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**Legislative Council**

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From : Clerk to Committee on Rules of Procedure  
To : All Members of the Legislative Council

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**Committee on Rules of Procedure**

**Consultation on proposals to amend  
the Rules of Procedure and House Rules**

The Committee on Rules of Procedure ("CRoP") would like to invite Members' views on the proposals submitted by Ir Dr Hon LO Wai-kiwok and Hon CHAN Hak-kan to amend the Rules of Procedure ("RoP") and House Rules ("HR").

**Background**

2. Given the past incidents of filibusters in the Council and committees, lengthy process of election of committee chairmen, grossly disorderly conduct of certain Members and abuse of procedures to cause disruption to the proceedings of the Council and committees, there have been calls to review the rules and procedures of the Legislative Council ("LegCo") in order to achieve the orderly, efficient and fair disposition of Council business. It is also considered an opportune time to conduct a comprehensive review of RoP and HR to better ensure the effective and efficient operation of the legislature to keep up with new developments while upholding the rights of Members to speak and to debate.

3. At its meeting on 3 February 2021, CRoP considered, among other items, the proposals put forward by Ir Dr Hon LO Wai-kiwok and Hon CHAN Hak-kan to amend various parts of RoP and HR covering the operation of committees, conduct of Council business, potential abuse of procedures, etc. The proposed amendments relating to quorum requirements

and membership size of committees were recommended for further study. Relating to these two issues, the proposals regarding the power of committee chairman to deal with points of order and the election of chairman and deputy chairman of committees will be considered at a later time. CRoP agreed to take forward the rest of their proposals and to invite Members' views on these proposals. The key objectives of the proposals which may be divided into five groups ("Proposals 1 to 5") are set out in the ensuing paragraphs and their respective details are provided in **Appendix I**.

## **Proposals to amend the Rules of Procedure and House Rules**

**Proposal 1:** Specifying time limits on debates in Council and adjusting the length of Members' speeches (Group 1 of **Appendix I** refers)

4. Ir Dr Hon LO Wai-kwok's proposals seek to specify time limits on debates in Council and speaking time limits for individual Members in each debate. The proposed amendments are summarized below:

- (a) Time limits on debates: It is proposed that time limits be specified on debates on (i) "substantive motions" (i.e. motions under items mentioned in RoP 18(1)(i) to (n) which involve substantive debates)<sup>1</sup> and (ii) "procedural motions" (which are procedural in nature and relating to the regulation of Council proceedings). An entire debate (including voting) would have to be completed by the time specified while the President of LegCo ("the President") would have the discretion to adjust the time limit. Nevertheless, the proposal would not be applicable to debates on individual Government bills and Members' bills (i.e. items (i) and (k) under RoP 18(1) respectively). The President, as in the past, would be able to specify time limits and debate arrangements for individual bills in the exercise of his powers and functions to preside over meetings under Article 72(1) of the Basic Law;<sup>2</sup> and

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<sup>1</sup> No debate may arise from the business under RoP 18(1)(a) to (h).

<sup>2</sup> The Court of Final Appeal held in *Leung Kwok Hung v. President of LegCo* (2014) 17 HKCFAR 689 (at para. 46) "that the President has power to set limits to and terminate a debate. The existence of the power is inherent in, or incidental to, the power granted by art 72(1) [of the Basic Law] to the President to preside over meetings...".

- (b) Speaking time limits for individual Members: It is proposed that consideration be given to appropriately adjust the 15-minute speaking time limit for a Member by amending RoP 36(5) and other relevant provisions. The proposed speaking time limit for individual Members in each debate with respect to different types of motions is to be specified in HR.

Details of the proposed amendments are in Annex A to **Appendix I**. Separately, Members are invited to further consider the need for introducing procedures for a "closure motion" to bring the debate in progress to a conclusion if Ir Dr LO's proposals to specify time limits on both debates and Members' speeches are to be implemented.

5. Proposals 2 to 5 below are submitted to CRoP by Hon CHAN Hak-kan and cover a wide span of rules in RoP and HR. Below are the major objectives of the Proposals.

**Proposal 2:** Powers of the committee chairman in office to deal with normal business prior to the election of the committee chairman for a new session (Group 2 of **Appendix I** refers)

6. It is proposed to add a new rule to RoP to provide explicitly that the committee chairman in office should continue to enjoy all the powers of a committee chairman until the chairman for a new session is elected.

**Proposal 3:** Discontinuation of motions moved without notice at a committee meeting (Group 3 of **Appendix I** refers)

7. Amendments are proposed to be made to HR 22(p) that a member who wishes to move a motion at a committee meeting should give notice in writing to the relevant clerk at least 6 clear days before the meeting concerned, and any proposed amendments to the motion should reach the clerk no later than 2 clear days in written form before the meeting.

8. Members are also invited to consider whether the Finance Committee should review its existing procedures (and those of its two subcommittees) relating to the moving of a motion without notice during the deliberation of an agenda item and adopt the above proposed procedures if considered appropriate.

**Proposal 4:** Finetuning the procedure for the adjournment of debate in the Council (Group 4 of **Appendix I** refers)

9. It is proposed that RoP 40(1) would not apply to debates under certain rules specified in Group 4 of **Appendix I**. Also, for the sake of consistency, amendments with substantially the same terms as RoP 40(4) are proposed to be made to RoP 40(1).

**Proposal 5:** Other proposed amendments to prevent possible abuse of procedures (Group 5 of **Appendix I** refers)

10. The opportunity is taken to propose some amendments to RoP to enhance operational efficiency. Details of the proposed amendments are given in Annex B to **Appendix I**.

### **Questionnaire**

11. Members are invited to give their views on the five groups of proposed amendments above by completing and returning the questionnaire in **Appendix II** by **Wednesday, 17 February 2021**. Subject to the concurrence of Hon Paul TSE Wai-chun, Chairman of CROp, necessary and suitable modifications may be made to help finetune the proposed amendments having regard to Members' views received and operational needs. Subject to CROp agreement, those proposed amendments that receive sufficient support will be submitted to the House Committee for endorsement thereafter.

(Lilian MOK)  
Clerk to  
Committee on Rules of Procedure

### **Encls.**

c.c. Hon Andrew LEUNG Kwan-yuen, GBM, GBS, JP (President of the Legislative Council)

Hon Paul TSE Wai-chun, JP (Chairman)

SG, LA, DSG, ASG1, ASG2, ASG3, ASG4, SALA3, H(PI), ALA2

**Gist of the proposals submitted by Ir Dr Hon LO Wai-kwok and  
Hon CHAN Hak-kan to amend the Rules of Procedure and House Rules**

Group	Issue	Proposed amendments <sup>Note</sup>
1.	<p><b>Specifying time limits on debates in Council and adjusting the length of Members' speeches</b></p> <p>It is considered necessary to specify time limits on debates in Council and speaking time limits for individual Members in each debate to enhance the Council's efficiency and effective use of its time in dealing with various types of motions and performing its constitutional functions under the Basic Law.</p>	<p>The proposed amendments are set out in Annex A.</p> <p><i>Issue to be further considered:</i> Members may wish to consider the need for introducing a "closure motion" to bring the debate in progress to a conclusion if the proposals for specifying time limits on both debates and members' speeches are implemented. Subject to Members' views, further study on necessary amendments to the Rules of Procedure ("RoP") and House Rules ("HR") has to be conducted.</p>
2.	<p><b>Powers of the committee chairman in office to deal with normal business prior to the election of the committee chairman for a new session</b></p> <p>It has been explicitly provided in RoP that for the House Committee ("HC") and Panels, the chairman and deputy chairman shall hold office until the election of the chairman and deputy chairman for the next following session or the commencement of that session, whichever is the later. As such, there is a need to provide explicitly, especially in the case of the HC Chairman, that the chairman in office should continue to enjoy all the powers of a chairman until the chairman for a new session is elected. The power includes making decisions on the dates and agenda for meetings.</p>	<p>It is proposed that a new rule be added to RoP providing that the chairman and deputy chairman of a committee shall hold office until the chairman for the next session is elected in that next session or, in case that election is held before that next session commences, until that commencement, and that the chairman and deputy chairman in office shall have all the powers that may be exercised by a chairman or deputy chairman of the committee until his or her term of office ends, either upon the commencement of the next session or the election of the chairman for the next session, whichever is the later.</p>

Group	Issue	Proposed amendments <sup>Note</sup>
3.	<p><b>Discontinuation of motions moved without notice at a committee meeting</b></p> <p>HR 22(p)* applicable to Panels and procedures of the Finance Committee ("FC") and its subcommittees provide that a motion considered by the chairman to be directly related to an agenda item may be moved without notice if agreed by a majority of members voting. This arrangement which was intended to establish a common stance of the committee is considered no longer meaningful in today's political climate.</p> <p><i>*A new rule 22(f)(ii) is proposed to be added to HR to the effect that a two clear-day notice requirement for moving a motion at a special meeting of HC will be put in place.</i></p>	<p>Amendments are proposed to be made to HR 22(p) that a member who wishes to move a motion at a committee meeting should give notice in writing to the relevant clerk at least 6 clear days before the meeting concerned. Subject to the advice of the Chairman, the proposed motion(s) should be circulated to all committee members and the relevant policy bureau(s) at least 5 clear days before the meeting. Any proposed amendments to the motion should reach the clerk no later than 2 clear days before the meeting. The discussion time allotted to the motion(s) and relevant speaking time for members as determined by the Chairman would be set out in the agenda.</p> <p><u><i>Issue to be further considered:</i></u> Members may wish to consider whether FC should review its existing rules (and those of its two subcommittees) relating to the moving of a motion without notice during the deliberation of an agenda item and adopt the above proposed procedures if considered appropriate.</p>

Group	Issue	Proposed amendments <sup>Note</sup>
4.	<p><b>Finetuning the procedure for the adjournment of debate in the Council</b></p> <p>Disapplying RoP 40(1) to a number of debates under certain rules in RoP.</p>	<p>It is proposed that RoP 40(1) would not apply to debates under the following rules in RoP:</p> <ul style="list-style-type: none"> <li>➤ RoP 40(6A) (Resumption of debate adjourned under RoP 49(2A));</li> <li>➤ RoP 16 (Motions for the Adjournment of the Council);</li> <li>➤ RoP 49B(2A) (Disqualification of Member from Office);</li> <li>➤ RoP 49E(2) (Motions on Reports of House Committee on Consideration of Subsidiary Legislation and Other Instruments);</li> <li>➤ RoP 54(4) (Motion to Order Otherwise in relation to Adjournment of Second Reading debate);</li> <li>➤ RoP 55(1)(a) (Committal of Bills);</li> <li>➤ RoP 84(3A) (Withdrawal in case of Direct Pecuniary Interest);</li> <li>➤ RoP 84(4) (Disallowance of Vote in case of Direct Pecuniary Interest);</li> <li>➤ RoP 89(2) (Procedure for Obtaining Leave for Member to Attend as Witness in Civil Proceedings); and</li> <li>➤ RoP 90(2) (Procedure for Obtaining Leave to Give Evidence of Council Proceedings).</li> </ul> <p>For the sake of consistency, amendments with substantially the same terms as RoP 40(4) are proposed to be made to RoP 40(1).</p>
5.	<p><b>Other proposed amendments to prevent possible abuse of procedures</b></p> <p>Some Members considered it opportune to improve certain areas in RoP which may be subject to abuse.</p>	<p>The proposed amendments are set out in <b>Annex B</b>.</p>

**Note:** Subject to the concurrence of Hon Paul TSE Wai-chun, Chairman of the Committee on Rules of Procedure, necessary and suitable modifications may be made to help finetune the proposed amendments having regard to Members' views received and operational needs.

**Members' speaking time limits in various debates**

(As at 29.1.2021)

(Ir Dr Hon LO Wai-kwok's preliminary proposals, which supersede the proposals submitted by him to the Committee on Rules of Procedure on 15 January 2021)

At present, with regard to a Member's speaking time limit in a debate, under Rule 36(5) of the Rules of Procedure ("RoP"), unless otherwise stipulated by the House Committee, a Member shall not, without the permission of the President of the Legislative Council or the Chairman of a committee of the whole Council ("CoWC"), make a speech lasting more than 15 minutes. RoP 38(1) provides that a Member may not speak more than once on a question except in specified circumstances. Given the limited time for each Council meeting (which usually lasts for a total of 18 hours on two days) at which business on the agenda is mainly transacted in the form of debates, only four Members can speak in one hour if each Member speaks for 15 minutes during a debate; **the more Members speak, the longer the Council will take to complete a debate, thereby easily causing other items of business on the agenda to stand over, or even to lapse when the relevant period expires.**

In this connection, Members may consider, with reference to the practices of overseas legislatures, amending RoP to specify time limits for Council meetings to handle the "substantive motions" and "procedural motions" as set out in the following tables, and correspondingly **amending RoP 36(5)** and other relevant provisions to adjust the length of Members' speeches as appropriate, as well as **specifying in the House Rules ("HR") the speaking time limits for individual Members in various debates.** This would not only encourage Members to make concise speeches with a view to enhancing the efficiency of the Council in transacting business, but hopefully also enable the Council to discharge its constitutional functions in an orderly and fair manner.

**Substantive motions**

Ir Dr Hon LO Wai-kwok's proposals: Specifying time limits for dealing with motions (including debates and votings)			Ir Dr Hon LO Wai-kwok's proposals: Members' speaking time limits in debates			
Items involving substantive debates under <b>RoP 18(1)</b>	Substantive motions	<b>Proposed time limits</b> (Unless otherwise specified, the <b>debates and votings</b> on the following motions shall be completed within the <b>specified time limits</b> , but the <b>President may adjust the time limits at his discretion</b> )	Existing arrangements		Proposed arrangements	
			For each Member		For each Member	
			(Unless otherwise stated, the following time limits apply to all Members, including movers of motions and movers of amendments)		(Unless otherwise specified, the following time limits apply to all Members, including movers of motions and movers of amendments)	
			No. of speech	Time limit per speech	No. of speech	Time limit per speech
(i) <b>Government bills</b>	Resumption of second reading debate	<b>As in the past, the President may specify time limits on the scrutiny of individual bills where appropriate</b>	1 <i>(A Member making a report of a bills committee on a bill may make the relevant speech without time limit)</i>	15 minutes	1 <i>(A Member making a report of a bills committee on a bill may make the relevant speech without time limit)</i>	<b>10 minutes</b>
	Consideration of amendments by CoWC / Clauses standing part of the bill in CoWC		Multiple	15 minutes	Multiple	<b>5 minutes</b>
	Third reading debate		1	15 minutes	1	<b>3 minutes</b>



Ir Dr Hon LO Wai-kwok's proposals: Specifying time limits for dealing with motions (including debates and votings)			Ir Dr Hon LO Wai-kwok's proposals: Members' speaking time limits in debates			
Items involving substantive debates under <b>RoP 18(1)</b>	Substantive motions	Proposed time limits (Unless otherwise specified, the <b>debates and votings</b> on the following motions shall be completed within the <b>specified time limits</b> , but the <b>President may adjust the time limits at his discretion</b> )	Existing arrangements		Proposed arrangements	
			For each Member		For each Member	
			(Unless otherwise stated, the following time limits apply to all Members, including movers of motions and movers of amendments)		(Unless otherwise specified, the following time limits apply to all Members, including movers of motions and movers of amendments)	
			No. of speech	Time limit per speech	No. of speech	Time limit per speech
<b>(j) Government motions (other than those specified in (ja) below)</b>	Government motions with legislative effect, e.g. motions to appoint judges	<b>Not more than 4 hours</b>	1	15 minutes	1	<b>5 minutes</b>
	Government motions with no legislative effect, e.g. motions involving government policies					
<b>(ja) Government motions on subsidiary legislation</b>	Government motions with legislative effect, which are mainly motions on the scrutiny of subsidiary legislation (whether under the positive vetting or negative vetting procedure)					
<b>(jb) Members' motions on subsidiary legislation</b>	Motions to extend the scrutiny period: It is proposed that the question on such a motion be put <b>without debate</b>		1	15 minutes	<b>Not applicable</b>	
			<i>15 minutes each for the introductory speech and reply</i>			

Ir Dr Hon LO Wai-kwok's proposals: Specifying time limits for dealing with motions (including debates and votings)			Ir Dr Hon LO Wai-kwok's proposals: Members' speaking time limits in debates			
Items involving substantive debates under <b>RoP 18(1)</b>	Substantive motions	Proposed time limits (Unless otherwise specified, the <b>debates and votings</b> on the following motions shall be completed within the <b>specified time limits</b> , but the <b>President may adjust the time limits at his discretion</b> )	Existing arrangements		Proposed arrangements	
			For each Member		For each Member	
			(Unless otherwise stated, the following time limits apply to all Members, including movers of motions and movers of amendments)		(Unless otherwise specified, the following time limits apply to all Members, including movers of motions and movers of amendments)	
			No. of speech	Time limit per speech	No. of speech	Time limit per speech
	Motions to amend/repeal subsidiary legislation (whether under the positive vetting or negative vetting procedure)	<b>Not more than 4 hours</b>	1 <i>The mover of the motion, apart from having up to 15 minutes for the introductory speech, may speak again for up to 15 minutes in reply, and may also speak for up to 15 minutes on amendments (if any)</i>	15 minutes	1 <i>The mover of the motion, apart from having up to 5 minutes for the introductory speech, may speak again for up to 5 minutes in reply, and may also speak for up to 5 minutes on amendments (if any)</i>	<b>5 minutes</b>
	Take-note motions	<b>Not more than 2 hours</b>	1	15 minutes	1	<b>5 minutes</b>
<b>(k) Members' bills</b>	Resumption of second reading debate	<b>As in the past, the President may specify time limits on the scrutiny of individual bills where appropriate</b>	1 <i>(A Member making a report of a bills committee on a bill may make the relevant speech without time limit)</i>	15 minutes	1 <i>(A Member making a report of a bills committee on a bill may make the relevant speech without time limit)</i>	<b>10 minutes</b>
	Consideration of amendments by CoWC / Clauses standing part of the bill in CoWC		Multiple	15 minutes	Multiple	<b>5 minutes</b>
	Third reading debate		1	15 minutes	1	<b>3 minutes</b>

Ir Dr Hon LO Wai-kwok's proposals: Specifying time limits for dealing with motions (including debates and votings)			Ir Dr Hon LO Wai-kwok's proposals: Members' speaking time limits in debates			
Items involving substantive debates under <b>RoP 18(1)</b>	Substantive motions	Proposed time limits (Unless otherwise specified, the <b>debates and votings</b> on the following motions shall be completed within the <b>specified time limits</b> , but the <b>President may adjust the time limits at his discretion</b> )	Existing arrangements		Proposed arrangements	
			For each Member		For each Member	
			(Unless otherwise stated, the following time limits apply to all Members, including movers of motions and movers of amendments)		(Unless otherwise specified, the following time limits apply to all Members, including movers of motions and movers of amendments)	
			No. of speech	Time limit per speech	No. of speech	Time limit per speech
<b>(1) Members' motions (other than those specified in (jb) above)</b>	Members' motions with legislative effect/binding effect: - A motion to impeach the Chief Executive - A motion to amend RoP - A motion to amend the Basic Law - A motion to relieve a Member of his duties - A motion to censure a Member - A motion to appoint a select committee, or a motion to summon person(s) concerned - Other motions moved under the Basic Law - Motions on sanctions relating to interests, operating expenses or operating funds	<b>Not more than 4 hours</b>	1	15 minutes	1	<b>5 minutes</b>
	Members' motions with no legislative effect		Speaking time limits stipulated in HR 17(b): Introductory speech and reply by the mover of the motion   15 minutes (in total) Speech on the amendment(s) by the mover of the motion   5 minutes		Proposed speaking time limits: Introductory speech and reply by the mover of the motion   <b>10 minutes (in total)</b> Speech on the amendment(s) by the mover of the motion   <b>5 minutes</b>	
			<i>The mover of the motion, apart from having up to 15 minutes for the introductory speech, may speak again for up to 15 minutes in reply, and may also speak for up to 15 minutes on amendments (if any)</i>		<i>The mover of the motion, apart from having up to <b>5 minutes</b> for the introductory speech, may also speak again for up to <b>5 minutes</b> in reply, and may speak for up to <b>5 minutes</b> on amendments (if any)</i>	

Ir Dr Hon LO Wai-kwok's proposals: Specifying time limits for dealing with motions (including debates and votings)			Ir Dr Hon LO Wai-kwok's proposals: Members' speaking time limits in debates			
Items involving substantive debates under <b>RoP 18(1)</b>	Substantive motions	<b>Proposed time limits</b> (Unless otherwise specified, the <b>debates and votings</b> on the following motions shall be completed within the <b>specified time limits</b> , but the <b>President may adjust the time limits at his discretion</b> )	Existing arrangements		Proposed arrangements	
			For each Member		For each Member	
			(Unless otherwise stated, the following time limits apply to all Members, including movers of motions and movers of amendments)		(Unless otherwise specified, the following time limits apply to all Members, including movers of motions and movers of amendments)	
			No. of speech	Time limit per speech	No. of speech	Time limit per speech
			Speech by the mover of an amendment	10 minutes	Speech by the mover of an amendment and by any other Member	5 minutes
			Speech by any other Member	7 minutes		
			Speech by a Member who has been given permission to reword his original amendment to a motion which has been amended earlier on (i.e. speech on a revised amendment)	3 minutes		
					It is proposed that the <b>3-minute</b> speaking time for a revised amendment be <b>cancelled</b>	

## Procedural motions

Ir Dr Hon LO Wai-kwok's proposals: Specifying time limits for dealing with motions (including debates and votings)		Ir Dr Hon LO Wai-kwok's proposals: Members' speaking time limits in debates			
Procedural motions that Members may move under RoP	Proposed time limits (Unless otherwise specified, the debates and votings on the following motions shall be completed within the specified time limits, but the President may adjust the time limits at his discretion)	Existing arrangements For each Member (Unless otherwise specified, the following time limits apply to all Members, including movers of motions and movers of amendments)		Proposed arrangements For each Member (Unless otherwise specified, the following time limits apply to all Members, including movers of motions and movers of amendments)	
		No. of speech	Time limit per speech	No. of speech	Time limit per speech
<ul style="list-style-type: none"> <li>- A motion under RoP 40(1) that the debate be adjourned</li> <li>- A motion under RoP 40(4) that further proceedings of CoWC be adjourned</li> <li>- A motion under RoP 49B(2A) that the matter stated in a censure motion not be referred to an investigation committee</li> <li>- A motion under RoP 54(4) that a bill not be referred to the House Committee</li> <li>- A motion under RoP 55(1)(a) that a bill be committed to a select committee (rather than CoWC) after the bill has been read the second time</li> <li>- A motion under RoP 84(3A) for the withdrawal of a Member on the ground of his failure to withdraw despite his direct pecuniary interest</li> <li>- A motion under RoP 84(4) to disallow a Member's vote on the ground of his direct pecuniary interest</li> <li>- A motion under RoP 88(1) that members of the press and of the public do withdraw</li> <li>- A motion under RoP 89(2) that request for leave for a Member to attend as a witness in civil proceedings be refused</li> <li>- A motion under RoP 90(2) that request for leave to give evidence of Council proceedings be refused</li> <li>- A motion under RoP 91 that a rule under RoP be suspended</li> </ul>	<p><b>Not more than 2 hours</b></p>	<p>1</p> <p><i>The mover of the motion, apart from having up to 15 minutes for the introductory speech, may speak again for up to 15 minutes in reply</i></p>	<p>15 minutes</p>	<p>1</p> <p><i>The mover of the motion, apart from having up to 3 minutes for the introductory speech, may speak again for up to 3 minutes in reply</i></p>	<p><b>3 minutes</b></p>

Ir Dr Hon LO Wai-kwok's proposals: Specifying time limits for dealing with motions (including debates and votings)		Ir Dr Hon LO Wai-kwok's proposals: Members' speaking time limits in debates			
Procedural motions that Members may move under RoP	<b>Proposed time limits</b> (Unless otherwise specified, the <b>debates and votings</b> on the following motions shall be completed within <b>the specified time limits, but the President may adjust the time limits at his discretion</b> )	Existing arrangements		Proposed arrangements	
		For each Member		For each Member	
		(Unless otherwise specified, the following time limits apply to all Members, including movers of motions and movers of amendments)		(Unless otherwise specified, the following time limits apply to all Members, including movers of motions and movers of amendments)	
		No. of speech	Time limit per speech	No. of speech	Time limit per speech
An adjournment motion under RoP 16(2)	<p><b>Proposed to be consistent with the time limit on an adjournment motion under RoP 16(4), with details as follows:</b></p> <p><u>Existing requirements for a motion under RoP 16(4)</u></p> <p>RoP 16(6) and HR 18(b):</p> <p><b>The debate shall not exceed 1.5 hours</b> (including 15 minutes for a public officer to reply). <b>Each Member</b>, including the mover, may speak for up to <b>5 minutes</b>.</p>	1	15 minutes	1	<b>5 minutes</b>
		<i>The mover of the motion, apart from having up to 15 minutes for the introductory speech, may speak again for up to 15 minutes in reply</i>		<i>The mover of the motion, apart from having up to 5 minutes for the introductory speech, may speak again for up to 5 minutes in reply</i>	

**Other proposed amendments to prevent possible abuse of procedures**

<b>Item</b>	<b>Gist of the proposed amendments</b>	<b>My views</b>
1.	<p>It is proposed that amendments be made to Rule 16 of the Rules of Procedure ("RoP"):</p> <p>(a) adjournment debates under RoP 16(2) should only be allowed to be moved between two items of business mentioned in RoP 18(1);</p> <p>(b) a time limit should be specified for dealing with a motion under RoP 16(2) and should be aligned with that for a motion under RoP 16(4) (i.e. 90 minutes); and</p> <p>(c) motions that are to be moved under RoP 16(2) and RoP 16(4) at a Council meeting but are not reached before the Council is adjourned shall not stand over until the next regular Council meeting and shall be taken as having been disposed of.</p>	<input type="checkbox"/> Support <input type="checkbox"/> Not support <input type="checkbox"/> No comment Other views/proposals, if any:
2.	<p>It is proposed that RoP 19(1A) should provide explicitly that the President may set a timetable for debating any motions or bills or proposed amendment(s) thereto.</p>	<input type="checkbox"/> Support <input type="checkbox"/> Not support <input type="checkbox"/> No comment Other views/proposals, if any:
3.	<p>It is proposed that RoP 26(3) be amended to make it explicit that a Member asking an oral question on the Agenda can only read out the version of the question printed on the Agenda when called upon by the President to ask the question.</p>	<input type="checkbox"/> Support <input type="checkbox"/> Not support <input type="checkbox"/> No comment Other views/proposals, if any:

Item	Gist of the proposed amendments	My views
4.	<p>It is proposed that:</p> <p>(a) a new rule be added to provide that a motion moved under RoP 29(3) to extend the period for amendment to subsidiary legislation under the Interpretation and General Clauses Ordinance (Cap.1) should be non-debatable; and</p> <p>(b) where there is more than one motion in respect of subsidiary legislation or the instrument referred to in RoP 29(2)(b) or 29(3) at a Council meeting, the current RoP 49(6) should be applicable to these motions, i.e. to allow the division bell to ring for one minute instead of five minutes.</p>	<input type="checkbox"/> Support <input type="checkbox"/> Not support <input type="checkbox"/> No comment Other views/proposals, if any:
5.	<p>It is proposed that RoP 56 be amended to the effect that a committee of the whole Council shall only discuss whether the proposed amendments to a bill should be supported, and decide whether provisions of the bill should stand part of the bill with or without amendment.</p>	<input type="checkbox"/> Support <input type="checkbox"/> Not support <input type="checkbox"/> No comment Other views/proposals, if any:
6.	<p>It is proposed that RoP 63 be amended to the effect that Members must speak succinctly on whether they would support a bill or otherwise at the Third Reading debate, and they may not discuss again the general merits and principles of the bill, or the proposed amendments to or individual provisions of the bill, which have been discussed at the Second Reading debate.</p>	<input type="checkbox"/> Support <input type="checkbox"/> Not support <input type="checkbox"/> No comment Other views/proposals, if any:
7.	<p>It is proposed that a motion under RoP 91 to suspend a rule shall not be moved without the recommendation of the House Committee.</p>	<input type="checkbox"/> Support <input type="checkbox"/> Not support <input type="checkbox"/> No comment Other views/proposals, if any:



Item	Gist of the proposed amendments	My views
8.	As requests for leave under RoP 89 (Procedure for Obtaining Leave for Member to Attend as Witness in Civil Proceedings) and RoP 90 (Procedure for Obtaining Leave to Give Evidence of Council Proceedings) referred to in RoP 18(1)(m) are time critical and should be dealt with as early as possible on the Agenda of the Council, it is proposed that these motions should be placed before Members' bills (referred to in RoP 18(1)(k)) on the Agenda of the Council.	<input type="checkbox"/> Support <input type="checkbox"/> Not support <input type="checkbox"/> No comment Other views/proposals, if any:
9.	As motions under RoP 49E(2) (i.e. take-note motions) do not have legislative effect, it is proposed that amendments be made to RoP 18(1) to the effect that such motions would be dealt with after Members' motions not intended to have legislative effect that are subject to allocation of slots to individual Members.	<input type="checkbox"/> Support <input type="checkbox"/> Not support <input type="checkbox"/> No comment Other views/proposals, if any:
10.	It is proposed that the notice period for a Member to inform the President of his/her wish to present a petition to the Council under RoP 20(2) be amended from "not later than the day before the meeting" to "three clear days before the meeting".	<input type="checkbox"/> Support <input type="checkbox"/> Not support <input type="checkbox"/> No comment Other views/proposals, if any:
11.	It is proposed that RoP 21(1) be amended to the effect that an intended presentation of papers, whether by a designated public officer or by a Member, should be subject to a two-clear days' notice requirement, which may be dispensed with by the President.	<input type="checkbox"/> Support <input type="checkbox"/> Not support <input type="checkbox"/> No comment Other views/proposals, if any:

Item	Gist of the proposed amendments	My views
12.	To cater for the situation under which a committee, other than a bills committee, is intended to table its report on a bill that has been referred to it for study, it is proposed that RoP 21(4) and RoP 21(4A) be amended to include reference to such a committee to which a bill has been referred for its study pursuant to RoP 54(4). Consequentially, it is proposed that RoP 54(7) be amended to include reference to such committee, so that the Member presenting such committee's report on the bill could be given precedence to speak at the resumption of the Second Reading debate on the bill.	<input type="checkbox"/> Support <input type="checkbox"/> Not support <input type="checkbox"/> No comment Other views/proposals, if any:
13.	It is proposed that RoP 21(5) be amended to provide that a Member or a designated public officer who wishes to address the Council should give a written notice to the President before the beginning of a Council meeting, and may only address the Council if the President's consent is obtained.	<input type="checkbox"/> Support <input type="checkbox"/> Not support <input type="checkbox"/> No comment Other views/proposals, if any:
14.	It is proposed that RoP 51 be amended to specify that a Member who intends to present a bill under RoP 51(1) may only do so after he/she has consulted the relevant Panel on a draft of the bill.	<input type="checkbox"/> Support <input type="checkbox"/> Not support <input type="checkbox"/> No comment Other views/proposals, if any:
15.	It is proposed that the definition of "clear days" under RoP 93(b) be amended to the effect that where a period of time is prescribed as a certain number of clear days, that period of time should end at 5:00 pm on the last day of that period.	<input type="checkbox"/> Support <input type="checkbox"/> Not support <input type="checkbox"/> No comment Other views/proposals, if any:

**Questionnaire**

*(to be returned by Wednesday, 17 February 2021)*

Fax No. : 2509 9055

To : Miss Lilian MOK  
 Clerk to Committee on Rules of Procedure  
 Legislative Council

**Committee on Rules of Procedure**

**Consultation with all Members**

My views on the proposals to amend the Rules of Procedure ("RoP") and House Rules ("HR") as set out in LC Paper No. CROP 43/20-21 are as follows:

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

**I. Specifying time limits on debates in Council and adjusting the length of Members' speeches** *(Group 1 of Appendix I)*

Amendments be made to relevant rules in RoP and /or HR to specify time limits on debates in Council and speaking time limits for individual Members in each debate, with the proposed details in Annex A to **Appendix I**.

<input type="checkbox"/> Support	<input type="checkbox"/> Not support <sup>Note 1</sup>	<input type="checkbox"/> No comment
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**Note 1:** *If Members consider that only some individual amendment proposal(s) should be adopted or have views on individual proposal(s), please specify in the Annex to Questionnaire as appropriate.*

Other views/proposals, if any:

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Further views sought:

*Introduction of a "closure motion" if the above proposals for specifying time limits on both debates and Members' speeches are implemented.*

<input type="checkbox"/> Support	<input type="checkbox"/> Not support	<input type="checkbox"/> No comment
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Other views/proposals, if any:

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**II. Powers of the committee chairman in office to deal with normal business prior to the election of the committee chairman for a new session (*Group 2 of Appendix I*)**

A new rule be added to RoP to provide explicitly that the committee chairman in office should continue to enjoy all the powers of a committee chairman until the chairman for a new session is elected.

<input type="checkbox"/> Support	<input type="checkbox"/> Not support	<input type="checkbox"/> No comment
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Other views/proposals, if any:

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**III. Discontinuation of motions moved without notice at a committee meeting** (*Group 3 of Appendix I*)

Amendments be made to HR 22(p) that a member who wishes to move a motion at a committee meeting should give notice in writing to the relevant clerk at least 6 clear days before the meeting concerned, and any proposed amendments to the motion should reach the clerk no later than 2 clear days in written form before the meeting.

<input type="checkbox"/> Support	<input type="checkbox"/> Not support	<input type="checkbox"/> No comment
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Other views/proposals, if any:

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Further views sought:

(a) *The Finance Committee should review its existing procedures (and those of its two subcommittees) relating to the moving of a motion without notice during the deliberation of an agenda item and adopt the above proposed procedures if considered appropriate.*

<input type="checkbox"/> Support	<input type="checkbox"/> Not support	<input type="checkbox"/> No comment
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Other views/proposals, if any:

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(b) *If Members consider that the above proposed procedures **should be/should not be** (please delete as appropriate) adopted by certain other committee(s) instead of all committees, please specify:*

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**IV. Finetuning the procedure for the adjournment of debate in the Council** (*Group 4 of Appendix I*)

(a) RoP 40(1) would not apply to debates under certain rules specified in Group 4 of **Appendix I**.

<input type="checkbox"/> Support	<input type="checkbox"/> Not support	<input type="checkbox"/> No comment
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Other views/proposals, if any:

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(b) Amendments with substantially the same terms as RoP 40(4) would be made to RoP 40(1).

<input type="checkbox"/> Support	<input type="checkbox"/> Not support	<input type="checkbox"/> No comment
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Other views/proposals, if any:

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**V. Other proposed amendments to prevent possible abuse of procedures (Group 5 of Appendix I)**

Amendments be made to relevant rules in RoP to prevent possible abuses in future and enhance operational efficiency, with the proposed details in Annex B to **Appendix I**.

<input type="checkbox"/> Support	<input type="checkbox"/> Not support <sup>Note 2</sup>	<input type="checkbox"/> No comment
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**Note 2:** *If Members consider that only some individual amendment proposal(s) should be adopted or have views on individual proposal(s), please specify in Annex B to **Appendix I** as appropriate.*

Other views/proposals, if any:

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Signature : \_\_\_\_\_

Name of Member : \_\_\_\_\_

Date : \_\_\_\_\_

## Members' speaking time limits in various debates

(Please tick  as appropriate.)

### I. Substantive motions

Ir Dr Hon LO Wai-kwok's proposals: Specifying time limits for dealing with motions (including debates and votings)				Ir Dr Hon LO Wai-kwok's proposals: Members' speaking time limits in debates		
Items involving substantive debates under <b>Rule 18(1) of the Rules of Procedure</b> ("RoP")	Substantive motions	Proposed time limits <small>(Unless otherwise specified, the debates and votings on the following motions shall be completed within the specified time limits, but the President may adjust the time limits at his discretion)</small>	My views	Proposed arrangements for each Member <small>(Unless otherwise specified, the following time limits apply to all Members, including movers of motions and movers of amendments)</small>		
				No. of speech	Time limit per speech	My views
<b>(i) Government bills</b>	Resumption of second reading debate	<b>As in the past, the President may specify time limits on the scrutiny of individual bills where appropriate</b>	<input type="checkbox"/> Support <input type="checkbox"/> Not support <input type="checkbox"/> No comment  Other views, if any:	<b>1</b>	<b>10 mins</b>	<input type="checkbox"/> Support <input type="checkbox"/> Not support <input type="checkbox"/> No comment
	Consideration of amendments by a committee of the whole Council ("CoWC") / Clauses standing part of the bill in CoWC			<b>Multiple</b>	<b>5 mins</b>	<input type="checkbox"/> Support <input type="checkbox"/> Not support <input type="checkbox"/> No comment
	Third reading debate			<b>1</b>	<b>3 mins</b>	<input type="checkbox"/> Support <input type="checkbox"/> Not support <input type="checkbox"/> No comment
				Other views, if any:		



Ir Dr Hon LO Wai-kwok's proposals: Specifying time limits for dealing with motions (including debates and votings)				Ir Dr Hon LO Wai-kwok's proposals: Members' speaking time limits in debates		
Items involving substantive debates under <b>Rule 18(1) of the Rules of Procedure</b> ("RoP")	Substantive motions	Proposed time limits  (Unless otherwise specified, the debates and votings on the following motions shall be completed within the specified time limits, but the President may adjust the time limits at his discretion)	My views	Proposed arrangements for each Member  (Unless otherwise specified, the following time limits apply to all Members, including movers of motions and movers of amendments)		
				No. of speech	Time limit per speech	My views
(j) Government motions (other than those specified in (ja) below)	with legislative effect with no legislative effect	Not more than 4 hrs	<input type="checkbox"/> Support <input type="checkbox"/> Not support <input type="checkbox"/> No comment  Other views, if any:	1	5 mins	<input type="checkbox"/> Support <input type="checkbox"/> Not support <input type="checkbox"/> No comment  Other views, if any:
(ja) Government motions on subsidiary legislation	with legislative effect, which are mainly motions on the scrutiny of subsidiary legislation (whether under the positive vetting or negative vetting procedure)					
(jb) Members' motions on subsidiary legislation	Motions to extend the scrutiny period: It is proposed that the question on such a motion be put <b>without debate</b>		<input type="checkbox"/> Support <input type="checkbox"/> Not support <input type="checkbox"/> No comment	<b>Not applicable</b> Other views, if any:		

Ir Dr Hon LO Wai-kwok's proposals: Specifying time limits for dealing with motions (including debates and votings)				Ir Dr Hon LO Wai-kwok's proposals: Members' speaking time limits in debates		
Items involving substantive debates under <b>Rule 18(1) of the Rules of Procedure</b> ("RoP")	Substantive motions	Proposed time limits  (Unless otherwise specified, the debates and votings on the following motions shall be completed within the specified time limits, but the President may adjust the time limits at his discretion)	My views	Proposed arrangements for each Member  (Unless otherwise specified, the following time limits apply to all Members, including movers of motions and movers of amendments)		
				No. of speech	Time limit per speech	My views
	Motions to amend/peel subsidiary legislation (whether under the positive vetting or negative vetting procedure)	<b>Not more than 4 hrs</b>	<input type="checkbox"/> Support <input type="checkbox"/> Not support <input type="checkbox"/> No comment  Other views, if any:	<b>1</b>	<b>5 mins</b>	<input type="checkbox"/> Support <input type="checkbox"/> Not support <input type="checkbox"/> No comment  Other views, if any:
	Take-note motions	<b>Not more than 2 hrs</b>	<input type="checkbox"/> Support <input type="checkbox"/> Not support <input type="checkbox"/> No comment  Other views, if any:	<b>1</b>	<b>5 mins</b>	<input type="checkbox"/> Support <input type="checkbox"/> Not support <input type="checkbox"/> No comment  Other views, if any:

Ir Dr Hon LO Wai-kwok's proposals: Specifying time limits for dealing with motions (including debates and votings)				Ir Dr Hon LO Wai-kwok's proposals: Members' speaking time limits in debates			
Items involving substantive debates under <b>Rule 18(1) of the Rules of Procedure</b> ("RoP")	Substantive motions	<b>Proposed time limits</b> (Unless otherwise specified, the <b>debates and votings</b> on the following motions shall be completed within <b>the specified time limits</b> , but the <b>President may adjust the time limits at his discretion</b> )	<b>My views</b>  <input type="checkbox"/> Support <input type="checkbox"/> Not support <input type="checkbox"/> No comment  Other views, if any:	<b>Proposed arrangements for each Member</b> (Unless otherwise specified, the following time limits apply to all Members, including movers of motions and movers of amendments)			
				No. of speech	Time limit per speech	My views	
<b>(k) Members' bills</b>	Resumption of second reading debate	<b>As in the past, the President may specify time limits on the scrutiny of individual bills where appropriate</b>	<input type="checkbox"/> Support <input type="checkbox"/> Not support <input type="checkbox"/> No comment  Other views, if any:	<b>1</b>	<b>10 mins</b>	<input type="checkbox"/> Support <input type="checkbox"/> Not support <input type="checkbox"/> No comment	
	Consideration of amendments by CoWC / Clauses standing part of the bill in CoWC			Other views, if any:	<b>Multiple</b>	<b>5 mins</b>	<input type="checkbox"/> Support <input type="checkbox"/> Not support <input type="checkbox"/> No comment
	Third reading debate			Other views, if any:	<b>1</b>	<b>3 mins</b>	<input type="checkbox"/> Support <input type="checkbox"/> Not support <input type="checkbox"/> No comment

Ir Dr Hon LO Wai-kwok's proposals: Specifying time limits for dealing with motions (including debates and votings)				Ir Dr Hon LO Wai-kwok's proposals: Members' speaking time limits in debates					
Items involving substantive debates under <b>Rule 18(1) of the Rules of Procedure</b> ("RoP")	Substantive motions	<b>Proposed time limits</b> (Unless otherwise specified, the <b>debates and votings</b> on the following motions shall be completed within <b>the specified time limits</b> , but the <b>President</b> may adjust the time limits at his discretion)	My views	<b>Proposed arrangements for each Member</b> (Unless otherwise specified, the following time limits apply to all Members, including movers of motions and movers of amendments)					
				No. of speech	Time limit per speech	My views			
<b>(1) Members' motions (other than those specified in (jb) above)</b>	Members' motions with legislative effect/binding effect	<b>Not more than 4 hrs</b>	<input type="checkbox"/> Support <input type="checkbox"/> Not support <input type="checkbox"/> No comment  Other views, if any:	<b>1</b>	<b>5 mins</b>	<input type="checkbox"/> Support <input type="checkbox"/> Not support <input type="checkbox"/> No comment			
	Members' motions with no legislative effect			<b>Proposed speaking time limits:</b> Introductory speech and reply by the mover of the motion <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;"></td> <td style="width: 33%; text-align: center;"><b>10 mins (in total)</b></td> <td style="width: 33%;"> <input type="checkbox"/> Support  <input type="checkbox"/> Not support  <input type="checkbox"/> No comment               </td> </tr> <tr> <td style="text-align: center;">Speech on the amendment(s) by the mover of the motion</td> <td style="text-align: center;"><b>5 mins</b></td> <td> <input type="checkbox"/> Support  <input type="checkbox"/> Not support  <input type="checkbox"/> No comment               </td> </tr> </table>				<b>10 mins (in total)</b>	<input type="checkbox"/> Support <input type="checkbox"/> Not support <input type="checkbox"/> No comment
	<b>10 mins (in total)</b>	<input type="checkbox"/> Support <input type="checkbox"/> Not support <input type="checkbox"/> No comment							
Speech on the amendment(s) by the mover of the motion	<b>5 mins</b>	<input type="checkbox"/> Support <input type="checkbox"/> Not support <input type="checkbox"/> No comment							

Ir Dr Hon LO Wai-kwok's proposals: Specifying time limits for dealing with motions (including debates and votings)				Ir Dr Hon LO Wai-kwok's proposals: Members' speaking time limits in debates		
Items involving substantive debates under <b>Rule 18(1) of the Rules of Procedure</b> ("RoP")	Substantive motions	<b>Proposed time limits</b> (Unless otherwise specified, the <b>debates and votings</b> on the following motions shall be completed within <b>the specified time limits</b> , but the <b>President</b> may adjust the time limits at his discretion)	My views	<b>Proposed arrangements for each Member</b> (Unless otherwise specified, the following time limits apply to all Members, including movers of motions and movers of amendments)		
				No. of speech	Time limit per speech	My views
				Speech by the mover of an amendment and by any other Member	<b>5 mins</b>  It is proposed that the <b>3-min</b> speaking time for a revised amendment be <b>cancelled</b>	<input type="checkbox"/> Support <input type="checkbox"/> Not support <input type="checkbox"/> No comment
Other views, if any:						

**II. Procedural motions**

Ir Dr Hon LO Wai-kwok's proposals: Specifying time limits for dealing with motions (including debates and votings)			Ir Dr Hon LO Wai-kwok's proposals: Members' speaking time limits in debates		
<b>Procedural motions</b> that Members may move under RoP	<b>Proposed time limits</b> <small>(Unless otherwise specified, the <b>debates and votings</b> on the following motions shall be completed within <b>the specified time limits</b>, but <b>the President may adjust the time limits at his discretion</b>)</small>	<b>My views</b>	<b>Proposed arrangements</b> <b>For each Member</b> <small>(Unless otherwise specified, the following time limits apply to all Members, including movers of motions and movers of amendments)</small>		
			<b>No. of speech</b>	<b>Time limit per speech</b>	<b>My views</b>
Motions under RoP 40(1), 40(4), 49B(2A), 54(4), 55(1)(a), 84(3A), 84(4), 88(1), 89(2), 90(2) or 91	<b>Not more than 2 hrs</b>	<input type="checkbox"/> Support <input type="checkbox"/> Not support <input type="checkbox"/> No comment	<b>1</b>	<b>3 mins</b>	<input type="checkbox"/> Support <input type="checkbox"/> Not support <input type="checkbox"/> No comment
Other views, if any:			Other views, if any:		

Ir Dr Hon LO Wai-kwok's proposals: Specifying time limits for dealing with motions (including debates and votings)			Ir Dr Hon LO Wai-kwok's proposals: Members' speaking time limits in debates		
Procedural motions that Members may move under RoP	<b>Proposed time limits</b> (Unless otherwise specified, the <b>debates and votings</b> on the following motions shall be completed within <b>the specified time limits</b> , but <b>the President may adjust the time limits at his discretion</b> )	My views	<b>Proposed arrangements</b> <b>For each Member</b> (Unless otherwise specified, the following time limits apply to all Members, including movers of motions and movers of amendments)		
			No. of speech	Time limit per speech	My views
An adjournment motion under RoP 16(2)	<p><b>Proposed to be consistent with the time limit on an adjournment motion under RoP 16(4), with details as follows:</b></p> <p><u>Existing requirements for a motion under RoP 16(4)</u></p> <p>RoP 16(6) and HR 18(b):</p> <p><b>The debate shall not exceed 1.5 hrs (including 15 mins for a public officer to reply). Each Member, including the proposer, may speak for up to 5 mins.</b></p>	<input type="checkbox"/> Support <input type="checkbox"/> Not support <input type="checkbox"/> No comment  Other views, if any:	<b>1</b>	<b>5 mins</b>	<input type="checkbox"/> Support <input type="checkbox"/> Not support <input type="checkbox"/> No comment  Other views, if any: