

立法會
Legislative Council

LC Paper No. FC215/20-21

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Tel : 3919 3129
Date : 24 August 2021
From : Clerk to the Finance Committee
To : Members of the Finance Committee

Finance Committee

**Outcome of consultation on proposals to amend
the Finance Committee Procedure,
the Establishment Subcommittee Procedure and
the Public Works Subcommittee Procedure –
First batch of proposed amendments**

Further to LC Paper No. FC 202/20-21 issued on 29 July 2021 inviting members to give views on the proposals to amend the Finance Committee Procedure, the Establishment Subcommittee Procedure and the Public Works Subcommittee Procedure ("first batch of proposed amendments") (i.e. Appendix I to FC202/20-21), this circular informs members of the outcome of the consultation.

2. Members are invited to note that 39 members, out of a total of 41 (excluding the Chairman), responded to the consultation. The consultation results are presented in the **Appendix. The results show that an overwhelming majority of members support all the proposals in the first batch of proposed amendments.**¹

3. With reference to the set of procedures under the resolution made and passed by the Finance Committee ("FC") on 13 January 2018 for dealing with members' motions to amend the said procedures and relevant precedent cases, the Chairman has directed that the proposed amendments will be presented in the form of a motion for FC's consideration at a meeting, and the motion will be moved by the Deputy Chairman (who has indicated concurrence).

¹ Two options (i.e. Options 1 and 2) are proposed under item 5 of the proposals and an overwhelming majority of members support Option 2.

4. Members are further invited to note that the Chairman will consult members on further proposals to amend the said procedures in areas concerning mainly the membership and election of the chairman and deputy chairman of FC and its subcommittees ("the second batch of proposed amendments"). The Chairman intends to deal with the first and second batches of proposed amendments in one go at a future FC meeting. Members will be notified of the meeting arrangements in due course.

(Anita SIT)
Clerk to the Finance Committee

Encls.

Finance Committee

**Outcome of consultation on proposals to amend
the Finance Committee Procedure,
the Establishment Subcommittee Procedure and
the Public Works Subcommittee Procedure
(First batch of proposed amendments)**

(* Corresponding amendments are proposed to be made to the Establishment Subcommittee Procedure ("ESCP") and the Public Works Subcommittee Procedure ("PWSCP"))

Item	Proposed amendments/arrangements (Details are set out in Appendix I to LC Paper No. FC 202/20-21)			
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	Support 36¹	Not support 1	No comment 2
2.	Proposed procedure for FC to exercise power to summon persons concerned to testify or give evidence	Support 38	Not support 0	No comment 1
3.	Paragraph 37A of the Finance Committee Procedure ("FCP")* be removed to discontinue the procedure for moving motions to express views on an agenda item at a meeting	Support 37	Not support 0	No comment 2
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	Support 38	Not support 0	No comment 1

¹ 13 of these members also suggested that "if an item is endorsed by a subcommittee, it is assumed that the item endorsed does not require further discussion by FC unless not less than five FC members jointly request for further discussion in FC. Such a request should reach the Clerk not less than two clear days before the FC meeting concerned, but the Chairman may allow shorter notice. Upon receipt of a joint request made by members, the Chairman needs not seek FC's agreement to the request and may refer the item endorsed by the subcommittee to FC for further discussion". Another member considered that "the existing procedures are working well and there is no need for any amendment. Moreover, if the proposed amendment to "specify the power of the Chairman to set time limits on the consideration of agenda items or motions" is adopted, it will be sufficient to ensure the orderly and efficient use of FC's meeting time".

Item	Proposed amendments/arrangements (Details are set out in Appendix I to LC Paper No. FC 202/20-21)			
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 Rule 3(2) of the Rules of Procedure ("RoP")</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 0</p>	<p>Support Option 2 30</p>	<p>No comment 9</p>
6.	<p>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>	<p>Support 38</p>	<p>Not support 0</p>	<p>No comment 1</p>
7.	<p>Amendments be made to FCP 37 to specify 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>Support 38</p>	<p>Not support 0</p>	<p>No comment 1</p>

Item	Proposed amendments/arrangements (Details are set out in Appendix I to LC Paper No. FC 202/20-21)			
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	Support 38	Not support 0	No comment 1
9.	Amendments to maintain consistency with RoP and House Rules to improve the clarity of provisions and to reflect current practices	Support 38	Not support 0	No comment 1