

Yau Tsim Mong District Council (2004-2007)

Yau Tsim Mong District Council Standing Orders:

Admission of the Public Including Local and Professional Bodies to Meetings

Purpose

The purpose of this paper is to review the existing arrangement for members of the public including representatives from local and professional bodies to participate in meetings of the Yau Tsim Mong District Council (the Council), its committees and working groups and to suggest options to enhance the conduct of meetings.

Background

2. It has been more than five months since the current term of the Council came into operation. Members of the public and local bodies were once invited by individual members to meetings to air their grievances or query members or government representatives direct during the meetings. Such arrangement is different from those for the last term of the Council and other District Councils.

3. To allow members of the public to participate in the meetings would obstruct the smooth conduct of the meetings. If they use wrong words or speak arrogantly when taking the floor during the meetings, conflicts among the attendees would result and thus besmirch the image of the Council. Since the agenda of every council meeting is rather lengthy and involves complicated issues, it is necessary to review the arrangement for members of the public including representatives from local and professional bodies to participate in meetings and make improvements so as to ensure the smooth and efficient conduct of meetings.

Yau Tsim Mong District Council Standing Orders

4. The Yau Tsim Mong District Council Standing Orders (the Standing Orders) set out in detail the procedures for meetings and admission of the public to meetings. The Standing Orders regulate the procedures for meetings of the Council and its

committees but with the exception of its working groups. Extracts of the relevant orders are as follows:-

E. MEETINGS OF THE COUNCIL

15. (1) The Chairman may invite any person, including public officers, to attend a meeting of the Council.
- (2) If anyone who is present at, attends or observes the meetings of the Council behaves in a disorderly manner, disturbs the order or disrupts the meetings, and refuses to show restraint after being cautioned, the Chairman shall have the right to order such a person out of the place of the meetings.
- (3) In the course of a meeting of the Council, all persons attending or sitting in on the meeting at the place of the meeting shall switch off all devices which may emit sound and shall not use any telecommunications devices for conversation.

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M. ADMISSION OF THE PUBLIC TO MEETINGS

40. (1) Unless the Chairman on the advice of members determines otherwise, any meeting of the Council or any part of such a meeting shall be open to the public (including the media).
- (2) Unless the chairman of any committee on the advice of committee members determines otherwise, any meeting of the committee or any part of such a meeting shall be open to the public (including the media).
- (3) If in the opinion of the Chairman of the Council or the chairman of a committee, a member of the public present at a meeting of the Council or the committee is acting in such a way as to disrupt the orderly conduct of the business of the Council or the committee, and persists with such acts despite warnings, the Chairman of the Council or the chairman of the

committee may order the person to leave the place of the meeting forthwith.

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I. COMMITTEES (appointed in accordance with section 71 of the District Councils Ordinance)

33. (10) Unless otherwise determined by a committee, and which accordingly is endorsed by the Council, the procedures laid down in Orders 7-11, 12(2), 13, 14, 15(1), 15(2), 15(3), 16-32 and 42 (1) will also apply to committees.

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Proposal

5. It is understood that one the major functions of the Council is to reflect public opinion. If members of the public wish to express their views on a particular matter, they may do so in writing. They may also lodge their complaints through the "Meet-the-Public" Scheme or request members to voice their views on their behalf. In order to balance the interest between members of the public and other attendees of the meetings and to ensure the efficiency of the Council, the following two options are proposed for consideration:-

Option A

Except for those who attend the meetings to assist the public officers in presenting papers or responding to questions from the Council, members of the public including local and professional bodies should not be invited to participate in meetings of the Council, its committees, working groups or coordinating committees to voice their requests or complaints against relevant government departments. Such members of the public should only be allowed to sit in on the meetings and they have no right to speak at the meetings.

Note:

- (1) This option is acceptable because members of the public including local and professional bodies are treated on an equal footing. Other District Councils, namely Tsuen Wan District Council, Island District Council, Sai Kung District Council, Kwai Tsing District Council, Tuen Mun District Council, Yuen Long District Council, Kowloon City District Council, Wong Tai Sin District Council, Wan Chai District Council and Eastern District Council, make the same arrangement.
- (2) In order that members of the public may express their views or lodge their complaints direct to members or relevant government departments on important matters and that professional bodies such as consultancies on environmental protection may introduce to members science and technology knowledge, the Council, wherever necessary, may arrange to meet members of the public on occasions other than formal council meetings for them to express their own views or make brief introduction to members while the relevant government departments may sit in on the meetings to listen to their views. No voting on any item would take place during these meetings and the attendance of members would not be counted. The Council would, after the meetings, follow up with the relevant governments the views collected.

Option B

Professional bodies will be invited to send representatives to the meetings to express their own views while non-professional bodies would only be allowed to sit in on the meetings and they have no right to speak at the meetings to ensure the efficient conduct of the meetings.

Note:

- (1) This option is not acceptable because it is discriminatory and fails to treat members from all walks of life fairly. Moreover, how to define professional and non-professional bodies is a rather controversial issue.
6. According to experience of the Council, commercial or professional bodies used to brief members on their future plans at tea receptions or briefings other than formal council meetings.

Advice Sought

7. Members are invited to
- (1) express their views on Options A and B as stated in paragraph 5 and vote whether to endorse either one of them; and
 - (2) vote to endorse the amendments to Order 15(1) of the Standing Orders at the Annex based on either Options A or B as endorsed by members.

Presentation

8. This paper will be presented for members' discussion at the 5th meeting of the Council to be held on 24 June 2004.

Submitted by: LEUNG Wai-kuen
CHOW Chun-fai
WONG Che-ming
SHING Yuen-hing
10 June 2004

**Amendments to Order 15(1) of the
Yau Tsim Mong District Council Standing Orders**

The original of Order 15(1)

Order 15(1) The Chairman may invite any person, including public officers, to attend a meeting of the Council.

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Amendments made based on Option A

Order 15(1) The Chairman may invite any person, including public officers, to attend a meeting of the Council. Public officers may bring along the party(ies) concerned to attend the meeting to present their views and respond to questions. Members of the public, including local or professional bodies, invited to attend the meeting are only allowed to sit in on the meeting and they have no right to speak at the meeting.

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Amendments made based on Option B

Order 15(1) The Chairman may invite any person, including public officers, to attend a meeting of the Council. Public officers may bring along the party(ies) concerned to attend the meeting to present their views and respond to questions. Members of the public invited to attend the meeting are only allowed to sit in on the meeting and they have no right to speak at the meeting while professional bodies invited to attend the meeting have the right to speak at the meeting.

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Note: Pursuant to Order 33(10) of the Yau Tsim Mong District Council Standing Orders, the proposed amendments, if endorsed, will apply to committees.