立法會 Legislative Council

LC Paper No. CB(3) 186/17-18

Ref. : CB(3)/M/MR

Tel: 3919 3300

Date: 4 December 2017

From: Clerk to the Legislative Council

To : All Members of the Legislative Council

Council meeting of 6 December 2017

Proposed resolutions under Article 75 of the Basic Law to amend the Rules of Procedure

Members have been informed vide LC Paper No. CB(3) 176/17-18 that 12 Members will move a total of 12 proposed resolutions which comprise 49 proposals to amend the Rules of Procedure ("RoP") of the Legislative Council at the above meeting.

- 2. Members are invited to note that 22 Members have given separate notice to move a total of 88 amending motions to 10 of the above 12 proposed resolutions. The President has ruled that 23 amending motions are admissible as follows:
 - (a) in accordance with RoP 30(3)(a), the President has directed that 17 of the 23 admissible amending motions be printed in the terms in which they were handed in on the Agenda of the Council (4th to 7th, 9th, 10th, 11th, 13th, 14th, 15th and 17th to 23rd amending motions in the Appendix); and
 - (b) under RoP 30(3)(b), the President has directed that six amending motions be printed on the Agenda of the Council with such alterations as he has directed (1st, 2nd, 3rd, 8th, 12th and 16th amending motions in the Appendix).

(Dora WAI) for Clerk to the Legislative Council

Encl.

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¹ President's ruling on amending motions by 22 Members to proposed resolutions to amend the Rules of Procedure of the Legislative Council (issued on 4 December 2017).

Hon Alvin YEUNG

Appendix 1st Amending motion

Hon Alvin YEUNG's amending motion

Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China and Rule 29(6) of the Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region

Amending Motion

Amendments to Motion to be Moved by the Honourable Martin Liao Cheung-kong under Article 75 of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China

of th	dule amended (amendments to Rules of Procedure of the Legislative Council e Hong Kong Special Administrative Region)
(1)	The Schedule, section 1, new Rule 1B, after "President of the Council"—
	Add ", who in discharging of his duties, shall preserve and defend the autonomy of
	the Legislative Council at all times, and".
(2)	The Schedule, section 2—
	Delete Subsection (2)
	Substitute
	"(2) Rule 3(1), after "who," —
	Add
	"in discharging his duties, must balance the rights and interests of the majority and minority in the Council and ensure that the interests of all parts of the Council are advocated and protected against the use of arbitrary authority, and"."
(3)	The Schedule—
	(1) section 4(2), after "any day"—
	Add
	"(but excluding the day which the meeting was suspended)".
	(2) section 4(3), after "on such day"—
	Add
	"(but excluding the day which the meeting was suspended)".
(4)	The Schedule, section 6(1)—
	Delete
	"subrule (1A)"
	Add
	"subrules (1A) and (3)".
(5)	The Schedule—
	(1) section 6(2), after "whole Council"—
	Add
	", with the consent of the mover of the motion or bill,".
	(2) section 6(2), after "by him to"—
	Add
	"be disjoined,".
(6)	The Schedule—
	(1) after section 7(1)—
	Add "(1A) P. I. 20(6) S. "I. S. I. "
	"(1A) Rule 20(6), after "be referred to"—
	Add "color committee consisting of every member of the"
	"select committee consisting of every member of the".".
	(2) before section 7(2)—

Rule 20(6), before", the President"—

"(1B)

Add

"which shall submit a report on the petition to the House Committee"."

(3) section 7(2)—

Delete

"If not less than one half of all Members of the Council"

Substitute

"If one-third of the Members returned by geographical constituencies through direct elections or one-third of the Members returned by functional constituencies"

(4) section 7(2)—

Add

"(3) Rule 20(6), before the full stop at the end—

Add

", the select committee shall draft a report on the petition".".

(7) The Schedule, section 8(1), after "amendments,"—

Add

"and which are consented by the mover of the motion or the amendment".

- (8) The Schedule, section 8(3)—
 - (1) **Deleting subparagraph (i)**.
 - (2) section 8(3), after the last "amendment"—

Add

"under the consent of the mover".

- (9) The Schedule, section 8(4)—
 - (1) **Delete**

"judgement"

Substitute

"suggestion".

(2) after "given."—

Add

"Suggestions to combine motions or amendments must not be moved without the consent of the mover.".

(3) **Delete**

"which Member shall propose it."

Substitute

"the Member who gave the earliest notice and which has not been withdrawn shall be the mover of the amendment.".

(10) The Schedule, section 21(3), before "a petition"—

Add

"any report of".

(11) The Schedule, section 21(4), before "petitions"—

Add

"reports of".

Hon Jeremy Tam Man-ho

Hon Jeremy Tam Man-ho's amending motion

Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China and Rule 29(6) of the Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region

Amending	Motion
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Amendments to Motion to be Moved by the Honourable Martin Liao Cheung-kong under Article 75 of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China

1. Schedule amended (amendments to the Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region)

(1) The Schedule, section 1, new Rule 1B, after "President of the Council"— **Add**

", who in discharging of his duties, shall defend the freedoms and rights as set out in the Basic Law, and".

(2) The Schedule, section 4(3)—

Delete

"or on such day".

(3) The Schedule, section 7(1), before "House Committee" (wherever appearing)—Add

"select committee consisting of all members of the".

(4) The Schedule, section 7(2)—

Delete

"If no less than one half of all Members of the Council"

Substitute

"If no less than one-third of the Members returned by geographical constituencies through direct elections or one-third of the Members returned by functional constituencies".

(5) The Schedule, section 10, after "abuse of procedure,"—

Add

"in which case the Member concerned has already moved the adjournment of proceedings once,".

(6) The Schedule, section 12(1), after "without debate."—

Add

"If a Member demands that a debate to be held, a debate shall be held in the Council or a committee of the whole Council, the division shall be held forthwith immediately after a division bell has been rung for five minutes.".

(7) The Schedule, section 12(2), after "without debate."—

Add

"If a Member demands that a debate to be held, a debate shall be held in the Council or a committee of the whole Council, the division shall be held forthwith immediately after a division bell has been rung for five minutes."

Dr Hon Kwok Ka-ki

 ${\begin{tabular}{ll} Appendix \\ 3^{rd} \ Amending \ motion \end{tabular}}$

Dr Hon Kwok Ka-ki's amending motion

Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China and Rule 29(6) of the Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region

Amending Motion

Amendments to Motion to be Moved by the Honourable Martin Liao Cheung-kong under Article 75 of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China

1. Schedule amended (amendments to Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region)

- (1) The Schedule, section 1, new Rule 1B, after "and these Rules of Procedure"— Add
 - ", and who, in discharging his duties, shall respect the tradition of the Council".
- (2) The Schedule, section 4(3)—

Delete

"or on such day".

(3) The Schedule, section 7(1), before "House Committee" (wherever appearing)—

Add

"select committee consisting of all members of the".

(4) The Schedule, section 7(2)—

Delete

"If no less than one half of all Members of the Council"

Substitute

"If no less than a quarter of the Members returned by geographical constituencies through direct elections or a quarter of the Members returned by functional constituencies".

(5) The Schedule, section 9, after "speak"—

Add

"up to twice".

(6) The Schedule, section 10—

Delete

"is of the opinion that the moving of the adjournment of proceedings is an abuse of procedure, he may decide not to propose the question or to put the question forthwith without debate"

Substitute

"must immediately propose a question that whether the Member concerned have abused the procedure, debate may then take place on that question. A division shall be held forthwith immediately after a division bell has been rung for five minutes. If the question is passed, the motion for adjournment of the Council will not be entertained"

(7) The Schedule, section 17(3)—

Delete

"or debate".

(8) The Schedule, section 22, new Rule 79C, after "shall be determined by its chairman"—

Add

"in liaison with its deputy chairman".

Hon CHU Hoi-dick's amending motion

Basic law of the Hong Kong Special Administrative Region of the People's Republic of China

Rule 29(6) of the Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region

Amending Motion

Amendment to Motion to be Moved by the Honourable Martin Liao Cheung-kong under Article 75 of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China

1.	Schedule amended (amendments to Rules of Procedure of the Legislative Council of	f
	the Hong Kong Special Administrative Region)	

The Schedule —

Delete section 4.

Hon CHU Hoi-dick

Hon CHU Hoi-dick's amending motion

Basic law of the Hong Kong Special Administrative Region of the People's Republic of China

and

Rule 29(6) of the Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region

Amending Motion

Resolved that the motion to be moved by the Honourable Martin LIAO Cheung-kong under Article 75 of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China at the Legislative Council meeting of 6 December 2017 be amended as set out in the Schedule.

Amendments to Motion to be Moved by the Honourable Martin Liao Cheung-kong under Article 75 of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China

- 1. Schedule amended (amendments to Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region)
 - (1) The Schedule **Delete** section 4.
 - (2) The Schedule **Delete** section 10.

Hon James TO Kun-sun

Hon James TO Kun-sun's amending motion

Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China and

Rule 29(6) of the Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region

Amending Motion

Amendments to Motion to be Moved by the Honourable Martin Liao Cheung-kong under Article 75 of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China

- 1. Schedule amended (amendments to Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region)
 - (1) The Schedule, section 5(3) —

Delete

"shall be 20 members including the Chairman."

Substitute

"shall be not less than 35 Members including the Chairman of the committee of the whole Council.".

(2) The Schedule, section 5(4) —

Delete

"the President shall count the Council. If a quorum is then present the Council shall again resolve itself into committee but if a quorum is not present"

Substitute

"the President shall direct the Members to be summoned. If after 15 minutes have expired, a quorum is present, the committee of the whole Council shall be resumed and if a quorum is not then present then".

Dr Hon Helena WONG

Dr Hon Helena WONG's amending motion

Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China and

Rule 29(6) of the Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region

Amending Motion

Amendment to Motion to be Moved by the Honourable Martin Liao Cheung-kong under Article 75 of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China

1. Schedule amended (amendments to Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region)

The Schedule, section 6(2) —

Delete

"In respect of any motion or any bill to be placed on the Agenda for a meeting of the Council, the President or the Chairman of a committee of the whole Council shall have the power to select the amendments, new clauses or new schedules to be proposed to such motion or bill, and also the power to direct two or more motions or amendments considered by him to be cognate to be combined."

Substitute

"In respect of any motion or any bill to be placed on the Agenda for a meeting of the Council, the President or the Chairman of a committee of the whole Council, with the consent of movers of the motions or amendments to the bill, shall cause the motions or amendments, new clauses or new schedules to the bill to be combined."

Dr Hon Fernando Cheung Chiu-hung

Dr Hon Fernando Cheung Chiu-hung's amending motion

Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China

and

Rule 29(6) of the Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region

Amending Motion

Amendments to Motion to be Moved by the Honourable Martin Liao Cheung-kong under Article 75 of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China

- 1. Schedule amended (amendments to Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region)
 - (1) The Schedule, section 6(2), after "and also the power to direct two or more motions or amendments considered by him to be cognate to be combined"—

Add

"after obtaining the consent from all the Members moving the motions or amendments".

(2) The Schedule, section 7(2)—

Delete

"If no less than one half of all Members of the Council"

Substitute

"If no less than one-third of all Members".

(3) The Schedule, section 7(2)—

Delete

"If no less than one half of all Members of the Council"

Substitute

"If no less than 11 Members".

Hon Lam Cheuk-ting

Hon LAM Cheuk-ting's amending motion

Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China

and

Rule 29(6) of the Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region

Amending Motion					

Amendments to Motion to be Moved by the Honourable Martin Liao Cheung-kong under Article 75 of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China

1.	Schedule	amended	(amendments	to	Rules	of	Procedure	of	the
	Legislativ	e Council o	of the Hong Kon	ig S	pecial A	dm	inistrative R	egio	n)

(1	The Schedule, section 70	(1)) —
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Delete

"the House Committee"

Substitute

"a subcommittee that is given the power to summon persons to give evidence or to produce documents".

(2) The Schedule, section 7(2) —

Delete

"If no less than one half of all Members of the Council"

Substitute

"If no less than one quarter of all Members of the Council".

Dr Hon Helena WONG

Dr Hon Helena WONG's amending motion

Basic Law of the Hong Kong Special Administrative Region of the
People's Republic of China
and
Rule 29(6) of the Rules of Procedure of the Legislative Council of the
Hong Kong Special Administrative Region

Amending Motion

Amendment to Motion to be Moved by the Honourable Martin Liao Cheung-kong under Article 75 of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China

1. Schedule amended (amendments to Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region)

The Schedule, section 7(2)—

Delete

"If no less than one half of all Members of the Council"

Substitute

"If no less than 17 Members".

Hon WU Chi-wai

Hon WU Chi-wai's amending motion

Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China and Rule 29(6) of the Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region

Amending Motion

Amendment to Motion to be Moved by the Honourable Martin Liao Cheung-kong under Article 75 of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China

1. Schedule amended (amendments to Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region)

The Schedule, section 7(2)

Delete

"If no less than one half of all Members of the Council"

Substitute

"If no less than 18 Members".

Hon IP Kin-yuen

Hon IP Kin-yuen's amending motion

Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China

and

Rule 29(6) of the Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region

Amending Motion

Amendments to Motion to be Moved by the Honourable Martin Liao Cheung-kong under Article 75 of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China

- 1. Schedule amended (amendments to Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region)
 - (1) The Schedule, section 7(2)—

Delete

"If no less than one half of all Members of the Council"

Substitute

"If no less than a quarter of all Members".

(2) The Schedule, section 7(2)—

Delete

"If no less than one half of all Members of the Council"

Substitute

"If no less than 12 Members".

(3) The Schedule, section 17(3)—

Delete

"without amendment or debate".

Hon James TO

Hon James TO's amending motion

Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China and Rule 29(6) of the Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region

Amending Motion

Amendment to Motion to be Moved by the Honourable Martin Liao Cheung-kong under Article 75 of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China

1. Schedule amended (amendments to Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region)

The Schedule, section 7(2)—

Delete

"If no less than one half of all Members of the Council"

Substitute

"If no less than one-fifth of all Members".

Hon CHU Hoi-dick

Hon CHU Hoi-dick's amending motion

Basic law of the Hong Kong Special Administrative Region of the People's Republic of China

Rule 29(6) of the Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region

Amending Motion

Amendment to Motion to be Moved by the Honourable Martin LIAO Cheung-kong under

Article 75 of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China

1. Schedule amended (amendments to Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region)

The Schedule -

Delete section 10.

Hon CHU Hoi-dick

Hon CHU Hoi-dick's amending motion

Basic law of the Hong Kong Special Administrative Region of the People's Republic of China

and

Rule 29(6) of the Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region

Amending Motion

Amendment to Motion to be Moved by the Honourable Martin Liao Cheung-kong

under Article 75 of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China

1. Schedule amended (amendments to Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region)

The Schedule, section 10

Delete

"not to propose the question or".

Hon CHU Hoi-dick

Hon CHU Hoi-dick's amending motion

Basic law of the Hong Kong Special Administrative Region of the People's Republic of China

and

Rule 29(6) of the Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region

Amending Motion

Resolved that the motion to be moved by the Honourable Martin Liao Cheung-kong under Article 75 of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China at the Legislative Council meeting of 6 December 2017 be amended as set out in the Schedule.

Amendment to Motion to be Moved by the Honourable Martin Liao Cheung-kong under

Article 75 of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China

1. Schedule amended (amendments to Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region)

The Schedule, section 10 –

Delete

"not to propose the question or".

Hon Andrew WAN

Hon Andrew WAN's amending motion

Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China

and

Rule 29(6) of the Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region

Amending Motion

Amendments to Motion to be Moved by the Honourable Martin Liao Cheung-kong under Article 75 of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China

- 1. Schedule amended (amendments to Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region)
 - (1) The Schedule, section 12 (1) —

Delete

"shall put the question on that motion without debate"

Substitute

"shall put the question on that motion without debate unless Members raise objection. If there is objection raised by a Member, the Chairman shall propose the question on that motion after debate".

(2) The Schedule, section 12(2) —

Delete

"shall put the question on that motion without debate"

Substitute

"shall put the question on that motion without debate unless Members raise objection. If there is objection raised by a Member, the President shall propose the question on that motion after debate".

Hon Wu Chi-wai 's amending motion

Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China

and

Rule 29(6) of the Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region

Amending Motion

Amendment to Motion to be Moved by the Honourable Martin Liao Cheung-kong under Article 75 of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China

1. Schedule amended (amendments to Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region)

The Schedule, section 15 —

Delete

"or a series of two or more amendments"

Substitute

"or a series of two or more meaningless amendments".

Hon WU Chi-wai's amending motion

Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China

and

Rule 29(6) of the Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region

Amending Motion

Amendment to Motion to be Moved by the Honourable Martin Liao Cheung-kong under Article 75 of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China

1. Schedule amended (amendments to Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region)

The Schedule, section 16 —

Delete

"the Member or the public officer in charge of the bill"

Substitute

"the chairman or deputy chairman (if any) or any member of the bills committee or the Member or the public officer in charge of the bill (if no bills committee is formed)".

Hon WU Chi-wai's amending motion

Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China

and

Rule 29(6) of the Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region

Amending Motion

Amendment to Motion to be Moved by the Honourable Martin Liao Cheung-kong under Article 75 of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China

1. Schedule amended (amendments to Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region)

The Schedule, section 17(3) —

Delete

"forthwith without amendment or debate".

Hon WU Chi-wai's amending motion

Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China and

Rule 29(6) of the Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region

Amending Motion

Amendment to Motion to be Moved by the Honourable Martin Liao Cheung-kong under Article 75 of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China

1. Schedule amended (amendments to Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region)

The Schedule, section 20, new Rule 69A(2) —

Delete

"forthwith without amendment or debate".

Hon Lam Cheuk-ting

Hon LAM Cheuk-ting's amending motion

Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China

and

Rule 29(6) of the Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region

Amending Motion

Amendment to Motion to be Moved by the Honourable Martin Liao Cheung-kong under Article 75 of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China

1. Schedule amended (amendments to Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region)

The Schedule, section 21—

Delete subsections (3) and (4).

Hon Lam Cheuk-ting

Hon Lam Cheuk-ting's amending motion

Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China and Rule 29(6) of the Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region

Amendment to Motion to be Moved by the Honourable Martin Liao Cheung-kong under Article 75 of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China

1. Schedule amended (amendments to Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region)

The Schedule, section 22, new Rule 79C —

Delete

"its deputy chairman (if any) has made a determination in accordance with Rule 79B (Determining the Time and the Place of a Meeting of a Committee by the Deputy Chairman of the Committee)."

Substitute

"not less than one-third of the members jointly request a particular item to be included in the agenda before 7 clear days of the meeting . The Chairman shall then include this particular item to that meeting.".