

立法會

Legislative Council

LC Paper No. CB(2)125/16-17

Ref : CB2/T/16

Paper for the House Committee meeting on 11 November 2016

Appointment of a subcommittee to prepare for the operation of the select committee to which the petition presented at the Council meeting of 2 November 2016 has been referred

Purpose

This paper invites Members to consider the appointment of a subcommittee to prepare for the operation of the select committee to which the petition presented at the Council meeting of 2 November 2016 has been referred.

Background

2. At the Council meeting of 2 November 2016, Hon Kenneth LEUNG presented a petition co-signed by Hon Andrew WAN and himself (**Appendix I**). The request of Hon Andrew WAN for the petition to be referred to a select committee was supported by 28 Members. The petition has thus been referred to a select committee under Rule 20(6) of the Rules of Procedure ("RoP").

Relevant rule and practices

3. Under RoP 78(2), the President shall decide the size of every select committee and shall appoint the chairman, deputy chairman and members thereof, taking into account the recommendations of the House Committee.

4. Since the First Legislative Council, a total of seven select committees had been appointed, amongst them five were formed by resolution of the Council and authorized under the relevant resolutions to exercise summoning power under section 9(1) of the Legislative Council

(Powers and Privileges) Ordinance (Cap. 382) and two were formed under RoP 20(6). In most cases, a subcommittee was formed to undertake preparatory work for the operation of the select committees, including drawing up the terms of reference, the membership size and the nomination procedure in respect of the select committees. These subcommittees would make relevant recommendations to the House Committee for consideration. Details of select committees appointed since the First Legislative Council and the preparatory subcommittees formed are set out in **Appendix II**.

5. It is an established practice that upon commencement of operation, a select committee would determine the major areas of study, the work plan and the practice and procedure of the select committee.

Recommendation

6. Having regard to the arrangements for setting up select committees in the past, it is recommended that a subcommittee be appointed by the House Committee to undertake preparatory work for the operation of the select committee to which the petition presented at the Council meeting of 2 November 2016 has been referred, including drawing up its terms of reference to reflect the substance of the petition, the membership size and the procedure for nominating its Chairman, Deputy Chairman and members for appointment by the President.

Advice sought

7. Members are invited to endorse the recommendation set out in paragraph 6 above.

Council Business Division 2
Legislative Council Secretariat
9 November 2016



附錄 I
Appendix I

(只備中文本)
(in Chinese only)

呈
香港特別行政區
立法會主席及全體議員

呈請書
(根據議事規則第 20 條提交)

澳洲媒體於 2014 年 10 月 8 日報導，行政長官梁振英在 2011 年參選特首期間，與澳洲企業 UGL 簽訂秘密協議，收取該企業 400 萬英鎊秘密費用，並於在任期間分兩期收取有關款項。

但事件發生至今，仍有不少疑團仍未解開，包括為何行政長官沒有根據《基本法》第 47 條，透過終審法院首席法官及行政會議利益申報制度，就協議或所收取款項作出申報；協議條款內涉及的酬勞及為商業機構提供服務，會否與行政長官的身份構成利益衝突；以及協議內訂明的酬金中，有那些屬於應繳稅項目。但行政長官及政府當局一直未有提交充足資料，向公眾詳細交待。因此，立法會有必要繼續跟進事件。

我們懇請各位議員支持，在立法會轄下成立一個專責委員會，調查上述事宜。

呈請人：

梁繼昌
尹兆堅

2016 年 10 月 14 日

Select committees appointed since the First Legislative Council

Select committees authorized under section 9(2) of the Legislative Council (Powers and Privileges) Ordinance (Cap. 382)

Name of select committee	Time of formation	Membership size	Preparatory subcommittee	Terms of reference
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 since 6 July 1998 and related issues	1998-1999	13	Yes	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 since 6 July 1998 and related issues
Select Committee on Building Problems of Public Housing Units	2000-2001	15	No	To inquire into the building problems in the production of public housing units having regard to the circumstances surrounding the incidents in Tin Chung Court, Shatin Area 14B Phase 2, Tung Chung Area 30 Phase 3 and Shek Yam Estate Phase 2, and based on this to identify positive recommendations for a complete overhaul of the overall policies and system of public housing, which should include examining whether the Housing Authority should be reorganized, split or abolished, so as to raise the quality of public housing

Name of select committee	Time of formation	Membership size	Preparatory subcommittee	Terms of reference
Select Committee to inquire into the handling of the Severe Acute Respiratory Syndrome outbreak by the Government and the Hospital Authority	2003-2004	11	Yes	To inquire into the handling of the Severe Acute Respiratory Syndrome outbreak by the Government and the Hospital Authority in order to examine the performance and accountability of the Government and the Hospital Authority and their officers at policy-making and management levels in that regard
Select Committee to Inquire into Matters Relating to the Post-service Work of Mr LEUNG Chin-man	2008-2009	12	Yes	To inquire into the vetting and approval for Mr LEUNG Chin-man, former Permanent Secretary for Housing, Planning and Lands (Housing) and Director of Housing, to take up post-service work with New World China Land Limited and other real estate organizations, and whether there was any connection between such work and the major housing or land policies which Mr LEUNG had taken part in their formulation or execution and decisions which he had made pursuant to such policies while serving as Director of Buildings, Permanent Secretary for Housing, Planning and Lands (Housing) and Director of Housing, that had given rise to any potential or actual conflict of interest, as well as related matters, and based on the results of the above inquiry, to make recommendations on the policies and arrangements governing post-service work of directorate civil servants and other related matters

Name of select committee	Time of formation	Membership size	Preparatory subcommittee	Terms of reference
Select Committee to Study Mr LEUNG Chun-ying's Involvement as a Member of the Jury in the West Kowloon Reclamation Concept Plan Competition and Related Issues	2011-2012	12	No	To study Mr LEUNG Chun-ying's involvement as a member of the Jury in the West Kowloon Reclamation Concept Plan Competition, and related issues

Select committee formed pursuant to Rule 20(6) of Rules of Procedure

Name of select committee	Time of formation	Membership size	Preparatory subcommittee	Terms of reference
Select Committee to Inquire into Matters Relating to Mr Timothy TONG's Duty Visits, Entertainment, and Bestowing and Receipt of Gifts during his Tenure as Commissioner of the Independent Commission Against Corruption	2012-2013	13	Yes	<p>The terms of reference of the Select Committee, which reflect the substance of the petition jointly presented by Hon Dennis KWOK and Hon Cyd HO at the Council meeting of 8 May 2013 and referred to the Select Committee under Rule 20(6) of the Rules of Procedure, are as follows –</p> <p>To inquire into whether the official duty visits, entertainment, and the bestowing and receipt of gifts by Mr Timothy TONG during his tenure as Commissioner of the Independent Commission Against Corruption are commensurate with his official capacity and the values of probity and integrity advocated by the Independent Commission</p>

Name of select committee	Time of formation	Membership size	Preparatory subcommittee	Terms of reference
				Against Corruption, and how the Independent Commission Against Corruption provided information related to the above matters to the Finance Committee of the Legislative Council.
Select Committee to Inquire into the Background of and Reasons for the Delay of the Construction of the Hong Kong section of the Guangzhou-Shenzhen-Hong Kong Express Rail Link	2014-2016	13	Yes	<p>The terms of reference of the Select Committee, which reflect the substance of the petition jointly presented by Hon WU Chi-wai and Hon Charles Peter MOK at the Council meeting of 25 June 2014 and referred to the Select Committee under Rule 20(6) of the Rules of Procedure, are as follows –</p> <p>To inquire into the background of and reasons for the incident of the delay of the construction of the Hong Kong section of the Guangzhou-Shenzhen-Hong Kong Express Rail Link ("the project delay"), as announced by the Government and MTR Corporation Limited ("the Corporation") in April 2014, and related issues, including the performance and accountability of the Government and the Corporation relating to the project delay and whether they have deliberately covered up the project delay; and to make recommendations for the future on how the Government can enhance the supervision of</p>

Name of select committee	Time of formation	Membership size	Preparatory subcommittee	Terms of reference
				the construction of new railway projects and strengthen the governance of the Corporation in delivering railway projects and on related issues.