

The Chinese University of Hong Kong Ordinance

Long title

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, to make provision for Shaw College, Morningside College, S.H. Ho College, C.W. Chu College, Wu Yee Sun College and Lee Woo Sing College, and for purposes connected therewith.

(Amended 59 of 1986 s. 4; 18 of 2007 s. 5; 2 of 2008 s. 5) [24 December 1976] (Originally 86 of 1976)

Preamble

WHEREAS—

- (a) The Chinese University of Hong Kong was established and incorporated in 1963 by The Chinese University of Hong Kong Ordinance (Cap 1109 1965 Ed.) as a University with a federal constitution;
- (b) the original Colleges of the University are Chung Chi College, New Asia College and The United College of Hong Kong; (Replaced 59 of 1986 s. 4)
- (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;
- (da) the Council of the University has, by special resolutions, resolved that Shaw College, Morningside College, S.H. Ho College, C.W. Chu College, Wu Yee Sun College and Lee Woo Sing College shall be constituent Colleges of the University; (Added 59 of 1986 s. 4. Amended 18 of 2007 s. 5; 2 of 2008 s. 5)

- (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:

1. Short title

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

2. Definitions

- (1) In this Ordinance, unless the context otherwise requires—
- “approved course of study” (認可課程) means a course of study approved by the Senate;
 - “Assembly of Fellows” (院務委員會) means the Assembly of Fellows of a constituent College; (Amended 59 of 1986 s. 4)
 - “Board of Trustees” (書院校董會) means the Board of Trustees of an original College or Shaw College; (Amended 59 of 1986 s. 4; 18 of 2007 s. 5)
 - “Chancellor” (監督), “Pro-Chancellor” (副監督), “Vice-Chancellor” (校長), “Pro-Vice-Chancellors” (副校長) and “Treasurer” (司庫) respectively mean the Chancellor, Pro-Chancellor, Vice-Chancellor, Pro-Vice-Chancellors and the Treasurer of the University;
 - “constituent College” (成員書院) means a constituent College of the University as provided by section 3; (Replaced 59 of 1986 s. 4. Amended 18 of 2007 s. 5)
 - “Council” (大學校董會), “Senate” (教務會), “Convocation” (校友評議會), “Faculties” (學院), “Schools of Studies” (專業學院) and “Boards of Studies” (學務委員會) respectively mean the Council, Senate, Convocation, Faculties, Schools of Studies and Boards of Studies of the University; (Amended 10 of 2005 s. 21)
 - “Fellow” (院務委員) means a Fellow of a constituent College; (Amended 59 of 1986 s. 4)
 - “graduates” (畢業生) and “students” (學生) respectively mean the graduates and students of the University;
 - “Head” (院長) means, in relation to an original College or Shaw College, the Head of the College concerned; (Replaced 18 of 2007 s. 5)
 - “members” (成員) means such persons as are prescribed by the Statutes to be members of the University;
 - “officers” (主管人員) means the officers of the University as provided by section 5;
 - “original College” (原有書院) means any of the following—
 - (a) Chung Chi College;

- (b) The United College of Hong Kong;
 - (c) New Asia College; (Added 59 of 1986 s. 4)
- “precincts” (院校範圍) means, in relation to the University, the boundaries of Lot No. 725 in Demarcation District 42;
- “repealed Ordinance” (已廢除條例) means The Chinese University of Hong Kong Ordinance (Cap 1109 1965 Ed.) repealed by section 21;
- “Statutes” (規程) means the Statutes of the University contained in Schedule 1 as the same may from time to time be amended or replaced under section 13(1);
- “teacher” (教師) means a member of the full-time teaching staff of the University of the rank of Assistant Lecturer and above;
- “University” (香港中文大學) 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 1 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. University to have constituent Colleges

- (1) The constituent Colleges of the University are the original Colleges, Shaw College 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 constituent Colleges of the University. (Amended 59 of 1986 s. 4)
- (2) No provision in the constitution of any constituent College shall be of effect if it is in conflict with or inconsistent with this Ordinance. (Amended 59 of 1986 s. 4)
- (3) No person shall be excluded from being a member of the University by reason of sex, race or religion.

4. Continuation of incorporation of the University

- (1) The constituent Colleges and members of the University shall be or 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 (28 of 1963). (Amended 59 of 1986 s. 4)
- (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. Officers

Remarks: For the transitional provision relating to the amendments made by the Statute Law (Miscellaneous Provisions) Ordinance 2002 (23 of 2002), see section 65 of that Ordinance.

- (1) The officers of the University shall be the Chancellor, the Pro-Chancellor, the Vice-Chancellor, the Pro-Vice-Chancellors, the Treasurer, the Heads of the original Colleges and of Shaw 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. (Amended 59 of 1986 s. 4; 18 of 2007 s. 5)
- (2) The Chancellor shall be the head of the University and may confer degrees in the name of the University.
- (3) The Chief Executive shall be the Chancellor. (Amended 53 of 2000 s. 3)
- (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 and may confer degrees in the name of the University. (Amended 23 of 2002 s. 56)
- (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. (Amended 23 of 2002 s. 56)
- (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. Provision for Council, Senate and Convocation

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.

7. Powers and duties of the Council

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

- (a) be the governing and executive body of the University;
- (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 constituent Colleges, but in the exercise of such power of control and management in respect of any immovable property of any original College or Shaw 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; (Amended 59 of 1986 s. 4; 18 of 2007 s. 5)

- (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.

8. Powers and duties of Senate

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.

9. Composition and function of the Convocation

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.

10. Committees

- (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.

11. Appointment of staff

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.

12. Faculties, etc.

- (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.

13. Statutes

- (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 Schedule 1 shall have effect as if made and approved under subsection (1).

14. Decrees and regulations

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.

15. Degrees and other awards

The University may—

- (a) confer such degrees as may be specified in the Statutes;
- (b) award diplomas and certificates and such other academic distinctions as may be specified in the Statutes;
- (c) provide such lectures and instruction for persons not being members of the University as the University may determine;
- (d) confer degrees *honoris causa* of Master or Doctor in accordance with the Statutes; and
- (e) subject to the Statutes, deprive any person of any degree conferred or diploma, certificate or other academic distinction awarded by the University.

16. Honorary Degrees Committee

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*.

17. Execution and authentication of documents

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 countersigned 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.

18. Government rent

Remarks: Adaptation amendments retroactively made — see 53 of 2000 s. 3

Rent payable to the Government in respect of all land granted to the University by the Government shall be limited in total to \$10 a year. (Amended 53 of 2000 s. 3)

19. (Omitted as spent)

20. Miscellaneous provisions (Amended 18 of 2007 s. 5)

- (1) The Chung Chi College Incorporation Ordinance (Cap 1081 1964 Ed.), the Board of Trustees of The United College of Hong Kong Incorporation Ordinance (Cap 1092 1964 Ed.) and the New Asia College Incorporation Ordinance (Cap 1118 1967 Ed.) are repealed.
- (2) The constitution and powers of the Boards of Trustees of the original Colleges are set out in Schedule 3. (Replaced 18 of 2007 s. 5)
- (3) The constitution and powers of the Board of Trustees of Shaw College are set out in Schedule 4. (Replaced 18 of 2007 s. 5)

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

The Chinese University of Hong Kong Ordinance (Cap 1109 1965 Ed.) and the Statutes of The Chinese University of Hong Kong (Cap 1109 sub. leg. 1968 Ed.) are repealed.

22. Savings and transitional

Remarks: Adaptation amendments retroactively made — see 53 of 2000 s. 3

- (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.

- (4) Nothing in this Ordinance shall affect or be deemed to affect the rights of the Central Authorities or the Government of the Hong Kong Special Administrative Region under the Basic Law and other laws 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. (Added 59 of 1986 s. 4. Amended 53 of 2000 s. 3)

Schedule 1

[ss. 2 & 13(2)]

STATUTES OF THE CHINESE UNIVERSITY OF HONG KONG

Remarks: For the transitional provision relating to the amendments made by the Statute Law (Miscellaneous Provisions) Ordinance 2002 (23 of 2002), see section 65 of that Ordinance.

STATUTE 1

Interpretation

In these Statutes, unless the context otherwise requires—

“additional College” (新增書院) means a constituent College other than an original College or Shaw College; (18 of 2007 s. 5)

“College” (書院) means a constituent College of the University as provided by section 3; (59 of 1986 s. 4; 18 of 2007 s. 5)

“Dean” (院長) means the Dean of a Faculty or of the Graduate School, as the case may be; (L.N. 101 of 1995)

“Department” (學系) means a Department of a Faculty established by the Council on the recommendation of the Senate and “Departments” (各學系) shall be construed accordingly; (L.N. 452 of 1994)

“Graduate School” (研究院) means the Graduate School of the University; (L.N. 101 of 1995)

“Ordinance” (條例) means The Chinese University of Hong Kong Ordinance (Cap 1109); (L.N. 38 of 2007)

“unit” (單位) means an institution established or formed by the Council under section 12 of the Ordinance. (L.N. 25 of 2002)

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, one of the following persons, shall preside at

Congregations—

- (a) the Pro-Chancellor;
 - (b) the Chairman of the Council;
 - (c) the Vice-Chancellor;
 - (d) the Pro-Vice-Chancellor who is carrying out the functions and duties of the Vice-Chancellor in the absence of the Vice-Chancellor. (23 of 2002 s. 57)
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 original Colleges and of Shaw College; (18 of 2007 s. 5)
- (h) the members of the Senate;
- (i) Emeriti, Honorary and Research Professors;
- (j) the teachers;
- (k) the Secretary, Registrar, Librarian and Bursar;
- (ka) the University Dean of Students; (L.N. 251 of 1988; L.N. 114 of 1991)
- (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 Department, 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; (L.N. 452 of 1994)
 - (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 Original Colleges and of Shaw College

(18 of 2007 s. 5)

- 1A. This Statute only applies to and in relation to the original Colleges and Shaw College. (18 of 2007 s. 5)

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 connection with University finance and otherwise as may be determined by the Council;
 - (d) shall be Secretary of the Finance Committee.
5. The University Dean of Students— (L.N. 114 of 1991)
 - (a) shall be appointed by the Council on the recommendation of the Vice-Chancellor;
 - (b) shall hold office for such period as may be determined by the Council;
 - (c) shall be responsible to the Vice-Chancellor for such duties in connection with student affairs as may be determined by the Council;
 - (d) may be designated as an officer. (L.N. 251 of 1988)

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 subparagraphs (k), (l), (m) and (n);
 - (b) the Vice-Chancellor;
 - (c) the Pro-Vice-Chancellors;
 - (d) the Treasurer;
 - (da) life members appointed by the Council; (L.N. 31 of 1981)
 - (e) in relation to the original Colleges and Shaw College, 2 members elected by the Board of Trustees of each College from among its own members; (18 of 2007 s. 5)
 - (f) the Heads of the original Colleges and of Shaw College; (18 of 2007 s. 5)
 - (g) the Dean of each Faculty and of the Graduate School;
 - (h) in relation to the original Colleges and Shaw College, one Fellow of each College elected by the College's Assembly of Fellows; (18 of 2007 s. 5)
 - (i) 3 members elected by the Senate from among the academic members of the Senate;
 - (j) (Repealed L.N. 481 of 1997)
 - (k) 6 persons nominated by the Chancellor; (L.N. 481 of 1997)
 - (l) 3 persons elected by the Members of the Legislative Council, other than Official Members, from among their own number; (67 of 1987 s. 2)

- (m) not more than 6 other persons, normally resident in Hong Kong, who shall be elected by the Council; (L.N. 481 of 1997)
 - (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) (Repealed L.N. 481 of 1997)
 3. The Chairman of the Council shall hold office for 3 years and may be re-appointed for further periods of 3 years.
 - 3A. The Chairman of the Council may confer degrees in the name of the University. (23 of 2002 s. 61)
 4. (1) 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 a member elected under subparagraphs (e), (h), (i), (l) or (n) of paragraph 1 shall cease to be a member of the Council if he ceases to be a member of the body from among whose members he was elected. (L.N. 438 of 1993)
 - (1A) If an elected member of the Council ceases to be a member under the proviso to subparagraph (1), the body which elected him shall duly elect a successor whose membership of the Council shall be for a period not exceeding 3 years. The successor shall be eligible for re-election to which subparagraph (2) shall apply. (L.N. 438 of 1993)
 - (2) A body re-nominating or re-electing a member may re-nominate or re-elect, as the case may be, such member for a period of 3 years or for a period of less than 3 years. (L.N. 20 of 1988)
 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 a period not exceeding 3 years. Such successor shall be eligible for re-nomination or re-election, and paragraph 4(2) shall apply thereto. (L.N. 20 of 1988; L.N. 257 of 2000)
 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) in relation to the original Colleges and Shaw College, 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; (18 of 2007 s. 5)
 - (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 Departments or to abolish, combine or subdivide any Faculty or Department; (L.N. 452 of 1994)
 - (na) on the recommendation of the Senate, to determine the organization or structure of each Faculty and its Departments and to make such alterations to such organization or structure as deemed fit by the Council; (L.N. 452 of 1994)
 - (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 Chairman for each Department and a Director of Studies for each academic subject not subsumed under a Department; (L.N. 452 of 1994)
 - (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.
 - 9A. The Council may transact any of its business by circulation of papers, and unless the Vice-Chancellor or 5 members of the Council in writing request the Chairman of the Council to refer any particular item of the business being so transacted to the next meeting of the Council, a resolution in writing which is approved in writing by a majority of the members shall be as valid and effectual as if it had been passed at a meeting of the Council. (L.N. 256 of 1998)
 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 2 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 11A

Constitutions of Additional Colleges

1. There shall be a constitution for each additional College. The constitution shall be subject to the approval of the Council.
2. The name, structure and organization of each additional College shall be determined by the Council. (18 of 2007 s. 5)

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 Heads of the original Colleges and of Shaw College; and (18 of 2007 s. 5)
 - (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 an original College or Shaw College, which shall require the sanction of the Head of the College concerned, subject to any rules and directions that the Finance Committee may issue. (18 of 2007 s. 5)
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 Heads of the original Colleges and of Shaw College; (18 of 2007 s. 5)
 - (d) the Dean of each Faculty and of the Graduate School;
 - (e) the Secretary;
 - (f) the Registrar;
 - (g) the Bursar; and
 - (h) the University Dean of Students. (L.N. 103 of 1999)The Secretary or his deputy shall serve as secretary of the Committee. (L.N. 103 of 1999)
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 Heads of the original Colleges and of Shaw College; (18 of 2007 s. 5)
 - (d) the Dean of each Faculty and of the Graduate School;
 - (e) the Professors, or the Readers in each Department in which there is no professor; (L.N. 452 of 1994)
 - (f) the Chairman of each Department and the Directors of Studies if not a member under subparagraph (e); (L.N. 452 of 1994)
 - (fa) the Director of the School of Continuing and Professional Studies of the University; (L.N. 257 of 2000; L.N. 38 of 2007)

- (g) in relation to the original Colleges and Shaw College, 2 Fellows of each College elected by the College's Assembly of Fellows; (L.N. 25 of 1987; 18 of 2007 s. 5)
 - (h) the Registrar;
 - (i) the Librarian; (L.N. 452 of 1994)
 - (j) the University Dean of Students; (L.N. 251 of 1988; L.N. 114 of 1991)
 - (k) the President of the University Students Union; (L.N. 251 of 1988)
 - (l) 1 student of each Faculty of the University elected by, and from among, full-time students in that Faculty pursuing approved courses of study for a degree of the University; (L.N. 175 of 1996; L.N. 357 of 2000)
 - (m) in relation to the original Colleges and Shaw College, 1 student representing the Students Union of each College of the University elected by, and from among, full-time students pursuing approved courses of study for a degree of the University who are members of that Students Union. (L.N. 357 of 2000; 18 of 2007 s. 5)
2. Members of the Senate (other than Fellows elected under paragraph 1(g) and student members elected under paragraph 1(l) or (m)) 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. (L.N. 251 of 1988; L.N. 357 of 2000; 18 of 2007 s. 5)
 3.
 - (a) 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.
 - (b) Student members under paragraph 1(l) or (m) shall be elected in such manner as may be determined by the Senate. (L.N. 251 of 1988; L.N. 357 of 2000)
 - (c) Student members elected under paragraph 1(l) or (m) shall hold office for a period of one year and shall be eligible for re-election provided that no student shall be a member of the Senate for more than 2 consecutive terms of office. If a student member resigns or ceases to be a member of the Senate and his unexpired period of membership is 6 months or longer, then a successor shall be elected in accordance with subparagraph (b) for that unexpired period of membership, but if his unexpired period of membership is shorter than 6 months, then no successor shall be elected for that unexpired period of membership. (L.N. 251 of 1988; L.N. 357 of 2000)
 - (d) A student member shall cease to be a member of the Senate if he ceases to be a registered student of the University or if he is suspended from pursuing full-time study at the University. (L.N. 251 of 1988)
 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 the Departments concerned; (L.N. 452 of 1994)
- (g) to recommend after report from the Boards of the Departments concerned external examiners for appointment by the Council; (L.N. 452 of 1994)
- (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 (where one has been established) of the College concerned; (L.N. 25 of 1987)
- (ja) to assign teachers—
 - (i) to Faculties, Departments and Schools of Studies; and
 - (ii) to units, if the Senate thinks it fit in relation to such units; (L.N. 25 of 2002)
- (k) to recommend to the Council external experts to serve as members of Boards of Advisers; (L.N. 100 of 1984)
- (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) (Repealed L.N. 452 of 1994)
- (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 10 members of the Senate. (L.N. 251 of 1988)
- 5A. (a) The Senate may determine—
- (i) whether student members of the Senate and of such committees and other bodies as the Senate may establish are allowed to participate in that part of meetings considering reserved areas of business; and
 - (ii) (if they are so allowed) the manner of their participation. (L.N. 5 of 2006)
- (aa) Those student members who are allowed to participate in that part of meetings considering reserved areas of business may, subject to such conditions as the Senate may determine, access and read the papers relating to those areas. (L.N. 5 of 2006)
- (b) The reserved areas of business are the following—
- (i) matters affecting the appointment, promotion and other affairs relating to teachers and members of the University staff as individuals;
 - (ii) matters affecting the admission and academic assessment of students as individuals;
 - (iii) expenditure estimates and other matters concerning the finances of the University.

The Chairman of the Senate, or the Chairman of the committee or other body established by the Senate, as the case may be, may decide in any case of doubt whether or not a matter falls within one of the reserved areas of business referred to above and his decision shall be final. (L.N. 251 of 1988)

- 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 4 members present object. (L.N. 251 of 1988)
- 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 24. (L.N. 251 of 1988)

STATUTE 15

The Faculties and the Graduate School

1. The Vice-Chancellor shall be a member of each Faculty. (L.N. 452 of 1994)
2. Each teacher assigned by the Senate to a Faculty or Faculties shall be a member of such Faculty or Faculties during the tenure of his appointment. (L.N. 25 of 2002)
3.
 - (1) Unless otherwise provided in subparagraph (2), the Dean of each Faculty shall be appointed by the Council—
 - (a) on the recommendation of the Vice-Chancellor after he has received the advice of the search committee concerned composed of such members as may be elected or nominated in accordance with regulations approved by the Council from time to time;
 - (b) for a period of 5 years or such shorter period as may be determined by the Council;
 - (c) on such terms and conditions as may be determined by the Council; and
 - (d) subject to sub-subparagraphs (a), (b) and (c), in accordance with regulations approved by the Council from time to time.
 - (2) The first Dean of a newly-established Faculty shall be appointed by the Council on the recommendation of the Vice-Chancellor for a period of 5 years or such shorter period and on such terms and conditions as may be determined by the Council.
 - (3) On the recommendation of the Vice-Chancellor, the Dean of each Faculty shall be eligible for re-appointment by the Council, and each period of re-appointment shall be for a period of 5 years or such shorter period as may be determined by the Council, provided that a Dean's total period of appointment (not including any period he has previously served as a Dean elected under paragraphs 3 and 4 as repealed by the Statutes of The Chinese University of Hong Kong (Amendment) (No. 2) Statute 2007 (L.N. 109 of 2007) ("the Amendment Statute")) shall not exceed 10 years. (L.N. 109 of 2007)
4. The Dean of any Faculty elected under paragraph 3 or 4 as repealed by the Amendment Statute and holding office as such Dean immediately before the commencement* of the Amendment Statute shall continue to hold that office until the expiry of his current term of office or until such time when he vacates the office before such expiry. (L.N. 109 of 2007)
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)–(c) (Repealed L.N. 452 of 1994)

* Commencement: 8 June 2007

- (d) the Dean, who shall be Chairman;
 - (e) the Chairman of each Department within the Faculty; (L.N. 452 of 1994)
 - (f) other Professors, Readers and Directors of Studies within the Faculty;
 - (g) in relation to the original Colleges and Shaw College, one representative of each Assembly of Fellows who shall be a member of the Faculty; (L.N. 452 of 1994; 18 of 2007 s. 5)
 - (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.
- 6A. (1) At the discretion of the Board of a Faculty, the Board may nominate a student of the Faculty as the Board deems fit as student member for such period as the Board may in its absolute discretion determine.
- (2) The Senate may determine—
- (a) whether student members of the Boards of Faculties are allowed to participate in that part of meetings considering reserved areas of business; and
 - (b) (if they are so allowed) the manner of their participation.
- (3) Those student members who are allowed to participate in that part of meetings considering reserved areas of business may, subject to such conditions as the Senate may determine, access and read the papers relating to those areas.
- (4) For the purposes of this Statute, reserved areas of business are the following—
- (a) matters affecting the appointment, promotion and other affairs relating to teachers and members of the University staff as individuals;
 - (b) matters affecting the admission and academic assessment of students as individuals;
 - (c) expenditure estimates and other matters concerning the finances of the University.
- The Chairman of the Board of the Faculty may decide in any case of doubt whether or not a matter falls within a reserved area of business and his decision shall be final.
- (5) The Senate may—
- (a) delegate its power under subparagraphs (2) and (3) to the Board of a Faculty; and
 - (b) impose conditions subject to which the delegated power may be exercised.
- (6) The Board of a Faculty may make Standing Orders for the proper conduct of its business. (L.N. 38 of 2007)
7. The Board of Faculty shall co-ordinate the activities of the Departments within the Faculty and it shall be its function to consider and deal with the recommendations of the Departments— (L.N. 452 of 1994)
- (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.

- 2A. In relation to the original Colleges and Shaw College, the Fellows of each College appointed under paragraph 1 shall, together with the Head of that College, form an Assembly of Fellows of that College. (18 of 2007 s. 5)
- 2B. In relation to the additional Colleges, the Fellows of each College appointed under paragraph 1 shall form an Assembly of Fellows of that College. (18 of 2007 s. 5)
3. In relation to the original Colleges and Shaw College, the Head of a College shall be the Chairman of the Assembly of Fellows of that College. (18 of 2007 s. 5)
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. In relation to the original Colleges and Shaw College, the Assembly of Fellows of each College shall—
 - (a) elect one of their number to be a member of the Council; and
 - (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. (18 of 2007 s. 5)

- 6A. The Assembly of Fellows of each College shall be responsible for—
 - (a) arranging the tutorial instruction, pastoral counselling and student-orientated teaching of the students assigned to the College;
 - (b) the supervision of residential accommodation for certain students at the College; and
 - (c) the maintenance of discipline within the College. (18 of 2007 s. 5)
7. An Assembly of Fellows may make Standing Orders for the proper conduct of its business.

STATUTE 17

The Departments

1. Each Department shall consist of the Vice-Chancellor and all the teachers assigned to the Department.
2. The Chairman of each Department shall be appointed by the Council on the recommendation of the Senate for such period as may be determined by the Council.
3. (1) A Board shall be established for each Department and shall consist of—
 - (a) the Vice-Chancellor;
 - (aa) the Dean of any Faculty to which the Department is affiliated; (L.N. 101 of 1995)
 - (b) the Chairman of the Department, who shall be Chairman of the Board; and
 - (c) all of the teachers assigned to the Department.
- (2) A teacher, who contributes substantially to the teaching of students pursuing courses of study within the purview of a Department but who is not assigned to that Department, becomes a member of the Board of that Department on being nominated by that Board and approved by the Senate. (L.N. 25 of 2002)
- (3) At the discretion of the Board of the Department, the Board may nominate such students as the Board deems fit as student members for such period as the Board may in its absolute discretion determine. (L.N. 478 of 1996; L.N. 5 of 2006)
- (4) The Senate may determine—
 - (a) whether student members of the Board are allowed to participate in that part of meetings considering reserved areas of business; and
 - (b) (if they are so allowed) the manner of their participation. (L.N. 5 of 2006)
- (5) Those student members who are allowed to participate in that part of meetings considering reserved areas of business may, subject to such conditions as the Senate may determine, access and read the papers relating to those areas. (L.N. 5 of 2006)
- (6) For the purposes of this Statute, reserved areas of business are the following—
 - (a) matters affecting the appointment, promotion and other affairs relating to teachers and members of the University staff as individuals;

- (b) matters affecting the admission and academic assessment of students as individuals;
- (c) expenditure estimates and other matters concerning the finances of the University.

The Chairman of the Board may decide in any case of doubt whether or not a matter falls within a reserved area of business and his decision shall be final. (L.N. 5 of 2006)

- (7) The Senate may—
 - (a) delegate its power under subparagraphs (4) and (5) to the Board of a Department; and
 - (b) impose conditions subject to which the delegated power may be exercised. (L.N. 5 of 2006)
- 3A. The Board of a Department may make Standing Orders for the proper conduct of its business. (L.N. 5 of 2006)
- 4. It is the duty of the Board of a Department to advise the Senate on the courses of study within the purview of the Department, on the appointment of internal and external examiners and on other matters that the Senate may request.
- 5. A Department shall perform such other functions and duties as may be determined from time to time by the Council on the recommendation of the Senate. (L.N. 452 of 1994)

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.
- 3A. Any person who had been admitted as a registered student of an original College before the date of establishment of the University, pursued a course of study of not less than 4 years' duration in that original College, and obtained a diploma issued by that original College or by the Post-Secondary Colleges Joint Diploma Board on satisfactory fulfilment of all the requirements prescribed therefor may register with the Registrar of the University to have his name entered on the Convocation roll. (L.N. 167 of 1993)
- 3B. Any person who has attended an approved course of study for not less than 1 academic year after admission as a registered postgraduate student to a Faculty or a School and has been awarded a postgraduate diploma by the Senate on satisfactory fulfilment of all the requirements prescribed therefor may register with the Registrar of the University to have his name entered on the Convocation roll. (L.N. 167 of 1993)

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. (Repealed L.N. 243 of 1994)
7. (1) Subject to subparagraph (2), 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 from time to time determine to be members of the Council.
(2) No member of the Convocation shall be eligible for election under subparagraph (1) to serve, or continue to serve, as a member of the Council if he is or becomes a member of the University by virtue of Statute 3, unless he is such a member by virtue of paragraph (m) only, and not at the same time such a member by virtue of any other paragraph, of that Statute, but, save as aforesaid, a member of the Convocation elected under subparagraph (1) shall continue to be a member of the Council, and shall be eligible for re-election, notwithstanding his being a member of the University by virtue of paragraphs (f) and (m) of Statute 3 at the same time so long as he is such a member of the Council by virtue of paragraph 1(n) of Statute 11 only, and not at the same time a member of the Council by virtue of any other paragraph of that Statute. (L.N. 327 of 1996; L.N. 481 of 1997)
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 of the Convocation at least 2 weeks before the date of meeting, setting forth in the form of motions the subject or subjects proposed for consideration. (L.N. 548 of 1994)
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 Heads of the original Colleges and of Shaw College; (18 of 2007 s. 5)

- (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) (if the College to which the appointee will be assigned is an original College or Shaw College) the Head of the College concerned; (18 of 2007 s. 5)
 - (e) the Chairman of the Department or head of the unit in which the appointment is to be made, except that no such Chairman or head shall serve on a Board that is concerned with a post senior to his own post; and (L.N. 452 of 1994; L.N. 25 of 2002)
 - (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) (if the College to which the appointee will be assigned is an original College or Shaw College) the Head of the College concerned; (18 of 2007 s. 5)
 - (e) the Chairman of the Department or head of the unit in which the appointment is to be made; and (L.N. 452 of 1994; L.N. 25 of 2002)
 - (f) if considered necessary or desirable by the Council, one external expert. (L.N. 267 of 1993)
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) (if the College to which the appointee will be assigned is an original College or Shaw College) the Head of the College concerned; and (18 of 2007 s. 5)
 - (e) the Chairman of the Department or head of the unit in which the appointment is to be made. (L.N. 452 of 1994; L.N. 25 of 2002)
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 Department. (L.N. 452 of 1994)

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 31 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” (好的因由) 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 Heads of the original Colleges and of Shaw College, 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. (18 of 2007 s. 5)
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” (好的因由) 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. (1) The University may confer any of the degrees with the designations prescribed in paragraph 2(1) to students who— (L.N. 31 of 1981; L.N. 121 of 1989; L.N. 6 of 2006)
 - (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 University may confer any of the degrees with the designations prescribed in paragraph 2(2) on 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. (L.N. 31 of 1981; L.N. 121 of 1989)
2. The degrees which may be conferred by the University shall have the following designations—
 - (1) (a) (L.N. 6 of 2006)
 - Bachelor of Architecture (B.Arch.) (L.N. 114 of 1991)
 - Bachelor of Arts (B.A.)
 - Bachelor of Business Administration (B.B.A.)
 - Bachelor of Chinese Medicine (B.Chi.Med.) (L.N. 2 of 1999)
 - Bachelor of Education (B.Ed.)
 - Bachelor of Engineering (B.Eng.) (L.N. 114 of 1991)
 - Bachelor of Laws (LL.B.) (L.N. 6 of 2006)
 - Bachelor of Medical Sciences (B.Med.Sc.) (L.N. 55 of 1990)
 - Bachelor of Medicine and Bachelor of Surgery (M.B., Ch.B.)
 - Bachelor of Nursing (B.Nurs.) (L.N. 114 of 1991)
 - Bachelor of Pharmacy (B.Pharm.) (L.N. 114 of 1991)
 - Bachelor of Science (B.Sc.)
 - Bachelor of Social Science (B.S.Sc.)
 - (b) (L.N. 6 of 2006)
 - Master of Accountancy (M.Acc.) (L.N. 481 of 1997)
 - Master of Architecture (M.Arch.) (L.N. 114 of 1991)
 - Master of Arts (M.A.)
 - Master of Business Administration (M.B.A.)
 - Master of Chinese Medicine (M.Chi.Med.) (L.N. 357 of 2000)
 - Master of City Planning (M.C.P.) (L.N. 453 of 1994)

Master of Clinical Pharmacy (M.Clin.Pharm.) (L.N. 481 of 1997)
 Master of Divinity (M.Div.)
 Master of Education (M.Ed.)
 Master of Engineering (M.Eng.) (L.N. 114 of 1991)
 Master of Family Medicine (M.F.M.) (L.N. 114 of 2003)
 Master of Fine Arts (M.F.A.) (L.N. 453 of 1994)
 Master of Health Science (M.H.Sc.) (L.N. 38 of 2007)
 Master of Laws (LL.M.) (L.N. 6 of 2006)
 Master of Midwifery (M.Mid.) (L.N. 103 of 1999)
 Master of Music (M.Mus.) (L.N. 453 of 1994)
 Master of Nursing (M.Nurs.) (L.N. 323 of 1995)
 Master of Occupational Medicine (M.O.M.) (L.N. 213 of 2003)
 Master of Philosophy (M.Phil.)
 Master of Professional Accountancy (M.P.Acc.) (L.N. 97 of 2002)
 Master of Public Health (M.P.H.) (L.N. 573 of 1995)
 Master of Science (M.Sc.)
 Master of Social Science (M.S.Sc.)
 Master of Social Work (M.S.W.)

(c) Juris Doctor (J.D.) (L.N. 6 of 2006)

(d) (L.N. 6 of 2006)

Doctor of Business Administration (D.B.A.)

Doctor of Education (Ed.D.) (L.N. 481 of 1997)

Doctor of Literature (D.Lit.)

Doctor of Medicine (M.D.)

Doctor of Music (D.Mus.) (L.N. 453 of 1994)

Doctor of Philosophy (Ph.D.)

Doctor of Psychology (Psy.D.) (L.N. 6 of 2006)

Doctor of Science (D.Sc.)

Doctor of Social Science (D.S.Sc.) (L.N. 121 of 1989)

(2) Honorary Degrees

Doctor of Laws *honoris causa* (LL.D. *honoris causa*)

Doctor of Literature *honoris causa* (D.Lit. *honoris causa*)

Doctor of Science *honoris causa* (D.Sc. *honoris causa*)

Doctor of Social Science *honoris causa* (D.S.Sc. *honoris causa*) (L.N. 121 of 1989)

3. 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. (L.N. 114 of 1991)

4. The Senate may accept as part of the attendance of a student qualifying him for the conferment of the degree of Bachelor periods of attendance as a registered student at another university or institution of higher learning recognized by the Senate for this purpose: (L.N. 114 of 1991; L.N. 453 of 1994)

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; and (L.N. 114 of 1991; L.N. 453 of 1994; L.N. 233 of 2007)

- (b) his total period of attendance as a matriculated student of the University and as a registered student of another university or institution of higher learning shall not be less than 3 academic years. (L.N. 453 of 1994; L.N. 233 of 2007)
 - (c) (Repealed L.N. 233 of 2007)
5. The Senate may accept a certificate of proficiency in any subject issued by another university or institution of higher learning recognized for this purpose by the Senate as exempting from any examination of the University in such subject for the degree of Bachelor. (L.N. 453 of 1994)
 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, Doctor of Business Administration or Doctor of Medicine shall not be conferred upon any person unless— (L.N. 31 of 1981)
 - (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*: (L.N. 31 of 1981)
 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 original Colleges and of Shaw College; (18 of 2007 s. 5)
 - (d) the Chairman of the Council;
 - (e) 2 members of the Council nominated by the Council; and
 - (f) 4 members elected by the Senate from among its own members. (18 of 2007 s. 5)
 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 subparagraph (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

Examinations of the University shall be conducted in accordance with regulations made by the Senate from time to time. (L.N. 233 of 2007)

STATUTE 28

Citation

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

Schedule 2

(Omitted as spent)

Schedule 3

[s. 20(2)]
(18 of 2007 s. 5)

CONSTITUTION AND POWERS OF THE BOARDS OF TRUSTEES OF THE ORIGINAL COLLEGES

(18 of 2007 s. 5)

1. Interpretation

In this Schedule, unless the context otherwise requires—

“Boards of Trustees” (書院校董會) means the Boards of Trustees of the Colleges incorporated under paragraph 2;

“Chairman” (主席) means the Chairman of each Board of Trustees;

“College” (書院) means an original College and “Colleges” (各書院) shall be construed accordingly; (59 of 1986 s.4)

“Council” (大學校董會) means the Council of The Chinese University of Hong Kong.

2. Incorporation of Board of Trustees

- (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.
- (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. Powers and duties of Boards of Trustees

- (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 Schedule 2*.
- (2) Subject to subparagraph (3), each Board of Trustees may, for the purpose of the trusts under subparagraph (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 subparagraph.

4. Composition of Boards of Trustees

- (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).
- (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

* For text of Schedule 2, see the Revised Edition of the Laws.

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 of the foregoing, section 42 of the Trustee Ordinance (Cap 29) shall apply in relation to the appointment of new Trustees. (59 of 1986 s. 4)

5. Registration with Registrar of Companies

- (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 subparagraph (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 subparagraph (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. Accounts

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. Transitional provisions

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;
- (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 Board of Trustees under subparagraph (a).
8. (Repealed 59 of 1986 s. 4)
(59 of 1986 s. 4)

Schedule 4

[s. 20(3)]

CONSTITUTION AND POWERS OF THE BOARD OF TRUSTEES OF SHAW COLLEGE

(18 of 2007 s. 5)

1. Interpretation

In this Schedule, unless the context otherwise requires—

“Board of Trustees” (書院校董會) means the Board of Trustees of Shaw College incorporated under paragraph 2;

“Chairman” (主席) means the Chairman of the Board of Trustees;

“Council” (大學校董會) means the Council of The Chinese University of Hong Kong;

“Planning Committee” (籌劃委員會) means the Planning Committee for Shaw College established by the Council under section 10(1).

2. Incorporation of Board of Trustees

There shall be a Board of Trustees of Shaw College which shall be a body corporate and shall have the name of “The Trustees of Shaw College” and in that name shall have perpetual succession, and may sue and be sued, and shall have and use a common seal.

3. Powers and duties of Board of Trustees

- (1) The Board of Trustees shall hold in trust and administer for the benefit of Shaw College the movable property which is vested in the Board of Trustees by the University.
- (2) Subject to subparagraph (3), the Board of Trustees may, for the purpose of the trust under subparagraph (1), exercise the powers conferred on trustees by the Trustee Ordinance (Cap 29).
- (3) The 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 Shaw College.

- (4) The Board of Trustees shall make written provision for its procedure in the transaction of business, the discharge of its aims and duties, the appointment and retirement of its members and the maintenance of good order at its meetings.
4. (1) The persons who, immediately before the commencement of The Chinese University of Hong Kong (Declaration of Shaw College) Ordinance (Cap 1139), were members of the Planning Committee shall, on the commencement of that Ordinance, become members of the Board of Trustees.
 - (2) Members of the Board of Trustees who become such members under subparagraph (1) shall hold office for a period of 1 year from the commencement of The Chinese University of Hong Kong (Declaration of Shaw College) Ordinance (Cap 1139) and shall, subject to the written provision made under paragraph 3(4), be eligible for re-appointment.
 - (3) Any person who on the commencement of The Chinese University of Hong Kong (Declaration of Shaw College) Ordinance (Cap 1139) is, or who becomes, a member of the Board of Trustees may retire as a member of the Board, but no person shall retire so as to reduce the number of members of the Board of Trustees below 4.
 - (4) Vacancies in the number of members of the Board of Trustees shall from time to time be filled in accordance with the written provision made under paragraph 3(4) or 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 of the foregoing, section 42 of the Trustee Ordinance (Cap 29) shall apply in relation to the appointment of new Trustees.

5. Registration with Registrar of Companies

- (1) The 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 subparagraph (1)(a) and (b) shall be made—
 - (a) within 3 months of the commencement of The Chinese University of Hong Kong (Declaration of Shaw College) Ordinance (Cap 1139); and
 - (b) thereafter within 28 days of any change.
- (3) Notification under subparagraph (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 \$5.00 shall be payable for registering or inspecting any document referred to in this paragraph.

6. Accounts

The 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.
(59 of 1986 s. 4)