

立法會 *Legislative Council*

LC Paper No. CB(3) 314/09-10

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Paper for the House Committee meeting on 8 January 2010

Election of Members for appointment to the Investigation Committee established under Rule 49B(2A) of the Rules of Procedure in respect of the Motion to censure Honourable KAM Nai-wai

As decided by the House Committee at its meeting on 11 December 2009, the election of Members for appointment to the captioned Investigation Committee will be held at the House Committee meeting on 8 January 2010. The election procedure determined by the House Committee at the meeting on 11 December 2009 is in the **Appendix**.

2. LC Paper No. CB(3) 268/09-10 invited nominations for the election and the following four nominations were received by 4 January 2010, i.e. the deadline for nomination:

<u>Nominee</u>	<u>Proposer</u>	<u>Seconder</u>
Hon Mrs Sophie LEUNG LAU Yau-fun	Hon Andrew LEUNG Kwan-yuen	Hon Jeffrey LAM Kin-fung
Hon LAU Kong-wah	Hon CHAN Kam-lam	Hon Starry LEE Wai-king
Dr Hon LAM Tai-fai	Dr Hon Samson TAM Wai-ho	Hon CHAN Kin-por
Dr Hon Priscilla LEUNG Mei-fun	Prof Hon Patrick LAU Sau-shing	Ir Dr Hon Raymond HO Chung-tai

3. As the number of nominations received is less than seven i.e. the number of seats for the Investigation Committee, further nominations may be proposed by any Member at the House Committee meeting on 8 January 2010, which must be seconded by another Member and must have the consent of the proposed nominee.

4. If the final number of nominations is more than seven, a poll or polls will be taken at the said House Committee meeting in accordance with the election procedure.

Appendix

Procedure for the election of Members for appointment to the Investigation Committee established under Rule 49B(2A) of the Rules of Procedure in respect of the Motion to censure Honourable KAM Nai-wai

1. An election of Members shall be held at a meeting of the House Committee, the date of which ("election date") shall be appointed by the House Committee.
2. The Legislative Council Secretariat shall issue a circular and a nomination form to the Members of the Legislative Council at least seven clear days before election date, inviting nominations to be made.
3. Each nomination form shall be for the nomination of one Member and shall be signed by one Member as the proposer, one Member as the seconder, and by the nominee Member to signify his consent to the nomination.
4. Duly completed nomination forms shall be delivered to the Legislative Council Secretariat at least three clear days before the election date.
5. In cases where the number of nominations received by the Legislative Council Secretariat by the deadline for nomination is less than seven, further nominations may be proposed, at the House Committee meeting at which the election is conducted, by any Member and seconded by another, with the proposed nominee signifying his consent to the nomination.
6. In the case where the number of nominations received under paragraphs 4 and 5 is equal to seven, the Chairman of the House Committee shall declare the nominees duly elected.
7. In cases where the number of nominations received under paragraphs 4 and 5 is more than seven, a poll shall be taken at the House Committee meeting at which the election is conducted; voting at which shall be by a show of hands, whereby a Member may vote for seven times and no more and the nominees who get the highest numbers of votes will be declared elected.
8. In cases where a nominee would have been elected but for there being one or more other nominees having been given the same number of votes, a separate poll shall be taken in respect of that nominee and such other nominee(s) in accordance with the manner of election provided in paragraph 7.
9. If, after a separate poll is held under paragraph 8, there is still a nominee who would have been elected but for there being one or more other nominees having been given the same number of votes, lots shall be drawn by the Chairman of the House Committee among such nominees to determine which of them will take up the remaining place/places.

10. Immediately after the election of Members for appointment to the investigation committee, the meeting of the House Committee shall be suspended for 10 minutes to enable the elected Members to elect amongst them the two Members to be nominated for appointment respectively as Chairman and Deputy Chairman of the investigation committee by the President.

11. The meeting of the House Committee will then resume and House Committee will be asked to endorse the results of the election of the Chairman and Deputy Chairman of the investigation committee.