

# 立法會

## *Legislative Council*

LC Paper No. CB(2)381/19-20(01)

Ref : CB2/H/S/8/19

### **Matters awaiting consideration/decision by the House Committee pending the election of its chairman and deputy chairman**

In the note entitled "Implications on the operation of the House Committee pending the election of its chairman and deputy chairman" prepared by the Legal Service Division (LC Paper No. LS 11/19-20), Members were advised that since the election of the chairman and deputy chairman of the House Committee ("HC") is the first proceeding of HC for the 2019-2020 session, the election would need to be completed before HC can proceed to transact other business that requires its decision. Members may refer to the list below for matters awaiting HC's consideration/decision:

#### Matters related to legislative work

- (a) consideration of Bills referred to the House Committee under Rule 54(4) of the Rules of Procedure ("RoP"). A list of Bills awaiting the consideration of HC is in **Appendix I**;
- (b) consideration of reports of Bills Committees in preparation for resumption of Second Reading debates in the Council. A list of Bills Committees which have completed their scrutiny work is in **Appendix II**;
- (c) decision on the manner of consideration of subsidiary legislation and any other instrument made under any Ordinance. A list of subsidiary legislation gazetted since 11 October 2019 the period for amendment of which has not yet expired and also those not subject to amendment by the Legislative Council is in **Appendix III**. Besides, there are a total of 44 items of subsidiary legislation the period for amendment of which have already expired, and HC has not considered whether to form subcommittees for scrutiny;

Matters related to other Council business

- (d) consideration of the grouping of policy areas of and debate arrangements for the debate on the Chief Executive's policy address (the motion debate originally scheduled to be held at the Council meeting on 13, 14 and 15 November 2019 will be rescheduled to a later date to be determined after the chairman and deputy chairman of HC for the 2019-2020 session are elected);
- (e) election of members of The Legislative Council Commission ("LCC") for the 2019-2020 session under section 4(1)(e) of The Legislative Council Commission Ordinance (Cap. 443) (the term of office of LCC's elected members for the 2018-2019 session expired on 25 October 2019) ;
- (f) election of members of the Committee on Access to the Legislature's Documents and Records ("CoA") for the 2019-2020 session (the term of office of CoA's elected members for the 2018-2019 session expired on 25 October 2019) ;
- (g) nomination and election of three Members to serve on the Council of The Chinese University of Hong Kong ("CUHK Council") for the 2019-2020 session (the term of office of the three Members elected at the HC meeting on 28 October 2016 to serve on the CUHK Council expired on 27 October 2019);
- (h) nomination and election of five Members to serve on the Court of the University of Hong Kong ("HKU Court") for the 2019-2020 session (the term of office of the five Members elected at the HC meeting on 28 October 2016 to serve on the HKU Court expired on 27 October 2019);

Matters subject to completion of relevant proceedings in the Council

- (i) election of Members for appointment to an investigation committee established under RoP 49B(2A) in respect of a motion to censure a Member (if any). A list of relevant motions already/to be dealt with by the Council is in **Appendix IV**;
- (j) making recommendations to the President on the size of a select committee (if any) and its membership. A list of relevant motions to be dealt with by the Council is in **Appendix V**; and

Proposals from Panels/committees

(k) consideration of proposals submitted by committees (e.g. proposals for duty visits outside Hong Kong/proposals for funding of visits outside Hong Kong to be charged to individual Members' Overseas Duty Visit accounts).

2. Members may also wish to note that there are some duties which are to be performed by the HC Chairman for the 2019-2020 session, including, among others, (a) signifying in writing that the HC Chairman has been consulted in accordance with RoP 54(5) on the resumption of Second Reading debates on Bills<sup>1</sup>; (b) moving the Motion of Thanks for the purpose of conducting the debate on the Chief Executive's policy address; (c) moving the motion(s) to take note of the HC Report(s) on Consideration of Subsidiary Legislation and Other Instruments to be presented by the HC Chairman at the relevant Council meeting(s); and (d) presiding over a meeting between Members and The Ombudsman, which is held on a yearly basis, normally in about December, to discuss the work of The Ombudsman and issues of mutual concern.

Council Business Division 2  
Legislative Council Secretariat  
12 December 2019

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<sup>1</sup> HC had already considered the reports of the Bills Committee on Trade Marks (Amendment) Bill 2019 and the Bills Committee on National Anthem Bill in the 2018-2019 session, and noted that the Administration had not decided on the dates of the resumption of the Second Reading debates on the Bills. HC raised no objection to the resumption of the Second Reading debates on these two Bills at a future Council meeting.

## Appendix I

### Bills awaiting the consideration of the House Committee (as at 12:30 pm on 12 December 2019)

<b>Bills</b>	<b>Date of First Reading</b>	<b>Legal Service Division Report No.</b>
1. Mandatory Provident Fund Schemes (Amendment) Bill 2019	23.10.2019	LS6/19-20
2. Rating (Amendment) Bill 2019	23.10.2019	LS4/19-20
3. Freight Containers (Safety) (Amendment) Bill 2019	23.10.2019	LS2/19-20 LS21/19-20
4. Supplementary Appropriation (2018-2019) Bill	30.10.2019	LS14/19-20
5. Pharmacy and Poisons (Amendment) Bill 2019	30.10.2019	LS16/19-20
6. Copyright (Amendment) Bill 2019	27.11.2019	LS18/19-20
7. Road Traffic Legislation (Parking Spaces) (Amendment) Bill 2019	27.11.2019	LS22/19-20
8. St. John's College (Amendment) Bill 2019	4.12.2019	LS9/19-20
9. Fisheries Protection (Amendment) Bill 2019	11.12.2019	to be issued

## **Appendix II**

### **Bills Committees which have completed their scrutiny work (as at 12:30 pm on 12 December 2019)**

1. Bills Committee on Hotel and Guesthouse Accommodation (Amendment) Bill 2018
2. Bills Committee on Fire Safety (Industrial Buildings) Bill
3. Bills Committee on Broadcasting and Telecommunications Legislation (Amendment) Bill 2019
4. Bills Committee on Occupational Retirement Schemes (Amendment) Bill 2019

**Subsidiary legislation the scrutiny period of which has not yet expired  
and awaiting the consideration of the House Committee  
(as at 12:30 pm on 12 December 2019)**

Gazette date (Legal Notice No.)		Subsidiary legislation	Date of tabling in Council (meeting by which amendment is to be made)	Legal Service Division Report No.
1.	1.11.2019 (159/19)	Employees Retraining Ordinance (Amendment of Schedule 2) Notice 2019	6.11.2019 (8.1.2020 <sup>#</sup> )	LS15/19-20
2.	1.11.2019 (160/19)	Tax Reserve Certificates (Rate of Interest) (Consolidation) (Amendment) Notice 2019	6.11.2019 (8.1.2020 <sup>#</sup> )	LS15/19-20
3.	22.11.2019 (167/19)	Metrication Ordinance (Amendment of Schedules) Order 2019	27.11.2019 (18.12.2019)	LS24/19-20
4.	22.11.2019 (168/19)	Registration of Persons (Application for New Identity Cards) Order 2018 (Amendment) (No. 2) Order 2019	27.11.2019 (18.12.2019)	LS24/19-20
5.	22.11.2019 (169/19)	Airport Authority Ordinance (Map of Restricted Area) (Amendment) Order 2019	27.11.2019 (18.12.2019)	LS24/19-20
6.	29.11.2019 (170/19)	Legal Aid (Amendment) Regulation 2019	4.12.2019 (18.12.2019)	LS25/19-20
7.	29.11.2019 (171/19)	Legal Aid (Assessment of Resources and Contributions) (Amendment) Regulation 2019	4.12.2019 (18.12.2019)	LS25/19-20
8.	29.11.2019 (172/19)	Legal Aid Ordinance—Resolution of the Legislative Council (Commencement) Notice	4.12.2019 (18.12.2019)	LS25/19-20
9.	29.11.2019 (173/19)	Merchant Shipping (Seafarers) (Working and Living Conditions) (Amendment) Regulation 2019	4.12.2019 (18.12.2019)	LS25/19-20
10.	29.11.2019 (174/19)	Merchant Shipping (Seafarers) (Allotments) (Amendment) Regulation 2019	4.12.2019 (18.12.2019)	LS25/19-20
11.	6.12.2019 (177/19)	Air Navigation (Hong Kong) Order 1995 (Amendment of Schedule 16) Order 2019	11.12.2019 (8.1.2020)	To be issued
12.	6.12.2019 (178/19)	Dangerous Goods (Consignment by Air) (Safety) Regulations (Amendment of Schedule) Order 2019	11.12.2019 (8.1.2020)	To be issued

# Period for amending the subsidiary legislation has been extended

**Subsidiary legislation not required to be tabled in Council and  
not subject to amendment by the Legislative Council  
(as at 12:30 pm on 12 December 2019)**

<b>Gazette date (Legal Notice No.)</b>		<b>Subsidiary legislation</b>	<b>Legal Service Division Report No.</b>
1.	25.10.2019 (157/19)	United Nations Sanctions (Democratic Republic of the Congo) Regulation 2019	LS12/19-20
2.	25.10.2019 (158/19)	United Nations Sanctions (South Sudan) Regulation 2019	LS12/19-20
3.	29.11.2019 (175/19)	United Nations Sanctions (Central African Republic) Regulation 2019 (Amendment) Regulation 2019	LS25/19-20
4.	29.11.2019 (176/19)	United Nations Sanctions (Mali) Regulation 2019	LS25/19-20

## Appendix IV

### **Motions under Rule 49B(1A) of the Rules of Procedure already/to be dealt with at Council meeting(s) (as at 12:30 pm on 12 December 2019)**

- 1.\* Motion under Rule 49B(1A) of the Rules of Procedure to censure Dr Hon Junius HO  
(Mover : Dr Hon KWOK Ka-ki)
  
- 2.\* Motion under Rule 49B(1A) of the Rules of Procedure to censure Dr Hon Junius HO  
(Mover : Hon Claudia MO)
  
- 3.\* Motion under Rule 49B(1A) of the Rules of Procedure to censure Dr Hon CHENG Chung-tai  
(Mover : Hon YUNG Hoi-yan)
  
4. Motion under Rule 49B(1A) of the Rules of Procedure to censure Hon LAM Cheuk-ting  
(Mover : Dr Hon Junius HO)

\* At the Council meeting of 11 December 2019, the matter stated in the motion has been referred to an investigation committee.

**Motions under the Legislative Council (Powers and Privileges) Ordinance  
to appoint a select committee to conduct an inquiry  
to be dealt with by the Council  
(as at 12:30 pm on 12 December 2019)**

**Three motions in relation to the protest which occurred outside the  
Legislative Council on 12 June 2019**

1. Motion to be moved by Hon Andrew WAN
2. Motion to be moved by Hon Jeremy TAM
3. Motion to be moved by Hon AU Nok-hin

**Two motions in relation to the incident of assaults which occurred in  
Yuen Long Station of West Rail Line of the MTR Corporation Limited on  
21 July 2019**

4. Motion to be moved by Hon LAM Cheuk-ting
5. Motion to be moved by Hon Claudia MO

**A motion in relation to the incident of assaults which occurred in Prince  
Edward Station of the MTR Corporation Limited on 31 August 2019**

6. Motion to be moved by Hon KWONG Chun-yu

**Five motions in relation to the Police's handling of protesters and persons  
performing duties in the protests during the "anti-extradition to China"  
movement**

7. & 8. Two motions to be moved by Hon Tanya CHAN
9. & 10. Two motions to be moved by Dr Hon KWOK Ka-ki
11. Motion to be moved by Hon Gary FAN

**Two motions in relation to the causes and consequences of the social  
conflicts or disturbances arising from the amendments to the Fugitive  
Offenders Ordinance (Cap. 503) and related matters**

12. Motion to be moved by Hon CHUNG Kwok-pan
13. Motion to be moved by Dr Hon Priscilla LEUNG