

立法會

Legislative Council

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Paper for the House Committee meeting on 4 October 2000

Legislative Council Panels

Purpose

This paper seeks members' agreement to the arrangements for signification of membership for Legislative Council Panels.

Background

2. There are 17 Panels formed by resolution of the first Legislative Council on 8 July 1998 in accordance with Rule 77(1) of the Rules of Procedure of the Legislative Council (**Appendix I**). Each of these Panels monitors and examines policy matters within specified areas of responsibilities corresponding to one or two Policy Bureaux in the Government. It also provides a forum for the exchange of views on Government policies and issues of public concern, and for the Administration to consult Members on major legislative and financial proposals before these are formally presented to the Council or the Finance Committee. The 17 Panels and their respective policy areas are listed in **Appendix II**.

3. According to Rule 77(4) of the Rules of Procedure, the members of a Panel shall be those Members (other than the President) who signify membership in accordance with the procedural rules decided by the House Committee. In this connection, House Rule 22(b) provides that Members may join a Panel by submission of returns to the Secretariat before the deadline set before the first meeting of the Panel in the session of the Council. For new Members who join the Council after the start of a session, House Rule 22(d) provides that they should signify membership for the Panels of their choice within one month from the dates they are declared elected as Members of the Council. It is however not specified in the House Rules as to how the deadline for signification of Panel membership in the first and subsequent sessions of a term is to be set.

4. To enable the Panels to start work at the earliest opportunity and to facilitate the holding of briefings by Bureau Secretaries shortly after the delivery of a Policy Address by the Chief Executive at the start of a session, it has been the practice to set an early deadline for signification of Panel membership. The current arrangement is to seek the House Committee's endorsement of the deadline at the start of a term or a session, but under this arrangement, Members are given very little time to join the Panels of their choice.

Proposed arrangements

5. To provide for a standing arrangement to obviate the need to seek the House Committee's endorsement each time, it is proposed that:

- (a) All Members, except the President of the Council, shall be invited to signify membership for the Panels of their choice at the beginning of a new term. The deadline shall be noon-time on the Saturday immediately following the first Council meeting of the new term. Membership of Panels will last for the whole term; and
- (b) Members shall be given the opportunity to re-signify membership for any Panels at the beginning of each of the subsequent sessions of the term. The deadline shall be noon-time on the Saturday immediately prior to the first Council meeting in each of the subsequent sessions of the term.

6. For the purpose of the 2000-2004 legislative term, it is proposed that the deadline for signification of membership for Panels is noon on 7 October 2000. Subject to members' endorsement of the proposed arrangements in paragraphs 5(a) and (b), steps will be taken at a later stage to amend the relevant House Rules accordingly.

Advice sought

7. Members are requested to endorse the proposed arrangements in paragraph 6 above.

Extract from the Rules of Procedure of the Legislative Council

77. Panels

(1) There shall be such number of committees, to be called Panels, as the House Committee considers appropriate and as the Council may approve.

(2) The terms of reference of a Panel shall be recommended by the House Committee and approved by the Council.

(3) A Panel shall monitor and examine, to the extent it considers necessary, policy matters referred to it by a member of the Panel or by the House Committee.

(4) The members of a Panel shall be those Members (other than the President) who signify membership in accordance with procedural rules (which shall provide only for the manner and timing of such signification) decided by the House Committee.

(5) The chairman of a Panel shall be elected by the Panel from among its members. The Panel may also elect a deputy chairman. In the event of the temporary absence of the chairman or any deputy chairman the Panel may elect a chairman to act during such absence. The chairman and deputy chairman of a Panel shall hold office until the election of the chairman and deputy chairman of the Panel in the session next following that for which they were elected.

(6) A Member who is the chairman or deputy chairman of a Government advisory body in respect of matters which a Panel considers to be directly related to the terms of reference of the Panel shall not be the chairman or deputy chairman of the Panel.

(7) A Member shall not be chairman or deputy chairman of more than one Panel at the same time.

(8) A Panel shall consist of not less than 6 members including the chairman. The quorum of a Panel shall be 3 members including the chairman, or one third of the members including the chairman (a fraction of the whole number being disregarded), whichever is the greater.

(9) A Panel may, if it considers appropriate, appoint subcommittees to study specific issues and to report to the Panel.

(10) A Panel or its subcommittee may, if it considers appropriate, meet jointly with any other Panel or its subcommittee for the purpose of considering any matter of common interest to the Panels. The quorum of a joint meeting shall be one third of the members of all the relevant panels or subcommittees including the chairman (a fraction of the whole number being disregarded). All matters for decision at a joint meeting shall be decided by a majority of the members voting. The chairman shall, if the votes be equally divided, have a casting vote in addition to his original vote.

(11) A Panel shall meet at the time and the place determined by the chairman of the Panel. Written notice of the place, day and time of every meeting shall be given to the members at least 3 days before the day of the meeting but shorter notice may be given in any case where the chairman so directs.

(12) Meetings shall be held in public unless the chairman otherwise orders in accordance with any decision of the Panel.

(13) All matters for the decision of a Panel shall be decided by a majority of the members voting. The chairman or any other member presiding shall, if the votes be equally divided, have a casting vote in addition to his original vote. Such voting shall not be binding on any Member, whether in Council, in a committee of the whole Council or in the House Committee.

(14) A Panel may make such reports as it considers appropriate to the Council provided that there shall be at least one report during a session and where requested by the House Committee or on its own motion, make a report in writing to the House Committee on a particular matter.

(15) Subject to these Rules of Procedure, the practice and procedure of a Panel or its subcommittee shall be determined by that Panel. In any such determination, a Panel shall take into account any guidelines provided under Rule 75(8) (House Committee).

Legislative Council Panels

| <u>Panel</u> | <u>Corresponding Bureau/Body</u> | <u>Policy Area</u> |
|--|---|---|
| Manpower | Education & Manpower Bureau | Labour and manpower planning matters |
| Public Service | Civil Services Bureau | Matters relating to the civil service and Government-funded public bodies, and other public service matters (in particular human resources management) |
| Administration of Justice & Legal Services | Judiciary Department of Justice | Matters relating to the administration of justice and legal services including the effectiveness of their implementation by relevant officials and departments |
| Home Affairs | Home Affairs Bureau | District, community and rural matters, and matters relating to civic education, human rights, data protection, press freedom, building management, youth and women, the provision of leisure and cultural services, development of arts and culture, public entertainment, sport and recreation |
| Transport | Transport Bureau | Transport matters |
| Housing | Housing Bureau | Private and public housing matters |
| Security | Security Bureau Independent Commission Against Corruption | Security, public order, public safety, corruption-related issues, and nationality and immigration matters |

| <u>Panel</u> | <u>Corresponding Bureau/Body</u> | <u>Policy Area</u> |
|---------------------------------------|--|--|
| Constitutional Affairs | Constitutional Affairs Bureau | Matters relating to implementation of the Joint Declaration and the Basic Law, relations between the HKSAR Government and the Central People's Government and other Mainland authorities, electoral matters and district organizations |
| Financial Affairs | Finance Bureau Financial Services Bureau | Financial and finance matters (including macro economic issues) |
| Education | Education & Manpower Bureau | Education matters |
| Trade & Industry | Commerce & Industry Bureau | Trade and industry matters |
| Planning, Lands & Works | Planning & Lands Bureau Works Bureau | Lands, buildings and planning matters, works and water supply and Public Works Programme |
| Welfare Services | Health & Welfare Bureau | Welfare and rehabilitation services matters |
| Information Technology & Broadcasting | Information Technology & Broadcasting Bureau | Matters relating to information technology, telecommunications, broadcasting, film censorship and services (including control of obscene articles) |
| Economic Services | Economic Services Bureau | Economic matters (matters relating to civil aviation, postal services, energy, electrical and gas safety, tourism, merchant shipping and marine-related matters, consumer protection and competition policy) |

| <u>Panel</u> | <u>Corresponding Bureau/Body</u> | <u>Policy Area</u> |
|-----------------------|--|--|
| Health Services | Health & Welfare Bureau Environment & Food Bureau | Matters relating to medical and health services, public health education, food safety, agriculture and fisheries |
| Environmental Affairs | Environment & Food Bureau | Environmental and conservation matters and environmental hygiene |