

(English translation prepared by
the Legislative Council Secretariat
for Members' reference only)

(Letterhead of Secretariat of Legislative Councillors of the Democratic Party)

Dr Hon LEONG Che-hung
Chairman of the LegCo House Committee

16 November 1999

Dear Dr LEONG,

Views on the Procedure of Bills Committees

The Bills Committee on Provision of Municipal Services (Reorganization) Bill has completed the scrutiny of the Bill. It is learnt that the Second Reading of the Bill will be resumed on 1 December this year. However, I found certain actions taken by the Bills Committee during its scrutiny of the Bill not acceptable. The relevant details are summarized as follows:

- 1) At the Bills Committee meeting on 29 October, members discussed a deputation's proposal to change the name of the proposed "Food and Environmental Hygiene Department" to "Food and Environmental Health Department". Members then proceeded to take a vote on whether Committee Stage amendments (CSAs) to change the name in question should be moved in the name of the Bills Committee. As the outcome was a three-to-three tie vote, Hon Andrew WONG, Chairman of the Bills Committee, exercised his casting vote in favour of the CSAs to be moved in the name of the Bills Committee.
- 2) At the subsequent meeting on 2 November, the Chairman of the Bills Committee indicated that he did not wish to move the CSAs on behalf of the Bills Committee. Members then discussed whether the CSAs should be moved by me or Hon CHOY So-yuk on behalf of the Bills Committee. My understanding from the discussion was that the CSAs would be moved by me on behalf of the Bills Committee.
- 3) At a further meeting of the Bills Committee held on 5 November, the Government expressed disagreement with the proposed CSAs and had presented papers, requesting the Bills Committee to reconsider the question of whether the CSAs should be moved in the name of the Bills Committee. The matter was put to vote again. The original decision of the Bills Committee was overturned by a vote of seven to three.

Regarding the matter referred to in paragraph 3 above, I consider that if in future other Bills Committees may also freely overturn their previous decisions on certain issues, it will result in endless rounds of discussion on the issues concerned. In fact, even if the CSAs concerned were moved by me on behalf of the Bills Committee, all Members would have ample opportunity to deliberate on the CSAs and be free to decide whether they would support or oppose them at the Committee Stage of the Bill. Therefore, in my view, when a Bills Committee has taken a decision on a matter by vote, the matter should not be put to vote again, even if further information has subsequently been provided by the Government or other Members, in order to avoid endless rounds of discussion on the matter concerned.

Yours faithfully,

(signed)

(LEE Wing-tat)

Member of the Legislative Council

D1/S1801.DOC/J