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Panel on Security

**Paper prepared by the Legislative Council Secretariat
for the special meeting on 25 November 2009**

Options for monitoring the implementation of drug testing in schools

Purpose

This paper sets out the options for monitoring the implementation of drug testing in schools.

Background

2. At the meeting of the Panel on Security on 15 October 2009, members agreed that the overall progress of anti-drug efforts and trial scheme on school drug testing in Tai Po District would be discussed at the special meeting. Noting that the subject of drug testing in schools straddle the purview of Panel on Security and some other Panels, members requested the Secretariat to prepare a paper setting out the options available for monitoring the implementation of drug-testing in schools. The options are set out in the following paragraphs.

Option 1 : Holding of further meetings of the Panel on Security or the Panel on Education to discuss drug-testing in schools

3. As the subject of anti-drug effort falls within the policy areas of the Panel on Security while drug problems in schools fall within the policy areas of the Panel on Education, either Panel may: (a) hold special meetings to discuss the subject of drug-testing in schools; or (b) include the subject as a standing discussion item for the Panel, and invite all other Members to join the discussion of the item. While (a) is a common practice amongst Panels, an example of (b) is the designation of the subject of "The progress of Wage Protection Movement and the proposal for the introduction of legislation for a minimum wage and related issues" by the Panel on Manpower as a standing item for the regular meetings of the Panel from January to July in 2007.

Option 2 : Establishment of a joint subcommittee under the relevant Panels

4. Under Rule 77(9A) of the Rules of Procedure and House Rule 22(t), two or more Panels may, if they consider appropriate, appoint joint subcommittees to study any matter of common interest to the relevant Panels and to report to the Panels. As issues relating to drug-testing in schools involves, apart from the Panel on Security and the Panel on Education, also the Panel on Health Services and the Panel on Welfare Services, a joint subcommittee may be formed under these Panels to monitor the implementation of drug-testing in schools. The establishment of such a joint subcommittee will require the agreement of the relevant Panels. An example of such a joint subcommittee is the Joint Subcommittee to Monitor the Implementation of the West Kowloon Cultural District Project under the Panel on Development and the Panel on Home Affairs.

Option 3 : Establishment of a subcommittee under the House Committee

5. Under Rule 75(12) of the Rules of Procedures and House Rule 20(j)(ii), the House Committee may appoint a subcommittee to assist the House Committee's consideration of an issue of public concern which falls outside the purview of Panels or any other matter relating to the business of the Council. The establishment of such a subcommittee will require the agreement of the House Committee. An example of such a subcommittee is the Subcommittee to Study Issues Relating to Mainland-HKSAR Families.

Quota for subcommittees on policy issues and Council business other than subsidiary legislation, other instruments and senior judicial appointments

6. In connection with Options 2 and 3 above, members may wish to note that under House Rule 26(a), the maximum number of subcommittees on policy issues and Council business other than subsidiary legislation, other instruments and senior judicial appointments that may be in operation at any one time is eight. House Rule 26(b) provides that when eight such subcommittees are already in operation and new subcommittee(s) has been appointed, a waiting list will be formed. If the number of Bills Committees is less than 16, the House Committee may activate subcommittees on the waiting list after having considered the following -

- (a) the number of vacant slots for Bills Committees;
- (b) the number of bills likely to be introduced in the Council in the next three months;
- (c) the number of subcommittees on subsidiary legislation already or likely to be appointed by the House Committee and by Bills Committees; and

(d) the availability of resources in the Secretariat.

7. As at 17 November 2009, there are 11 Bills Committees and 10 subcommittees on policy issues and Council business other than subsidiary legislation, other instruments and senior judicial appointments in operation. As the number of such subcommittees has exceeded eight, any subcommittee appointed under Options 2 or 3 will be put on a waiting list for activation in accordance with Rule 26(b) of the House Rules.

Advice sought

8. Members are invited to note the above options for monitoring the implementation of drug-testing in schools.

Council Business Division 2
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