

**立法會**  
*Legislative Council*

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**Paper for the House Committee meeting on 7 July 2006**

**Procedural issues relating to membership of the Bills Committee  
formed to study the Supplementary Appropriation (2005-2006) Bill**

**Purpose**

This paper seeks the House Committee (HC)'s advice on how to deal with the situation before the Bills Committee formed to study the Supplementary Appropriation (2005-2006) Bill where less than three Members have signified membership under Rule 21(c) of the House Rules (HR).

**Background**

2. At the HC meeting on 16 June 2006, Mr SIN Chung-kai proposed the formation of a Bills Committee to study the Supplementary Appropriation (2005-2006) Bill. When the proposal was put to members, no objection was raised. As Mr SIN was the only member who by show of hands indicated interest in joining the Bills Committee at the HC meeting, the Chairman of HC directed that Members be invited to indicate interest to join the Bills Committee by way of a circular according to normal practice. After consultation with Mr SIN, the first meeting was scheduled for Thursday, 6 July 2006, at 10:45 am. A call circular was issued to invite Members to join the Bills Committee by completing and returning a reply slip to the Clerk one clear day before the day of the first meeting i.e. 4 July 2006. By noon on the deadline date, two Members, namely Mr SIN Chung-kai and Ms Audrey EU, had returned their reply slips to indicate interest. A preliminary membership list was then issued to Members by fax. No other Members returned the reply slips by the deadline.

**Matters for consideration**

3. Rule 76(3) of the Rules of Procedure (RoP) provides that a Bills Committee shall consist of not less than 3 members including the chairman. According to Rule 76(1A) of RoP, the procedural rules in relation to the manner and timing for the

signification of membership for a Bills Committee are decided by HC. In this connection, Rule 21(c) of HR provides that Members may join a Bills Committee by submission of returns to the Secretariat by the deadline set by the Clerk to the Bills Committee. Except in special circumstances, such a deadline shall normally be one clear day before the day of the first meeting of the Bills Committee. Neither RoP nor HR have provided for the situation where the number of Members joining the Bills Committee is less than three.

4. HC is invited to decide on the manner to deal with the situation where a Bills Committee has been formed to study the Supplementary Appropriation (2005-2006) Bill but the number of Members joining this Bills Committee is less than three. To facilitate consideration, HC may wish to consider the following options -

- (a) Option 1 – HC to revoke its decision to form the Bills Committee on the ground that less than three Members join the Bills Committee; or
- (b) Option 2 – HC to extend the deadline for signification of membership under Rule 76(1A) of RoP to allow Members to re-consider joining the Bills Committee. In the event that the number of Members joining is still less than three by the extended deadline, the earlier decision to form the Bills Committee to study the Supplementary Appropriation (2005-2006) Bill will automatically be revoked.

Should the decision to form the Bills Committee be revoked, HC may then consider whether the Second Reading debate on the Bill could be resumed. In the meantime, the member who proposes the formation of the Bills Committee may, through the LegCo Secretariat, refer any points which require clarification to the Administration for response.

### **Advice sought**

5. Members are invited to advise on the procedure to deal with the situation outlined in this paper.