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Legislative Council

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Committee on Rules of Procedure

**Consultation paper
on the proposed detailed arrangements
for the 4-day debate on the Chief Executive's 2001 Policy Address**

Purpose

This paper invites Members to give views on the proposed detailed arrangements for the 4-day debate on the Chief Executive (CE)'s 2001 Policy Address.

Background

2. The Committee on Rules of Procedure (the Committee) consulted the House Committee on the proposed new arrangements for debating the Policy Address vide LC Paper No. CB(1)1369/00-01. The House Committee, at its meeting on 15 June 2001, decided to adopt a 4-day debate model, i.e. three days (six sessions) on six groups of policy areas plus one day on general policies and voting on the motion and amendments to the motion (if any).

3. The Acting Chief Secretary for Administration informed the Chairman of the House Committee on 26 June 2001 that the Administration has no objection in principle to adopting the proposed 4-day debate model on a trial basis for the 2001 Policy Address. The Administration also has no objection to the proposed broad grouping of policy areas, but would like to have the opportunity to refine the grouping in the light of the emphasis of the Policy Address, and to determine in consultation with the Legislative Council the order of the six sessions.

4. To facilitate preparation for the new mode of debate, the Committee has fine-tuned the logistical arrangements for the debate for each of the four days. The Committee's proposals are set out in the following paragraphs.

Proposed detailed arrangements

Days of the 4-day debate and other items of business to be dealt with

5. Members have agreed to devote the first three days of the debate to debating specific policies and the last day for general policies. Members have also agreed that the first day of the debate be held on the Wednesday following the Council meeting at which the Policy Address was delivered. The first three days will take place on three consecutive working days (Wednesday, Thursday and Friday). **The Committee proposes that the last day of the debate, i.e. the fourth day, be held on the following Wednesday.** As CE will deliver his Policy Address on 10 October 2001, **the 4-day debate on the Policy Address is proposed to be held on 17 October (Wednesday), 18 October (Thursday), 19 October (Friday) and 24 October (Wednesday).**

6. The Committee notes that under current rules, all items of business for a normal Council meeting may be dealt with at the meeting at which the debate on the Motion of Thanks is held. House Rule 7(e) however provides that at the Council meeting for the policy debate, there will be no arrangement for Members to put questions for oral replies to the Government. In practice, other than debating the Motion of Thanks, only the tabling of papers and subsidiary legislation, and questions for written replies are placed on the Agenda for the meeting at which Members speak on the Policy Address. As for the meeting held in the following week at which Government officials respond in the debate, bills may be introduced but resumption of second reading debate on bills and debates on Members' motions with no legislative effect do not normally take place. It has been the practice of the Legislative Council to regard the current 2-day meeting when Members speak on the Motion of Thanks as one Council meeting and the day when Government officials respond as another Council meeting.

7. Under the proposed new mode of debate, the debate commences after the Chairman of the House Committee has moved the motion on the first day and ends when the mover of the motion gives her reply on the last day. Members and Government officials will be speaking on all four days of the debate. The Committee considers that the entire proceedings on the motion may more appropriately be regarded as being held at one single Council meeting. Moreover, if the fourth day is regarded as a separate Council meeting where other items of business may be included on the Agenda, the meeting will correspondingly be lengthened and may spill over to the next day. **The Committee therefore proposes that the 4-day debate be regarded as one Council meeting and that on the first day of the debate, only essential items of business such as tabling of papers and motions to extend the scrutiny period of subsidiary legislation may be dealt with, other than the debate.**

8. The Committee notes that the proposal to regard the 4-day debate as one Council meeting would have implications on the scrutiny period for the items of subsidiary legislation tabled at the last four Council meetings of the 2000/01 session on 20 June, 27 June, 4 July and 11 July 2001. Pursuant to section 34(3) and (4) of the Interpretation and General Clauses Ordinance (Cap. 1), the scrutiny period for the items

of subsidiary legislation tabled at these four Council meetings shall be deemed to extend to and expire on the day after the second Council meeting of the next session, and the Legislative Council may by resolution in relation to any such subsidiary legislation extend the scrutiny period to the next Council meeting (i.e. the third Council meeting). Under the Committee's proposal, the third Council meeting will fall on 31 October as the meeting on 24 October is the continuation of the second Council meeting. In this connection, the Administration points out that two items of the subsidiary legislation tabled on 11 July 2001 (L.N. 163 and L.N. 164) have specified a commencement date after 24 October 2001 but before 31 October 2001. The Director of Administration confirms that the Administration has no objection to the Committee's proposal, but he requests that the Administration be alerted at an early stage to Members' views, if any, on any of these subsidiary legislation. For details of the two items of subsidiary legislation, Members may refer to the Legal Service Division's report issued vide LC Paper No. LS 143/00-01 on 13 August 2001.

Duration of debate

9. Members have agreed that the Council meeting for debating the Policy Address should start at 2:30 pm and end at around 10:00 pm on each of the four days. **The Committee proposes that the duration of each debate session and the general debate on the last day be set as follows:**

For the six debate sessions on the first three days

- (a) Subject to item (b) below, each debate session should not exceed 3 hours 45 minutes (not more than 3 hours for Members to speak and not more than 45 minutes for the Bureau Secretaries concerned to respond);
- (b) The second debate session of each day will commence after the Bureau Secretaries in the first debate session have given their responses, 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;

For the general debate on the last day

- (c) The general debate will last no more than 7 hours (not more than 5 hours 25 minutes for Members to speak, not more than 5 minutes for the mover to speak on the amendments, and not more than 1 hour 30 minutes for Government officials to respond); and
- (d) After the Government officials have spoken, the Chairman of the House Committee will reply, followed by voting on the amendment(s), and voting on the motion, or the motion as amended, as the case may be.

Speaking time limits and “guillotine” system

10. To ensure that each debate session and the general debate on the last day will not go beyond the specified duration, **the Committee proposes that speaking time limits be imposed and a “guillotine” system be adopted.**

11. **On speaking time limits, the Committee proposes that -**

- (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 debate session, and in the general debate on the last day;
- (b) A Member may speak for not more than seven minutes on each occasion, except in the circumstance mentioned in item (c) below;
- (c) Each Member may select to speak for up to 15 minutes in one of the six debate sessions in the first three days but notice to the President must be given not later than three clear days before the first day of debate (i.e. the Friday before the Council meeting at which the Policy Address is debated). No more than ten Members will be allowed to 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 specific policy areas on which they would like to speak for up to 15 minutes. If more than ten Members who have given notice by the deadline mentioned above select the same group of specific 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. The Members who have been allocated 15-minute speaking time slots in a debate session are not allowed to exchange their slots amongst themselves;
- (d) 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; and

- (e) While the speaking time limits in items (b) and (c) above do not apply to government officials, their total speaking time should not exceed 45 minutes for each debate session on the first three days and 1 hour 30 minutes for the general debate on the last day.

12. **To implement the “guillotine” system, 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; and
- (b) 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

13. **The Committee proposes that** Members' speeches on the first three days of the debate should be confined to the policy areas specified for a session.

14. **The Committee also proposes that** in 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 in relation to the responses 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 or otherwise.

Grouping of policy areas

15. The Administration has indicated that it would like to have the opportunity to refine the grouping of policy areas in the light of the emphasis of the Policy Address, and to determine in consultation with the Legislative Council the order of the six sessions. **The Committee proposes that 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 the day following the delivery of the Policy Address, i.e. Thursday, 11 October 2001 so that the House Committee may consider the Administration's proposal at its meeting on Friday, 12 October 2001.**

Proposed actions

16. To enable the implementation of the new arrangements on a trial basis for debating the 2001 Policy Address, **the Committee proposes that -**

- (a) Detailed arrangements for the 4-day debate be presented to the House Committee for adoption at its first meeting of the next session on 5 October 2001. The speaking time limits for Members agreed by the House Committee will be recommended to the President;
- (b) The President exercises her discretion to dispense with the notice requirements currently stipulated in Rule 13(1) and (4) of the Rules of Procedure for the motion to debate the Policy Address and amendments to the motion. Notice of the motion and notice of amendments should be given not later than four clear days and two clear days respectively before the day on which the motion is moved;
- (c) The President gives leave under Rule 38(1)(g) of the Rules of Procedure for Members to speak more than once on the motion to debate the Policy Address; and
- (d) Before the motion to debate the Policy Address is moved, a motion be moved by the Chairman of the Committee on Rules of Procedure at the second Council meeting of the next session on 17 October 2001, i.e. the day on which the first day of the debate will be held, to suspend the relevant rules of the Rules of Procedure for implementing the new mode of debate on a trial basis.

Proposed timetable

17. **The Committee proposes the timetable as follows:**

5 October 2001 (1 st House Committee meeting)	The Committee reports the detailed arrangements to the House Committee.
10 October 2001 (Wednesday) (1 st Council meeting)	CE delivers his Policy Address.
11 October 2001 (Thursday)	Deadline for giving notice of motion to debate the Policy Address. The Administration puts forward its proposal on the grouping of policy areas.

Consultation with the Administration

18. The Administration confirms that it has in principle no objection to the proposed detailed arrangements set out in paragraphs 5 to 16 above.

Views sought

19. Members are requested to note the Committee's proposed detailed arrangements for the debate on the 2001 Policy Address and give views, if any, to the Clerk to the Committee on Rules of Procedure **on or before 1 September 2001**.

Enquiries

20. Any enquiries on this consultation paper can be directed to:

Ms Pauline NG, Assistant Secretary General 1, at 2869 9220; or
Miss Salumi CHAN, Chief Assistant Secretary (1)5, at 2869 9244.

Council Business Division 1
Legislative Council Secretariat
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