

Committee on Rules of Procedure

List of issues studied during the period from July 2011 to July 2012

Item	Issue	Relevant rule(s)	Progress/remarks
1	Provision of slots for moving motions with no legislative effect in the Fifth Legislative Council	Rules 13 and 14 of the House Rules	The Committee's proposal to amend the House Rules was supported by the House Committee at its meeting on 22 June 2012 for implementation in the Fifth Legislative Council.
2	Provision of slots for asking questions at Council meetings in the Fifth Legislative Council	Rules 23 and 24 of the Rules of Procedure Rules 7, 8 and 9 of the House Rules	The Committee's proposals to increase the number of question slots in the Fifth Legislative Council and to limit the time used for each oral question were supported by the House Committee at its meeting on 25 May 2012. On recommendation by the Committee, the proposed amendments to the House Rules have taken immediate effect. Notice had been given by the Chairman of the Committee to move a motion at a Council meeting to amend Rule 23 of the Rules of Procedure to provide additional slots for asking questions at Council meetings, which will take effect in the Fifth Legislative Council.
3	Order in Council and committee meetings	Rule 45 of the Rules of Procedure	The Committee supports a proposal to amend Rule 45(2) of the Rules of Procedure by Hon IP Kwok-him which seeks to ban a Member, who had been ordered by the President to withdraw from a Council meeting for behaving in a grossly disorderly manner at the meeting under Rule 45(2) of the Rules of Procedure on two occasions, from attending the following Council meeting if a motion to sanction such is passed through the moving of a motion by the President. The Secretariat was requested to draft the proposed amendments to the Rules of Procedure for consideration by the Committee in the next Legislative Council term.

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4	Rules governing amendments to bills and rules relating to speaking at Committee stage	Rules 38, 57 and 92 of the Rules of Procedure Article 72 of the Basic Law	The Secretariat was requested to conduct the following studies for follow up by the Committee in the next legislative term: (a) review Rules 38 and 57(4) of the Rules of Procedure to deal with filibuster; (b) review the application of Rule 92 of the Rules of Procedure; and (c) examine the relationship between the power to invoke Rule 92 of the Rules of Procedure by the President to curtail a debate and the constitutional powers and functions of the President to preside over the meetings of the Council under Article 72 of the Basic Law. The Secretariat was also requested to prepare a detailed background paper to facilitate discussion of the Committee.
5	Procedure for amending published reports of committees of the Legislative Council	--	The Committee considers that there is no need to establish a procedure for amending a report published by a committee which had been dissolved. However if a submission received by a committee contained a submission from a third party, the committee clerk should ascertain with the individual/ organization which sent his/its submission to the committee whether consent had been obtained from that third party to have its submission made public.
6	Procedure for handling minutes of closed meetings of committees which had been dissolved	--	The Committee considers that the minutes on the internal deliberations of committees should continue to principally record decisions taken by the committee and not any details of the deliberations so as to enable such minutes to be prepared within a shorter period of time. Following the expiry of the relevant legislative term, the unconfirmed minutes on the

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			internal deliberations of committees should be cleared with the Member who was the chairman of the committee concerned.
7	Amendments to the registration requirements in Rule 83 proposed by the Committee on Members' Interests to enhance transparency and accountability	Rule 83 of the Rules of Procedure	The Committee generally supports the proposal of the Committee on Members' Interests to amend Rule 83(1), (2), (3) and (5) of the Rules of Procedure, and to make consequential amendments to Rule 4(1) of and the Schedule of the Rules of Procedure. The proposed changes to the Rules of Procedure had the support of the House Committee at its meeting on 22 June 2012. A motion will be moved by the Chairman of the Committee on Members' Interests at the Council meeting of 11 July 2012 to amend the Rules of Procedure.
8	Procedural arrangements for the implementation of Article 73(9) of the Basic Law on impeachment of the Chief Executive	Article 73(9) of Basic Law	The Committee considers that the matter should be followed up by the Fifth Legislative Council as a priority. The Secretariat was requested to study and collate relevant information on the procedure for the impeachment of the head of state in other jurisdictions to facilitate the Committee in further considering the matter in the next term.