
LEGISLATIVE COUNCIL HOUSE RULES

立法局內務守則

(Guidelines for the conduct of business
of the Legislative Council and its committees)

(處理立法局及其轄下各委員會事務的指引)

October 1996

一九九六年十月

HOUSE RULES

內務守則

October 1996

一九九六年十月

目錄

<u>守則編號</u>		<u>頁數</u>
	立法局會議	
1.	選舉立法局主席	1
2.	就提交立法局會議席上省覽的附屬法例及文件發言	1
3.	以議員有直接金錢利益為理由將其表決作廢	1
4.	質詢總督時間	1
5.	於立法局會議上向政府所提質詢的登記事宜	2
6.	質詢的形式	2
7.	質詢的數目及編配	2
8.	補充質詢	3
9.	跟進要求口頭答覆的質詢	3
10.	急切質詢	3
11.	已安排在會議中提出，但議員並無提出的質詢	4
12.	議員提出質詢時公職人員不在場	4
13.	由議員提出的辯論數目	4
14.	辯論時段的分配	5
15.	議案辯論的次序	5
16.	辯論時缺席的議員的意見	5
17.	議案辯論	6
18.	休會辯論	7
19.	動議議案以縮短點名表決鐘聲的時間	7

TABLE OF CONTENTS

<u>Rule</u>	<u>Page</u>
COUNCIL SITTINGS	
1. Election of the President of the Legislative Council	1
2. Address on Subsidiary Legislation and Papers Tabled in the Council	1
3. Disallowance of Vote on Ground of Direct Pecuniary Interest	1
4. Governor's Question Time	1
5. Registration of Questions to the Government at Sittings	2
6. Form of Questions	2
7. Number and Allocation of Questions	2
8. Supplementary Questions	3
9. Follow-up on Oral Questions	3
10. Urgent Questions	3
11. Questions Scheduled for Sitting but not Asked by Member	4
12. Public Officer not Present at the Time the Question is Asked	4
13. Number of Debates Initiated by Members	4
14. Allocation of Slots for Debates	5
15. Order of Debates on Motions	5
16. Views of Members Absent from Debates	5
17. Motion Debates	6
18. Adjournment Debates	7
19. Moving of Motion to Shorten the Duration of Division Bell	7

目錄

<u>守則編號</u>		<u>頁數</u>
	委員會	
20.	內務委員會	7
21.	條例草案委員會	9
22.	事務委員會	11
23.	逾期申請為事務委員會／委員會委員	13
24.	舉行會議事宜的指引	13
25.	會議紀要	15
26.	內務委員會、條例草案委員會或事務委員會轄下小組委員會	16
27.	在委員會會議後舉行的新聞簡報會	16
28.	熱帶氣旋及黑色暴雨警告生效期間的安排	17
29.	在本港進行的訪問活動	17
	整體聯繫活動	
30.	與布政司及財政司舉行會議	17
31.	各決策科首長就總督施政報告舉行簡報會	18
32.	與區議會舉行會議	18
33.	議員會晤訪港外賓	19

TABLE OF CONTENTS

<u>Rule</u>	<u>Page</u>
COMMITTEES	
20. House Committee	7
21. Bills Committees	9
22. Panels	11
23. Late Membership of Panels/Committees	13
24. Guidelines for the Conduct of Meetings	13
25. Minutes of Meetings	15
26. Subcommittees of the House Committee, Bills Committees or Panels	16
27. Post-Committee Meeting Press Briefings	16
28. Arrangements during Tropical Cyclones and Rainstorm Black Warning	17
29. Local Visits	17
CORPORATE LIAISON	
30. Meetings with the Chief Secretary and the Financial Secretary	17
31. Briefings by Policy Secretaries on the Governor's Policy Address	18
32. Meetings with District Boards	18
33. Meetings with Overseas Visitors	19

附錄

- I. 選舉立法局主席的程序
- II. 在點名表決時動議將表決作廢的議案的程序
- III. 要求主席准許無經所需預告而提出質詢
—— 《會議常規》第17(4)條
- IV. 選舉內務委員會主席及副主席的程序
- V. 事務委員會一覽表
- VI. 與現行各事務委員會有關的政府諮詢團體一覽表
- VII. 決議案 —— 對於任何人士應訊出席立法局某委員會會議時所提出有關「公眾利益特權」的要求，作出決定的慣例及行事方式

APPENDICES

- I. Procedure for the Election of the President of the Legislative Council
- II. Procedure on the Moving of Motions for the Disallowance of Votes during a Division
- III. Request to President for Permission to ask a Question without the Required Notice - Standing Order No. 17(4)
- IV. Procedure for the Election of the Chairman and Deputy Chairman of the House Committee
- V. List of Panels
- VI. List of Government Advisory Bodies relevant to Existing Panels
- VII. Resolution on the Usage and Practice in Regard to the Determination of Claims of 'Public Interest Privilege' Made by Persons Appearing Before a Committee of the Council

立法局會議

1. 選舉立法局主席

選舉立法局主席的程序，載於附錄I。

2. 就提交立法局會議席上省覽的附屬法例及文件發言

倘議員擬要求立法局主席准許其就提交立法局會議席上省覽的附屬法例或文件在立法局發言，該議員應在會議前提交其預備發表的演辭，以便立法局主席就該演辭是否可能引發《會議常規》第14(5)條所不容的辯論作出決定。

3. 以議員有直接金錢利益為理由將其表決作廢

在進行點名表決時，當立法局主席或全體委員會主席說出可者及否者的數目後，任何議員可無經預告，立即以某議員有直接金錢利益為理由，動議將該議員的表決作廢，否則不得動議。在點名表決時動議將表決作廢的議案的程序，載於附錄II。

4. 質詢總督時間

- (a) 在立法局會期內，質詢總督時間通常約為每月一次，日期一般為星期四，每次為時約一小時。
- (b) 議員在質詢時間內可向總督提出的質詢，一般限於已事先知會議員的特定事項。
- (c) 在質詢時間內，在立法局當屆任期內過往各次質詢時間內發問次數最少的議員可優先提出質詢，如有議員的優先質詢次序相同，立法局主席通常會根據議員的年資決定首先叫喚哪一位議員。
- (d) 提出質詢的議員可就其質詢提出一項簡短的補充質詢。就計算質詢次數而言，議員就其原有質詢提出的補充質詢，不會算作一項額外質詢，但其他議員提出的補充質詢，則當作一項質詢計算。

COUNCIL SITTINGS

1. Election of the President of the Legislative Council

The procedure for the election of the President of the Legislative Council is at Appendix I.

2. Address on Subsidiary Legislation and Papers Tabled in the Council

A Member who seeks the President's permission to address the Council on subsidiary legislation or papers tabled in the Council should provide an advance copy of the intended address to enable the President to decide whether the address may provoke a debate, which is not permitted under Standing Order No. 14(5).

3. Disallowance of Vote on Ground of Direct Pecuniary Interest

A motion to disallow a Member's vote on the ground of his direct pecuniary interest may be moved without notice by any Member immediately upon the statement of the number of Members voting in a division by the President or Chairman, but not otherwise. The procedure on the moving of motions for the disallowance of votes during a division is at Appendix II.

4. Governor's Question Time

- (a) Governor's Question Time is usually held on a Thursday approximately once a month when the Council is in session, lasting for about one hour.
- (b) Questions that Members may put to the Governor at Governor's Question Time are normally confined to specified topic(s) notified in advance.
- (c) Members who have asked the least number of questions at previous Question Time sittings within a term of the Legislative Council are given priority to ask questions. Where there are Members with equal priority, the President will decide whom to be called first, normally on the basis of seniority.
- (d) The Member asking a question is allowed to ask a short supplementary question on his question. For the purpose of computation, a supplementary question asked by a member on his original question will not count as an additional question. A supplementary question asked by another Member will, however, count as one question.

5. 於立法局會議上向政府所提質詢的登記事宜

- (a) 立法局秘書處根據接獲的先後次序，將質詢予以登記。
- (b) 每名議員每週只限登記一項要求口頭答覆的質詢及一項要求書面答覆的質詢，或兩項要求書面答覆的質詢，每週截算質詢登記的時間為星期五下午五時。當遞交質詢以作登記時，所提供的質詢措辭初稿必須足以說明質詢的主題及範圍。
- (c) 倘有兩名或更多議員擬就同一議題提出質詢，有關議員應嘗試就由哪位議員提出質詢達成協議，若未能達成協議，則由獲編配較早時段的議員提出質詢。

6. 質詢的形式

- (a) 質詢措辭應精確切題。
- (b) 應避免在一項要求口頭答覆的質詢內附帶提出多項質詢，否則該項質詢或會被裁定為不合乎規程。
- (c) 應避免提出需進行廣泛資料蒐集工作始能作答的質詢，例如有關的數據涉及過長的時期。如有需要，要求統計數字的質詢，以書面形式提出較為恰當。
- (d) 不應就過於廣泛的政策事宜提出質詢，以免不能一次過給予答覆。

7. 質詢的數目及編配

- (a) 會議上若不會就主體議案進行辯論，所提出的要求口頭答覆的質詢不得多於10項。如立法局主席認為將須就主體議案進行辯論，所提出的要求口頭答覆的質詢不得多於六項，而提出質詢的時間通常應以一小時為限。
- (b) 根據《會議常規》第17(3)條，在任何一次立法局會議中，每名議員通常只限提出一項要求口頭答覆的質詢及一項要求書面答覆的質詢，或兩項要求書面答覆的質詢。然而，倘有20名或更多議員擬於一次會議上提出質詢，則每名議員只限提出一項質詢。

5. Registration of Questions to the Government at Sittings

- (a) Registration of questions by the Secretariat is in the order of receipt.
- (b) Each Member is limited to registering only one oral and one written or two written questions per calendar week ending at 5:00 p.m. on Friday. When a question is passed for registration, draft wording sufficient to identify the subject matter and the scope of the question should be provided.
- (c) Where two or more Members have put in questions on the same subject, the Members concerned should try to reach an agreement on who will ask the question, failing which the Member who has an earlier slot will ask the question.

6. Form of Questions

- (a) Questions should be precise and to the point.
- (b) Multiple questions within a single oral question may be ruled out of order and should be avoided.
- (c) Questions requiring very extensive research efforts for replies, e.g. statistics relating to an unduly long period of time, should be avoided. If necessary, questions requiring statistics should be asked more appropriately as written questions.
- (d) Questions should not raise matters of policy too wide to be dealt with in a single reply.

7. Number and Allocation of Questions

- (a) Where there is no debate on a substantive motion moved by a Member at a sitting, no more than 10 oral questions shall be asked. Where, in the opinion of the President, there will be such a debate, no more than six oral questions shall be asked and the question time should normally be limited to one hour.
- (b) Under Standing Order No. 17(3), each Member is normally limited to asking only one oral and one written or two written questions at any one sitting. However, if 20 or more Members wish to raise questions at a sitting, each Member is allowed to raise only one question.

- (c) 在會議上所提質詢的編配準則，通常是以各項質詢在秘書處登記的先後次序作為根據。倘若無法在一次會議上提出全部質詢，在符合上文(b)段的規定下，以往分別獲編排提出要求口頭答覆的質詢或要求書面答覆的質詢次數最少的議員，將可較其他議員優先提出質詢。
- (d) 若經內務委員會同意，可不按既定次序提出質詢。在決定是否准許不按次序提出質詢時，會考慮質詢的事項是否時事項目、是否備受市民關注及性質是否急切。

8. 補充質詢

- (a) 在立法局會議上提出質詢的議員，通常可提出第一項補充質詢。
- (b) 補充質詢應簡短切題。
- (c) 每項補充質詢不應包含數項質詢。
- (d) 補充質詢應以質詢形式提出，不應載有陳述、推論、隱含答案，或要求證實傳言或報章的報道。
- (e) 為方便正確傳譯補充質詢，尤其是難免複雜的質詢，議員應放慢說話速度。

9. 跟進要求口頭答覆的質詢

議員倘認為其質詢未完全獲得答覆，應就規程問題起立，並說：「主席先生，請准提出跟進質詢。」然後由立法局主席決定是否批准提出跟進質詢。就釐定質詢次序而言，跟進質詢並不視作補充質詢。

10. 急切質詢

議員若未有給予所需的預告而要求提出急切質詢，應在可行情況下，先徵得內務委員會同意，然後才向立法局秘書提交急切質詢，並附上一份聲明，載列提出該項要求的理由，以協助立法局主席考慮是否接納其要求，聲明樣本載於附錄III。

- (c) The allocation of questions to be asked at a sitting is normally based on the order of registration of the questions by the Secretariat. Where there are more questions than can be allowed at a sitting and subject to (b) above, priority will be given to Members who have been allocated the least slots respectively for oral or written questions to date.
- (d) Questions may be asked out of sequence with the agreement of the House Committee. Topical interest, public concern and urgency, if any, will be taken into account for determining whether a question may be asked out of turn.

8. Supplementary Questions

- (a) The Member who has asked a question in Council is usually given the opportunity to ask the first supplementary question.
- (b) A supplementary question should be short and to the point.
- (c) A supplementary question should not contain several questions in one.
- (d) A supplementary question should be framed as a question and should not include statements, contain inferences, suggest its own answer or ask for confirmation of rumours or press reports.
- (e) To facilitate accurate interpretation of supplementary questions, particularly where they are of necessity complex, Members should speak slowly when asking supplementary questions.

9. Follow-up on Oral Questions

If a Member feels that his/her question has not been fully answered, the Member should rise on a point of order and say "Follow-up, Mr President." It is for the President to rule whether a follow-up question should be allowed. Follow-up questions are not counted as supplementary questions for determining priorities.

10. Urgent Questions

To assist the President in considering requests for asking urgent questions without the required notice, the Member concerned should, where practicable, first seek the agreement of the House Committee before submitting an urgent question to the Clerk to the Legislative Council, together with a statement setting out the reasons for the request. A sample statement is at Appendix III.

11. 已安排在會議中提出，但議員並無提出的質詢

根據《會議常規》第19(6)條，若議員不在席提出其要求口頭答覆的質詢，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。就質詢輪候制度而言，該缺席的議員將視作已提出一項要求口頭答覆的質詢。

12. 議員提出質詢時公職人員不在場

若公職人員未能及時到場答覆質詢，立法局主席可行使其酌情決定權，將該質詢押後至質詢時間末段。

13. 由議員提出的辯論數目

立法局每次例會不應舉行超過兩項辯論，該等辯論可以是個別議員提出的兩項議案辯論、兩項休會辯論，或一項議案辯論及一項休會辯論。議案辯論是個別議員提出的「專題議案」，就此而論，下述議案不包括在內：

- (i) 有關條例草案的議案(《會議常規》K部)；
- (ii) 有關委任專責委員會及向專責委員會交付事項的議案(常規第61及62條)；
- (iii) 有關修訂或暫停執行《會議常規》的議案；
- (iv) 根據某條例動議的議案[例如：《立法局(權力及特權)條例》第9條(有關命令證人列席的權力)；《釋義及通則條例》第34或35條(有關立法局在附屬法例方面的權力)]；及
- (v) 任何其他議案，倘獲得通過，可授權立法局、某委員會、立法局主席或其他人士作出某些作為者；或援引法例或《會議常規》的某些條文者。

11. Question Scheduled for Sitting but not Asked by Member

Under Standing Order No. 19(6), if a Member is not present to ask his/her oral question, the question may with his/her consent be asked by another Member, or otherwise shall be treated as a question seeking a written answer. For the purpose of the queuing system for questions, the absent Member will be regarded as having asked a question for oral reply.

12. Public Officer not Present at the Time the Question is Asked

In the event that a public officer is late for answering a question, the President may exercise his discretion to defer the question to the end of the question time.

13. Number of Debates Initiated by Members

Not more than two debates, which may be two debates on motions moved by individual Members (motion debates), two subjects for debate on a motion for the adjournment of the Council (adjournment debates), or one motion debate and one adjournment debate, should be held at each regular sitting. Motion debates are "subject motions" moved by individual Members and, in this context, exclude the following motions :

- (i) motions relating to bills (Part K of the Standing Orders);
- (ii) motions to appoint a select committee and refer matters to it (S.O.s. 61 and 62);
- (iii) motions to amend or suspend Standing Orders ;
- (iv) motions moved under an ordinance (e.g. Section 9 of the Legislative Council (Powers and Privileges) Ordinance (relating to power to order attendance of witness); Section 34 or 35 of the Interpretation and General Clauses Ordinance (relating to LegCo's power on subsidiary legislation)); and
- (v) any other motions which, if carried, empower the Council, a committee, the President or other person(s) to do certain act, or invoke certain provisions under the laws or Standing Orders.

14. 辯論時段的分配

- (a) 除非尚有可供編配的時段，否則在每一會期內，每名議員通常可獲分配一個時段，以動議一項議案辯論或提出一項休會辯論。
- (b) 要求在某次立法局會議獲分配辯論時段的申請，將按照秘書處所發出的通知，在有關會議舉行前最少三個星期截止。倘若就同一次會議接獲多於兩份申請，則會抽籤決定時段的分配。議員倘連續在兩次或多次抽籤中失利，將會在隨後會議的兩節辯論時段中，獲優先分配一個時段進行辯論。連續在數次抽籤中失利次數最多的議員，將獲優先安排辯論時段。
- (c) 倘若議員要求而獲得內務委員會同意，可獲優先分配時段，就急切、重要的事項及時事問題進行辯論。

15. 議案辯論的次序

- (a) 上文守則第13(i)至(v)條所列的議案辯論(議員條例草案除外)應首先進行，然後才就個別議員動議的議案進行辯論。
- (b) 在同一次立法局會議上，若安排就兩名議員分別動議的議案進行辯論，除非該兩名議員同意另作安排，否則會抽籤決定辯論該等議案的先後次序。

16. 辯論時缺席的議員的意見

議員若有意參與某項辯論但未能出席進行該辯論的立法局會議，可請一名在辯論中發言的議員代其表達意見。答允在辯論中代某名缺席議員表達意見的議員，在發言時應先行表達其個人意見，然後才說明該名缺席議員與其意見相同。發言的議員不應宣讀由缺席議員預撰的演辭，亦不應在縷述缺席議員的意見後，簡要地表示自己亦贊同該等意見。

14. Allocation of Slots for Debates

- (a) Unless there are untaken slots, each Member is normally allocated a slot for moving one motion debate or proposing one adjournment debate within a session.
- (b) Application for the allocation of a debate slot at a certain sitting will be closed at a date not less than three weeks in advance of that sitting as notified by the Secretariat. If more than two applications are received in respect of the same sitting, allocation will be determined by drawing lots. Members who have been unsuccessful in two or more consecutive ballots will be accorded priority in respect of the allocation of one of the two slots for debates at a subsequent sitting. Priority is given to the Member who has the highest number of consecutive unsuccessful ballots.
- (c) Where a Member requests and the House Committee agrees, priority allocation may be given to debates on urgent, important and topical issues.

15. Order of Debates on Motions

- (a) Debates on motions such as those listed in rule 13(i) to (v) above, except Member's bills, shall take place before debates on individual Member's motions.
- (b) Where two individual Member's motion debates are scheduled for the same sitting, the order of debating these motions will be determined by drawing lots unless otherwise agreed between the two Members concerned.

16. Views of Members Absent from Debates

A Member who wishes to take part in a debate but who cannot attend the sitting at which the debate is held may request another Member speaking in the debate to express his views in the speech. A Member who has undertaken to express an absent Member's views in debate should express his/her own views first in his/her speech and then say that these views are shared by the absent Member. The Member speaking should not read out a speech prepared by the absent Member, nor should the Member speaking express the absent Member's views at length and then simply say at the end that he/she agrees with such views.

17. 議案辯論

- (a) 議員在申請辯論時段時，可同時提交或不提交議題及議案措辭。未有提交議題的議員倘獲編配辯論時段，不應提出已由另一名議員提交的辯論議題，除非已取得該議員的同意。
- (b) 根據《會議常規》所訂，就議案及議案修正案作出正式預告的最起碼期限如下：

	<u>規定的最少預告期</u>	<u>常規</u>
議案的預告	12整天	第21(1)條
議案修正案的預告	5整天	第21(2)(a)條
修正某議案的修正案的預告	3整天，並由立法局主席酌情決定	—

- (c) 除非內務委員會另有決定，否則撥供進行辯論的發言時間通常作如下分配：—

	<u>發言時間上限</u>
議案動議人	
— 動議議案發言及最後答辯	15分鐘
— 對擬議修正案答辯	5分鐘
	(總時間)
議案修正案動議人	7分鐘
發言的其他議員	7分鐘
獲准重訂其擬議修正案的措辭，以修正某項於較早時經修正的議案的議員	另加3分鐘

- (d) 倘議員動議議案，以押後議案辯論，而內務委員會已根據《會議常規》第27A條向立法局主席作出建議，則就該議案發言的議員，每人發言的時間不得超過立法局主席所接納的指定時限，而議員應就該議案(而非原議案)發言。

17. Motion Debates

- (a) An application for a debating slot may be submitted by a Member with or without the subject and wording of the motion. A Member who has not submitted the subject of the motion should not, upon securing a debating slot, propose a motion debate on a subject which has already been submitted by another Member except with the latter's consent.
- (b) The minimum notice periods required for formal notice of motions and amendments to motions under the Standing Orders (SO) are as follows :

	<u>Minimum notice required</u>	<u>SO</u>
Notice of motion	12 clear days	21(1)
Notice of amendment to a motion	5 clear days	21(2)(a)
Notice of an amendment to an amendment to a motion	3 clear days and at President's discretion	---

- (c) Unless otherwise decided by the House Committee, the allocation of speaking time for a debate should normally be as follows :

	<u>Maximum time allowed</u>
Mover of the motion	
- introductory speech and final reply	15 mins
- reply to proposed amendment(s)	5 mins
	(in total)
Mover of amendment to the motion	7 mins
Other speakers	7 mins each
Member who has been given permission to reword his original proposed amendment to a motion which has been amended earlier on	additional speaking time of 3 minutes

- (d) When a motion to adjourn a motion debate is moved and where the House Committee has made a recommendation to the President under Standing Order No. 27A, Members speaking on the motion must limit their speeches to the recommended specified time if it is accepted by the President. Members should speak to that motion and not to the original motion.

18. 休會辯論

- (a) 在申請進行休會辯論時，必須具體說明辯論的主題及範圍。提出休會辯論的議員其後不得要求更改辯論的主題。
- (b) 除非立法局主席延長辯論時間，否則每次立法局會議的休會辯論會以一小時為限(45分鐘供議員發言，15分鐘供政府人員作答)。
- (c) 擬於休會辯論時發言的議員，應於有關會議舉行前的星期一或該日前知會秘書處，以便秘書處編訂一份發言者名單，並建議有關議員獲分配若干發言時間。提出休會辯論的議員有權發言最少五分鐘。

19. 動議議案以縮短點名表決鐘聲的時間

- (a) 若預期在某次立法局會議上需經常進行點名表決，內務委員會可決定是否動議議案，藉以把就該次會議上某些事項進行的點名表決的響鐘時間縮短至一分鐘。倘此議獲內務委員會同意，內務委員會主席會代表議員動議該議案。
- (b) 個別議員若有意動議該等議案，應預先通知內務委員會，以免立法局在議員動議該議案時須就此進行辯論。

委員會

20. 內務委員會

- (a) 內務委員會的正副主席須在公開會議中由議員互選產生，任期直至下一會期首次會議為止。正副主席人選的提名須在該次會議上提出。提名得口頭作出，並須由最少一名出席的議員口頭附議。所有出席的議員均有資格參選。

倘某職位的候選人多於一名，須由出席該次會議及有權投票的議員進行無記名投票。取得過半數票的候選人將獲宣布為當選者。

18. Adjournment Debates

- (a) The subject matter and scope of an adjournment debate must be specified at the time of application. A proposer must not subsequently seek to change the subject matter of the debate.
- (b) The duration of an adjournment debate at a sitting will be kept within one hour (45 minutes for speeches by Members and 15 minutes for replies by Government Officials) unless extended by the President.
- (c) A Member who wishes to speak on an adjournment debate should notify the Secretariat on or before the Monday preceding the relevant sitting to enable the Secretariat to compile a speakers list and recommend the apportionment of speaking time for the Members concerned. The proposer of an adjournment debate is entitled to a minimum of five minutes' speaking time.

19. Moving of Motion to Shorten the Duration of Division Bell

- (a) If frequent divisions at a Council sitting are anticipated, the House Committee may decide whether or not a motion be moved to shorten the duration of the division bell to one minute in respect of certain divisions at that sitting. Should the House Committee agree, the Chairman of the House Committee will move the motion on behalf of Members.
- (b) In the event that an individual Member wishes to move such a motion, he/she is advised to inform the House Committee in advance, so as to avoid the Council having to debate the motion when it is moved.

COMMITTEES

20. House Committee

- (a) The chairman and the deputy chairman of the House Committee shall be elected from amongst its members at an open meeting and shall hold office until the first meeting in the following session. Nominations in respect of the chairman and deputy chairman shall be called for at the meeting. The nominations shall be made and seconded orally by at least one member present. All members present shall be eligible to stand for election.

If there is more than one candidate for an office, the election for that office shall be conducted by secret ballot amongst the members present and entitled to vote. A candidate who receives a simple majority of votes shall be declared to be elected.

選舉內務委員會正副主席的程序，載於附錄IV。

- (b) 立法局會期內，內務委員會通常在每個星期五下午二時三十分舉行會議。遇有財務委員會會議安排於同一下午較早時間舉行，內務委員會會議將於下午四時三十分開始。其他委員會如需在星期五下午舉行會議，應安排在內務委員會會議結束後舉行。
- (c) 提出每次會議議程項目的期限為該次會議舉行前的星期二下午五時。議員如欲在截止日期後提出急切議程項目，可向內務委員會主席提出要求，以便於星期五會議上在「其他事項」下加以討論。主席須決定是否批准該項要求。
- (d) 內務委員會將參考當局提供的資料、法律顧問的意見、條例草案委員會的數目，以及條例草案的急切程度等，決定是否成立條例草案委員會，以及條例草案委員會展開工作的先後次序。當某條例草案已準備就緒，可在立法局恢復二讀辯論時，內務委員會主席將安排知會負責該條例草案的議員或公職人員。
- (e) 並非所有條例草案均需交付條例草案委員會研究。內務委員會可以：
 - (i) 在審閱法律顧問就條例草案所涉及的法律範疇提交的報告(及在有需要時提交的進一步報告)後，通過支持恢復對條例草案進行二讀辯論；或
 - (ii) 因應個別議員所提出索取資料或請求就條例草案若干方面加以澄清的要求，向法律顧問或立法局秘書處其他職員(視何者恰當而定)發出指示，請其與當局商討，以及向有關的議員及內務委員會提交關於條例草案的進一步報告。
- (f) 內務委員會訂定將予設立的事務委員會的數目、名稱及職權範圍。委員會亦可將涉及立法局事務的任何政策事宜交付有關的事務委員會研究，並可就與事務委員會職權範圍有關的事宜，要求事務委員會向內務委員會提交報告。

The procedures for the election of the chairman and deputy chairman of the House Committee are at Appendix IV.

- (b) When the Council is in session, the House Committee normally meets every Friday afternoon at 2:30 pm. When a Finance Committee meeting is scheduled to be held earlier in the same afternoon, the House Committee meeting will start at 4:30 pm. Any other committees which need to meet on a Friday afternoon should schedule their meetings after the House Committee meeting.
- (c) The deadline for proposing agenda items for a meeting is 5:00 p.m. on the Tuesday before the meeting. A member wishing to raise an urgent item after the deadline may make a request to the chairman of the House Committee for it to be discussed at the Friday meeting, under Any Other Business. The chairman shall decide whether to accede to the request.
- (d) The House Committee decides on the setting up of a Bills Committee and the order of priority for a Bills Committee to be activated, having regard to information provided by the Administration, advice by the Legal Adviser, the number of Bills Committees, and the urgency of the bill etc. When a bill is ready for resumption of Second Reading debate in the Council, the chairman of the House Committee shall arrange for the Member or public officer in charge of the bill to be notified.
- (e) Not all bills require the formation of Bills Committees. The House Committee may :
 - (i) having considered the Legal Adviser's report (and further reports where necessary) on the legal aspects of a bill, agree to support the bill's resumption of Second Reading debate; or
 - (ii) in response to the request of individual Member(s) for information or clarification on certain aspects of a bill, direct the Legal Adviser or other staff of the Secretariat, as appropriate, to take these up with the Administration and submit further report(s) on the bill to the Member(s) concerned and the House Committee.
- (f) The House Committee determines the number, names and terms of reference of Panels to be established. It may also refer to relevant Panels for consideration any policy matters related to the business of the Council, and may request and receive reports from the Panels on matters relevant to their terms of reference.

- (g) 內務委員會可委任小組委員會，以便協助研究某些特定附屬法例及不屬事務委員會職權範圍而備受公眾關注的事項。

21. 條例草案委員會

- (a) 條例草案委員會及內務委員會轄下研究附屬法例的小組委員會，在同一期間內運作的數目應限為16個。限額中有一特定名額撥予研究附屬法例的小組委員會。儘管在同一期間內運作的條例草案委員會數目限為15個，但若有充分理由，則可有超過一個小組委員會在同一時間運作。遇有多於15個條例草案委員會成立，輪候制度便會自動開始實施。
- (b) 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。當內務委員會會議將某條例草案交付條例草案委員會時，議員可於席上以舉手方式表示參加該條例草案委員會，亦可於該條例草案委員會舉行首次會議前的既定限期內，將回條交回秘書處，以示參加。
- (c) 條例草案委員會的首次會議，由已加入的委員中最資深的議員負責召開。
- (d) 條例草案委員會的主席須由該委員會的委員互選產生。該委員會亦可選舉一名副主席。正副主席的任期應與該委員會的運作期相同。上文守則第20(a)條所載有關正副主席選舉程序的規定亦適用於條例草案委員會。議員倘提名缺席的議員出任某一職位，必須表明已確實獲得該缺席議員接受提名。
- (e) 輪候名單上的條例草案按其提交立法局的先後次序排列。在答應當局所提出將某政府條例草案優先交付條例草案委員會的要求時，議員條例草案的次序不應因此受到影響。同一道理，若某議員條例草案需優先處理，政府條例草案的次序亦不應改變。某條例草案性質急切與否，須由內務委員會決定。

- (g) The House Committee may appoint subcommittees to assist in the consideration of specific subsidiary legislation and issues of public concern which fall outside the purview of Panels.

21. Bills Committees

- (a) The maximum number of Bills Committees and subcommittees on subsidiary legislation should be limited to 16 at any one time. A slot under the quota is specifically designated for subcommittee studying subsidiary legislation. While the maximum number of active Bills Committees is 15, there may be more than one subcommittee in action, if warranted. When more than 15 Bills Committees are formed, a queuing system will automatically be activated.
- (b) A Bills Committee shall consist of not less than three members including the chairman. Members may join a Bills Committee by a show of hands at the House Committee meeting at which a bill is allocated to that Bills Committee, or by submission of returns to the Secretariat by the deadline set before the first meeting of the Bills Committee.
- (c) The most senior Member amongst those who have joined a Bills Committee is responsible for calling the first meeting of the committee.
- (d) The chairman of a Bills Committee shall be elected by the committee from amongst its members. The committee may also elect a deputy chairman. Tenure of chairmanship and deputy chairmanship should be for the life of the Bills Committee. The procedure for election of chairman and deputy chairman as provided in rule 20(a) above shall also apply to Bills Committees. A member who nominates an absent member for an office shall state that the absent member's acceptance of the nomination has been secured.
- (e) The order of Bills Committees on the waiting list is in the order of their introduction into the Legislative Council. In acceding to a request of the Administration for priority activation of a Bills Committee on a Government bill, the order of the Bills Committees on Member's bills should not be affected as a result. Similarly, should a Member's bill be dealt with ahead of other bills, the order of Government bills should not be altered. The decision on whether a bill is urgent rests with the House Committee.

- (f) 某條例草案委員會倘決定暫時擱置條例草案的研究工作(可藉傳閱文件方式，要求議員作出此項決定，並以書面示意)，便應知會內務委員會，並由內務委員會決定輪候中的下一個條例草案委員會應否展開工作。至於工作被暫時擱置的條例草案委員會，通常須待另有時段可供編配時，方可重新進行其研究工作。
- (g) 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，並以書面知會該委員會其商議的結果，以及條例草案委員會是否支持該條例草案，在有需要時，更須說明其大多數委員及少數委員的意見。
- (h) 在立法局通過條例草案，或內務委員會決定解散有關的條例草案委員會時，該條例草案委員會即告解散。
- (i) 條例草案的研究工作應從速進行，並盡可能在展開工作後三個月內完成。若條例草案委員會需要較多時間進行研究，則該委員會的主席應向內務委員會報告，要求將期限延長。
- (j) 條例草案委員會在處理條例草案時，應遵循下述指引：
 - (i) 在可行情況下，委員會應經常舉行會議；
 - (ii) 委員會的委員應盡量出席所有會議，並避免提早退席；
 - (iii) 不應對已全面研議的事項重新展開討論；
 - (iv) 主席應密切監察所負責的條例草案的研究進度。若需暫時擱置某條例草案的研究工作，應向內務委員會提交報告；
 - (v) 當某條例草案的研究工作已達提交報告的階段，在法律顧問及有關委員會建議下，內務委員會可決定將名額騰空，予輪候中的下一條條例草案展開研究。

- (f) Where a Bills Committee decides to hold in abeyance the consideration of a bill (such decision may be invited by circulation and signified in writing), it should notify the House Committee which will decide whether the next Bills Committee in the queue should be activated. A Bills Committee held in abeyance will not normally be reactivated until a vacant slot arises to accommodate its reactivation.
- (g) 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 and whether or not the Bills Committee supports the bill including, where appropriate, the majority and minority views.
- (h) A Bills Committee will be dissolved as soon as the bill it has considered passes through LegCo, or when the House Committee so decides.
- (i) The scrutiny of a bill should be conducted quickly and, whenever possible, be completed within three months of its commencement. Should there be the need for a Bills Committee to work beyond this period, the chairman should report to the House Committee for an extension of the period.
- (j) The following guidelines in the processing of bills should be followed :
 - (i) whenever feasible, committees should meet frequently;
 - (ii) Members who have joined a committee should try to attend all meetings and stay through each meeting;
 - (iii) reopening of discussion on issues on which there has been full deliberation should not be allowed;
 - (iv) chairmen should monitor closely the progress of bills under their consideration. Should there be the need to hold a bill in abeyance, a report should be made to the House Committee;
 - (v) when the scrutiny of a bill has reached the report stage, and upon the recommendation of the Legal Adviser and the committee concerned, the House Committee may decide to vacate the slot for examination of the next bill in the queue.

22. 事務委員會

- (a) 內務委員會決定事務委員會的數目、名稱及職權範圍。除非內務委員會日後另有決定，否則該等既定事項將維持不變。事務委員會一覽表載於附錄V。
- (b) 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。議員可於該事務委員會在立法局會期內召開首次會議前，在既定的限期內將回條交回秘書處，以示參加。事務委員會委員的身分，在事務委員會隨立法局解散而告解散之時終止。議員在其任期內第二個會期及其後的每一會期開始時，有機會重新表明擬加入哪些事務委員會。
- (c) 議員在會期內若不欲繼續留任事務委員會委員，則可請辭。
- (d) 在立法局會期開始後才加入立法局的議員，應在其已告當選為立法局議員之日起計的一個月內，表明擬加入哪些事務委員會。
- (e) 在新一屆立法局開始時，事務委員會的首次會議，應由已加入的委員中最資深的議員負責召開，以便選舉事務委員會的主席。其後所有會議，包括在同一屆立法局為選舉新會期的正副主席而召開的會議，均由在任的主席召開。
- (f) 每一事務委員會的正副主席須由該事務委員會的委員互選產生，其任期直至下一會期的首次會議為止。上文守則第20(a)條所載有關正副主席選舉程序的規定亦適用於事務委員會。議員倘提名缺席的議員出任某一職位，必須表明已確實獲得該名缺席議員接受提名。
- (g) 一般而言，選舉事務委員會正副主席的工作應在每一會期內首次舉行的事務委員會會議進行。

22. Panels

- (a) The number, names and terms of reference of Panels shall be determined by the House Committee. Such will remain unchanged unless decided otherwise by the House Committee. A list of the Panels is at Appendix V.
- (b) A Panel shall consist of not less than six members including the chairman. Members may join a Panel by submission of returns to the Secretariat before the deadline set before the first meeting of the Panel in a Legislative Council session. Panel membership lasts until the Panels are dissolved upon the dissolution of the Legislative Council. Members are given the opportunity to re-signify membership for the Panels at the beginning of each subsequent legislative session in the term.
- (c) A Member who does not wish to remain as member of the Panel may resign from the Panel.
- (d) A Member who joins the Legislative Council after the start of a legislative session should signify membership for the Panels of his/her choice within one month of the date at which he/she is declared elected as Member of the Council.
- (e) The most senior Member amongst those who have joined a Panel is responsible for calling the first meeting of the Panel at the beginning of a new LegCo term, for the purpose of electing the chairman of the Panel. All other subsequent meetings, including those called for the purpose of the election of chairman and deputy chairman for a new session during the same term, will be called by the chairman in office.
- (f) The chairman and the deputy chairman of a Panel shall be elected from amongst its members and shall hold office until the first meeting in the session next following. The procedure for election of chairman and deputy chairman as provided in rule 20(a) above shall also apply to Panels. A member who nominates an absent member for an office shall state that the absent member's acceptance of the nomination has been secured.
- (g) Election of chairman and deputy chairman of a Panel should normally take place at the first meeting of the Panel in a session.

- (h) 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。附錄VI所載的一覽表列出各個與現行事務委員會的工作有關的政府諮詢團體，可供個別事務委員會在決定上述限制應否適用於某些團體時作參考之用。此份一覽表的資料會在每一會期開始之前，或在有需要選舉主席／副主席時，按照最新的情況作出修改。
- (i) 每名議員不得同時出任多於一個事務委員會的主席或副主席。
- (j) 如主席及副主席暫時缺席，事務委員會可在該段缺席期間另選一委員代行主席之職。
- (k) 當某一事務委員會與任何其他事務委員會舉行聯席會議，以研究共同關注的事宜時，有關的事務委員會須決定應由哪一位主席主持該次會議。
- (l) 倘若兩個事務委員會的主席無法就如何處理同時涉及該兩個事務委員會工作範圍的事項取得一致意見，應諮詢內務委員會主席，或當主席缺席時，徵詢副主席的意見，以決定應否由其中一個事務委員會著手處理有關事項，或該兩個有關的事務委員會應否舉行聯席會議。
- (m) 若有超過兩個事務委員會就共同關注的某項議題舉行聯席會議，應諮詢內務委員會主席，或當主席缺席時，徵詢副主席的意見，以決定應否由對該議題最感關注的事務委員會召開會議，並邀請亦關注該議題的其他事務委員會的委員列席，或應否為關注該議題的所有議員安排非正式簡報會。倘若後一項建議獲得採納，與會的議員應互選召集人，而在簡報會開始時，議員應獲提醒，他們在該等簡報會上不會受《立法局(權力及特權)條例》(第382章)保障。
- (n) 關於聯席會議的會議法定人數，在一次聯席會議上，同時隸屬兩個事務委員會的議員，應被視為聯席會議的其中一名委員。會議法定人數將是包括主席在內的聯席會議委員總數的三分之一(整數後的分數不計)。換言之，就委員及會議法定人數而言，每名議員只會被點算一次。

- (h) 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. A list of Government advisory bodies relevant to existing Panels is at Appendix VI. It serves as a reference for individual Panels to determine the specific bodies to which such restriction should apply. The list will be updated before the start of each session or when the need to elect chairman/deputy chairman arises.
- (i) A Member shall not be chairman or deputy chairman of more than one Panel at the same time.
- (j) In the event of the temporary absence of the chairman and deputy chairman, the Panel may elect a chairman to act during such absence.
- (k) When a Panel sits jointly with any other Panel for the purpose of considering any matter of common interest, the Panels shall decide which chairman should chair that meeting.
- (l) If the chairmen of two Panels cannot agree on how an issue straddling the work of the Panels should be handled, the chairman or, in his absence, the deputy chairman of the House Committee should be consulted on whether one of the Panels should take up the issue, or whether the Panels should hold a joint meeting.
- (m) If more than two Panels meet jointly on a subject of common interest, the chairman or, in his absence, the deputy chairman of the House Committee should be consulted as to whether the Panel having a prominent interest in the subject matter should convene a meeting with Members of other interested Panels invited to attend, or whether informal briefings for all interested Members should be held. If the latter option is adopted, a convener should be elected by and from amongst those Members present, and Members should be reminded at the beginning of the briefings that they are not covered by the Legislative Council (Powers and Privileges) Ordinance (Cap. 382) at such briefings.
- (n) For the calculation of quorum, a Member who is member of both Panels at a joint meeting should be counted as one member of the joint meeting. The quorum will be one-third of the membership of the joint meeting including the chairman (a fraction of the whole number being disregarded) i.e. each Member will be counted only once in terms of membership and quorum.

- (o) 在事務委員會聯席會議中，出席的議員進行表決時，會以過半數的意見作決定。不同事務委員會的委員所表達的反對意見，均應予以記錄。
- (p) 在立法局解散後，所有事務委員會即告解散。
- (q) 凡屬重要及／或可能引起爭議的立法或財務建議，在提交立法局或財務委員會前，應先諮詢有關的事務委員會。倘未諮詢有關的事務委員會，內務委員會或財務委員會應決定是否把該建議交付有關的事務委員會研究。
- (r) 事務委員會通常不應處理立法局申訴制度之下的個別個案，但可研究該等個案所涉及的政策事宜。
- (s) 事務委員會可成立小組委員會，以研究特定事宜及向事務委員會提交報告。小組委員會的委員應來自該事務委員會。

23. 逾期申請為事務委員會／委員會委員

若議員以當時身體不適或不在本港為理由，在限期過後才申請參加事務委員會或條例草案委員會，其申請獲接納與否，須由有關的事務委員會或條例草案委員會主席決定。

24. 舉行會議事宜的指引

- (a) 在一般情況下，應按以下時段編定會議，每次為時兩小時：

上午八時三十分至上午十時三十分
上午十時四十五分至下午十二時四十五分
下午二時三十分至下午四時三十分
下午四時三十分至下午六時三十分

[一般而言，星期六下午及公眾假期不會舉行會議。]

- (b) 為使議員可出席所加入事務委員會／委員會的所有會議，應盡量避免編排兩個會議在同一時段內舉行。

- (o) For joint Panel meetings, voting should be done by simple majority of the members present at the joint meeting. Dissenting views expressed by members of different Panels should be recorded.
- (p) All Panels will be dissolved upon dissolution of the Legislative Council.
- (q) The relevant Panel should be consulted first before a major and/or potentially controversial legislative or financial proposal is introduced into the Legislative Council or the Finance Committee. In the event that the relevant Panel has not been consulted, the House Committee or Finance Committee shall decide whether to refer the proposal to the relevant Panel for consideration.
- (r) Panels should not normally deal with individual cases handled under the LegCo Redress System except in respect of the policy issues arising therefrom.
- (s) A Panel may form subcommittees to study specific issues and report to the Panel. Members of the subcommittees shall consist of members of that Panel.

23. Late Membership of Panels/Committees

It is for the chairman of a Panel or a Bills Committee to decide whether to accept late membership on grounds of indisposition or absence from Hong Kong.

24. Guidelines for the Conduct of Meetings

- (a) Meetings should normally be arranged within two-hour time slots as follows :-

8:30 a.m. - 10:30 a.m.
10:45 a.m. - 12:45 p.m.
2:30 p.m. - 4:30 p.m.
4:30 p.m. - 6:30 p.m.

[Meetings are normally not held on Saturday afternoons and public holidays.]

- (b) To enable Members to participate in all meetings of the Panels/committees they have joined, efforts should be made as far as practicable to avoid scheduling two meetings within the same time slot.

- (c) 事務委員會／委員會的會議預告須以書面作出，說明舉行會議的日期、時間及地點；每次會議的書面預告，必須由秘書於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。
- (d) 所有立法局議員，不論是否有關的事務委員會／委員會的委員，均可出席該事務委員會／委員會的會議，其意見可獲收錄於有關的事務委員會／委員會會議紀要中。
- (e) 事務委員會／委員會秘書須在會議前盡早發出會議議程及與需於席上考慮事項有關的文件。
- (f) 議員應將覆實是否出席會議的回條交回事務委員會／委員會秘書，否則在決定出席者是否達到會議法定人數時，未有交回回條的議員會被視為缺席。凡參加會議的議員均應準時出席。有可能逾時抵達會場的議員，應盡早通知秘書處。
- (g) 除非在指定開會時間起計15分鐘內，出席會議的委員達到會議法定人數，否則會議不會舉行。
- (h) 委員會主席將在首次會議時，預計日後所需的開會次數，並訂出該等會議的暫定日期，以便議員可即時存記其後的開會日期，方便預留時間出席。在通常情況下，每個委員會不應一次過預訂超過三個時段。事務委員會可於每一立法局會期開始時，訂出其在該會期內各次會議的暫定日期。
- (i) 主席將盡可能事先決定每次會議各議項可進行討論的時限，並會事先知會所有參加者；會上進行討論時，須顧及已訂定的時限。應邀出席會議的外界人士亦會預先獲通知所訂的討論時限，以方便各有關人士事先策劃。
- (j) 除非獲得該事務委員會／委員會准許，事務委員會／委員會決定的事項將不會重新提出討論。
- (k) 在有需要時，主席應提醒議員、政府人員及代表團成員在委員會會議上發言時盡量避免中英語夾雜，以方便即時傳譯員工作。

- (c) Notice of meetings of Panels/committees shall be in writing, stating the date, time and place at which the meeting is to be held and shall be given by the clerk at least three days before the day of the meeting, but shorter notice may be given in any case where the chairman so directs.
- (d) All Members, irrespective of whether they are members of that Panel/committee, may attend the meetings of the Panel/committee, and their views may be recorded in the minutes of meetings of the Panel/committee concerned.
- (e) Agenda and papers in connection with matters requiring consideration at a meeting shall be issued by the clerk as early as practicable before the meeting.
- (f) Members should confirm their attendance by returning the reply slips to the clerk to a Panel/committee, or their absence will be assumed for the purpose of determining whether a quorum will be constituted. Members should be punctual at meetings, and those who may be late for a meeting should inform the Secretariat as early as practicable.
- (g) Unless a quorum is present within 15 minutes of the time appointed for the meeting, the meeting will not be held.
- (h) At the first meeting of a committee, the chairman will anticipate the number of subsequent meetings required and set tentative dates for the subsequent meetings so that Members may take note of the dates from the outset to facilitate attendance. In normal circumstances, a committee should not book more than three time slots at a time. A Panel may, at the beginning of a Legislative Council session, set tentative dates for meetings in that session.
- (i) The chairman will, as far as practicable, decide beforehand the time allowed for each particular item on the agenda of each meeting. This will be notified to all participants in advance. Discussions at meetings will have regard to the time allowed. Outsiders invited to attend will be informed of the duration in advance in order to facilitate planning for all concerned.
- (j) The decisions of a Panel/committee should not be re-opened for discussion, unless with the permission of the Panel/committee.
- (k) The chairman, whenever necessary, should remind Members, Government officials and deputations to refrain from using "cocktail language" at committee meetings so as to facilitate the work of the simultaneous interpreters.

- (l) 倘獲立法局授予《立法局(權力及特權)條例》(第382章)第9(2)條的權力，以命令任何人到其席前，並按該條例第9(1)條的規定作證，則委員會應參考先前個案所採用的程序，以決定處理當前個案的程序。立法局在一九九四年五月二十五日通過載於附錄VII的決議案，當中列明對於任何人士應訊出席立法局某委員會會議時所提出有關「公眾利益特權」的要求，作出決定的慣例及行事方式。
- (m) 會議場地若可容納，除非《會議常規》另有訂明，否則須准許公眾人士列席旁聽事務委員會／委員會所有公開會議，惟須遵守根據《立法局(權力及特權)條例》(第382章)第8條所發出「規限獲准進入立法局大樓的人士及其行為的行政指令」的各項規定。倘若決定進行閉門會議，則應盡可能提早給予預告。
- (n) 關於公開舉行的會議：
 - (i) 秘書處會向旁聽會議的傳播界人士／公眾人士提供該次會議的議程及有關文件，但就提供文件而言，必須獲得文件撰寫人的同意。
 - (ii) 若屬內務委員會的會議，則只會向旁聽會議的傳播界人士／公眾人士提供該次會議的議程。
- (o) 事務委員會／委員會舉行會議期間，倘若主席察覺某公眾人士行為不檢或相當可能有不檢行為，則主席有權徵詢委員會同意，命令該人士離開會場，或在急切情況下，命令將該人士驅離會場。
- (p) 主席可在事務委員會／委員會同意下，在若干程度上靈活應用上述指引。

25. 會議紀要

- (a) 委員會秘書須按委員會決定的方式製備會議紀要。在一般情況下，秘書處不會為委員會的會議過程製備逐字記錄本，但引用《立法局(權力及特權)條例》(第382章)第9(2)條而進行的研訊除外。

- (l) Where power under Section 9(2) of the Legislative Council (Powers and Privileges) Ordinance (Cap. 382) has been sought from the Council to order any person to attend before a committee and to give evidence under Section 9(1) of the Ordinance, the committee should make reference to the procedures adopted in previous cases and determine its procedures for that particular case. A resolution which sets out the usage and practice in regard to the determination of claims of “public interest privilege” made by persons appearing before a committee of the Council, endorsed by the Council on 25 May 1994, is at Appendix VII.
- (m) Except as stated in the Standing Orders, and subject to the provisions in the Administrative Instructions for Regulating Admittance and Conduct of Persons issued under Section 8 of the Legislative Council (Powers and Privileges) Ordinance (Cap. 382), the public shall be admitted to all open Panel/committee meetings so far as there is accommodation. Wherever possible, prior notice of a decision to sit in private should be given.
- (n) Where meetings are held in public :
 - (i) The Secretariat will provide the media/public observing the meetings with the agenda and papers, the latter subject to the agreement of their authors.
 - (ii) For House Committee meetings, only the agenda will be made available to the media/public admitted to the meetings.
- (o) If at a meeting of a Panel/committee the chairman notices that a member of the public is behaving or is likely to behave in a disorderly manner, the chairman is entitled to seek the agreement of the committee to remove that person, or in urgent cases, to order the removal of such person.
- (p) The chairmen may, with the agreement of Panels/committees, exercise some flexibility in applying the above guidelines.

25. Minutes of Meetings

- (a) The clerk to a committee shall keep the minutes of the meetings of the committee in a manner determined by the committee. Normally, verbatim records will not be made of the proceedings of a committee except in the case of an enquiry for which Section 9(2) of the Legislative Council (Powers and Privileges) Ordinance (Cap. 382) has been invoked.

- (b) 至於與公眾人士會晤以聽取其意見的會議，則會要求有關人士盡可能在會議前提交意見書，否則亦會在會議完結時請他們用書面載述希望議員注意的要點。會議結束後，曾於會前提交意見書的人士亦有機會以書面補述其意見書未有提及的事項。其後，該等書面意見將會送交議員參閱。
- (c) 在一般情況下，與當局及外界人士舉行會議的會議紀要，將毋須送交當局及外界人士核正。
- (d) 雖然有上文第(b)及(c)段的規定，委員會主席倘認為將會議紀要或其中任何部分送交曾與議員開會的人士閱覽將有助於委員會的工作，則可酌情作出決定。
- (e) 每次會議紀要的擬本須在下一次會議中通過作實。
- (f) 委員會所有會議將全部錄音；除非有關委員會另有指示，否則錄音可於一年後抹掉。
- (g) 公開舉行的會議，其會議紀要會存放於中區政府合署西座立法局圖書館，以供市民查閱。

26. 內務委員會、條例草案委員會或事務委員會轄下小組委員會

在適當情況下，守則第20至25條所載的行事方式及程序，將適用於隸屬內務委員會、條例草案委員會或事務委員會之下的小組委員會。

27. 在委員會會議後舉行的新聞簡報會

- (a) 一般而言，秘書處不會為公開舉行的會議安排新聞簡報會。至於閉門會議，倘若個別事務委員會／委員會／小組委員會決定在會議後舉行新聞簡報會，可由主席聯同其他成員進行簡報。在舉行簡報會前，主席應與出席事務委員會／委員會／小組委員會會議的委員商定將會發表的簡報內容。
- (b) 新聞簡報會通常在立法局大樓二樓的記者採訪室舉行。在簡報會進行期間，傳播界可自由發問、拍照或錄影。

- (b) For meetings at which representations from the public are received, members of the public will be asked to make submissions in writing, if possible before the meetings; otherwise they will be asked at the end of the meetings to put in writing the points they would like Members to take note of. Those who have put in written submissions prior to the meetings will also be provided with the opportunity to make further written submissions after the meetings on points not covered in the earlier submissions. The written submissions will then be circulated for Members' reference.
- (c) Minutes of meetings with the Administration and outside parties need not normally be cleared with them.
- (d) Notwithstanding (b) and (c) above, chairmen have discretion to decide whether the minutes or any part thereof should be shown to those who have attended the meetings with Members if, in the chairmen's opinion, it will facilitate the work of the committee.
- (e) The draft minutes of a meeting will be confirmed at a subsequent meeting.
- (f) All meetings will be tape-recorded and the recording may be erased in one year's time unless directed otherwise by the respective committees.
- (g) The minutes of meetings held in public are made available for inspection by the public at the LegCo Library at Central Government Offices, West Wing.

26. Subcommittees of the House Committee, Bills Committees or Panels

The practices and procedures set out in rules 20 to 25 shall apply, where appropriate, to subcommittees of the House Committee, Bills Committees or Panels.

27. Post-Committee Meeting Press Briefings

- (a) Press briefings are normally not arranged for meetings held in public. For those meetings which are held in private, post-meeting press briefings may be given by the chairman together with other members if so decided by the respective Panel/committee/subcommittee. Before such briefings, the chairman should reach an agreed press line with the Panel/committee/subcommittee members present.
- (b) Press briefings are normally held in the Press Room on the First Floor of the Legislative Council Building. The media are free to ask questions, take pictures or do filming during briefings.

28. 熱帶氣旋及黑色暴雨警告生效期間的安排

- (a) 當懸掛一號戒備信號或三號強風信號，或當紅色暴雨警告生效時，所有會議將繼續如期舉行。
- (b) 倘若八號烈風信號或黑色暴雨警告在會議的原定時間兩小時前懸掛及／或仍然有效，則除非有關會議的主席另有指示，否則所有會議將予取消。倘若八號烈風信號在委員會或小組委員會會議進行期間懸掛，有關的委員會或小組委員會主席應結束該次會議。倘為黑色暴雨警告，則有關的委員會或小組委員會主席應決定結束會議或繼續舉行會議。

29. 在本港進行的訪問活動

- (a) 各事務委員會／委員會或小組委員會不時安排訪問活動，使議員能就所關注及與立法局事務有關的事項或機構，取得第一手資料。
- (b) 訪問的日期及程序，由個別事務委員會／委員會或小組委員會的主席與有關的事務委員會／委員會或小組委員會委員及接待機構商議後訂定。訪問時間應盡可能不超過三小時。
- (c) 議員應在指定期限前表明是否參與某項訪問活動。
- (d) 倘若在截止日期前報名的議員不足三人，或臨出發前有議員退出，以致訪問議員人數不足三人，主席會徵詢其他議員或接待機構的意見，決定取消原定訪問或延期舉行。
- (e) 秘書處應將退出某項訪問活動的議員姓名記錄在案。

整體聯繫活動

30. 與布政司及財政司舉行會議

議員定期聽取布政司或財政司就專題事項及市民關注的事宜作概括的簡報。此等會議通常在星期五上午舉行。

28. Arrangements during Tropical Cyclones and Rainstorm Black Warning

- (a) All meetings shall continue to be held when Storm Signal No. 1 or No. 3 is hoisted, or when a Rainstorm Red Warning is in force.
- (b) Unless directed otherwise by the chairmen concerned, all meetings shall be cancelled if Storm Signal No. 8 or Rainstorm Black Warning is hoisted and/or remains in force two hours before the appointed time of the meeting. If Storm Signal No. 8 is hoisted while a meeting of the committee or subcommittee is in progress, the chairman of the committee or subcommittee as appropriate should close the meeting. In the case of a Rainstorm Black Warning, the chairman should decide whether to close or continue with the meeting.

29. Local Visits

- (a) Visits are conducted from time to time by Panels/committees or subcommittees to enable members to gain first-hand information on issues or organisations of interest to them in connection with Council business.
- (b) The timing and programme of visits are decided by the respective chairmen in consultation with members of the Panels/committees or subcommittees concerned and the host organisations. The duration of a visit should be kept to within three hours as far as possible.
- (c) Members should indicate their availability for a visit before a set deadline.
- (d) The chairman will, in consultation with other members or the host organisation, determine whether a scheduled visit should be cancelled or postponed if less than three members have signed up by the deadline, or where last-minute withdrawals deplete the visiting party to less than three members.
- (e) The Secretariat should keep a record of the Members who withdraw from such visits.

CORPORATE LIAISON

30. Meetings with the Chief Secretary and the Financial Secretary

On a periodic basis, Members receive general briefings by the Chief Secretary or the Financial Secretary on topical issues and matters of public interest. These meetings normally take place on Friday mornings.

31. 各決策科首長就總督施政報告舉行簡報會

在新一屆立法局首個會期開始時，為議員而設的各個簡報會，一般會於施政報告發表後的一星期內舉行。任期內第二個會期及其後會期的簡報，會於施政報告發表後不久，各事務委員會召開的一次會議上舉行。所有議員，不論是否事務委員會委員，均可參加此等簡報會。

32. 與區議會舉行會議

- (a) 立法局議員每隔三星期與區議員舉行閉門會議及共進午餐，以便就彼此關注的事項進行討論及交換意見。
- (b) 會議日期可在每年年初暫訂，而會議的確實日期則由有關的區議會與立法局秘書處雙方議定，惟立法局議員與區議員須獲得足夠時間的預告。
- (c) 會議時間通常由上午十時四十五分至下午十二時四十五分，然後共進午餐，直至下午二時。
- (d) 立法局議員分成若干組，輪流與區議員舉行會議。由地方選區選出的議員，在與其所屬選區的區議會舉行會議時，以當然成員身分出席。
- (e) 議員須輪流擔任會議的召集人。
- (f) 倘區議會提出要求，個別議員可能獲邀請出席某次會議。
- (g) 每次會議應有最少五名立法局議員出席，當值的議員應盡量出席此等會議／午餐聚會。
- (h) 倘報名參加某次會議的議員不足五人，則秘書處聯絡的其他議員應盡量出席，以確保可以達到會議的最低規定人數。
- (i) 應諮詢有關的區議會，以便在會議前擬備正式議程。
- (j) 在會議後須向區議會發出會議紀要。
- (k) 議員在會議上討論的事項，會視乎情況，交由負責研究有關政策的事務委員會或申訴部跟進處理。

31. Briefings by Policy Secretaries on the Governor's Policy Address

Briefings for Members in the first session of a new term are normally held within the first week of the Policy Address. Briefings for the second and subsequent sessions of a term are conducted at a meeting of the respective Panels shortly after the Policy Address. Such briefings are open to all Members irrespective of Panel membership.

32. Meetings with District Boards

- (a) Meeting-cum-luncheons are held in camera with District Board (DB) members at three-weekly intervals to discuss and exchange views on matters of mutual interest.
- (b) Tentative dates of the meetings can be drawn up at the beginning of the year, but the exact dates can be fixed mutually between the respective DBs and the Secretariat, subject to sufficient notice being given to members on both sides.
- (c) The meeting time is normally from 10:45 a.m. to 12:45 p.m., followed by lunch up to 2:00 p.m.
- (d) Members are divided into groups to meet with DB members on a roster system. Members who are elected from geographical constituencies are ex-officio members at the meeting with the DBs of their constituencies.
- (e) Members convene meetings by turn.
- (f) Upon the request of DBs, individual Members may be invited to attend a particular meeting.
- (g) Each meeting should be attended by a minimum of five Members. Members scheduled on the roster should make themselves available to attend these meetings/luncheons.
- (h) If the number of Members who have signed up for a meeting is less than five, other Members approached by the Secretariat should make an effort to attend the meeting to ensure that the minimum attendance is met.
- (i) A formal agenda for the meeting should be prepared in consultation with the DB concerned prior to the meeting.
- (j) Minutes of meetings are to be issued to the DBs after the meetings.
- (k) Matters discussed at the meetings are followed up by the relevant policy Panels or the Complaints Division as appropriate.

- (1) 秘書處會就席上所提事項及跟進工作與當局聯絡，而有關會議／午餐聚會的召集人則會親自代表出席的議員向該區議會匯報結果。

33. 議員會晤訪港外賓

- (a) 議員輪流接待訪港外賓，大部分外賓為其他立法機關的議會人員。輪值名冊與議員處理市民申訴及請願事宜的輪值表相同。
- (b) 全體議員均獲通知此等會晤安排，以便感興趣的非當值議員亦可參與。
- (c) 此等會晤並非公開進行。

- (l) While the Secretariat will liaise with the Administration on the issues raised and the follow-up action to be taken, the convener of the meeting/luncheon will report back to the DB personally, on behalf of Members present.

33. Meetings with Overseas Visitors

- (a) Members take turn to receive overseas visitors, a majority of whom being parliamentarians of other legislatures. The roster is the same as that for the handling of public complaints and representations.
- (b) All Members are notified of such meetings so that interested Members not on the duty roster may also participate.
- (c) These meetings are not open to the public.

選舉立法局主席的程序

立法局主席的選舉，須於立法局解散後新一個會期的首次會議上進行。

2. 立法局秘書須於選舉日至少七整天前邀請議員提名立法局主席一職的人選，並將**附件I**的提名表格分發給各議員。

3. 立法局主席的提名表格須由一名作為提名人的議員，以及另外至少三名作為附議人的議員簽署。獲提名的議員須在表格上簽署以示接受提名。表格填妥後，須在選舉日至少四整天前送達立法局秘書辦事處。

4. 任何議員無論屬於被提名人、提名人或附議人的身分，其姓名均不得出現在多於一張提名表格之上。如某位議員的姓名出現在多於一張提名表格之上(不論是被提名人、提名人或附議人的身分)，則只有立法局秘書辦事處接獲的首張提名表格方為有效，立法局秘書須隨即把失效的表格送回提名人。

5. 截止提名後，立法局秘書須擬備一份名單，按其接獲有效提名表格的先後次序列出所有候選人的姓名，並於選舉日至少兩整天前將名單分發給立法局所有議員。

6. 選舉立法局主席時，須由出席會議的議員中連續擔任議員時間最長者主持。如有兩名或以上議員連續擔任議員的時間相同，則根據《會議常規》第1條的規定最早宣誓的議員，須主持選舉。

7. 如根據上文第6段連續擔任議員時間最長的該名議員獲提名候選立法局主席一職，則下一名最早宣誓而又未獲提名為候選人的議員，須主持選舉。

8. 選舉主席時，主持選舉的議員須宣布接獲的全部有效提名。

**Procedure for the
Election of the President of the Legislative Council**

The election of the President of the Legislative Council shall be conducted at the first sitting of the Council in a new session after dissolution.

2. Not less than seven clear days before the day of the election, the Clerk to the Legislative Council shall invite Members to make nominations for the office of President and distribute the nominations forms as provided in **Annex I**.
3. A nomination form for the office of President shall be signed by a Member making the nomination and by at least three other Members seconding the nomination. The Member being nominated shall sign on the form to indicate acceptance of the nomination. The completed nomination form shall reach the Clerk's office at least four clear days before the day of the election.
4. The name of a Member shall not appear on more than one nomination form, whether in the capacity as a Member being nominated, or as a Member making the nomination, or as a Member seconding the nomination. In the event that a Member's name appears on more than one nomination form (whether in the capacity as a Member being nominated or as a Member making the nomination, or as a Member seconding the nomination) only the first such nomination form received by the Clerk's office shall be valid and the Clerk shall immediately return any invalid form to the Member who made the nomination.
5. Upon the close of the nomination period, the Clerk shall prepare a list of all the valid nominations in the order of receipt by his office and shall distribute the list to all the Members of the Council at least two clear days before the day of the election.
6. The Member present who has the longest continuous service in the Council shall be the Presiding Member at the election of the President. If two or more Members have held office for an equal continuous period of time, the Member who first made or subscribed the oath or affirmation under Standing Order No 1 shall be the Presiding Member.
7. If the Member who has the longest continuous service under paragraph 6 above is himself/herself being nominated for the office of President, the Member who next made or subscribed the oath or affirmation and who is not being nominated for the office shall be the Presiding Member.
8. At the election of the President, the Presiding Member shall announce all the valid nominations received.

9. 如只有一項有效提名，則主持選舉的議員須如是宣布，並宣布該名候選人當選。
10. 如有兩項或更多的有效提名，則主持選舉的議員須命令進行無記名投票，並指示立法局秘書發給每名出席會議的議員一張選票，選票的格式如**附件 II**所示。所有候選人的姓名須按立法局秘書辦事處接獲提名的先後次序，列於選票上。
11. 每名出席會議的議員只須在選票上其屬意的候選人姓名旁邊的空格內劃上「✓」號，並將選票放進投票箱。任何未劃上「✓」號或劃有多於一個「✓」號的選票，將會作廢。
12. 所有出席會議的議員投票後，立法局秘書須在全體出席會議的議員面前點算選票，並向主持選舉的議員報告點票結果；該名主持選舉的議員須核對點票結果，予以確認。
13. 主持選舉的議員須宣布各候選人之中獲最高票數的一名候選人當選為立法局主席。
14. 如兩名或以上候選人獲相同最高票數，則主持選舉的議員須命令在同一次會議上，按上文第10至13段所規定的方法，對該等候選人進行第二輪投票。
15. 如在第二輪投票中未有一名候選人獲得的票數較其他任何候選人為高，則主持選舉的議員須宣布其將以抽籤方式決定如何對此輪投票中獲相同最高票數的候選人投決定性的一票。
16. 主持選舉的議員將隨即進行抽籤，並按結果對其中一名候選人投決定性的一票。主持選舉的議員須隨即宣布該名候選人當選為立法局主席。
17. 隨後，主持選舉的議員須讓位於立法局主席。立法局主席可向立法局陳詞，然後視乎情況，著手處理會議事項、宣布休會、或暫停舉行會議。

9. If there is only one valid nomination, the Presiding Member shall announce this and declare the candidate elected.

10. If there are two or more valid nominations, the Presiding Member shall order a vote by secret ballot and shall direct the Clerk to distribute to each of the Members present a ballot paper which shall be in accordance with the form in **Annex II**. The names of all the candidates shall be listed in the ballot paper according to the order of receipt of their nominations by the Clerk's office.

11. Each Member present shall mark a "✓" only in the box opposite the name of the candidate of his/her choice on the ballot paper, and place the ballot paper into the ballot box. Any ballot paper not marked or marked with more than a "✓" shall be discarded.

12. After all the Members present have cast their votes, the Clerk shall count the ballot papers in front of all the Members present and report the results to the Presiding Member who shall check the results for confirmation.

13. The Presiding Member shall declare elected as the President the candidate who receives the highest number of votes among all the candidates.

14. If two or more candidates receive the same highest number of votes, the Presiding Member shall order a second round of voting at the same sitting in respect of these candidates, to be conducted in the same manner as provided in paragraphs 10 to 13 above.

15. If no one candidate obtains more votes than any other candidate in the second round of voting, the Presiding Member shall announce that a lot will be drawn by him/her to decide how he/she shall give the casting vote in respect of the candidates who received the same highest number of votes in this round of voting.

16. The Presiding Member shall then draw a lot and give the casting vote to one of the candidates in accordance with the result of the drawing of the lot. The Presiding Member shall forthwith declare that candidate elected as the President.

17. The Presiding Member shall then step down to make way for the President, who may address the Council, and shall then proceed with the business of the sitting or adjourn the sitting or suspend the sitting, as the case may be.

18. 如立法局主席在立法局任期內辭去此職位，但仍然出任議員，則立法局主席的改選須最遲於接獲其辭職通知後的第三次立法局會議上舉行。在任立法局主席除非已正式離任，否則須決定改選的日期及主持選舉；如在任立法局主席已正式離任，則立法局代理主席將決定改選的日期及主持選舉。如立法局代理主席獲提名為立法局主席的候選人，則出席會議的議員中連續擔任議員時間最長，而又未獲提名者，須主持選舉。

19. 如立法局主席在立法局任期內不再擔任立法局議員，則立法局代理主席須命令盡早在立法局會議上進行立法局主席的改選。是次改選最遲須於填補因立法局主席不再擔任立法局議員而出現的空缺的議員履任後第三次立法局會議上舉行，並由立法局代理主席主持。如立法局代理主席獲提名為立法局主席的候選人，則出席會議的議員中連續擔任議員時間最長，而又未獲提名者，須主持選舉。

18. If, in the course of a term of the Legislative Council, the President resigns from office but remains a Member of the Council, a re-election of the President shall be conducted not later than at the third sitting of the Council following the receipt of the resignation. The incumbent President shall determine the day of the election and shall preside at the election unless his resignation from the office of President has already come into effect, in which case the President's Deputy shall determine the day of the election and shall preside at the election. If the President's Deputy is being nominated for the office of President, then the Member present who has held office as a Member for the longest continuous period of time and who is not being nominated for the office shall preside.

19. If, in the course of a term of the Legislative Council, the President ceases to be a Member of the Council, a re-election of the President shall be conducted at a sitting of the Council as soon as practicable by order of the President's Deputy. The re-election shall be held not later than at the third sitting of the Council following the assumption of office by the Member filling the vacancy arising from the President's ceasing to be a Member of the Council. The President's Deputy present shall preside at the election. If the President's Deputy is being nominated for the office of President, then the Member present who has held office as a Member for the longest continuous period of time and who is not being nominated for the office shall preside.

致：立法局秘書

立法局主席選舉
提名表格

1. 本人謹按立法局內務委員會根據《會議常規》第3A(7)條決定的選舉立法局主席程序，提名_____議員為立法局於_____年_____月開始的一屆任期的立法局主席。

	姓 名	簽 署
提名的議員	_____	_____
附議的議員 (最少三名)	_____	_____
	_____	_____
	_____	_____
	_____	_____
	_____	_____
	_____	_____
	_____	_____
	_____	_____
	_____	_____
	_____	_____

日期：_____

2. 本人謹此接受提名。

	姓 名	簽 署
獲提名的議員	_____	_____

日期：_____

To : Clerk to the Legislative Council

Election of the President of the Legislative Council

Nomination Form

1. In accordance with the procedure determined by the House Committee of the Legislative Council under Standing Order No 3A(7), I nominate the Honourable _____ for the office of President of the Legislative Council for the term of the Legislative Council commencing _____(month) ____ (year).

	<u>Name</u>	<u>Signature</u>
Member making the nomination	_____	_____
Members seconding the nomination (at least three)	_____	_____
	_____	_____
	_____	_____
	_____	_____
	_____	_____
	_____	_____
	_____	_____
	_____	_____
	_____	_____
	_____	_____

Date : _____

2. I accept the nomination.

	<u>Name</u>	<u>Signature</u>
Member being nominated	_____	_____

Date : _____

立法局主席選舉

選票

選舉日期：_____

只可選一名候選人

請在屬意的候選人
姓名旁邊的空格內
劃上「✓」號



候選人姓名

1		
2		
3		
4		
5		

註：如候選人的數目少於或多於五名，則選票的最終格式會作相應修改。

Election of the President of Legislative Council

Ballot Paper

Date of election: _____

VOTE FOR ONE CANDIDATE ONLY

MARK "✓" IN BOX OPPOSITE
NAME OF CANDIDATE OF YOUR CHOICE

Name of candidate

1		
2		
3		
4		
5		

Note: If there are more or less than five candidates the final form of the Ballot Paper will be amended accordingly.

在點名表決時動議
將表決作廢的議案的程序

1. 辯論結束後，立法局主席或全體委員會主席提出待決議題，交由立法局或全體委員會表決。
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，根據他所判斷可者或否者的數目，說出他「以為可者佔多」或「以為否者佔多」，視屬何情況而定。
3. 議員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，並要求進行點名表決。
4. 立法局主席或全體委員會主席命令立法局或全體委員會進行點名表決；而點名表決鐘聲將響起三分鐘。
5. 議員如欲根據《會議常規》第65(2)條，以另一位議員有直接金錢利益為理由，動議將該議員的表決作廢的議案，即私下將他的用意以書面通知立法局主席或全體委員會主席，該通知書可在表決前的任何時間遞交，並寫明他提議將其表決作廢的議員的姓名，以及簡單說明動議議案的理由。

有意動議這項議案的議員，亦應以書面通知擬將其表決作廢的議員，簡單說明動議議案的理由。後者若打算澄清有關事項，可藉此機會提出。如果有意動議議案的議員在該事項獲澄清後決定不動議議案，則應再以書面知會立法局主席或全體委員會主席有關決定。

6. 在議員進行表決，並已確定他們對使用電子表決系統沒有任何問題後，立法局主席或全體委員會主席命令立法局或全體委員會秘書印出表決結果，顯示每一位議員作何表決，以確定其「表決」受到質疑的議員是否確實有參與表決。

(這個程序需時約40秒)

7. 如「表決」受到質疑的議員在點名表決時沒有表決，立法局主席或全體委員會主席將立即宣布點名表決的結果。

**Procedure on the Moving of Motions
for the Disallowance of Votes during a Division**

1. At the end of a debate, the President or Chairman puts the question to the Council or the Committee.
2. Having collected the voices of the Ayes and of the Noes, the President or Chairman, according to his judgement of the number of voices on either side, states that he “thinks the Ayes have it” or that he “thinks the Noes have it” as the case may be.
3. A Member challenges the statement of the President or Chairman that he thinks the Ayes or Noes have it by claiming a division.
4. The President or Chairman orders the Council or the committee to proceed to a division; and the division bell will ring for three minutes.
5. The Member who wishes to move a motion under Standing Order No. 65(2) for the disallowance of another Member’s vote on the ground of the latter’s direct pecuniary interest gives private notice in the form of a written note, which may be delivered at any time before the casting of votes to the President or Chairman of his intention, giving the name of the Member whose vote is proposed to be disallowed, and a brief statement of the ground for moving the disallowance motion.

The Member wishing to move such a motion will also give a written note to the Member whose vote is proposed to be disallowed, giving a brief statement of the ground for moving the motion. This gives the opportunity to the latter, if he so wishes, to clarify matters. Should the Member intending to move the motion decide otherwise in the light of the clarifications given, he should give a further written note to the President or Chariman informing him of his decision.

6. After Members have cast their votes and having ascertained from Members that they do not have any problems with the electronic voting system, the President or Chairman instructs the Clerk to provide a print-out of the voting result showing the votes cast by individual Members, with a view to ascertaining whether the Member whose “vote” is challenged has acturly participated in the voting.

(This process takes about 40 seconds.)

7. If the Member whose “vote” is challenged has NOT cast his vote during the division, the President or Chairman shall declare the result of the division straightaway.

如「表決」受到質疑的議員在點名表決時確實有表決，則會採取本程序第8至13項的步驟。

8. 立法局主席或全體委員會主席說出在點名表決中表決的議員人數。
9. 立法局主席或全體委員會主席宣布他接獲某議員私下向其作出的通知，謂有意根據《會議常規》第65(2)條動議議案，以另一位議員有直接金錢利益為理由而將其表決作廢。
10. 立法局主席或全體委員會主席叫喚該有關議員動議將另一位議員的表決作廢的議案。
11. 立法局主席或全體委員會主席根據《會議常規》第65(3)條的規定，決定是否提出將表決作廢的待議議題。
12. 提出將該議員的表決作廢的待議議題後，該有關議員會根據《會議常規》第65(4)條的規定，在立法局或全體委員會會議上作出解釋，但隨後他須於辯論該議題及就該議題進行表決時退席。
13. 立法局或全體委員會就將該議員的表決作廢的議題進行辯論，然後在該待決議題提出後進行表決。

If the Member whose "vote" is challenged has actually cast his vote during the division, steps 8 to 13 of this procedure will be followed.

8. The President or Chairman states the number of Members voting in the division.
9. The President or Chairman announces the fact that he has received private notice from a Member of his intention to move a motion under Standing Order No. 65(2) for the disallowance of another Member's vote on the ground of direct pecuniary interest.
10. The President or Chairman calls upon the Member to move his motion on the disallowance of the other Member's vote.
11. The President of Chairman decides whether or not to propose the question upon the disallowance motion having regard to the provisions of Standing Order No. 65(3).
12. If the question for the disallowance of a Member's vote is proposed, the Member concerned will, in accordance with Standing Order No. 65(4), 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.
13. Council or Committee debates on the question on the disallowance of the vote cast by the Member, followed by voting on the question after the question is put.

要求主席准許無經所需預告而提出質詢
——《會議常規》第17(4)條

根據《會議常規》第17(4)條，本人擬於_____年
_____月_____日立法局會議上，無經所需預告而提出附載的質詢，
理由如下：

(說明理由)

本人認為，基於上述理由，此乃性質急切及與公眾有重大關係的
事項。

本人已於_____年_____月_____日上午／下午_____時
_____分就有關質詢私下向政府(布政司、財政司、律政司、
_____司)作出預告。

(有關議員簽署)

日期：_____

* 請填上適用的政府人員職銜

Legislative Council

**Request to President for Permission to ask a
Question without the Required Notice - Standing Order No. 17(4)**

At the sitting on _____ and in accordance with Standing Order No. 17(4), I request permission to ask the question attached without the required notice on the grounds that

(description of grounds)

I consider these grounds to be of an urgent character relating to a matter of public importance.

Private notice of the question has been given to the Government (Chief Secretary, Financial Secretary, Attorney General, Secretary for _____) at _____ a.m./p.m. on _____.

Signed (Member)

Date _____

* Insert Government official(s) as appropriate

選舉內務委員會主席的程序

內務委員會主席的選舉須在內務委員會會議上進行。

2. 如選舉在新一屆立法局的首次內務委員會會議上進行，則出席會議的議員中連續擔任議員時間最長者須主持選舉。如有兩名或以上議員連續擔任議員的時間相同，則根據《會議常規》第1條的規定最早宣誓的議員須主持選舉。
3. 如根據上文第2段連續擔任議員時間最長的該名議員缺席或獲提名候選委員會主席一職，則下一名最早宣誓而又未獲提名為候選人的議員，須主持選舉。
4. 在任何其他情況下選舉內務委員會主席時，在該次選舉前擔任委員會主席的議員須主持選舉。如該名議員缺席或獲提名候選委員會主席一職，則在該次選舉前擔任委員會副主席的議員須主持選舉。如在該次選舉前擔任委員會正副主席的議員均缺席，或獲提名候選委員會主席一職，則出席者中符合上文第2至3段規定的議員須主持選舉。
5. 主持選舉的議員須即席邀請議員提名委員會主席一職的人選。有效的提名得由一名議員口頭作出，並須由最少另外一名議員口頭附議，並為被提名的議員接納。
6. 如只有一項有效提名，則主持選舉的議員須宣布該名候選人當選為委員會主席。
7. 如有兩項或更多提名，則主持選舉的議員須命令進行無記名投票，並指示委員會秘書發給每名出席會議的議員(包括主持選舉的議員)一張選票。
8. 每名出席會議及有意投票的議員須在選票上清楚寫上其屬意的候選人姓名，並將選票放進投票箱。
9. 所有出席會議及有意投票的議員投票後，委員會秘書須在全體出席會議的議員面前點算選票，並向主持選舉的議員報告點票結果；該名主持選舉的議員須核對點票結果，予以確認。

Procedure for Election of Chairman of House Committee

The election of the chairman of the House Committee shall be conducted at a sitting of the Committee.

2. Where the election takes place at the first sitting of the Committee in a new Legislative Council term, the Member present who has the longest continuous service in the Council shall preside at the election. If two or more Members have held office for an equal continuous period of time, the Member who first made or subscribed the oath or affirmation under Standing Order No. 1 shall preside.

3. If the Member who has the longest continuous service under paragraph 2 above is absent or is being nominated for the office, the Member who next made or subscribed the oath or affirmation and who is not being nominated for the office shall preside.

4. At any other election of chairman, the Member who was chairman of the House Committee before that election shall preside at the election. If he/she is absent or is being nominated for the office, the Member who was deputy chairman of the Committee before the election shall preside. If both Members who were chairman and deputy chairman of the House Committee before the election are absent or are being nominated for the office, the Member present referred to in paragraphs 2 to 3 above shall preside.

5. The member presiding shall call for nominations for the chairmanship. A valid nomination shall be made orally by a member, seconded by at least one other member, and accepted by the member being nominated.

6. If there is only one nomination, the member presiding shall declare the nominee elected as chairman.

7. If there are two or more nominations, the member presiding shall order a vote by secret ballot and shall order the clerk to distribute a ballot paper to each of the members present, including the member presiding.

8. Each member present who wishes to vote shall put down in legible form the name of the nominee of his/her choice on the ballot paper, and place the ballot paper into the ballot box.

9. After all the members present who wish to vote have done so, the clerk shall count the ballot papers in front of all the members present and report the result to the member presiding who shall check the result for confirmation.

10. 主持選舉的議員須宣布各候選人之中獲最多有效選票的一名候選人當選為委員會主席。

11. 如兩名或以上候選人同獲最多有效選票，則主持選舉的議員須宣布其將以抽籤方式決定如何對該等候選人投決定性的一票。

12. 主持選舉的議員須進行抽籤，按結果對其中一名候選人投決定性的一票，並隨即宣布該名候選人當選為委員會主席。

13. 隨後，當選委員會主席的議員須主持會議，並視乎情況，著手處理會議的其他事項或宣布休會。

10. The member presiding shall declare elected as chairman the nominee who receives the highest number of valid votes among all the nominees.

11. If two or more nominees receive the same highest number of valid votes, the member presiding shall announce that a lot will be drawn by him/her to decide how he/she shall give the casting vote in respect of these nominees.

12. The member presiding shall then draw a lot and give the casting vote to one of the nominees in accordance with the lot drawn, and shall forthwith declare that nominee elected as chairman.

13. The elected chairman shall then take the chair and proceed with the remaining business of the sitting or adjourn the sitting, as the case may be.

選舉內務委員會副主席的程序

內務委員會副主席的選舉須在內務委員會會議上進行

2. 內務委員會主席須主持選舉，如主席缺席，則在該次選舉前擔任委員會副主席而又未獲提名為候選人的議員須主持選舉。如二人均缺席或未能主持選舉，則出席者中符合「選舉內務委員會主席的程序」一文第2至3段規定的議員須主持選舉。
3. 主持選舉的議員須即席邀請議員提名委員會副主席一職的人選。有效的提名得由一名議員口頭作出，並須由最少另外一名議員口頭附議，並為被提名的議員接納。
4. 如只有一項提名，則主持選舉的議員須宣布該名候選人當選為委員會副主席。
5. 如有兩項或更多提名，則主持選舉的議員須命令進行無記名投票，並指示委員會秘書發給每名出席會議的議員(包括主持會議的議員)一張選票。
6. 每名出席會議及有意投票的議員須在選票上清楚寫上其屬意的候選人姓名，並將選票放進投票箱。
7. 所有出席會議及有意投票的議員投票後，委員會秘書須在全體出席會議的議員面前點算選票，並向主持選舉的議員報告點票結果；該名主持選舉的議員須核對點票結果，予以確認。
8. 主持選舉的議員須宣布各候選人之中獲最多有效選票的一名候選人當選為委員會副主席。
9. 如兩名或以上候選人同獲最多有效選票，則主持選舉的議員須宣布其將以抽籤方式決定如何對該等候選人投決定性的一票。
10. 主持選舉的議員須進行抽籤，按結果對其中一名候選人投決定性的一票，並隨即宣布該名候選人當選為委員會副主席。

Procedure for Election of Deputy Chairman of House Committee

The election of the deputy chairman of the House Committee shall be conducted at a sitting of the Committee.

2. The chairman of the House Committee shall preside at the election. If he/she is absent, the Member who was deputy chairman of the Committee before the election and who is not being nominated for the office shall preside. If both of them are absent or unable to preside, the Member present referred to in paragraphs 2 to 3 of the Procedure for Election of Chairman of House Committee shall preside.
3. The member presiding shall call for nominations for the deputy chairmanship. A valid nomination shall be made orally by a member, seconded by at least one other member, and accepted by the member being nominated.
4. If there is only one nomination, the member presiding shall declare the nominee elected as deputy chairman.
5. If there are two or more nominations, the member presiding shall order a vote by secret ballot and shall order the clerk to distribute a ballot paper to each of the members present, including the member presiding.
6. Each member present who wishes to vote shall put down in legible form the name of the nominee of his/her choice on the ballot paper, and place the ballot paper into the ballot box.
7. After all the members present who wish to vote have done so, the clerk shall count the ballot papers in front of all the members present and report the result to the member presiding who shall check the result for confirmation.
8. The member presiding shall declare elected as deputy chairman the nominee who receives the highest number of valid votes among all the nominees.
9. If two or more nominees receive the same highest number of valid votes, the member presiding shall announce that a lot will be drawn by him/her to decide how he/she shall give the casting vote in respect of these nominees.
10. The member presiding shall then draw a lot and give the casting vote to one of the nominees in accordance with the lot drawn, and shall forthwith declare that nominee elected as deputy chairman.

事務委員會一覽表

司法及法律事務委員會
憲制事務委員會
經濟事務委員會
教育事務委員會
環境事務委員會
財經事務委員會
衛生事務委員會
民政事務委員會
房屋事務委員會
資訊政策事務委員會
人力事務委員會
規劃地政及工程事務委員會
公務員及資助機構員工事務委員會
文康廣播事務委員會
保安事務委員會
貿易及工業事務委員會
交通事務委員會
福利事務委員會

List of Panels

Administration of Justice and Legal Services
Constitutional Affairs
Economic Services
Education
Environmental Affairs
Financial Affairs
Health Services
Home Affairs
Housing
Information Policy
Manpower
Planning, Lands and Works
Public Service
Broadcasting, Culture and Sport
Security
Trade and Industry
Transport
Welfare Services

與現行各事務委員會有關的政府諮詢團體一覽表

<u>事務委員會</u>	<u>具諮詢職能的團體</u>	<u>委任權力</u>	<u>提供意見的範圍</u>
1. 民政事務委員會	公民教育委員會	布政司	就公民教育的目標、範疇及推行方法提出建議。
	鄉議局	第1097章 第5條	就新界事務向政府提供意見。
	* 青年事務委員會 (亦請參閱福利事務委員會一欄)	總督	就青年事務向總督提供意見。
	個人資料(私隱)諮詢委員會	政務司	就個人資料方面任何與私隱有關的事宜，或在其他方面與《個人資料(私隱)條例》的施行有關的事宜，向個人資料私隱專員提供意見。
	* 平等機會委員會 (亦請參閱福利事務委員會一欄)	總督	向總督就性別及殘疾歧視條例作出修訂建議。
2. 憲制事務委員會	—	—	—
3. 經濟事務委員會	香港港口發展局	總督	就一切有關香港港口的規劃及發展事宜，透過經濟司向總督提供意見。
	供電電壓諮詢委員會	財政司	就推行提高電壓計劃向經濟司提供意見。
	香港旅遊協會理事會	第302章 第9條	就有關發展及推廣香港作為旅遊目的地的管理事宜向政府提供意見。
	能源諮詢委員會	財政司	就能源政策及政府所交付的有關事項向政府提供意見。

List of Government Advisory Bodies relevant to Existing Panels

<u>Panel</u>	<u>Body with Advisory Function</u>	<u>Authority of Appointment</u>	<u>Scope of Advice</u>
1. Home Affairs	Committee on the Promotion of Civic Education	Chief Secretary	To make proposals on the objectives and scope of civic education and its way of implementation.
	Heung Yee Kuk	S.5 of Cap. 1097	To advise the Government on New Territories Affairs.
	* Commission on Youth (Please also see Welfare Panel)	Governor	To advise the Governor on matters pertaining to youth.
	Personal Data (Privacy) Advisory Committee	Secretary for Home Affairs	To advise the Privacy Commissioner for Personal Data on any matter relevant to the privacy of individuals in relation to personal data or otherwise relevant to the operation of the Personal Data (Privacy) Ordinance.
	* Equal Opportunities Commission (Please also see Welfare Panel)	Governor	To make proposals to the Governor for amending the Sex and Disability Discrimination Ordinances.
2. Constitutional Affairs	-	-	-
3. Economic Services	Hong Kong Port Development Board	Governor	To advise the Governor, through the Secretary for Economic Services, on all aspects of planning and development for the port of Hong Kong.
	Supply Voltage Advisory Committee	Financial Secretary	To advise the Secretary for Economic Services on matters relating to voltage upgrade.
	Hong Kong Tourist Association Board of Management	S.9 of Cap. 302	To advise the Government on matters of management relating to the development and promotion of Hong Kong as a tourist destination.
	Energy Advisory Committee	Financial Secretary	To advise the Government on energy policy and related matters referred to it by the Government.

事務委員會

4. 教育事務委員會

具諮詢職能的團體

教育委員會

課程發展議會

教育統籌委員會

政府助學金聯合委員會

初中成績評核委員會

小一入學委員會

私立學校檢討委員會

中學學位分配委員會

大學教育資助委員會

委任權力

總督(轉授予教育統籌司)

總督(轉授予教育統籌司)

總督

總督(轉授予教育統籌司)

教育署署長

教育署署長

教育署署長

教育署署長

總督

提供意見的範圍

就教育事宜透過教育署署長向政府提供意見。

就香港整個學校系統內有關幼稚園至中六課程發展的所有事宜，透過教育署署長向政府提供意見。

界定整體的教育目標、制訂教育政策，並就執行各項方案的先後次序提出建議。

就學生資助計劃的政策事宜向政府提供意見。

就中四資助學位的分配提供意見，並就學位分配辦法向教育署署長提出建議。

就政府及資助小學的小一派位事宜提供意見，並就學位分配辦法向教育署署長提出建議。

就一切有關買位計劃及直接資助計劃事宜，向教育署署長提供意見。

就中學學位分配事宜向教育署署長提供意見，並就學位分配辦法向教育署署長提出建議。

就各間大學及相類院校運用教育撥款及有關高等教育各方面的事宜，向政府提供意見。

<u>Panel</u>	<u>Body with Advisory Function</u>	<u>Authority of Appointment</u>	<u>Scope of Advice</u>
4. Education	Board of Education	Governor (delegated to Secretary for Education and Manpower)	To advise the Government through the Director of Education on educational matters.
	Curriculum Development Council	Governor (delegated to Secretary for Education and Manpower)	To advise the Government through the Director of Education on all matter relating to curriculum development for the school system from kindergarten to the sixth form.
	Education Commission	Governor	To define overall education objectives, formulate education policy and recommend priorities for implementation.
	Joint Committee on Student Finance	Governor (delegated to Secretary for Education and Manpower)	To advise the Government on policy matters in respect of the Student Financial Assistance Scheme.
	The Junior Secondary Education Assessment Committee	Director of Education	To give advice on the allocation of Secondary 4 places and to make recommendations to the Director of Education on the system of allocation.
	The Primary One Admission	Director of Education	To give advice on the allocation of primary 1 places in Government and Aided Primary Schools and to make recommendations to the Director of Education on the system of allocation.
	Private School Review Committee	Director of Education	To advise the Director of Education on all matters relating to the Bought Place Scheme and the Direct Subsidy Scheme.
	Secondary School Places Allocation Committee	Director of Education	To advise the Director of Education on secondary school places allocation and make recommendations to the Director of Education on the system of allocation.
	University Grants Committee	Governor	To advise the Government on the application of funds for education in Universities, Polytechnics and similar institutions and on other aspects of higher education.

事務委員會

具諮詢職能的團體

委任權力

提供意見的範圍

家庭與學校合作事宜
委員會

教育署署長

就如何提倡家長積極參與教育的過程，向教育署及政府其他部門提供意見。

學校行政及
財政諮詢委員會

教育署署長

就有關學校行政與管理及學校資源運用事宜向教育署署長提供意見。

學校輔導服務諮詢
委員會

教育署署長

就一切有關提供學校輔導服務事宜向教育署署長提供意見。

學位分配諮詢委員會

教育署署長

統籌及監察各個學位分配辦法的運作，並就分配辦法向教育署署長提出建議。

師訓與師資諮詢委員會

總督

就師資培訓及在香港以外地區獲得的學歷是否適用於本港的教學工作等問題，向政府提供意見。

中文課本委員會

教育統籌司

檢討教授中國語文所使用的中文課本的需求，並就提高中國語文能力的措施，提供意見。

學校管理新措施諮詢
委員會

教育署署長

就有關實施學校管理新措施的事宜，向教育署署長提供意見。

語文基金諮詢委員會

教育統籌司

就規管語文基金運作的政策及程序向政府提供意見，包括檢討資助計劃的成效，以及鼓勵社會人士支持推動語文學習和有效溝通的措施。

香港考試局

第261章
第3條

負責策劃及舉辦在香港進行的公開考試。

Panel

<u>Body with Advisory Function</u>	<u>Authority of Appointment</u>	<u>Scope of Advice</u>
Committee on Home-school Cooperation	Director of Education	To advise the Education Department and other Government departments on ways to promote positive parental involvement in the education process.
Advisory Committee on School Administration and Finance	Director of Education	To advise the Director of Education on matters relating to school administration and management as well as utilization of school resources.
Advisory Committee on School Guidance and Support Services	Director of Education	To advise the Director of Education on all matters relating to provision of school guidance and support services in schools.
Advisory Committee on School Places Allocation	Director of Education	To coordinate and monitor the operation of all school places allocation systems and to make recommendations to the Director of Education on the allocation system.
Advisory Committee on Teacher Education & Qualifications	Governor	To advise the Government on teacher education and training and the suitability of qualifications acquired outside Hong Kong for teaching locally.
Chinese Textbooks Committee	Secretary for Education and Manpower	To review the demand for Chinese textbooks for the teaching of the Chinese Language and to advise on measures for enhancing proficiency in the Chinese Language.
Advisory Committee on the School Management Initiative (SMI)	Director of Education	To advise the Director of Education on matters relating to the implementation of SMI.
Language Fund Advisory Committee	Secretary of Education and Manpower	To advise the Government on policies and procedures governing the operation of the Language Fund, including the review of the effectiveness of the funded projects, and the rallying of community support for the promotion of language learning and effective communication.
Hong Kong Examinations Authority	S.3 of Cap. 261	To be responsible for the planning and conduct of public examinations in Hong Kong.

<u>事務委員會</u>	<u>具諮詢職能的團體</u>	<u>委任權力</u>	<u>提供意見的範圍</u>
5. 環境事務委員會	環境問題諮詢委員會	總督	就可用以對付各類污染問題及環境保育的適當措施，透過規劃環境地政司向政府提供意見。
6. 財經事務委員會	證券及期貨事務監察委員會	第24章 第3條	就所有關於證券、期貨合約及財產投資安排的事宜，向財政司提供意見。
	證券及期貨事務監察諮詢委員會	第24章 第10條	就證券及期貨事務監察委員會執行職能的政策事宜，向其提供意見。
	公司法改革常務委員會	財政司	就《公司條例》、《證券條例》及《保障投資者條例》的修訂，向財政司提供意見。
	麥理浩爵士信託基金投資諮詢委員會	總督(轉授予政務司)	就基金的投資向總督提供意見，而基金需作促進香港市民福利的用途。
	強制性公積金諮詢委員會	財政司	就以下事宜提供意見： (a) 有關設立強制性公積金制度的政策事宜； (b) 有關《強制性公積金計劃條例》的執行事宜； (c) 有關在強制性公積金制度實施後規管職業退休計劃的事宜； (d) 有關監督強制性公積金計劃管理局的工作所需設立的永久性體制的安排；及 (e) 當局可能交付委員會處理的事宜。

<u>Panel</u>	<u>Body with Advisory Function</u>	<u>Authority of Appointment</u>	<u>Scope of Advice</u>
5. Environmental Affairs	Advisory Council on the Environment	Governor	To advise the Government, through the Secretary for Planning, Environment and Lands, on appropriate measures which might be taken to combat pollution of all kinds, and to protect the environment.
6. Financial Affairs	Securities and Futures Commission	S.3 of Cap. 24	To advise the Financial Secretary on all matters relating to securities, futures contracts and property investment arrangements.
	Securities and Futures Commission Advisory Committee	S.10 of Cap. 24	To advise the Securities and Futures Commission on any matter of policy regarding the performance of any of its functions.
	Standing Committee on Company Law Reform	Financial Secretary	To advise the Financial Secretary on amendments to the Companies Ordinance, the Securities Ordinance and the Protection of Investors Ordinance.
	Sir Murray Macle hose Trust Fund Investment Advisory Committee	Governor (delegated to Secretary for Home Affairs)	To advise the Governor on the investment matters of the Fund which shall be applied for the benefits of the people of Hong Kong.
	Mandatory Provident Fund Advisory Board	Financial Secretary	To give advice on: (a) such matters of policy regarding the establishment of the MPF system; (b) such matters relating to the administration of the MPF Ordinance; (c) such matters regarding the regulation of occupational retirement schemes when the MPF System is in operation; (d) permanent institutional arrangements required to oversee the work of the MPF Authority in the long run; and (e) such matters as the Administration may refer to the Board.

事務委員會

7. 衛生事務委員會

具諮詢職能的團體

委任權力

提供意見的範圍

醫院管理局

第113章
第3(3)條

就公眾對醫院服務的需求及應付該等需求所需的資源，向政府提供意見。

就公眾使用醫院服務須付的費用，向衛生福利司建議恰當的政策。

健康與醫務發展諮詢
委員會

總督

就醫務人員的需求，健康護理服務的發展，以及衛生服務和醫院服務互相配合的問題，透過衛生福利司向政府提供意見。

放射防護諮詢小組

衛生福利司

就與核子設施輻射外洩而可能造成的輻射後果有關的衛生事宜，向衛生署署長提供意見。

* 康復諮詢委員會
(亦請參閱福利事務委員會一欄)

總督

就有關香港康復政策和服務的事宜向政府提供意見。

愛滋病顧問委員會

總督

就預防愛滋病的有效計劃、向受愛滋病毒感染人士提供支援服務，以及日後發展應付愛滋病的全面策略事宜，向政府提供意見。

愛滋病信託基金委員會

總督

就動用信託基金的事宜向受託人(財政司法團)提供意見。

香港吸煙與健康委員會

第389章
第5(1)條

就反吸煙事宜向政府提供意見。

人體器官移植委員會

第465章
第3(3)條

根據條例的規定訂立規例，並就有關人體器官移植規例的事宜，向政府提供意見。

<u>Panel</u>	<u>Body with Advisory Function</u>	<u>Authority of Appointment</u>	<u>Scope of Advice</u>
7. Health Services	Hospital Authority	S.3(3) of Cap. 113	To advise the Government of the needs of the public for hospital services and of the resources required to meet those needs. To recommend to the Secretary for Health and Welfare appropriate policies on fees for the use of hospital services by the public.
	Health and Medical Development Advisory Committee	Governor	To advise the Government, through the Secretary for Health and Welfare, on manpower requirements and the development of health care services as well as the interface between health and hospital services.
	Radiological Protection Advisory Group	Secretary for Health and Welfare	To advise the Director of Health on health matters relating to radiological consequences that might eventuate from radioactive releases from nuclear facilities.
	* Rehabilitation Advisory Committee (Please also see Welfare Services Panel)	Governor	To advise the Government on matters relating to rehabilitation policies and services in Hong Kong.
	Advisory Council on AIDS	Governor	To advise the Government on effective programmes for the prevention of AIDS and supporting services for HIV infected persons as well as on further development of a comprehensive strategy on AIDS.
	Council for the AIDS Trust Fund	Governor	To advise the Trustee (Financial Secretary Incorporated) on any disbursement of the Trust Fund.
	Hong Kong Council on Smoking and Health	S.5(1) of Cap. 389	To advise the Government on anti-smoking matters.
	Human Organ Transplant Board	S.3(3) of Cap. 465	To make regulations under the Ordinance and advise the Government on matters related thereto.

<u>事務委員會</u>	<u>具諮詢職能的團體</u>	<u>委任權力</u>	<u>提供意見的範圍</u>
	生殖科技臨時管理局	衛生福利司	就認可和新的科協生殖程序及胚胎研究的各個範疇，向衛生福利司提供意見。 就生殖科技條例草案及規例的草擬工作，向衛生福利司提供意見。
	中醫藥發展籌委會	衛生福利司	就發展和推廣中醫藥，以及成立法定組織以規管中醫藥的事宜向政府提出建議。
8. 房屋事務委員會	房屋委員會	第283章 第4條	就一切有關公營房屋及其附屬服務的政策事宜向總督提供意見。
9. 資訊政策事務委員會	—	—	—
10. 規劃地政及工程事務委員會	土地及建設諮詢委員會	總督	就有關土地(供求)、樓宇、規劃及建造業等方面的事宜向政府提供意見。
	新機場及有關工程諮詢委員會	總督	就新機場及有關工程的發展提供意見。
11. 司法及法律事務委員會	雙語法例諮詢委員會	第5章 第4C條	就有關翻譯現行法例及雙語法例的事宜提供意見。
	法律援助服務局	總督	就法律援助署獲公帑資助法律援助服務的政策，向政府提供意見。
12. 人力事務委員會	僱員再培訓委員會	總督	管理僱員再培訓基金及舉辦再培訓課程，以幫助本地僱員適應就業市場的轉變。

<u>Panel</u>	<u>Body with Advisory Function</u>	<u>Authority of Appointment</u>	<u>Scope of Advice</u>
	Provisional Council on Reproductive Technology	Secretary for Health and Welfare	To advise the Secretary for Health and Welfare on permitted and new reproductive technology procedures and areas of embryo research. To advise the Secretary for Health and Welfare on the drafting of the Reproductive Technology Bill and Regulation.
	Preparatory Committee on Chinese Medicine (PCCM)	Secretary for Health Welfare	To advise the Government on the establishment of a statutory body for the regulation of traditional Chinese medicine and its development and promotion.
8. Housing	Housing Authority	S.4 of Cap. 283	To advise the Governor concerning all matters of policy relating to public sector housing operated by the Housing Authority and services ancillary thereto.
9. Information Policy			
10. Planning, Lands and Works	Lands and Building Advisory Committee	Governor	To advise the Government on matters relating to land (supply and demand), buildings, planning and the construction industry.
	Airport Consultative Committee	Governor	To advise on the development of the new airport and related projects.
11. Administration of Justice and Legal Services	Bilingual Laws Advisory Committee	S.4C of Cap. 5	To advise on matters relating to the translation of existing laws and bilingual laws.
	Legal Aid Services Council	Governor	To advise the policy concerning publicly funded legal aid services provided by the Legal Aid Department.
12. Manpower	Employees Retraining Board	Governor	To administer the Employees Retraining Fund and organise retraining course for the benefit of local employees in adjusting to changes in employment market.

事務委員會

	<u>具諮詢職能的團體</u>	<u>委任權力</u>	<u>提供意見的範圍</u>	
	破產欠薪保障基金委員會	總督	管理破產欠薪保障基金，以便向其僱主無力償還債務的僱員發放欠薪、代通知金及／或遣散費。	
	肺塵埃沉著病補償基金委員會	總督	管理肺塵埃沉著病補償基金，並就與該基金有關的事宜提供意見。	
	職業安全健康促進局	總督	透過教育與訓練，以及舉辦推廣與宣傳活動，促進更安全健康的工作環境。	
	職業性失聰補償管理局	總督	根據《職業性失聰(補償)條例》的規定，管理職業性失聰補償基金，為長期在過度噪音的環境下工作以致聽力損失的人士提供補償。	
	僱員補償援助基金管理局	總督	根據《僱員補償援助條例》(第365章)的規定，以信託方式持有基金從而加以管理。該條例保障僱員享有工傷補償的權利，並保障僱主，使他們在就這些補償的法律責任投保後，不因承保人不按保險單賠款而受影響。	
	僱員補償保險徵款管理局	總督	規定受保人須繳付徵款，並對收集及分配由承保人轉交的徵款事宜作出規定。	
13.	公務員及資助機構 員工事務委員會	公務員薪俸及服務條件常 務委員會	總督	就非首長級公務員(司法人員及紀律人員除外)的薪俸及服務條件向總督提供意見及建議。
		首長級薪俸及服務條件常 務委員會	總督	就首長級公務員的結構、薪酬及服務條件向總督提供意見。

Panel

Body with Advisory Function

Authority of Appointment

Scope of Advice

Protection of Wages on Insolvency Fund Board

Governor

To administer the Protection of Wages on Insolvency Fund which makes ex-gratia payment to employees who are owed wages, wages in lieu of notice and/or severance payments by their insolvent employers.

Pneumoconiosis Compensation Fund Board

Governor

To administer the Pneumoconiosis Compensation Fund, and to advise on matters relating to the Fund.

Occupational Safety and Health Council

Governor

To promote a safer and healthier working environment through education and training and organisation of promotional and publicity activities.

Occupational Deafness Compensation Board

Governor

To manage and administer the Occupational Deafness Compensation Fund in accordance with the Occupational Deafness (Compensation) Ordinance which provides for the compensation of persons who suffer hearing loss as a result of prolonged exposure to excessive noise at work.

Employees Compensation Assistance Fund Board

Governor

To hold upon trust, and administer the Employees Compensation Assistance Fund in accordance with the Employees Compensation Assistance Ordinance (Cap. 365) which provides for the protection of the employees' entitlement to compensation for employment-related injury, and for the protection of employers against default under policies of insurance in respect of their liability for such compensation.

Employees' Compensation Insurance Levies Management Board

Governor

To provide for the imposition of a levy on insured persons and to provide for the collection and distribution of the levy remitted by insurers.

13. Public Service

Standing Commission on Civil Service Salaries and Conditions of Service

Governor

To advise and make recommendations to the Governor in respect of non-directorate civil service, other than the judiciary and the disciplined services, on salaries and conditions of services.

Standing Committee on Directorate Salaries and Conditions of Service

Governor

To advise the Governor on the structure, salaries and conditions of service of the directorate civil service.

事務委員會

	<u>具諮詢職能的團體</u>	<u>委任權力</u>	<u>提供意見的範圍</u>
	紀律人員薪俸及服務條件 常務委員會	總督	就紀律人員的薪俸及服務條件向總督提供意見及建議。
	司法人員薪俸及服務條件 常務委員會	總督	就司法人員的結構、薪酬及服務條件向總督提供意見。
	公務員敘用委員會	總督	就有關較高層公務員(若干職級除外)的聘用及晉升事宜，以及就任何根據規例所訂明的或由總督轉介而涉及公職服務、公職人員的品行及紀律的事項，向總督提供意見。
14. 文康廣播事務委員會	古物諮詢委員會	第53章 第17(1)條	就有關古物及古蹟的事宜向文康廣播司提供意見。
	廣播事務管理局	第391章 第4(1)條	就電視及其他廣播機構的發牌事宜向總督會同行政局提出建議。
	郊野公園及海岸公園委員會	第208章 第5(1)條	就有關郊野公園、特別地區、海岸公園及海岸保護區的事宜向漁農處處長提供意見。
	香港康體發展局	第1149章 第3(2)條	就香港康樂體育活動的發展事宜向政府、任何公共機構或任何公職人員提供意見。
	戴麟趾爵士基金委員會	總督	就戴麟趾爵士基金的款項分配事宜，向文康廣播司提供意見。該基金的目的是提供或協助提供康樂、體育、文化及社交活動的設施。
	香港藝術發展局	總督	策劃及推廣藝術的廣泛發展及對藝術的欣賞和參與，以期改善整體社會的生活質素，並特別著重文學藝術、表演藝術、視覺及電影藝術方面。

<u>Panel</u>	<u>Body with Advisory Function</u>	<u>Authority of Appointment</u>	<u>Scope of Advice</u>
	Standing Committee on Disciplined Services Salaries and Conditions of Service	Governor	To advise and make recommendations to the Governor in respect of the salaries and conditions of service of the disciplined services.
	Standing Committee on Judicial Salaries and Conditions of Service	Governor	To advise the Governor on the structure, salaries and conditions of service of judicial officers.
	Public Service Commission	Governor	To advise the Governor regarding the appointments and promotions in the more senior ranks of the civil service (with certain exceptions); and any matters affecting the public service which may be prescribed by regulation or which the Governor may refer, the conduct and discipline of public officers.
14. Broadcasting, Culture and Sport	Antiquities Advisory Board	S.17 of Cap. 53	To advise the Secretary for Broadcasting, Culture and Sport on matters relating to antiquities and monuments.
	Broadcasting Authority	S.4(1) of Cap. 391	To submit recommendations to the Governor in Council concerning licences of television and other broadcasting services.
	Country and Marine Parks Board	S.5(1) of Cap. 208	To advise the Director of Agriculture and Fisheries on country parks, special areas, marine parks and marine reserves.
	Hong Kong Sports Development Board	S.3(2) of Cap. 1149	To give advice to the Government, any public body or any public officer on any matter relating to the development of sports and physical recreation in Hong Kong.
	Sir David Trench Fund Committee	Governor	To advise the Secretary for Broadcasting, Culture and Sport on the allocation of the Sir David Trench Fund. The ambit of the Fund is for the provision of or the assistance in the provision of facilities for recreational, sporting, cultural and social activities.
	Hong Kong Arts Development Council	Governor	To plan and promote the broad development and appreciation of and participation in the arts with a view to improving the quality of life of the whole community, placing particular emphasis on the literary, performing, visual and film arts.

事務委員會

15. 保安事務委員會

具諮詢職能的團體

禁毒常務委員會

委任權力

總督

提供意見的範圍

就有關危險藥物的事宜及根除毒品對社會的禍害的措施向總督提供意見。

撲滅罪行委員會

總督

制訂計劃，以便群策群力，減少罪行的發生；統籌各有關部門及機構為推行上述計劃而進行的工作；就減少罪行所須制訂的立法及行政措施，提出建議。

投訴警方獨立監察委員會

總督

監察及檢討皇家香港警務處就市民對警務人員的投訴所作的調查。

廉政公署事宜投訴委員會

總督

監察及檢討廉署如何處理外界對廉署及其人員所作的投訴，及找出廉署工作程序中任何導致或可能導致投訴的缺點。

16. 貿易及工業事務委員會

消費者委員會

第216章
第6條

就保障及促進香港消費者權益的有關事宜向政府提供意見。

香港生產力促進局

第1116章
第9條

就香港工業的生產力及為提高香港工業生產力而訂定的措施向總督提供意見。

香港貿易發展局

第1114章
第11條

在其認為恰當時，就任何有助促進香港貿易的措施，向政府提出建議。

太平洋經濟合作香港委員會

財政司

就香港參與太平洋經濟合作會議的有關事宜向工商司提供意見。

工業及科技發展局

總督

就香港工業及科技的整體發展向政府提供意見。

<u>Panel</u>	<u>Body with Advisory Function</u>	<u>Authority of Appointment</u>	<u>Scope of Advice</u>
15. Security	Action Committee Against Narcotics	Governor	To advise the Governor on matters relating to dangerous drugs and measures necessary to eradicate drug abuse from the community.
	Fight Crime Committee	Governor	To draw up plans for a co-ordinated effort to reduce crime, to co-ordinate the work of the departments and agencies concerned in the implementation of such plans, and to recommend any legislative and administrative measures that the Committee considers necessary towards reducing crime.
	Independent Police Complaints Council	Governor	To monitor and review the investigation by the Royal Hong Kong Police Force of complaints made against the Force by the public.
	ICAC Complaints Committee	Governor	To monitor and review the handling by ICAC of complaints made against ICAC and ICAC Officers, and to identify any faults in ICAC procedures which lead or may lead to complaints.
16. Trade and Industry	Consumer Council	S.6 of Cap. 216	To advise the Government on matters relating to the protection and promotion of consumer interests in Hong Kong.
	Hong Kong Productivity Council	S.9 of Cap. 1116	To advise the Governor concerning the productivity of industry in Hong Kong and measures designed to increase it.
	Hong Kong Trade Development Council	S.11 of Cap. 1114	To make such recommendations to the Government as it sees fit in relation to any measures which it considers would achieve an increase in Hong Kong's trade.
	Hong Kong Committee for Pacific Economic Cooperation	Financial Secretary	To advise the Secretary for Trade and Industry on matters relating to the participation of Hong Kong in the Pacific Economic Cooperation Council.
	Industry and Technology Development Council	Governor	To advise the Government on the overall development of industry and technology in Hong Kong.

事務委員會

具諮詢職能的團體

委任權力

提供意見的範圍

香港出口信用保險局
諮詢委員會

第1115章
第10條

就香港出口信用保險局的經營方式向該局提供意見。

香港工業邨公司管理局

第209章
第7條

設立、興建、管理及監察工業邨，並對工業邨內的土地加以管理及監察。

實驗所認可委員會

總督、工商司

就有關實驗所認可的一般政策事宜提供意見。

香港工業科技中心
公司

第431章
第4條

協助促進科技創新及發展，以及協助將新科技應用於香港工業。

中小型企业委員會

工商司

研究影響本港中小型企业發展的事宜，並向政府建議採取所需的措施，藉此支援及促進中小型企业的发展。

旅行代理商諮詢委員會

第218章
第7條

就有關旅行代理商的事宜向政府提供意見。

度量衡十進制委員會

工商司

就有關度量衡十進制政策的事宜向政府提供意見。

香港工業總會理事會

第321章
第34條

就任何影響本港製造業的事宜向政府提供意見。

旅遊業賠償基金管理
委員會

第218章
第32B條 — 財政司

持有、管理及運用旅遊業賠償基金。

17. 交通事務委員會

交通諮詢委員會

總督

就交通政策涉及的廣泛問題，向總督會同行政局提供意見，藉以改善本港的交通及貨物運輸情況。

<u>Panel</u>	<u>Body with Advisory Function</u>	<u>Authority of Appointment</u>	<u>Scope of Advice</u>
	Hong Kong Export Credit Insurance Corporation Advisory Board	S.10 of Cap. 1115	To advise the Hong Kong Export Credit Insurance Corporation on the conduct of its business.
	Hong Kong Industrial Estates Corporation Board	S.7 of Cap. 209	To establish, construct, manage and control industrial estates and to manage and control the land comprised therein.
	Laboratory Accreditation Board	Governor, Secretary for Trade and Industry	To advise on general policy matters relating to laboratory accreditation.
	Hong Kong Industrial Technology Centre Corporation	S.4 of Cap. 431	To facilitate the promotion of technological innovation and development and the application of new technologies in industry in Hong Kong.
	Small and Medium Enterprises Committee	Secretary for Trade and Industry	To identify issues affecting the development of small and medium enterprises in Hong Kong and to advise the Government on measures to support and facilitate their development.
	Advisory Committee on Travel Agents	S.7 of Cap. 218	To advise the Government on matters relating to travel agents.
	Metrication Committee	Secretary for Trade and Industry	To advise the Government on matters relating to metrication policy.
	General Committee of the Federation of Hong Kong Industries	S. 34 of Cap. 321	To advise the Government on any matter affecting Hong Kong's manufacturing industries.
	Travel Industry Compensation Fund Management Board	S. 32B of Cap. 218 Financial Secretary	To hold, manage & apply the Travel Industry Compensation Fund.
17. Transport	Transport Advisory Committee	Governor	To advise the Governor in Council on broad issues of transport policy with a view to improving the movement of both people and freight.

事務委員會

18. 福利事務委員會

具諮詢職能的團體

委任權力

提供意見的範圍

社會工作訓練及人力
策劃諮詢委員會

總督

就一切有關社會工作者的教育及訓練事宜，透過社會福利諮詢委員會向政府提供意見。

* 青年事務委員會
(亦請參閱民政事務委
員會一欄)

總督

就青年事務向總督提供意見。

社會福利諮詢委員會

總督

就一切有關社會福利政策的事宜，透過衛生福利司向政府提供意見。

交通意外傷亡援助諮詢委
員會

總督

就有關交通意外傷亡援助計劃的事宜向社會福利署署長提供意見。

* 康復諮詢委員會
(亦請參閱衛生事務委
員會一欄)

總督

就有關香港康復政策和服務的事宜向政府提供意見。

暴力及執法傷亡賠償
委員會

總督

就有關暴力及執法傷亡賠償計劃的事宜向政府提供意見。

* 平等機會委員會
(亦請參閱民政事務委
員會一欄)

總督

向總督就性別及殘疾歧視條例作出修訂建議。

備註：此一覽表並不包括由公職人員擔任當然主席及副主席的諮詢團體。

此表所載乃截至一九九六年九月一日的情況

立法局秘書處

<u>Panel</u>	<u>Body with Advisory Function</u>	<u>Authority of Appointment</u>	<u>Scope of Advice</u>
18. Welfare Services	Advisory Committee on Social Work Training and Manpower Planning	Governor	To advise the Government, through the Social Welfare Advisory Committee, on all matters relating to the education and training of social workers.
	* Commission on Youth (Please also see Home Affairs Panel)	Governor	To advise the Governor on matters pertaining to youth.
	Social Welfare Advisory Committee	Governor	To advise the Government, through the Secretary for Health and Welfare, on all matters of social welfare policy.
	Traffic Accident Victims Assistance Advisory Committee	Governor	To advise the Director of Social Welfare on matters relating to the Traffic Accident Victims Assistance Scheme.
	* Rehabilitation Advisory Committee (Please also see Health Services Panel)	Governor	To advise the Government on matters relating to rehabilitation policies and services in Hong Kong.
	Criminal and Law Enforcement Injuries Compensation Boards	Governor	To advise the Government on matters relating to the Criminal and Law Enforcement Injuries Compensation Scheme.
	* Equal Opportunities Commission (Please also see Home Affairs Panel)	Governor	To make proposals to the Governor for amending the Sex and Disability Discrimination Ordinances.

Note : This list excludes advisory bodies with public officers serving as ex-officio chairmen and deputy chairmen.

Position as at 1.9.1996

Legislative Council Secretariat

《立法局(權力及特權)條例》

決議案

(就香港法例第382章《立法局(權力及特權)條例》
第15條而提出)

謹此決議，由一九九四年五月二十五日起，對於任何人士應訊出席立法局某委員會會議時所提出有關「公眾利益特權」的要求，作出決定的慣例及行事方式將如本決議案附表所載述。

LEGISLATIVE COUNCIL (POWERS AND PRIVILEGES) ORDINANCE

RESOLUTION

(For the purposes of section 15 of the Legislative Council
(Powers and Privileges) Ordinance (Cap. 382))

RESOLVED that with effect from 25 May 1994 the usage and practice in regard to the determination of claims of "public interest privilege" made by persons appearing before a committee of the Council shall be as set out in the Schedule annexed to this Resolution.

附表

1. 在此附表 ——

「有關方面」指委員會的正副主席，而證人在該委員會席前作證或出示任何文據、簿冊、紀錄或文件；凡對有關方面宣告意見的提述，若在正副主席意見不同的情況下，應理解為主席的意見。

「證人」指 ——

- (a) 被合法地命令在委員會席前作證或出示任何文據、簿冊、紀錄或文件的人士；及
- (b) 由總督根據《立法局(權力及特權)條例》第 8A(2)(b)條為出席委員會會議而指定的任何公職人員。

2. 倘在委員會的公開會議上，證人拒絕公開或私下回答任何向其提出的問題，或拒絕出示任何文據、簿冊、紀錄或文件，並以回答問題或出示有關文據、簿冊、紀錄或文件違反公眾利益為理由，要求享有特權，則下列程序將適用 ——

- (1) 主席應告知證人，他可以在保密情況下向有關方面解釋其理由，而該有關方面將向委員會宣告意見，且不會披露證人聲稱應有特權不予披露的任何資料或文據、簿冊、紀錄或文件。
- (2) 倘證人同意向有關方面解釋其理由，則該有關方面應安排考慮此等理由，並向委員會宣告其意見。

Schedule

1. In this schedule -

“relevant body” means the chairman and deputy chairman of the committee before which the witness is attending to give evidence or to produce any paper, book, record or document; and references to the delivering of the opinion of the relevant body shall be taken to mean the opinion of the chairman where the chairman and deputy chairman disagree.

“Witness” means -

- (a) a person lawfully ordered to attend to give evidence or to produce any paper, book, record or document before a committee; and
- (b) any public officer designated by the Governor under section 8A(2)(b) of the Legislative Council (Powers and Privileges) Ordinance for the purpose of attending sittings of a committee;

2. If, at a public sitting of a committee, a witness refuses to answer publicly or privately any question that may be put to him, or to produce any paper, book, record or document, and claims privilege on the ground that the giving of the answer or the production of the paper, book, record or document would be contrary to the public interest the following procedure will apply -

- (1) The chairman shall inform the witness that he may explain his reasons in confidence to the relevant body and that the relevant body will then deliver an opinion to the committee without disclosure of any information or paper, book, record or document claimed by the witness to be privileged from disclosure.
- (2) If the witness agrees to explain his reasons to the relevant body the relevant body shall make arrangements to consider the reasons and deliver its opinion to the committee.

- (3) 倘有關方面的意見是，證人在回答問題或出示任何文據、簿冊、紀錄或文件方面要求享有特權的理由充分，則委員會應免證人回答該問題或出示該等文據、簿冊、紀錄或文件。
- (4) 倘有關方面的意見是，證人在回答問題或出示任何文據、簿冊、紀錄或文件方面要求享有特權的理由不充分，則委員會可命令證人回答有關問題或出示有關資料。
- (5) 倘證人繼續拒絕回答任何問題或出示任何文據、簿冊、紀錄或文件，則委員會可採取其認為適當並在其權力範圍內的行動。
- (6) 倘證人不同意根據第(2)節的規定向有關方面解釋其理由，則委員會可採取其認為適當並在其權力範圍內的行動。

3. 倘證人在委員會的公開會議上，以公眾利益特權為理由拒絕公開回答任何向其提出的問題，或拒絕公開出示任何文據、簿冊、紀錄或文件，但卻要求在委員會的閉門會議上回答該等問題或出示該等文據、簿冊、紀錄或文件，則下列程序將適用 ——

- (1) 委員會閉門商議是否同意證人的要求。
- (2) 委員會經正式表決作出決定。
- (3) 倘委員會決定同意證人的要求，則證人在閉門會議上所作的答覆或所出示的文據、簿冊、紀錄或文件一律不得公開，但委員會在該閉門會議上決定證人要求保密的理由不充分則除外。在作出該等決定前，委員會應讓證人有機會說明為何就某答覆或某文據、簿冊、紀錄或文件要求享有公眾利益特權。

- (3) If the relevant body delivers its opinion that the claim of privilege by the witness is justified in respect of any answer to a question or the production of any paper, book, record or document the committee shall excuse the answering of such question or the production of such paper, book, record or document.
- (4) If the relevant body delivers its opinion that the claim of privilege by the witness is not justified in respect of any answer to a question or the production of any paper, book, record or document the committee may order the answering or production thereof.
- (5) If the witness continues to refuse to answer any question or produce any paper, book, record or document the committee may take such action within its powers as it considers appropriate.
- (6) If the witness does not agree to explain his reasons to the relevant body under subparagraph (2) the committee may take such action within its powers as it considers appropriate.

3. If, at a public sitting of a committee, a witness refuses to answer in public any question that may be put to him, or to produce in public any paper, book, record or document on the ground of public interest privilege, but requests to answer such question or produce such paper, book, record or document at a private sitting of the committee, the following procedure will apply -

- (1) The committee will deliberate in private whether to agree to the request by the witness.
- (2) The decision of the committee will be taken by formal vote.
- (3) If the committee decides to agree to the request by the witness no answer given by the witness at a private sitting nor any paper, book, record or document produced by him thereat shall be made public unless the committee decides during the private sitting that the request by the witness for confidentiality is not justified. Before reaching such a decision the committee shall give the witness an opportunity to state the grounds upon which he claims public interest privilege in respect of the particular answer or paper, book, record or document.