

**立法會**  
*Legislative Council*

LC Paper No. CB(1)1733/13-14

Ref : CB1/C/G/13

**Paper for the House Committee meeting on 4 July 2014**

**Appointment of a subcommittee to prepare for the operation of  
the select committee to which the petition presented  
at the Council meeting of 25 June 2014 has been referred**

**Purpose**

This paper invites Members to consider the appointment of a subcommittee to prepare for the operation of the select committee to which the petition presented at the Council meeting of 25 June 2014 has been referred ("the select committee").

**Background**

2. At the Council meeting of 25 June 2014, Hon WU Chi-wai presented a petition jointly signed by Hon Charles Peter MOK and himself (**Appendix I**). The request of Hon Charles Peter MOK for the petition to be referred to a select committee was supported by 21 Members. The petition has thus been referred to a select committee under Rule 20(6) of the Rules of Procedure ("RoP").

**Relevant rule and practices**

3. Under Rule 78(2) of RoP, 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 the House Committee.

4. Since the First Legislative Council, the Council has appointed by resolution a total of five select committees authorized under section 9(2) of the Legislative Council (Powers and Privileges) Ordinance (Cap. 382). In

most cases, a subcommittee was formed to undertake preparatory work for the operation of these select committees. The Select Committee to Inquire into Matters Relating to Mr Timothy TONG's Duty Visits, Entertainment, and Bestowing and Receipt of Gifts during his Tenure as Commissioner of the Independent Commission Against Corruption was the first select committee formed pursuant to Rule 20(6) of RoP. The House Committee also appointed a subcommittee to undertake preparatory work for the operation of the Select Committee, including drawing up the terms of reference to reflect the substance of the petition, the membership size and the nomination procedure in respect of the select committee. These subcommittees would make relevant recommendations to the House Committee for consideration. Details of these preparatory subcommittees are set out in **Appendix II**.

5. It is an established practice that upon commencement of operation, a select committee would determine the major areas of study, the work plan and the practice and procedure of the select committee.

### **Recommendation**

6. Having regard to the arrangements for setting up select committees in the past, it is recommended that a subcommittee be appointed by the House Committee to undertake preparatory work for the operation of the select committee, including drawing up its terms of reference to reflect the substance of the petition, the membership size and the nomination procedure in respect of the select committee.

### **Advice sought**

7. Members are invited to endorse the recommendation set out in paragraph 6 above.

Council Business Division 1  
Legislative Council Secretariat  
3 July 2014

呈  
香港特別行政區  
立法會主席及全體議員

附錄I  
Appendix I

(只備中文本)  
(in Chinese only)

**呈請書**  
**(根據議事規則第 20 條提交)**

今年四月，政府及香港鐵路有限公司(“港鐵公司”)宣佈廣深港高速鐵路(“高鐵”)香港段未能如期於 2015 年完成及通車。其後政府及港鐵公司披露的資料顯示，港鐵公司及政府早於去年已得悉高鐵香港段或未能如期完工，然而從未向公眾及立法會交代。資料亦顯示，政府有關部門對港鐵公司的監督及港鐵公司的內部管治及工程監督存有漏洞。由於當初政府向立法會申請撥款近 670 億元進行高鐵工程，故此立法會有必要跟進事件，追究相關政府官員及港鐵在高鐵香港段工程延誤一事中的責任，並保障公帑運用。

儘管政府已宣佈成立三人的獨立專家小組，而港鐵亦委任一個由獨立非執行董事組成的委員會，以檢討有關事件。然而，政府已表明獨立專家小組不會追究相關官員或港鐵責任。而港鐵基於本身利益，亦令公眾難以信任港鐵提交的報告能夠全面反映事件，從而無法讓公眾了解政府部門及港鐵公司在事件中應承擔的責任。

因此，我們懇請各位議員支持此呈請書，以確保公帑用得其所，讓公眾了解高鐵工程延誤上所出現的問題的原委及有關事宜，包括運輸及房屋局、路政署及其他政府部門在高鐵香港段工程延誤一事中有否妥善履行監督責任、有否蓄意隱瞞公眾或涉及其他瀆職行為，以及港鐵在高鐵工程延誤一事上的失責行為及責任，並根據調查的結果，就日後政府監管新鐵路項目的興建及如何加強對港鐵的管治及有關事宜作出建議。

呈請人：胡志偉 莫乃光 李卓人 何秀蘭 張國柱 張超雄 梁耀忠  
葉建源 梁繼昌 梁家傑 湯家驊 毛孟靜 郭家麒 陳家洛  
郭榮鏗 馮檢基 劉慧卿 何俊仁 涂謹申 單仲偕 黃碧雲  
李國麟 范國威

2014 年 6 月 18 日

### Select committees appointed since the First Legislative Council

Select committees authorized under section 9(2) of the Legislative Council (Powers and Privileges) Ordinance (Cap. 382)

Name of select committee	Time of formation	Membership size	Preparatory subcommittee	Terms of reference
Select Committee to inquire into the circumstances leading to the problems surrounding the commencement of the operation of the new Hong Kong International Airport at Chek Lap Kok since 6 July 1998 and related issues	1998-1999	13	Yes	To inquire into the circumstances leading to the problems surrounding the commencement of the operation of the new Hong Kong International Airport at Chek Lap Kok since 6 July 1998 and related issues
Select Committee on Building Problems of Public Housing Units	2000-2001	15	No	To inquire into the building problems in the production of public housing units having regard to the circumstances surrounding the incidents in Tin Chung Court, Shatin Area 14B Phase 2, Tung Chung Area 30 Phase 3 and Shek Yam Estate Phase 2, and based on this to identify positive recommendations for a complete overhaul of the overall policies and system of public housing, which should include examining whether the Housing Authority should be reorganized, split or abolished, so as to raise the quality of public housing

<b>Name of select committee</b>	<b>Time of formation</b>	<b>Membership size</b>	<b>Preparatory subcommittee</b>	<b>Terms of reference</b>
Select Committee to inquire into the handling of the Severe Acute Respiratory Syndrome outbreak by the Government and the Hospital Authority	2003-2004	11	Yes	To inquire into the handling of the Severe Acute Respiratory Syndrome outbreak by the Government and the Hospital Authority in order to examine the performance and accountability of the Government and the Hospital Authority and their officers at policy-making and management levels in that regard
Select Committee to Inquire into Matters Relating to the Post-service Work of Mr LEUNG Chin-man	2008-2009	12	Yes	To inquire into the vetting and approval for Mr LEUNG Chin-man, former Permanent Secretary for Housing, Planning and Lands (Housing) and Director of Housing, to take up post-service work with New World China Land Limited and other real estate organizations, and whether there was any connection between such work and the major housing or land policies which Mr LEUNG had taken part in their formulation or execution and decisions which he had made pursuant to such policies while serving as Director of Buildings, Permanent Secretary for Housing, Planning and Lands (Housing) and Director of Housing, that had given rise to any potential or actual conflict of interest, as well as related matters, and based on the results of the above inquiry, to make recommendations on the policies and arrangements governing post-service work of directorate civil servants and other related matters

<b>Name of select committee</b>	<b>Time of formation</b>	<b>Membership size</b>	<b>Preparatory subcommittee</b>	<b>Terms of reference</b>
Select Committee to Study Mr LEUNG Chun-ying's Involvement as a Member of the Jury in the West Kowloon Reclamation Concept Plan Competition and Related Issues	2011-2012	12	No	To study Mr LEUNG Chun-ying's involvement as a member of the Jury in the West Kowloon Reclamation Concept Plan Competition, and related issues

Select committee formed pursuant to Rule 20(6) of Rules of Procedure

<b>Name of select committee</b>	<b>Time of formation</b>	<b>Membership size</b>	<b>Preparatory subcommittee</b>	<b>Terms of reference</b>
Select Committee to Inquire into Matters Relating to Mr Timothy TONG's Duty Visits, Entertainment, and Bestowing and Receipt of Gifts during his Tenure as Commissioner of the Independent Commission Against Corruption	2012-2013	13	Yes	<p>The terms of reference of the Select Committee, which reflect the substance of the petition jointly presented by Hon Dennis KWOK and Hon Cyd HO at the Council meeting of 8 May 2013 and referred to the Select Committee under Rule 20(6) of the Rules of Procedure, are as follows –</p> <p>To inquire into whether the official duty visits, entertainment, and the bestowing and receipt of gifts by Mr Timothy TONG during his tenure as Commissioner of the Independent Commission Against Corruption are commensurate with his official capacity and the values of probity and integrity advocated by the Independent Commission</p>

<b>Name of select committee</b>	<b>Time of formation</b>	<b>Membership size</b>	<b>Preparatory subcommittee</b>	<b>Terms of reference</b>
				Against Corruption, and how the Independent Commission Against Corruption provided information related to the above matters to the Finance Committee of the Legislative Council.