

立法會
Legislative Council

LC Paper No. CB(3) 270/12-13

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Tel : 3919 3300

Date : 4 January 2013

From : Clerk to the Legislative Council

To : All Members of the Legislative Council

Council meeting of 9 January 2013

**Amendments to motion on
“Safeguarding the rule of law and judicial independence”**

Further to LC Paper No. CB(3) 257/12-13 issued on 21 December 2012, three Members (Ir Dr Hon LO Wai-ki, Hon IP Kwok-him and Hon Gary FAN) have respectively given notices of their intention to move separate amendments to Hon Dennis KWOK’s motion on “Safeguarding the rule of law and judicial independence” scheduled for the Council meeting of 9 January 2013. As directed by the President, the respective amendments will be printed in the terms in which they were handed in on the Agenda of the Council.

2. The President will order a joint debate on the above motion and amendments. To assist Members in debating the motion and amendments, I set out below the procedure to be followed during the debate:

- (a) the President calls upon Hon Dennis KWOK to speak and move his motion;
- (b) the President proposes the question on Hon Dennis KWOK’s motion;
- (c) the President calls upon the three Members who intend to move amendments to speak in the following order, but no amendment is to be moved at this stage:
 - (i) Ir Dr Hon LO Wai-ki;

- (ii) Hon IP Kwok-him; and
- (iii) Hon Gary FAN;
- (d) the President calls upon the designated public officer(s) to speak;
- (e) the President invites other Members to speak;
- (f) the President gives leave to Hon Dennis KWOK to speak for the second time on the amendments;
- (g) the President calls upon the designated public officer(s) to speak again;
- (h) in accordance with Rule 34(5) of the Rules of Procedure, the President has decided that he will call upon the three Members to move their respective amendments in the order set out in paragraph (c) above. The President invites Ir Dr Hon LO Wai-kwok to move his amendment to the motion, and forthwith proposes and puts to vote the question on Ir Dr Hon LO Wai-kwok's amendment;
- (i) after Ir Dr Hon LO Wai-kwok's amendment has been voted upon, the President deals with the other two amendments; and
- (j) after all amendments have been dealt with, the President calls upon Hon Dennis KWOK to reply. Thereafter, the President puts to vote the question on Hon Dennis KWOK's motion, or his motion as amended, as the case may be.

3. For Members' ease of reference, the terms of the original motion and of the motion, if amended, are set out in the **Appendix**.

(Odelia LEUNG)
for Clerk to the Legislative Council

Encl.

(Translation)

**Motion debate on
“Safeguarding the rule of law and judicial independence”
to be held at the Council meeting of 9 January 2013**

1. Hon Dennis KWOK’s original motion

That this Council urges the Government to uphold ‘one country, two systems’, and safeguard the rule of law, the legal system and judicial independence in Hong Kong.

2. Motion as amended by Ir Dr Hon LO Wai-kwok

That this Council urges the Government to ~~uphold~~, *in accordance with the principle of* ‘one country, two systems’, ~~and safeguard~~ *and the provisions of the Basic Law, to uphold* the rule of law, the legal system and judicial independence in Hong Kong.

Note: Ir Dr Hon LO Wai-kwok’s amendment is marked in *bold and italic type* or with deletion line.

3. Motion as amended by Hon IP Kwok-him

That this Council urges the Government to *continue to* uphold ‘one country, two systems’, and safeguard the rule of law, the legal system and judicial independence in Hong Kong.

Note: Hon IP Kwok-him’s amendment is marked in *bold and italic type*.

4. Motion as amended by Hon Gary FAN

That this Council urges the Government to uphold ‘one country, two systems’, and safeguard the rule of law, the legal system and judicial independence in Hong Kong; *therefore, the Government should not seek an interpretation of the Basic Law, but should seek an amendment to the Basic Law to resolve the problem of babies born in Hong Kong to ‘doubly non-permanent resident pregnant women’ having the right of abode in Hong Kong.*

Note: Hon Gary FAN’s amendment is marked in *bold and italic type*.