

立法會 *Legislative Council*

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Paper for House Committee meeting on 28 October 2016

Proposed arrangement for the activation of subcommittees on policy issues

Purpose

This paper invites Members to consider the proposed arrangement for the activation of subcommittees formed under the House Committee("HC") or Panels to study policy issues in the Sixth Legislative Council ("LegCo").

Background

Existing arrangements for appointment, activation and operation of policy subcommittees

2. Under Rule 20(j)(ii) of the House Rules ("HR"), HC may appoint a subcommittee to assist the committee's consideration of an issue of public concern which falls outside the purview of Panels or any other matter relating to the business of the Council. HR 22(s) provides that a Panel may appoint subcommittees to study specific issues. HR 22(t) also provides that two or more Panels may appoint joint subcommittees to study any matter of common interest to the relevant Panels.

3. Under HR 20(k)(ii) and (iii) as well as 22(u)(ii) and (iii), a proposal to appoint such subcommittees should contain sufficient information on the proposed terms of reference (which should be issue-specific or project-specific), time frame, work plan and extent of work involved in the study. These subcommittees may report to HC or the Panel(s) concerned at any time when they consider appropriate, but should be do so as soon as they have completed their work.

4. HR 26(c) specifies that such a subcommittee should complete its work within 12 months of its commencement and report to HC or the relevant Panel(s). Should such a subcommittee consider it necessary for it to work beyond 12 months, it should, after obtaining the endorsement of the relevant Panel(s) if it is appointed by a Panel(s), report to HC and give justifications for an extension of the 12-month period.

5. The maximum number of subcommittees on policy issues ("policy subcommittees") that may be in operation at any one time is 10 ("the quota").¹ Pursuant to HR 26(b), any new policy subcommittees formed after the quota has been filled will be put on a waiting list, and HC will act as the clearing house for the activation of policy subcommittee(s) on the list.

The broad principles adopted by the Fifth LegCo for the activation, operation and extension of period of work of policy subcommittees

6. To ensure the completion of work of policy subcommittees within a specified time frame so that slots can be vacated within a reasonable time for the activation of other subcommittees, as well as effective and flexible use of resources, Members agreed at the HC meeting on 15 November 2013 to adopt the broad principles for the activation, operation and extension of period of work of policy subcommittees as follows:

- (a) where a subcommittee considers it necessary to extend the period of its work beyond 12 months but there are subcommittees on the waiting list awaiting activation, HC may, if considered appropriate, give permission for the subcommittee to continue to operate for three more months in the first instance after the expiry of its period of work to allow time for it to wrap up its current stage of work, after which the subcommittee will, if necessary, be placed on the waiting list for re-activation of work. Upon re-activation, the subcommittee shall complete its work within the remainder of the extension period originally sought, unless decided otherwise by HC. HC can decide the order of activation/re-activation of subcommittees on the waiting list; and

¹ Under HR 26(a), the maximum number of policy subcommittees that may be in operation at any one time is eight. With additional resources being allocated to the LegCo Secretariat in the 2013 Resource Allocation Exercise, the LegCo Secretariat has since 1 April 2014 been able to utilize such resources to service up to two more subcommittees on policy issues on top of the quota of eight specified in HR 26(a).

- (b) the number of subcommittees under each Panel operating at the same time should not exceed two. For this purpose, a joint subcommittee will be counted as one subcommittee for each of the Panels concerned.

Proposed arrangement for the activation of policy subcommittees in the Sixth LegCo

Current position of policy subcommittees

7. As of 26 October 2016, three policy subcommittees have been appointed in the Sixth LegCo, namely Subcommittee on Children's Rights and Subcommittee on Rights of Ethnic Minorities under HC as well as Subcommittee on Refuse Collection and Resource Recovery under the Panel on Environmental Affairs. Apart from these three subcommittees, there are another 10 subcommittees proposed/intended to be appointed under HC or Panels. The list of policy subcommittees in action as well as those subcommittees proposed/intended to be appointed is set out in the **Appendix**.

8. Members are invited to note that the Panel on Transport ("the Transport Panel") will hold its next meeting on 28 October 2016 to elect its Chairman and Deputy Chairman. Subject to the approval of the Chairman to be elected, the Panel members will be invited to consider whether it is necessary to set up a subcommittee under the Panel to study matters relating to railways at the meeting.² Should the Transport Panel agreed to appoint this subcommittee at the meeting, the remaining vacant slots for the quota will become six.

9. Members may be aware that in addition to the Transport Panel, another four Panels, namely the Panel on Education, the Panel on Manpower, the Panel on Constitutional Affairs and the Panel on Security will hold their meetings in the morning of 28 October 2016 to elect their Chairmen and Deputy Chairmen. These four Panels may consider proposals for the appointment of subcommittees or joint subcommittees to study specific issues or any matter of common interest to the relevant Panels as provided under HR22(s) and (t).

² The meeting of the Transport Panel is scheduled to be held on 28 October 2016 at 9:45 am.

Proposed arrangement for activation of policy subcommittees

10. To provide equal opportunity for those Panels which have not elected their Chairmen to consider any proposed items for discussion, HC may consider the following proposed one-off arrangement for activation of policy subcommittees which will be applicable only in the first session of the Sixth LegCo (i.e. the 2016-2017 session):

- (a) those policy subcommittees appointed by HC at the HC meeting to be held on 28 October 2016 and thereafter, and those policy subcommittees appointed by Panels after the said HC meeting will not be activated until 14 November 2016;
- (b) If the number of proposed policy subcommittees agreed to be appointed by HC and Panels as at noon of 14 November 2016 does not exceed the remaining vacant slots of the quota, these proposed subcommittees can be activated immediately. However, if the number of the proposed subcommittees exceeds the remaining vacant slots, lots will be drawn before the HC meeting scheduled to be held on 18 November 2016 to determine the order of activation among these proposed subcommittees.³ Members will be informed of the results (i.e. subcommittees on the activation list and those on the waiting list, together with their respective order of activation) at the HC meeting scheduled to be held on 18 November 2016, and then those subcommittees on the activation list can commence their work immediately. Subcommittees on the waiting list will be activated in accordance with their respective order of activation whenever there is/are vacant slot(s);⁴

³ If the proposed arrangement for activation of policy subcommittees is agreed by HC, the LegCo Secretariat will issue a circular on 15 November 2016 informing all Members of the list of proposed policy subcommittees pending activation and the lot drawing arrangement (if necessary).

⁴ The first vacant slot for activating policy subcommittees on the waiting list is expected to arise on 2 November 2017, as the policy subcommittee first in action (i.e. the Subcommittee on Rights of Ethnic Minority under HC) is expected to commence its work on 2 November 2016 and complete its work within 12 months, i.e. no later than 1 November 2017. However, if the Subcommittee considers it necessary to extend the period of work beyond 12 months, HC may give permission for it to continue to operate for three months to wrap up its work at that stage. As such, the first vacant slot will arise on 2 February 2018.

- (c) in line with the broad principles adopted by the Fifth LegCo for the activation, operation and extension of period of work of policy subcommittees as set out in paragraph 6(b), for the purpose of the above lot drawing, the number of subcommittees under each Panel submitted for lot drawing should not exceed two; and a joint subcommittee will be counted as one subcommittee for each of the Panels concerned;
- (d) for policy subcommittees appointed after noon of 14 November 2016, their order of activation will be set in accordance with their date of appointment on a first-come, first-served basis. If the remaining vacant slots of the quota has been filled up at noon of 14 November 2016 and a waiting list has been drawn up following the lot drawing as referred to in item (b) above, those subcommittees that are appointed after noon of 14 November 2016 will be placed on the said waiting list, with their order of activation after those subcommittees already in the said waiting list; and
- (e) other than the proposed arrangement as detailed in paragraph 10(a) to (d), the broad principles adopted by the Fifth LegCo for the activation, operation and extension of period of work of policy subcommittees as detailed in paragraph 6 shall remain in effect.

Advice sought

11. Members may wish to consider the proposed arrangement for the activation of subcommittees on policy issues as detailed in paragraph 10. If Members do not wish to pursue the proposal, the existing arrangements for appointment, activation and operation of policy subcommittees and the broad principles for the activation, operation and extension of work of policy subcommittees as outlined in paragraphs 5 and 6 shall remain unchanged.

**Current position of subcommittees on policy issues
(as at 26 October 2016)**

Subcommittees on policy issues in action	
1.	Subcommittee on Children's Rights under the House Committee
2.	Subcommittee on Rights of Ethnic Minorities under the House Committee
3.	Subcommittee on Refuse Collection and Resource Recovery under the Panel on Environmental Affairs

Subcommittees proposed/intended to be appointed to study the following policy issues	Status
1. Subcommittee to follow up issues relating to the Three-runway System at the Hong Kong International Airport under the House Committee	The proposal will be considered at the House Committee meeting on 28 October 2016.
2. Subcommittee on retirement protection under the House Committee	The proposal will be considered at the House Committee meeting on 28 October 2016.
3. Subcommittee on issues relating to bazaars under the House Committee	The proposal will be considered at the House Committee meeting on 28 October 2016.
4. Subcommittee to follow up issues relating to the unified screening mechanism for non-refoulement claims under the House Committee	The proposal will be considered at the House Committee meeting on 28 October 2016.
5. Subcommittee on Matters Relating to Railways under the Panel on Transport	Subject to the approval of the Chairman of the Panel to be elected on 28 October 2016, the Panel will consider whether it is necessary to set up the subcommittee at the meeting.

Subcommittees proposed/intended to be appointed to study the following policy issues	Status
6. Subcommittee to study issues relating to animal rights under the Panel on Food Safety and Environmental Hygiene	The proposal will be considered at the Panel meeting on 8 November 2016.
7. Subcommittee to study issues relating to public markets and bazaars under the Panel on Food Safety and Environmental Hygiene	The proposal will be considered at the Panel meeting on 8 November 2016.
8. Joint Subcommittee to Monitor the Implementation of the West Kowloon Cultural District Project under the Panel on Home Affairs and Panel on Development	The proposal will be considered at the meeting of the Panel on Development on 8 November 2016.
9. Joint Subcommittee on Long-term Care Policy under the Panel on Welfare Services and Panel on Health Services	Two Panel members have indicated the intention to put forward the proposal for consideration by the Panel on Welfare Services.
10. Subcommittee under the Panel on Health Services to study the mechanism on the handling of complaints arising from medical incidents	A Panel member has indicated the intention to put forward the proposal for consideration by the Panel.