

**香港特別行政區
立法會
議事規則委員會**

**Committee on Rules of Procedure
of the Legislative Council
of the Hong Kong Special Administrative Region**

**2017 年 10 月至 2018 年 7 月的工作進度報告
Progress Report for the period
October 2017 to July 2018**

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1. Introduction

1.1 The Committee on Rules of Procedure ("the Committee") is a committee of the Legislative Council established under Rule 74 of the Rules of Procedure of the Council. The functions of the Committee are to review the Rules of Procedure of the Council and the committee system, and to propose to the Council any amendments or changes as are considered necessary. The Committee may examine matters of practice and procedure relating to the Council referred by the Council or its committees or the President, or raised by its own members.

1.2 The Committee consists of 12 members, including Chairman Hon Paul TSE, Deputy Chairman Hon Kenneth LEUNG and 10 other members, appointed by the President in accordance with the recommendations of the House Committee. The membership list is in **Appendix I**.

1.3 This report covers the period from October 2017 to July 2018, during which four meetings were held. Members considered and deliberated on the following issues:

- (a) amendments to the Rules of Procedure proposed by Members;
- (b) procedural arrangements relating to Council meetings;
- (c) election of the President of the Legislative Council; and
- (d) Members' conduct during and outside meetings of the Council and committees.

1.4 A complete list of the issues studied by the Committee in the current session is in **Appendix II**.

2. Amendments to the Rules of Procedure proposed by Members

2.1 Since its establishment in the First term of the Legislative Council, the Committee had on occasions proposed amendments to the Rules of Procedure and House Rules, whenever it considers appropriate following examinations of matters of practice and procedure relating to the Council and its committees. Some of the past reviews of the Rules of Procedure had been initiated by referrals by the President or other committees. On other occasions, such reviews had been carried out upon suggestions by members of the Committee.

2.2 In the 2017-2018 session, the Committee was faced with an unprecedented development on the process of how the Rules of Procedure were to be amended. Within the period of just over a month, a total of 48 Members made various proposals which aimed to amend or create some 70 existing and new Rules in the Rules of Procedure, either in the form of proposals submitted to the Committee for consideration, or directly to the President in the form of notices given under Article 75 of the Basic Law to move proposed resolutions to amend the Rules of Procedure at a Council meeting. The background, process and outcome of what has become the largest amendment exercise yet to the Rules of Procedure since the First Legislative Council are detailed in paragraphs 2.3 to 2.23 below.

Members' initial proposals to amend the Rules of Procedure

Proposals by 38 Members

2.3 On 11 and 30 October 2017, two members of the Committee, namely, Hon Tommy CHEUNG and Hon CHAN Hak-kan, submitted

two proposals jointly made by 38 Members¹ to amend the Rules of Procedure ("Proposals by 38 Members") to the Committee for examination.² These proposals aimed to amend provisions in 12 major areas of the Rules of Procedure, including the power of the President to select amendments; quorum of the Council; power of committee chairmen to determine the agenda; and procedure for the election of the President.

2.4 When making the proposals, the 38 Members observed that over the years, some Members had been using filibusters as a tactic to prolong the proceedings of the Council and its committees, which had resulted in delays in the enactment of legislation. In order to address what they considered as an abuse of procedures, these Members considered that it was necessary to amend the Rules of Procedure, in order to safeguard the smooth conduct of business of the Council and its committee, and to uphold the dignity and integrity of the legislature.³

2.5 On 31 October 2017, Hon Martin LIAO gave notices to move two proposed resolutions on these amendments⁴ at the Council meeting

¹ The 38 Members are Hon Abraham SHEK, Hon Tommy CHEUNG, Hon Jeffrey LAM, Hon WONG Ting-kwong, Hon Starry LEE, Hon CHAN Hak-kan, Hon CHAN Kin-por, Dr Hon Priscilla LEUNG, Hon WONG Kwok-kin, Hon Mrs Regina IP LAU, Hon Michael TIEN, Hon Steven HO, Hon Frankie YICK, Hon YIU Si-wing, Hon MA Fung-kwok, Hon CHAN Han-pan, Hon LEUNG Che-cheung, Hon Alice MAK, Hon KWOK Wai-keung, Hon Christopher CHEUNG, Dr Hon Elizabeth QUAT, Hon Martin LIAO, Hon POON Siu-ping, Dr Hon CHIANG Lai-wan, Ir Dr Hon LO Wai-kwok, Hon CHUNG Kwok-pan, Hon Jimmy NG, Dr Hon Junius HO, Hon HO Kai-ming, Hon Holden CHOW, Hon SHIU Ka-fai, Hon Wilson OR, Hon YUNG Hoi-yan, Hon CHAN Chun-ying, Hon CHEUNG Kwok-kwan, Hon LUK Chung-hung, Hon LAU Kwok-fan, and Hon Kenneth LAU.

² The proposals submitted on 11 and 30 October 2017 by these Members are contained respectively in Appendix I and Appendix II of the Report of the Committee on amendments to the Rules of Procedure proposed by Members, LC Paper No. CROP 65/17-18.

³ Appendix I, LC Paper No. CROP 65/17-18

⁴ The proposed amendments to the Rules of Procedure as shown in first proposed resolution submitted by Hon Martin LIAO are closely similar to the proposals jointly submitted by 38 Members to the Committee on 11 October 2017, save for correction of certain textual errors.

of 15 November 2017.⁵

2.6 On 27 October 2017, four members of the Committee, namely Hon Kenneth LEUNG, Hon James TO, Hon Dennis KWOK and Hon Alvin YEUNG, jointly submitted for the consideration of the Committee a proposal to amend the first batch of Proposals by 38 Members. In their submission⁶, the four members considered that since the Proposals by 38 Members could cause serious impacts on the operation of the Council and committees if adopted, there was a need to further amend these proposed amendments to prevent irreversible effects to the operation of the legislature.

Proposals by 10 Members

2.7 On 18 October 2017, three members of the Committee, namely Hon Kenneth LEUNG, Hon Dennis KWOK and Hon Alvin YEUNG, forwarded to the Committee proposals to amend the Rules of Procedure made by nine Members⁷ who had given notices on 18 October 2017 to move proposed resolutions on these amendments at the Council meeting of 15 November 2017.⁸

2.8 Explaining their proposals, which aimed to amend provisions in 36 major areas in the Rules of Procedure, the three Members stated that the proposals were the outcome of the long-standing consideration by Members of the pan-democratic camp on how to amend the Rules of Procedure in order to bring them up to date and in line with the needs of Hong Kong as a modern and democratic society in the 21st Century. These proposed amendments include considerations and directions such as restraining the arbitrary use of power by the President; streamlining

⁵ Appendix III, LC Paper No. CROP 65/17-18

⁶ Appendix IV, LC Paper No. CROP 65/17-18

⁷ Nine Members include Hon Alvin YEUNG, Hon Tanya CHAN, Hon WU Chi-wai, Hon Charles Peter MOK, Hon CHAN Chi-chuen, Hon Kenneth LEUNG, Dr Hon Fernando CHEUNG, Hon Jeremy TAM and Hon Dennis KWOK. On 31 October 2017, Hon WU Chi-wai and Hon Charles Peter MOK served two revised notices which mainly corrected the textual errors in the previous notices. The President correspondingly directed that the revised notices be referred to the Committee for examination.

⁸ Appendix V, LC Paper No. CROP 65/17-18

procedures in order to make them more transparent and accountable; enabling the legislature to better exercise its powers to hold the executive authorities to account; and enshrining the fundamental rights and freedoms of Hong Kong people as stipulated in the Basic Law.⁹

2.9 Hon CHAN Chi-chuen and Dr Hon KWOK Ka-kai also respectively gave notice on 19 October 2017 to move a proposed resolution to amend the Rules of Procedure at the same Council meeting of 15 November 2017.¹⁰

Referral by the President

2.10 Having considered the long-established practice regarding the Committee's role in examining proposed amendments to the Rules of Procedure, and that any recommendation made by the Committee regarding these proposed amendments would be reported to the House Committee for endorsement before the final decision of the Council is sought, the President referred respectively on 24 October 2017 and 3 November 2017 the Proposals by 10 Members and the Proposals by 38 Members to the Committee for examination under Rule 74(1) of the Rules of Procedure.

Approach adopted by the Committee for consideration of the proposed amendments

2.11 Under the current practice, the Committee normally examines the merits of any proposed amendments in detail, taking into consideration initial analyses on procedural and legal issues identified by the Legislative Council Secretariat, and background research of relevant rules and practices adopted by overseas legislatures. Where considered appropriate, the Committee may formulate options for consultation with all Members before deciding the way forward. Where a consensus can be reached among members on a proposed amendment, the endorsement from the House Committee would be sought for the Chairman of the Committee to move a proposed resolution at a Council meeting to seek

⁹ Ibid.

¹⁰ Appendix VI, LC Paper No. CROP 65/17-18. Unlike Hon CHAN Chi-chuen, Dr Hon KWOK Ka-ki was not among the nine Members and had submitted proposal on his own.

the Council's approval of the proposed amendment.

2.12 Given the voluminous amendments that had to be examined and no precedence of individual Members giving notice to move proposed resolutions to amend the Rules of Procedure at a Council meeting even before or, parallel to the Committee's processing of such proposed amendments, the Committee decided that under the extraordinary circumstances to adopt a special approach in handling the proposals made by the 48 Members. On the direction of the Chairman of the Committee, all Members were consulted on the proposals to amend the Rules of Procedure.¹¹

2.13 At the meeting on 6 November 2017, the Committee decided that where it was preliminarily satisfied that a proposed amendment did not entail constitutional or legal issues and there was a consensus among members of the Committee that the proposed amendment should be proceeded with, and subject to the views of the House Committee, the Chairman of the Committee would move a proposed resolution seeking approval for effecting the proposed amendment to the Rules of Procedure at a Council meeting. If any of the proposed amendments involving constitutional or legal implications or a consensus on a proposed amendment could not be reached among members of the Committee, the Committee would not proceed with the proposed amendment; and it would be up to the original proponent to consider whether he/she would proceed in his/her individual capacity to give notice of the proposed amendment and, subject to the President's decision under Rule 30(3) of Rules of Procedure to place the notice on the Agenda of the Council, to seek the Council's approval on the proposed amendment.

¹¹ The consultation was made vide LC Paper No. CROP 38/17-18 issued on 1 November 2017. By the close of the deadline by noon on 6 November 2017, one joint submission from the 38 Members was received which expressed disagreement to the proposal to amend the first batch of proposals by 38 Members. One Member suggested that the 38 Members' proposals and the amendments to these proposals should be considered together by the Committee. Furthermore, 19 Members requested to extend the consultation period and to hold a briefing session on the proposed amendments for all Members.

Deliberation by the Committee

2.14 The Committee considered the constitutional, legal and procedural issues relevant to the various proposed amendments to the Rules of Procedure. In the course of discussion on the 38 Members' proposals, the Committee noted the concerns that some of the proposed amendments sought to widen the powers of the President and committee chairmen (e.g. the proposed Rules 45(1), 45(2), 79C and 79D of the Rules of Procedure) without corresponding provisions on how the widened powers might be exercised. The Committee further noted that some of the proposed amendments (e.g. the proposed new Rules 79C and 79D of Rules of Procedure) might be inconsistent with other existing Rules or provisions in the Rules of Procedure. As regards the proposed amendment to require one half of all Members of the Council (instead of 20 Members as provided in Rule 20(6) of the Rules of Procedure) to support a request for a petition to be referred to the House Committee (instead of a select committee as provided in Rule 20(6) of the Rules of Procedure), the Committee noted the views that the proposal would curtail the use of the petition mechanism originally available to be used by Members in the minority.

2.15 As regards the proposed amendment from the 38 Members to add a new Rule 17(1A) to the Rules of Procedure to specify that the quorum for the meeting of a committee of the whole Council should be 20 Members including the Chairman, the Committee noted the views that there had been conflicting legal opinions on whether the proposal was contrary to Article 75 of the Basic Law. The Committee noted the views that the proposed amendment might have profound constitutional and legal ramifications and might be subject to judicial review, and should therefore be proceeded with cautiously.

2.16 On the proposed amendments from other 10 Members, the Committee noted that a number of them might be inconsistent with certain articles of the Basic Law or provisions of existing legislation (e.g. proposed amendments to Rules 1, 4, 13(1A), 14(3) and 15(2) and proposed new Rule 45A of the Rules of Procedure) whereas some proposed amendments might have staffing and resource implications which would fall within the purview of, and should be discussed by, The Legislative Council Commission as provided under section 9 of The Legislative Council Commission Ordinance (Cap. 443) or the Committee on Access to the Legislature's Documents and Records (e.g. proposed

amendments to Rules 6(5A)(a), 6(7), 6(9), 7(2) and 7(3) and proposed new Rules 17A and 86A of the Rules of Procedure).

2.17 The Committee considered the proposals to amend the 38 Members' first batch of proposals, and noted the objection by the 38 Members to these proposed amendments. The Committee concludes that a consensus on these proposed amendments could not be reached.

2.18 The Committee concludes that no consensus was reached on any of the proposed amendments except the textual ones proposed by Hon Charles MOK to replace the Chinese character "舉" by "舉" in Rules 1, 4, 12, 13, 14 and 15 of the Rules of Procedure.

Outcome of the amendment exercise

House Committee meeting on 17 November 2017

2.19 At its meeting on 17 November 2017, the House Committee took note of the report of the Committee on the amendments to the Rules of Procedures proposed by Members, and discussed the proposals by the Chairman of the Committee, the proposal by the 38 Members, the proposals by 10 Members, and other proposed amendments to the proposed amendments.

2.20 After deliberation, the House Committee endorsed the recommendation by the Committee that the Chairman of the Committee should move a proposed resolution at a Council meeting to amend the Chinese character "舉" by "舉" wherever it appears in the Rules of Procedure, and approved that similar textual amendments on this Chinese character be made to the House Rules.¹² On other proposals to amend the Rules of Procedure made by members, House Committee members expressed diverse views without reaching any consensus.

¹² There are altogether 35 Rules in the Rules of Procedure (including Schedule 1) that contain a total of 145 references to the Chinese character "舉". A total of 129 references to this Chinese character also appear in 17 provisions in the House Rules (including the appendices).

Council meeting of 13 December 2017

2.21 By the end of November 2017, a total of 12 Members had respectively given notices to move at the Council meeting of 6 December 2017 a total of 12 proposed resolutions which comprised 64 proposals (involving 70 Rules) to amend the Rules of Procedures. After considering these amendments, the President, in his ruling dated 27 November 2017¹³, ruled that 16 proposals were inadmissible and 49 proposals were admissible.

2.22 As for the proposed amendments to these proposals, a total of 22 Members had respectively given notices to move at the Council meeting of 6 December 2017 a total of 88 amending motions, which comprised 194 proposed amendments to 10 proposed resolutions to amend the Rules of Procedure. After considering these amending motions, the President, in his ruling dated 4 December 2017¹⁴, ruled that 140 proposed amendments (proposed by 22 Members respectively) were inadmissible and 54 proposed amendments (proposed by 11 Members) were admissible.

2.23 The proposed resolutions were debated at the Council meeting of 13 December 2017. At the conclusion of the Council meeting on 15 December 2017, the Council passed the resolution by the Chairman of the Committee and the resolutions by Hon Martin LIAO, resulting in amendments to 50 Rules in the Rules of Procedure.¹⁵ A list of the amended Rules is in **Appendix III**.

¹³ The ruling of the President dated 27 November 2017 is available from the Legislative Council website:
https://www.legco.gov.hk/yr17-18/english/pre_rul/pre20171127-ref-e.pdf

¹⁴ The ruling of the President dated 4 December 2017 is available from the Legislative Council website:
https://www.legco.gov.hk/yr17-18/english/pre_rul/pre20171204-ref-e.pdf

¹⁵ L.N.186 and L.N. 187 of 2017

3. Review of the procedural arrangements relating to meetings of the Council

3.1 During the reporting period, the Committee examined a number of issues on the procedural arrangements relating to meetings of the Council, including:

- (a) arrangements relating to the attendance of the Chief Executive at Council meetings;
- (b) arrangements for asking and answering oral questions at Council meetings; and
- (c) handling of proposals for asking urgent questions at Council meetings under rule 10 of the House Rules.

Arrangements relating to the attendance of the Chief Executive at Council meetings

3.2 At the end of the 2016-2017 legislative session, the Committee conducted a review on the arrangements for the asking of oral questions by Members. As part of that review, a consultation of all Members had been conducted on the proposed arrangements relating to the attendance of the Chief Executive at meetings of the Legislative Council to answer Members' questions put to the Chief Executive on the work of the Government.

Consultation with Members

3.3 Under the current practice, the Chief Executive attends Question and Answer Sessions about four times in each legislative session, with each Question and Answer Session lasting about 90 minutes at Council meetings where no other business is transacted. To enhance communication between the Legislative Council and the Administration and improve the efficiency in monitoring the work of the Government by Members, Members were consulted on proposals which would allow the Chief Executive to attend regular Council meetings. Members who responded to the consultation generally supported the suggestion that the Chief Executive may attend Council meetings more frequently, say, one

to two times per month, to answer Members' questions put to her on the work of the Government. Some Members also held the view that the additional Question Time should not affect the current four Chief Executive Question and Answer Sessions to be held in each legislative session, nor the Question Time for oral questions at regular Council meetings.

Consultation with the Administration

3.4 Taking into account Members' views, the views of the Administration had been sought on the revised proposed arrangements as follows:

- (a) each additional Question Time attended by Chief Executive will be conducted as a separate Council meeting lasting about 30 minutes at which no other business will be transacted, and such separate meetings will be held before the commencement of regular Council meetings on Wednesdays; and
- (b) the procedure for Members to put questions to the Chief Executive during the additional Question Time should follow the arrangements currently in force for Chief Executive's Question and Answer Sessions, except that the Chief Executive will only answer Members' questions and will not make any opening remark at the additional Question Time.

3.5 In response, the Administration stated that the Chief Executive would increase the frequency of taking questions from Members. She would proactively respond to Members' suggestions and would lead by example to have more interaction with Members and seek opinions from them in a more conscientious manner. The Administration advised that the Chief Executive adopts an open attitude to the proposed arrangements and welcomes the Legislative Council to propose a schedule and duration of the additional Question Time.

Revised arrangements

3.6 In the light of views of the Chief Executive, the Committee considered the following revised proposals:

- (a) in addition to the current four Chief Executive's Question and Answer Sessions, one additional Question Time lasting 30 minutes should be held each month (when the Council is in session) at a separate Council meeting at which no other business will be transacted;
- (b) each additional Question Time should be held before the commencement of the first or second regular Council meeting in that month; and
- (c) the proposed procedure as set out in paragraph 3.4(b) above be adopted.

3.7 Members expressed diverse views towards these proposals. Some members considered that as Members had very few opportunities to ask the Administration topical questions, a more frequent Chief Executive's Question Time with longer duration, for example around 45 minutes, would help redress the situation. Other members considered that arrangements of Chief Executive's Question Time should be kept flexible, subject to fine-tuning in due course. In conclusion, the Committee endorsed the revised arrangements in paragraph 3.6 above with the recommendation that the arrangements be reviewed after 12 months.

3.8 A total of seven Chief Executive's Question Time were held in the 2017-2018 session.

Arrangements for asking and answering oral questions at Council meetings

3.9 Following the review on the current arrangements for the asking of oral questions by Members in the last legislative session and with reference to the relevant rules and practices of other legislatures, the Committee had consulted all Members on the relevant issues in June 2017. The details of the proposals contained in the consultation (LC Paper No. CROP 45/16-17) are in **Appendix IV**.

3.10 By the close of the consultation period, with the exception of the President, a total of 60 Members responded to the questionnaire. Three

Members did not respond. A summary of Members' views is in **Appendix V**.

3.11 The Committee noted that Members' views on the Proposals appeared to be divided, and that there was no majority support for the proposals. The Committee further noted that while some Members had expressed reservation to some parts of the proposals in the consultation, they had also reacted positively to other parts of the proposals. Having taken into account the outcome of the consultation, the Committee considers that it would be beneficial to divide the proposals into individual components, in order to identify areas which could gain broad support among Members. The Committee concludes that this topic should be revisited together with the review of the arrangements for the attendance of the Chief Executive at Council meetings (paragraph 3.7 above), when it is carried out in due course.

Handling of proposals for asking urgent questions at Council meetings under rule 10 of the House Rules

3.12 The Committee considered a request by the Chairman of the House Committee to review existing arrangements in respect of handling proposals for asking urgent questions at Council meetings, in the light of operating difficulties encountered by the House Committee in implementing rule 10 of the House Rules.

Current practice of the House Committee

3.13 Rule 10 of the House Rules stipulates that to assist the President in considering requests for asking urgent questions without notice under Rule 24(4) of the Rules of Procedure, the Member concerned should, where practicable, first seek the House Committee's agreement before submitting an urgent question to the Clerk to the Legislative Council, together with a statement setting out the reasons for the request. The President will take into account the House Committee's recommendation, if any, in deciding whether to give permission to such request. However, irrespective of whether the House Committee supports the proposed urgent question to be asked at the Council meeting, the Member concerned may still seek the President's permission for asking the question in accordance with Rule 24(4) of the Rules of Procedure. The President, in determining if the question is of an "urgent character",

will consider whether the question will become meaningless or will have no effect if it is to be asked at a later date, and the President also needs to be satisfied that the question relates to a matter of public importance.

3.14 It is the established practice of the House Committee that should a Member's request for asking an urgent question at a Council meeting be submitted after the deadline for proposing agenda items for a House Committee meeting (normally 5:00 pm on the Tuesday before the House Committee meeting), the relevant request (if acceded to by the House Committee Chairman) will be dealt with under "Any Other Business" of the relevant House Committee meeting in accordance with rule 20(f) of the House Rules¹⁶.

Difficulties encountered

3.15 Under rule 20(e) of the House Rules, when a House Committee meeting and a Finance Committee meeting are scheduled to be held in the same afternoon, the House Committee meeting will, if necessary, be suspended at such time when the Finance Committee meeting is scheduled to begin and resumed to deal with the unfinished business on the agenda after the Finance Committee meeting.

3.16 In the Fifth Legislative Council, a total of 13 House Committee meetings were involved in handing proposals for asking urgent questions at Council meetings. In comparison, in the 2016-2017 and 2017-2018 sessions (as of 23 March 2018), a total of 10 House Committee meetings were involved in handling such proposals. Six out of those 10 House Committee meetings spent more than 15 minutes on handling such proposals, with one being extended beyond the scheduled starting time of the Finance Committee meeting, and one being suspended and resumed to deal with the unfinished business on the agenda after the Finance Committee meeting. Furthermore, nine out of 12 requests from individual Members for asking urgent questions were received after the

¹⁶ According to rule 20(f) of the House Rules, the deadline for proposing agenda items for a House Committee meeting is normally 5:00 pm on the Tuesday before the meeting. A member wishing to raise an urgent item after the deadline may make a request to the Chairman of the House Committee for it to be discussed at the meeting, under Any Other Business. The House Committee Chairman shall decide whether to accede to the request.

deadline (i.e. 5:00 pm on Tuesday) for proposing agenda items for the House Committee meetings concerned.

3.17 Having considered that this situation had caused great difficulties in estimating the duration of House Committee meetings and setting the starting time of Finance Committee meetings, the House Committee Chairman invited the Committee to consider whether it was necessary to review the existing arrangements provided in rule 10 of the House Rules.

Deliberation of the Committee

3.18 The Committee noted the increase in recent years of the time spent by the House Committee at its meetings to handle proposals for asking urgent questions at Council meetings. The Committee noted the observations that as Members had been unable to obtain the President's permission during the current legislative term to raise urgent questions without notice in Council meetings, House Committee meetings had been used as an alternative forum to raise their issues of concern.

3.19 The Committee considers that rules 10 and 20(f) of the House Rules already provide the Chairman of the House Committee with discretion to decide whether or not to accede to a request by a Member who wishes to raise an urgent item after the deadline for proposing agenda items had expired, and to decide whether it was practicable for an item to be discussed at a House Committee meeting, taking account of factors such as the total number of items on the agenda. The Committee concludes that this topic could be revisited together with the review of the arrangements for the attendance of the Chief Executive at Council meetings (paragraph 3.7 above), when it is carried out in due course.

4. Election of the President of the Legislative Council – declarations by candidates regarding nationality and residency status

4.1 In the 2016-2017 legislative session, the Committee reviewed the arrangement to require Members running for the office of the President to declare his/her nationality (including foreign right of abode (if any)) and length of residency in Hong Kong during nomination process, and decided that all Members should be consulted on whether such candidates should be subject to an obligation to make written declaration under the existing honour system of Legislative Council or statutory declaration under the Oaths and Declarations Ordinance (Cap. 11). Following the passage of the amendments to the Rules of Procedure in December 2017, paragraph 3 of Schedule 1 to the Rules of Procedure now also requires the Member being nominated "to declare that he or she is qualified to become the President under Article 71 of the Basic Law and Rule 4(2)" in addition to signing on the nomination form to indicate acceptance of the nomination.

4.2 Having considered this development, the Committee consulted all Members on 27 April 2018¹⁷ on the proposal to require Members running for the office of the President to declare his/her nationality and residency status in Hong Kong during the nomination process. The options proposed for Members' consideration were as follows:

- (a) **Option 1:** Candidates for the office of the President should be required to make a statutory declaration in compliance with the requirements under the Oaths and Declarations Ordinance (Cap. 11) as regards his/her nationality and length of residency in Hong Kong similar to that required in the Chief Executive election as prescribed in the Chief Executive Election Ordinance

¹⁷ The consultation was issued to all Members vide LC Paper No. CROP 75/17-18.

(Cap. 569)¹⁸. This arrangement would deviate from the honour system; or

- (b) **Option 2:** It would be sufficient for candidates for the office of the President to make a written declaration of his/her nationality and length of residency in Hong Kong based on the existing honour system.

4.3 By the close of the consultation period on 10 May 2018, with the exception of the President, a total of 60 Members responded to the questionnaire. Seven Members did not respond. The consultation showed that a majority of Members who had responded to the questionnaire in principle supported Option 1. Among those who supported Option 2, seven Members from the Democratic Party were of the view that a standard declaration form for candidates should be drawn up by the Legislative Council Secretariat.

4.4 Having considered the outcome of the consultation, the Committee requests the Legislative Council Secretariat to examine how the preferred option, i.e., Option 1, should be implemented. Details of the implementation and the proposed amendments to the Rules of Procedure would be submitted for the Committee's consideration in due course.

¹⁸ Under section 16(7)(b) of the Chief Executive Election Ordinance (Cap. 569), a Chief Executive candidate's nomination shall be accompanied by, among others, a declaration as to his nationality and whether he has a right of abode in any foreign country. Under section 4(1)(a) of the Electoral Procedure (Chief Executive Election) Regulation (Cap. 541J), a nomination form nominating a person as a Chief Executive candidate shall be in the specified form. Part IV of the specified nomination form includes the candidate's solemn declaration made under the Oaths and Declarations Ordinance (Cap. 11) that he or she is a Chinese citizen with no right of abode in any foreign country. The candidate is required to make the declaration in the presence of a justice of the peace, a notary public, a commissioner for oaths, or a solicitor with a practising certificate.

5. Members' conduct during and outside meetings of the Council and committees

5.1 In the last legislative session, the Committee discussed issues relating to order at Council and committee meetings, and considered experiences in other legislatures of imposing sanctions or penalties on Members for misconduct. The Committee continues its deliberation on this subject during this legislative session, details of which are highlighted in the ensuing paragraphs.

Members' conduct in general

5.2 At its meeting on 26 April 2018, The Legislative Council Commission discussed an incident that had occurred on 24 April 2018 involving a Member and a government official in the Legislative Council Complex. In the course of discussion, some members of The Legislative Council Commission expressed concerns that incidents involving verbal or physical abuse by some Members against other persons during or outside Council or committee proceedings had occurred from time to time, but there lacked an effective means to impose sanctions for such conduct. The Legislative Council Commission therefore requested the Committee to examine the need for the establishment of an effective mechanism to deal with Members' improper behaviour.

5.3 In its deliberation, the Committee considered the coverage of existing rules governing Members' conduct. The Committee noted that Members were expected to observe high standards of behaviour and financial probity in carrying out their public duties. In addition to the Rules of Procedure, a set of advisory guidelines and a body of well-established practices provided references for Members' standards and behaviour. The Committee also reviewed past deliberations in the Council and its committees on Members' conduct, and noted that there had been several attempts to expand the terms of reference of the Committee on Members' Interests to carry out formal investigation into complaints relating to Members' misconduct (including the appointment of an independent commissioner similar to the Parliamentary Commissioner for Standards in the House of Commons of the Parliament of the United Kingdom), in view of the inadequacies of mechanisms to handle complaints against Members' misconduct in the Legislative Council, and the need to addressing the public concern about Members

conducting investigation into complaints made against their fellow legislators.

5.4 The Committee further considered the reports of the Investigation Committee established in the Fourth Legislative Council in respect of the motion to censure Hon KAM Nai-wai, and the Investigation Committee established in the Sixth Legislative Council in respect of the motion to censure Dr Hon CHENG Chung-tai. Both of these investigation committees identified a vacuum in the Rules of Procedure to handle matters regarding Members' misconduct, and had called for a review of the relevant mechanisms. The Committee noted that while Members might be punished for misconduct such as non-disclosure of interests and premature publication of evidence under the Rules of Procedure, the only way to handle complaints against other misconduct was to activate the censure mechanism for disqualification under Article 79(7) of the Basic Law. This would create a dilemma where the Legislative Council might either impose the ultimate sanction of disqualification regardless of the gravity of the misconduct; or not to impose any sanction at all on account of the fact that the gravity of the misconduct did not warrant disqualification.

Order in Council and committee meetings

5.5 At the request of the President in the last legislative session, the Committee reviewed the issues concerning order in Council and committees in the light of a number of incidents involving some Members having been ordered by the President to withdraw immediately from the Council for the remainder of the relevant meetings due to their grossly disorderly conduct at those meetings. After assessing the adequacy of current measures to maintain order in Council and committees and studying the experiences of other legislatures, including the United Kingdom, Australia, Germany, India, South Africa, South Korea and Taiwan, the Committee requested the Legislative Council Secretariat to draw up a framework setting out various options of sanctions, including the suspension of Members or prohibition from attending meetings, and the introduction of some forms of financial penalties for Members, for further consideration.

5.6 The Committee considered a general framework which had incorporated the key elements of the sanction mechanisms that are common among these legislatures, and noted that these sanction

mechanisms included the following elements: (a) Prohibition from attending future meeting(s); (b) Progressive escalation of penalties; and (c) Financial penalty. The Committee noted the views that as the legislatures studied shared the tradition of having a democratic political system with alternation of political parties taking control of the legislature and/or government, more studies would be required to assess the suitability to implement in Hong Kong such sanctions they had adopted. The Committee also noted the views that Hong Kong's political system is unique and there is a need to broaden the range of penalties available in dealing with Members' grossly disorderly behaviour during meetings.

Conclusion

5.7 As members of the Committee expressed diverse views, the Committee concludes that all Members should be consulted on (a) whether they would agree in principle the need to impose new sanctions against Members for misconduct committed both during and outside meetings; and (b) if they do agree, their views on the types and implementation details of various sanctions. The Committee will consider this topic again in the next legislative session.

6. Acknowledgement

6.1 The Committee wishes to record their appreciation of Members of the Council for their support for the work of the Committee.

Appendix I**Membership list****Committee on Rules of Procedure**

Chairman	Hon Paul TSE Wai-chun, JP
Deputy Chairman	Hon Kenneth LEUNG
Members	Hon James TO Kun-sun Hon Tommy CHEUNG Yu-yan, GBS, JP Hon CHAN Hak-kan, BBS, JP Dr Hon Priscilla LEUNG Mei-fun, SBS, JP Hon Michael TIEN Puk-sun, BBS, JP Hon KWOK Wai-keung, JP Hon Dennis KWOK Wing-hang Hon Alvin YEUNG Dr Hon Junius HO Kwan-yiu, JP Hon CHEUNG Kwok-kwan, JP (Total : 12 Members)
Clerk	Mr Daniel SIN
Legal Advisers	Mr YICK Wing-kin Mr Bonny LOO

Appendix II**Committee on Rules of Procedure****List of issues studied during the period from October 2017 to July 2018**

Item	Issue	Relevant rule(s)	Progress/remarks
1	Amendments to the Rules of Procedure proposed by Members	See Appendix III of this report.	The proposed amendments were debated at the Council meeting of 13 December 2017. At the conclusion of the Council meeting on 15 December 2017, the Council passed the resolutions by the Chairman of the Committee and the resolutions by Hon Martin LIAO, resulting in the amendments of 50 Rules in the Rules of Procedure.
2	Arrangements relating to the attendance of the Chief Executive at Council meetings	Rule 8 of the Rules of Procedure Rule 4 of the House Rules	The Committee endorsed the following revised proposals: (a) in addition to the current four Chief Executive's Question and Answer Sessions, one additional Question Time lasting 30 minutes should be held each month (when the Council is in session) at a separate Council meeting at which no other business will be transacted; (b) each additional Question Time should be held before the commencement of the first or second regular Council meeting in that month; and

Item	Issue	Relevant rule(s)	Progress/remarks
			<p>(c) the procedure for Members to put questions to Chief Executive during the additional Question Time should follow the arrangements currently in force for Chief Executive's Question and Answer Sessions, except that the Chief Executive will only answer Members' questions and will not make any opening remark at the additional Question Time.</p> <p>The Committee decides that these arrangements be reviewed after 12 months.</p>
3	Arrangements for asking and answering oral questions at Council meetings	<p>Rules 22 to 27 of the Rules of Procedure</p> <p>Rules 5 to 12 of the House Rules</p>	<p>The Committee noted that Members' views on the Proposals appeared to be divided, and that there was no majority support for the proposals. The Committee further noted that while some Members had expressed reservation to some parts of the proposals in the consultation, they had also reacted positively to other parts of the proposals. Having taken into account the outcome of the consultation, the Committee considers that it would be beneficial to divide the proposals into individual components, in order to identify areas which could gain broad support among Members. The Committee concluded that this</p>

Item	Issue	Relevant rule(s)	Progress/remarks
			topic should be revisited together with the review of the arrangements for the attendance of the Chief Executive at Council meetings in due course.
4	Handling of proposals for asking urgent questions at Council meetings under rule 10 of the House Rules	Rules 10 and 20(f) of the House Rules	<p>The Committee considers that rules 10 and 20(f) of the House Rules already provide the Chairman of the House Committee with discretion to decide whether or not to accede to a request by a Member who wishes to raise an urgent item after the deadline for proposing agenda items has expired, and to decide whether it would be practicable for an item to be discussed at a House Committee meeting, taking account of factors such as the total number of items on the agenda.</p> <p>The Committee concludes that this topic could be revisited together with the review of the arrangements for the attendance of the Chief Executive at Council meetings in due course.</p>
5	Election of the President of the Legislative Council	Schedule 1 of the Rules of Procedure	<p>A consultation of all Members had been conducted in April 2018. The options proposed for Members' consideration were as follows:</p> <p>Option 1: Candidates for the office of the President should be required to make a statutory declaration in compliance with the requirements under the</p>

Item	Issue	Relevant rule(s)	Progress/remarks
			<p>Oaths and Declarations Ordinance (Cap. 11) as regards his/her nationality and length of residency in Hong Kong similar to that required in the Chief Executive election as prescribed in the Chief Executive Election Ordinance (Cap. 569). This arrangement would deviate from the existing honour system; or</p> <p>Option 2: It would be sufficient for candidates for the office of the President to make a written declaration of his/her nationality and length of residency in Hong Kong based on the existing honour system.</p> <p>The consultation shows that a majority of Members responding to the questionnaire have in principle supported Option 1. Among those who have supported Option 2, seven Members from the Democratic Party were of the view that a standard declaration form for candidates should be drawn up by the Legislative Council Secretariat.</p> <p>Having considered the outcome of the consultation, the Committee requests the Secretariat to examine how the preferred option, i.e., Option 1, should be implemented. Details of the implementation and the proposed amendments to the Rules of Procedure would</p>

Item	Issue	Relevant rule(s)	Progress/remarks
			be submitted for the Committee's consideration in due course.
6	Members' conduct during and outside meetings of the Council and committees	Rules 42, 45 and 85 of the Rules of Procedure	<p>The Legislative Council Commission requested the Committee to examine the need for the establishment of an effective mechanism to deal with Members' improper behaviour.</p> <p>At its meeting on 10 January 2017 in the last legislative session, the Committee requested the Legislative Council Secretariat to draw up a framework setting out various options of sanctions, including the suspension of Members or prohibition from attending meetings, and the introduction of some forms of financial penalties for Members, for further consideration.</p> <p>The Committee considered the coverage of existing rules governing Members' conduct, and reviewed past deliberations in the Council and its committees on Members' conduct.</p> <p>The Committee notes that key elements of the sanction mechanisms common among legislatures studied include the: (a) Prohibition from attending future meeting(s); (b) Progressive escalation of</p>

Item	Issue	Relevant rule(s)	Progress/remarks
			<p>penalties; and (c) Financial penalty.</p> <p>As members of the Committee expressed diverse views, the Committee concludes that all Members should be consulted on (a) whether they would agree in principle the need to impose new sanctions against Members for misconduct committed both during and outside meetings; and (b) if they agree, their views on the types and implementation details of various sanctions. The Committee will consider this topic again in the next legislative session.</p>

List of the Rules of Procedure amended in 2017-2018 session

Rules amended	Proposed by
1. Oath or Affirmation (Chinese text only)	Hon Paul TSE
1B. The President of the Legislative Council	Hon Martin LIAO
3. Presiding in Council and in Committee of the Whole Council ▪ Rule 3(1)	Hon Martin LIAO
4. Election of President ▪ Rule 4(4) (Chinese text only)	Hon Paul TSE
10. Participation of Public Officers in Proceedings ▪ Rule 10(1) (Chinese text only)	Hon Paul TSE
12. First Meeting of Term ▪ Rule 12(2) (Chinese text only) ▪ Rule 12(3)	Hon Paul TSE Hon Martin LIAO
13. The Chief Executive's Policy Address ▪ Rule 13(1) (Chinese text only)	Hon Paul TSE
14. Days and Hours of Meetings ▪ Rules 14(1), (2) and (4) (Chinese text only) ▪ Rule 14(4)	Hon Paul TSE Hon Martin LIAO
15. Meetings for Urgent Business ▪ Rules 15(1) and (3) (Chinese text only)	Hon Paul TSE
17. Quorum ▪ Rules 17(1), (1A), (3) and (6)	Hon Martin LIAO
18. Order of Business at a Meeting ▪ Rule 18(1) (Chinese text only)	Hon Paul TSE
19. The Agenda of the Council ▪ Rules 19(1) and (1A) ▪ Rule 19(3) (Chinese text only)	Hon Martin LIAO Hon Paul TSE
20. Presentation of Petitions ▪ Rule 20(6)	Hon Martin LIAO
23. Question Time ▪ Rule 23(1) (Chinese text only)	Hon Paul TSE
27. Meeting Under Rule 8 (Chinese text only)	Hon Paul TSE
30. Manner of Giving Notice of Motions and Amendments ▪ Rules 30(3) and (3A)	Hon Martin LIAO
38. Occasions when a Member may Speak more than once ▪ Rule 38(3)	Hon Martin LIAO
40. Adjournment of Debate or of Proceedings of a Committee of the Whole Council ▪ Rule 40(4) ▪ Rules 40(6) and (7) (Chinese text only)	Hon Martin LIAO Hon Paul TSE
42. Behaviour of Members during Meeting ▪ Rule 42(a) (Chinese text only)	Hon Paul TSE
45. Order in Council and Committee ▪ Rule 45(1)	Hon Martin LIAO
46. Decision on Motions ▪ Rule 46(2) (Chinese text only)	Hon Paul TSE
47. Decision of Council and Committee of the Whole Council ▪ Rules 47(1) and (2) (Chinese text only)	Hon Paul TSE

Rules amended	Proposed by
49. Divisions <ul style="list-style-type: none"> ▪ Rule 49(1) (Chinese text only) ▪ Rules 49(4) and (6) 	Hon Paul TSE Hon Martin LIAO
49E. Motions on Reports of House Committee on Consideration of Subsidiary Legislation and Other Instruments <ul style="list-style-type: none"> ▪ Rules 49E(1) and (4) (Chinese text only) 	Hon Paul TSE
54. Second Reading <ul style="list-style-type: none"> ▪ Rule 54(4) ▪ Rule 54(5) (Chinese text only) 	Hon Martin LIAO Hon Paul TSE
55. Committal of Bills <ul style="list-style-type: none"> ▪ Rule 55(1) 	Hon Martin LIAO
57. Amendments to Bills <ul style="list-style-type: none"> ▪ Rule 57(4) 	Hon Martin LIAO
58. Procedure in Committee of the Whole Council on a Bill <ul style="list-style-type: none"> ▪ Rule 58(12) 	Hon Martin LIAO
59. Procedure on Reporting of Bill from Committee of the Whole Council <ul style="list-style-type: none"> ▪ Rules 59(1) and (2) 	Hon Martin LIAO
66. Bills Returned for Reconsideration <ul style="list-style-type: none"> ▪ Rule 66(4) 	Hon Martin LIAO
68. Procedure in Committee of the Whole Council on Appropriation Bill <ul style="list-style-type: none"> ▪ Rule 68(7) 	Hon Martin LIAO
69A. Procedure on Reporting of Appropriation Bill from Committee of the Whole Council	Hon Martin LIAO
71. Finance Committee <ul style="list-style-type: none"> ▪ Rules 71(2), (2A), (5C), (6) and (7) (Chinese text only) 	Hon Paul TSE
72. Public Accounts Committee <ul style="list-style-type: none"> ▪ Rules 72(3) and (6) (Chinese text only) 	Hon Paul TSE
73. Committee on Members' Interests <ul style="list-style-type: none"> ▪ Rules 73(2), (3) and (4) (Chinese text only) 	Hon Paul TSE
73A. Investigation Committee <ul style="list-style-type: none"> ▪ Rules 73A(1), (4) and (5) (Chinese text only) 	Hon Paul TSE
74. Committee on Rules of Procedure <ul style="list-style-type: none"> ▪ Rules 74(2), (3) and (4) (Chinese text only) 	Hon Paul TSE
74A. Committee on Access to the Legislature's Documents and Records <ul style="list-style-type: none"> ▪ Rules 74A(3), (7) and (8) (Chinese text only) 	Hon Paul TSE
75. House Committee <ul style="list-style-type: none"> ▪ Rules 75(2), (2A), (12E), (14) and (15) (Chinese text only) ▪ Rules 75(10) and (10A) 	Hon Paul TSE Hon Martin LIAO
76. Bills Committees <ul style="list-style-type: none"> ▪ Rules 76(5), (6) and (8B) (Chinese text only) 	Hon Paul TSE
77. Panels <ul style="list-style-type: none"> ▪ Rules 77(10), (11), (12) and (13B) (Chinese text only) 	Hon Paul TSE

Rules amended	Proposed by
79. Procedure of Select Committees ▪ Rule 79(2) (Chinese text only)	Hon Paul TSE
79A. Exercise of Voting Rights of Chairmen of Committees ▪ Rules 79A(1) and (2) (Chinese text only)	Hon Paul TSE
79B. Determining the time and the place of a meeting of a committee by the deputy chairman of the committee ▪ Rule 79B (Chinese text only)	Hon Paul TSE
79C. Determining the Agenda of a Meeting of a Committee by Chairmen of Committees	Hon Martin LIAO
83. Registration of Interests ▪ Rules 83(1) and (5) (Chinese text only)	Hon Paul TSE
88. Withdrawal of Members of the Press and of the Public ▪ Rule 88(1) ▪ Rule 88(3) (Chinese text only)	Hon Martin LIAO Hon Paul TSE
89. Procedure for Obtaining Leave for Member to Attend as Witness in Civil Proceedings ▪ Rule 89(1) (Chinese text only)	Hon Paul TSE
93. Interpretation ▪ Rule 93(b) (Chinese text only)	Hon Paul TSE
Schedule 1	Hon Martin LIAO Hon Paul TSE

Proposed arrangements to improve topicality of oral questions at Council meetings (LC Paper No. CROP 45/16-17)

Proposal I: Simplifying notice requirements for oral questions

		Current arrangements	Proposed arrangements
1	Notice period/deadline	<ul style="list-style-type: none"> - Seven clear days (i.e. usually the second Monday before the Council meeting) 	<ul style="list-style-type: none"> - The deadline falls at noon on the day which is three clear days before the Council meeting (i.e. noon on the Friday immediately before the Council meeting if there is no intervening public holiday except Sunday)
2	Form of questions shown on the Agenda	<ul style="list-style-type: none"> - Contents of questions 	<ul style="list-style-type: none"> - Only the titles of questions will be shown on the Agenda - Contents of questions submitted by Members will be provided to the President of the Legislative Council ("the President") and the Administration in advance for reference - The President may exercise discretion to disallow a question to be asked, if in his opinion the content of an oral question raised at a Council meeting deviates from the wording provided by the Member and forwarded to the Administration
3	Written main reply (in both Chinese and English) provided by the Administration	<ul style="list-style-type: none"> - The Administration provides written replies to oral and written questions to the Legislative Council ("LegCo") Secretariat by 9:30 am on the day of the Council meeting 	<ul style="list-style-type: none"> - No written reply to oral questions is required

Proposal II: More focused questions and answers with increased opportunities for Members to ask supplementary questions

		Current arrangements	Proposed arrangements
4	Form of questions	<ul style="list-style-type: none"> - Contain not more than three parts (In the Fifth LegCo, 487 characters on average) 	<ul style="list-style-type: none"> - Single-barrelled question of not more than 120 Chinese characters or 100 words in English. The question should be accompanied by a title of not more than 15 Chinese characters or 12 words in English - The title of an oral question should be sufficiently clear to identify the subject matter and the scope of the question - It is not recommended that the above word limits should be specified in the Rules of Procedure ("RoP") or House Rules ("HR"). A new rule in HR may be added to allow the House Committee to make recommendation on word limits
5	Number of main oral questions allowed to be asked at a Council meeting	<ul style="list-style-type: none"> - Six questions (total 132 minutes with around 22 minutes for each question) - Three minutes for the main question and seven minutes for the Administration's reply. One minute for supplementary question (HR 9A) 	<ul style="list-style-type: none"> - Six questions (total 132 minutes with 22 minutes for each question) with restrictions as follows: <ul style="list-style-type: none"> (a) three minutes should be allowed for the asking and answering of each main question; and (b) one minute should be used to ask a supplementary or any follow-up question, and one minute should be allowed for reply
6	Estimated number of Members able to ask supplementary questions to each main question	<ul style="list-style-type: none"> - Four to five Members on average 	<ul style="list-style-type: none"> - Nine to 10 Members

Consequential arrangements

		Current arrangements	Proposed arrangements
7	Registration of questions/question titles	<ul style="list-style-type: none"> - By midnight of the third Friday (i.e. about 19 calendar days) before the Council meeting - When a question is submitted for registration, the draft wording should be sufficiently clear to identify the subject matter and the scope of the question (HR 5(b)) - The above arrangement is applied to both oral and written questions 	<ul style="list-style-type: none"> - Members may signify interests to ask oral questions: <ul style="list-style-type: none"> (a) from 9:00 am on the day which is seven clear days before the Council meeting (i.e. the second Monday before the Council meeting if there is no intervening public holiday except Sunday); and (b) before noon on the day which is five clear days before the Council meeting (i.e. noon on the Wednesday immediately before the Council meeting if there is no intervening public holiday except Sunday) - No question or its title needs to be provided when registering an oral question - The current arrangement for written question will remain unchanged
8	Allocation of question slots	<ul style="list-style-type: none"> - Two criteria in descending order: <ul style="list-style-type: none"> (a) Members who have been allocated the least question slots in a session have priority (HR 7(c)); and (b) In case of equal priority, the Member who registered the question earlier has priority (HR 7(c)) 	<ul style="list-style-type: none"> - Oral question slots will be allocated to Members in accordance with the following two criteria in descending order: <ul style="list-style-type: none"> (a) Members who have been allocated the least question slots in a session have priority (HR 7(c)); and (b) In case of equal priority, ballot will be conducted to determine the allocation - Members will be informed of the results of allocation within two to three hours after the deadline of registration

		Current arrangements	Proposed arrangements
9	Rules on the contents of questions	<ul style="list-style-type: none"> - RoP 22 and 25 applied - For main questions, ruled by the President before Council meetings. For supplementary questions, enforced by the President during Council meetings 	<ul style="list-style-type: none"> - Basically no change. RoP 25(1) and (2) should be amended to include the title of oral questions. RoP 25(3)(a) and HR 5(c) should be amended to exclude oral questions - For both the main and supplementary questions, the rules will be enforced by the President at Council meetings - The President may group questions of the same or similar subject matters together for answers to ensure effective use of Council's time
10	Restriction on the number of questions under RoP 24(3) and HR 7(b)	<ul style="list-style-type: none"> - Each Member is normally limited to asking only one oral and one written or alternatively two written questions at any one Council meeting 	<ul style="list-style-type: none"> - To relax the restriction and allow each Member to ask a maximum of one oral question and two written questions at a Council meeting subject to the availability of question slots

**Members' views on the proposals and consequential arrangements
for asking and answering oral questions at Council meetings**

Proposal I: Simplifying notice requirements for oral questions (items 1 to 3 of Appendix I to LC Paper No. CROP 45/16-17)

- (a) 28 Members supported Proposal I in principle;
- (b) 26 Members did not support Proposal I;
- (c) one Member had no comment; and
- (d) five Members did not indicate their support but gave other views.

Proposal II: More focused questions and answers with increased opportunities for Members to ask supplementary questions (items 4 to 6 of Appendix I to LC Paper No. CROP 45/16-17)

- (a) 23 Members supported Proposal II in principle;
- (b) 26 Members did not support Proposal II;
- (c) one Member had no comment; and
- (d) 10 Members did not indicate their support but gave other views.

Consequential arrangements (items 7 to 10 of Appendix I to LC Paper No. CROP 45/16-17)

- (a) 28 Members supported in principle the proposed consequential arrangements;
- (b) 26 Members did not support the proposed consequential arrangements;
- (c) one Member had no comment; and
- (d) five Members did not indicate their support but gave other views.