

立法會
Legislative Council

Paper No. CB(2)185/08-09(02)

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**Subcommittee on Preparatory Work for the Appointment of
the Select Committee to Inquire into Matters relating to
the Post-service Employment of Mr LEUNG Chin-man**

Meeting on 4 November 2008

Membership Size of the Select Committee and Nomination Procedure

Purpose

This paper invites members to consider the size of the Select Committee and the procedure for the nomination of Members for appointment to the Select Committee.

Background

2. At the House Committee meeting on 17 October 2008, members agreed that a select committee be appointed by the Legislative Council to inquire into matters relating to the post-service employment of Mr LEUNG Chin-man. Members further agreed that a subcommittee be set up to undertake the necessary preparatory work, including the drawing up of the terms of reference of the Select Committee and proposals on its membership.

Size of the Select Committee

3. In accordance with Rule 78(2) of the Rules of Procedure, the President shall decide the size of every select committee and shall appoint the chairman, deputy chairman and members thereof, taking into account the recommendations of the House Committee.

4. For members' information, the size of the five Select Committees set up in recent years is as follows -

| <u>Select Committee</u> | <u>Number of members</u> |
|---|--------------------------|
| (a) Select Committee to inquire into the Kwun Lung Lau Landslip and related issues set up in 1994 | 7 |
| (b) Select Committee to inquire into the circumstances surrounding the departure of Mr LEUNG Ming-yin from the Government and related issues set up in 1996 | 11 |
| (c) Select Committee to inquire into circumstances leading to the problems surrounding the commencement of the operation of the new Hong Kong International Airport at Chek Lap Kok since 6 July 1998 and related issues set up in 1998 | 13 |
| (d) Select Committee on building problems of public housing units set up in 2001 | 15 |
| (e) Select Committee to inquire into the handling of the Severe Acute Respiratory Syndrome outbreak by the Government and the Hospital Authority set up in 2003 | 11 |

5. Although the size of a select committee may vary, it is invariably in odd numbers. Members are invited to take note of this, as well as the membership sizes of past select committees and the need to maintain efficient operation of the select committee when considering the size of the Select Committee in question.

6. Having regard to past experience and the efficient operation of the Select Committee, it is proposed that the size of the Select Committee should be 15 consisting of the Chairman, Deputy Chairman and 13 members.

Proposed procedure for the nomination of Members for appointment to the Select Committee

7. The following procedure was adopted for nomination of Members for appointment to previous select committees -

- (a) Nomination shall be made at a House Committee meeting. A valid nomination shall be made orally by a Member, seconded by at least one other Member, and accepted by the Member being nominated. A Member who nominates a Member who is absent from the meeting shall state that the absent Member's acceptance of the nomination has been secured;
 - (b) If the number of nominations exceeds that required for appointment, a vote will be taken by a show of hands. Members may vote as many times as the agreed number of members on the select committee;
 - (c) If two or more nominees receive the same number of votes such that the House Committee cannot determine as to which nominees should be recommended for appointment to the select committee, the House Committee Chairman shall first announce that the nominees who have received the highest number of votes be recommended for appointment. As regards the remaining nominees who have received the same number of votes in the next highest order, lots will be drawn by the House Committee Chairman to decide which of them should be recommended to make up the full complement of the select committee;
 - (d) After the nomination and election of Members to the select committee, the House Committee meeting should be suspended for 10 minutes to enable the nominated Members to decide amongst themselves as to who should be nominated as the chairman and the deputy chairman of the select committee. The House Committee will then resume its meeting and be asked to endorse the proposed composition of the select committee; and
 - (e) The Chairman of the House Committee will make a recommendation to the President on the membership, the chairmanship and the deputy chairmanship of the select committee.
8. It is proposed that the procedure set out in paragraph 7 be adopted for nomination of Members for appointment to the Select Committee.

Advice sought

9. Members are invited to recommend -
- (a) the membership size of 15 for the Select Committee (paragraph 6 above); and

- (b) the procedure for nomination of Members for appointment to the Select Committee (paragraphs 7 and 8 above)

for consideration of the House Committee on 7 November 2008.

Council Business Division 2
Legislative Council Secretariat
3 November 2008