

立法會
Legislative Council

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Date : 5 July 2021

From : Clerk to the Legislative Council

To : All Members of the Legislative Council

Council meeting of 14 July 2021

**Proposed resolution to be moved by Hon Paul TSE
under Article 75 of the Basic Law to amend the Rules of Procedure**

The President has given permission for Hon Paul TSE to move the attached proposed resolution under Article 75 of the Basic Law at the above meeting. The President has directed that the proposed resolution be printed in the terms in which it was handed in on the Agenda of the Council.

(Miranda HON)
for Clerk to the Legislative Council

Encl.

**Basic Law of the Hong Kong Special Administrative Region
of the People's Republic of China**

Resolution

(Under Article 75 of the Basic Law of the Hong Kong Special
Administrative Region of the People's Republic of China)

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

Resolved that—

- (a) the Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region be amended as set out in the Schedule;
 - (b) subject to paragraph (c), this Resolution is to come into operation on the day on which it is published in the Gazette; and
 - (c) sections 5, 6 and 7 of the Schedule are to come into operation on the day on which the seventh term of office of the Legislative Council begins.
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Schedule

Amendments to Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region

1. Rule 39 amended (interruptions)

(1) Rule 39 –

Renumber the Rule as Rule 39(1).

(2) Rule 39(1)(a) –

Repeal

“when the Member speaking shall resume his seat and”

Substitute

“and if called by the President or Chairman, when the Member speaking shall resume his seat and, subject to subrule (2),”.

(3) After Rule 39(1) –

Add

“(2) The President or Chairman may direct the Member who is interrupting another Member under subrule (1)(a) to discontinue speaking if the President or Chairman is of the opinion that the interruption is an abuse of procedure.”.

2. Rule 42 amended (behaviour of Members during meeting)

(1) Rule 42(a) –

Repeal

“enter or leave the Council properly attired and”

Substitute

“dress in business attire and behave”.

(2) Rule 42(c) –

Repeal

“and”.

(3) Rule 42(d) –

Repeal the full stop

Substitute

“; and”.

(4) After Rule 42(d) –

Add

“(e) a Member may, subject to any such requirements or restrictions as may from time to time be recommended by the House Committee, display an object for illustrating a point in his speech only while he is speaking provided that any sign, graphics, message or any other information displayed on the object conforms to Rule 41 (Contents of Speeches).”.

3. Rule 43 amended (application of Rules to committees)

Rule 43, after “in this Part” –

Add

“, except the attire requirement laid down in Rule 42(a) (Behaviour of Members during Meeting) which shall only apply to the proceedings of the Council and a committee of the whole Council.”.

4. Rule 44 amended (decision of Chair final)

(1) Rule 44, heading –

Repeal

“Chair Final”

Substitute

“the Chair”.

(2) Rule 44 –

Renumber the Rule as Rule 44(1).

(3) After Rule 44(1) –

Add

“(2) Where the President in Council or the Chairman in a committee of the whole Council is of the opinion that the raising of a point of order is an abuse of procedure, he may decide when and how he would deal with the point of order so raised.

- (3) The power conferred on the President in Council or the Chairman in a committee of the whole Council by subrule (2) may be exercised by the chairman or deputy chairman of any other committee, but not by any other member presiding at that committee, in dealing with a point of order.”.

5. Rule 75 amended (House Committee)

- (1) Before Rule 75(4) –

Add

“(3A) The committee shall decide the mechanism for allocation of committee seats of Panels, Bills Committees and subcommittees appointed by the committee, a Panel, two or more Panels or a Bills Committee, and the procedure for election of the chairman and deputy chairman of such committees.”.

- (2) Rule 75(7) –

Repeal

everything after “who”

Substitute

“have signified membership and are allocated committee seats in accordance with the mechanism decided by the committee under subrule (3A).”.

- (3) Rule 75(11), before “any other item” –

Add

“an issue of public concern which falls outside the purview of Panels or”.

- (4) Rule 75 –

Renumber subrule (12) as subrule (12)(a).

- (5) After Rule 75(12)(a) –

Add

“(b) The members of a subcommittee appointed under paragraph (a) shall be those Members (other than

the President) who have signified membership and are allocated committee seats in accordance with the mechanism decided by the committee under subrule (3A).

- (c) Subject to paragraph (d), a subcommittee appointed under paragraph (a) shall consist of not less than 3 members and (unless otherwise decided by the committee) not more than 15 members including the chairman.
- (d) Where a subcommittee is appointed for the purpose of assisting the committee to consider an issue of public concern which falls outside the purview of Panels, such subcommittee shall consist of not less than 3 members and not more than 20 members including the chairman.”.

6. **Rule 76 amended (Bills Committees)**

- (1) Rule 76(1A) –

Repeal

everything after “who”

Substitute

“have signified membership and are allocated committee seats in accordance with the mechanism decided by the House Committee under Rule 75(3A) (House Committee).”.

- (2) Rule 76(3), after “not less than 3 members” –

Add

“and (unless otherwise decided by the House Committee) not more than 15 members”.

- (3) Rule 76(4), after “functions.” –

Add

“The members of a subcommittee shall be those members of the Bills Committee who have signified membership and are allocated committee seats in accordance with the mechanism decided by the House Committee under Rule 75(3A) (House Committee). A subcommittee shall consist

of not less than 3 members and (unless otherwise decided by the House Committee) not more than 15 members including the chairman.”.

7. Rule 77 amended (Panels)

(1) Rule 77(4) –

Repeal

everything after “who”

Substitute

“have signified membership and are allocated committee seats in accordance with the mechanism decided by the House Committee under Rule 75(3A) (House Committee). The term of office of the members of a Panel shall be one session.”.

(2) Rule 77(8), after “6 members” –

Add

“and not more than 20 members”.

(3) Rule 77(9), after “the Panel.” –

Add

“The members of a subcommittee shall be those members of the Panel who have signified membership and are allocated committee seats in accordance with the mechanism decided by the House Committee under Rule 75(3A) (House Committee). A subcommittee shall consist of not less than 3 members and not more than 20 members including the chairman.”.

(4) Rule 77(9A), after “the Panels.” –

Add

“The members of a joint subcommittee shall be those members of the relevant Panels who have signified membership and are allocated committee seats in accordance with the mechanism decided by the House Committee under Rule 75(3A) (House Committee). A joint subcommittee shall consist of not less than 3 members and not more than 20 members including the chairman.”.