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29 May 2014

Hon LEUNG Kwok-hung
Room 1019
Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong

Dear Mr LEUNG,

**Motions proposed under paragraph 37A of
the Finance Committee Procedure**

In respect of the item "Advance site formation and engineering infrastructure works at Kwu Tung North new development area and Fanling North new development area", you presented 702 motions to me under paragraph 37A of the Finance Committee Procedure ("FCP") on 2 May. In examining these 702 motions proposed by you, I find that 700 of them are grouped into 7 sequences each of which consists of 100 motions.

Although at present neither the Rules of Procedure ("RoP") nor the FCP contains any express provision setting out the responsibilities of the Chairman of the Finance Committee (FC Chairman"), I note that in a paper forwarded by the Clerk to the Finance Committee ("FC") to members on 14 January 2010 (LC Paper No. FC50/09-10 and FC51/09-10), such responsibilities are stated as "ensuring the business on the agenda is transacted in a proper and efficient manner, and that members have adequate opportunities to take part in the deliberation of the committee". I consider that this statement sets out accurately the responsibilities of the FC Chairman.

I consider that the responsibilities of the FC Chairman in chairing meetings are in substance the same as those of the President of the Legislative Council and the chairmen of other committees, which include ensuring the orderly, fair and proper conduct of meetings. Therefore, in examining these motions, apart from considering whether they are directly related to the agenda item, I have also made reference to the President's ruling on Committee stage amendments proposed by 14 Members to the Appropriation Bill 2014 (**Annex I**), especially the principles taken into account by the President in exercising and discharging the powers and functions of presiding over meetings mentioned in paragraphs 11, 12, 14 and 17 of the ruling.

While I am satisfied that the sequential motions presented by you are directly related to the agenda item, as the contents of the motions you propose moving under each sequence are mostly similar,. I believe that the moving of numerous motions in respect of the relevant sequence is not intended to serve any purpose reasonably connected with the function of the FC, but only to take up its meeting time. In addition, I consider that if you are allowed to propose such sequential motions, it would prolong the proceedings of the FC to the extent of preventing the FC from properly exercising and discharging its powers and functions. Accordingly, I rule that such sequential motions are not in order and should not be referred to the Committee for consideration. These motions are therefore returned to you.

In the light of my decision not to allow you to propose a total of 700 sequential motions, should you select not more than two out of each of the 7 sequences of your proposed motions, I would then consider whether your selected motions may be proposed, and be referred to the Committee for deciding whether they should be proceeded with.

The subject matter of motions numbered 0001 and 0002 involve consultation matters. I consider that these two motions can be combined into one, so as to make more effective use of the meeting time. I therefore return these two motions (**Annex II**) to you. Should you combine them into one and present it afresh, I would then decide whether it is in order, and whether it can be referred to the Committee for consideration.

I strongly believe that in reaching the above decision, I have already struck a proper balance between respecting the right of individual members to propose motions and ensuring that FC meetings are properly conducted in an orderly and efficient manner.

Yours sincerely,

(NG Leung-sing)
Chairman of the Finance Committee

Encl.