council may determine.

7. On the commencement of this Ordinance—

- (a) all movable property held on trust by or for each College and all immovable property held by or on behalf of the Colleges outside the precincts of the University shall vest in the Board of Trustees of the College concerned without further assurance and on the same trusts and subject to the same terms and conditions, if any, on which the same was then held;

(Cap. 29.)

Registration
with
Registrar of
Companies.

Accounts.

Transitional
provisions.

(b) the Board of Trustees of each College shall succeed to all rights, privileges, obligations and liabilities of the Colleges relating to the property vested in the Boards of Trustees under sub-paragraph (a).

8. Nothing in this Schedule 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 Schedule and those claiming by, from or under them. Saving.

Passed by the Hong Kong Legislative Council this 22nd day of December, 1976.

Clerk to the Legislative Council.

This printed impression has been carefully compared by me with the bill, and is found by me to be a true and correctly printed copy of the said bill.

Clerk to the Legislative Council.

PUBLIC RECORDS OFFICE
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