

立法會
Legislative Council

LC Paper No. FC271/20-21
(These minutes have been
cleared with the Chairman)

Ref : FC/1/1

Finance Committee of the Legislative Council

Minutes of meeting
held in Conference Room 1 of the Legislative Council Complex
on Friday, 15 October 2021, from 2:45 pm to 3:04 pm

Members present:

Hon CHAN Kin-por, GBS, JP (Chairman)
Hon CHAN Chun-ying, JP (Deputy Chairman)
Hon Abraham SHEK Lai-him, GBS, JP
Hon Tommy CHEUNG Yu-yan, GBS, JP
Hon Jeffrey LAM Kin-fung, GBS, JP
Hon WONG Ting-kwong, GBS, JP
Hon CHAN Hak-kan, SBS, JP
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
Hon WONG Kwok-kin, GBS, JP
Hon Mrs Regina IP LAU Suk-ye, GBM, GBS, JP
Hon Paul TSE Wai-chun, JP
Hon Michael TIEN Puk-sun, BBS, JP
Hon Steven HO Chun-yin, BBS, JP
Hon Frankie YICK Chi-ming, SBS, JP
Hon YIU Si-wing, SBS
Hon MA Fung-kwok, GBS, JP
Hon LEUNG Che-cheung, SBS, MH, JP
Hon Alice MAK Mei-kuen, BBS, JP
Hon KWOK Wai-keung, JP
Hon Christopher CHEUNG Wah-fung, SBS, JP
Hon Elizabeth QUAT, BBS, JP
Hon Martin LIAO Cheung-kong, GBS, JP
Hon POON Siu-ping, BBS, MH
Dr Hon CHIANG Lai-wan, SBS, JP
Ir Dr Hon LO Wai-kwok, GBS, MH, JP

Deputy Chairman, to amend the Finance Committee Procedure ("FCP"), the Establishment Subcommittee Procedure and the Public Works Subcommittee Procedure (collectively referred to as "the Procedures") under Rule 71(13) of the Rules of Procedure ("RoP") ("the Motion"). The wording of the Motion and the arrangements for debate and voting by members for the Motion were set out in LC Paper No. FC235/20-21 and FC243/20-21 respectively.

Motion moved by the Deputy Chairman under Rule 71(13) of the Rules of Procedure

2. The Deputy Chairman moved that the Motion to amend the Procedures in the Appendix to the Agenda be passed.

3. The Deputy Chairman advised that, on the instruction of the FC Chairman earlier, the Secretariat reviewed areas of the Procedures which might warrant amendments with a view to aligning with the procedures in RoP and the House Rules ("HR"), improving the clarity of provisions, reflecting current practices and ensuring orderly, efficient and fair disposition of the business of FC and its two subcommittees. Subsequently, the Secretariat, on the instruction of the Chairman, issued papers to and consulted members on the two batches of proposed amendments to the Procedures. The outcome of the consultation showed that an overwhelming majority of members supported all proposed amendments. In light of the consultation outcome, the Chairman decided to present the two batches of proposed amendments in the form of a motion (i.e. the Motion moved by the Deputy Chairman) for FC's consideration in one go.

4. The Deputy Chairman advised that the main proposals of the Motion included:

- (a) specifying a procedure for a subcommittee to recommend and for FC to decide whether an item already endorsed by the subcommittee should again be discussed in FC;
- (b) specifying a procedure for FC to exercise power to summon persons concerned to testify or give evidence;
- (c) removing the procedure for moving motions to express views on an agenda item at a meeting;
- (d) specifying 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; and

- (e) in light of the amendments to the election procedures of the House Committee and some other committees, specifying a new set of similar procedure for the respective elections of chairman and deputy chairman of FC and its subcommittees.

5. The Deputy Chairman further said that the Chairman of the Committee on Rules of Procedure ("the CROp Chairman") would move a proposed resolution at the Legislative Council ("LegCo") meeting on 20 October 2021 to amend certain provisions of RoP, including specifying that starting from the Seventh LegCo, all Members other than the President might choose to join FC which would consist of not less than 50 members. The Motion currently moved by him also included related amendments to the Procedures (including the procedure for signification of membership of FC). Subject to the passage of the Motion, the amendments to the Procedures would come into operation on the day on which the Seventh LegCo would begin, while the amendments related to membership of FC would only come into operation if the relevant amendments to RoP were passed by LegCo.

[Post-meeting note: The proposed resolution moved by the CROp Chairman under Article 75 of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China was passed by LegCo at its meeting on 20 October 2021.]

6. The Deputy Chairman stressed that, on the one hand, the amendments proposed by the Motion aimed to align the Procedures with the procedures in RoP and HR; and also to prevent abuse of the Procedures; the remaining proposals were technical amendments only. He appealed to other members to support the Motion.

7. The Chairman proposed the question, i.e. "that Mr CHAN Chun-ying's motion be passed", and called upon members who indicated an intention to speak to take turn to speak.

Members expressing views on the Motion

8. All members who had spoken expressed support for the Motion. Numerous members also said that the proposed amendments had struck a proper balance between monitoring the Government, the efficiency of meetings and rights of Members, etc.

9. Mr Tony TSE expressed support for the Motion. He observed that, since the "mutual destruction camp" had left the legislature, the Public Works Subcommittee chaired by him could conduct its examination work

more smoothly than before, and the number of works projects and the amount of funding allocation endorsed also increased substantially, which was conducive to the economic recovery. He hoped that members of the next term would keep on actively participating in the work of FC.

10. Mr Jeffrey LAM expressed support for the Motion. He said that the chaos in the legislature in the past few years was deplorable and the quality of deliberation also kept deteriorating, to the public's disappointment. He hoped that, after the amendment of the Procedures, along with the new paradigm of patriots administering Hong Kong, the operation of the legislature would be back on the right track and the quality and efficiency of deliberation would be enhanced.

11. Mr Tommy CHEUNG said that the Liberal Party supported the Motion. Mr CHEUNG was of the view that RoP and the Procedures were often abused over the past decade or so. The proposed amendments did not aim to obliterate the function of the legislature to monitor the governance of the Government as claimed by some, but to strike a proper balance between monitoring the Government and the efficiency of the legislature.

12. Mr CHAN Hak-kan said that the Democratic Alliance for the Betterment and Progress of Hong Kong supported the proposed amendments. Mr CHAN believed that upon the improvement of the electoral system, even though Hong Kong was administered by patriots who loved Hong Kong, the loopholes of the Procedures still needed to be plugged. Mr CHAN agreed with the Chairman's previous criticisms from time to time that some Government officials did not make sufficient preparations before FC meetings, and urged Government officials to properly respond to members' questions in future.

13. Ms Alice MAK said that the Hong Kong Federation of Trade Unions supported the proposed amendments. Ms MAK was of the view that members should monitor the work of the Government and make good use of the legislature's time, and should not procrastinate the examination work through filibustering, or public money would be wasted. Before submitting proposals for consideration by FC or its subcommittees, the Government should thoroughly communicate with Members and stakeholders, so as to make proper use of the legislature's time, and help formulate and promote policies or projects which incorporated views from various sectors in society.

14. Dr Junius HO expressed support for the proposed amendments. He considered that the relevant amendments could plug the loopholes of the Procedures, reduce the time required to deal with procedural issues and enable more focused discussion of agenda items by members, which would

greatly benefit the development of Hong Kong in the long run. He did not believe that the proposed amendments were meant to strangle the room for members' voice or reduce the legislature to a rubber stamp. As for the proposed amendments to the procedure of elections of chairman and deputy chairman of FC and its subcommittees, this could prevent the presiding Member from obstructing the election process.

15. Mrs Regina IP said that the New People's Party supported the proposed amendments. According to her observation, some members often procrastinated the deliberation by proposing "37A motions" (i.e. motions to express a view on an agenda item proposed under paragraph 37A of the FCP). Moreover, even if financial proposals were discussed and endorsed by the two subcommittees, as long as any member of FC or its subcommittees requested that the relevant item be discussed separately in FC, FC would have to conduct the discussion, and this was cumbersome. Mrs Regina IP considered that the proposed amendments could effectively close the procedural loopholes mentioned above and strike a proper balance between catering for the efficiency of deliberation and Members' right to speak, etc.

The Deputy Chairman speaking in reply in respect of the Motion

16. After all members who wished to speak had spoken on the motion, the Chairman invited the Deputy Chairman to speak in reply in respect of the Motion. The Deputy Chairman advised that the amendment of the Procedures should take into account factors such as whether the amendments could ensure effective operation of FC and its subcommittees, and whether they were in line with public expectation for the legislature. He believed that the proposed amendments currently put forward could enable FC and its subcommittees to operate more smoothly. He once again appealed to members to support the Motion.

17. At 3:04 pm, the Chairman put the Motion to vote. The Chairman declared that the majority of the members present and voting were in favour of the Motion. The Motion was approved.

18. The meeting ended at 3:04 pm.