

立法會 *Legislative Council*

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Paper for the House Committee meeting on 1 June 2018

Servicing work for committees of Legislative Council and activation of subcommittees on policy issues on the waiting list

Purpose

This paper invites Members to note the servicing work for committees of the Legislative Council ("LegCo") and consider the proposed timeline for the activation of subcommittees on policy issues ("policy subcommittees") on the waiting list.

Background

Activation and operation of policy subcommittees

2. Under rules 26(a) and (b) of the House Rules ("HR"), the maximum number of policy subcommittees appointed by the House Committee ("HC") and Panels that may be in operation at any one time is 10 ("the quota").¹ Where the number of policy subcommittees has reached the quota, a queuing system will automatically be activated with a waiting list formed. The order of subcommittees on the waiting list is in the order of their appointment.

3. Under HR 26(c), a policy 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 that 12 months, the subcommittee 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.²

¹ According to the broad principles for the activation, operation and extension of period of work of policy subcommittees agreed at the HC meeting on 15 November 2013, 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.

² It is the established practice to determine duration of 12-month period on the basis of the date of the first meeting of the subcommittee.

4. At the HC meeting on 7 July 2017, Members agreed to adopt the following arrangements for extension of period of work of policy subcommittees in the Sixth LegCo: apart from four policy subcommittees which have been given priority for activation in the 2016-2017 session and obtained permission to continue their work in the 2017-2018 session³, upon completion of the 12-month period, a policy subcommittee in operation will vacate its slot for activation of a subcommittee on the waiting list. If the subcommittee considers it necessary for it to work beyond the 12-month period, upon obtaining endorsement of HC, it will be put on the waiting list for re-activation. Details of policy subcommittees in operation (including the expiry date of the 12-month work period) and policy subcommittees on the waiting list are in **Appendices I and II** respectively.

Proposed timeline for the activation of policy subcommittees on the waiting list

Servicing work for LegCo committees

5. As at 25 May 2018, there were 10 Bills Committees, 11 subcommittees on subsidiary legislation, and eight policy subcommittees in operation. The number of these Committees and subcommittees totalled 29, which has exceeded the highest number of 28 such Committees and subcommittees being serviced concurrently among the last five sessions from 2012-2013 to 2016-2017. Furthermore, the Administration plans to introduce 10 more bills in the remainder of the 2017-2018 session according to the updated Legislative Programme issued in March 2018⁴, in addition to three proposed bills (which are not on the updated Legislative Programme) which are expected to be introduced into LegCo before the end of 2018.⁵

³ Of these four policy subcommittees, three are still in operation (i.e. the Subcommittee on Matters Relating to Railways, the Joint Subcommittee to Monitor the Implementation of the West Kowloon Cultural District Project and the Subcommittee on Retirement Protection), and one has completed its work on 10 November 2017 (i.e. the Subcommittee to Follow Up Issues Relating to the Three-runway System at the Hong Kong International Airport).

⁴ For details of the updated Legislative Programme, please refer to LC Paper No. CB(2)1088/17-18(01).

⁵ The three Bills include Evidence (Amendment) Bill 2018, Continuing Powers of Attorney Bill, and Mainland Judgments in Matrimonial and Family Cases (Reciprocal Recognition and Enforcement) Bill.

6. Currently, one Select Committee established under Rule 20(6) of the Rules of Procedure ("RoP")⁶ and one Investigation Committee ("IC") established under RoP 49B(2A)⁷ are in operation. Since their establishment, the Secretariat has been deploying existing staffing resources to absorb the servicing work for these committees. Following the setting up of the third IC formed in the Sixth LegCo at the Council meeting of 23 May 2018⁸, the Secretariat has conducted another review of its available manpower against the demand from various other committees with a view to working out a feasible timeline for the activation of the policy subcommittees on the waiting list.

7. Members are invited to note that it has been the practice to accord priority to the servicing of ICs over that of policy subcommittees, as an IC is responsible for investigating serious allegations against a Member which could lead to the Member being disqualified from office. Also, the servicing of IC, the operation of which is akin to a Select Committee, is much more complex and demanding than that of a policy subcommittee. Based on the past experience, the workload for servicing one IC is at least twice that for one policy subcommittee. In view of the latest work progress, it is highly unlikely for the Select Committee as well as the second and the third ICs formed in the Sixth LegCo to be able to conclude their work in the near future.

8. With only two policy subcommittee slots vacated so far, and another two policy subcommittees expected to complete their work in the second half of 2018⁹, the Secretariat manpower will be very stretched for the next six months. As such, it is proposed that no further policy subcommittees will be activated until January 2019.

⁶ The petition presented by Hon Kenneth LEUNG co-signed by himself and Hon Andrew WAN at the Council meeting of 2 November 2016 has been referred to the Select Committee to Inquire into Matters about the Agreement between Mr LEUNG Chun-ying and the Australian firm UGL Limited. When a select committee was first established under RoP 20(6) pursuant to the presentation of a petition in 2013, HC has agreed that such select committee operating at any one time should be capped at one. The Secretariat has absorbed the servicing work for this type of select committee by deploying existing staffing resources.

⁷ Investigation Committee established under Rule 49B(2A) of the Rules of Procedure in respect of the motion to censure Hon Holden CHOW Ho-ding (i.e. the second IC formed in the Sixth LegCo).

⁸ Investigation Committee established under Rule 49B(2A) of the Rules of Procedure in respect of the motion to censure Hon HUI Chi-fung.

⁹ Please refer to **Appendix I** for details.

Proposed timeline for the activation of subcommittees on the waiting list

9. With a view that the third IC formed in the Sixth LegCo will commence work immediately and having regard to the above existing and expected demand for servicing work for various LegCo committees, Members are invited to consider the following proposed timeline for the activation of subcommittees on the waiting list:

- (a) should the Subcommittee on Matters Relating to Railways and the Joint Subcommittee to Monitor the Implementation of the West Kowloon Cultural District Project be permitted by HC to continue to work in the 2018-2019 session if these two subcommittees so propose¹⁰, the first policy subcommittee on the waiting list (i.e. the Subcommittee to Follow Up Issues Related to Inadequate Housing and Relevant Housing Policies) will be activated in early January 2019; and
- (b) the second to fourth policy subcommittees on the waiting list will be activated when there are three vacant slots available in around early March 2019. These three subcommittees are the Joint Subcommittee on Issues Relating to the Regulation of Devices and Development of the Beauty Industry, the Subcommittee on Issues Relating to the Development of Chinese Medicine, and the Subcommittee on Hillside Escalator Links and Elevator Systems.

10. When the Select Committee established under RoP 20(6) or any one of the two ICs come close to completing its work, the Secretariat will further review the manpower resources with a view to activating other policy subcommittees on the waiting list as early as possible.

Advice sought

11. Members are invited to consider the proposed timeline for the activation of policy subcommittees on the waiting list as set out in paragraph 9(a) and (b) above.

Council Business Division 2
Legislative Council Secretariat
30 May 2018

¹⁰ Please refer to the note at **Appendix I**.

Subcommittees on policy issues in operation
(as at 25 May 2018)

Subcommittees on policy issues	Date of first meeting	Latest position
1. Subcommittee on Rights of Ethnic Minorities under the House Committee ("HC")	2 November 2016	Permission has been obtained for continuation of work until 1 November 2018
2. Subcommittee on Matters Relating to Railways under the Panel on Transport	18 November 2016	Given priority for activation in the 2016-2017 session, and obtained permission for continuation of work in 2017-2018 session (i.e. until 30 September 2018) (Note)
3. Joint Subcommittee to Monitor the Implementation of the West Kowloon Cultural District Project under the Panel on Development and the Panel on Home Affairs	23 November 2016	Given priority for activation in the 2016-2017 session, and obtained permission for continuation of work in 2017-2018 session (i.e. until 30 September 2018) (Note)
4. Subcommittee on Retirement Protection under HC	23 November 2016	Given priority for activation in the 2016-2017 session, and obtained permission for continuation of work in 2017-2018 session (i.e. until 30 September 2018)
5. Subcommittee on Issues Relating to Shopping Centres, Markets and Carparks in Public Rental Housing Estates and Home Ownership Scheme Estates under HC	8 January 2018	12-month period of work will end by 7 January 2019
6. Subcommittee to Follow Up the Issues Related to the Wang Chau Development Project under the Panel on Housing	28 February 2018	12-month period of work will end by 27 February 2019
7. Subcommittee on Issues Relating to Public Markets under the Panel on Food Safety and Environmental Hygiene	6 March 2018	12-month period of work will end by 5 March 2019
8. Subcommittee to Follow Up Issues Relating to the Unified Screening Mechanism for Non-refoulement Claims under HC	6 March 2018	12-month period of work will end by 5 March 2019

Note: Since the setting up of these two subcommittees, they have continuously sought HC's approval for continuation of work upon expiry of their 12-month period of work. It is therefore envisaged that they will seek HC's approval for continuation of work in the 2018-2019 session, subject to the decision of the subcommittees. The Subcommittee on Matters Relating to Railways and the Joint Subcommittee to Monitor the Implementation of the West Kowloon Cultural District Project will hold their next meetings on 1 June and 11 June 2018 respectively.

Subcommittees on policy issues on the waiting list (as at 25 May 2018)

1. Subcommittee to Follow Up Issues Related to Inadequate Housing and Relevant Housing Policies under the Panel on Housing
2. Joint Subcommittee on Issues Relating to the Regulation of Devices and Development of the Beauty Industry under the Panel on Health Services and the Panel on Commerce and Industry
3. Subcommittee on Issues Relating to the Development of Chinese Medicine under the Panel on Health Services
4. Subcommittee on Hillside Escalator Links and Elevator Systems under the Panel on Transport
5. Joint Subcommittee to Follow Up Issues Relating to the Redevelopment, Maintenance and Management of Aged Buildings under the Panel on Development and the Panel on Home Affairs
6. Subcommittee on Issues Relating to Policy on Industrial Buildings under the House Committee
7. Joint Subcommittee on Long-term Care Policy under the Panel on Welfare Services and Panel on Health Services*
8. Subcommittee to Study Issues Relating to Animal Rights under the Panel on Food Safety and Environmental Hygiene*
9. Subcommittee on Issues Relating to the Support for Cancer Patients under the Panel on Health Services

* Since their 12-month work period completed on 15 December 2017, these two subcommittees have been put on the waiting list for re-activation of work for another 12 months when a vacant slot arises.