

立法會
Legislative Council

LC Paper No. CROP 30/09-10

Ref: CB(3)/CROP/3/55

**Paper for the House Committee meeting
on 26 February 2010**

Committee on Rules of Procedure

**Indication of choice of nominee in the election
of the chairman and deputy chairman of a committee**

Purpose

This paper invites the House Committee (“HC”) to endorse the amendments to the procedures for the election of the chairmen and deputy chairmen of HC, Panels, Bills Committees (“BCs”) and subcommittees, as proposed by the Committee on Rules of Procedure (“CRoP”). The procedures, if amended, will enable Members to indicate their choice of nominee by marking on a ballot paper using a chop with a “✓”.

Background

2. Under the current election procedures for the chairmen and deputy chairmen of HC, Panels, BCs and subcommittees, as set out in Appendix IV to the House Rules (“HR”), a member who wishes to vote has to put down in legible form the name of the nominee of his choice on a ballot paper. At the beginning of the Fourth Legislative Council, there was a suggestion from a Member that the choice of nominee should be indicated by marking on a ballot paper using a chop with a “✓”, instead of writing the name of the nominee on the ballot paper, as handwriting may easily be recognized and thus the secrecy of the votes cast is not well protected.

3. On the other hand, the election procedures for the President as well as the Chairman and Deputy Chairman of the Finance Committee (“FC”) set out in the Schedule to the Rules of Procedure and in the FC Procedure respectively are silent on how Members should indicate their vote on a ballot paper and how the votes are counted. The use of a chop instead of the handwritten name of the nominee was therefore adopted for those elections.

CRoP's recommendation

4. As the way of indication of choice of nominee by marking on a ballot paper using a chop with a “✓” worked well in the elections of the President as well as the Chairman and Deputy Chairman of FC held in October 2008, and such an arrangement could reduce the possibility of the identity of a Member who cast the vote from being revealed, CRoP has recommended that the procedures for the election of the chairmen and deputy chairmen of HC, Panels, BCs and subcommittees be amended so that the same arrangement may be adopted.

5. The proposed amendments to the relevant election procedures provided in Appendix IV to HR are in the **Appendix** for members' consideration.

Advice sought

6. Members are invited to endorse the proposed amendments to HR set out in the **Appendix**. Subject to the endorsement of HC, HR will be amended as proposed.

Council Business Division 3
Legislative Council Secretariat
22 February 2010

Proposed amendments to Appendix IV to the House Rules

**Procedure for Election of the Chairman and
Deputy Chairman of *a* Committees**

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Election of chairman

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4. At the start of the election, the presiding member shall call for nominations for the chairmanship. A valid nomination shall be made orally by a member, seconded by at least one other member who should not be the member being nominated, and accepted by the member being nominated. A member who nominates an absent member for the office is required to state that the absent member's acceptance of the nomination has been secured.

5. If the presiding member is being nominated for the office, he shall be replaced in accordance with paragraph 2 or 3 above, as appropriate, unless otherwise decided by the committee.

6. If there is only one nomination, the presiding member shall declare the nominee elected as chairman.

7. If there are two or more nominations, the presiding member shall announce a vote by secret ballot and shall order the clerk to distribute a ballot paper to each of the members present, including the presiding member. *Each nominee shall be assigned a nominee number according to the order of their nominations made during the election.*

8. A member present who wishes to vote shall ~~put down in legible form the name of the nominee~~ *mark on a ballot paper using a chop with a "✓" in the box opposite the nominee number* of his choice ~~on the ballot paper~~, and place the ballot paper into the ballot box. *Any ballot paper not marked, not properly marked or marked with a "✓" in the respective boxes opposite two or more nominee numbers shall be discarded.*

9. After all the members present who wish to vote have done so, the clerk shall count the ballot papers in front of all the members present and report the result to the presiding member who shall check the result for confirmation.

10. The presiding member shall declare elected as chairman the nominee who receives the highest number of valid votes among all the nominees.

11. If two or more nominees receive the same highest number of valid votes, the presiding member shall announce that lots will be drawn by him to decide how he shall give the casting vote in respect of these nominees.

12. The presiding member shall then draw lots and give the casting vote to one of the nominees in accordance with the lot drawn, and shall forthwith declare that nominee elected as chairman.

Election of deputy chairman

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14. The presiding member shall call for nominations for the deputy chairmanship. A valid nomination shall be made orally by a member, seconded by at least one other member who should not be the member being nominated, and accepted by the member being nominated. A member who nominates an absent member for the office is required to state that the absent member's acceptance of the nomination has been secured.

15. If there is only one nomination, the presiding member shall declare the nominee elected as deputy chairman.

16. If there are two or more nominations, the presiding member shall announce a vote by secret ballot and shall order the clerk to distribute a ballot paper to each of the members present, including the chairman. *Each nominee shall be assigned a nominee number according to the order of their nominations made during the election.*

17. A member present who wishes to vote shall ~~put down in legible form the name of the nominee~~ *mark on a ballot paper using a chop with a "✓" in the box opposite the nominee number of his choice on the ballot paper*, and place the ballot paper into the ballot box. *Any ballot paper not marked, not properly marked or marked with a "✓" in the respective boxes opposite two or more nominee numbers shall be discarded.*

18. After all the members present who wish to vote have done so, the clerk shall count the ballot papers in front of all the members present and report the result to the presiding member who shall check the result for confirmation.

19. The presiding member shall declare elected as deputy chairman the nominee who receives the highest number of valid votes among all the nominees.

20. If two or more nominees receive the same highest number of valid votes, the presiding member shall announce that lots will be drawn by him to decide how he shall give the casting vote in respect of these nominees.

21. The presiding member shall then draw lots and give the casting vote to one of the nominees in accordance with the lot drawn, and shall forthwith declare that nominee elected as deputy chairman.

Legend:

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

Texts proposed to be deleted are shown with deletion lines.