

Panel on Constitutional Affairs
Proposed Research Outline
Parliamentary Handling of Non-Ordinary Bills

Background

1. At the meeting on 19 June 2000, the Panel discussed the subject of "important bill" in the context of Article 50 of the Hong Kong Special Administrative Region Basic Law and agreed that the Research and Library Services Division should be requested to undertake a research study on overseas parliamentary experience in handling bills which are considered "not ordinary", i.e. the passage or non-passage of such bills may result in a change of Government or is of constitutional significance.

Scope

2. This research will cover France and the United Kingdom.
3. France is selected because
 - (a) France has a semi-presidential system of government characterized by a dual executive through which the President and the Prime Minister share executive powers;
 - (b) there are special legislative procedures for bills or motions which are "not ordinary" in that they have constitutional effects, although they may not result in a change of Government; and
 - (c) Article 49(3) of its Constitution provides for a mechanism in which the Government engages its responsibility to a certain bill which can result in the removal of Government if consequently a motion of censure is passed.
4. The United Kingdom is selected because
 - (a) it is widely regarded as having the oldest parliamentary system of government that can provide valuable reference on parliamentary practice; and
 - (b) confidence motions have undergone discernible changes in the past 30 years.

Time Table

5. The research study will be completed by 31 March 2001.