

立法會

Legislative Council

LC Paper No. FC23/17-18

Finance Committee

Note on Chairman's direction on speaking time limit for debates on motions to shorten the duration of the division bell moved under paragraph 47 of the Finance Committee Procedure

Purpose

This note sets out the factors taken into account by the Chairman of the Finance Committee ("FC") in his review of the speaking time limit for the debates on motions to shorten the duration of the division bell ("division bell duration") moved under paragraph 47 of the Finance Committee Procedure ("FCP"), and the Chairman's direction on the speaking time limit for such debates in future.

Background

2. Under FCP 46, when the Chairman puts a question to FC for its decision and a division is claimed by a member, the Chairman shall order the Committee to proceed to a division and the division shall be held forthwith immediately after a division bell has been rung for five minutes. FCP 47¹ provides for the procedure to move a motion to shorten the division bell

¹ Paragraph 47 of the FCP reads as follows:

"When a division has been ordered, Rules 48 and 49 of the Rules of Procedure shall apply to the proceedings of the Committee. Immediately after the Chairman has declared the result of a division under an agenda item, a member may move without notice that in the event of further divisions being claimed in respect of any motions or questions under the same agenda item, the Committee do proceed to each of such divisions immediately after the division bell has been rung for one minute. Thereupon the Chairman shall propose the question on that motion. In the event that the division bell does not function or may not be rung, the Chairman shall order the Clerk to arrange for members of the Committee within the precincts of the Chamber to be notified of the division. The division shall be held 10 minutes after the order has been made."

duration to one minute, where further divisions are anticipated to be claimed under the same agenda item. The procedure was adopted by FC at its meeting on 9 July 2010 following consultation with FC members on a proposal from a member for FC to adopt with necessary modifications the procedural arrangement specified in the Rules of Procedure ("RoP") on the shortening of the division bell duration to one minute during Council meetings. The relevant consultation paper, discussion paper and extract of the minutes of meeting are in **Appendices I to III** respectively.

3. As stated in paragraph 9 of the consultation paper (Appendix I), as the primary purpose of providing in FCP for moving such motions is to better utilize the meeting time of FC, and as such motions are purely procedural in nature, it was then expected that debates on such motions would rarely take place. Hence, when FC decided to adopt the procedure, no express provision was included in FCP 47 to set out the relevant debate arrangements including the speaking time limit.

Review of the debate arrangements for motions to shorten the division bell duration moved under FCP 47

4. By virtue of RoP 43, which is reflected in FCP 38,² RoP 36 to RoP 42 apply to the proceedings of FC unless the FC Chairman orders otherwise. As FCP is silent on the procedure for debating on a motion to shorten the division bell duration moved under FCP 47, the former and incumbent FC Chairmen have, with reference to the arrangement provided under FCP 39 for the debate on an adjournment motion, allowed each member to speak once for not more than three minutes on the motion and the mover to speak one more time for not more than one minute in reply at the end of the debate.³

² Paragraph 38 of the FCP reads as follows:

"The rules of speaking set out in Rules 36 to 42 of the Rules of Procedure shall apply to the proceedings of the Committee unless the Chairman orders otherwise [Rule 43]."

³ At the meeting on 13 June 2014, when a motion to shorten the division bell duration was moved by a member, the Chairman directed that each member might speak on the motion for not more than one minute. Some members raised objection to the Chairman's direction. Having regard to the advice of the Legal Adviser to FC and Clerk to FC, the Chairman put the question on the speaking time limit of one minute to vote. The question was agreed. As such, each member spoke on the motion for not more than one minute on that occasion.

5. As shown in **Appendix IV**, since the adoption of the procedure on 9 July 2010, FC has been spending increasing time on the proceedings on motions to shorten the division bell duration to one minute. The Chairman notes from the information provided by the Clerk to FC that in the 2015-2016 legislative session, FC spent a total of 3 hours and 29 minutes or 2% of the total meeting time on the proceedings on such motions. This has increased to 5 hours and 43 minutes or 4.7% of the total meeting time in the 2016-2017 legislative session. In addition to the rising trend in the total meeting time spent on the proceedings on such motions, the Chairman also notes that in the recent two legislative sessions, the meeting time spent on individual occasions when such motions were moved has been increasing: the time spent was generally less than 30 minutes on each occasion throughout the sessions up to 2015-2016, whereas in the recent two legislative sessions, the time spent was often more than 30 minutes, and on two occasions the proceedings took more than one hour.

6. In the context of the debate on a motion to shorten the division bell duration to one minute, members' speeches should focus on whether and why they support or oppose the shortening of the division bell duration.⁴ The Chairman, however, notices that on many previous occasions where such debates were held, some members digressed to other matters shortly after they started to speak on the motion while some took the opportunity to elaborate their stance on the financial proposal under deliberation. As a result, during such debates, he had found it necessary to frequently remind members that they should speak only on the subject of the motion.

Relevant procedures of selected overseas parliaments

7. In order to consider the matter from a broader perspective, the Chairman has made reference to the relevant procedures of some overseas Westminster-style parliaments. According to the information provided by the Research Office of the Legislative Council Secretariat in **Appendix V**, in the House of Representatives of Australia and that of New Zealand, it is provided in the Standing Orders ("SO") that the division bell duration for successive votes (i.e. votes without intervening debate or other intervening proceedings) shall be one minute; there is no need to move a motion to shorten the bell duration. In the House of Commons of the United Kingdom,

⁴ RoP 41(1) stipulates that a Member shall restrict his observations to the subject under discussion and shall not introduce matter irrelevant to that subject. This Rule applies to the proceedings of FC by virtue of RoP 43 unless the Chairman orders otherwise.

there is no specific provision in SO on the division bell duration for successive divisions, but the Speaker has the discretion to vary the bell duration. As regards the House of Commons of Canada, the relevant SO provides that the division bell will only sound once for two or more divisions held successively. In all the above four overseas parliaments, there is no need to move a motion or hold a debate in order to vary the division bell duration for successive votes.

Speaking time on future motions to shorten the division bell duration pursuant to review

8. Given that the moving of a motion to shorten the division bell duration to one minute is a straightforward procedure and that its primary purpose is to better utilize the meeting time of FC, and having regard to the operational experience of FC⁵ as well as the relevant procedures of some Westminster-style overseas parliaments,⁶ the Chairman considers that individual members should generally be able to fully express their view on the matter within one minute should they find it necessary to speak on the motion. In exercise of his discretion under RoP 43 and FCP 38, the Chairman has decided that in future, when a motion to shorten the division bell duration is moved under FCP 47, while he will normally allow each member to speak on the motion once for **not more than one minute**, and the mover of the motion to speak one more time for not more than one minute in reply at the end of the debate, he is prepared to allow a longer speaking time having regard to individual circumstances of the case.

9. The Chairman considers that in deciding on the above arrangement, he has struck a proper balance between respecting members' right to speak and the need to ensure the orderly, efficient and fair conduct of business by FC.

Communication with members prior to promulgation of the new arrangement

10. The Chairman invited all members to attend an informal meeting on 17 October 2017 for exchanging views on the new arrangement described in paragraph 8 above as well as the new arrangement for scheduling FC meetings (separately promulgated vide LC Paper No. FC24/17-18). To facilitate discussion at the informal meeting, the Chairman directed the Clerk to FC to

⁵ See paragraphs 5 and 6 above.

⁶ See paragraph 7 above.

issue two draft notes on the new arrangements and a paper prepared by the Legal Service Division of the Legislative Council Secretariat regarding relevant legal and procedural issues to members on 12 October 2017 and 16 October 2017 respectively.⁷ A total of 24 members attended the meeting. Another 22 members expressed objection to the new arrangements and refused to attend the informal meeting vide their letters, but they have submitted written views to the Chairman.⁸ The Chairman responded to their written views on 19 October 2017.⁹

11. In finalizing his directions set out in this note and the other note LC Paper No. FC24/17-18 issued in parallel, the Chairman has taken into account the views expressed by members at the informal meeting and the written views received from members.

Council Business Division 1
Legislative Council Secretariat
19 October 2017

⁷ LC Papers Nos. FC12/17-18 and LS7/17-18

⁸ LC Papers Nos. FC20/17-18(01) and (02), and FC21/17-18 (01) and (02)

⁹ LC Papers Nos. FC20/17-18(03) and FC21/17-18(03)

LC Paper No. FC110/09-10(01)

FINANCE COMMITTEE

Consultation paper on shortening the duration of the division bell

Purpose

Members are invited to give views on the suggestion of amending the Finance Committee Procedure (FCP) to enable the moving of a motion without notice during a Finance Committee (FC) meeting for the purpose of shortening the duration of the division bell to one minute where frequent divisions relating to an item are anticipated at that meeting.

Background

2. In his letter dated 29 January 2010 to the Chairman of the Committee on Rules of Procedure (**Appendix I**), Hon IP Kwok-him suggested that consideration be given for FC to adopt with necessary modifications the existing procedural arrangement specified under the Rules of Procedure (RoP) on the shortening of the duration of the division bell to one minute.

3. The FC Chairman has directed the Legislative Council Secretariat to consult members on the suggestion.

Existing arrangement for divisions at Finance Committee meetings

4. Under paragraph 46 of FCP, when the Chairman puts a question to the Committee for its decision, he/she shall first call upon those members who are in favour of the question to raise their hands and shall then call upon those who are against the question to raise their hands. The Chairman shall then, according to his/her judgement, state whether or not he/she thinks the majority of the members present and voting are in favour of the question. If no member challenges the statement, the Chairman shall declare the question to have been so decided. If a member challenges the statement of the Chairman by claiming a division, then the Chairman shall order the Committee to proceed to a division, and the division shall be held forthwith immediately after a division bell has been rung for two minutes.¹ Similar provisions are specified in the Establishment Subcommittee Procedure and Public Works Subcommittee Procedure.

¹ This provision of the FCP was last reviewed in 2005 pursuant to a recommendation of the Committee on Rules of Procedure that the procedure for ringing a voting bell to call upon members to vote at a committee meeting should apply across the board to all committees of the Council, including FC and its two subcommittees. FC considered the matter on 27 May 2005 and decided that the arrangement of ringing the division bell when a division was claimed should continue, but there was no need to provide for the ringing of a voting bell. To avoid confusion to Members, the duration of the division bell of FC and its two subcommittees should be changed from one minute to two minutes.

5. There is **no** provision in FCP for the moving of a motion without notice during a FC meeting for the purpose of shortening the duration of the division bell to one minute.

Shortening of duration of division bell at Council meetings

6. Rules 49(4) and 49(6) of the RoP provide for the moving of a motion without notice during a Council meeting for the purpose of shortening the division bell to one minute in respect of certain divisions at the meeting. These Rules are reproduced in **Appendix II**.

Proposal to adopt a similar arrangement for shortening the duration of division bell at Finance Committee meetings

7. Members may wish to note that since the legislative session 2000-2001, there are two occasions² at which more than one division was claimed under the same agenda item. On both occasions, the divisions were claimed on the motions moved during discussion of the funding proposals in relation to the Hong Kong Section of the Guangzhou-Shenzhen-Hong Kong Express Rail Link project. As for the two subcommittees under FC, only on one occasion that more than one division was claimed at a Public Works Subcommittee meeting.³

8. Regarding the proposal to allow for shortening the duration of the division bell at a FC meeting, members are invited to give views on the following:

- (a) whether the shortened duration of the division bell should apply to further divisions⁴ claimed under the same agenda item; and
- (b) whether the motion to shorten the duration of the division bell should immediately be moved after the Chairman has declared the result of the first division under the same agenda item.

² At the second FC meeting on 18 December 2009, two divisions were claimed in respect of a motion moved under paragraph 39 of the FCP and another motion proposed to be moved under paragraph 37A of the FCP during the discussion of items PWSC(2009-10)68, 69 and 72 on the Guangzhou-Shenzhen-Hong Kong Express Rail Link. At the fourth and fifth FC meetings on 16 January 2010, 28 divisions were claimed in respect of 28 motions proposed to be moved under paragraph 37A of the FCP during the discussion of items PWSC(2009-10)68, 69 and 72, and three further divisions were claimed in respect of the three items.

³ At the PWSC meeting on 23 May 2007, two divisions were claimed in respect of two procedural motions and one further division was claimed in respect of the item PWSC(2007-08)23 on Preservation of Queen's Pier.

⁴ Under the FCP, the Committee makes decisions on all matters by a majority of the members present and voting. As such, apart from the proposal(s) under an agenda item, divisions may also be claimed on other matters including motions moved under paragraphs 37A and 39 of the FCP.

9. At present, the relevant Rules in the RoP do not contain provisions to disallow debate on motions to shorten the duration of the division bell. As the primary purpose of providing in the FCP for moving such motions is to better utilize the meeting time of FC, and as such motions are purely procedural in nature, it is expected that debates on such motions would rarely take place.

10. In line with the practice for review of the FCP, any amendments to the meeting arrangements for FC will also be applied to its two subcommittees, the Establishment Subcommittee and the Public Works Subcommittee, where appropriate. Subject to members' views on the proposal, a discussion paper on the relevant amendments to FCP and the procedures of the Establishment Subcommittee and Public Works Subcommittee will be provided for consideration by FC at a future meeting.

Advice sought

11. Members are requested to give their views on the proposal by completing and returning the reply slip to the Secretariat **on or before 2 June 2010**.

Council Business Division 1
Legislative Council Secretariat
26 May 2010



中華人民共和國香港特別行政區
立法會議員
Legislative Councillor, HKSAR
of the People's Republic of China



葉國謙

Hon IP Kwok-him, GBS, JP

立法會議事規則委員會主席
譚耀宗議員：

鑑於在近日財務委員會和政制事務委員會會議期間，因《議事規則》及相關守則存有灰色地帶，使主席在主持會議時倍感困難，並作出了不少極具爭議的裁決。為此，本人要求議事規則委員會就以下事項進行討論，並對《議事規則》及相關守則作出修訂，使日後會議能暢順舉行。

濫用議會程序、議員重覆提問等問題

財委會在審議高鐵撥款期間，有議員揚言要用「拉布」戰術，拖延會議進度，阻止委員會作出表決。在會議期間，有關議員合共提出多達二十多項動議，意圖引發委員會進行辯論，達到拖延會議的目的。他們又對鐵路事宜小組委員會在處理一項程序時出現疑點進行炒作，更無視法律顧問的多番解釋，使會議進度嚴重受阻。此外，不少議員不斷重覆提問，更在發問時用盡時間，使官員無足夠時間作出回應。

本人認為，議事規則委員會應檢討和修訂《議事規則》及相關守則，賦予主席權力，讓主席可以在合適時間停止議員發言，並立刻進行表決；制止議員就不相關問題繼續發言；以及確保官員有合理時間對議員提問作回應等，使主席得以有效處理這種情況。

另一方面，《議事規則》第 19 條規定，若預期在某次立法會會議上需經常進行點名表決，內務委員會可決定是否動議議案，藉以把就該次會議上某些事項進行點名表決的響鐘時間縮短至一分鐘。本人建議可讓議事規則委員會應研究將有關做法引入財委會，使財委會可更有效處理議員提出的動議。

公眾在席上展示標語或物品

政制事務委員會於 1 月 12 日召開特別會議，邀請團體就政改表達意見，有代表帶備標語及紙牌進入議事廳，並在席上展示。雖然主席已即時處理，但裁決卻引起了爭議。為此，本人建議議事規則委員會應就公眾人士參與會議期間能否帶備和展示標語或物品，並對《議事規則》作出相應的修訂。


葉國謙 謹啟
2010 年 1 月 29 日

Extract from the Rules of Procedure

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49(4)

Immediately after the President has declared the result of a division on an amendment to a motion, or the Chairman has declared the result of a division on an amendment to a bill, a Member may move without notice that in the event of further divisions being claimed in respect of the motion or any amendments thereto, or in respect of any amendments to the bill, the Council or the committee of the whole Council do proceed to each of such divisions immediately after the division bell has been rung for one minute. Thereupon the President or the Chairman shall propose the question on that motion.

49(6)

Where there is more than one motion in respect of subsidiary legislation or the instrument referred to in Rule 29(2)(b) (Notice of Motions and Amendments) on the Agenda of the Council (excluding motions referred to in Rule 29(3)) then, immediately after the President has declared the result of the first division on any such motion or any amendment thereto, a Member may move without notice that in the event of further divisions being claimed at that meeting in respect of motions on subsidiary legislation or the instrument, or amendments thereto, the Council do proceed to each of such divisions immediately after the division bell has been rung for one minute. Thereupon the President shall propose the question on that motion. (L.N. 129 of 2009)

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For discussion
on 9 July 2010

FCR(2010-11)39

ITEM FOR FINANCE COMMITTEE

FINANCE COMMITTEE, ESTABLISHMENT SUBCOMMITTEE AND PUBLIC WORKS SUBCOMMITTEE

Members are invited to consider the proposed amendments to the Finance Committee Procedure, the Establishment Subcommittee Procedure and the Public Works Subcommittee Procedure to provide for the shortening of the duration of the division bell.

PURPOSE

This paper invites members to consider the proposed amendments to the Finance Committee Procedure, the Establishment Subcommittee Procedure and the Public Works Subcommittee Procedure to enable the moving of a motion without notice during a meeting of the Finance Committee (FC), Establishment Subcommittee (ESC) or Public Works Subcommittee (PWSC) for the purpose of shortening the duration of the division bell to one minute, where frequent divisions are anticipated for an agenda item at that meeting.

BACKGROUND

2. According to Rule 71(13) of the Rules of Procedure (RoP), the practice and procedure of FC and its subcommittees shall be determined by FC, subject to the RoP.

3. Under paragraph 46 of the Finance Committee Procedure, when the Chairman puts a question to the Committee for its decision, he/she shall first call upon those members who are in favour of the question to raise their hands and shall then call upon those who are against the question to raise their hands. The Chairman shall then, according to his/her judgement, state whether or not he/she thinks the majority of the members present and voting are in favour of the question. If no member challenges the statement, the Chairman shall declare the question to have been so decided. If a member challenges the statement of the Chairman by claiming a division, then the Chairman shall order the Committee to

proceed to a division, and the division shall be held forthwith immediately after a division bell has been rung for two minutes. Similar provisions are specified in the Establishment Subcommittee Procedure and the Public Works Subcommittee Procedure.

4. The procedure on the ringing of the division bell at meetings of FC and its two subcommittees was last reviewed in 2005 pursuant to a recommendation of the Committee on Rules of Procedure (CRoP) that the procedure for ringing a voting bell to call upon members to vote at a committee meeting should apply across the board to all committees of the Council, including FC and its two subcommittees. FC considered the matter on 27 May 2005 and decided that -

- (a) the arrangement of ringing the division bell when a division was claimed should continue, and there was no need to provide for the ringing of a voting bell; and
- (b) the duration of the division bell of FC and its two subcommittees should be changed from one minute to two minutes.

CONSULTATION WITH FINANCE COMMITTEE MEMBERS

5. In January 2010, Hon IP Kwok-him wrote to the Chairman of CRoP suggesting that to enhance the efficiency of its meetings, FC should consider adopting with necessary modifications the existing procedural arrangement specified under the RoP on the shortening of the duration of the division bell to one minute. CRoP noted that the proposed arrangement, if implemented, would only require amendments to the Finance Committee Procedure, and not the RoP. On the advice of the FC Chairman, a consultation paper (LC Paper No. FC110/09-10(01)) was issued on 27 May 2010 to gauge the views of FC members on the proposed arrangement. Before the issuance of the consultation paper, the Chairmen and Deputy Chairmen of ESC and PWSC had been invited to note that the proposed arrangement, if adopted by FC, would also apply to ESC and PWSC meetings.

6. The consultation paper also proposed two related arrangements for shortening the duration of the division bell, as follows :

- (a) The moving of a motion to shorten the duration of the division bell should apply to further divisions claimed under the same agenda item at a FC meeting.
- (b) The motion should immediately be moved after the Chairman has declared the result of the first division under the same agenda item during a FC meeting.

These proposed arrangements were drawn up with reference to the practice of the Council meetings in accordance with the then relevant rules on shortening of the duration of the division bell under Rules 49(4) and 49(6) of RoP.

7. Of the 55 FC members who responded to the consultation paper, 47 members indicated support for pursuing the proposal.

REVIEW OF RULES 49(4) AND 49(6) OF THE RULES OF PROCEDURE

8. CRoP has recently conducted a review of Rules 49(4) and 49(6) of RoP and recommended that amendments be made to reflect the relevant existing practice and to remove an inconsistency between the Chinese and English texts respectively. Regarding the timing for moving the motion to shorten the duration of the division bell, CRoP recommended that Rule 49(6) be amended to the effect that such a motion should immediately be moved after the President has declared the result of *a division*.

9. The House Committee endorsed CRoP's recommendations on 11 June 2010 and the proposed amendments to Rules 49(4) and 49(6)¹ were passed by the Legislative Council on 30 June 2010. The amended Rules 49(4) and 49(6) of RoP are reproduced in **Enclosure 1**.

10. With reference to the newly amended Rule 49(6), the recommended arrangement mentioned in paragraph 6(b) above for the FC, ESC and PWSC should accordingly be revised, such that a motion to shorten the duration of the division bell to one minute should immediately be moved after the Chairman has declared the result of *a division* under the same agenda item during a FC meeting.

PROPOSED AMENDMENTS

11. In light of the outcome of the consultation with FC members and the recent amendment to Rule 49(6) of RoP, the Secretariat has prepared draft amendments to the Finance Committee Procedure, the Establishment Subcommittee Procedure and the Public Works Subcommittee Procedure to provide for the moving of a motion without notice during a meeting of FC/ESC/PWSC for the purpose of shortening the duration of the division bell to

¹ The proposed amendments were as follows:

(a) in subrule (4) -

(i) by repealing "on an amendment to a bill" and substituting "on any provision of or any amendment to a bill";

(ii) by repealing "in respect of any amendments to the bill" and substituting "in respect of any provisions of or any amendments to the bill";

(b) in subrule (6), in the English text, by repealing "the first division" and substituting "a division".

one minute, where frequent divisions are anticipated for an agenda item at that meeting. Subject to members' views, the new procedure will take effect from the next meeting of FC/ESC/PWSC. The proposed amendments are given in **Enclosure 2(a) to (c)**.

APPROVAL SOUGHT

12. Members are invited to approve the proposed amendments in **Enclosure 2(a) to (c)**.

Council Business Division 1
Legislative Council Secretariat
2 July 2010

Extract from the Rules of Procedure

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Rule 49(4)

Immediately after the President has declared the result of a division on an amendment to a motion, or the Chairman has declared the result of a division on any provision of or any amendment to a bill, a Member may move without notice that in the event of further divisions being claimed in respect of the motion or any amendments thereto, or in respect of any provisions of or any amendments to the bill, the Council or the committee of the whole Council do proceed to each of such divisions immediately after the division bell has been rung for one minute. Thereupon the President or the Chairman shall propose the question on that motion.

Rule 49(6)

Where there is more than one motion in respect of subsidiary legislation or the instrument referred to in Rule 29(2)(b) (Notice of Motions and Amendments) on the Agenda of the Council (excluding motions referred to in Rule 29(3)) then, immediately after the President has declared the result of a division on any such motion or any amendment thereto, a Member may move without notice that in the event of further divisions being claimed at that meeting in respect of motions on subsidiary legislation or the instrument, or amendments thereto, the Council do proceed to each of such divisions immediately after the division bell has been rung for one minute. Thereupon the President shall propose the question on that motion.

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Proposed amendment to the Finance Committee Procedure

Voting

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46. Before putting an item to the vote, the Chairman shall ask members if they have any further questions. When the Chairman puts a question to the Committee for its decision he shall first call upon those members who are in favour of the question to raise their hands and shall then call upon those who are against the question to raise their hands. The Chairman shall then, according to his judgement, state whether or not he thinks the majority of the members present and voting are in favour of the question. If no member challenges the statement, the Chairman shall declare the question to have been so decided. If a member challenges the statement of the Chairman by claiming a division, then the Chairman shall order the Committee to proceed to a division and the division shall be held forthwith immediately after a division bell has been rung for two minutes [Rule 47(1)].

47. When a division has been ordered, Rules 48 and 49 of the Rules of Procedure shall apply to the proceedings of the Committee. *Immediately after the Chairman has declared the result of a division under an agenda item, a member may move without notice that in the event of further divisions being claimed in respect of any motions or questions under the same agenda item, the Committee do proceed to each of such divisions immediately after the division bell has been rung for one minute. Thereupon the Chairman shall propose the question on that motion.* In the event that the division bell does not function or may not be rung, the Chairman shall order the Clerk to arrange for members of the Committee within the precincts of the Chamber to be notified of the division. The division shall be held four minutes after the order has been made.

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Legend:

Texts proposed to be added are shown in *italics*.

Proposed amendment to the Establishment Subcommittee Procedure

Voting

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39. Before putting an item to the vote, the Chairman shall ask members if they have any further questions. When the Chairman puts a question to the ESC for its decision he shall first call upon those members who are in favour of the question to raise their hands and then shall call upon those who are against the question to raise their hands. The Chairman shall then, according to his judgement state whether or not that he thinks the majority of the members present and voting are in favour of the question. If no member challenges his statement, the Chairman shall declare the question to have been so decided. If a member challenges the statement of the Chairman by claiming a division, then the Chairman shall order the ESC to proceed to a division and a division shall be held forthwith immediately after a division bell has been rung for two minutes [Rule 47(1)].

39A. When a division has been ordered, Rules 48 and 49 of the Rules of Procedure shall apply to the proceedings of the ESC. *Immediately after the Chairman has declared the result of a division under an agenda item, a member may move without notice that in the event of further divisions being claimed in respect of any motions or questions under the same agenda item, the ESC do proceed to each of such divisions immediately after the division bell has been rung for one minute. Thereupon the Chairman shall propose the question on that motion.* In the event that the division bell does not function or may not be rung, the Chairman shall order the Clerk to arrange for members of the ESC within the precincts of the Chamber to be notified of the division. The division shall be held four minutes after the order has been made.

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Legend:

Texts proposed to be added are shown in *italics*.

Proposed amendment to the Public Works Subcommittee Procedure

Voting

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40. Before putting an item to the vote, the Chairman shall ask members if they have any further questions. When the Chairman puts a question to the PWSC for its decision he shall first call upon those members who are in favour of the question to raise their hands and then shall call upon those who are against the question to raise their hands. The Chairman shall then, according to his judgement state whether or not that he thinks the majority of the members present and voting are in favour of the question. If no member challenges his statement, the Chairman shall declare the question to have been so decided. If a member challenges the statement of the Chairman by claiming a division, then the Chairman shall order the PWSC to proceed to a division and a division shall be held forthwith immediately after a division bell has been rung for two minutes [Rule 47(1)].

40A. When a division has been ordered, Rules 48 and 49 of the Rules of Procedure shall apply to the proceedings of the PWSC. *Immediately after the Chairman has declared the result of a division under an agenda item, a member may move without notice that in the event of further divisions being claimed in respect of any motions or questions under the same agenda item, the PWSC do proceed to each of such divisions immediately after the division bell has been rung for one minute. Thereupon the Chairman shall propose the question on that motion.* In the event that the division bell does not function or may not be rung, the Chairman shall order the Clerk to arrange for members of the PWSC within the precincts of the Chamber to be notified of the division. The division shall be held four minutes after the order has been made.

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Legend:

Texts proposed to be added are shown in *italics*.

Extract from the minutes of the Finance Committee meeting on 9.7.2010

x x x x x x x

Item No. 4 - FCR(2010-11)39

Paper on shortening the duration of division bell

30. The Chairman said that members were invited to consider and approve the proposed amendments to FC Procedure, the Establishment Subcommittee (ESC) Procedure and the Public Works Subcommittee (PWSC) Procedure to provide for the shortening of the duration of the division bell. She added that these proposed arrangements were drawn up with reference to the practice of the Council meetings in accordance with the prevailing relevant rules on shortening of the duration of the division bell under Rules 49(4) and 49(6) of the Rules of Procedures (RoP).

31. At the invitation of the Chairman, the Clerk advised that the proposal would enable the moving of a motion without notice during a meeting of FC, ESC or PWSC for the purpose of shortening the duration of the division bell from two minutes to one minute, where frequent divisions were anticipated for an agenda item at that meeting. Following issuance of a consultation paper to FC members on the proposed arrangements, the Committee on RoP (CRoP) had separately reviewed Rules 49(4) and 49(6). In line with CRoP's amendment to Rule 49(6), the proposed arrangements for FC, ESC and PWSC incorporated a technical amendment such that the motion to shorten the duration of the division bell should be moved immediately after the Chairman had declared the result of "a division", instead of "the first division", under the same agenda item during a FC/ESC/PWSC meeting.

32. The Chairman put the item to vote. The Committee approved the arrangements set out in the paper.

Appendix IV

Motions to shorten the duration of the division bell to one minute handled by the Finance Committee at its meetings (from 2010-2011 to 2016-2017)

Legislative Session	Number of meetings*	Total meeting time*	Motions to shorten the duration of the division bell to one minute		
			Number of motions	Time spent	Percentage in total meeting time
2010-2011	25	41 hours and 47 minutes	--	--	--
2011-2012	40	65 hours and 10 minutes	1	10 minutes	0.3%
2012-2013	32	55 hours and 37 minutes	2	13 minutes	0.4%
2013-2014	35	67 hours and 54 minutes	1	56 minutes	1.4%
2014-2015	74	144 hours and 59 minutes	8	1 hour and 10 minutes	0.8%
2015-2016	88	177 hours and 34 minutes	8	3 hours and 29 minutes	2%
2016-2017	64	122 hours and 55 minutes	13	5 hours and 43 minutes	4.7%

* only meetings for deliberating on funding proposals are included

Date of meeting	Item	Division	Results	Time spent
<u>2010-2011</u> (no such motion had been moved)				
<u>2011-2012</u> (time spent in total: 10 minutes)				
29 June 2012	FCR(2012-13)43—EC(2012-13)5— Re-organization of the Government Secretariat	Yes	approved	10 minutes
<u>2012-2013</u> (time spent in total: 13 minutes)				
16 November 2012	FCR(2012-13)54—Provision for introducing the Old Age Living Allowance and the creation of 90 non-directorate civil service posts	No	approved	12 minutes
3 May 2013	FCR(2013-14)3—Supplementary provision of \$100 million to enable an injection to be made to the Disaster Relief Fund, and to make grants each in excess of \$8 million for the purpose of providing emergency relief to earthquake victims in Sichuan Province in the Mainland	No	approved	1 minute

Date of meeting	Item	Division	Results	Time spent
<u>2013-2014</u> (time spent in total: 56 minutes)				
13 June 2014	FCR(2014-15)2—PWSC(2013-14)38 Advance site formation and engineering infrastructure works at Kwu Tung North new development area and Fanling North new development area	Yes	approved	56 minutes
<u>2014-2015</u> (time spent in total: 1 hour and 10 minutes)				
24 October 2014	FCR(2014-15)49—Organic waste treatment facilities phase 1	Yes	approved	6 minutes
28 November 2014	FCR(2014-15)31A—Southeast New Territories Landfill Extension	Yes	approved	11 minutes
5 December 2014	FCR(2014-15)32A—Northeast New Territories Landfill Extension	Yes	approved	15 minutes
12 December 2014	FCR(2014-15)33A—West New Territories Landfill Extension	Yes	approved	7 minutes
19 December 2014	FCR(2014-15)34A—Development of integrated waste management facilities phase 1	Yes	approved	21 minutes
16 January 2015	FCR(2014-15)46A—Planning, engineering and architectural study for topside development at Hong Kong boundary crossing facilities island of Hong Kong-Zhuhai-Macao Bridge	No	approved	1 minute
5 June 2015	FCR(2015-16)11—Liantang/Heung Yuen Wai Boundary Control Point and associated works—site formation and infrastructure works	Yes	approved	8 minutes
5 June 2015	FCR(2015-16)12—Liantang/Heung Yuen Wai Boundary Control Point and associated works—construction of boundary control point buildings and associated facilities	No	approved	1 minute
<u>2015-2016</u> (time spent in total: 3 hours and 29 minutes)				
30 October 2015	FCR(2014-15)36B—Establishment of a new Innovation and Technology Bureau	Yes	approved	27 minutes
6 November 2015	FCR(2014-15) 37B—Establishment of a new Innovation and Technology Bureau	Yes	approved	14 minutes
11 December 2015	FCR(2015-16)33—Increase in commitment for the four Research and Development Centres under the Innovation and Technology Fund	Yes	approved	17 minutes
18 December 2015	FCR(2015-16)42—EC(2015-16)8 Proposed creation of three supernumerary posts in the Airport Expansion Project Coordination Office, Transport Branch of Transport and Housing Bureau	Yes	approved	42 minutes
30 January 2016	FCR(2015-16)45—PWSC(2015-16)14 Hong Kong-Zhuhai-Macao Bridge Hong Kong Boundary Crossing Facilities—Reclamation and Superstructures	Yes	approved	50 minutes

Date of meeting	Item	Division	Results	Time spent
19 March 2016	FCR(2015-16)48—PWSC(2015-16)48 Block allocations for Heads 701 to 711 under the Capital Works Reserve Fund	Yes	approved	17 minutes
11 July 2016	FCR(2016-17)62—PWSC(2016-17)23 Reprovisioning of Shanghai Street refuse collection point and street sleepers' services units to the site on Hau Cheung Street, Yau Ma Tei for the phase II development of the Yau Ma Tei Theatre project	Yes	approved	7 minutes
12 July 2016	FCR(2016-17)63—PWSC(2016-17)30 Construction of additional sewage rising main and rehabilitation of the existing sewage rising main between Tung Chung and Siu Ho Wan	Yes	approved	35 minutes
<i>2016-2017 (time spent in total: 5 hours and 43 minutes)</i>				
6 January 2017	FCR(2016-17)77—One-off start-up grant for kindergartens joining the Free Quality Kindergarten Education Scheme	No	approved	1 minute
11 February 2017	FCR(2016-17)79—EC(2016-17)19 Creation of a supernumerary Principal Environmental Protection Officer post in Environmental Protection Department to lead the Food Waste Management Group for implementing the various strategies as set out in the Food Waste Plan	No	approved	1 minute
18 March 2017	FCR(2016-17)86—PWSC(2016-17)37 Block allocations under the Capital Works Reserve Fund	Yes	approved	49 minutes
24 March 2017	FCR(2016-17)83—PWSC(2016-17)38 Site formation and infrastructure works for public housing developments at Chung Nga Road and Area 9, Tai Po	No	approved	1 minute
25 March 2017	FCR(2016-17)84—EC(2016-17)21— Retention of the supernumerary posts of a Principal Government Town Planner and a Government Architect in the Works Branch of the Development Bureau to continue taking forward the policy initiative of Energizing Kowloon East	No	approved	1 minute
25 March 2017	FCR(2016-17)87—Creation of a new commitment for the continued provision of special helping measures for the six major outlying island ferry routes	No	approved	4 minutes
28 April 2017 2 May 2017	FCR(2017-18)1—Equity in Hongkong International Theme Parks Limited for the Expansion and Development Plan at Phase 1 site of the Hong Kong Disneyland Resort	Yes	approved	1 hour and 20 minutes

Date of meeting	Item	Division	Results	Time spent
12 May 2017	FCR(2017-18)2—Capital Subscription in the Asian Infrastructure Investment Bank	Yes	approved	40 minutes
26 May 2017	FCR(2017-18)3—EC(2016-17)23 Creation of a permanent post of Chief Superintendent of Police in the Hong Kong Police Force to head the Cyber Security and Technology Crime Bureau	Yes	approved	35 minutes
17 June 2017	FCR(2017-18)10—PWSC(2016-17)43 Shatin to Central Link—construction of railway works—advance works	Yes	approved	1 hour and 7 minutes
23 June 2017	FCR(2017-18)14—Kai Tak Sports Park	Yes	approved	54 minutes
19 July 2017	FCR(2017-18)24—Implementation of the priority initiatives to support quality education	Yes	approved	9 minutes
19 July 2017	FCR(2017-18)33—Recommendations of the Public Works Subcommittee made on 10 June and 4 July 2017	No	approved	1 minute

Table— Rules and practices regulating division bell in the lower Houses of Parliament of the UK, Canada, Australia and New Zealand

	UK	Canada	Australia	New Zealand
Division bell duration	<ul style="list-style-type: none"> 8 minutes (Standing Order ("SO") 38-3). 	<ul style="list-style-type: none"> Either up to 15 or 30 minutes (SO45).¹ 	<ul style="list-style-type: none"> 4 minutes (SO129). 	<ul style="list-style-type: none"> 7 minutes (SO145).
Division bell duration for successive divisions	<ul style="list-style-type: none"> No specific provision in SO. 	<ul style="list-style-type: none"> According to SO45(8), the bell will only sound once for two or more divisions held successively.² 	<ul style="list-style-type: none"> The bell shall be rung for one minute if a division is called following a division and there is no intervening debate (SO131). 	<ul style="list-style-type: none"> The bell may be rung for 1 minute only for personal vote (i.e. Members are counted individually) held without any debate or other proceeding occurring since the immediately preceding personal vote (SO147).³

¹ Depending on the type of motion being debated and the conditions surrounding the taking of the vote, the bell rings for 15 minutes when the Speaker interrupts any proceeding; 15 minutes when the vote is deferred; 30 minutes for non-debatable motions; and 30 minutes for a recorded division for a debatable motion. Since the 15-minute or 30-minute bell duration is the maximum duration, it is not necessary for the bell to ring till expiry of 15 or 30 minutes if the Government and Opposition Whip agree to proceed to vote immediately.

² When the House is scheduled to take more than one recorded division, either because several have been deferred to the same time or because the Standing Orders require that more than one question be decided by a certain time, the division bell rings only once before the first vote. Since Members have all been called in for the one vote, it is unnecessary to ring the bells again for subsequent votes. See Annotated Standing Orders at https://www.ourcommons.ca/About/ASOII/10_ASOII_Chap06-e.html#index_45_8.

³ The bell is not used for party votes or split-party votes.

Table—Rules and practices regulating division bell in the lower Houses of Parliament of the UK, Canada, Australia and New Zealand (cont'd)

	UK	Canada	Australia	New Zealand
Need to move a motion or debate in order to vary bell duration	<ul style="list-style-type: none"> No.⁴ 	<ul style="list-style-type: none"> No.⁵ 	<ul style="list-style-type: none"> No.⁶ 	<ul style="list-style-type: none"> No.⁷
Authority of Speaker or Chair to vary the bell duration	<ul style="list-style-type: none"> There were instances where the Speaker exercised discretion to increase the duration so as to allow time for Members to return to Chamber, or to reduce the bell duration so as to save time. (See footnote 4) 	<ul style="list-style-type: none"> Pending information. 	<ul style="list-style-type: none"> The Speaker will declare that the divisions are successive and appoint tellers immediately during the ringing of the bells.⁸ 	<ul style="list-style-type: none"> The Speaker may do so upon advice of the Clerk at the Table. "In all cases the Speaker exercises the discretion to permit a one-minute bell if there is likely to be no prejudice to Members participating in the vote."⁹

⁴ In March 1975, a trial to increase the duration of ringing the division bell from six minutes to eight minutes (excluding the two minutes for appointment of tellers) was implemented. The trial was to enable Members to return to the Chamber on time for division. The Speaker suspended this trial in July 1975 and further reduced the pre-trial duration of six minutes to four minutes in the proceedings on the Industry Bill. In both cases, no motion had been moved and no debate had been held. See HC Deb 1 July 1975 Vol 894 c1205, and 12 March 1975 Vol 888 c535.

⁵ Yet, occasionally, the Leader of the Government in the House might seek "unanimous consent" to move a motion to regulate the advance bell duration in accordance with Standing Orders.

⁶ Reply from the Chamber Research Office of the House of Representatives.

⁷ Reply from the House of Representatives.

⁸ Reply from the Chamber Research Office of the House of Representatives.

⁹ See Parliamentary Practice in New Zealand. 2014 edition, p. 209.