

立法會
Legislative Council

LC Paper No. FC104/12-13(01)

**Paper for the Finance Committee Meeting
on 22 February 2013**

**Members' motions that seek to amend the procedures
of the Finance Committee and its two subcommittees**

Purpose

This paper sets out the latest position regarding members' motions that seek to amend the procedures of the Finance Committee and its two subcommittees, and invite members' views on how the matter should be taken forward.

Updated situation

2. By a circular LC Paper No. FC102/12-13 dated 8 February 2013 issued by the Clerk to the Finance Committee to members of the Finance Committee, members were informed that a meeting would be convened on 22 February 2013 to deal with members' motions that seek to amend the procedures of the Finance Committee and its two subcommittees. Members were also informed that:

- (a) Hon IP Kwok-him and Hon Ronny TONG Ka-wah had given notice to amend the procedures of the Finance Committee and its two subcommittees (**Appendix I and Appendix II**) and other members who wish to propose a motion to amend the relevant procedures were invited to give notice to the Clerk to the Finance Committee on or before 12:00 midnight, Friday, 15 February 2013 (i.e. five clear days before the meeting on 22 February 2013);
- (b) if members wish to propose amendment(s) to the motion of Hon IP Kwok-him and amendment(s) to the motion of Hon Ronny TONG Ka-wah, they may give notice to the Clerk to the Finance Committee on or before 12:00 midnight,

Tuesday, 19 February 2013 (i.e. two clear days before the meeting on 22 February 2013); and

- (c) in line with the practices governing the dealing of motions and amendments to motions with legislative effect in the Council, amendment(s) to amendment(s) will not be allowed.

3. By the close of the deadline for giving notice of amendment(s) to the procedures of the Finance Committee and its two subcommittees, the Clerk has not received any new motion from members.

4. By the close of the deadline for giving notice of amendment(s) to the motions of Hon IP Kwok-him and Hon Ronny TONG Ka-wah, the Clerk has received 1 909 283 amendments from members. Further details are set out in **Appendix III**.

Problems encountered

5. In the process of handling amendments to motions with legislative effect under the existing procedures, the Secretariat needs to go through each and every proposed amendment to verify the facts and accuracy contained in the amendment, and to arrange the proposed amendments in an orderly manner so as to assist the Chairman in making rulings on their admissibility, and deciding on the debate and voting arrangements for the various amendments. The Secretariat also needs to upload the motions and proposed amendments to motions onto the website.

6. If these amendments are to be processed in accordance with the existing procedures, it is estimated that the preliminary vetting of the facts and accuracy of all the amendments in both Chinese and English languages would take about 408 man-month¹ to complete (assuming two minutes for vetting each amendment in both languages). In the vetting process, arrangements would be made to group the amendments into different categories to facilitate the Clerk and the Legal Adviser to advise the Chairman in making rulings on their admissibility, and deciding on the debate and voting arrangements for the various amendments. Following a ruling made by the Chairman, the Secretariat would arrange for the amendments to be uploaded onto the website, and this would take another 2 to 3 man-week to complete.

¹ Net working hours per month are : 156 hours

7. Further, if this large number of proposed amendments are admitted by the Chairman, the voting time required to dispose of all of them would take more than 1 989 days or 23 868 two-hour meetings, assuming that the disposal of each amendment would take about 1.5 minutes.

Advice sought

8. Having regard to the responsibilities of the Chairman to ensure that the business on the agenda is transacted in a proper and efficient manner and the relevant rules in the Rules of Procedure, and in view of the time required for processing the voluminous proposed amendments, the Chairman considers it appropriate to consult members on the course of action to be taken in respect of the proposed amendments.

Council Business Division 1
Legislative Council Secretariat
21 February 2013

**Motion from Hon IP Kwok-him to amend
paragraph 37A of the Finance Committee Procedure,
paragraph 31A of the Establishment Subcommittee Procedure and
paragraph 32A of the Public Works Subcommittee Procedure**

**Amendment to paragraph 37A of the
Finance Committee Procedure**

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~~ ***provided that each member may only move one motion in respect of an agenda item, and that*** the motion is considered by the Chairman as directly related to the agenda item and agreed by a majority of members that it should be proceeded forthwith. Any proposed motion or amendment to the motion should be presented in written form. Members may speak on the motion and amendment to the motion, if any, in a joint debate.

Note: The proposed amendment is marked in ***bold and italic type***.

**Amendment to paragraph 31A of the
Establishment Subcommittee Procedure**

31A. 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~~ ***provided that each member may only move one motion in respect of an agenda item, and that*** the motion is considered by the Chairman as directly related to the agenda item and agreed by a majority of members that it should be proceeded forthwith. Any proposed motion or amendment to the motion should be presented in written form. Members may speak on the motion and amendment to the motion, if any, in a joint debate.

Note: The proposed amendment is marked in ***bold and italic type***.

**Amendment to paragraph 32A of the
Public Works Subcommittee Procedure**

32A. 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~~ ***provided that each member may only move one motion in respect of an agenda item, and that*** the motion is considered by the Chairman as directly related to the agenda item and agreed by a majority of members that it should be proceeded forthwith. Any proposed motion or amendment to the motion should be presented in written form. Members may speak on the motion and amendment to the motion, if any, in a joint debate.

Note: The proposed amendment is marked in ***bold and italic type***.

Appendix II

Motion from Hon Ronny TONG Ka-wah to amend paragraph 37A of the Finance Committee Procedure, paragraph 31A of the Establishment Subcommittee Procedure and paragraph 32A of the Public Works Subcommittee Procedure

Amendment to paragraph 37A of the Finance Committee Procedure

37A. During the deliberation of an agenda item, prior to the question on it being put to vote, a member may move ~~a motion~~ ***one or more than one motions*** without notice to express ~~a view~~ ***views*** on the agenda item if ~~the motion is~~ ***such motions are*** considered by the Chairman as directly related to the agenda item and agreed by a majority of members that it should be proceeded forthwith. Any proposed motion or amendment to the motion should be presented in written form. Members may speak on the motion and amendment to the motion, if any, in a joint debate.

Note: The proposed amendment is marked in ***bold and italic type*** or with deletion line.

Amendment to paragraph 31A of the Establishment Subcommittee Procedure

31A. During the deliberation of an agenda item, prior to the question on it being put to vote, a member may move ~~a motion~~ ***one or more than one motions*** without notice to express ~~a view~~ ***views*** on the agenda item if ~~the motion is~~ ***such motions are*** considered by the Chairman as directly related to the agenda item and agreed by a majority of members that it should be proceeded forthwith. Any proposed motion or amendment to the motion should be presented in written form. Members may speak on the motion and amendment to the motion, if any, in a joint debate.

Note: The proposed amendment is marked in ***bold and italic type*** or with deletion line.

**Amendment to paragraph 32A of the
Public Works Subcommittee Procedure**

32A. During the deliberation of an agenda item, prior to the question on it being put to vote, a member may move ~~a motion~~ ***one or more than one motions*** without notice to express ~~a view~~ ***views*** on the agenda item if ~~the motion is~~ ***such motions are*** considered by the Chairman as directly related to the agenda item and agreed by a majority of members that it should be proceeded forthwith. Any proposed motion or amendment to the motion should be presented in written form. Members may speak on the motion and amendment to the motion, if any, in a joint debate.

Note: The proposed amendment is marked in ***bold and italic type*** or with deletion line.

Finance Committee

**Motion from Hon IP Kwok-him to amend
paragraph 37A of the Finance Committee Procedure,
paragraph 31A of the Establishment Subcommittee Procedure and
paragraph 32A of the Public Works Subcommittee Procedure**

Statistics on amendments proposed by members

Member	Date and time of submission	Amount ¹
Hon CHAN Chi-chuen	18.10.2012 (10:21)	5
Hon CHAN Chi-chuen	18.10.2012 (16:16)	108
Hon CHAN Kam-lam	18.10.2012 (19:04)	1
Dr Hon Kenneth CHAN Ka-lok	2.11.2012 (18:24)	15
Hon Dennis KWOK	2.11.2012 (18:28)	16
Hon Alan LEONG Kah-kit	2.11.2012 (18:31)	20
Hon Ronny TONG Ka-wah	2.11.2012 (18:35)	28
Dr Hon KWOK Ka-ki	2.11.2012 (18:40)	15
Hon TAM Yiu-chung	4.1.2013 (18:03)	1
Hon Albert CHAN Wai-yip	8.1.2013 (15:07)	249
23 members ²	11.1.2013 (18:35)	103 500
23 members ²	14.1.2013 (11:23)	356 500
23 members ²	24.1.2013 (15:40)	460 000
Hon CHAN Chi-chuen	18.2.2013 (18:30)	24 150
Hon CHAN Chi-chuen	18.2.2013 (20:30)	1
Hon WONG Yuk-man	19.2.2013 (13:31)	10 000
23 members ²	19.2.2013 (16:05)	460 000
23 members ²	19.2.2013 (16:05)	469 200
Hon Albert CHAN Wai-yip	19.2.2013 (18:40)	6 460
Hon Albert CHAN Wai-yip	19.2.2013 (18:40)	37
Hon Albert CHAN Wai-yip	19.2.2013 (18:46)	1
Hon WONG Yuk-man	19.2.2013 (18:58)	4 975
Hon WONG Yuk-man	19.2.2013 (19:03)	1
Hon LEUNG Kwok-hung	19.2.2013 (20:12)	14 000
		Total : 1 909 283

¹ To be verified

² The 23 members are: Hon LEE Cheuk-yan, Hon Alan LEONG Kah-kit, Hon Charles Peter MOK, Hon Emily LAU Wai-hing, Hon Cyd HO Sau-lan, Hon Ronny TONG Ka-wah, Hon Gary FAN Kwok-wai, Hon SIN Chung-kai, Dr Hon Fernando CHEUNG Chiu-hung, Dr Hon Kenneth CHAN Ka-lok, Hon IP Kin-yuen, Hon Albert HO Chun-yan, Hon CHEUNG Kwok-che, Hon Claudia MO, Hon LEUNG Yiu-chung, Hon WU Chi-wai, Dr Hon KWOK Ka-ki, Hon Frederick FUNG Kin-kee, Dr Hon Helena WONG Pik-wan, Hon Dennis KWOK, Hon Kenneth LEUNG, Hon James TO Kun-sun, and Dr Hon Joseph LEE Kok-long.