

香港特別行政區
立法會
議事規則委員會

**Committee on Rules of Procedure
of the Legislative Council
of the Hong Kong Special Administrative Region**

1999 年 5 月至 2000 年 6 月的工作進度報告

**Progress Report for the period
May 1999 to June 2000**

**2000 年 6 月
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1. Introduction

1.1 The Committee on Rules of Procedure (the Committee) is a committee of the Legislative Council (the Council) established under Rule 74 of the Rules of Procedure of the Council. The functions of the Committee are to review the Rules of Procedure of the Council and the committee system, propose to the Council any amendments or changes as are considered necessary, and examine matters of practice and procedure relating to the Council referred by the Council or its committees or the President, or raised by its own members.

1.2 The Committee consists of 12 members, including the Chairman Hon Mrs Selina CHOW, the Deputy Chairman Hon Margaret NG and 10 other members, appointed by the President in accordance with the recommendations of the House Committee. The membership list is in **Appendix 1**.

1.3 This is the second progress report of the Committee since its establishment in July 1998. The first progress report was tabled in the Council on 28 April 1999. This report covers the period from May 1999 to June 2000, during which a total of 10 meetings were held. The Committee studied a wide range of subjects under the following broad categories:

- (a) Procedures relating to the implementation of specific provisions in the Basic Law;
- (b) Improvement to the procedural arrangements of the Council; and
- (c) Improvement to the procedural arrangements of the committees of the Council.

1.4 A complete list of subjects which the Committee examined in the current term is provided in **Appendix 2**. Since 28 April 1999, two motions have been moved in the Council (including one to be moved on 21 June 2000) by Hon Mrs Selina CHOW, Chairman of the Committee, to amend the Rules of Procedure to put in place new or modified procedural arrangements resulting from the various studies as described in this Report.

2. Implementation of the provisions in the Basic Law

2.1 The Committee, upon its establishment in July 1998, identified specific provisions in the Basic Law for which procedural arrangements would have to be provided for their implementation. The latest position in respect of the studies undertaken by the Committee on these provisions are given in Items 1 to 6 in **Appendix 2**.

2.2 During the period from May 1999 to June 2000, the Committee studied the following two subjects:

- (a) Reconsideration of a bill returned by the Chief Executive in accordance with Article 49 of the Basic Law; and
- (b) Procedural arrangements for dealing with the refusal of the Council to pass a budget under Article 50 of the Basic Law.

Reconsideration of a bill returned by the Chief Executive in accordance with Article 49 of the Basic Law

2.3 Under Article 49 of the Basic Law, if the Chief Executive (CE) considers that a bill passed by the Council is not compatible with the overall interests of the Hong Kong Special Administrative Region (HKSAR), he may return it to the Council within three months for reconsideration. If the Council passes the original bill again by not less than a two-thirds majority of all the members and CE still refuses to sign it, and if consensus cannot be reached after consultations, CE may dissolve the Council in accordance with Article 50 of the Basic Law.

2.4 In the course of the drafting of the Rules of Procedure in June 1998, Members-elect considered that the procedural arrangement for the implementation of Article 49 of the Basic Law required detailed discussion. They nevertheless agreed that a procedural framework (Rule 66) should for the time being be provided in the Rules of Procedure to cater for the implementation of the Article in the event that CE found it necessary to return a bill to the Council for reconsideration. They also agreed that detailed examination of the technical aspects of the procedure should be entrusted to the Committee on Rules of Procedure after it was formed.

2.5 Pursuant to this decision, the Committee conducted a detailed study on the technical aspects of Rule 66. Members focused in particular on the following aspects:

- (a) in what manner should the process of “reconsideration” be conducted;
- (b) what mechanism should be adopted to enable “consensus to be reached”; and
- (c) whether amendments to the returned bill should be allowed and in what manner should amendments be proceeded with.

2.6 In view of the serious nature of the matter and the fact that it is for the CE to decide whether Article 49 of the Basic Law should be invoked, the Committee found it necessary to consult the Administration. Working meetings and discussions were therefore held between the Legislative Council Secretariat and the Administration at each stage of the deliberation of the Committee on the subject.

2.7 In the course of the study, the Committee examined various options to enable the Council to “reconsider” the returned bill after it is referred to the House Committee under Rule 66(4). The Committee considers that procedural arrangement should be provided to enable Members to have a chance to study any fresh proposal from the Administration and, if such were found to be acceptable, to amend the original bill. Both the Committee and the Administration consider that the return of a bill to the Council for reconsideration is a serious matter and should only take place under very exceptional circumstances and with good reason. The Administration is particularly keen on ensuring that an avenue is available for compromises to be made and consensus to be reached.

2.8 After deliberation, the Committee has come to the view that under the current Rule 66 of the Rules of Procedure (Bills Returned for Reconsideration) and the current practice, there is no restriction on the introduction of an amendment bill to amend a bill passed but not yet signed by CE. If CE considers it not compatible with the overall interests of HKSAR to sign a bill passed by the Council, he may introduce an amendment bill to amend the bill. The amendment bill, like any other bills, shall be referred to the House Committee for consideration after the second reading debate is adjourned. How the amendment bill is to be taken further will be determined by the House Committee. If consensus can be reached

and the amendment bill is passed within three months of the passage of the original bill, both bills could be signed and promulgated. If it is not likely that the scrutiny of the amendment bill can be completed before the expiry of the three-month period, CE would have to return, in accordance with Article 49, the original bill to the Council for reconsideration. The returned bill will then be processed in accordance with Rule 66(4), (5) and (6) of the Rules of Procedure.

2.9 The Committee therefore considers the mechanism provided under the current Rules of Procedure adequate to cater for the return of a bill under Article 49. However, the Committee accepts the Administration's proposal to amend Rule 66(6) to make it clear that when the House Committee is deciding on the manner in which a returned bill should be considered, it may take account of an amendment bill that may have been presented by the Government.

2.10 The subject was put to the House Committee for consultation on 9 June 2000. No question was raised on the proposed procedure and the proposed amendment to Rule 66(6).

Procedural arrangements for dealing with the refusal of the Council to pass a budget under Article 50 of the Basic Law

2.11 Under Article 50 of the Basic Law, if the Council refuses to pass a budget or any other important bill introduced by the Government, and if consensus cannot be reached after consultations, CE may dissolve the Council. Article 51 provides that if the Council refuses to pass a budget, CE may apply to the Council for provisional appropriations. If the Council has already been dissolved, CE may, prior to the election of the new Council, approve provisional short-term appropriations according to the level of expenditure of the previous fiscal year.

2.12 In considering the adequacy of the current provisions in the Rules of Procedure to deal with a budget presented to the Council after consensus has been reached following the refusal of the Council to pass the original budget, the Committee raised questions on the meaning of "budget" in the context of Articles 50 and 51. As the term "budget" may cover both expenditure and revenue, the Committee considered it necessary to clarify the scope of the term before it could proceed with the study of the relevant procedural arrangements. At the House Committee meeting on 16 April 1999, the matter was referred to the Panel on Constitutional Affairs (CA

Panel) for further study. The CA Panel reported to the House Committee on 11 February 2000 indicating its acceptance of the Administration's interpretation that the term "budget" in the context of Articles 50 and 51 referred only to an Appropriation Bill.

2.13 According to the Administration, the term "budget" is not defined in the Basic Law or in the laws of Hong Kong. Adopting a purposive approach to the interpretation of the Basic Law, Articles 50, 51 and 52 are sequential and related. In the Chinese text of Articles 50 and 51, the term "budget" is "財政預算案". Since what is required to be passed by the Council in terms of "estimates" (預算) has been the Appropriation Bill, the term "budget" (財政預算案) in the context of Articles 50 and 51 would appear to refer to the Appropriation Bill to the exclusion of any revenue-related legislative proposal. This interpretation is reinforced by Article 51 which provides that if the Council refuses to pass a budget, CE may apply to the Council for provisional appropriations. There should be no doubt that appropriations refer to the voting of expenditure, normally through the annual Appropriation Bill. The term "budget" in the context of Articles 50 and 51 therefore refers to the expenditure side of the budget, i.e. the Appropriation Bill, but the term as appearing in other sections of the Basic Law may carry an ordinary and wider meaning of both revenue and expenditure. The Administration is also of the view that if a substantial part of an Appropriation Bill were rejected in Committee of the whole Council, this could also amount in substance to a refusal by the Legislative Council to pass a budget introduced by the Government.

2.14 Upon deliberation, the Committee accepts the CA Panel's view that the term "budget" should refer only to the Appropriation Bill. However, the Committee considers that a decision of the Council to negative the second reading or third reading motion on an Appropriation Bill should be taken as the refusal of the Council to pass a budget. This approach would have the advantage of certainty from the procedural point of view.

2.15 On the procedural arrangements, the Committee considers that, in the light of the provision in Article 50, there should be an opportunity for "consultation" to take place and "consensus to be reached". If consensus can be reached, the Administration should be allowed to present a fresh Appropriation Bill which may or may not be the same or substantially the same as the original one rejected by the Council. If the fresh Appropriation Bill is the same or substantially the same as the original one, the proceedings on it will be caught by Rule 51(7)(a) of the Rules of Procedure which provides that a bill which contains substantially the same provisions as

another bill on which the Council has already taken a decision at second reading shall not be further proceeded with in the same session. The Committee therefore agrees that such an Appropriation Bill should be exempted from the application of Rule 51(7)(a) and that a new subrule (7A) be added to Rule 51 to provide that where the motion for the second or third reading of an Appropriation Bill is negatived, another Appropriation Bill containing the same or substantially the same provisions may be presented within the same session. The Administration supports these proposed amendments to Rule 51.

2.16 The Committee also notes that the CA Panel will further examine what constitutes "any other important bill" in the context of Article 50 of the Basic Law. The Committee will consider, after the CA Panel's deliberation on the subject, whether exemption from the application of Rule 51(7)(a) should also be provided to an "important bill".

2.17 As regards the procedural arrangements for dealing with applications for provisional appropriations by CE in accordance with Article 51, the Committee notes that under section 7(1) of the Public Finance Ordinance (Cap. 2), the Council may, in advance of an Appropriation Ordinance, by resolution authorize expenditure for the services of the Government in respect of a financial year to be charged on the general revenue. The Committee shares the Administration's view that the legislative intent and purpose of section 7(1) of the Public Finance Ordinance may have already covered the rejection of the Appropriation Bill, and that it is unnecessary to make any legislative amendment or elaboration on the Public Finance Ordinance. The Committee also considers that an application for provisional appropriations can be dealt with by way of a motion in accordance with the procedure in Part G (Motions) of the Rules of Procedure. The Committee therefore agrees that it is not necessary to introduce any legislation or procedural rules in this respect.

2.18 As regards the procedure for CE to exercise his authority conferred on him by virtue of Article 51 of the Basic Law to approve provisional short-term appropriations after dissolution of the Council, the Committee is of the view that it is not appropriate for the Council to determine the procedure involved.

2.19 The subject was put to the House Committee for consultation at its meeting on 9 June 2000. No question was raised on the proposed amendments to Rule 51. However, the Committee notes that Members of the Democratic Party hold the view that the term "budget" in the context of

Articles 50 and 51 should have a wider meaning and cover both expenditure and revenue.

3. Improvement to the procedural arrangements of the Council

3.1 Since the commencement of the term, a number of procedural arrangements which have affected the conduct of business in the Council have been referred to the Committee for examination by the House Committee and by the President of the Legislative Council. From May 1999 to June 2000, the Committee completed studies on the following issues:

- (a) Application of the rule of anticipation to Council business;
- (b) Moving of amendment which has been withdrawn before it is moved;
- (c) Rules of speaking during debates in the Council and in committee of the whole Council;
- (d) Withdrawal of Member or disallowance of vote on grounds of direct pecuniary interest; and
- (e) Notice requirement for the Motion of Thanks.

Application of the rule of anticipation to Council business

3.2 The study on the application of the "rule of anticipation" to Council business was conducted in response to the request from the House Committee. Arising from an incident in which a Member gave notice to move a motion to debate on a subject which was related to a matter being studied by the Public Accounts Committee, the House Committee considered it appropriate to examine whether a matter which had already been appointed for consideration by the Council or its committee should be anticipated, i.e. whether the rule of anticipation should apply.

3.3 The Committee notes that the principle of the rule of anticipation has been commonly adopted in legislatures in common law jurisdictions although varying degrees of flexibility has been exercised, especially in recent years. The general principle underlying the rule of anticipation is that a matter appointed for consideration by the legislature must not be anticipated by another matter of substantially the same content but contained

in a less effective form of proceeding. The level of effectiveness of the various forms of proceedings, according to the practices of these legislatures, is that a bill is more effective than a motion, and a motion more effective than a question. A Speaker, in determining whether a discussion on a matter is out of order on the ground of anticipation, must have regard to the probability of the matter anticipated being brought before the House within a reasonable time.

3.4 In Hong Kong, the rule of anticipation is not expressly provided for in the Rules of Procedure of the Legislative Council, but Rule 25(1)(e) (Contents of Questions) does provide that a question shall not refer to proceedings in a committee before that committee has made its report to the Council. The Committee notes that all matters for which notices have been given unless found not in order by the President will be placed on the agenda for a specific Council meeting and will be dealt with at that meeting, irrespective of the length of time required. The probability that the matter being anticipated would not be brought before the Council "within a reasonable time", as in the case of UK, Australia and Canada, therefore does not arise. In the circumstances, an item of business notice of which has been given to the Clerk to the Legislative Council will be taken as a matter appointed for consideration by the Council.

3.5 The Committee sees the merits of applying the rule of anticipation to Council business to ensure that a matter will be dealt with in the most effective form of proceeding and that the Council's meeting time is used effectively. The Committee considers that the rule should be applied not only to questions, but also to other areas of Council business, namely bills, motions, and any matter being considered by a standing committee or a select committee, or a committee authorized by the Council to conduct an inquiry into a matter. However, the Committee considers that the rule should not apply to matters being considered by Panels so as not to hinder the exchange of views between Members and the Administration on various policy issues.

Questions

3.6 The Committee notes that under the current practice of the Council and as laid down in the House Rules, Members are required to provide the draft wording of the questions to be asked at a specific Council meeting well ahead of the notice period. Where two or more Members have put in questions of similar content, the Members concerned will be advised to reach an agreement on who will ask the question, failing which

the Member who has asked the least number of questions in the session will have the priority and his question will be put before the President for inclusion in the agenda. The anticipation of a question already set down for a specific Council meeting by another question therefore does not arise under normal circumstances.

3.7 The Committee agrees that a question which has been given a slot for a specific Council meeting must not be anticipated unless by a more effective form of proceeding. However, if urgent questions raised under Rule 24(4) (Notice of Questions) of the Rules of Procedure satisfy the tests of urgency and public importance, the rule of anticipation should not apply to them and they should be allowed to be asked. To put the above arrangement into effect, the Committee agrees that a new subrule (3) should be added to Rule 25 (Contents of Questions) of the Rules of Procedure.

Motions

3.8 In respect of motions, the Committee agrees to adopt the principle that a matter appointed for consideration by the Council must not be anticipated by another matter with substantially the same content but contained in a less effective form of proceeding. In other words, a motion notice of which has been given must not be anticipated by a question. The proposed new Rule 25(3)(b) has already addressed this situation.

3.9 As for motions vis-à-vis motions, the Committee considers that a motion intended to have legislative effect notice of which has been given for a specific Council meeting must not be anticipated by a motion which is not intended to have the same effect. As regards two motions of the latter category which are on a subject matter substantially the same, there is a slot-allocation mechanism under the House Rules to allow only one of these motions to be put on the agenda for a Council meeting. The Committee is of view that as the present arrangement has been working well, it is not necessary to make a new provision in the Rules of Procedure in this respect.

3.10 The Committee however notes that the mechanism under House Rules is not binding on the Government. A public officer may give notice to move a motion on a matter which is substantially the same as that of a Member's motion notice of which has been given. Since Article 72(2) of the Basic Law provides that the President of the Legislative Council shall exercise the power and function "to decide on the agenda, giving priority to government bills for inclusion in the agenda (決定議程，政府提出的議案須優先列入議程)", the Committee agrees that the President should allow the

Government motion (政府議案) to be included in the agenda of the Council so long as all other rules in the Rules of Procedure have been complied with. The Committee considers that the Rules of Procedure, as they now stand, already allow the Government to move motions and be given priority on the agenda for the Council meeting.

3.11 The Committee notes that where two motions contained in an equally effective form of proceedings are placed on the agenda for a Council meeting, when a decision has been taken on the first motion, the second motion cannot be proceeded with in accordance with Rule 32 (Motions on Previous Decisions of Council) of the Rules of Procedure. The Committee therefore considers that no new provision in the Rules of Procedure is required in this respect.

3.12 As regards motions vis-à-vis proceedings of a committee, the Committee agrees that the proceedings of a standing committee or a select committee, or a committee authorized by the Council to conduct an inquiry must not be anticipated by a motion other than one which is intended to have legislative effect.

3.13 As regards motions vis-à-vis bills, the Committee considers that for the purpose of applying the rule of anticipation, a bill is equally effective as a motion intended to have legislative effect. In the circumstances, a bill notice of which has been given for a specific Council meeting must not be anticipated by a motion which is not intended to have legislative effect. It is however understandable that some Members may wish to move a motion for the purpose of expressing an opinion on a forthcoming legislative proposal. To strike a balance between the effective use of Council's time and Members' right to move motions on matters of public concern, the Committee agrees that if the motion has already been placed on the agenda for a Council meeting and the notice for the introduction of the bill to the Council is given at a later date, the motion should be allowed to be proceeded with.

3.14 To put the above arrangements into effect, the Committee agrees that a new subrule (2) should be added to Rule 31 (Restriction on Motions and Amendments) of the Rules of Procedure. Consequential amendments to Rule 23(3) of the Rules of Procedure (Question Time) and House Rule 7(a) (Number and Allocation of Questions) are also required.

Bills

3.15 The Committee notes that although not explicitly provided in the

Rules of Procedure, it is procedurally in order to have two bills of substantially the same provisions before the Council at the same time. This is evidenced by Rule 51(7)(a) of the Rules of Procedure which provides that once the Council has taken decision on a bill at the second reading of the bill, the other bill with substantially the same provisions as the former shall not be proceeded with in the same session. Hence, there is no need to make provisions in the Rules of Procedure to apply the rule of anticipation to bills vis-à-vis bills situations.

3.16 The Committee reported its deliberations on the subject to the House Committee on 28 April 2000. No question was raised on the proposed arrangements and the proposed amendments to Rules 25 and 31 and the consequential amendments.

Moving of amendment which has been withdrawn before it is moved

3.17 The President of the Council has requested the Committee to examine the procedural arrangements for Members to move an amendment which has been withdrawn before it is moved by the Member in whose name the amendment stands. The need for conducting a review on the subject arose from an incident in which two Members who had given notices to move amendments to a bill withdrew their notices before the Chairman of the committee of the whole Council called upon them to move the amendments. A Member considered the withdrawal of the amendments unfair to him and other Members who were in support of the amendments. He therefore sought the Chairman's permission to move the amendments without notice. Having considered the fact that the contents of the proposed amendments had already been set out on the agenda and there had been sufficient time for Members to consider the amendments, the Chairman granted leave under Rule 57(2) of the Rules of Procedure for the Member to move the amendments without notice.

3.18 The Committee notes that under normal circumstances, the Chairman of the committee of the whole Council will only grant leave under Rule 57(2) for Members to move amendments without notice during committee stage to amend the wording of their proposed amendments to make them compatible with other amendments which have just been passed. Rule 57(2) has seldom been used to allow a Member to move an amendment the notice of which has been withdrawn before it is moved. The Committee also notes that there is no provision in the Rules of Procedure to enable any amendment the notice of which has been given to be considered and voted

upon if the Member who has given the notice does not wish to pursue it.

3.19 Having referred to the practices in overseas jurisdictions, the Committee notes that the arrangements in UK, Canada and Australia allow more than one Member to move the same amendment. In UK and Canada, in the event that the Member who should move such an amendment withdraws it before the question on it is proposed, the Member next on the list may move the amendment. In the case of Australia, since no notice is required for moving amendments, the question of Members not being able to move amendments owing to lack of notice does not arise.

3.20 The Committee considers that as long as Members are given the opportunity to consider the amendment before it is moved, there is no reason why it cannot be moved by another Member if the Member who first gave the notice does not intend to pursue it. The Committee therefore recommends that express provision be made to allow more than one Member to give notice to the same amendment. All Members are required to give notice in accordance with Rules 29(6) or 57(2) of the Rules of Procedure, as appropriate, and their names are listed in the order in which the notices were received by the Clerk. The first Member on the list shall be called upon to move the amendment. If he has withdrawn or decides not to move the amendment, the Member next on the list shall be so called upon and so on until the list is exhausted.

3.21 To put the above arrangement into effect, the Committee recommends amending Rule 30 (Manner of Giving Notice of Motions and Amendments) and Rule 35 (Withdrawal of Motions and Amendments) of the Rules of Procedure, and adding a new Rule 19A (Amendments to Motions) to the House Rules. The recommendation has the support of the House Committee.

Rules of speaking during debates in the Council and in committee of the whole Council

3.22 Since the commencement of the current term in July 1998, questions have been raised on whether Members should be allowed to speak after the mover of a motion has made his reply at the end of a motion debate. There have also been calls for public officers to speak at the early part of a motion debate initiated by Members to enable a more meaningful debate on the subject. The Committee therefore conducted a review of the provisions in Rule 38 of the Rules of Procedure (Occasions when a Member may Speak

more than once) with a view to refining the rules of speaking in a motion debate. The Committee also took the opportunity to review the present rules governing speaking in committee of the whole Council.

3.23 As the speaking arrangements contained in Rule 38 affects the conduct of business of the meetings of the Council, the House Committee considered that any proposed changes to the Rule should take effect as soon as practicable. As a result, a report was presented to the House Committee soon after the study on this subject was completed. With the support of the House Committee, a motion was moved by Hon Mrs Selina CHOW, Chairman of the Committee, at the Council meeting on 5 April 2000 to put in place the new speaking arrangements. The motion was carried. A summary of the deliberation on the subject is given in the ensuing paragraphs.

Speaking after a mover of a motion has made his reply

3.24 One of the most pressing issues when reviewing the rules of speaking in a motion debate was whether a Member should be allowed to speak after the mover of the motion has made his reply. In the original Rule 38 of the Rules of Procedure, the mover of a motion might reply after all other Members present had had an opportunity of speaking and before the question was put. No Member might speak on a question after the question had been put. However, it was not clear under the then Rule 38(4) and (6) whether a Member who had not yet spoken on the question might be allowed to speak after the mover of the motion had made his reply but before the question was put.

3.25 A consultation exercise was conducted to solicit Members' views in this respect. The matter was also discussed by the House Committee on two occasions. The outcome of this consultation exercise revealed that the majority of Members considered that no Member should speak after the mover of a motion has made his reply. However some Members were in favour of providing some flexibility for the President to allow Members who have not yet spoken in a motion debate to speak after the reply if new points are raised in the reply. Members were however aware that the retention of this flexibility would pose practical difficulties to the President and might upset the smooth running of Council business especially when there is disagreement over the question of "new points". The mover of the motion should also be allowed to make a further reply after such Members have spoken and this would lead to another round of debate.

3.26 The Committee found that the fundamental issue to be addressed was how far the scope of the two speeches made by the mover of a motion, namely the speeches he made when moving the motion and in his reply, could be specified in the Rules of Procedure. A further study was thus conducted to make reference to the procedures and practices in other jurisdictions and examine how far procedural rules could be laid down for the purpose.

3.27 The Committee noted that it is not a common practice to lay down rules to restrict the scope of Members' speeches. Under the current Rules of Procedure, although the President may direct a Member who persists in irrelevance to discontinue his speech, Members may make such remarks as they may wish in any debate so long as Rule 41 (Contents of Speeches) is complied with. After deliberation, the Committee came to the view that since a Member should not be compelled to speak in a debate, it would not be appropriate to put down any requirement governing the speech of the mover of the motion.

3.28 The Committee however considered it appropriate to make express provisions in the Rules of Procedure that the reply of the mover of a motion shall be confined to matters raised during the debate and that the reply closes the debate. The procedural arrangements in this respect should also be refined to ensure that no other Member shall be allowed to speak after the mover of the motion has been called upon to make his reply at the end of the debate. In other words, even in the event that there is no reply, the debate shall be regarded to have come to a close. The Committee therefore proposed to add a new subrule (3A) to Rule 33 and amend Rule 33(4) for the purpose. The Committee also recommended that suitable remarks be made in the script for the President of the Council to remind Members that after the mover has made his reply, or in the event that there is no reply, the debate comes to a close and no other Member may speak. As the right of reply does not apply to a committee of the whole Council, a new subrule (5) was proposed to Rule 33 to provide for the proceedings of a committee of the whole Council.

Public officers to speak at an earlier part of a motion debate

3.29 The Committee mentioned in its first progress report about Members' wish for the designated public officer to speak at an earlier part of a motion debate to enable Members to understand the position of the Administration before they speak. This would obviate the need for Members to speak towards the end of a debate after the designated public officer has responded to the points raised by Members. However, the Administration maintains the view that the role of the public officer in a motion debate is essentially to listen and respond to the views expressed by both the mover of the motion and other Members. The established practice to have the public officer speaking after all Members interested in the issue have spoken is appropriate and best serves the purpose. The Administration therefore does not believe that any change is necessary.

3.30 During the review of Rule 38, the Committee further examined how the Rules of Procedure and the House Rules could be amended to facilitate the President to call on a designated public officer to speak on a motion initiated by Members at an earlier part of a motion debate. The Committee noted that one of the principles governing speaking in the Council is that it is up to Members to decide whether they wish to speak on a question or not and they will only be called after they have indicated their intention to speak. If a public officer has not indicated his intention to speak, the President cannot order him to speak.

3.31 To encourage designated public officers to speak both at the start and at the end of a debate, the Committee proposed to add new subrules (1)(f) and (8) to Rule 38 to provide that a designated public officer may speak a second time upon a Member's motion. With the addition of these new subrules, the original subrules (1)(e) and (7) which provide that a designated public officer may speak a second time upon a motion "That this Council thanks the Chief Executive for his address" will be redundant. The Committee therefore recommended the deletion of subrules (1)(e) and (7) be deleted from the original Rule 38. The amendments to Rule 38 were passed by the Council on 5 April 2000.

Speaking in committee of the whole Council

3.32 The arrangement to allow Members to speak more than once on a question in committee of the whole Council was adopted from the Standing Orders of the former Hong Kong Legislative Council which basically followed the practice in the United Kingdom (UK). In UK, following second reading, a bill must be considered "in committee" when amendments may be moved and debated, and each clause and schedule separately approved. To enable Members to fully deliberate on the bill clause by clause and to approve the text or to modify it to reflect the committee's views, Members may speak more than once in this "committee stage". The committee, including a Committee of the whole House, must report to the House after completion of its work. During the "report stage", Members may speak only once on the same question. The "committee stage" in the case of Hong Kong, i.e. consideration of a bill by a committee of the whole Council, may be regarded as a combination of the "committee stage" and "report stage" of the British system. That leads to the question of whether a Member should be allowed to speak more than once on a question, particularly when a large part of the deliberation has already taken place in the bills committee, if such a committee was formed.

3.33 The Committee is aware that Members wish to have adequate opportunities to debate the clauses of a bill, and amendments, if any, before voting on them in a committee of the whole Council. The Committee is also aware that if the debate is turned into a prolonged exchange between a number of Members, there is no rule to put an end to the debate. This will give rise to immense pressure on the time of the Council especially when there is a heavy agenda for that particular meeting. The Committee has therefore issued a consultation paper to seek Members' views on the issue. The outcome of the consultation exercise indicates that the majority of Members of the Council are in support of maintaining the present arrangement that a Member may speak more than once on a question in committee of the whole Council. In accordance with the majority view, the present arrangement is maintained.

Withdrawal of Member or disallowance of vote on grounds of direct pecuniary interest

3.34 The resolution on amendments to the Rules of Procedure passed by the Council on 28 April 1999 covered a number of amendments, including the following amendments to Rule 84 (Personal Pecuniary Interest to be Disclosed):

- (a) A Member who has a direct pecuniary interest on a question to be voted on in the Council or a committee of the whole Council shall withdraw when the vote is taken (Rule 84(1));
- (b) A motion for the withdrawal of a Member on grounds of his direct pecuniary interest may be moved without notice by any Member after the President or Chairman has put the question on the original motion but before the vote is taken (Rule 84(3A)); and
- (c) A motion to disallow a Member's vote on grounds of his direct pecuniary interest may be moved without notice by any Member, notwithstanding whether a division has been ordered or not (Rule 84(4)).

3.35 Following the above amendments to Rule 84 of the Rules of Procedure, the Committee considers it necessary to amend the House Rules to provide for the procedures on the moving of motions for the withdrawal of a Member before voting takes place and disallowance of votes where a

division has/has not been ordered. As agreed by the House Committee on 5 November 1999, House Rule 3 and Appendix II of the House Rules were amended for the purpose.

Notice requirement for the Motion of Thanks

3.36 It has been a long standing practice in the Legislative Council in Hong Kong for Members to move a Motion of Thanks to CE for his address usually made at the start of a legislative session. All along, the motion and the amendments to the motion could be moved without notice. While such arrangements followed the tradition of UK, the Committee noted that they were not in line with the general requirement under the Rules of Procedure that no motion or amendment to a motion should be moved in the Council unless notice of it had been given. Moreover, moving of a motion and amendments without notice might affect the efficient conduct of the motion debate. The Committee therefore examined the subject with a view to improving the relevant procedure.

3.37 Under Rule 29 of the Rules of Procedure, Members are required 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 notice requirement to the Motion of Thanks and amendments to the motion.

3.38 However, as 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, the Committee considers that the notice requirement for questions, i.e. 7 clear days, be adopted for the Motion of Thanks, and that the standard 5 clear days' notice requirement for moving an amendment to a

motion be adopted for an amendment to the Motion of Thanks. To enable the new arrangement to come into effect before the start of the next term, amendments to Rule 13 were passed by the Council on 5 April 2000.

4. Improvement to the procedural arrangements of the Committees of the Council

4.1 The Committee has also examined the current procedures adopted by committees of the Council. The subjects of study include:

- (a) Extension of rules of order to committees;
- (b) Quorum of committees; and
- (c) Procedural arrangements for processing motions at Panel meetings.

Extension of rules of order to committees

4.2 The Committee notes that rules relating to the observance of rules of order and the maintenance of order during Council and committee proceedings are provided in Part I (Rules of Order) of the Rules of Procedure, i.e., Rules 44 (Decision of Chair Final) and 45 (Order in Council and Committee). These rules provide for the President, the Chairman of a committee of the whole Council or the chairman of any standing or select committee to:

- (a) be responsible for the observance of the rules of order, and his decision on a point of order shall be final (Rule 44);
- (b) after having called the attention of the Council or the committee to the conduct of a Member who persists in irrelevance or tedious repetition of his own or other Members' arguments in the debate, direct him to discontinue his speech (Rule 45(1)); and
- (c) order a Member whose conduct is grossly disorderly to withdraw immediately from the Council or the committee for the remainder of that meeting (Rule 45(2)).

4.3 The above rules are applicable to meetings of the Council, committee of the whole Council, standing committees and select committees, but not to other committees of the Council, such as the House Committee, the Committee on Rules of Procedure, bills committees, panels, and

subcommittees of these committees. As it may be necessary for the chairmen of these other committees and subcommittees to give effect to the rules of order of the Council and to maintain order at meetings of these committees, the Committee studied whether the current Rules of Order should be extended to these committees and subcommittees.

4.4 The Committee notes that in legislatures in UK, Australia, Canada and the United States of America, the chairman of a committee normally has the power to maintain order and decorum, but his decision is subject to appeal to the committee or the House. The decision for the withdrawal of a Member, however, rests invariably with the House.

4.5 Having regard to the practices in overseas legislatures and the fact that the existing arrangement has been working well, the Committee does not see the need to extend the Rules of Order to other committees of the Council and their subcommittees.

Quorum of committees

4.6 In response to a Member's concern about the difficulty of those Bills Committees with a large membership in satisfying the quorum requirement, the Committee was invited by the House Committee to review the quorum of committees.

4.7 As experience indicates that only Bills Committees and Panels may have difficulty in meeting with the quorum requirement, the Committee decides to review only the quorum requirement for Bills Committees, Panels, and the subcommittees of Bills Committees/Panels and subcommittees of the House Committee on proposed legislation and subsidiary legislation.

4.8 The Committee notes that under the Rules of Procedure, a Bills Committee shall consist of not less than three members including the chairman, and the quorum shall be three members including the chairman, or one third of the members including the chairman, whichever is the greater. A Panel shall consist of not less than six members including the chairman and the quorum requirement is the same as that of a Bills Committee. In fact, the same quorum requirement applies to the subcommittees of Bills Committees/Panels and subcommittees of the House Committee formed to study proposed legislation or subsidiary legislation.

4.9 The Committee considers that for the Council to perform its

functions of law enactment and monitoring Government policies and activities, Bills Committee and Panel members have the obligation to participate in the work of such committees. The purpose of laying down a quorum for a committee is to ensure the presence of an adequate number of members to examine matters before them thoroughly. The Committee considers the present quorum requirement for Bills Committees and Panels reasonable and that it should not be relaxed unless there are strong justifications.

4.10 According to the research conducted by the Committee in April 1999, none of the Bills Committees, Panels, and the subcommittees of Bills Committees/Panels/House Committee formed during the period from July 1998 to 15 April 1999 had experienced cancellation or suspension of meetings owing to the absence of a quorum. However, there had been occasions on which members had to wait for 10 to 15 minutes before a quorum could be formed when the meetings concerned were due to start.

4.11 In the circumstances, the present quorum requirement does not seem to pose any real problems to Bills Committees, Panels, and the relevant subcommittees. The Committee also notes that the present quorum requirement is not harsh when comparing with those in UK, Australia and Canada. The Committee therefore does not consider it justified to relax the existing requirement, such as by capping the number of members for forming a quorum. The Committee has also considered other options to facilitate meeting arrangements of committees, such as limiting the size of committees or the number of committees that each Member may join. The Committee does not consider it necessary to do so because comparing with the House of Commons/House of Representatives in other jurisdictions, the Council has a relatively small membership. Members should be free to join as many committees as they wish. Not to set an upper limit to the number of committees that a Member may join or to the membership of a committee will allow flexibility and safeguard the interest of those who have no party affiliation.

4.12 The Committee is of the view that the present quorum requirement for committees should be maintained. However, in considering whether to join any committee, Members may wish to take into account the time and commitment likely to be involved.

Procedural arrangements for processing motions at Panel meetings

4.13 The Committee was invited by the House Committee to review the procedural arrangements in relation to the processing of motions at Panel meetings. The request was made in response to the concern raised by a Panel chairman who pointed out that in the absence of uniform procedural arrangements for the moving and processing of motions, Panel chairmen had to exercise their discretion to decide on the procedure to follow. She requested that a review be conducted, in particular on the notice requirements of motions and amendments, as well as the arrangements for processing motions at Panel meetings.

4.14 The Committee notes that no procedure has been laid down in the Rules of Procedure and House Rules for the moving and processing of motions at Panel meetings. To facilitate consideration of the need to provide such a procedure, the Committee studied all the previous occasions on which motions had been moved and processed at Panel meetings during the current legislative term. Sixteen such occasions were identified. Out of these 16 cases, 13 were moved without notice, one not proceeded with as it was considered inappropriate by the Panel, and two moved with notice and were formally placed on the agenda. As regards the two motions moved with notice, both were moved at meetings of the Panel on Transport and members were given the wording of the motions and amendments prior to the meetings. The proceedings relating to the motions were carried out in accordance with the procedure adopted by the Panel on Transport for dealing with motions at its meetings.

4.15 The Committee notes that the major function of a Panel is to monitor and examine policy matters within its terms of reference. Flexibility in the conduct of business of a Panel is necessary in order to facilitate its frequent exchange of views with the Administration and interested parties on matters of public concern. While it is not common for Members to move motions at Panel meetings, such motions are considered necessary when there is a need to come to a view or stance on a specific issue and/or to urge the Government to take certain actions. It is therefore not usually possible for members of Panels to give advance notice for the moving of motions, but it is common practice that a motion to be moved is related to an agenda item of a Panel meeting.

4.16 The Committee notes that a motion, once passed in a Panel, will represent the view of the Panel. It is therefore not unreasonable for members to expect some kind of prior notice before a motion is put to the Panel for deliberation. The Committee, however, is also aware of the need to maintain flexibility and provide Panels with the opportunity to decide on a

stance where necessary without being inhibited by rigid procedural rules. The Committee considers that since the decision of a Panel is not binding, it may not be entirely necessary to lay down the same procedural requirements as those applicable to motions in the Council. Besides, it is an accepted practice of Panels that agenda items may be included at very short notice for a meeting owing to the urgency of the matters concerned. It is therefore not realistic to require that notice be given for motions to be moved at Panel meetings.

4.17 Whilst the Committee sees the merits of giving Panels and their chairmen considerable latitude in deciding how to deal with members' request to move motions at Panel meetings, the Committee considers that some basic guidelines ought to be laid down for Panels' references. The Committee recommends that:

- (a) any motion to be proposed during a Panel meeting should be directly related to an agenda item of that meeting;
- (b) it should be for the chairman of the Panel to decide on the direct relevance of a proposed motion with the agenda item;
- (c) whether a proposed motion is to be proceeded with should be determined by a simple majority of the members present at the Panel meeting; and
- (d) any proposed motion and amendment to a motion should be presented in written form to facilitate members' consideration and voting.

4.18 The Committee proposes that a new subrule (p) be added to House Rule 22 (Panels) to put the above arrangements into effect.

5. Acknowledgement

5.1 Members of the Committee wish to record their appreciation of the views of Members of the Council and their support for the work of the Committee. They also wish to thank the staff of the Secretariat who have once again impressed members with the high professional standard of their contribution.

議事規則委員會委員名單
Membership list of Committee on Rules of Procedure

周梁淑怡議員(主席)	Hon Mrs Selina CHOW LIANG Shuk-ye, JP (Chairman)
吳靄儀議員(副主席)	Hon Margaret NG (Deputy Chairman)
李卓人議員	Hon LEE Cheuk-yan
李柱銘議員	Hon Martin LEE Chu-ming, SC, JP
張永森議員(由 10.7.1998 至 31.12.1999)	Hon Ambrose CHEUNG Wing-sum, JP (from 10.7.1998 to 31.12.1999)
陳婉嫻議員(由 10.7.1998 至 21.9.1999)	Hon CHAN Yuen-han (from 10.7.1998 to 21.9.1999)
梁智鴻議員	Dr Hon LEONG Che-hung, JP
程介南議員	Hon Gary CHENG Kai-nam, JP
黃宏發議員	Hon Andrew WONG Wang-fat, JP
劉健儀議員	Hon Mrs Miriam LAU Kin-ye, JP
劉慧卿議員	Hon Emily LAU Wai-hing, JP
鄭家富議員	Hon Andrew CHENG Kar-foo
劉漢銓議員(由 8.10.1999 起)	Hon Ambrose LAU Hon-chuen, JP (with effect from 8.10.1999)
曾鈺成議員(由 14.1.2000 起)	Hon Jasper TSANG Yok-shing, JP (with effect from 14.1.2000)

Committee on Rules of Procedure

List of issues studied during the
1998-2000 Legislative Council term

Item	Issue	Reference	Progress/Remarks
1	To consider the interpretation of Articles 74 and 48(10) of the Basic Law.	Articles 48(10) and 74 of Basic Law, Rules 31, 51(3), 57(6) and 69(3) of Rules of Procedure, and correspondences between the Solicitor-General and the Legal Adviser	The Committee issued a paper (LC Paper No. CB(1)45/98-99) on 22 July 1998 containing its deliberations on the interpretation of Articles 74 and 48(10) of the Basic Law. The independent legal opinion from Mr Denis CHANG also shows that the rules are not in contravention of the Basic Law. The Administration has been requested on 23 September 1998 to respond to the Committee's deliberations, and its response is awaited.
2	To consider views of the Solicitor-General as regards voting procedures and the position of the President when voting.	Annex II of Basic Law, Rules 46 and 47 of Rules of Procedure, and correspondences between the Solicitor-General and the Legal Adviser	The Committee issued a paper (LC Paper No. CB(1)72/98-99) on 4 August 1998 containing its deliberations on concerns raised by the Solicitor-General on the subject of voting procedures. The independent legal opinion from Mr Denis CHANG also shows that the rules are not in contravention of the Basic Law. The Administration has been requested on 23 September 1998 to respond to the Committee's deliberations, and its response is awaited.

Item	Issue	Reference	Progress/Remarks
3	To provide procedural arrangements for relieving a Member of his duties under Article 79(6) of the Basic Law.	Article 79(6) of Basic Law	<p>The House Committee endorsed the proposed amendments to the Rules of Procedure to provide rules for implementing Article 79(6) on 4 September 1998.</p> <p>A resolution to amend the Rules of Procedure was carried at the Council meeting on 9 September 1998.</p>
4	To provide procedural arrangements for the censure of a Member under Article 79(7) of the Basic Law.	Article 79(7) of Basic Law, section 15(1)(e) of LegCo Ordinance	<p>Consultation undertaken with Members of the Council. The House Committee was informed of the results of the consultation exercise on 16 April 1999.</p> <p>A resolution to amend the Rules of Procedure to provide rules for implementing Article 79(7) was carried at the Council meeting on 28 April 1999.</p>

5	<p>To consider the need for providing specific rules for the Council:</p> <p>(a) to consider an Appropriation Bill presented following the refusal of the Council to pass a budget; and</p> <p>(b) the Chief Executive's application for provisional appropriations in case the Council refuses to pass the budget introduced by the Government.</p>	<p>Articles 50 and 51 of Basic Law, Rule 51 of Rules of Procedure</p>	<p>The House Committee endorsed the proposed amendments to Rule 51 on 9 June 2000.</p> <p>A resolution to amend the Rules of Procedure will be moved at the Council meeting on 21 June 2000.</p>
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Item	Issue	Reference	Progress/Remarks
6	To refine procedures on bills returned to the Council for reconsideration under Article 49 of the Basic Law.	Article 49 of Basic Law, Rule 66 of Rules of Procedure	<p>The House Committee endorsed the proposed amendment to Rule 66 on 9 June 2000.</p> <p>A resolution to amend the Rules of Procedure will be moved at the Council meeting on 21 June 2000.</p>
7	To consider the need to revise rules to set out clearly the method for counting of votes. Also to consider the need for the President to call upon Members who are against a question to raise their hands, since the question should have been decided after Members who are in favour of the question have raised their hands.	Annex II of Basic Law, Rules 46 to 49 of Rules of Procedure	<p>The House Committee accepted the Committee's recommendation on 19 January 1999 that:</p> <p>(a) Rule 46 be amended to set out clearly the meaning of “a majority vote”; and</p> <p>(b) no change should be made to existing practice for Members to indicate their stance when votes are taken.</p> <p>A resolution to amend the Rules of Procedure was carried at the Council meeting on 28 April 1999.</p>
8	To consider whether a precedence of Members of the legislature should be established and if so, whether this should be determined by Members' length of office in the Council.	Rule 1A of Rules of Procedure	<p>The House Committee endorsed the proposed new Rule 1A of the Rules of Procedure on 19 January 1999.</p> <p>A resolution to amend the Rules of Procedure was carried at the Council meeting on 28 April 1999.</p>

Item	Issue	Reference	Progress/Remarks
9	To consult the Administration on the need to amend the LegCo Ordinance to provide for the appointment by the Chief Executive of a date and time for holding the first meeting of a term of the Council starting from the second term.	Rule 12(1) of Rules of Procedure, sections 9 and 10 of LegCo Ordinance	Relevant amendments to the LegCo Ordinance have been made by the Legislative Council (Amendment) Bill 1999.
10	To consult Members on the timing for commencement of legislative sessions.	Rules 12, 14, 18, 19 and 23 of Rules of Procedure, section 11 of LegCo Ordinance	<p>The House Committee endorsed the proposed amendment to Rule 13 on 19 January 1999.</p> <p>A resolution to amend the Rules of Procedure was carried at the Council meeting on 28 April 1999.</p>
11	To review current practice on the notice requirements for a Motion of Thanks and amendments to the motion.	Rule 13(1) and (3) of Rules of Procedure	<p>The House Committee endorsed the proposed amendments to Rule 13 on 17 March 2000.</p> <p>A resolution to amend the Rules of Procedure was carried at the Council meeting on 5 April 2000.</p>

12	To review the existing practice of restricting Members from proposing a motion on a subject matter which is closely related to part of an earlier motion already debated at a Council meeting or are being studied by a standing committee, and the general principle of the “rule of anticipation” (<i>referred by the House Committee on 7 May 1999 and 4 June 1999, and raised at the Committee meeting on 8 August 1998 respectively</i>).	Rules 23, 25 and 31 of Rules of Procedure, House Rule 7	The House Committee endorsed the proposed amendments to Rules 23, 25 and 31 and House Rule 7 on 28 April 2000. A resolution to amend the Rules of Procedure will be moved at the Council meeting on 21 June 2000.
Item	Issue	Reference	Progress/Remarks
13	To consider whether a mechanism should be established to facilitate a Member to move an amendment which has been withdrawn before it is moved.	Rules 30 and 35 of Rules of Procedure, new House Rule 19A	The House Committee endorsed the proposed amendments to Rules 30 and 35 and the proposed House Rule 19A on 9 June 2000. A resolution to amend the Rules of Procedure will be moved at the Council meeting on 21 June 2000.
14	To examine provisions relating to the exercise of opinion by the President and other Members, the disallowance of vote of Members with direct pecuniary interest, and provisions relating to indication of Members’ intention to speak.	Rules 31, 36, 51, 57 and 84 of Rules of Procedure	The House Committee endorsed the proposed amendments to Rules 31, 36, 51, 57 and 84 on 19 January and 9 February 1999. A resolution to amend the Rules of Procedure was carried at the Council meeting on 28 April 1999.

15	To consider whether Members should be allowed to speak after public officers have spoken at motion debates.	Rule 38 of Rules of Procedure	<p>The House Committee endorsed the proposed amendments to Rule 38 on 17 March 2000.</p> <p>A resolution to amend the Rules of Procedure was carried at the Council meeting on 5 April 2000.</p>
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Item	Issue	Reference	Progress/Remarks
16	<p>To review the following provisions of Rule 38:</p> <p>(a) To review the appropriateness of the circumstances listed in Rule 38(1) regarding the occasions when a Member may speak more than once;</p> <p>(b) To refine Rule 38(4) and (6) to make it explicit that no Member may speak after the mover of a motion has made his reply (<i>referred by the President after the Council meeting on 19 May 1999</i>); and</p> <p>(c) To review the provision in Rule 38(7) for a public officer to speak a second time on a motion “That this Council thanks the Chief Executive for his address”.</p>	Rules 33, 34 and 38 of Rules of Procedure	<p>Consultation undertaken with Members of the Council. The House Committee endorsed the proposed amendments to Rules 33, 34 and 38 on 17 March 2000.</p> <p>A resolution to amend the Rules of Procedure was carried at the Council meeting on 5 April 2000.</p>
17	To consider whether current rules on “decision of chair” and “order in committee” should be extended to committees other than standing or select committees.	Rules 44 and 45 of Rules of Procedure	The Committee considered the subject at the meeting on 27 April 1999 and concluded that it was not necessary to extend the current rules on “decision of chair” and “order in committee” to committees other than standing or select committees.

Item	Issue	Reference	Progress/Remarks
18	To consider whether late membership for committees should be accepted on grounds other than indisposition or absence from Hong Kong.	Rule 76 of Rules of Procedure, House Rules 21, 22 and 23	<p>The House Committee endorsed the proposed amendment to Rule 76 on 19 March 1999.</p> <p>A resolution to amend the Rules of Procedure was carried at the Council meeting on 28 April 1999. The relevant House Rules were amended accordingly.</p>
19	To review the quorum requirement for meetings of bills committees as well as other committees.	Rule 76 of Rules of Procedure	<p>The House Committee accepted on 7 May 1999 the Committee's recommendation that the existing quorum requirements for committees should be maintained.</p>
20	To change the dissolution of select committees from "end of session" to "end of term".	Rule 78(1) and (5) of Rules of Procedure	<p>The Committee endorsed the proposed amendment to Rule 78 on 8 September 1998.</p> <p>A resolution to amend the Rules of Procedure was carried at the Council meeting on 28 April 1999.</p>
21	To consider whether the provisions governing registration of interests should be amended in line with the former Legislative Council Standing Orders No. 64A. Also to consider rules relating to the declaration of interests.	Rules 83 and 84 of Rules of Procedure, Standing Order No. 64A	<p>Endorsed by the Committee on 24 November 1998; CMI considered the issue on anonymous financial sponsorship on 15 December 1998 and decided that current practices should remain unchanged.</p> <p>A resolution to amend relevant rules (Rules 83 and 84) of the Rules of Procedure was carried at the Council meeting on 28 April 1999.</p>

Item	Issue	Reference	Progress/Remarks
22	Following the amendments to Rule 84, to work out the mechanisms for disallowance of votes where a division has not been claimed, and the withdrawal of a Member who has a direct pecuniary interest on a question when voting takes place.	House Rule 3 and Appendix II	The House Committee endorsed the Committee's proposed amendments to House Rule 3 and Appendix II on 5 November 1999.
23	To consider the procedure for moving motions/amendments to motions at Panel meetings and voting on such motions/amendments to motions (<i>referred by the House Committee on 7 May 1999</i>).	House Rule 22	The House Committee endorsed the Committee's proposed amendments to House Rule 22 on 9 June and 16 June 2000.

Legislative Council Secretariat
17 June 2000