

立法會
Legislative Council

LC Paper No. CB(1)2067/00-01

Ref: CB1/R/3

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

Committee on Rules of Procedure

Minutes of proceedings of committees

Purpose

This paper outlines the Committee on Rules of Procedure's proposed arrangements for the preparation of minutes of proceedings of committees to enhance the effectiveness and efficiency of committees.

Background

2. According to the Rules of Procedure, the clerk to a committee shall keep the minutes of the proceedings of the committee. With the exception of the minutes of the proceedings of select committees where provisions have separately been made in the Rules of Procedure in respect of the content of the minutes, the minutes of meetings of a committee are prepared in a manner determined by the committee. House Rule 25, which sets out the current arrangements, is in **Appendix I**.

3. At the House Committee meeting on 10 July 2001, following the Chairman of the House Committee's report on the Chief Secretary for Administration (CS)'s concern about the lapse of time in the availability of the minutes of committee meetings after the relevant meetings, Members saw the need to expedite the preparation of minutes of committee meetings. Members noted that CS was of the view that as proceedings of meetings were all audio-recorded, minutes could be produced in a condensed form, recording only the decisions and follow-up actions required. These draft minutes of meetings should be available not later than three days after the meeting. Members appreciated that it would not be possible to produce the draft minutes in time if meetings were held at short intervals. The Chairman of the House Committee also considered that given the large number of committee meetings, it was not

possible for the draft minutes of all meetings in their present form to be ready in three days. As CS's proposal would affect the operation of committees and have resource implications, the Chairman of the House Committee suggested that the matter be discussed by the relevant committees, such as the Committee on Rules of Procedure (the Committee) and/or The Legislative Council Commission (the Commission).

4. The Committee considered the matter at its meeting on 17 September 2001 and decided that the proposed arrangements be put forward to the House Committee for consideration and to the Commission for information.

Present position

5. The Committee notes that under the current practice, minutes of committee meetings record the deliberations made and decisions taken at the meetings, and follow-up actions required. As minutes of committee meetings serve as a formal record of the proceedings and the views expressed at the meetings, they are usually presented in a structured manner with full details of the deliberation unless directed otherwise by the committees. The preparation of minutes in the present form requires considerable time on the part of the clerk and his assistant, a Senior Assistant Secretary, in the drafting work. For committees which do not publish reports on individual subjects they have examined, e.g. Panels, the minutes of meetings also provide good reference materials for future study and analysis of the subjects concerned.

6. The Committee also notes that owing to the growing complexity and increased number of meetings, it has become difficult for clerks to meet the target of producing the draft minutes of meetings for confirmation at the next regular meeting. For bills committees and subcommittees on subsidiary legislation where a report is produced on each legislative proposal scrutinized, it has become a practice for the minutes to be prepared as soon as practicable and very often during the summer break.

Proposed arrangements

7. Having reviewed the format and content of minutes of various committee meetings, the Committee considers that some re-engineering of the minute-taking methodology of the clerks could be carried out. The primary objective of this re-engineering exercise is to ensure that minutes of committee meetings are prepared efficiently in the most cost-effective manner. It is proposed that two types of minutes are to be prepared:

- (a) Where no report will normally be published to record the deliberations and views of the committees upon the completion of the study of a specific subject, a detailed form of minutes as presently adopted for Panels will be used. Where feasible, the clerk should organize the views expressed in a structured manner to facilitate reading and future reference; and
- (b) Where a report will be published upon the completion of the study of a specific subject, such as a bill or a piece of subsidiary legislation, the minutes of the meetings should be presented in a condensed form, recording the decisions of the committee, outstanding matters to be followed up at future meetings, undertakings by the Administration, decision of members to move Committee Stage Amendments, etc. All proceedings will be audio-recorded and the audio record indexed to facilitate easy retrieval. Where considered necessary by a committee, verbatim transcripts of the relevant parts of the proceedings of a committee meeting may be produced. A sample of the minutes in the condensed form is given in **Appendix II**.

Target time for producing draft minutes of meetings

8. If the proposed condensed form of minutes of meetings for committees which will publish a report upon completion of study of a specific subject is accepted by Members, the Committee considers that a target time could be set for the production of minutes. Subject to the factors in paragraph 9 below, it is estimated that:

- (a) the draft minutes of a two-hour bills committee or subcommittee meeting will be available for the Administration's comments *within three working days* of the meeting; and
- (b) the draft minutes of a two-hour regular Panel meeting will be available for the Administration's comments *within two weeks* of the meeting.

9. Members are invited to note that the ability to meet the target time mentioned above may be affected by a number of factors, e.g. sudden increase in the number of meetings serviced by the committee clerk within the same week, sudden increase in the number of submissions received by the committee clerk thus requiring more time to prepare the summary of submissions and to liaise with the organizations or persons providing the submissions, and ad hoc duties required to be performed by the committee clerk.

10. As regards minutes of meetings of House Committee, Finance Committee and its subcommittees, Committee on Members' Interests, Public Accounts Committee, Committee on Rules of Procedure and select committees, the Committee proposes that the current practice be maintained.

Advice sought

11. Members are invited to give views on the proposed arrangements in paragraphs 7 to 10 above.

12. Subject to the House Committee's agreement, the new arrangements will be tried out for a period of four months. A review of the new arrangement will take place in February 2002.

Council Business Division 1
Legislative Council Secretariat
19 September 2001

House Rule 25

25. Minutes of Meetings

- (a) The clerk to a committee shall keep the minutes of the meetings of the committee in a manner determined by the committee. Normally, verbatim records will not be made of the proceedings of a committee except in the case of an enquiry made under Rule 80 of the Rules of Procedure.
- (b) For meetings at which representations from the public are received, members of the public will be asked to make submissions in writing, if possible before the meetings; otherwise they will be asked at the end of the meetings to put in writing the points they would like Members to take note of. Those who have put in written submissions prior to the meetings will also be provided with the opportunity to make further written submissions after the meetings on points not covered in the earlier submissions. The written submissions will then be circulated for members' reference.
- (c) Minutes of meetings with the Administration and outside parties need not normally be cleared with them.
- (d) Notwithstanding (b) and (c) above, chairmen have discretion to decide whether the minutes or any part thereof should be shown to those who have attended the meetings with Members if, in the chairmen's opinion, it will facilitate the work of the committee.
- (e) The draft minutes of a meeting will be confirmed at a subsequent meeting, or will be sent to members for consideration and will be taken as confirmed if members do not make any amendments on them before the deadline set for amendment.
- (f) All meetings will be tape-recorded and the recording may be erased in one year's time unless directed otherwise by the respective committees.
- (g) The minutes of meetings held in public are made available for inspection by the public at the Library or the Secretariat of the Council.

*****(Sample)*****

立法會
Legislative Council

LC Paper No. CB(1) /00-01
(These minutes have been
seen by the Administration)

Ref: CB1/BC/5/00/2

**Bills Committee on
Hong Kong Science & Technology Parks Corporation Bill**

**Meeting on
Thursday, 8 February 2001, at 11:15 am
in the Chamber of the Legislative Council Building**

Members present : Hon Kenneth TING Woo-shou, JP (Chairman)
Hon James TIEN Pei-chun, JP
Ir Dr Hon Raymond HO Chung-tai, JP
Prof Hon NG Ching-fai
Hon HUI Cheung-ching
Hon CHAN Yuen-han
Hon CHAN Kam-lam
Hon SIN Chung-kai

Members absent : Hon Eric LI Ka-cheung, JP
Dr Hon LUI Ming-wah, JP
Hon YEUNG Yiu-chung
Hon CHOY So-yuk
Hon LAU Ping-cheung

Public officers : Mr Francis HO
Attending Commissioner for Innovation and Technology

Miss Agnes WONG
Assistant Commissioner for Innovation and Technology
(Infrastructure)

Mr Sunny CHAN
Senior Government Counsel
Department of Justice

Clerk in attendance : Mr Andy LAU
Chief Assistant Secretary (1)2

Staff in attendance : Ms Bernice WONG
Assistant Legal Adviser 1

Mrs Queenie YU
Senior Assistant Secretary (1)6

The Committee deliberated (Index of proceedings attached at **Annex A**).

2. The Administration was requested to provide further information on the following to facilitate the work of the Committee :

- (a) to consider whether the definition of "functions" in clause 4(2) should be further qualified to include a power and a duty to fulfill the Corporation's purposes;
- (b) to consider defining the scope of disclosure of interests by Board members or committee members, and whether public access to such information should be expressly provided for under Clause 10;
- (c) to consider whether a direction given by the Chief Executive under clause 12(1) should also be subject to the approval of the Legislative Council as if an order made under clause 6(2) by the Chief Executive in Council;
- (d) to clearly delineate the role and functions of the Chief Executive Officer and the Chairman of the Board under clause 14; and
- (e) to consider specifying the professional and institutional sources of membership of the Board and their respective numbers in Schedule 2.

3. The Committee agreed to hold the next meeting on 20 February 2001.

4. There being no other business, the meeting ended at 12:45 pm.

Legislative Council Secretariat

16 August 2001

**Proceedings of the meeting of the Bills Committee on
Hong Kong Science & Technology Parks Corporation Bill
on Thursday, 8 February 2001, at 11:15 am
in the Chamber of the Legislative Council Building**

Time	Speaker	Subject(s)	Action required
0001-0010	Mr James TIEN	Operating principle of the new corporation	
0011-0020	Admin.	Operating principle of the new corporation	
0021-0030	Mr James TIEN	Operating principle of the existing corporations	
0031-0040	Admin	Operating principle of the existing corporations	
0041-0050	Mr HUI Cheung-ching	Clause 6	
0051-0060	Admin	Clause 6	
0061-0084	Mr SIN Chung-kai	Clause 27	
0085-0100	Admin	Clause 27	
0101-0120	Mr SIN Chung-kai	Clause 27	
0121-0126	Admin	Clause 27	
0127-0133	ALA	Clause 27	
0134-0145	Mr SIN Chung-kai	Clause 4	
0146-0155	Admin	Clause 4	
0156-0161	Mr SIN Chung-kai	Clause 4	
0162-0186	Admin	Clause 4	√
0187-0198	Mr SIN Chung-kai	Clause 8	
0199-0200	Admin	Clause 8	
0201-0209	Mr SIN Chung-kai	Clause 8	
0210-0221	Admin	Clause 8	
0222-0232	Mr SIN Chung-kai	Clause 10	
0233-0243	Admin	Clause 10	
0244-0254	Mr SIN Chung-kai	Clause 10	
0255-0265	Admin	Clause 10	
0266-0276	Chairman	Clause 10	
0277-0298	Mr CHAN Kam-lam	Clause 10	
0299-0309	Mr SIN Chung-kai	Clause 10	
0310-0319	Admin	Clause 10	
0320-0329	Mr SIN Chung-kai	Clause 10	
0330-0339	Admin	Clause 10	
0340-0359	Mr SIN Chung-kai	Clause 10	√

0360-0389	Admin	Clause 10	
0390-0399	Ms CHAN Yuen-han	Schedule 2	
0400-0419	Admin	Schedule 2	
0420-0439	Ms CHAN Yuen-han	Schedule 2	
0440-0477	Admin	Schedule 2	
0478-0499	Ms CHAN Yuen-han	Schedule 2	
0500-0509	Admin	Schedule 2	√
0510-0529	Ms CHAN Yuen-han	Clauses 6 & 12	
0530-0540	Admin	Clauses 6 & 12	
0541-0569	Mr SIN Chung-kai	Clauses 6 & 12	
0570-0589	Admin	Clauses 6 & 12	√
0590-0609	Mr SIN Chung-kai	Clause 14	
0610-0629	Ms CHAN Yuen-han	Clause 14	
0630-0649	Admin	Clause 14	
0650-0689	Ms CHAN Yuen-han	Clause 14	
0690-0710	Admin	Clause 14	√

Note : The audio tapes of the above proceedings are kept at the LegCo Library

Legislative Council Secretariat

16 August 2001