

立法會 *Legislative Council*

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Paper for the House Committee meeting on 25 May 2012

Committee on Rules of Procedure

Proposed arrangements for the provision of question slots and allocation of time for oral questions at Council meetings

Purpose

This paper invites the House Committee (“HC”) to consider the proposals for the provision of additional question slots in the Fifth Legislative Council (“LegCo”) and allocation of time for oral questions at Council meetings.

Background

2. At present, each Member may be able to ask on average about three oral questions and eight written questions in a session. With the increase of 10 more Members in the Fifth LegCo, the average number of oral questions a Member may be able to ask in a session will be reduced from three to two while that of written question slots will be reduced from eight to seven if the number of questions as allowed for each meeting by the Rules of Procedure remains unchanged. A majority of Members¹ have indicated in the consultation in August 2011 that the average number of oral and written questions that a Member may be able to ask in a session should remain unchanged in the Fifth LegCo. Hence, it is necessary to provide additional question slots.

¹ Around 70% of Members consider that the average number of oral and written questions should remain unchanged.

Proposals pursuant to the outcome of the August 2011 consultation

Provision of question slots

3. With a view to maintaining the average number of oral and written questions that a Member may be able to ask in the Fifth LegCo, the Committee on Rules of Procedure (“CRoP”) proposes that for each Council meeting² as from the beginning of the Fifth LegCo at which both oral questions and written questions may be asked:

- (a) the number of oral question slots should be increased by one, i.e. from six to seven; and
- (b) the number of written question slots should be increased by two, i.e. from 14 to 16.

Allocation of time for oral questions

4. CRoP notes that as a result of the proposed increase in oral question slots referred in paragraph 3 above, it is expected that the total time to be used for asking oral questions in a Council meeting mentioned in paragraph 3 above will also be increased from two hours to two and a half hours. Further, CRoP also notes that, for each oral question, the President intends to allow at least four other Members to ask supplementary questions in addition to the Member who asks the main question. Taking into account these considerations, CRoP proposes that:

- (a) the time used for each oral question at each meeting, including the time for supplementary questions (and follow-up questions), should be limited to 22 minutes; and
- (b) the duration for a Member to ask a main question should not be more than three minutes and that for a public officer to give a main reply should not be more than seven minutes; and the duration for a Member to ask a supplementary question (or follow-up question) should not be more than one minute.

Consultation with Members on the proposals

5. All Members were consulted on the proposals in February 2012. The

² For those Council meetings at which only written questions may be raised, the number of written questions will be increased from 20 to 23.

findings of the consultation indicate that the majority of Members (around 85%) agree to the proposals.

The Administration's views

6. The Administration has been informed of CRoP's proposals. The Administration has mainly commented that whether public officers can meet the requirement to limit the main reply to seven minutes is premised upon the content and length of the main question. If a question is lengthy or raises a wide range of matters, there can be practical difficulty for the public officer concerned to provide a comprehensive reply within seven minutes.

Proposed amendments to the Rules of Procedure and House Rules

7. Regarding the proposal to provide additional question slots in paragraph 3 above, it is necessary to amend both the Rules of Procedure ("RoP") and House Rules ("HR"). The proposed amendments, which will take effect in the Fifth LegCo, are in the **Appendix** for HC members' consideration.

8. Regarding the proposal in relation to the allocation of time for oral questions in paragraph 4 above, it is only necessary to amend HR. The proposed amendments, which CRoP recommends should take immediate effect, are also set out in the **Appendix**.

Advice sought

9. HC members are invited to consider CRoP's proposals in paragraphs 3 and 4 above and the proposed amendments to RoP and HR in the **Appendix**. Subject to HC's views, the Chairman of CRoP will move a motion at the Council meeting on 20 June 2012 to amend RoP.

Council Business Division 3
Legislative Council Secretariat
23 May 2012

**Proposed amendments to the Rules of Procedure and House Rules
for implementing the proposed arrangements for
the provision of question slots and allocation of time
for oral questions at Council meetings**

Rules of Procedure

23. Question Time

(1) Questions may be asked at any meeting except the first meeting of a term or a meeting at which the President is elected or the Chief Executive addresses the Council on the policies of the Government.

(2) With the exception of questions asked under Rule 24(4) (Notice of Questions), not more than ~~20~~²⁰²³ questions of which notice has been given may be asked at any one meeting and the questions shall be counted by the Clerk in the manner recommended by the House Committee and agreed by the President.

(3) Where, in the opinion of the President, there will be no debate on a motion not intended to have legislative effect at a meeting, no more than 10 questions shall require an oral reply. Where, in the opinion of the President, there will be such a debate, no more than ~~6~~⁶⁷ questions shall require an oral reply. The questions shall be counted by the Clerk in the manner recommended by the House Committee and agreed by the President.

(4) The House Committee may recommend to the President that in respect of a particular meeting no question requiring an oral reply should be asked; and if the President accepts such recommendation no such question shall be asked at that meeting, save that the President may permit urgent questions under the provisions of Rule 24(4) (Notice of Questions).

House Rules

7. Number and Allocation of Questions

- (a) Where there is no debate on a motion not intended to have legislative effect at a meeting, no more than 10 oral questions shall be asked. Where, in the opinion of the President, there will be such a debate at a meeting, no more than ~~six~~seven oral questions shall be asked ~~and the time limit shall, depending on the Agenda for the meeting, normally be one to one and a half hours. Where 10 oral questions are to be asked at a meeting, the duration of question time shall be not more than two and a half hours.~~
- (b) Under Rule 24(3) of the Rules of Procedure, each Member is normally limited to asking only one oral and one written or alternatively two written questions at any one meeting. Where 2023 or more Members wish to raise questions at a meeting, each Member is allowed to raise only one question. However, questions asked under Rule 26(6) and (6A) of the Rules of Procedure are not counted for the purpose of these restrictions.
- (c) The allocation of questions to be asked at a meeting is normally based on the order of registration of the questions by the Secretariat. Where there are more questions to be raised by Members than can be scheduled for the same meeting and subject to (b) above, priority will be given to Members who have been allocated the least slots respectively for oral or written questions within the session.
- (d) Members may be accorded priority to ask questions with the agreement of the House Committee. Topical interest, public concern and urgency of questions, if any, will be taken into account by the House Committee when making decisions in this regard.
- (e) At the Council meetings for debate on the Appropriation Bill and for the policy debate, there will be no arrangement for Members to put oral questions to the Government.

8. Supplementary Questions

- (a) The Member who has asked a question in Council is usually given the opportunity to ask the first supplementary question.
- (b) A supplementary question should be short and to the point.
- (c) A supplementary question should not contain more than one question.

- (d) A supplementary question should be framed as a question and should not include statements, contain inferences, suggest its own answer or ask for confirmation of rumours or press reports.
- (e) To facilitate accurate interpretation of supplementary questions, particularly where they are of necessity complex, Members should speak slowly when asking supplementary questions.

9. Follow-up on Oral Questions

If a Member feels that his question has not been fully answered, the Member should rise on a point of order and say “Follow-up, President.” It is for the President to rule whether a follow-up question should be allowed. Follow-up questions are not counted as supplementary questions for determining priorities.

9A. Time Limit on an Oral Question

The time taken by an oral question (including any supplementary or follow-up question and all answers) should not exceed 22 minutes in total, of which not more than –

- (a) three minutes should be used to ask the main question;
- (b) seven minutes should be used to give the main reply; and
- (c) one minute should be used to ask a supplementary or follow-up question.