

Ref : CB2/H/5

House Committee of the Legislative Council

**Extract of Minutes of the 1st meeting
held in the Legislative Council Chamber
at 2:30 pm on Friday, 8 October 1999**

X X X X X X X X

**(f) Report of the Panel on Constitutional Affairs on Arrangements
arising from Articles 50 and 51 of the Basic Law**
(LC Paper No. CB(2) 17/99-00)

40. Referring to the paper, Mr Andrew WONG, Chairman of the Panel, said that the Panel accepted the Administration's interpretation that the word "budget" in the context of Articles 50 and 51 of the Basic Law referred to the Appropriation Bill only. The Panel had also discussed the question as to whether it was necessary to provide an exception under the Rules of Procedure to allow the re-introduction of the Appropriation Bill after the "budget" was voted down by the Council, having regard to Rule 32(2) which stated that "where the Council has taken a decision on a specific question and the question has been decided in the negative, no further motion shall be moved in relation to that question during the current session". The Panel's recommendation was that the matter be followed up by the Committee on Rules of Procedure.

41. Mr LEE Wing-tat said there was apparently no in-depth discussion on the subject matter at the meeting of the Panel in July this year. He said that the matter involved important and complex issues and suggested that it be further deliberated by the Panel or the Committee on Rules of Procedure.

42. Mr James TO said that the matter also involved important constitutional issues which needed to be canvassed further.

43. Mr Andrew WONG said that he agreed that the Panel should further discuss the matter, which involved the relationship between the Executive and Legislature, if the House Committee so decided. He further said that the established practices over the years were to deal with expenditure and revenue proposals separately, hence the term "budget" in the context of Articles 50 and 51 could be taken to refer to the expenditure side only. However, it might be necessary to seek legal advice on whether this interpretation would give rise to legal problems.

44. The Chairman suggested that the Panel should further deliberate the matter. Members agreed.

X X X X X X X X

Legislative Council Secretariat
13 October 1999