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**Paper for the House Committee meeting
on 9 July 1999**

Committee on Rules of Procedure

**Notice requirement for a motion for an address of thanks
to the Chief Executive for his Policy Address**

Purpose

This paper reports the deliberations of the Committee on Rules of Procedure (the Committee) on the notice requirement for a motion for an address of thanks to the Chief Executive (CE) for his Policy Address.

Background

2. Under Rule 13(1) of the Rules of Procedure, at a meeting not less than 14 days after the CE has presented a Policy Address to the Council, a motion may be moved *without notice* for an address of thanks to the CE for his address (hereby referred to as a “Motion of Thanks”). As an established practice, the Chairman of the House Committee will give notice of the Motion of Thanks shortly after the CE has presented his Policy Address to the Council.

3. Under Rule 13(3), amendments may be moved to the Motion of Thanks *without notice*. This arrangement makes it difficult for Members to anticipate the amendments that may be moved to the motion when speaking on it. Members therefore agreed at the House Committee meeting on 25 September 1998 that, in regard to the Motion of Thanks on the 1998 Policy Address, notice of any proposed amendment to the motion should be passed to the Secretariat not later than 5 clear days before the Council meeting at which the Motion of Thanks would be moved. However, the agreement was not binding on a Member if he insisted on moving an amendment without notice at the meeting.

4. Whilst the moving of the Motion of Thanks and amendments to the motion without notice follows the tradition of the United Kingdom, the Committee notes that such arrangements are not in line with the general requirement under the Rules of Procedure that no motion or amendment to a motion shall be moved in the Council unless notice of it has been given. The Committee is also aware of the fact that moving of a motion and amendments without notice may affect the efficient conduct of the motion debate. The Committee therefore discussed the subject at its meeting on 22 June 1999 with a view to refining the relevant procedure so as to make it consistent with the general requirement under the Rules of Procedure.

The Committee's views

Purpose of giving notice of motions and amendments

5. The Committee notes that Members are required under Rule 29 of the Rules of Procedure to give 12 clear days' notice for moving a substantive motion and 5 clear days' notice for moving an amendment to a motion. The purpose of requiring notice of motions and amendments to be given is to provide time for Members to consider the terms of the motions, gather materials for the debate and if necessary, consult their constituents. This will also make the exchange of views in motion debates more meaningful and allow time for the Administration to prepare its response. The giving of notice of amendments, in particular, will facilitate the President's consideration of the admissibility of the proposed amendments, allow time for Members to consider such amendments, and ensure the smooth conduct of a joint debate on the motion and the amendments. The Committee considers it reasonable to apply the same requirement to the Motion of Thanks and amendments to the motion. Indeed, the gentleman's agreement reached by Members at the House Committee meeting on 25 September 1998 reflected that Members were agreeable to this approach.

Proposed amendments to the Rules of Procedure

6. To formalize the current practice mentioned in paragraph 3 above, the Committee proposes to amend the Rules of Procedure to the effect that advance notice should be given for moving the Motion of Thanks and amendments to the motion. The Committee notes that as the CE normally delivers his Policy Address at the first Council meeting of a session and the Motion of Thanks is normally moved at the third Council meeting, there are less than 12 clear days between the two meetings. It is therefore impracticable to apply the standard 12 clear days' notice requirement for motions to the Motion of Thanks. In the circumstance, it is proposed that the notice requirement for questions, i.e. 7 clear days, be adopted for the Motion of Thanks. As for amendments to the motion, it is proposed that the standard 5 clear days' notice requirement for moving an

amendment to a motion be adopted.

7. Amendments to Rule 13 will be made together with other proposed amendments to the Rules of Procedure in due course. Meanwhile, the Committee considers that the proposed arrangement should be adopted for the 1999-2000 Legislative Council Session in respect of the 1999 Policy Address.

Advice sought

8. Members are invited to take note of the Committee's views as set out above and to adopt the arrangement for the 1999-2000 Legislative Council Session. As the 1999 Policy Address is expected to be delivered on 6 October 1999, subject to Members' agreement, the deadlines for giving notice of the Motion of Thanks and amendments to the motion under Rule 13 of the Rules of Procedure are as follows:

- (a) 9 October 1999 for the Motion of Thanks; and
- (b) 12 October 1999 for amendments to the Motion of Thanks.

Legislative Council Secretariat
30 June 1999