

立法會
Legislative Council

LC Paper No. CB(2) 133/04-05

Ref : CB2/H/5/04

House Committee of the Legislative Council

**Minutes of the 4th meeting
held in the Legislative Council Chamber
at 2:30 pm on Friday, 29 October 2004**

Members present :

Hon Miriam LAU Kin-ye, GBS, JP (Chairman)
Hon Fred LI Wah-ming, JP (Deputy Chairman)
Hon James TIEN Pei-chun, GBS, JP
Hon Albert HO Chun-yan
Ir Dr Hon Raymond HO Chung-tai, S.B.St.J., JP
Hon LEE Cheuk-yan
Hon Martin LEE Chu-ming, SC, JP
Dr Hon David LI Kwok-po, GBS, JP
Dr Hon LUI Ming-wah, JP
Hon Margaret NG
Hon Mrs Selina CHOW LIANG Shuk-ye, GBS, JP
Hon James TO Kun-sun
Hon CHEUNG Man-kwong
Hon CHAN Yuen-han, JP
Hon Bernard CHAN, JP
Hon CHAN Kam-lam, JP
Hon Mrs Sophie LEUNG LAU Yau-fun, SBS, JP
Hon LEUNG Yiu-chung
Hon SIN Chung-kai, JP
Dr Hon Philip WONG Yu-hong, GBS
Hon WONG Yung-kan, JP
Hon Jasper TSANG Yok-sing, GBS, JP
Dr Hon YEUNG Sum
Hon LAU Kong-wah, JP
Hon LAU Wong-fat, GBS, JP
Hon Emily LAU Wai-hing, JP
Hon CHOY So-yuk
Hon Andrew CHENG Kar-foo
Hon TAM Yiu-chung, GBS, JP
Hon Abraham SHEK Lai-him, JP
Hon LI Fung-ying, BBS, JP

Hon Tommy CHEUNG Yu-yan, JP
Hon Albert CHAN Wai-yip
Hon Frederick FUNG Kin-kee, JP
Hon Audrey EU Yuet-mee, SC, JP
Hon Vincent FANG Kang, JP
Hon WONG Kwok-hing, MH
Hon LEE Wing-tat
Hon LI Kwok-ying, MH
Hon Daniel LAM Wai-keung, BBS, JP
Hon Andrew LEUNG Kwan-yuen, SBS, JP
Hon LEUNG Kwok-hung
Dr Hon KWOK Ka-ki
Dr Hon Fernando CHEUNG Chiu-hung
Hon CHEUNG Hok-ming, SBS, JP
Hon WONG Ting-kwong, BBS
Hon Ronny TONG Ka-wah, SC
Hon CHIM Pui-chung
Hon Patrick LAU Sau-shing, SBS, JP
Hon Albert Jinghan CHENG
Hon KWONG Chi-kin
Hon TAM Heung-man

Members absent :

Hon Howard YOUNG, SBS, JP
Hon LAU Chin-shek, JP
Hon Timothy FOK Tsun-ting, GBS, JP
Dr Hon Joseph LEE Kok-long
Hon Jeffrey LAM Kin-fung, SBS, JP
Hon MA Lik, JP
Hon Alan LEONG Kah-kit, SC

Clerk in attendance :

Mrs Justina LAM Clerk to the House Committee

Staff in attendance :

Mr Ricky C C FUNG, JP	Secretary General
Mr Arthur CHEUNG	Legal Adviser (Acting)
Miss Salumi CHAN	Assistant Secretary General 1 (Acting)
Mr Ray CHAN	Assistant Secretary General 3
Mr LEE Yu-sung	Senior Assistant Legal Adviser 1

Mrs Vivian KAM	Principal Council Secretary (Complaints)
Miss Kathleen LAU	Chief Public Information Officer
Mrs Constance LI	Chief Council Secretary (2)5
Mrs Betty LEUNG	Chief Council Secretary (3)1
Mr Stephen LAM	Assistant Legal Adviser 4
Ms Kitty CHENG	Assistant Legal Adviser 5
Mr KAU Kin-wah	Assistant Legal Adviser 6
Miss Betty MA	Senior Council Secretary (2)1
Miss Lolita SHEK	Senior Council Secretary (2)7

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I. Confirmation of the minutes of the 3rd meeting held on 15 October 2004
(LC Paper No. CB(2) 99/04-05)

The minutes were confirmed.

II. Matters arising

(a) Report by the Chairman on her meeting with the Chief Secretary for Administration (CS)

Chief Executive (CE)'s Question and Answer Session

2. The Chairman said that CS had informed her that CE was considering the requests made by Members regarding the frequency and duration of CE's Question and Answer Sessions.

(b) Conduct of Members

(Hon LEE Wing-tat's letter dated 15 October 2004 to the Chairman of the House Committee (LC Paper No. CB(2) 100/04-05(01); and Paragraphs 116 and 117 of the minutes of the 3rd House Committee meeting on 15 October 2004)

3. The Chairman said that at the last meeting, Mr LEE Wing-tat had requested to include his letter dated 15 October 2004 in the agenda of this meeting for record purpose.

4. The Chairman further said that at the last meeting, a subcommittee was formed to examine a mechanism for handling complaints and allegations concerning Members' Operating Expenses Reimbursement claims. It was agreed that the mechanism, when established, would deal with the three cases referred to in Mr LEE's letter, in addition to other cases.

III. Business arising from previous Council meetings

(a) **Legal Service Division report on subsidiary legislation gazetted on 15 October 2004 and tabled in Council on 20 October 2004**

(LC Paper No. LS 9/04-05)

5. The Legal Adviser (Ag) said that there were six items of subsidiary legislation gazetted on 15 October 2004 and tabled in the Legislative Council (LegCo) on 20 October 2004.

6. The Legal Adviser (Ag) explained that five items of subsidiary legislation were made to introduce consequential amendments to the relevant legislation to tie in with the modifications to be made to the existing textiles control system upon the elimination of quota restrictions on textiles and clothing products on 1 January 2005 under the World Trade Organization Agreement on Textiles and Clothing. The five items of subsidiary legislation were –

- (a) Import and Export (General) (Amendment) Regulation 2004;
- (b) Import and Export (Fees) (Amendment) Regulation 2004;
- (c) Trade Descriptions (Country of Manufacture) (Piece-Knitted Garments) Order;
- (d) Trade Descriptions (Place of Manufacture) (Piece-Knitted Garments) (Amendment) Notice 2004; and
- (e) Trade Descriptions (Place of Manufacture) (Repeal) Notice 2004.

7. The Legal Adviser (Ag) added that at the meeting of the LegCo Panel on Commerce and Industry (CI Panel) held on 12 July 2004, members were informed of the proposal to tie in with the post-2004 textile control arrangements. The CI Panel did not raise any objection to the proposal in principle.

8. Mrs Sophie LEUNG said that the textile trade had been following very closely the proposed post-2004 textile control arrangements, and had held numerous discussions with the Government. Mrs LEUNG further said that the proposal, which aimed at simplifying the existing control arrangements, had been discussed and accepted by the CI Panel.

9. The Legal Adviser (Ag) said that no difficulties relating to the legal and drafting aspects of the six items of subsidiary legislation had been identified.

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10. Members did not raise any queries on these six items of subsidiary legislation.

11. The Chairman said that the deadline for amending these items of subsidiary legislation was 17 November 2004, or 8 December 2004, if extended by resolution of the Council.

(b) **Legal Service Division report on subsidiary legislation gazetted on 21 October 2004 and tabled in Council on 27 October 2004**
(*LC Paper No. LS 11/04-05*)

12. The Legal Adviser (Ag) said that there were three items of subsidiary legislation gazetted on 21 October 2004 and tabled in Council on 27 October 2004.

13. The Legal Adviser (Ag) added that no difficulties relating to the legal and drafting aspects of these items of subsidiary legislation had been identified.

14. Members did not raise any queries on these three items of subsidiary legislation.

15. The Chairman said that the deadline for amending these items of subsidiary legislation was 24 November 2004, or 15 December 2004, if extended by resolution of the Council.

IV. Business for the Council meeting on 3 November 2004

(a) **Questions**
(*LC Paper No. CB(3) 84/04-05*)

16. The Chairman said that 20 questions (six oral and 14 written) had been scheduled for the Council meeting on 3 November 2004.

(b) **Bills - First Reading and moving of Second Reading**

17. The Chairman said that no notice had been received yet.

(c) **Government motion**

18. The Chairman said that no notice had been received yet.

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(d) **Members' motions**

- (i) **Motion on “Reducing the duty on ultra low sulphur diesel”**
(Wording of the motion issued vide LC Paper No. CB(3) 76/04-05 dated 19 October 2004.)
- (ii) **Motion on “Alleviating the disparity between the rich and the poor”**
(Wording of the motion issued vide LC Paper No. CB(3) 77/04-05 dated 20 October 2004.)

19. The Chairman said that the above motions would be moved by herself and Mr Frederick FUNG respectively, and the wording of the motions had been issued to Members.

V. **Business for the Council meeting on 10 November 2004**

(a) **Questions**

(LC Paper No. CB(3) 85/04-05)

20. The Chairman said that 20 questions (six oral and 14 written) had been scheduled for the Council meeting on 10 November 2004.

(b) **Bills – First Reading and moving of Second Reading**

Trade Descriptions (Amendment) Bill 2004

21. The Chairman said that the Administration had given notice to introduce the above Bill into the Council on 10 November 2004, and the House Committee would consider this Bill at its meeting on 12 November 2004.

(c) **Government motion**

Proposed resolution to be moved by the Secretary for Financial Services and the Treasury under the Dutiable Commodities Ordinance

(Wording of the proposed resolution issued vide LC Paper No. CB(3) 95/04-05 dated 28 October 2004.)
(LC Paper No. LS 12/04-05)

22. The Chairman said that the Secretary for Financial Services and the Treasury (SFST) had given notice to move a motion under section 4(2) of the Dutiable Commodities Ordinance (Cap. 109) at the Council meeting on 10 November 2004.

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23. The Legal Adviser (Ag) explained that the motion sought the Council's approval to extend the existing concessionary rate of duty of \$1.11 per litre on ultra low sulphur diesel for one year to 31 December 2005.

24. The Legal Adviser (Ag) added that the draft Resolution was legally in order.

25. Mr LEE Wing-tat said that a subcommittee should be formed to study the proposed resolution.

26. The Chairman proposed that a subcommittee be formed. Members agreed. The following Members agreed to join: Mr LEE Cheuk-yan, Mrs Selina CHOW, Mr CHAN Kam-lam, Mr LEUNG Yiu-chung, Ms Miriam LAU and Mr LEE Wing-tat.

27. The Chairman said that SFST would be requested to withdraw his notice for moving the proposed resolution on 10 November 2004.

(d) Members' motions

(i) Motion on "Constitutional reform"

(Wording of the motion issued vide LC Paper No. CB(3) 96/04-05 dated 28 October 2004.)

28. The Chairman said that the above motion would be moved by Mr Ronny TONG. The wording of the motion had been issued to Members.

(ii) Motion to be moved by Hon CHOY So-yuk

29. The Chairman said that the subject matter of Miss CHOY's motion was "Conserving the Central Police Station Compound and formulating a comprehensive policy on antiquities and monuments". The wording of the motion had just been issued to Members vide LC Paper No. CB(3) 97/04-05.

30. The Chairman reminded Members that the deadline for giving notice of amendments, if any, to the motions was Wednesday, 3 November 2004.

VI. Position on Bills Committees/subcommittees

(LC Paper No. CB(2) 86/04-05)

31. The Chairman said that there were five Bills Committees and four subcommittees in action.

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VII. Election of Members of The Legislative Council Commission

(LC Paper No. AS 58/04-05)

32. Referring to paragraph 2 of the paper, the Chairman said that the following six nominations for election to The Legislative Council Commission had been received by the deadline –

Ms Margaret NG
Mr Jasper TSANG
Ms Emily LAU
Mr Andrew LEUNG
Mr WONG Ting-kwong
Mr Patrick LAU

33. The Chairman further said that as the number of nominations received was less than the maximum number of Members to be elected (i.e. 10), Members could make nominations orally at this meeting.

34. Mr CHEUNG Man-kwong was nominated.

35. There being no other nominations, the Chairman declared that the following Members were elected members of The Legislative Council Commission –

Ms Margaret NG
Mr CHEUNG Man-kwong
Mr Jasper TSANG
Ms Emily LAU
Mr Andrew LEUNG
Mr WONG Ting-kwong
Mr Patrick LAU

36. The Chairman added that the term of office of these seven members would be for one year or until the next election, or until the next dissolution of the Council, whichever was the earlier.

VIII. Nomination and election of Members of the Legislative Council to governing bodies of educational institutions and advisory bodies

(LC Paper No. CB(2) 28/04-05 issued vide LC Paper No. CB(2) 42/04-05 dated 13 October 2004;

Paragraphs 86 to 98 of the minutes of the 3rd House Committee meeting on 15 October 2004;

Paper on “Attendance records of Members elected in the second Legislative Council term to serve on the governing bodies of educational institutions and advisory bodies” prepared by the Legislative Council Secretariat (LC Paper No. CB(2) 103/04-05);

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*Letter dated 26 October 2004 from Hon James TO Kun-sun (LC Paper No. CB(2) 100/04-05(02)); and
Letter dated 27 October 2004 from Hon Tommy CHEUNG Yu-yan (LC Paper No. CB(2) 116/04-05(01))*

37. The Chairman said that the attendance records of Members elected in the second LegCo term to serve on the governing bodies of educational institutions and advisory bodies were provided in LC Paper No. CB(2) 103/04-05. The letters dated 26 and 27 October 2004 from Mr James TO and Mr Tommy CHEUNG respectively, which provided additional information in respect of their attendance records, had been issued to Members. The letter dated 28 October 2004 from Mr LAU Chin-shek was tabled at the meeting.

38. Mr Jasper TSANG said that according to the attendance records provided by the English Schools Foundation, he was absent from three out of the four meetings held between October 2001 and October 2004. Mr TSANG explained that he had sent his apology for not being able to attend one of the three meetings, as it clashed with a LegCo committee meeting. As for the other two meetings, Mr TSANG said that he had in fact attended them, but he was late for the meetings and did not sign for his attendance.

39. Ms Emily LAU asked why other Members concerned had not provided additional information in respect of their attendance records.

40. Assistant General Secretary 2 explained that at the last meeting, Members had requested the LegCo Secretariat to obtain the attendance records from the educational institutions and advisory bodies. The LegCo Secretariat had subsequently informed the Members concerned of their attendance records, and three Members had provided additional information on their own initiative.

41. Ms Emily LAU pointed out that Mr James TO had attended only one out of the five meetings of the Court of the University of Hong Kong (HKU). Ms LAU was of the view that Members elected to serve on these governing or advisory bodies should make an effort to attend their meetings.

42. Mr James TO referred Members to his letter dated 26 October 2004. Mr TO explained that he was absent from two of the meetings of the Court of HKU because they clashed with his other commitments. However, before deciding not to attend the meetings, he had studied the agenda and noted that only routine matters would be discussed on which he did not have any comments. He estimated that the meetings lasted for 10 minutes only.

43. Mr TO informed Members that he had attended two four-hour meetings of the Working Group for the Review of the Disciplinary Committee Procedures and the Procedures for the Handling of Sexual Harassment held

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between September and November 2000. He also spent a whole day taking part in the activities of the Review Panel of the Faculty of Architecture and the Centre of Urban Planning and Environmental Management held in January 2002. Mr TO said that these activities were as important as the meetings of the Court. He believed that his participation in the activities of HKU was no less than that of the other Members concerned.

44. Mrs Selina CHOW said that she had not provided additional information in respect of her attendance records as she had just returned to Hong Kong. Mrs CHOW agreed with Mr James TO that the Court of HKU usually discussed routine matters at its meetings which lasted for about 10 minutes.

45. Mrs CHOW informed Members that she had also participated in other activities of the Court of HKU, such as reviews undertaken by the Faculty of Arts and ceremonial functions. However, she had not kept detailed records of her participation in these activities. Mrs CHOW further said that she agreed with Mr James TO that these activities should be counted as an important part of the work of a member of the Court of HKU.

46. Referring to her attendance record, Mrs CHOW explained that out of the three meetings from which she was absent, two clashed with LegCo committee meetings while one clashed with a meeting with her constituents. Mrs CHOW invited Members' views on whether Members should attend meetings of these governing or advisory bodies, if these meetings clashed with those of LegCo committees.

47. Ms Emily LAU considered that Members elected to serve on these bodies should try their best to attend meetings of these bodies, unless they clashed with important LegCo committee meetings.

48. Mr LEE Cheuk-yan said that Mr LAU Chin-shek could not attend this meeting, but had provided additional information in respect of his attendance record in his letter dated 28 October 2004. Mr LAU's explanation for his absence from some meetings was similar to that of Mrs Selina CHOW.

49. Mr James TIEN said that he was absent from the meetings of the Council of The Chinese University of Hong Kong (CUHK) held on 10 September 2002, 26 August 2003 and 21 September 2004 because he was not in Hong Kong on those days. As regards the other three meetings held on 6 November 2000, 15 January 2002 and 10 December 2002, they clashed with a meeting of the Panel on Financial Affairs, a meeting of LegCo Members from the various political parties, and a meeting of the Panel on Economic Services respectively.

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50. Both Mr CHEUNG Man-kwong and Mr CHAN Kam-lam said that they and Mr James TIEN had attained a very good attendance record. Mr CHEUNG Man-kwong said that similar to the cases of the other Members concerned, he was absent from some of these meetings because they clashed with LegCo committee meetings, including meetings of the Finance Committee, which he must attend to vote on financial proposals. He considered that meetings of LegCo and its committees should take priority over those of governing or advisory bodies, whenever there was a clash of meetings.

51. Referring to the remarks made by Ms Emily LAU in paragraph 47 above, Mr CHAN Kam-lam said that if the Member concerned was not feeling well, he should be excused from attending meetings of these governing or advisory bodies.

52. Miss CHAN Yuen-han said that she was elected to serve on the Disaster Relief Fund Advisory Committee in the second term. She was concerned about the operation of the Committee, which merely transacted its business by circulation of papers and did not hold any meeting between 7 November 2000 and 30 September 2004. Miss CHAN further said that when she requested that meetings be held to discuss the proposed disbursements and grants from the Fund, the secretariat of the Committee responded that she would be regarded as “having abstained from voting”, if she made such a request. Miss CHAN added that she was not happy with such an arrangement and would decline to serve on the Committee again.

53. Ms Emily LAU shared Miss CHAN’s concern. Ms LAU added that given that the disbursements and grants from the Fund involved substantial amounts of money, it would be difficult to scrutinise the use of the public funds for such purposes if the Committee only transacted its business by circulation of papers.

54. Miss CHAN Yuen-han requested the Chairman to relay her concern to CS at their next meeting. The Chairman agreed. The Chairman said that the Members nominated to serve on the Committee in the third term should request the Committee to review the arrangement of not holding meetings.

55. Mrs Sophie LEUNG said that she was also nominated to serve on the Advisory Committee in the second term. Mrs LEUNG informed Members that although no meeting had been held, the Committee had provided very detailed papers to its members. She had also sought clarification from the secretariat of the Committee whenever she had queries about the papers. Mrs LEUNG added that she shared the view of Mr James TO and Mrs Selina CHOW that participation in other activities of the governing or advisory bodies should be considered an integral part of the work of those Members nominated to serve on these bodies.

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(a) **Two Members to serve on the Disaster Relief Fund Advisory Committee**

56. Mrs Sophie LEUNG and Dr KWOK Ka-ki were nominated.

(b) **One Member to serve on the Po Leung Kuk Advisory Board**

57. Ms Margaret NG and Mr WONG Ting-kwong were nominated.

58. The Chairman ordered a vote by a show of hands. The Chairman reminded Members that they could only vote once. The outcome of the vote was as follows -

Ms Margaret NG	21 votes
Mr WONG Ting-kwong	26 votes

59. The Chairman declared Mr WONG Ting-kwong elected to serve on the Po Leung Kuk Advisory Board.

(c) **One Member to serve on the Tung Wah Group of Hospitals Advisory Board**

60. Mr LEE Cheuk-yan was nominated.

(d) **Three Members to serve on the Council of The Chinese University of Hong Kong**

61. Mr James TIEN, Mr CHEUNG Man-kwong, Mr LEUNG Kwok-hung and Mr KWONG Chi-kin were nominated.

62. The Chairman ordered a vote by a show of hands. The Chairman reminded Members that they could not vote more than three times. The outcome of the votes was as follows -

Mr James TIEN	37 votes
Mr CHEUNG Man-kwong	44 votes
Mr LEUNG Kwok-hung	9 votes
Mr KWONG Chi-kin	41 votes

63. The Chairman declared Mr James TIEN, Mr CHEUNG Man-kwong and Mr KWONG Chi-kin elected to serve on the Council of CUHK.

(e) **Five Members to serve on the Court of the University of Hong Kong**

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64. The following eight Members were nominated –

Mrs Selina CHOW
Mr James TO
Mr LAU Chin-shek
Miss CHOY So-yuk
Mr Abraham SHEK
Mr LEUNG Kwok-hung
Mr Albert CHENG
Miss TAM Heung-man

65. At the request of Members, the Chairman suspended the meeting for five minutes to enable Members to discuss among themselves nominations for Members to serve on the Court of HKU.

(The meeting resumed at 3:25 pm)

66. Mr Albert CHENG and Miss TAM Heung-man withdrew their acceptance for nomination.

67. The Chairman ordered a vote by a show of hands. The Chairman reminded Members that they could not vote more than five times. The outcome of the votes was as follows -

Mrs Selina CHOW	38 votes
Mr James TO	45 votes
Mr LAU Chin-shek	41 votes
Miss CHOY So-yuk	35 votes
Mr Abraham SHEK	41 votes
Mr LEUNG Kwok-hung	8 votes

68. The Chairman declared Mrs Selina CHOW, Mr James TO, Mr LAU Chin-shek, Miss CHOY So-yuk and Mr Abraham SHEK elected to serve on the Court of HKU.

(f) Two Members to serve on the English Schools Foundation

69. Mr Tommy CHEUNG and Mr Albert CHENG were nominated.

70. The Chairman reminded Mr Tommy CHEUNG and Mr Albert CHENG to request the English Schools Foundation to review its Regulations to specify that Members nominated to serve on the Foundation should be deemed to have resigned, if they ceased to be LegCo Members.

IX. Ending time of committee meetings

(Hon James TIEN Pei-chun's letter dated 25 October 2004 to the Chairman of the House Committee (LC Paper No. CB(2) 100/04-05(03))

71. Referring to his letter dated 25 October 2004, Mr James TIEN said that he was concerned about the unpredictable overrunning of committee meetings, which often happened especially towards the end of a session. It was not uncommon that committees decided at the last minute to extend their meetings beyond the appointed ending time in order to resolve certain outstanding issues. This would pose problems to Members who had to attend other LegCo meetings, and could not stay for the discussion of the outstanding issues. Mr TIEN suggested that all meetings should not overrun for more than 15 minutes. If the chairman concerned considered that the discussion could not be concluded within 15 minutes, the chairman should find another meeting slot to continue the discussion.

72. Mr TIEN further said that committee chairmen should estimate the time required for discussion of each agenda item before issuing the agenda, and meetings lasting for more than two hours could be scheduled, if necessary. Moreover, committee chairmen should adhere to the appointed time for discussion of each item on the agenda so as to facilitate Members' participation in the discussion of the relevant items. Mr TIEN pointed out that for Council meetings, if the President was of the opinion that it was unlikely that the business on the Agenda could be finished by about midnight on the day of the meeting, she would suspend the meeting at about 10:00 pm. Mr TIEN considered that there should be rules or guidelines on how long a meeting should be extended beyond its appointed ending time. He requested the House Committee to consider referring the matter to the Committee on Rules of Procedure (CRoP) for further study.

73. The Chairman informed Members that at the meeting of the House Committee on 20 June 2003, Members agreed that CRoP should be invited to consider, among other things, whether some guidelines should be drawn up regarding how long a committee should continue a meeting beyond the appointed ending time, but CRoP had yet to study the matter. The Chairman suggested that Mr TIEN's proposal made in his letter be referred to CRoP for consideration.

74. Dr YEUNG Sum agreed that CRoP be invited to study the matter and make recommendations for the House Committee to consider. Dr YEUNG, however, expressed reservations about Mr TIEN's suggestion that all meetings should not overrun for more than 15 minutes. He pointed out that sometimes a committee might wish to continue discussion of an important matter beyond the appointed ending time of the meeting. He considered that subject to the agreement of the majority of the members present at the meeting, the committee should be allowed to extend its meeting beyond the appointed

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ending time, if the meeting venue was available and there was no other meeting scheduled to be held immediately afterwards.

75. Ms Margaret NG said that a balance should be struck between maintaining discipline in and allowing flexibility for the conduct of committee meetings. Ms NG further said that CRoP should not impose rules on committees which would unduly restrict their operation or undermine their autonomy. She added that as Mr TIEN had proposed in his letter that the matter be discussed at the House Committee meeting, Members should be allowed to give views at the meeting.

76. Mr James TIEN clarified that he had suggested that the House Committee should consider the matter raised in his letter, including whether to refer it to CRoP for further study. The Chairman added that CRoP would be requested to put forward its recommendations for the House Committee's consideration at a future meeting.

77. Mrs Selina CHOW agreed that CRoP should be invited to study the matter raised in Mr TIEN's letter and provide a report for the House Committee. Mrs CHOW also agreed with Mr James TIEN that Members should be able to know in advance how long meetings would last, so that Members could better plan their attendance at meetings and other commitments.

78. Mr LAU Kong-wah agreed that the matter raised in Mr TIEN's letter should be referred to CRoP for consideration.

79. Mr Albert CHENG said that the public would expect LegCo Members to give priority to meetings of LegCo and its committees, and not Members' other commitments. Mr CHENG supported Ms Margaret NG's suggestion that the matter raised in Mr TIEN's letter should be discussed by the House Committee.

80. Mr James TIEN disagreed with Mr Albert CHENG's remarks. Mr TIEN said that LegCo business should be conducted in an orderly manner to enable Members to plan their attendance at meetings. Mr TIEN pointed out that apart from attending LegCo meetings, LegCo Members had other official duties and commitments, such as attending public forums on important policy issues and meetings of the governing bodies of universities.

81. Referring to Mr James TIEN's proposal that "all meetings should not overrun for more than 15 minutes" in his letter, Ms Margaret NG sought clarification on the types of meetings covered by Mr TIEN's proposal.

82. Mr James TIEN said that except for meetings of the Council and House Committee, all LegCo committee meetings with appointed ending time should not overrun for more than 15 minutes.

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83. The Chairman advised that CRoP should also be invited to study how Mr TIEN's proposal would apply to different types of committees or meetings. Mr Jasper TSANG, the Chairman of CRoP, agreed that CRoP would study the matter and put forward its recommendations for the House Committee's consideration.

84. Ms Emily LAU said that she was a member of CRoP. Ms LAU further said that meetings of CRoP were conducted in camera and not all Members were represented on CRoP. She considered it more appropriate for issues of public concern to be discussed in open forums, and in this case, at a House Committee meeting, so that CRoP would know Members' views before its deliberation on the matter.

85. Mr Jasper TSANG said that any proposed changes to the Rules of Procedure would have to be agreed to by the House Committee and approved by the Council. It was also the practice of CRoP to consult all Members on important or controversial matters through the use of questionnaires before putting forward its recommendations for the House Committee's consideration.

86. Mr Ronny TONG agreed with Ms Emily LAU that issues of public concern should be discussed at open meetings. However, he had no objection to referring the matter to CRoP for study, and then put forward its recommendations to the House Committee.

87. The Chairman assured Members that the House Committee would have the opportunity to discuss the matter when CRoP put forward its recommendations to the House Committee.

88. Referring to Ms Emily LAU's remarks about the membership of CRoP, Mr James TIEN said that the membership of CRoP was broadly representative of the membership of the Council. Moreover, some Members who were not members of any political party or grouping also sat on CRoP.

89. Ms Margaret NG said that it would be time consuming for CRoP to consult Members through the use of questionnaires in order to draw up its recommendations on a certain matter. Ms NG further said that Members should first give views on Mr TIEN's proposal at a House Committee meeting, so that CRoP could draw up its recommendations based on the views expressed.

90. The Chairman said that Members had put forward two proposals on how to deal with the matter raised in Mr TIEN's letter –

- (a) CRoP be invited to study the matter first and put forward its recommendations for the House Committee to consider;

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- (b) the House Committee to discuss the matter and then refer Members' views to CRoP for further study.

91. The Chairman put the two proposals to vote. The result was that 24 Members voted in favour of the proposal in paragraph 90(a), and six members voted in favour of that in paragraph 90(b). The Chairman said that CRoP would be invited to study the matter raised in Mr TIEN's letter and put forward its recommendations to the House Committee.

92. Ms Emily LAU suggested that CRoP should invite non-CRoP Members to attend its meeting when the matter was discussed, in order to ensure that the views of all Members would be heard. The Chairman responded that it would be for CRoP to decide.

93. Mrs Selina CHOW said that it was the practice of CRoP to consult all Members when considering controversial and important matters. Mrs CHOW pointed out that the membership of CRoP was broadly representative of the membership of the Council. Moreover, any Member could give their views to CRoP directly or through any member of CRoP. There was no reason to worry that the views of Members who did not sit on CRoP would not be heard.

X. Any other business

94. There being no other business, the meeting ended at 4:00 pm.