

# 立法會 *Legislative Council*

LC Paper No. CROP 60/04-05

Ref: CB(3)/CROP/3/25

## **Paper for the House Committee meeting on 8 July 2005**

### **Committee on Rules of Procedure**

#### **Proposed amendments to House Rules regarding extending the duration of committee meetings**

#### **Purpose**

This paper invites Members to endorse the proposed amendments to the House Rules (HR) to provide for the extension of a committee meeting beyond the appointed ending time.

#### **Background**

2. At its meeting on 20 June 2003, the House Committee (HC) considered a member's complaint about the conduct of the meeting of the Panel on Constitutional Affairs held on 16 June 2003. That Panel meeting was scheduled to be held from 2:30 pm to 4:30 pm, but did not end until 6:00 pm. The member pointed out that, towards the end of the Panel meeting, a member moved a motion which was passed because some Panel members had left the meeting at around 4:30 pm. HC decided to invite the Committee on Rules of Procedure (CRoP) to study whether some guidelines should be drawn up regarding how long a committee might continue to meet beyond the appointed ending time.

3. At its meeting on 29 October 2004, HC considered Hon James TIEN's suggestion that, except for meetings of the Council and HC, all committee meetings with appointed ending time should not overrun for more than 15 minutes. If the committee chairman concerned considered that the discussion could not be concluded within 15 minutes, he/she should find another meeting slot to continue with the discussion. HC decided to refer the matter to CRoP for consideration.

## **Relevant provisions in the Rules of Procedure (RoP) and HR**

4. Rule 77(11) of RoP provides, inter alia, that a Panel shall meet at the time and the place determined by the chairman. Similar provisions governing the determination of the times and the places of meetings of other committees of the Council are set out in Rules 71(6), 72(6), 73(3), 74(3), 75(14) and 76(5) of RoP. Neither RoP nor HR has any provision concerning the extension of committee meetings beyond the appointed ending time. However, Rule 24(m) of HR stipulates that “The chairman will, as far as practicable, decide beforehand the time allowed for each particular item on the agenda of each meeting. This will be notified to all participants in advance. Discussions at meetings will have regard to the time allowed. Outsiders invited to attend will be informed of the duration in advance in order to facilitate planning for all concerned.”

### **CRoP’s observations**

5. CRoP observes that, currently, members of a Panel, Bills Committee (BC) and subcommittee are normally consulted on the agenda items for a meeting. In accordance with Rule 24(m) of HR, the chairman of a committee will, as far as practicable, decide beforehand the time allowed for each particular item on the agenda of each meeting. In deciding on the agenda items for a meeting and the duration of each item, the chairman and members of the committee concerned would normally consider whether the duration of the meeting is sufficient for dealing with all the items. If not, they would allow a longer time for discussing particular items and for the whole meeting. All participants are informed of the time allowed for each agenda item in advance to facilitate their planning. During the meeting, the chairman should have regard to the time allowed for each item, and remind members if necessary to avoid excessive overrun of committee meetings.

6. CRoP also observes that, generally speaking, Members consider it not desirable to allow a meeting to overrun excessively even when the meeting venue is still available, as it will cause inconvenience to all parties concerned. Moreover, some members may not be able to continue to attend a meeting which has overrun significantly due to other prior commitments. There may also be a quorum problem for other meetings if some members are not able to participate in these meetings due to the excessive overrun of an earlier meeting. In addition, there may also be members who are not able to attend a meeting during the appointed time but may be able and wish to do so in an extended meeting. If the meeting is overrun excessively, these members may have strong feelings about not being alerted to an extension of the meeting and missing the opportunity to join the extended part of the meeting, particularly if a vote is taken on an issue.

7. On the other hand, CRoP appreciates that sometimes a committee may wish to continue the discussion of a matter at a meeting although the discussion has to take place beyond the appointed ending time. It therefore considers it necessary to allow flexibility for extending a committee meeting beyond the appointed ending time.

## **CRoP's recommendations**

8. To strike a balance between maintaining discipline in planning the duration of meetings, and allowing flexibility in the conduct of committee meetings, CRoP recommends that HR should be amended to stipulate the procedure for extending the meeting of a committee beyond the appointed ending time. The proposed amendments to HR are in the **Appendix**. Under the new procedure:

- (a) the chairman of a committee may extend the duration of a meeting of the committee for not exceeding 15 minutes beyond the appointed ending time. The meeting may be extended for a specified period beyond that 15-minute period, and further extended for a further specified period, if no member of the committee present at the meeting raises objection to the proposal (i.e. there is no dissenting voice);
- (b) the extension of a committee meeting for any period is subject to the availability of the meeting venue;
- (c) no new motion may be proposed during the period of the extension agreed to by the committee. However, if a motion has been proposed during the original appointed meeting time or the 15-minute period extended by the chairman but has not been dealt with, that motion may be disposed of during the period of the extension; and
- (d) the procedure for extending the duration of committee meetings will not apply to proceedings of the Council, HC, the Finance Committee and its two subcommittees, i.e. the Establishment Subcommittee and the Public Works Subcommittee.

## **Advice sought**

9. Members are invited to endorse CRoP's recommendations in paragraph 8 above and the proposed amendments to HR in the Appendix. Subject to Members' endorsement of the proposed amendments, the Handbook for Chairmen of Panels will be suitably amended by the Secretariat.

Legislative Council Secretariat  
30 June 2005

**Proposed amendments to the House Rules on  
extending the duration of committee meetings**

**24. Guidelines for the Conduct of Meetings**

- \* \* \* \* \*
- (c) Notice of meetings of committees shall be in writing, stating the date, time and place at which the meeting is to be held and shall be given by the clerk at least three days before the day of the meeting, but shorter notice may be given in any case where the chairman so directs.
- \* \* \* \* \*
- (g) Unless a quorum is present within 15 minutes of the *starting* time appointed for the meeting, the meeting will not be held.
- \* \* \* \* \*

**24A. Extension of meetings**

- (a) *Subject to the availability of the meeting venue, the chairman of a committee may, with or without making an announcement, extend a meeting of the committee, or allow a meeting of the committee to continue, for not more than 15 minutes beyond the appointed ending time of the meeting.*
- (b) *A committee may extend a meeting for more than 15 minutes beyond the appointed ending time of the meeting or the period of extension or continuation of meeting referred to in (a), provided that:*
- (i) *a proposal to extend the meeting for a specified period beyond 15 minutes has been put forward during the original appointed meeting time or the period of extension or continuation of meeting referred to in (a);*
- (ii) *there is no dissenting voice to the proposal; and*
- (iii) *the chairman of the committee has ascertained that the meeting venue would remain available throughout the period of the proposed extension.*
- (c) *Subject to the availability of the meeting venue, the period of extension decided by the committee under (b) may be extended for a further specified period if a proposal to further extend the meeting is put forward during that extended period and there is no dissenting voice to the proposal.*
- (d) *A proposal put forward under (b) or (c) shall be dealt with by the chairman forthwith by ascertaining whether there is no dissenting voice to the proposal without debate or discussion.*
- (e) *Where a motion has been proposed and agreed to be dealt with during the original appointed meeting time or the period of extension or continuation of meeting referred to in (a) but has not been so dealt with, the motion may be dealt with and disposed of during the period of extension decided by the committee under (b) or (c).*
- (f) *No new motion shall be proposed during the period of extension decided by the committee under (b) or (c).*

**Legend:**

Texts proposed to be added are shown in *italics*.