

[Translation]

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2319 5183
2319 5133

29 May 2014

Hon CHAN Chi-chuen
Room 1003
Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong

Dear Mr CHAN,

**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 10 motions to me under paragraph 37A of the Finance Committee Procedure ("FCP") on 2 May.

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 deliberations 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.

In examining the 10 motions that you propose to move, I note that four of them (Nos. 0513, 0514, 0515 and 0519) require the authorities to conduct extensive consultations on various matters (**Annex II**). While I am satisfied that the four motions are directly related to the agenda item, I consider that moving a number of motions on the same subject is not intended to serve any purpose reasonably connected with the function of the FC, but to take up the its meeting time. To ensure that meetings are properly conducted in an orderly and efficient manner, I consider that the four motions can be combined into one. I therefore return the four motions to you. Should you combine the four motions into one and present it afresh, I would then decide again whether it is in order, and whether it can be referred to the Committee for consideration.

Regarding motions numbered 0511, 0512, 0516, 0517, 0518 and 0520, I consider that they are directly related to the agenda item, and can be referred to the Committee for consideration.

I strongly believe that in reaching the above decisions, 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.