

立法會
Legislative Council

LC Paper No. FC202/20-21

Ref : CB1/F/1
Tel : 3919 3129
Date : 29 July 2021
From : Clerk to the Finance Committee
To : Members of the Finance Committee

Finance Committee

**Consultation on proposals to amend the Finance Committee Procedure,
the Establishment Subcommittee Procedure and
the Public Works Subcommittee Procedure**

In light of the operational experience of the Finance Committee ("FC") and its subcommittees (i.e. Establishment Subcommittee ("ESC") and Public Works Subcommittee ("PWSC")), and following recent implementation of various amendments to the Rules of Procedures ("RoP") and House Rules ("HR"), the FC Chairman has directed the Secretariat to review the Finance Committee Procedure ("FCP"), the Establishment Subcommittee Procedure ("ESCP") and the Public Works Subcommittee Procedure ("PSWCP") to identify areas which may warrant amendments, with a view to aligning with the procedures in RoP and HR, improving the clarity of provisions, reflecting current practices, and most importantly ensuring orderly, efficient and fair disposition of the business of FC and its subcommittees.

2. In this connection, as Hon Martin LIAO had submitted a proposal in 2018 to lay down a procedure for a subcommittee of FC to recommend and FC to decide whether an item already endorsed by the subcommittee should again be discussed in FC (vide LC Paper No. FC97/17-18(01)), on the instruction of the Chairman and with the concurrence of Mr LIAO, the proposal with minor modifications has been incorporated into the current consultation exercise (i.e. Proposal 1 in **Appendix I**) for members' consideration.

3. Members are invited to give their views on the proposals in **Appendix I** by completing and returning the questionnaire in **Appendix II on or before Wednesday, 11 August 2021**. Subject to the concurrence of the Chairman, necessary and suitable modifications may be made to finetune the proposed amendments having regard to Members' views received and operational needs. Those proposed amendments that receive sufficient support will be considered by FC at a meeting.

(Anita SIT)
Clerk to the Finance Committee

Encls.

**Proposals to amend the Finance Committee Procedure,
the Establishment Subcommittee Procedure
and the Public Works Subcommittee Procedure**

No.	Issue	Proposed amendments
1.	<p>Specifying a procedure for a subcommittee of FC to recommend and for FC to decide whether an item already endorsed by the subcommittee should again be discussed in FC</p> <p>FCP 3 provides that items endorsed by a subcommittee are not normally discussed again in FC, though FC is free to accept or overturn any recommendation. Due to the lack of a procedure to enable a subcommittee to make recommendation to FC on whether an item endorsed by it should be further discussed when it is placed before FC for consideration, FC has been faced with a situation where any member may require any such item(s) to be further discussed as long as notice is given.</p> <p>For more effective use of FC's meeting time, there is a need to provide a procedure under which it is for a subcommittee to recommend and FC to decide whether an item already endorsed by the subcommittee should again be discussed in FC.</p>	<p>Draft amendments to be prepared depending on members' feedback to the consultation exercise.</p> <p>Modelled on the proposal made by Hon Martin LIAO in January 2018, it is proposed that:</p> <p>(a) immediately after an item has been endorsed by a subcommittee for submission to FC, the subcommittee chairman shall forthwith put the question on whether the subcommittee recommends further discussion of the item by FC to the subcommittee for decision without amendment or debate. The recommendation once made may not be withdrawn or overturned by the subcommittee, and shall be included in the paper for submission to FC;</p> <p>(b) such recommendation of a subcommittee would be followed unless a request jointly made by three FC members to overturn the recommendation of the subcommittee is acceded to by a majority of FC members voting. Any request that such recommendation of a subcommittee be overturned should reach the Clerk not less than two clear days before the FC meeting concerned but the Chairman may allow a shorter notice. No fresh notice of such request may be given if the agenda item is carried over to another meeting. The Chairman shall put the question on the request to vote without amendment or debate;</p>

No.	Issue	Proposed amendments
		<p>(c) where notice is given jointly by three FC members to request that the recommendation of a subcommittee be overturned, the Clerk shall duly notify the Administration not later than 5:00 pm on the working day before the meeting concerned to facilitate preparation; and</p> <p>(d) items which do not require further discussion as recommended by the subcommittee or as decided by FC shall be forthwith put to vote.</p>
<p>2.</p>	<p>Specifying a procedure for FC to exercise power to summon persons concerned to testify or give evidence</p> <p>FCP 19 reflects the summoning power of FC conferred on it pursuant to section 9(1) of the Legislative Council (Powers and Privileges) Ordinance (Cap. 382) and RoP 80(a) ("summoning power"). However, no specific procedure is available in FCP for the Committee to follow in considering whether and how to exercise such power.</p>	<p>Draft amendments to be prepared depending on members' feedback to the consultation exercise.</p> <p>It is proposed that:</p> <p>(a) notice of a motion for the Committee to summon a certain public officer/person ("summoning motion") shall be signed by the member wishing to move the motion and five other members. Such notice should be given not less than two clear days before the FC meeting concerned, but the Chairman may allow a shorter notice. The Clerk shall duly notify the Administration of the motion not later than 5:00 pm on the working day before the meeting concerned to facilitate preparation. No fresh notice of such motion may be given if the agenda item concerned is carried over to another meeting;</p> <p>(b) each member may give notice or be the signatory of no more than one such motion, which is not amendable, in respect of the same agenda item;</p>

No.	Issue	Proposed amendments
		<p>(c) apart from the terms of the proposed motion, the notice should be accompanied by a statement in writing explaining the necessity for FC to summon the person(s) concerned for deliberation of the agenda item;</p> <p>(d) the Chairman shall have the sole discretion to determine the admissibility of summoning motions;</p> <p>(e) the Chairman should order a joint debate on all the summoning motions ruled admissible in respect of the same agenda item at a juncture he/she considers appropriate during the Committee's deliberation on the agenda item and put each of the motions to vote separately after debate; and</p> <p>(f) if any summoning motion is passed, the Chairman may order to adjourn the item without putting any question; and if so adjourned, the Committee's deliberation on the agenda item shall resume at a meeting as decided by the Chairman.</p>

No.	Issue	Proposed amendments
3.	<p>Discontinuation of the procedure for moving motions without notice to express views on an agenda item</p> <p>Modelled on HR 22(p),¹ which is applicable to Panels and policy subcommittees, the procedure under FCP 37A was added to FCP, ESCP and PWSCP in November 2007. As the procedure had been persistently abused for filibustering, FC amended FCP 37A on 1 March 2018 to specify that each member may propose no more than one such motion in relation to an agenda item and that such motion is not amendable.</p> <p>Unlike Panels and policy subcommittees which are forums for deliberating policy issues and giving views on major legislative or financial proposals before their formal introduction into the Legislative Council or FC, FC is tasked with the statutory function of approving financial proposals from the Government. Given FC's pivotal function, it is incumbent upon FC to make decisions on financial proposals within a reasonable time. Hence, FC and its subcommittees are not suitable forums for handling individual members' motions to express views, which may unnecessarily prolong their proceedings thereby jeopardizing FC's performance of its statutory function.</p>	<p>Draft amendments in Annex A.</p> <p>The procedure under FCP 37A* be removed.</p>

*** There are equivalent provisions in ESCP and PWSCP, and it is proposed that those provisions should be amended in the same terms as FCP.**

¹ The then HR22(p) specified that, during a Panel meeting, a motion might be proposed if it was considered by the chairman of the Panel as directly related to an agenda item of that meeting. The motion would be proceeded with if agreed by a majority of the members voting. HR22(p) has been amended by the House Committee in February 2021 to specify that notice has to be given not less than two clear days before a meeting of a Panel or a policy subcommittee for moving motions to express views at the meeting.

No.	Issue	Proposed amendments
	<p>Having regard to the need to ensure that FC (with the assistance of its subcommittees) can properly perform its function to approve Government's financial proposals, members are invited to consider removing the procedure under FCP 37A.</p>	
<p>4.</p>	<p>Specifying explicitly the power of the Chairman to regulate the process of meetings, including the power to set time limits on the consideration of agenda items or motions</p> <p>As confirmed by the relevant court ruling,² in performing his/her responsibility for chairing FC meetings, the FC Chairman has the power to regulate the process of the meetings, including the power to "set limits to and terminate a debate".</p> <p>Unlike other committees, the Chairman of FC/ESC/PWSC, in approving an agenda of an FC/ESC/PWSC meeting, normally will not decide on the time allotted for each item. In order to ensure the orderly, efficient and fair disposition of the business of FC and its subcommittees, members are invited to consider specifying explicitly the above established principle in FCP, ESCP and PWSCP.</p>	<p>Draft amendments in Annex B.</p> <p>FCP 13* be amended to spell out that the Chairman shall have the power to regulate the process of meetings, including the power to set time limits on the consideration of agenda items or motions.</p>

² The extent of the FC Chairman's power to chair meetings under FCP 13 was considered by the Court of First Instance ("CFI") in *Wong Yuk Man v Ng Leung Sing and Tommy Cheung Yu Yan*, HCAL 78/2014. Applying the Court of Final Appeal's judgment in *Leung Kwok Hung v President of the Legislative Council of the HKSAR* [2015] 1 HKC 195, CFI held that FC Chairman has the power to control and regulate the process of FC meetings under FCP.

No.	Issue	Proposed amendments
5.	<p>Retaining the provision in FCP 13 whereby the Committee may decide that the Chairman (and/or the Deputy Chairman) is unable to act for a particular item, or amending the provision to make the procedure consistent with RoP 3(2)</p> <p>Since the first set of FCP was adopted by FC in 1994, there has been a provision whereby the Committee may decide that the Chairman (and/or the Deputy Chairman) is unable to act for a particular item. The provision was also included in ESCP and PWSCP in 1997.</p> <p>Pursuant to the above provision, a member may move a motion without notice seeking to disallow the Chairman (and/or the Deputy Chairman) to chair the meeting(s) for a particular item. On two occasions during the Fifth LegCo, FC dealt with (and negated) such motion moved on the ground that the Chairman had a conflict of interest in an item under consideration by FC. On several occasions during the Sixth LegCo, there were requests to move such motion on other grounds, and the Chairman declined to deal with the requests as he considered the grounds put forth invalid.</p> <p>There is no similar provision in RoP and the reason for inclusion of the provision in FCP, ESCP and PWSCP is not revealed in the Secretariat's records. It is also noted that the practices and procedures of other committees of Legislative Council do not contain similar provision. On the other hand, RoP 3(2) provides that the President or the President's Deputy may choose not to preside at a meeting of the Council or a committee of the whole Council if in his/her opinion, he/she is unable to act.</p>	<p>Option 1</p> <p>The provision in FCP 13* whereby the Committee may decide that the Chairman (and/or the Deputy Chairman) is unable to act for a particular item be retained.</p> <p>Option 2</p> <p>FCP 13* be amended by removing the provision whereby the Committee may decide that the Chairman (and/or the Deputy Chairman) is unable to act for a particular item, so as to make the procedure consistent with RoP3(2). Draft amendments in Annex B.</p>

No.	Issue	Proposed amendments
	<p>In light of the above, members are invited to consider whether the relevant provision in FCP, ESCP and PWSCP allowing the committee concerned to decide whether the Chairman (or Deputy Chairman) is unable to act for a particular item should be retained, or whether the provision should be amended to make it consistent with RoP 3(2).</p> <p>In this connection, members are invited to note that although there is no provision in RoP regarding pecuniary interests of committee chairmen in matters considered by committees, it has been the practice of FC and its subcommittees that if the Chairmen (and the Deputy Chairmen when they preside) consider that there may be concern about conflict of interest in their chairing for a particular item, they would make a declaration on the relevant matter. There were also cases where in view of such concern, the Chairman of his own volition decided not to act for particular items. As meetings of FC and its subcommittees are held in public, the Chairmen and Deputy Chairmen are subject to the public's monitoring as to whether they are fair and just in performing chairmanship.</p>	

No.	Issue	Proposed amendments
6.	<p>Specifying explicitly that the Deputy Chairman or other member presiding shall enjoy all those powers conferred by FCP/ESCP/PWSCP on the Chairman when they have to assume chairmanship, save as otherwise provided in RoP</p> <p>To provide certainty regarding the powers of the Deputy Chairman or other member presiding when they have to assume chairmanship, members are invited to consider including relevant express provision in FCP/ESCP/PWSCP by modelling on RoP 3(3).³</p>	<p>Draft amendments in Annex B.</p> <p>A new provision be added to FCP, ESCP and PWSCP to specify explicitly that the Deputy Chairman or other member presiding shall enjoy all those powers conferred by FCP/ESCP/PWSCP on the Chairman when they have to assume chairmanship, save as otherwise provided in RoP.</p>
7.	<p>Specifying explicitly the power of FC Chairman to determine the necessary modifications on the application of RoP 29 to 35 (Part G on "Motions") to the proceedings of FC in dealing with motions</p> <p>The provision on the application of RoP 29 to 35 is unclear as to how the "necessary modifications" in question are to be determined, and this had given rise to confusion and difficulties when applying the RoP provisions to FC proceedings. Members are invited to consider specifying explicitly in FCP that it shall be for the Chairman to determine the "necessary modifications" so as to ensure the orderly, efficient and fair disposition of the Committee's business.</p>	<p>Draft amendments in Annex C.</p> <p>FCP 37 be amended to specify that save as otherwise provided in FCP or in the resolution made by the Committee on 13 January 2018,⁴ RoP 29 to 35 shall apply, with necessary modifications as determined by the Chairman, to the proceedings of the Committee in dealing with motions.</p>

³ RoP(3)3 provides that "[t]he President's deputy or other Member presiding shall enjoy all those powers conferred by these Rules of Procedure on the President or Chairman that are exercisable in respect of the meeting, or part of the meeting, of the Council or a committee of the whole Council at which the President's deputy or that Member presides or is Chairman, or in respect of which the President has requested that he preside or be Chairman".

⁴ FC made a resolution on 13 January 2018 on the procedure for FC to deal with members' motions to amend FCP, ESCP and PWSCP.

No.	Issue	Proposed amendments
8.	Amendments to make the provisions relating to Legal Advisers to FC and its subcommittees consistent with the current provisions relating to the Clerks to FC and its subcommittees	<p>Draft amendments in Annex D.</p> <p>FCP 9 be amended to make the provision relating to Legal Adviser to FC consistent with the current provision relating to the Clerk to FC, and a similar provision relating to the Legal Advisers to the subcommittees be added to ESCP and PWSCP.</p>
9.	Amendments to maintain consistency with RoP and HR, to improve the clarity of provisions and to reflect current practices	<p>Draft amendments in Annex E.</p>
	(a) Amendments to maintain consistency with RoP and HR.	<p>(i) Definition of "clear days" in footnote 3* of FCP be amended to align with the amended RoP 93(b);</p> <p>(ii) FCP 33* be amended to align with the amended RoP 39 regarding interruptions;</p> <p>(iii) FCP 38 be amended to align with the amended RoP 43 concerning the rules of speaking;</p> <p>(iv) FCP 39* be amended to align with the amended RoP 40 in relation to the procedure to adjourn the discussion on an item;</p> <p>(v) FCP 47* be amended to accord with RoP 49(6), i.e. to specify that a question on a motion to shorten the time for ringing the division bell should be put without debate;</p> <p>(vi) FCP 54* be amended to accord with HR 28 in relation to arrangements during adverse weather conditions; and</p> <p>(vii) amendments be made to the Chinese character "舉" to "舉" wherever it appears in FCP* to align with RoP.</p>

No.	Issue	Proposed amendments
	(b) Specifying explicitly the power of Chairman to convene special meetings to deal with business of the Committee other than urgent items to reflect the current practice.	FCP 10* be amended to provide explicitly that the Chairman may convene special meetings to deal with business of the Committee other than urgent items.
	(c) Fine-tuning the procedure for handling requests for attendance of public officers or other persons at meetings.	FCP 17* be amended to the effect that any request from a member for attendance of public officers and other persons should reach the Clerk not less than two clear days before the meeting concerned but the Chairman may allow a shorter notice; subject to the agreement of the Chairman or the Committee as appropriate, the Clerk shall notify the Administration as soon as practicable to facilitate arrangement.
	(d) Clarifying that only members of a subcommittee may participate in the proceedings on motions.	ESCP 4 and PWSCP 5 be amended.
	(e) Updating the procedure on extension of meetings of subcommittees to align with that for other committees.	ESCP 10A and PWSCP 11A be amended.

Abbreviation List: ESCP Establishment Subcommittee Procedure
FC Finance Committee
FCP Finance Committee Procedure
HR House Rules
PWSCP Public Works Subcommittee Procedure
RoP Rules of Procedure

**Marked-up version of the proposed amendments to
paragraph 37A of the Finance Committee Procedure***

Motions

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~~37A. During the deliberation of an agenda item, prior to the question on it being put to vote, a member may move a motion without notice to express a view or views on the agenda item if the motion is considered by the Chairman as directly related to the agenda item and if agreed by a majority of members that it should be proceeded forthwith. No debate shall take place to ascertain if members will so agree. Each member may propose no more than one such motion, which is not amendable. Any proposed motion has to be in written form and presented by a time specified by the Chairman.~~

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* Corresponding amendments are proposed to be made to ESCP and PWSCP.

Legend:

Texts proposed to be deleted are shown with deletion lines.

**Marked-up version of the proposed amendments to
paragraph 13 of the Finance Committee Procedure***

Meetings

13. The Chairman *shall chair committee meetings and shall have the power to regulate the process of the meetings, including the power to set time limits on the consideration of agenda items or motions.* ~~or, if he~~ *If the Chairman* is not available, the Deputy Chairman shall chair committee meetings. If neither of them is present within 15 minutes of the time appointed for a meeting or if both of them have notified the Clerk that they will not be present at the meeting, the members present shall elect one from among themselves to chair the meeting. If the Chairman decides that he is unable to act for a particular item, ~~or if so decided by the Committee,~~ the Deputy Chairman shall chair the meeting for that particular item. If both of them decide that they are unable to act, ~~or if so decided by the Committee,~~ the members present shall elect one from among themselves to chair the meeting for that item.

13A. Save as otherwise provided in the Rules of Procedure, the Deputy Chairman or the member presiding shall enjoy all those powers conferred by this Procedure on the Chairman that are exercisable in respect of the meeting, or part of the meeting, of the Committee at which the Deputy Chairman or that member presides, or in respect of which the Chairman has requested that he preside.

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* Corresponding amendments are proposed to be made to ESCP and PWSCP.

Legend:

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

Texts proposed to be deleted are shown with deletion lines.

**Marked-up version of the proposed amendments to
paragraph 37 of the Finance Committee Procedure**

Motions

37. ~~Subject to the decisions of the Committee made from time to time~~ *Save as otherwise provided in this Procedure and in the resolution made and passed by the Committee on 13 January 2018*, Rules 29 to 35 of the Rules of Procedure shall apply, with necessary modifications *as determined by the Chairman*, to the proceedings of the Committee in dealing with motions.

* * * * *

Legend:

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

Texts proposed to be deleted are shown with deletion lines.

**Marked-up version of the proposed amendments to
paragraph 9 of the Finance Committee Procedure,
and to the Establishment Subcommittee Procedure and
the Public Works Subcommittee Procedure**

Finance Committee Procedure

Counsel *Legal Adviser* to the Finance Committee

9. The Legal Adviser ~~of the Legislative Council Secretariat is the Counsel to the Committee and its subcommittees. He~~ advises the Chairman and the Clerk on all legal matters in relation to the business and administration of the Committee.

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Establishment Subcommittee Procedure*

Legal Adviser to the Establishment Subcommittee

8A. The Legal Adviser advises the Chairman and the Clerk on all legal matters in relation to the business and administration of the Subcommittee.

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* Corresponding amendments are proposed to be made to PWSCP.

Legend:

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

Texts proposed to be deleted are shown with deletion lines.

**Marked-up version of the proposed amendments to
paragraphs 10, 17, 33, 38, 39, 47 and 54
of the Finance Committee Procedure*,
paragraphs 4 and 10A of the Establishment Subcommittee Procedure
and paragraphs 5 and 11A of the Public Works Subcommittee Procedure**

Finance Committee Procedure

Meetings

10. The Committee meets at the time (including any time during the period when the Council is in recess between the end of one session and the beginning of the next session) and the place determined by the Chairman [Rule 71(6)]. At the beginning of each session, the Clerk shall seek the Chairman's agreement to a provisional schedule of dates of Committee meetings for the session and inform members and the Administration accordingly. The Chairman may decide to convene special meetings to consider urgent items *or to deal with other business of the Committee.*

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Footnote 3

The term "clear days" *as a period of time* excludes the day of the giving of a notice, the day of the meeting and intervening Sundays and public holidays, *and ends at 5:00 pm on the last day of that period.*

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* Corresponding amendments are proposed to be made to ESCP and PWSCP.

Legend:

Texts proposed to be added are shown in italics.

Texts proposed to be deleted are shown with deletion lines.

Attendance of Public Officers and Other Persons

17. The Chairman or the Committee may invite any public officer, or, in the case of a head of the Estimates relating to a non-government body or organization, any member or employee of that body or organization to give information or any explanation or to produce any records or documents which the Committee may require in the performance of its duties; and the Committee may also invite any other person to assist the Committee in relation to any such information, explanation, records or documents [Rule 71(12)]. Should a member wish to request that a public officer or other person be invited to attend a meeting of the Committee, such request should reach the Clerk ~~by 5:00 pm on the working day~~ *not less than two clear days* before the meeting concerned *but shorter notice may be given with the Chairman's consent. Subject to the agreement of the Chairman or the Committee as appropriate, the request will be forwarded to the Administration as soon as practicable for arrangement.* The Clerk will state in the agenda the office of the public officers and other persons invited for discussion of the particular items.

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Order in Committee

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33. A member may not interrupt another member except –
- (a) on a point of order, *and if called by the Chairman, when the member speaking shall give way and, subject to paragraph 33A, the member interrupting shall direct attention to the point* which he wishes to bring to notice for the Chairman's decision; or
 - (b) to seek elucidation on some matters raised by that member in the course of discussion, if the member speaking is willing to give way and the Chairman agrees [Rule 39].

33A. The Chairman may direct the member who is interrupting another member under paragraph 33(a) to discontinue speaking if the Chairman is of the opinion that the interruption is an abuse of procedure.

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Rules of Speaking

38. The rules of speaking set out in Rules 36 to 42 of the Rules of Procedure, *except the attire requirement laid down in Rule 42(a)*, shall apply to the proceedings of the Committee unless the Chairman orders otherwise [Rule 43].

39. *Subject to paragraph 39A, A* member ~~when speaking~~ *who has been called upon by the Chairman to speak* on a proposal in the Committee, *and before he so speaks*, may move without notice that discussion on an item be now adjourned. Thereupon the Chairman shall propose the question on the motion to adjourn [Rule 40]. A member, when speaking on the question, may not speak more than once [Rule 38] and shall not make a speech for more than three minutes or any time period as decided by the Chairman. When no or no more member indicates his intention to speak on the question, the Chairman shall forthwith put the question on the motion to the Committee for its decision. No member may speak on the question after it has been put [Rule 33].

39A. Where the Chairman is of the opinion that the moving of the motion that the discussion on an item be now adjourned is an abuse of procedure, he may decide not to propose the question on the motion or to put the question forthwith without debate [Rule 40(1B)].

* * * * *

Voting

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~~ *put* the question on that motion *without debate*. 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.

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Adverse Weather

54. The following arrangements shall apply to the Committee during adverse weather conditions:

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- (b) Unless directed otherwise by the Chairman, all meetings shall be cancelled if a Tropical Cyclone Warning Signal No. 8 or above or a Black Rainstorm Warning Signal *or a territory-wide extreme conditions announcement* is issued or in force within two hours before the appointed time of the meeting.

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Establishment Subcommittee Procedure*

Membership

4. FC members who have not elected to join the ESC may attend ESC meetings and take part in the discussion *of agenda items on submissions from the Administration* but have no right to vote. *Only members of the ESC may take part in the discussion and vote on motions.*

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Meetings

10A. The Subcommittee may extend a meeting beyond the appointed ending time where (a) the meeting venue is available during a proposed extension of meeting time; and (b) the meeting time so extended does not clash with the meeting time of the Council if that Council's meeting is going to be held on the same day (preconditions). ~~Unless the Subcommittee decides otherwise, the~~ *The* Chairman may, ~~announce during the appointed time that the meeting is extended~~ *before the appointed ending time of a meeting, decide to extend the meeting, or allow the meeting to continue,* for not more than 15 minutes beyond the appointed ending time of the meeting.

10B. The Subcommittee may ~~further~~ extend a meeting for a specified period of time *beyond 15 minutes* where the ~~same~~ preconditions as set out ~~above~~ *in paragraph 10A* are satisfied, and where there is no dissenting voice when deciding such a ~~further~~ *an* extension. *The proposal to extend a meeting for a specified period beyond 15 minutes has to be put forward during the original appointed meeting time or the period of extension or continuation of meeting as decided by the Chairman referred to in paragraph 10A.*

10C. No new motion should be proposed during the period of extension ~~decided by the Subcommittee~~ *or continuation of meeting referred to in paragraph 10A, or the period of extension of meeting referred to in paragraph 10B* unless the motion is in relation to an item on the agenda which is raised for discussion during the extension *or continuation* period.

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* Corresponding amendments are proposed to be made to PWSCP.

Legend:

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

Texts proposed to be deleted are shown with deletion lines.

Questionnaire

(to be returned on or before Wednesday, 11 August 2021)

Email : f_c@legco.gov.hk

To : Ms Anita SIT
Clerk to the Finance Committee
Legislative Council

Finance Committee

**Consultation on proposals to amend the Finance Committee Procedure,
the Establishment Subcommittee Procedure and
the Public Works Subcommittee Procedure**

My views on the proposals to amend the Finance Committee Procedure ("FCP"), Establishment Subcommittee Procedure ("ESCP") and Public Works Subcommittee Procedure ("PWSCP") as set out in **Appendix I to LC Paper No. FC202/20-21** are as follows:

*(# Please **circle** as appropriate. If necessary, please provide your comments in separate sheets.)*

(Corresponding amendments are proposed to be made to ESCP and PWSCP.)*

Item	Proposed amendments/arrangements	#My views
1.	Proposed procedure for a subcommittee of the Finance Committee ("FC") to recommend and FC to decide whether an item already endorsed by the subcommittee should again be discussed in FC.	<p>Support / Not support / No comment</p> <p><i>Other views/proposals, if any:</i></p>
2.	Proposed procedure for FC to exercise power to summon persons concerned to testify or give evidence.	<p>Support / Not support / No comment</p> <p><i>Other views/proposals, if any:</i></p>

Item	Proposed amendments/arrangements	#My views
3.	FCP 37A* be removed to discontinue the procedure for moving motions to express views on an agenda item at a meeting.	<p>Support / Not support / No comment</p> <hr/> <p><i>Other views/proposals, if any:</i></p>
4.	Amendments to FCP 13* to specify explicitly the power of the Chairman to regulate the process of meetings, including the power to set time limits on the consideration of agenda items or motions.	<p>Support / Not support / No comment</p> <hr/> <p><i>Other views/proposals, if any:</i></p>
5.	<p>Retaining the provision in FCP 13 whereby the Committee may decide that the Chairman (and/or the Deputy Chairman) is unable to act for a particular item, or amending the provision to make the procedure consistent with RoP 3(2)</p> <p>Option 1</p> <p>The provision in FCP 13* whereby the Committee may decide that the Chairman (and/or the Deputy Chairman) is unable to act for a particular item be retained.</p> <p>Option 2</p> <p>FCP 13* be amended by removing the provision whereby the Committee may decide that the Chairman (and/or the Deputy Chairman) is unable to act for a particular item, so as to make the procedure consistent with RoP3(2).</p>	<p>Support Option 1 / Support Option 2 / No comment</p> <hr/> <p><i>Other views/proposals, if any:</i></p>

Item	Proposed amendments/arrangements	#My views
6.	A new provision be added to FCP/ESCP/PWSCP to specify explicitly that the Deputy Chairman or other member presiding shall enjoy all those powers conferred by FCP/ESCP/PWSCP on the Chairman when they have to assume chairmanship, save as otherwise provided in RoP.	<p data-bbox="866 275 1449 315">Support / Not support / No comment</p> <p data-bbox="970 338 1361 378"><i>Other views/proposals, if any:</i></p>
7.	Amendments be made to FCP 37 to specify explicitly the power of FC Chairman to determine the necessary modifications on the application of Rules of Procedures ("RoP") 29 to 35 (Part G on "Motions") to the proceedings of FC in dealing with motions.	<p data-bbox="866 909 1449 949">Support / Not support / No comment</p> <p data-bbox="970 972 1361 1012"><i>Other views/proposals, if any:</i></p>
8.	Amendments to make the provisions relating to Legal Advisers to FC and its subcommittees consistent with the current provisions relating to the Clerks to FC and its subcommittees	<p data-bbox="866 1570 1449 1610">Support / Not support / No comment</p> <p data-bbox="970 1632 1361 1673"><i>Other views/proposals, if any:</i></p>

Item	Proposed amendments/arrangements	#My views
9.	Amendments to maintain consistency with Rules of Procedures and House Rules to improve the clarity of provisions and to reflect current practices	<p data-bbox="868 277 1458 315">Support / Not support^{Note} / No comment</p> <p data-bbox="970 338 1362 376"><i>Other views/proposals, if any:</i></p> <p data-bbox="868 591 1469 770"><i>[Note: If Members consider that only some individual amendment proposal(s) should be adopted or have views on individual proposal(s) under this item, please specify in the Annex to Appendix II as appropriate.]</i></p>

Signature : _____

Name of Member : _____

Date : _____

Proposed amendments to maintain consistency with Rules of Procedures and House Rules, to improve the clarity of provisions and to reflect current practices

*(# Please **circle** as appropriate. If necessary, please provide your comments in separate sheets.)*

(Corresponding amendments are proposed to be made to ESCP and PWSCP.)*

Item	Proposed amendments/arrangements	#My views
9(a)	Amendments to maintain consistency with RoP and HR.	<p>Support / Not support / No comment</p> <p><i>Other views/proposals, if any:</i></p>
9(b)	Amendments be made to FCP10* to specify explicitly the power of Chairman to convene special meetings to deal with business of the Committee other than urgent items to reflect the current practice.	<p>Support / Not support / No comment</p> <p><i>Other views/proposals, if any:</i></p>
9(c)	Amendments be made to FCP 17* to fine-tune the procedure for handling requests for attendance of public officers or other persons at meetings.	<p>Support / Not support / No comment</p> <p><i>Other views/proposals, if any:</i></p>

Item	Proposed amendments/arrangements	#My views
9(d)	Amendments be made to ESCP 4 and PWSCP 5 to clarify that only members of a subcommittee may participate in the proceedings on motions.	Support / Not support / No comment <i>Other views/proposals, if any:</i>
9(e)	Amendments be made to ESCP 10A and PWSCP 11A to update the procedure on extension of meetings of subcommittees to align with that for other committees.	Support / Not support / No comment <i>Other views/proposals, if any:</i>

Signature : _____

Name of Member : _____

Date : _____