

**立法會**  
**Legislative Council**

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Tel : 2869 9205

Date : 12 October 2005

From : Clerk to the Legislative Council

To : All Members of the Legislative Council

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**Council meeting of 19 October 2005**

**Proposed resolution under Article 75 of the Basic Law of the Hong Kong  
Special Administrative Region of the People's Republic of China**

I forward for Members' consideration a proposed resolution which Hon Jasper TSANG Yok-sing will move at the Council meeting of 19 October 2005 under Article 75 of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China.

2. The President has waived the required notice of the proposed resolution and directed that "it be printed in the terms in which it was handed in" on the Agenda of the Council.

(Ray CHAN)  
for Clerk to the Legislative Council

Encl.

BASIC LAW OF THE HONG KONG SPECIAL ADMINISTRATIVE REGION OF  
THE PEOPLE'S REPUBLIC OF CHINA

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**RESOLUTION**

(Under Article 75 of the Basic Law of the Hong Kong Special Administrative Region of  
the People's Republic of China)

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RULES OF PROCEDURE OF THE LEGISLATIVE COUNCIL OF THE  
HONG KONG SPECIAL ADMINISTRATIVE REGION

RESOLVED that the Rules of Procedure of the Legislative Council of the Hong Kong  
Special Administrative Region be amended —

(a) in Rule 75 —

(i) in subrule (2), by repealing everything after “such absence.”;

(ii) by adding —

“(12A) 20 members, including the chairman, shall form a quorum of the committee. All matters for the decision of the committee or its subcommittees shall be decided by a majority of the members voting.

(12B) The chairman of, or any other member presiding at, the committee or its subcommittees (other than those appointed under subrule (12) for the purpose of assisting the committee in the consideration of subsidiary legislation referred to in subrule (10)) shall not vote, unless the votes of the other members are equally divided in which case he shall have a casting vote.

(12C) The chairman of, or any other member presiding at, a subcommittee appointed under subrule (12) for the purpose of assisting the committee in the consideration of subsidiary legislation referred to in subrule (10) shall have an original vote but not a casting vote.

(12D) If the chairman or the member presiding wishes to exercise his original vote on a matter before a subcommittee referred to in subrule (12C), the vote shall only be exercised at the same time as other members of the subcommittee exercise their votes; otherwise, he shall be regarded as having given up his right to vote on the relevant matter.

(12E) Notwithstanding the provisions in subrules (12B) and (12C), the chairman or the member presiding, as the case may be, shall have both an original vote and a casting vote in the election of the chairman or deputy chairman of the committee or its subcommittees.”;

(iii) by repealing subrule (16);

(b) in Rule 76 —

(i) by repealing subrule (8) and substituting —

“(8) All matters for the decision of a Bills Committee or its subcommittees shall be decided by a majority of the members voting. The chairman or any other member presiding shall have an original vote but not a casting vote.”;

(ii) by adding —

“(8A) If the chairman or the member presiding wishes to exercise his original vote on a matter before a Bills Committee or its subcommittees, the vote shall only be exercised at the same time as other members of the Bills Committee or its subcommittees exercise their votes; otherwise, he shall be regarded as having given up his right to vote on the relevant matter.

(8B) Notwithstanding the provision in subrule (8), the chairman or the member presiding, as the case may be, shall have a casting vote in addition to his original vote in the election of the chairman or deputy chairman of a Bills Committee or its subcommittees.”;

(c) in Rule 77 —

(i) in subrule (10), by repealing everything after “disregarded.”;

(ii) by repealing subrule (13) and substituting —

“(13) All matters for the decision of a Panel, a subcommittee appointed under subrule (9) or a joint subcommittee appointed under subrule (9A), and all matters for decision at a joint meeting referred to in subrule (10) shall be decided by a majority of the members voting. The chairman or any other member presiding shall have an original vote but not a casting 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.”;

(iii) by adding —

“(13A) If the chairman or the member presiding wishes to exercise his original vote on a matter before a Panel, a subcommittee, a joint subcommittee or a joint meeting referred to in subrule (13), the vote shall only be exercised at the same time as other members of the Panel, subcommittee, joint subcommittee or joint meeting exercise their votes; otherwise, he shall be regarded as having given up his right to vote on the relevant matter.

(13B) Notwithstanding the provision in subrule (13), the chairman of, or the member presiding at, a Panel, a subcommittee appointed under subrule (9), a joint subcommittee appointed under subrule (9A) or a joint meeting referred to in subrule (10), as the case may be, shall have a casting vote in addition to his original vote in the election of its chairman or deputy chairman.”.