

# CONSTITUTION OF THE INCORPORATED MANAGEMENT COMMITTEE

(for Catholic Schools in Hong Kong)

[Anglo-Chinese Version 中英對照版]

[ The Chinese version of this Constitution is translated from the English version for guidance only. If there is any conflict or inconsistency between the two versions, the English version shall prevail. ]

## **Table of Contents**

Page No. 頁碼

### **Part 1 – Preliminary**

1. History of Church Involvement in Education and its Rationale	2
2. Vision and Mission of the School	3
3. Definitions	6
4. General Provisions and Rules of Interpretation	7
5. Object of IMC	8
6. Main Purpose of the Constitution	8

### **Part 2 – Composition of IMC, Terms of Office and Duties of Managers**

7. Maximum Number of Managers	8
8. Number of each Category of Managers	8
9. Alternate Managers	9
10. Registration of Managers	9
11. Term of Office of Managers	9
12. Re-nomination	10
13. Duties of Managers	10

### **Part 3 – Nomination or Election of Persons for Registration as Managers**

14. Nomination of the Supervisor	11
15. Nomination of SSB Managers and Alternate SSB Manager	12
16. Election of Teacher Manager and Alternate Teacher Manager	12
17. Nomination of Parent Manager and Alternate Parent Manager	13
18. Nomination of Alumni Manager	13
19. Nomination of Independent Manager	14

### **Part 4 – Cessation of Office and Vacancies**

20. Resignation and Cessation of Office	14
21. Filling of Vacancies of Managers	16
22. Giving Notice as regards Cancellation of Registration of Managers	17

### **Part 5 – Office-bearers of IMC**

23. Office-bearers	17
24. Term of Office, Removal from and Vacation of Office	17
25. Role of Office-bearers	18

### **Part 6 – Powers of the IMC**

26. General Powers	19
27. Specific Powers	20

### **Part 7 – Meetings and Proceedings of IMC**

28. Number of Meetings	21
29. Convening of Meetings	21
30. Agenda	22
31. Quorum	22
32. Proceedings of Meetings	23
33. Transaction of Business by Circulation of Papers	23
34. Declaration and Disclosure of Interests	24
35. Minutes of Meetings	25

### **Part 8 – Selection and Deployment of Principals**

36. Selection and Deployment of Principals	25
37. Functions of Principal	26

### **Part 9 – Miscellaneous**

38. Other Committees	26
39. Managers to act on Honorary Basis	27
40. School Development Plan etc.	27
41. Liability of Manager and Protection	27
42. Accounts	27
43. Receiving Donations in the form of Money	28
44. Winding up or Dissolution	28
45. Honorary Managers	28

### **Part 10 – Amendment of Constitution**

46. Procedure for making Amendments to the Constitution	28
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### **Appendix**

30

**CONSTITUTION OF THE INCORPORATED MANAGEMENT  
COMMITTEE (for Catholic Schools in Hong Kong)**  
香港天主教教區學校法團校董會章程

**(Name of School)**  
**whose registered office is at (address)**

**Part 1 – Preliminary**  
第一部分——前言

**1. History of Church involvement in Education and its Rationale**  
教會參與辦學的歷史和基本理據

1.1 The early Catholic Church  
早期的天主教會

1.1.1 From its inception, the Catholic Church has always been open to integrating the positive elements of human cultures into the life of faith. Thus the early Church had made the Hellenistic culture an instrument for transmitting the teaching of Jesus Christ.

天主教會自創立以來，便一直開放包容，讓人類多元文化的正面積極元素，融合於信仰生活中。因此，早期教會已利用希臘文化，作為傳播耶穌基督訓導的工具。

1.1.2 One of the ways whereby the Church had helped build up European and Western civilization was through education, provided particularly by Catholic schools and universities.

教會參與建設歐洲與西方文明的其中一個途徑，就是提供教育，尤其是興辦天主教學校和大學。

1.1.3 The rationale for the centuries-old commitment of the Church to education and its constant interaction with human cultures is to realize God's plan for a holistic growth of the human person, in the pursuit of true happiness.

許多世紀以來，教會一直委身於教育工作，並與人類文化互動無間，其基本理由是為體現天主為每個人預設的全人成長，以追求真正的幸福。

1.2 The Catholic Church in Asia  
在亞洲的天主教會

1.2.1 The missionary work of the Catholic Church is never separated from its zealous effort to educate people in Gospel values, with due respect for whatever goodness or truth is found in a local tradition or culture, which is looked upon by the Catholic Church as a preparation for the Gospel (cf. Vatican II, *Dogmatic Constitution on the Church*, 16).

天主教會的傳教工作，與其熱心為當地人傳授福音價值而付出的努力，是不可分割的；而教會一向尊重當地傳統文化的美善或真理，並視之為接受福音的準備。(參考梵二文獻：《教會》教義憲章第 16 條)

1.3 The Catholic Church in Hong Kong  
在香港的天主教會

1.3.1 The Catholic Church in Hong Kong has dedicated itself to educational services for over a hundred years, in fact, throughout the development of Hong Kong from a tiny fishing village to its present status as a densely populated international metropolis. The members of various religious institutes and missionary societies

with expertise in education have made significant contribution to the education system in Hong Kong. Over the past decades, they have established many prestigious Catholic schools which enjoy high reputation and recognition, and many of their alumni have made notable contribution to Hong Kong society.

香港的天主教會一直致力於教育服務，超逾一個世紀；其實，香港由一個細小漁村發展成為今天人口稠密的國際都會過程中，天主教會的服務從未間斷。修會團體及傳教修會不乏擅長教育工作的會士，對香港的教育制度曾作出重大貢獻。在過去數十年間，他們創立了許多著名的天主教學校，夙負盛名，廣受肯定，而其校友亦對本港社會建樹良多。

- 1.3.2 In the 1950's, with the great influx of people from Mainland China, there was an urgent need to provide education for an ever-growing number of children. In this respect, the contribution of the Catholic Church was immense. With more and more schools run by religious institutes and missionary societies, the Diocese itself also opened many schools to cater for the needs of children in every district and every housing estate. Hence, from a total of 70 Catholic schools with 20,000 students in 1950, there was an increase to 250 Catholic schools with 210,000 students in 1970.

上世紀五零年代，大批人口從中國內地湧入香港，持續急升的學童人數令學校教育需求激增，教會在這方面的貢獻尤其重大。在修會團體及傳教修會不斷興辦學校的同時，天主教香港教區也在各個地區和屋邨興辦不少學校，以照顧學童的需要。因此，由一九五零年至一九七零年間，天主教學校由七十所增添至二百五十所，而學生人口亦由二萬名躍升至二十一萬名。

- 1.3.3 The Catholic Church has been maintaining a close partnership with the Government in offering pluralistic choices to parents. Local Catholic schools have always been among the favourites of parents, even those without religion, who cherish the moral and spiritual formation that Catholic schools provide for students as one of their perceived strengths.

天主教會一直與政府維持緊密的伙伴關係，為家長提供多元的選擇。家長都珍惜天主教學校為學生提供的道德與心靈培育，視之為學校的強項之一；故即使並非信徒，也置天主教學校於首選之列。

## 2. Vision and Mission of the School

### 本校的願景與使命

- 2.1 The School (as defined herein) shall operate as a “Catholic” school. Its “Catholic” identity shall be recognized in so far as it conforms with the criteria set by the Catholic Church [see Canon 803 §§1-3 and related Canons 804-806 of the *Code of Canon Law* (promulgated in 1983), quoted in the Appendix; also refer to Vatican II, *Declaration on Christian Education* (28 October 1965), 8-9; Congregation for Catholic Education, Instruction “*The Religious Dimension of Education in a Catholic School*” (7 April 1988)]. 本校(在本文所指的學校)必須按「天主教」學校模式運作，其「天主教」身份則須按天主教會所釐訂的準則而獲確認(參照附錄所引述的一九八三年頒布的《天主教法典》803條第1-3節，以及相關的804-806條；另參照一九六五年十月廿八日發表的梵蒂岡第二屆大公會議「公教教育宣言」8-9節、一九八八年四月七日公教教育部發表的「天主教學校教育的宗教幅度——有關反省與更新的綱領」)。

With a determination to carry on the contribution of the Catholic Church to education, the School, as its vision and mission, shall uphold and pass on the following **core values** to young people to prepare them properly for their life and future responsibilities –

本校既然矢志延續天主教會對教育的貢獻，必須維護下列核心價值，以及將有關價值傳授給青少年，為他們日後立身處世作準備，並以此作為學校的願景與使命：

- 2.1.1 **Truth:** It is what the human intellect is searching for.

**真理：** 這是人的理智所追求的對象。

- (a) Human reason's capacity for truth must be upheld, and the desire for truth,

especially the truth about God and about the meaning of life, must always be encouraged and kept alive.

人的理智具有尋求真理的能力；這能力是我們必須維護的。我們也應鼓勵和激發人對真理——尤其對有關天主和生命意義的真理——的渴慕。

(b) Wisdom, which enables a person to distinguish right from wrong, and good from evil, must be treasured above all other kinds of knowledge.

我們必須特別重視那使人明辨是非善惡的智慧，勝過其他方面的知識。

(c) Honesty demands that a person tell the truth and put it into practice, even at the cost of making a great sacrifice.

誠實的美德要求我們講真話，並付諸實行，即使要為此付出重大的犧牲代價亦在所不辭。

2.1.2 **Justice:** It is the moral virtue that consists of a constant and resolute will to give to God and one's neighbours their due.

**義德(公義):** 這是一種倫理上的德行，要求我們時常毫無保留地讓天主和我們的近人得到各自所應得的。

(a) Justice towards God is called the "virtue of religion"; and justice towards one's neighbours disposes one to respect the rights of others and to establish in human relationships the harmony that promotes equity with regard to individual persons and to the common good.

對天主的義德(公義)稱之為持守宗教信仰的德行；相對鄰人的公義，則促使人尊重他人的權益和建立和諧的人際關係，以促進人與人之間公平相待和公益共享。

(b) Human dignity can be protected and promoted, and the wellbeing of society can be achieved, only if human rights are respected and individuals undertake their responsibilities for one another, for their own families, and for society.

只有當人權受到尊重，而每個人都承擔彼此之間的責任，以及承擔對家庭和社會的責任時，人性的尊嚴才會得到保障和提升，而社會才能享有幸福。

2.1.3 **Love:** It is the greatest of all virtues.

**愛德:** 這是諸德之冠。

(a) God, the source of life and goodness, has created everything out of love, and has called the whole human family to be His children. As a member of God's family, one's goals in life are to share God's happiness, to love God above all things and love one's neighbours as brothers and sisters.

天主是生命與美善的泉源，祂基於愛創造了萬物，並召叫整個人類成為祂的兒女。作為天主大家庭的成員，我們的人生目標就是分沾天主的福樂，愛天主在萬有之上，以及如兄弟姊妹般愛自己的近人。

(b) Jesus Christ, the Son of God, the Saviour of humankind, is the model of selfless love and humble service to others.

耶穌基督——天主子、人類救主——是無私大愛和謙卑服務他人的楷模。

(c) The practice of all the virtues is to be inspired and motivated by love, so that all aspects of human life and interpersonal relationship may be bound together in perfect harmony.

為使人的生命和所有層面的人際關係能在完美的和諧中彼此連繫，所有德行的實踐須由愛德啟發和推動。

(d) Love surpasses the strict measure of justice and urges one to care for the poor and the needy, and to make a preferential option for the underprivileged and marginalized in society.

愛德超越公義的嚴格尺度，並促使我們關懷貧苦大眾和需要幫助的人，並

以優先地扶助社會上的弱勢社群和邊緣人士為己任。

2.1.4 **Life:** It is a priceless gift from God and is sacred in itself.

**生命：**這是天主賦予人的無價之寶；生命在本質上就是神聖的。

- (a) Every human person is created in the image of God and has the right to life, which must be respected from its conception to its natural end.

每個人都是按照天主的肖像而受造，並且自受孕至去世為止，都享有生存的權利。

- (b) In the spirit of the “Beatitudes” as taught in the Gospel, the tribulations and adversities in life are to be faced with serenity and hope.

我們應秉承福音所傳授的真福八端精神，懷著平和的心境和望德，面對人生的種種困難逆境。

- (c) Every person is entitled to have whatever is necessary for a decent and dignified existence.

每個人都有權利享有足以令其過合乎人性尊嚴的生活的一切條件。

- (d) Only a society which respects human life can bring happiness to all.

唯獨真正尊重人類生命的社會，才能為大眾帶來幸福。

2.1.5 **Family:** It is the basic unit of society.

**家庭：**這是組成社會的基本單位。

- (a) Only pure love, the unreserved mutual self-giving between husband and wife, is truly gratifying; a happy, wholesome marriage is prepared by the practice of the virtue of chastity and sustained by fidelity and an indissoluble, lifelong commitment.

唯獨夫婦之間那份毫無保留、彼此無私託付而純潔的愛，才能令人真正欣慰滿足。要促成幸福美滿的婚姻，我們必須以實踐貞潔的美德作婚前準備，並以忠誠和不可解除的終身承諾來維繫婚姻生活。

- (b) Inasmuch as sex is an integral part of conjugal life and has its own dignity, a balanced sex education must follow a holistic and in-depth approach, with emphasis on the virtues of self-discipline and mutual respect between a man and a woman.

性愛是夫婦生活的構成部分，且具有其尊嚴。職是之故，均衡完整的性教育，必須採取兼顧全人發展和具深度的方式，並強調自律自制和男女互相尊重的德行。

- (c) Marriage is the foundation of a family; an intact and united family is a permanent support for husband and wife, and for parents and children, in achieving their goals in life; an intact and united family is likewise a most favourable setting for the upbringing of children and young people, and a necessary condition for the wellbeing of human society.

婚姻是家庭的基礎；整全而團結和睦的家庭給予夫婦之間及父母與子女之間恆久穩固的支持，讓他們各自達成人生目標。整全而團結和睦的家庭，同時是養育子女的最有利環境，以及造就人類社會福祉的必要條件。

2.2 The School shall cultivate the above **core values** by –  
透過下述方式，本校必須培育以上**核心價值**：

- (a) upholding the time-honoured practice of respecting and collaborating with stakeholders with diverse backgrounds in achieving the School’s vision and mission as set out in this Article, in the awareness that the success of education depends on the joint effort of all parties concerned (refer to Canon 796§2 and Canon 800§2 of the *Code of Canon Law*, quoted in the Appendix);

校方意識到教育是靠多方相關人士共同努力才會成功(參考附錄所引述的天主教法典 796 條第 2 節及 800 條第 2 節)，遂要堅持經得起時間考驗的做法，尊重不同背景的學校持份者，並與他們合作，以完成本條文所列明的學校願景與使命；

- (b) providing a family environment imbued with mutual trust and love in the School; and 在校內要提供一個充盈著互信和關愛的家庭環境；以及
- (c) incorporating in the formal school curriculum Religious Education courses designed by the SSB (as defined herein), and fostering a Catholic spirit through religious practices held regularly in the School, such as morning prayers and religious activities held regularly for staff and pupils.  
在學校的正規課程內，要加設由辦學團體(在本文所指的)設計的宗教教育課程，並透過校內經常舉辦的宗教禮儀活動培養公教精神，例如經常為師生舉行的早禱及宗教活動。

### 3. Definitions 定義

#### 3.1 In this Constitution: 本章程內：

“**Chairman**” means the Chairman of the IMC referred to under Article 23, who shall be the Supervisor of the School;

「主席」是指根據本章程第 23 條所指的法團校董會主席，而他必然是本校校監；

“**Code of Aid**” means the Code of Aid for Aided Schools, or such relevant Code of Aid as may be defined from time to time in the Ordinance;

「資助則例」是指資助學校的資助則例，或由教育條例不時所確定的相關資助則例；

“**IMC**” means the Incorporated Management Committee of the School established in accordance with the Ordinance;

「法團校董會」是指本校按照教育條例成立的法團校董會；

“**Manager**” means a person registered under the Ordinance as a Manager of the School, and for the purpose of this Constitution, includes an Alternate Manager, where appropriate;

「校董」是指根據教育條例註冊成為本校校董的人士；按本章程的用意，在適當情況亦包括替代校董；

“**Ordinance**” means the Education Ordinance (Cap. 279) (as may be amended from time to time) and, unless the context otherwise requires, all subsidiary legislation under the Ordinance;

「條例」是指教育條例(第 279 章)(就如其經不時修訂的)及根據該條例所訂立的全部附屬法例，除非其上下文另作指明；

“**Parent**” means a person who is the parent of a pupil, and includes a guardian and a person who is not a parent or guardian but has the actual custody of a pupil;

「家長」是指學生的父母其中一人，包括學生的監護人，以及並非學生的家長或監護人、但卻實際管養該學生的人；

“**Permanent Secretary**” means the Permanent Secretary for Education of the Hong Kong Special Administrative Region Government;

「常任秘書長」是指香港特別行政區政府的教育局常任秘書長；

“**Principal**” means the Principal of the School;

「校長」是指本校的校長；

**“Recognized Alumni Association (hereinafter also called RAA)”** means the body of persons recognized under Section 40AP of the Ordinance as the recognized alumni association of the School;

「認可校友會」(以下又稱作 RAA 或認可校友會)是指根據條例第 40AP 條而獲承認為本校之校友會的團體；

**“Recognized Parent-Teacher Association (hereinafter also called RPTA)”** means the body of persons recognized under Section 40AO of the Ordinance as the recognized parent-teacher association of the School;

「認可家長教師會」(以下又稱作 RPTA 或認可家教會)是指根據條例第 40AO 條而獲承認為本校之家長教師會的團體；

**“School”** means the School situated at \_\_\_\_\_, being the specific school for the purpose and operation of which this IMC is incorporated;

「本校」是指位於\_\_\_\_\_的學校，亦是本法團校董會因應其宗旨與運作而組織成為法人的學校；

**“School Sponsoring Body (hereinafter also called SSB)”** means the sponsoring body of the School, namely the Catholic Diocese of Hong Kong (hereinafter also called CDHK), a corporation sole incorporated by virtue of the Bishop of the Roman Catholic Church in Hong Kong Incorporation Ordinance (Cap 1003). The person in the office of the CDHK is the Bishop of the Roman Catholic Church in Hong Kong who may at his sole discretion appoint one or more delegates to deal with all or any matter on educational and related issues for and on his behalf;

「辦學團體」(以下又稱作 SSB 或辦學團體)是指本校的辦學團體，亦即天主教香港教區(以下又簡稱作 CDHK 或教區)，是基於《羅馬天主教會香港教區主教法團條例》(第 1003 章)而成立的一個單一法團。天主教香港教區的領導人是羅馬天主教會香港教區主教，他可全權委任一位或多位代表，代替他處理所有或任何教育及相關事宜；

**“Secretary”** means the Secretary of the IMC referred to under Article 23;

「秘書」是指根據本章程第 23 條所提到的法團校董會秘書；

**“Supervisor”** means the Supervisor of the School appointed under Section 40AJ of the Ordinance, who shall also be the Chairman of the IMC;

「校監」是指根據條例第 40AJ 條獲委任的本校校監，亦必然是本法團校董會主席；

**“Teacher”** means a permitted teacher or registered teacher employed in the School –

(i) to occupy a teacher post in the establishment of staff provided for in the Code of Aid;  
or

(ii) for a term for not less than 12 months to perform teaching duties or other duties directly related to teaching;

「教員」是指受僱於本校的准用教員或檢定教員，而他是受僱在本校—

(a) 擔任某個在資助則例所規定的職員編制之內的教員職位；或

(b) 於一段為期不少於 12 個月的期間內，執行教學職責或其他直接與教學有關的職責的；

**“Treasurer”** means the Treasurer of the IMC referred to under Article 23.

「司庫」是指根據本章程第 23 條所提到的法團校董會司庫。

#### 4. General Provisions and Rules of Interpretation

##### 一般規定及解釋文意的原則

4.1 The IMC shall comply with the Ordinance, the Code of Aid and this Constitution and any amendment(s) made thereto according to the procedure set out in Part 10 below.

本法團校董會必須遵守有關條例、資助則例及本章程，以及根據以下第十部分列舉的程序，對本章程所作出的任何修訂。

- 4.2 This Constitution shall be interpreted in a manner that is consistent with the Ordinance and the Code of Aid.  
本章程的闡釋方式必須與有關條例及資助則例保持一致。
- 4.3 Words and expressions used in this Constitution have, unless the context otherwise requires, the same meanings as in the Ordinance and the Code of Aid.  
本章程採用的文字及詞句與有關條例及資助則例所採用的同義，除非其上下文另作指明。
- 4.4 Where the context so requires, words importing the singular number include the plural number, and words importing the plural number include the singular, and words importing the masculine gender include the feminine gender and neuter gender and vice versa.  
每逢上下文有此需要，單數解釋的文字包括眾數意義，眾數解釋的文字亦包括單數意義，而應用於男性的文字亦包括女性及中性的意義，反之亦然。

## 5. Object of IMC 法團校董會的宗旨

- 5.1 The object of the IMC is to manage the School and to promote education in the School in accordance with the vision and mission of the School as set out in Article 2.  
本法團校董會的宗旨是依照本章程第二條所列明的願景與使命管理學校，並推動學校教育。

## 6. Main Purpose of the Constitution 本章程的要旨

- 6.1 This Constitution shall, within the perimeter of the Ordinance, relevant statutes, the Common Law and the directives of the Catholic Church, guarantee the continuation of Catholic contribution to education in Hong Kong.  
在教育條例、相關法規、普通法及天主教會的指示所限定範圍內，本章程必須保證延續天主教對本港教育的貢獻。
- 6.2 It shall specify the mechanisms that serve to ensure the implementation of the vision and mission of the School as set out in Article 2.  
本章程須說明相關機制，確保本章程第二條所列明的學校願景與使命得以推行。

## Part 2 – Composition of IMC, Terms of Office and Duties of Managers 第二部分——法團校董會的組成、校董任期及職責

### 7. Maximum Number of Managers 校董的最多人數

- 7.1 The number of members of the IMC having voting rights shall not exceed twelve.  
法團校董會內具有投票權的成員不應多於十二人。

### 8. Number of each Category of Managers 每個校董類別的人數

- 8.1 The IMC shall have the following persons as members –  
法團校董會成員應包括以下人士：
- (a) seven **SSB Managers**, including the **Supervisor**;  
包括校監在內的七名辦學團體校董；
  - (b) the **Principal**, who is an ex officio Manager;  
作為當然校董的校長；

- (c) one **Teacher Manager**;  
教員校董一名；
- (d) one **Parent Manager**;  
家長校董一名；
- (e) one **Alumni Manager**; and  
校友校董一名；以及
- (f) one **Independent Manager**.  
獨立校董一名。

## 9. **Alternate Managers** **替代校董**

- 9.1 One Alternate Manager shall be nominated for each of the categories of Managers described in Articles 8.1(a), 8.1(c) and 8.1(d) as provided under the Ordinance.  
本章程第 8.1(a)、8.1(c)及 8.1(d)條所述的校董類別必須根據條例分別提名替代校董各一名。
- 9.2 An Alternate Manager from any relevant category, shall attend any meeting of the IMC but shall have no right to vote during the meeting, unless the regular Manager concerned is unable to attend or to vote at the meeting or there is no regular Manager of that constituency for the time being. Notwithstanding the aforementioned, in respect of the voting rights of an Alternate SSB manager, Section 40AS(2) of the Ordinance shall apply.  
任何相關類別的替代校董須出席法團校董會的任何會議，惟無權在會議中投票，除非相關的常規校董未能出席會議，或無法在會議中投票，或當時的相關校董類別尚未有常規校董。儘管有前述的情況，有關替代辦學團體校董的投票權須以條例第 40AS(2)條作準。

## 10. **Registration of Managers** **校董註冊**

- 10.1 Upon being nominated to be a member of the IMC, all candidates are required to submit an application for registration as a Manager of the School through the IMC to the Permanent Secretary.  
一旦獲提名為法團校董會成員，所有候任者均須透過法團校董會，向常任秘書長呈交註冊為本校校董的申請書。

## 11. **Term of Office of Managers** **校董任期**

- 11.1 SSB Managers and the Alternate SSB Manager shall hold office for 3 years, beginning on the date on which the Manager concerned is registered as a Manager. Any period of less than twelve calendar months in the first school year of the term of office of any of these Managers, by reason of his registration on a date later than 1<sup>st</sup> September, shall be deemed to be a complete year for the purpose of calculating his term of office.  
辦學團體校董及其替代校董的任期為三年，由其註冊為校董的日期起計。為計算校董任期起見，任何上述校董如因註冊事宜而延至九月一日以後始就任，在其任期的首個學年內，任何不足十二個月期間均須視作完整的一年。
- 11.2 The Principal for the time being of the School shall be an ex officio Manager and shall hold office until his appointment as Principal is terminated in accordance with the provisions of his contract of employment with the School and the relevant rules or regulations.  
本校的現任校長屬當然校董，而其任期一直維持至其職位按照本校聘約條款及相關規例終止為止。

- 11.3 The Teacher Manager and Alternate Teacher Manager, the Parent Manager and Alternate Parent Manager, the Alumni Manager and the Independent Manager shall hold office for 2 years beginning on the date on which each of them is registered as a Manager or Alternate Manager, if applicable. Any period of less than twelve calendar months in the first school year of the term of office of any of these Managers, by reason of his registration on a date later than 1<sup>st</sup> September, shall be deemed to be a complete year for the purpose of calculating his term of office.

教員校董及替代教員校董、家長及替代家長校董、校友校董及獨立校董的任期為兩年，由各自註冊為校董或替代校董(如適用)的日期起計。為計算校董任期起見，任何上述校董如因註冊事宜而延至九月一日以後始就任，在其任期的首個學年內，任何不足十二個月期間均須視作完整的一年。

## 12. Re-nomination

### 重新提名

- 12.1 SSB Managers and the Alternate SSB Manager may be eligible for re-nomination after the expiry of their term of office.

辦學團體校董及其替代校董在任期屆滿後享有重新提名的資格。

- 12.2 A Manager (and an Alternate Manager, where applicable) described in Articles 8.1(c), 8.1(d), 8.1(e) and 8.1(f) may be eligible for re-nomination after the expiry of his term of office for one consecutive term only. After serving for two consecutive terms, no Manager from the four constituencies mentioned in this Article shall be eligible for nomination as Manager in his own constituency until after a period of two years.

第 8.1(c)、8.1(d)、8.1(e)及 8.1(f)條所列舉的校董及替代校董(如適用)在任期屆滿後，僅享有重新提名連任一次的資格。連續兩任的任期屆滿後，本條所述四個類別的校董須於兩年後方再享獲提名為校董的資格。

## 13. Duties of Managers

### 校董職責

- 13.1 All members of the IMC shall share the same vision and mission of the School as set out in Article 2. They shall strive to uphold and carry out their duties in accordance with such vision and mission and shall not, in the opinion of the SSB, act contrary to the vision and mission of the School in their capacity as members of the IMC.

法團校董會全體成員所抱持的學校願景與使命，必須與章程第二條列明的保持一致，亦須致力捍衛有關願景與使命，並引據以履行其職責；任何成員不得以法團校董會成員的身份，作出辦學團體認為有違本校願景與使命的事。

- 13.2 All members of the IMC shall be absolutely bound by this Constitution and any amendment(s) made thereto in accordance with the procedure set out in Part 10 below.

法團校董會全體成員須完全接受本章程約束，包括按以下第 10 部分列明程序對其所作的修訂。

- 13.3 Every Manager shall, upon taking office, signify in writing his agreement with the vision and mission of the School as set out in Article 2 and undertake to faithfully observe and comply with the same.

每位校董就任時須書面簽署，表明其認同本章程第二條所載本校願景與使命，並保證忠實遵從及實現有關願景與使命。

- 13.4 A Manager of any category shall act in his personal capacity for the interests and benefits of the School and the pupils of the School.

任何類別的校董須以其個人身份為本校及本校學生的利益和福祉行事。

- 13.5 The Managers as a whole shall be responsible for –

校董作為整體必須負責：

- (a) ensuring that the vision and mission of the School as set out in Article 2 is upheld and carried out;  
確保學校維護和履行第二條所列明的學校願景與使命；
- (b) developing and formulating the educational management policies of the School in accordance with the directives given by the SSB;  
遵照辦學團體的指令，發展並制訂與學校相關的教育行政管理的政策；
- (c) overseeing the planning and budgetary processes, monitoring the performance of the School, ensuring the accountability of school management and strengthening the community network; and  
監督規劃和預算的過程，監察學校的表現，確保學校管理的問責性，加強社區的網絡；以及
- (d) holding themselves accountable to the SSB on the performance of the School and reporting regularly on the School's performance.  
就學校的表現接受辦學團體問責，並定期向其報告校務。

13.6 Every Manager as a member of the IMC, shall have the following obligations –  
身為法團校董會的成員，每位校董須履行以下義務：

- (a) to observe and comply with the vision and mission of the School as set out in Article 2;  
遵從並執行本章程第二條所列明的學校願景與使命；
- (b) to attend meetings of the IMC;  
出席法團校董會會議；
- (c) to observe and obey all resolutions passed by the IMC;  
遵守並服從法團校董會通過的所有決議；
- (d) to assist the IMC in the implementation of its objects in the promotion of the affairs of the School;  
協助法團校董會履行其宗旨以促進校務；
- (e) to promote communication and co-operation between the IMC and the body that nominated him for registration as a Manager; and  
促進法團校董會與其所屬提名團體之間的溝通和合作；以及
- (f) to observe and comply with such codes of ethics and practice, and general educational policies and principles as may be set from time to time by the SSB in accordance with the vision and mission of the School.  
遵守並執行辦學團體按照學校願景與使命不時所規定的道德及實務守則、及一般教育政策和原則。

### **Part 3 – Nomination or Election of Persons for Registration as Managers**

#### **第三部分——註冊校董的提名或選舉**

#### **14. Nomination of the Supervisor** **校監的提名**

- 14.1 The Supervisor of the School shall be nominated for registration by the SSB.  
學校校監的註冊須經由辦學團體提名。
- 14.2 A Manager who is the Principal or a teacher of the School shall not be eligible for nomination as the Supervisor.  
在校內擔任校長或教員的校董必不符合校監的提名資格。

- 14.3 If the Supervisor is unable to perform his functions during a period of not less than 28 days due to absence from Hong Kong or illness, the SSB shall appoint another Manager as Acting Supervisor to act in his place, and the Acting Supervisor shall have the same functions, powers and responsibilities as the Supervisor.  
倘校監不在香港或患病而無法履行其職能的期間不少於廿八天，辦學團體必須委任另一位校董出任署理校監以替代其職位，而署理校監應擁有與校監相同的職能、權力與責任。

## **15. Nomination of SSB Managers and Alternate SSB Manager** **辦學團體校董及替代辦學團體校董的提名**

- 15.1 All SSB Managers and the Alternate SSB Manager shall be nominated for registration by the SSB in accordance with the Ordinance.  
所有辦學團體校董及替代辦學團體校董的註冊均須按照條例經由辦學團體提名。

## **16. Election of Teacher Manager and Alternate Teacher Manager** **教員校董及替代教員校董的選舉**

- 16.1 The Teacher Manager and the Alternate Teacher Manager shall be elected for the purpose of nomination for registration.  
教員校董及替代教員校董均須經由選舉產生，方可註冊。

- 16.2 The election of candidates as Teacher Manager and Alternate Teacher Manager shall be conducted by secret ballot in accordance with Section 40AN of the Ordinance and in the following manner –  
教員校董及替代教員校董的候任者選舉，必須按照條例第 40AN 條及下述方式進行，並以不記名投票選出：

- 16.2.1 The election shall be conducted by the Principal with the assistance of a Manager who is not a teacher of the School.  
有關選舉必須由校長主持，並由一位不屬該校教員的校董協助。

- 16.2.2 Not less than fourteen days before the date on which the election is to be conducted (“election day”), the Principal shall give notice in writing of the holding of an election to all teachers of the School. The notice shall –  
在有關選舉的舉行日期(選舉日)之前不少於十四天，校長必須將舉行選舉一事以書面通知全校教員，而該通知書必須：

- (a) specify –  
指明：
- (i) the election day;  
選舉日；
  - (ii) the time slots of the election day within which ballot papers can be returned;  
選舉日之內可進行投票的有效時段；
  - (iii) the manner in which ballot papers are to be returned; and  
投票的方式；以及
  - (iv) the arrangements for counting of votes and declaration of election result;  
點票及公佈選舉結果的安排；
- (b) require the recipient, if he does not wish to stand as a candidate, to so inform the Principal in writing within three days after receipt of the notice; and  
要求凡接獲通知而又不願參選成為候選者的人士，須於接到通知後三天內，以書面將其意向通知校長；

- (c) be accompanied by a copy of the text of this Article 16.  
附有本章程第十六條的文本乙份。

16.2.3 Not less than seven days before the election day, the Principal shall give notice in writing of the election to all teachers of the School. The notice shall –  
選舉日前不少於七天，校長必須以書面將有關選舉通知全校教員，該通知書必須：

- (a) include a list of the names of all candidates (which shall be the names of all teachers except those who have indicated to the Principal that they do not intend to stand for election); and  
包括所有候選人的名單(應相當於全體教員扣除曾向校長表明不願參選者後的餘下教員姓名)；以及

- (b) be accompanied by a ballot paper.  
附有選票乙張。

16.2.4 The candidate who obtains the greatest number of votes shall be the regular member and the candidate who obtains the second greatest number of votes shall be the alternate member to be nominated for registration as the Teacher Manager and Alternate Teacher Manager respectively.

候選人之中獲得最多選票者將成為常規成員，而獲得第二多選票者將成為替代成員，二人均將分別註冊為教員校董及替代教員校董。

16.2.5 If the voting results in an equality of votes for two or more than two candidates for either the regular member or the alternate member, the final result shall be determined by drawing lots. The drawing of lots shall be conducted by the Principal in the presence of the candidates having the equal number of votes and another Manager who is not a teacher of the School. The candidate on which the lot falls shall be deemed to have obtained more votes.

倘若投票結果導致兩位或多於兩位候選人的票數相同，無論是候選成為常規或替代成員，其最終結局須以抽籤作決定。抽籤須由校長主持，並須在獲得相同票數的候選人及一位不屬該校教員的校董見證下進行，而中籤的候選人應視作得票較多者。

## **17. Nomination of Parent Manager and Alternate Parent Manager**

### **家長校董及替代家長校董的提名**

17.1 The Parent Manager and the Alternate Parent Manager shall be nominated for registration by the RPTA, which is recognized by the IMC at the time of nomination, in accordance with Section 40AO of the Ordinance, provided that the Parent Manager and the Alternate Parent Manager shall be a parent of a current pupil and shall not be a teacher of the School.

家長校董及替代家長校董必須經由已獲法團校董會認可的家長教師會按照條例第40AO條提名，始再註冊為校董，惟家長校董及替代家長校董皆須為現屆學生的家長而又不屬本校教員。

17.2 For the purpose of recognizing an RPTA under Section 40AO of the Ordinance, if there are more than one body of persons that can be so recognized, the IMC shall recognize the one that has the greatest number of parents in its membership.

為參照條例第40AO條承認認可家長教師會起見，倘有多於一個團體可供承認，法團校董會必須承認最多家長參加成為會員的一個團體。

## **18. Nomination of Alumni Manager**

### **校友校董的提名**

- 18.1 An Alumni Manager shall be nominated for registration by the RAA, which is recognized by the SSB at the time of nomination, in accordance with Section 40AP of the Ordinance, provided that the Alumni Manager shall not be a teacher of the School.  
校友校董必須經由認可校友會按照條例第 40AP 條提名，而提名時該會已獲辦學團體承認，始可註冊為校董，惟校友校董必須不屬該校教員。
- 18.2 Where no person is nominated according to Article 18.1, the IMC may nominate an alumnus under Section 40AP of the Ordinance for registration as Alumni Manager if the nomination is supported by a majority of all the Managers.  
若無人據章程第 18.1 條取得提名，法團校董會可參照條例第 40AP 條提名一位校友，註冊為校友校董，只要該提名已獲得大多數校董支持。

## **19. Nomination of Independent Manager** **獨立校董的提名**

- 19.1 An Independent Manager shall be nominated for registration by the majority of the Managers, provided that the Independent Manager shall not be a teacher, a parent or an alumnus of the School, or a person who is a member, the spouse or grandparent, parent, brother, sister, child or grandchild of a member or an employee of the governing body of the SSB.  
獨立校董須經由大多數校董提名，始可註冊為校董，惟獨立校董不可以是該校的教員、家長或校友，或該辦學團體的最高管治機構的成員或僱員，或有關機構成員的配偶或祖父母、父母、兄弟、姊妹、子女或孫子、孫女。

## **Part 4 – Cessation of Office and Vacancies** **第四部分——職務終止及空缺**

## **20. Resignation and Cessation of Office** **辭職及職務終止**

- 20.1 A Manager who is not the Principal may resign from office by giving a notice in writing to the Supervisor and the SSB specifying the date on which the resignation is to take effect.  
校長以外的任何校董均可辭去其校董職務，只要以書面通知校監及辦學團體，並說明辭職生效日期便可。
- 20.2 A person shall cease to be a Manager of the IMC in the event of one or more of the following situations –  
在下述一種或多種情況下，任何人士擔任法團校董會的校董職務即須終止：
- (a) when he has tendered his resignation by notice in writing to the IMC, such cessation to take effect from the date as specified in the notice;  
當該名人士以書面向法團校董會請辭後，是項職務終止的生效日期將如其通知書所指明；
  - (b) when his registration as Manager has been cancelled by the Permanent Secretary in accordance with the Ordinance;  
當該名人士的校董註冊已被常任秘書長依照條例撤銷；
  - (c) in the case of the Supervisor or a SSB Manager, when his nomination has been withdrawn by the SSB giving notice in writing to the Supervisor and the IMC, such cessation to take effect from the date specified in the notice;  
如該名人士是校監或辦學團體校董，當辦學團體已撤回其提名並以書面通知校監及法團校董會，則是項職務終止的生效日期將如通知書所指明；
  - (d) in the case of the Principal, when he ceases to be employed as the principal of the School;

如該名人士是校長，當其停止受聘為該校校長時；

- (e) in the case of a Teacher Manager, when he ceases to be employed as a teacher of the School;  
如該名人士是教員校董，當其停止受聘為該校教員時；
- (f) in the case of a Manager within the categories described in Article 8.1(c), 8.1(d) and 8.1(e), when the constituency that nominated him has resolved in accordance with the Ordinance that such Manager is not suitable to continue to hold office as Manager, and has so notified the IMC in writing, and the registration of that Manager has been cancelled by the Permanent Secretary upon the request of the IMC;  
如該名人士屬章程第 8.1(c)、8.1(d)及 8.1(e)條所述類別的校董，當替其提名的選組依照條例議決其不適宜繼續擔任校董職務，並以書面通知法團校董會，而其註冊亦因應法團校董會的請求被常任秘書長撤銷時；
- (g) in the case of a Parent Manager, when he ceases to be a member of the constituency that nominated him, such cessation to take effect at the expiry of his term of office or the end of the school year, whichever is the earlier;  
如該名人士是家長校董，當其不再隸屬於替其提名的選組成員時，而是項職務終止的生效日期定於任期完結抑或學年終結時，則以較早者為準；
- (h) when he has been found by the IMC to be non-conforming to the vision and mission as stated in this Constitution, and the Supervisor has requested the constituency that nominated him to withdraw his nomination and to nominate a replacement, and that constituency has passed a resolution as provided in Article 20.2(f);  
當法團校董會發現該名人士未能符合本章程所述的願景與使命，校監並已要求替其提名的選組撤回其提名並另作提名，而該選組亦按本章程第 20.2(f)條通過相關決議時；
- (i) when he has passed away;  
當該名人士去世時；
- (j) when he has been adjudged bankrupt by a court of competent jurisdiction or has made any arrangement or composition with his creditors generally;  
當該名人士已被具司法管轄權的法院裁定破產，或已與債權人達成一般債務安排或重組時；
- (k) when his physical or mental health has rendered him unfit to perform his duties as Manager; or  
當該名人士的身體或精神健康已令其不適宜履行校董職責時；或
- (l) when he has been convicted for an offence for which a sentence of imprisonment was passed (including a suspended sentence).  
當該名人士因犯法被定罪而獲判處監禁刑罰(包括判處緩刑)。

20.3 As regards the situation described in Article 20.2(h), in case no such resolution is passed within 2 months of the Supervisor's request, the IMC may, subject to availability of ground(s) that such Manager cannot perform satisfactorily or is not performing satisfactorily the duties of a Manager, request the Permanent Secretary to consider cancelling the registration of such Manager pursuant to Section 31 (1)(c)(ii) of the Ordinance.

有關第 20.2(h)條所述情況，倘若校監提出要求後兩個月內仍未通過相關決議，法團校董會可請求常任秘書長根據條例第 31(1)(c)(ii)條考慮將其校董註冊撤銷，惟須具備有關該名校董未能滿意履行或一直尚未滿意履行校董職責的理據。

20.4 If a person is no longer entitled to hold office as a Manager by virtue of the Ordinance or has ceased to be a Manager in accordance with any of the provisions in this Article, he shall not be entitled to exercise any right or power of a Manager notwithstanding that the

registration of the person as a Manager has not yet been cancelled.

倘若任何人士根據條例已不再擔任校董職務，或按照本條款內任何規定已停止其校董職位，該名人士則已無權享有及行使屬於校董的任何權利或權力，儘管該名人士的校董註冊尚未撤銷。

20.5 The provisions of this Article shall apply equally to an Alternate Manager in relation to any constituency.

本條款的規定必同等適用於任何選組的相關替代校董。

20.6 Where a vacancy in the category of Alumni Manager is not filled within two months or a vacancy in the category of Independent Manager exists, the Supervisor shall convene a meeting for the purpose only of filling the vacancy, notwithstanding the composition of the IMC does not conform with the provisions of the Ordinance.

凡遇上校友校董類別的空缺無法在兩個月內填補，或獨立校董類別的空缺仍懸空，校監須召開一次特為填補相關空缺的會議，儘管法團校董會的組成未能符合條例所規定。

## 21. Filling of Vacancies of Managers

### 填補校董空缺

21.1 If the office of a Manager in Article 8.1(a) becomes vacant, the SSB shall fill such vacancy within two months.

如章程第 8.1(a)條內的任何校董職位出現空缺，辦學團體須在兩個月內填補該空缺。

21.2 If the office of the Principal shall become vacant for whatever reason, the IMC may, before the vacancy is filled in accordance with this Constitution, appoint a person to act as Principal of the School, and such person shall perform the duties of the Principal and shall, subject to provisions in Article 45, attend IMC meetings as Honorary Manager, but with no voting right, until a new Principal is appointed and registered in accordance with this Constitution.

如校長職位出現空缺，無論原因如何，在按本章程填補其空缺前，法團校董會可委任一人署理該校校長職務；而該名人士須履行校長職務，並須參照章程第 45 條所規定，以名譽校董身份出席法團校董會的會議，惟並無投票權，直至新校長按本章程獲任命及註冊。

21.3 If the office of a Manager described in Article 8.1(c), 8.1(d), or 8.1(e) becomes vacant, the IMC shall give notice in writing of the vacancy to the relevant constituency which has the right to nominate another person as Manager for that constituency and the process and conditions prescribed in Part 3 for the nomination or election of a Manager, if applicable, shall apply.

如章程第 8.1(c)、8.1(d)及 8.1(e)條所述的校董職位出現空缺，法團校董會須以書面將該空缺通知相關選組，而該選組有權提名另一名人士擔任校董以作其代表；本章程第 3 部分所規定的過程及條件如適用的話，則須採用有關規定進行校董的提名或選舉。

21.4 The notice referred to in Article 21.3 shall require the relevant constituency to nominate a person to fill the vacancy within two months. If the relevant constituency fails to do so within that period, the IMC shall require that constituency to provide reasons for the failure.

本章程第 21.3 條所指的通知必須要求相關選組在兩個月內提名一名人士填補空缺，如相關選組無法依時提名，法團校董會須要求該選組解釋其理由。

21.5 The term of office for a new Manager filling a vacancy arising prematurely should not run afresh but is the remainder of the term of the outgoing Manager.

新任校董若為填補提早懸空的職位，其任期不得重新計起，而只限離任校董所剩餘的任期。

## 22. Giving Notice as regards Cancellation of Registration of Managers 有關撤銷校董註冊的通知

- 22.1 Upon receiving a request under subsection (2), (3), (4) or (5) of section 40AX of the Ordinance or upon the cessation of office of any Manager under Article 20, the IMC shall without delay issue a notice under subsection (1) of that section unless it has reasonable ground to believe that the request is not valid or that there is a doubt as to whether the cessation is effective. In such event the IMC may make such enquiry as is necessary to ascertain the validity of the request or the effectiveness of the cessation of office.  
一旦接獲依照條例第 40AX 條第(2)、(3)、(4)或(5)款所提出的要求，或任何校董按章程第 20 條終止職務，法團校董會必須立即按該條例第(1)款發出通知，除非有合理理據相信該項要求無效，或對該項職務終止的有效性存疑。在如此情況下，法團校董會可按需要展開調查，以確定該項要求或該項職務終止是否有效。
- 22.2 The request referred to in Article 22.1 must be annexed to the notice.  
本章程第 22.1 條所指的要求必須附加於通知書內。
- 22.3 The Supervisor shall send a copy of the notice to each of the Managers.  
校監須將通知書乙份發送予每位校董。

### Part 5 – Office-bearers of IMC 第五部分——法團校董會的幹事

## 23. Office-bearers 幹事

- 23.1 There shall be the following IMC office bearers –  
法團校董會有以下幹事：
- (a) the **Chairman**, who shall be the Supervisor appointed by the SSB;  
主席，而其職位必須由辦學團體任命的校監兼任；
  - (b) the **Secretary**, who shall be appointed by the SSB; and  
秘書，而其職位須由辦學團體委任；以及
  - (c) the **Treasurer**, who shall be appointed by the SSB.  
司庫，而其職位須由辦學團體委任。
- 23.2 A Manager shall not at any time be the bearer of more than one office.  
任何校董不得在任何時間擔任多於一個職位。

## 24. Term of Office, Removal from and Vacation of Office 職位的任期、解除及懸空

- 24.1 The Supervisor shall hold office for such period as the SSB shall in its absolute discretion consider appropriate, beginning on the date on which he is registered as a Manager and he shall be removed by the SSB only.  
校監的任期由辦學團體全權斟酌情況而確定，由其註冊為校董的日期起就任，並只可由辦學團體解除其職務。
- 24.2 The Secretary shall hold office for such period as the SSB shall in its absolute discretion consider appropriate, beginning on the date on which he is registered as a Manager and he shall be removed by the SSB only.  
秘書的任期由辦學團體全權斟酌情況而確定，由其註冊為校董的日期起就任，並只可由辦學團體解除其職務。
- 24.3 The Treasurer shall hold office for such period as the SSB shall in its absolute discretion

consider appropriate, beginning on the date on which he is registered as a Manager and he shall be removed by the SSB only.

司庫的任期由辦學團體全權斟酌情況而確定，由其註冊為校董的日期起就任，並只可由辦學團體解除其職務。

24.4 An office-bearer vacates office when –  
任何幹事在下述情況即要放棄其職位：

- (a) his term of office expires or he resigns from office;  
該名幹事的任期屆滿或辭職生效；
- (b) he is removed by the SSB; or  
辦學團體解除該名幹事的職務；或
- (c) he ceases to be a Manager.  
該名幹事停止擔任校董。

## 25. Role of Office-bearers 幹事的角色

25.1 The Chairman shall be responsible for –  
主席須負責：

- (a) performing the functions of the Supervisor of the School as specified in Section 40AK(1) of the Ordinance;  
履行條例第 40AK(1)條所指明的學校校監職能；
- (b) serving as a link between the SSB and the IMC;  
保持辦學團體與法團校董會之間的聯繫；
- (c) participating, on behalf of the IMC, in the selection process of the Principal of the School;  
代表法團校董會參與該校校長的遴選過程；
- (d) overseeing the performance of the Principal, ensuring that the objects of the IMC, the relevant policies and directives of the SSB as well as those of the Education Bureau are implemented efficiently and effectively; and  
監督校長的表現，以確保法團校董會的宗旨、辦學團體及教育局的相關政策及指令得以有效率與效能地執行；
- (e) requesting a constituency to remove a Manager nominated by the constituency if in the opinion of the IMC the said Manager has incurred the provisions described in Article 20.2(h), and to nominate another candidate to replace him.  
如法團校董會認為某位校董已招致章程第 20.2(h)條所規定情況出現，則要求由曾提名該校董的選組解除其校董職務，並提名另一名候任人替代。

25.2 The Secretary shall be responsible for –  
秘書須負責：

- (a) providing secretarial support to the IMC which includes:  
為法團校董會提供秘書工作支援，包括：
  - (i) assisting the Supervisor to convene the IMC meetings, and to prepare and dispatch relevant material and information to the Managers prior to those meetings;  
協助校監召開法團校董會會議，並在會議前預備及發送相關的文件及資訊予校董；

- (ii) taking minutes and maintaining proper record of all the proceedings of the IMC meetings;  
繕寫會議紀錄及替法團校董會的所有會議內容保留妥善紀錄；
  - (iii) handling any transaction as well as correspondence in respect of the business of the IMC;  
處理任何與法團校董會事務有關的交易及通訊；
  - (iv) in case of any vacancy and/or change of membership of the IMC, filing the necessary notice with the Permanent Secretary in accordance with the Ordinance;  
法團校董會的成員一旦出現空缺及/或更替，按照條例向常任秘書長呈遞所需的通知；
- (b) keeping the common seal of the IMC which shall not be affixed to any instrument except by the authority of a resolution of the Managers and in the presence of the Supervisor and one other Manager who shall sign every instrument to which the Seal is so affixed in their presence; and  
保存法團校董會的法團印章；除非已獲校董議決授權，該印章不得加蓋於任何公文上，亦只可在校監及另一位校董面前蓋章，而該兩人皆須簽署在其面前蓋章的一切公文；以及
  - (c) maintaining a register each, of all declarations of interests and all disclosures of interests, in accordance with Section 40BH of the Ordinance.  
根據條例第 40BH 條，為所有利益申報及利益披露的紀錄存留登記冊各乙份。

- 25.3 The Treasurer shall be responsible for assisting the Chairman in ensuring that the IMC complies with Section 40BB of the Ordinance. In fulfilling his duties, the Treasurer shall ensure that all books and records of accounts relating to the IMC and the School are kept securely in the School at all times.  
司庫負責協助主席，確保法團校董會遵從條例第 40BB 條。在履行其職責時，司庫須確保法團校董會及學校的所有帳簿及會計紀錄皆時常穩妥留存於校內。

## **Part 6 – Powers of the IMC**

### **第六部分——法團校董會的權力**

#### **26. General Powers**

##### **一般權力**

- 26.1 Subject to compliance with the Ordinance and any other law, the IMC may do anything that appears to it to be necessary or expedient for the purposes of, or in connection with, the proper management, administration or operation of the School in accordance with the vision and mission as set out in Article 2 and with the general policies and principles of education, as well as directives, guidelines and instructions set by the SSB.  
在不違反條例及任何其他法例情況下，法團校董會可執行其認為有必要或有利的任何事宜，只要其目的為關乎學校的妥善管理、行政，或學校按章程第 2 條列明的願景與使命而從事的活動，以及辦學團體所定的一般教育政策和原則、指令、指引及指示。
- 26.2 The IMC shall not formulate or introduce any change to the educational management policies or religious education policies set by the SSB without prior consultation with the SSB and obtaining its prior approval.  
未經與辦學團體事先協商並獲得其事前批准，法團校董會不得替辦學團體所定的教育管理政策或宗教教育政策制定或引進任何改變。
- 26.3 The exercise of the powers of the IMC shall be subject to the provisions of the Ordinance or any other law, the Code of Aid and the vision and mission, and general educational

policies and principles of the SSB.

法團校董會行使的一切權力均須受制於條例的規定或任何其他法例、資助則例，以及辦學團體的願景與使命及一般教育政策和原則。

## 27. Specific Powers

### 特定權力

- 27.1 Without prejudice to the powers specified in Section 40AF of the Ordinance and Article 26, the IMC shall have the power to –  
在不妨礙條例第 40AF 條及章程第 26 條所指權力的前提下，法團校董會有權：
- (a) formulate and implement policies in furtherance of the development and day-to-day operations of the School according to the aims, views and instructions of the SSB.  
根據辦學團體的宗旨、主張及指示，制定並執行促進學校發展及日常運作的政策；
  - (b) approve and monitor the implementation of any school development plan and school annual plan submitted by the School;  
核准學校呈交的任何發展計劃及周年計劃，並監察其執行；
  - (c) manage, improve and maintain all or any part of the school building and the area within the school compound;  
管理、改善及保養校舍及校園範圍各處地方的全部或任何部分；
  - (d) employ and dismiss such teaching staff and non-teaching staff as it thinks fit according to the policies as prescribed by the Government and determine the terms and conditions of service of such staff;  
根據政府規定的政策並按其認為合適，聘用及解僱教學及非教學員工，以及確定有關員工的服務條款和條件；
  - (e) use and dispose of the funds and assets owned by it for the furtherance of the objects of the IMC;  
運用及處理法團校董會所擁有的經費及資產，以促進其宗旨；
  - (f) co-operate in, enter into, make, perform and carry out any agreement or arrangement of every sort and kind with the Government, the SSB or any authority (whether local or otherwise) or any other bodies, associations or organizations (whether incorporated or unincorporated) having objects similar to any of the objects of the School or of the IMC or what may be conducive to any of the objects of the School or of the IMC, and to obtain from the Government, the SSB or any such authority, bodies, associations or organizations any rights, privileges and concessions;  
與政府、辦學團體或任何有關組織(不論本地與否)或任何其他團體、社團或組織(不論是否法人組織)，只要其宗旨與學校或法團校董會的任何宗旨相同，或能有利於履行學校或法團校董會的任何宗旨，一起合作、訂立、締結、行使及履行任何類別和性質的合約或安排，以及從彼等取得權益、特權及優惠；
  - (g) receive gifts, donations and gratuities on behalf of and for the purpose and operation of the School;  
為學校的宗旨與運作緣故而代表學校收受禮物、捐贈及獻金；
  - (h) raise money by any lawful means for the purpose and operation of the School;  
為學校的宗旨與運作緣故而透過任何合法途徑籌款；
  - (i) do all such other lawful things as are incidental or conducive to the attainment of the objects of the IMC, provided always that the IMC shall hold money and shall only deal with the same in such manner as allowed by law and by this Constitution;  
只要有關或有利於法團校董會的目標，執行任何合法事宜，惟須由法團校董會保管錢財，並須依照法律及本章程所容許的方式處理；

- (j) set up and to appoint members to Ad hoc Committee(s), Sub-committees or Standing Committee(s) as are deemed necessary to assist the IMC in the smooth and efficient day-to-day operation of the School; and  
視乎需要而成立特設委員會、小組委員會及常務委員會，並可委任其成員，以協助法團校董會處理學校日常運作，使其更流暢而有效率；
- (k) enter into any agreement with another party, as required by the SSB for the operation of the School.  
為學校的運作緣故，按辦學團體要求而與其他團體訂立合約。

- 27.2 The IMC shall not, without the prior written permission of the SSB, change and modify the name of the School and such long-established symbols of the School as the school song, school badge and associated religious signs or artifacts, name any portion of the School premises after a donor(s), or carry out any construction or modification work to the building or ground in which the School is situated and which may require the appointment of an Authorized Person for the said work.  
在未獲得辦學團體的事先書面許可，法團校董會不得變更或修改學校名稱，以及一切已具悠久歷史的學校象徵，例如校歌、校徽及相關宗教標記或物品，或為校舍任何部分冠上捐款人名字，或替校舍或校園地皮範圍進行任何須委託認可人士實施的建築或改建工程。
- 27.3 Upon the formation of the IMC, the IMC shall enter into a service agreement with the SSB provided that the service agreement does not contain any clauses in contravention with the Ordinance and any other law.  
法團校董會一旦成立，必須與辦學團體簽署一份服務協議書，而該服務協議書內容並不違反條例及任何其他法例條文。

## **Part 7 – Meetings and Proceedings of IMC**

### **第七部分——法團校董會的會議及程序**

#### **28. Number of Meetings**

##### **會議次數**

- 28.1 The IMC shall meet at least three times in any school year for the dispatch of business of the School and of the IMC in accordance with the directives given by the Permanent Secretary or the SSB.  
法團校董會在一個學年內須至少開會三次，按照常任秘書長或辦學團體所發出的指令，處理學校及法團校董會的事務。

#### **29. Convening of Meetings**

##### **會議的召集**

- 29.1 The Supervisor may convene a meeting of the IMC to be held at such time and place as the Supervisor may specify by notice in writing given to the other Managers.  
校監以書面通知其他校董，即可按其指定的開會時間和地點召開法團校董會會議。
- 29.2 A notice of meeting accompanied by the agenda of the meeting shall be given to all the Managers not less than fourteen days before the meeting takes place except in cases of emergency.  
除緊急情況外，開會通知書連同會議程序必須於會議召開前至少十四天發給全體校董。
- 29.3 At the request in writing of not less than one third of the total number of the Managers together, the Supervisor shall, not later than seven days after the receipt of the request, convene an extraordinary meeting of the IMC to be held at such time and place as the Supervisor may specify by notice in writing given to the other Managers.  
倘不少於全體總數的三分之一校董以書面提出要求，校監必須在接到要求後七天內

召開法團校董會的特別會議，而校監只需以書面通知其他校董，即可按其指定的開會時間和地點召開該次會議。

- 29.4 At the request of the Supervisor, an extraordinary meeting of the IMC may be convened to be held at such time and place as the Supervisor may specify by notice in writing given to all Managers not less than seven days before the meeting takes place except in cases of emergency.

倘校監提出要求，可按其指定的開會時間和地點召開法團校董會的特別會議，惟須在會議召開前不少於七天以書面通知全體校董。在緊急情況下，上述條件則可豁免。

- 29.5 The accidental omission to give notice of any meeting to, or the non-receipt of such notice by, a member entitled to receive notice thereof shall not invalidate any resolution passed or proceedings held at any meeting.

因意外遺漏而未能將任何會議的通知書發給有權接收有關通知的成員，或該成員未有收到有關通知書，均不能令任何會議中通過的決議案或進行的程序失去效力。

### **30. Agenda**

#### **議程**

- 30.1 The agenda of a meeting shall be set by the Supervisor.

任何會議的議程須由校監規定。

- 30.2 Any Manager may request the Supervisor to place an item on the agenda of a meeting. If the Supervisor refuses to do so, the Supervisor shall give reasons for his refusal at the meeting.

任何校董可要求校監在會議的議程中加入議案，倘若校監拒絕其要求，校監須在會議上提出其拒絕的理由。

### **31. Quorum**

#### **法定人數**

- 31.1 The quorum for a meeting of the IMC shall be not less than half of all the Managers, the majority of whom must be those appointed by the SSB.

法團校董會的會議法定人數必須不少於全體校董的半數，而當中的大多數必須屬辦學團體所委任的校董。

- 31.2 For the purpose of forming a quorum for any meeting of the IMC, the Alternate Teacher Manager or Alternate Parent Manager shall be counted only if a regular Manager of the same constituency is unable to attend; the Alternate SSB Manager shall be counted only if there is a vacancy of SSB Manager of the School for the time being.

為構成法團校董會任何會議的法定人數，替代教員校董及替代家長校董只限於其相同選組的常規校董未能出席時方可計算；替代辦學團體校董則只限於該校的辦學團體校董出現空缺的當時方可計算。

- 31.3 In any meeting of the IMC, the number of Managers who hold salaried positions in the School should be less than the number of Managers who do not hold such positions. Any meeting in which the number of Managers who hold salaried positions in the School is more than the number of Managers who do not hold such position shall be invalid.

法團校董會開會時，在校內持有受薪職位的校董在人數上必須少於並無持有該等職位的校董；任何會議一旦出現持有受薪職位的校董在人數上多於並無持有該等職位的校董，即屬無效。

- 31.4 If within half an hour from the time appointed for the meeting a quorum as described in Articles 31.1, 31.2 and 31.3 is not formed, the meeting, if convened upon the requisition of members, shall be dissolved; and in any other case, it shall stand adjourned for not less than one week but not more than four weeks, and be held at such time and place as specified by the Supervisor.

在指定開會時間後的三十分鐘內，倘未能構成章程第 31.1、31.2 及 31.3 條所述的法

定人數，該次會議如由成員請求召開的即須解散；而在任何其他情況，該次會議即須中止並押後不少於一星期，惟不多於四星期，並在校監所指定的時間及地點再召開。

31.5 Notwithstanding Articles 31.1 to 31.3, at any IMC meeting that has been adjourned twice owing to an insufficient quorum, the Managers present shall form a quorum and shall have full power to transact the proposed business of the adjourned meeting.

儘管如章程第 31.1 及 31.3 條所述，任何因法定人數不足而已押後兩次的法團校董會會議，凡出席的校董即可構成法定人數，並具全權處理再續會議所提出的事務。

## **32. Proceedings of Meetings**

### **會議的規程**

32.1 The Supervisor who is the Chairman of the IMC shall preside at meetings of the IMC. If the Supervisor is absent at any meeting, the SSB Managers present at the meeting shall elect one from among themselves to preside at the meeting. This Manager presiding at the meeting shall not act in the capacity of the Supervisor.

身為主席的校監須主持法團校董會的所有會議，倘若校監未能出席會議，出席的辦學團體校董須從其當中選出一位主持會議，惟該位校董僅主持會議，不可署理校監的職務。

32.2 Unless any other provision of this Constitution provides otherwise, every question to be resolved during a meeting shall be determined by a majority of votes of the Managers present and voting. In the event of an equality of votes the Supervisor or Manager presiding shall have a casting vote.

除非本章程任何其他條款另有規定，會議上每項議題的決議必須獲得超過一半出席並投票的校董人數確定；如經投票而出現相同票數，主持會議的校監或校董得享有決定性的一票。

32.3 At any meeting, a resolution put to the vote of the meeting shall be decided on a show of hands.

在任何會議中，付諸表決的決議案須以舉手方式決定。

32.4 All business discussed at any meeting of the IMC shall be confidential and no disclosure shall be made without the consent of the Chairman.

法團校董會任何會議上討論的所有事務皆須保密，在未經主席同意前不得向外披露。

## **33. Transaction of Business by Circulation of Papers**

### **藉傳閱文件處理會議事務**

33.1 Where it is impractical to convene a meeting or where the business concerned is unlikely to be controversial, businesses of the IMC may be transacted by circulating papers among the Managers. The Chairman shall decide on the businesses which may or may not be transacted by circulation and written resolution.

凡遇上現實情況未能召集會議，或有關事項不易引發爭議，此類法團校董會的事務可透過傳閱文件處理；至於應否透過傳閱文件並以書面議決的事務，則由主席判斷。

33.2 A resolution that is circulated and endorsed with the support of more than half of the total number of Managers shall be valid as if it were passed at a meeting of the IMC.

決議案一旦經過傳閱，並獲全體校董之中超過一半人數支持和確認，即屬有效，等同在法團校董會會議中通過。

## **34. Declaration and Disclosure of Interests**

### **利益申報及利益披露**

34.1 In accordance with Section 40BF of the Ordinance, every Manager shall, at least once in every twelve months, submit to the IMC a written declaration stating the particulars of any pecuniary or other personal interests, direct or indirect, he has in any matter that may

raise a conflict with his duties as a Manager. Within one month after a change occurs in any matter stated in a declaration, the Manager who made the declaration shall submit to the IMC another written declaration stating the change.

根據條例第 40BF 條，所有校董須至少每十二個月一次，向法團校董會以書面申報有關直接或間接涉及的任何金錢上利益或其他個人利益，與其履行校董職責可能引起衝突的詳情。倘申報詳情出現任何變更，該位申報的校董亦須在一個月內向法團校董會呈交另一份書面申報，以說明有關變更。

34.2 Without limiting to Section 40BG of the Ordinance, a Manager shall make a disclosure of interests in accordance with that section in respect of a matter that is considered or is to be considered at a meeting of the IMC if he has any pecuniary or other personal interests in the matter. In particular, he shall make a disclosure in the following situations –

在不為條例第 40BG 條設限的前題下，法團校董會在會議上考慮或即將考慮的任何事項，若任何校董在其中涉及任何金錢上或其他個人利益，必須依照該條款披露與其相關的利益關係，而涉及下述情況更須披露：

(a) the Manager is the Principal or a teacher of the School and the matter involves the appraisal of the Manager's performance as a staff member, his own appointment, conditions of service, remuneration and promotion; or

該位校董是學校的校長或教員，而有關事項涉及其本人作為員工的表現評鑑，其本人的聘任、服務條件、薪酬及晉升；或

(b) the Manager is the parent of a pupil of the School and the matter involves the appraisal of the pupil's performance, or the taking of disciplinary actions against the pupil; or

該位校董是該校學生的家長，而有關事項涉及該名學生表現的評鑑、或對該名學生施行的紀律處分；或

(c) the Manager is directly or indirectly related to a pupil or a teacher of the School or another Manager, against whom a complaint has been made, and the matter involves the appraisal of the performance of the pupil, teacher or that other Manager, or the taking of disciplinary actions against the pupil, teacher or that other Manager respectively; or

該位校董與遭受投訴的校內學生或教員或另一位校董存在或親或疏的親屬關係，而有關事項涉及該名學生或教員或該另一位校董的表現評鑑，或分別對該名學生或教員或該另一位校董施行的紀律處分；或

(d) the matter relates to a complaint against the Manager; or

該事項涉及一宗投訴該位校董的個案；或

(e) the Manager is directly or indirectly related to the trading operations/business contracts to be discussed or tenders to be awarded.

該位校董直接或間接涉及有待討論的買賣營運或商業合約，或有待批核的標書。

34.3 In any of the circumstances described in Article 34.2, the Manager shall take leave of the meeting(s) of the IMC as long as the proceedings on the relevant item of the agenda are still in session.

按照章程第 34.2 條所述任何情況下，只要法團校董會會議尚在進行討論和議決相關議程事項，該位校董則須迴避出席會議。

34.4 The IMC shall maintain and update from time to time a register or record of any declaration and disclosure of interests made by all Managers pursuant to this Article.

法團校董會須將全體校董根據本條款作出任何利益申報及利益披露的登記冊或紀錄保存及不時更新。

## 35. Minutes of Meetings

### 會議的紀錄

- 35.1 The Secretary shall take and keep the minutes of every meeting of the IMC. In particular, the Secretary shall make a record of a summary of the discussions, decisions and follow-up actions.  
秘書須記錄法團校董會的所有會議並保管相關會議紀錄，尤其須記錄有關討論、決議及跟進行動的撮要。
- 35.2 A Manager who has expressed a dissenting view may ask for his view to be recorded in the minutes. The Secretary shall make a record of a summary of such dissenting view in the minutes accordingly.  
任何校董表達相反意見後，可要求將其意見記錄在會議紀錄上，秘書必須據此將其所持相反意見的撮要記錄在會議紀錄。
- 35.3 The minutes of a meeting of the IMC if approved, shall be signed by the Chairman and the minutes when so signed shall be sufficient evidence of the matters therein recorded.  
法團校董會的會議紀錄一經通過，必須由主席簽署，而有關會議紀錄經主席簽署後，對記錄其內的事項即構成認可的實據。
- 35.4 The minutes of a meeting shall be tabled for approval in a subsequent meeting of the IMC.  
法團校董會的會議紀錄必須在下一次會議上提交並徵求通過。

## **Part 8 – Selection and Deployment of Principals**

### **第八部分——校長的遴選及調職**

#### **36. Selection and Deployment of Principals**

##### **校長的遴選及調職**

- 36.1 If the office of the Principal shall become vacant for whatever reason, a new Principal shall be selected by a Principal Selection Committee (the “Selection Committee”) established by the IMC with the assistance of the SSB.  
無論原因如何，如校長職位出現空缺，在辦學團體的協助下，法團校董會須成立校長遴選委員會(簡稱「遴選委員會」)以遴選新校長。
- 36.2 The Selection Committee shall select in an open, fair and transparent manner a suitable person for appointment by the IMC in accordance with the procedure prescribed by the Constitution of the Selection Committee.  
遴選委員會須透過公開、公正並具透明度的方式，遴選合適的人選，以供法團校董會按照遴選委員會章程所規定的程序聘任。
- 36.3 The Selection Committee shall be composed of –  
遴選委員會由以下人士組成：
- (a) not less than four representatives of the SSB; and  
辦學團體的代表不少於四人；以及
  - (b) the Supervisor and one Manager nominated by the IMC.  
由法團校董會提名的校監及一名校董。
- 36.4 At any stage of the selection process, the Selection Committee may invite not more than two persons from amongst relevant professionals to participate in the selection.  
遴選委員會可在遴選過程的任何階段，從相關專業人士中邀請不超過兩人參與遴選。
- 36.5 In filling the vacancy, the following provisions shall apply –  
填補空缺時以下條款必須採用：
- (a) only the SSB may nominate candidates for selection by the Selection Committee;  
遴選委員會所遴選的候選人只可由辦學團體提名；

- (b) the Supervisor shall report to the IMC the discussion and decision of the Selection Committee; and  
校監須向法團校董會報告遴選委員會的討論及決定；以及
- (c) the IMC shall recommend the person selected by the Selection Committee to the Permanent Secretary for approval and confirmation of appointment.  
法團校董會須向常任秘書長推薦遴選委員會所遴選的人士，以取得其批准及對該任命的確認。

36.6 The Principal of a school may be transferred to be the Principal of another school which is also operated by the SSB, if the transfer is deemed by the SSB to be conducive to the professional development of that Principal and to the overall benefit of the schools operated by the SSB.

倘辦學團體認為調職有利個別校長的專業發展及其所主辦學校的整體利益，可將其中一間學校的校長調配到相同辦學團體的另一間學校當校長。

### **37. Functions of Principal** **校長的職能**

37.1 Besides carrying out those functions prescribed by the Ordinance and the relevant instructions and regulations prescribed by the Permanent Secretary, the Principal of the School so selected shall also carry out and implement the policies, plans and resolutions which are made by the SSB and the IMC for the smooth operation and development of the School.

除要履行條例規定的職能及常任秘書長定明的相關指示及規條外，經過遴選的學校校長亦須落實及執行辦學團體與法團校董會所訂立的政策、計劃及決議案，令學校運作及發展暢順。

## **Part 9 – Miscellaneous** **第九部分——雜項**

### **38. Other Committees** **其他委員會**

38.1 In connection with the management and operation of the School, the IMC may establish one or more committee(s) with such terms of reference as it thinks fit.

針對學校的管理和運作，法團校董會可成立一個或多個委員會，而其職權範圍只需法團校董會認為適當便可。

38.2 The members and the chairman of a committee established under Article 38.1 shall be appointed by the IMC.

按章程第 38.1 條成立委員會的成員及主席，均須由法團校董會委任。

38.3 Persons who are not Managers may be appointed as members of a committee established under Article 38.1, but its chairman must be a Manager.

校董以外的人士可被委任成為按章程第 38.1 條成立的委員會成員，惟該委員會的主席必須是一名校董。

38.4 Subject to the direction of the IMC, the committees established under Article 38.1 may determine their own proceedings.

除要接受法團校董會的指導外，按章程第 38.1 條成立的委員會可自訂其議事規程。

38.5 Any committee established under Article 38.1 shall have such powers and authority as may be delegated by the IMC, provided that each committee shall be accountable to the IMC and the IMC may from time to time revoke any such delegation.

按章程第 38.1 條成立的任何委員會，得享由法團校董會下放的權力和授權，惟各委

員會必須向法團校董會負責，而法團校董會可隨時撤回任何已下放的權力。

### **39. Managers to act on Honorary Basis**

#### **校董按義務原則履行職務**

- 39.1 All Managers serve on the IMC on an honorary basis. The IMC shall not provide any of the Managers with any remuneration.  
所有校董均依據義務原則擔任校董職務，法團校董會不得向任何校董提供任何報酬。
- 39.2 No Manager, other than the Principal, Teacher Manager and Alternate Teacher Manager, shall be appointed to any salaried position in the School.  
除校長、教員校董及替代教員校董外，任何校董不得受聘擔當校內任何受薪的職位。
- 39.3 The Principal, Teacher Manager and Alternate Teacher Manager shall not be present or take part in any deliberation or decision of the IMC with respect to their own appointment, dismissal, conditions of service and remuneration.  
校長、教員校董及替代教員校董不得出席或參與法團校董會有關其聘任、解僱、服務條件及薪酬的任何討論及決定。
- 39.4 The funds and assets of the IMC shall only be used for the purposes in conformity with its object and the vision and mission of the School as set out in Article 2. The IMC shall not distribute any of its funds and assets among the Managers.  
法團校董會的經費和資產只可運用於符合章程第 2 條規定有關法團校董會宗旨及學校願景與使命的用途，而不得在校董之間分發其任何經費和資產。

### **40. School Development Plan etc.**

#### **學校發展計劃等**

- 40.1 The IMC shall submit the School Development Plan, Annual School Plan and School Report to the SSB according to the schedule proposed by the Education Bureau.  
法團校董會須按照教育局建議的日程表，將學校發展計劃、周年學校計劃及周年學校報告呈交辦學團體。

### **41. Liability of Manager and Protection**

#### **校董的法律責任及保障**

- 41.1 A Manager shall not incur any civil liability in respect of anything done or omitted to be done by him in good faith in the performance or purported performance of any function of his office as a Manager.  
任何校董在履行或原意在履行其校董職位的任何職能時，只要出於真誠，無論曾處理或忽略任何事，該校董不須就該事蒙受任何民事法律責任。

### **42. Accounts**

#### **帳目**

- 42.1 The IMC shall keep and maintain the accounts of the School in accordance with the prescriptions issued from time to time by the Permanent Secretary and the SSB.  
法團校董會必須依照常任秘書長及辦學團體不時發出的指令保管並維持學校帳目。
- 42.2 The IMC shall cause proper records of accounts of the IMC to be kept with respect to all sums of money received and expended by the IMC.  
法團校董會必須把所有有關經費收入及開支的帳目紀錄妥善保管。
- 42.3 The IMC in consultation with the SSB shall appoint an accountant as the auditor to audit the books and accounts of the IMC and the School and the appointed auditor shall perform the duties specified in Section 40BB of the Ordinance.  
經諮詢辦學團體後，法團校董會須委任專業會計師作其核數師，以稽核法團校董會及學校的帳簿及帳目，而獲委任的核數師必須履行條例第 40BB 條所指明的職責。

#### **43. Receiving Donations in the form of Money**

##### **接受金錢捐贈**

- 43.1 Prior to receiving donations in the form of money, the IMC should check with the donors whether they wish the IMC to return the money to them in the event of the dissolution of the IMC. If they have such intention, the IMC should explain to them that such money is not tax-deductible.

在接受金錢捐贈前，法團校董會須查明捐款人的意向，一旦法團校董會解散時，是否屬意將該款項歸還捐款人；倘捐款人屬意如此，法團校董會則須向其解釋，有關捐款將不獲豁免課稅。

#### **44. Winding Up or Dissolution**

##### **清盤或解散**

- 44.1 The IMC shall be wound up or dissolved when the registration of the School is cancelled. 當學校的註冊撤銷時，該校的法團校董會即須清盤或解散。

- 44.2 If upon the winding up or dissolution of the IMC, there remains, after the satisfaction of all its debts and liabilities, any money or property whatsoever, the same shall not be paid to or distributed amongst the members of the IMC. The properties owned by the IMC immediately before the dissolution shall be vested in the Permanent Secretary as the corporation sole constituted under the Permanent Secretary for Education Incorporation Ordinance.

法團校董會清盤或解散時，在清還所有債務及賠償責任後，如仍餘下任何金錢或無論何種資產，同樣不得支付或攤分予法團校董會的任何成員。凡於解散前由法團校董會擁有的資產，均須歸屬於常任秘書長根據教育局常任秘書長法團條例所組成的單一法團。

#### **45. Honorary Managers**

##### **名譽校董**

- 45.1 The SSB may appoint one or more Honorary Manager(s) as it deems fit or necessary. 辦學團體可按其需要委任一位或多位名譽校董。

- 45.2 An Honorary Manager shall have the right to attend all meetings of the IMC but does not have any voting right.

名譽校董有權出席法團校董會的所有會議，惟並不擁有任何投票權。

### **Part 10 – Amendment of Constitution**

#### **第十部分——章程的修訂**

#### **46. Procedure for making Amendments to the Constitution**

##### **修訂章程的程序**

- 46.1 For the purpose of this Article, the vision and mission of the School as set out in Article 2, the provisions in this Constitution regarding the powers of the SSB to nominate and appoint the Supervisor and SSB Managers, and the provisions in this Constitution regarding the selection of the Principal are referred to as ‘the Restricted Provisions’.

就本條款的用意而言，本章程第 2 條所列明的學校願景與使命、有關辦學團體有權提名並任命校監及辦學團體校董的條款，以及有關遴選校長的條款，均稱作「受限制條款」。

- 46.2 No proposal (other than proposals made by the SSB under Article 46.3) for any alteration or amendment to any part of the Restricted Provisions shall be made without the prior written approval of the SSB.

在未獲辦學團體事先書面批准，不得對受限制條款的任何部分提出任何更改或修訂

的建議（惟辦學團體按章程第 46.3 條所提出的建議則除外）

- 46.3 The SSB may, from time to time, propose any alteration or amendment to the Constitution and advise the Supervisor of any such proposal, and the Supervisor shall follow the procedures described in Articles 46.5 (a), (b) and (c).  
辦學團體可不時提議更改或修訂本章程，並將有關建議知會校監，而校監則須遵循章程第 46.5(a)、(b)及(c)條所述的程序。
- 46.4 Subject to Articles 46.1 and 46.2, a Manager other than the Supervisor may propose that this Constitution be altered or amended provided that the proposal shall be –  
在符合章程第 46.1 及 46.2 條的條件下，校監以外的任何校董可提議將本章程更改或修訂，惟有關建議必須：
- (i) in writing and signed by the Manager who makes the proposal;  
採用書面方式，並由提出建議的校董簽署；
  - (ii) supported by not less than one-third of all the Managers, who shall countersign the proposal; and  
獲得不少於全體的三分之一校董支持，並取得其聯署於建議書上；以及
  - (iii) submitted to the Supervisor.  
向校監呈遞。
- 46.5 The following procedure shall be adopted for the consideration of any proposal made under Articles 46.3 and 46.4 –  
在考慮根據章程第 46.3 及 46.4 條所提出的建議時，必須採取以下程序：
- (a) The Supervisor shall give notice in writing of a meeting to discuss the proposal to all Managers not later than twenty-eight days before the meeting. A copy of the proposal shall be attached to each copy of the notice.  
在開會討論有關建議前不少於廿八天，校監必須先將有關會議以書面通知全體校董，並須將有關建議的副本附加在每份通知書上。
  - (b) The quorum for the meeting shall be not less than two-thirds of all the Managers of whom not less than five members must be those appointed by the SSB.  
該會議的法定人數必須不少於全體校董的三分之二，而當中不少於五名成員必須屬於辦學團體所委任的校董。
  - (c) For the adoption of a proposal to alter or amend any part of this Constitution, no resolution shall be valid except with a two-thirds majority of the voting Managers attending the meeting and a support in writing from the SSB.  
就通過更改或修訂本章程任何部分而言，除獲出席會議而具投票權的校董之中的三分之二大多數通過，並取得辦學團體書面支持外，任何決議均屬無效。
  - (d) Any resolution for the alteration or amendment of any part of this Constitution should be lodged with the Permanent Secretary within 14 days.  
任何有關更改或修訂本章程任何部分的決議必須於十四天內提交常任秘書長。

**END 完**

**APPENDIX 附錄**

**(P. T. O.)**

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**APPENDIX 附錄**

**CODE OF CANON LAW, LATIN-ENGLISH EDITION, Canon Law Society of America, 1998.**

CAN. 796 §2. Parents must cooperate closely with the teachers of the schools to which they entrust their children to be educated; moreover, teachers in fulfilling their duty are to collaborate very closely with parents, who are to be heard willingly and for whom associations or meetings are to be established and highly esteemed.

CAN. 800 §2. The Christian faithful are to foster Catholic schools, assisting in their establishment and maintenance according to their means.

CAN. 803 §1. A Catholic school is understood as one which a competent ecclesiastical authority or a public ecclesiastical juridic person directs or which ecclesiastical authority recognizes as such through a written document.

§2. The instruction and education in a Catholic school must be grounded in the principles of Catholic doctrine; teachers are to be outstanding in correct doctrine and integrity of life.

§3. Even if it is in fact Catholic, no school is to bear the name Catholic school without the consent of competent ecclesiastical authority.

CAN. 804 §1. The Catholic religious instruction and education which are imparted in any schools whatsoever or are provided through the various instruments of social communication are subject to the authority of the Church. It is for the conference of bishops to issue general norms about this field of action and for the diocesan bishop to regulate and watch over it.

§2. The local ordinary is to be concerned that those who are designated teachers of religious instruction in schools, even in non-Catholic ones, are outstanding in correct doctrine, the witness of a Christian life, and teaching skill.

CAN. 805 For his own diocese, the local ordinary has the right to appoint or approve teachers of religion and even to remove them or demand that they be removed if a reason of religion or morals requires it.

CAN. 806 §1. The diocesan bishop has the right to watch over and visit the Catholic schools in his territory, even those which members of religious institutes have founded or direct. He also issues prescripts which pertain to the general regulation of Catholic schools; these prescripts are valid also for schools which these religious direct, without prejudice, however, to their autonomy regarding the internal direction of their schools.

§2. Directors of Catholic schools are to take care under the watchfulness of the local ordinary that the instruction which is given in them is at least as academically distinguished as that in the other schools of the area.

**天主教法典 (1983) 第三題 天主教教育 第一章 學校**

**796 條 2 項：**既然家長將子女的教育託付給學校的教師，家長應該與教師通力合作；教師在盡其職務時，應與家長合作，欣然聆聽他們，成立家長會或會議，並予以重視。

**800 條 2 項：**信徒應扶持天主教學校，盡力幫助開創和支持學校的工作。

**803 條 1 項：**天主教學校是由教會當局，或是教會公法人所管理的學校，或是教會權力以書面文件承認的學校。

**2 項：**在天主教學校內，訓育和教育都應以天主教教義為原則；教師應有正確的學識和端莊的生活。

**3 項：**任何學校，雖然實際有天主教精神，除有教會當局同意外，不得冠以天主教學校的名稱。

**804 條 1 項：**在任何學校所傳授的，或是在不同的社會傳播工具所策劃的，天主教宗教訓練和教育，均屬教會權下；主教團應對這方面的行動制定總則，而教區主教應安排並監督此事。

**2 項：**教區教長應盡力使在學校，連在非天主教學校講授宗教課的教師，必須在正確道理，基督化生活見證和教學技術皆為優等者，才可延聘。

**805 條：**教區教長有權為其教區任命並批准宗教科教師，同樣，如因宗教或道德理由，有權將其調職或勒令使其調職。

**806 條 1 項：**教區主教有權監督並視察其地區內的天主教學校，連修會會士所創設或所管理的學校在內，主教也有權規定有關天主教學校的管理：這些規定為會士所管理的學校也有效，但有關這些學校的內部管理，不在此限。

**2 項：**天主教學校校長，在教區教長監督之下，應設法使學校中所施教育，在學術方面至少與該地區的其他學校程度相等。