

立法會
Legislative Council

LC Paper No. CB(1)2066/00-01

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**Paper for the House Committee meeting
on 5 October 2001**

Committee on Rules of Procedure

**Detailed arrangements for the debate on the Motion of Thanks
in respect of the Chief Executive's 2001 Policy Address**

Purpose

This paper proposes the detailed arrangements for the new mode of debate on the Motion of Thanks in respect of the Chief Executive (CE)'s 2001 Policy Address. It also outlines the deliberations and recommendations of the Committee on Rules of Procedure (the Committee) following the consultation exercise conducted in August 2001 among Members on the detailed arrangements.

Background

2. The House Committee decided at its meeting on 15 June 2001 to adopt a new mode of debate for the Motion of Thanks in respect of the 2001 Policy Address. The new arrangement, as set out in LC Paper No. CB(1)1369/00-01, which proposed a 4-day debate model, i.e. three days (six sessions) on six groups of policy areas plus one day on general policies and for voting on the motion (and amendments, if any), was adopted subject to further fine-tuning of the detailed logistics. The Administration has confirmed that it has no objection in principle to adopting the proposed 4-day debate model on a trial basis for the 2001 Policy Address.

3. The Committee then worked out the detailed arrangements and issued a consultation paper to all Members on 13 August 2001, inviting views on the proposed detailed arrangements (LC Paper No. CB(1)1883/00-01). Three submissions from Dr Hon David LI Kwok-po (**Appendix I**), Hon Cyd HO Sau-lan (**Appendix II**) and Hon LAU Chin-shek (representing Hon LEE Cheuk-yan, Hon LEUNG Yiu-chung and Hon Michael MAK Kwok-fung) (**Appendix III**) have been received. The Committee, at its meeting on 17 September 2001, studied these three submissions.

The Committee's deliberations on Members' submissions

4. The Committee has deliberated on the following points raised in the three submissions:

- (a) whether the 4-day debate could commence two weeks, instead of one week, after the delivery of the Policy Address;
- (b) whether policy briefings for individual Panels should be conducted after the delivery of the Policy Address and before the commencement of the 4-day debate;
- (c) whether the 3-hour total speaking time limit for Members in a debate session could be relaxed to allow all Members who wish to speak in that session to speak; and
- (d) whether Members should be allowed, on the last day of the debate, to speak in relation to the responses made by Bureau Secretaries in the previous six debate sessions.

5. The Committee notes that all the points raised in the three submissions have already been examined during the early discussion of the new mode of debate. Some of the points are fundamental issues and, if considered worth pursuing, may require a new round of consultation among Members. Nevertheless, the Committee considered it appropriate to take a fresh look at the issues and explore if any adjustments need be made to address Members' concerns without substantially changing the arrangements which the majority of Members have already endorsed. After detailed discussion, the Committee has come up with the following views:

- (a) There is strong support for the debate on the Motion of Thanks to take place as soon as practicable after the Policy Address. The present proposal of allowing one week between the delivery of the Policy Address and the debate has already taken into account the time required by Members to conduct necessary consultations and hold discussions with the parties concerned. As no objection was raised against the proposal set out in the Committee's first consultation paper issued in June 2001 (LC Paper No. CB(1)1369/00-01), the Administration proceeded to plan for the preparatory work for the 2001 Policy Address. Any change to the timetable of the debate will substantially affect the Administration's plan. It is therefore not appropriate to introduce such a change at this stage. However, as the new arrangements for the debate are to be implemented on a trial basis, the suggestion of holding the debate two weeks after the Policy Address can be reviewed after the debate;

- (b) The feasibility of holding policy briefings before the debate depends on the meeting time slots available for conducting the 20 sessions for the 18 Panels. As not many meeting time slots are available between 12 October and 16 October, it is more practicable for the policy briefings, if considered necessary by individual Panels, to be held after the debate. Nevertheless, this subject will also be reviewed after the debate;
- (c) To allow more Members to speak in a debate session, consideration may be given to scheduling those policy areas on which more Members are expected to speak to be debated at the second session of each day. Any speaking time not used up by Members in the first session will be carried forward to the second session. It is suggested that the House Committee may, when consulting the Administration on the grouping and order of the policy areas in the debate sessions, pay attention to this point; and
- (d) The purpose of the debate on the fourth day is to enable Members to speak generally on government policies or programmes which straddle the portfolios of different Bureau Secretaries. Members should refrain from speaking on specific policy areas unless they have not had the chance to do so in the relevant debate sessions. Members should also refrain from speaking on the points made by Bureau Secretaries in response to Members' speeches in the six debate sessions.

Proposed arrangements for the debate on the Motion of Thanks

Notice of the Motion of Thanks and amendments

6. CE will deliver his Policy Address at the first Council meeting on 10 October 2001 (Wednesday) and under the proposed arrangement, the Motion of Thanks will be moved at the second Council meeting on 17 October 2001 (Wednesday). The Notice of the Motion of Thanks and notice of amendments to the Motion should be given not later than 11 October 2001 (Thursday) and 13 October 2001 (Saturday) respectively.

Days of debate and items of business to be dealt with

7. The Council meeting on 17 October 2001 will commence at 2:30 pm to deal with only essential items of business such as tabling of papers and motions to extend the scrutiny period of subsidiary legislation, other than the Motion of Thanks. The Chairman of the Committee on Rules of Procedure will first move a motion to suspend the relevant rule of the Rules of Procedure to enable the Motion of Thanks to be moved on that day. Subject to the passage of this motion, the Chairman of the House Committee will move the Motion of Thanks.

8. The debate on the Motion of Thanks (the Motion) will follow immediately and will last for four days as follows:

- 17 October 2001 (Wednesday) after the mover of the Motion has spoken;
- 18 October 2001 (Thursday) from 2:30 pm onwards;
- 19 October 2001 (Friday) from 2:30 pm onwards; and
- 24 October 2001 (Wednesday) from 2:30 pm onwards.

The above four days will be regarded as one Council meeting.

Duration of the debating sessions

9. The first three days of debate will be conducted in six sessions, with each session on a group of policy areas to be determined by the House Committee in consultation with the Administration. Each debate session will be subject to a time limit of 3 hours 45 minutes, with Members speaking for not more than three hours in total and designated public officers speaking for not more than 45 minutes in total. The second session will commence after the designated public officers in the first debate session have spoken, even if the total time spent on the first session is less than 3 hours 45 minutes. If Members' total speaking time for the first session is less than 3 hours, the balance will be added to the total speaking time for Members in the second session. The total time for debate on each day will not exceed 7 hours 30 minutes. With the exception of the first day where essential items of business could be dealt with, each day of debate will end at around 10:00 pm.

10. The fourth day will be a general debate on government policies and programmes which straddle the portfolios of different Bureau Secretaries. The general debate will be subject to a time limit of seven hours, with Members speaking for not more than 5 hours 25 minutes in total, the mover speaking on the amendments for not more than 5 minutes, and designated public officers speaking for not more than 1 hour 30 minutes in total. After the designated public officers have spoken, moving and voting on the amendment(s) will take place. There will be no debate on the amendments. The Chairman of the House Committee as the mover will then reply, to be followed by voting on the Motion, or the Motion as amended, as the case may be.

Speaking time limits

11. Speaking time limits for Members are proposed as follows:

- (a) Subject to the total speaking time for Members in a debate session/general debate not being exceeded, a Member may speak for not more than once in each of the six debate sessions, and in the general debate on the last day;

- (b) A Member, irrespective of whether he is a mover of amendment, may speak for not more than seven minutes on each occasion, except in the circumstance mentioned in item (c) below; and
- (c) Subject to availability of speaking time, a Member may be called upon by the President to speak for up to 15 minutes in one of the six debate sessions on the first three days, but notice to the President of his intention to speak for 15 minutes in a particular debate session must be given not later than three clear days before the first day of debate (i.e. 12 October 2001 (Friday)).

12. Due to limitation of speaking time, it is anticipated that not all Members who have indicated their intention to speak will be able to do so in each session. To allow more Members to have the opportunity to speak, no more than ten Members will speak for up to 15 minutes in each debate session. Members will be invited to indicate, in their notice to the President, if they so wish, the priority of the groups of policy areas on which they wish to speak for up to 15 minutes. If more than ten Members who have given notice by the deadline mentioned in paragraph 11(c) above select the same group of policy areas as their first priority to speak for up to 15 minutes, the President will decide which of the ten Members would be allocated the ten 15-minute speaking time slots in the relevant debate session, having regard to Members' groupings and priorities. A Member who has not been allocated a 15-minute speaking time slot for the group of specific policy areas of his first priority may be allocated such a time slot for a group of specific policy areas of his lower priority. Members will be informed of the President's decision on the Monday before the first day of debate, i.e. 15 October 2001. The Members who have been allocated 15-minute speaking time slots in a debate session are not allowed to exchange the slots amongst themselves.

13. Where the remainder of the speaking time for Members in a debate session is less than seven minutes, the President may call upon the first Member on the waiting list to speak. This Member may speak up to seven minutes or 15 minutes, as the case may be.

14. The Chairman of the House Committee, as mover of the Motion, may speak for not more than 15 minutes in total for her introductory speech in moving the Motion on the first day and her reply on the last day, and five minutes for her speech on the amendments, if any. If she intends to speak in any session of the debate as an individual Member, she will be subject to the same speaking time limits as applied to other Members.

Order of speaking

15. It is the President's discretion to determine which Member should be called upon to speak in each debate session and the order of speaking. The Committee proposes that:

- (a) During each debate session, the President may give priority to those Members who have given notice to speak for 15 minutes in that particular session subject to not more than ten Members being allowed to speak for 15 minutes in each session;
- (b) During the general debate on the last day, the President may give priority to those Members who have given notice of amendments and indicated their intention to speak on that day; and
- (c) During each debate session and the general debate, the President may give priority to those Members who have not spoken at previous debate session(s), and then those who have spoken fewer times than others wishing to speak in the same session.

Scope of speeches

16. Members' speeches on the first three days of the debate should be confined to the policy areas specified for a session.

17. Regarding the general debate on the last day, Members may speak generally on government policies or programmes which straddle the portfolios of different Bureau Secretaries. Members should refrain from speaking on a specific policy area unless they have not had the chance to do so in the relevant debate session. Members should also refrain from speaking on the points made by Bureau Secretaries at the end of the previous six debate sessions. Where a Member's speech is challenged by another Member as having contravened the above principles, the President will decide whether the Member speaking may continue on the same point or otherwise.

Motion on suspension of Rules of Procedure

18. For the purpose of implementing the new arrangements on a trial basis for debating the 2001 Policy Address, the Committee has conducted a study to identify the relevant rules of the Rules of Procedure which need to be suspended. On the understanding that the Administration and all Members will abide by the detailed arrangements (including the speaking time limits), the Committee considers that only those rules which might hamper the implementation of the new mode of debate need to be suspended. In other words, where the President has the discretion to give leave to dispense with the requirements or restrictions provided in a rule, there is no need for the rule to be suspended.

19. The Committee considers that in the circumstance, the only provision which needs to be suspended is the first part of Rule 13(1) of the Rules of Procedure. The Committee recommends that Rule 13(1), to the extent that it provides for a Motion of Thanks to be moved at a meeting not less than 14 days after the Chief Executive has

presented the Policy Address to the Council, be suspended to enable a Motion of Thanks to be moved one week after the delivery of the Policy Address. The Chairman of the Committee has given notice to move the motion in **Appendix IV** at the Council meeting on 17 October 2001.

20. Members are invited to note that under the current arrangements, designated public officers attending Council meetings are not subject to the restriction on speaking time referred to in the Rules of Procedure. Under the new arrangements for the 4-day debate on the Policy Address, however, total speaking time limits have been imposed on designated public officers for each debate session on the first three days (not exceeding 45 minutes) and the general debate session on the last day (not exceeding 1 hour 30 minutes). As the Administration has confirmed that it has no objection in principle to the proposed arrangements, designated public officers are expected to abide by the limitation on their total speaking time as reflected in the new arrangements.

Recommendations to the House Committee

21. The House Committee is invited to endorse the arrangements proposed in paragraphs 6 to 17 above. Subject to the House Committee's agreement to the above arrangements, the President will be requested to dispense with the notice requirements for the Motion and amendments to the Motion, and allow Members to speak more than once on the Motion. The speaking time limits for Members should be recommended to the President under Rule 37 of the Rules of Procedure.

22. It is also recommended that -

- (a) the Administration be requested to put forward its proposal on the grouping of policy areas and the order of the six groups not later than 11:00 am, Thursday, 11 October 2001, to enable the House Committee to consider the Administration's proposal at its meeting on Friday, 12 October 2001; and
- (b) the Administration be reminded to observe the total speaking time limits for designated public officers for each of the six debate sessions on the first three days and the general debate session on the last day.

Appendix I

14th August, 2001

Miss Salumi Chan
Clerk to Committee
Committee on Rules of Procedure
Legislative Council
Hong Kong

Dear Miss Chan,

I refer to the LC Paper No. CB(1)1883/00-01, *Consultation Paper on the Proposed Detailed Arrangements for the 4-Day Debate on the Chief Executive's 2001 Policy Address*.

It is proposed that the first three days of the debate be held on the 17th, 18th and 19th of October, merely one week after the Chief Executive's Policy Address. This is contrary to past practice, when two weeks was allowed for Members to draft a response. I am greatly concerned that one week will not allow sufficient time to canvass the views of my Constituency on the content of the Address.

Certainly, the aim of the debate should be to respond to the initiatives in the Address. The value of the debate will be greatly reduced if insufficient time is allowed for consultation. I am aware that I could delay my response until the 24th, but I would then forego the opportunity to express the views of my Constituency in the sessions devoted to specific policy areas.

Therefore, I request that the Committee on Rules of Procedure examine whether it would be possible to allow two weeks for consultation and preparation, prior to the start of the debate.

May I express my appreciation to the Committee for considering my views.

Yours sincerely,

Dr. David K. P. Li, GBS, JP
Legislative Councillor
Finance Functional Constituency

Appendix II

(English translation prepared by the
Legislative Council Secretariat
for Members' reference only)

(Letterhead of the Office of Legislative Councillor Cyd Ho S.L.)

16 August 2001

Ms Salumi CHAN
Committee on Rules of Procedure
Legislative Council Secretariat
Hong Kong Special Administrative Region

Dear Ms CHAN,

With respect to the consultation paper on the proposed detailed arrangements for the 4-day debate on the 2001 Policy Address issued vide LC Paper No. CB(1)1884/00-01, I would like to express my views as follows:

- (1) In the past, Bureau Secretaries would brief the Legislative Council in detail on the policy areas under their respective purview after the delivery of the Policy Address by the Chief Executive. If Members had any queries about the progress or ways of achieving the policy objectives, they could immediately have dialogues with the Bureau Secretaries concerned to seek clarification and explanation as to why the work had lagged behind targets. Although not all the queries and concerns could be fully addressed right away, it served to promote a better understanding between the executive and the legislature as the two sides could know what was common and different in their viewpoints through dialogues before the debate. Thus, there should be an effective mechanism for mutual communication after the delivery of the Policy Address and before the commencement of the debate.
- (2) Besides, the Committee on Rules of Procedure has also proposed that Members should refrain from speaking in relation to the responses made by Bureau Secretaries in the previous six debate sessions. Why can't the debate be extended if Members have new arguments to put forward? Looking from another angle, the responses made by Bureau Secretaries in the six debate sessions will become "forbidden areas" on the last day of the debate, rendering

Members who have not had the chance to speak at the sessions devoted to specific policy areas unable to express their views on such policy areas.

I should be grateful if members of the Committee and the Secretariat would refer to the above views in considering the matter.

Cyd HO Sau-lan

Appendix III

(English translation prepared by the
Legislative Council Secretariat
for Members' reference only)

(Letterhead of Legislative Councillor Lau Chin Shek's Office)

5 September 2001

Miss Salumi CHAN
CAS(1)5
Legislative Council Secretariat
Legislative Council Building
Central
Hong Kong

Dear Miss CHAN,

Consultation paper on the arrangements for the debate on the 2001 Policy Address

Regarding the consultation paper on the proposed detailed arrangements for the 4-day debate on the Chief Executive's 2001 Policy Address (the consultation paper) issued earlier by the Committee on Rules of Procedure (the Committee), Messrs LEE Cheuk-yan, LEUNG Yiu-chung, Michael MAK and I, after having a discussion on the proposed arrangements, would like to make the following two points:

(1) With regard to the proposal in paragraph 9(a) of the consultation paper that Members' total speaking time in each of the six debate sessions on the first three days should normally not exceed 3 hours, we are of the view that the upper limit of a 3-hour speaking time should be for reference only and should not be strictly enforced. If quite a number of Members wish to speak in a particular session, they should be allowed to do so subject to their individual speaking time limits. We understand that this may result in the total time spent on certain debate sessions exceeding 3 hours 45 minutes and the extension of the meetings on the first three days beyond 10:00 pm. But we believe that such an extension of meetings will not be very long. The most important thing is to ensure that Members who wish to speak on a particular policy subject have the opportunity to do so.

(2) We take exception to the proposal in paragraph 14 of the consultation paper that, in the general debate on the last day, “Members.....should also refrain from speaking in relation to the responses made by Bureau Secretaries at the end of the previous six debate sessions”. We consider it unnecessary to impose such a restriction on Members’ speeches. It would be natural for Members to respond in the general debate on the last day to the previous responses made by Bureau Secretaries if they simply did not have the opportunity to do so in debates on the first three days. Otherwise, the value of the debate on the Policy Address will be greatly reduced.

Your assistance in conveying the above views to the Committee for its consideration will be appreciated. Thank you.

Signed
(TSOI Yiu-cheong)

For LAU Chin-shek

RULES OF PROCEDURE OF THE LEGISLATIVE COUNCIL OF THE
HONG KONG SPECIAL ADMINISTRATIVE REGION

RESOLUTION

(Pursuant to Rule 91 of the Rules of Procedure of the Legislative Council of the Hong
Kong Special Administrative Region)

SUSPENSION OF RULES OF PROCEDURE OF THE
LEGISLATIVE COUNCIL OF THE
HONG KONG SPECIAL ADMINISTRATIVE REGION

RESOLVED that Rule 13(1) of the Rules of Procedure of the Legislative Council of the
Hong Kong Special Administrative Region, to the extent that it provides for a
Motion of Thanks to be moved at a meeting not less than 14 days after the Chief
Executive has presented a Policy Address to the Council, be suspended to
enable a Motion of Thanks to be moved at the Legislative Council meeting of
17 October 2001.