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STANDING ORDERS
OF THE
LEGISLATIVE COUNCIL
OF
HONG KONG

香港立法局
會議常規

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THE LEGISLATIVE COUNCIL OF
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Hong Kong Royal Instructions 1917 to 1993 (Nos. 1 and 2)*

由香港立法局於1968年10月9日訂立，其權力依據為《1917年至1993年
香港皇室訓令（第1及2號）》第XXIII條的規定。

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香港立法局會議常規

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OF HONG KONG**

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香港立法局會議常規

由香港立法局於 1968 年 10 月 9 日訂立，其權力依據為《1917 年至 1993 年香港皇室訓令(第 1 及 2 號)》第 XXIII 條的規定。

(1991 年第 258 號法律公告；1993 年第 42 號法律公告；1995 年第 381 號法律公告)

A 部

立法局議員及立法局人員

1. 宗教式或非宗教式宣誓

(1) 除為了令本條規定得以遵從者外，議員如未按照《宣誓及聲明條例》(第 11 章)的規定作宗教式或非宗教式宣誓，不得參與立法局會議或表決。凡舉行選舉以選出所有民選議員後，以前已作該等宗教式或非宗教式宣誓的議員，在參與立法局會議或表決之前，亦須遵照本條規定再次宣誓。(1971 年第 138 號法律公告；1985 年第 189 號法律公告；1991 年第 258 號法律公告)

(2) (由 1991 年第 258 號法律公告廢除)

2. 語文

(1) 議員在立法局發言，可用粵語或英語。(1971 年第 138 號法律公告)

(2) 呈請書須用中文或英文書寫。

(3) 中文呈請書須附同經由法庭翻譯員核證準確的英文譯本。(1971 年第 138 號法律公告)

(4) 英文呈請書須附同經由法庭翻譯員核證準確的中文譯本。(1971 年第 138 號法律公告)

(5) (由 1995 年第 382 號法律公告廢除)

3. 主持立法局及全體委員會會議

(1) 立法局設有立法局主席一職，主席如出席立法局或全體委員會會議，並認為能執行主席職務，須主持立法局會議或擔任全體委員會主席。(1993 年第 42 號法律公告)

STANDING ORDERS

of the

LEGISLATIVE COUNCIL OF HONG KONG

MADE BY THE LEGISLATIVE COUNCIL OF HONG KONG ON THE NINTH DAY OF OCTOBER 1968 IN PURSUANCE OF THE PROVISIONS OF CLAUSE XXIII OF THE HONG KONG ROYAL INSTRUCTIONS 1917 TO 1993 (NOS. 1 AND 2).
(*L.N. 258 of 1991; L.N. 42 of 1993; L.N. 381 of 1995*)

PART A

MEMBERS AND OFFICERS OF THE COUNCIL

1. Oath or Affirmation

- (1) Except for the purpose of enabling this order to be complied with, no Member of the Council shall sit or vote therein until he has made or subscribed an oath or affirmation in accordance with the provisions of the Oaths and Declarations Ordinance (Cap. 11). Where a general election of all the elected Members is held, a Member who had previously made or subscribed such oath or affirmation shall again do so in compliance with this order before he sits or votes in the Council. (*L.N. 138 of 1971; L.N. 189 of 1985; L.N. 258 of 1991*)
- (2) (*Repealed L.N. 258 of 1991*)

2. Language

- (1) A Member may address the Council in either the English or the Cantonese language. (*L.N. 138 of 1971*)
- (2) Every petition shall be in the English language or the Chinese language.
- (3) A petition in the Chinese language shall be accompanied by an English translation certified to be correct by a court translator. (*L.N. 138 of 1971*)
- (4) A petition in the English language shall be accompanied by a Chinese translation certified to be correct by a court translator. (*L.N. 138 of 1971*)
- (5) (*Repealed L.N. 382 of 1995*)

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

- (1) There shall be a President of the Council who, when present at a sitting of the Council or a committee of the whole Council and able, in his opinion, to act, shall preside or be Chairman. (*L.N. 42 of 1993*)

(2) 立法局主席缺席立法局或全體委員會會議，或認為不能執行主席職務時，該會議由以下人士主持——

(a) 立法局代理主席；或

(b) 如立法局代理主席在該會議缺席，或認為不能執行主席職務，則為出席會議的議員中連續擔任議員時間最長者。(1994年第111號法律公告；1995年第382號法律公告)

(2A) 為執行第(2)(b)款的規定，如有2名或以上議員連續擔任議員的時間相同(為連續擔任議員時間最長者)，則根據本會議常規第1條(宗教式或非宗教式宣誓)，按照《宣誓及聲明條例》(第11章)的規定最早宣誓的議員，須當作為連續擔任議員時間最長者。(1994年第111號法律公告；1995年第382號法律公告)

(3) (由1993年第42號法律公告廢除)

(4) 立法局代理主席或其他主持會議的議員，在其主持的立法局會議或擔任主席的全體委員會會議或部分會議上，或在立法局主席要求其主持的立法局會議或擔任主席的全體委員會會議或部分會議上，享有本會議常規賦予立法局主席或全體委員會主席在該次立法局會議或全體委員會會議或部分會議上可行使的一切權力。

(5) 除本條第(4)款所述的權力外，立法局代理主席亦享有本會議常規賦予立法局主席或全體委員會主席而由立法局主席藉憲報公告所指定的權力。

(1991年第258號法律公告；1993年第42號法律公告；1994年第111號法律公告)

3A. 立法局主席的選舉

(1) 立法局主席由立法局議員互選產生。(1995年第382號法律公告)

(2) 立法局主席的任期至立法局解散為止。

(3) 立法局解散期間，如須召開立法局會議審議急切事項，則立法局解散前擔任立法局主席的人士須主持會議，並在因應該次立法局會議而舉行的全體委員會會議上擔任主席。如該名人士缺席或不能執行主席職務，則立法局解散前擔任立法局代理主席的人士須主持會議及擔任主席。如擔任該兩個職位的人士均缺席或不能執行主席職務，則出席各人中在立法局解散前連續擔任議員時間最長並能主持會議者，須主持會議。(1995年第381號法律公告)

(4)-(5) (由1994年第111號法律公告廢除)

(6) 立法局主席的選舉，須於立法局會議上以無記名投票方式進行。

(7) 在符合《皇室訓令》第XXI條及本會議常規的規定下，選舉立法局主席一切有關事宜的程序，由內務委員會決定。(1995年第381號法律公告)

(1993年第42號法律公告)

(2) In the absence of the President from a sitting of the Council or a committee of the whole Council or when, in his opinion, he is unable to act, there shall preside at that sitting—

(a) the President's deputy; or

(b) in the absence of the President's deputy from that sitting or when, in his opinion, he is unable to act, the Member present who has held office as a Member for the longest continuous period of time. (*L.N. 111 of 1994; L.N. 382 of 1995*)

(2A) For the purposes of paragraph (2)(b) where 2 or more Members have held office as Members for an equal continuous period of time (being the longest continuous period of time for which any Member has held office) the one of them who first made or subscribed the oath or affirmation in accordance with the Oaths and Declarations Ordinance (Cap. 11) under Standing Order No. 1 (Oath or Affirmation) shall be deemed to have held office for the longest continuous period of time. (*L.N. 111 of 1994; L.N. 382 of 1995*)

(3) (*Repealed L.N. 42 of 1993*)

(4) The President's deputy or other Member presiding shall enjoy all those powers conferred by these Standing Orders on the President or Chairman that are exercisable in respect of the sitting, or part of the sitting, of the Council or a committee of the whole Council at which the President's deputy or that Member presides or is Chairman, or in respect of which the President has requested that he preside or be Chairman.

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

(*L.N. 258 of 1991; L.N. 42 of 1993; L.N. 111 of 1994*)

3A. Election of President

(1) The President shall be elected from amongst their number by Members of the Council. (*L.N. 382 of 1995*)

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

(3) The person holding the office of President immediately before a dissolution of the Council, or in his absence or inability to act, the person who was last the President's deputy, shall preside at a sitting of the Council held for the consideration of urgent business during that dissolution and shall be Chairman at a sitting of a committee of the whole Council held in consequence of such a sitting of the Council. If both such persons are absent or unable to act, the person who held office as a Member for the longest continuous period of time immediately before that dissolution, and who is present and able to act, shall preside. (*L.N. 381 of 1995*)

(4)–(5) (*Repealed L.N. 111 of 1994*)

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

(7) Subject to clause XXI of the Royal Instructions and these Standing Orders the House Committee shall determine the procedures for all matters relating to the election of the President. (*L.N. 381 of 1995*)

(*L.N. 42 of 1993*)

3B. 立法局代理主席

(1) 立法局代理主席由根據本會議常規第 60C(2) 條 (內務委員會) 獲選的內務委員會主席擔任。 (1995 年第 382 號法律公告)

(2) 內務委員會主席如缺席，或認為不能執行主席職務，根據本會議常規第 60C(2) 條 (內務委員會) 獲選的內務委員會副主席須擔任立法局代理主席。 (1995 年第 382 號法律公告)

(3) 第 (1) 及 (2) 款所提述的“內務委員會主席”，並不包括在主席及副主席暫時缺席時獲選代行主席之職的人士。

(1994 年第 111 號法律公告)

4. 立法局秘書的職責

(1A) 立法局秘書，由立法局秘書處秘書長擔任。 (1994 年第 433 號法律公告)

(1B) 立法局秘書須負責就有關立法局程序的一切事宜，向立法局主席提供意見。 (1994 年第 433 號法律公告)

(1) 立法局秘書須負責製備立法局會議及全體委員會會議的紀要。會議過程的紀要須載有出席議員的姓名、一切決定及每次進行點名表決的詳情。

(2) 立法局秘書須負責按日擬備議事登記冊，列出已作預告的一切有待處理事項。議員及執行職務時涉及立法局事務的公職人員均可在合理時間查閱議事登記冊。 (1976 年第 314 號法律公告；1983 年第 255 號法律公告；1995 年第 382 號法律公告)

(3) 立法局秘書須負責為每次會議擬備議事程序表，列出該次會議需要處理的事項。

(4) 立法局秘書須負責保管表決結果、紀錄、條例草案及其他呈交立法局的文件；議員及執行職務時涉及立法局事務的公職人員均可在合理時間查閱此等文件，其他人士亦可根據立法局主席批准的安排查閱。 (1995 年第 382 號法律公告)

(5) 立法局秘書須根據立法局主席的指示，負責製備立法局及全體委員會所有會議的會議過程正式紀錄。 (1971 年第 138 號法律公告；1991 年第 258 號法律公告)

(6) 立法局秘書須負責為立法局每一個委員會及小組委員會提供一名秘書。 (1991 年第 258 號法律公告；1992 年第 226 號法律公告)

(7) 立法局秘書須履行本會議常規所委予的其他職責，亦須依照立法局所命令或立法局主席所指示，為服務立法局而履行一切其他職責。

3B. President's deputy

(1) The chairman of the House Committee elected as such under Standing Order No. 60C(2) (House Committee) shall be the President's deputy. (*L.N. 382 of 1995*)

(2) In the absence of the chairman of the House Committee or when, in his opinion, he is unable to act, the deputy chairman of the House Committee elected as such under Standing Order No. 60C(2) (House Committee) shall act as President's deputy. (*L.N. 382 of 1995*)

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

(L.N. 111 of 1994)

4. Duties of the Clerk

(1A) The Secretary General of the Legislative Council Secretariat shall be the Clerk to the Legislative Council. (*L.N. 433 of 1994*)

(1B) The Clerk shall be responsible for advising the President on all matters relating to the procedure of the Council. (*L.N. 433 of 1994*)

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

(2) The Clerk shall be responsible for preparing from day to day an Order Book showing all future business of which notice has been given. The Order Book shall be open to the inspection of Members and public officers acting in the course of their duties relevant to Council business at all reasonable hours. (*L.N. 314 of 1976; L.N. 255 of 1983; L.N. 382 of 1995*)

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

(4) The Clerk shall be responsible for the custody of the votes, records, bills and other documents laid before the Council, which shall be open to inspection by Members and public officers acting in the course of their duties relevant to Council business at all reasonable hours, and by other persons under arrangements approved by the President. (*L.N. 382 of 1995*)

(5) The Clerk, acting under the directions of the President, shall be responsible for the production of the Official Record of all proceedings in the Council and in the committee of the whole Council. (*L.N. 138 of 1971; L.N. 258 of 1991*)

(6) The Clerk shall be responsible for providing every committee and subcommittee of the Council with a clerk. (*L.N. 258 of 1991; L.N. 226 of 1992*)

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

4A. 立法機關法律顧問

(1) 立法機關法律顧問，由立法局秘書處的法律顧問擔任。 (1994 年第 433 號法律公告)

(2) 立法機關法律顧問須就立法局的事務或行政所引起的法律問題，履行向立法局主席及秘書提供意見的一般職責。 (1994 年第 433 號法律公告)

(1984 年第 214 號法律公告)

4AA. 總督出席會議

總督可為以下目的酌情決定出席立法局或立法局轄下任何委員會或小組委員會的會議——

- (a) 在任何其認為適當的時間，包括在特別會議上，在立法局發言；
- (b) 就任何與公眾有關而政府有責任處理的事宜，予立法局議員向其提出質詢，並聽取有關答覆；及
- (c) 提出任何政策、措施、條例草案、決議案、議案或議題，以便由及在立法局或有關委員會或小組委員會辯論。

(1993 年第 42 號法律公告)

4B. 公職人員出席會議

(1) 總督可根據《皇室訓令》第 XXIB(2) 條賦予的權力，指定公職人員出席立法局、全體委員會、財務委員會或財務委員會轄下小組委員會的會議。 (1993 年第 394 號法律公告)

(2) 總督按上述規定指定的公職人員，可將擬列入議事程序表或財務委員會或財務委員會轄下小組委員會會議議程內的事項，通知立法局秘書。 (1993 年第 394 號法律公告)

(3) 立法局秘書在擬備會議的議事程序表或議程時，如覺得某事項需要總督按上述規定指定的公職人員出席會議，須就該事項列明該公職人員的職位名稱。

(1991 年第 258 號法律公告；1995 年第 382 號法律公告)

4C. 公職人員參與會議程序

(1) 會議的議事程序表或議程就某事項列明其職位的公職人員，以及在該次會議舉行之前已通知立法局秘書處須就某事項出席會議的公職人員，可出席該次會議。

4A. Counsel to the Legislature

(1) The Legal Adviser of the Legislative Council Secretariat shall be the Counsel to the Legislature. *(L.N. 433 of 1994)*

(2) The Counsel to the Legislature shall have the general duty of advising the President and the Clerk on legal questions arising in relation to the business or administration of the Council. *(L.N. 433 of 1994)*

(L.N. 214 of 1984)

4AA. Attendance of the Governor

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

- (a) addressing the Council at any time as he shall think fit, including during a special sitting;
- (b) enabling Members of the Council to put questions to him on any public matter for which the Government is responsible and receive answers thereto; and
- (c) proposing any policy, measure, bill, resolution, motion or question for debate by and in the Council or any such committee or subcommittee.

(L.N. 42 of 1993)

4B. Attendance of Public Officers

(1) The Governor may, under the power conferred on him by clause XXIB(2) of the Royal Instructions, designate public officers to attend sittings of the Council, committees of the whole Council, the Finance Committee or subcommittees of the Finance Committee. *(L.N. 394 of 1993)*

(2) A public officer so designated by the Governor may give notice to the Clerk of items of business to be included in the Order Paper or the agenda of the Finance Committee or a subcommittee of the Finance Committee. *(L.N. 394 of 1993)*

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

(L.N. 258 of 1991; L.N. 382 of 1995)

4C. Participation of Public Officers in Proceedings

(1) The public officer whose office is stated in respect of a particular item of business in an Order Paper or an agenda for a sitting and a public officer who has notified the Clerk before the sitting that his attendance is required in respect of a particular item of business may attend at that sitting.

(2) 公職人員就某事項出席會議時，就該事項而言，本會議常規對其適用，一如對立法局議員適用，但本會議常規第 1 條(宗教式或非宗教式宣誓)、第 3 條(主持立法局及全體委員會會議)、第 4AA 條(總督出席會議)、第 6(1) 條(每一會期首次會議的程序)、第 10 條(會議法定人數)、第 13 條(呈請書的提交)、J 部(表決)及第 60(2) 及 (4) 條(財務委員會)除外：

但公職人員就某事項出席會議時，本會議常規第 29(a) 條(插言)的規定僅就該事項而言對其適用。(1995 年第 465 號法律公告)

(3) 在符合《皇室訓令》第 XXIB(2) 條的規定下，布政司、財政司及律政司可出席任何立法局、全體委員會、其他委員會及小組委員會的會議；出席立法局或全體委員會會議時，本會議常規對其適用，一如對立法局議員適用，但本會議常規第 1 條(宗教式或非宗教式宣誓)、第 3 條(主持立法局及全體委員會會議)、第 4AA 條(總督出席會議)、第 4B 條(公職人員出席會議)、第 6(1) 條(每一會期首次會議的程序)、第 10 條(會議法定人數)、第 13 條(呈請書的提交)及 J 部(表決)除外。(1995 年第 382 號法律公告)

(1991 年第 258 號法律公告；1995 年第 382 號法律公告)

B 部

立法局會期、會議及休會期間

5. 會期

(1) 立法局每一公曆年須至少開始一個會期，但於某一公曆年開始的會期，可延續至下一年結束。(1991 年第 258 號法律公告)

(2) 每一會期在總督藉憲報公告指定的日期或在立法局解散之日結束，以較早者為準。(1988 年第 178 號法律公告)

(3) 每一會期自總督藉憲報公告指定的日期開始，但每一會期最後一次會議與下一會期首次會議相隔的時間，不得超逾 3 個公曆月。

(1973 年第 85 號法律公告)

6. 每一會期首次會議的程序

(1) 在立法局每一會期首次會議上，任何未按照《宣誓及聲明條例》(第 11 章)的規定作宗教式或非宗教式宣誓的議員，須在該次會議上如此宣誓。(1985 年第 189 號法律公告)

(2) 在不牴觸本條第 (7) 款的情況下，總督可隨其意願，在每一會期首次會議上在立法局發表施政報告。(1995 年第 382 號法律公告)

(2) These Standing Orders, except Standing Orders Nos. 1 (Oath or Affirmation), 3 (Presiding in Council and in Committee of the whole Council), 4AA (Attendance of the Governor), 6(1) (Proceedings at First Sitting of Session), 10 (Quorum), 13 (Presentation of Petitions), the Standing Orders in Part J (Voting) and Standing Order No. 60(2) and (4) (Finance Committee), shall apply, in relation to the item of business in respect of which a public officer attends a sitting, to that public officer as they apply to a Member:

Provided that Standing Order No. 29(a) (Interruptions) shall apply to a public officer only in relation to the item of business in respect of which he attends a sitting. (*L.N. 465 of 1995*)

(3) Subject to clause XXIB(2) of the Royal Instructions, the Chief Secretary, the Financial Secretary and the Attorney General may attend any sitting of the Council, committees of the whole Council and other committees and subcommittees, and when attending sittings of the Council or committees of the whole Council these Standing Orders, except Standing Orders Nos. 1 (Oath or Affirmation), 3 (Presiding in Council and in Committee of the whole Council), 4AA (Attendance of the Governor), 4B (Attendance of Public Officers), 6(1) (Proceedings at First Sitting of Session), 10 (Quorum), 13 (Presentation of Petitions), and the Standing Orders in Part J (Voting), shall apply to them as they apply to a Member. (*L.N. 382 of 1995*)

(*L.N. 258 of 1991; L.N. 382 of 1995*)

PART B

SESSIONS, SITTINGS AND ADJOURNMENTS OF THE COUNCIL

5. Sessions

(1) At least one session of the Council shall be commenced in every calendar year, but a session commenced in one calendar year may be continued and concluded in the following year. (*L.N. 258 of 1991*)

(2) A session shall end on such date as the Governor may appoint by notice published in the Gazette, or on a dissolution of the Council, whichever is earlier. (*L.N. 178 of 1988*)

(3) A session shall begin on such date as the Governor may appoint by notice published in the Gazette, save that the period between the last sitting of one session and the first sitting of the next session shall not exceed 3 calendar months.

(*L.N. 85 of 1973*)

6. Proceedings at First Sitting of Session

(1) At the first sitting of a session Members who have not yet taken or subscribed an oath or affirmation in accordance with the provisions of the Oaths and Declarations Ordinance (Cap. 11), shall then do so. (*L.N. 189 of 1985*)

(2) Subject to paragraph (7) of this order, the Governor, if he so wishes, shall address the Council at the first sitting of a session. (*L.N. 382 of 1995*)

(3) 在總督向立法局發表施政報告不少於 14 天後舉行的會議上，議員可無經預告而動議就總督發表施政報告向其致謝。(1991 年第 258 號法律公告)

(4) (由 1991 年第 258 號法律公告廢除)

(5) 根據本條第 (3) 款動議的議案，格式如下：(1991 年第 258 號法律公告)
“本局感謝總督發表施政報告。”。

(6) 本條第 (5) 款所述的議案，可無經預告而動議作出修正，但修正案只限於在句末增添字句。(1991 年第 258 號法律公告)

(7) 如有急切事項需在立法局一個會期的首次會議上審議，立法局須著手處理該事項，而本條關於總督發表施政報告的各項規定，則在並無急切事項需要立法局處理的下一會議始適用。(1988 年第 178 號法律公告)

(1971 年第 138 號法律公告)

7. 會議的召開

(1) 立法局每一會期內的會議，須在立法局主席所決定的日期及時間舉行；同一會期內連續兩次會議不得相隔多於六個星期；但每屆立法局的首次會議，須在總督指定為該屆立法局首個會期開始當天舉行。(1973 年第 85 號法律公告；1995 年第 382 號法律公告)

(2) 除新一會期首次會議，以及每屆立法局首個會期開始後 14 整天內舉行的會議外，立法局每次會議的書面預告，須由立法局秘書於會議日期最少十四整天前發給各議員；但遇緊急情況，或按本會議常規第 4AA 條(總督出席會議)舉行的會議，立法局主席可免卻如此預告，而在此情況下須盡早通知各議員。(1992 年第 408 號法律公告；1995 年第 382 號法律公告)

(3) 立法局主席決定會議日期及時間後，可隨時將會議的日期或時間押後或提前。

(1991 年第 258 號法律公告)

7A. 休假期間的特別會議

在立法局一個會期結束而下一會期仍未開始的一段休假期內，總督如認為有需要為公眾利益而舉行會議，可決定在其指定的日期及時間舉行；為此目的，本會議常規適用於該次會議，一如適用於會期內舉行的會議。

(1984 年第 214 號法律公告；1988 年第 178 號法律公告)

(3) At a sitting not less than 14 days after the Governor has addressed the Council, a motion may be moved without notice for an address of thanks to the Governor for his address. *(L.N. 258 of 1991)*

(4) *(Repealed L.N. 258 of 1991)*

(5) A motion under paragraph (3) of this order shall be moved in the following form: *(L.N. 258 of 1991)*

“That this Council thanks the Governor for his address.”.

(6) Amendments may be moved to the motion described in paragraph (5) of this order only by way of adding words at the end of the motion and may be moved without notice. *(L.N. 258 of 1991)*

(7) If there is urgent business for the consideration of the Council at the first sitting of a session the Council shall proceed with that business, and the provisions of this order relating to the Governor’s address shall apply to the next sitting at which there is no urgent business for the consideration of the Council. *(L.N. 178 of 1988)*

(L.N. 138 of 1971)

7. Commencement of Sittings

(1) Sittings of the Council during each session shall be held on such days and shall begin at such hour as the President shall determine but a period of six weeks shall not elapse between the date of one sitting and the date appointed for the next sitting in the same session; except that the first sitting of a term of the Council shall be held on the date appointed by the Governor for the commencement of the first session of that term. *(L.N. 85 of 1973; L.N. 382 of 1995)*

(2) Written notice of every sitting of the Council other than the first sitting of a new session and sittings held within 14 clear days of the commencement of the first session of a term of the Council shall be given by the Clerk to Members at least fourteen clear days before the day of the sitting but in cases of emergency and sittings held for the purposes of Standing Order No. 4AA (Attendance of the Governor) the President may dispense with such notice and in that event the longest possible notice shall be given. *(L.N. 408 of 1992; L.N. 382 of 1995)*

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

(L.N. 258 of 1991)

7A. Special Sittings during Recess

During any period when the Council is in recess between the end of one session and the beginning of the next session the Governor may, where he is satisfied that the public interest so requires, determine that a sitting of the Council shall be held on such day and shall begin at such hour as he may specify, and for this purpose these Standing Orders shall apply to that sitting as they apply to a sitting held during a session.

(L.N. 214 of 1984; L.N. 178 of 1988)

7B. 解散後處理急切事項的會議

如立法局在解散後因須審議急切事項而舉行會議，本會議常規適用於該次會議，一如適用於會期內舉行的會議。

(1988 年第 178 號法律公告)

8. 會議時間

(1) 除立法局主席根據本會議常規第 7 條(會議的召開)另有決定外，每一會期的會議均須在下午 2 時 30 分開始，但每屆立法局的首次會議須在上午 10 時開始。
(1995 年第 382 號法律公告)

(2)-(4) (由 1995 年第 382 號法律公告廢除)

(5) 立法局主席如認為為了在立法局會議上適當地處理完議事程序表上的各項事務，有必要另擇一天繼續處理未完事項，則可命令於另一天繼續舉行會議。凡立法局主席在立法局會議上作此命令，當天會議須暫停舉行，並須於該另一天在本條第 (1) 款所述的時間復會繼續處理有關事項。
(1991 年第 258 號法律公告)

(6) 立法局主席可隨時將會議暫停，或宣布休會。

(1991 年第 258 號法律公告)

9. 立法局休會議案

(1) 如有任何充分理由不欲以明確字眼擬訂議案，就某一事宜或若干事宜進行辯論，則可動議一項立法局現即休會的議案，以進行該項辯論。

(2) 動議上述議案，無須事先作出預告，但議案只可於兩類事項之間動議。立法局主席如信納休會的目的是在於方便議員討論某項對公眾而言有迫切重要性的事宜，可准許議員或出席會議的任何指定公職人員動議此類議案。
(1991 年第 138 號法律公告)

(3) 上述議案如獲通過，立法局即須休會。

(4) 議事程序表上所有事項處理完畢後，議員可動議一項立法局現即休會的議案，以便提出任何與公眾有關而政府有責任處理的事宜，要求一名指定公職人員發言答辯。
(1995 年第 382 號法律公告)

(5) (由 1995 年第 382 號法律公告廢除)

(6) 議員如擬在某次會議上根據本條第 (4) 款動議議案，須在該次會議日期不少於七整天前以書面向立法局秘書作出預告：
(1971 年第 138 號法律公告；1976 年第 314 號法律公告)

但立法局主席可酌情免卻預告。

(6A) (由 1995 年第 382 號法律公告廢除)

7B. Sittings for Urgent Business after a Dissolution

These Standing Orders shall apply to a sitting of the Council held for the consideration of urgent business following a dissolution of the Council as they apply to a sitting held during a session.

(L.N. 178 of 1988)

8. Hours of Sitting

(1) Unless otherwise determined under Standing Order No. 7 (Commencement of Sittings), every sitting of a session shall begin at 2.30 p.m.; except that the first sitting of a term of the Council shall begin at 10.00 a.m. *(L.N. 382 of 1995)*

(2-4) (Repealed L.N. 382 of 1995)

(5) When in the opinion of the President it is necessary for the proper completion of the business on the Order Paper at a sitting of the Council to continue any unfinished business on another day, the President may order that the sitting shall continue on such other day for that purpose. Where the President so orders at a sitting of the Council, the sitting shall stand suspended and shall resume for the continuation of business on such other day at the time mentioned in paragraph (1) of this order. *(L.N. 258 of 1991)*

(6) The President may at any time suspend a sitting or adjourn the Council. *(L.N. 258 of 1991)*

9. Motions for the Adjournment of the Council

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

(2) Such a motion shall not require notice and may be moved only between two items of business. It may be moved by a Member or any designated public officer attending the sitting, with the permission of the President, if the President is satisfied that the adjournment is for the purpose of discussing a specific matter of urgent public importance. *(L.N. 138 of 1991)*

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

(4) At the conclusion of all the business on the Order Paper a Member may move that this Council do now adjourn, for the purpose of raising any public matter for which the Government is responsible, with a view to eliciting a reply from a designated public officer. *(L.N. 382 of 1995)*

(5) (Repealed L.N. 382 of 1995)

(6) A Member who wishes to move a motion under the provisions of paragraph (4) of this order shall give notice of the matter in writing to the Clerk not less than seven clear days before the sitting at which he wishes to do so: *(L.N. 138 of 1971; L.N. 314 of 1976)*

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

(6A) (Repealed L.N. 382 of 1995)

(7) 如在根據本條第(4)款動議的議案動議後四十五分鐘，或在立法局主席於個別會議上決定的更長時限屆滿後，仍未有指定公職人員被叫喚作答，立法局主席即須指示當時正在發言的議員坐下，然後叫喚一名指定公職人員發言答辯。(1983年第255號法律公告)

(8) 如在根據本條第(4)款動議的議案動議後一小時，或在立法局主席於個別會議上決定的更長時限屆滿後，議案仍未獲得通過，立法局主席即無須付諸表決而宣布休會。(1971年第138號法律公告；1983年第255號法律公告)

(1987年第221號法律公告；1991年第258號法律公告；1995年第382號法律公告)

10. 會議法定人數

(1) 立法局及全體委員會的會議法定人數為二十名議員，包括立法局主席或全體委員會主席在內。(1971年第138號法律公告；1983年第255號法律公告)

(2) 如出席會議的議員不足法定人數，而有人向立法局主席提出此事，立法局主席即須指示傳召議員到場。十五分鐘後，立法局主席如信納仍不足法定人數，即無須付諸表決而宣布休會。

(3) 如未有足夠法定人數出席會議，而有人向全體委員會主席提出此事，全體委員會主席即須依照本條第(2)款處理；屆時如委員會主席信納仍不足法定人數，即須回復為立法局，並由立法局主席點算人數，屆時如有足夠法定人數，則須再次轉變為委員會，但如不足法定人數，立法局主席即無須付諸表決而宣布休會。

(4) 如參與點名表決的議員人數(包括放棄表決者在內)顯示出席會議的人數不足法定人數，點名表決即告無效；原擬以點名表決方式表決的問題須延擱至下次會議再行處理，而會議則須依照本條第(2)或(3)款規定的程序進行。

C 部

事項編排

11. 各類事項的次序

(1) 每次會議的事項須依照以下次序處理，但根據本會議常規第4AA條(總督出席會議)或第6條(每一會期首次會議的程序)舉行的會議，以及為選舉立法局主席而舉行的會議除外：(1993年第42號法律公告；1995年第382號法律公告)

(a) 進行宗教式或非宗教式宣誓。(1985年第189號法律公告)

(aa) 致悼辭及其他禮節性演辭。(1991年第258號法律公告)

(b) 立法局主席宣讀各項文告及作出各項宣布。

(7) If at the expiration of forty-five minutes, or such longer period as the President may at any sitting determine, from the moving of a motion under paragraph (4) of this order a designated public officer has not yet been called upon to reply, the President shall direct the Member then speaking to resume his seat and shall call upon a designated public officer to reply. (*L.N. 255 of 1983*)

(8) If at the expiration of one hour, or such longer period as the President may at any sitting determine, from the moving of the motion under paragraph (4) of this order such motion has not been agreed to, the President shall adjourn the Council without putting any question. (*L.N. 138 of 1971; L.N. 255 of 1983*)

(*L.N. 221 of 1987; L.N. 258 of 1991; L.N. 382 of 1995*)

10. Quorum

(1) The quorum of the Council and of a committee of the whole Council shall consist of twenty Members including the President or Chairman. (*L.N. 138 of 1971; L.N. 255 of 1983*)

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

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

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

PART C

ARRANGEMENT OF BUSINESS

11. Order of Business at a Sitting

(1) The business of each sitting other than a sitting under Standing Order No. 4AA (Attendance of the Governor), Standing Order No. 6 (Proceedings at First Sitting of Session) or a sitting to elect the President shall be transacted in the following order: (*L.N. 42 of 1993; L.N. 382 of 1995*)

(a) Administration of oath or affirmation. (*L.N. 189 of 1985*)

(aa) Obituary and other ceremonial speeches. (*L.N. 258 of 1991*)

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

- (c) 提交呈請書。
- (d) 將文件、專責委員會報告提交會議席上省覽。(1971 年第 138 號法律公告)
- (e) 向政府提出質詢及由政府作答。
- (f) 由指定公職人員發表聲明。(1987 年第 221 號法律公告；1991 年第 258 號法律公告；1995 年第 382 號法律公告)
- (g) 作出個人解釋。
- (h) (由 1991 年第 258 號法律公告廢除)
- (i) 處理議案及條例草案。
- (ia) 處理根據本會議常規第 67A 條(就議員出席民事法律程序擔任證人一事取得許可的程序)及第 67B 條(就立法局會議過程提供證據一事取得許可的程序)給予許可的要求。(1995 年第 382 號法律公告)
- (j) 處理本會議常規第 9(4) 條(立法局休會議案)規定的事宜。(1995 年第 382 號法律公告)
- (k) (由 1995 年第 382 號法律公告廢除)

(2) 本條第(1)款(a)、(aa)、(b)、(c)、(d)、(f)及(g)段所述事項，無須事先作出預告而進行，但除(a)及(b)段所述事項外，其餘事項均須先獲立法局主席許可，方可進行。(1995 年第 382 號法律公告)

12. 議事程序表

(1) 議事程序表須有中、英文本。每次會議所有經事先作出預告的事項，須依照本會議常規第 11 條(各類事項的次序)規定的次序，列於該次會議的議事程序表內。(1988 年第 333 號法律公告)

(2) 擬向政府提出的質詢，須依照本會議常規第 19(1)及(2)條(質詢的提出及答覆)的規定，列於議事程序表內。(1991 年第 258 號法律公告；1995 年第 382 號法律公告)

(3) 在議事程序表內，公職人員擬動議的議案及負責的條例草案，須列於議員擬動議的議案及負責的條例草案之前。(1987 年第 221 號法律公告；1991 年第 258 號法律公告；1995 年第 382 號法律公告)

(4) 本條不適用於根據本會議常規第 4AA 條(總督出席會議)或第 6 條(每一會期首次會議的程序)舉行的會議，以及為選舉立法局主席而舉行的會議。(1995 年第 382 號法律公告)

D 部

呈請書及文件

13. 呈請書的提交

(1) 呈請書只可由議員向立法局提交。

(2) 議員擬於會議上向立法局提交呈請書，須不遲於該會議日期前一天知會立法局主席。議員就此事知會立法局主席時，須以書面向立法局主席證明該呈請書是謙恭的，而且他認為值得提交該呈請書。

- (c) Presentation of petitions.
 - (d) Laying on the Table of papers and of reports of select committees. (*L.N. 138 of 1971*)
 - (e) Asking and answering of questions put to the Government.
 - (f) Statements by designated public officers. (*L.N. 221 of 1987; L.N. 258 of 1991; L.N. 382 of 1995*)
 - (g) Personal explanations.
 - (h) (*Repealed L.N. 258 of 1991*)
 - (i) Proceedings on motions and bills.
 - (ia) Requests for leave under Standing Order No. 67A (Procedure for Obtaining Leave for Member to Attend as Witness in Civil Proceedings) and Standing Order No. 67B (Procedure for Obtaining Leave to Give Evidence of Council Proceedings). (*L.N. 382 of 1995*)
 - (j) Proceedings under Standing Order No. 9(4) (Motions for the Adjournment of the Council). (*L.N. 382 of 1995*)
 - (k) (*Repealed L.N. 382 of 1995*)
- (2) The items of business mentioned in sub-paragraphs (a), (aa), (b), (c), (d), (f) and (g) of paragraph (1) of this order shall not require notice; but with the exception of items (a) and (b) they shall not be entered upon save with the previous leave of the President. (*L.N. 382 of 1995*)

12. The Order Paper

(1) The Order Paper shall be in English and Chinese. All items of business for a sitting of which notice has been given shall be placed on the Order Paper for that sitting in the order required by Standing Order No. 11 (Order of Business at a Sitting). (*L.N. 333 of 1988*)

(2) All questions to the Government shall be placed on the Order Paper in accordance with the provisions of Standing Order No. 19(1) and (2) (Asking and Answering of Questions). (*L.N. 258 of 1991; L.N. 382 of 1995*)

(3) Motions proposed to be made by and bills in the charge of public officers shall be placed on the Order Paper before motions proposed to be made by and bills in the charge of Members. (*L.N. 221 of 1987; L.N. 258 of 1991; L.N. 382 of 1995*)

(4) This Standing Order does not apply to a sitting under Standing Order No. 4AA (Attendance of the Governor), Standing Order No. 6 (Proceedings at First Sitting of Session) or a sitting to elect the President. (*L.N. 382 of 1995*)

PART D

PETITIONS AND PAPERS

13. Presentation of Petitions

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

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

(3) 立法局主席如認為呈請書要求訂立規定以徵收新稅項或增加稅款，或在政府收入或香港其他公帑中增添新負擔項目或增加已有的負擔，或更改但非削減該等負擔項目，或了結或免除欠官方的債務，則除獲總督推許外，不得准許接受該呈請書。
(1983 年第 255 號法律公告)

(4) 總督明示推許呈請書一事，須記錄在會議紀要內。

(5) 提交呈請書的議員可簡述呈請人數目、身分，以及呈請書的要旨，但不得再作其他發言。

(6) 呈請書提交後，如有議員即時起立，要求將呈請書交付專責委員會處理，立法局主席即須請支持此項要求的議員起立；如有不少於二十名議員起立，呈請書即告交付專責委員會處理。
(1976 年第 314 號法律公告；1983 年第 255 號法律公告)

14. 文件的提交

(1) 文件可由指定公職人員向立法局提交；議員獲立法局主席許可後，亦可向立法局提交文件。
(1987 年第 221 號法律公告；1991 年第 258 號法律公告)

(2) 議員或指定公職人員如擬向立法局提交文件，須將該文件送交立法局秘書；立法局秘書須將該文件分發每一名議員，並可安排將該文件發表。下一次會議開始時，該文件須提交立法局會議席上省覽，立法局秘書並須將該文件提交立法局會議席上省覽一事及該文件的發表日期，記錄在該次會議的紀要內。

(3) 凡有文件提交立法局會議席上省覽，提交該文件的議員或指定公職人員獲立法局主席許可後，可就該文件在立法局發言。

(4) 議員或指定公職人員獲立法局主席同意後，可就提交立法局會議席上省覽的附屬法例在立法局發言，但《釋義及通則條例》(第 1 章) 第 34 條規定的修訂附屬法例期限(或任何延展的期限)必須尚未屆滿。議員或指定公職人員如擬根據本款在立法局會議上發言，須在該次會議開始前知會立法局主席。
(1995 年第 382 號法律公告)

(5) 議員或指定公職人員根據第(3)或(4)款所作的發言不容辯論，但立法局主席可酌情准許向發言的議員或指定公職人員提出簡短問題，以求澄清該議員或指定公職人員在發言中提出的任何事宜。
(1992 年第 408 號法律公告)

(1971 年第 138 號法律公告；1995 年第 382 號法律公告)

(3) Except on the recommendation of the Governor, the President shall not permit a petition to be received if, in his opinion, the petition requests that provision should be made for imposing or increasing a tax, for imposing or increasing a charge on the revenue or other public moneys of Hong Kong or for altering such a charge otherwise than by reducing it, or for compounding or remitting a debt due to the Crown. (*L.N. 255 of 1983*)

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

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

(6) If, immediately after a petition has been presented, a Member rises in his place and requests that the petition be referred to a select committee, the President shall call upon those Members who support the request to rise in their places. If not less than twenty Members then rise the petition shall stand referred to a select committee. (*L.N. 314 of 1976; L.N. 255 of 1983*)

14. Presentation of Papers

(1) A paper may be presented to the Council by a designated public officer or, with the permission of the President, by a Member. (*L.N. 221 of 1987; L.N. 258 of 1991*)

(2) Whenever a Member or a designated public officer wishes to present a paper he shall send a copy of it to the Clerk, who shall distribute a copy to each Member and may also arrange for its publication. A copy of the paper shall be laid on the Table of the Council at the opening of the next sitting and the Clerk shall record its laying and the date of publication in the minutes of the proceedings of that sitting.

(3) Whenever a paper has been laid on the Table of the Council, the Member or the designated public officer presenting it may, with the permission of the President, address the Council thereon.

(4) A Member or a designated public officer may, with the consent of the President, address the Council on subsidiary legislation laid on the Table of the Council, provided that the period (or any extended period) under section 34 of the Interpretation and General Clauses Ordinance (Cap. 1) for amendment of the subsidiary legislation has not expired. A Member or a designated public officer who wishes to address the Council under this paragraph at any sitting shall inform the President of his wish before the beginning of that sitting. (*L.N. 382 of 1995*)

(5) No debate may arise on any address presented by a Member or a designated public officer under paragraph (3) or (4) but the President may in his discretion allow short questions to be put to the Member or the designated public officer making the address for the purpose of elucidating any matter raised by the Member or the designated public officer in the course of his address. (*L.N. 408 of 1992*)

(*L.N. 138 of 1971; L.N. 382 of 1995*)

向政府提出的質詢

15. 質詢性質

- (1) 任何議員均可就任何與公眾有關而政府有責任處理的事宜，向政府提出質詢，要求提供有關該事的資料，或要求政府就該事採取行動。(1987 年第 221 號法律公告；1991 年第 258 號法律公告；1995 年第 382 號法律公告)
- (2) 質詢須指明要求口頭或書面答覆。(1971 年第 138 號法律公告)

16. 質詢時間

- (1) 在任何一次會議均可提出質詢，但每一會期首次會議除外。
- (2) 每次會議可提出不多於二十項已作預告的質詢，該等質詢須由立法局秘書按內務委員會建議並經主席同意的方式點算。(1976 年第 256 號法律公告；1991 年第 258 號法律公告；1995 年第 382 號法律公告)
- (3) 如立法局主席認為某次會議將不會就主體議案進行辯論，即不得有多於十項要求口頭答覆的質詢；如立法局主席認為某次會議將會就主體議案進行辯論，則不得有多於六項要求口頭答覆的質詢。該等質詢須由立法局秘書按內務委員會建議並經主席同意的方式點算。(1991 年第 258 號法律公告；1992 年第 114 號法律公告；1992 年第 408 號法律公告；1995 年第 382 號法律公告)
- (3A) 內務委員會可向立法局主席建議某次會議不得有要求口頭答覆的質詢；如立法局主席接納該項建議，則議員不得在該次會議提出該等質詢，但立法局主席可根據本會議常規第 17(4) 條 (質詢預告) 的規定准許提出急切質詢。(1995 年第 382 號法律公告；1995 年第 465 號法律公告)
- (4) 在本條中，“主體議案”指一項獨立而非附屬於另一項議案的議案，但不包括根據本會議常規第 6 條 (每一會期首次會議的程序)，或根據本會議常規 K 部 (條例草案的處理程序) 及 L 部 (財政程序) 動議的議案。(1991 年第 258 號法律公告)

17. 質詢預告

- (1) 未作預告，不得提出質詢；但在本條第 (4) 款所規定的情況下除外。

PART E

QUESTIONS TO THE GOVERNMENT

15. Nature of Questions

(1) Any Member may address a question to the Government relating to a public matter for which the Government is responsible, and either seeking information on such matter or asking for official action with regard to it. (*L.N. 221 of 1987; L.N. 258 of 1991; L.N. 382 of 1995*)

(2) A question shall specify whether an oral or a written reply is required. (*L.N. 138 of 1971*)

16. Question Time

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

(2) Not more than twenty questions of which notice has been given may be asked at any one sitting and the questions shall be counted by the Clerk in the manner recommended by the House Committee and agreed by the President. (*L.N. 256 of 1976; L.N. 258 of 1991; L.N. 382 of 1995*)

(3) Where, in the opinion of the President, there will be no debate on a substantive motion at a sitting, no more than ten questions shall require an oral reply. Where, in the opinion of the President, there will be such a debate, no more than six questions shall require an oral reply. The questions shall be counted by the Clerk in the manner recommended by the House Committee and agreed by the President. (*L.N. 258 of 1991; L.N. 114 of 1992; L.N. 408 of 1992; L.N. 382 of 1995*)

(3A) The House Committee may recommend to the President that in respect of a particular sitting no question requiring an oral reply should be asked; and if the President accepts such recommendation no such question shall be asked at that sitting, save that the President may permit urgent questions under the provisions of Standing Order No. 17(4) (Notice of Questions). (*L.N. 382 of 1995; L.N. 465 of 1995*)

(4) In this order, "substantive motion" means a motion that is independent and not subsidiary to another motion, and does not include a motion under Standing Order No. 6 (Proceedings at First Sitting of Session) or under Parts K (Procedure on Bills) and L (Financial Procedure) of these Standing Orders. (*L.N. 258 of 1991*)

17. Notice of Questions

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

(2) 議員就提出質詢所作的預告，須不遲於政府需要答覆該質詢的會議日期前七整天送交立法局秘書辦事處，並須在該預告上簽署；但在每屆立法局首個會期的第二次會議上提出的質詢，則須在不少於 4 整天前作出預告。(1971 年第 138 號法律公告；1992 年第 408 號法律公告；1995 年第 382 號法律公告)

(3) 每次會議上，每名議員不得提出多於兩項已作預告的質詢，而要求口頭答覆的質詢不得多於一項：

但立法局主席如認為議員額外提出的是公眾關注的重要質詢，則可准許議員提出該項額外質詢。(1991 年第 258 號法律公告)

(4) 如議員以事項性質急切及與公眾有重大關係為理由，請求立法局主席准許無經預告而提出質詢，則立法局主席如信納該質詢確屬此性質，而有關議員已經或將會私下向政府作出充分的預告，以便政府能答覆該質詢，則可批准該議員無經預告而提出該質詢。

18. 質詢內容

(1) 質詢須符合以下規則：

- (a) 不得包括人名或任何並非為令質詢清晰而絕對必需的陳述。
- (b) 不得包含提出質詢的議員所不擬提供根據的陳述。
- (c) 不得包含議論、推論、意見、指摘或綽號，亦不得使用偏頗、諷刺或冒犯性的措詞。
- (d) 不得包含多項獨立質詢，或是過於複雜，以致不能夠合理地作為單獨一項質詢來回答。(1991 年第 258 號法律公告)
- (e) 在任何委員會向立法局提交報告前，不得提述該委員會的會議過程。
- (f) 不得尋求本身屬機密性質事宜的資料。
- (g) 不得論及法庭的判決，所用措詞亦不得有相當可能會妨害在法庭待決的案件。
- (h) 不得為求取見解、解決抽象法律問題或解答假設論題而提出質詢。
- (i) 不得詢問報章所刊載，或私營機構或私人所作的聲明是否正確。
- (j) 不得問及本會議常規第 31(7) 及 (8) 條(發言內容)所述人士的品格或行為，亦不得問及其他人士在其公職或所參與的公共事務範圍以外的品格或行為。(1995 年第 382 號法律公告)

(2) A Member shall give notice of a question by delivering to the office of the Clerk, not later than seven clear days before the sitting at which an answer is required, a copy thereof signed by the Member; provided that for questions requiring an answer at the second sitting of the first session of a term the period of notice shall be not less than 4 clear days. (*L.N. 138 of 1971; L.N. 408 of 1992; L.N. 382 of 1995*)

(3) A Member may not ask more than two questions of which notice has been given at any one sitting and not more than one of those questions shall require an oral reply:

Provided that the President may, if in his opinion an additional question is an important one of public concern, allow a Member to ask that additional question. (*L.N. 258 of 1991*)

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

18. Contents of Questions

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

- (a) A question shall not include the names of persons, or statements which are not strictly necessary to make the question intelligible.
- (b) A question shall not contain a statement which the Member who asks the question is not prepared to substantiate.
- (c) A question shall not contain arguments, inferences, opinions, imputations or epithets, or tendentious, ironical or offensive expressions.
- (d) A question shall not contain independent questions or be so complex that it cannot reasonably be answered as a single question. (*L.N. 258 of 1991*)
- (e) A question shall not refer to proceedings in a committee before that committee has made its report to the Council.
- (f) A question shall not seek information about a matter which is of its nature secret.
- (g) A question shall not reflect on the decision of a court of law or be so drafted as to be likely to prejudice a case pending in a court of law.
- (h) A question shall not be asked for the purpose of obtaining an expression of opinion, the solution of an abstract legal question, or the answer to a hypothetical proposition.
- (i) A question shall not be asked whether statements in the press or of private individuals or private concerns are accurate.
- (j) A question shall not be asked about the character or conduct of any person mentioned in Standing Order No. 31(7) and (8) (Contents of Speeches) and a question shall not be asked about the character or conduct of any other person except in his official or public capacity. (*L.N. 382 of 1995*)

- (k) 不得要求提供可取覽的文件或普通參考材料所載的資料。
- (l) 在同一會期內，不得再次提出已獲全面答覆的質詢。
- (2) 關於議員已向立法局秘書作出預告的質詢，或議員已要求提出可無經預告而提出的質詢，立法局主席如認為其違犯本會議常規第 15 條 (質詢性質) 或本條的規定，則可指示——
 - (a) 將該質詢按主席指示修改後列入議事程序表內；或
 - (b) 在議員要求無經預告而提出質詢的情況下，將該質詢按主席指示修改，方可提出；或
 - (c) 通知有關的議員該質詢不合乎規程。

19. 質詢的提出及答覆

(1) 議員如表示擬在某次會議上提出質詢，則每條經由該議員根據本會議常規第 17 條 (質詢預告) 作出適當預告，而又符合本會議常規第 18 條 (質詢內容) 規定的質詢，須列入該次會議的議事程序表內。

(2) 每次會議提出的質詢，在不牴觸本會議常規第 16(2) 條 (質詢時間) 的情況下，須由立法局秘書按照其接獲預告的先後次序列入議事程序表內；如一名議員同時就數項質詢作出預告，則按該議員所示的次序，將質詢列入議事程序表內。 (1995 年第 382 號法律公告)

(3) 除要求書面答覆者外，按照議事程序表依次輪到每項質詢時，立法局主席須叫喚以其名義提出質詢的議員；該議員屆時須起立提出質詢，隨而由負責作答的指定公職人員答覆。 (1971 年第 138 號法律公告；1976 年第 314 號法律公告；1987 年第 221 號法律公告；1995 年第 382 號法律公告)

(4) 質詢獲得答覆後，任何議員均可在立法局主席叫喚其名字時提出補充質詢，以求澄清該答覆；但立法局主席如認為補充質詢提出與原有質詢或原有答覆無關的事宜，或牴觸本會議常規第 15 條 (質詢性質) 或第 18 條 (質詢內容)，則須拒絕准許該補充質詢獲得答覆。

(5) 議員不得就質詢向立法局陳詞，亦不得以質詢作為辯論的藉口。

(6) 如議員的名字被叫喚時，該議員不在席提出其質詢，則該質詢經其同意可由另一名議員提出，否則該質詢須作為要求書面答覆的質詢處理。 (1996 年第 287 號法律公告)

- (k) A question shall not be asked seeking information which can be found in accessible documents or ordinary works of reference.
 - (l) A question which has been fully answered shall not be asked again during the same session.
- (2) If the President is of the opinion that a question of which a Member has given notice to the Clerk or which a Member has sought to ask without notice infringes any of the provisions of Standing Order No. 15 (Nature of Questions) or of this order, he may direct—
- (a) that it be placed on the Order Paper with such alterations as he may direct; or
 - (b) in the case of a question which a Member has sought to ask without notice, that it may be so asked with such alterations as he may direct; or
 - (c) that the Member concerned be informed that the question is out of order.

19. Asking and Answering of Questions

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

(2) The questions to be asked at each sitting shall, subject to the provisions of Standing Order No. 16(2) (Question Time), be placed on the Order Paper by the Clerk in the order in which notice of them was received by him, and when a Member has given notice of several questions at the same time in the order indicated by the Member. (*L.N. 382 of 1995*)

(3) When each question is reached on the Order Paper the President shall, except in the case of a question for which a written answer has been sought, call on the Member in whose name the question stands. The Member called shall then rise in his place and ask the question and the designated public officer who is to answer it shall give his reply. (*L.N. 138 of 1971; L.N. 314 of 1976; L.N. 221 of 1987; L.N. 382 of 1995*)

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

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

(6) If a Member is not present to ask his question when his name is called the question may with his consent be asked by another Member, but otherwise shall be treated as a question for which a written answer has been sought. (*L.N. 287 of 1996*)

(7) 在要求以書面答覆質詢的情況下，或在表示將以書面答覆補充質詢的情況下，該等書面答覆須送交每名議員，並須印載於正式紀錄內。(1971年第138號法律公告；1983年第255號法律公告)

(8) 議員如已就一項質詢作出預告，可在擬提出質詢的會議舉行當日下午一時前向立法局秘書作出預告，撤回其質詢。(1996年第287號法律公告)

(1991年第258號法律公告)

19A. 根據本會議常規第4AA條舉行的會議

本部(本會議常規第18條(質詢內容)除外)並不適用於根據本會議常規第4AA條(總督出席會議)向總督提出的質詢。

(1993年第42號法律公告；1995年第382號法律公告)

F 部

聲明

20. 指定公職人員發表的聲明

(1) 指定公職人員如擬在立法局會議上就與公眾有關而政府有責任處理的事宜發表聲明，須在該次會議開始前，知會立法局主席。(1987年第221號法律公告)

(2) 議員不得就該聲明進行辯論，但立法局主席可酌情准許議員向發表聲明的公職人員提出簡短問題，以求澄清該聲明。

(1991年第258號法律公告；1995年第382號法律公告)

G 部

議案

21. 議案及修正案的預告

(1) 除本會議常規另有規定外，如擬動議議案，必須在立法局或全體委員會審議該議案當天不少於十二整天前作出預告，否則不得在立法局動議，亦不得在全體委員會動議。(1971年第138號法律公告)

但立法局主席或全體委員會主席可酌情免卻預告。

(7) In the case of a question for which a written answer has been sought, or in the case of a supplementary question for which a written answer has been offered, a written answer shall be supplied to each Member and shall be printed in the Official Record. (*L.N. 138 of 1971; L.N. 255 of 1983*)

(8) A Member who has given notice of a question may withdraw the question by giving notice to the Clerk before 1.00 p.m. on the day of the sitting at which the question is to be asked. (*L.N. 287 of 1996*)

(*L.N. 258 of 1991*)

19A. Sitting under Standing Order No. 4AA

This Part (other than Standing Order No. 18 (Contents of Questions)) does not apply to questions put to the Governor under Standing Order No. 4AA (Attendance of the Governor).

(*L.N. 42 of 1993; L.N. 382 of 1995*)

PART F

STATEMENTS

20. Statements by designated public officers

(1) A designated public officer who wishes to make a statement on some public matter for which the Government is responsible shall inform the President of his wish before the beginning of the sitting at which he wishes to make the statement. (*L.N. 221 of 1987*)

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

(*L.N. 258 of 1991; L.N. 382 of 1995*)

PART G

MOTIONS

21. Notice of Motions and Amendments

(1) Except as otherwise provided in these Standing Orders, no motion shall be moved in the Council or a committee of the whole Council unless notice of it has been given not less than twelve clear days before the day on which the motion is to be considered by the Council or a committee of the whole Council: (*L.N. 138 of 1971*)

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

(1A) 如擬動議修訂受《釋義及通則條例》(第 1 章) 第 34 條所規限的附屬法例，必須在立法局審議該議案當天不少於五整天前作出預告，否則不得在立法局動議：

但立法局主席可酌情免卻預告。(1995 年第 382 號法律公告)

(1B) 如擬動議延展《釋義及通則條例》(第 1 章) 第 34(4) 條所提述關於附屬法例的期限，必須在立法局審議該議案當天不少於三整天前作出預告，否則不得在立法局動議：

但立法局主席可酌情免卻預告。(1995 年第 382 號法律公告)

(1C) 修正本條第 (1A) 或 (1B) 款提述的議案所需的預告期，由立法局主席酌情決定。(1995 年第 382 號法律公告)

(2) 除本會議常規另有規定外，不得就議案動議任何修正案，除非——

(a) 在立法局或全體委員會審議該議案當天五整天之前，已就修正案作出預告；或

(b) 立法局主席或全體委員會主席批准免卻就修正案作出預告。

(1991 年第 258 號法律公告；1992 年第 408 號法律公告)

22. 議案及修正案的預告方式

(1) 議員就議案或修正案作出預告，須將該議案或修正案以書面送達立法局秘書辦事處。擬動議議案或修正案的議員須在該預告上簽署。

(1A) 議案如以中文撰寫，有關修正該議案的預告須以中文撰寫；議案如以英文撰寫，則有關修正該議案的預告須以英文撰寫。(1988 年第 333 號法律公告)

(1B) (由 1995 年第 382 號法律公告廢除)

(2) 就議案或修正案所作預告，須呈交立法局主席，由其指示按以下方式處理——

(a) 按所交來的原有措辭印載；或

(b) 按其指示修改，然後予以印載；或

(c) 因其認為不合乎規程，將該預告退回簽署該預告的議員。

(3) (由 1995 年第 382 號法律公告廢除)

23. 議案及修正案的規限

任何議案或修正案，如其目的或效力經立法局主席或全體委員會主席裁定為可導致動用香港任何部分政府收入或其他公帑，或須由該等收入或公帑負擔，則該議案或修正案只可由以下人士提出——

(1A) No motion to amend subsidiary legislation which is subject to the provisions of section 34 of the Interpretation and General Clauses Ordinance (Cap. 1) shall be moved in Council unless notice of it has been given not less than five clear days before the day on which the motion is to be considered by the Council:

Provided that the President may in his discretion dispense with such notice. (*L.N. 382 of 1995*)

(1B) No motion to extend the period referred to in section 34(4) of the Interpretation and General Clauses Ordinance (Cap. 1) in relation to subsidiary legislation shall be moved in Council unless notice of it has been given not less than three clear days before the day on which the motion is to be considered by the Council:

Provided that the President may in his discretion dispense with such notice. (*L.N. 382 of 1995*)

(1C) The notice period required for any amendment to a motion referred to in paragraph (1A) or (1B) shall be decided by the President according to his discretion. (*L.N. 382 of 1995*)

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

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

(*L.N. 258 of 1991; L.N. 408 of 1992*)

22. Manner of Giving Notice of Motions and Amendments

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

(1A) A notice of an amendment to a motion shall be in English if the motion is in English and in Chinese if the motion is in Chinese. (*L.N. 333 of 1988*)

(1B) (*Repealed L.N. 382 of 1995*)

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

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

(3) (*Repealed L.N. 382 of 1995*)

23. Restriction on Motions and Amendments

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

- (a) 總督；
- (b) 根據本會議常規第 4B 條 (公職人員出席會議) 由總督指定的公職人員；
或 (1995 年第 382 號法律公告)
- (c) 獲總督明確授權或許可提出該建議的立法局議員。
(1993 年第 42 號法律公告)

23A. 有關立法局先前所作決定的議案

凡立法局已對某一議題作出決定，則在同一會期內，不得就該議題再行動議議案，但如獲立法局主席許可，則可動議主體議案，用以撤銷該項決定。

(1995 年第 382 號法律公告)

24. 議案的辯論方式

(1) 擬動議議案的議員被立法局主席或全體委員會主席叫喚時，須起立動議議案，而在動議議案時可隨其意願發表意見。(1976 年第 314 號法律公告)

(2) 議員動議議案後，立法局主席或全體委員會主席須向立法局或全體委員會提出該議案的待議議題；議員即可就該議題進行辯論。(1976 年第 314 號法律公告；1991 年第 258 號法律公告)

(3) 立法局主席或全體委員會主席向立法局或全體委員會提出議案的待議議題後，議員可隨時動議修正案以修正該議案，但所動議的修正案須符合本會議常規第 21(2)(a) 或 (b) 條 (議案及修正案的預告) 的規定，即事先作出預告或獲准免卻預告。在處理所有修正案後，立法局主席或全體委員會主席須再度向立法局或全體委員會提出該議案的待議議題，或經修正的議案的待議議題，議員即可作進一步的辯論。(1995 年第 382 號法律公告；1995 年第 465 號法律公告)

(4) 如再無議員發言，立法局主席或全體委員會主席即須向立法局或全體委員會提出該議案或經修正的議案的待決議題，付諸表決。(1991 年第 258 號法律公告；1995 年第 382 號法律公告)

25. 議案修正案的辯論方式

(1) 擬就議案動議修正案的議員被立法局主席或全體委員會主席叫喚時須起立，並隨其意願發表意見後，動議修正案。

(2) 議案的修正案，須以下列其中一種形式提出——

- (a) 在該議案中刪去一字或多字。
- (b) 在該議案中或結尾加插或增補一字或多字。

- (a) the Governor;
- (b) a public officer designated by the Governor under Standing Order No. 4B (Attendance of Public Officers); or (*L.N. 382 of 1995*)
- (c) a Member of the Council expressly authorized or permitted by the Governor to make such a proposal.

(L.N. 42 of 1993)

23A. Motions on Previous Decisions of Council

Where the Council has taken a decision on a specific question no further motion shall be moved in relation to that question during the current session except a substantive motion to rescind the decision, moved with the permission of the President.

(L.N. 382 of 1995)

24. Manner of Debating Motions

(1) A Member called upon by the President or Chairman to move a motion shall rise in his place and in moving the motion shall make such remarks as he may wish. (*L.N. 314 of 1976*)

(2) When a motion has been moved, the President or Chairman shall propose the question thereon to the Council or the committee of the whole Council; debate may then take place on that question. (*L.N. 314 of 1976; L.N. 258 of 1991*)

(3) Amendments of which notice has been given or dispensed with in accordance with Standing Order No. 21(2)(a) or (b) (Notice of Motions and Amendments) may be moved to a motion at any time after the question has been proposed on the motion by the President or Chairman and after all the amendments have been disposed of the President or Chairman shall again propose the question on the motion, or shall propose the question on the motion as amended, as the case may require, and a further debate may take place. (*L.N. 382 of 1995; L.N. 465 of 1995*)

(4) When no more Members wish to speak the President or Chairman shall put the question on the motion, or on the motion as amended, to the Council or to the committee of the whole Council for its decision. (*L.N. 258 of 1991; L.N. 382 of 1995*)

25. Manner of Debating Amendments to Motions

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

- (2) An amendment to a motion shall take one of the following forms—
 - (a) To leave out one or more words of the motion.
 - (b) To insert or add one or more words in the motion or at the end of the motion.

(c) 在該議案中刪去一字或多字，並以加插或增補一字或多字來代替。

(3) 議員動議修正案後，立法局主席或全體委員會主席即須提出修正原議案的待議議題，議員即可就該議題進行辯論。

(4) 如議員就同一議案動議多於一項修正案，立法局主席或全體委員會主席須按原議案文本中擬修正的字句的先後次序，順序叫喚修正案動議人；如對此次序有疑問，則由立法局主席或全體委員會主席決定叫喚修正案動議人的次序。

(5) 如再無議員發言，立法局主席或全體委員會主席即須向立法局或全體委員會提出修正原議案的待決議題，付諸表決。(1991年第258號法律公告)

(1971年第138號法律公告)

26. 議案及修正案的撤回

(1) 議案或修正案的議題在完全表決之前，可應動議人的要求予以撤回，惟須在無議員提出異議的情況下，獲立法局或全體委員會許可。經撤回的議案或修正案可再次動議，但議案則須按本會議常規的規定作出預告。(1991年第258號法律公告)

(2) 經預告的議案或修正案在動議之前，可隨時由以其名義動議該議案或修正案的議員指示立法局秘書將其撤回。

H 部

辯論規則

27. 發言時間及方式

(1) 議員發言時須起立，並須將其意見向立法局主席或全體委員會主席陳述。

(2) 立法局或全體委員會的會議進行中，如立法局主席或全體委員會主席起立，所有議員均須坐下。

(3) 如兩名或多於兩名議員同時起立或舉手示意發言，立法局主席或全體委員會主席即須選擇其中一名議員並叫喚其發言。

(4) 議員發言後須坐下，其他擬發言的議員須起立或舉手示意。

(5) 除本會議常規第27A條(內務委員會建議的發言時間)另有規定外，議員如未獲立法局主席或全體委員會主席許可，發言不得超過十五分鐘，上述許可只會在例外情況下給予。(1991年第258號法律公告；1993年第26號法律公告)

(6) 第(5)款提述的發言時限，不適用於指定公職人員。(1995年第382號法律公告)

(1995年第382號法律公告)

(c) To leave out one or more words of the motion and to insert or add one or more words instead.

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

(4) When two or more amendments are proposed to be moved to the same motion the President or Chairman shall call on the movers in the order in which their amendments relate to the text of the motion, or in cases of doubt in the order decided by the President or Chairman.

(5) When no more Members wish to speak the President or Chairman shall put the question that the amendment be made to the Council or the committee or the whole Council for its decision. (*L.N. 258 of 1991*)

(*L.N. 138 of 1971*)

26. Withdrawal of Motions and Amendments

(1) A motion or an amendment may be withdrawn at the request of the mover by leave of the Council or committee of the whole Council before the question is fully put thereon, if there is no dissenting voice. A motion or amendment which has been so withdrawn may be proposed again if, in the case of a motion, the notice required by these Standing Orders is given. (*L.N. 258 of 1991*)

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

PART H

RULES OF DEBATE

27. Time and Manner of Speaking

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

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

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

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

(5) Subject to Standing Order No. 27A (Recommendations of House Committee as to time of Speaking), a Member shall not, without the permission of the President or the Chairman, to be given only in exceptional circumstances, make a speech lasting more than fifteen minutes. (*L.N. 258 of 1991; L.N. 26 of 1993*)

(6) The restriction on speaking time referred to in paragraph (5) shall not apply to designated public officers. (*L.N. 382 of 1995*)

(*L.N. 382 of 1995*)

27A. 內務委員會建議的發言時間

- (1) 就將於立法局會議上動議的任何議案或修正案(擬具立法效力的議案除外),不論該議案或修正案當時是否已列入議事程序表內,內務委員會可建議——
- (a) 動議人發言不應超過若干分鐘(該段時限包括動議人根據本會議常規第28(3)條(議員可發言多於一次的情況)發言答辯的時間);
 - (b) 修正案動議人發言不應超過若干分鐘;及
 - (c) 其他議員每人發言不應超過若干分鐘。
- (2) 凡內務委員會根據第(1)款作出建議,內務委員會主席須就委員會的建議,安排以書面知會立法局主席。
- (3) 內務委員會根據第(1)款所作的任何建議,如獲立法局主席接納(在此情況下,主席須在叫喚議員動議有關議案前,在切實可行範圍內盡快將決定告知各議員),對所有議員而非指定公職人員均具約束力,立法局主席並須指示發言超過該建議時限的議員不得繼續發言。

(1993年第26號法律公告;1995年第382號法律公告)

28. 議員可發言多於一次的情況

- (1) 除獲立法局主席許可外,議員就每項議題發言不得多於一次,但以下情況則屬例外——
- (a) 在全體委員會會議上;或 (1995年第382號法律公告)
 - (b) 依照本條第(2)款的規定作出解釋;或
 - (c) 如屬議案動議人,依照本條第(3)款的規定發言答辯;或
 - (d) 依照本條第(6)款的規定,就“本局感謝總督發表施政報告”的議案發言。(1980年第217號法律公告)
- (2) 已就某議題發言的議員,如獲立法局主席許可,可再次發言以解釋其先前發言中被誤解的部分,但發言時不得提出新事宜。
- (3) 在立法局會議上,議案動議人可在所有出席會議的議員已有機會發言之後,議題付諸表決之前,發言答辯;但修正案動議人沒有此答辯權。
- (4) 如有議員就某議題動議一項修正案,或在辯論該議題時有議員動議一項現即將辯論中止待續的議案,則已就該項議題發言的議員可就該項修正案或該項現即將辯論中止待續的議案再次發言。
- (5) 任何議題經立法局主席或全體委員會主席向立法局或全體委員會提出待決並完全表決後,議員即不得再就該議題發言。(1995年第382號法律公告)

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

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

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

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

(3) Any recommendations of the House Committee under paragraph (1), if accepted by the President (in which event he shall so inform Members as soon as practicable prior to calling upon the Member to move the motion), shall be binding upon all Members, but not upon designated public officers, and the President shall direct any Member speaking in excess of the recommended specified time to discontinue his speech.

(L.N. 26 of 1993; L.N. 382 of 1995)

28. Occasions when a Member may speak more than once

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

- (a) in committee of the whole Council; or *(L.N. 382 of 1995)*
- (b) in explanation as provided in paragraph (2) of this order; or
- (c) in the case of the mover of a motion, in reply as provided in paragraph (3) of this order; or
- (d) upon a motion "That this Council thanks the Governor for his address" as provided in paragraph (6) of this order. *(L.N. 217 of 1980)*

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

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

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

(5) No Member may speak on a question after it has been fully put to the Council or a committee of the whole Council for decision by the President or Chairman. *(L.N. 382 of 1995)*

(6) 已就“本局感謝總督發表施政報告”的議案發言的指定公職人員，可就該議案再次發言，以對在辯論該議案時所提出的任何事宜答辯。(1980年第217號法律公告；1987年第221號法律公告；1991年第258號法律公告；1995年第382號法律公告)

29. 插言

議員不得打斷其他議員的發言——

- (a) 除非起立要求就規程問題發言；遇此情況，正在發言的議員須坐下，而打斷其發言的議員須指出其認為應注意的問題，並將該問題交由立法局主席或全體委員會主席決定；或
- (b) 除非要求澄清正在發言的議員在其發言中提出的某項事宜，而正在發言的議員願意退讓並坐下，擬插言的議員又獲得立法局主席或全體委員會主席叫喚。(1995年第382號法律公告)

30. 辯論中止待續或委員會休會

(1) 在立法局會議上就某議題起立發言的議員，可無經預告而動議一項現即將辯論中止待續的議案，屆時立法局主席須提出該議案的待議議題。(1971年第138號法律公告)

(2) 現即將辯論中止待續的議案如獲通過，立法局當前議題的辯論即告中止待續，而立法局須著手處理下一事項。

(3) 現即將辯論中止待續的議案如被否決，立法局須繼續辯論當前的議題；在繼續辯論時，除指定公職人員外，不得再動議現即將辯論中止待續的議案。(1987年第221號法律公告；1991年第258號法律公告；1995年第382號法律公告)

(4) 在立法局全體委員會會議上，議員可無經預告而動議一項委員會現即休會的議案，全體委員會主席須即提出該議案的待議議題。議案如獲通過，委員會即須回復為立法局；議案如被否決，則委員會的程序即須繼續進行。

(5) 動議修正本條所述的議案，不合乎規程。

(6) 根據本條第(2)款中止的辯論，可在其後舉行的立法局會議上恢復進行，惟動議辯論原議案或(如為條例草案)負責該條例草案的議員或公職人員，須在擬恢復辯論當天不少於五整天前向立法局秘書作出恢復辯論的預告；(1995年第465號法律公告)

但立法局主席可酌情免卻預告。(1995年第382號法律公告)

(6) A designated public officer who has spoken on a motion "That this Council thanks the Governor for his address" may speak a second time upon that motion in reply to any matter raised during the debate on the motion. (*L.N. 217 of 1980; L.N. 221 of 1987; L.N. 258 of 1991; L.N. 382 of 1995*)

29. Interruptions

A Member shall not interrupt another Member, except—

- (a) by rising to a point of order, when the Member speaking shall resume his seat and the Member interrupting shall direct attention to the point which he wishes to bring to notice and submit it to the President or Chairman for decision; or
- (b) to seek elucidation of some matter raised by that Member in the course of his speech, if the Member speaking is willing to give way and resume his seat and the Member wishing to interrupt is called by the President or Chairman. (*L.N. 382 of 1995*)

30. Adjournment of Debate or of Proceedings of a Committee

(1) A Member who has risen to speak on a question in the Council may move without notice that the debate be now adjourned. Thereupon the President shall propose the question on that motion. (*L.N. 138 of 1971*)

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

(3) When a motion that the debate be now adjourned has been negatived, the debate on the question then before the Council shall be continued and no further motion that the debate be now adjourned shall be moved during that debate except by a designated public officer. (*L.N. 221 of 1987; L.N. 258 of 1991; L.N. 382 of 1995*)

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

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

(6) A debate adjourned under the provisions of paragraph (2) of this order may be resumed at a subsequent sitting of the Council provided that the Member or public officer who moved the motion for that debate, or in the case of a debate on a bill, the Member or public officer in charge of the bill, shall give notice in writing to the Clerk of his intention to resume the debate not less than five clear days before the day on which the debate is to be resumed: (*L.N. 465 of 1995*)

Provided that the President may in his discretion dispense with such notice. (*L.N. 382 of 1995*)

(7) 根據本條第(4)款休會的全體委員會的程序，可在其後舉行的委員會會議上恢復進行，惟因休會而未完成的程序如涉及條例草案，則負責的議員或公職人員，須在擬恢復程序當天不少於五整天前，向立法局秘書作出恢復程序的預告：

但全體委員會主席可酌情免卻預告。(1995年第382號法律公告)

(8) 本條第(1)、(2)、(3)、(4)及(5)款的規定適用於任何根據第(6)及(7)款而恢復的辯論或程序。(1995年第382號法律公告)

31. 發言內容

(1) 議員只限對討論中的題目發表意見，而不得提出與該題目無關的事宜。

(2) 議員不得以立法局主席或全體委員會主席認為可能對案件有妨害的方式，提述尚待法庭判決的案件。

(3) 凡企圖令立法局在同一會期內再次考慮立法局在該會期內已作決定的議題，即屬不合乎規程；但在立法局主席准許議員動議一項撤銷原決定的主體議案的情況下進行辯論，則屬例外。(1995年第382號法律公告)

(4) 凡對立法局議員使用冒犯性及侮辱性言詞，即屬不合乎規程。

(5) 議員發言的內容不得意指另一議員有不正當動機。

(6) 不得以女皇陛下或總督之名左右立法局。

(7) 不得質疑女皇陛下或皇室成員的行為。

(8) 不得提及總督或行政局議員或立法局議員的行為，但履行公職時的行為則屬例外。(1991年第258號法律公告)

(9) 不得提及法官或其他履行司法職能人士的行為。(1991年第258號法律公告)

32. 議員不發言時的舉止

立法局會議進行中——(1995年第382號法律公告)

(a) 議員進出立法局會場，須保持莊重；

(b) 如無必要，議員不得橫越立法局會場；

(c) 議員不得閱讀報章、書籍、信件或其他文件，但如所載者與立法局事務有直接關連，則屬例外；及

(d) 當一名議員發言時，其他議員須保持肅靜，且不得作不適當的插言。

(7) Proceedings of a committee of the whole Council adjourned under the provisions of paragraph (4) of this order may be resumed at a subsequent sitting of the committee provided that the Member or public officer in charge of the bill to which the adjourned proceedings relate shall give notice in writing to the Clerk of his intention to resume the proceedings not less than five clear days before the day on which the proceedings are to be resumed:

Provided that the Chairman may in his discretion dispense with such notice. (*L.N. 382 of 1995*)

(8) The provisions of paragraphs (1), (2), (3), (4) and (5) of this order shall apply to any debate or proceedings resumed under the provisions of paragraphs (6) and (7). (*L.N. 382 of 1995*)

31. Contents of Speeches

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

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

(3) It shall be out of order to attempt to reconsider a specific question on which the Council has taken a decision during the current session, except in debate on a substantive motion to rescind that decision moved with the permission of the President. (*L.N. 382 of 1995*)

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

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

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

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

(8) The conduct of the Governor or Members of the Executive or Legislative Councils otherwise than in the performance of their official duties shall not be raised. (*L.N. 258 of 1991*)

(9) The conduct of Judges or other persons performing judicial functions shall not be raised. (*L.N. 258 of 1991*)

32. Behaviour of Members not Speaking

During a sitting of the Council— (*L.N. 382 of 1995*)

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

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

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

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

32A. 辯論規則對委員會的適用範圍

本部的規則適用於常設委員會及專責委員會的會議程序，但委員會主席另有命令者除外。

(1991 年第 258 號法律公告)

I 部

會議規程

33. 主席決定為最終決定

立法局主席、全體委員會主席或任何常設或專責委員會主席分別就立法局及委員會會議遵照會議規程行事負責。主席在會議規程問題上所作決定為最終決定。

(1991 年第 258 號法律公告)

34. 立法局及委員會會議中的秩序

(1) 立法局主席、全體委員會主席或任何常設或專責委員會主席如發覺有議員在辯論中不斷提出無關的事宜，或冗贅煩厭地重提本身或其他議員的論點，於向立法局或委員會指出該議員的行為後，可指示該議員不得繼續發言。

(2) 如議員行為極不檢點，立法局主席、全體委員會主席或任何常設或專責委員會主席即須命令其立即退席，不得繼續參與立法局或委員會的該次會議；立法局秘書須按照主席的命令採取行動，以確保該命令得以遵從。

(1991 年第 258 號法律公告)

J 部

表決

35. 就議題作出決定

(1) 所有提交立法局或全體委員會表決的議題，均須以出席會議而又參與表決的議員可者及否者的過半數決定。

(2) 如可者及否者數目相等，立法局主席或全體委員會主席除原有表決權外，另有權作決定性表決。(1995 年第 382 號法律公告)

(1991 年第 258 號法律公告)

36. 答聲的聽取

(1) 立法局主席或全體委員會主席將待決議題交由立法局或全體委員會表決時，須先請贊成該議題的議員說“可”，繼而請反對該議題的議員說“否”。(1991 年第 258 號法律公告)

32A. Application of Rules to Committees

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

(L.N. 258 of 1991)

PART I**RULES OF ORDER****33. Decision of Chair Final**

The President in Council, the Chairman in a committee of the whole Council or the chairman of any standing or select committee shall be responsible for the observance of the rules of order in the Council and committee respectively. His decision on a point of order shall be final.

(L.N. 258 of 1991)

34. Order in Council and Committee

(1) The President, the Chairman of a committee of the whole Council or the chairman of any standing or select committee, after having called the attention of the Council or the committee to the conduct of a Member who persists in irrelevance or tedious repetition of his own or other Members' arguments in the debate, may direct him to discontinue his speech.

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

(L.N. 258 of 1991)

PART J**VOTING****35. Decision of Questions**

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

(2) The President or Chairman shall, if the votes be equally divided, have a casting vote in addition to his original vote. *(L.N. 382 of 1995)*

(L.N. 258 of 1991)

36. Collection of Voices

(1) When the President or Chairman puts a question to the Council or to the committee of the whole Council for its decision he shall first call upon those Members who are in favour of the question to say "Aye" and then upon those who are against the motion to say "No". *(L.N. 258 of 1991)*

(2) 立法局主席或全體委員會主席聽畢議員“可”及“否”的答聲後，該議題即經完全表決，其他議員不得就該議題發言。

(3) 立法局主席或全體委員會主席繼而可根據其所判斷可者及否者的數目，說出其以為可者佔多或其以為否者佔多(視屬何情況而定)。如無議員按照下一款規定質疑立法局主席或全體委員會主席的判斷，則該主席須宣布該議題就此決定。

(4) 如有議員要求進行點名表決，以質疑立法局主席或全體委員會主席以為可者或否者佔多的判斷，則立法局主席或全體委員會主席須命令立法局或全體委員會進行點名表決。除本會議常規第 37(4) 至 (7) 條(點名表決)另有規定外，點名表決須在點名表決鐘聲響起三分鐘後立即進行。(1991 年第 258 號法律公告；1996 年第 133 號法律公告)

(5) (由 1991 年第 258 號法律公告廢除)

36A. 電子表決系統的使用

除立法局主席或全體委員會主席另有指示外，凡立法局或全體委員會會場內設有電子表決系統以供點名表決之用，出席而又參與表決的議員在進行點名表決時，須按照該電子系統操作的規定使用該系統進行表決，而立法局主席或全體委員會主席須據此宣布點名表決的結果。

(1991 年第 258 號法律公告；1995 年第 382 號法律公告)

37. 點名表決

(1) 除本會議常規第 36A 條(電子表決系統的使用)另有規定外，在有命令進行點名表決時，可者及否者數目須由立法局秘書記錄。立法局秘書須逐一詢問每名議員作何表決，每名議員被叫喚時，須說“可”或“否”，或明確說出放棄表決。(1991 年第 258 號法律公告；1995 年第 382 號法律公告)

(2) 立法局秘書記錄可者及否者數目後，立法局主席或全體委員會主席須分別說出可者及否者數目，繼而宣布點名表決的結果。

(3) 議員如表示其表決有誤或其表決遭錯誤計算，可要求修改，但必須在立法局主席或全體委員會主席宣布點名表決的結果之前提出。

(4) 在緊接立法局主席宣布議案修正案的點名表決結果或全體委員會主席宣布條例草案修正案的點名表決結果後，議員可無經預告而立刻動議於其後就該議案或該議案的任何修正案，或就條例草案的修正案進行點名表決時，立法局或全體委員會須在點名表決鐘聲響起一分鐘後立即進行各該點名表決。屆時立法局主席或全體委員會主席須就該議案提出待議議題。

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

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

(4) If a Member challenges the statement of the President or Chairman that he thinks the Ayes of the Noes have it by claiming a division, then the President or Chairman shall order the Council or the committee, as the case may be, to proceed to a division; and, subject to Standing Order No. 37(4) to (7) (Divisions), the division shall be held forthwith immediately after a division bell has been rung for three minutes. (*L.N. 258 of 1991; L.N. 133 of 1996*)

(5) (*Repealed L.N. 258 of 1991*)

36A. Use of Electronic Voting System

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

(*L.N. 258 of 1991; L.N. 382 of 1995*)

37. Divisions

(1) Subject to Standing Order No. 36A (Use of Electronic Voting System), when a division has been ordered, the votes shall be taken by the Clerk, who shall ask each Member separately how he wishes to vote. A Member shall, upon his name being called give his vote saying "Aye" or "No" or by expressly stating that he abstains from voting. (*L.N. 258 of 1991; L.N. 382 of 1995*)

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

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

(4) Immediately after the President has declared the result of a division on an amendment to a motion, or the Chairman has declared the result of a division on an amendment to a bill, a Member may move without notice that in the event of further divisions being claimed in respect of the motion or any amendments thereto, or in respect of any amendments to the bill, the Council or the committee of the whole Council do proceed to each of such divisions immediately after the division bell has been rung for one minute. Thereupon the President or the Chairman shall propose the question on that motion.

(5) 如第(4)款的議案獲得通過，立法局主席或全體委員會主席須就其後進行的每項有關的點名表決(如有的話)作出相應的命令。

(6) 如有多於一項有關議事程序表所列附屬法例的議案(本會議常規第21(1B)條(議案及修正案的預告)提述的議案除外)，則在立法局主席宣布該議案或該議案的任何修正案的點名表決結果後，議員可無經預告而立刻動議於其後就附屬法例提出的議案或該議案的任何修正案進行點名表決時，立法局須在點名表決鐘聲響起一分鐘後立即進行各該點名表決。屆時立法局主席須就該議案提出待議議題。

(7) 如第(6)款的議案獲得通過，立法局主席須就其後進行的每項有關的點名表決(如有的話)作出相應的命令。

(1996 年第 133 號法律公告)

K 部

條例草案的處理程序

38. 條例草案的格式

(1) 提交立法局的條例草案，須符合本條的各項規定。

(2) 條例草案須有一簡稱，該簡稱須與該條例草案如通過成為法律所採用的名稱吻合，而在通過該條例草案的過程中，該簡稱須保持不變。(1991 年第 258 號法律公告)

(3) 條例草案須有一詳題，以一般性詞句說明該條例草案的主旨。

(3A) 條例草案可以中文或英文提交。(1988 年第 333 號法律公告)

(4) 法律所訂明的法例制定程式須置於條例草案條文之前。

(5) 條例草案必須分條，各條順序編號，每條之上須有說明其性質的分條標題。(1988 年第 178 號法律公告)

(6) 條例草案須附有摘要說明，以非專門性文字，解釋條例草案的內容及目的。

(7) 如條例草案並非一項政府措施而旨在影響或惠及某人、某社團或某法團，則該條例草案必須載有一條條文，規定女皇陛下、其世襲繼承人或其繼任人的權利或任何政治團體或法人團體或任何其他人的權利，均予保留，但該條例草案所述及者，以及經由、透過或藉其提出申索者的權利除外。

39. 提交條例草案的預告

(1) 議員或指定公職人員可隨時作出預告，表明有意提交條例草案；該預告須送交立法局秘書辦事處，並須附有條例草案文本及本會議常規第 38 條(條例草案的格式)所規定的摘要說明；如作出預告者為議員，則須附有由法律草擬專員按第(1A)款的規定簽署的證明書。(1994 年第 433 號法律公告；1995 年第 465 號法律公告)

(5) When a motion under paragraph (4) has been agreed to the President or the Chairman shall order accordingly in respect of each of such further divisions, if any.

(6) Where there is more than one motion in respect of subsidiary legislation on the Order Paper (excluding motions referred to in Standing Order No. 21(1B) (Notice of Motions and Amendments)) then, immediately after the President has declared the result of the first division on any such motion or any amendment thereto, a Member may move without notice that in the event of further divisions being claimed at that sitting in respect of motions on subsidiary legislation, or amendments thereto, the Council do proceed to each of such divisions immediately after the division bell has been rung for one minute. Thereupon the President shall propose the question on that motion.

(7) When a motion under paragraph (6) has been agreed to the President shall order accordingly in respect of each of such further divisions, if any.

(L.N. 133 of 1996)

PART K

PROCEDURE ON BILLS

38. Form of Bills

(1) A bill for presentation to the Council shall conform to the requirements laid down in this order.

(2) The bill shall be given a short title corresponding with the title by which it is to be cited if it becomes law, and that short title shall remain unchanged throughout the passage of the bill. *(L.N. 258 of 1991)*

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

(3A) Bills may be presented in English or Chinese. *(L.N. 333 of 1988)*

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

(5) The bill shall be divided into clauses numbered consecutively and having a descriptive section heading above each clause. *(L.N. 178 of 1988)*

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

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

39. Notice of Presentation of Bills

(1) A Member or a designated public officer may at any time give notice of his intention to present a bill; such notice shall be sent to the office of the Clerk and shall be accompanied by a copy of the bill and memorandum required by Standing Order No. 38 (Form of Bills), and in the case of a Member, also by a certificate signed by the Law Draftsman pursuant to paragraph (1A). *(L.N. 433 of 1994; L.N. 465 of 1995)*

(1A) 如條例草案由議員提交，而法律草擬專員信納該條例草案符合本會議常規第 38 條 (條例草案的格式) 的規定及香港法例的一般格式，則須簽發證明書加以證明。 (1994 年第 433 號法律公告)

(2) 如條例草案具有本會議常規第 23 條 (議案及修正案的規限) 所述的目的或效力，則就該條例草案所作的預告須附有由布政司簽署的證明書，說明將於二讀時示明總督對該條例草案的授權或許可。 (1976 年第 314 號法律公告)

(2A) 如條例草案依據《法定語文條例》(第 5 章) 第 4(3) 條所發出的指示，以一種法定語文提交，則預告須附有由布政司簽署的證明書，說明總督會同行政局已指示該條例草案須以中文或英文提交 (視乎所提交文本的語文而定)。 (1988 年第 333 號法律公告)

(3) 如由議員提交的條例草案具有本會議常規第 38(7) 條 (條例草案的格式) 所述的意向，則預告須附有由該議員簽署的證明書，說明該條例草案已連續兩期在憲報刊登，並已在兩份每日在本港出版的報章 (其中一份為中文報章) 各刊登廣告兩次，就該條例草案作出預告。 (1983 年第 255 號法律公告；1987 年第 221 號法律公告；1991 年第 258 號法律公告)

(3A)(a) 如立法局主席認為某條例草案載有與另一項在二讀時業經立法局表決的條例草案實質相同的條文，則該條例草案在同一會期內不得繼續進行立法程序，並須予撤回。

(b) 如某條例草案在二讀後被撤回，則另一項載有實質相同條文的條例草案可在同一會期內提交，但該另一項條例草案必須符合本會議常規第 38 條 (條例草案的格式)、本條及第 40 條 (條例草案的提交及刊登) 的規定。 (1995 年第 382 號法律公告)

(4) 在其後就該條例草案所進行的整個過程中，提交條例草案的議員稱為負責該條例草案的議員。

(5) 在其後就該條例草案所進行的整個過程中，提交條例草案的公職人員稱為負責該條例草案的公職人員；而本會議常規所提述負責條例草案的議員，亦包括負責條例草案的公職人員。 (1991 年第 258 號法律公告)

(1995 年第 382 號法律公告)

40. 條例草案的提交及刊登

(1) 立法局秘書接獲擬提交立法局的條例草案後，須安排在憲報刊登該條例草案全文及摘要說明，除非——

(a) 立法局主席指示在該條例草案首讀之前不須在憲報刊登；或 (1991 年第 258 號法律公告)

(1A) In the case of a bill to be presented by a Member, the Law Draftsman, if satisfied that the bill conforms to the requirements of Standing Order No. 38 (Form of Bills) and the general form of Hong Kong legislation, shall issue a certificate to that effect. (*L.N. 433 of 1994*)

(2) In the case of a bill having any object or effect such as is described in Standing Order No. 23 (Restriction on Motions and Amendments), the notice shall be accompanied by a certificate signed by the Chief Secretary, stating that the Governor's authorization or permission will be signified to the bill on second reading. (*L.N. 314 of 1976*)

(2A) In the case of a bill presented in one official language in pursuance of a direction under section 4(3) of the Official Languages Ordinance (Cap. 5), the notice shall be accompanied by a certificate signed by the Chief Secretary stating that the Governor in Council has directed that the bill should be presented in the English language or, as the case may be, the Chinese language. (*L.N. 333 of 1988*)

(3) In the case of a bill presented by a Member having any intention such as is described in Standing Order No. 38(7) (Form of Bills), the notice shall be accompanied by a certificate signed by the Member, stating that the bill has been published in two successive publications of the Gazette and that notice of the bill has been given by two advertisements in each of two daily newspapers published in Hong Kong, one of which shall be a Chinese language newspaper. (*L.N. 255 of 1983; L.N. 221 of 1987; L.N. 258 of 1991*)

(3A)(a) A bill which, in the opinion of the President, contains substantially the same provisions as another bill on which the Council has already taken a decision at second reading shall not be further proceeded with in the same session and shall be withdrawn.

(b) If a bill which has been read for the second time is subsequently withdrawn another bill with substantially the same provisions may be presented in the same session, subject to the provisions of Standing Order No. 38 (Form of Bills), this Order and Standing Order No. 40 (Presentation and Publication of Bills). (*L.N. 382 of 1995*)

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

(5) A public officer presenting a bill shall be known throughout the subsequent proceedings on the bill as the public officer in charge of the bill; and references in these Standing Orders to a Member in charge of a bill include a public officer in charge of a bill. (*L.N. 258 of 1991*)

(*L.N. 382 of 1995*)

40. Presentation and Publication of Bills

(1) The Clerk shall, after receipt of a bill for presentation to the Council, cause the text of the bill and its explanatory memorandum to be published in the Gazette unless—

(a) the President directs that the bill shall not be published in the Gazette before it has been read the first time; or (*L.N. 258 of 1991*)

(b) 該條例草案已根據本會議常規第 39(3) 條 (提交條例草案的預告) 在憲報刊登。 (1995 年第 382 號法律公告)

(2) 立法局秘書在接獲擬提交立法局的條例草案後，須安排將該條例草案及其摘要說明的文本一份送交每名身在香港的議員，該條例草案隨即當作已提交立法局。
(1971 年第 138 號法律公告)

41. 條例草案的首讀

(1) 按照本會議常規第 40(2) 條 (條例草案的提交及刊登) 提交立法局的條例草案簡稱，須列入負責該條例草案的議員向立法局秘書所指定會議的議事程序表內，以進行首讀。 (1971 年第 138 號法律公告；1995 年第 382 號法律公告)

(2) 條例草案首讀時，不得進行辯論；一經立法局秘書讀出條例草案簡稱，該條例草案即當作已首讀。

(3) 條例草案首讀後，立法局即當作已命令安排將該條例草案進行二讀，而會議紀要內須記錄立法局作出此項命令；負責該條例草案的議員無須就二讀議案作出預告。

42. 二讀

(1) 如議員提交的條例草案具有本會議常規第 23 條 (議案及修正案的規限) 所述的目的或效力，立法局主席在立法局考慮二讀該條例草案前，須要求指定公職人員示明總督對該條例草案的授權或許可；除非該項授權或許可已經示明，否則不得動議二讀該條例草案的議案。 (1987 年第 221 號法律公告；1991 年第 258 號法律公告；1995 年第 382 號法律公告)

(2) 總督授權或許可一經示明，須記錄在會議紀要內。 (1995 年第 382 號法律公告)

(3) 除第 (3A) 及 (3B) 款另有規定外，現即二讀條例草案的議案一經動議，立法局須進行二讀該條例草案，議員可就該議案辯論該條例草案的整體優劣及原則。
(1992 年第 226 號法律公告)

(3A) 除與撥款條例草案有關者外，在負責條例草案的議員就現即二讀該條例草案的議案發言後，辯論須中止待續，而該條例草案須交付內務委員會處理，除非立法局就任何議員提出的一項可無經預告而動議的議案另有命令。 (1992 年第 226 號法律公告)

(b) the bill has already been published in the Gazette in accordance with Standing Order No. 39(3) (Notice of Presentation of Bills).
(*L.N. 382 of 1995*)

(2) The Clerk shall, after receipt of a bill for presentation to the Council, cause a copy of the bill and its explanatory memorandum to be sent to every Member present within Hong Kong, whereupon the bill shall be deemed to have been presented to the Council.

(*L.N. 138 of 1971*)

41. First Reading of Bills

(1) The short title of a bill presented to the Council in accordance with Standing Order No. 40(2) (Presentation and Publication of Bills) shall be placed on the Order Paper for first reading at such sitting as may be specified to the Clerk by the Member in charge of the bill. (*L.N. 138 of 1971; L.N. 382 of 1995*)

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

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

42. Second Reading

(1) In the case of a bill presented by a Member having any object or effect such as is described in Standing Order No. 23 (Restriction on Motions and Amendments), the President shall call for the signification of the authorization or permission of the Governor by a designated public officer before the Council enters upon consideration of the second reading of the bill and the motion that the bill be now read the second time shall not be moved unless such authorization or permission has been signified accordingly. (*L.N. 221 of 1987; L.N. 258 of 1991; L.N. 382 of 1995*)

(2) The signification of the Governor's authorization or permission shall be recorded in the minutes of proceedings. (*L.N. 382 of 1995*)

(3) Subject to paragraphs (3A) and (3B), the Council shall proceed to the second reading of a bill on a motion that the bill be now read the second time; and on this motion a debate may arise covering the general merits and principles of the bill. (*L.N. 226 of 1992*)

(3A) Except in relation to Appropriation Bills, when the Member in charge of a bill has spoken on a motion that the bill be now read the second time, the debate shall be adjourned and the bill shall be referred to the House Committee unless the Council, on a motion which may be moved without notice by any Member, otherwise orders. (*L.N. 226 of 1992*)

(3B) 如辯論已根據第(3A)款中止待續，則在符合下列規定的情況下，負責條例草案的議員或指定公職人員在與內務委員會主席磋商後，可以書面向立法局秘書辦事處作出預告，以恢復二讀辯論——

- (a) 除(b)及(c)段另有規定外，條例草案不得在內務委員會為該條例草案恢復辯論作準備的會議舉行後9整天內恢復辯論；
 - (b) 如內務委員會在為該條例草案恢復辯論作準備的會議上建議該條例草案須多於9整天後才可恢復辯論，則條例草案不得在該次會議舉行後12整天內恢復辯論；
 - (c) 如內務委員會在為該條例草案恢復辯論作準備的會議上建議在下次立法局會議恢復二讀辯論，則條例草案可在立法局主席給予許可後在該次會議上恢復二讀辯論，但適當的預告須已根據(e)段的規定作出；
 - (d) 除(e)段另有規定外，負責條例草案的議員或公職人員須在擬恢復二讀辯論當天不少於12整天前作出恢復辯論的預告；
 - (e) 如條例草案須在為該條例草案恢復辯論作準備的內務委員會會議舉行後9整天或以內恢復二讀辯論，則恢復辯論的預告最遲須在該次內務委員會會議舉行後2整天內作出。(1996年第157號法律公告)
- (4) 不得對現即二讀條例草案的議題作出修正。
 - (5) 二讀條例草案的議案如被否決，不得再就該條例草案進行其他程序。

43. 條例草案的付委

- (1) 二讀條例草案的議案如獲通過，該條例草案即告付委予全體委員會，除非——
 - (a) 立法局通過議案，將條例草案付委予一專責委員會；該項議案可無經預告，但須在該條例草案二讀後即時由任何議員動議；或
 - (b) 立法局主席認為該條例草案會特別惠及或反之特別影響某人、某社團或某法團，在此情況下，立法局主席可指示將該條例草案付委予一專責委員會。
- (2) 負責條例草案的議員無須為全體委員會就條例草案進行的程序作出預告。
- (3) 專責委員會就條例草案進行的程序，須在按照本會議常規第62(2)條(專責委員會的程序)指定的日期開始。(1995年第382號法律公告)

(3B) When a debate has been adjourned under paragraph (3A), it may be resumed on notice by the Member or public officer in charge of the bill, given by him in writing delivered to the office of the Clerk, after consultation with the chairman of the House Committee, subject to the following—

- (a) subject to subparagraphs (b) and (c), resumption of debate shall not take place earlier than 9 clear days after the sitting of House Committee at which the bill was considered in preparation for resumption of debate;
 - (b) if at the sitting of House Committee to consider the bill in preparation for resumption of debate the committee recommends a period longer than 9 clear days before resumption then resumption shall not take place earlier than 12 clear days after that sitting;
 - (c) if at the sitting of House Committee to consider the bill in preparation for resumption of debate the committee recommends that the second reading debate be resumed at the next sitting of the Council then resumption may take place at that sitting with the permission of the President provided that due notice has been given under subparagraph (e);
 - (d) subject to subparagraph (e), notice of resumption of debate shall be given by the Member or public officer in charge of the bill not less than 12 clear days before the day on which the debate is to be resumed;
 - (e) where resumption of debate is to take place 9 clear days or less after the sitting of House Committee at which the bill was considered in preparation for resumption, then notice of resumption of debate shall be given no later than 2 clear days after than sitting. (*L.N. 157 of 1996*)
- (4) No amendment may be proposed to the question that the bill be now read the second time.
- (5) When a motion for the second reading of a bill has been negated no further proceedings shall be taken on that bill.

43. Committal of Bills

- (1) When a motion for the second reading of a bill has been agreed to, the bill shall stand committed to a committee of the whole Council, unless—
- (a) the Council, on a motion which may be moved without notice by any Member immediately after the bill has been read the second time, commit the bill to a select committee; or
 - (b) the President is of opinion that the bill would specially benefit or otherwise specially affect some particular person or association or corporate body, in which case he may direct that the bill be committed to a select committee.
- (2) Notice of proceedings upon a bill in committee of the whole Council shall not be required to be given by the Member in charge of the bill.
- (3) Proceedings upon a bill in select committee shall be begun upon a day appointed in accordance with Standing Order No. 62(2) (Procedure of Select Committees). (*L.N. 382 of 1995*)

44. 委員會就條例草案的職能

(1) 獲付委某條例草案的任何全體委員會或專責委員會，只可討論該條例草案的細節，不得討論其原則。(1992年第226號法律公告)

(2) 任何此類委員會均有權對條例草案作出其認為適當的修正，但修正案(包括新條文及新附表)必須與條例草案的主題有關。

45. 條例草案的修正案

(1) 本條適用於在全體委員會或專責委員會會議上，或再付委時，對條例草案所動議的修正案。

(2) 動議條例草案修正案的預告，須於全體委員會審議該條例草案當天不少於七整天前作出；倘無如此作出預告，除獲全體委員會主席許可外，不得動議修正條例草案。(1983年第255號法律公告；1992年第408號法律公告)

(3) 本會議常規第22條(議案及修正案的預告方式)適用於條例草案修正案的預告，但該條第(2)款中“立法局主席”一詞須以“全體委員會主席”代替。

(4) 以下規定適用於與條例草案有關的修正案：

(a) 修正案必須與條例草案的主題及有關條文的主題有關。

(b) 修正案不得與已獲通過的條文或全體委員會就條例草案先前所作的決定不一致。

(c) 修正案不得令建議修正的條文變得不能理解或不合語法。

(d) 不可動議全體委員會主席認為瑣屑無聊或無意義的修正案。

(e) 凡動議修正具備兩個法定語文文本的條例草案，除非該修正案明顯地只影響其中一個文本，否則每一個文本均須作出修正；但不可動議令兩個文本相互抵觸或意義差歧的修正案。(1988年第333號法律公告)

(5) 如一項修正案提述其後的修正案或附表，或該修正案會因欠缺其後的修正案或附表而變得不能理解，則須在動議第一項修正案前，就其後的修正案或附表作出預告，使整系列修正案在整體上可以理解。

(6) 任何修正案，如其目的或效力經全體委員會主席裁定為可導致動用香港任何部分政府收入或其他公帑，或須由該等收入或公帑負擔，則該修正案只可由以下人士提出——

(a) 總督；

44. Functions of Committees on Bills

(1) Any committee of the whole Council or select committee to which a bill is committed shall not discuss the principles of the bill but only its details. (*L.N. 226 of 1992*)

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

45. Amendments to Bills

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

(2) Notice of amendments proposed to be moved to a bill shall be given not less than seven clear days before the day on which the bill is to be considered in committee; and except with the leave of the Chairman no amendment of which notice has not been so given may be moved to a bill. (*L.N. 255 of 1983; L.N. 408 of 1992*)

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

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

- (a) An amendment must be relevant to the subject matter of the bill and to the subject matter of the clause to which it relates.
- (b) An amendment must not be inconsistent with any clause already agreed to or with any previous decision of the committee upon the bill.
- (c) An amendment must not be such as to make the clause which it proposes to amend unintelligible or ungrammatical.
- (d) An amendment which is in the opinion of the Chairman frivolous or meaningless may not be moved.
- (e) Where an amendment is proposed to be moved to a bill presented in both official languages the amendment shall be made to the text in each language unless it is an amendment that clearly affects the text in one language only. But an amendment which creates a conflict or discrepancy between the text in one language and the text in the other may not be moved. (*L.N. 333 of 1988*)

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

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

- (a) the Governor;

- (b) 根據本會議常規第 4B 條 (公職人員出席會議) 由總督指定的公職人員；
或 (1995 年第 382 號法律公告)
- (c) 獲總督明確授權或許可提出該建議的立法局議員。 (1993 年第 42 號法律公告)

46. 全體委員會處理條例草案的程序

(1) 全體委員會主席須提出“下述各條文納入本條例草案”的待議議題，並指示立法局秘書讀出各條文的編號。任何條文或一組條文的編號一經讀出，將該條文或該組條文納入該條例草案的待議議題，即當作已提出。如某條文經作修正，則該經修正條文的編號須由立法局秘書再次讀出，而將該經修正條文納入該條例草案的待議議題，亦當作已提出。 (1971 年第 138 號法律公告；1976 年第 314 號法律公告；1988 年第 178 號法律公告；1995 年第 382 號法律公告)

(2) 為節省時間及避免議論重複，全體委員會主席可准許同時討論一系列互有關連的修正案。

(3) 本會議常規第 25 條 (議案修正案的辯論方式) 的規定，適用於對條例草案各項修正案所進行的討論，但“議案”一詞須以“條文”代替。

(4) 任何條文皆可押後處理，除非已就該條文的修正案作出決定。押後處理的條文，須在條例草案其餘條文已獲審議之後而新條文仍未提出之前，予以審議。

(5) 任何擬議新條文，須在條例草案各條文已獲處理之後而附表未獲審議之前，予以審議：

但如擬議新條文是用以代替不獲通過的條文，則可在原有條文不獲通過之後，隨即審議該新條文。

(6) 新條文的分條標題一經立法局秘書讀出，該新條文即當作已告首讀，隨後須提出“將此條文二讀”的待議議題；議題如獲通過，則可提出新條文的擬議修正案。最後提出的待議議題須為“本條例草案增補此條文(或經修正的條文)”。 (1988 年第 178 號法律公告)

(7) 處置附表的方法與處置條文者相同；任何擬議新附表，須在條例草案各附表獲得處理後審議，處理方式與處理新條文者相同。

(8) 條文、附表，以及擬議新條文、擬議新附表全部處理完後，如條例草案載有弁言，則亦須審議該弁言，並提出“此為本條例草案的弁言”的待決議題。除因先前對條例草案作出修正以致必須修正弁言外，不得審議弁言的修正案。

(9) 如因對條例草案作出修正而須將條例草案的名稱加以修正，則須在完成上述程序時作出；但將該名稱(或該經修正的名稱)納入該條例草案的待決議題不得提出，任何就法制定程式的待決議題亦不得提出。

- (b) a public officer designated by the Governor under Standing Order No. 4B (Attendance of Public Officers); or (*L.N. 382 of 1995*)
- (c) a Member of the Council expressly authorized or permitted by the Governor to make such a proposal. (*L.N. 42 of 1993*)

46. Procedure in Committee of the whole Council on a Bill

(1) The Chairman in a committee of the whole Council shall propose "That the following clauses stand part of the bill", and shall direct the Clerk to call the numbers of the clauses. On the number or numbers of any clause or group of clauses being called, the question that that clause or group of clauses stand part of the bill shall be deemed to have been proposed. In the event of a clause being amended the number of the clause, as amended, shall be called again by the Clerk, and the question that the clause as amended stand part of the bill shall be deemed to have been proposed. (*L.N. 138 of 1971; L.N. 314 of 1976; L.N. 178 of 1988; L.N. 382 of 1995*)

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

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

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

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

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

(6) On the section heading of any new clause being read by the Clerk the clause shall be deemed to have been read a first time. The question shall then be proposed "That the clause be read a second time"; if this is agreed to, amendments may then be proposed to the new clause. The final question to be proposed shall be "That the clause (or the clause as amended) be added to the bill". (*L.N. 178 of 1988*)

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

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

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

(9A) 條例草案成為法律後所引稱的名稱內所提述的年份或任何數字，無須予以修正；法律草擬專員可更改該所述年份或任何數字，以提述該條例草案成為法律的年份或反映其次序。(1991年第258號法律公告；1995年第382號法律公告)

(10) 任何修正案、擬議新條文或擬議新附表於其待議議題提出後，而該議題未完全表決之前，可應動議人的要求予以撤回，惟須在無議員提出反對的情況下，獲全體委員會的許可。

(11) 全體委員會於完成審議條例草案的所有程序後，須回復為立法局，並由一名議員就該經修正或無經修正的條例草案(視屬何情況而定)，向立法局作出報告。(1971年第138號法律公告)

47. 全體委員會就條例草案作出報告的程序

全體委員會就條例草案作出報告後，立法局即當作已命令將該條例草案進行三讀，而會議紀要內須記錄立法局作出此項命令；負責該條例草案的議員無須就三讀議案作出預告。

48. 條例草案專責委員會中的程序

(1) 專責委員會處理條例草案，須受本會議常規第62條(專責委員會的程序)的所有條文規限；但在就條例草案向立法局作出報告之前，專責委員會須採取與全體委員會的相同方式，依照本會議常規第46條(全體委員會處理條例草案的程序)的規定，研究條例草案。

(2) 條例草案如經專責委員會修正，則在切實可行範圍內，經修正的條例草案全文須作為專責委員會報告的一部分印載；但如不切實可行，則須將經修正的各條文或附表及新增的各條文或附表如此印載。

(3) 專責委員會完成研究條例草案的所有程序並通過有關報告後，專責委員會主席須於下次立法局會議就該經修正或無經修正的條例草案(視屬何情況而定)，向立法局作出報告，並須將該報告提交立法局會議席上省覽。(1995年第382號法律公告)

49. 專責委員會就條例草案作出報告的程序

(1) 專責委員會就條例草案作出報告後，立法局可藉一項採納該報告的議案，審議專責委員會所報上的條例草案。

(9A) No amendment to the reference to the year or to any number in the title by which the bill is to be cited if it becomes law shall be necessary, and any such reference may be changed by the Law Draftsman to refer to the year, or to reflect the order, in which the bill becomes law. (*L.N. 258 of 1991; L.N. 382 of 1995*)

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

(11) When all the proceedings upon the bill have been concluded in committee, the Council shall resume and a Member shall report the bill to the Council with or without amendment as the case may be. (*L.N. 138 of 1971*)

47. Procedure on Reporting of Bill from Committee of the whole Council

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

48. Procedure in Select Committee on a Bill

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

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

(3) When all the proceedings upon the bill have been concluded in a select committee and the committee have agreed to their report, the chairman shall, at the next sitting of the Council, report the bill, with or without amendment as the case may be, to the Council and shall lay a copy of the report of the committee upon the Table. (*L.N. 382 of 1995*)

49. Procedure on Reporting of Bill from a Select Committee

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

(2) 如該議案未經修正而獲通過，立法局即當作已命令將該條例草案進行三讀，而會議紀要內須記錄立法局作出此項命令；負責該條例草案的議員無須就三讀作出預告。

(3) 議員可就一項根據本條第(1)款動議的採納條例草案專責委員會報告的議案，動議修正案，於原議案後加入以下字句：“但須將該條例草案(全部，或某部分，或擬議新條文，或擬議新附表)再付委予全體委員會”。

(4) 如該議案按照本條第(3)款修正後獲得通過，該條例草案按議案的規定即告再付委，而立法局則須立即轉變為全體委員會審議該條例草案。

50. 專責委員會報告的條例草案再付委的程序

(1) 如專責委員會已作報告的條例草案整條再付委，全體委員會須根據本會議常規第46條(全體委員會處理條例草案的程序)的規定，研究該條例草案。

(2) 如再付委的只是該條例草案中某一條或多條條文、某一個或多個附表、擬議新條文或擬議新附表，則全體委員會須僅審議再付委的事項，並以本會議常規第46條(全體委員會處理條例草案的程序)所規定的方式，審議該等條文或附表；其後如有需要，可考慮修正該條例草案的詳題或簡稱：

但立法局主席如認為必要或可取，可要求按照本條第(1)款的規定將整條條例草案再付委。

(3) 全體委員會完成審議再付委的條例草案的所有程序後，須回復為立法局，並由負責該條例草案的議員就該再付委並經修正(或未經修正)的條例草案，向立法局作出報告。

(4) 負責條例草案的議員以上述方式就再付委的條例草案作出報告後，除非該負責議員表示希望押後三讀，否則立法局須隨即進行該條例草案的三讀程序。如負責議員提出押後三讀，本會議常規第47條(全體委員會就條例草案作出報告的程序)的規定即適用，並不得容許再次動議將該條例草案再付委。

51. 三讀

(1) 三讀並通過條例草案的議案動議後，立法局即須進行三讀該條例草案的程序。就該議案進行的辯論，須限於條例草案的內容，議員不可動議修正該議案。

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

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

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

50. Procedure on Recommittal of Bill reported from Select Committee

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

(2) When a bill has been recommitted in respect only of some specified clause or clauses or schedule or schedules of the bill or some proposed new clause or new schedule, the committee shall consider only the matter so recommitted and shall proceed on every such clause or schedule in the manner provided in Standing Order No. 46 (Procedure in Committee of the whole Council on a Bill) and may thereafter if necessary consider amendment of the long or short title of the bill:

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

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

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

51. Third Reading

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

(2) 立法局主席提出三讀該條例草案的待決議題之前，經立法局主席許可，得為更正條例草案中錯誤或疏忽出錯之處作出修正；但不得對條例草案提出實質的修正。

(3) 三讀一條(或多條)條例草案的議案獲得通過後，立法局秘書須讀出該(或該等)條例草案的簡稱，並在該(或該等)條例草案末端寫上“由香港立法局於今天通過”，並註明日期。(1971年第138號法律公告)

(4) 如三讀條例草案的議案遭否決，即不得就該條例草案再進行任何程序。

52. 條例草案的撤回或押後

負責條例草案的議員或公職人員，可在立法局會議上於會議開始進行二讀或三讀該條例草案的程序時，宣布撤回或押後處理該條例草案。

(1995年第382號法律公告)

53. 呈交條例草案予總督批准

立法局秘書須在立法局通過的每一條條例草案的一份文本上簽署核證其為真確本，並將之呈交總督批准。

L 部

財政程序

54. 撥款條例草案的提交及二讀

(1) 載有香港政府本財政年度或下一財政年度全部服務開支的財政需求預算的條例草案，稱為撥款條例草案。載有上述財政需求詳情的預算案，須在該條例草案列於議事程序表以進行首讀的會議之前，提交立法局。(1991年第258號法律公告)

(2) 撥款條例草案二讀議案的待議議題提出後，有關辯論即告中止待續，不得早於其後第七天恢復辯論。恢復辯論時，辯論範圍須限於香港的財政及經濟狀況，以及條例草案及預算案內所顯示政府政策及行政的一般原則。(1983年第255號法律公告)

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

(3) When a motion for the third reading of a bill (or bills) has been agreed to, the Clerk shall read the short title of the bill (or bills) and shall write at the end of the bill (or bills) the words "Passed by the Hong Kong Legislative Council this day" giving the date. (*L.N. 138 of 1971*)

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

52. Withdrawal or postponement of Bills

The Member or public officer in charge of a bill may, by announcement in Council at the beginning of proceedings for its second or third reading, withdraw or postpone the bill.

(*L.N. 382 of 1995*)

53. Presentation of Bill for Assent of Governor

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

PART L

FINANCIAL PROCEDURE

54. Presentation and Second Reading of Appropriation Bill

(1) Any bill containing the estimated financial requirements for expenditure on all the services of the Government of Hong Kong for the current or succeeding financial year shall be known as an Appropriation Bill. Estimates containing the details of the said financial requirements shall be presented to the Council not later than the sitting at which such bill is placed on the Order Paper for first reading. (*L.N. 258 of 1991*)

(2) After the motion for the second reading of the bill has been proposed the debate thereon shall be adjourned and shall be resumed not earlier than the seventh day thereafter. The debate, when resumed, shall be confined to the financial and economic state of Hong Kong and the general principles of Government policy and administration as indicated by the bill and Estimates. (*L.N. 255 of 1983*)

(3) 除本會議常規第 60(9) 條 (財務委員會) 另有規定外, 預算案一經提交立法局, 即告交付全體委員會, 而撥款條例草案一經二讀, 亦即告付委予該委員會。
(1983 年第 255 號法律公告; 1995 年第 382 號法律公告)

55. 全體委員會處理撥款條例草案的程序

(1) 全體委員會審議撥款條例草案時, 該條例草案的條文須押後至審議附表或各附表後始予審議。

(2) 在審議附表時, 每一開支總目均須與有關的預算一併考慮; 本會議常規提述的“分目”或“子目”, 指當時正進行討論的預算總目的分目或子目。

(3) 在審議附表時, 全體委員會主席須提出“下述各總目的款額納入本附表”的待議議題, 並指示立法局秘書讀出該等總目的編號。任何總目或一組總目的編號一經讀出, 將該總目或該組總目的款額納入該附表的待議議題, 即當作已提出。除非有議員根據下一條常規動議作出修正, 否則可就該議題進行辯論。辯論的範圍只限於需要撥款服務的政策, 而非任何子目或分目的詳情, 但可提述該項服務所涉及的收入或款項的詳情。
(1971 年第 138 號法律公告; 1976 年第 314 號法律公告; 1988 年第 178 號法律公告)

(4) 附表內所有總目獲得處理後, 全體委員會主席須隨即提出“該附表 (或該經修正的附表) 納入本條例草案”的待決議題, 付諸表決, 該議題不容修正, 不容辯論。

(5) 每一附表獲得處理後, 全體委員會主席須提出“下述各條文納入本條例草案”的待議議題, 並指示立法局秘書讀出各條文的編號。任何條文編號一經讀出, 將該條文納入該條例草案的待議議題, 即當作已提出。如某條文經修正, 則該經修正條文的編號須由立法局秘書再次讀出, 而將該經修正條文納入該條例草案的待議議題, 亦當作已提出。
(1971 年第 138 號法律公告; 1988 年第 178 號法律公告)

(6) 除因附表的撥款總額改變而須相應修正者外, 不得動議對任何條文作出修正。此等相應修正, 只限由指定公職人員動議, 且可無經預告, 而有關議題須立即付諸表決, 不容修正, 不容辯論。當修正最後一條條文的議題表決後, 全體委員會主席須隨即提出“經修正條文納入本條例草案”的待決議題, 付諸表決, 該議題不容修正, 不容辯論。
(1987 年第 221 號法律公告; 1991 年第 258 號法律公告; 1995 年第 382 號法律公告)

(3) Subject to Standing Order No. 60(9) (Finance Committee), the Estimates shall upon presentation to the Council stand referred to a committee of the whole Council and the Appropriation Bill upon being read a second time shall stand committed to that committee. (*L.N. 255 of 1983; L.N. 382 of 1995*)

**55. Procedure in Committee of the whole
Council on Appropriation Bill**

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

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

(3) On the consideration of a schedule, the Chairman shall propose "That the sums for the following heads stand part of the schedule", and shall direct the Clerk to call the numbers of the heads. On the number or numbers of any head or group of heads being called, the question that the sums in that head or group of heads stand part of the schedule shall be deemed to have been proposed. Unless an amendment is proposed under the provisions of the next succeeding order, a debate may take place on that question. Any such debate shall be confined to the policy of the service for which the money is to be provided and shall not deal with the details of any item or subhead but may refer to the details of revenue or funds for which that service is responsible. (*L.N. 138 of 1971; L.N. 314 of 1976; L.N. 178 of 1988*)

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

(5) When every schedule has been disposed of, the Chairman shall propose "That the following clauses stand part of the bill", and shall direct the Clerk to call the numbers of the clauses. On the number of any clause being called, the question that the clause stand part of the bill shall be deemed to have been proposed. In the event of a clause being amended, the number of the clause, as amended, shall be called again by the Clerk, and the question that the clause as amended stand part of the bill shall be deemed to have been proposed. (*L.N. 138 of 1971; L.N. 178 of 1988*)

(6) No amendment may be moved to any clause except an amendment consequential on an alteration in the total sum appropriated by any schedule. Any such consequential amendment shall be moved by a designated public officer only and may be moved without notice, and the question thereon shall be put forthwith without amendment or debate. When the question on the last of any such amendments to a clause has been decided, the Chairman shall forthwith put the question "That the clause as amended stand part of the bill" and that question shall then be decided without amendment or debate. (*L.N. 221 of 1987; L.N. 258 of 1991; L.N. 382 of 1995*)

(7) 就條例草案各條文提出的議題均已有所決定後，全體委員會須回復為立法局，並由一名議員就該經修正或無經修正的條例草案(視屬何情況而定)，向立法局作出報告。(1976年第314號法律公告)

56. 全體委員會處理撥款條例草案預算總目的修正案

(1) 如全體委員會主席認為某項修正案會令任何開支總目所獲分配款額增加，不論增加的部分為子目、分目或總目本身，則除非該修正案是由指定公職人員動議，否則須獲總督授權或許可，而議員於動議修正案時須示明已獲總督授權或許可。(1971年第138號法律公告；1987年第221號法律公告；1991年第258號法律公告；1995年第382號法律公告)

(2) 增加總目款額的修正案，不論所涉者為子目、分目或總目本身，須較削減同一子目、分目或總目本身款額的修正案獲優先處理；如增加款額的修正案獲得通過，則不得動議就同一子目、分目或總目本身削減總目款額的修正案。

(3) 任何議員均可動議藉削減開支總目內子目的款額以削減該總目所獲分配款額的修正案，動議格式如下：“為削減(或刪除)分目……子目……而將總目……削減……元”。

(4) 如分目已分列為子目，則為削減或刪除分目而削減某一總目款額的修正案，即不合乎規程。

(5) 如總目已分列為分目，則只削減總目而不削減該總目的某一分目的修正案，即不合乎規程。

(6) 刪除某一總目的修正案，即不合乎規程，不得列入議事程序表內。

(7) 每一總目的子目或分目的修正案，均須列入議事程序表內，並按照各該子目及分目在預算案總目內的先後次序，逐一加以審議。

(8) 如有多於一項就削減同一子目、分目或總目款額修正案的預告，該等修正案須按照建議削減款額的大小依次列入議事程序表內，以建議削減款額最大者居先。

(9) 就每項修正案所進行的辯論，範圍只限於該項修正案有關的子目、分目或總目；某一子目或分目的修正案獲得處理後，不得修正或辯論任何前列的子目或分目。

(10) 當所有列於議事程序表內而與某一開支總目有關的修正案獲得處理後，全體委員會主席須再次提出“總目……的款額納入本附表”的待議議題，或提出“總目……(經增加)(經削減)的款額納入本附表”的經修正待議議題，視乎情況所需。有關該等議題的辯論，須同樣受到本會議常規第55(3)條(全體委員會處理撥款條例草案的程序)適用於辯論的限制所規限。(1995年第382號法律公告)

(7) When the question upon every clause of the bill has been decided, the Council shall resume and a Member shall report the bill to the Council with or without amendment, as the case may be. (*L.N. 314 of 1976*)

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

(1) An amendment which, in the opinion of the Chairman, would increase the sum allotted to any head of expenditure whether in respect of any item or subhead or of the head itself shall, unless moved by a designated public officer, require the authorization or permission of the Governor, which shall be notified by the Member when moving the amendment. (*L.N. 138 of 1971; L.N. 221 of 1987; L.N. 258 of 1991; L.N. 382 of 1995*)

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

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

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

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

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

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

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

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

(10) When all amendments standing on the Order Paper in respect of any particular head of expenditure have been disposed of, the Chairman shall again propose the question "That the sum for head stand part of the schedule" or shall propose the amended question "That the (increased) (reduced) sum for head stand part of the schedule", as the case may require. The debate on any such question shall be subject to the same limitations as apply to a debate arising under Standing Order No. 55(3) (Procedure in Committee of the whole Council on Appropriation Bill). (*L.N. 382 of 1995*)

57. 撥款條例草案的三讀

撥款條例草案三讀議案不容修正或辯論而付諸表決。

58-59. (由1995年第382號法律公告廢除)

M 部

委員會

60. 財務委員會

(1) 立法局設有一名為財務委員會的常設委員會，委員為全體議員，但立法局主席除外。(1976年第314號法律公告；1984年第214號法律公告；1987年第221號法律公告；1994年第434號法律公告)

(2) 委員會的正副主席須由委員會委員互選產生，任期直至其獲選後的下一會期首次會議為止。如主席及副主席暫時缺席，委員會可在其缺席期間另選一委員代行主席之職。(1994年第434號法律公告；1995年第465號法律公告)

(2A) 財務委員會的職能為根據《公共財政條例》(第2章)、其他法例及本會議常規所授予該委員會的職能，以及由立法局不時委予的其他職能。(1983年第255號法律公告)

(2B) 財務委員會可委任小組委員會，以協助財務委員會執行由其決定的財務委員會的職能。(1988年第178號法律公告)

(3) 委員會須在主席決定的日期、時間(包括立法局一個會期結束而下一會期仍未開始的一段休假期內)及地點舉行會議；會議的書面預告須在會議日期最少五整天前發給各委員，但主席可視個別情況指示給予較短時間的預告。(1983年第255號法律公告；1985年第24號法律公告；1988年第178號法律公告)

(3A) 委員會會議須公開舉行，但主席按照委員會的任何決定命令不公開舉行者除外。(1995年第382號法律公告)

(4) 委員會的會議法定人數為主席加上八名委員；所有在委員會內討論的事宜，須以參與表決的委員可者及否者的過半數決定。主席或任何主持會議的其他委員不得參與表決，但如其他委員的可者及否者數目相等，則在此情況下他有權作決定性表決。(1976年第314號法律公告；1987年第221號法律公告；1994年第434號法律公告)

(4A) 委員會主席可命令任何須由委員會決定的事宜，藉傳閱文件方式交由各委員研究，而委員亦可以書面向主席示明其批准。如過半數委員在主席為此目的而指定的限期屆滿前已示明其批准，同時在限期屆滿時並無委員以書面向主席表示反對，或

57. Third Reading of Appropriation Bill

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

58-59. (*Repealed L.N. 382 of 1995*)

PART M

COMMITTEES

60. Finance Committee

(1) There shall be a standing committee, to be called the Finance Committee, the members of which shall be all the Members other than the President. (*L.N. 314 of 1976; L.N. 214 of 1984; L.N. 221 of 1987; L.N. 434 of 1994*)

(2) The chairman and deputy chairman of the committee shall be elected by and from amongst its members and shall hold office until the first sitting of the committee in the session next following that for which they were elected. In the event of the temporary absence of the chairman and deputy chairman, the committee may elect a chairman to act during such absence. (*L.N. 434 of 1994; L.N. 465 of 1995*)

(2A) The functions of the Finance Committee shall be such as are conferred upon the committee by the Public Finance Ordinance (Cap. 2), any other law and these Standing Orders, and such as may from time to time be referred to the committee by the Council. (*L.N. 255 of 1983*)

(2B) The committee may appoint subcommittees for the purpose of assisting the committee in the performance of such functions of the committee as the committee may determine. (*L.N. 178 of 1988*)

(3) The committee shall sit at the times (including any time during the period when the Council is in recess between the end of one session and the beginning of the next session) and at the place determined by the chairman. Written notice of every sitting shall be given to the Members at least five clear days before the day of the sitting but shorter notice may be given in any case where the chairman so directs. (*L.N. 255 of 1983; L.N. 24 of 1985; L.N. 178 of 1988*)

(3A) Sittings shall be held in public unless the chairman otherwise orders in accordance with any decision of the committee. (*L.N. 382 of 1995*)

(4) The chairman and eight Members shall form a quorum. All matters before the committee shall be decided by a majority of the Members voting. Neither the chairman nor any other member presiding shall vote, unless the votes of the other members are equally divided, in which case he shall have a casting vote. (*L.N. 314 of 1976; L.N. 221 of 1987; L.N. 434 of 1994*)

(4A) Where the chairman so orders, any matter for the decision of the committee may be considered by circulation of papers to the members of the committee and each member may signify his approval in writing submitted to the

要求將該事宜交由委員會開會決定，則該事宜須當作已獲委員會批准。(1987年第221號法律公告)

(4B) 第(4A)款適用於立法局一個會期結束而下一會期仍未開始的一段休假期內，一如其適用於會期內。(1988年第178號法律公告)

(5) 根據本會議常規第4(6)條(立法局秘書的職責)獲委任的委員會秘書，須列席委員會會議，並按委員會決定的方式製備委員會會議紀要。(1995年第382號法律公告)

(6)-(8) (由1995年第382號法律公告廢除)

(9) 立法局主席可將按照本會議常規第54條(撥款條例草案的提交及二讀)提交的預算案，在全體委員會審議撥款條例草案前，交由財務委員會審核。(1983年第255號法律公告；1985年第24號法律公告)

(10) 主席或委員會可邀請任何公職人員，或預算總目下有關的非政府團體或組織的成員或僱員，提供委員會在履行其職責時可能需要的資料，或作出解釋，或出示紀錄或文件；委員會亦可就該等資料、解釋、紀錄或文件邀請其他人士提供協助。(1991年第258號法律公告)

(11) 除本會議常規另有規定外，委員會及其轄下小組委員會的行事方式及程序，由委員會自行決定。(1991年第258號法律公告)

(1991年第258號法律公告；1995年第382號法律公告)

60A. 政府帳目委員會

(1) 立法局須設有一個名為政府帳目委員會的常設委員會，負責研究核數署署長就以下各事宜提交的報告——

- (a) 政府的帳目；
- (b) 委員會認為須提交立法局會議席上省覽的其他帳目；及
- (c) 委員會認為與核數署署長履行職責或行使職權有關的事宜。

(1A) 委員會亦須研究由核數署署長就其審核(衡工量值審計)工作而提交立法局會議席上省覽的報告。在該報告中，核數署署長就政府部門、根據任何條例核數署署長職權範圍所及的公共團體或組織或接受公帑補助的組織是否符合經濟原則及是否講求效率與效用，進行審核。(1987年第221號法律公告；1995年第465號法律公告)

chairman. If a majority of the members so signify before the expiry of the period specified by the chairman for the purpose, and if upon expiry of that period no member has (in writing submitted to the chairman) signified disapproval of the matter or requested that the matter be referred for decision at a sitting of the committee, it shall be deemed to be approved by the committee. (*L.N. 221 of 1987*)

(4B) Paragraph (4A) shall apply during any period when the Council is in recess between the end of one session and the beginning of the next session as it applies during session. (*L.N. 178 of 1988*)

(5) The clerk to the committee appointed under Standing Order No. 4(6) (Duties of the Clerk) shall attend the sittings of the committee. He shall keep the minutes of the proceedings of the committee in a manner determined by the committee. (*L.N. 382 of 1995*)

(6)–(8) (*Repealed L.N. 382 of 1995*)

(9) The Estimates presented in accordance with the provisions of Standing Order No. 54 (Presentation and Second Reading of Appropriation Bill) may be referred by the President to the Finance Committee for their examination before consideration of the Appropriation Bill in committee of the whole Council. (*L.N. 255 of 1983; L.N. 24 of 1985*)

(10) The chairman or the committee may invite any public officer, or, in the case of a head of the Estimates relating to a non-Government body or organization, any member or employee of that body or organization to give information or any explanation or to produce any records or documents which the committee may require in the performance of its duties; and the committee may also invite any other person to assist the committee in relation to any such information, explanation, records or documents. (*L.N. 258 of 1991*)

(11) Subject to these Standing Orders, the practice and procedure of the committee and its subcommittees shall be determined by the committee. (*L.N. 258 of 1991*)

(*L.N. 258 of 1991; L.N. 382 of 1995*)

60A. Public Accounts Committee

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

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

(1A) The committee shall also consider any report of the Director of Audit laid on the Table of the Council which deals with examinations (value for money audit) carried out by the Director relating to the economy, efficiency and effectiveness of any Government department or public body or any organization to which his functions as Director of Audit extend by virtue of any Ordinance or which receives public moneys by way of subvention. (*L.N. 221 of 1987; L.N. 465 of 1995*)

廢除會議常規第 60A(2) 及 60B(2) 條而代以——

“(2) 委員會由一名主席、副主席及五名委員組成，全部均須為按內務委員會決定立法局主席按內務委員會決定的選舉程序任命的議員。如主席及副主席。如主席暫時主席暫時缺席，委員會可在主席及副主席缺席期間另選一委員代行主席之職。委員會的會議法定人數為主席加上兩名委員。”；

(3) 本條第 (1) 及 (1A) 款所述的報告，一經提交立法局會議席上省覽，即當作已由立法局交付委員會研究。(1995 年第 382 號法律公告)

(3A) 除主席另有命令外，委員會根據第 (4) 款邀請任何人士列席的會議，公眾及新聞界人士得准進入會場旁聽。(1984 年第 214 號法律公告)

(3B) 委員會須在主席決定的日期、時間及地點舉行會議。會議的書面預告須在會議日期最少五整天前發給各委員及任何獲邀出席的人士；但主席可視個別情況指示給予較短時間的預告。(1995 年第 382 號法律公告)

(3C) 所有在委員會內討論的事宜，均須以參與表決的委員可者及否者的過半數決定。主席或主持會議的任何其他委員不得參與表決，但如其他委員可者及否者的數目相等，則在此情況下他有權作決定性表決。(1995 年第 382 號法律公告)

(4) 主席或委員會可邀請任何公職人員，或報告所指帳目所屬或與之有關的非政府團體或組織的成員或僱員，提供委員會在履行其職責時可能需要的資料，或作出解釋，或出示紀錄或文件；委員會亦可就該等資料、解釋、紀錄或文件邀請其他人士提供協助。(1984 年第 214 號法律公告；1991 年第 258 號法律公告)

(5) 委員會須於核數署署長將政府帳目的審計報告提交立法局會議席上省覽之日起 3 個月內(或根據《核數條例》(第 122 章)第 12 條決定的較長時間內)就該核數署署長的報告提交報告。(1984 年第 214 號法律公告；1995 年第 465 號法律公告)

(5A) 委員會須於核數署署長將第 (1A) 款所述的報告提交立法局會議席上省覽之日起 3 個月內(或立法局決定的較長時間內)，就核數署署長的報告提交報告。(1987 年第 221 號法律公告；1995 年第 465 號法律公告)

(6) 除本會議常規另有規定外，委員會的行事方式及程序，由委員會自行決定。(1978 年第 97 號法律公告；1995 年第 382 號法律公告)

60B. 議員個人利益監察委員會

(1) 立法局設有一名為議員個人利益監察委員會的常設委員會，負責——

by repealing Standing Order Nos. 60A(2) and 60B(2) and substituting—

“(2) The committee shall consist of a chairman, deputy chairman and five members who shall be Members appointed by the President in accordance with an election procedure determined by the House Committee. In the event of the temporary absence of the chairman and deputy chairman, the committee may elect a chairman to act during such absence. The chairman and two other members shall constitute a quorum.”;

(3) A report mentioned in paragraphs (1) and (1A) of this order shall be deemed to have been referred by the Council to the committee when it is laid on the Table of the Council. (*L.N. 382 of 1995*)

(3A) Unless the chairman otherwise orders, members of the public and of the press shall be admitted as spectators at sittings of the committee attended by any person invited by the committee under paragraph (4). (*L.N. 214 of 1984*)

(3B) The committee shall sit at the times and the place determined by the chairman. Written notice of every sitting shall be given to the members and to any person invited to attend a sitting at least five clear days before the day of the sitting but shorter notice may be given in any case where the chairman so directs. (*L.N. 382 of 1995*)

(3C) All matters before the committee shall be decided by a majority of the members voting. Neither the chairman nor any other member presiding shall vote, unless the votes of the other members are equally divided, in which case he shall have a casting vote. (*L.N. 382 of 1995*)

(4) The chairman or the committee may invite any public officer, or, in the case of a report on the accounts of or relating to a non-Government body or organization, any member or employee of that body or organization, to give information or any explanation or to produce any records or documents which the committee may require in the performance of its duties; and the committee may also invite any other person to assist the committee in relation to any such information, explanation, records or documents. (*L.N. 214 of 1984; L.N. 258 of 1991*)

(5) The committee shall make their report upon the report of the Director of Audit on the accounts of the Government within 3 months (or such longer period as may be determined under section 12 of the Audit Ordinance (Cap. 122)) of the date on which the Director's report is laid on the Table of the Council. (*L.N. 214 of 1984; L.N. 465 of 1995*)

(5A) The committee shall make their report upon the report of the Director of Audit mentioned in paragraph (1A) within 3 months (or such longer period as may be determined by the Council) of the date on which the Director's report is laid on the Table of the Council. (*L.N. 221 of 1987; L.N. 465 of 1995*)

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

(*L.N. 97 of 1978; L.N. 382 of 1995*)

60B. Committee on Members' Interests

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

- (a) 研究議員個人利益登記冊的編製、備存、取覽等各項安排；
- (b) 考慮議員或其他人士就該登記冊的形式及內容提出的建議；
- (c) 考慮及調查與議員個人利益的登記及申報有關或就議員未有登記及申報其個人利益而作出的投訴；
- (d) 考慮關乎議員以其議員身分所作行為的道德標準事宜，並就該等事宜提供意見及發出指引；
- (e) 向立法局作出報告及建議，包括關於根據本會議常規第 65A 條 (與個人利益有關的處分) 作出處分的建議。

(2) 委員會由一名主席及六名委員組成，全部均須為立法局主席按內務委員會決定的選舉程序任命的議員。委員會的會議法定人數為主席加上兩名委員。如主席暫時缺席，委員會可在主席缺席期間另選一委員代行主席之職。(1995 年第 382 號法律公告)

(3) 委員會須在主席決定的日期、時間 (包括立法局一個會期結束而下一會期仍未開始的一段休假期內) 及地點舉行會議。會議的書面預告須在會議日期最少五整天前發給各委員，但主席可視個別情況指示給予較短時間的預告。(1995 年第 382 號法律公告)

(4) 委員會會議須公開舉行，但主席按照委員會的任何決定命令不公開舉行者除外。

(5) 所有在委員會內討論的事宜，須以參與表決的委員可者及否者的過半數決定；如可者及否者數目相等，主席或主持會議的任何其他委員有權作決定性表決。(1995 年第 382 號法律公告)

(6) 委員會可邀請任何人士列席委員會會議，以提供證據或出示其管有或由其控制的文書、簿冊、紀錄或文件。(1995 年第 382 號法律公告)

(7) 除本會議常規另有規定外，委員會的行事方式及程序，由委員會自行決定。(1991 年第 258 號法律公告)

60C. 內務委員會

(1) 立法局設有一名為內務委員會的委員會，委員為全體議員，但立法局主席除外。(1993 年第 42 號法律公告)

(2) 委員會的正副主席須由委員會委員互選產生，任期直至其獲選後的下一會期首次會議為止；如主席及副主席暫時缺席，委員會可在其缺席期間另選一委員代行主席之職。

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

(2) The committee shall consist of a chairman and six members who shall be Members appointed by the President in accordance with an election procedure determined by the ~~House Committee~~. The chairman and two other ~~members shall constitute~~ a quorum. In the event of the temporary absence of the chairman, the committee may elect a chairman to act during that absence. *(L.N. 382 of 1995)*

(3) The committee shall sit at the times (including any time during the period when the Council is in recess between the end of one session and the beginning of the next session) and at the place determined by the chairman. Written notice of every sitting shall be given to the members at least five clear days before the day of the sitting but shorter notice may be given in any case where the chairman so directs. *(L.N. 382 of 1995)*

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

(5) All matters before the committee shall be decided by a majority of the members voting. In the event that votes are equally divided, the chairman or other member presiding shall have a casting vote. *(L.N. 382 of 1995)*

(6) The committee may invite any person to attend before the committee and to give evidence or to produce any paper, book, record or document in the possession or under the control of such person. *(L.N. 382 of 1995)*

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

(L.N. 258 of 1991)

60C. House Committee

(1) There shall be a committee, to be called the House Committee, the members of which shall be all the Members other than the President. *(L.N. 42 of 1993)*

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

(3) 在條例草案已根據本會議常規第 42(3A) 條 (二讀) 交付內務委員會後，委員會可於任何時間將該條例草案交付一條例草案委員會研究，或安排按委員會認為適當的其他方式研究該條例草案。

(4) 在決定將條例草案交付條例草案委員會的時間及次序時，委員會可考慮當時根據本會議常規第 42(3A) 條 (二讀) 交付委員會的其他條例草案的數目及相對優先次序，並可隨時更改有關任何條例草案的交付時間及次序的決定。

(5) 委員會將條例草案交付條例草案委員會及與該條例草案委員會磋商後，可決定該條例草案委員會須完成研究該條例草案的日期；委員會亦可隨時在與該條例草案委員會磋商後，更改所決定的日期。

(6) 在條例草案交付條例草案委員會後，按照委員會所決定的程序規則 (該等規則只可就議員示明加入條例草案委員會的方式及示明的時間作出規定) 示明加入為委員的議員 (立法局主席除外)，即屬該條例草案委員會的委員。 (1993 年第 42 號法律公告)

(7) 委員會可就條例草案委員會和根據第 (11) 款成立的小組委員會，以及根據本會議常規第 60E 條 (事務委員會) 成立的事務委員會的行事方式及程序，提供指引。 (1993 年第 394 號法律公告)

(8) 委員會可討論條例草案委員會的任何商議過程，以便協助委員為恢復立法局二讀辯論而作好準備。

(9) 委員會須決定受《釋義及通則條例》(第 1 章) 第 34 及 35 條的條文所規限的任何附屬法例的研究方式。

(10) 委員會可按其認為適當的方式，研究與立法局事務有關的任何其他事項。

(11) 委員會可委任小組委員會，以便協助委員會履行第 (9) 及 (10) 款所訂的委員會職能。

(11A) (由 1995 年第 382 號法律公告廢除)

(11B) 委員會可將與立法局事務有關的任何政策事宜交由一個根據本會議常規第 60E 條 (事務委員會) 成立的事務委員會研究，並可就該等事宜的研究工作為事務委員會訂定職權範圍，亦可要求該事務委員會就該等事宜提交報告以及聽取其報告。 (1993 年第 394 號法律公告)

(12) 委員會須在主席決定的日期、時間 (包括立法局一個會期結束而下一會期仍未開始的一段休假期內) 及地點舉行會議，有關每次會議日期、時間及地點的書面預告，須在會議日期最少三天前發給各委員，但主席可視個別情況指示給予較短時間的預告。

(12A) 委員會會議須公開舉行，但主席按照委員會的任何決定命令不公開舉行者除外。 (1995 年第 382 號法律公告)

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

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

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

(6) Upon the allocation of a bill to a Bills Committee, the members of that Bills Committee shall be those Members (other than the President) who signify membership in accordance with procedural rules (which shall provide only for the manner and timing of such signification) decided by the committee. (*L.N. 42 of 1993*)

(7) The committee may provide guidelines relating to the practice and procedure of the Bills Committees, subcommittees constituted under paragraph (11) and Panels constituted under Standing Order No. 60E (Panels). (*L.N. 394 of 1993*)

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

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

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

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

(11A) (*Repealed L.N. 382 of 1995*)

(11B) The committee may refer any policy matter relating to the business of the Council to a Panel constituted under Standing Order No. 60E (Panels), may determine the terms of reference for the consideration of such matter and may request and receive reports on such matter from the Panel. (*L.N. 394 of 1993*)

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

(12A) Sittings of the committee shall be held in public unless the chairman otherwise orders in accordance with any decision of the committee. (*L.N. 382 of 1995*)

(13) 委員會的會議法定人數為包括主席在內的二十名委員；所有須由委員會決定的事宜，須以參與表決的委員可者及否者的過半數決定；主席或主持會議的任何其他委員不得參與表決，但如其他委員可者及否者數目相等，則在此情況下他有權作決定性表決。

(14) 委員會主席可命令將任何須由委員會決定的事宜，藉傳閱文件方式交由各委員研究，而各委員亦可以書面向主席示明其批准。如過半數委員在主席為此目的而指定的限期屆滿前已示明其批准，同時在限期屆滿時並無委員以書面向主席表示反對，或要求將該事宜交由委員會開會決定，則該事宜須當作已獲委員會批准。

(15) 第(14)款適用於立法局一個會期結束而下一會期仍未開始的一段休假期內，一如其適用於會期內。

(16) 凡根據《立法局(權力及特權)條例》(第382章)第9(2)條獲得授權，委員會或任何小組委員會可命令任何人士列席委員會會議，以提供證據或出示其管有或由其控制的文書、簿冊、紀錄或文件。(1993年第394號法律公告)

(17) 除本會議常規另有規定外，委員會及其轄下小組委員會的行事方式及程序，由委員會自行決定。

(1992年第226號法律公告；1995年第382號法律公告)

60D. 條例草案委員會

(1) 立法局設有名為條例草案委員會的委員會，其數目由內務委員會按情況決定。

(2) 每個條例草案委員會的主席須由該委員會的委員互選產生；委員會亦可選出一名副主席。如主席或副主席暫時缺席，委員會可在其缺席期間另選一委員代行主席之職。

(3) 每一條例草案委員會須由不少於三名委員組成，其中包括主席在內。每一條例草案委員會的會議法定人數為包括主席在內的三名委員，或委員人數的三分之一(整數後的分數不計)，其中包括主席在內，兩數中以較大者為準。

(3A) 條例草案委員會可委任小組委員會，以協助委員會履行其職能。(1993年第394號法律公告；1995年第382號法律公告)

(4) 條例草案委員會須在主席決定的日期、時間(包括立法局一個會期結束而下一會期仍未開始的一段休假期內)及地點舉行會議；有關每次會議日期、時間及地點的書面預告，須在會議日期最少三天前發給各委員，但主席可視個別情況指示給予較短時間的預告。

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

(14) Where the chairman so orders, any matter for the decision of the committee may be considered by circulation of papers to the members of the committee and each member may signify his approval in writing submitted to the chairman. If a majority of the members so signify before the expiry of the period specified by the chairman for the purpose, and if upon expiry of that period no member has (in writing submitted to the chairman) signified disapproval of the matter or requested that the matter be referred for decision at a sitting of the committee, it shall be deemed to be approved by the committee.

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

(16) Where so authorized under section 9(2) of the Legislative Council (Powers and Privileges) Ordinance (Cap. 382), the committee, or any subcommittee, may order any person to attend before it and to give evidence or to produce any paper, book, record or document in the possession or under the control of such person. (*L.N. 394 of 1993*)

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

(*L.N. 226 of 1992; L.N. 382 of 1995*)

60D. Bills Committees

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

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

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

(3A) A Bills Committee may appoint subcommittees for the purpose of assisting the committee in the performance of its functions. (*L.N. 394 of 1993; L.N. 382 of 1995*)

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

(5) 委員會會議須公開舉行，但主席按照委員會的任何決定命令不公開舉行者除外。

(6) 條例草案委員會須研究所獲交付條例草案的整體優劣、原則及詳細條文，亦可研究與該條例草案有關的任何修正案。

(7) 所有須由條例草案委員會決定的事宜，須以參與表決的委員可者及否者的過半數決定，如可者及否者數目相等，主席或主持會議的任何其他委員除原有表決權外，另有權作決定性表決。(1995年第382號法律公告)

(8) 條例草案委員會在完成研究所獲交付的條例草案後，須盡快通知內務委員會及以書面知會該委員會其商議的結果。

(9) 內務委員會可討論條例草案委員會就某條例草案所進行商議的結果，以便向委員提供資料，為恢復該條例草案在立法局二讀辯論而作好準備。條例草案委員會的商議結果無論在立法局、全體委員會或內務委員會中，對任何議員均無約束力。

(10) 凡根據《立法局(權力及特權)條例》(第382章)第9(2)條獲得授權，條例草案委員會可命令任何人士列席委員會會議，以提供證據或出示其管有或由其控制的文書、簿冊、紀錄或文件。(1995年第382號法律公告)

(11) 除本會議常規另有規定外，任何條例草案委員會及其轄下小組委員會的行事方式及程序，由該委員會自行決定。在作出任何此等決定時，條例草案委員會須考慮根據本會議常規第60C(7)條(內務委員會)提供的指引。(1995年第382號法律公告)

(1992年第226號法律公告)

60E. 事務委員會

(1) 立法局設有名為事務委員會的委員會，數目由內務委員會按情況決定。

(2) 事務委員會的職權範圍由內務委員會訂定。

(3) 事務委員會須按其認為需要的程度，監察及研究由事務委員會委員或內務委員會交其處理的政策事宜。

(4) 事務委員會的委員為按照內務委員會決定的程序規則(該等規則只可就議員示明加入事務委員會的方式及示明的時間作出規定)示明加入事務委員會的議員(立法局主席除外)。

(5) 事務委員會的主席須由該事務委員會的委員互選產生。事務委員會亦可選出一名副主席。如主席或副主席暫時缺席，事務委員會可在其缺席期間另選一委員代行主席之職。事務委員會正副主席的任期直至其獲選後的下一會期首次會議為止。(1995年第465號法律公告)

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

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

(7) All matters for the decision of a Bills Committee shall be decided by a majority of the members voting. The chairman or any other member presiding shall, if the votes be equally divided, have a casting vote in addition to his original vote. (*L.N. 382 of 1995*)

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

(9) The deliberations of a Bills Committee on a bill may be discussed by the House Committee for the purposes of informing Members in preparation for resumption of the second reading debate on the bill in Council. Such deliberations shall not be binding on any Member, whether in Council, in a committee of the whole Council or in House Committee.

(10) Where so authorized under section 9(2) of the Legislative Council (Powers and Privileges) Ordinance (Cap. 382), a Bills Committee may order any person to attend before it and to give evidence or to produce any paper, book, record or document in the possession or under the control of such person. (*L.N. 382 of 1995*)

(11) Subject to these Standing Orders, the practice and procedure of a Bills Committee and its subcommittees shall be determined by that Bills Committee. In any such determination, a Bills Committee shall take into account any guidelines provided under Standing Order No. 60C(7) (House Committee). (*L.N. 382 of 1995*)

(*L.N. 226 of 1992*)

60E. Panels

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

(2) The terms of reference of a Panel shall be determined by the House Committee.

(3) A Panel shall monitor and examine, to the extent it considers necessary, policy matters referred to it by a member of the Panel or by the House Committee.

(4) The members of a Panel shall be those Members (other than the President) who signify membership in accordance with procedural rules (which shall provide only for the manner and timing of such signification) decided by the House Committee.

(5) The chairman of a Panel shall be elected by the Panel from amongst its members. The Panel may also elect a deputy chairman. In the event of the temporary absence of the chairman or any deputy chairman the Panel may elect a chairman to act during such absence. The chairman and deputy chairman of a Panel shall hold office until the first sitting of the Panel in the session next following that in which they were elected. (*L.N. 465 of 1995*)

(6) 凡出任事務委員會認為與其職權範圍直接相關的政府諮詢團體的主席或副主席的議員，不得成為該事務委員會的正副主席。

(7) 每位議員不得同時出任多於一個事務委員會的主席或副主席。

(8) 每一事務委員會須由不少於六名委員組成，其中包括主席在內。每一事務委員會的會議法定人數為包括主席在內的三名委員，或委員人數的三分之一（整數後的分數不計），其中包括主席在內，兩數中以較大者為準。

(9) 事務委員會如認為適當，可委任小組委員會研究特定事宜及向事務委員會提交報告。

(10) 事務委員會或其轄下小組委員會如認為適當，可與任何其他事務委員會或其轄下小組委員會舉行聯席會議，以研究共同關注的任何事宜。聯席會議的會議法定人數為所有有關的事務委員會或小組委員會的委員人數三分之一（整數後的分數不計），包括主席在內。所有須由聯席會議決定的事宜，須以參與表決的委員可者及否者的過半數決定；如可者及否者數目相等，主席除原有表決權外，另有權作決定性表決。

(11) 事務委員會須在事務委員會主席決定的日期、時間（包括立法局一個會期結束而下一會期仍未開始的一段休假期內）及地點舉行會議。有關每次會議日期、時間及地點的書面預告，須在會議日期最少三天前發給各委員，但主席可視個別情況指示給予較短時間的預告。

(12) 會議須公開舉行，但主席按照事務委員會的任何決定命令不公開舉行者除外。

(13) 所有須由事務委員會決定的事宜，須以參與表決的委員可者及否者的過半數決定，如可者及否者數目相等，主席或任何其他主持會議的委員除原有表決權外，另有權作決定性表決。此類表決的結果無論在立法局、全體委員會或內務委員會中，對任何議員均不具約束力。

(14) 事務委員會可在內務委員會提出要求並在事務委員會認為適當的情況下，或由事務委員會採取主動，向內務委員會提交書面報告，知會議員其商議進展情況。

(15) 凡根據《立法局（權力及特權）條例》（第 382 章）第 9(2) 條獲得授權，事務委員會可命令任何人士列席其會議，以提供證據或出示其管有或由其控制的任何文書、簿冊、紀錄或文件。

(16) 除本會議常規另有規定外，事務委員會或其轄下小組委員會的行事方式及程序，由該事務委員會自行決定。在作出任何該類決定時，事務委員會須考慮根據本會議常規第 60C(7) 條（內務委員會）提供的任何指引。

(1993 年第 394 號法律公告；1995 年第 382 號法律公告)

(6) A Member who is the chairman or deputy chairman of a Government advisory body in respect of matters which a Panel considers to be directly related to the terms of reference of the Panel shall not be the chairman or deputy chairman of the Panel.

(7) A Member shall not be chairman or deputy chairman of more than one Panel at the same time.

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

(9) A Panel may, if it considers appropriate, appoint subcommittees to study specific issues and to report to the Panel.

(10) A Panel or its subcommittee may, if it considers appropriate, sit jointly with any other Panel or its subcommittee for the purpose of considering any matter of common interest to the Panels. The quorum of a joint sitting shall be one third of the members of all the relevant panels or subcommittees including the chairman (a fraction of the whole number being disregarded). All matters for decision at a joint sitting shall be decided by a majority of the members voting. The chairman shall, if the votes be equally divided, have a casting vote in addition to his original vote.

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

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

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

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

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

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

(L.N. 394 of 1993; L.N. 382 of 1995)

61. 專責委員會

(1) 立法局可在每一會期內委任一個或多個專責委員會，以研究立法局交付該委員會的事項或條例草案。

廢除會議常規第 61(2) 條而代以——

“(2) 立法局主席須決定每個專責委員會的委員人數，並按內務委員會決定的選舉程序任命專責委員會的主席、副主席及成員。如之一，整數後的分主席及副主席暫時缺席，委員會可在主席及副主席缺席期間另選一委員代行主席之職。”；

即向立法局作出報告，而委員會須隨即解散。委員會如認為未能在該會期結束前完成研究有關事宜或條例草案，須如實向立法局報告。(1995 年第 382 號法律公告)

(5) 立法局轄下各專責委員會，須於立法局每個會期結束時解散。

62. 專責委員會的程序

(1) 專責委員會只限於商議立法局所交付的事宜；為條例草案而成立的專責委員會，則只限於商議立法局所交付的條例草案及有關修正案。

(2) 專責委員會須在委員會主席指定的日期、時間舉行會議。專責委員會的會議須公開舉行，但主席根據委員會的任何決定命令不公開舉行者除外。

(3) 廢除會議常規第 62(3) 條。可在主席缺席期間另選一委員代行主席之職。(1995 年第 382 號法律公告)

(4) 根據本會議常規第 4(6) 條(立法局秘書的職責)獲委任的委員會秘書，須列席委員會會議，並製備委員會會議紀要。(1991 年第 258 號法律公告)

(5) 專責委員會進行點名表決時，須由秘書逐一詢問委員會各委員作何表決，並予以記錄。

(6) 專責委員會主席或主持會議的委員均不得參與表決，但如其他委員可者及否者數目相等，則主席或該名主持會議的委員有權作決定性表決。

(7) (a) 專責委員會委員可提交報告供委員會研究。所有報告提交後，主席須從其本人所提交的報告開始，根據其他委員提交報告的次序，逐一提出各報告，直至專責委員會接納其中一份作為討論的基礎為止。主席就報告所提出的待議議題，須為將主席(或……先生)的報告逐段二讀，當該議題獲得通過後，不得再就其他報告提出待議議題。但其他報告中的部分內容如與獲接納考慮的報告有關，可被用作為對該份獲接納的報告的修正案。

61. Select Committees

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

by repealing Standing Order No. 61(2) and substituting— ~~committee and shall~~
 “(2) The President shall decide the size of every select ~~into account the~~
 committee and shall appoint the chairman, deputy ~~1995)~~
 chairman and members thereof, in accordance with an ~~ird of the members~~
 election procedure determined by the House Committee. In ~~g disregarded.~~
 the event of the temporary absence of the chairman and ~~ted consideration of~~
 deputy chairman, the committee may elect a chairman to ~~il thereon and the~~
 act during such absence.”; ~~is of opinion that it~~
 will not be able to complete consideration of the matter of bill before the end
 of the session, it shall so report to the Council. (L.N. 382 of 1995)

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

62. Procedure of Select Committees

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

(2) A select committee shall sit at the times determined by the chairman. The sittings of a select committee shall be held in public unless the chairman otherwise orders in accordance with any decision of the committee.

(3) ~~by repealing Standing Order No. 62(3) of the chairman the committee may elect a chairman to act during such absence.~~ (L.N. 382 of 1995)

(4) The clerk to the committee appointed under Standing Order No. 4(6) (Duties of the Clerk) shall attend meetings of the committee and shall keep the minutes of proceedings of the committee. (L.N. 258 of 1991)

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

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

(7) (a) A member of a select committee may bring a report for their consideration. When all the reports have been brought up the chairman shall propose the reports in order until one is accepted as a basis for discussion, beginning with his own report and proceeding with the remainder in the order in which they were brought up. The question to be proposed by the chairman on a report shall be that the chairman's (or Mr.'s) report be read a second time paragraph by paragraph. When this question has been agreed to, it shall not be proposed on further reports but portions thereof may be offered as amendments to the report under consideration if they are relevant to it.

- (b) 專責委員會須逐段研究該份被接納的報告。本會議常規第 46 條 (全體委員會處理條例草案的程序) 的規定適用於此程序，一如該報告為條例草案，而該報告內的段落為條例草案的條文。
- (c) 專責委員會完成逐段研究該報告，並考慮所有建議的新段落後，主席須提出將該報告作為專責委員會提交立法局的報告的待決議題。
- (8) 專責委員會可對其認為適宜提請立法局注意的事宜，就該委員會的權力、職能及會議過程向立法局作出特別報告。
- (9) 專責委員會的會議紀要，須記錄委員會研究報告或條例草案的全部過程，以及對該報告或條例草案所建議的每一項修正案。委員會如曾進行點名表決，會議紀要須予記錄，並列出參與表決及拒絕表決的委員的姓名。
- (10) 專責委員會主席須將報告或特別報告，附同委員會的會議紀要，如曾取得證據，亦須附同取證紀錄，提交立法局會議席上省覽。
- (11) 凡根據《立法局 (權力及特權) 條例》(第 382 章) 第 9(2) 條獲得授權，專責委員會可命令任何人士列席委員會會議，以提供證據或出示其管有或由其控制的文書、簿冊、紀錄或文件。 (1991 年第 258 號法律公告)

(1995 年第 382 號法律公告)

63. 證據的過早公布

在專責委員會將其報告提交立法局前，委員會委員或任何人士不得公布委員會所取得的證據或所收到的文件；但在公開會議中所取得的證據或所收到的文件除外。

(1985 年第 189 號法律公告；1995 年第 382 號法律公告)

N 部

其他事宜

64. 議員以專業身分受聘

議員不得以執業律師身分代表某一方，或以其可藉以收取費用或獎賞的身分，列席立法局或任何委員會或小組委員會會議。

(1995 年第 382 號法律公告)

- (b) The committee shall then go through the report paragraph by paragraph and the provisions of Standing Order No. 46 (Procedure in Committee of the whole Council on a Bill) shall apply as if the report were a bill and the paragraphs were the clauses of the bill.
 - (c) When consideration of the report paragraph by paragraph is concluded and when all proposed new paragraphs have been considered the chairman shall put the question that this report be the report of the committee to the Council.
- (8) A select committee may make a special report relating to the powers, functions and proceedings of the committee on matters which it thinks fit to bring to the notice of the Council.
- (9) The minutes of proceedings of the committee shall record all proceedings on consideration of a report or bill in the committee and on every amendment proposed to the report or bill, with a note of divisions, if divisions were taken in the committee, showing the names of members voting in the division or declining to vote.
- (10) A report or special report, with the minutes of proceedings of a select committee and the minutes of evidence, if evidence was taken, shall be laid on the Table of the Council by the chairman of the committee.
- (11) Where so authorized under section 9(2) of the Legislative Council (Powers and Privileges) Ordinance (Cap. 382), the committee may order any person to attend before it and to give evidence or to produce any paper, book, record or document in the possession or under the control of such person.
(L.N. 258 of 1991)

(L.N. 382 of 1995)

63. Premature Publication of Evidence

The evidence taken before a select committee and documents presented to the committee shall not, except in the case of sittings of the committee held in public, be published by a member of the committee or by any other person before the committee has presented its report to the Council.

(L.N. 189 of 1985; L.N. 382 of 1995)

PART N

MISCELLANEOUS MATTERS

64. Employment of Members in Professional Capacity

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

(L.N. 382 of 1995)

64A. 個人利益的登記

(1) 除按第(1A)款的規定初次就個人利益作登記的目的外，每名議員不得遲於每一會期首次會議舉行之前七天，以立法局主席批准的形式，向立法局秘書提供其須予登記的個人利益詳情。(1994年第248號法律公告；1995年第465號法律公告)

(1A) 每名新任立法局議員，須在其當選為立法局議員的日期起計十四天內，以立法局主席批准的形式，向立法局秘書提供其須予登記的個人利益詳情。(1994年第248號法律公告；1995年第382號法律公告)

(2) 每名議員須予登記的個人利益如有變更，該議員須在變更後十四天內，以立法局主席批准的形式，向立法局秘書提供變更詳情。

(3) 立法局秘書須安排將該等詳情登錄於議員個人利益登記冊內，而該登記冊可供任何人士在辦公時間內查閱。

(4) 在本條中，“須予登記的個人利益”指——

(a) 公共或私營公司的受薪董事職位；

(b) 接受薪酬的僱傭關係、職位、行業、專業或職業；(1994年第248號法律公告)

(c) (由1994年第248號法律公告廢除)

(d) 客戶的姓名或名稱，如以上所提述的個人利益包括議員向客戶提供的個人服務，而該等個人服務是由於其立法局議員身分所引致或以任何方式與該身分有關者；

(e) 以下的財政贊助——

(i) 作為立法局選舉候選人時，據該議員所知超過 \$10,000 或其選舉開支 25% 的贊助；或

(ii) 作為立法局議員時，來自任何人士或組織的贊助，而提供詳情時須說明該項贊助是否包括以直接或間接方式付予該議員或其配偶的款項，或給予該議員或其配偶的實惠或實利；(1994年第248號法律公告)

(f) 議員或其配偶由於與其立法局議員身分有關或由該身分引致的海外訪問，而該次訪問的費用並非全數由該議員或公費支付；(1994年第248號法律公告)

(g) 議員或其配偶從外國政府、組織或人士所收受或代表外國政府、組織或人士所收受的款項、實惠或實利；(1994年第248號法律公告)

(h) 土地及物業；(1994年第248號法律公告)

(i) 公司或其他團體的名稱，如據議員所知，其本人，或連同其配偶或未成年子女，或代表其配偶或未成年子女持有該公司或團體的股份的實益權益，而該等股份的面值超過該公司或團體已發行股本的百分之一者。

(1991年第258號法律公告)

64A. Registration of Interests

(1) Except for the purpose of making an initial registration of interests under paragraph (1A), every Member shall, not later than seven days before the first sitting of each session, furnish to the Clerk, in such form as may be approved by the President, particulars of his registrable interests. (*L.N. 248 of 1994; L.N. 465 of 1995*)

(1A) Every new Member of the Council shall, within fourteen days from the date of his election to the Council, furnish to the Clerk, in such form as may be approved by the President, particulars of his registrable interests. (*L.N. 248 of 1994; L.N. 382 of 1995*)

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

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

(4) In this order, "registrable interests" means—

- (a) remunerated directorships of companies, public or private;
- (b) remunerated employments, offices, trades, professions or vocations; (*L.N. 248 of 1994*)
- (c) (*Repealed L.N. 248 of 1994*)
- (d) the name of clients when the interests referred to above include personal services by Members which arise out of or are related in any manner to his membership of the Council;
- (e) financial sponsorships—
 - (i) as a candidate for election to the Council, where to the knowledge of the Member the sponsorship exceeds 10,000 or 25% of his election expenses; or
 - (ii) as a Member of the Council, by any person or organization, stating whether any such sponsorships include any payment or any material benefit or advantage to the Member or his spouse, whether direct or indirect; (*L.N. 248 of 1994*)
- (f) overseas visits made by the Member or his spouse relating to or arising out of membership of the Council where the cost of any such visit has not been wholly borne by the Member or public funds; (*L.N. 248 of 1994*)
- (g) any payments or any material benefits or advantages received by the Member or his spouse from or on behalf of foreign governments, organizations or persons; (*L.N. 248 of 1994*)
- (h) land and property; (*L.N. 248 of 1994*)
- (i) the names of companies or other bodies in which the Member has, to his knowledge, either himself or with or on behalf of his spouse or infant children, a beneficial interest in shareholdings of a nominal value greater than one-hundredth of the issued share capital.

(*L.N. 258 of 1991*)

65. 個人金錢利益的披露

(1) 議員在立法局或任何委員會會議上，不得就其有直接金錢利益的任何議題表決。 (1994 年第 248 號法律公告)

(1A) 議員在立法局或任何委員會會議上，如沒有披露有關的個人金錢利益的性質，不得對直接或間接與該利益有關的事宜動議任何議案或修正案，亦不得就該事宜發言。 (1994 年第 248 號法律公告)

(1B) 在立法局或任何委員會的任何辯論或議事程序中，議員如在席，必須聲明任何與所議事宜有關的直接金錢利益。 (1994 年第 248 號法律公告)

(2) 以某議員有第 (1) 款所述的直接金錢利益為理由將其表決作廢的議案，可無經預告由任何議員於進行點名表決時，在立法局主席、全體委員會主席或委員會主席說出可者及否者的數目後，立即動議，否則不得動議。 (1994 年第 248 號法律公告；1995 年第 382 號法律公告)

(3) 立法局主席、全體委員會主席或委員會主席有權酌情決定是否就該議案提出待議議題；運用該酌情權時，須考慮所表決事宜的性質，以及其表決受質疑的議員在該事宜上的利益是否屬於直接的金錢利益，而非屬香港其他居民同樣享有的利益，並須考慮該議員表決的事宜是否政府政策。 (1983 年第 255 號法律公告；1995 年第 382 號法律公告)

(4) 將某議員的表決作廢的待議議題提出後，該議員可在立法局或委員會會議上在其原位發言解釋，但隨後須於辯論該議題及就該議題進行表決時退席。

(5) 將某議員的表決作廢的議案如獲通過，立法局主席、全體委員會主席或委員會主席須指示立法局秘書或委員會秘書據此將原來的點名表決可者及否者數目更改。 (1995 年第 382 號法律公告)

65A. 與個人利益有關的處分

任何議員如不遵從本會議常規第 64A 條 (個人利益的登記) 或第 65(1)、(1A) 或 (1B) 條 (個人金錢利益的披露)，可由立法局藉訓誡或譴責，或暫停職務或權利的議案加以處分。

(1991 年第 258 號法律公告；1994 年第 248 號法律公告；1995 年第 382 號法律公告)

66. 准許新聞界及公眾人士進入會場

在符合立法局主席不時訂定的規則下，公眾及新聞界人士得准進入立法局旁聽立法局的會議，而立法局秘書須確保該等規則得以遵從。

65. Personal Pecuniary Interest to be Disclosed

(1) A Member shall not vote upon any question, whether in the Council or in any committee, in which he has a direct pecuniary interest. (*L.N. 248 of 1994*)

(1A) A Member shall not move any motion or amendment relating to a matter in which he has a pecuniary interest, whether direct or indirect, or speak on any such matter, whether in the Council or in any committee, without disclosing the nature of that interest. (*L.N. 248 of 1994*)

(1B) In any debate or proceedings of the Council or any committee at which a Member is present he shall declare any direct pecuniary interests which he has in the matter. (*L.N. 248 of 1994*)

(2) A motion to disallow a Member's vote on the ground of his direct pecuniary interest under paragraph (1) may be moved without notice by any Member immediately upon the statement of the numbers voting in the division by the President, Chairman of a committee of the whole Council or chairman, but not otherwise. (*L.N. 248 of 1994; L.N. 382 of 1995*)

(3) The President, Chairman of a committee of the whole Council or chairman shall have discretion whether or not to propose the question upon such a motion; and in exercising such discretion he shall have regard to the nature of the question upon which the vote was taken and to the consideration whether the interest therein of the Member whose vote is challenged is direct and pecuniary and not an interest in common with the rest of the inhabitants of Hong Kong and whether his vote was given on a matter of state policy. (*L.N. 255 of 1983; L.N. 382 of 1995*)

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

(5) If a motion for the disallowance of a Member's vote is agreed to, the President, Chairman of a committee of the whole Council or chairman shall direct the Clerk to the Legislative Council or the clerk to alter the numbers voting in the original division accordingly. (*L.N. 382 of 1995*)

65A. Sanctions relating to Interests

Any Member who fails to comply with Standing Order No. 64A (Registration of Interests) or 65(1), (1A) or (1B) (Personal Pecuniary Interest to be Disclosed) may be admonished, reprimanded or suspended by the Council on a motion to that effect.

(*L.N. 258 of 1991; L.N. 248 of 1994; L.N. 382 of 1995*)

66. Admission of Press and Public

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

66A. 行為不檢

立法局主席、全體委員會主席、委員會或小組委員會主席可命令將任何行為不檢或看來相當可能有不檢行為的公眾或新聞界人士驅離會場。

(1995 年第 382 號法律公告)

67. 外人離場

(1) 在立法局、全體委員會、委員會或小組委員會會議上，議員可隨時無經預告而起立動議外人離場，並指明外人離場適用於當天會議的餘下程序，抑或只於審議某些事項的一段時間。議案一經動議，立法局主席、全體委員會主席、委員會或小組委員會主席隨即須提出該待議議題，而立法局、委員會或小組委員會須先行處理該議題，然後繼續處理該議案動議時立法局、委員會或小組委員會當前的事項。

(2) 立法局主席或全體委員會主席可隨時命令外人離場，並命令將會議廳各門關閉。

(3) 當立法局、全體委員會、委員會或小組委員會，或立法局主席或全體委員會主席命令外人離場時，公眾及新聞界人士須立即離開會議廳或委員會或小組委員會正舉行會議的委員會會議室，而立法局秘書或委員會秘書須確保此項命令得以遵從。

(1995 年第 465 號法律公告)

67A. 就議員出席民事法律程序擔任**證人一事取得許可的程序**

(1) 為取得根據《立法局（權力及特權）條例》（第 382 章）第 6(2) 條所需的立法局許可，以要求某議員在立法局舉行會議當天出席民事法律程序為證人，要求該議員在該天出席的法律程序當事人不得遲於該日之前 21 天向立法局秘書書面陳述其請求及說明要求該議員在該天出席的理由。

(2) 許可的請求須由立法局秘書在收到後列入下次會議的議事程序表內；除非立法局藉任何議員在該次會議動議的一項可無經預告的議案，決定拒絕給予許可，否則立法局須當作已命令給予許可。(1995 年第 382 號法律公告)

(3) 立法局秘書須以書面將立法局的決定通知該要求許可的當事人及有關的議員。

(1991 年第 258 號法律公告)

66A. Disorderly conduct

The President, Chairman of a committee of the whole Council or chairman of a committee or subcommittee may order the removal from a sitting of any member of the public or of the press who behaves, or who appears likely to behave, in a disorderly manner.

(L.N. 382 of 1995)

67. Withdrawal of Strangers

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

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

(3) When an order has been made by the Council, committee or subcommittee, or by the President or Chairman, for the withdrawal of strangers, members of the public and of the press shall forthwith withdraw from the Council Chamber or the committee room in which the committee or subcommittee is sitting, and the Clerk or clerk shall ensure that the order is complied with. *(L.N. 465 of 1995)*

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

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

(2) The request for leave shall be placed on the Order Paper for the sitting next following the receipt thereof by the Clerk and, unless on a motion which may be moved without notice at that sitting by any Member the Council determines that such leave shall be refused, the Council shall be deemed to have ordered that such leave be granted. *(L.N. 382 of 1995)*

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

(L.N. 258 of 1991)

67B. 就立法局會議程序提供證據一事取得許可的程序

(1) 為取得根據《立法局(權力及特權)條例》(第 382 章) 第 7 條所需的立法局許可，以就會議紀要、作證紀錄或提交立法局、委員會或小組委員會會議席上省覽的任何文件的內容，或就立法局、委員會或小組委員會的任何會議或審查程序，在立法局以外的地方提供證據，要求該許可的人須向立法局秘書書面陳述其請求及說明其理由，並須提供立法局秘書在個別情況下按立法局主席的指示所進一步要求的資料。
(1995 年第 382 號法律公告)

(2) 許可的請求須列入立法局主席所指定會議的議事程序表內；除非立法局藉任何議員在該次會議動議的一項可無經預告的議案，決定拒絕給予許可，否則立法局須當作已命令給予許可。
(1995 年第 382 號法律公告)

(3) 立法局秘書須以書面將立法局的決定通知該要求許可的人。

(4) 凡有人在立法局休假、休會、押後會議或解散期間，向立法局要求取得本條第 (1) 款所述的許可，可由立法局主席給予，如立法局主席不能執行主席職務，則可由主持立法局會議的議員給予許可。
(1993 年第 42 號法律公告)

(1991 年第 258 號法律公告)

68. 本會議常規的暫停執行

具有暫停執行某條會議常規的目的或效力的議案，除非事前已作預告，或經立法局主席同意，否則不得動議。

69. 本會議常規未有規定的程序

對於本會議常規內未有作出規定的事宜，立法局所須遵循的方式及程序由立法局主席決定；如立法局主席認為適合，可參照英國下議院的慣例及程序處理。

(1971 年第 138 號法律公告)

70. 釋義

在本會議常規內，除文意另有所指外——

- (a) “印載”的提述，包括所有藉機械、電力、電子及攝影將文字複製的方法的提述；
- (b) “整天”一詞不包括作出預告當天、舉行有關會議當天及有關期間內的公眾假期；
- (c) “指定公職人員”指總督根據《皇室訓令》第 XXIB(2) 條指定的公職人員。
(1995 年第 382 號法律公告)

(1991 年第 138 號法律公告；1995 年第 382 號法律公告)

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

(1) For the purpose of obtaining the leave of the Council under section 7 of the Legislative Council (Powers and Privileges) Ordinance (Cap. 382) in order that evidence may be given elsewhere in respect of the contents of minutes, records of evidence or any document laid before the Council or a committee or subcommittee, or in respect of any proceedings or examination held before the Council or a committee or subcommittee, the person seeking such leave shall submit to the Clerk a written statement of the request and the reasons therefor and such further information as the Clerk, on the direction of the President, may require in any particular case. *(L.N. 382 of 1995)*

(2) The request for leave shall be placed on the Order Paper for such sitting as the President may appoint and, unless on a motion which may be moved without notice at that sitting by any Member the Council determines that such leave shall be refused, the Council shall be deemed to have ordered that such leave be granted. *(L.N. 382 of 1995)*

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

(4) Where the leave of the Council referred to in paragraph (1) of this order is sought during any recess or adjournment or dissolution of the Council such leave may be given by the President or, if the President is unable to act, by the Member presiding. *(L.N. 42 of 1993)*

(L.N. 258 of 1991)

68. Suspension of Standing Orders

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

69. Procedure if Standing Orders do not provide

In any matter not provided for in these Standing Orders, the practice and procedure to be followed in the Council shall be such as may be decided by the President who may, if he thinks fit, be guided by the practice and procedure of the House of Commons of the United Kingdom.

(L.N. 138 of 1971)

70. Interpretation

In these Standing Orders, unless the context otherwise requires—

- (a) references to printing include references to all mechanical, electrical, electronic and photographic methods of reproducing words in visible form;
- (b) the expression "clear days" excludes the day of the giving of a notice, the day of the relevant sitting and intervening public holidays;
- (c) "designated public officer" means a public officer designated by the Governor under clause XXIB(2) of the Royal Instructions. *(L.N. 382 of 1995)*

(L.N. 138 of 1991; L.N. 382 of 1995)



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