

立法會 *Legislative Council*

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Paper for the House Committee meeting on 5 February 2010

Filling of vacancies in the membership of committees of the Legislative Council and the Council of The Chinese University of Hong Kong arising from the resignation of Members

Purpose

Arising from the resignation of five Legislative Council ("LegCo") Members, viz. Mr Albert CHAN Wai-yip, Mr Alan LEONG Kah-kit, Mr LEUNG Kwok-hung, Miss Tanya CHAN and Mr WONG Yuk-man with effect from 29 January 2010, this paper invites the House Committee ("HC") to -

- (a) decide on the date for election of Members to fill the vacancies in the membership of the Public Accounts Committee ("PAC"), the Committee on Members' Interests ("CMI"), the Committee on Rules of Procedure ("CRoP") and the Council of The Chinese University of Hong Kong; and
- (b) consider whether the vacancy in the membership of the Select Committee to Inquire into Matters Relating to the Post-service Work of Mr LEUNG Chin-man ("Select Committee") should be filled.

Background

PAC, CMI and CRoP

2. PAC, CMI and CRoP are committees of the Council as stipulated in Rules 72, 73 and 74 of the Rules of Procedure ("RoP") respectively. The respective sizes of PAC, CMI and CRoP under RoP 72(3), 73(2) and 74(2) are as follows -

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

3. Under RoP, the members of these committees shall be appointed by the President in accordance with the election procedure determined by HC, and they serve on the committees until the end of a LegCo term. The membership of the three committees is in **Appendix I**. Mr Alan LEONG Kah-kit was one of the members of PAC and CMI, and Mr WONG Yuk-man was one of the members of PAC and CRoP.

4. Following the resignation of Mr Alan LEONG Kah-kit and Mr WONG Yuk-man, there are two vacancies in PAC and one vacancy each in CMI and CRoP. To fulfill the membership requirements of RoP, there is a need to elect Members to fill the vacancies.

Select Committee

5. RoP 78(2) provides that the President shall decide the size of every select committee and shall appoint the chairman, deputy chairman and members thereof, taking into account the recommendations of HC. At the meeting on 21 November 2008, HC decided that the Select Committee should consist of 12 members including the chairman and deputy chairman, and 12 members were subsequently appointed by the President in accordance with HC's recommendation. The membership of the Select Committee is in **Appendix II**, and Mr LEUNG Kwok-hung was one of its members.

6. The membership size of a select committee is not specified in RoP, and the number of members is not a mandatory requirement for the proper constitution of a select committee. As the composition of the Select Committee was recommended by HC, HC may wish to consider whether the vacancy of membership of the Select Committee should be filled, or whether the original recommendation of 12 members should be revised. To assist HC in its deliberations, the Select Committee will be invited to give a view on the matter at its next meeting having regard to its progress of work.

The Council of The Chinese University of Hong Kong

7. Under Statue 11 of The Chinese University of Hong Kong Ordinance (Cap. 1109), the University Council shall consist of, amongst others, three persons elected by Members of LegCo from amongst their own number. The term of office is three years. A Member will cease to hold office if he or she ceases to be a LegCo Member during the three-year term.

8. Mr WONG Yuk-man was one of the three Members elected by HC on 17 October 2008 to serve as a member of the Council of The Chinese University of Hong Kong. The other two Members are Hon Tommy CHEUNG Yu-yan and Hon CHAN Hak-kan. In accordance with the provisions in the Ordinance, there is a need to elect a Member to fill the vacancy.

Nomination and election procedure

9. In accordance with the nomination and election procedure for PAC, CMI, CRoP and the Council for The Chinese University of Hong Kong agreed by HC on 10 October 2008, a valid nomination shall be made orally by a Member, seconded by at least one other Member, and accepted by the Member being nominated. A Member who nominates a Member who is absent from the meeting when the nomination is made shall state that the absent Member's acceptance of the nomination has been secured. If there are more nominations than the places available for any one committee, an election by a show of hands should be conducted. Members may vote for as many nominees as, but not more than, the number required for appointment, and the nominees who get the highest number of votes will be declared elected. In making the nominations for PAC, CMI and CRoP, Members should have regard for the need to ensure that the membership of these committees is broadly balanced and representative of the membership of the Council.

Date of election

10. It is proposed that the election for filling the vacancies in the membership of PAC, CMI, CRoP and the Council of The Chinese University of Hong Kong be held at the HC meeting on 26 February 2010.

Advice sought

11. Members' views are sought on -
- (a) election of Members to fill the vacancies in the membership of PAC, CMI, CRoP and the Council of The Chinese University of Hong Kong at the HC meeting on 26 February 2010; and
 - (b) whether the vacancy in the membership of the Select Committee should be filled, taking into account the views of the Select Committee.

Legislative Council Secretariat
3 February 2010

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Membership list

Public Accounts Committee

Chairman	Dr Hon Philip WONG Yu-hong, GBS
Deputy Chairman	Hon Paul CHAN Mo-po, MH, JP
Members	Hon Andrew CHENG Kar-foo Hon Abraham SHEK Lai-him, SBS, JP * Hon Alan LEONG Kah-kit, SC Hon Starry LEE Wai-king * Hon WONG Yuk-man

Committee on Members' Interests

Chairman	Hon Mrs Sophie LEUNG LAU Yau-fun, GBS, JP
Deputy Chairman	Hon Emily LAU Wai-hing, JP
Members	Hon WONG Yung-kan, SBS, JP Hon Abraham SHEK Lai-him, SBS, JP * Hon Alan LEONG Kah-kit, SC Hon Paul CHAN Mo-po, MH, JP Hon WONG Sing-chi

Committee on Rules of Procedure

Chairman	Hon TAM Yiu-chung, GBS, JP
Deputy Chairman	Dr Hon Margaret NG
Members	Hon Albert HO Chun-yan Hon Mrs Sophie LEUNG LAU Yau-fun, GBS, JP Hon Emily LAU Wai-hing, JP Hon Tommy CHEUNG Yu-yan, SBS, JP Hon Ronny TONG Ka-wah, SC Dr Hon Priscilla LEUNG Mei-fun * Hon WONG Yuk-man Hon IP Wai-ming, MH Hon IP Kwok-him, GBS, JP Hon Mrs Regina IP LAU Suk-ye, GBS, JP

* Members who resigned with effect from 29 January 2010.

Select Committee to Inquire into Matters Relating to the Post-service Work of Mr LEUNG Chin-man

Chairman	Hon LI Fung-ying, BBS, JP
Deputy Chairman	Hon LEE Wing-tat
Members	Dr Hon Margaret NG
	Hon Mrs Sophie LEUNG LAU Yau-fun, GBS, JP
	Dr Hon Philip WONG Yu-hong, GBS
	Hon LAU Kong-wah, JP
	* Hon LEUNG Kwok-hung
	Hon Ronny TONG Ka-wah, SC
	Hon Cyd HO Sau-lan
	Dr Hon LAM Tai-fai, BBS, JP
	Dr Hon PAN Pey-chyou
	Dr Hon Samson TAM Wai-ho, JP

* Member who resigned with effect from 29 January 2010.