

ITEM FOR FINANCE COMMITTEE

INTERIM ARRANGEMENTS FOR THE RINGING OF THE DIVISION BELL AT MEETINGS OF THE FINANCE COMMITTEE, ESTABLISHMENT SUBCOMMITTEE AND PUBLIC WORKS SUBCOMMITTEE

Members are invited to consider the proposed interim arrangements regarding the duration of the ringing of the division bell at meetings of the Finance Committee, the Establishment Subcommittee and the Public Works Subcommittee.

PURPOSE

This paper invites members to consider the proposed interim arrangements regarding the duration of the ringing of the division bell at meetings of the Finance Committee (FC) and its two subcommittees, i.e. the Establishment Subcommittee (ESC) and the Public Works Subcommittee (PWSC).

BACKGROUND

2. With the relocation of the Legislative Council to the new Legislative Council Complex which is four times the size of the old Legislative Council Building, it is necessary to review whether the present duration of the ringing of the division bell when a division is ordered at a meeting of FC, ESC, or PWSC is long enough for members who are not in the meeting venue but are within the Complex to return to the meeting venue in time to vote.

3. At the House Committee (HC) meeting on 7 October 2011, Members endorsed the interim arrangement to extend the duration of the ringing of the division bell by suspending rule 24(i) and (j) of the House Rules with immediate effect until HC decides to remove the suspension or to amend the subrules. Meanwhile, HC adopts the following arrangements:

- (a) where a voting bell is to be rung before a matter is voted upon at a committee meeting, the voting bell shall be rung for five minutes; and
- (b) where the voting bell does not function, the chairman of the committee concerned shall order the clerk to arrange for members of the committee within the precincts of the Chamber to be notified of the voting, and the voting shall be held 10 minutes after the order has been made.

The above suspension of the subrules and the interim arrangements are applicable to HC, Panels, Bills Committees and their subcommittees.

4. HC also noted at its meeting on 14 October 2011 that the same arrangements will be proposed for meetings of the Council, FC and its two subcommittees, while the Committee on Rules of Procedure (CRoP) would examine whether and how the relevant rules in the Legislative Council Rules of Procedure (RoP) should be amended to incorporate the above arrangements. The Legislative Council passed a resolution on 19 October 2011 to adopt similar interim arrangements.

PRESENT SITUATION

5. Under Rule 71(13) of RoP, the practice and procedure of FC and its subcommittees shall be determined by FC, subject to RoP.

6. Under the current Procedures for FC, ESC and PWSC, when the respective Chairman has stated whether or not he/she thinks the majority of the members present and voting are in favour of the question, a member may challenge the Chairman's statement by claiming a division. The Chairman shall then order the committee or subcommittee to proceed to a division and the division shall be held forthwith immediately after a division bell has been rung for two minutes. The relevant provisions are set out in paragraph 46 of the FC Procedure, paragraph 39 of the ESC Procedure, and paragraph 40 of the PWSC Procedure.

7. For further divisions under the same agenda item, the duration of the ringing of the division bell may be shortened to one minute. In the event that the division bell does not function or may not be rung, the Chairman shall order the Clerk to arrange for members of the committee or subcommittee within the precincts of the Chamber to be notified of the division. The division shall be held four minutes after the order has been made. The relevant

provisions are set out in paragraph 47 of the FC Procedure, paragraph 39A of the ESC Procedure, and paragraph 40A of the PWSC Procedure.

PROPOSED INTERIM ARRANGEMENTS

8. It is proposed that FC and its two subcommittees adopt the same arrangements as other committees with immediate effect in respect of the ringing of division bells, until FC decides to remove the suspension of the relevant provisions or to amend the relevant provisions in the FC Procedure, ESC Procedure and PWSC Procedure. The last sentence of paragraph 46 of FC Procedure, paragraph 39 of ESC Procedure and paragraph 40 of PWSC Procedure, and the last two sentences of paragraph 47 of FC Procedure, paragraph 39A of ESC Procedure and paragraph 40A of PWSC Procedure (as highlighted in **Enclosures 1, 2 and 3**) are proposed to be suspended with immediate effect.

9. During the suspension of such provisions, the following interim arrangements are proposed to be applied to FC, ESC and PWSC:

- (a) if a member challenges the statement of the Chairman by claiming a division, then the Chairman shall order the committee or subcommittee (as the case maybe) to proceed to a division and the division shall be held forthwith immediately after a division bell has been rung for **five** minutes; and
- (b) in the event that the division bell does not function or may not be rung, the Chairman shall order the clerk to arrange for members of the committee or subcommittee (as the case maybe) within the precincts of the Chamber to be notified of the division, and the division shall be held **ten** minutes after the order has been made.

APPROVAL SOUGHT

10. Members are invited to approve the proposed interim arrangements in paragraphs 8 and 9 above.

Paragraphs 46 and 47 of the Finance Committee Procedure

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46. Before putting an item to the vote, the Chairman shall ask members if they have any further questions. When the Chairman puts a question to the Committee for its decision he shall first call upon those members who are in favour of the question to raise their hands and shall then call upon those who are against the question to raise their hands. The Chairman shall then, according to his judgment, state whether or not he thinks the majority of the members present and voting are in favour of the question. If no member challenges the statement, the Chairman shall declare the question to have been so decided. *[If a member challenges the statement of the Chairman by claiming a division, then the Chairman shall order the Committee to proceed to a division and the division shall be held forthwith immediately after a division bell has been rung for two minutes.]*
47. When a division has been ordered, Rules 48 and 49 of the Rules of Procedure shall apply to the proceedings of the Committee. Immediately after the Chairman has declared the result of a division under an agenda item, a member may move without notice that in the event of further divisions being claimed in respect of any motions or questions under the same agenda item, the Committee do proceed to each of such divisions immediately after the division bell has been rung for one minute. Thereupon the Chairman shall propose the question on that motion. *[In the event that the division bell does not function or may not be rung, the Chairman shall order the Clerk to arrange for members of the Committee within the precincts of the Chamber to be notified of the division. The division shall be held four minutes after the order has been made.]*

Note: The provisions in bracket and shown in italics are to be suspended.

Paragraphs 39 and 39A of the Establishment Subcommittee Procedure

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39. Before putting an item to the vote, the Chairman shall ask members if they have any further questions. When the Chairman puts a question to the ESC for its decision he shall first call upon those members who are in favour of the question to raise their hands and then shall call upon those who are against the question to raise their hands. The Chairman shall then, according to his judgment state whether or not that he thinks the majority of the members present and voting are in favour of the question. If no member challenges his statement, the Chairman shall declare the question to have been so decided. *[If a member challenges the statement of the Chairman by claiming a division, then the Chairman shall order the ESC to proceed to a division and a division shall be held forthwith immediately after a division bell has been rung for two minutes.]*
- 39A. When a division has been ordered, Rules 48 and 49 of the Rules of Procedure shall apply to the proceedings of the ESC. Immediately after the Chairman has declared the result of a division under an agenda item, a member may move without notice that in the event of further divisions being claimed in respect of any motions or questions under the same agenda item, the ESC do proceed to each of such divisions immediately after the division bell has been rung for one minute. Thereupon the Chairman shall propose the question on that motion. *[In the event that the division bell does not function or may not be rung, the Chairman shall order the Clerk to arrange for members of the ESC within the precincts of the Chamber to be notified of the division. The division shall be held four minutes after the order has been made.]*

Note: The provisions in bracket and shown in italics are to be suspended.

Paragraphs 40 and 40A of the Public Works Subcommittee Procedure

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40. Before putting an item to the vote, the Chairman shall ask members if they have any further questions. When the Chairman puts a question to the PWSC for its decision he shall first call upon those members who are in favour of the question to raise their hands and then shall call upon those who are against the question to raise their hands. The Chairman shall then, according to his judgment state whether or not that he thinks the majority of the members present and voting are in favour of the question. If no member challenges his statement, the Chairman shall declare the question to have been so decided. *[If a member challenges the statement of the Chairman by claiming a division, then the Chairman shall order the PWSC to proceed to a division and a division shall be held forthwith immediately after a division bell has been rung for two minutes.]*
- 40A. When a division has been ordered, Rules 48 and 49 of the Rules of Procedure shall apply to the proceedings of the PWSC. Immediately after the Chairman has declared the result of a division under an agenda item, a member may move without notice that in the event of further divisions being claimed in respect of any motions or questions under the same agenda item, the PWSC do proceed to each of such divisions immediately after the division bell has been rung for one minute. Thereupon the Chairman shall propose the question on that motion. *[In the event that the division bell does not function or may not be rung, the Chairman shall order the Clerk to arrange for members of the PWSC within the precincts of the Chamber to be notified of the division. The division shall be held four minutes after the order has been made.]*

Note: The provisions in bracket and shown in italics are to be suspended.