

## Paper for the House Committee meeting on 7 December 2012

### Attendance of the Chief Executive ("CE") at Legislative Council ("LegCo") meetings

In response to Members' request raised at the House Committee meeting on 30 November 2012, the LegCo Secretariat has prepared information on the attendance of CE at LegCo meetings (including "previous cases of LegCo inviting CE to attend LegCo meetings" in Table A, "attendance of CE at LegCo's Q&A Sessions" in Table B and "attendance of CE at LegCo meetings (other than CE's Q&A Sessions)" in Table C) for Members' reference.

**Table A: Previous cases of LegCo inviting CE to attend LegCo meetings**

Date of House Committee ("HC") meeting		Discussion Item	Invitation Decision	CE/Administration's response
<b>The First LegCo (1998-2000)</b>				
1.	29 January 1999	Inviting CE to respond to the three inquiry reports on the airport opening chaos	<p>Mr LEE Wing-tat suggested that CE should be invited to attend a Council meeting to respond to three respective Reports of the Select Committee to inquire into the circumstances leading to the problems surrounding the commencement of the operation of the new Hong Kong International Airport at Chek Lap Kok, the Commission of the Inquiry on the New Airport headed by the Hon Mr Justice WOO, and the Ombudsman.</p> <p>After voting, Members agreed that HC Chairman should extend an invitation to CE. <b>HC Chairman wrote to CE accordingly on 2 February 1999.</b></p>	<p><b>CE replied on 15 February 1999</b> that since the issues involved had been fully discussed by the Chief Secretary for Administration ("CS") with Members during the motion debate on the Select Committee's report at the Council meeting of 3 February 1999, CE did not see the need for another meeting to discuss the reports.</p> <p>At the HC meeting on 26 February 1999, Members expressed dissatisfaction at CE's reply. <b>HC Chairman wrote to CE again on 2 March</b> to convey Members' request. CE replied on 19 March, reiterating that there was no need for him to have a meeting with LegCo to discuss the subject.</p>

Date of House Committee ("HC") meeting	Discussion Item	Invitation Decision	CE/Administration's response
			<p>At the HC meeting on 26 March 1999, Members expressed disappointment that CE had again declined to attend a Council meeting, and discussed whether the Council should be asked to exercise its power under the Legislative Council (Powers and Privileges) Ordinance to summon CE to appear before the Council to answer Members' questions on the reports.</p> <p><b>At the HC meeting on 16 April 1999, HC Chairman told Members that he had received a letter from the Director of Administration informing him that CE's Question and Answer ("Q&amp;A") Session originally scheduled for June would be advanced to be held on 6 May 1999. HC Chairman suggested that the three inquiry reports on the airport opening chaos be included as one of the topics for the Session. Members agreed.</b></p>
2. 14 May 1999	The way forward on the issue of the right of abode ("ROA") of Mainlanders in Hong Kong Special Administrative Region ("HKSAR")	Regarding the issues relating to the Mainlanders who had ROA in HKSAR by virtue of the judgment of the Court of Final Appeal handed down on 29 January 1999, HC Chairman sought Members' views on the way forward on handling the ROA issue. After discussion, Members agreed that HC	<b>At the special HC meeting on 17 May 1999, HC Chairman informed Members that according to CE, he would need to discuss with the public officers concerned regarding whether or not a meeting should be held with Members to discuss the ROA issue. HC subsequently</b>

Date of House Committee ("HC") meeting		Discussion Item	Invitation Decision	CE/Administration's response
			Chairman should write to CE, inviting him to attend a Council meeting to discuss the ROA issue. <b>HC Chairman wrote to CE accordingly on 14 May 1999.</b>	held a special meeting on 18 May to discuss issues relating to the Government's decision to seek the interpretation of the Standing Committee of the National People's Congress of the relevant provisions in the Basic Law in relation to the ROA issue. Officials attending the meeting included CS, the Secretary for Justice ("S for J") and the Secretary for Security.
<b>The Second LegCo (2000-2004)</b>				
3.	27 October 2000	Hon Martin LEE's letter of 25 October 2000 requesting CE to brief Members on his official visit to Beijing (26 October 2000) at a Council meeting	Mr Martin LEE wrote to HC Chairman to request the attendance of CE at a Council meeting to brief Members on his visits to Beijing and London. Members agreed to the request.  <b>HC Chairman wrote to CE on 1 November 2000, inviting him to brief LegCo on the relevant visits.</b>	<b>The Office of CE stated in its reply dated 23 November 2000 that</b> as CE had made it a practice to brief the media, and therefore the community at large, at the first opportunity after each of his trips, CE did not see a particular need for an additional separate session with Members.  At the HC meeting on 24 November 2000, Members expressed disappointment at the reply from the Office of CE. They reiterated that CE had the responsibility to attend LegCo meetings to answer Members' questions. Thereafter, at her meeting with CS on 27 November, HC Chairman relayed Members' views to CS again.

Date of House Committee ("HC") meeting	Discussion Item	Invitation Decision	CE/Administration's response
4. 7 June 2002	Report of the Panel on Manpower to HC concerning the proposed amalgamation of the Labour portfolio with the Economic Development portfolio under the proposed accountability system for principal officials	<p>The Panel on Manpower suggested that CE should be invited to explain to Members the revised proposals for reorganization of policy bureaux put forward by the Administration.</p> <p>After discussion, Members agreed that HC Chairman should write to CE to request that his next Q&amp;A Session be held as soon as possible, preferably before 19 June 2002 (i.e., the date on which the resolution concerning the reorganization would be put before the Council for approval), so that Members could put questions to him on the revised reorganization proposals. <b>HC Chairman wrote to CE accordingly on 10 June 2002.</b></p>	<b>The Office of CE stated in its reply dated 17 June 2002 that</b> having regard to CE's commitments, <b>the next Q&amp;A Session would be held on 8 July 2002.</b>
5. 19 December 2003	Proposal to invite CE to brief LegCo on his recent duty visit to Beijing and to establish a convention for CE to brief the Council upon his return from such duty visits	<p>This agenda item was raised by Dr YEUNG Sum. Dr YEUNG considered that CE should properly brief Members on his duty visits to Beijing and Members should not have to rely on the media to obtain such information.</p> <p>After discussion, Members agreed that HC Chairman should write to CE to invite him to brief LegCo on his recent duty visit to Beijing and future duty visits. <b>HC Chairman wrote to CE accordingly on 19 December 2003.</b></p>	<b>The Office of CE stated in its reply dated 20 January 2004 that</b> after each of his duty visits to Beijing, CE would inform the public of the details and outcome of such visits through the media. Furthermore, CE attended the Council's Q&A Session four times each year to answer Members' questions and he just attended one on 8 January 2004. CE did not see the need to consider any change to the existing arrangement.

Date of House Committee ("HC") meeting	Discussion Item	Invitation Decision	CE/Administration's response
<b>The Third LegCo (2004-2008)</b>			
6.	21 January 2005	<p>Invitation to CE to attend a further Q&amp;A Session before the debate on the Motion of Thanks</p> <p>The agenda item was raised by Mr Ronny TONG. Mr TONG pointed out that as many Members were not able to put questions to CE at the Q&amp;A Session on his Policy Address on 13 January 2005, CE should be invited to attend a further Q&amp;A Session before the debate on the Motion of Thanks to be held on 26 January 2005, so as to allow more Members to ask questions. Members agreed to the proposal.</p> <p><b>HC Chairman wrote to CE on 21 January 2005 to convey Members' request.</b></p>	<p><b>The Office of CE stated in its reply dated 24 January 2005 that</b> as CE had to meet parties from various sectors to exchange views on the Policy Address following its delivery, he was unable to attend an additional Q&amp;A Session before 26 January 2005.</p>
7.	11 March 2005	<p>Request for the Administration to respond to speculation about the resignation of CE</p> <p>The agenda item was raised by Mr LEE Wing-tat. Mr LEE pointed out that as CE announced his resignation on 10 March 2005, the Administration should brief LegCo on CE's resignation and the related arrangements. After discussion, Members agreed that a special HC meeting on the matter should be held on 15 March 2005 and that CE, CS, S for J and the Secretary for Constitutional Affairs ("SCA") should be invited to attend the special meeting.</p> <p><b>HC Chairman wrote to CE on 11 March 2005 to convey Members' request.</b></p>	<p>The Central People's Government ("CPG") accepted the resignation of Mr TUNG Chee Hwa on 12 March 2005. <b>The Office of CE stated in its reply dated 14 March 2005 that while Mr TUNG Chee Hwa would not be able to attend the special HC meeting scheduled for 15 March 2005,</b> CS, S for J and SCA would attend the said meeting.</p>

Date of House Committee ("HC") meeting	Discussion Item	Invitation Decision	CE/Administration's response
8. 17 June 2005	Invitation to the CE-elect to attend a CE's Q&A Session following his appointment as CE by CPG	<p>The agenda item was raised by Ms Emily LAU. After discussion, Members agreed that HC Chairman should write to invite Mr Donald TSANG, the CE-elect, to attend a Q&amp;A Session as soon as he was appointed as CE, and before the last Council meeting on 6 July 2005.</p> <p><b>HC Chairman wrote to the CE-elect accordingly on 17 June 2005.</b></p>	<p><b>The Donald Tsang Election Office stated in its reply dated 20 June 2005 that Mr TSANG would be more than happy to meet all the Members of the LegCo as CE in a Q&amp;A Session once he was allowed to do so under the law.</b></p> <p>Mr Donald TSANG was appointed as CE by CPG on 21 June 2005 and <b>attended a Q&amp;A Session in his capacity as CE on 27 June 2005.</b></p>
9. 11 November 2005	Invitation to CE to attend a meeting of LegCo to answer Members' questions on his recent official visits to Canada, the United States and the United Kingdom	<p>Ms Emily LAU requested that CE should be invited to attend a Council meeting to answer Members' questions on his recent visits to Canada, the United States and the United Kingdom. Members did not raise objection to Ms LAU's request.</p> <p><b>At her meeting with CS on 14 November 2005, HC Chairman asked CS to convey Members' request to CE.</b></p>	<p><b>At the HC meeting on 18 November 2005, HC Chairman informed Members that CE had replied to Ms Emily LAU declining her request, as the visits had been widely reported by the media.</b></p>

Date of House Committee ("HC") meeting	Discussion Item	Invitation Decision	CE/Administration's response
<b>The Fourth LegCo (2008-2012)</b>			
10.	24 February 2012	<p>Issues relating to CE's trips on private jets and yachts and renting of a housing unit in Shenzhen</p> <p>Mr Alan LEONG proposed that CE should be invited to LegCo to give an account of the issues relating to CE's acceptance of hospitality from friends and his renting of a residential unit in Shenzhen. Members in general supported the proposal for inviting CE to attend a LegCo meeting as early as possible. <b>HC Chairman wrote to CE on 24 February 2012 to convey Members' request.</b></p>	<p><b>The Office of CE stated in its reply dated 27 February 2012 that</b> CE would appear before a Special Q&amp;A Session from 3:00 p.m. to 4:00 p.m. on 1 March 2012 to address Members' questions on the issues.</p> <p><b>At the Special Q&amp;A Session held on 1 March 2012, a total of 14 Members were able to put questions to CE while 20 Members were unable to do so.</b> Members urged CE to attend another Special Q&amp;A Session as early as possible. <b>At the instruction of the President of LegCo, Clerk to LegCo wrote to the Office of CE on 6 March 2012</b> to convey Members' request.</p> <p><b>The Office of CE stated in its reply dated 21 March 2012 that</b> CE attended the Special Q&amp;A Session on 1 March 2012 and the Office of CE had also responded to letters from individual Members and enquiries from the media. The Office trusted that those materials would have cleared up any and all residual concerns of Members. Clerk to LegCo issued a circular on 22 March 2012, circulating for Members' reference a total of 79 pages of information provided by the Office of CE.</p>

Date of House Committee ("HC") meeting	Discussion Item	Invitation Decision	CE/Administration's response
11. 13 April 2012	Discussing ways to follow up on issues relating to the involvement of CE in the case of suspected acceptance of advantages from Sun Hung Kai Properties Limited by a former CS	<p>The agenda item was raised by Mr Paul TSE. After discussion, Members agreed that CE should be invited to attend a Special Q&amp;A Session as soon as possible to answer Members' questions on the matter.</p> <p><b>HC Chairman wrote to CE on 13 April 2012 to convey Members' request.</b></p>	<p><b>The Office of CE stated in its reply dated 23 April 2012 that</b> as it would be inappropriate for CE or the Administration to discuss or comment on cases under the investigation of the Independent Commission Against Corruption, CE was not in a position to attend the Special Q&amp;A Session as requested by Members. <b>In parallel, the Office of CE separately wrote to the LegCo Secretariat, proposing that the next Q&amp;A Session be held on 14 June 2012.</b></p>
12. 29 June 2012	Proposals for discussing ways to follow up on issues relating to the unauthorized building works ("UBWs") at the CE-elect's house	<p>Mr Alan LEONG, Mr Albert HO and Mr LEE Wing-tat wrote to HC Chairman respectively, proposing to discuss ways to follow up on issues relating to the UBWs at the CE-elect's residence.</p> <p>Members in general agreed that HC Chairman should write to the CE-elect to relay Members' wish for him to attend a Q&amp;A Session after his assumption of office and before LegCo was to stand prorogued on 18 July 2012, in order to explain to Members his governance philosophy and to answer questions from Members on issues of public concern including those relating to the UBWs at his residence.</p>	<p><b>The Director of Administration (Acting) wrote to the Secretariat on 5 July 2012, indicating that CE would be pleased to attend a Q&amp;A Session on 16 July 2012.</b></p>



Date of House Committee ("HC") meeting	Discussion Item	Invitation Decision	CE/Administration's response
		After the meeting, the Secretariat liaised with the Administration on the arrangements and wrote to the Director of Administration (Acting) on 3 July 2012 to convey Members' request.	
<b>The Fifth LegCo (2012-2016)</b>			
13. 23 November 2012	Inviting CE to attend a Council meeting to explain the UBWs at his residence on the Peak	The agenda item was raised by Ms Emily LAU. After discussion, Members agreed that HC Chairman should write to CE, inviting him to attend a Q&A Session to explain the UBWs at his residence on the Peak. <b>HC Chairman wrote to CE accordingly on 23 November 2012.</b>	<b>The Office of CE stated in its reply dated 5 December 2012 that</b> it would get in touch with the LegCo Secretariat to agree on a mutually convenient time for the Q&A Session.

**Table B: Attendance of CE at LegCo's Q&A Sessions**

	Date of Q&A Session	LegCo Secretariat wrote to invite the Administration to fix the date of the next Q&A	Remarks
<b>The First LegCo (1998-2000)</b>			
1998-1999	8 October 1998 (Q&A Session on the Policy Address)	✓	To answer questions put by Members on the Policy Address.
	14 January 1999	✓	
	6 May 1999	✓	At the request of HC, HC Chairman wrote to CE inviting him to attend a Council meeting to respond to the three inquiry reports on the airport opening chaos. The Administration decided that the Q&A Session originally scheduled for June would be advanced to May. For details, please refer to <b>Item 1 in Table A</b> .
1999-2000	7 October 1999 (Q&A Session on the Policy Address)	✓	To answer questions put by Members on the Policy Address.
	13 January 2000	✓	
	23 June 2000	✓	
<b>The Second LegCo (2000-2004)</b>			
2000-2001	12 October 2000 (Q&A Session on the Policy Address)	✓	To answer questions put by Members on the Policy Address.
	8 February 2001	✓	
	14 June 2001	✓	

	<b>Date of Q&amp;A Session</b>	<b>LegCo Secretariat wrote to invite the Administration to fix the date of the next Q&amp;A</b>	<b>Remarks</b>
2001-2002	11 October 2001 (Q&A Session on the Policy Address)	✓	To answer questions put by Members on the Policy Address.
	7 February 2002	✓	
	8 July 2002	✓	At the suggestion of the Panel on Manpower, HC Chairman wrote to CE inviting him to attend a Council meeting to explain to Members the revised proposals for reorganization of policy bureaux put forward by the Administration. For details, please refer to <b>Item 4 in Table A.</b>
2002-2003	10 October 2002	✓	
	9 January 2003 (Q&A Session on the Policy Address)	✓	To answer questions put by Members on the Policy Address.
	15 May 2003	✓	
	26 June 2003	✓	
2003-2004	16 October 2003	✓	
	8 January 2004 (Q&A Session on the Policy Address)	✓	To answer questions put by Members on the Policy Address.
	6 May 2004	✓	
	13 July 2004	✓	

	Date of Q&A Session	LegCo Secretariat wrote to invite the Administration to fix the date of the next Q&A	Remarks
<b>The Third LegCo (2004-2008)</b>			
2004-2005	14 October 2004	✓	
	13 January 2005 (Q&A Session on the Policy Address)	✓	To answer questions put by Members on the Policy Address.
	28 April 2005	✓	With the departure of Mr TUNG Chee Hwa from the office of CE on 12 March 2005, this Q&A Session was attended by Mr Donald TSANG, Acting CE.
	27 June 2005	✓	At the request of HC, HC Chairman wrote to the CE-elect inviting him to attend a Council meeting following his appointment as CE by CPG. For details, please refer to <b>Item 8 in Table A.</b>
2005-2006	13 October 2005 (Q&A Session on the Policy Address)	✓	To answer questions put by Members on the Policy Address.
	12 January 2006	✓	
	30 March 2006 (additional Q&A Session)	✓	CE took the initiative to indicate at the Q&A Session held on 12 January 2006 that he intended to make arrangements for another Q&A Session in due course to brief Members on the updated work plans of the Government for the coming 18 months.
	18 May 2006	✓	
	10 July 2006	✓	

	<b>Date of Q&amp;A Session</b>	<b>LegCo Secretariat wrote to invite the Administration to fix the date of the next Q&amp;A</b>	<b>Remarks</b>
2006-2007	12 October 2006 (Q&A Session on the Policy Address)	✓	To answer questions put by Members on the Policy Address.
	11 January 2007	✓	
	3 May 2007	✓	
	5 July 2007	✓	
2007-2008	11 October 2007 (Q&A Session on the Policy Address)	✓	To answer questions put by Members on the Policy Address.
	17 January 2008	✓	
	15 May 2008	✓	
	16 July 2008	✓	
<b>The Fourth LegCo (2008-2012)</b>			
2008-2009	16 October 2008 (Q&A Session on the Policy Address)	✓	To answer questions put by Members on the Policy Address.
	15 January 2009	✓	
	14 May 2009	✓	
	7 July 2009	✓	
2009-2010	15 October 2009 (Q&A Session on the Policy Address)	✓	To answer questions put by Members on the Policy Address.
	14 January 2010	✓	
	6 May 2010	✓	
	13 July 2010	✓	

	Date of Q&A Session	LegCo Secretariat wrote to invite the Administration to fix the date of the next Q&A	Remarks
2010-2011	14 October 2010 (Q&A Session on the Policy Address)	✓	To answer questions put by Members on the Policy Address.
	13 January 2011	✓	
	19 May 2011	✓	
	15 July 2011	✓	
2011-2012	13 October 2011 (Q&A Session on the Policy Address)	✓	To answer questions put by Members on the Policy Address.
	19 January 2012	✓	
	1 March 2012 (Special Q&A Session)	✕	At the request of HC, HC Chairman wrote to CE on 24 February 2012 inviting him to attend a Council meeting to answer questions from Members on issues relating to CE's acceptance of hospitality and his renting of a residential unit in Shenzhen. For details, please refer to <b>Item 10 in Table A</b> .
	14 June 2012	✓	
	16 July 2012	✓	At the request of HC, Clerk to HC wrote to the Administration on 3 July 2012 to convey Members' request for CE to attend a Council meeting to explain to Members his governance philosophy and to answer questions from Members on issues of public concern including those relating to the UBWs at his residence. For details, please refer to <b>Item 12 in Table A</b> .
<b>The Fifth LegCo (2012-2016)</b>			
2012-2013	1 November 2012	✓	

**Table C: Attendance of CE at LegCo meetings (other than CE's Q&A Sessions)**

<b>Date of attendance of CE at LegCo meetings</b>	<b>Purpose of attendance</b>	<b>Remarks</b>
<b>The Second LegCo (2000-2004)</b>		
17 April 2002	To address the Council on the accountability of principal officials	<p>CE's attendance at the meeting was initiated by the Administration, not at the invitation of LegCo (SCA wrote to LegCo on 10 April 2002 to inform LegCo that CE would attend that Council meeting).</p> <p>At that meeting, CE addressed the Council and answered questions put by Members.</p>
<b>The Third LegCo (2004-2008)</b>		
25 June 2008 (continuation of meeting to 27 June 2008)	To address the Council on the further development of the political appointment system	<p>CE's attendance at the meeting was initiated by the Administration, not at the invitation of LegCo (the Director of Administration wrote to LegCo on 26 June 2008 to inform LegCo that CE would attend that Council meeting).</p> <p>At that meeting, CE addressed the Council under Rule 8(a) of the Rules of Procedure, but did not answer questions put by Members.</p>

<b>The Fifth LegCo (2012-2016)</b>		
17 October 2012	To address the Council to elaborate on his concept of governance, review progress made in the first three months of the fourth-term Government, and outline his policy direction and work priorities in 2013	<p>CE's attendance at the meeting was initiated by the Administration, not at the invitation of LegCo (the Director of Administration wrote to LegCo on 2 August 2012 regarding the LegCo meeting dates for the 2012-2013 session, and stated in the letter that CE would attend that meeting to address the Council).</p> <p>At that meeting, CE addressed the Council under Rule 8(a) of the Rules of Procedure, but did not answer questions put by Members.</p>

Legislative Council Secretariat

6 December 2012