

立法會
Legislative Council

LC Paper No. CB(1)1275/08-09
(These minutes have been seen
by the Administration)

Ref : CB1/SS/6/08/1

**Subcommittee on Proposed Resolution under Section 7(1) of the
Public Finance Ordinance (Cap.2)**

**Minutes of meeting
held on Thursday, 5 March 2009, at 10:45 am
in Conference Room B of the Legislative Council Building**

- Members present** : Hon Emily LAU Wai-hing, JP (Chairman)
Hon Audrey EU Yuet-mee, SC, JP
Hon Ronny TONG Ka-wah, SC
Hon Starry LEE Wai-king
- Public officers attending** : Ms Bernadette LINN
Deputy Secretary for Financial Services and the Treasury
(Treasury) 1
- Ms Shirley LAU
Principal Assistant Secretary for
Financial Services and the Treasury (Treasury) H
- Clerk in attendance** : Ms Rosalind MA
Chief Council Secretary (1)5
- Staff in attendance** : Miss Winnie LO
Assistant Legal Adviser 7
- Mr Noel SUNG
Senior Council Secretary (1)4
- Ms Haley CHEUNG
Legislative Assistant (1)8
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I Election of Chairman

Ms Emily LAU, the Member with the highest precedence among those who were present at the meeting, presided over the election of the Chairman of the Subcommittee. She invited nominations for the chairmanship of the Subcommittee.

2. Ms Emily LAU was nominated by Ms Audrey EU and the nomination was seconded by Mr Ronny TONG. Ms LAU accepted the nomination. There being no other nomination, Ms Emily LAU was elected Chairman of the Subcommittee.

II Meeting with the Administration

(LC Paper No. LS43/08-09	— The Legal Service Division Report on the Subsidiary Legislation
LC Paper No. CB(3)376/08-09	— Proposed resolution under section 7(1) of the Public Finance Ordinance (Cap.2)
LC Paper No. CB(1)952/08-09(01)	— Speech by the Secretary for Financial Services and the Treasury moving the Vote on Account Resolution in the Legislative Council on 18 March 2009
LC Paper No. CB(1)952/08-09(02)	— Paper on arrangements for resolutions under section 7(1) of the Public Finance Ordinance (Cap. 2) prepared by the Legislative Council Secretariat
LC Paper No. CB(1)984/08-09(01)	— Comparison table of the amount sought under the Vote on Account Resolution in 2008 and 2009 (tabled at the meeting and circulated to members on 6 March 2009.)

3. The Subcommittee deliberated (Index of proceedings attached at **Appendix**).

4. The Subcommittee had no objection in principle to providing funds on account to enable the Government to carry on existing services prior to the enactment of the Appropriation Ordinance 2009. The Subcommittee sought further information on issues related to the arrangements for seeking funds on account raised by the previous subcommittee formed to scrutinize the Vote on Account (VOA) resolution for the 2008-2009 financial year. The Subcommittee also made reference to the Administration's proposed arrangements for VOA

resolutions in respect of the scrutiny period, computation of the funds on account required and the need for power to vary funds on account, as presented to the Panel on Financial Affairs on 1 December 2008.

III Any other business

5. The Subcommittee had completed its scrutiny work. It supported the Administration moving the motion on the proposed VOA resolution on 18 March 2009. The Chairman would make a verbal report on behalf of the Subcommittee at the House Committee meeting on 6 March 2009 and the Subcommittee would issue its written report before the deadline for amendment to the resolution, i.e. 11 March 2009.

(Post-meeting note: The Subcommittee's report was issued to members vide LC Paper no. CB(1)1010/08-09 on 10 March 2009.)

6. There being no other business, the meeting ended at 11:15 am.

Council Business Division 1
Legislative Council Secretariat
9 April 2009

**Proceedings of the
Subcommittee on Proposed Resolution under Section 7(1) of the
Public Finance Ordinance (Cap.2)
Meeting on Thursday, 5 March 2009, at 10:45 am
in Conference Room B of the Legislative Council Building**

Time Marker	Speaker	Subject(s)	Action Required
000058 – 000120	Ms Emily LAU Ms Audrey EU Mr Ronny TONG	Election of Chairman	
000121 – 001850	Chairman Administration Clerk	Briefing by the Administration and the Clerk on the arrangements for the proposed Vote on Account (VOA) resolution. (LC Paper Nos. CB(1)952/08-09(02) and CB(1)984/08-09(01))	
001851 – 003054	Ms Starry LEE Administration Mr Ronny TONG	<p>(a) In response to Ms Starry LEE's request for elaboration on the funding for Subhead 789 Additional Commitments, the Administration's advice that the Subhead provided funding for, inter alia, initiatives under planning which had been announced but had not yet been submitted to the Finance Committee (FC) for approval of the new commitments.</p> <p>(b) The Chairman's enquiry on the procedures for moving amendments to increase the sum allotted to any head of expenditure or the total sum of the Estimates of Expenditure.</p> <p>(c) The Administration's advice that the Estimates had been prepared in a prudent manner having regard to the views and suggestions put forward during the Budget consultation. While the Administration would try its best to solicit support of LegCo for passage of the Appropriation Bill, any proposed amendments to the Estimates of Expenditure in Committee of the whole Council on the Appropriation Bill would follow the normal procedures for proposing Committee Stage amendments to bills in general. However, any amendment which would increase the sum allotted to any head of expenditure should only be moved by a designated public officer. The Administration's further advice that, in accordance with</p>	

Time Marker	Speaker	Subject(s)	Action Required
		<p>section 8 of Public Finance Ordinance (Cap. 2), changes to the approved Estimates of Expenditure might be made by the Administration under the delegated authority from FC or with the approval of FC upon a proposal of the Administration.</p> <p>(d) Mr Ronny TONG's remark that irrespective of discussions on the Appropriation Bill, LegCo had to consider the Administration's current proposal to seek funds on account, so as to enable the Government to carry on its services between the start of the financial year on 1 April 2009 and the enactment of the Appropriation Ordinance 2009.</p>	
003207 – 003315	Chairman Clerk	<p>(a) Report to the House Committee.</p> <p>(b) Moving of the motion on the proposed resolution at the Council meeting on 18 March 2009.</p>	