

立法會
Legislative Council

LC Paper No. CB(3) 27/11-12

Ref: CB(3)/P/2 (VI)

**Paper for the House Committee meeting
on 14 October 2011**

**Duration of the ringing of the division bell at Council meetings
and of the voting bell at committee meetings**

Purpose

This paper seeks Members' views on the proposed arrangements regarding the duration of the ringing of the division bell at Council meetings and of the voting bell at committee meetings.

Background

2. With the relocation of the Legislative Council to the new Legislative Council Complex which is four times the size of the old Legislative Council Building, it is necessary to review whether the present duration of the ringing of the division bell when a division is ordered at a Council meeting and the present duration of the ringing of the voting bell when a matter is to be voted upon at a committee meeting is long enough for Members who are not in the Chamber or the respective conference room but are within the Complex to return to the meeting venue in time to vote.

Present situation

Council meetings

3. Under the current Rules of Procedure ("RoP"), immediately after the President has stated whether or not he thinks the required majority of the Members present or a majority of each of the two groups of Members present are in favour of the question (Rule 47(1)(b) and (2)(b)), a Member may challenge the President's statement by claiming a division. Where the President

so orders, the division bell will be rung for three minutes before the division shall be held (Rule 47(1)(c) and (2)(c)). The duration of the ringing of the division bell may be shortened from three minutes to one minute for further divisions upon passage of a motion (Rule 49(4) and (6)).

4. In the event that a division is ordered by the President and the division bell does not function, the President shall order the Clerk to arrange for Members within the precincts of the Chamber to be notified of the division, and that the division shall be held six minutes after the order has been made (Rule 49(8)).

Committee meetings

5. Under the House Rules ("HR"), before a matter is voted upon at a committee meeting, a voting bell shall be rung if the chairman orders that the members of the committee be notified of the voting. The committee shall proceed to vote forthwith immediately after the bell has been rung for two minutes (rule 24(i)).

6. Where no voting bell is provided for the meeting venue or if the bell does not function or may not be rung, the chairman of the committee concerned shall order the clerk to arrange for members of the committee within the precincts of the Chamber to be notified of the voting. The voting shall be held four minutes after the order has been made (rule 24(j)).

Proposed arrangements

Council meetings

7. Based on the respective results of the earlier trials conducted by the Secretariat and those conducted at the mock Council meeting on 4 October 2011, the duration of the ringing of the division bell for divisions ordered under Rule 47(1)(c) and (2)(c) may need to be extended from three minutes to at least five minutes. As for further divisions under Rule 49(4) and (6), no change may need to be made to the duration of the ringing of the division bell as Members are likely to stay in the Chamber or its vicinity if further divisions are expected to be held one after the other within a short time. However, if it is anticipated that further divisions will not be held within a short time, Members may wish to consider not shortening the duration of the ringing of the division bell from five minutes to one minute so as to ensure that they have sufficient time to return to the Chamber to vote when further divisions are ordered.

8. If the President has ordered the Clerk to arrange for Members within the precincts of the Chamber to be notified of a division but the division bell does not function, the time allowed for the notification may need to be extended from six minutes to 10 minutes.

9. It is proposed that the matter, including whether and how the relevant rules in RoP should be amended, be studied by the Committee on Rules of Procedure ("CRoP"). However, as the first regular Council meeting will be held on 19 October 2011 at which there will be at least three debates on Members' motions, it is necessary to provide for some alternative arrangements until CRoP has considered the matter.

10. It is proposed that the President's leave be sought for the motion set out in **Appendix I** to be moved by the Chairman of the House Committee at the Council meeting on 19 October 2011 to suspend Rule 47(1)(c) and (2)(c) as well as Rule 49(8) of RoP with immediate effect until the Council resolves to remove the suspension or to amend the Rules, and to adopt the following arrangements during the suspension of the Rules:

- (a) if a Member challenges the statement of the President made under Rule 47(1)(b) or (2)(b) of RoP by claiming a division, the division shall be held after the division bell has been rung for **five minutes**; and
- (b) if the division bell does not function when a division is ordered by the President at a Council meeting, the division shall be held **10 minutes** after the President has ordered the Clerk to arrange for Members within the precincts of the Chamber to be notified of the division.

Committee meetings

11. At the House Committee meeting on 7 October 2011, Members passed a procedural motion moved by the Deputy Chairman of the House Committee to suspend rule 24(i) and (j) of HR with immediate effect until the House Committee decides to remove the suspension or to amend the subrules. Members have agreed to adopt the following arrangements during the suspension of the subrules:

- (a) where a voting bell is to be rung before a matter is voted upon at a committee meeting, the voting bell shall be rung for **five minutes**; and

- (b) where the voting bell does not function, the chairman of the committee concerned shall order the clerk to arrange for members of the committee within the precincts of the Chamber to be notified of the voting, and the voting shall be held **10 minutes** after the order has been made.

The wording of the motion passed by the House Committee is in **Appendix II**.

12. The suspension of the subrules and the interim arrangements are applicable to House Committee, Panels, Bills Committees and their subcommittees. It is proposed that whether and how the relevant rules in HR should be amended be studied by CRoP in the context of examining amendments to the relevant rules in RoP.

13. The same suspension will be proposed for the Finance Committee and its two subcommittees if CRoP has not come up with its recommendation before the next meeting of the Finance Committee.

Advice sought

14. Members' views are sought on the proposals set out in paragraphs 9, 10, 12 and 13 above.

Council Business Division 3
Legislative Council Secretariat
13 October 2011

(Revised)

**Motion on
“Suspension of Rule 47(1)(c) and (2)(c)
and Rule 49(8) of the Rules of Procedure”
to be moved by Hon Miriam LAU Kin-ye
at the Council meeting of 19 October 2011**

Wording of the Motion

That Rule 47(1)(c) and (2)(c) and Rule 49(8) of the Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region be suspended with immediate effect until the Council resolves to remove the suspension or to amend the Rules, and that the following arrangements be adopted during the suspension of the Rules:

- (a) if a Member challenges the statement of the President or Chairman made under Rule 47(1)(b) or (2)(b) of the Rules of Procedure 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 Rule 49(4) to (7) of the Rules of Procedure, the division shall be held forthwith immediately after a division bell has been rung for five minutes;
- (b) if the division bell does not function, the President or Chairman shall order the Clerk to arrange for Members within the precincts of the Chamber to be notified of the division; and the division shall be held 10 minutes after the order has been made; and
- (c) the House Committee may recommend to the President that the period specified in paragraph (a) or (b) above for a Council meeting or in respect of an item of business on the Agenda of a Council meeting may be shorter or longer; and Members shall be notified of the President’s decision on the recommendation prior to that Council meeting.

Appendix II

Motion on suspension of subrules (i) and (j) of House Rule 24 to be moved by Hon Fred LI at the House Committee meeting on 7 October 2011

Wording of the motion

That subrules (i) and (j) of House Rule 24 be suspended with immediate effect until the House Committee decides to reactivate or amend the subrules, and that the following arrangements be adopted during the period of the suspension of the subrules:

- (a) subject to (b), before a matter is voted upon at a meeting of a committee, a voting bell shall be rung if the chairman orders, on his own motion or upon request of a member of the committee, that the members of the committee be notified of the voting. The committee shall proceed to vote forthwith immediately after the bell has been rung for five minutes; and
- (b) where no voting bell is provided for the venue where a committee meets or if the bell does not function or may not be rung, the chairman of the committee concerned shall order the clerk to arrange for members of the committee within the precincts of the Chamber to be notified of the voting. The voting shall be held 10 minutes after the order has been made.