
INFORMATION NOTE

Analysis of the long titles of bills introduced into the Legislative Council between 1998-1999 and 2011-2012 legislative years

1. Background

1.1 At the meeting of the Bills Committee on Personal Data (Privacy) (Amendment) Bill 2011 ("Bills Committee") held on 7 December 2011, the Bills Committee started the clause-by-clause examination of the *Bill*. When scrutinizing clause 1 of the *Bill* (i.e. short title and commencement), some members of the Bills Committee considered that the long title of the *Bill* was too detailed and lengthy¹. They were concerned that the Government might make use of the detailed and lengthy long title to limit the scope of amendments that could be made by Members to the *Bill*. In response, the Government stated that the objective of drafting such a detailed long title was to spell out the many proposed amendments to be made to the *Personal Data (Privacy) Ordinance* (Cap. 486) in a number of areas.

1.2 The Legal Adviser to the Bills Committee explained that according to the past rulings of the President, the long title of a bill alone is not decisive for determining whether certain Committee Stage Amendments are relevant to the subject matter of the bill. The President may also take into account the substance of the bill and the legislative intent set out in the Legislative Council Brief and the explanatory memorandum.

¹ There are 187 words in the long title of the *Bill*. For the purpose of analysis, this information note only makes reference to the number of words contained in the long titles of the English version of the bills studied.

1.3 In the course of discussions, some members of the Bills Committee were of the view that the long titles of the bills introduced into the Legislative Council ("LegCo") had become increasingly longer in recent years. This was somewhat different from the cases in the past where some complicated bills introduced into LegCo had concise long titles. For example, the *National Security (Legislative Provision) Bill* introduced in 2002-2003 to implement Article 23 of the *Basic Law* had a long title of only 49 words. In this connection, the Bills Committee requested the Research Division to prepare an information note to analyze the length of long titles of the bills introduced into LegCo and identify whether there was any trend for the Government to introduce bills with lengthy long titles in recent years.

Classification of the bills studied

1.4 The Research Division has classified the bills to be studied into two categories, namely (a) bills for proposing new legislation ("new bills"), and (b) bills for amending existing legislation ("amending bills"). In general, new bills provide for a new legal framework, while amending bills simply amend existing legislation. This study covers the bills introduced into LegCo between 1998-1999 and 2011-2012² (i.e. four LegCo terms). During this period, there were 120 new bills and 355 amending bills.

² A legislative year lasts from October each year until September next year. For 2011-2012, the bills studied only cover the period between October 2011 and 8 February 2012.

1.5 The amending bills can be broadly divided into two sub-groups, one with long titles primarily stating the titles of the ordinances to be amended³ ("amending bills with simple long titles"), and the other having long titles that contain descriptive sentences explaining the areas of amendments⁴ ("amending bills with descriptive long titles"). Of the 355 amending bills introduced between 1998-1999 and 2011-2012, 39% contained simple long titles and 61% had descriptive long titles. As shown in **Table 1**, the percentage of amending bills with simple long titles to the total number of amending bills introduced remained stable at the range of 52%-54% in the first two LegCo terms and decreased to 22% in the third term and 12% in the fourth term. As for amending bills with descriptive long titles, the percentage share hovered at 46%-48% in the first two terms but increased to 78% in the third term and further to 88% in the fourth term.

1.6 Against the above trend, this information note is confined to the study of new bills and amending bills with descriptive long titles. This approach presents a more accurate picture by focusing on those amending bills with descriptive long titles as the *Personal Data (Privacy) (Amendment) Bill 2011* under study belongs to this sub-group. It also avoids the distortion of the analysis caused by the inclusion of amending bills with simple long titles, as their number may affect the average length of long titles in a particular LegCo term.

³ For example, the long title of the *Legal Practitioners (Amendment) Bill 2010* introduced in 2009-2010 was "A BILL To amend the Legal Practitioners Ordinance.", containing only eight words.

⁴ For example, the long title of the *Employment (Amendment) Bill 2006* introduced in 2006-2007 was "A BILL To amend the Employment Ordinance to revise the modes of calculating payment in lieu of notice, damages for wrongful termination of contract, end of year payment, maternity leave pay, damages for wrongful termination of an employee's contract during her pregnancy, sickness allowance, damages for wrongful termination of an employee's contract on a sickness day taken by him, holiday pay and annual leave pay so as to provide that these payments are to be calculated on the basis of the average of the wages earned by the employee during the period of 12 months immediately before the specified dates; to clarify that where a sum of money is paid to an employee in respect of a period of maternity leave, a sickness day, a holiday or a day of annual leave, the related maternity leave pay, sickness allowance, holiday pay or annual leave pay payable is to be reduced by that sum; and for related purposes.", containing a total of 157 words.

Table 1 – Profile of amending bills⁽¹⁾

Legislative year	Amending bills with simple long titles		Amending bills with descriptive long titles	
	Number of bills	Percentage of the total number of amending bills introduced	Number of bills	Percentage of the total number of amending bills introduced
First term (1998-2000)				
1998-1999	39	40%	58	60%
1999-2000	22	100%	0	0%
<i>Annual average</i>	31	52%	29	48%
Second term (2000-2004)				
2000-2001	27	63%	16	37%
2001-2002	10	45%	12	55%
2002-2003	14	50%	14	50%
2003-2004	5	45%	6	55%
<i>Annual average</i>	14	54%	12	46%
Third term (2004-2008)				
2004-2005	9	30%	21	70%
2005-2006	1	9%	10	91%
2006-2007	3	20%	12	80%
2007-2008	3	20%	12	80%
<i>Annual average</i>	4	22%	14	78%
Fourth term (2008-2012)				
2008-2009	1	6%	17	94%
2009-2010	2	14%	12	86%
2010-2011	3	14%	19	86%
2011-2012	0	0%	7	100%
<i>Annual average</i>	2	12%	14	88%

Note: (1) Average figures are rounded to the nearest integers.

2. Key findings of the study

2.1 Based on the analysis presented in the paragraphs below, the following observations are highlighted for members' reference:

- (a) during the legislative years studied, there was no consistent trend for the Government to introduce new bills with lengthy long titles, but there was a broadly increasing trend in the average number of words per long title for amending bills with descriptive long titles;
- (b) the average number of clauses in new bills fluctuated in the periods studied. In contrast, it remained relatively stable for amending bills with descriptive long titles; and
- (c) as to both new bills and amending bills with descriptive long titles, there was no direct relationship between the average number of words per long title and the average number of clauses per bill. As such, the number of words in the long title of a bill might not reflect the complexity of the bill as measured by the number of clauses contained in the bill concerned.

Length of long titles

2.2 There was no consistent trend for the Government to introduce new bills with lengthy long titles during the legislative years studied. As shown in **Table 2**, the average number of words per long title was in the range of 35-73 words in the first term, 52-88 in the second term, 38-76 in the third term and 24-44 in the fourth term.

Table 2 – Profile of new bills⁽¹⁾

Legislative year	Total number of new bills	Total number of words in the long titles	Total number of clauses	Average number of words per long title	Average number of clauses per new bill
First term (1998-2000)					
1998-1999	16	553	686	35	43
1999-2000	5	363	129	73	26
<i>Annual average</i>	<i>11</i>	<i>458</i>	<i>408</i>	<i>54</i>	<i>35</i>
Second term (2000-2004)					
2000-2001	14	730	714	52	51
2001-2002	9	789	160	88	18
2002-2003	13	746	442	57	34
2003-2004	8	464	221	58	28
<i>Annual average</i>	<i>11</i>	<i>682</i>	<i>384</i>	<i>64</i>	<i>33</i>
Third term (2004-2008)					
2004-2005	8	447	312	56	39
2005-2006	6	455	149	76	25
2006-2007	10	535	290	54	29
2007-2008	7	266	112	38	16
<i>Annual average</i>	<i>8</i>	<i>426</i>	<i>216</i>	<i>56</i>	<i>27</i>
Fourth term (2008-2012)					
2008-2009	7	289	242	41	35
2009-2010	8	295	410	37	51
2010-2011	7	307	1 206	44	172
2011-2012	2	48	13	24	7
<i>Annual average</i>	<i>6</i>	<i>235</i>	<i>468</i>	<i>37</i>	<i>66</i>

Note: (1) Average figures are rounded to the nearest integers.

2.3 In contrast, the average number of words per long title of amending bills with descriptive long titles exhibited a broadly increasing trend during the legislative years studied. As shown in **Table 3**, the annual average number of words per long title was 35 words in the first term, 68 words in the second term, 84 words in the third term and 77 words in the fourth term. In fact, the average number of words per long title increased to more than 70 words in each of the legislative years between 2005-2006 and 2010-2011, with the exception of 2009-2010 (61 words).

Table 3 – Profile of amending bills with descriptive long titles⁽¹⁾

Legislative year	Total number of amending bills with descriptive long titles	Total number of words in the long titles	Total number of clauses	Average number of words per long title	Average number of clauses per amending bill with descriptive long titles
First term (1998-2000)					
1998-1999	58	2 033	342	35	6
1999-2000	0	0	0	Not applicable	Not applicable
<i>Annual average</i>	<i>29</i>	<i>1 017</i>	<i>171</i>	<i>35</i>	<i>6</i>
Second term (2000-2004)					
2000-2001	16	759	188	47	12
2001-2002	12	729	138	61	12
2002-2003	14	1 395	354	100	25
2003-2004	6	371	74	62	12
<i>Annual average</i>	<i>12</i>	<i>814</i>	<i>189</i>	<i>68</i>	<i>15</i>

Note: (1) Average figures are rounded to the nearest integers.

Table 3 – Profile of amending bills with descriptive long titles (cont'd)

Legislative year	Total number of amending bills with descriptive long titles	Total number of words in the long titles	Total number of clauses	Average number of words per long title	Average number of clauses per amending bill with descriptive long titles
Third term (2004-2008)					
2004-2005	21	1 403	489	67	23
2005-2006	10	844	279	84	28
2006-2007	12	1 074	149	90	12
2007-2008	12	1 132	291	94	24
<i>Annual average</i>	14	1 113	302	84	22
Fourth term (2008-2012)					
2008-2009	17	1 480	271	87	16
2009-2010	12	736	261	61	22
2010-2011	19	1 680	423	88	22
2011-2012	7	489	155	70	22
<i>Annual average</i>	14	1 096	278	77	21

Number of clauses in a bill

2.4 As shown in **Table 2**, the average number of clauses in new bills fluctuated during the legislative years studied. It reached a low of 7 in 2011-2012, and a high of 172 in 2010-2011 due to the introduction of the *Companies Bill* with 909 clauses. In contrast, the average number of clauses for amending bills with descriptive long titles ranged between 12 and 28 for most of the periods studied (see **Table 3**).

Relationship between the length of long title and the number of clauses in a bill

2.5 With regard to new bills, no direct relationship could be drawn between the average number of words per long title and the average number of clauses per bill. That means the number of words in the long title of a bill might not reflect the complexity of the bill concerned as measured by the number of clauses in the bill concerned. As shown in **Table 2**, the average number of words per long title in 2001-2002, at 88, was the largest among all legislative years studied. However, the average number of clauses in the bill was at a low of 18 in the same year. In 2010-2011, the average number of clauses in a bill, at 172, was the largest among all the legislative year studied. Yet the average number of words per long title was at a low of 44 in the same year.

2.6 As to amending bills with descriptive long titles, there also appeared to be no direct relationship between the average number of words per long title and the average number of clauses in the bill. For example, **Table 3** shows that the average number of words per long title was 47 in 2000-2001 and 90 in 2006-2007. However, the average number of clauses per bill was the same, at 12, for both legislative years.

Distribution of the bills by the number of words in the long titles

2.7 With regard to new bills, the number of words per long title was mainly in the range of 21-40 words during the legislative years studied (see **Table 4**).

2.8 As shown in **Table 5**, the trend of having lengthy long titles was evident in amending bills with descriptive long titles in recent years. The number of words per long title clustered around the range of 21-40 words in the first two LegCo terms (i.e. between 1998-2000 and 2000-2004). However, such a trend reversed in both the third and fourth terms (i.e. between 2004-2008 and 2008-2012), with increased number of bills introduced with long titles of more than 40 words. In particular, about one-third or 16 of the bills had long titles of more than 100 words in these two terms. In comparison, the number of bills with long titles of more than 100 words was zero in the first term and 10 in the second term.

2.9 Another noteworthy trend was the increasing proportion of bills with lengthier long titles in the number of amending bills with descriptive long titles. Reflecting this, 93% of the bills introduced in the first LegCo term had a long title of not more than 40 words and the percentage share was reduced to 18% in the fourth term. Over the same period, the proportion of long titles with more than 100 words increased from zero to 29% (see **Table 5**).

Table 4 – Distribution of new bills by the number of words per long title

Legislative year	New bills grouped by the number of words in the long title					
	≤ 20 words	21-40 words	41-60 words	61-80 words	81-100 words	> 100 words
First term (1998-2000)						
1998-1999	1	10	4	0	1	0
1999-2000	1	1	0	1	0	2
<i>Sub-total</i>	<i>2</i>	<i>11</i>	<i>4</i>	<i>1</i>	<i>1</i>	<i>2</i>
Second term (2000-2004)						
2000-2001	1	8	0	1	2	2
2001-2002	0	5	1	0	1	2
2002-2003	0	5	5	0	1	2
2003-2004	0	3	1	2	1	1
<i>Sub-total</i>	<i>1</i>	<i>21</i>	<i>7</i>	<i>3</i>	<i>5</i>	<i>7</i>
Third term (2004-2008)						
2004-2005	0	4	1	1	0	2
2005-2006	1	3	0	1	0	1
2006-2007	1	4	1	1	2	1
2007-2008	0	5	1	1	0	0
<i>Sub-total</i>	<i>2</i>	<i>16</i>	<i>3</i>	<i>4</i>	<i>2</i>	<i>4</i>
Fourth term (2008-2012)						
2008-2009	1	2	3	1	0	0
2009-2010	0	5	2	1	0	0
2010-2011	1	4	0	0	2	0
2011-2012	0	2	0	0	0	0
<i>Sub-total</i>	<i>2</i>	<i>13</i>	<i>5</i>	<i>2</i>	<i>2</i>	<i>0</i>

Table 5 – Distribution of amending bills with descriptive long titles by the number of words per long title

Legislative year	Amending bills with descriptive long titles grouped by the number of words in the long title					
	≤ 20 words	21-40 words	41-60 words	61-80 words	81-100 words	> 100 words
First term (1998-2000)						
1998-1999	2	52	1	2	1	0
1999-2000	0	0	0	0	0	0
<i>Sub-total</i>	<i>2</i>	<i>52</i>	<i>1</i>	<i>2</i>	<i>1</i>	<i>0</i>
Second term (2000-2004)						
2000-2001	2	10	1	2	0	1
2001-2002	1	5	2	0	1	3
2002-2003	0	4	2	0	2	6
2003-2004	0	2	1	0	3	0
<i>Sub-total</i>	<i>3</i>	<i>21</i>	<i>6</i>	<i>2</i>	<i>6</i>	<i>10</i>
Third term (2004-2008)						
2004-2005	1	7	6	0	4	3
2005-2006	0	4	2	1	0	3
2006-2007	0	2	3	1	0	6
2007-2008	0	4	0	2	2	4
<i>Sub-total</i>	<i>1</i>	<i>17</i>	<i>11</i>	<i>4</i>	<i>6</i>	<i>16</i>
Fourth term (2008-2012)						
2008-2009	0	2	4	3	2	6
2009-2010	0	3	4	2	1	2
2010-2011	0	4	4	3	1	7
2011-2012	0	1	2	2	1	1
<i>Sub-total</i>	<i>0</i>	<i>10</i>	<i>14</i>	<i>10</i>	<i>5</i>	<i>16</i>

Bills with the longest long title

2.10 **Table 6** shows the new bill with the longest long title in each of the legislative years studied. The number of words in the long titles ranged from 24 to 284. The *Rail Merger Bill* introduced in 2005-2006 contained the longest long title of 284 words. This was followed by the *Public Officers Pay Adjustment Bill* introduced in 2001-2002 (255 words), the *Village Representative Election Bill* in 2002-2003 (190 words), and the *Hong Kong Science and Technology Parks Corporation Bill* in 2000-2001 (153 words).

2.11 With regard to amending bills with descriptive long titles, the one with the longest long title in each of the legislative years is listed in **Table 7**. The number of words in the long titles ranged from 92 to 333. The *Chief Executive Election and Legislative Council Election (Miscellaneous Amendments) Bill 2006* introduced in 2005-2006 contained the longest long title of 333 words. This was followed by the *United Nations (Anti-Terrorism Measures) (Amendment) Bill 2003* introduced in 2002-2003 (300 words), the *Education (Amendment) Bill 2000* in 2000-2001 (257 words), and the *Certification for Employee Benefits (Chinese Medicine) (Miscellaneous Amendments) Bill 2005* in 2004-2005 (256 words).

Table 6 – New bills with the longest long title

Legislative year	New bills with the longest long title	Number of words in the long title
First term (1998-2000)		
1998-1999	<i>Provision of Municipal Services (Reorganization) Bill</i>	96
1999-2000	<i>Mass Transit Railway Bill</i>	137
Second term (2000-2004)		
2000-2001	<i>Hong Kong Science and Technology Parks Corporation Bill</i>	153
2001-2002	<i>Public Officers Pay Adjustment Bill</i>	255
2002-2003	<i>Village Representative Election Bill</i>	190
2003-2004	<i>Construction Industry Council Bill</i>	117
Third term (2004-2008)		
2004-2005	<i>Construction Industry Council (No. 2) Bill</i>	118
2005-2006	<i>Rail Merger Bill</i>	284
2006-2007	<i>Race Discrimination Bill</i>	102
2007-2008	<i>West Kowloon Cultural District Authority Bill</i>	72
Fourth term (2008-2012)		
2008-2009	<i>Public Officers Pay Adjustment Bill</i>	78
2009-2010	<i>Food Safety Bill</i>	68
2010-2011	<i>Anti-Money Laundering and Counter-Terrorist Financing (Financial Institutions) Bill</i>	85
2011-2012	<i>Mediation Bill and Appropriation Bill 2012⁽¹⁾</i>	24

Note: (1) Both bills contain a long title of 24 words.

Table 7 – Amending bills with the longest descriptive long titles

Legislative year	Amending bills with the longest descriptive long titles	Number of words in the long title
First term (1998-2000)		
1998-1999	<i>Disciplined Services Welfare Funds Legislation (Amendment) Bill 1999</i>	92
1999-2000	Nil	Not applicable
Second term (2000-2004)		
2000-2001	<i>Education (Amendment) Bill 2000</i>	257
2001-2002	<i>Employees Compensation Assistance (Amendment) Bill 2002</i>	156
2002-2003	<i>United Nations (Anti-Terrorism Measures) (Amendment) Bill 2003</i>	300
2003-2004	<i>Bankruptcy (Amendment) Bill 2003 and Criminal Procedure (Amendment) Bill 2004⁽¹⁾</i>	93
Third term (2004-2008)		
2004-2005	<i>Certification for Employee Benefits (Chinese Medicine) (Miscellaneous Amendments) Bill 2005</i>	256
2005-2006	<i>Chief Executive Election and Legislative Council Election (Miscellaneous Amendments) Bill 2006</i>	333
2006-2007	<i>Domestic Violence (Amendment) Bill 2007</i>	175
2007-2008	<i>Air Pollution Control (Amendment) Bill 2008</i>	182
Fourth term (2008-2012)		
2008-2009	<i>Disciplined Services Legislation (Miscellaneous Amendments) Bill 2009</i>	186
2009-2010	<i>Companies (Amendment) Bill 2010</i>	114
2010-2011	<i>Legislative Council (Amendment) Bill 2010</i>	188
2011-2012	<i>Mandatory Provident Fund Schemes (Amendment) (No. 2) Bill 2011</i>	141

Note: (1) Both bills contain a long title of 93 words.

References

1. *Gazette of the Government of the Hong Kong Special Administrative Region*. Available from: <http://www.gld.gov.hk/egazette/> [Accessed February 2012].
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