

LegCo InfoPack 2011 - 2012

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Standing Orders of the Legislative Council of Hong Kong

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Introduction

To promote and facilitate understanding of the Legislative Council ("LegCo") of the Hong Kong Special Administrative Region, LegCo InfoPacks are compiled by the LegCo Library to facilitate users' access to relevant information on the history, work, people and other aspects of LegCo.

This InfoPack contains copies of documents providing information on the Standing Orders of LegCo and their enactment history. Sources of information in this InfoPack are *Gazettes* published between 1917 and 1997.

Legislative Council Library

October 2011

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**Standing Orders of the
Legislative Council of Hong Kong and its source of authority**

Documents	Gazette	Encl.
Clause XXIII of the Royal Instructions of 1917	Proc. No.3 of 1917	1
Standing Orders of the Legislative Council of Hong Kong (made by the Legislative Council of Hong Kong on The Ninth Day of October 1968 in pursuance of the provisions of Clause XXIII of the Hong Kong Royal Instructions 1917 to 1967)	Special Legal Supplement No.2	2

**Amendments to Standing Orders of the
Legislative Council of Hong Kong**

Amendment date	Amendment	Gazette	Encl.
3 November 1971	Amending Order Nos. 1(1), 2(1), 2(3) – 2(5), 4(6), 5(3), 6(1) – 6(6), 9(2), 9(5), 9(6), 9(8), 10(1), 11(1), 14, 15(2), 17(2), 19(3), 19(7), 21(1), 23, 25(1), 25(3), 25(4), 30(1), 38(7), 40, 41(1), 45(6), 46(1), 46(11), 51(3), 52, 55(3), 55(5), 56(1), 59, 69 and 70	L.N. 138 of 1971	3
11 April 1973	Amending Order Nos. 5, 7(1) and 8	L.N. 85 of 1973	4
13 October 1976	Amending Order No. 16	L.N. 256 of 1976	5

**Amendments to Standing Orders of the
Legislative Council of Hong Kong (cont'd)**

Amendment date	Amendment	Gazette	Encl.
22 December 1976	Amending Order Nos. 4(2), 9(6), 13(6), 19(3), 24(1), 24(2), 39(2), 46(1), 55(3), 55(7), 60(1), 60(2) and 60(4)	L.N. 314 of 1976	6
10 May 1978	Inserting new Order No. 60A	L.N. 97 of 1978	7
6 August 1980	Amending Order No. 28	L.N. 217 of 1980	8
27 July 1983	Amending Order Nos. 4, 9, 10(1), 13(3), 13(6), 19, 23, 39(3), 45, 54, 58(1), 60 and 65(3)	L.N. 255 of 1983	9
18 July 1984	(a) Amending Order Nos. 8(4), 39(1), 60(1) and 60A (b) Adding Order Nos. 4A and 7A	L.N. 214 of 1984	10
6 February 1985	Amending Order No. 60	L.N. 24 of 1985	11
10 July 1985	Amending Order Nos. 1, 6(1), 11(1)(a) and 63	L.N. 189 of 1985	12
15 July 1987	Amending Order Nos. 3(2), 9, 11(1)(f), 12(3), 14(1), 15(1), 19(3), 20(1), 23, 28(6), 30(3), 39, 42(1), 45(6), 55(6), 56(1), 58, 60 and 60A	L.N. 221 of 1987	13

**Amendments to Standing Orders of the
Legislative Council of Hong Kong (cont'd)**

Amendment date	Amendment	Gazette	Encl.
6 July 1988	(a) Amending Order Nos. 3, 5(2), 6, 7A, 38(5), 46, 55 and 60 (b) Adding Order No. 7B	L.N. 178 of 1988	14
14 December 1988	Amending Order Nos. 12(1), 22, 38, 39 and 45(4)	L.N. 333 of 1988	15
10 July 1991	(a) Amending enactment paragraph (b) Amending Order Nos. 1, 3, 4, 4A(2)(a) and (b), 5, 6, 7(3), 8, 9, 11, 11(1), 12, 14, 15, 16, 17(3), 18(1), 19, 20, 21, 22, 23, 24(2), 24(4), 25, 26(1), 27, 30, 31, 33, 34, 35(1), 36, 37(1), 38(2), 39, 42, 45, 46, 54(1), 55, 56, 58, 60, 60A and 62 (c) Adding Order Nos. 4B, 4C, 32A, 36A, 60B, 64A, 65A, 67A and 67B (d) Repealing Order No. 3 and substituting with a new clause	L.N. 258 of 1991	16
29 April 1992	Amending Order No. 16(3)	L.N. 114 of 1992	17
8 July 1992	(a) Amending Order Nos. 4(6), 42 and 44(1) (b) Adding Order Nos. 60C and 60D	L.N. 226 of 1992	18
16 December 1992	Amending Order Nos. 7(2), 14, 16(3), 17(2), 21 and 45(2)	L.N. 408 of 1992	19

**Amendments to Standing Orders of the
Legislative Council of Hong Kong (cont'd)**

Amendment date	Amendment	Gazette	Encl.
3 February 1993	(a) Amending Order No. 27(5) (b) Adding Order No. 27A	L.N. 26 of 1993	20
19 February 1993	(a) Amending enactment paragraph (b) Amending Order Nos. 3, 11(1), 12, 60C(1), 60C(6) and 67B(4) (c) Adding Order Nos. 3A, 4AA and 19A (d) Repealing Order Nos. 23 and 45(6) and substituting with new clauses	L.N. 42 of 1993	21
13 October 1993	(a) Amending Order Nos. 4B, 60C and 60D (b) Adding Order No. 60E	L.N. 394 of 1993	22
23 February 1994	(a) Amending Order Nos. 3 and 3A (b) Adding Order No. 3B	L.N. 111 of 1994	23
4 May 1994	Amending Order Nos. 64A, 65 and 65A	L.N. 248 of 1994	24
6 July 1994	Amending Order Nos. 4, 4A and 39	L.N. 433 of 1994	25
6 July 1994	Amending Order No. 60	L.N. 434 of 1994	26
28 July 1995	(a) Amending enactment paragraph (b) Amending Order No. 3A	L.N. 381 of 1995	27

**Amendments to Standing Orders of the
Legislative Council of Hong Kong (cont'd)**

Amendment date	Amendment	Gazette	Encl.
28 July 1995	<p>(a) Amending Order Nos. 2, 3, 3A(1), 3B(1) and (2), 4, 4B, 4C, 6(2), 7, 8, 9, 11(1), 11(2), 12, 14, 15(1), 16,17(2), 18(1)(j), 19, 19A, 20, 21, 23(b), 24, 27, 27A, 28, 29(b), 30, 31(3), 32, 35(2), 36A, 37(1), 39, 40(1)(b), 41(1), 42, 43(3), 45(6)(b), 46, 48(3), 54(3), 55(6), 56, 60, 60A, 60B, 60C, 60D, 60E, 61, 62, 63, 64, 64A(1A), 65, 65A, 67, 67A(2), 67B and 70</p> <p>(b) Repealing Order Nos. 22(1B) and (3), 58 and 59</p> <p>(c) Repealing Order No. 52 and substituting with a new clause</p> <p>(d) Adding Order Nos. 23A and 66A</p>	L.N. 382 of 1995	28
18 October 1995	Amending Order Nos. 4C(2), 16(3A), 30(6), 39(1), 60(2), 60E(5), 64A(1) and 67(3)	L.N. 465 of 1995	29
13 March 1996	Amending Order Nos. 36(4) and 37	L.N. 133 of 1996	30
3 April 1996	Repealing Order Nos. 42(3B)(c) and 42(3B)(d) and substituting with new clauses	L.N. 157 of 1996	31
26 June 1996	Amending Order No. 19	L.N. 287 of 1996	32

**Amendments to Standing Orders of the
Legislative Council of Hong Kong (cont'd)**

Amendment date	Amendment	Gazette	Encl.
10 July 1996	Adding the text in the Chinese language of the Standing Orders of the Legislative Council of Hong Kong	L.N. 340 of 1996	33
16 April 1997	(a) Repealing Order Nos. 60A(2), 60B(2), and 61(2) and substituting with new clauses (b) Repealing Order No. 62(3)	L.N. 143 of 1997	34

PROCLAMATIONS.

No. 3.

[L.S.] FRANCIS HENRY MAY,
Governor.

By His Excellency Sir FRANCIS HENRY MAY Knight Commander of the Most Distinguished Order of Saint Michael and Saint George Governor and Commander-in-Chief of the Colony of Hongkong and its Dependencies and Vice-Admiral of the same :

Whereas by Article XXI of the Letters Patent intituled "Letters Patent passed under the Great Seal of the United Kingdom constituting the Office of Governor and Commander-in-Chief of the Colony of Hongkong and its Dependencies" and dated the 14th day of February 1917 it is directed and enjoined that the said Letters Patent shall be read and proclaimed at such place or places within the Colony as the Governor shall think fit and shall come into operation on a day to be fixed by the Governor by Proclamation :

And whereas I have thought fit that the said Letters Patent shall be read and proclaimed in the presence of the Legislative Council of the Colony on this 19th day of April 1917 at the Council Chamber and that they shall come into operation on the 20th day of April 1917 and whereas they have been so read accordingly :

Now therefore I Sir FRANCIS HENRY MAY Knight Commander of the Most Distinguished Order of Saint Michael and Saint George Governor and Commander-in-Chief of the Colony of Hongkong and its Dependencies and Vice-Admiral of the same in pursuance of the said Article and by virtue of the powers thereby vested in me do hereby proclaim the said Letters Patent accordingly and do direct that they shall come into operation on the 20th day of April 1917.

Given at the Council Chamber, Victoria, in the Colony of Hongkong, this 19th day of April 1917.

By Command,

CLAUD SEVERN,
Colonial Secretary.

GOD SAVE THE KING.

HONGKONG.

LETTERS PATENT passed under the Great Seal of the United Kingdom, constituting the Office of Governor and Commander-in-Chief of the Colony of Hongkong and its Dependencies.

*Dated 14th
February 1917.*

George the Fifth by the Grace of God of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas King, Defender of the Faith, Emperor of India : To all to whom these Presents shall come, Greeting.

*Recites Letters
Patent of 19th
January 1888.*

WHEREAS by certain Letters Patent under the Great Seal of Our United Kingdom of Great Britain and Ireland, bearing date at Westminster the Nineteenth day of January 1888, Her Majesty Queen Victoria did constitute the office of Governor and Commander-in-Chief in and over the Colony of Hongkong and its Dependencies, as therein described, and did provide for the Government thereof :

Letters Patent constituting the Office of
Governor and Commander-in-Chief of the Colony of
Hongkong.

And whereas by Orders of Her said Majesty in Her Privy Council bearing date respectively the Twentieth day of October 1898, and the Twenty-seventh day of December 1899, certain territories adjacent to the said Colony were, for the term therein referred to, declared to be part and parcel of the Colony in like manner and for all intents and purposes as if they had originally formed part of the Colony :

Recites Orders in Council of 20th October 1898 and 27th December 1899.

And whereas We are minded to make other provision in lieu of the above recited Letters Patent of the Nineteenth day of January 1888 :

Now, know ye that We do by these presents revoke the above recited Letters Patent of the Nineteenth day of January 1888, but without prejudice to anything lawfully done thereunder; and We do by these Our Letters Patent declare Our Will and Pleasure as follows :—

Revokes Letters Patent of 19th January 1888.

I. There shall be a Governor and Commander-in-Chief in and over Our Colony of Hongkong and its Dependencies (hereinafter called the Colony), and appointments to the said Office shall be made by Commission under Our Sign Manual and Signet.

Office of Governor constituted.

II. We do hereby authorise, empower, and command Our said Governor and Commander-in-Chief (hereinafter called the Governor) to do and execute all things that belong to his said office, according to the tenour of these Our Letters Patent and of any Commission issued to him under Our Sign Manual and Signet, and according to such Instructions as may from time to time be given to him, under Our Sign Manual and Signet, or by Order in Our Privy Council, or by Us through one of Our Principal Secretaries of State, and to such laws as are now or shall hereafter be in force in the Colony.

Governor's powers and authorities.

III. Every person appointed to fill the office of Governor shall, with all due solemnity, before entering upon any of the duties of his office, cause the Commission appointing him to be Governor to be read and published in the presence of the Chief Justice or other Judge of the Supreme Court, and of such Members of the Executive Council of the Colony as can conveniently attend; which being done he shall then and there take before them the Oath of Allegiance, in the form provided by an Act passed in the Session holden in the Thirty-first and Thirty-second years of the reign of Her Majesty Queen Victoria, intituled "An Act to amend the Law relating to Promissory Oaths"; and likewise the usual Oath for the due execution of the office of Governor and for the due and impartial administration of justice; which Oaths the said Chief Justice or Judge, or if they be unavoidably absent, the senior Member of the Executive Council then present, is hereby required to administer.

Publication of Governor's Commission.

Oaths to be taken by Governor.

Imperial Act, 31 & 32 Vict. c. 72.

IV. The Governor shall keep and use the Public Seal of the Colony for sealing all things whatsoever that shall pass the said Public Seal.

Public Seal.

V. There shall be an Executive Council in and for the Colony, and the said Council shall consist of such persons as We shall direct by Instructions under Our Sign Manual and Signet, and all such persons shall hold their places in the said Council during Our pleasure. The Governor may upon sufficient cause to him appearing suspend from the exercise of his functions in the Council any Member thereof pending the signification of Our pleasure, giving immediate notice to Us through one of Our Principal Secretaries of State. If the suspension is confirmed by Us through one of Our Principal Secretaries of State the Governor shall forthwith by an instrument under the Public Seal of the Colony revoke the appointment of such Member, and thereupon his seat in the Council shall become vacant.

Executive Council.

VI. There shall be a Legislative Council in and for the Colony, and the said Council shall consist of the Governor and such persons as We shall direct by any Instructions under Our Sign Manual and Signet, and all such persons shall hold their places in the said Council during Our

Legislative Council.

pleasure. The Governor may upon sufficient cause to him appearing suspend from the exercise of his functions in the Council any Member thereof pending the signification of Our pleasure, giving immediate notice to Us through one of Our Principal Secretaries of State. If the suspension is confirmed by Us through one of Our Principal Secretaries of State the Governor shall forthwith by an instrument under the Public Seal of the Colony revoke the appointment of such Member, and thereupon his seat in the Council shall become vacant.

Governor, with
advice and consent
of Council, to make
Laws.

VII. The Governor, by and with the advice and consent of the Legislative Council, may make laws for the peace, order, and good government of the Colony.

Disallowance of
Laws.

VIII. We do hereby reserve to Ourselves, Our heirs and successors, full power and authority to disallow, through one of Our Principal Secretaries of State, any such law as aforesaid. Every such disallowance shall take effect from the time when the same shall be promulgated by the Governor in the Colony.

Power of legisla-
tion reserved to
the Crown.

IX. We do also reserve to Ourselves, Our heirs and successors, Our and their undoubted right, with the advice of Our or their Privy Council, to make all such laws as may appear necessary for the peace, order, and good government of the Colony.

Assent to Bills.

X. When a Bill passed by the Legislative Council is presented to the Governor for his assent he shall, according to his discretion, but subject to any Instructions addressed to him under Our Sign Manual and Signet or through one of Our Principal Secretaries of State, declare that he assents thereto, or refuses his assent to the same, or that he reserves the same for the signification of Our pleasure.

Reserved Bills.

XI. A Bill reserved for the signification of Our pleasure shall take effect so soon as We shall have given Our assent to the same by Order in Council, or through one of Our Principal Secretaries of State, and the Governor shall have signified such assent by message to the Legislative Council or by proclamation: Provided that no such message shall be issued after two years from the day on which the Bill was presented to the Governor for his assent.

Governor and
Legislative Council
to observe
Instructions.

XII. In the making of any laws the Governor and the Legislative Council shall conform to and observe all rules, regulations, and directions in that behalf contained in any Instructions under Our Sign Manual and Signet.

Land grants.

XIII. The Governor, in Our name and on Our behalf, may make and execute, under the Public Seal of the Colony, grants and dispositions of any lands which may be lawfully granted or disposed of by Us. Provided that every such grant or disposition be made in conformity either with some law in force in the Colony or with some Instructions addressed to the Governor under Our Sign Manual and Signet, or through one of Our Principal Secretaries of State, or with some regulations in force in the Colony.

Governor
empowered to
appoint Judges and
other officers.

XIV. The Governor may constitute and appoint all such Judges, Commissioners, Justices of the Peace, and other necessary Officers and Ministers in the Colony, as may lawfully be constituted or appointed by Us, all of whom, unless otherwise provided by law, shall hold their offices during Our pleasure.

Grant of pardon.

XV. When any crime or offence has been committed within the Colony, or for which the offender may be tried therein, the Governor may, as he shall see occasion, in Our name and on Our behalf, grant a pardon to any accomplice in such crime or offence who shall give such information as shall lead to the conviction of the principal offender, or of any one of such offenders, if more than one; and further, may grant to any offender

convicted of any crime or offence in any Court, or before any Judge or other Magistrate within the Colony, a pardon, either free or subject to lawful conditions, or any remission of the sentence passed on such offender, or any respite of the execution of such sentence for such period as the Governor thinks fit, and may remit any fines, penalties, or forfeitures due or accrued to Us. Provided always that the Governor shall in no case, except where the offence has been of a political nature unaccompanied by any other grave crime, make it a condition of any pardon or remission of sentence that the offender shall be banished from or shall absent himself or be removed from the Colony.

Remission of fines.
Proviso. Banish-
ment prohibited.
Exception.
Political offences.

XVI. The Governor may, upon sufficient cause to him appearing, dismiss any public officer not appointed by virtue of a Warrant from Us, whose pensionable emoluments do not exceed one thousand dollars or one hundred pounds sterling a year, according as the said emoluments are fixed with reference to dollars or to pounds sterling as the case may be, provided that in every such case the grounds of intended dismissal are definitely stated in writing and communicated to the officer in order that he may have full opportunity of exculpating himself, and that the matter is investigated by the Governor with the aid of the head of the time being of the department in which the officer is serving.

Dismissal and
suspension of
officers.

The Governor may, upon sufficient cause to him appearing, also suspend from the exercise of his office any person holding any office in the Colony whether appointed by virtue of any Commission or Warrant from Us, or in Our name, or by any other mode of appointment. Such suspension shall continue and have effect only until Our pleasure therein shall be signified to the Governor. If the suspension is confirmed by one of Our Principal Secretaries of State, the Governor shall forthwith cause the officer to be so informed, and thereupon his office shall become vacant. In proceeding to any such suspension, the Governor is strictly to observe the directions in that behalf given to him by Our Instructions as aforesaid.

XVII. Whenever the office of Governor is vacant, or if the Governor become incapable, or be absent from the Colony, Our Lieutenant Governor of the Colony, or if there shall be no such Officer therein, then such person or persons as may be appointed under the Royal Sign Manual and Signet, and in default of any such appointment, the person lawfully discharging the functions of Colonial Secretary shall during Our pleasure administer the Government of the Colony, first taking the Oaths hereinbefore directed to be taken by the Governor and in the manner herein prescribed; which being done, We do hereby authorise, empower, and command Our Lieutenant Governor, or any other such Administrator as aforesaid, to do and execute, during Our pleasure, all things that belong to the office of Governor and Commander-in-Chief, according to the tenour of these Our Letters Patent, and according to Our Instructions as aforesaid, and the laws of the Colony.

Succession to
Government.
Proviso. Oaths of
Office.
Powers, &c., of
Administrator.

XVIII. And We do hereby require and command all Our officers and ministers, civil and military, and all other the inhabitants of the Colony, to be obedient, aiding and assisting unto the Governor and to any person for the time being administering the Government of the Colony.

Officers and others
to obey and assist
Governor.

XIX. In these Our Letters Patent the term "the Governor," shall include every person for the time being administering the Government of the Colony.

Term "Governor"
explained.

XX. And We do hereby reserve to Ourselves, Our heirs and successors, full power and authority, from time to time, to revoke, alter, or amend these Our Letters Patent as to Us or them shall seem meet.

Power reserved to
His Majesty to
revoke, alter, or
amend present
Letters Patent.

XXI. And We do further direct and enjoin that these Our Letters Patent shall be read and proclaimed at such place or places within the

Publication of
Letters Patent.

Colony as the Governor shall think fit, and shall come into operation on a day to be fixed by the Governor by Proclamation.

In witness whereof We have caused these Our Letters to be made Patent. Witness Ourselves at Westminster, the Fourteenth day of February, in the Seventh year of Our Reign.

By Warrant under the King's Sign Manual,

SCHUSTER.

HONGKONG.

INSTRUCTIONS passed under the Royal Sign Manual and Signet to the Governor and Commander-in-Chief of the Colony of Hongkong and its Dependencies.

GEORGE R.I.

*Dated 14th
February, 1917.*

INSTRUCTIONS to Our Governor and Commander-in-Chief in and over Our Colony of Hongkong and its Dependencies or other Officer for the time being administering the Government of Our said Colony and its Dependencies.

*Preamble.
Recites Letters
Patent of even date.*

WHEREAS by certain Letters Patent under the Great Seal of Our United Kingdom of Great Britain and Ireland, bearing even date herewith, We have made provision for the office of Governor and Commander-in-Chief (therein and hereinafter called the Governor) in and over Our Colony of Hongkong and its Dependencies (therein and hereinafter called the Colony):

And whereas We have thereby authorised and commanded the Governor to do and execute all things that belong to his said office according to the tenour of Our said Letters Patent and of any Commission issued to him under Our Sign Manual and Signet and according to such Instructions as may from time to time be given to him under Our Sign Manual and Signet or by Order in Our Privy Council or by Us through one of Our Principal Secretaries of State and to such laws as are now or shall hereafter be in force in the Colony:

*Recites Instruc-
tions of 19th
January 1888 and
Additional Instruc-
tions of 7th July
1896.*

And whereas Her Majesty Queen Victoria did issue certain Instructions to the Governor under Her Sign Manual and Signet bearing date the Nineteenth day of January 1888, and certain Additional Instructions bearing date the Seventh day of July 1896:

And whereas We are minded to substitute fresh Instructions for the aforesaid Instructions and Additional Instructions:

*Revokes Instruc-
tions of 19th
January 1888 and
Additional Instruc-
tions of 7th July
1896.*

Now therefore We do, by these Our Instructions under Our Sign Manual and Signet, revoke as from the date of the coming into operation of Our said recited Letters Patent, the aforesaid Instructions of the Nineteenth day of January 1888 and the aforesaid Additional Instructions of the Seventh day of July 1896, but without prejudice to anything lawfully done thereunder, and instead thereof We do direct and enjoin and declare Our will and pleasure as follows:—

*Administration of
Oaths.*

I. The Governor may, whenever he thinks fit, require any person in the public service of the Colony to take the Oath of Allegiance, in the form prescribed by the Act mentioned in Our said recited Letters Patent, together with such other Oath or Oaths as may from time to time be prescribed by

INSTRUCTIONS to the
Governor and Commander-in-Chief of the Colony of
Hongkong.

any laws in force in the Colony. The Governor is to administer such Oaths, or to cause them to be administered by some public officer of the Colony.

II. The Executive Council of the Colony shall consist of the Lieutenant-Governor of the Colony (if any), the Senior Military Officer for the time being in command of Our regular troops within the Colony, the persons for the time being lawfully discharging the functions of Colonial Secretary, of Attorney-General, and of Treasurer of the Colony, who are hereinafter referred to as *ex officio* Members, and of such other persons as at the date of the coming into operation of Our said recited Letters Patent are Members of the said Council, or as We may from time to time appoint by any Instructions or Warrant under Our Sign Manual and Signet, or as the Governor in pursuance of Instructions from Us through one of Our Principal Secretaries of State may from time to time appoint under the Public Seal of the Colony.

Constitution of
Executive Council.

III. Whenever any Member, other than an *ex officio* Member, of the Executive Council of the Colony shall, by writing under his hand, resign his seat in the Council, or shall die, or be declared by the Governor by an Instrument under the Public Seal of the Colony to be incapable of exercising his functions as a Member of the Council, or be absent from the Colony, or shall be acting in an office the holder of which is an *ex officio* Member of the Council, or shall be suspended from the exercise of his functions as a Member of the Council, the Governor may, by an Instrument under the Public Seal of the Colony, provisionally appoint any public officer to be temporarily an Official or Unofficial Member of the Council, and any person not a public officer to be temporarily an Unofficial Member of the Council in the place of the Member so resigning, or dying, or being suspended, or declared incapable, or being absent, or sitting as an *ex officio* Member.

Provisional
appointment of
Members of the
Executive Council.

Such person shall forthwith cease to be a Member of the Council if his appointment is disallowed by Us, or if the Member in whose place he was appointed shall be released from suspension, or, ~~in~~ the case may be, shall be declared by the Governor by an Instrument under the Public Seal capable of again discharging his functions in the Council, or shall return to the Colony, or shall cease to sit in the Council as an *ex officio* Member.

IV. The Governor shall, without delay, report to Us, for Our confirmation or disallowance, through one of Our Principal Secretaries of State, every provisional appointment of any person as a Member of the said Executive Council. Every such person shall hold his place in the Council during Our pleasure, and the Governor may by an Instrument under the Public Seal revoke any such appointment.

Such provisional
appointments to
be immediately
reported.

V. The Official Members of the Executive Council shall take precedence of the Unofficial Members, and among themselves shall have seniority and precedence as We may specially assign, and, in default thereof, first, the *ex officio* Members in the order in which their offices are above mentioned (except that the Senior Military Officer, if below the rank of Lieutenant-Colonel in Our Army, shall take precedence after the person lawfully discharging the functions of Attorney-General), and then other Official Members and all Unofficial Members according to the priority of their respective appointments, or if appointed by or in pursuance of the same Instrument, according to the order in which they are named therein.

Precedence.

VI. The Governor shall forthwith communicate these Our Instructions to the Executive Council, and likewise all such others, from time to time, as We may direct, or as he shall find convenient for Our service to impart to them.

Governor to com-
municate Instru-
ctions to Executive
Council.

VII. The Executive Council shall not proceed to the despatch of business unless duly summoned by authority of the Governor, nor unless two Members at the least (exclusive of himself or of the Member presiding), be present and assisting throughout the whole of the meetings at which any such business shall be despatched.

Executive Council
not to proceed to
business unless
summoned by
Governor's
authority.
Quorum.

- Who to preside. VIII. The Governor shall attend and preside at all meetings of the Executive Council, unless when prevented by illness or other grave cause, and in his absence such Member as the Governor may appoint, or in the absence of such Member the senior Member of the Council actually present, shall preside.
- Minutes of Executive Council to be kept. IX. Minutes shall be regularly kept of all the proceedings of the Executive Council; and at each meeting of the Council the Minutes of the last preceding meeting shall be confirmed or amended, as the case may require, before proceeding to the despatch of any other business.
- To be transmitted home twice a year. Twice in each year a full and exact copy of all Minutes for the preceding half year shall be transmitted to Us through one of Our Principal Secretaries of State.
- Governor to consult Executive Council. X. In the execution of the powers and authorities granted to the Governor by Our said recited Letters Patent, he shall in all cases consult with the Executive Council, excepting only in cases which may be of such a nature that, in his judgment, Our service would sustain material prejudice by consulting the Council thereupon, or when the matters to be decided shall be too unimportant to require their advice, or too urgent to admit of their advice being given by the time within which it may be necessary for him to act in respect of any such matters. In all such urgent cases he shall, at the earliest practicable period, communicate to the Executive Council the measures which he may so have adopted, with the reasons therefor.
- Governor alone entitled to submit questions. XI. The Governor shall alone be entitled to submit questions to the Executive Council for their advice or decision; but if the Governor decline to submit any question to the Council when requested in writing by any Member so to do, it shall be competent to such Member to require that there be recorded upon the Minutes his written application, together with the answer returned by the Governor to the same.
- Governor may act in opposition to Executive Council. Reporting grounds for so doing. XII. The Governor may, in the exercise of the powers and authorities granted to him by Our said recited Letters Patent, act in opposition to the advice given to him by the Members of the Executive Council, if he shall in any case deem it right to do so; but in any such case he shall fully report the matter to Us by the first convenient opportunity, with the grounds and reasons of his action. In every such case it shall be competent to any Member of the said Council to require that there be recorded at length on the Minutes the grounds of any advice or opinion he may give upon the question.
- Members may require their adverse opinions to be recorded on Minutes.
- Constitution of Legislative Council. XIII. The Legislative Council of the Colony shall consist of the Governor, the Lieutenant Governor (if any), the Senior Military Officer for the time being in command of Our regular troops within the Colony, the persons for the time being lawfully discharging the functions of Colonial Secretary, Attorney-General, and Treasurer of the Colony, and such other persons holding office in the Colony, and not exceeding three in number at any one time, as at the date of the coming into operation of Our said recited Letters Patent are Official Members of the said Council, or as We may from time to time appoint by any Instructions or Warrants under Our Sign Manual and Signet, or as the Governor, in pursuance of Instructions from Us, through one of Our Principal Secretaries of State, may from time to time appoint by an Instrument under the Public Seal of the Colony, and all such persons shall be styled Official Members of the Legislative Council; and further of such persons, not exceeding six in number at any one time, as at the date of the coming into operation of Our said recited Letters Patent are Unofficial Members of the said Council, or as the Governor, in pursuance of Instructions from Us, through one of Our Principal Secretaries of State, may from time to time appoint by an Instrument under the Public Seal of the Colony, and all such persons shall be styled Unofficial Members of the Legislative Council.
- Official Members.
- Unofficial Members.

XIV. Whenever any Official Member other than an *ex officio* Member of the Legislative Council of the Colony shall, by writing under his hand, resign his seat in the Council, or shall die, or be suspended from the exercise of his functions as a Member of the Council, or be declared by the Governor by an Instrument under the Public Seal of the Colony to be incapable of exercising his functions as a Member of the Council, or be absent from the Colony, or shall be acting in an office the holder of which is an *ex officio* Member of the Council, the Governor may, by an Instrument under the Public Seal of the Colony, provisionally appoint some person to be temporarily an Official Member of the Council in the place of the Member so resigning, or dying, or being suspended, or declared incapable, or being absent, or sitting as an *ex officio* Member.

Provisional
appointments in
place of Official
Members
absent, &c.

Such person shall forthwith cease to be an Official Member of the Council if his appointment is disallowed by Us, or if the Member in whose place he was appointed shall return to the Colony, or shall be released from suspension, or shall be declared by the Governor by an Instrument under the Public Seal capable of again discharging his functions in the said Council, or shall cease to sit in the Council as an *ex officio* Member.

The Governor shall, without delay, report to Us, for Our confirmation or disallowance, through one of Our Principal Secretaries of State, every provisional appointment of any person as an Official Member of the Legislative Council. Every such person shall hold his place in the Council during Our pleasure, and the Governor may by an Instrument under the Public Seal revoke any such appointment.

Provisional
appointments to be
immediately
reported.

Revocation of such
appointments.

XV. If any Unofficial Member of the Legislative Council shall die, or become incapable of discharging his functions as a Member of the Council, or be suspended or removed from his seat in the Council, or be absent from the Colony, or if he resign by writing under his hand, or if his seat become vacant, the Governor may, by an Instrument under the Public Seal of the Colony, provisionally appoint in his place a fit person to be temporarily an Unofficial Member of the said Council.

Provisional
appointments in
place of Unofficial
Members
absent, &c.

Such person shall forthwith cease to be a Member if his appointment is disallowed by Us, or if the Member in whose place he was appointed shall return to the Colony, or, as the case may be, shall be released from suspension, or shall be declared by the Governor by an Instrument under the Public Seal capable of again discharging his functions in the said Council.

The Governor shall, without delay, report to Us, for Our confirmation or disallowance, to be signified through one of Our Principal Secretaries of State, every provisional appointment of any person as an Unofficial Member of the Legislative Council. Every such person shall hold his place in the Council during Our pleasure, and the Governor may by an Instrument under the Public Seal revoke any such appointment.

Revocation of such
appointments.

XVI. Every person who at the date of the coming into operation of Our said recited Letters Patent is an Unofficial Member of the Legislative Council may retain his seat until the end of six years from the date of his appointment, and every Unofficial Member appointed after the date of the coming into operation of Our said recited Letters Patent shall vacate his seat at the end of six years from the date of the Instrument by which or in pursuance of which he is appointed, unless it is otherwise provided by that Instrument.

Vacation of seats
by Unofficial
Members.

Provided that if any such Member is provisionally appointed to fill a vacant seat in the Council and his provisional appointment is immediately followed by his definitive appointment, the aforesaid period of six years shall be reckoned from the date of the Instrument provisionally appointing him.

Every such Unofficial Member shall be eligible to be re-appointed by the Governor by an Instrument under the Public Seal of the Colony for a further period not exceeding six years, subject to Our approval conveyed through one of Our Principal Secretaries of State.

Seats declared void
in certain cases.

XVII. If any Unofficial Member of the Legislative Council shall become bankrupt or insolvent, or shall be convicted of any criminal offence, or shall absent himself from the Colony for more than three months without leave from the Governor, the Governor may declare in writing that the seat of such Member at the Council is vacant, and immediately on the publication of such declaration he shall cease to be a Member of the Council.

Resignation of
Members.

XVIII. Any Unofficial Member may resign his seat at the Council by writing under his hand, but no such resignation shall take effect until it be accepted in writing by the Governor, or by Us through one of Our Principal Secretaries of State.

Council may
transact business
notwithstanding
vacancies.
Quorum.

XIX. The Legislative Council shall not be disqualified from the transaction of business on account of any vacancies among the Members thereof; but the said Council shall not be competent to act in any case unless (including the Governor or the Member presiding) there be present at and throughout the meetings of the Council five Members at the least.

Precedence of
Members.

XX. The Official Members of the Legislative Council shall take precedence of the Unofficial Members; and among themselves shall take precedence as We may specially assign, and, in default thereof, first the *ex officio* Members, in the order in which their offices are mentioned (except that the Senior Military Officer, if below the rank of Lieutenant-Colonel in Our Army, shall take precedence after the person lawfully discharging the functions of Attorney-General), then other Official Members and all Unofficial Members according to the priority of their respective appointments, or if appointed by or in pursuance of the same Instrument according to the order in which they are named therein.

Every Unofficial Member of the Legislative Council re-appointed immediately on the termination of his term of office shall take precedence according to the date from which he has been continuously a Member of the said Council.

Who to preside.

XXI. The Governor shall attend and preside in the Legislative Council, unless prevented by illness or other grave cause; and in his absence any Member appointed by him in writing shall preside, or in default of such Member, the Member who is first in precedence of those present shall preside.

Questions to be
decided by a
majority.

Governor
to have original
and casting vote.

XXII. All questions proposed for debate in the Legislative Council shall be decided by the majority of votes, and the Governor or the Member presiding shall have an original vote in common with the other Members of the Council, and also a casting vote, if upon any question the votes shall be equal.

Rules and orders
to be made.

XXIII. The Legislative Council may from time to time make standing rules and orders for the regulation of their own proceedings; provided such rules and orders be not repugnant to Our said recited Letters Patent, or to these Our Instructions, or to any other Instructions from Us under Our Sign Manual and Signet.

Question, &c., for
debate.

XXIV. It shall be competent for any Member of the Legislative Council to propose any question for debate therein; and such question, if seconded by any other Member, shall be debated and disposed of according to the standing rules and orders. Provided always that every ordinance, vote, resolution, or question, the object or effect of which may be to dispose of or charge any part of Our revenue arising within the Colony, shall be proposed by the Governor, unless the proposal of the same shall have been expressly allowed or directed by him.

Rules and regula-
tions under which
Ordinances are to
be enacted.

XXV. In the passing of Ordinances the Governor and the Council shall observe, as far as practicable, the following Rules:—

Form of enacting
Ordinances.

1. All laws shall be styled "Ordinances," and the enacting words shall be, "enacted by the Governor of Hongkong, with the advice and consent of the Legislative Council thereof."

2. All Ordinances shall be distinguished by titles, and shall be divided into successive clauses or paragraphs, numbered consecutively, and to every such clause there shall be annexed in the margin a short summary of its contents. The Ordinances of each year shall be distinguished by consecutive numbers, commencing in each year with the number one.

Ordinances to be numbered and methodically arranged.

Except in the case of Bills reserved for the signification of Our pleasure, all Ordinances passed by the Legislative Council in any one year shall, if assented to by the Governor, be assented to by him in that year, and shall be dated as of the day on which the assent of the Governor is given, and shall be numbered as of the year in which they are passed. Bills not so assented to by the Governor, but reserved by him for the signification of Our pleasure, shall be dated as of the day and numbered as of the year on and in which they are brought into operation.

3. Each different matter shall be provided for by a different Ordinance, without intermixing in one and the same Ordinance such things as have no proper relation to each other; and no clause is to be inserted in or annexed to any Ordinance which shall be foreign to what the title of such Ordinance imports, and no perpetual clause shall be part of any temporary Ordinance.

Different subjects not to be mixed in same Ordinance. No clause to be introduced foreign to what title of Ordinance imports. Temporary Ordinances.

XXVI. The Governor shall not, except in the cases hereunder mentioned, assent in Our name to any Bill of any of the following classes:—

Description of Bills not to be assented to.

1. Any Bill for the divorce of persons joined together in holy matrimony:

2. Any Bill whereby any grant of land or money, or other donation or gratuity, may be made to himself:

3. Any Bill affecting the Currency of the Colony or relating to the issue of Bank notes:

4. Any Bill establishing any Banking Association, or amending or altering the constitution, powers, or privileges of any Banking Association:

5. Any Bill imposing differential duties:

6. Any Bill the provisions of which shall appear inconsistent with obligations imposed upon Us by Treaty:

7. Any Bill interfering with the discipline or control of Our forces by land, sea, or air:

8. Any Bill of an extraordinary nature and importance, whereby Our prerogative, or the rights and property of Our subjects not residing in the Colony, or the trade and shipping of Our United Kingdom and its Dependencies, may be prejudiced:

9. Any Bill whereby persons not of European birth or descent may be subjected or made liable to any disabilities or restrictions to which persons of European birth or descent are not also subjected or made liable:

10. Any Bill containing provisions to which Our assent has been once refused, or which have been disallowed by Us:

Unless in the case of any such Bill as aforesaid the Governor shall have previously obtained Our instructions upon such Bill through one of Our Principal Secretaries of State, or unless such Bill shall contain a clause suspending the operation of such Bill until the signification of Our pleasure thereupon, or unless the Governor shall have satisfied himself that an urgent necessity exists requiring that such Bill be brought into immediate operation, in which case he is authorised to assent in Our name to such Bill, unless the same shall be repugnant to the law of England, or inconsistent with any obligations imposed on Us by treaty. But he is to transmit to Us, by the earliest opportunity, the Bill so assented to, together with his reasons for assenting thereto.

Proviso in cases of emergency for immediate operation of an Ordinance.

XXVII. Every Bill intended to affect or benefit some particular person, association or corporate body shall contain a section saving the rights of Us, Our heirs and successors, all bodies politic and corporate, and all others except such as are mentioned in the Bill and those claiming by, from, and

Private Bills.

under them. No such Bill, not being a Government measure, shall be introduced into the Legislative Council until due notice has been given by not less than two successive publications of the Bill in the *Hongkong Government Gazette*, and in such other manner as may be required by the Standing Rules and Orders for the time being in force; and the Governor shall not assent thereto in Our name until it has been so published. A certificate under the hand of the Governor shall be transmitted to Us with the Bill signifying that such publication has been made.

Ordinances, &c., to be sent home duly authenticated.

XXVIII. When any Ordinance shall have been passed or when any Bill shall have been reserved for the signification of Our pleasure, the Governor shall transmit to Us, through one of Our Principal Secretaries of State, for Our final approval, disallowance or other direction thereupon, a full and exact copy in duplicate of the same, and of the marginal summary thereof, duly authenticated under the Public Seal of the Colony, and by his own signature. Such copy shall be accompanied by such explanatory observations as may be required to exhibit the reasons and occasion for passing such Ordinance or Bill.

Collection of Ordinances to be published every year.

XXIX. At the earliest practicable period at the commencement of each year, the Governor shall cause a complete collection to be published, for general information, of all Ordinances enacted during the preceding year.

Minutes of proceedings of Legislative Council to be kept, and sent home after every meeting.

XXX. Minutes shall be regularly kept of the proceedings of the Legislative Council, and at each meeting of the said Council, the Minutes of the last preceding meeting shall be confirmed or amended, as the case may require, before proceeding to the despatch of any other business.

The Governor shall transmit to Us, through one of Our Principal Secretaries of State, as soon as possible after every meeting a full and exact copy of the Minutes of the said Council.

Surveys and reservations to be made before waste lands are disposed of, Governor not to purchase lands.

XXXI. Before disposing of any vacant or waste land to Us belonging, the Governor shall cause the same to be surveyed, and such reservations to be made thereout as he may think necessary for roads or other public purposes. The Governor shall not, directly or indirectly, purchase for himself any of such lands without Our special permission given through one of Our Principal Secretaries of State.

Appointments to be provisional and during pleasure.

XXXII. All Commissions to be granted by the Governor to any person or persons for exercising any office or employment shall, unless otherwise provided by law, be granted during pleasure only; and whenever the Governor shall appoint to any vacant office or employment, of which the initial emoluments exceed one thousand dollars or one hundred pounds sterling a year, according as the said emoluments are fixed with reference to dollars or to pounds sterling, as the case may be, any person not by Us specially directed to be appointed thereto, he shall, at the same time, expressly apprise such person that such appointment is to be considered only as temporary and provisional until Our allowance or disallowance thereof be signified.

Suspension of Officers.

XXXIII. Before suspending from the exercise of his office any public officer whose annual pensionable emoluments exceed one thousand dollars or one hundred pounds sterling, according as the said emoluments are fixed with reference to dollars or to pounds sterling, as the case may be, the Governor shall signify to such officer, by a statement in writing, the grounds of the intended suspension, and shall call upon him to state in writing the grounds upon which he desires to exculpate himself, and if the officer does not furnish such statement within the time fixed by the Governor, or fails to exculpate himself to the satisfaction of the Governor, the Governor shall appoint a Committee of the Executive Council to investigate the charges made and to make a full report to the Executive Council. The Governor shall forthwith cause such report to be considered by the Council, and shall cause to be recorded on the Minutes whether the Council or the

majority thereof does or does not assent to the suspension; and if the Governor thereupon proceed to such suspension, he shall transmit the report of the Committee and the evidence taken by it, together with the Minutes of the proceedings of the Council, to Us through one of Our Principal Secretaries of State by the earliest opportunity. But if in any case the interests of Our service shall appear to the Governor to demand that a person shall cease to exercise the powers and functions of his office instantly, or before there shall be time to take the proceedings hereinbefore directed, he shall then interdict such person from the exercise of the powers and functions of his office.

XXXIV. Whenever any offender shall have been condemned by the sentence of any Court in the Colony to suffer death, the Governor shall call upon the Judge who presided at the trial to make to him a written report of the case of such offender, and shall cause such report to be taken into consideration at the first meeting of the Executive Council which may be conveniently held thereafter, and he may cause the said Judge to be specially summoned to attend at such meeting and to produce his notes thereat. The Governor shall not pardon or reprieve any such offender unless it shall appear to him expedient so to do, upon receiving the advice of the Executive Council thereon; but in all such cases he is to decide either to extend or to withhold a pardon or reprieve, according to his own deliberate judgment, whether the Members of the Executive Council concur therein or otherwise, entering, nevertheless, on the Minutes of the Executive Council a Minute of his reasons at length, in case he should decide any such question in opposition to the judgment of the majority of the Members thereof.

Regulation of power of pardon in capital cases.

Judge's report to be laid before Executive Council.

Governor to take advice of Executive Council in such cases.

May exercise his own judgment; entering his reasons on Council Minutes, if unable to accept the advice of the majority.

XXXV. The Governor shall punctually forward to Us from year to year, through one of Our Principal Secretaries of State, the annual book of returns for the Colony, commonly called the Blue Book, relating to the Revenue and Expenditure, Defence, Public Works, Legislation, Civil Establishments, Pensions, Population, Schools, Course of Exchange, Imports and Exports, Agriculture, Produce, Manufactures, and other matters in the said Blue Book more particularly specified, with reference to the state and condition of the Colony.

Blue Book.

XXXVI. The Governor shall not upon any pretence whatever quit the Colony without having first obtained leave from Us for so doing under Our Sign Manual and Signet, or through one of Our Principal Secretaries of State.

Governor's absence.

XXXVII. In these Our Instructions the term "the Governor" shall, unless inconsistent with the context, include every person for the time being administering the Government of the Colony.

Term "the Governor" explained.

Given at Our Court at Saint James's, this Fourteenth day of February, 1917, in the Seventh year of Our Reign.

EXECUTIVE COUNCIL.

No. 161.

Order made by the Governor in Council under Sub-section (2) of Section 3 of the Trading with the Enemy (Extension of Powers) Ordinance, 1916, Ordinance No. 4 of 1916, on the 19th day of April, 1917.

The list which was published in the *Gazette* of the 21st July, 1916, of persons and bodies of persons, incorporated or unincorporated, with whom trading is prohibited by the Trading with the Enemy (Statutory List) Proclamation, Hongkong, 1916, No. 3, and



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SUP. TO GAZETTE OF FRIDAY, 11 OCTOBER, 1968.

[Vol. CX]



STANDING ORDERS
OF THE
LEGISLATIVE COUNCIL
OF
HONG KONG

*Made by the Legislative Council of Hong Kong on The Ninth Day of
October 1968 in pursuance of the provisions of Clause XXIII
of the Hong Kong Royal Instructions 1917 to 1967*

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HONG KONG

STANDING ORDERS OF THE LEGISLATIVE COUNCIL
OF HONG KONG.

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STANDING ORDERS

of the

LEGISLATIVE COUNCIL OF HONG KONG.

MADE BY THE LEGISLATIVE COUNCIL OF HONG KONG ON THE NINTH DAY OF OCTOBER 1968 IN PURSUANCE OF THE PROVISIONS OF CLAUSE XXIII OF THE HONG KONG ROYAL INSTRUCTIONS 1917 TO 1967.

PART A.

MEMBERS AND OFFICERS OF THE COUNCIL.

1. (1) Except for the purpose of enabling this order to be complied with, no Member of the Council shall sit or vote therein until he has made or subscribed before the Council the oath or affirmation of Allegiance in the form prescribed by law.

Oath or
Affirmation of
Allegiance.

(2) Except as otherwise provided in paragraph (2) of Standing Order No. 6 (Proceedings at First Sitting of Session), the Clerk shall whenever necessary administer the oath or affirmation before the transaction of any other business.

2. (1) The proceedings and debates of the Council shall be in the English language.

Language.

(2) Every petition shall be in the English language or the Chinese language.

(3) A petition in the Chinese language shall be accompanied by an English translation certified to be correct by the Member presenting the petition.

3. (1) The Governor shall be the President of the Council.

(2) Save as otherwise provided in this order, the President shall preside at sittings of the Council and shall act as Chairman of committees of the whole Council; in the absence of the President the Member appointed by the Governor shall so preside. In default of such appointment or in the absence of such Member, the senior *ex officio* Member or Official Member present shall preside.

Presiding in
Council and in
Committee of
the whole
Council.

(3) A Member, other than the President, when presiding in the Council or acting as Chairman of a committee of the whole Council shall, while so presiding or acting, enjoy all powers conferred by these Standing Orders on the President or Chairman as the case may be.

Duties of the Clerk.

4. (1) The Clerk shall be responsible for keeping the minutes of the proceedings of the Council and of committees of the whole Council. The minutes of proceedings shall record the Members attending, all decisions taken, and details of every division held.

(2) The Clerk shall submit the minutes of proceedings of each sitting to the President for his signature and shall then distribute copies to Members before the commencement of the next sitting.

(3) The Clerk shall be responsible for preparing from day to day an Order Book showing all future business of which notice has been given. The Order Book shall be open to the inspection of Members at all reasonable hours.

(4) The Clerk shall be responsible for preparing for each sitting an Order Paper showing the business for that sitting.

(5) The Clerk shall be responsible for the custody of the votes, records, bills and other documents laid before the Council, which shall be open to inspection by Members of the Council at all reasonable hours, and by other persons under arrangements approved by the President.

(6) The Clerk, acting under the directions of the President, shall be responsible for the production of an official report of all speeches made in the Council and in the committee of the whole Council.

(7) The Clerk shall be responsible for providing the Finance Committee and every select committee of the Council with a clerk.

(8) The Clerk shall perform the further duties laid upon him in these Standing Orders, and all other duties in the service of the Council ordered by the Council or directed by the President.

PART B.

SESSIONS, SITTINGS AND ADJOURNMENTS OF THE COUNCIL.

Sessions.

5. (1) There shall be a session of the Council once in every year.

(2) On the thirtieth day of September in every year the session of the Council then in being shall end and the first sitting of the next session shall be held within the succeeding period of six weeks.

(3) The sessions of the Council shall be held at such place and shall begin at such time as the Governor may from time to time appoint by proclamation published in the *Gazette*.

6. (1) At the first sitting of a session the Clerk shall first read the proclamation appointing the time for the opening of the session and the place where it is to be held.

(2) Members who have not yet taken or subscribed the oath or affirmation of Allegiance shall then do so.

(3) The Governor, if he so wishes, shall then deliver a speech to the Council.

(4) Immediately after the Governor has delivered such a speech, the sitting may be suspended for such period, or the Council may be adjourned until such day, as the President may determine.

(5) At the resumption of the sitting, or on the day to which the Council is adjourned under paragraph (4) of this order, a motion may be moved without notice for an address of thanks to the Governor for his speech.

(6) A motion under paragraph (5) of this order shall be moved in the following form:

That an address be presented to His Excellency the Governor as follows:—

“We, The Hong Kong Legislative Council here assembled, beg leave to offer thanks for the speech which has been addressed by you to the Council.”

(7) Amendments may be moved to the motion described in paragraph (6) of this order only by way of adding words at the end of the motion.

7. (1) Sittings of the Council during each session shall be held on such days and shall begin at such hour as the Governor shall determine but a period of six weeks shall not elapse between the date of one sitting and the date appointed for the next sitting.

(2) Written notice of every sitting of the Council other than the first sitting of a new session shall be given by the Clerk to Members at least five clear days before the day of the sitting but in cases of emergency the Governor may dispense with such notice and in that event the longest possible notice shall be given.

(3) The Governor may, at any time after he has determined the day and hour upon which a sitting is to begin, change the day or hour so determined to a later day or hour, or in cases of emergency to an earlier day or hour.

8. (1) Unless otherwise determined under Standing Order No. 7 (Commencement of Sittings), every sitting other than the first sitting of a session shall begin at 2.30 p.m.

Proceedings at First Sitting of Session.

Commencement of Sittings.

Hours of Sitting.

(2) At 6 p.m. the proceedings on any business under consideration shall be interrupted, any motion which has been moved in pursuance of Standing Order No. 30 (Adjournment of Debate or of Proceedings of a Committee) shall lapse, and if the Council is in committee the Council shall resume:

Provided that, if the President is of opinion that the proceedings on which the Council is engaged could be concluded by a short deferment of the moment of interruption, he may in his discretion defer interrupting the business.

(3) If a division is in progress at 6 p.m., the business shall not be interrupted until after the declaration of the result of the division.

(4) Save as provided in paragraph (4) of Standing Order No. 9 (Motions for the Adjournment of the Council), no further business shall be entered upon after the interruption of business under paragraph (2) of this order.

(5) The President may at any time suspend a sitting or adjourn the Council.

9. (1) When for any sufficient reason it is not desired to formulate a motion in express terms for the purpose of debating a matter or matters, a motion that the Council do now adjourn may be moved for the purpose of such a debate.

(2) Such a motion shall not require notice but shall not be moved except between two items of business and then only by an *ex officio* Member.

(3) If such a motion shall be agreed to, the Council shall stand adjourned.

(4) After the interruption of business under paragraph (2) of Standing Order No. 8 (Hours of Sitting) or at the conclusion of all the business on the Order Paper, whichever is the earlier, an *ex officio* Member may move that this Council do now adjourn.

(5) On a motion moved under paragraph (4) of this order an Unofficial Member, who has obtained the right to do so, may raise any public matter for which the Government is responsible, with a view to eliciting a reply from an *ex officio* Member or an Official Member.

(6) A Member who wishes to raise a matter under the provisions of paragraph (5) of this Order shall give notice of the matter in writing to the President not less than three clear days before the sitting at which he wishes to do so:

Provided that the President may in his discretion dispense with such notice.

Motions for the Adjournment of the Council.

(7) If at the expiration of twenty minutes from the moving of a motion under paragraph (4) of this order an *ex officio* Member or an Official Member has not yet been called upon to reply, the President shall direct the Member then speaking to resume his seat and shall call upon an *ex officio* Member or an Official Member to reply.

(8) If at the expiration of thirty minutes from the moving of the motion under paragraph (4) of this order such motion has not been agreed to, the President shall adjourn the Council without putting any question.

10. (1) The quorum of the Council and of a committee of the whole Council shall consist of ten Members excluding the President or Chairman.

Quorum.

(2) If the attention of the President is drawn to the fact that a quorum is not present, he shall direct the Members to be summoned. If after fifteen minutes have expired he is satisfied that a quorum is not present, he shall adjourn the Council without question put.

(3) If the attention of the Chairman in committee of the whole Council is drawn to the fact that a quorum is not present, he shall act as provided in paragraph (2) of this order, save that if he is satisfied that a quorum is not then present the Council shall be resumed and the President shall count the Council. If a quorum is then present the Council shall again resolve itself into committee but if a quorum is not present the President shall adjourn the Council without question put.

(4) If from the number of Members taking part in a division, including those who abstained from voting, it appears that a quorum is not present, the division shall be invalid, the question on which it was held shall stand over until the next sitting, and the procedure prescribed in paragraph (2) or paragraph (3) of this order shall be followed.

PART C.

ARRANGEMENT OF BUSINESS.

11. (1) The business of each sitting other than the first sitting of a session shall be transacted in the following order:

Order of Business at a Sitting.

(a) Administration of oath or affirmation of Allegiance.

(b) Reading by the President of messages and announcements by the President.

- (c) Presentation of petitions.
 - (d) Presentation of papers and of reports of select committees by laying them on the Table.
 - (e) Asking and answering of questions put to the Government.
 - (f) Statements by *ex officio* Members and Official Members.
 - (g) Personal explanations.
 - (h) Obituary and other ceremonial speeches.
 - (i) Proceedings on motions and bills.
- (2) The items of business mentioned in sub-paragraphs (a), (b), (c), (d), (f), (g) and (h) of paragraph (1) of this order shall not require notice; but with the exception of items (a) and (b) they shall not be entered upon save with the previous leave of the President.

The Order Paper.

12. (1) All items of business for a sitting of which notice has been given shall be placed on the Order Paper for that sitting in the order required by Standing Order No. 11 (Order of Business at a Sitting).

(2) Oral questions to the Government shall be placed on the Order Paper in accordance with the provisions of paragraphs (1) and (2) of Standing Order No. 19 (Asking and Answering of Questions).

(3) Motions proposed to be made by and bills in the charge of *ex officio* Members or Official Members shall be placed on the Order Paper before motions proposed to be made by and bills in the charge of Unofficial Members.

PART D.

PETITIONS AND PAPERS.

13. (1) A petition may be presented to the Council only by a Member.

(2) A Member who wishes to present a petition to the Council shall inform the President not later than the day before the sitting at which he wishes to present it. When so informing the President he shall certify in writing to the President that the petition is respectful and, in his opinion, deserving of presentation.

(3) Except on the recommendation of the Governor, the President shall not permit a petition to be received if, in his opinion, the petition requests that provision should be made for

Presentation of Petitions.

imposing or increasing a tax, for imposing or increasing a charge on the revenue or other funds of the Colony of Hong Kong or for altering such a charge otherwise than by reducing it, or for compounding or remitting a debt due to the Colony of Hong Kong.

(4) The signification of the Governor's recommendation shall be recorded in the minutes of proceedings.

(5) No speech shall be made by a Member presenting a petition beyond a summary statement of the number and description of the petitioners and the substance of the petition.

(6) If, immediately after a petition has been presented, a Member rises in his place and requests that the petition be referred to a select committee, the President shall call upon those Members who support the request to rise in their places. If not less than ten Members then rise the petition shall stand referred to a select committee.

14. (1) A paper may be presented to the Council only by an *ex officio* Member or an Official Member.

Presentation of Papers.

(2) Whenever an *ex officio* Member or an Official Member wishes to present a paper he shall send a copy of it to the Clerk, who shall lay it on the Table of the Council at the opening of the next sitting and shall record its presentation in the minutes of proceedings of that sitting.

PART E.

QUESTIONS TO THE GOVERNMENT.

15. Any Unofficial Member may address a question to the Government relating to a public matter for which the Government is responsible, and either seeking information on such matter or asking for official action with regard to it.

Nature of Questions.

16. (1) Questions may be asked at any sitting except the first sitting of a session.

Question Time.

(2) Not more than fifteen questions of which notice has been given may be asked at any one sitting.

17. (1) A question shall not be asked without notice except as provided in paragraph (4) of this order.

Notice of Questions.

(2) A Member shall give notice of a question by delivering to the office of the Clerk, not later than five clear days before the sitting at which an answer is required, a copy thereof signed by the Member.

(3) A Member may not ask more than three questions of which notice has been given at any one sitting.

(4) If a Member asks the permission of the President to ask a question without notice on the ground that it is of an urgent character and relates to a matter of public importance, the President may permit the question to be asked without notice, if he is satisfied that it is of that nature and that sufficient private notice of the question has been or is to be given by the Member concerned to the Government to enable the question to be answered.

Contents of Questions.

18. (1) A question shall conform to the following rules:

- (a) A question shall not include the names of persons, or statements which are not strictly necessary to make the question intelligible.
- (b) A question shall not contain a statement which the Member who asks the question is not prepared to substantiate.
- (c) A question shall not contain arguments, inferences, opinions, imputations or epithets, or tendentious, ironical or offensive expressions.
- (d) A question shall not refer to debates or answers to questions in the current session.
- (e) A question shall not refer to proceedings in a committee before that committee has made its report to the Council.
- (f) A question shall not seek information about a matter which is of its nature secret.
- (g) A question shall not reflect on the decision of a court of law or be so drafted as to be likely to prejudice a case pending in a court of law.
- (h) A question shall not be asked for the purpose of obtaining an expression of opinion, the solution of an abstract legal question, or the answer to a hypothetical proposition.
- (i) A question shall not be asked whether statements in the press or of private individuals or private concerns are accurate.
- (j) A question shall not be asked about the character or conduct of any person mentioned in paragraphs (7) and (8) of Standing Order No. 31 (Contents of Speeches) and a question shall not be asked about the character or conduct of any other person except in his official or public capacity.

(k) A question shall not be asked seeking information which can be found in accessible documents or ordinary works of reference.

(l) A question which has been fully answered shall not be asked again during the same session.

(2) If the President is of the opinion that a question of which a Member has given notice to the Clerk or which a Member has sought to ask without notice infringes any of the provisions of Standing Order No. 15 (Nature of Questions) or of this order, he may direct—

- (a) that it be placed on the Order Paper with such alterations as he may direct; or
- (b) in the case of a question which a Member has sought to ask without notice, that it may be so asked with such alterations as he may direct; or
- (c) that the Member concerned be informed that the question is out of order.

19. (1) Every question in respect of which a Member has given due notice under the provisions of Standing Order No. 17 (Notice of Questions) and which complies with the provisions of Standing Order No. 18 (Contents of Questions) shall be put on the Order Paper for the sitting at which the Member has stated that he wishes to ask it.

Asking and Answering of Questions.

(2) The questions to be asked at each sitting shall, subject to the provisions of paragraph (2) of Standing Order No. 16 (Question Time), be placed on the Order Paper by the Clerk in the order in which notice of them was received by him, and when a Member has given notice of several questions at the same time in the order indicated by the Member.

(3) When each question is reached on the Order Paper the President shall call on the Member in whose name the question stands. The Member called shall then rise in his place and ask the question by reference to its number on the Order Paper and the *ex officio* Member or Official Member who is to answer it shall give his reply.

(4) After an answer has been given to a question supplementary questions may be put by any Member for the purpose of elucidating that answer, but the President shall refuse to allow a supplementary question to be answered, if in his opinion it introduces matter which is not related to the original question or answer or which infringes any of the provisions of Standing Order No. 15 (Nature of Questions) or Standing Order No. 18 (Contents of Questions).

(5) A Member shall not address Council on a question and a question shall not be made a pretext for a debate.

(6) If a Member is not present to ask his question when his name is called, the question may with his consent be asked by another Member and otherwise shall be postponed until the next sitting.

PART F.

STATEMENTS.

Statements by
ex officio
Members and
Official
Members.

20. (1) An *ex officio* Member or an Official Member who wishes to make a statement on some public matter for which the Government is responsible shall inform the President of his wish before the beginning of the sitting at which he wishes to make the statement.

(2) No debate may arise on such a statement but the President may in his discretion allow short questions to be put to the Member making the statement for the purpose of elucidating it.

PART G.

MOTIONS.

Notice of
Motions and
Amendments.

21. (1) Except as otherwise provided in these Standing Orders, no motion shall be moved in the Council unless notice of it has been given not less than three clear days before the day on which the motion is to be considered by the Council or a committee thereof:

Provided that the President or Chairman, as the case may be, may in his discretion dispense with such notice.

(2) Except as otherwise provided in these Standing Orders, no amendment shall be moved to a motion unless—

- (a) notice of the amendment has been given not later than the day before that on which the motion concerned is to be considered by the Council or a committee thereof; or
- (b) the President or Chairman, as the case may be, gives leave to dispense with notice of the amendment.

22. (1) Notice of a motion or an amendment shall be given by delivering a copy of the motion or amendment in writing to the office of the Clerk. The notice shall be signed by the Member wishing to move the motion or amendment.

Manner of
Giving Notice
of Motions and
Amendments.

(2) A notice of a motion or an amendment shall be submitted to the President, who shall direct—

- (a) that it be printed in the terms in which it was handed in; or
- (b) that it be printed with such alterations as he may direct; or
- (c) that it be returned to the Member who signed it, as being in his opinion out of order.

23. (1) Except on the recommendation of the Governor, the President or Chairman shall not permit a motion or an amendment to be moved, if in his opinion the effect of the motion or amendment is that provision should be made for imposing or increasing a tax, for imposing or increasing a charge on the revenue or other funds of the Colony of Hong Kong or for altering such a charge otherwise than by reducing it, or for compounding or remitting a debt due to the Colony of Hong Kong.

Motions and
Amendments
requiring Rec-
ommendation.

(2) The signification of the Governor's recommendation shall be recorded in the minutes of proceedings.

24. (1) A Member called upon by the President or Chairman to move a motion shall rise in his place and after making such remarks as he may wish to make shall move the motion, stating its terms.

Manner of
Debating
Motions.

(2) When a motion has been moved, the President or Chairman shall propose the question thereon to the Council or the committee in the same terms as the motion; debate may then take place on that question.

(3) Amendments of which notice has been given or dispensed with in accordance with sub-paragraphs (2)(a) or (2)(b) of Standing Order No. 21 (Notice of Motions and Amendments) may be moved to a motion at any time after the question has been proposed on the motion by the President or Chairman and after all the amendments have been disposed of the President or Chairman shall again propose the question on the motion, or shall propose the question on the motion as amended, as the case may require, and a further debate may take place.

(4) When no more Members wish to speak the President or Chairman shall put the question on the motion or on the motion as amended to the Council or to the committee for its decision.

25. (1) A Member called upon by the President or Chairman to move an amendment to a motion shall rise in his place and after making such remarks as he may wish to make shall move the amendment, stating its terms.

Manner of
Debating
Amendments to
Motions.

(2) An amendment to a motion shall take one of the following forms—

- (a) To leave out one or more words of the motion.
- (b) To insert or add one or more words in the motion or at the end of the motion.
- (c) To leave out one or more words of the motion and to insert or add one or more words instead.

(3) When an amendment has been moved the President or Chairman shall thereupon propose the question on the amendment to the Council or committee; and a debate may then take place on that question.

- (4) (a) On an amendment to leave out any of the words of a motion, the question to be proposed shall be that the words proposed to be left out, be left out.
- (b) On an amendment to insert words in or add words at the end of a motion, the question to be proposed shall be that these words be there inserted (or added).
- (c) On an amendment to leave out words and insert or add other words instead, a question shall first be proposed that the words proposed to be left out, be left out. If that question is agreed to, a second question shall then be proposed that those words be there inserted (or added).
- (d) When two or more amendments are proposed to be moved to the same motion the President or Chairman shall call on the movers in the order in which their amendments relate to the text of the motion, or in cases of doubt in the order decided by the President or Chairman.
- (e) Once the President or Chairman has proposed a question to leave out certain words of motion, no amendment to leave out part only of the words concerned may be proposed, unless the earlier amendment is first withdrawn.

Withdrawal of
Motions and
Amendments.

26. (1) A motion or an amendment may be withdrawn at the request of the mover by leave of the Council or committee before the question is fully put thereon, if there is no dissenting voice. A motion or amendment which has been so withdrawn may be proposed again if, in the case of a motion, the notice required by these Standing Orders is given.

(2) A notice of a motion or an amendment may be withdrawn at any time before it is moved, if the Member in whose name the motion or amendment stands gives instructions to that effect to the Clerk.

PART H.

RULES OF DEBATE.

27. (1) A Member shall speak standing and shall address his observations to the President or Chairman.

Time and
Manner of
Speaking.

(2) When the President or Chairman rises, during proceedings in Council or in committee of the whole Council, every Member shall be seated.

(3) If two or more Members rise at the same time to speak, the President or Chairman shall select one Member and call on him to speak.

(4) When a Member has finished speaking he shall resume his seat and any other Members wishing to speak shall rise.

28. (1) Save with the leave of the President, a Member may not speak more than once on a question, except—

Occasions when
a Member may
speak more
than once.

- (a) in committee; or
- (b) in explanation as provided in paragraph (2) of this order; or
- (c) in the case of the mover of a motion, in reply as provided in paragraph (3) of this order.

(2) A Member who has spoken on a question may again be heard, if the President so permits, to explain some part of his speech which has been misunderstood, but when speaking he shall not introduce new matter.

(3) In the Council the mover of a motion may reply after all other Members present have had an opportunity of speaking and before the question is put; but the mover of an amendment shall not have the right of reply.

(4) A Member who has spoken on a question may speak again on an amendment proposed to that question, and on a motion that the debate now be adjourned moved during the debate on that question.

(5) No Member may speak on a question after it has been fully put to the Council or a committee for decision by the President or Chairman.

29. A Member shall not interrupt another Member, except—

Interruptions.

- (a) by rising to a point of order, when the Member speaking shall resume his seat and the Member interrupting shall direct attention to the point which he wishes to bring to notice and submit it to the President or Chairman for decision; or

- (b) to elucidate some matter raised by that Member in the course of his speech, if the Member speaking is willing to give way and resume his seat and the Member wishing to interrupt is called by the President or Chairman.

Adjournment of Debate or of Proceedings of a Committee.

30. (1) A Member who has risen to speak on a question proposed by the President in the Council may move without notice that the debate be now adjourned. Thereupon the President shall propose the question on that motion.

(2) When a motion that the debate be now adjourned has been agreed to, the debate on the question then before the Council shall stand adjourned and the Council shall proceed to the next item of business.

(3) When a motion that the debate be now adjourned has been negatived, the debate on the question then before the Council shall be continued and no further motion that the debate be now adjourned shall be moved during that debate except by an *ex officio* Member.

(4) When the Council is in committee a Member may move without notice that further proceedings of the committee be now adjourned. Thereupon the Chairman shall propose the question on that motion. If the motion is agreed to, the Council shall resume; but if the motion is negatived, the committee shall continue its proceedings.

(5) It shall not be in order to move an amendment to a motion under the provisions of this order.

Contents of Speeches.

31. (1) A Member shall restrict his observations to the subject under discussion and shall not introduce matter irrelevant to that subject.

(2) Reference shall not be made to a case pending in a court of law in such a way as, in the opinion of the President or Chairman, might prejudice that case.

(3) It shall be out of order to attempt to reconsider a specific question on which the Council has taken a decision during the current session, except on a substantive motion to rescind that decision made with the permission of the President.

(4) It shall be out of order to use offensive and insulting language about Members of the Council.

(5) A Member shall not impute improper motives to another Member.

(6) The name of Her Majesty or of the Governor shall not be used to influence the Council.

(7) The conduct of Her Majesty and Members of the Royal Family shall not be called in question.

(8) The conduct of the Governor, Members of the Executive and Legislative Councils, and Judges or other persons performing judicial functions shall not be raised.

32. During a sitting—

(a) all Members shall enter or leave the Council with decorum;

(b) no Member shall cross the floor of the Council unnecessarily;

(c) Members shall not read newspapers, books, letters or other documents, except such matter therein as may be directly connected with the business of the Council; and

(d) while a Member is speaking all other Members shall be silent and shall not make unseemly interruptions.

Behaviour of Members not Speaking.

PART I.

RULES OF ORDER.

33. The President in Council or the Chairman in committee shall be responsible for the observance of the rules of order in the Council and committee respectively. His decision on a point of order shall be final.

Decision of Chair Final.

34. (1) The President or the Chairman, 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, may direct him to discontinue his speech.

Order in Council and Committee.

(2) The President or Chairman shall order a Member whose conduct is grossly disorderly to withdraw immediately from the Council for the remainder of that sitting; and the Clerk shall act on orders received by him from the Chair to ensure compliance with this order.

PART J.

VOTING.

35. (1) All questions put to the Council shall be decided by a majority of the votes of the Members present and voting

Decision of Questions.

(2) The Governor or other Member presiding shall, if the votes be equally divided, have a casting vote in addition to his original vote.

Collection of
Voices.

36. (1) When the President or Chairman puts a question to the Council or to the committee for its decision he shall first call upon those Members who are in favour of the question to say "Aye" and then upon those who are against the motion to say "No".

(2) As soon as the President or Chairman has collected the voices of the Ayes and of the Noes, the question being then fully put no other Member may speak to it.

(3) The President or Chairman may, according to his judgment of the number of voices on either side, then state that he thinks the Ayes have it or that he thinks the Noes have it, as the case may be; and if no Member challenges his statement as provided in the next succeeding paragraph he shall declare the question to have been so decided.

(4) If a Member challenges the statement of the President or Chairman that he thinks the Ayes or the Noes have it by claiming a division, then the President or Chairman shall order the Council or the committee, as the case may be, to proceed to a division; and the division shall be held forthwith in the manner prescribed in Standing Order No. 37 (Divisions).

(5) Notwithstanding paragraph (4) of this order the President or Chairman may, if in his opinion the division is unnecessarily claimed, take the vote of the Council or the committee, as the case may be, by calling upon the Members who support or who challenge his decision successively to rise in their places; and he shall thereupon, as he sees fit, either declare the determination of the Council or the committee or order a division.

Divisions.

37. (1) When a division has been ordered, the votes shall be taken by the Clerk, who shall ask each Member separately how he wishes to vote. A Member shall, upon his name being called, give his vote saying "Aye" or "No" or by expressly stating that he abstains from voting.

(2) As soon as the Clerk has taken the votes, the President or Chairman shall state the number voting for the Ayes and for the Noes respectively and shall then declare the result of the division.

(3) If a Member states that he voted in error or that his vote has been counted wrongly, he may claim to have his vote altered, if his statement is made before the President or Chairman has declared the result of the division.

PART K.

PROCEDURE ON BILLS.

38. (1) A bill for presentation to the Council shall conform with the requirements laid down in this order. Form of Bills.

(2) The bill shall be given a short title corresponding with the title by which it is to be cited if it becomes law.

(3) The bill shall be given a long title setting out the purposes of the bill in general terms.

(4) The clauses of the bill shall be preceded by the enacting formula prescribed by law.

(5) The bill shall be divided into clauses numbered consecutively and having a descriptive note in the margin of each clause.

(6) An explanatory memorandum stating the contents and objects of the bill in non-technical language shall be attached to the bill.

(7) In the case of a bill involving the expenditure of public money, the explanatory memorandum shall set out briefly the financial effect of the bill and contain estimates, where possible, of the amount of money involved.

(8) In the case of a bill, not being a Government measure intended to affect or benefit some particular person, association or corporate body, there shall be included in the bill a clause saving the rights of Her Majesty, Her heirs and successors, all bodies politic and corporate, and all others except such as are mentioned in the bill, and those claiming by, from and under them.

39. (1) A Member may at any time give notice of his intention to present a bill; such notice shall be sent to the office of the Clerk and shall be accompanied by a copy of the bill and memorandum required by Standing Order No. 38 (Form of Bills).

Notice of
Presentation of
Bills.

(2) In the case of a bill having any effect such as is described in paragraph (1) of Standing Order No. 23 (Motions and Amendments requiring Recommendation), the notice shall be accompanied by a certificate signed by the Colonial Secretary, stating that the Governor's recommendation will be signified to the bill on second reading.

(3) In the case of a bill presented by an Unofficial Member having any effect such as is described in paragraph (8) of Standing Order No. 38 (Form of Bills), the notice shall be accompanied by a certificate signed by the Member stating that the bill has been

published in two successive publications of the *Gazette* and that notice of the bill has been given by two advertisements in each of two daily newspapers published in the Colony, one of which shall be a Chinese language newspaper.

(4) A Member presenting a bill shall be known throughout the subsequent proceedings on the bill as the Member in charge of the bill.

Presentation and
Publication of
Bills.

40. As soon as may be after receipt of a bill for presentation to the Council the Clerk shall cause the text of the bill and the explanatory memorandum required by Standing Order No. 38 (Form of Bills) to be published in the *Gazette*; and copies of the text of the bill and memorandum as so published shall be sent to every Member. The bill shall then be deemed to have been presented to the Council.

First Reading of
Bills.

41. (1) The short title of every bill presented in accordance with Standing Order No. 40 (Presentation and Publication of Bills) shall be placed on the Order Paper for first reading at the next sitting after it shall have been published.

(2) No debate shall be allowed upon the first reading of a bill; and the bill shall be deemed to have been read the first time upon the Clerk reading the short title.

(3) When a bill has been read the first time, the Council shall be deemed to have ordered the bill to be set down for second reading, and the order of the Council shall be so recorded in the minutes of proceedings; and notice of motion for second reading shall not be required to be given by the Member in charge of the bill.

Second Reading.

42. (1) In the case of a bill having any effect such as is described in paragraph (1) of Standing Order No. 23 (Motions and Amendments requiring Recommendation), the President shall call for the signification of the recommendation of the Governor by an *ex officio* Member or an Official Member before the Council enters upon consideration of the second reading of the bill and the motion that the bill be now read the second time shall not be moved unless such recommendation has been signified accordingly.

(2) The signification of the Governor's recommendation shall be recorded in the minutes of proceedings.

(3) The Council shall proceed to the second reading of a bill on a motion that the bill be now read the second time; and on this motion a debate may arise covering the general merits and principles of the bill.

(4) No amendment may be proposed to the question that the bill be now read the second time.

(5) When a motion for the second reading of a bill has been negatived no further proceedings shall be taken on that bill.

43. (1) When a motion for the second reading of a bill has been agreed to, the bill shall stand committed to a committee of the whole Council, unless—

Committal of
Bills.

(a) the Council, on a motion which may be moved without notice by any Member immediately after the bill has been read the second time, commit the bill to a select committee; or

(b) the President is of the opinion that the bill would specially benefit or otherwise specially affect some particular person or association or corporate body, in which case he may direct that the bill be committed to a select committee.

(2) Notice of proceedings upon a bill in committee of the whole Council shall not be required to be given by the Member in charge of the bill.

(3) Proceedings upon a bill in select committee shall be begun upon a day appointed in accordance with paragraph (2) of Standing Order No. 62 (Procedure of Select Committees).

44. (1) Any committee to which a bill is committed shall not discuss the principles of the bill but only its details.

Functions of
Committees on
Bills.

(2) Any such committee shall have power to make such amendments therein as they shall think fit, provided that the amendments, including new clauses and new schedules, are relevant to the subject matter of the bill.

45. (1) The provisions of this order shall apply to amendments proposed to be moved to bills in committee of the whole Council, in a select committee, and on recommittal.

Amendments to
Bills.

(2) Notice of amendments proposed to be moved to a bill shall be given not less than three clear days before the day on which the bill is to be considered in committee; and except with the leave of the Chairman no amendment of which notice has not been so given may be moved to a bill.

(3) The provisions of Standing Order No. 22 (Manner of Giving Notice of Motions and Amendments) shall apply to notice of amendments to bills with the substitution of the word "Chairman" for "President" in paragraph (2) of that order.

(4) The following provisions shall apply to amendments relating to bills:

- (a) An amendment must be relevant to the subject matter of the bill and to the subject matter of the clause to which it relates.
- (b) An amendment must not be inconsistent with any clause already agreed to or with any previous decision of the committee upon the bill.
- (c) An amendment must not be such as to make the clause which it proposes to amend unintelligible or ungrammatical.
- (d) An amendment which is in the opinion of the Chairman frivolous or meaningless may not be moved.

(5) If an amendment refers to, or is not intelligible without a subsequent amendment or schedule, notice of the subsequent amendment or schedule must be given before the first amendment is moved so as to make the series of amendments intelligible as a whole.

(6) Except upon the recommendation of the Governor to be signified by an *ex officio* Member or an Official Member and recorded in the minutes of proceedings, the committee shall not proceed upon any amendment which in the opinion of the Chairman has an effect such as is described in paragraph (1) of Standing Order No. 23 (Motions and Amendments requiring Recommendation).

46. (1) The Chairman in committee of the whole Council shall direct the Clerk to call the number of each clause in succession. If no amendment is proposed thereto, or when all proposed amendments have been disposed of, he shall propose the question "That the clause (or the clause as amended) stand part of the bill" and, when all members who wish to speak thereon have spoken, he shall put that question to the committee for its decision.

(2) In order to save time and repetition of arguments, the Chairman may allow a single discussion to cover a series of interdependent amendments.

(3) The provisions of Standing Order No. 25 (Manner of Debating Amendments to Motions) shall apply to the discussion of amendments to bills, with the substitution of the word "clause" for the word "motion".

(4) A clause may be postponed, unless a decision has already been taken upon an amendment thereto. Postponed clauses shall be considered after the remaining clauses of the bill have been considered and before new clauses are brought up.

Procedure in
Committee of
the whole
Council on a
Bill.

(5) Any proposed new clause shall be considered after the clauses of the bill have been disposed of and before consideration of any schedule of the bill:

Provided that a new clause proposed in substitution for a clause which has been disagreed to may be considered immediately after such disagreement.

(6) On the marginal note of any new clause being read by the Clerk the clause shall be deemed to have been read a first time. The question shall then be proposed "That the clause be read a second time"; if this is agreed to, amendments may then be proposed to the new clause. The final question to be proposed shall be "That the clause (or the clause as amended) be added to the bill".

(7) Schedules shall be disposed of in the same way as clauses and any proposed new schedule shall be considered after the schedules of the bill have been disposed of, and shall be treated in the same manner as a new clause.

(8) When every clause and schedule and proposed new clause or schedule has been dealt with, the preamble, if there is one, shall be considered and the question put "That this be the preamble to the bill". No amendment to the preamble shall be considered which is not made necessary by a previous amendment to the bill.

(9) If any amendment to the title of the bill is made necessary by an amendment to the bill, it shall be made at the conclusion of the proceedings detailed above, but no question shall be put that the title (as amended) stand part of the bill; nor shall any question be put upon the enacting formula.

(10) An amendment, proposed new clause or proposed new schedule, upon which a question has been proposed, may be withdrawn at the request of the mover by leave of the committee before the question has been fully put on it, if no Member objects.

(11) When all the proceedings upon the bill have been concluded in committee, the Council shall resume and the Member in charge of the bill shall report the bill to the Council with or without amendment as the case may be.

47. When a bill has been reported from a committee of the whole Council, the Council shall be deemed to have ordered the bill to be set down for third reading and the order of the Council shall be so recorded in the minutes of proceedings; and notice of motion for third reading shall not be required to be given by the Member in charge of the bill.

Procedure on
Reporting of
Bill from Com-
mittee of the
whole Council.

Procedure in
Select Com-
mittee on a Bill.

48. (1) A select committee on a bill shall be subject to all the provisions of Standing Order No. 62 (Procedure of Select Committees) but before reporting the bill to the Council it shall go through the bill in the same manner as a committee of the whole Council as prescribed in Standing Order No. 46 (Procedure in Committee of the whole Council on a Bill).

(2) When a bill has been amended in a select committee, the whole text of the bill as amended shall, if practicable, be printed as part of the report of the select committee, but if this is not practicable the text of every clause or schedule amended, and of every new clause or new schedule added, shall be so printed.

(3) When all the proceedings upon the bill have been concluded in a select committee and the committee have agreed to their report, the Chairman shall, at the next sitting of the Council, report the bill, with or without amendment as the case may be, to the Council and shall lay a copy of the report of the committee upon the Table.

49. (1) When a bill has been reported from a select committee the Council may consider the bill as reported on a motion that the report of the select committee on the bill be adopted.

(2) If that motion is agreed to without amendment, the Council shall be deemed to have ordered the bill to be set down for third reading and the order of the Council shall be so recorded in the minutes of proceedings, and notice of third reading shall not be required to be given by the Member in charge of the bill.

(3) On a motion to adopt the report of a select committee on a bill moved under paragraph (1) of this order, a Member may propose an amendment to add at the end of the motion the words "subject to the recommittal of the bill (either wholly or in respect only of some particular part or parts of the bill or of some proposed new clause or new schedule) to a committee of the whole Council".

(4) If the motion is agreed to as amended in accordance with paragraph (3) of this order, the bill shall stand recommitted as required by the motion, and the Council shall immediately resolve itself into a committee of the whole Council to consider it.

50. (1) When the whole of a bill reported from a select committee has been recommitted the committee shall go through the bill as provided in Standing Order No. 46 (Procedure in Committee of the whole Council on a Bill).

(2) When a bill has been recommitted in respect only of some specified clause or clauses or schedule or schedules of the bill or some proposed new clause or new schedule, the committee shall

Procedure on
Reporting of
Bill from a
Select
Committee.

Procedure on
Recommittal of
Bill reported
from Select
Committee.

consider only the matter so recommitted and shall proceed on every such clause or schedule in the manner provided in Standing Order No. 46 (Procedure in Committee of the whole Council on a Bill) and may thereafter if necessary consider amendment of the long or short title of the bill:

Provided that if the President considers it necessary or desirable he may require the whole bill to be recommitted as provided in paragraph (1) of this order.

(3) When all proceedings in committee of the whole Council on a recommitted bill have been completed, the Council shall resume and the Member in charge of the bill shall report the bill, as amended (or as not amended) on recommitment, to the Council.

(4) When the bill has been so reported after recommitment, the Council shall forthwith proceed to the third reading of the bill, unless the Member in charge states that he wishes the third reading to be postponed; and in the latter event the provisions of Standing Order No. 47 (Procedure on Reporting of Bill from Committee of the whole Council) shall apply, and no further motion to recommit the bill shall be allowed.

51. (1) The Council shall proceed to the third reading of a bill on a motion that the bill be read the third time and do pass. Debate on that motion shall be confined to the contents of the bill and no amendment may be moved to the motion.

Third Reading.

(2) Amendments for the correction of errors or oversights may, with the President's permission, be made to the bill before the question for the third reading of the bill is put by the President, but no amendments of a material character shall be proposed.

(3) When a motion for the third reading of a bill has been agreed to, the Clerk shall read the short title of the bill and shall write at the end of the bill the words "Passed by the Hong Kong Legislative Council this day" giving the date.

(4) When a motion for the third reading of a bill has been negatived no further proceedings shall be taken on that bill.

52. The Member in charge of a bill may, at the beginning of the proceedings on a bill at a sitting, announce that he withdraws the bill.

Withdrawal of
Bills.

53. A copy of every bill passed by the Council, certified as a true copy by the Clerk, shall be submitted by the Clerk to the Governor for his assent.

Presentation of
Bill for Assent
of Governor

PART L.

FINANCIAL PROCEDURE.

Presentation and
Second Reading
of Appropriation
Bill.

54. (1) Any bill containing the estimated financial requirements for expenditure on all the services of the Government of Hong Kong for the current or succeeding financial year shall be known as an Appropriation Bill. Estimates containing the details of the said financial requirements shall be presented at the same time as any such bill.

(2) After the motion for the second reading of the bill has been proposed the debate thereon shall be adjourned and shall be resumed not earlier than the seventh day thereafter. The debate, when resumed, shall be confined to the financial and economic state of the Colony and the general principles of Government policy and administration as indicated by the bill and Estimates.

(3) The Estimates shall upon presentation to the Council stand referred to a committee of the whole Council and the Appropriation Bill upon being read a second time shall stand committed to that committee.

Procedure in
Committee of
the whole
Council on
Appropriation
Bill.

55. (1) On the consideration of the Appropriation Bill in committee of the whole Council the clauses of the bill shall stand postponed until after consideration of the schedule or schedules.

(2) On the consideration of a schedule each head of expenditure shall be considered with the appropriate estimate, and any reference in these Standing Orders to a subhead or an item means a subhead or an item in the Estimates for the head then under discussion.

(3) On the consideration of a schedule, the Chairman shall call the title of each head of expenditure in turn, and shall propose the question "That the sum for head stand part of the schedule" and, unless an amendment is proposed under the provisions of the next succeeding order, a debate may take place on that question. Any such debate shall be confined to the policy of the service for which the money is to be provided and shall not deal with the details of any item or subhead but may refer to the details of revenue or funds for which that service is responsible.

(4) When all the heads in a schedule have been disposed of, the Chairman shall put forthwith, without amendment or debate, the question "That the schedule (as amended) stand part of the bill".

(5) When every schedule has been disposed of, the Chairman shall call successively each clause of the bill and shall forthwith propose the question "That the clause stand part of the bill" and,

unless a consequential amendment is moved, the question shall be disposed of without amendment or debate.

(6) No amendment may be moved to any clause except an amendment consequential on an alteration in the total sum appropriated by any schedule. Any such consequential amendment shall be moved by an *ex officio* Member or an Official Member only and may be moved without notice, and the question thereon shall be put forthwith without amendment or debate. When the question on the last of any such amendments to a clause has been decided, the Chairman shall forthwith put the question "That the clause as amended stand part of the bill" and that question shall then be decided without amendment or debate.

(7) When the question upon every clause of the bill has been decided, the Council shall resume and the Member in charge of the bill shall report the bill to the Council with or without amendment, as the case may be.

56. (1) Except upon the recommendation of the Governor to be signified by an *ex officio* Member or an Official Member and recorded in the minutes of proceedings, the committee shall not proceed upon any amendment which in the opinion of the Chairman increases the sum allotted to any head of expenditure whether in respect of any item or subhead or of the head itself; every such amendment shall take the form of a motion "That head be increased by \$..... (in respect of subhead item.....)".

Amendments to
Heads of
Estimates in
Committee of
the whole
Council on
Appropriation
Bill.

(2) An amendment to increase a head whether in respect of any item or subhead or of the head itself shall take precedence over an amendment to reduce the head in the same respect, and if it is carried no amendment to reduce the head in that respect shall be called.

(3) An amendment to any head of expenditure to reduce the sum allotted thereto in respect of any item therein may be moved by any Member, and shall take the form of a motion "That head be reduced by \$ in respect of (or by leaving out) subhead item".

(4) An amendment to reduce a head in respect of any subhead or by leaving out a subhead shall only be in order if the subhead is not itemized.

(5) An amendment to reduce a head without reference to a subhead therein shall only be in order if the head is not divided into subheads.

(6) An amendment to leave out a head shall not be in order and shall not be placed on the Order Paper.

(7) In the case of each head, amendments in respect of items or subheads in that head shall be placed on the Order Paper and considered in the order in which the items or subheads to which they refer stand in the head in the Estimates.

(8) When notice has been given of two or more amendments to reduce the same item, subhead, or head, they shall be placed on the Order Paper in the order of the magnitude of the reductions proposed, the amendment proposing the largest reduction being placed first in each case.

(9) Debate on every amendment shall be confined to the item, subhead, or head to which the amendment refers, and after an amendment to an item or subhead has been disposed of no amendment or debate on a previous item or subhead shall be permitted.

(10) When all amendments standing on the Order Paper in respect of any particular head of expenditure have been disposed of, the Chairman shall again propose the question "That the sum for head stand part of the schedule" or shall propose the amended question "That the (increased) (reduced) sum for head stand part of the schedule", as the case may require. The debate on any such question shall be subject to the same limitations as apply to a debate arising under paragraph (3) of Standing Order No. 55 (Procedure in Committee of the whole Council on Appropriation Bill).

57. The motion for third reading of the Appropriation Bill shall be decided without amendment or debate.

58. (1) If an *ex officio* Member or an Official Member presents a paper setting out the financial requirements of any proposals,

(a) for expenditure incurred or likely to be incurred in the course of the current financial year either in respect of a service or of several services for which no provision has been made in the Estimates for that year or in respect of further financial provision beyond the total sum already sanctioned for a particular head or subhead or for particular heads or subheads; or

(b) for expenditure incurred in the course of a previous financial year in excess of the total sum sanctioned for a particular head or subhead or for particular heads or subheads by the Estimates or Supplementary Estimates for that year,

then that paper shall be ordered to be printed and shall stand referred to a committee of the whole Council.

Third Reading
of Appropriation
Bill.

Supplementary
Estimates and
Excess Financial
Provisions.

(2) At any time after a paper has been so referred to a committee of the whole Council an *ex officio* Member or an Official Member may give notice of a motion "That this Council approves the proposal (or proposals) set out in Paper No."; and such a motion shall be considered in committee of the whole Council.

(3) To the motion described in paragraph (2) of this order amendments may be moved to add words either leaving out or reducing an item or a subhead of any particular proposal or, if there be more than one proposal, leaving out any particular proposal:

Provided that no amendment shall be moved unless notice thereof has been given not less than three clear days before the day on which the motion is to be considered in committee.

(4) When the motion "That this Council approves the proposal (or proposals) set out in Paper No.", or that motion as amended, has been agreed to in committee, the Council shall resume and the Member who moved the motion shall report the motion or the motion as amended to the Council; and the Council shall thereupon be deemed to have agreed to the motion or to the motion as amended, as the case may be.

59. If from time to time, whether in the course of a particular financial year or after its close, a Supplementary Appropriation Bill is presented appropriating only proposals which have been agreed to by the Council under Standing Order No. 58 (Supplementary Estimates and Excess Financial Provisions), then the debate on the second reading thereof shall be strictly confined to the matters for which additional expenditure is required and when the question thereon has been agreed to the bill shall not be committed and the question "That the bill be now read a third time" may be put forthwith and shall be decided without debate.

Supplementary
Appropriation
Bills.

PART M.

COMMITTEES.

60. (1) There shall be a committee of the Council to be called the Finance Committee, the members of which shall be the Colonial Secretary, the Financial Secretary, one other Official Member, to be nominated by the President, and all the Unofficial Members.

Finance Com-
mittee.

(2) The Colonial Secretary shall be the chairman of the committee and in the absence of the chairman the Financial Secretary shall act as chairman.

(3) The committee shall sit at the times and at the place determined by the chairman. Written notice of every sitting shall be given to the Members at least two clear days before the day of the sitting. The sittings shall be held in private unless the committee otherwise order.

(4) The chairman and six Unofficial Members shall form a quorum. All matters before the committee shall be decided by a majority of the Members voting but no *ex officio* Member or Official Member shall have a vote.

(5) The clerk to the committee appointed under paragraph (7) of Standing Order No. 4 (Duties of the Clerk) shall attend the sittings of the committee. He shall keep a record of the proceedings of the committee and shall distribute a copy thereof to each Member before the next sitting.

(6) Every proposal involving expenditure from public funds, of the nature described in paragraph (1) of Standing Order No. 58 (Supplementary Estimates and Excess Financial Provisions) shall first be considered by the Finance Committee and thereafter every such proposal which has been approved by the committee shall be submitted to the Council for its consideration and approval in the manner provided in Standing Order No. 58 (Supplementary Estimates and Excess Financial Provisions).

(7) No proposal involving expenditure from public funds which has not been approved by the Finance Committee under paragraph (6) of this order shall be submitted to the Council for its consideration and approval, except on a substantive motion moved for that purpose by an *ex officio* Member or an Official Member.

(8) The Estimates presented in accordance with the provisions of Standing Order No. 54 (Presentation and Second Reading of Appropriation Bill) may be referred by the President to the Finance Committee for their examination before consideration of the Appropriation Bill in committee of the whole Council. For the purposes of any such examination the Finance Committee may call before them to give evidence the public officer responsible for the service or services provided under any head of the Estimates.

Select
Committees.

61. (1) The Council may in each session appoint one or more select committees to consider matters or bills which the Council may refer to the committee.

(2) The President shall decide the size of every select committee and shall nominate the chairman and members thereof.

(3) The quorum of a select committee shall be one third of the members excluding the chairman, a fraction of a whole number being disregarded.

(4) A select committee shall, as soon as they have completed consideration of the matter or bill referred to them, report to the Council thereon and the committee shall thereupon be dissolved. If the committee are of the opinion that they will not be able to complete consideration of the matter or bill before the end of the session, they shall so report to the Council.

(5) At the end of the session every select committee of the Council shall be dissolved.

62. (1) The deliberations of a select committee shall be confined to the matter or matters referred to them by the Council, and in the case of a select committee on a bill shall be confined to the bill committed to them and relevant amendments.

Procedure of
Select
Committees.

(2) A select committee shall sit at the times determined by the chairman. The sittings of a select committee shall be held in private unless the committee otherwise order.

(3) If the chairman is unable to be present at a sitting, the committee shall elect another chairman whose tenure of office shall be for the day of his election.

(4) The clerk to the committee appointed under paragraph (7) of Standing Order No. 4 (Duties of the Clerk) shall attend meetings of the committee and shall keep the minutes of proceedings of the committee.

(5) Divisions in a select committee shall be taken by the clerk to the committee who shall ask each member of the committee separately how he wishes to vote and record the votes accordingly.

(6) Neither the chairman nor any other member presiding shall vote, unless the votes of the other members are equally divided in which case he shall give a casting vote.

(7) (a) A member of a select committee may bring a report for their consideration. When all the reports have been brought up the chairman shall propose the reports in order until one is accepted as a basis for discussion, beginning with his own report and proceeding with the remainder in the order in which they were brought up. The question to be proposed by the chairman on a report shall be that the chairman's (or Mr.'s) report be read a second time *inasmuch as it is a general*

When this question has been agreed to, it shall not be proposed on further reports but portions thereof may be offered as amendments to the report under consideration if they are relevant to it.

- (b) The committee shall then go through the report paragraph by paragraph and the provisions of Standing Order No. 46 (Procedure in Committee of the whole Council on a Bill) shall apply as if the report were a bill and the paragraphs were the clauses of the bill.
- (c) When consideration of the report paragraph by paragraph is concluded and when all proposed new paragraphs have been considered the chairman shall put the question that this report be the report of the committee to the Council.
- (8) A select committee may make a special report relating to the powers, functions and proceedings of the committee on matters which they think fit to bring to the notice of the Council.
- (9) The minutes of proceedings of the committee shall record all proceedings on consideration of a report or bill in the committee and on every amendment proposed to the report or bill, with a note of divisions; if divisions were taken in the committee, showing the names of members voting in the division or declining to vote.
- (10) A report or special report, with the minutes of proceedings of a select committee and the minutes of evidence, if evidence was taken, shall be laid on the Table of the Council by the chairman of the committee.

63. The evidence taken before a select committee and documents presented to the committee shall not be published by a member of the committee or by any other person before the committee have presented their report to the Council.

PART N.

MISCELLANEOUS MATTERS.

64. No Member shall appear before the Council or a committee thereof as a legal practitioner for or on behalf of a party or in a capacity for which he is to receive a fee or award:

Premature
Publication of
Evidence.

Employment of
Members in
Professional
Capacity.

65. (1) A Member shall not move any motion or amendment relating to a matter in which he has a direct personal pecuniary interest or speak or vote on any such matter, whether in the Council or in any committee, without disclosing the nature of that interest.

Personal
Pecuniary
Interest to be
Disclosed.

(2) A motion to disallow a Member's vote on the ground of non-disclosure of his personal pecuniary interest may be moved without notice by any Member immediately upon the statement of the numbers voting in the division by the President or Chairman, but not otherwise.

(3) The President or Chairman shall have discretion whether or not to propose the question upon such a motion; and in exercising such discretion he shall have regard to the nature of the question upon which the vote was taken and to the consideration whether the interest therein of the Member whose vote is challenged is direct and pecuniary and not an interest in common with the rest of the inhabitants of the Colony and whether his vote was given on a matter of state policy.

(4) If the question for the disallowance of a Member's vote is proposed, the Member concerned may be heard in his place but he shall then withdraw from the Council or committee for the duration of the debate and any vote on the question.

(5) If a motion for the disallowance of a Member's vote is agreed to, the President or Chairman shall direct the Clerk to alter the numbers voting in the original division accordingly.

66. Subject to such rules as may from time to time be made by the President, Members of the public and of the press shall be admitted as spectators of sittings of the Council. The Clerk shall ensure that such rules are complied with.

Admission of
Press and
Public.

67. (1) A Member may without notice at any time rise and move that strangers do withdraw, specifying whether the withdrawal is to be for the remainder of that day's sitting or during the consideration of certain business. The President or Chairman shall forthwith propose the question thereon and the Council or committee shall dispose of it before proceeding further with the business which was before it when the motion was moved.

Withdrawal of
Strangers.

(2) The President or Chairman may at any time order strangers to withdraw and the doors of the Council Chamber to be closed.

(3) When an order has been made by the Council or committee, or by the President or Chairman, for the withdrawal of strangers, Members of the public and of the press shall forthwith withdraw from the Council Chamber and the Clerk shall ensure that the order is complied with.

Suspension of
Standing Orders.

68. A motion which has the object or effect of suspending a standing order shall not be moved except after notice or with the consent of the President.

Procedure in
Case of Doubt.

69. In a matter not provided for in these Standing Orders or in any other case of doubt the usage and practice of the Commons House of Parliament of Great Britain and Northern Ireland shall be followed as far as applicable to the Council and as far as it is not inconsistent with these Standing Orders or with the practice of the Council, but no restriction which the House of Commons has introduced by standing order shall extend to the Council or its Members until the Council has provided by standing order for a similar restriction.

Interpretation.

70. In these Standing Orders unless the context otherwise requires reference to printing shall include all mechanical electrical and photographic methods of reproducing words in visible form.

L.N. 138 of 1971.**HONG KONG ROYAL INSTRUCTIONS
1917 to 1971.****STANDING ORDERS OF THE LEGISLATIVE COUNCIL OF
HONG KONG.****RESOLUTION OF THE LEGISLATIVE COUNCIL.**

Resolution made and passed by the Legislative Council under Clause XXIII of the Hong Kong Royal Instructions 1917 to 1971 on the 3rd November 1971.

IT IS HEREBY RESOLVED that the Standing Orders of the Legislative Council of Hong Kong made by the said Council on the 9th day of October 1968, be amended, with effect from the 1st day of December 1971 in accordance with the Schedule to this Resolution.

SCHEDULE.

<i>Standing Order No.</i>	<i>Amendment.</i>	<i>Reasons for amendment.</i>
1(1)	<p><i>First amendment.</i> In the third line leave out the words "before the Council".</p> <p><i>Second amendment.</i> In the fourth line leave out the words "in the form prescribed by law" and insert in lieu the words "in accordance with the provisions of the Promissory Oaths Ordinance (Chapter 90)".</p>	To bring the Standing Orders into line with the provisions of the Promissory Oaths Ordinance.
2(1)	<p>Leave out the existing paragraph and insert in lieu the following— " (1) A Member may address the Council in either the English or the Cantonese language."</p>	To provide for proceedings to be conducted in either English or Cantonese.
2(3)	In the second and third lines leave out the words "the Member presenting the petition" and insert in lieu the words "a court translator".	At present, a Member presenting a petition in Chinese is obliged to certify the English translation as being correct. It would in future be so certified by a court translator.
2(4)	<p>Add the following to Standing Order No. 2 as paragraph (4)— " (4) A petition in the English language shall be accompanied by a Chinese translation certified to be correct by a court translator."</p>	Consequent upon the amendment to S. O. 2(1).

<i>Standing Order No.</i>	<i>Amendment.</i>	<i>Reasons for amendment.</i>
2(5)	<p>Add the following to Standing Order No. 2 as paragraph (5)— " (5) This Standing Order shall come into effect on such date as the Governor may appoint by notice in the <i>Gazette</i>."</p>	To delay the coming into effect of S.O. 2 as amended until simultaneous interpreting facilities have been installed in the Council Chamber.
4(6)	In the third line leave out the words "speeches made" and insert in lieu the word "proceedings".	The official report covers all proceedings, not only speeches.
5(3)	<p>Leave out the existing paragraph and insert in lieu the following— " (3) A session shall, subject to paragraph (2) of this Order, begin at such time as the Governor may appoint by notice published in the <i>Gazette</i>."</p>	To avoid the need for a formal proclamation.
6(1)	Leave out the existing paragraph.	To avoid the need for a proclamation to be read at the first sitting of a session.
6(2)	In the first line, before the word "Members", add the words "At the first sitting of a session".	In the interests of clarity.
6(3)	In the first and second lines leave out the words "deliver a speech to" and insert in lieu the word "address".	In the interests of more compact phraseology.
6(4)	In the first and second lines leave out the words "delivered such a speech" and insert in lieu the words "addressed the Council".	Consequent upon amendment to S.O. 6(3).

Standing Order No.	Amendment.	Reasons for amendment.
6(5)	In the last line leave out the word "speech" and insert in lieu the word "address".	Consequent upon amendment to S. OO. 6(3) and 6(4).
6(6)	Leave out the words after "form;" and insert in lieu " "That this Council thanks the Governor for his address." "	Less archaic phraseology, which avoids the need to present a formal address.
9(2)	Leave out the existing paragraph and insert in lieu the following— <p style="margin-left: 40px;">“(2) Such a motion shall not require notice and may be moved only between two items of business. It shall be moved by an <i>ex officio</i> Member, save that an Unofficial Member may move such a motion, with the permission of the President, if the President is satisfied that the adjournment is for the purpose of discussing a specific matter of urgent public importance.”.</p>	To enable an Unofficial Member to move the adjournment, in order to secure a debate on a "definite matter of urgent public importance".
9(5)	In the second line leave out the words ", who has obtained the right to do so,".	Phrase unrelated to any of the preceding Standing Orders.
9(6)	In the third line leave out the word "three" and insert in lieu the word "four".	Longer notice is needed of the subject of adjournment debates. This will bring the period of notice into line with that for notice of questions (S.O. 17(2)) and motions (S.O. 21(1)).
9(8)	In the fourth line after the word "question" add the words "provided that, with the permission of the President, valedictory speeches may be made without notice on the occasion of the retirement of a Member from the Council".	So that valedictory speeches can be made not counting as part of the 30 minutes allowed for the adjournment debate.

Standing Order No.	Amendment.	Reasons for amendment.
10(1)	In the second line leave out the word "excluding" and insert in lieu the word "including".	To accord with Royal Instruction XIX.
11(1)	<p><i>First amendment.</i> Leave out sub-paragraph (d) and insert in lieu— <p style="margin-left: 40px;">“(d) Laying on the Table of papers and of reports of select committees.”.</p></p> <p><i>Second amendment.</i> After sub-paragraph (i) add the following as sub-paragraph (j)— <p style="margin-left: 40px;">“(j) Proceedings on motion for the adjournment of Council under Standing Order No. 9(4) to (8).”.</p></p>	<p>See S.O. 14 below.</p> <p>To reflect present practice.</p>
14	<p>Leave out the existing Standing Order and insert in lieu the following—</p> <p>“Presentation of Papers.</p> <p style="margin-left: 40px;">14. (1) A paper may be presented to the Council by an <i>ex officio</i> Member or an Official Member or, with the permission of the President, by an Unofficial Member.</p> <p style="margin-left: 40px;">(2) Whenever a Member wishes to present a paper he shall send a copy of it to the Clerk, who shall distribute a copy to each Member and may also arrange for its publication. A copy of the paper shall be laid on the Table of the Council at the opening of the next sitting and the Clerk shall record its laying and the date of publication in the minutes of the proceedings of that sitting.</p>	To enable an Unofficial Member, with the permission of the President, to present a paper to the Council and, if he wishes, to speak on it. The amendment also brings the Standing Order into line with present practice, whereby presentation of a paper to the Council may be effected by the distribution of a copy by the Clerk to each Member followed by publication of the report without awaiting its formal tabling at the next sitting of the Council.

Standing Order No.	Amendment.	Reasons for amendment.
	(3) Whenever a paper has been laid on the Table of the Council, the Member presenting it may, with the permission of the President, address the Council thereon."	
15(2)	Add the following new paragraph— “(2) A question shall specify whether an oral or a written reply is required.”	To provide for written answers to questions.
17(2)	In the second line delete the word “five” and insert in lieu the word “four”.	To bring notice for questions into line with that for adjournment debates (S.O. 9(6)) and motions (S.O. 21(1)).
19(3)	In the second line after the word “shall” insert the words— “except in the case of a question for which a written answer has been sought”.	Consequent upon amendment to S.O. 15(2).
19(7)	Add the following as new paragraph (7)— “(7) In the case of a question for which a written answer has been sought, a written answer shall be supplied to each Member and shall be printed in the Official Report.”	To provide for written answers to questions.
21(1)	In the third line leave out the word “three” and insert in lieu the word “four”.	Longer notice is needed.

Standing Order No.	Amendment.	Reasons for amendment.
23	Leave out the existing Standing Order and insert in lieu the following— “Motion and Amendments requiring Recommendation. 23. A motion or amendment, the object or effect of which may, in the opinion of the President or Chairman, be to dispose of or charge any part of the revenue or other funds of the Colony of Hong Kong, shall, unless moved by an <i>ex officio</i> Member or an Official Member, require the recommendation of the Governor, which shall be notified by the Unofficial Member when moving the motion or amendment.”	To avoid the need to signify formally the Governor's recommendation to the moving of a motion imposing a charge or tax, when moved by an <i>ex officio</i> or Official Member.
25(1)	In the fourth line leave out the words “, stating its terms”.	It is not the practice to do so.
25(3)	In the second and third lines leave out the words “on the amendment to the Council or committee;” and insert in lieu the words “that the amendment be made;”.	Follows House of Commons Standing Order 32A. Furthermore, this is in fact the practice in the Hong Kong Legislative Council (see also S.O. 46(3)).
25(4)	Leave out sub-paragraphs (a), (b), (c) and (e).	Consequential upon the amendment to S.O. 25(3).
30(1)	In the second line delete the words “proposed by the President”.	To permit a Member moving a motion to thereafter move that debate be adjourned.
38(7)	Leave out the existing paragraph.	It is not always practicable to comply with this requirement.

Standing Order No.	Amendment.	Reasons for amendment.
40	<p>Leave out the existing Standing Order and insert in lieu the following—</p> <p>“Presentation and Publication of Bills.</p> <p>40. (1) The Clerk shall, after receipt of a bill for presentation to the Council, cause the text of the bill and its explanatory memorandum to be published in the <i>Gazette</i> unless—</p> <p>(a) the Governor directs that the bill shall not be published in the <i>Gazette</i> before it has been read the first time; or</p> <p>(b) the bill has already been published in the <i>Gazette</i> in accordance with paragraph (3) of Standing Order No. 39.</p> <p>(2) The Clerk shall, after receipt of a bill for presentation to the Council, cause a copy of the bill and its explanatory memorandum to be sent to every Member present within Hong Kong, whereupon the bill shall be deemed to have been presented to the Council.”.</p>	<p>The revised S.O. 40 seeks to avoid a third publication in the <i>Gazette</i> of an Unofficial Member's bill and to afford the Governor discretion to direct that a bill shall not be gazetted prior to its introduction into the Council.</p>
41(1)	<p>Leave out the existing paragraph and insert in lieu the following—</p> <p>“(1) The short title of a bill presented to the Council in accordance with paragraph (2) of Standing Order No. 40 (Presentation and Publication of Bills) shall be placed on the Order Paper for first reading at such sitting as may be specified to the Clerk by the Member in charge of the bill.”</p>	<p>To provide for greater flexibility.</p>

Standing Order No.	Amendment.	Reasons for amendment.
45(6)	<p>Leave out the existing paragraph and insert in lieu the following—</p> <p>“(6) An amendment, the object or effect of which may, in the opinion of the Chairman, be to dispose of or charge any part of the revenue or other funds of the Colony of Hong Kong, shall, unless moved by an <i>ex officio</i> Member or an Official Member, require the recommendation of the Governor, which shall be notified by the Unofficial Member when moving the amendment.”.</p>	<p>Consequent upon the amendment to S.O. 23.</p>
46(1)	<p>Leave out the existing paragraph and insert in lieu the following—</p> <p>“(1) The Chairman in Committee of the whole Council shall propose “That the following clauses stand part of the bill”, and shall direct the Clerk to call the numbers of the clauses, singly or in groups of clauses. On the number or numbers of any clause or group of clauses being called, the question that that clause or group of clauses stand part of the bill shall be deemed to have been put. In the event of a clause being amended the number of the clause, as amended, shall be called again by the Clerk, and the question that the clause as amended stand part of the bill shall be deemed to have been put.”.</p>	<p>To bring Standing Orders into line with present practice.</p>
46(11)	<p>In the second and third lines leave out the words “the Member in charge of the bill” and insert in lieu “a Member”.</p>	<p>To provide for greater flexibility in reporting bills from Committee.</p>

<i>Standing Order No.</i>	<i>Amendment.</i>	<i>Reasons for amendment.</i>
51(3)	After the word "bill" wherever it appears in this paragraph insert the words "(or bills)".	To provide for third reading bills to be dealt with <i>en bloc</i> .
52	At the end of the second line after the word "withdraws" insert the words "or postpones".	To provide for the postponement of proceedings on a bill.
55(3)	Leave out the existing paragraph and insert in lieu the following— “(3) On the consideration of a schedule, the Chairman shall propose “That the sums for the following heads stand part of the schedule”, and shall direct the Clerk to call the numbers of the heads singly or in groups. On the number or numbers of any head or group of heads being called, the question that the sums in that head or group of heads stand part of the schedule shall be deemed to have been put. Unless an amendment is proposed under the provisions of the next succeeding order, a debate may take place on that question. Any such debate shall be confined to the policy of the service for which the money is to be provided and shall not deal with the details of any item or subhead but may refer to the details or revenue or funds for which that service is responsible.”.	To bring Standing Orders into line with present practice.
55(5)	Leave out the existing paragraph and insert in lieu the following— “(5) When every schedule has been disposed of, the Chairman shall propose: “That the following clauses stand	To bring Standing Orders into line with present practice.

<i>Standing Order No.</i>	<i>Amendment.</i>	<i>Reasons for amendment.</i>
	part of the bill”, and shall direct the Clerk to call the numbers of the clauses. On the number of any clause being called, the question that the clause stand part of the bill shall be deemed to have been put. In the event of a clause being amended, the number of the clause, as amended, shall be called again by the Clerk, and the question that the clause as amended stand part of the bill shall be deemed to have been put.”.	
56(1)	Leave out the existing paragraph and insert in lieu the following— “(1) An amendment which, in the opinion of the Chairman, would increase the sum allotted to any head of expenditure whether in respect of any item or sub-head or of the head itself shall, unless moved by an <i>ex officio</i> Member or an Official Member, require the recommendation of the Governor, which shall be notified by the Unofficial Member when moving the amendment.”.	To accord with the amendments to Standing Orders 23 and 45(6).
59	Leave out first three lines and insert in lieu the words— “If a Supplementary Appropriation Bill is presented appropriating only sums of money which have been”.	To simplify the phraseology.

<i>Standing Order No.</i>	<i>Amendment.</i>	<i>Reasons for amendment.</i>
69	<p>Leave out the existing Standing Order and insert in lieu—</p> <p>“Procedure if Standing Orders do not provide.</p> <p>69. In any matter not provided for in these Standing Orders, the practice and procedure to be followed in the Council shall be such as may be decided by the President who may, if he thinks fit, be guided by the practice and procedure of the House of Commons of the United Kingdom.”.</p>	<p>The adoption of Commons practice as a whole is sometimes unsatisfactory. The extent of some of these practices is obscure and some of them are inappropriate to Hong Kong.</p>
70	<p>Leave out the existing Standing Order and insert in lieu—</p> <p>“Interpretation.</p> <p>70. In these Standing Orders, unless the context otherwise requires—</p> <p>(a) references to printing include references to all mechanical, electrical and photographic methods of reproducing words in visible form;</p> <p>(b) the expression “clear days” excludes the day of the giving of a notice, the day of a sitting and intervening public holidays.”.</p>	<p>To add a definition of “clear days”.</p>

COUNCIL CHAMBER,
3rd November 1971.

R. J. FRAMPTON,
Clerk to the Legislative Council.



Legal Supplement No. 2

TO THE

HONG KONG GOVERNMENT GAZETTE

Published by Authority

SCHEDULE

Standing Order No.	Amendment	Reasons for amendment
5	<p>Leave out the existing Standing Order and insert in lieu the following:</p> <p>"Sessions.</p> <p>5. (1) There shall be a session of the Council once in every calendar year.</p> <p>(2) A session shall end on such date as the Governor may appoint by notice published in the <i>Gazette</i>.</p> <p>(3) A session shall begin on such date as the Governor may appoint by notice published in the <i>Gazette</i>, save that the period between the last sitting of one session and the first sitting of the next session shall not exceed 3 calendar months."</p>	To allow greater flexibility in the sessions of the Council.
7(1)	<p>After the word "sitting", where it appears for the second time in the last line, add the words "in the same session."</p>	This is consequential upon the amendment to S.O. 5 and makes it clear that the maximum interval of 6 weeks between sittings only applies to sittings within the same session.
8	<p>Re-number the existing paragraph (5) as paragraph (6) and substitute the following new paragraph (5):</p> <p>"(5) If the interval between two sittings is less than seven days, both such sittings should be deemed to constitute one sitting."</p>	The effect of this will be that subsidiary legislation laid on the first day of a two-day sitting will be subject to amendment not on the second day but on the sitting which will normally take place two weeks later.

COUNCIL CHAMBER,
11th April 1973.

R. J. FRAMPTON,
Clerk to the Legislative Council.

SUP. TO GAZETTE No. 15

FRIDAY, 13 APRIL, 1973

VOL. C

L.N. 85 of 1973

HONG KONG ROYAL INSTRUCTIONS
1917 to 1972

STANDING ORDERS OF THE LEGISLATIVE COUNCIL
OF HONG KONG

RESOLUTION OF THE LEGISLATIVE COUNCIL

Resolution made and passed by the Legislative Council under Clause XXIII of the Hong Kong Royal Instructions 1917 to 1972 on the 11th April 1973.

IT IS HEREBY RESOLVED that the Standing Orders of the Legislative Council of Hong Kong made by the said Council on the 9th day of October 1968, be amended, with effect from the 11th day of April 1973, in accordance with the Schedule to this Resolution.

L.N. 256 of 1976

HONG KONG ROYAL INSTRUCTIONS

1917 to 1976

**STANDING ORDERS OF THE LEGISLATIVE COUNCIL OF
HONG KONG**

RESOLUTION OF THE LEGISLATIVE COUNCIL

Resolution made and passed by the Legislative Council under clause XXIII of the Hong Kong Royal Instructions 1917 to 1976 on the 13th October 1976.

RESOLVED that the Standing Orders of the Legislative Council of Hong Kong made by the said Council on 9th October 1968, be amended in paragraph (2) of Standing Order No. 16 by deleting the word "fifteen" and substituting the following word—

"twenty".

L. TSE,

Clerk to the Legislative Council.

COUNCIL CHAMBER,

13th October 1976.

L.N. 314 of 1976

HONG KONG ROYAL INSTRUCTIONS
1917 to 1976STANDING ORDERS OF THE LEGISLATIVE COUNCIL
OF HONG KONG

RESOLUTION OF THE LEGISLATIVE COUNCIL

Resolution made and passed by the Legislative Council under clause XXIII of the Hong Kong Royal Instructions 1917 to 1976 on the 22nd December 1976.

RESOLVED that the Standing Orders of the Legislative Council of Hong Kong, made by the said Council on the 9th October 1968, be amended in accordance with the Schedule to this Resolution.

SCHEDULE

<i>Standing Order No.</i>	<i>Amendment</i>	<i>Reason for amendment</i>
4(2)	Leave out the existing paragraph.	In view of S.O. 4(6), it is unnecessary for the minutes to be submitted to the President for signature or for copies to be distributed to Members before the next sitting.
9(6)	In the third line, leave out the word "four" and insert in lieu the word "seven".	This amendment will require 7 instead of 4 clear days' notice to be given of any public matter within the Government's responsibility which a Member wishes to raise on an adjournment debate.
13(6)	In the fifth line, leave out the words "ten Members" and insert in lieu the words "fifteen Members".	S.O. 13(6) requires that before a petition stands referred to a select committee, not less than 10 Members should support a request to this effect. To reflect the recent expansion of the Council Membership from 30 to 42, this amendment raises to 15 the minimum number of members required.
19(3)	In the fifth line, leave out the words "by reference to its number on the Order Paper".	This amendment is made to conform with current practice in accordance with which questions are read out in full with no further clarification.

<i>Standing Order No.</i>	<i>Amendment</i>	<i>Reason for amendment</i>
24(1)	Leave out the existing paragraph and insert in lieu the following— “(1) A Member called upon by the President or Chairman to move a motion shall rise in his place and in moving the motion shall make such remarks as he may wish.”.	S.O. 24(1) requires a Member when moving a motion to read it out. S.O. 24(2) requires the President to do likewise when proposing the question. This is seldom done. In any event some motions are very lengthy, particularly when relating to financial matters. These amendments, accordingly, will remove the requirement.
24(2)	In the third line, leave out the words "in the same terms as the motion".	
39(2)	In the fourth line, leave out the words "Colonial Secretary" and insert in lieu the words "Chief Secretary".	
46(1)	In the third and fourth lines, leave out the comma and words ", singly or in groups of clauses".	This will eliminate the need for the Chairman to repeat in committee the words "and we shall take the clauses singly (or in group)". This will give the Clerk the discretion to decide how to call the clauses as is done in practice when the "script" is prepared taking into consideration committee stage amendments if any.
55(3)	In the fourth line, leave out the words "singly or in groups".	For similar reasons to those regarding S.O. 46(1).
55(7)	In the second and third lines, leave out the words "the Member in charge of the bill" and insert in lieu the words "a Member".	To conform with current practice.
60(1)	In the third line, leave out the words "Colonial Secretary" and insert in lieu the words "Chief Secretary".	
60(2)	In the first line, leave out the words "Colonial Secretary" and insert in lieu the words "Chief Secretary".	

<i>Standing Order No.</i>	<i>Amendment</i>	<i>Reason for amendment</i>
60(4)	In the first line, leave out the word "six" and insert in lieu the word "eight".	Consequential to the expansion of the Finance Committee, this amendment will increase the necessary quorum by two.

L. TSE,
Clerk to the Legislative Council.

COUNCIL CHAMBER,
22nd December 1976.

L.N. 97 of 1978

HONG KONG ROYAL INSTRUCTIONS

1917 to 1977

STANDING ORDERS OF THE LEGISLATIVE COUNCIL
OF HONG KONG

RESOLUTION OF THE LEGISLATIVE COUNCIL

Resolution made and passed by the Legislative Council under clause XXIII of the Hong Kong Royal Instructions 1917 to 1977 on the 10th May 1978.

RESOLVED that the Standing Orders of the Legislative Council of Hong Kong, made by the said Council on the 9th October 1968, be amended by inserting after Standing Order No. 60 the following new Standing Order—

“Public Accounts Committee. 60A. (1) There shall be a standing committee, to be called the Public Accounts Committee, to consider reports of the Director of Audit—

- (a) on the accounts of the Government;
- (b) on such other accounts required to be laid before the Legislative Council as the Committee may think fit; and
- (c) on any matter incidental to the performance of his duties or the exercise of his powers as the Committee may think fit.

(2) The Committee shall consist of a chairman and six members to be nominated by the President, all of whom shall be Unofficial Members. The chairman and two other members shall constitute a quorum.

(3) Upon its receipt by the President, a report mentioned in paragraph (1) shall be deemed to have been referred by the Council to the Committee for consideration.

(4) The Committee may call any public officer, or, in the case of a report on the accounts of or relating to a non-Government body or organization, any member or servant of that body or organization, to give information or any explanation or to produce any records or documents which the Committee may require in the performance of their duties.

(5) The Committee shall make their report upon the report of the Director of Audit on the accounts of Government before the Director's report is laid on the table of the Council and both the Committee's report and the Director's report shall be so laid at the same time.

(6) Subject to these Standing Orders, the practice and procedure of the Committee shall be determined by the Committee.”.

STEPHEN S. P. TAM,
Clerk to the Legislative Council.

COUNCIL CHAMBER,
10th May 1978.

L. S. NO. 2 TO GAZETTE NO. 32/1980

L.N. 217/80

B545

L.N. 217 of 1980**HONG KONG ROYAL INSTRUCTIONS 1917 TO 1977
STANDING ORDERS OF THE LEGISLATIVE COUNCIL OF
HONG KONG****RESOLUTION OF THE LEGISLATIVE COUNCIL**

Resolution made and passed by the Legislative Council under clause XXIII of the Hong Kong Royal Instructions 1917 to 1977 on 6 August 1980.

RESOLVED that the Standing Orders of the Legislative Council of Hong Kong, made by the said Council on 9 October 1968, be amended in Standing Order No. 28 by—

- (a) deleting the full stop at the end of paragraph (1)(c) and substituting the following—
“; or”;
- (b) inserting in paragraph (1), after sub-paragraph (c), the following new sub-paragraph—
“(d) upon a motion “That this Council thanks the Governor for his address” as provided in paragraph (6) of this order.”;
- (c) inserting the following new paragraph—
“(6) An *ex officio* or Official Member who has spoken on a motion “That this Council thanks the Governor for his address” may speak a second time upon that motion in reply to any matter raised during the debate on the motion.”.

COUNCIL CHAMBER,
6 August 1980.

LORNA LEUNG,
Clerk to the Legislative Council.

L.N. 255 of 1983

HONG KONG ROYAL INSTRUCTIONS
1917 to 1980

STANDING ORDERS OF THE LEGISLATIVE COUNCIL OF HONG KONG

RESOLUTION OF THE LEGISLATIVE COUNCIL

Resolution made and passed by the Legislative Council under clause XXIII of the Hong Kong Royal Instructions 1917 to 1980 on 27 July 1983.

RESOLVED that with effect from 1 September 1983 the Standing Orders of the Legislative Council of Hong Kong, made by the said Council on 9 October 1968, be amended—

- (a) in Standing Order No. 4 by renumbering paragraphs (3), (4), (5), (6), (7) and (8) as paragraphs (2), (3), (4), (5), (6) and (7) respectively;
- (b) in Standing Order No. 9—
(i) in paragraph (7), by inserting after “twenty minutes” the following—
“, or such longer period as the President may at any sitting determine,”; and
(ii) in paragraph (8), by inserting after “thirty minutes” the following—
“, or such longer period as the President may at any sitting determine,”;
- (c) in Standing Order No. 10(1) by deleting “ten” and substituting the following—
“twenty”;
- (d) in Standing Order No. 13(3)—
(i) by deleting “funds of the Colony” and substituting the following—
“public moneys”; and
(ii) by deleting “to the Colony of Hong Kong” and substituting the following—
“to the Crown”;
- (e) in Standing Order No. 13(6) by deleting “fifteen” and substituting the following—
“twenty”;
- (f) in Standing Order No. 19—
(i) in paragraph (6) by deleting “and” and substituting the following—
“or”; and
(ii) in paragraph (7) by inserting after “a written answer has been sought,” the following—
“or in the case of a supplementary question for which a written answer has been offered,”;
- (g) in Standing Order No. 23 by deleting “funds of the Colony” and substituting the following—
“public moneys”;
- (h) in Standing Order No. 39(3) by deleting “the Colony” and substituting the following—
“Hong Kong”;

- (i) in Standing Order No. 45—
(i) in paragraph (2) by deleting “three” and substituting the following—
“four”; and
(ii) in paragraph (6) by deleting “funds of the Colony” and substituting the following—
“public moneys”;
- (j) in Standing Order No. 54—
(i) in paragraph (2) by deleting “the Colony” and substituting the following—
“Hong Kong”; and
(ii) in paragraph (3) by deleting “The” and substituting the following—
“Subject to Standing Order No. 60(9), the”;
- (k) in Standing Order No. 58(1) by inserting after “that paper shall” the following—
“, subject to Standing Order No. 60(6),”;
- (l) in Standing Order No. 60—
(i) by inserting after paragraph (2) the following new paragraph—
“(2A) The functions of the Finance Committee shall be (3 of 1983.) such as are conferred upon the Committee by the Public Finance Ordinance 1983, any other law and these Standing Orders, and such as may from time to time be referred to the committee by the Council.”;
(ii) in paragraph (3) by inserting after “unless the committee otherwise order” the following—
“or except as provided under paragraph (9) of this order”;
(iii) by renumbering paragraph (8) as paragraph (9) and by inserting therein, after “For the purposes of any such examination the Finance Committee”, the following—
“shall, unless the committee otherwise order, meet in public and”; and
(iv) by inserting immediately before paragraph (9) the following—
“(8) Nothing in paragraphs (6) and (7) shall limit or prejudice any action that may be taken under the provisions (3 of 1983.) of the Public Finance Ordinance 1983.”;
- (m) in Standing Order No. 65(3) by deleting “the Colony” and substituting the following—
“Hong Kong”.

Jennie CHOK,
Clerk to the Legislative Council.

COUNCIL CHAMBER,
27 July 1983.

L.N. 214 of 1984

HONG KONG ROYAL INSTRUCTIONS
1917 to 1983

STANDING ORDERS OF THE LEGISLATIVE COUNCIL
OF HONG KONG

RESOLUTION OF THE LEGISLATIVE COUNCIL

Resolution made and passed by the Legislative Council under clause XXIII of the Hong Kong Royal Instructions 1917 to 1983 on 18 July 1984.

RESOLVED that with effect from 20 July 1984 the Standing Orders of the Legislative Council of Hong Kong, made by the said Council on 9 October 1968, be amended—

(a) by adding after Standing Order No. 4 the following—

<sup>"Counsel to the
Legislature.</sup> 4A. (1) The Law Draftsman shall be the Counsel to the Legislature.

(2) The Counsel to the Legislature shall—

- (a) be responsible for advising the President and the Clerk to the Council on all matters relating to the procedure of the Council;
- (b) have the general duty of advising the President and the Clerk to the Council on legal questions arising in relation to the business or administration of the Council; and
- (c) discharge such other duties as may be assigned to him by or under these Standing Orders.”;

(b) by adding after Standing Order No. 7 the following—

<sup>"Special Sitings
during recess.</sup> 7A. Notwithstanding that a session may have ended and the next following session has not yet begun, the Governor may, where he is satisfied that the public interest so requires, determine that a sitting of the Council shall be held on such day and shall begin at such hour as he may specify, and for this purpose these Standing Orders shall apply to that sitting as they apply to a sitting held during a session.”;

(c) in Standing Order No. 8(4)—

(i) by deleting “further” and substituting the following—
“new”;

(ii) by inserting after “order” the following—

“; but a motion to suspend this order shall not be new business”;

(d) in Standing Order No. 39(1) by inserting after “(Form of Bills)” the following—

“, and, where the Member is an Unofficial Member, also by a certificate signed by the Counsel to the Legislature stating that the Bill conforms to the requirements of that Standing Order and the general form of Hong Kong legislation”;

(e) in Standing Order No. 60(1) by deleting “committee of the Council” and substituting the following—

“standing committee.”;

(f) in Standing Order No. 60A—

(i) by inserting after paragraph (3) the following—

“(3A) Unless the chairman otherwise directs, members of the public and of the press shall be admitted as spectators at meetings of the Committee attended by any person called by the Committee under paragraph (4).”;

(ii) in paragraph (4) by inserting after “duties” the following—

“; and the Committee may also call any other person to assist the Committee in relation to any such information, explanation, records or documents”;

(iii) by deleting paragraph (5) and substituting the following—

“(5) The Committee shall make their report upon the report of the Director of Audit on the accounts of the Government within three months (or such longer period as may be determined under section 12 of the Audit Ordinance) of the date on which the Director's report is laid on the table of the Council.”.

(Cap. 122)

Jennie CHOK,
Clerk to the Legislative Council.

COUNCIL CHAMBER,
18 July 1984.

L. S. NO. 2 TO GAZETTE NO. 6/1985

L.N. 24/85

B51

L.N. 24 of 1985

HONG KONG ROYAL INSTRUCTIONS 1917 to 1984
STANDING ORDERS OF THE LEGISLATIVE COUNCIL
OF HONG KONG

RESOLUTION OF THE LEGISLATIVE COUNCIL

Resolution made and passed by the Legislative Council under clause XXIII of the Hong Kong Royal Instructions 1917 to 1984 on 6 February 1985.

RESOLVED that with effect from 13 March 1985 the Standing Orders of the Legislative Council of Hong Kong, made by the said Council on 9 October 1968, be amended in Standing Order No. 60—

- (a) in paragraph (3) by deleting "The sittings shall be held in private unless the committee otherwise order or except as provided under paragraph (9) of this order." and substituting the following—

"The sittings shall be held in public unless the chairman otherwise orders in accordance with any decision of the committee.";

- (b) in paragraph (5) by deleting "(7)" and substituting the following—

"(6)";

- (c) in paragraph (9) by deleting "shall, unless the committee otherwise order, meet in public and".

LI Wing.

Clerk to the Legislative Council.

COUNCIL CHAMBER,
6 February 1985.

B486

L.N. 189/85

L. S. NO. 2 TO GAZETTE NO. 28/1985

L.N. 189 of 1985

HONG KONG ROYAL INSTRUCTIONS
1917 to 1985STANDING ORDERS OF THE LEGISLATIVE COUNCIL OF HONG KONG
RESOLUTION OF THE LEGISLATIVE COUNCIL

Resolution made and passed by the Legislative Council under clause XXIII of the Hong Kong Royal Instructions 1917 to 1985 on 10 July 1985.

RESOLVED that the Standing Orders of the Legislative Council of Hong Kong be amended—

- (1) in Standing Order No. 1—
 - (a) in paragraph (1) by deleting “the oath or affirmation of Allegiance” and substituting the following—

“an oath or affirmation”;
 - (b) in paragraph (2) by deleting “Except as otherwise provided in paragraph (1) of Standing Order No. 6 (Proceedings at First Sitting of Session), the” and substituting the following—

“The”;
 - (c) in the marginal note by deleting “of Allegiance”;
- (2) in Standing Order No. 6(1) by deleting “the oath or affirmation of Allegiance” and substituting the following—

“an oath or affirmation in accordance with the provisions of the Oaths and Declarations Ordinance,”;
- (3) in Standing Order No. 11(1)(a) by deleting “of Allegiance”;
- (4) in Standing Order No. 63 by inserting after “shall not” the following—

“, except in the case of sittings of the committee held in public,”.

LI Wing,
Clerk to the Legislative Council.

COUNCIL CHAMBER,
10 July 1985.

L.N. 221 of 1987

HONG KONG ROYAL INSTRUCTIONS
1917 to 1986
STANDING ORDERS OF THE LEGISLATIVE COUNCIL
OF HONG KONG

RESOLUTION OF THE LEGISLATIVE COUNCIL

Resolution made and passed by the Legislative Council under clause XXIII of the Hong Kong Royal Instructions 1917 to 1986 on 15 July 1987.

RESOLVED that the Standing Orders of the Legislative Council of Hong Kong be amended—

- (1) in Standing Order No. 3(2), by deleting "*ex officio* Member or";
- (2) in Standing Order No. 9—
 - (a) in paragraph (2)—
 - (i) by deleting "*ex officio*" and substituting the following—
"Official"; and
 - (ii) by deleting "an Unofficial" and substituting the following—
"a Member other than an Official";
 - (b) in paragraph (4), by deleting "*ex officio*" and substituting the following—
"Official";
 - (c) in paragraph (5)—
 - (i) by deleting "an Unofficial" and substituting the following—
"a Member other than an Official"; and
 - (ii) by deleting "an *ex officio* Member or";
 - (d) in paragraph (7)—
 - (i) by deleting "twenty" and substituting the following—
"forty-five"; and
 - (ii) by deleting "an *ex officio* Member or" wherever it appears; and
 - (e) in paragraph (8), by deleting "thirty minutes" and substituting the following—
"one hour";
- (3) in Standing Order No. 11(1)(f) by deleting "*ex officio* Members and";
- (4) in Standing Order No. 12(3)—
 - (a) by deleting "*ex officio* Members or"; and
 - (b) by deleting "Unofficial" and substituting the following—
"Members other than Official";

- (5) in Standing Order No. 14(1)—
 (a) by deleting “an *ex officio* Member or”; and
 (b) by deleting “an Unofficial” and substituting the following—
 “a Member other than an Official”;
- (6) in Standing Order No. 15(1), by deleting “Unofficial” and substituting the following—
 “Member other than an Official”;
- (7) in Standing Order No. 19(3), by deleting “*ex officio* Member or”;
- (8) in Standing Order No. 20(1), by deleting “*ex officio* Member or an”;
- (9) in Standing Order No. 23—
 (a) by deleting “an *ex officio* Member or”; and
 (b) by deleting “Unofficial”;
- (10) in Standing Order No. 28(6), by deleting “*ex officio* or”;
- (11) in Standing Order No. 30(3), by deleting “*ex officio*” and substituting the following—
 “Official”;
- (12) in Standing Order No. 39—
 (a) in paragraph (1), by deleting “where the Member is an Unofficial” and substituting the following—
 “in the case of a Member other than an Official”; and
 (b) in paragraph (3), by deleting “an Unofficial” and substituting the following—
 “a Member other than an Official”;
- (13) in Standing Order No. 42(1), by deleting “an *ex officio* Member or”;
- (14) in Standing Order No. 45(6)—
 (a) by deleting “an *ex officio* Member or”; and
 (b) by deleting “Unofficial”;
- (15) in Standing Order No. 55(6), by deleting “an *ex officio* Member or”;
- (16) in Standing Order No. 56(1)—
 (a) by deleting “an *ex officio* Member or”; and
 (b) by deleting “Unofficial”;
- (17) in Standing Order No. 58—
 (a) in paragraph (1), by deleting “an *ex officio* Member or”; and
 (b) in paragraph (2), by deleting “an *ex officio* Member or”;

- (18) in Standing Order No. 60—
 (a) in paragraph (1), by deleting “Unofficial” and substituting the following—
 “Members other than Official”;
- (b) in paragraph (4)—
 (i) by deleting “Unofficial” and substituting the following—
 “Members other than Official”; and
 (ii) by deleting “*ex officio* Member or”;
- (c) by inserting after paragraph (4) the following—
 “(4A) Where the chairman so orders in accordance with a decision of the committee, any matter for the decision of the committee may be considered by circulation of papers to the members of the committee and each member may signify his approval in writing submitted to the chairman. Where any such matter has not been so approved by all the members who are then in Hong Kong before the expiry of the period specified by the chairman for signifying the approval of members in respect of that matter, that matter shall be deemed to be referred for decision at a sitting of the committee.”;
- (d) in paragraph (7), by deleting “an *ex officio* Member or”; and
- (19) in Standing Order No. 60A—
 (a) by inserting after paragraph (1) the following—
 “(1A) The Committee shall also consider any report of the Director of Audit laid on the table of the Council which deals with examinations (value for money audit) carried out by the Director relating to the economy, efficiency and effectiveness of any Government department or public body or any organization to which his functions as Director of Audit extend by virtue of any Ordinance or which receives public moneys by way of subvention.”;
- (b) in paragraph (2), by deleting “Unofficial” and substituting the following—
 “Members other than Official”;
- (c) by deleting paragraph (3) and substituting the following—
 “(3) A report mentioned in—
 (a) paragraph (1) shall be deemed to have been referred by the Council to the Committee for consideration upon its receipt by the President;
 (b) paragraph (1A) shall be deemed to have been referred by the Council to the Committee when it is laid on the table of the Council.”; and

(d) by inserting after paragraph (5) the following—

“(5A) The Committee shall make their report upon the report of the Director of Audit mentioned in paragraph (1A) within 3 months (or such longer period as may be determined by the Council) of the date on which the Director’s report is laid on the table of the Council.”.

LAW Kam-sang,
Clerk to the Legislative Council.

COUNCIL CHAMBER,
15 July 1987.

L.N. 178 of 1988

HONG KONG ROYAL INSTRUCTIONS 1917 to 1988

STANDING ORDERS OF THE LEGISLATIVE COUNCIL OF
HONG KONG

RESOLUTION OF THE LEGISLATIVE COUNCIL

Resolution made and passed by the Legislative Council under clause XXIII of the Hong Kong Royal Instructions 1917 to 1988 on 6 July 1988.

RESOLVED that the Standing Orders of the Legislative Council of Hong Kong be amended—

- (1) in Standing Order No. 3 by repealing paragraph (2) and substituting—

“(2) The President shall preside at sittings of the Council and shall be the Chairman of committees of the whole Council. In the absence of the President from a sitting of the Council the Member appointed by the Governor shall so preside, and in the absence of such Member the senior Official Member present shall preside.”;

- (2) in Standing Order No. 5(2) by adding after “*Gazette*”—

“, or on a dissolution of the Council, whichever is earlier”;

- (3) in Standing Order No. 6 by adding after paragraph (6)—

“(7) If there is urgent business for the consideration of the Council at the first sitting of a session the Council shall proceed with that business, and the provisions of this order relating to the Governor’s address shall apply to the next sitting at which there is no urgent business for the consideration of the Council.”;

- (4) in Standing Order No. 7A by repealing “Notwithstanding that a session may have ended and the next following session has not yet begun,” and substituting—

“During any period when the Council is in recess between the end of one session and the beginning of the next session”;

- (5) by adding after Standing Order No. 7A—

“Sittings for urgent business after a dissolution 7B. These Standing Orders shall apply to a sitting of the Council held for the consideration of urgent business following a dissolution of the Council as they apply to a sitting held during a session.”;

- (6) in Standing Order No. 38(5), with effect from the commencement of the session of the Council commencing in 1988, by repealing “note in the margin of” and substituting “section heading above”;

- (7) in Standing Order No. 46—

(a) in paragraph (1) by repealing “put” wherever it occurs and substituting “proposed”;

(b) in paragraph (6), with effect from the commencement of the session of the Council commencing in 1988, by repealing “marginal note” and substituting “section heading”;

- (8) in Standing Order No. 55—

(a) in paragraph (3) by repealing “put” and substituting “proposed”;

(b) in paragraph (5) by repealing “put” wherever it occurs and substituting “proposed”;

- (9) in Standing Order No. 60—

(a) by adding after paragraph (2A)—

“(2B) The committee may appoint subcommittees for the purpose of assisting the committee in the performance of such functions of the committee as the committee may determine.”;

(b) in paragraph (3) by adding after “the times”—

“(including any time during the period when the Council is in recess between the end of one session and the beginning of the next session)”;

(c) by adding after paragraph (4A)—

“(4B) Paragraph (4A) shall apply during any period when the Council is in recess between the end of one session and the beginning of the next session as it applies during a session.”.

COUNCIL CHAMBER,
6 July 1988.

LAW Kam-sang,
Clerk to the Legislative Council.

L. S. NO. 2 TO GAZETTE NO. 50/1988

L.N. 333/88

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L.N. 333 of 1988

HONG KONG ROYAL INSTRUCTIONS 1917 TO 1988
STANDING ORDERS OF THE LEGISLATIVE COUNCIL OF
HONG KONG

RESOLUTION OF THE LEGISLATIVE COUNCIL

Resolution made and passed by the Legislative Council under clause XXIII of the Hong Kong Royal Instructions 1917 to 1988 on 14 December 1988.

RESOLVED that the Standing Orders of the Legislative Council of Hong Kong be amended—

(a) in Standing Order 12(1) by repealing “All” and substituting “The Order Paper shall be in English and Chinese. All”;

(b) in Standing Order 22 by adding after paragraph (1)—

“(1A) A notice of an amendment to a motion shall be in English if the motion is in English and in Chinese if the motion is in Chinese.”;

(c) in Standing Order 38 by adding after paragraph (3)—

“(3A) Bills may be presented in English or Chinese.”;

(d) in Standing Order 39 by adding after paragraph (2)—

“(2A) In the case of a bill presented in one official language in pursuance of a direction under section 4(3) of the Official Languages Ordinance (Cap. 5), the notice shall be accompanied by a certificate signed by the Chief Secretary stating that the Governor in Council has directed that the bill should be presented in the English language or, as the case may be, the Chinese language.”; and

(e) in Standing Order 45(4) by adding after subparagraph (d)—

“(e) Where an amendment is proposed to be moved to a bill presented in both official languages the amendment shall be made to the text in each language unless it is an amendment that clearly affects the text in one language only. But an amendment which creates a conflict or discrepancy between the text in one language and the text in the other may not be moved.”.

LAW Kam-sang,
Clerk to the Legislative Council.

COUNCIL CHAMBER,
14 December 1988.

L.N. 258 of 1991

HONG KONG ROYAL INSTRUCTIONS 1917 TO 1991

STANDING ORDERS OF THE LEGISLATIVE COUNCIL OF
HONG KONG

RESOLUTION OF THE LEGISLATIVE COUNCIL

Resolution made and passed by the Legislative Council under clause XXIII of the Hong Kong Royal Instructions 1917 to 1991 on 10 July 1991.

RESOLVED that with effect from 12 September 1991 the Standing Orders of the Legislative Council of Hong Kong be amended—

- (1) in the enactment paragraph, by repealing “1917 to 1986” and substituting “1917 to 1991”;
- (2) in Standing Order No. 1—
 - (a) in paragraph (1) by adding after “Ordinance.”—

“Where a general election of all the elected Members is held, a Member who had previously made or subscribed such oath or affirmation shall again do so in compliance with this order before he sits or votes in the Council.”;
 - (b) by repealing paragraph (2);
- (3) by repealing Standing Order No. 3 and substituting—

**“3. Presiding in Council and in Committee
of the whole Council**

(1) The Governor shall be the President of the Council and a Member, appointed by the Governor for that purpose, shall be Deputy President of the Council.

(2) The President, when present in the Council or a committee of the whole Council, shall preside or be Chairman.

(3) In the absence of the President from the Council or a committee of the whole Council, the Deputy President shall preside or be Chairman. In the absence of the President and Deputy President from the Council or a committee of the whole Council, the senior ex officio Member present shall preside or be Chairman.

(4) The Deputy President or senior ex officio Member shall enjoy all those powers conferred by these Standing Orders on the President or Chairman that are exercisable in

respect of the sitting, or part of the sitting, of the Council or a committee of the whole Council at which the Deputy President or that Member presides or is Chairman, or in respect of which the President has requested that he preside or be Chairman.

(5) The Deputy President shall enjoy such of those powers conferred by these Standing Orders on the President or Chairman of a committee of the whole Council, other than those powers mentioned in paragraph (4) of this order, as the President may specify by notice in the Gazette.”;

- (4) in Standing Order No. 4—
 - (a) in paragraph (5) by repealing “an official report” and substituting “the Official Record”;
 - (b) in paragraph (6) by repealing “the Finance Committee and every” and substituting “every standing and”;
- (5) in Standing Order No. 4A(2)(a) and (b) by repealing “to the Council”;
- (6) by adding after Standing Order 4A—

“4B. Attendance of Public Officers

(1) The Governor may designate public officers to attend sittings of the Council or committees or subcommittees of the Council.

(2) A public officer designated under paragraph (1) of this order may give notice to the Clerk of items of business to be included in the Order Paper or the agenda of a committee or subcommittee.

(3) Where it appears to the Clerk, when preparing the Order Paper or the agenda showing the business for a sitting, that a particular item of business requires the attendance of a public officer designated under paragraph (1) of this order, the Clerk shall state, in respect of that particular item, the name of the office of that public officer.

**4C. Participation of Public Officers
in Proceedings**

(1) The public officer whose office is stated in respect of a particular item of business in an Order Paper or an agenda for a sitting may attend at that sitting.

(2) These Standing Orders, except Standing Orders Nos. 1 and 6(1) (Oath or Affirmation), 3 (Presiding in Council and in Committee of the whole Council), 10 (Quorum), 13 (Petitions), paragraph (a) of Standing Order

- No. 29 (Interruptions), and the Standing Orders in Part J (Voting), shall apply, in relation to the item of business in respect of which a public officer attends a sitting, to that public officer as they apply to a Member who is an ex officio Member.”;
- (7) in Standing Order No. 5 by repealing paragraph (1) and substituting—
- “(1) At least one session of the Council shall be commenced in every calendar year, but a session commenced in one calendar year may be continued and concluded in the following year.”;
- (8) in Standing Order No. 6—
- (a) by repealing paragraphs (3) and (4) and substituting—
- “(3) At a sitting not less than 14 days after the Governor has addressed the Council, a motion may be moved without notice for an address of thanks to the Governor for his address.”;
- (b) in paragraph (5) by repealing “(4)” and substituting “(3)”;
- (c) in paragraph (6) by adding “and may be moved without notice” at the end;
- (9) in Standing Order No. 7(3) by repealing “in cases of emergency”;
- (10) in Standing Order No. 8—
- (a) in paragraph (1) by repealing “other than the first sitting”;
- (b) in paragraph (2) by repealing “6” and substituting “8”;
- (c) in paragraph (3) by repealing “6” and substituting “8”;
- (d) by repealing paragraph (5) and substituting—
- “(5) When in the opinion of the President it is necessary for the proper completion of the business on the Order Paper at a sitting of the Council to continue any unfinished business on another day, the President may order that the sitting shall continue on such other day for that purpose. Where the President so orders at a sitting of the Council, the sitting shall stand suspended and shall resume for the continuation of business on such other day at the time mentioned in paragraph (1) of this order.”;
- (11) in Standing Order No. 9 by adding after paragraph (6)—
- “(6A) The notice under paragraph (6) of this order shall be signed by the Member wishing to raise the matter and by three other Members:
- Provided that the President may, if in his opinion the matter is an important one of public concern, dispense with the need to have the notice signed by three other Members.”;

- (12) in Standing Order No. 11(1)—
- (a) by adding after subparagraph (a)—
- “(aa) Obituary and other ceremonial speeches.”;
- (b) by repealing subparagraph (h);
- (c) by adding after subparagraph (j)—
- “(k) Valedictory speeches.”;
- (13) in Standing Order No. 12—
- (a) in paragraph (2) by repealing “Oral” and substituting “All”;
- (b) in paragraph (3)—
- (i) by repealing “Official Members” where it appears for the first time and substituting “ex officio Members or public officers”;
- (ii) by repealing “Official Members” where it appears for the second time and substituting “ex officio Members”;
- (14) in Standing Order No. 16—
- (a) in paragraph (2) by adding at the end “and the questions shall be counted by the Clerk in the order in which notice is delivered under Standing Order No. 17(2)”;
- (b) by adding after paragraph (2)—
- “(3) Where, in the opinion of the President, there will be no debate on a substantive motion at a sitting, no more than eight questions shall require an oral reply. Where, in the opinion of the President, there will be such a debate, no more than three questions shall require an oral reply. The questions shall be counted by the Clerk in the order in which notice is delivered under Standing Order No. 17(2).
- (4) In this order, “substantive motion” means a motion that is independent and not subsidiary to another motion, and does not include a motion under Standing Order No. 6 (Proceedings at First Sitting of Session) or under Parts K (Procedure on Bills) and L (Financial Procedure) of these Standing Orders.”;
- (15) in Standing Order No. 17(3)—
- (a) by repealing “three” and substituting “two”;
- (b) by adding at the end “and not more than one of those questions shall require an oral reply:
- Provided that the President may, if in his opinion an additional question is an important one of public concern, allow a Member to ask that additional question.”;
- (16) in Standing Order No. 18(1) by repealing subparagraph (d) and substituting—

“(d) A question shall not contain independent questions or be so complex that it cannot reasonably be answered as a single question.”;

(17) in Standing Order No. 19—

- (a) in paragraph (4) by adding “when called upon by the President” after “any Member”;
- (b) in paragraph (7) by repealing “Report” and substituting “Record”;
- (c) by adding after paragraph (7)—

“(8) A Member who has given notice of a question may withdraw the question by giving notice in writing to the Clerk at any time before the question is put on the Order Paper or, where the question is already on the Order Paper for a sitting, by informing the President orally when his name is called at that sitting that he withdraws the question.”;

(18) in Standing Order No. 21—

- (a) in paragraph (1)—
 - (i) by adding “or a committee of the whole Council” after “Council” where it first appears;
 - (ii) by repealing “thereof” and substituting “of the whole Council”;
- (b) in paragraph (2)(a)—
 - (i) by repealing “the day before that” and substituting “two days before the day”;
 - (ii) by repealing “thereof” and substituting “of the whole Council”;

(19) in Standing Order No. 22—

(a) by adding after paragraph (1A)—

“(1B) A notice of a substantive motion, in addition to being signed by the Member wishing to move the motion, shall be signed by three other Members:

Provided that the President may, if in his opinion the motion is an important one of public concern, dispense with the need to have the notice signed by three other Members.”;

(b) by adding after paragraph (2)—

“(3) In this order, “substantive motion” means a motion that is independent and not subsidiary to another motion, and does not include a motion under Standing Order No. 6 (Proceedings at First Sitting of Session) or under Parts K (Procedure on Bills) and L (Financial Procedure) of these Standing Orders.”;

(20) in Standing Order No. 24(2) and (4) by adding “of the whole Council” after “committee”;

(21) in Standing Order No. 25 by adding after paragraph (4)—

“(5) When no more Members wish to speak the President or Chairman shall put the question that the amendment be made to the Council or the committee of the whole Council for its decision.”;

(22) in Standing Order No. 26(1) by adding “of the whole Council” after “committee”;

(23) in Standing Order No. 27 by adding after paragraph (4)—

“(5) A Member, other than a Member moving a motion or an ex officio Member, shall not, without the permission of the President, to be given only in exceptional circumstances, make a speech lasting more than fifteen minutes.”;

(24) in Standing Order No. 31 by repealing paragraph (8) and substituting—

“(8) The conduct of the Governor or Members of the Executive or Legislative Councils otherwise than in the performance of their official duties shall not be raised.

(9) The conduct of Judges or other persons performing judicial functions shall not be raised.”;

(25) by adding after Standing Order No. 32—

“32A. Application of Rules to Committees

The rules in this Part shall apply to the proceedings in a standing or select committee unless the chairman of the committee orders otherwise.”;

(26) in Standing Order No. 33 by repealing “or the Chairman in committee” and substituting “, the Chairman in a committee of the whole Council or the chairman of any standing or select committee”;

(27) in Standing Order No. 34—

(a) in paragraph (1) by repealing “or the Chairman” and substituting “, the Chairman of a committee of the whole Council or the chairman of any standing or select committee”;

(b) in paragraph (2)—

(i) by repealing “or Chairman” and substituting “, the Chairman of a committee of the whole Council or the chairman of any standing or select committee”;

(ii) by adding “or the committee” after “Council”;

- (28) in Standing Order No. 35(1) by adding "or a committee of the whole Council" after "Council";
- (29) in Standing Order No. 36—
- (a) in paragraph (1) by adding "of the whole Council" after "committee";
 - (b) in paragraph (4) by repealing all the words after "forthwith" and substituting "immediately after a division bell has been rung for three minutes";
 - (c) by repealing paragraph (5);
- (30) by adding after Standing Order No. 36—

"36A. Use of Electronic Voting System

Unless the President or Chairman otherwise directs, where an electronic system of voting is provided in the Council or a committee for the purposes of a division, the Members present and voting shall cast their votes in the division by using such electronic system in accordance with the operating requirements of the system, and the President or Chairman shall declare the result of the division accordingly."

- (31) in Standing Order No. 37(1) by repealing "When" and substituting "Subject to Standing Order No. 36A, when";
- (32) in Standing Order No. 38(2) by adding at the end ", and that short title shall remain unchanged throughout the passage of the bill";
- (33) in Standing Order No. 39 by adding at the end—
- "(5) A public officer presenting a bill shall be known throughout the subsequent proceedings on the bill as the public officer in charge of the bill; and references in these Standing Orders to a Member in charge of a bill include a public officer in charge of a bill.";
- (34) in Standing Order No. 46 by adding after paragraph (9)—
- "(9A) No amendment to the reference to the year in the title by which the bill is to be cited if it becomes law shall be necessary, and that reference may be changed by the Law Draftsman to refer to the year in which the bill becomes law.";
- (35) in Standing Order No. 54(1) by repealing "at the same time as any such bill" and substituting "to the Council not later than the sitting at which such bill is placed on the Order Paper for first reading";

- (36) in Standing Order No. 60—
- (a) in paragraph (1) by repealing "one other Official Member, to be nominated by the President,";
 - (b) in paragraph (3)—
 - (i) by repealing "two" and substituting "five";
 - (ii) by adding "but shorter notice may be given in any case where the chairman so directs" after "the sitting";
 - (c) in paragraph (4) by repealing "Official Member" where it appears for the first time and substituting "ex officio Members";
 - (d) in paragraph (4A)—
 - (i) by repealing "in accordance with a decision of the committee";
 - (ii) by adding "other than the ex officio Members," after "each member";
 - (iii) by repealing "Where any such matter has not been so approved by all the members" and substituting "Unless any such matter has been so approved by all the members, other than the ex officio Members, (who shall be not less than eight in number)";
 - (e) in paragraph (6) by repealing "the Council" and substituting "a committee of the whole Council";
 - (f) in paragraph (9) by repealing the second sentence;
 - (g) by adding after paragraph (9)—

"(10) The chairman or the Committee may call any public officer, or, in the case of a head of the Estimates relating to a non-Government body or organization, any member or servant of that body or organization to give information or any explanation or to produce any records or documents which the Committee may require in the performance of their duties; and the Committee may also call any other person to assist the Committee in relation to any such information, explanation, records or documents.

(11) Subject to these Standing Orders, the practice and procedure of the committee shall be determined by the committee.";
- (37) in Standing Order No. 60A—
- (a) in paragraph (2) by adding at the end "In the event of the temporary absence of the chairman, the Committee may elect a chairman to act during that absence.";
 - (b) in paragraph (4) by adding "chairman or the" before "Committee" where it appears for the first time;

(38) by adding after Standing Order No. 60A—

“60B. Committee on Members’ Interests

(1) There shall be a standing committee to be called the Committee on Members’ Interests—

- (a) to examine the arrangements made for the compilation, maintenance and accessibility of the Register of Members’ Interests;
- (b) to consider any proposals made by Members or others as to the form and contents of the Register;
- (c) to consider and investigate any complaint made in relation to the registration and declaration of Members’ interests or any complaint of a failure to do so;
- (d) to consider matters of ethics in relation to the conduct of Members in their capacity as such, and to give advice and issue guidelines on such matters;
- (e) to report to the Council and make recommendations, including a recommendation as to a sanction under Standing Order No. 65A (Sanctions relating to Interests).

(2) The committee shall consist of a chairman and six other members, who shall be Members other than ex officio Members, appointed by the President.

(3) The committee shall sit at the times (including any time during the period when the Council is in recess between the end of one session and the beginning of the next session) and at the place determined by the chairman. Written notice of every sitting shall be given to the members at least five clear days before the day of the sitting.

(4) Sittings shall be held in public unless the chairman otherwise orders in accordance with any decision of the committee.

(5) The chairman and four members shall form a quorum. All matters before the committee shall be decided by a majority of the members voting. In the event that votes are equally divided, the chairman shall have a casting vote.

(6) The committee may call any person to attend before the committee and to give evidence or to produce any paper, book, record or document in the possession or under the control of such person.

(7) Subject to these Standing Orders, the practice and procedure of the committee shall be determined by the committee.”;

(39) in Standing Order No. 62—

- (a) in paragraph (4) by repealing “(7)” and substituting “(6)”;
- (b) by adding after paragraph (10)—

“(11) Where so authorized under section 9(2) of the Legislative Council (Powers and Privileges) Ordinance (Cap. 382), the committee may call any person to attend before it and to give evidence or to produce any paper, book, record or document in the possession or under the control of such person.”;

(40) by adding after Standing Order No. 64—

“64A. Registration of Interests

(1) Every Member shall, not later than fourteen days before the first sitting of each session, furnish to the Clerk, in such form as may be approved by the President, particulars of his registrable interests.

(2) Every Member shall furnish to the Clerk, in such form as may be approved by the President, particulars of any change in such registrable interests, within fourteen days of any such change.

(3) The Clerk shall cause those particulars to be entered in a Register of Members’ Interests and that register shall be available for inspection by any person during office hours.

(4) In this order, “registrable interests” means—

- (a) remunerated directorships of companies, public or private;
- (b) remunerated employments or offices;
- (c) remunerated trades, professions or vocations;
- (d) the names of clients when the interests referred to above include personal services by Members which arise out of or are related in any manner to his membership of the Council;
- (e) financial sponsorships—

(i) as a candidate for election to the Council, where to the knowledge of the Member the sponsorship exceeds 25% of his election expenses; or

(ii) as a Member of the Council, by any person or organization, stating whether

any such sponsorships includes any payment to the Member or any material benefit or advantage, direct or indirect;

- (f) overseas visits relating to or arising out of membership of the Council where the cost of any such visit has not been wholly borne by the Member or public funds;
- (g) any payments or any material benefits or advantages received from or on behalf of foreign governments, organizations or persons;
- (h) land and property of substantial value or from which a substantial income is derived;
- (i) the names of companies or other bodies in which the Member has, to his knowledge, either himself or with or on behalf of his spouse or infant children, a beneficial interest in shareholdings of a nominal value greater than one-hundredth of the issued share capital.”;

(41) by adding after Standing Order No. 65—

“65A. Sanctions relating to Interests

Any Member who fails to comply with Standing Order No. 64A or 65(1) may be admonished, reprimanded or suspended by the Council on a motion to that effect.”;

(42) by adding after Standing Order No. 67—

“67A. Procedure for Obtaining Leave for Member to Attend as Witness in Civil Proceedings

(1) For the purpose of obtaining the leave of the Council under section 6(2) of the Legislative Council (Powers and Privileges) Ordinance (Cap. 382) in order that a Member may be required to attend as a witness in any civil proceedings on a day when the Council is sitting, the party to the proceedings requiring the Member so to attend on that day shall not later than 21 days before that day submit to the Clerk a written statement of the request and of the reasons why the attendance of the Member is required on that day.

(2) The request for leave shall be placed on the Order Paper for the sitting next following the receipt thereof by the

Clerk and, unless on a motion moved at that sitting by any Member the Council determines that such leave shall be refused, the Council shall be deemed to have ordered that such leave be granted.

(3) The Clerk shall give written notice of the decision of the Council to the party by whom the request for leave is made and also to the Member concerned.

67B. Procedure for Obtaining Leave to Give Evidence of Council Proceedings

(1) For the purpose of obtaining the leave of the Council under section 7 of the Legislative Council (Powers and Privileges) Ordinance (Cap. 382) in order that evidence may be given elsewhere in respect of the contents of minutes, records of evidence or any document laid before the Council or a committee, or in respect of any proceedings or examination held before the Council or a committee, the person seeking such leave shall submit to the Clerk a written statement of the request and the reasons therefor and such further information as the Clerk, on the direction of the President, may require in any particular case.

(2) The request for leave shall be placed on the Order Paper for such sitting as the President may appoint and, unless on a motion moved at that sitting by any Member the Council determines that such leave shall be refused, the Council shall be deemed to have ordered that such leave be granted.

(3) The Clerk shall give written notice of the decision of the Council to the person by whom the request for leave is made.

(4) Where the leave of the Council referred to in paragraph (1) of this order is sought during any recess or adjournment or dissolution of the Council such leave may be given by the President or, if the President is unable to act, by the Deputy President appointed by the President for the purposes of this paragraph.”;

(43) in Standing Orders Nos. 9, 14, 15, 19, 20, 23, 28, 30, 39, 42, 45, 55, 56, 58 and 60, by repealing “Official Member” wherever it occurs and substituting “ex officio Member”;

(44) in Standing Orders Nos. 11, 60 and 60A, by repealing “Official Members” wherever it occurs and substituting “ex officio Members”;

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L.N. 258 of 1991

L. S. NO. 2 TO GAZETTE NO. 28/1991

(45) in Standing Orders Nos. 7, 35 and 40, by repealing "Governor"
wherever it occurs and substituting "President".

LAW Kam-sang,
Clerk to the Legislative Council.

COUNCIL CHAMBER,
10 July 1991.

L. S. NO. 2 TO GAZETTE NO. 18/1992

~~L.N. 114 of 1992~~

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L.N. 114 of 1992

HONG KONG ROYAL INSTRUCTIONS 1917 TO 1991
STANDING ORDERS OF THE LEGISLATIVE COUNCIL
OF HONG KONG

RESOLUTION OF THE LEGISLATIVE COUNCIL

Resolution made and passed by the Legislative Council under clause XXIII of the Hong Kong Royal Instructions 1917 to 1991 on 29 April 1992.

RESOLVED that the Standing Orders of the Legislative Council of Hong Kong be amended in Standing Order No. 16(3) by repealing "three" and substituting "six".

LAW Kam-sang,
Clerk to the Legislative Council.

COUNCIL CHAMBER,
29 April 1992.

L.N. 226 of 1992

HONG KONG ROYAL INSTRUCTIONS 1917 TO 1991
STANDING ORDERS OF THE LEGISLATIVE COUNCIL OF
HONG KONG

RESOLUTION OF THE LEGISLATIVE COUNCIL

Resolution made and passed by the Legislative Council under clause XXIII of the Hong Kong Royal Instructions 1917 to 1991 on 8 July 1992.

RESOLVED that with effect from 1 September 1992 the Standing Orders of the Legislative Council of Hong Kong be amended—

- (1) in Standing Order No. 4(6), by repealing “standing and select committee” and substituting “committee and subcommittee”;
- (2) in Standing Order No. 42—
 - (a) in paragraph (3), by repealing “The” and substituting “Subject to paragraphs (3A) and (3B), the”;
 - (b) by adding—

“(3A) Except in relation to Appropriation Bills, when the Member in charge of a bill has spoken on a motion that the bill be now read the second time, the debate shall be adjourned and the bill shall be referred to the House Committee unless the Council, on a motion which may be moved without notice by any Member, otherwise orders.

(3B) When a debate has been adjourned under paragraph (3A), it may be resumed on notice by the Member in charge of the bill given by him after consultation with the chairman of the House Committee.”;

- (3) in Standing Order No. 44(1) by adding “of the whole Council or select committee” after “committee”;
- (4) by adding—

“60C. House Committee

(1) There shall be a committee, to be called the House Committee, the members of which shall be all the Members other than the Deputy President and ex officio Members.

(2) The chairman and deputy chairman of the committee shall be elected from amongst its members and shall hold office until the first sitting of the committee in the session next following that in which they were elected. In the event of the temporary absence of the chairman and deputy chairman, the committee may elect a chairman to act during such absence.

(3) At any time after a bill has been referred to the committee under Standing Order No. 42(3A), the committee may allocate it to a Bills Committee for consideration, or may cause it to be considered in such other manner as the committee thinks fit.

(4) In deciding upon the timing and order of allocation of bills to a Bills Committee, the committee may take into account the number and relative priority of other bills currently referred to the committee under Standing Order No. 42(3A), and may at any time vary any decision as to the timing and order of allocation of any bill.

(5) Following allocation of a bill to a Bills Committee, the committee, after consultation with that Bills Committee, may decide the date for completion of consideration of the bill by the Bills Committee. Any such decision may be varied at any time, after consultation with the Bills Committee.

(6) Upon the allocation of a bill to a Bills Committee, the members of that Bills Committee shall be those Members (other than the Deputy President and the ex officio Members) who signify membership in accordance with procedural rules (which shall provide only for the manner and timing of such signification) decided by the committee.

(7) The committee may provide guidelines relating to the practice and procedure of the Bills Committees.

(8) The committee may discuss any deliberations of a Bills Committee for the purpose of assisting members in preparation for resumption of second reading debate in the Council.

(9) The committee shall decide the manner of consideration of any subsidiary legislation which is subject to the provisions of sections 34 and 35 of the Interpretation and General Clauses Ordinance (Cap. 1).

(10) The committee may consider, in such manner as it thinks fit, any other item relating to the business of the Council.

(11) The committee may appoint subcommittees for the purpose of assisting the committee in the performance of its functions under paragraphs (9) and (10).

(12) The committee shall sit at the times (including any time during the period when the Council is in recess between the end of one session and the beginning of the next session) and at the place determined by the chairman. Written notice of the place, day and time of every sitting shall be given to the members at least three days before the day of the sitting but shorter notice may be given in any case where the chairman so directs. The sittings shall be held in public unless the chairman otherwise orders in accordance with any decision of the committee.

(13) Twenty members, including the chairman, shall form a quorum. All matters for the decision of the committee shall be decided by a majority of the members voting. The chairman, the deputy chairman or any other member presiding shall not vote, unless the votes of the other members are equally divided in which case he shall have a casting vote.

(14) Where the chairman so orders, any matter for the decision of the committee may be considered by circulation of papers to the members of the committee and each member may signify his approval in writing submitted to the chairman. Unless any such matter has been so approved by all the members (who shall not be less than twenty in number) who are then in Hong Kong before the expiry of the period specified by the chairman for signifying the approval of members in respect of that matter, that matter shall be deemed to be referred for decision at a sitting of the committee.

(15) Paragraph (14) shall apply during any period when the Council is in recess between the end of one session and the beginning of the next session as it applies during a session.

(16) Where so authorized under section 9(2) of the Legislative Council (Powers and Privileges) Ordinance (Cap. 382), the committee may call any person to attend before it and to give evidence or to produce any paper, book, record or document in the possession or under the control of such person.

(17) Subject to these Standing Orders, the practice and procedure of the committee shall be determined by the committee.

60D. Bills Committees

(1) There shall be such number of committees, to be called Bills Committees, as the House Committee considers appropriate.

(2) The chairman of a Bills Committee shall be elected by the committee from amongst its members. The committee may also elect a deputy chairman. In the event of the temporary absence of the chairman or any deputy chairman, the committee may elect a chairman to act during such absence.

(3) A Bills Committee shall consist of not less than three members including the chairman. The quorum of a Bills Committee shall be three members including the chairman, or one third of the members including the chairman (a fraction of the whole number being disregarded), whichever is the greater.

(4) A Bills Committee shall sit at the times (including any time during the period when the Council is in recess between the end of one session and the beginning of the next session) and at the place determined by the chairman. Written notice of the place, day and time of every sitting shall be given to the members at least three days before the day of the sitting but shorter notice may be given in any case where the chairman so directs.

(5) Sittings shall be held in public unless the chairman otherwise orders in accordance with any decision of the committee.

(6) A Bills Committee shall consider the general merits and principles, and the detailed provisions, of the bill allocated to it; and may also consider any amendments relevant to the bill.

(7) All matters for the decision of a Bills Committee shall be decided by a majority of the members voting. The chairman shall, if the votes be equally divided, have a casting vote in addition to his original vote.

(8) A Bills Committee shall, as soon as it has completed consideration of the bill allocated to it, notify the House Committee and shall advise the committee in writing of its deliberations.

(9) The deliberations of a Bills Committee on a bill may be discussed by the House Committee for the purposes of informing Members in preparation for resumption of the

second reading debate on the bill in Council. Such deliberations shall not be binding on any Member, whether in Council, in a committee of the whole Council or in House Committee.

(10) Where so authorized under section 9(2) of the Legislative Council (Powers and Privileges) Ordinance (Cap. 382), a Bills Committee may call any person to attend before it and to give evidence or to produce any paper, book, record or document in the possession or under the control of such person.

(11) Subject to these Standing Orders, the practice and procedure of a Bills Committee shall be determined by that Bills Committee. In any such determination, a Bills Committee shall take into account any guidelines provided under Standing Order No. 60C(7)."

LAW Kam-sang,
Clerk to the Legislative Council.

COUNCIL CHAMBER,
8 July 1992.

L.N. 408 of 1992

HONG KONG ROYAL INSTRUCTIONS 1917 TO 1991
STANDING ORDERS OF THE LEGISLATIVE COUNCIL
OF HONG KONG

RESOLUTION OF THE LEGISLATIVE COUNCIL

Resolution made and passed by the Legislative Council under clause XXIII of the Hong Kong Royal Instructions 1917 to 1991 on 16 December 1992.

RESOLVED that with effect from 18 December 1992 the Standing Orders of the Legislative Council of Hong Kong be amended—

- (1) in Standing Order No. 7(2), by repealing “five” and substituting “fourteen”;
- (2) in Standing Order No. 14—
 - (a) in paragraph (4) by repealing “, but no debate may arise thereon”; and
 - (b) by adding—
 - “(5) No debate may arise on any address presented by a Member under paragraph (3) or (4) but the President may in his discretion allow short questions to be put to the Member making the address for the purpose of elucidating any matter raised by the Member in the course of his address.”;
- (3) in Standing Order No. 16(3) by repealing “eight” and substituting “ten”;
- (4) in Standing Order No. 17(2) by repealing “four” and substituting “seven”;
- (5) in Standing Order No. 21—
 - (a) in paragraph (1) by repealing “four” and substituting “twelve”; and
 - (b) in paragraph (2)(a) by repealing “two” and substituting “five clear”;
- (6) in Standing Order No. 45(2) by repealing “four” and substituting “seven”.

Cletus LAU Kwok-hong,
Clerk to the Legislative Council.

COUNCIL CHAMBER,
16 December 1992.

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L.N. 26 of 1993

L. S. NO: 2 TO GAZETTE NO: 5/1993

L.N. 26 of 1993

HONG KONG ROYAL INSTRUCTIONS 1917 TO 1991
STANDING ORDERS OF THE LEGISLATIVE COUNCIL OF
HONG KONG

RESOLUTION OF THE LEGISLATIVE COUNCIL

Resolution made and passed by the Legislative Council under clause XXIII of the Hong Kong Royal Instructions 1917 to 1991 on 3 February 1993.

RESOLVED that with effect from 5 February 1993 the Standing Orders of the Legislative Council of Hong Kong be amended—

- (1) in Standing Order No. 27(5), by repealing "A Member, other than a Member moving a motion or" and substituting "Subject to Standing Order No. 27A, a Member other than";
- (2) by adding—

**"27A. Recommendations of House Committee
as to time of Speaking**

(1) In relation to any motion or amendment to a motion (other than a motion or amendment to a motion on a Bill) to be moved at a sitting of the Council, whether or not the motion or amendment has at the time been placed on the Order Paper, the House Committee may recommend—

- (a) that the mover of the motion should not speak for more than a specified number of minutes (such period to be inclusive of any speech in reply under Standing Order No. 28(3));
- (b) that the mover of an amendment to the motion should not speak for more than a specified number of minutes; and
- (c) that other Members (except ex officio Members) each should not speak for more than a specified number of minutes.

(2) Where the House Committee so recommends under paragraph (1) the Chairman shall cause the President to be notified in writing of the Committee's recommendations.

L. S. NO. 2 TO GAZETTE NO. 5/1993

L.N. 26 of 1993

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(3) Any recommendations of the House Committee under paragraph (1), if accepted by the President (in which event he shall so inform Members as soon as practicable prior to calling upon the Member to move the motion), shall be binding upon all Members other than ex officio Members and the President shall direct any Member speaking in excess of the recommended specified time to discontinue his speech."

Cletus LAU Kwok-hong,
Clerk to the Legislative Council.

COUNCIL CHAMBER,
3 February 1993.

L.N. 42 of 1993

HONG KONG ROYAL INSTRUCTIONS 1917 TO 1992

STANDING ORDERS OF THE LEGISLATIVE COUNCIL OF
HONG KONG

RESOLUTION OF THE LEGISLATIVE COUNCIL

Resolution made and passed by the Legislative Council under clause XXIII of the Hong Kong Royal Instructions 1917 to 1992 on 19 February 1993.

RESOLVED that with effect from 19 February 1993 the Standing Orders of the Legislative Council of Hong Kong be amended—

- (1) in the enactment paragraph, by repealing “1917 to 1991” and substituting “1917 to 1992”;
- (2) in Standing Order No. 3—
 - (a) by repealing paragraphs (1), (2) and (3) and substituting—
 - “(1) There shall be a President of the Council who, when present at a sitting of the Council or a committee of the whole Council, shall preside or be Chairman.
 - (2) In the absence of the President from a sitting of the Council or a committee of the whole Council, there shall preside at that sitting—
 - (a) the President’s deputy; or
 - (b) in the absence of the President’s deputy from that sitting, the senior ex officio Member present.”;
 - (b) in paragraphs (4) and (5), by repealing “Deputy President” whenever it appears and substituting “President’s deputy”;
- (3) by adding—

**“3A. Election of President and
President’s deputy**

(1) The President shall be elected from amongst their number by Members of the Council excluding the ex officio Members.

(2) The President shall hold office until the dissolution of the Council.

(3) The President’s deputy shall be elected on motion (which may be moved without notice) from amongst their number by Members of the Council excluding the ex officio Members.

(4) Unless he sooner vacates office, the President’s deputy shall hold office until the first sitting of the Council in the session next following that in which he was elected.

(5) A Member who has vacated office as the President’s deputy shall be eligible for re-election to that office at any time.

(6) The election of the President shall be conducted by secret ballot at a sitting of the Council.

(7) A nomination for President shall be made by a Member, other than an ex officio Member, and seconded by at least three other Members, other than ex officio Members, and shall reach the Clerk at least four clear days before the day of the election.”;

- (4) by adding after Standing Order No. 4A—

“4AA. Attendance of the Governor

The Governor may at his discretion attend sittings of the Council, or any committee or sub-committee thereof, for the following purposes—

- (a) addressing the Council at any time as he shall think fit, including during a special sitting;
 - (b) enabling Members of the Council to put questions to him on any public matter for which the Government is responsible and receive answers thereto; and
 - (c) proposing any policy, measure, bill, resolution, motion or question for debate by and in the Council or any such committee or sub-committee.”;
- (5) in Standing Order No. 11(1), by adding “, a sitting under Standing Order No. 4AA or a sitting to elect the President” after “first sitting of a session”;
- (6) in Standing Order No. 12, by adding—
- “(4) This Standing Order does not apply to the first sitting of a session, a sitting under Standing Order No. 4AA or a sitting to elect a President.”;
- (7) by adding—

**“19A. Sitting under Standing
Order No. 4AA**

This Part (other than Standing Order No. 18) does not apply to questions put to the Governor under Standing Order No. 4AA.”;

- (8) by repealing Standing Order No. 23 and substituting—

**“23. Restriction on Motions
and Amendments**

A motion or amendment, the object or effect of which may, in the opinion of the President or Chairman, be to dispose of or charge any part of the revenue or other public moneys of Hong Kong shall be proposed only by—

- (a) the Governor;
- (b) a public officer designated by the Governor under Standing Order No. 4B; or
- (c) a Member of the Council expressly authorized or permitted by the Governor to make such a proposal.”;

- (9) by repealing Standing Order No. 45(6) and substituting—

“(6) An amendment, the object or effect of which may, in the opinion of the Chairman, be to dispose of or charge any part of the revenue or other public moneys of Hong Kong shall be proposed only by—

- (a) the Governor;
- (b) a public officer designated by the Governor under Standing Order No. 4B; or
- (c) a Member of the Council expressly authorized or permitted by the Governor to make such a proposal.”;

- (10) in Standing Order No. 60C(1) and (6), by repealing “Deputy President” and substituting “President”;

- (11) in Standing Order No. 67B(4), by repealing “Deputy President appointed by the President for the purposes of this paragraph” and substituting “Member presiding”.

Cletus LAU Kwok-hong,
Clerk to the Legislative Council.

L.N. 394 of 1993

HONG KONG ROYAL INSTRUCTIONS 1917 TO 1992
STANDING ORDERS OF THE LEGISLATIVE COUNCIL OF
HONG KONG

RESOLUTION OF THE LEGISLATIVE COUNCIL

Resolution made and passed by the Legislative Council under clause XXIII of the Hong Kong Royal Instructions 1917 to 1992 on 13 October 1993.

RESOLVED that with effect from 13 October 1993 the Standing Orders of the Legislative Council of Hong Kong be amended—

- (1) in Standing Order No. 4B—
 - (a) in paragraph (1), by repealing “or committees or sub-committees of the Council” and substituting “, committees of the whole Council, the Finance Committee or subcommittees of the Finance Committee”;
 - (b) in paragraph (2), by repealing “a committee or sub-committee” and substituting “the Finance Committee or a subcommittee of the Finance Committee”;
- (2) in Standing Order No. 60C—
 - (a) in paragraph (7), by adding at the end—

“, subcommittees constituted under paragraph (11) and Panels constituted under Standing Order No. 60E”;
 - (b) by adding—

“(11A) A Member shall not be chairman or deputy chairman of more than one subcommittee at the same time.

(11B) The committee may refer any policy matter relating to the business of the Council to a Panel constituted under Standing Order No. 60E, may determine the terms of reference for the consideration of such matter and may request and receive reports on such matter from the Panel.”;
 - (c) in paragraph (16), by adding “, or any subcommittee,” after “committee”;
- (3) in Standing Order No. 60D, by adding—

“(3A) A Bills Committee may appoint subcommittees for the purpose of assisting the Committee in the performance of its functions.”;
- (4) by adding—

“60E. Panels

- (1) There shall be such number of committees, to be called Panels, as the House Committee considers appropriate.
- (2) The terms of reference of a Panel shall be determined by the House Committee.
- (3) A Panel shall monitor and examine, to the extent it considers necessary, policy matters referred to it by a member of the Panel or by the House Committee.
- (4) The members of a Panel shall be those Members (other than the President and the ex officio Members) who signify membership in accordance with procedural rules (which shall provide only for the manner and timing of such signification) decided by the House Committee.
- (5) The chairman of a Panel shall be elected by the Panel from amongst its members. The Panel may also elect a deputy chairman. The chairman and deputy chairman of a Panel shall hold office until the first sitting of the Panel in the session next following that in which they were elected.
- (6) A Member who is the chairman or deputy chairman of a Government advisory body in respect of matters which a Panel considers to be directly related to the terms of reference of the Panel shall not be the chairman or deputy chairman of the Panel.
- (7) A Member shall not be chairman or deputy chairman of more than one Panel at the same time.
- (8) A Panel shall consist of not less than six members including the chairman. The quorum of a Panel shall be three members including the chairman, or one third of the members including the chairman (a fraction of the whole number being disregarded), whichever is the greater.
- (9) A Panel may, if it considers appropriate, form subcommittees to study specific issues and to report to the Panel.
- (10) A Panel or its subcommittee may, if it considers appropriate, sit jointly with any other Panel or its subcommittee for the purpose of considering any matter of common interest to the Panels.
- (11) A Panel and its subcommittee shall sit at the times (including any time during the period when the Council is in recess between the end of one session and the beginning of the next session) and at the place determined by the

chairman of the Panel or its subcommittee, as the case may be. Written notice of the place, day and time of every sitting shall be given to the members at least three days before the day of the sitting but shorter notice may be given in any case where the chairman so directs.

(12) Sittings shall be held in public unless the chairman otherwise orders in accordance with any decision of the Panel or its subcommittee, as the case may be.

(13) All matters for the decision of a Panel shall be decided by a majority of the members voting. The chairman shall, if the votes be equally divided, have a casting vote in addition to his original vote. Such voting shall not be binding on any Member, whether in Council, in a committee of the whole Council or in the House Committee.

(14) A Panel may, where requested by the House Committee and where it considers appropriate, or on its own motion, make reports in writing to the House Committee for the purpose of informing Members of the progress of its deliberations.

(15) Where so authorized under section 9(2) of the Legislative Council (Powers and Privileges) Ordinance (Cap. 382), a Panel or its subcommittee may call any person to attend before it and to give evidence or to produce any paper, book, record or document in the possession or under the control of such person.

(16) Subject to these Standing Orders, the practice and procedure of a Panel or its subcommittee shall be determined by that Panel. In any such determination, a Panel shall take into account any guidelines provided under Standing Order No. 60C(7)."

Cletus LAU Kwok-hong,
Clerk to the Legislative Council.

COUNCIL CHAMBER,
13 October 1993.

L.N. 111 of 1994

HONG KONG ROYAL INSTRUCTIONS 1917 TO 1993
STANDING ORDERS OF THE LEGISLATIVE COUNCIL OF
HONG KONG

RESOLUTION OF THE LEGISLATIVE COUNCIL

Resolution made and passed by the Legislative Council under clause XXIII of the Hong Kong Royal Instructions 1917 to 1993 on 23 February 1994.

RESOLVED that with effect from 1 March 1994 the Standing Orders of the Legislative Council of Hong Kong be amended—

- (1) in Standing Order No. 3—
 - (a) in paragraph (1), by adding “and able, in his opinion, to act” after “the whole Council”;
 - (b) in paragraph (2), by adding “or when, in his opinion, he is unable to act” after “the whole Council”;
 - (c) by repealing paragraph (2)(b) and substituting—
 - “(b) in the absence of the President’s deputy from that sitting or when, in his opinion, he is unable to act, the Member present (other than an ex officio Member) who has held office as a Member for the longest continuous period of time.”;
 - (d) by adding—
 - “(2A) For the purposes of paragraph (2)(b) where 2 or more Members have held office as Members for an equal continuous period of time (being the longest continuous period of time for which any Member has held office) the one of them who first made or subscribed the oath or affirmation in accordance with the Oaths and Declarations Ordinance (Cap. 11) under Standing Order No. 1 shall be deemed to have held office for the longest continuous period of time.”;
 - (e) in paragraph (4), by repealing “senior ex officio Member” and substituting “other Member presiding”;
- (2) in Standing Order No. 3A—
 - (a) in the heading by repealing “and President’s deputy”;
 - (b) by repealing paragraphs (3), (4) and (5);
- (3) by adding—

“3B. President’s deputy

(1) The chairman of the House Committee elected as such under Standing Order No. 60C(2) shall be the President’s deputy.

(2) In the absence of the chairman of the House Committee or when, in his opinion, he is unable to act, the deputy chairman of the House Committee elected as such under Standing Order No. 60C(2) shall act as President’s deputy.

(3) The reference to the “chairman of the House Committee” in paragraphs (1) and (2) shall not include a person elected to act as chairman during the temporary absence of the chairman and deputy chairman.”.

Cletus LAU Kwok-hong,
Clerk to the Legislative Council.

COUNCIL CHAMBER,
23 February 1994.

L.N. 248 of 1994

HONG KONG ROYAL INSTRUCTIONS 1917 TO 1993
 STANDING ORDERS OF THE LEGISLATIVE
 COUNCIL OF HONG KONG
 RESOLUTION OF THE LEGISLATIVE COUNCIL

Resolution made and passed by the Legislative Council under clause XXIII of the Hong Kong Royal Instructions 1917 to 1993 on 4 May 1994.

RESOLVED that with effect from 4 May 1994 the Standing Orders of the Legislative Council of Hong Kong be amended—

(1) in Standing Order No. 64A—

(a) by repealing paragraph (1) and substituting—

“(1) Except for the purpose of making an initial registration of interests under paragraph (2), every Member shall, not later than seven days before the first sitting of each session, furnish to the Clerk, in such form as may be approved by the President, particulars of his registrable interests.”;

(b) by adding—

“(1A) Every new Member of the Council shall, within fourteen days from the date of his election or appointment to the Council, furnish to the Clerk, in such form as may be approved by the President, particulars of his registrable interests.”;

(c) by repealing paragraph (4)(b) and (c) and substituting—

“(b) remunerated employments, offices, trades, professions or vocations;”;

(d) in paragraph (4)(e)(i), by adding “\$10,000 or” after “exceeds”;

(e) in paragraph (4)(e)(ii), by repealing “includes any payment to the Member or any material benefit or advantage, direct or indirect” and substituting “include any payment or any material benefit or advantage to the Member or his spouse, whether direct or indirect”;

(f) in paragraph (4)(f), by adding “made by the Member or his spouse” after “visits”;

(g) in paragraph (4)(g), by adding “by the Member or his spouse” after “received”;

(h) in paragraph (4)(h), by repealing “of substantial value or from which a substantial income is derived”;

(2) in Standing Order No. 65—

(a) by repealing paragraph (1) and substituting—

“(1) A Member shall not vote upon any question, whether in the Council or in any committee, in which he has a direct pecuniary interest.

(1A) A Member shall not move any motion or amendment relating to a matter in which he has a pecuniary interest, whether direct or indirect, or speak on any such matter, whether in the Council or in any committee, without disclosing the nature of that interest.

(1B) In any debate or proceedings of the Council or any committee at which a Member is present he shall declare any direct pecuniary interests which he has in the matter.”;

(b) in paragraph (2) by repealing “non-disclosure of his personal pecuniary interest” and substituting “his direct pecuniary interest under paragraph (1)”;

(3) in Standing Order No. 65A, by adding “, (1A) or (1B)” after “65(1)”.

Alan N. LAI,

Deputy Director of Administration.

4 May 1994.

L.N. 433 of 1994

HONG KONG ROYAL INSTRUCTIONS 1917 TO 1993

STANDING ORDERS OF THE LEGISLATIVE
COUNCIL OF HONG KONG

RESOLUTION OF THE LEGISLATIVE COUNCIL

Resolution made and passed by the Legislative Council under clause XXIII of the Hong Kong Royal Instructions 1917 to 1993 on 6 July 1994.

RESOLVED that with effect from 6 July 1994 the Standing Orders of the Legislative Council of Hong Kong be amended—

- (1) in Standing Order No. 4 by adding before paragraph (1)—
 - “(1A) The Secretary General of the Legislative Council Secretariat shall be the Clerk to the Legislative Council.
 - (1B) The Clerk shall be responsible for advising the President on all matters relating to the procedure of the Council.”;
- (2) in Standing Order No. 4A—
 - (a) in paragraph (1) by repealing “Law Draftsman” and substituting “Legal Adviser of the Legislative Council Secretariat”;
 - (b) by repealing paragraph (2) and substituting—
 - “(2) The Counsel to the Legislature shall have the general duty of advising the President and the Clerk on legal questions arising in relation to the business or administration of the Council.”;
- (3) in Standing Order No. 39 by repealing paragraph (1) and substituting—
 - “(1) A Member may at any time give notice of his intention to present a bill; such notice shall be sent to the office of the Clerk and shall be accompanied by a copy of the bill and memorandum required by Standing Order No. 38 (Form of Bills), and in the case of a Member other than an ex officio Member, also by a certificate signed by the Law Draftsman pursuant to paragraph (1A).

(1A) In the case of a bill to be presented by a Member other than an ex officio Member, the Law Draftsman, if satisfied that the bill conforms to the requirements of Standing Order No. 38 (Form of Bills) and the general form of Hong Kong legislation, shall issue a certificate to that effect.”.

Ricky FUNG Choi-cheung,
Clerk to the Legislative Council.

6 July 1994.

L.N. 434 of 1994

HONG KONG ROYAL INSTRUCTIONS 1917 TO 1993

STANDING ORDERS OF THE LEGISLATIVE
COUNCIL OF HONG KONG

RESOLUTION OF THE LEGISLATIVE COUNCIL

Resolution made and passed by the Legislative Council under clause XXIII of the Hong Kong Royal Instructions 1917 to 1993 on 6 July 1994.

RESOLVED that with effect from 1 October 1994 the Standing Orders of the Legislative Council of Hong Kong be amended in Standing Order No. 60—

(a) in paragraph (1), by repealing everything after “shall be” where it secondly appears and substituting “all the Members other than the President and the Attorney General.”;

(b) by repealing paragraph (2) and substituting—

“(2) The chairman and deputy chairman of the committee shall be elected by and from amongst its members, other than the ex officio Members, and shall hold office until the first sitting of the committee in the session next following that for which they were elected. In the event of the temporary absence of the chairman and deputy chairman, the committee may elect a chairman, other than an ex officio Member, to act during such absence.”;

(c) in paragraph (4), by adding at the end—

“Neither the chairman nor any other member presiding shall vote, unless the votes of the other members are equally divided, in which case he shall have a casting vote.”.

Ricky FUNG Choi-cheung,
Clerk to the Legislative Council.

6 July 1994.

B1682 L.N. 381 of 1995 L. S. NO. 2 TO GAZETTE NO. 31/1995

L.N. 381 of 1995

HONG KONG ROYAL INSTRUCTIONS
1917 TO 1993 (NOS. 1 AND 2)

STANDING ORDERS OF THE LEGISLATIVE COUNCIL
OF HONG KONG

RESOLUTION OF THE LEGISLATIVE COUNCIL

Resolution made and passed by the Legislative Council under clause XXIII of the Hong Kong Royal Instructions 1917 to 1993 (Nos. 1 and 2) on 28 July 1995.

RESOLVED that the Standing Orders of the Legislative Council of Hong Kong be amended—

- (1) in the enactment paragraph by repealing “1917 to 1992” and substituting “1917 TO 1993 (Nos. 1 AND 2)”;
- (2) in Standing Order No. 3A—
 - (a) by adding—

“(3) The person holding the office of President immediately before a dissolution of the Council, or in his absence or inability to act, the person who was last the President’s deputy, shall preside at a sitting of the Council held for the consideration of urgent business during that dissolution and shall be Chairman at a sitting of a committee of the whole Council held in consequence of such a sitting of the Council. If both such persons are absent or unable to act, the person who held office as a Member for the longest continuous period of time immediately before that dissolution, and who is present and able to act, shall preside.”;

- (b) by repealing paragraph (7) and substituting—

“(7) Subject to clause XXI of the Royal Instructions and these Standing Orders the House Committee shall determine the procedures for all matters relating to the election of the President.”.

Ricky FUNG Choi-cheung,
Clerk to the Legislative Council.

28 July 1995.

L.N. 382 of 1995

HONG KONG ROYAL INSTRUCTIONS
1917 TO 1993 (NOS. 1 AND 2)

STANDING ORDERS OF THE LEGISLATIVE COUNCIL
OF HONG KONG

RESOLUTION OF THE LEGISLATIVE COUNCIL

Resolution made and passed by the Legislative Council under clause XXIII of the Hong Kong Royal Instructions 1917 to 1993 (Nos. 1 and 2) on 28 July 1995.

RESOLVED that with effect from 17 September 1995 the Standing Orders of the Legislative Council of Hong Kong be amended—

- (1) in Standing Order No. 2 by repealing paragraph (5);
- (2) in Standing Order No. 3—
 - (a) in paragraph (2)(b) by repealing “(other than an ex officio Member)”;
 - (b) in paragraph (2A) by adding “(Oath or Affirmation)” after “Standing Order No. 1”;
- (3) in Standing Order No. 3A(1) by repealing “excluding the ex officio Members”;
- (4) in Standing Order No. 3B(1) and (2) by adding “(House Committee)” after “Standing Order No. 60C(2)”;
- (5) in Standing Order No. 4—
 - (a) in paragraph (2) by adding “and public officers acting in the course of their duties relevant to Council business” after “Members”;
 - (b) in paragraph (4) by repealing “of the Council” and substituting “and public officers acting in the course of their duties relevant to Council business”;
- (6) in Standing Order No. 4B—
 - (a) in paragraph (1) by adding “, under the power conferred on him by clause XXIB(2) of the Royal Instructions,” after “may”;
 - (b) in paragraphs (2) and (3) by repealing “designated under paragraph (1) of this order” and substituting “so designated by the Governor”;

- (7) in Standing Order No. 4C—
- (a) in paragraph (1) by adding “and a public officer who has notified the Clerk before the sitting that his attendance is required in respect of a particular item of business” after “a sitting”;
- (b) in paragraph (2)—
- (i) by adding “4AA (Attendance of the Governor),” before “10”;
- (ii) by repealing “paragraph (a) of Standing Order No. 29 (Interruptions), and”;
- (iii) by adding “and Standing Order No. 60(2) and (4) (Finance Committee)” after “(Voting)”;
- (iv) by repealing “as they apply to a Member who is an ex officio Member.” and substituting—
“as they apply to a Member:
Provided that paragraph (a) of Standing Order No. 29 (Interruptions) shall apply to a public officer only in relation to the item of business in respect of which he attends a sitting.”;
- (c) by adding—
“(3) Subject to clause XXIB(2) of the Royal Instructions, the Chief Secretary, the Financial Secretary and the Attorney General may attend any sitting of the Council, committees of the whole Council and other committees and subcommittees, and when attending sittings of the Council or committees of the whole Council these Standing Orders, except Standing Orders Nos. 1 (Oath or Affirmation), 3 (Presiding in Council and in Committee of the whole Council), 4AA (Attendance of the Governor), 4B (Attendance of Public Officers), 6(1) (Proceedings at First Sitting of Session), 10 (Quorum), 13 (Presentation of Petitions), and the Standing Orders in Part J (Voting), shall apply to them as they apply to a Member.”;
- (8) by repealing Standing Order No. 6(2) and substituting—
“(2) Subject to paragraph (7) of this order, the Governor, if he so wishes, shall address the Council at the first sitting of a session.”;
- (9) in Standing Order No. 7—
- (a) in paragraph (1) by adding at the end “; except that the first sitting of a term of the Council shall be held on the date appointed by the Governor for the commencement of the first session of that term”;

- (b) in paragraph (2)—
- (i) by adding “and sittings held within 14 clear days of the commencement of the first session of a term of the Council” after “session”;
- (ii) by adding “and sittings held for the purposes of Standing Order No. 4AA (Attendance of the Governor)” after “emergency”;
- (10) in Standing Order No. 8—
- (a) in paragraph (1) by adding “; except that the first sitting of a term of the Council shall begin at 10.00 a.m.” after “2.30 p.m.”;
- (b) by repealing paragraphs (2), (3) and (4);
- (11) in Standing Order No. 9—
- (a) in paragraph (2) by repealing “It shall be moved by an ex officio Member, save that a Member other than an ex officio Member may move such a motion” and substituting “It may be moved by a Member or any designated public officer attending the sitting”;
- (b) by repealing paragraphs (4) and (5) and substituting—
“(4) At the conclusion of all the business on the Order Paper a Member may move that this Council do now adjourn, for the purpose of raising any public matter for which the Government is responsible, with a view to eliciting a reply from a designated public officer.”;
- (c) in paragraph (6)—
- (i) by repealing “raise a matter under the provisions of paragraph (5)” and substituting “move a motion under the provisions of paragraph (4)”;
- (ii) by repealing “President” where it first appears and substituting “Clerk”;
- (d) by repealing paragraph (6A);
- (e) in paragraph (7) by repealing “an ex officio Member” where it twice appears and substituting “a designated public officer”;
- (f) in paragraph (8) by repealing everything after “question” and substituting a full stop;
- (12) in Standing Order No. 11(1)—
- (a) by repealing “the first sitting of a session,”;
- (b) by adding “(Attendance of the Governor), Standing Order No. 6 (Proceedings at First Sitting of Session)” after “Standing Order No. 4AA”;

- (c) in subparagraph (f) by repealing "ex officio Members" and substituting "designated public officers";
- (d) by adding—
 "(ia) Requests for leave under Standing Order No. 67A (Procedure for Obtaining Leave for Member to Attend as Witness in Civil Proceedings) and Standing Order No. 67B (Procedure for Obtaining Leave to Give Evidence of Council Proceedings).";
- (e) by repealing subparagraph (j) and substituting—
 "(j) Proceedings under Standing Order No. 9(4) (Motions for the Adjournment of the Council).";
- (f) by repealing subparagraph (k);
- (13) in Standing Order No. 11(2)—
 (a) by adding "(aa)," after "(a).";
 (b) by repealing "(e).";
 (c) by repealing "(g) and (h)" and substituting "and (g).";
- (14) in Standing Order No. 12—
 (a) in paragraph (2) by repealing "paragraphs (1) and (2) of Standing Order No. 19" and substituting "Standing Order No. 19(1) and (2).";
 (b) in paragraph (3) by repealing "ex officio Members or" and "other than ex officio Members";
 (c) by repealing paragraph (4) and substituting—
 "(4) This Standing Order does not apply to a sitting under Standing Order No. 4AA (Attendance of the Governor), Standing Order No. 6 (Proceedings at First Sitting of Session) or a sitting to elect the President.";
- (15) in Standing Order No. 14—
 (a) in paragraph (1)—
 (i) by repealing "by an ex officio Member" and substituting "by a designated public officer";
 (ii) by repealing "other than an ex officio Member";
 (b) in paragraph (2) by adding "or a designated public officer" after "Member" where it first appears;
 (c) in paragraph (3) by adding "or the designated public officer" after "Member";
 (d) by repealing paragraph (4) and substituting—
 "(4) A Member or a designated public officer may, with the consent of the President, address the Council on subsidiary legislation laid on the Table of the Council, provided that the period (or any extended period) under section 34 of the Interpretation and

General Clauses Ordinance (Cap. 1) for amendment of the subsidiary legislation has not expired. A Member or a designated public officer who wishes to address the Council under this paragraph at any sitting shall inform the President of his wish before the beginning of that sitting.";

- (e) in paragraph (5)—
 (i) by adding "or a designated public officer" after "Member" where it first appears;
 (ii) by adding "or the designated public officer" after "Member" where it appears for the second and third times;
- (16) in Standing Order No. 15(1) by repealing "other than an ex officio Member";
- (17) in Standing Order No. 16—
 (a) in paragraphs (2) and (3) by repealing "in the order in which notice is delivered under Standing Order No. 17(2)" and substituting "in the manner recommended by the House Committee and agreed by the President";
 (b) by adding—
 "(3A) The House Committee may recommend to the President that in respect of a particular sitting no question requiring an oral reply should be asked; and if the President accepts such recommendation no such question shall be asked at that sitting, save that the President may permit urgent questions under the provisions of Standing Order No. 17(4).";
- (18) in Standing Order No. 17(2) by adding at the end "; provided that for questions requiring an answer at the second sitting of the first session of a term the period of notice shall be not less than 4 clear days";
- (19) in Standing Order No. 18(1)(j) by repealing "paragraphs (7) and (8) of Standing Order No. 31" and substituting "Standing Order No. 31(7) and (8).";
- (20) in Standing Order No. 19—
 (a) in paragraph (2) by repealing "paragraph (2) of Standing Order No. 16" and substituting "Standing Order No. 16(2).";
 (b) in paragraph (3) by repealing "ex officio Member" and substituting "designated public officer";
 (c) in paragraph (6) by repealing everything after "consent" and substituting "either be asked by another Member or be treated as a question seeking a written answer; or otherwise shall be deemed to be withdrawn.";

- (d) by repealing paragraph (8) and substituting—
 “(8) A Member who has given notice of a question may withdraw the question—
 (a) by giving notice in writing to the Clerk at any time before the sitting at which the question is to be asked (whether or not the question is already on the Order Paper); or
 (b) by informing the President orally during question time at the sitting that he withdraws the question.”;
- (21) in Standing Order No. 19A—
 (a) by adding “(Contents of Questions)” after “No. 18”;
 (b) by adding “(Attendance of the Governor)” after “No. 4AA”;
- (22) in Standing Order No. 20—
 (a) in the heading by repealing “*ex officio* Members” and substituting “**designated public officers**”;
 (b) in paragraph (1) by repealing “An *ex officio* Member” and substituting “A designated public officer”;
 (c) in paragraph (2) by repealing “Member” and substituting “public officer”;
- (23) in Standing Order No. 21 by adding—
 “(1A) No motion to amend subsidiary legislation which is subject to the provisions of section 34 of the Interpretation and General Clauses Ordinance (Cap. 1) shall be moved in Council unless notice of it has been given not less than five clear days before the day on which the motion is to be considered by the Council:
 Provided that the President may in his discretion dispense with such notice.
 (1B) No motion to extend the period referred to in section 34(4) of the Interpretation and General Clauses Ordinance (Cap. 1) in relation to subsidiary legislation shall be moved in Council unless notice of it has been given not less than three clear days before the day on which the motion is to be considered by the Council:
 Provided that the President may in his discretion dispense with such notice.
 (1C) The notice period required for any amendment to a motion referred to in paragraph (1A) or (1B) shall be decided by the President according to his discretion.”;
- (24) by repealing Standing Order No. 22(1B) and (3);

- (25) in Standing Order No. 23(b) by adding “(Attendance of Public Officers)” after “No. 4B”;
- (26) by adding—

“23A. Motions on Previous Decisions of Council

Where the Council has taken a decision on a specific question no further motion shall be moved in relation to that question during the current session except a substantive motion to rescind the decision, moved with the permission of the President.”;

- (27) in Standing Order No. 24—
 (a) in paragraph (3) by repealing “paragraph (2)(a) or (2)(b) of Standing Order No. 21” and substituting “Standing Order No. 21(2)(a) or (b)”;
 (b) in paragraph (4) by repealing “as amended” and substituting “, or on the motion as amended.”;
- (28) in Standing Order No. 27—
 (a) in paragraphs (3) and (4) by adding “or raise their hands” after “rise”;
 (b) in paragraph (5)—
 (i) by adding “(Recommendations of House Committee as to time of Speaking)” after “No. 27A”;
 (ii) by repealing “other than an *ex officio* Member.”;
 (iii) by adding “or the Chairman” after “President”;
 (c) by adding—
 “(6) The restriction on speaking time referred to in paragraph (5) shall not apply to designated public officers.”;
- (29) in Standing Order No. 27A—
 (a) in paragraph (1) by repealing “(other than a motion or amendment to a motion on a Bill)” and substituting “(other than a motion intended to have legislative effect)”;
 (b) in paragraph (1)(a) by adding “(Occasions where a Member may speak more than once)” after “No. 28(3)”;
 (c) in paragraph (1)(c) by repealing “(except *ex officio* Members)”;
 (d) in paragraph (3) by repealing “other than *ex officio* Members” and substituting “, but not upon designated public officers.”;
- (30) in Standing Order No. 28—
 (a) in paragraphs (1)(a) and (5) by adding “of the whole Council” after “committee”;

- (b) in paragraph (6) by repealing "An ex officio Member" and substituting "A designated public officer";
- (31) in Standing Order No. 29(b) by repealing "elucidate" and substituting "seek elucidation of";
- (32) in Standing Order No. 30—
- (a) in paragraph (3) by repealing "an ex officio Member" and substituting "a designated public officer";
- (b) by adding—

"(6) A debate adjourned under the provisions of paragraph (2) of this order may be resumed at a subsequent sitting of the Council provided that the Member or public officer who moved the motion for that debate, or in the case of a debate on a bill, the Member or public officer in charge of the bill, shall give notice in writing to the Clerk of his intention to resume the debate not less than five clear days before the day on which the debate is to be resumed:

Provided that the President may in his discretion dispense with such notice.

(7) Proceedings of a committee of the whole Council adjourned under the provisions of paragraph (4) of this order may be resumed at a subsequent sitting of the committee provided that the Member or public officer in charge of the bill to which the adjourned proceedings relate shall give notice in writing to the Clerk of his intention to resume the proceedings not less than five clear days before the day on which the proceedings are to be resumed:

Provided that the Chairman may in his discretion dispense with such notice.

(8) The provisions of paragraphs (1), (2), (3), (4) and (5) of this order shall apply to any debate or proceedings resumed under the provisions of paragraphs (6) and (7).";

- (33) in Standing Order No. 31(3)—
- (a) by adding "in debate" after "except";
- (b) by repealing "made" and substituting "moved";
- (34) in Standing Order No. 32 by adding "of the Council" after "sitting";
- (35) in Standing Order No. 35(2) by repealing "other Member presiding" and substituting "Chairman";
- (36) in Standing Order No. 36A by adding "of the whole Council" after "committee";

- (37) in Standing Order No. 37(1) by adding "(Use of Electronic Voting System)" after "Standing Order No. 36A";
- (38) in Standing Order No. 39—
- (a) in paragraph (1)—
- (i) by adding "or a designated public officer" after "Member" where it first and secondly appears;
- (ii) by repealing "other than an ex officio Member";
- (b) in paragraph (1A) by repealing "other than an ex officio Member";
- (c) in paragraph 2—
- (i) by adding "object or" after "any";
- (ii) by repealing "(Motion and Amendments requiring Recommendation)" and substituting "(Restriction on Motions and Amendments)";
- (iii) by repealing "recommendation" and substituting "authorization or permission";
- (d) in paragraph (3)—
- (i) by repealing "other than an ex officio Member";
- (ii) by repealing "effect" and substituting "intention";
- (iii) by repealing "paragraph (7) of Standing Order No. 38" and substituting "Standing Order No. 38(7)";
- (e) by adding—
- "(3A) (a) A bill which, in the opinion of the President, 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 and shall be withdrawn.
- (b) If a bill which has been read for the second time is subsequently withdrawn another bill with substantially the same provisions may be presented in the same session, subject to the provisions of Standing Order No. 38 (Form of Bills), this Order and Standing Order No. 40 (Presentation and Publication of Bills).";
- (39) in Standing Order No. 40(1)(b) by repealing "paragraph (3) of Standing Order No. 39" and substituting "Standing Order No. 39(3) (Notice of Presentation of Bills)";
- (40) in Standing Order No. 41(1) by repealing "paragraph (2) of Standing Order No. 40" and substituting "Standing Order No. 40(2)";
- (41) in Standing Order No. 42—

- (a) in paragraph (1)—
- (i) by adding “presented by a Member” after “bill” where it first appears;
 - (ii) by adding “object or” after “any”;
 - (iii) by repealing “(Motion and Amendments requiring Recommendation)” and substituting “(Restriction on Motions and Amendments)”;
 - (iv) by repealing “recommendation” where it twice appears and substituting “authorization or permission”;
 - (v) by repealing “an ex officio Member” and substituting “a designated public officer”;
- (b) in paragraph (2) by repealing “recommendation” and substituting “authorization or permission”;
- (c) by repealing paragraph (3B) and substituting—
- “(3B). When a debate has been adjourned under paragraph (3A), it may be resumed on notice by the Member or public officer in charge of the bill, given by him in writing delivered to the office of the Clerk, after consultation with the chairman of the House Committee, subject to the following—
- (a) subject to subparagraphs (b) and (c), resumption of debate shall not take place earlier than 9 clear days after the sitting of House Committee at which the bill was considered in preparation for resumption of debate;
 - (b) if at the sitting of House Committee to consider the bill in preparation for resumption of debate the committee recommends a period longer than 9 clear days before resumption then resumption shall not take place earlier than 12 clear days after that sitting;
 - (c) if at the sitting of House Committee to consider the bill in preparation for resumption of debate the committee recommends that the second reading debate be resumed at the next sitting of the Council then resumption may take place at that sitting with the permission of the President;

- (d) notice of resumption of debate shall be given by the Member or public officer in charge of the bill as soon as possible after the relevant sitting of House Committee, and, where subparagraph (a) applies, shall be given no later than 2 clear days after the relevant House Committee sitting.”;
- (42) in Standing Order No. 43(3) by repealing “paragraph (2) of Standing Order No. 62” and substituting “Standing Order No. 62(2)”;
- (43) in Standing Order No. 45(6)(b) by adding “(Attendance of Public Officers)” after “No. 4B”;
- (44) in Standing Order No. 46—
- (a) in paragraph (1) by repealing “Committee” and substituting “a committee”;
 - (b) in paragraph (9A)—
 - (i) by adding “or to any number” after “year” where it first appears;
 - (ii) by repealing “that” and substituting “any such”;
 - (iii) by adding “, or to reflect the order,” after “year” where it secondly appears;
- (45) in Standing Order No. 48(3) by repealing “Chairman” and substituting “chairman”;
- (46) by repealing Standing Order No. 52 and substituting—

“52. Withdrawal or postponement of Bills

The Member or public officer in charge of a bill may, by announcement in Council at the beginning of proceedings for its second or third reading, withdraw or postpone the bill.”;

- (47) in Standing Order No. 54(3) by adding “(Finance Committee)” after “No. 60(9)”;
- (48) in Standing Order No. 55(6) by repealing “an ex officio Member” and substituting “a designated public officer”;
- (49) in Standing Order No. 56—
- (a) in paragraph (1)—
 - (i) by repealing “an ex officio Member” and substituting “a designated public officer”;
 - (ii) by repealing “recommendation” and substituting “authorization or permission”;
 - (b) in paragraph (10) by repealing “paragraph (3) of Standing Order No. 55” and substituting “Standing Order No. 55(3)”;

- (50) by repealing Standing Order No. 58;
- (51) by repealing Standing Order No. 59;
- (52) in Standing Order No. 60—
- (a) in paragraph (1) by repealing “and the Attorney General”;
- (b) in paragraph (2) by repealing “other than the ex officio Members” and “other than an ex officio Member”;
- (c) in paragraph (2A) by repealing “the Committee” and substituting “the committee”;
- (d) in paragraph (3) by repealing everything after “directs.”;
- (e) by adding—
“(3A) Sittings shall be held in public unless the chairman otherwise orders in accordance with any decision of the committee.”;
- (f) in paragraph (4) by repealing “other than ex officio Members” and “but no ex officio Members shall have a vote”;
- (g) in paragraph (4A)—
- (i) by repealing “, other than ex officio Members.”;
- (ii) by repealing everything after “to the chairman.” and substituting “If a majority of the members so signify before the expiry of the period specified by the chairman for the purpose, and if upon expiry of that period no member has (in writing submitted to the chairman) signified disapproval of the matter or requested that the matter be referred for decision at a sitting of the committee, it shall be deemed to be approved by the committee.”;
- (h) by repealing paragraph (5) and substituting—
“(5) The clerk to the committee appointed under Standing Order No. 4(6) (Duties of the Clerk) shall attend the sittings of the committee. He shall keep the minutes of the proceedings of the committee in a manner determined by the committee.”;
- (i) by repealing paragraphs (6), (7) and (8);
- (j) in paragraph (10)—
- (i) by repealing “Committee” wherever it appears and substituting “committee”;
- (ii) by repealing “call” where it twice appears and substituting “invite”;
- (iii) by repealing “servant” and substituting “employee”;
- (iv) by repealing “their” and substituting “its”;
- (k) in paragraph (11) by adding “and its subcommittees” after “of the committee”;

- (53) in Standing Order No. 60A—
- (a) in paragraphs (1)(b) and (c) and (1A) by repealing “Committee” and substituting “committee”;
- (b) by repealing paragraphs (2) and (3) and substituting—
“(2) The committee shall consist of a chairman and six members who shall be Members appointed by the President in accordance with an election procedure determined by the House Committee. The chairman and two other members shall constitute a quorum. In the event of the temporary absence of the chairman, the committee may elect a chairman to act during that absence.
(3) A report mentioned in paragraphs (1) and (1A) of this order shall be deemed to have been referred by the Council to the committee when it is laid on the Table of the Council.”;
- (c) in paragraph (3A)—
- (i) by repealing “directs” and substituting “orders”;
- (ii) by repealing “meetings” and substituting “sittings”;
- (iii) by repealing “Committee” where it twice appears and substituting “committee”;
- (iv) by repealing “called” and substituting “invited”;
- (d) by adding—
“(3B) The committee shall sit at the times and the place determined by the chairman. Written notice of every sitting shall be given to the members and to any person invited to attend a sitting at least five clear days before the day of the sitting but shorter notice may be given in any case where the chairman so directs.
(3C) All matters before the committee shall be decided by a majority of the members voting. Neither the chairman nor any other member presiding shall vote, unless the votes of the other members are equally divided, in which case he shall have a casting vote.”;
- (e) in paragraph (4)—
- (i) by repealing “Committee” wherever it appears and substituting “committee”;
- (ii) by repealing “call” where it twice appears and substituting “invite”;
- (iii) by repealing “servant” and substituting “employee”;
- (iv) by repealing “their” and substituting “its”;
- (f) in paragraphs (5), (5A) and (6) by repealing “Committee” wherever it appears and substituting “committee”;

(54) in Standing Order No. 60B—

(a) by repealing paragraph (2) and substituting—

“(2) The committee shall consist of a chairman and six members who shall be Members appointed by the President in accordance with an election procedure determined by the House Committee. The chairman and two other members shall constitute a quorum. In the event of the temporary absence of the chairman, the committee may elect a chairman to act during that absence.”;

(b) in paragraph (3) by adding at the end “but shorter notice may be given in any case where the chairman so directs”;

(c) in paragraph (5)—

(i) by repealing the first sentence;

(ii) by adding “or other member presiding” after “chairman”;

(d) in paragraph (6) by repealing “call” and substituting “invite”;

(55) in Standing Order No. 60C—

(a) in paragraph (1) by repealing “and ex officio Members”;

(b) in paragraph (2) by adding “by the committee” after “be elected”;

(c) in paragraphs (3) and (4) by adding “(Second Reading)” after “No. 42(3A)”;

(d) in paragraph (6) by repealing “and the ex officio Members”;

(e) in paragraph (7) by adding “(Panels)” after “No. 60E”;

(f) by repealing paragraph (11A);

(g) in paragraph (11B) by adding “(Panels)” after “No. 60E”;

(h) in paragraph (12) by repealing the last sentence;

(i) by adding—

“(12A) Sittings of the committee shall be held in public unless the chairman otherwise orders in accordance with any decision of the committee.”;

(j) in paragraph (13) by repealing “, the deputy chairman”;

(k) in paragraph (14) by repealing everything after “to the chairman.” and substituting “If a majority of the members so signify before the expiry of the period specified by the chairman for the purpose, and if upon expiry of that period no member has (in writing submitted to the chairman) signified disapproval of the matter or requested that the matter be referred for decision at a sitting of the committee, it shall be deemed to be approved by the committee.”;

(l) in paragraph (16) by repealing “call” and substituting “order”;

(m) in paragraph (17) by adding “and its subcommittees” after “committee” where it first appears;

(56) in Standing Order No. 60D—

(a) in paragraph (3A) by repealing “Committee” where it secondly appears and substituting “committee”;

(b) in paragraph (7) by adding “or any other member presiding” after “chairman”;

(c) in paragraph (10) by repealing “call” and substituting “order”;

(d) in paragraph (11)—

(i) by adding “and its subcommittees” after “Committee” where it first appears;

(ii) by adding “(House Committee)” after “No. 60C(7)”;

(57) in Standing Order No. 60E—

(a) in paragraph (4) by repealing “and the ex officio Members”;

(b) in paragraph (5) by adding “In the event of the temporary absence of the chairman or any deputy chairman the Panel may elect a chairman to act during such absence.” after the first sentence;

(c) in paragraph (9) by repealing “form” and substituting “appoint”;

(d) in paragraph (10) by adding at the end “The quorum of a joint sitting shall be one third of the members of all the relevant panels or subcommittees including the chairman (a fraction of the whole number being disregarded). All matters for decision at a joint sitting shall be decided by a majority of the members voting. The chairman shall, if the votes be equally divided, have a casting vote in addition to his original vote.”;

(e) in paragraph (11) by repealing “and its subcommittee” and “or its subcommittee, as the case may be”;

(f) in paragraph (12) by repealing “or its subcommittee, as the case may be”;

(g) in paragraph (13) by adding “or any other member presiding” after “chairman”;

(h) in paragraph (15)—

(i) by repealing “or its subcommittee”;

(ii) by repealing “call” and substituting “order”;

(i) in paragraph (16) by adding “(House Committee)” after “No. 60C(7)”;

(58) in Standing Order No. 61—

- (a) in paragraph (2)—
 - (i) by repealing “nominate” and substituting “appoint”;
 - (ii) by adding at the end “, taking into account the recommendations of the House Committee”;
- (b) in paragraph (4)—
 - (i) by repealing “they” wherever it appears and substituting “it”;
 - (ii) by repealing “have” and substituting “has”;
 - (iii) by repealing “them” and substituting “it”;
 - (iv) by repealing “are” and substituting “is”;
- (59) in Standing Order No. 62—
 - (a) in paragraph (1) by repealing “them” where it twice appears and substituting “it”;
 - (b) in paragraph (2) by repealing the second sentence and substituting “The sittings of a select committee shall be held in public unless the chairman otherwise orders in accordance with any decision of the committee.”;
 - (c) by repealing paragraph (3) and substituting—
 - “(3) In the event of the temporary absence of the chairman the committee may elect a chairman to act during such absence.”;
 - (d) in paragraph (4) by repealing “paragraph (6) of Standing Order No. 4” and substituting “Standing Order No. 4(6)”;
 - (e) in paragraph (6) by repealing “give” and substituting “have”;
 - (f) in paragraph (8) by repealing “they think” and substituting “it thinks”;
 - (g) in paragraph (11) by repealing “call” and substituting “order”;
- (60) in Standing Order No. 63—
 - (a) by repealing “have” and substituting “has”;
 - (b) by repealing “their” and substituting “its”;
- (61) in Standing Order No. 64 by repealing “or a committee thereof” and substituting “or any committee or subcommittee”;
- (62) in Standing Order No. 64A(1A) by repealing “or appointment”;
- (63) in Standing Order No. 65—
 - (a) in paragraphs (2) and (3) by repealing “or Chairman” and substituting “, Chairman of a committee of the whole Council or chairman”;
 - (b) in paragraph (5)—
 - (i) by repealing “or Chairman” and substituting “, Chairman of a committee of the whole Council or chairman”;

- (ii) by adding “to the Legislative Council or the clerk” after “the Clerk”;
- (64) in Standing Order No. 65A—
 - (a) by adding “(Registration of Interests)” after “No. 64A”;
 - (b) by adding “(Personal Pecuniary Interest to be Disclosed)” after “65(1), (1A) or (1B)”;
- (65) by adding—

“66A. Disorderly conduct

The President, Chairman of a committee of the whole Council or chairman of a committee or subcommittee may order the removal from a sitting of any member of the public or of the press who behaves, or who appears likely to behave, in a disorderly manner.”;

- (66) in Standing Order No. 67—
 - (a) in paragraph (1)—
 - (i) by repealing “A Member” and substituting “At a sitting of the Council, a committee of the whole Council, a committee or a subcommittee a Member”;
 - (ii) by repealing “or Chairman” and substituting “, Chairman or chairman”;
 - (iii) by repealing “or committee” and substituting “, committee or subcommittee”;
 - (b) in paragraph (3)—
 - (i) by repealing “or committee” and substituting “or a committee or subcommittee”;
 - (ii) by repealing “and the Clerk” and substituting “or the committee room in which the committee or subcommittee is sitting, and the Clerk or clerk”;
- (67) in Standing Order No. 67A(2) by repealing “moved” and substituting “which may be moved without notice”;
- (68) in Standing Order No. 67B—
 - (a) in paragraph (1) by repealing “a committee,” where it twice appears and substituting “a committee or subcommittee”;
 - (b) in paragraph (2) by repealing “moved” and substituting “which may be moved without notice”;
- (69) in Standing Order No. 70—
 - (a) in paragraph (a) by adding “, electronic” after “electrical”;
 - (b) in paragraph (b) by repealing “a sitting” and substituting “the relevant sitting”;
 - (c) by adding—

“(c) “designated public officer” means a public officer designated by the Governor under clause XXIB(2) of the Royal Instructions.”.

Ricky FUNG Choi-cheung,
Clerk to the Legislative Council.

28 July 1995.

L.N. 465 of 1995

HONG KONG ROYAL INSTRUCTIONS 1917
TO 1993 (NOS. 1 AND 2)

STANDING ORDERS OF THE LEGISLATIVE
COUNCIL OF HONG KONG

RESOLUTION OF THE LEGISLATIVE COUNCIL

Resolution made and passed by the Legislative Council under clause XXIII of the Hong Kong Royal Instructions 1917 to 1993 (Nos. 1 and 2) on 18 October 1995.

RESOLVED that the Standing Orders of the Legislative Council of Hong Kong be amended—

- (1) in Standing Order No. 4C(2)—
 - (a) by repealing “Standing Orders Nos. 1 and 6(1) (Oath or Affirmation), 3 (Presiding in Council and in Committee of the whole Council), 4AA (Attendance of the Governor), 10 (Quorum), 13 (Petitions)” and substituting “Standing Orders Nos. 1 (Oath or Affirmation), 3 (Presiding in Council and in Committee of the whole Council), 4AA (Attendance of the Governor), 6(1) (Proceedings at First Sitting of Session), 10 (Quorum), 13 (Presentation of Petitions)”;
 - (b) in the proviso by repealing “paragraph (a) of Standing Order No. 29” and substituting “Standing Order No. 29(a)”;
- (2) in Standing Order No. 16(3A) by adding “(Notice of Questions)” after “Standing Order No. 17(4)”;
- (3) in Standing Order No. 30(6) by repealing “given” and substituting “give”;
- (4) in Standing Order No. 39(1) by repealing “or a designated public officer” where it secondly appears;
- (5) in Standing Order No. 60(2)—
 - (a) by repealing “members,,” and substituting “members”;
 - (b) by repealing “a chairman,,” and substituting “a chairman”;
- (6) in Standing Order No. 60E(5)—
 - (a) by repealing “The Panel may also elect a deputy chairman.”;
 - (b) by adding “The Panel may also elect a deputy chairman.” after “amongst its members.”;
- (7) in Standing Order No. 64A(1) by repealing “paragraph (2)” and substituting “paragraph (1A)”;

- (8) in Standing Order No. 67(3) by repealing “or a” and substituting a comma.

AND FURTHER RESOLVED that—

- (1) the Standing Orders of the Legislative Council of Hong Kong made by the Legislative Council under clause XXIII of the Hong Kong Royal Instructions 1917 to 1967 by Resolution made and passed on 9 October 1968 be amended in Standing Order No. 24(3) by repealing “sub-paragraphs (2)(a) or (2)(b) of Standing Order No. 21” and substituting “Standing Order No. 21(2)(a) or (b)”;
- (2) Standing Order No. 60A made by the Legislative Council under clause XXIII of the Hong Kong Royal Instructions 1917 to 1977 by Resolution made and passed on 10 May 1978 and amended by the Legislative Council under—
 - (a) clause XXIII of the Hong Kong Royal Instructions 1917 to 1983 by Resolution made and passed on 18 July 1984;
 - (b) clause XXIII of the Hong Kong Royal Instructions 1917 to 1986 by Resolution made and passed on 15 July 1987;
 - (c) clause XXIII of the Hong Kong Royal Instructions 1917 to 1991 by Resolution made and passed on 10 July 1991; and
 - (d) clause XXIII of the Hong Kong Royal Instructions 1917 to 1993 (Nos. 1 and 2) by Resolution made and passed on 28 July 1995,
 be further amended in paragraphs (1A), (5) and (5A) by repealing “table” and substituting “Table”.

Ricky FUNG Choi-cheung,
Clerk to the Legislative Council.

18 October 1995.

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L.N. 133 of 1996

L. S. NO. 2 TO GAZETTE NO. 11/1996

L.N. 133 of 1996

HONG KONG ROYAL INSTRUCTIONS 1917 TO 1993
(NOS. 1 AND 2)

STANDING ORDERS OF THE LEGISLATIVE COUNCIL OF
HONG KONG

RESOLUTION OF THE LEGISLATIVE COUNCIL

Resolution made and passed by the Legislative Council under clause XXIII of the Hong Kong Royal Instructions 1917 to 1993 (Nos. 1 and 2) on 13 March 1996.

RESOLVED that the Standing Orders of the Legislative Council of Hong Kong be amended—

- (1) in Standing Order No. 36(4) by adding “, subject to Standing Order No. 37(4) to (7) (Divisions),” after “and”;
- (2) in Standing Order No. 37 by adding—

“(4) Immediately after the President has declared the result of a division on an amendment to a motion, or the Chairman has declared the result of a division on an amendment to a bill, a Member may move without notice that in the event of further divisions being claimed in respect of the motion or any amendments thereto, or in respect of any amendments to the bill, the Council or the committee of the whole Council do proceed to each of such divisions immediately after the division bell has been rung for one minute. Thereupon the President or the Chairman shall propose the question on that motion.

(5) When a motion under paragraph (4) has been agreed to the President or the Chairman shall order accordingly in respect of each of such further divisions, if any.

(6) Where there is more than one motion in respect of subsidiary legislation on the Order Paper (excluding motions referred to in Standing Order No. 21(1B) (Notice of Motions and Amendments)) then, immediately after the President has declared the result of the first division on any such motion or any amendment thereto, a Member may move without notice that in the event of further divisions being claimed at that sitting in respect of motions on subsidiary legislation, or amendments thereto, the Council do proceed to each of such

L. S. NO. 2 TO GAZETTE NO. 11/1996

L.N. 133 of 1996

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divisions immediately after the division bell has been rung for one minute. Thereupon the President shall propose the question on that motion.

(7) When a motion under paragraph (6) has been agreed to the President shall order accordingly in respect of each of such further divisions, if any.”.

Ricky FUNG Choi-cheung,
Clerk to the Legislative Council.

13 March 1996.

L. S. NO. 2 TO GAZETTE NO. 15/1996

L.N. 157 of 1996

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L.N. 157 of 1996

HONG KONG ROYAL INSTRUCTIONS 1917 TO 1993
(NOS. 1 AND 2)STANDING ORDERS OF THE LEGISLATIVE COUNCIL OF
HONG KONG

RESOLUTION OF THE LEGISLATIVE COUNCIL

Resolution made and passed by the Legislative Council under clause XXIII of the Hong Kong Royal Instructions 1917 to 1993 (Nos. 1 and 2) on 3 April 1996.

RESOLVED that the Standing Orders of the Legislative Council of Hong Kong be amended by repealing Standing Order No. 42(3B)(c) and (d) and substituting—

- “(c) if at the sitting of House Committee to consider the bill in preparation for resumption of debate the committee recommends that the second reading debate be resumed at the next sitting of the Council then resumption may take place at that sitting with the permission of the President provided that due notice has been given under subparagraph (e);
- (d) subject to subparagraph (e), notice of resumption of debate shall be given by the Member or public officer in charge of the bill not less than 12 clear days before the day on which the debate is to be resumed;
- (e) where resumption of debate is to take place 9 clear days or less after the sitting of House Committee at which the bill was considered in preparation for resumption, then notice of resumption of debate shall be given no later than 2 clear days after that sitting.”

Ricky FUNG Choi-cheung,
Clerk to the Legislative Council.

3 April 1996.

BI226 L.N. 287 of 1996 L. S. NO. 2 TO GAZETTE NO. 26/1996

L.N. 287 of 1996

HONG KONG ROYAL INSTRUCTIONS 1917 TO 1993
(NOS. 1 AND 2)

STANDING ORDERS OF THE LEGISLATIVE COUNCIL OF
HONG KONG

RESOLUTION OF THE LEGISLATIVE COUNCIL

Resolution made and passed by the Legislative Council under clause XXIII of the Hong Kong Royal Instructions 1917 to 1993 (Nos. 1 and 2) on 26 June 1996.

RESOLVED that the Standing Orders of the Legislative Council of Hong Kong be amended in Standing Order No. 19—

(1) by repealing paragraph (6) and substituting—

“(6) If a Member is not present to ask his question when his name is called the question may with his consent be asked by another Member, but otherwise shall be treated as a question for which a written answer has been sought.”;

(2) by repealing paragraph (8) and substituting—

“(8) A Member who has given notice of a question may withdraw the question by giving notice to the Clerk before 1.00 p.m. on the day of the sitting at which the question is to be asked.”.

Ricky FUNG Choi-cheung,
Clerk to the Legislative Council.

26 June 1996.

B1446 L.N. 340 of 1996

L. S. NO. 2 TO GAZETTE NO. 29/1996

L.N. 340 of 1996

HONG KONG ROYAL INSTRUCTIONS
1917 TO 1993 (NOS. 1 AND 2)

STANDING ORDERS OF THE LEGISLATIVE COUNCIL
OF HONG KONG

RESOLUTION OF THE LEGISLATIVE COUNCIL

Resolution made and passed by the Legislative Council under clause XXIII of the Hong Kong Royal Instructions 1917 to 1993 (Nos. 1 and 2) on 10 July 1996.

RESOLVED that the Standing Orders of the Legislative Council of Hong Kong be amended by adding thereto the text in the Chinese language of the Standing Orders of the Legislative Council of Hong Kong set out in the Annex to this resolution.

Ricky FUNG Choi-cheung,
Clerk to the Legislative Council.

10 July 1996.

附件
ANNEX

香港立法局
會議常規

香港立法局會議常規

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香港立法局會議常規

由香港立法局於1968年10月9日訂立，其權力依據為《1917年至1993年香港皇室訓令(第1及2號)》第XXIII條的規定。

(1991年第258號法律公告；1993年第42號法律公告；1995年第381號法律公告)

A 部

立法局議員及立法局人員

1. 宗教式或非宗教式宣誓

(1) 除為了令本條規定得以遵從者外，議員如未按照《宣誓及聲明條例》(第11章)的規定作宗教式或非宗教式宣誓，不得參與立法局會議或表決。凡舉行選舉以選出所有民選議員後，以前已作該等宗教式或非宗教式宣誓的議員，在參與立法局會議或表決之前，亦須遵照本條規定再次宣誓。(1971年第138號法律公告；1985年第189號法律公告；1991年第258號法律公告)

(2) (由1991年第258號法律公告廢除)

2. 語文

(1) 議員在立法局發言，可用粵語或英語。(1971年第138號法律公告)

(2) 呈請書須用中文或英文書寫。

(3) 中文呈請書須附同經由法庭翻譯員核證準確的英文譯本。(1971年第138號法律公告)

(4) 英文呈請書須附同經由法庭翻譯員核證準確的中文譯本。(1971年第138號法律公告)

(5) (由1995年第382號法律公告廢除)

3. 主持立法局及全體委員會會議

(1) 立法局設有立法局主席一職，主席如出席立法局或全體委員會會議，並認為能執行主席職務，須主持立法局會議或擔任全體委員會主席。(1993年第42號法律公告)

(2) 立法局主席缺席立法局或全體委員會會議，或認為不能執行主席職務時，該會議由以下人士主持——

(a) 立法局代理主席；或

(b) 如立法局代理主席在該會議缺席，或認為不能執行主席職務，則為出席會議的議員中連續擔任議員時間最長者。(1994年第111號法律公告；1995年第382號法律公告)

(2A) 為執行第(2)(b)款的規定，如有2名或以上議員連續擔任議員的時間相同(為連續擔任議員時間最長者)，則根據本會議常規第1條(宗教式或非宗教式宣誓)，按照《宣誓及聲明條例》(第11章)的規定最早宣誓的議員，須當作為連續擔任議員時間最長者。(1994年第111號法律公告；1995年第382號法律公告)

(3) (由1993年第42號法律公告廢除)

(4) 立法局代理主席或其他主持會議的議員，在其主持的立法局會議或擔任主席的全體委員會會議或部分會議上，或在立法局主席要求其主持的立法局會議或擔任主席的全體委員會會議或部分會議上，享有本會議常規賦予立法局主席或全體委員會主席在該次立法局會議或全體委員會會議或部分會議上可行使的一切權力。

(5) 除本條第(4)款所述的權力外，立法局代理主席亦享有本會議常規賦予立法局主席或全體委員會主席而由立法局主席藉憲報公告所指定的權力。

(1991年第258號法律公告；1993年第42號法律公告；1994年第111號法律公告)

3A. 立法局主席的選舉

(1) 立法局主席由立法局議員互選產生。(1995年第382號法律公告)

(2) 立法局主席的任期至立法局解散為止。

(3) 立法局解散期間，如須召開立法局會議審議急切事項，則立法局解散前擔任立法局主席的人士須主持會議，並在因應該次立法局會議而舉行的全體委員會會議上擔任主席。如該名人士缺席或不能執行主席職務，則立法局解散前擔任立法局代理主席的人士須主持會議及擔任主席。如擔任該兩個職位的人士均缺席或不能執行主席職務，則出席各人中在立法局解散前連續擔任議員時間最長並能主持會議者，須主持會議。(1995年第381號法律公告)

(4)-(5) (由1994年第111號法律公告廢除)

(6) 立法局主席的選舉，須於立法局會議上以無記名投票方式進行。

(7) 在符合《皇室訓令》第XXI條及本會議常規的規定下，選舉立法局主席一切有關事宜的程序，由內務委員會決定。(1995年第381號法律公告)

(1993年第42號法律公告)

3B. 立法局代理主席

(1) 立法局代理主席由根據本會議常規第60C(2)條(內務委員會)獲選的內務委員會主席擔任。(1995年第382號法律公告)

(2) 內務委員會主席如缺席，或認為不能執行主席職務，根據本會議常規第60C(2)條(內務委員會)獲選的內務委員會副主席須擔任立法局代理主席。(1995年第382號法律公告)

(3) 第(1)及(2)款所提述的“內務委員會主席”，並不包括在主席及副主席暫時缺席時獲選代行主席之職的人士。

(1994年第111號法律公告)

4. 立法局秘書的職責

(1A) 立法局秘書，由立法局秘書處秘書長擔任。(1994年第433號法律公告)

(1B) 立法局秘書須負責就有關立法局程序的一切事宜，向立法局主席提供意見。(1994年第433號法律公告)

(1) 立法局秘書須負責製備立法局會議及全體委員會會議的紀要。會議過程的紀要須載有出席議員的姓名、一切決定及每次進行點名表決的詳情。

(2) 立法局秘書須負責按日擬備議事登記冊，列出已作預告的一切有待處理事項。議員及執行職務時涉及立法局事務的公職人員均可在合理時間查閱議事登記冊。(1976年第314號法律公告；1983年第255號法律公告；1995年第382號法律公告)

(3) 立法局秘書須負責為每次會議擬備議事程序表，列出該次會議需要處理的事項。

(4) 立法局秘書須負責保管表決結果、紀錄、條例草案及其他呈交立法局的文件；議員及執行職務時涉及立法局事務的公職人員均可在合理時間查閱此等文件，其他人士亦可根據立法局主席批准的安排查閱。(1995年第382號法律公告)

(5) 立法局秘書須根據立法局主席的指示，負責製備立法局及全體委員會所有會議的會議過程正式紀錄。(1971年第138號法律公告；1991年第258號法律公告)

(6) 立法局秘書須負責為立法局每一個委員會及小組委員會提供一名秘書。(1991年第258號法律公告；1992年第226號法律公告)

(7) 立法局秘書須履行本會議常規所授予的其他職責，亦須依照立法局所命令或立法局主席所指示，為服務立法局而履行一切其他職責。

4A. 立法機關法律顧問

(1) 立法機關法律顧問，由立法局秘書處的法律顧問擔任。(1994年第433號法律公告)

(2) 立法機關法律顧問須就立法局的事務或行政所引起的法律問題，履行向立法局主席及秘書提供意見的一般職責。(1994年第433號法律公告)

(1984年第214號法律公告)

4AA. 總督出席會議

總督可為以下目的酌情決定出席立法局或立法局轄下任何委員會或小組委員會的會議——

(a) 在任何其認為適當的時間，包括在特別會議上，在立法局發言；

(b) 就任何與公眾有關而政府有責任處理的事宜，予立法局議員向其提出質詢，並聽取有關答覆；及

(c) 提出任何政策、措施、條例草案、決議案、議案或議題，以便由及在立法局或有關委員會或小組委員會辯論。

(1993年第42號法律公告)

4B. 公職人員出席會議

(1) 總督可根據《皇室訓令》第XXIB(2)條賦予的權力，指定公職人員出席立法局、全體委員會、財務委員會或財務委員會轄下小組委員會的會議。(1993年第394號法律公告)

(2) 總督按上述規定指定的公職人員，可將擬列入議事程序表或財務委員會或財務委員會轄下小組委員會會議議程內的事項，通知立法局秘書。(1993年第394號法律公告)

(3) 立法局秘書在擬備會議的議事程序表或議程時，如覺得某事項需要總督按上述規定指定的公職人員出席會議，須就該事項列明該公職人員的職位名稱。

(1991年第258號法律公告；1995年第382號法律公告)

4C. 公職人員參與會議程序

(1) 會議的議事程序表或議程就某事項列明其職位的公職人員，以及在該次會議舉行之前已通知立法局秘書處須就某事項出席會議的公職人員，可出席該次會議。

(2) 公職人員就某事項出席會議時，就該事項而言，本會議常規對其適用，一如對立法局議員適用，但本會議常規第1條(宗教式或非宗教式宣誓)、第3條(主持立法局及全體委員會會議)、第4AA條(總督出席會議)、第6(1)條(每一會期首次會議的程序)、第10條(會議法定人數)、第13條(呈請書的提交)、J部(表決)及第60(2)及(4)條(財務委員會)除外：

但公職人員就某事項出席會議時，本會議常規第29(a)條(插言)的規定僅就該事項而言對其適用。(1995年第465號法律公告)

(3) 在符合《皇室訓令》第XXIB(2)條的規定下，布政司、財政司及律政司可出席任何立法局、全體委員會、其他委員會及小組委員會的會議；出席立法局或全體委員會會議時，本會議常規對其適用，一如對立法局議員適用，但本會議常規第1條(宗教式或非宗教式宣誓)、第3條(主持立法局及全體委員會會議)、第4AA條(總督出席會議)、第4B條(公職人員出席會議)、第6(1)條(每一會期首次會議的程序)、第10條(會議法定人數)、第13條(呈請書的提交)及J部(表決)除外。(1995年第382號法律公告)

(1991年第258號法律公告；1995年第382號法律公告)

B部**立法局會期、會議及休會期間****5. 會期**

(1) 立法局每一公曆年須至少開始一個會期，但於某一公曆年開始的會期，可延續至下一年結束。(1991年第258號法律公告)

(2) 每一會期在總督藉憲報公告指定的日期或在立法局解散之日結束，以較早者為準。(1988年第178號法律公告)

(3) 每一會期自總督藉憲報公告指定的日期開始，但每一會期最後一次會議與下一會期首次會議相隔的時間，不得超過3個公曆月。

(1973年第85號法律公告)

6. 每一會期首次會議的程序

(1) 在立法局每一會期首次會議上，任何未按照《宣誓及聲明條例》(第11章)的規定作宗教式或非宗教式宣誓的議員，須在該次會議上如此宣誓。(1985年第189號法律公告)

(2) 在不抵觸本條第(7)款的情況下，總督可隨其意願，在每一會期首次會議上在立法局發表施政報告。(1995年第382號法律公告)

(3) 在總督向立法局發表施政報告不少於14天後舉行的會議上，議員可無經預告而動議就總督發表施政報告向其致謝。(1991年第258號法律公告)

(4) (由1991年第258號法律公告廢除)

(5) 根據本條第(3)款動議的議案，格式如下：(1991年第258號法律公告)

“本局感謝總督發表施政報告。”

(6) 本條第(5)款所述的議案，可無經預告而動議作出修正，但修正案只限於在句末增添字句。(1991年第258號法律公告)

(7) 如有急切事項需在立法局一個會期的首次會議上審議，立法局須着手處理該事項，而本條關於總督發表施政報告的各項規定，則在並無急切事項需要立法局處理的下一會議始適用。(1988年第178號法律公告)

(1971年第138號法律公告)

7. 會議的召開

(1) 立法局每一會期內的會議，須在立法局主席所決定的日期及時間舉行；同一會期內連續兩次會議不得相隔多於六個星期；但每屆立法局的首次會議，須在總督指定為該屆立法局首個會期開始當天舉行。(1973年第85號法律公告；1995年第382號法律公告)

(2) 除新一會期首次會議，以及每屆立法局首個會期開始後14整天內舉行的會議外，立法局每次會議的書面預告，須由立法局秘書於會議日期最少十四整天前發給各議員；但遇緊急情況，或按本會議常規第4AA條(總督出席會議)舉行的會議，立法局主席可免卻如此預告，而在此情況下須盡早通知各議員。(1992年第408號法律公告；1995年第382號法律公告)

(3) 立法局主席決定會議日期及時間後，可隨時將會議的日期或時間押後或提前。

(1991年第258號法律公告)

7A. 休假期間的特別會議

在立法局一個會期結束而下一會期仍未開始的一段休假期內，總督如認為有需要為公眾利益而舉行會議，可決定在其指定的日期及時間舉行；為此目的，本會議常規適用於該次會議，一如適用於會期內舉行的會議。

(1984年第214號法律公告；1988年第178號法律公告)

7B. 解散後處理急切事項的會議

如立法局在解散後因須審議急切事項而舉行會議，本會議常規適用於該次會議，一如適用於會期內舉行的會議。

(1988年第178號法律公告)

8. 會議時間

(1) 除立法局主席根據本會議常規第7條(會議的召開)另有決定外，每一會期的會議均須在下午2時30分開始，但每屆立法局的首次會議須在上午10時開始。(1995年第382號法律公告)

(2)-(4) (由1995年第382號法律公告廢除)

(5) 立法局主席如認為為了在立法局會議上適當地處理完議事程序表上的各項事務，有必要另擇一天繼續處理未完事項，則可命令於另一天繼續舉行會議。凡立法局主席在立法局會議上作此命令，當天會議須暫停舉行，並須於該另一天在本條第(1)款所述的時間復會繼續處理有關事項。(1991年第258號法律公告)

(6) 立法局主席可隨時將會議暫停，或宣布休會。

(1991年第258號法律公告)

9. 立法局休會議案

(1) 如有任何充分理由不欲以明確字眼擬訂議案，就某一事宜或若干事宜進行辯論，則可動議一項立法局現即休會的議案，以進行該項辯論。

(2) 動議上述議案，無須事先作出預告，但議案只可於兩類事項之間動議。立法局主席如信納休會的目的在於方便議員討論某項對公眾而言有迫切重要性的事宜，可准許議員或出席會議的任何指定公職人員動議此類議案。(1991年第138號法律公告)

(3) 上述議案如獲通過，立法局即須休會。

(4) 議事程序表上所有事項處理完畢後，議員可動議一項立法局現即休會的議案，以便提出任何與公眾有關而政府有責任處理的事宜，要求一名指定公職人員發言答辯。(1995年第382號法律公告)

(5) (由1995年第382號法律公告廢除)

(6) 議員如擬在某次會議上根據本條第(4)款動議議案，須在該次會議日期不少於七整天前以書面向立法局秘書作出預告：(1971年第138號法律公告；1976年第314號法律公告)

但立法局主席可酌情免卻預告。

(6A) (由1995年第382號法律公告廢除)

(7) 如在根據本條第(4)款動議的議案動議後四十五分鐘，或在立法局主席於個別會議上決定的更長時限屆滿後，仍未有指定公職人員被叫喚作答，立法局主席即須指示當時正在發言的議員坐下，然後叫喚一名指定公職人員發言答辯。(1983年第255號法律公告)

(8) 如在根據本條第(4)款動議的議案動議後一小時，或在立法局主席於個別會議上決定的更長時限屆滿後，議案仍未獲得通過，立法局主席即無須付諸表決而宣布休會。(1971年第138號法律公告；1983年第255號法律公告)

(1987年第221號法律公告；1991年第258號法律公告；1995年第382號法律公告)

10. 會議法定人數

(1) 立法局及全體委員會的會議法定人數為二十名議員，包括立法局主席或全體委員會主席在內。(1971年第138號法律公告；1983年第255號法律公告)

(2) 如出席會議的議員不足法定人數，而有人向立法局主席提出此事，立法局主席即須指示傳召議員到場。十五分鐘後，立法局主席如信納仍不足法定人數，即無須付諸表決而宣布休會。

(3) 如未有足夠法定人數出席會議，而有人向全體委員會主席提出此事，全體委員會主席即須依照本條第(2)款處理；屆時如委員會主席信納仍不足法定人數，即須回復為立法局，並由立法局主席點算人數，屆時如有足夠法定人數，則須再次轉變為委員會，但如不足法定人數，立法局主席即無須付諸表決而宣布休會。

(4) 如參與點名表決的議員人數(包括放棄表決者在內)顯示出席會議的人數不足法定人數，點名表決即告無效；原擬以點名表決方式表決的問題須延擱至下次會議再行處理，而會議則須依照本條第(2)或(3)款規定的程序進行。

C 部

事項編排

11. 各類事項的次序

(1) 每次會議的事項須依照以下次序處理，但根據本會議常規第4AA條(總督出席會議)或第6條(每一會期首次會議的程序)舉行的會議，以及為選舉立法局主席而舉行的會議除外：(1993年第42號法律公告；1995年第382號法律公告)

(a) 進行宗教式或非宗教式宣誓。(1985年第189號法律公告)

(aa) 致悼辭及其他禮節性演辭。(1991年第258號法律公告)

(b) 立法局主席宣讀各項文告及作出各項宣布。

(c) 提交呈請書。

(d) 將文件、專責委員會報告提交會議席上省覽。(1971年第138號法律公告)

(e) 向政府提出質詢及由政府作答。

(f) 由指定公職人員發表聲明。(1987年第221號法律公告；1991年第258號法律公告；1995年第382號法律公告)

(g) 作出個人解釋。

(h) (由1991年第258號法律公告廢除)

(i) 處理議案及條例草案。

(ia) 處理根據本會議常規第67A條(就議員出席民事法律程序擔任證人一事取得許可的程序)及第67B條(就立法局會議過程提供證據一事取得許可的程序)給予許可的要求。(1995年第382號法律公告)

(j) 處理本會議常規第9(4)條(立法局休會議案)規定的事宜。(1995年第382號法律公告)

(k) (由1995年第382號法律公告廢除)

(2) 本條第(1)款(a)、(aa)、(b)、(c)、(d)、(f)及(g)段所述事項，無須事先作出預告而進行，但除(a)及(b)段所述事項外，其餘事項均須先獲立法局主席許可，方可進行。(1995年第382號法律公告)

12. 議事程序表

(1) 議事程序表須有中、英文本。每次會議所有經事先作出預告的事項，須依照本會議常規第11條(各類事項的次序)規定的次序，列於該次會議的議事程序表內。(1988年第333號法律公告)

(2) 擬向政府提出的質詢，須依照本會議常規第19(1)及(2)條(質詢的提出及答覆)的規定，列於議事程序表內。(1991年第258號法律公告；1995年第382號法律公告)

(3) 在議事程序表內，公職人員擬動議的議案及負責的條例草案，須列於議員擬動議的議案及負責的條例草案之前。(1987年第221號法律公告；1991年第258號法律公告；1995年第382號法律公告)

(4) 本條不適用於根據本會議常規第4AA條(總督出席會議)或第6條(每一會期首次會議的程序)舉行的會議，以及為選舉立法局主席而舉行的會議。(1995年第382號法律公告)

D 部

呈請書及文件

13. 呈請書的提交

(1) 呈請書只可由議員向立法局提交。

(2) 議員擬於會議上向立法局提交呈請書，須不遲於該會議日期前一天知會立法局主席。議員就此事知會立法局主席時，須以書面向立法局主席證明該呈請書是謙恭的，而且他認為值得提交該呈請書。

(3) 立法局主席如認為呈請書要求訂立規定以徵收新稅項或增加稅款，或在政府收入或香港其他公帑中增添新負擔項目或增加已有的負擔，或更改但非削減該等負擔項目，或了結或免除欠官方的債務，則除獲總督推許外，不得准許接受該呈請書。(1983年第255號法律公告)

(4) 總督明示推許呈請書一事，須記錄在會議紀要內。

(5) 提交呈請書的議員可簡述呈請人數目、身分，以及呈請書的要旨，但不得再作其他發言。

(6) 呈請書提交後，如有議員即時起立，要求將呈請書交付專責委員會處理，立法局主席即須請支持此項要求的議員起立；如有不少於二十名議員起立，呈請書即告交付專責委員會處理。(1976年第314號法律公告；1983年第255號法律公告)

14. 文件的提交

(1) 文件可由指定公職人員向立法局提交；議員獲立法局主席許可後，亦可向立法局提交文件。(1987年第221號法律公告；1991年第258號法律公告)

(2) 議員或指定公職人員如擬向立法局提交文件，須將該文件送交立法局秘書；立法局秘書須將該文件分發每一名議員，並可安排將該文件發表。下一次會議開始時，該文件須提交立法局會議席上省覽，立法局秘書並須將該文件提交立法局會議席上省覽一事及該文件的發表日期，記錄在該次會議的紀要內。

(3) 凡有文件提交立法局會議席上省覽，提交該文件的議員或指定公職人員獲立法局主席許可後，可就該文件在立法局發言。

(4) 議員或指定公職人員獲立法局主席同意後，可就提交立法局會議席上省覽的附屬法例在立法局發言，但《釋義及通則條例》(第1章)第34條規定的修訂附屬法例期限(或任何延展的期限)必須尚未屆滿。議員或指定公職人員如擬根據本款在立法局會議上發言，須在該次會議開始前知會立法局主席。(1995年第382號法律公告)

(5) 議員或指定公職人員根據第(3)或(4)款所作的發言不容辯論，但立法局主席可酌情准許向發言的議員或指定公職人員提出簡短問題，以求澄清該議員或指定公職人員在發言中提出的任何事宜。(1992年第408號法律公告)

(1971年第138號法律公告；1995年第382號法律公告)

E 部

向政府提出的質詢

15. 質詢性質

(1) 任何議員均可就任何與公眾有關而政府有責任處理的事宜，向政府提出質詢，要求提供有關該事的資料，或要求政府就該事採取行動。(1987年第221號法律公告；1991年第258號法律公告；1995年第382號法律公告)

(2) 質詢須指明要求口頭或書面答覆。(1971年第138號法律公告)

16. 質詢時間

(1) 在任何一次會議均可提出質詢，但每一會期首次會議除外。

(2) 每次會議可提出不多於二十項已作預告的質詢，該等質詢須由立法局秘書按內務委員會建議並經主席同意的方式點算。(1976年第256號法律公告；1991年第258號法律公告；1995年第382號法律公告)

(3) 如立法局主席認為某次會議將不會就主體議案進行辯論，即不得有多於十項要求口頭答覆的質詢；如立法局主席認為某次會議將會就主體議案進行辯論，則不得有多於六項要求口頭答覆的質詢。該等質詢須由立法局秘書按內務委員會建議並經主席同意的方式點算。(1991年第258號法律公告；1992年第114號法律公告；1992年第408號法律公告；1995年第382號法律公告)

(3A) 內務委員會可向立法局主席建議某次會議不得有要求口頭答覆的質詢；如立法局主席接納該項建議，則議員不得在該次會議提出該等質詢，但立法局主席可根據本會議常規第17(4)條(質詢預告)的規定准許提出急切質詢。(1995年第382號法律公告；1995年第465號法律公告)

(4) 在本條中，“主體議案”指一項獨立而非附屬於另一項議案的議案，但不包括根據本會議常規第6條(每一會期首次會議的程序)，或根據本會議常規K部(條例草案的處理程序)及L部(財政程序)動議的議案。(1991年第258號法律公告)

17. 質詢預告

(1) 未作預告，不得提出質詢；但在本條第(4)款所規定的情況下除外。

(2) 議員就提出質詢所作的預告，須不遲於政府需要答覆該質詢的會議日期前七整天送交立法局秘書辦事處，並須在該預告上簽署；但在每屆立法局首個會期的第二次會議上提出的質詢，則須在不少於4整天前作出預告。(1971年第138號法律公告；1992年第408號法律公告；1995年第382號法律公告)

(3) 每次會議上，每名議員不得提出多於兩項已作預告的質詢，而要求口頭答覆的質詢不得多於一項；

但立法局主席如認為議員額外提出的是公眾關注的重要質詢，則可准許議員提出該項額外質詢。(1991年第258號法律公告)

(4) 如議員以事項性質急切及與公眾有重大關係為理由，請求立法局主席准許無經預告而提出質詢，則立法局主席如信納該質詢確屬此性質，而有關議員已經或將會私下向政府作出充分的預告，以便政府能答覆該質詢，則可批准該議員無經預告而提出該質詢。

18. 質詢內容

(1) 質詢須符合以下規則：

- (a) 不得包括人名或任何並非為令質詢清晰而絕對必需的陳述。
- (b) 不得包含提出質詢的議員所不擬提供根據的陳述。
- (c) 不得包含議論、推論、意見、指摘或綽號，亦不得使用偏頗、諷刺或冒犯性的措詞。
- (d) 不得包含多項獨立質詢，或是過於複雜，以致不能夠合理地作為單獨一項質詢來回答。(1991年第258號法律公告)
- (e) 在任何委員會向立法局提交報告前，不得提述該委員會的會議過程。
- (f) 不得尋求本身屬機密性質事宜的資料。
- (g) 不得論及法庭的判決，所用措詞亦不得有相當可能會妨害在法庭待決的案件。
- (h) 不得為求取見解、解決抽象法律問題或解答假設論題而提出質詢。
- (i) 不得詢問報章所刊載，或私營機構或私人所作的聲明是否正確。
- (j) 不得問及本會議常規第31(7)及(8)條(發言內容)所述人士的品格或行為，亦不得問及其他人士在其公職或所參與的公共事務範圍以外的品格或行為。(1995年第382號法律公告)
- (k) 不得要求提供可取覽的文件或普通參考材料所載的資料。
- (l) 在同一會期內，不得再次提出已獲全面答覆的質詢。

(2) 關於議員已向立法局秘書作出預告的質詢，或議員已要求提出可無經預告而提出的質詢，立法局主席如認為其違犯本會議常規第15條(質詢性質)或本條的規定，則可指示——

- (a) 將該質詢按主席指示修改後列入議事程序表內；或

(b) 在議員要求無經預告而提出質詢的情況下，將該質詢按主席指示修改，方可提出；或

(c) 通知有關的議員該質詢不合乎規程。

19. 質詢的提出及答覆

(1) 議員如表示擬在某次會議上提出質詢，則每條經由該議員根據本會議常規第17條(質詢預告)作出適當預告，而又符合本會議常規第18條(質詢內容)規定的質詢，須列入該次會議的議事程序表內。

(2) 每次會議提出的質詢，在不抵觸本會議常規第16(2)條(質詢時間)的情況下，須由立法局秘書按照其接獲預告的先後次序列入議事程序表內；如一名議員同時就數項質詢作出預告，則按該議員所示的次序，將質詢列入議事程序表內。(1995年第382號法律公告)

(3) 除要求書面答覆者外，按照議事程序表依次輪到每項質詢時，立法局主席須叫喚以其名義提出質詢的議員；該議員屆時須起立提出質詢，隨而由負責作答的指定公職人員答覆。(1971年第138號法律公告；1976年第314號法律公告；1987年第221號法律公告；1995年第382號法律公告)

(4) 質詢獲得答覆後，任何議員均可在立法局主席叫喚其名字時提出補充質詢，以求澄清該答覆；但立法局主席如認為補充質詢提出與原有質詢或原有答覆無關的事宜，或抵觸本會議常規第15條(質詢性質)或第18條(質詢內容)，則須拒絕准許該補充質詢獲得答覆。

(5) 議員不得就質詢向立法局陳詞，亦不得以質詢作為辯論的藉口。

(6) 如議員的名字被叫喚時，該議員不在席提出其質詢，則該質詢經其同意可由另一名議員提出，否則該質詢須作為要求書面答覆的質詢處理。(1983年第255號法律公告；1995年第382號法律公告；1996年第287號法律公告)

(7) 在要求以書面答覆質詢的情況下，或在表示將以書面答覆補充質詢的情況下，該等書面答覆須送交每名議員，並須印載於正式紀錄內。(1971年第138號法律公告；1983年第255號法律公告)

(8) 議員如已就一項質詢作出預告，可在擬提出質詢的會議舉行當日下午一時前向立法局秘書作出預告，撤回其質詢。(1995年第382號法律公告；1996年第287號法律公告)

(1991年第258號法律公告)

19A. 根據本會議常規第4AA條舉行的會議

本部(本會議常規第18條(質詢內容)除外)並不適用於根據本會議常規第4AA條(總督出席會議)向總督提出的質詢。

(1993年第42號法律公告；1995年第382號法律公告)

F 部

聲明

20. 指定公職人員發表的聲明

(1) 指定公職人員如擬在立法局會議上就與公眾有關而政府有責任處理的事宜發表聲明，須在該次會議開始前，知會立法局主席。(1987年第221號法律公告)

(2) 議員不得就該聲明進行辯論，但立法局主席可酌情准許議員向發表聲明的公職人員提出簡短問題，以求澄清該聲明。

(1991年第258號法律公告；1995年第382號法律公告)

G 部

議案

21. 議案及修正案的預告

(1) 除本會議常規另有規定外，如擬動議議案，必須在立法局或全體委員會審議該議案當天不少於十二整天前作出預告，否則不得在立法局動議，亦不得在全體委員會動議：(1971年第138號法律公告)

但立法局主席或全體委員會主席可酌情免卻預告。

(1A) 如擬動議修訂受《釋義及通則條例》(第1章)第34條所規限的附屬法例，必須在立法局審議該議案當天不少於五整天前作出預告，否則不得在立法局動議：

但立法局主席可酌情免卻預告。(1995年第382號法律公告)

(1B) 如擬動議延展《釋義及通則條例》(第1章)第34(4)條所提述關乎附屬法例的期限，必須在立法局審議該議案當天不少於三整天前作出預告，否則不得在立法局動議：

但立法局主席可酌情免卻預告。(1995年第382號法律公告)

(1C) 修正本條第(1A)或(1B)款提述的議案所需的預告期，由立法局主席酌情決定。(1995年第382號法律公告)

(2) 除本會議常規另有規定外，不得就議案動議任何修正案，除非——

(a) 在立法局或全體委員會審議該議案當天五整天之前，已就修正案作出預告；或

(b) 立法局主席或全體委員會主席批准免卻就修正案作出預告。

(1991年第258號法律公告；1992年第408號法律公告)

22. 議案及修正案的預告方式

(1) 議員就議案或修正案作出預告，須將該議案或修正案以書面送達立法局秘書辦事處。擬動議議案或修正案的議員須在該預告上簽署。

(1A) 議案如以中文撰寫，有關修正該議案的預告須以中文撰寫；議案如以英文撰寫，則有關修正該議案的預告須以英文撰寫。(1988年第333號法律公告)

(1B) (由1995年第382號法律公告廢除)

(2) 就議案或修正案所作預告，須呈交立法局主席，由其指示按以下方式處理——

(a) 按所交來的原有措辭印載；或

(b) 按其指示修改，然後予以印載；或

(c) 因其認為不合乎規程，將該預告退回簽署該預告的議員。

(3) (由1995年第382號法律公告廢除)

23. 議案及修正案的規限

任何議案或修正案，如其目的或效力經立法局主席或全體委員會主席裁定為可導致動用香港任何部分政府收入或其他公帑，或須由該等收入或公帑負擔，則該議案或修正案只可由以下人士提出——

(a) 總督；

(b) 根據本會議常規第4B條(公職人員出席會議)由總督指定的公職人員；或
(1995年第382號法律公告)

(c) 獲總督明確授權或許可提出該建議的立法局議員。

(1993年第42號法律公告)

23A. 有關立法局先前所作決定的議案

凡立法局已對某一議題作出決定，則在同一會期內，不得就該議題再行動議議案，但如獲立法局主席許可，則可動議主體議案，用以撤銷該項決定。

(1995年第382號法律公告)

24. 議案的辯論方式

(1) 擬動議議案的議員被立法局主席或全體委員會主席叫喚時，須起立動議議案，而在動議議案時可隨其意願發表意見。(1976年第314號法律公告)

(2) 議員動議議案後，立法局主席或全體委員會主席須向立法局或全體委員會提出該議案的待議議題；議員即可就該議題進行辯論。(1976年第314號法律公告；1991年第258號法律公告)

(3) 立法局主席或全體委員會主席向立法局或全體委員會提出議案的待議議題後，議員可隨時動議修正案以修正該議案，但所動議的修正案須符合本會議常規第

21(2)(a) 或 (b) 條 (議案及修正案的預告) 的規定, 即事先作出預告或獲准免卻預告。在處理所有修正案後, 立法局主席或全體委員會主席須再度向立法局或全體委員會提出該議案的待議議題, 或經修正的議案的待議議題, 議員即可作進一步的辯論。 (1995 年第 382 號法律公告; 1995 年第 465 號法律公告)

(4) 如再無議員發言, 立法局主席或全體委員會主席即須向立法局或全體委員會提出該議案或經修正的議案的待決議題, 付諸表決。 (1991 年第 258 號法律公告; 1995 年第 382 號法律公告)

25. 議案修正案的辯論方式

(1) 擬就議案動議修正案的議員被立法局主席或全體委員會主席叫喚時須起立, 並隨其意願發表意見後, 動議修正案。

(2) 議案的修正案, 須以下列其中一種形式提出——

(a) 在該議案中刪去一字或多字。

(b) 在該議案中或結尾加插或增補一字或多字。

(c) 在該議案中刪去一字或多字, 並以加插或增補一字或多字來代替。

(3) 議員動議修正案後, 立法局主席或全體委員會主席即須提出修正原議案的待議議題, 議員即可就該議題進行辯論。

(4) 如議員就同一議案動議多於一項修正案, 立法局主席或全體委員會主席須按原議案文本中擬修正的字句的先後次序, 順序叫喚修正案動議人; 如對此次序有疑問, 則由立法局主席或全體委員會主席決定叫喚修正案動議人的次序。

(5) 如再無議員發言, 立法局主席或全體委員會主席即須向立法局或全體委員會提出修正原議案的待決議題, 付諸表決。 (1991 年第 258 號法律公告)

(1971 年第 138 號法律公告)

26. 議案及修正案的撤回

(1) 議案或修正案的議題在完全表決之前, 可應動議人的要求予以撤回, 惟須在無議員提出異議的情況下, 獲立法局或全體委員會許可。經撤回的議案或修正案可再次動議, 但議案則須按本會議常規的規定作出預告。 (1991 年第 258 號法律公告)

(2) 經預告的議案或修正案在動議之前, 可隨時由以其名義動議該議案或修正案的議員指示立法局秘書將其撤回。

H 部

辯論規則

27. 發言時間及方式

(1) 議員發言時須起立, 並須將其意見向立法局主席或全體委員會主席陳述。

(2) 立法局或全體委員會的會議進行中, 如立法局主席或全體委員會主席起立, 所有議員均須坐下。

(3) 如兩名或多於兩名議員同時起立或舉手示意發言, 立法局主席或全體委員會主席即須選擇其中一名議員並叫喚其發言。

(4) 議員發言後須坐下, 其他擬發言的議員須起立或舉手示意。

(5) 除本會議常規第 27A 條 (內務委員會建議的發言時間) 另有規定外, 議員如未獲立法局主席或全體委員會主席許可, 發言不得超過十五分鐘, 上述許可只會在例外情況下給予。 (1991 年第 258 號法律公告; 1993 年第 26 號法律公告)

(6) 第 (5) 款提述的發言時限, 不適用於指定公職人員。 (1995 年第 382 號法律公告)

(1995 年第 382 號法律公告)

27A. 內務委員會建議的發言時間

(1) 就將於立法局會議上動議的任何議案或修正案 (擬具立法效力的議案除外), 不論該議案或修正案當時是否已列入議事程序表內, 內務委員會可建議——

(a) 動議人發言不應超過若干分鐘 (該段時限包括動議人根據本會議常規第 28(3) 條 (議員可發言多於一次的情況) 發言答辯的時間);

(b) 修正案動議人發言不應超過若干分鐘; 及

(c) 其他議員每人發言不應超過若干分鐘。

(2) 凡內務委員會根據第 (1) 款作出建議, 內務委員會主席須就委員會的建議, 安排以書面知會立法局主席。

(3) 內務委員會根據第 (1) 款所作的任何建議, 如獲立法局主席接納 (在此情況下, 主席須在叫喚議員動議有關議案前, 在切實可行範圍內盡快將決定告知各議員), 對所有議員而非指定公職人員均具約束力, 立法局主席並須指示發言超過該建議時限的議員不得繼續發言。

(1993 年第 26 號法律公告; 1995 年第 382 號法律公告)

28. 議員可發言多於一次的情況

(1) 除獲立法局主席許可外, 議員就每項議題發言不得多於一次, 但以下情況則屬例外——

(a) 在全體委員會會議上; 或 (1995 年第 382 號法律公告)

(b) 依照本條第 (2) 款的規定作出解釋; 或

(c) 如屬議案動議人, 依照本條第 (3) 款的規定發言答辯; 或

(d) 依照本條第 (6) 款的規定, 就“本局感謝總督發表施政報告”的議案發言。 (1980 年第 217 號法律公告)

(2) 已就某議題發言的議員, 如獲立法局主席許可, 可再次發言以解釋其先前發言中被誤解的部分, 但發言時不得提出新事宜。

(3) 在立法局會議上，議案動議人可在所有出席會議的議員已有機會發言之後，議題付諸表決之前，發言答辯；但修正案動議人沒有此答辯權。

(4) 如有議員就某議題動議一項修正案，或在辯論該議題時有議員動議一項現即將辯論中止待續的議案，則已就該項議題發言的議員可就該項修正案或該項現即將辯論中止待續的議案再次發言。

(5) 任何議題經立法局主席或全體委員會主席向立法局或全體委員會提出待決並完全表決後，議員即不得再就該議題發言。(1995年第382號法律公告)

(6) 已就“本局感謝總督發表施政報告”的議案發言的指定公職人員，可就該議案再次發言，以對在辯論該議案時所提出的任何事宜答辯。(1980年第217號法律公告；1987年第221號法律公告；1991年第258號法律公告；1995年第382號法律公告)

29. 插言

議員不得打斷其他議員的發言——

(a) 除非起立要求就規程問題發言；遇此情況，正在發言的議員須坐下，而打斷其發言的議員須指出其認為應注意的問題，並將該問題交由立法局主席或全體委員會主席決定；或

(b) 除非要求澄清正在發言的議員在其發言中提出的某項事宜，而正在發言的議員願意退讓並坐下，擬插言的議員又獲得立法局主席或全體委員會主席叫喚。(1995年第382號法律公告)

30. 辯論中止待續或委員會休會

(1) 在立法局會議上就某議題起立發言的議員，可無經預告而動議一項現即將辯論中止待續的議案，屆時立法局主席須提出該議案的待議議題。(1971年第138號法律公告)

(2) 現即將辯論中止待續的議案如獲通過，立法局當前議題的辯論即告中止待續，而立法局須着手處理下一事項。

(3) 現即將辯論中止待續的議案如被否決，立法局須繼續辯論當前的議題；在繼續辯論時，除指定公職人員外，不得再動議現即將辯論中止待續的議案。(1987年第221號法律公告；1991年第258號法律公告；1995年第382號法律公告)

(4) 在立法局全體委員會會議上，議員可無經預告而動議一項委員會現即休會的議案，全體委員會主席須即提出該議案的待議議題。議案如獲通過，委員會即須回復為立法局；議案如被否決，則委員會的程序即須繼續進行。

(5) 動議修正本條所述的議案，不合乎規程。

(6) 根據本條第(2)款中止的辯論，可在其後舉行的立法局會議上恢復進行，惟動議辯論原議案或(如為條例草案)負責該條例草案的議員或公職人員，須在擬恢復辯論當天不少於五整天前向立法局秘書作出恢復辯論的預告；(1995年第465號法律公告)

但立法局主席可酌情免卻預告。(1995年第382號法律公告)

(7) 根據本條第(4)款休會的全體委員會的程序，可在其後舉行的委員會會議上恢復進行，惟因休會而未完成的程序如涉及條例草案，則負責的議員或公職人員，須在擬恢復程序當天不少於五整天前，向立法局秘書作出恢復程序的預告；

但全體委員會主席可酌情免卻預告。(1995年第382號法律公告)

(8) 本條第(1)、(2)、(3)、(4)及(5)款的規定適用於任何根據第(6)及(7)款而恢復的辯論或程序。(1995年第382號法律公告)

31. 發言內容

(1) 議員只限對討論中的題目發表意見，而不得提出與該題目無關的事宜。

(2) 議員不得以立法局主席或全體委員會主席認為可能對案件有妨害的方式，提述尚待法庭判決的案件。

(3) 凡企圖令立法局在同一會期內再次考慮立法局在該會期內已作決定的議題，即屬不合乎規程；但在立法局主席准許議員動議一項撤銷原決定的主體議案的情況下進行辯論，則屬例外。(1995年第382號法律公告)

(4) 凡對立法局議員使用冒犯性及侮辱性言詞，即屬不合乎規程。

(5) 議員發言的內容不得意指另一議員有不正當動機。

(6) 不得以女皇陛下或總督之名左右立法局。

(7) 不得質疑女皇陛下或皇室成員的行為。

(8) 不得提及總督或行政局議員或立法局議員的行為，但履行公職時的行為則屬例外。(1991年第258號法律公告)

(9) 不得提及法官或其他履行司法職能人士的行為。(1991年第258號法律公告)

32. 議員不發言時的舉止

立法局會議進行中——(1995年第382號法律公告)

(a) 議員進出立法局會場，須保持莊重；

(b) 如無必要，議員不得橫越立法局會場；

(c) 議員不得閱讀報章、書籍、信件或其他文件，但如所載者與立法局事務有直接關連，則屬例外；及

(d) 當一名議員發言時，其他議員須保持肅靜，且不得作不適當的插言。

32A. 辯論規則對委員會的適用範圍

本部的規則適用於常設委員會及專責委員會的會議程序，但委員會主席另有命令者除外。

(1991年第258號法律公告)

I 部

會議規程

33. 主席決定為最終決定

立法局主席、全體委員會主席或任何常設或專責委員會主席分別就立法局及委員會會議遵照會議規程行事負責。主席在會議規程問題上所作決定為最終決定。

(1991 年第 258 號法律公告)

34. 立法局及委員會會議中的秩序

(1) 立法局主席、全體委員會主席或任何常設或專責委員會主席如發覺有議員在辯論中不斷提出無關的事宜，或冗贅煩厭地重提本身或其他議員的論點，於向立法局或委員會指出該議員的行為後，可指示該議員不得繼續發言。

(2) 如議員行為極不檢點，立法局主席、全體委員會主席或任何常設或專責委員會主席即須命令其立即退席，不得繼續參與立法局或委員會的該次會議；立法局秘書須按照主席的命令採取行動，以確保該命令得以遵從。

(1991 年第 258 號法律公告)

J 部

表決

35. 就議題作出決定

(1) 所有提交立法局或全體委員會表決的議題，均須以出席會議而又參與表決的議員可者及否者的過半數決定。

(2) 如可者及否者數目相等，立法局主席或全體委員會主席除原有表決權外，另有權作決定性表決。(1995 年第 382 號法律公告)

(1991 年第 258 號法律公告)

36. 答聲的聽取

(1) 立法局主席或全體委員會主席將待決議題交由立法局或全體委員會表決時，須先請贊成該議題的議員說“可”，繼而請反對該議題的議員說“否”。(1991 年第 258 號法律公告)

(2) 立法局主席或全體委員會主席聽畢議員“可”及“否”的答聲後，該議題即經完全表決，其他議員不得就該議題發言。

(3) 立法局主席或全體委員會主席繼而可根據其所判斷可者及否者的數目，說出其以為可者佔多或其以為否者佔多(視屬何情況而定)。如無議員按照下一款規定質疑立法局主席或全體委員會主席的判斷，則該主席須宣布該議題就此決定。

(4) 如有議員要求進行點名表決，以質疑立法局主席或全體委員會主席以為可者或否者佔多的判斷，則立法局主席或全體委員會主席須命令立法局或全體委員會進行點名表決。除本會議常規第 37(4) 至 (7) 條(點名表決)另有規定外，點名表決須在點名表決鐘聲響起三分鐘後立即進行。(1991 年第 258 號法律公告；1996 年第 133 號法律公告)

(5) (由 1991 年第 258 號法律公告廢除)

36A. 電子表決系統的使用

除立法局主席或全體委員會主席另有指示外，凡立法局或全體委員會會場內設有電子表決系統以供點名表決之用，出席而又參與表決的議員在進行點名表決時，須按照該電子系統操作的規定使用該系統進行表決，而立法局主席或全體委員會主席須據此宣布點名表決的結果。

(1991 年第 258 號法律公告；1995 年第 382 號法律公告)

37. 點名表決

(1) 除本會議常規第 36A 條(電子表決系統的使用)另有規定外，在有命令進行點名表決時，可者及否者數目須由立法局秘書記錄。立法局秘書須逐一詢問每名議員作何表決，每名議員被叫喚時，須說“可”或“否”，或明確說出放棄表決。(1991 年第 258 號法律公告；1995 年第 382 號法律公告)

(2) 立法局秘書記錄可者及否者數目後，立法局主席或全體委員會主席須分別說出可者及否者數目，繼而宣布點名表決的結果。

(3) 議員如表示其表決有誤或其表決遭錯誤計算，可要求修改，但必須在立法局主席或全體委員會主席宣布點名表決的結果之前提出。

(4) 在緊接立法局主席宣布議案修正案的點名表決結果或全體委員會主席宣布條例草案修正案的點名表決結果後，議員可無經預告而立刻動議於其後就該議案或該議案的任何修正案，或就條例草案的修正案進行點名表決時，立法局或全體委員會須在點名表決鐘聲響起一分鐘後立即進行各該點名表決。屆時立法局主席或全體委員會主席須就該議案提出待議議題。

(5) 如第(4)款的議案獲得通過，立法局主席或全體委員會主席須就其後進行的每項有關的點名表決(如有的話)作出相應的命令。

(6) 如有多於一項有關議事程序表所列附屬法例的議案(本會議常規第 21(1B)條(議案及修正案的預告)提述的議案除外)，則在立法局主席宣布該議案或該議案的任何修正案的點名表決結果後，議員可無經預告而立刻動議於其後就附屬法例提出的議案或該議案的任何修正案進行點名表決時，立法局須在點名表決鐘聲響起一分鐘後立即進行各該點名表決。屆時立法局主席須就該議案提出待議議題。

(7) 如第(6)款的議案獲得通過，立法局主席須就其後進行的每項有關的點名表決(如有的話)作出相應的命令。

K 部

條例草案的處理程序

38. 條例草案的格式

- (1) 提交立法局的條例草案，須符合本條的各項規定。
- (2) 條例草案須有一簡稱，該簡稱須與該條例草案如通過成為法律所採用的名稱脗合，而在通過該條例草案的過程中，該簡稱須保持不變。(1991年第258號法律公告)
- (3) 條例草案須有一詳題，以一般性詞句說明該條例草案的主旨。
- (3A) 條例草案可以中文或英文提交。(1988年第333號法律公告)
- (4) 法律所訂明的法例制定程式須置於條例草案條文之前。
- (5) 條例草案必須分條，各條順序編號，每條之上須有說明其性質的分條標題。(1988年第178號法律公告)
- (6) 條例草案須附有摘要說明，以非專門性文字，解釋條例草案的內容及目的。
- (7) 如條例草案並非一項政府措施而旨在影響或惠及某人、某社團或某法團，則該條例草案必須載有一條條文，規定女皇陛下、其世襲繼承人或其繼任人的權利或任何政治團體或法人團體或任何其他人的權利，均予保留，但該條例草案所述及者，以及經由、透過或藉其提出申索者的權利除外。

39. 提交條例草案的預告

- (1) 議員或指定公職人員可隨時作出預告，表明有意提交條例草案；該預告須送交立法局秘書辦事處，並須附有條例草案文本及本會議常規第38條(條例草案的格式)所規定的摘要說明；如作出預告者為議員，則須附有由法律草擬專員按第(1A)款的規定簽署的證明書。(1994年第433號法律公告；1995年第465號法律公告)
- (1A) 如條例草案由議員提交，而法律草擬專員信納該條例草案符合本會議常規第38條(條例草案的格式)的規定及香港法例的一般格式，則須簽發證明書加以證明。(1994年第433號法律公告)
- (2) 如條例草案具有本會議常規第23條(議案及修正案的規限)所述的目的或效力，則就該條例草案所作的預告須附有由布政司簽署的證明書，說明將於二讀時示明總督對該條例草案的授權或許可。(1976年第314號法律公告)
- (2A) 如條例草案依據《法定語文條例》(第5章)第4(3)條所發出的指示，以一種法定語文提交，則預告須附有由布政司簽署的證明書，說明總督會同行政局已指示該條例草案須以中文或英文提交(視乎所提交文本的語文而定)。(1988年第333號法律公告)

(3) 如由議員提交的條例草案具有本會議常規第38(7)條(條例草案的格式)所述的意向，則預告須附有由該議員簽署的證明書，說明該條例草案已連續兩期在憲報刊登，並已在兩份每日在本港出版的報章(其中一份為中文報章)各刊登廣告兩次，就該條例草案作出預告。(1983年第255號法律公告；1987年第221號法律公告；1991年第258號法律公告)

- (3A)(a) 如立法局主席認為某條例草案載有與另一項在二讀時業經立法局表決的條例草案實質相同的條文，則該條例草案在同一會期內不得繼續進行立法程序，並須予撤回。
- (b) 如某條例草案在二讀後被撤回，則另一項載有實質相同條文的條例草案可在同一會期內提交，但該另一項條例草案必須符合本會議常規第38條(條例草案的格式)、本條及第40條(條例草案的提交及刊登)的規定。(1995年第382號法律公告)
- (4) 在其後就該條例草案所進行的整個過程中，提交條例草案的議員稱為負責該條例草案的議員。
- (5) 在其後就該條例草案所進行的整個過程中，提交條例草案的公職人員稱為負責該條例草案的公職人員；而本會議常規所提述負責條例草案的議員，亦包括負責條例草案的公職人員。(1991年第258號法律公告)

(1995年第382號法律公告)

40. 條例草案的提交及刊登

- (1) 立法局秘書接獲擬提交立法局的條例草案後，須安排在憲報刊登該條例草案全文及摘要說明，除非——
 - (a) 立法局主席指示在該條例草案首讀之前不須在憲報刊登；或(1991年第258號法律公告)
 - (b) 該條例草案已根據本會議常規第39(3)條(提交條例草案的預告)在憲報刊登。(1995年第382號法律公告)
- (2) 立法局秘書在接獲擬提交立法局的條例草案後，須安排將該條例草案及其摘要說明的文本一份送交每名身在香港的議員，該條例草案隨即當作已提交立法局。(1971年第138號法律公告)

41. 條例草案的首讀

- (1) 按照本會議常規第40(2)條(條例草案的提交及刊登)提交立法局的條例草案簡稱，須列入負責該條例草案的議員向立法局秘書所指定會議的議事程序表內，以進行首讀。(1971年第138號法律公告；1995年第382號法律公告)
- (2) 條例草案首讀時，不得進行辯論；一經立法局秘書讀出條例草案簡稱，該條例草案即當作已首讀。
- (3) 條例草案首讀後，立法局即當作已命令安排將該條例草案進行二讀，而會議紀要內須記錄立法局作出此項命令；負責該條例草案的議員無須就二讀議案作出預告。

42. 二讀

(1) 如議員提交的條例草案具有本會議常規第 23 條(議案及修正案的規限)所述的目的或效力,立法局主席在立法局考慮二讀該條例草案前,須要求指定公職人員示明總督對該條例草案的授權或許可;除非該項授權或許可已經示明,否則不得動議二讀該條例草案的議案。(1987 年第 221 號法律公告;1991 年第 258 號法律公告;1995 年第 382 號法律公告)

(2) 總督授權或許可一經示明,須記錄在會議紀要內。(1995 年第 382 號法律公告)

(3) 除第(3A)及(3B)款另有規定外,現即二讀條例草案的議案一經動議,立法局須進行二讀該條例草案,議員可就該議案辯論該條例草案的整體優劣及原則。(1992 年第 226 號法律公告)

(3A) 除與撥款條例草案有關者外,在負責條例草案的議員就現即二讀該條例草案的議案發言後,辯論須中止待續,而該條例草案須交付內務委員會處理,除非立法局就任何議員提出的一項可無經預告而動議的議案另有命令。(1992 年第 226 號法律公告)

(3B) 如辯論已根據第(3A)款中止待續,則在符合下列規定的情況下,負責條例草案的議員或指定公職人員在與內務委員會主席磋商後,可以書面向立法局秘書辦事處作出預告,以恢復二讀辯論——

- (a) 除(b)及(c)段另有規定外,條例草案不得在內務委員會為該條例草案恢復辯論作準備的會議舉行後 9 整天內恢復辯論;
 - (b) 如內務委員會在為該條例草案恢復辯論作準備的會議上建議該條例草案須多於 9 整天後才可恢復辯論,則條例草案不得在該次會議舉行後 12 整天內恢復辯論;
 - (c) 如內務委員會在為該條例草案恢復辯論作準備的會議上建議在下次立法局會議恢復二讀辯論,則條例草案可在立法局主席給予許可後在該次會議上恢復二讀辯論,但適當的預告須已根據(e)段的規定作出;
 - (d) 除(e)段另有規定外,負責條例草案的議員或公職人員須在擬恢復二讀辯論當天不少於 12 整天前作出恢復辯論的預告;
 - (e) 如條例草案須在為該條例草案恢復辯論作準備的內務委員會會議舉行後 9 整天或以內恢復二讀辯論,則恢復辯論的預告最遲須在該次內務委員會會議舉行後 2 整天內作出。(1996 年第 157 號法律公告)
- (4) 不得對現即二讀條例草案的議題作出修正。
 - (5) 二讀條例草案的議案如被否決,不得再就該條例草案進行其他程序。

43. 條例草案的付委

(1) 二讀條例草案的議案如獲通過,該條例草案即告付委予全體委員會,除非——

- (a) 立法局通過議案,將條例草案付委予一專責委員會;該項議案可無經預告,但須在該條例草案二讀後即時由任何議員動議;或
- (b) 立法局主席認為該條例草案會特別惠及或反之特別影響某人、某社團或某法團,在此情況下,立法局主席可指示將該條例草案付委予一專責委員會。

(2) 負責條例草案的議員無須為全體委員會就條例草案進行的程序作出預告。

(3) 專責委員會就條例草案進行的程序,須在按照本會議常規第 62(2)條(專責委員會的程序)指定的日期開始。(1995 年第 382 號法律公告)

44. 委員會就條例草案的職能

(1) 獲付委某條例草案的任何全體委員會或專責委員會,只可討論該條例草案的細節,不得討論其原則。(1992 年第 226 號法律公告)

(2) 任何此類委員會均有權對條例草案作出其認為適當的修正,但修正案(包括新條文及新附表)必須與條例草案的主題有關。

45. 條例草案的修正案

(1) 本條適用於在全體委員會或專責委員會會議上,或再付委時,對條例草案所動議的修正案。

(2) 動議條例草案修正案的預告,須於全體委員會審議該條例草案當天不少於七整天前作出;倘無如此作出預告,除獲全體委員會主席許可外,不得動議修正條例草案。(1983 年第 255 號法律公告;1992 年第 408 號法律公告)

(3) 本會議常規第 22 條(議案及修正案的預告方式)適用於條例草案修正案的預告,但該條第(2)款中“立法局主席”一詞須以“全體委員會主席”代替。

(4) 以下規定適用於與條例草案有關的修正案:

- (a) 修正案必須與條例草案的主題及有關條文的主題有關。
- (b) 修正案不得與已獲通過的條文或全體委員會就條例草案先前所作的決定不一致。
- (c) 修正案不得令建議修正的條文變得不能理解或不合語法。
- (d) 不可動議全體委員會主席認為瑣屑無聊或無意義的修正案。
- (e) 凡動議修正具備兩個法定語文文本的條例草案,除非該修正案明顯地只影響其中一個文本,否則每一個文本均須作出修正;但不可動議令兩個文本相互抵觸或意義差歧的修正案。(1988 年第 333 號法律公告)

(5) 如一項修正案提述其後的修正案或附表,或該修正案會因欠缺其後的修正案或附表而變得不能理解,則須在動議第一項修正案前,就其後的修正案或附表作出預告,使整系列修正案在整體上可以理解。

(6) 任何修正案,如其目的或效力經全體委員會主席裁定為可導致動用香港任何部分政府收入或其他公帑,或須由該等收入或公帑負擔,則該修正案只可由以下人士提出——

- (a) 總督；
- (b) 根據本會議常規第4B條(公職人員出席會議)由總督指定的公職人員；或
(1995年第382號法律公告)
- (c) 獲總督明確授權或許可提出該建議的立法局議員。(1993年第42號法律公告)

46. 全體委員會處理條例草案的程序

(1) 全體委員會主席須提出“下述各條文納入本條例草案”的待議議題，並指示立法局秘書讀出各條文的編號。任何條文或一組條文的編號一經讀出，將該條文或該組條文納入該條例草案的待議議題，即當作已提出。如某條文經作修正，則該經修正條文的編號須由立法局秘書再次讀出，而將該經修正條文納入該條例草案的待議議題，亦當作已提出。(1971年第138號法律公告；1976年第314號法律公告；1988年第178號法律公告；1995年第382號法律公告)

(2) 為節省時間及避免議論重複，全體委員會主席可准許同時討論一系列互有關連的修正案。

(3) 本會議常規第25條(議案修正案的辯論方式)的規定，適用於對條例草案各項修正案所進行的討論，但“議案”一詞須以“條文”代替。

(4) 任何條文皆可押後處理，除非已就該條文的修正案作出決定。押後處理的條文，須在條例草案其餘條文已獲審議之後而新條文仍未提出之前，予以審議。

(5) 任何擬議新條文，須在條例草案各條文已獲處理之後而附表未獲審議之前，予以審議；

但如擬議新條文是用以代替不獲通過的條文，則可在原有條文不獲通過之後，隨即審議該新條文。

(6) 新條文的分條標題一經立法局秘書讀出，該新條文即當作已告首讀，隨後須提出“將此條文二讀”的待議議題；議題如獲通過，則可提出新條文的擬議修正案。最後提出的待議議題須為“本條例草案增補此條文(或經修正的條文)”。(1988年第178號法律公告)

(7) 處置附表的方法與處置條文者相同；任何擬議新附表，須在條例草案各附表獲得處理後審議，處理方式與處理新條文者相同。

(8) 條文、附表，以及擬議新條文、擬議新附表全部處理完後，如條例草案載有弁言，則亦須審議該弁言，並提出“此為本條例草案的弁言”的待決議題。除因先前對條例草案作出修正以致必須修正弁言外，不得審議弁言的修正案。

(9) 如因對條例草案作出修正而須將條例草案的名稱加以修正，則須在完成上述程序時作出；但將該名稱(或該經修正的名稱)納入該條例草案的待決議題不得提出，任何就法例制定程式的待決議題亦不得提出。

(9A) 條例草案成為法律後所引稱的名稱內所提述的年份或任何數字，無須予以修正；法律草擬專員可更改該所述年份或任何數字，以提述該條例草案成為法律的年份或反映其次序。(1991年第258號法律公告；1995年第382號法律公告)

(10) 任何修正案、擬議新條文或擬議新附表於其待議議題提出後，而該議題未完全表決之前，可應動議人的要求予以撤回，惟須在無議員提出反對的情況下，獲全體委員會的許可。

(11) 全體委員會於完成審議條例草案的所有程序後，須回復為立法局，並由一名議員就該經修正或無經修正的條例草案(視屬何情況而定)，向立法局作出報告。(1971年第138號法律公告)

47. 全體委員會就條例草案作出報告的程序

全體委員會就條例草案作出報告後，立法局即當作已命令將該條例草案進行三讀，而會議紀要內須記錄立法局作出此項命令；負責該條例草案的議員無須就三讀議案作出預告。

48. 條例草案專責委員會中的程序

(1) 專責委員會處理條例草案，須受本會議常規第62條(專責委員會的程序)的所有條文規限；但在就條例草案向立法局作出報告之前，專責委員會須採取與全體委員會的相同方式，依照本會議常規第46條(全體委員會處理條例草案的程序)的規定，研究條例草案。

(2) 條例草案如經專責委員會修正，則在切實可行範圍內，經修正的條例草案全文須作為專責委員會報告的一部分印載；但如不切實可行，則須將經修正的各條文或附表及新增的各條文或附表如此印載。

(3) 專責委員會完成研究條例草案的所有程序並通過有關報告後，專責委員會主席須於下次立法局會議就該經修正或無經修正的條例草案(視屬何情況而定)，向立法局作出報告，並須將該報告提交立法局會議席上省覽。(1995年第382號法律公告)

49. 專責委員會就條例草案作出報告的程序

(1) 專責委員會就條例草案作出報告後，立法局可藉一項採納該報告的議案，審議專責委員會所報上的條例草案。

(2) 如該議案未經修正而獲通過，立法局即當作已命令將該條例草案進行三讀，而會議紀要內須記錄立法局作出此項命令；負責該條例草案的議員無須就三讀作出預告。

(3) 議員可就一項根據本條第(1)款動議的採納條例草案專責委員會報告的議案，動議修正案，於原議案後加入以下字句：“但須將該條例草案(全部，或某部分，或擬議新條文，或擬議新附表)再付委予全體委員會”。

(4) 如該議案按照本條第(3)款修正後獲得通過，該條例草案按議案的規定即告再付委，而立法局則須立即轉變為全體委員會審議該條例草案。

50. 專責委員會報告的條例草案再付委的程序

(1) 如專責委員會已作報告的條例草案整條再付委，全體委員會須根據本會議常規第46條(全體委員會處理條例草案的程序)的規定，研究該條例草案。

(2) 如再付委的只是該條例草案中某一條或多條條文、某一個或多個附表、擬議新條文或擬議新附表，則全體委員會須僅審議再付委的事項，並以本會議常規第46條(全體委員會處理條例草案的程序)所規定的方式，審議該等條文或附表；其後如有需要，可考慮修正該條例草案的詳題或簡稱：

但立法局主席如認為必要或可取，可要求按照本條第(1)款的規定將整條條例草案再付委。

(3) 全體委員會完成審議再付委的條例草案的所有程序後，須回復為立法局，並由負責該條例草案的議員就該再付委並經修正(或未經修正)的條例草案，向立法局作出報告。

(4) 負責條例草案的議員以上述方式就再付委的條例草案作出報告後，除非該負責議員表示希望押後三讀，否則立法局須隨即進行該條例草案的三讀程序。如負責議員提出押後三讀，本會議常規第47條(全體委員會就條例草案作出報告的程序)的規定即適用，並不得容許再次動議將該條例草案再付委。

51. 三讀

(1) 三讀並通過條例草案的議案動議後，立法局即須進行三讀該條例草案的程序。就該議案進行的辯論，須限於條例草案的內容，議員不可動議修正該議案。

(2) 立法局主席提出三讀該條例草案的待決議題之前，經立法局主席許可，得為更正條例草案中錯誤或疏忽出錯之處作出修正；但不得對條例草案提出實質的修正。

(3) 三讀一條(或多條)條例草案的議案獲得通過後，立法局秘書須讀出該(或該等)條例草案的簡稱，並在該(或該等)條例草案末端寫上“由香港立法局於今天通過”，並註明日期。(1971年第138號法律公告)

(4) 如三讀條例草案的議案遭否決，即不得就該條例草案再進行任何程序。

52. 條例草案的撤回或押後

負責條例草案的議員或公職人員，可在立法局會議上於會議開始進行二讀或三讀該條例草案的程序時，宣布撤回或押後處理該條例草案。

(1995年第382號法律公告)

53. 呈交條例草案予總督批准

立法局秘書須在立法局通過的每一條條例草案的一份文本上簽署核證其為真確本，並將之呈交總督批准。

L部

財政程序

54. 撥款條例草案的提交及二讀

(1) 載有香港政府本財政年度或下一財政年度全部服務開支的財政需求預算的條例草案，稱為撥款條例草案。載有上述財政需求詳情的預算案，須在該條例草案列於議事程序表以進行首讀的會議之前，提交立法局。(1991年第258號法律公告)

(2) 撥款條例草案二讀議案的待議議題提出後，有關辯論即告中止待續，不得早於其後第七天恢復辯論。恢復辯論時，辯論範圍須限於香港的財政及經濟狀況，以及條例草案及預算案內所顯示政府政策及行政的一般原則。(1983年第255號法律公告)

(3) 除本會議常規第60(9)條(財務委員會)另有規定外，預算案一經提交立法局，即告交付全體委員會，而撥款條例草案一經二讀，亦即告付委予該委員會。(1983年第255號法律公告；1995年第382號法律公告)

55. 全體委員會處理撥款條例草案的程序

(1) 全體委員會審議撥款條例草案時，該條例草案的條文須押後至審議附表或各附表後始予審議。

(2) 在審議附表時，每一開支總目均須與有關的預算一併考慮；本會議常規所述的“分目”或“子目”，指當時正進行討論的預算總目的分目或子目。

(3) 在審議附表時，全體委員會主席須提出“下述各總目的款額納入本附表”的待議議題，並指示立法局秘書讀出該等總目的編號。任何總目或一組總目的編號一經讀出，將該總目或該組總目的款額納入該附表的待議議題，即當作已提出。除非有議員根據下一條常規動議作出修正，否則可就該議題進行辯論。辯論的範圍只限於需要撥款服務的政策，而非任何子目或分目的詳情，但可提述該項服務所涉及的收入或款項的詳情。(1971年第138號法律公告；1976年第314號法律公告；1988年第178號法律公告)

(4) 附表內所有總目獲得處理後，全體委員會主席須隨即提出“該附表(或該經修正的附表)納入本條例草案”的待決議題，付諸表決，該議題不容修正，不容辯論。

(5) 每一附表獲得處理後，全體委員會主席須提出“下述各條文納入本條例草案”的待議議題，並指示立法局秘書讀出各條文的編號。任何條文編號一經讀出，將該條文納入該條例草案的待議議題，即當作已提出。如某條文經修正，則該經修正條文的編號須由立法局秘書再次讀出，而將該經修正條文納入該條例草案的待議議題，亦當作已提出。(1971年第138號法律公告；1988年第178號法律公告)

(6) 除因附表的撥款總額改變而須相應修正者外，不得動議對任何條文作出修正。此等相應修正，只限由指定公職人員動議，且可無經預告，而有關議題須立即付諸表決，不容修正，不容辯論。當修正最後一條條文的議題表決後，全體委員會主席

須隨即提出“經修正條文納入本條例草案”的待決議題，付諸表決，該議題不容修正，不容辯論。（1987年第221號法律公告；1991年第258號法律公告；1995年第382號法律公告）

(7) 就條例草案各條文提出的議題均已有所決定後，全體委員會須回復為立法局，並由一名議員就該經修正或無經修正的條例草案（視屬何情況而定），向立法局作出報告。（1976年第314號法律公告）

56. 全體委員會處理撥款條例草案預算總目的修正案

(1) 如全體委員會主席認為某項修正案會令任何開支總目所獲分配款額增加，不論增加的部分為子目、分目或總目本身，則除非該修正案是由指定公職人員動議，否則須獲總督授權或許可，而議員於動議修正案時須示明已獲總督授權或許可。（1971年第138號法律公告；1987年第221號法律公告；1991年第258號法律公告；1995年第382號法律公告）

(2) 增加總目款額的修正案，不論所涉者為子目、分目或總目本身，須較削減同一子目、分目或總目本身款額的修正案獲優先處理；如增加款額的修正案獲得通過，則不得動議就同一子目、分目或總目本身削減總目款額的修正案。

(3) 任何議員均可動議藉削減開支總目內子目的款額以削減該總目所獲分配款額的修正案，動議格式如下：“為削減(或刪除)分目_____子目_____而將總目_____削減_____元”。

(4) 如分目已分列為子目，則為削減或刪除分目而削減某一總目款額的修正案，即不合乎規程。

(5) 如總目已分列為分目，則只削減總目而不削減該總目的某一分目的修正案，即不合乎規程。

(6) 刪除某一總目的修正案，即不合乎規程，不得列入議事程序表內。

(7) 每一總目的子目或分目的修正案，均須列入議事程序表內，並按照各該子目及分目在預算案總目內的先後次序，逐一加以審議。

(8) 如有多於一項就削減同一子目、分目或總目款額修正案的預告，該等修正案須按照建議削減款額的大小依次列入議事程序表內，以建議削減款額最大者居先。

(9) 就每項修正案所進行的辯論，範圍只限於該項修正案有關的子目、分目或總目；某一子目或分目的修正案獲得處理後，不得修正或辯論任何前列的子目或分目。

(10) 當所有列於議事程序表內而與某一開支總目有關的修正案獲得處理後，全體委員會主席須再次提出“總目_____的款額納入本附表”的待決議題，或提出“總目_____（經增加）（經削減）的款額納入本附表”的經修正待決議題，視乎情況所需。有關該等議題的辯論，須同樣受到本會議常規第55(3)條（全體委員會處理撥款條例草案的程序）適用於辯論的限制所規限。（1995年第382號法律公告）

57. 撥款條例草案的三讀

撥款條例草案三讀議案不容修正或辯論而付諸表決。

58-59. (由1995年第382號法律公告廢除)

M部

委員會

60. 財務委員會

(1) 立法局設有一名為財務委員會的常設委員會，委員為全體議員，但立法局主席除外。（1976年第314號法律公告；1984年第214號法律公告；1987年第221號法律公告；1994年第434號法律公告）

(2) 委員會的正副主席須由委員會委員互選產生，任期直至其獲選後的下一會期首次會議為止。如主席及副主席暫時缺席，委員會可在其缺席期間另選一委員代行主席之職。（1994年第434號法律公告；1995年第465號法律公告）

(2A) 財務委員會的職能為根據《公共財政條例》(第2章)、其他法例及本會議常規所授予該委員會的職能，以及由立法局不時委予的其他職能。（1983年第255號法律公告）

(2B) 財務委員會可委任小組委員會，以協助財務委員會執行由其決定的財務委員會的職能。（1988年第178號法律公告）

(3) 委員會須在主席決定的日期、時間(包括立法局一個會期結束而下一會期仍未開始的一段休假期內)及地點舉行會議；會議的書面預告須在會議日期最少五整天前發給各委員，但主席可視個別情況指示給予較短時間的預告。（1983年第255號法律公告；1985年第24號法律公告；1988年第178號法律公告）

(3A) 委員會會議須公開舉行，但主席按照委員會的任何決定命令不公開舉行者除外。（1995年第382號法律公告）

(4) 委員會的會議法定人數為主席加上八名委員；所有在委員會內討論的事宜，須以參與表決的委員可者及否者的過半數決定。主席或任何主持會議的其他委員不得參與表決，但如其他委員的可者及否者數目相等，則在此情況下他有權作決定性表決。（1976年第314號法律公告；1987年第221號法律公告；1994年第434號法律公告）

(4A) 委員會主席可命令任何須由委員會決定的事宜，藉傳閱文件方式交由各委員研究，而委員亦可以書面向主席示明其批准。如過半數委員在主席為此目的而指定的限期屆滿前已示明其批准，同時在限期屆滿時並無委員以書面向主席表示反對，或要求將該事宜交由委員會開會決定，則該事宜須當作已獲委員會批准。（1987年第221號法律公告）

(4B) 第(4A)款適用於立法局一個會期結束而下一會期仍未開始的一段休假期內，一如其適用於會期內。（1988年第178號法律公告）

(5) 根據本會議常規第4(6)條(立法局秘書的職責)獲委任的委員會秘書，須列席委員會會議，並按委員會決定的方式製備委員會會議紀要。（1995年第382號法律公告）

(6)-(8) (由1995年第382號法律公告廢除)

(9) 立法局主席可將按照本會議常規第54條(撥款條例草案的提交及二讀)提交的預算案，在全體委員會審議撥款條例草案前，交由財務委員會審核。(1983年第255號法律公告；1985年第24號法律公告)

(10) 主席或委員會可邀請任何公職人員，或預算總目下有關的非政府團體或組織的成員或僱員，提供委員會在履行其職責時可能需要的資料，或作出解釋，或出示紀錄或文件；委員會亦可就該等資料、解釋、紀錄或文件邀請其他人士提供協助。(1991年第258號法律公告)

(11) 除本會議常規另有規定外，委員會及其轄下小組委員會的行事方式及程序，由委員會自行決定。(1991年第258號法律公告)

(1991年第258號法律公告；1995年第382號法律公告)

60A. 政府帳目委員會

(1) 立法局須設有一個名為政府帳目委員會的常設委員會，負責研究核數署署長就以下各事宜提交的報告——

- (a) 政府的帳目；
- (b) 委員會認為須提交立法局會議席上省覽的其他帳目；及
- (c) 委員會認為與核數署署長履行職責或行使職權有關的事宜。

(1A) 委員會亦須研究由核數署署長就其審核(衡工量值審計)工作而提交立法局會議席上省覽的報告。在該報告中，核數署署長就政府部門、根據任何條例核數署署長職權範圍所及的公共團體或組織或接受公帑補助的組織是否符合經濟原則及是否講求效率與效用，進行審核。(1987年第221號法律公告；1995年第465號法律公告)

(2) 委員會由一名主席及六名委員組成，全部均須為立法局主席按內務委員會決定的選舉程序任命的議員。委員會的會議法定人數為主席加上兩名委員。如主席暫時缺席，委員會可在主席缺席期間另選一委員代行主席之職。(1995年第382號法律公告)

(3) 本條第(1)及(1A)款所述的報告，一經提交立法局會議席上省覽，即當作已由立法局交付委員會研究。(1995年第382號法律公告)

(3A) 除主席另有命令外，委員會根據第(4)款邀請任何人士列席的會議，公眾及新聞界人士得准進入會場旁聽。(1984年第214號法律公告)

(3B) 委員會須在主席決定的日期、時間及地點舉行會議。會議的書面預告須在會議日期最少五整天前發給各委員及任何獲邀出席的人士；但主席可視個別情況指示給予較短時間的預告。(1995年第382號法律公告)

(3C) 所有在委員會內討論的事宜，均須以參與表決的委員可者及否者的過半數決定。主席或主持會議的任何其他委員不得參與表決，但如其他委員可者及否者的數目相等，則在此情況下他有權作決定性表決。(1995年第382號法律公告)

(4) 主席或委員會可邀請任何公職人員，或報告所指帳目所屬或與之有關的非政府團體或組織的成員或僱員，提供委員會在履行其職責時可能需要的資料，或作出解

釋，或出示紀錄或文件；委員會亦可就該等資料、解釋、紀錄或文件邀請其他人士提供協助。(1984年第214號法律公告；1991年第258號法律公告)

(5) 委員會須於核數署署長將政府帳目的審計報告提交立法局會議席上省覽之日起3個月內(或根據《核數條例》(第122章)第12條決定的較長時間內)就該核數署署長的報告提交報告。(1984年第214號法律公告；1995年第465號法律公告)

(5A) 委員會須於核數署署長將第(1A)款所述的報告提交立法局會議席上省覽之日起3個月內(或立法局決定的較長時間內)，就核數署署長的報告提交報告。(1987年第221號法律公告；1995年第465號法律公告)

(6) 除本會議常規另有規定外，委員會的行事方式及程序，由委員會自行決定。(1978年第97號法律公告；1995年第382號法律公告)

60B. 議員個人利益監察委員會

(1) 立法局設有一名為議員個人利益監察委員會的常設委員會，負責——

- (a) 研究議員個人利益登記冊的編製、備存、取覽等各項安排；
- (b) 考慮議員或其他人士就該登記冊的形式及內容提出的建議；
- (c) 考慮及調查與議員個人利益的登記及申報有關或就議員未有登記及申報其個人利益而作出的投訴；
- (d) 考慮關乎議員以其議員身分所作行為的道德標準事宜，並就該等事宜提供意見及發出指引；
- (e) 向立法局作出報告及建議，包括關於根據本會議常規第65A條(與個人利益有關的處分)作出處分的建議。

(2) 委員會由一名主席及六名委員組成，全部均須為立法局主席按內務委員會決定的選舉程序任命的議員。委員會的會議法定人數為主席加上兩名委員。如主席暫時缺席，委員會可在主席缺席期間另選一委員代行主席之職。(1995年第382號法律公告)

(3) 委員會須在主席決定的日期、時間(包括立法局一個會期結束而下一會期仍未開始的一段休假期內)及地點舉行會議。會議的書面預告須在會議日期最少五整天前發給各委員，但主席可視個別情況指示給予較短時間的預告。(1995年第382號法律公告)

(4) 委員會會議須公開舉行，但主席按照委員會的任何決定命令不公開舉行者除外。

(5) 所有在委員會內討論的事宜，須以參與表決的委員可者及否者的過半數決定；如可者及否者數目相等，主席或主持會議的任何其他委員有權作決定性表決。(1995年第382號法律公告)

(6) 委員會可邀請任何人士列席委員會會議，以提供證據或出示其管有或由其控制的文書、簿冊、紀錄或文件。(1995年第382號法律公告)

(7) 除本會議常規另有規定外，委員會的行事方式及程序，由委員會自行決定。(1991年第258號法律公告)

60C. 內務委員會

(1) 立法局設有一名為內務委員會的委員會，委員為全體議員，但立法局主席除外。(1993年第42號法律公告)

(2) 委員會的正副主席須由委員會委員互選產生，任期直至其獲選後的下一會期首次會議為止；如主席及副主席暫時缺席，委員會可在其缺席期間另選一委員代行主席之職。

(3) 在條例草案已根據本會議常規第42(3A)條(二讀)交付內務委員會後，委員會可於任何時間將該條例草案交付一條例草案委員會研究，或安排按委員會認為適當的其他方式研究該條例草案。

(4) 在決定將條例草案交付條例草案委員會的時間及次序時，委員會可考慮當時根據本會議常規第42(3A)條(二讀)交付委員會的其他條例草案的數目及相對優先次序，並可隨時更改有關任何條例草案的交付時間及次序的決定。

(5) 委員會將條例草案交付條例草案委員會及與該條例草案委員會磋商後，可決定該條例草案委員會須完成研究該條例草案的日期；委員會亦可隨時在與該條例草案委員會磋商後，更改所決定的日期。

(6) 在條例草案交付條例草案委員會後，按照委員會所決定的程序規則(該等規則只可就議員示明加入條例草案委員會的方式及示明的時間作出規定)示明加入為委員的議員(立法局主席除外)，即屬該條例草案委員會的委員。(1993年第42號法律公告)

(7) 委員會可就條例草案委員會和根據第(11)款成立的小組委員會，以及根據本會議常規第60E條(事務委員會)成立的事務委員會的行事方式及程序，提供指引。(1993年第394號法律公告)

(8) 委員會可討論條例草案委員會的任何商議過程，以便協助委員為恢復立法局二讀辯論而作好準備。

(9) 委員會須決定受《釋義及通則條例》(第1章)第34及35條的條文所規限的任何附屬法例的研究方式。

(10) 委員會可按其認為適當的方式，研究與立法局事務有關的任何其他事項。

(11) 委員會可委任小組委員會，以便協助委員會履行第(9)及(10)款所訂的委員會職能。

(11A) (由1995年第382號法律公告廢除)

(11B) 委員會可將與立法局事務有關的任何政策事宜交由一個根據本會議常規第60E條(事務委員會)成立的事務委員會研究，並可就該等事宜的研究工作為事務委員會訂定職權範圍，亦可要求該事務委員會就該等事宜提交報告以及聽取其報告。(1993年第394號法律公告)

(12) 委員會須在主席決定的日期、時間(包括立法局一個會期結束而下一會期仍未開始的一段休假期內)及地點舉行會議，有關每次會議日期、時間及地點的書面預告，須在會議日期最少三天前發給各委員，但主席可視個別情況指示給予較短時間的預告。

(12A) 委員會會議須公開舉行，但主席按照委員會的任何決定命令不公開舉行者除外。(1995年第382號法律公告)

(13) 委員會的會議法定人數為包括主席在內的二十名委員；所有須由委員會決定的事宜，須以參與表決的委員可者及否者的過半數決定；主席或主持會議的任何其他委員不得參與表決，但如其他委員可者及否者數目相等，則在此情況下他有權作決定性表決。

(14) 委員會主席可命令將任何須由委員會決定的事宜，藉傳閱文件方式交由各委員研究，而各委員亦可以書面向主席示明其批准。如過半數委員在主席為此目的而指定的限期屆滿前已示明其批准，同時在限期屆滿時並無委員以書面向主席表示反對，或要求將該事宜交由委員會開會決定，則該事宜須當作已獲委員會批准。

(15) 第(14)款適用於立法局一個會期結束而下一會期仍未開始的一段休假期內，一如其適用於會期內。

(16) 凡根據《立法局(權力及特權)條例》(第382章)第9(2)條獲得授權，委員會或任何小組委員會可命令任何人士列席委員會會議，以提供證據或出示其管有或由其控制的文書、簿冊、紀錄或文件。(1993年第394號法律公告)

(17) 除本會議常規另有規定外，委員會及其轄下小組委員會的行事方式及程序，由委員會自行決定。

(1992年第226號法律公告；1995年第382號法律公告)

60D. 條例草案委員會

(1) 立法局設有名為條例草案委員會的委員會，其數目由內務委員會按情況決定。

(2) 每個條例草案委員會的主席須由該委員會的委員互選產生；委員會亦可選出一名副主席。如主席或副主席暫時缺席，委員會可在其缺席期間另選一委員代行主席之職。

(3) 每一條例草案委員會須由不少於三名委員組成，其中包括主席在內。每一條例草案委員會的會議法定人數為包括主席在內的三名委員，或委員人數的三分之一(整數後的分數不計)，其中包括主席在內，兩數中以較大者為準。

(3A) 條例草案委員會可委任小組委員會，以協助委員會履行其職能。(1993年第394號法律公告；1995年第382號法律公告)

(4) 條例草案委員會須在主席決定的日期、時間(包括立法局一個會期結束而下一會期仍未開始的一段休假期內)及地點舉行會議；有關每次會議日期、時間及地點的書面預告，須在會議日期最少三天前發給各委員，但主席可視個別情況指示給予較短時間的預告。

(5) 委員會會議須公開舉行，但主席按照委員會的任何決定命令不公開舉行者除外。

(6) 條例草案委員會須研究所獲交付條例草案的整體優劣、原則及詳細條文，亦可研究與該條例草案有關的任何修正案。

(7) 所有須由條例草案委員會決定的事宜，須以參與表決的委員可者及否者的過半數決定，如可者及否者數目相等，主席或主持會議的任何其他委員除原有表決權外，另有權作決定性表決。(1995年第382號法律公告)

(8) 條例草案委員會在完成研究所獲交付的條例草案後，須盡快通知內務委員會及以書面知會該委員會其商議的結果。

(9) 內務委員會可討論條例草案委員會就某條例草案所進行商議的結果，以便向委員提供資料，為恢復該條例草案在立法局二讀辯論而作好準備。條例草案委員會的商議結果無論在立法局、全體委員會或內務委員會中，對任何議員均無約束力。

(10) 凡根據《立法局(權力及特權)條例》(第382章)第9(2)條獲得授權，條例草案委員會可命令任何人士列席委員會會議，以提供證據或出示其管有或由其控制的文書、簿冊、紀錄或文件。(1995年第382號法律公告)

(11) 除本會議常規另有規定外，任何條例草案委員會及其轄下小組委員會的行事方式及程序，由該委員會自行決定。在作出任何此等決定時，條例草案委員會須考慮根據本會議常規第60C(7)條(內務委員會)提供的指引。(1995年第382號法律公告)
(1992年第226號法律公告)

60E. 事務委員會

(1) 立法局設有名為事務委員會的委員會，數目由內務委員會按情況決定。

(2) 事務委員會的職權範圍由內務委員會訂定。

(3) 事務委員會須按其認為需要的程度，監察及研究由事務委員會委員或內務委員會交其處理的政策事宜。

(4) 事務委員會的委員為按照內務委員會決定的程序規則(該等規則只可就議員示明加入事務委員會的方式及示明的時間作出規定)示明加入事務委員會的議員(立法局主席除外)。

(5) 事務委員會的主席須由該事務委員會的委員互選產生。事務委員會亦可選出一名副主席。如主席或副主席暫時缺席，事務委員會可在其缺席期間另選一委員代行主席之職。事務委員會正副主席的任期直至其獲選後的下一會期首次會議為止。(1995年第465號法律公告)

(6) 凡出任事務委員會認為與其職權範圍直接相關的政府諮詢團體的主席或副主席的議員，不得成為該事務委員會的正副主席。

(7) 每位議員不得同時出任多於一個事務委員會的主席或副主席。

(8) 每一事務委員會須由不少於六名委員組成，其中包括主席在內。每一事務委員會的會議法定人數為包括主席在內的三名委員，或委員人數的三分之一(整數後的分數不計)，其中包括主席在內，兩數中以較大者為準。

(9) 事務委員會如認為適當，可委任小組委員會研究特定事宜及向事務委員會提交報告。

(10) 事務委員會或其轄下小組委員會如認為適當，可與任何其他事務委員會或其轄下小組委員會舉行聯席會議，以研究共同關注的任何事宜。聯席會議的會議法定人數為所有有關的事務委員會或小組委員會的委員人數三分之一(整數後的分數不計)，包括主席在內。所有須由聯席會議決定的事宜，須以參與表決的委員可者及否者的過半數決定；如可者及否者數目相等，主席除原有表決權外，另有權作決定性表決。

(11) 事務委員會須在事務委員會主席決定的日期、時間(包括立法局一個會期結束而下一會期仍未開始的一段休假期內)及地點舉行會議。有關每次會議日期、時間及地點的書面預告，須在會議日期最少三天前發給各委員，但主席可視個別情況指示給予較短時間的預告。

(12) 會議須公開舉行，但主席按照事務委員會的任何決定命令不公開舉行者除外。

(13) 所有須由事務委員會決定的事宜，須以參與表決的委員可者及否者的過半數決定，如可者及否者數目相等，主席或任何其他主持會議的委員除原有表決權外，另有權作決定性表決。此類表決的結果無論在立法局、全體委員會或內務委員會中，對任何議員均不具約束力。

(14) 事務委員會可在內務委員會提出要求並在事務委員會認為適當的情況下，或由事務委員會採取主動，向內務委員會提交書面報告，知會議員其商議進展情況。

(15) 凡根據《立法局(權力及特權)條例》(第382章)第9(2)條獲得授權，事務委員會可命令任何人士列席其會議，以提供證據或出示其管有或由其控制的任何文書、簿冊、紀錄或文件。

(16) 除本會議常規另有規定外，事務委員會或其轄下小組委員會的行事方式及程序，由該事務委員會自行決定。在作出任何該類決定時，事務委員會須考慮根據本會議常規第60C(7)條(內務委員會)提供的任何指引。

(1993年第394號法律公告；1995年第382號法律公告)

61. 專責委員會

(1) 立法局可在每一會期內委任一個或多個專責委員會，以研究立法局交付該委員會的事項或條例草案。

(2) 立法局主席須考慮內務委員會的建議，決定每個專責委員會的委員人數，並任命委員會的主席及成員。(1995年第382號法律公告)

(3) 專責委員會的會議法定人數為委員人數(主席除外)的三分之一，整數後的分數不計。

(4) 專責委員會完成研究交其處理的事宜或條例草案後，須立即向立法局作出報告，而委員會須隨即解散。委員會如認為未能在該會期結束前完成研究有關事宜或條例草案，須如實向立法局報告。(1995年第382號法律公告)

(5) 立法局轄下各專責委員會，須於立法局每個會期結束時解散。

62. 專責委員會的程序

(1) 專責委員會只限於商議立法局所交付的事宜；為條例草案而成立的專責委員會，則只限於商議立法局所交付的條例草案及有關修正案。

(2) 專責委員會須在委員會主席指定的日期、時間舉行會議。專責委員會的會議須公開舉行，但主席根據委員會的任何決定命令不公開舉行者除外。

(3) 如主席暫時缺席，委員會可在主席缺席期間另選一委員代行主席之職。
(1995年第382號法律公告)

(4) 根據本會議常規第4(6)條(立法局秘書的職責)獲委任的委員會秘書，須列席委員會會議，並製備委員會會議紀要。(1991年第258號法律公告)

(5) 專責委員會進行點名表決時，須由秘書逐一詢問委員會各委員作何表決，並予以記錄。

(6) 專責委員會主席或主持會議的委員均不得參與表決，但如其他委員可者及否者數目相等，則主席或該名主持會議的委員有權作決定性表決。

(7) (a) 專責委員會委員可提交報告供委員會研究。所有報告提交後，主席須從其本人所提交的報告開始，根據其他委員提交報告的次序，逐一提出各報告，直至專責委員會接納其中一份作為討論的基礎為止。主席就報告所提出的待議議題，須為將主席(或_____先生)的報告逐段二讀，當該議題獲得通過後，不得再就其他報告提出待議議題。但其他報告中的部分內容如與獲接納考慮的報告有關，可被用作為對該份獲接納的報告的修正案。

(b) 專責委員會須逐段研究該份被接納的報告。本會議常規第46條(全體委員會處理條例草案的程序)的規定適用於此程序，一如該報告為條例草案，而該報告內的段落為條例草案的條文。

(c) 專責委員會完成逐段研究該報告，並考慮所有建議的新段落後，主席須提出將該報告作為專責委員會提交立法局的報告的待決議題。

(8) 專責委員會可對其認為適宜提請立法局注意的事宜，就該委員會的權力、職能及會議過程向立法局作出特別報告。

(9) 專責委員會的會議紀要，須記錄委員會研究報告或條例草案的全部過程，以及對該報告或條例草案所建議的每一項修正案。委員會如曾進行點名表決，會議紀要須予記錄，並列出參與表決及拒絕表決的委員的姓名。

(10) 專責委員會主席須將報告或特別報告，附同委員會的會議紀要，如曾取得證據，亦須附同取證紀錄，提交立法局會議席上省覽。

(11) 凡根據《立法局(權力及特權)條例》(第382章)第9(2)條獲得授權，專責委員會可命令任何人士列席委員會會議，以提供證據或出示其管有或由其控制的文書、簿冊、紀錄或文件。(1991年第258號法律公告)

(1995年第382號法律公告)

63. 證據的過早公布

在專責委員會將其報告提交立法局前，委員會委員或任何人士不得公布委員會所取得的證據或所收到的文件；但在公開會議中所取得的證據或所收到的文件除外。

(1985年第189號法律公告；1995年第382號法律公告)

N 部

其他事宜

64. 議員以專業身分受聘

議員不得以執業律師身分代表某一方，或以其可藉以收取費用或獎賞的身分，列席立法局或任何委員會或小組委員會會議。

(1995年第382號法律公告)

64A. 個人利益的登記

(1) 除按第(1A)款的規定初次就個人利益作登記的目的外，每名議員不得遲於每一會期首次會議舉行之前七天，以立法局主席批准的形式，向立法局秘書提供其須予登記的個人利益詳情。(1994年第248號法律公告；1995年第465號法律公告)

(1A) 每名新任立法局議員，須在其當選為立法局議員的日期起計十四天內，以立法局主席批准的形式，向立法局秘書提供其須予登記的個人利益詳情。(1994年第248號法律公告；1995年第382號法律公告)

(2) 每名議員須予登記的個人利益如有變更，該議員須在變更後十四天內，以立法局主席批准的形式，向立法局秘書提供變更詳情。

(3) 立法局秘書須安排將該等詳情登錄於議員個人利益登記冊內，而該登記冊可供任何人士在辦公時間內查閱。

(4) 在本條中，“須予登記的個人利益”指——

(a) 公共或私營公司的受薪董事職位；

(b) 接受薪酬的僱傭關係、職位、行業、專業或職業；(1994年第248號法律公告)

(c) (由1994年第248號法律公告廢除)

(d) 客戶的姓名或名稱，如以上所提述的個人利益包括議員向客戶提供的個人服務，而該等個人服務是由於其立法局議員身分所引致或以任何方式與該身分有關者；

(e) 以下的財政贊助——

(i) 作為立法局選舉候選人時，據該議員所知超過\$10,000或其選舉開支25%的贊助；或

(ii) 作為立法局議員時，來自任何人士或組織的贊助，而提供詳情時須說明該項贊助是否包括以直接或間接方式付予該議員或其配偶的款項，或給予該議員或其配偶的實惠或實利；(1994年第248號法律公告)

(f) 議員或其配偶由於與其立法局議員身分有關或由該身分引致的海外訪問，而該次訪問的費用並非全數由該議員或公費支付；(1994年第248號法律公告)

- (g) 議員或其配偶從外國政府、組織或人士所收受或代表外國政府、組織或人士所收受的款項、實惠或實利； (1994年第248號法律公告)
- (h) 土地及物業； (1994年第248號法律公告)
- (i) 公司或其他團體的名稱，如據議員所知，其本人，或連同其配偶或未成年子女，或代表其配偶或未成年子女持有該公司或團體的股份的實益權益，而該等股份的面值超過該公司或團體已發行股本的百分之一者。
(1991年第258號法律公告)

65. 個人金錢利益的披露

(1) 議員在立法局或任何委員會會議上，不得就其有直接金錢利益的任何議題表決。 (1994年第248號法律公告)

(1A) 議員在立法局或任何委員會會議上，如沒有披露有關的個人金錢利益的性質，不得對直接或間接與該利益有關的事宜動議任何議案或修正案，亦不得就該事宜發言。 (1994年第248號法律公告)

(1B) 在立法局或任何委員會的任何辯論或議事程序中，議員如在席，必須聲明任何與所議事宜有關的直接金錢利益。 (1994年第248號法律公告)

(2) 以某議員有第(1)款所述的直接金錢利益為理由將其表決作廢的議案，可無經預告由任何議員於進行點名表決時，在立法局主席、全體委員會主席或委員會主席說出可者及否者的數目後，立即動議，否則不得動議。 (1994年第248號法律公告；1995年第382號法律公告)

(3) 立法局主席、全體委員會主席或委員會主席有權酌情決定是否就該議案提出待議議題；運用該酌情權時，須考慮所表決事宜的性質，以及其表決受質疑的議員在該事宜上的利益是否屬於直接的金錢利益，而非屬香港其他居民同樣享有的利益，並須考慮該議員表決的事宜是否政府政策。 (1983年第255號法律公告；1995年第382號法律公告)

(4) 將某議員的表決作廢的待議議題提出後，該議員可在立法局或委員會會議上在其原位發言解釋，但隨後須於辯論該議題及就該議題進行表決時退席。

(5) 將某議員的表決作廢的議案如獲通過，立法局主席、全體委員會主席或委員會主席須指示立法局秘書或委員會秘書據此將原來的點名表決可者及否者數目更改。
(1995年第382號法律公告)

65A. 與個人利益有關的處分

任何議員如不遵從本會議常規第64A條(個人利益的登記)或第65(1)、(1A)或(1B)條(個人金錢利益的披露)，可由立法局藉訓誡或譴責，或暫停職務或權利的議案加以處分。

(1991年第258號法律公告；1994年第248號法律公告；1995年第382號法律公告)

66. 准許新聞界及公眾人士進入會場

在符合立法局主席不時訂定的規則下，公眾及新聞界人士得准進入立法局旁聽立法局的會議，而立法局秘書須確保該等規則得以遵從。

66A. 行為不檢

立法局主席、全體委員會主席、委員會或小組委員會主席可命令將任何行為不檢或看來相當可能有不檢行為的公眾或新聞界人士驅離會場。

(1995年第382號法律公告)

67. 外人離場

(1) 在立法局、全體委員會、委員會或小組委員會會議上，議員可隨時無經預告而起立動議外人離場，並指明外人離場適用於當天會議的餘下程序，抑或只於審議某些事項的一段時間。議案一經動議，立法局主席、全體委員會主席、委員會或小組委員會主席隨即須提出該待議議題，而立法局、委員會或小組委員會須先行處理該議題，然後繼續處理該議案動議時立法局、委員會或小組委員會當前的事項。

(2) 立法局主席或全體委員會主席可隨時命令外人離場，並命令將會議廳各門關閉。

(3) 當立法局、全體委員會、委員會或小組委員會，或立法局主席或全體委員會主席命令外人離場時，公眾及新聞界人士須立即離開會議廳或委員會或小組委員會正舉行會議的委員會會議室，而立法局秘書或委員會秘書須確保此項命令得以遵從。
(1995年第465號法律公告)

67A. 就議員出席民事法律程序擔任證人一事取得許可的程序

(1) 為取得根據《立法局(權力及特權)條例》(第382章)第6(2)條所需的立法局許可，以要求某議員在立法局舉行會議當天出席民事法律程序為證人，要求該議員在該天出席的法律程序當事人不得遲於該日之前21天向立法局秘書書面陳述其請求及說明要求該議員在該天出席的理由。

(2) 許可的請求須由立法局秘書在收到後列入下次會議的議事程序表內；除非立法局藉任何議員在該次會議動議的一項可無經預告的議案，決定拒絕給予許可，否則立法局須當作已命令給予許可。
(1995年第382號法律公告)

(3) 立法局秘書須以書面將立法局的決定通知該要求許可的當事人及有關的議員。

(1991年第258號法律公告)

67B. 就立法局會議程序提供證據一事取得許可的程序

(1) 為取得根據《立法局(權力及特權)條例》(第382章)第7條所需的立法局許可，以就會議紀要、作證紀錄或提交立法局、委員會或小組委員會會議席上省覽的任何文件的內容，或就立法局、委員會或小組委員會的任何會議或審查程序，在立法局以外的地方提供證據，要求該許可的人須向立法局秘書書面陳述其請求及說明其理由，並須提供立法局秘書在個別情況下按立法局主席的指示所進一步要求的資料。(1995年第382號法律公告)

(2) 許可的請求須列入立法局主席所指定會議的議事程序表內；除非立法局藉任何議員在該次會議動議的一項可無經預告的議案，決定拒絕給予許可，否則立法局須當作已命令給予許可。(1995年第382號法律公告)

(3) 立法局秘書須以書面將立法局的決定通知該要求許可的人。

(4) 凡有人在立法局休假、休會、押後會議或解散期間，向立法局要求取得本條第(1)款所述的許可，可由立法局主席給予，如立法局主席不能執行主席職務，則可由主持立法局會議的議員給予許可。(1993年第42號法律公告)

(1991年第258號法律公告)

68. 本會議常規的暫停執行

具有暫停執行某條會議常規的目的或效力的議案，除非事前已作預告，或經立法局主席同意，否則不得動議。

69. 本會議常規未有規定的程序

對於本會議常規內未有作出規定的事宜，立法局所須遵循的方式及程序由立法局主席決定；如立法局主席認為適合，可參照英國下議院的慣例及程序處理。

(1971年第138號法律公告)

70. 釋義

在本會議常規內，除文意另有所指外——

- (a) “印載”的提述，包括所有藉機械、電力、電子及攝影將文字複製的方法的提述；
- (b) “整天”一詞不包括作出預告當天、舉行有關會議當天及有關期間內的公眾假期；
- (c) “指定公職人員”指總督根據《皇室訓令》第XXIB(2)條指定的公職人員。

(1995年第382號法律公告)

(1991年第138號法律公告；1995年第382號法律公告)

B634 L.N. 143 of 1997

L. S. NO. 2 TO GAZETTE NO. 16/1997

L.N. 143 of 1997

HONG KONG ROYAL INSTRUCTIONS
1917 TO 1993 (NOS. 1 AND 2)

STANDING ORDERS OF THE LEGISLATIVE COUNCIL
OF HONG KONG

RESOLUTION OF THE LEGISLATIVE COUNCIL

Resolution made and passed by the Legislative Council under clause XXIII of the Hong Kong Royal Instructions 1917 to 1993 (Nos. 1 and 2) on 16 April 1997.

RESOLVED that the Standing Orders of the Legislative Council of Hong Kong be amended—

(1) by repealing Standing Order Nos. 60A(2) and 60B(2) and substituting—

“(2) The committee shall consist of a chairman, deputy chairman and five members who shall be Members appointed by the President in accordance with an election procedure determined by the House Committee. In the event of the temporary absence of the chairman and deputy chairman, the committee may elect a chairman to act during such absence. The chairman and two other members shall constitute a quorum.”;

(2) by repealing Standing Order No. 61(2) and substituting—

“(2) The President shall decide the size of every select committee and shall appoint the chairman, deputy chairman and members thereof, in accordance with an election procedure determined by the House Committee. In the event of the temporary absence of the chairman and deputy chairman, the committee may elect a chairman to act during such absence.”;

(3) by repealing Standing Order No. 62(3).

Ricky FUNG Choi-cheung,
Clerk to the Legislative Council.

16 April 1997.