

**Comparison of the two proposed systems  
discussed at the meeting of the  
Subcommittee on Review of the Operation  
of the LegCo Redress System  
on 22.12.98**

| <b>Proposed system</b>   | <b>Pros</b>   | <b>Cons</b>   |
|--|---|---|
| <p>I. <u>Informal</u></p> <p>DRMs only listen to complaints without making a decision on how to follow-up, except to refer them to appropriate bodies such as The Ombudsman, a Panel, or to a Select Committee.</p>  | <ul style="list-style-type: none"> <li>• More flexibility</li> <li>• Less formality (No requirement for a Chairman, quorum etc; Members and complainants more at ease during interviews)</li> <li>• Not necessary for Members to report or refer each case to the Council or the House Committee</li> <li>• Where necessary, complaints can be handled in a formal manner by way of a motion or petition in the Council which will be covered by the Legislative Council (Powers &amp; Privileges) Ordinance</li> </ul> | <ul style="list-style-type: none"> <li>• Not covered by the Legislative Council (Powers &amp; Privileges) Ordinance; hence no protection for Members in making comments during meetings with complainants</li> <li>• Having one group of Members to take the complaint and another group of Members to deal with it in a different forum will hamper the effectiveness of the Redress System</li> <li>• Inevitably, many complaint cases not strictly involving matters of Government policy will be referred to relevant Panels for follow-up. This will unduly detract from the main focus of Panels, whereby upsetting the existing smooth operation of the Panel system</li> <li>• Handling a complaint by way of a petition is impractical and may not be applicable to all cases. A petition has never been presented to the Council</li> </ul> |
| <p>II. <u>Formal</u></p> <p>Meetings will be formalised with the establishment of a committee of the Council (Committee on Redress) to receive and handle complaints. The committee will follow through cases as appropriate. (This system is similar to Option 2 proposed by the Subcommittee contained in para 11-14 of its report to the House Committee (LC Paper No. CP 608/98-99).</p> | <ul style="list-style-type: none"> <li>• Meetings of this committee and its subcommittees will be automatically covered by the Legislative Council (Powers &amp; Privileges) Ordinance in the same way as for other committees of the Council.</li> </ul>   | <ul style="list-style-type: none"> <li>• Formalities of a committee (such as requirement for a Chairman, quorum, report to Council etc.) might cause excessive workload to both Members and staff of the Secretariat</li> <li>• Members and complainants may be less relaxed at formal meetings</li> <li>• The committee might create duplication of work and upset the existing smooth operation of the Panel system</li> <li>• Some Members are worried about possible abuse of powers and privileges</li> </ul>  |