



立法會秘書處 法律事務部
LEGAL SERVICE DIVISION
LEGISLATIVE COUNCIL SECRETARIAT

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By Hand and
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24 January 2017

Hon CHAN Chun-ying
Rm 704, Legislative Council Complex
1 Legislative Council Road
Central
Hong Kong

Dear Mr CHAN,

Re: Bank of Communications (Hong Kong) (Merger) Bill

I refer to your letter dated 18 January 2017 and would like to advise as follows:

- (1) *Whether public consultation is required in respect of bills introduced by Members under the existing law or Rules of Procedure*

Article 74 of the Basic Law provides that Members of the Legislative Council (LegCo) may introduce bills into LegCo in accordance with the provisions of the Basic Law and legal procedures (including the Rules of Procedure). Under the existing law and the Rules of Procedure, there is no requirement of inviting public views in respect of the bills introduced by Members. As a matter of practice, however, the relevant Bills Committee (if formed) would decide whether public views should be invited. Please refer to paragraph 2.3 of the Handbook for Chairmen of Bills Committees (http://www.legco.gov.hk/general/english/procedure/bc_handbook.htm). As you know, when the Bank of Communications (Hong Kong) Limited (Merger) Bill ("the Former Bill") was introduced into the Fifth LegCo, a Bills Committee was

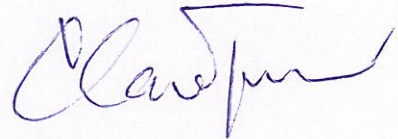
then formed to study the Former Bill. The relevant Bills Committee had not invited public views on the Former Bill.

(2) *Examples of Member's bills on which public views were invited*

Since 1997, a number of Member's bills were passed by LegCo. Among those bills on which a Bills Committee was formed, there were cases where the Bills Committee concerned had decided to invite public views taking into consideration the nature of the bills and their possible implications on stakeholders, etc. Examples of these cases are set out at **Annex** for your reference.

Please feel free to contact me if you need any further information.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Clara TAM', with a stylized flourish at the end.

(Clara TAM)
Assistant Legal Adviser

Annex

Name of the Bill and Member in charge	Main objects of the Bill	Bill passed	Date of formation of Bills Committee	Date of hearing public views
Professional Accountants (Amendment) Bill 2004 [Dr Hon Eric LI]	To change the name of the Hong Kong Society of Accountants and the composition and structure of its Council and to reform the investigation and disciplinary mechanism	9.7.2004	7.5.2004	Public views were invited but no submission was received
City University of Hong Kong (Amendment) Bill 2006 [Ir Dr Hon Raymond HO]	To change the structure of the Council of the City University of Hong Kong and reduce the number of Council members	14.6.2007	20.10.2006	10.11.2006 13.12.2006 12.2.2007 8.5.2007
The English Schools Foundation (Amendment) Bill 2007 [Hon Abraham SHEK]	To make changes to the governance structure of the English Schools Foundation	12.3.2008	1.6.2007	8.10.2007
University of Hong Kong (Amendment) Bill 2010 [Dr Hon David LI]	To rectify the role descriptions of the Court and the Council; and to give effect to the adoption of new academic titles	13.7.2011	26.11.2010	18.1.2011
The Hong Kong Polytechnic University (Amendment) Bill 2011 [Dr Hon LAM Tai-fai]	To revise the composition of The Hong Kong Polytechnic University; and the appointment of Council members, the President and Deputy President	25.4.2012	7.10.2011	19.1.2012