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HOUSE RULES

Section B : Legislative Council Business

October 1992

October 1993

HOUSE RULES

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Sample statement for Late Questions

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I. Guidelines on Questions in the Legislative Council

The formal rules on Questions are contained in Part E of Standing Orders. Members' attention is drawn particularly to the rules on the nature and contents of questions, in particular, S.O. 15(1) and 18(1)(a) to (1).

The rules on supplementary questions are as provided in S.O. 19(4).

Given the limited time available for Question Time, the following guidelines are suggested :-

(1) Registration of Questions

- (a) The registration of questions by the Secretariat is in the order of receipt.
- (b) Each Member is limited to registering only one oral and one written or two written questions per calendar week ending at 5:00 p.m. on Friday. When a question is passed for registration, draft wording sufficient to identify the subject matter and the scope of the question should be provided.

(2) Contents of Questions

Questions should refer to specific issues and not to wide policy matters. A better forum for discussion on wide policy issues is an adjournment debate or a motion debate.

(3) Form of Questions

- (a) Questions should be precise and to the point.
- (b) Multiple questions within a single oral question should be avoided.
- (c) Questions requiring statistics should be asked more appropriately as written questions.
- (d) Questions should not raise matters of policy too wide to be dealt with within a single reply.

(4) Number and Allocation of Questions

- (a) Where there is no debate on a substantive motion at a sitting, no more than 8 oral questions will be asked. Where, in the opinion of the President, there will be such a debate, no more than six questions shall be asked and the question time should normally be limited to one hour. (S.O. 16(3))
- (b) Under Standing Order 17(3) and subject to availability of unused quota, each Member is normally limited to asking only one oral and one written or two written questions at any one sitting. However, if more than 20 Members wish to raise questions at a sitting, each Member is allowed to raise only one question.

- (c) The allocation of questions to be asked at a LegCo sitting is normally based on the order of registration of the questions by the Secretariat. Where there are more questions than can be allowed at a sitting, priority will be given to Members who have asked the least oral or written questions to date.
- (d) Questions may be asked out of sequence with the agreement of the House Committee. Consideration will be based on topical interest, public concern and any relevant reasons that the Member proposing the question may have.

(5) Supplementary Questions

- (a) The first supplementary question is normally put by the Member who asks the original question. Further supplementary questions may be asked by other Members for the purpose of elucidating the answer to the main question. Supplementary questions should normally be kept to a minimum.
- (b) Supplementary questions must not refer to matters which do not arise from the original question or answer. (S.O. 19(4))
- (c) A supplementary question should be short and to the point.

- (d) Supplementary questions should not contain several questions in one. (S.O. 18(1)(d))
- (e) Supplementary questions should be framed as questions and not so as to include statements, contain inferences, suggest their own answers or ask for confirmation of rumours or press reports. (S.O. 18(1)(c) and (i))

(6) Urgent Questions (Standing Order 17(4))

To assist the Deputy President in considering requests to entertain such questions, the Member concerned should include a statement confirming the reasons for the request in each case when submitting a late-notice question to the Clerk to the Legislative Council. A sample statement is attached at Annex I. (S.O. 17(4))

II. Arrangements for Debates

- (1) No more than two debates (which may be two motion debates, two subjects for debate on a motion for the adjournment of the Council, or one motion debate and one adjournment debate) should be held at each regular sitting.
- (2) Unless there are untaken slots, each Member is normally allowed to either move one motion debate or sponsor one adjournment debate only within a LegCo session.

- (3) Application for the allocation of a time slot at a certain sitting will be closed not less than 3 weeks in advance of that sitting as notified by the Secretariat. If more than two applications are received for the same sitting, allocation would be decided by drawing lots. Subject to requests by Members and with the agreement of the House Committee, priority will however be given to debates on urgent, important and topical issues.
- (4) A Member who wishes to take part in a debate but who cannot attend the sitting at which the debate is held may request another Member speaking in the debate to express his views in the speech. A Member who has undertaken to express an absent Member's views in a debate should express his own views first in his speech and then say that his own views are shared by the absent Member. The Member speaking should not read out a speech prepared by the absent Member, nor is it desirable for the Member speaking to express at length the absent Member's views and then simply say at the end that he agrees with such views.
- (5) Motion Debate
 - (a) The wording of the motion must be made available at the time of application. A mover must not subsequently seek to make substantial changes to the wording of his motion.

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

Maximum time allowed

Mover of the motion (including reply)	15 mins
Mover of amendment to the motion	7 mins
Other speakers	7 mins
Administration's reply (including reply to be given after the mover has moved the motion and at the conclusion of the debate)	15 mins

(6) Adjournment Debate

- (a) The subject matter and scope of an adjournment debate must be specified at the time of application. A sponsor must not subsequently seek to make substantial changes to the subject matter of the debate.
- (b) The duration of an adjournment debate(s) at a sitting will be kept within one hour (45 minutes for speeches by Members and 15 minutes for replies by Government Officials). (S.O. 9(7) & (8))

**III. Arrangements for special meetings of Finance Committee
to examine the Draft Estimates of Expenditure
(normally held in March each year)**

- (1) The Administration will be requested to forward the Draft Estimates to Members as early as possible.
- (2) Prior to the special meetings, Members may raise their questions for written reply by Controlling Officers. Written questions, which will be drafted by Members, should be forwarded to the Secretariat for submission to the Clerk to the Finance Committee.
- (3) The written replies provided by Controlling Officers are issued to Members. They can be made available by Members without embargo to the press.
- (4) After examining the written replies, Members may pursue in writing any supplementary questions. Supplementary questions on details should be taken up in writing but not at the special meetings.
- (5) The special meetings will be divided into different sessions during which each Branch Secretary will attend with his key Controlling Officers and make a brief presentation to the Finance Committee on policies in their programme areas, their priorities for the year ahead and the allocation of resources to them.

- (6) Members will then be free to ask questions on points made during the presentation and the draft estimates generally. Detailed points may be answered there or in writing after the meeting.

IV. House Committee and Bills Committees

- (1) Procedure, practice and number of committees
 - (a) House Committee
 - (i) The order of priority for a bill to be allocated to a Bills Committee will be decided by the House Committee having regard to information provided by the Administration, advice by the Legal Adviser, workload of individual Bills Committees, degree of urgency of bills being considered by these committees, etc. (S.O. 60C(3), (4) and (5))
 - (ii) The Chairman of the House Committee will arrange for the Clerk to the Legislative Council to be notified in writing when a bill is ready for resumption of second reading debate in the Council. (S.O. 42(3B))

(b) Bills Committees

- (i) The number of Bills Committees should normally be limited to 10 at any one time. If there are more than 10 bills to be scrutinized, a queuing system will automatically start. The House Committee may on an exceptional basis decide to have more than 10 Bills Committees.
- (ii) The public should be informed of the deadline for submission of representations to Bills Committees where appropriate.
- (iii) Where a Bills Committee decides to hold in abeyance the consideration of a bill, it should notify the House Committee which will decide whether the next bill in the queue should be allocated for consideration. (S.O. 60C(4) and (5))
- (iv) 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 including, where appropriate, the majority and minority views. (S.O. 60D(8))

- (v) A Bills Committee will be dissolved as soon as the bill it considered has passed through LegCo.

(2) Membership

(a) House Committee

The House Committee shall consist of all the Members of the Legislative Council other than the Deputy President and ex-officio Members. (S.O. 60C(1))

(b) Bills Committees

A Bills Committee shall consist of not less than three members including the chairman (S.O. 60D(3)). Subject to decisions of the House Committee made from time to time, Members can signify to join a Bills Committee by a show of hands at the House Committee meeting where a bill is allocated to that Bills Committee or by completion of returns before the first meeting of the Bills Committee to the Secretariat (S.O. 60C(6)). It is for the Chairman of a Bills Committee to decide whether to accept late membership on grounds of indisposition or absence from Hong Kong. All Members, irrespective of whether they are members of that Bills Committee, may attend the meetings of the Committee, and their views may be recorded in the records of meetings of the committee concerned.

V. Election of Chairman and Deputy Chairman

(1) House Committee

(a) A chairman and a deputy chairman of the House Committee shall be elected from amongst its Members and shall hold office until the first meeting in the following session (S.O. 60C(2)). If there is more than one candidate for an office the election for that office shall be conducted by secret ballot amongst those present and entitled to vote. A candidate who receives a simple majority of votes shall be declared to be elected.

(b) Nominations in respect of the chairman and deputy chairman shall be called for at the meeting. All nominations shall be made and seconded orally by at least one Member present. All Members present shall be eligible to stand for election.

(2) Bills Committees

The chairman of a Bills Committee shall be elected by the committee from amongst its members. The Committee may also elect a deputy chairman (S.O. 60D(2)). Tenure of chairmanship and deputy chairmanship should be for the life of the Bills Committee. The procedure for election of chairman and deputy chairman as provided in paragraph (1)(a) and (b) above shall also apply in the case of Bills Committees.

VI. Admission of the Public to Meetings

Meetings of the House Committee and Bills Committees shall be held in public unless the chairmen otherwise order (S.O. 60C(12) and S.O. 60D(5)). Subject to the provisions in the Administrative Instructions for Regulating Admittance and Conduct of Persons issued under Section 8 of the Legislative Council (Powers and Privileges) Ordinance, the public shall be admitted to all meetings of the House Committee and Bills Committees so far as there is accommodation.

Provided that -

- (1) wherever possible, prior notice of a decision to sit in private should be given; and
- (2) if a member of the public interrupts the proceedings at any meeting the chairman may, after warning, order his removal from the meeting room or may order that the part of the room open to the public shall be cleared.

VII. Guidelines for the conduct of meetings

- (1) Members should confirm their attendance by returning the reply slip to the clerk to a Bills Committee.
- (2) Unless a quorum is present within 15 minutes after the time appointed for the meeting (S.O. 60C(13) and S.O. 60D(3)), the meeting will not be held.

- (3) Meetings should normally be arranged within 2-hour time slots as follows :-

8:30 a.m. - 10:30 a.m.
10:45 a.m. - 12:45 p.m.
2:15 p.m. - 4:15 p.m.
4:30 p.m. - 6:30 p.m.

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

To enable Members to participate in all meetings they have joined, efforts should be made to avoid scheduling 2 meetings within the same time slot unless there is no overlapping of membership.

- (4) At the first meeting, the chairman of a Bills Committee will anticipate the number of subsequent meetings required and set tentative dates for the subsequent meetings so that Members may take note of the dates from the outset to facilitate attendance. In normal circumstances, a Bills Committee should not book more than 3 time slots at a time.

- (5) The chairman will decide beforehand the time allowed for each particular meeting. This will be notified to all participants in advance. Discussions at meetings will have regard to the time allowed. Outsiders invited to attend will be informed of the duration in advance in order to facilitate planning for all concerned.

- (6) In any committee, a Member shall not move any motion or amendment relating to a matter in which he has a direct personal pecuniary interest or speak or vote on any such matter without disclosing the nature of that interest (S.O. 65(1)).
- (7) Except for decisions made on matters raised under Any Other Business, the decisions of a Committee will not be re-opened for discussion, unless with the permission of the Committee.
- (8) Chairmen of committees have the discretion to exercise some flexibility in applying the above guidelines.

VIII. Notice of Meeting

- (1) Notice of meetings shall be in writing, stating the date, time and place at which the meeting is to be held and shall be given by the clerk at least three days before the day of the meeting, but shorter notice may be given in any case where the chairman so directs. (S.O. 60C(12), and S.O. 60D(4))
- (2) Agenda and papers in connection with matters requiring the consideration of the House Committee and Bills Committees at a meeting shall be issued by the clerk as early as practicable before the meeting.

IX. Records of Meetings

- (1) Normally verbatim records will not be maintained for the proceedings of the House/Bills Committees. If for any reason a Bills Committee decides to keep a verbatim record, the services of verbatim reporters or calligraphists will be provided.
- (2) For meetings at which representations from the public are received, members of the public will be asked to make submissions in writing, if possible, in advance of the meetings; otherwise they will be asked at the end of the meetings to put in writing the points they would like Members to take note of. Those who have put in written submissions prior to the meetings will also be provided with the opportunity to make further written submissions after the meetings on points not covered in the earlier submissions. The written submissions will then be circulated for Members' reference.
- (3) Written records of meetings with the Administration and outside parties will not be cleared with them.
- (4) Notwithstanding (2) and (3) above, chairmen have the discretion to decide whether the written records or any part thereof should be shown to those who have attended the meetings with Members if, in the chairmen's opinion, it will facilitate the work of the Bills Committee.

- (5) The draft written record of a meeting will be confirmed at a subsequent meeting.
- (6) All meetings of the House Committee and Bills Committees will be tape-recorded and the recording may be erased in one year's time unless directed otherwise by the respective Committees.
- (7) The written records of the meetings of House/Bills Committees will not normally be made available to members of the public.

X. Subcommittees of the House Committee

The practices and procedures set out in Sections IV to IX shall apply, where appropriate, to Subcommittees of the House Committee.

**XI. Arrangements during Tropical Cyclones and Rainstorm
Black Warning**

- (1) Meetings of the House Committee, Bills Committees or subcommittees shall continue to be held when Storm Signal No. 1 or No. 3 is hoisted.

- (2) Meetings of the House Committee, Bills Committees or Subcommittees shall, unless directed otherwise by the Chairman of the Committee or Subcommittee as appropriate, be cancelled if Storm Signal No. 8 or Rainstorm Black Warning is hoisted two hours before the appointed time of the meeting. If Storm Signal No. 8 is hoisted while a meeting of the Committee or Subcommittee is in progress, the Chairman of the Committee or Subcommittee as appropriate should adjourn the meeting. In the case of a Rainstorm Black Warning, the chairman should decide whether to adjourn or continue with the meeting.

XII. Dissolution of Legislative Council

- (1) Duties as Legislative Councillors will cease on dissolution day. The LegCo duties include attending functions as Members of the Legislative Council representing the interests of their constituencies, etc.
- (2) Services to Legislative Councillors will also cease on dissolution. These include services of the LegCo Secretariat, receipt of LegCo briefs, use of the title "The Honourable" and inclusion in the precedence list, immunities offered by the Legislative Council (Powers and Privileges) Ordinance, use of the facilities in LegCo premises, and parking in Jackson Road.

- (3) The following services should also cease: services of the Secretariat staff and use of LegCo facilities; and use of LegCo letter pads.
- (4) Allowances for LegCo Members should be claimed as follows:
 - (a) Elected Members - current and re-elected Members up to and including election day; new Members with effect from the day following election day.
 - (b) Appointed Members - current Members not reappointed up to and including the first election day; current Members reappointed to be paid without a break; newly appointed Members with effect from the date of the first sitting.
 - (c) current appointed Members returned to the Council by election - no break in payment of allowance.
- (5) The following services will continue to be provided by the Secretariat during the entire dissolution period :-
 - (a) referral of phone calls or redirection of requests for interviews;

- (b) referral of mail to Members' offices through the normal despatch service; and
 - (c) where complaint cases have been referred to LegCo Members before the dissolution, the Members concerned will be kept informed of the outcome of such cases.
- (6) The Secretariat will be responsible for receiving and handling of complaints during the dissolution period.
- (7) Provision of press material by the Secretariat will be suspended as from the date of dissolution. Such services, which include the preparation of press headlines and press cuttings, and the monitoring the news programmes on the media, will resume on the date after the Election Day so as to assist Members of the LegCo to keep themselves abreast of current affairs.
- (8) Other services will be resumed after Election Days as and when LegCo activities necessitate them.
- (9) The Clerk to the Legislative Council should be consulted in case of doubts regarding privileges for Councillors during the dissolution period.

Annex I

Sample statement for Late Questions

**"Legislative Council Request to
Deputy President for permission to ask a
question without notice—Standing Order 17(4)**

At the sitting on _____ and in accordance
with Standing Order 17(4), I request permission to ask the
question attached without notice on the grounds that

(description of grounds)

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

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

Signed (Member)

Date

* Insert Government official(s) as appropriate

**Amendments to Standing Orders
to provide for the setting up of
House Committee/Bills Committees/Subcommittees**

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

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

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

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

"60C. House Committee

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

- (2) The chairman and deputy chairman of the committee shall be elected from amongst its members and shall hold office until the first sitting of the committee in the session next following that in which they were elected. In the event of the temporary absence of the chairman and deputy chairman, the committee may elect a chairman to act during such absence.
- (3) At any time after a bill has been referred to the committee under Standing Order No. 42(3A), the committee may allocate it to a Bills Committee for consideration, or may cause it to be considered in such other manner as the committee thinks fit.
- (4) In deciding upon the timing and order of allocation of bills to a Bills Committee, the committee may take into account the number and relative priority of other bills currently referred to the committee under Standing Order No. 42(3A), and may at any time vary any decision as to the timing and order of allocation of any bill.
- (5) Following allocation of a bill to a Bills Committee, the committee, after consultation with that Bills Committee, may decide the date for completion of consideration of the bill by the Bills Committee. Any such decision may be varied at any time, after consultation with the Bills Committee.

(iii)

- (6) Upon the allocation of a bill to a Bills Committee, the members of that Bills Committee shall be those Members (other than the Deputy President and the ex officio Members) who signify membership in accordance with procedural rules (which shall provide only for the manner and timing of such signification) decided by the committee.
- (7) The committee may provide guidelines relating to the practice and procedure of the Bills Committees.
- (8) The committee may discuss any deliberations of a Bills Committee for the purpose of assisting members in preparation for resumption of second reading debate in the Council.
- (9) The committee shall decide the manner of consideration of any subsidiary legislation which is subject to the provisions of sections 34 and 35 of the Interpretation and General Clauses Ordinance (Cap. 1).
- (10) The committee may consider, in such manner as it thinks fit, any other item relating to the business of the Council.
- (11) The committee may appoint subcommittees for the purpose of assisting the committee in the performance of its functions under paragraphs (9) and (10).

- (12) The committee shall sit at the times (including any time during the period when the Council is in recess between the end of one session and the beginning of the next session) and at the place determined by the chairman. Written notice of the place, day and time of every sitting shall be given to the members at least three days before the day of the sitting but shorter notice may be given in any case where the chairman so directs. The sittings shall be held in public unless the chairman otherwise orders in accordance with any decision of the committee.
- (13) Twenty members, including the chairman, shall form a quorum. All matters for the decision of the committee shall be decided by a majority of the members voting. The chairman, the deputy chairman or any other member presiding shall not vote, unless the votes of the other members are equally divided in which case he shall have a casting vote.
- (14) Where the chairman so orders, any matter for the decision of the committee may be considered by circulation of papers to the members of the committee and each member may signify his approval in writing submitted to the chairman. Unless any such matter has been so approved by all the members (who shall not be less than twenty in number) who are then in Hong Kong before the expiry of the period specified by the chairman for signifying the approval of members in respect of that matter, that matter shall be deemed to be referred for decision at a sitting of the committee.

- (15) Paragraph (14) shall apply during any period when the Council is in recess between the end of one session and the beginning of the next session as it applies during a session.
- (16) Where so authorized under section 9(2) of the Legislative Council (Powers and Privileges) Ordinance (Cap. 382), the committee may call any person to attend before it and to give evidence or to produce any paper, book, record or document in the possession or under the control of such person.
- (17) Subject to these Standing Orders, the practice and procedure of the committee shall be determined by the committee.

60D. Bills Committees

- (1) There shall be such number of committees, to be called Bills Committees, as the House Committee consider appropriate.
- (2) The chairman of a Bills Committee shall be elected by the committee from amongst its members. The committee may also elect a deputy chairman. In the event of the temporary absence of the chairman or any deputy chairman, the committee may elect a chairman to act during such absence.
- (3) A Bills Committee shall consist of not less than three members including the chairman. The quorum of a Bills Committee shall be three members including the chairman, or one third of the members including the chairman (a fraction of the whole number being disregarded), whichever is the greater.

- (4) A Bills Committee shall sit at the times (including any time during the period when the Council is in recess between the end of one session and the beginning of the next session) and the place specified by the chairman. Written notice of the place, day and time of every sitting shall be given to the members at least three days before the day of the sitting but shorter notice may be given in any case where the chairman so directs.
- (5) Sittings shall be held in public unless the chairman otherwise orders in accordance with any decision of the committee.
- (6) A Bills Committee shall consider the general merits and principles, and the detailed provisions, of the bill allocated to it; and may also consider any amendments relevant to the bill.
- (7) All matters for the decision of a Bills Committee shall be decided by a majority of the members voting. The chairman shall, if the votes be equally divided, have a casting vote in addition to his original vote.
- (8) A Bills Committee shall, as soon as it has completed consideration of the bill allocated to it, notify the House Committee and shall advise the committee in writing of its deliberations.

- (9) The deliberations of a Bills Committee on a bill may be discussed by the House Committee for the purposes of informing Members in preparation for resumption of the second reading debate on the bill in Council. Such deliberations shall not be binding on any Member, whether in Council, in a committee of the whole Council or in House Committee.
- (10) Where so authorized under section 9(2) of the Legislative Council (Powers and Privileges) Ordinance (Cap. 382), a Bills Committee may call any person to attend before it and to give evidence or to produce any paper, book, record or document in the possession or under the control of such person.
- (11) Subject to these Standing Orders, the practice and procedure of a Bills Committee shall be determined by that Bills Committee. In any such determination, a Bills Committee shall take into account any guidelines provided under Standing Order No. 60C(7)."

Date: 7 May 1993

I : Check list for future amendments to Part A of the House Rules (HRs)

<u>Section & paragraph in existing HRs</u>	<u>Date of House Committee (HC) meeting (& relevant paragraph in HC record)</u>	<u>Extract from record of HC meetings</u>	<u>Proposed amendments</u>
Guidelines for the conduct of meetings (pp. 5-7) Sub-paragraph (d)	23.4.93 paragraph 8(f)	<p>The guideline for all panel/committee/subcommittee meetings will be:</p> <p>"The <u>quorum</u> of a meeting (which will include meeting with the public) should be three members including the chairman/ convener or one-third of the members (whether in town or not) including the chairman/ convener, whichever is the greater. Unless a quorum is present within 15 minutes after the time appointed for the meeting, the meeting will not be held.</p> <p>To avoid causing inconvenience to others (and so that it can be determined as soon as possible whether a quorum will be available), Members should not report absence at the last minute. Members should be punctual for meetings and those who might be late for a meeting should inform the Secretariat as soon as practicable."</p>	<p>To rewrite the sub-paragraph.</p>

<u>Section & paragraph in existing HRs</u>	<u>Date of House Committee (HC) meeting (& relevant paragraph in HC record)</u>	<u>Extract from record of HC meetings</u>	<u>Proposed amendments</u>
Press Arrangements (pp. 8 & 9)	18.12.92 paragraph 6(j)	"On the question as to whether or not <u>press briefings</u> should be held after every Panel and Committee meeting, it should be left to the decision of individual Chairmen. As a general rule, the agenda for each meeting should include reference to whether the press needed to be briefed after a meeting."	To rewrite the section.

II : Check list for future amendments to Part B of the House Rules (HRs)

I(4) (a)	6.11.92 paragraph 9(b)	"10 <u>oral questions</u> instead of the present limit of 8 might be allowed at a regular LegCo sitting where no debate on a substantive motion was scheduled."	"8 oral questions" be amended to read "10 oral questions". <u>Note:</u> Standing Order already amended.
I(3), (5) & (6)	19.2.93 paragraph 6(a)	[Extract from paragraph 3 of LegCo Paper No. 1756/92-93: "In addition to the guidelines set out in the House	To rewrite the relevant paragraphs.

Section & paragraph in <u>existing HRS</u>	Date of House Committee (HC) meeting (& relevant paragraph in HC record)	<u>Extract from record of HC meetings</u>	<u>Proposed amendments</u>
		<p>Rules, the Subcommittee and the Deputy President have recommended the following concerning <u>LegCo questions</u>:</p>	
		<p>(a) Unless there are justifiable reasons, Members should not ask questions which generate very extensive research for replies, e.g. statistics relating to an unduly long period of time. This would obviate the disproportionate use of administrative time and cost in preparation of replies;</p>	
		<p>(b) Members who wish to raise urgent questions under Standing Order 17(4) should, whenever possible, seek the agreement of the House Committee before submitting the questions to the Deputy President; and</p>	

Section & paragraph in existing HRS	Date of House Committee (HC) meeting (& relevant paragraph in HC record)	<u>Extract from record of HC meetings</u>	<u>Proposed amendments</u>
		(c) Members should ask single supplementary questions, to allow other Members a fair chance to raise supplementary questions. Furthermore, to facilitate accurate interpretation of questions, particularly where they are of necessity complex, Members are urged to speak slowly or to put them in writing to the simultaneous interpreters for easier reference."]	
II(1)	18.12.92 paragraph 6(a)(ii)	"The term <u>"motion debates"</u> should be defined to apply only to "subject motions" moved by individual Members. Such motions were subject to the quota requirements under the House Rules, i.e. a limit of two debates at each regular LegCo sitting."	To rewrite the relevant paragraph.

<u>Section & paragraph in existing HRs</u>	<u>Date of House Committee (HC) meeting (& relevant paragraph in HC record)</u>	<u>Extract from record of HC meetings</u>	<u>Proposed amendments</u>
		[Extract from paragraph 6 of LegCo Paper No. 1047/92-93:	
		"In effect, "subject motions" would exclude certain motions, such as:	
		(a) motions relating to bills (Part K of the Standing Orders);	
		(b) motions to appoint a select committee and refer matters to it (S.Os. 61 & 62);	
		(c) motions to suspend Standing Orders (S.O. 68);	
		(d) motions to invoke statutory powers (e.g. to activate Section 9 of Cap. 382 or to amend subsidiary legislation under Sections 34 & 35 of Cap. 1); and	

Section & paragraph in existing HRS	Date of House Committee (HC) meeting (& relevant paragraph in HC record)	<u>Extract from record of HC meetings</u>	<u>Proposed amendments</u>
		(e) any other motions which, if carried, empower the Council, a Committee, a body, the President or other person(s) to do certain act; or invoke certain provisions under the Standing Orders or Ordinances."]	
II(3)	18.12.92 paragraph 6(a)(ii)	"Members who were unsuccessful in two consecutive ballots should be accorded priority for the allocation of a slot at the sitting immediately following."	Add a sentence to the paragraph.
II(5)	19.2.93 paragraph 6(a)	"Members endorsed the Subcommittee's recommendations concerning: (i) the requirement of 3 clear days <u>notice for an amendment</u> <u>to an amendment to the motion</u> <u>of a debate</u> ; and	To add a new sub- paragraph and to amend paragraph 5(b) in respect of the maximum speaking time for the mover. <u>Note:</u> Standing Order to be amended in due course.

Section & paragraph in existing HRs	Date of House Committee (HC) meeting (& relevant paragraph in HC record)	<u>Extract from record of HC meetings</u>	<u>Proposed amendments</u>
		(ii) the allowance of additional <u>speaking time</u> of up to 5 minutes for the mover of a motion to respond to amendment(s) to the motion."	
	16.4.93 paragraph 7(g)	"Members noted that there was no notice required for moving a <u>motion to adjourn a motion debate</u> and that it was for the President to rule on how long Members might speak on such a motion, having regard to any recommendation by the House Committee. It was agreed that should such a motion be moved, Members speaking on the motion should limit their speeches to no more than five minutes each, and that they should speak to that motion (not the original motion)."	Add a new sub-paragraph.
II(6) (b)	18.12.92 paragraph 6(a) (ii)	"As regards <u>speaking arrangements for adjournment debates</u> , Members agreed that the proposer of the debates should be allowed to speak for at least 5 minutes. In addition, the President should be given the authority to regulate Members' speaking time during adjournment	To expand the sub-paragraph. <u>Note:</u> Standing Order to be amended if considered necessary.

<u>Section & paragraph in existing HRs</u>	<u>Date of House Committee (HC) meeting (& relevant paragraph in HC record)</u>	<u>Extract from record of HC meetings</u>	<u>Proposed amendments</u>
		debates, in the same manner as motion debates."	
		[Extract from LegCo Paper No. 1047/92-93:	
		"Standing Orders 9(7) & (8) provide that the duration of an adjournment debate(s) at a sitting will be kept within one hour (i.e. 45 minutes for speeches by Members and 15 minutes for replies by Government Officials).	
		The current practice is that the 45 minutes will be equally divided amongst all Members speaking, including the proposer of an adjournment debate.	
	 It is necessary to provide some ground rules as regards length of time of speeches where the number of Members speaking on an adjournment debate exceeds 9. The Subcommittee recommends that in such cases, the proposer of the debate should be allowed a maximum speaking time of 5 minutes, and the remaining	

Section & paragraph in existing HRs	Date of House Committee (HC) meeting (& relevant paragraph in HC record)	<u>Extract from record of HC meetings</u>	<u>Proposed amendments</u>
		time should be divided equally amongst other Members speaking."}	
IV(1)(a)	19.2.93 paragraph 6(a)	"Members Subcommittee's concerning:	endorsed the Add a new sub-sub- recommendations paragraph.

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(iv) discretion of the Chairman of
the House Committee to allow
late items for discussion at
House Committee meetings"

[Extract from paragraph 4(b) of
LegCo Paper No. 1756/92-93:

"The deadline for agenda
items is 5:00 p.m. on the Wednesday
before the House Committee meeting.
The Subcommittee agrees that Members
wishing to raise urgent items, i.e.
matters which could not meet that
deadline and which could not wait
for the next meeting, may make a
request to the Chairman of the House
Committee for the items to be raised

Section & paragraph in existing HRs	Date of House Committee (HC) meeting (& relevant paragraph in HC record)	<u>Extract from record of HC meetings</u>	<u>Proposed amendments</u>
		under Any Other Business. The Chairman shall decide whether or not to accede to such request."]	
IV(1)(b)(iii)	23.10.92 paragraph 4(d)	"a <u>bill held in abeyance</u> to make way for another bill in the queue would not normally be reactivated until there was a vacant slot to accommodate its readmission."	An addition to the sub-sub-paragraph for clarification.
	30.10.92 paragraph 4	"the decision of whether or not a Bills Committee should hold a bill in abeyance might be considered by circulation to Members of the Committee concerned."	An addition to the sub-sub-paragraph for clarification.
VII	20.11.92 paragraph 6	"The following guidelines were suggested to expedite the <u>processing of bills</u> :	Add a new paragraph in section VII.
		(a) Whenever feasible, committees should meet more frequently;	
		(b) Members who had joined a committee should try to attend all meetings and stay through each meeting;	

<u>Section & paragraph in existing HRs</u>	<u>Date of House Committee (HC) meeting (& relevant paragraph in HC record)</u>	<u>Extract from record of HC meetings</u>	<u>Proposed amendments</u>
		<p>(c) Adherence to the House Rules that reopening of discussion on issues on which there had been full deliberation should not be allowed;</p> <p>(d) Chairmen should monitor closely the progress of bills under their consideration. Should there be the need to put a bill in abeyance, the House Committee should be informed so that consideration could be given to allocating the slot to the next bill in the queue;</p> <p>(e) When the scrutiny of a bill had reached the report stage, and upon the recommendation of the Legal Adviser and the committees concerned, the House Committee might decide to vacate the slot for examination of the next bill in the queue;</p>	

Section & paragraph in existing HRS	Date of House Committee (HC) meeting (& relevant paragraph in HC record)	<u>Extract from record of HC meetings</u>	<u>Proposed amendments</u>
		(f) the Administration should normally be allowed (not more than) two weeks to reply to Members' questions; and	
		(g) The scheduling of meetings should not wait until every Member could attend."	
VII as read with IX(7)	23.4.93 paragraph 8(e)	"Availability of Committee Papers to the Public" [Extract from LegCo Paper No. 2425/92-93:	Add a new paragraph to section VII and expand paragraph 7 in section IX.
		(a) this Secretariat should continue to provide the media/public observers at all open meetings of bills committees, panels and subcommittees with only the agenda and papers, the latter subject to the agreement of their authors;	

<u>Section & paragraph in existing HRs</u>	<u>Date of House Committee (HC) meeting (& relevant paragraph in HC record)</u>	<u>Extract from record of HC meetings</u>	<u>Proposed amendments</u>
		(b) for House Committee meetings, the agenda should continue to be made available to the media/public attending. As this contains sufficient details, there is no need to provide copies of papers;	
		(c) as requests for records of open meetings are met, in full, by making available tapes of proceedings or through media/public directly recording, there is no apparent need to provide written records; and	
		(d) where requests for written record are received, the agreement of the relevant committee will be sought for their release."]	

Section & paragraph in existing HRs	Date of House Committee (HC) meeting (& relevant paragraph in HC record)	<u>Extract from record of HC meetings</u>	<u>Proposed amendments</u>
Nil	26.2.93 paragraph 2(b)	<u>"Briefings by senior Government officials</u> Members decided that briefings by senior Government officials, e.g. Chief Secretary, Financial Secretary and Attorney General, should continue to be held in private as these were not formal meetings of (committees of) the Council."	Add a new section to Part B of the HRs.
Nil	26.3.93 paragraph 6(b)	<u>"Follow-up Report on Committee System of the Legislative Council (LegCo Paper No. 2080/92-93)</u> Members agreed that the House Committee should be the forum for the <u>formation and dissolution of panels.</u> <u>Concerning the restriction on chairmanship/deputy chairmanship of panels,</u> Members agreed that: - a Member who is the chairman or deputy chairman of a relevant Government advisory committee should not assume the chairmanship or deputy	Relevant HRs should be drawn up after the Standing Orders have been amended to formalise the panels.

<u>Section & paragraph in existing HRs</u>	<u>Date of House Committee (HC) meeting (& relevant paragraph in HC record)</u>	<u>Extract from record of HC meetings</u>	<u>Proposed amendments</u>
		chairmanship of the relevant panel;	
		- the list of Government advisory committees (Annex B to the Paper) should serve as a guide for individual panels to determine the specific bodies/committees to which such restriction should apply. The list should be updated from time to time to guard against potential conflict of interests; and	
		- for the time being an subject to a future review, the restriction should apply separately to panels and to subcommittees of the House Committee.	

Members also endorsed the proposal that a panel should consist of a minimum of six Members. Should difficulties arise, guidance should be sought from the House Committee on a case by case basis."

<u>Section & paragraph in existing HRs</u>	<u>Date of House Committee (HC) meeting (& relevant paragraph in HC record)</u>	<u>Extract from record of HC meetings</u>	<u>Proposed amendments</u>
		[For details, please refer to the entire LegCo Paper (17 pages) which has already been distributed to SASTs and above.]	