

## **ITEM FOR FINANCE COMMITTEE**

### **FINANCE COMMITTEE PROCEDURE, ESTABLISHMENT SUBCOMMITTEE PROCEDURE AND PUBLIC WORKS SUBCOMMITTEE PROCEDURE**

Members are invited to consider the proposed amendments to the Finance Committee Procedure, Establishment Subcommittee Procedure and Public Works Subcommittee Procedure regarding the arrangements for the ringing of the division bell at meetings and meeting arrangements in case of adverse weather.

#### **PURPOSE**

This paper invites members to consider proposed amendments to the three sets of procedure of the Finance Committee ("FC"), Establishment Subcommittee ("ESC") and Public Works Subcommittee ("PWSC") to:

- (a) formalize the interim arrangements for the ringing of the division bell at meetings of FC and its subcommittees, i.e. ESC and PWSC; and
- (b) enhance the clarity of the arrangements in case of adverse weather for meetings of FC, ESC and PWSC.

#### **RINGING OF THE DIVISION BELL**

##### **Interim arrangements**

2. On 4 November 2011, having regard to the corresponding interim arrangements adopted for meetings of the Legislative Council and other

committees<sup>1</sup>, FC decided to suspend with immediate effect the relevant provisions in respect of the ringing of division bells in the three sets of procedure of FC and its two subcommittees<sup>2</sup>, until FC decided to remove the suspension of the relevant provisions or to amend the relevant provisions. FC also decided that during the suspension of such provisions, the following interim arrangements be applied to FC, ESC and PWSC:

- (a) if a member challenges the statement of the Chairman by claiming a division, then the Chairman shall order the committee or subcommittee (as the case may be) to proceed to a division and the division shall be held forthwith immediately after a division bell has been rung for **five** minutes; and
- (b) 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 or subcommittee (as the case may be) within the precincts of the Chamber to be notified of the division, and the division shall be held **10** minutes after the order has been made.

### **Proposal to formalize the interim arrangements**

3. On 20 January 2017, having considered that the interim arrangements had been in force for five years with satisfactory feedback from Members of the Fourth and Fifth Legislative Council, the House Committee ("HC") agreed with the proposal of the Committee on Rules of Procedure ("CRoP") to formalize the interim arrangements on the duration of the ringing of the division bell for meetings of the Legislative Council and those of the voting bell for meetings of HC, Panels, Bills Committees and subcommittees of these

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<sup>1</sup> At the House Committee ("HC") meeting on 7 October 2011, Members endorsed the interim arrangements to extend the duration of the ringing of the voting bell at meetings of committees, including HC, Panels, Bills Committees and their subcommittees by suspending rule 24(i) and (j) of the House Rules with immediate effect until HC decided to remove the suspension or to amend the subrules. The Legislative Council passed a resolution on 19 October 2011 to adopt similar interim arrangements regarding the duration of the ringing of division bell at meetings of the Legislative Council or committee of the whole Council and to suspend Rules 47(1)(c), 47(2)(c) as well as 49(8) of the Rules of Procedure.

<sup>2</sup> The provisions are the last sentence of paragraph 46 of the FC Procedure, paragraph 39 of the ESC Procedure and paragraph 40 of the PWSC Procedure, as well as the last two sentences of paragraph 47 of the FC Procedure, paragraph 39A of the ESC Procedure and paragraph 40A of the PWSC Procedure.

committees. The Legislative Council passed a resolution on 8 February 2017 to amend the relevant provisions of the Rules of Procedure ("RoP"). CRoP has also recommended that FC should introduce similar amendments to the FC Procedure and the procedures of its subcommittees.

4. Under Rule 71(13) of RoP, the practice and procedure of FC and its subcommittees shall be determined by FC, subject to RoP. In the light of the above, it is recommended that amendments as set out in **Appendices Ia, Ib and Ic** be made to the FC Procedure, ESC Procedure and PWSC Procedure respectively to formalize the interim arrangements.

### **ADVERSE WEATHER**

5. Paragraph 54 of FC Procedure, paragraph 41 of ESC Procedure and paragraph 42 of PWSC Procedure provide for the meeting arrangements during adverse weather conditions<sup>3</sup>. It is proposed to make amendments to these provisions to enhance the clarity of the arrangements. The proposed amendments to the three sets of procedure of FC, ESC and PWSC, which are modelled on rule 28 of the House Rules regarding arrangements during tropical cyclone warning signals and rainstorm warning signals, are set out in **Appendices IIa, IIb and IIc**.

### **APPROVAL SOUGHT**

6. Members are invited to approve the proposed amendments to the relevant paragraphs in the FC Procedure, ESC Procedure and PWSC Procedure as set out in Appendices I and II.

Council Business Division 1  
Legislative Council Secretariat  
17 February 2017

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<sup>3</sup> The relevant paragraphs of these Procedures provide that unless directed otherwise by the Chairman, all meetings shall be cancelled if Storm Signal No. 8 or Rainstorm Black Warning is hoisted and/or remains in force two hours before the appointed time of the meeting. If Storm Signal No. 8 is hoisted while a meeting is in progress, the Chairman should adjourn the meeting. In the case of a Rainstorm Black Warning, the Chairman should decide whether to adjourn or continue with the meeting.

**Proposed amendments to paragraphs 46 and 47 of  
the Finance Committee Procedure**

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46. Before putting an item to the vote, the Chairman shall ask members if they have any further questions. When the Chairman puts a question to the Committee for its decision, he shall first call upon those members who are in favour of the question to raise their hands and shall then call upon those who are against the question to raise their hands. The Chairman shall then, according to his judgement, state whether or not he thinks the majority of the members present and voting are in favour of the question. If no member challenges the statement, the Chairman shall declare the question to have been so decided. If a member challenges the statement of the Chairman by claiming a division, then the Chairman shall order the Committee to proceed to a division and the division shall be held forthwith immediately after a division bell has been rung for ~~two~~ *five* minutes.

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 the question on that motion. 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 ~~for~~ *10* minutes after the order has been made.

Legend:

Texts proposed to be added are shown in *italics*

Texts proposed to be deleted are shown with deletion lines

**Proposed amendments to paragraphs 39 and 39A of  
the Establishment Subcommittee Procedure**

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39. Before putting an item to the vote, the Chairman shall ask members if they have any further questions. When the Chairman puts a question to the ESC for its decision, he shall first call upon those members who are in favour of the question to raise their hands and then shall call upon those who are against the question to raise their hands. The Chairman shall then, according to his judgement, state whether or not he thinks the majority of the members present and voting are in favour of the question. If no member challenges his statement, the Chairman shall declare the question to have been so decided. If a member challenges the statement of the Chairman by claiming a division, then the Chairman shall order the ESC to proceed to a division and the division shall be held forthwith immediately after a division bell has been rung for ~~two~~ five minutes.

39A. When a division has been ordered, Rules 48 and 49 of the Rules of Procedure shall apply to the proceedings of the ESC. 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 ESC do proceed to each of such divisions immediately after the division bell has been rung for one minute. Thereupon the Chairman shall propose the question on that motion. 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 ESC within the precincts of the Chamber to be notified of the division. The division shall be held ~~for~~ 10 minutes after the order has been made.

Legend:

Texts proposed to be added are shown in *italics*

Texts proposed to be deleted are shown with deletion lines

**Proposed amendments to paragraphs 40 and 40A of  
the Public Works Subcommittee Procedure**

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40. Before putting an item to the vote, the Chairman shall ask members if they have any further questions. When the Chairman puts a question to the PWSC for its decision, he shall first call upon those members who are in favour of the question to raise their hands and then shall call upon those who are against the question to raise their hands. The Chairman shall then, according to his judgement, state whether or not he thinks the majority of the members present and voting are in favour of the question. If no member challenges his statement, the Chairman shall declare the question to have been so decided. If a member challenges the statement of the Chairman by claiming a division, then the Chairman shall order the PWSC to proceed to a division and the division shall be held forthwith immediately after a division bell has been rung for ~~two~~ *five* minutes.

40A. When a division has been ordered, Rules 48 and 49 of the Rules of Procedure shall apply to the proceedings of the PWSC. 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 PWSC do proceed to each of such divisions immediately after the division bell has been rung for one minute. Thereupon the Chairman shall propose the question on that motion. 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 PWSC within the precincts of the Chamber to be notified of the division. The division shall be held ~~for~~ *10* minutes after the order has been made.

Legend:

Texts proposed to be added are shown in *italics*

Texts proposed to be deleted are shown with deletion lines

**Proposed amendments to paragraph 54 of  
the Finance Committee Procedure**

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**Adverse Weather**

54. ~~Unless directed otherwise by the Chairman, all meetings shall be cancelled if Storm Signal No. 8 or Rainstorm Black Warning is hoisted and/or remains in force two hours before the appointed time of the meeting. If Storm Signal No. 8 is hoisted while a meeting is in progress, the Chairman should adjourn the meeting. In the case of a Rainstorm Black Warning, the Chairman should decide whether to adjourn or continue with the meeting. The following arrangements shall apply to the Committee during adverse weather conditions:~~

- (a) *All meetings shall continue to be held when a Tropical Cyclone Warning Signal No. 1 or No. 3, or an Amber or a Red Rainstorm Warning Signal is in force.*
- (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 is issued or in force within two hours before the appointed time of the meeting.*
- (c) *If a Tropical Cyclone Warning Signal No. 8 is issued while a meeting is in progress, the Chairman should adjourn the meeting.*
- (d) *If a Black Rainstorm Warning Signal is issued while a meeting is in progress, the Chairman should decide whether to adjourn or continue with the meeting.*

Legend:

Texts proposed to be added are shown in *italics*

Texts proposed to be deleted are shown with deletion lines

**Proposed amendments to paragraph 41 of  
the Establishment Subcommittee Procedure**

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**Adverse Weather**

41. ~~Unless directed otherwise by the Chairman, all meetings shall be cancelled if Storm Signal No. 8 or Rainstorm Black Warning is hoisted and/or remains in force two hours before the appointed time of the meeting. If Storm Signal No. 8 is hoisted while a meeting is in progress, the Chairman should adjourn the meeting. In the case of a Rainstorm Black Warning, the Chairman should decide whether to adjourn or continue with the meeting.~~ *The following arrangements shall apply to the ESC during adverse weather conditions:*

- (a) All meetings shall continue to be held when a Tropical Cyclone Warning Signal No. 1 or No. 3, or an Amber or a Red Rainstorm Warning Signal is in force.*
- (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 is issued or in force within two hours before the appointed time of the meeting.*
- (c) If a Tropical Cyclone Warning Signal No. 8 is issued while a meeting is in progress, the Chairman should adjourn the meeting.*
- (d) If a Black Rainstorm Warning Signal is issued while a meeting is in progress, the Chairman should decide whether to adjourn or continue with the meeting.*

Legend:

Texts proposed to be added are shown in *italics*

Texts proposed to be deleted are shown with deletion lines



**Proposed amendments to paragraph 42 of  
the Public Works Subcommittee Procedure**

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**Adverse Weather**

42. ~~Unless directed otherwise by the Chairman, all meetings shall be cancelled if Storm Signal No. 8 or Rainstorm Black Warning is hoisted and/or remains in force two hours before the appointed time of the meeting. If Storm Signal No. 8 is hoisted while a meeting is in progress, the Chairman should adjourn the meeting. In the case of a Rainstorm Black Warning, the Chairman should decide whether to adjourn or continue with the meeting. The following arrangements shall apply to the PWSC during adverse weather conditions:~~

- (a) *All meetings shall continue to be held when a Tropical Cyclone Warning Signal No. 1 or No. 3, or an Amber or a Red Rainstorm Warning Signal is in force.*
- (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 is issued or in force within two hours before the appointed time of the meeting.*
- (c) *If a Tropical Cyclone Warning Signal No. 8 is issued while a meeting is in progress, the Chairman should adjourn the meeting.*
- (d) *If a Black Rainstorm Warning Signal is issued while a meeting is in progress, the Chairman should decide whether to adjourn or continue with the meeting.*

Legend:

Texts proposed to be added are shown in *italics*

Texts proposed to be deleted are shown with deletion lines