

立法會

Legislative Council

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Paper for the House Committee Meeting on 8 October 2004

Procedure for election of Members for appointment to the Public Accounts Committee, Committee on Members' Interests and Committee on Rules of Procedure

Purpose

This paper invites the House Committee to agree on the procedure for the election of Members for appointment by the President to the Public Accounts Committee (PAC), the Committee on Members' Interests (CMI) and the Committee on Rules of Procedure (CRoP).

Background

2. PAC, CMI and CRoP are committees of the Council as stipulated in Rules 72, 73 and 74 of the Rules of Procedure respectively. The terms of reference of these committees are set out in **Appendices I, II and III** respectively. The respective sizes of these committees are as follows:

	PAC	CMI	CRoP
Chairman	1	1	1
Deputy Chairman	1	1	1
Members	5	5	10

Under the Rules of Procedure, members of these committees shall be appointed by the President in accordance with the election procedures determined by the House Committee. Members of these committees serve on the committees until the end of a Legislative Council term.

Proposed election procedure

3. The Secretariat proposes to adopt the following election procedure which is based on that adopted by the first and second terms of the Legislative Council:

- (a) the election of Members to these committees should be by way of nominations at a meeting of the House Committee. A valid nomination should be made orally by a Member, seconded by at least one other Member who should not be the Member being nominated, and accepted by the Member being nominated. In making the nominations, Members should have regard to the need to ensure that the committees' membership is balanced and broadly representative of the membership of the Council;
- (b) if there are more nominations than the places available for any one committee, an election by a show of hands should be conducted;
- (c) after the election of members to these committees, the meeting of the House Committee should be suspended for 10 minutes to enable the members to elect their chairmen and deputy chairmen from amongst themselves; and
- (d) the meeting of the House Committee will then resume and be asked to endorse the elections.

4. The House Committee's recommendations in regard to the membership of these committees will then be submitted to the President for appointment.

Timing for election

5. Subject to Members' agreement to the election procedure set out in paragraph 3 above, the Secretariat recommends that the nomination and election of Members to the three committees be conducted at the meeting of the House Committee to be held on **15 October 2004**.

Advice sought

6. Members are invited to:
- (a) endorse the procedure for the election of Members for appointment to PAC, CMI and CRoP, as set out in paragraph 3; and
 - (b) agree on the timing for the election of Members for appointment to the three committees, as set out in paragraph 5.

Legislative Council Secretariat

6 October 2004

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Public Accounts Committee

Terms of Reference

- (1) 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 Council as the committee may think fit; and
 - (c) on any matter incidental to the performance of his duties or the exercise of his powers as the committee may think fit;
- (2) To 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; and
- (3) To make a report upon the report of the Director of Audit within 3 months of the date on which the Director's report is laid on the Table of the Council.

Committee on Members' Interests

Terms of Reference

- (1) To examine the arrangements made for the compilation, maintenance and accessibility of the Register of Members' Interests;
- (2) To consider any proposals made by Members or others as to the form and contents of the Register;
- (3) 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;
- (4) 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; and
- (5) To report to the Council and make recommendations, including a recommendation as to a sanction under Rule 85 (Sanctions relating to Interests).

Committee on Rules of Procedure

Terms of Reference

- (1) To review the Rules of Procedure of the Council and the committee system, and to propose to the Council such amendments or changes as are considered necessary; and
- (2) To examine matters of practice and procedure relating to the Council referred by the Council or its committees or the President, or raised by its own members.