

# *Legislative Council*

LC Paper No. AS 114/98-99

Ref. AM 6/05/03A (III)

## **Paper for the House Committee Meeting on 23 October 1998**

### **Regulation on Admission and Conduct of the Public in the Precincts of the Chamber**

#### **Introduction**

In connection with an incident which occurred at the Council meeting on 8 October 1998 where two members of the public were removed from the public gallery when proceedings of the meeting were interrupted and upon an order by the President to do so, Hon Margaret Ng has expressed concern about the way the two persons were handled by the security staff of the Secretariat. This paper aims to brief the House Committee of the provisions on and existing security arrangements for the admission of the public into the precincts of the Legislative Council Chamber and the regulation of their conduct in the public galleries.

#### **Provisions governing Admission of the Public and Regulation of their Conduct**

##### Issuance of Administrative Instructions by the President of the Council

2. Section 8 of the Legislative Council (Powers and Privileges) Ordinance (Cap 382) (“the Ordinance”) empowers the President to issue administrative instructions for regulating the admittance of persons to and the conduct of persons within the Chamber and the precincts of the Chamber. A copy of the Administrative Instructions (“AI”) is at **Appendix I**. The AI are displayed at the two public entrances to the Legislative Council Building for public information pursuant to section 8(4) of the Ordinance.

##### Admission of the public and conduct in public galleries

3. Section 11 of the AI provides that persons entering or within the precincts of the Chamber are required to behave in an orderly manner and comply with any direction given by any officer of the Council for the purpose of keeping order. Section 12 of the AI empowers an officer of the Council to refuse admission of any person to a public gallery where in the opinion of the officer, the person seeking admission may display any signs or banners or behave in an disorderly manner in the public galleries.

### Prosecution of offenders

4. Any person who contravenes any of the provisions of the Ordinance, including the AI, commits an offence. Although, under section 24 of the Ordinance, every officer of the Council is vested with all the powers of a police officer within the precincts of the Chamber for the purposes of the Ordinance and of the application of the criminal law, it has been the practice that investigation of any suspected offence is conducted by the police after a case has been reported to it. The decision whether or not to prosecute vests with the Secretary for Justice because, under section 26 of the Ordinance, consent of the Secretary is required for the prosecution of any offence under the Ordinance.

### **Security Arrangements by the Secretariat**

5. Security services of the Legislative Council Building are provided by a team of 22 security staff members. Their duties include, inter alia, regulating admission of members of the public and their conduct in the Legislative Council Building. In accordance with the Secretariat's Standing Instructions for Security Staff and Reception Clerks, the Security Officer is also tasked with the responsibility for liaising with the police and other emergency services when their assistance is required for maintaining order, enforcement actions or other services, e.g. ambulance service. An extract of the Standing Instructions concerning the duties and responsibilities of the Security Officer is at **Appendix II**.

### Admission of the public

6. Members of the public seeking admission to observe Council/committee proceedings are received at two public entrances (both facing Statue Square) to the Legislative Council Building. Each entrance is manned by a reception clerk, with the assistance of one to two security staff. Members of the public are admitted on a first-come-first-served basis, subject to availability of seats in the public galleries.

7. All members of the public, when registering for admission to the public galleries, are given a guidance note (copy at **Appendix III**) by the reception staff and are advised to behave in an orderly manner whilst within the precincts of the Chamber. They are also required to deposit their baggages, other than a handbag or similar item, at the reception counters before they are allowed admission to the public galleries.

### Regulation of conduct in public galleries

8. Security staff are posted in the public galleries to provide assistance to the public and to maintain order where necessary. In the event of any incident which leads to the removal of a member of the public, the Security Officer will inform the police and invite them to take over the case for further investigation. In the course of liaising with the police, it is not the Secretariat's practice to specify

the number of police officers required.

## **Advice Sought**

9. Members are invited to note the existing security arrangements. Any views and comments on the arrangements are welcome and will be reported to The Legislative Council Commission for consideration.

Legislative Council Secretariat  
October 1998

G:\ADMIN\LCC\PAPER\HCPAPER.DOC

## **Extract from Standing Instructions for Security Staff and Reception Clerks**

### **2. Duties of Security Officer**

The Security Officer is responsible for

- (a) Supervising and managing the Security Assistants and reception clerks to ensure that they comply with laid-down instructions in the discharge of duties;
- (b) Designing, monitoring and reviewing the security of the Legislative Council Building and its precincts;
- (c) Liaising with the Police and other emergency services when their assistance is required; and
- (d) Handling petitions within the Legislative Council Building precincts.

Behaviour and Conduct in Public Galleries

Members of the public who are admitted to the Legislative Council Building to observe meetings of the Legislative Council and its committees should:

1. dress properly and behave in an orderly manner,
2. display a pass issued by an officer of the Council at all times,
3. turn off all pagers and mobile phones,
4. NOT clamour and chant slogans,
5. NOT display any sign, message or banner in any manner and by any means,
6. NOT take any item of baggage into the galleries unless such item has been inspected and permitted by an officer of the Council,
7. NOT eat or smoke,
8. NOT take any photographs; and
9. comply with any directions given by any officer of the Council for the purpose of keeping order.

July 1998

Cap. 382

核對表及指引  
Check List and Instructions

立法局（權力及特權）條例  
（第382章）  
LEGISLATIVE COUNCIL (POWERS AND PRIVILEGES) ORDINANCE  
(CAP. 382)

如欲確定此乃本成文法則的最新核對表及指引，請參閱第1冊內的總核對表及指引第II部所載本成文法則的核對表及指引的刊印期數，該刊印期數應與此頁右下角所示的刊印期數相同。  
To verify that this is the latest Check List and Instructions for this enactment, please refer to the issue number of Check List and Instructions for this enactment shown in Part II of the Master Check List and Instructions in Volume 1. Such issue number should be the same as the issue number shown at the lower right hand corner of this page.

如欲知悉本成文法則文本切合何時的法律情況，請參閱第1冊內的總核對表及指引第I部。  
To determine how up to date the text of this enactment is, please see Part I of the Master Check List and Instructions in Volume 1.

移去頁數 Withdraw pages	加插頁數 Insert pages	目前應有頁數 You should now have pages	刊印期數 Issue number
.....	.....	1-	12
.....	.....	13 .....	
		.....	

制定史 本為1985年第35號—1985年編正版，1994年第11號， 1996年第(C)22號法律公告（中文真確本）	Enactment History Originally 35 of 1985 - R. Ed. 1985, 11 of 1994, L.N. (C) 22 of 1996 (Chinese authentic version)
---	--

尚未實施— 無	The following are not yet in operation - Nil
------------	---



**CAP. 382** *Legislative Council (Powers and Privileges)*

**第 382 章** 立法局（權力及特權）條例

**CHAPTER 382**

**第 382 章**

**LEGISLATIVE COUNCIL (POWERS AND PRIVILEGES)  
ORDINANCE**

**立法局（權力及特權）條例**

**CONTENTS**

**目錄**

Section

條次

**PART I  
PRELIMINARY**

**第 I 部  
導言**

- 1. Short title
- 2. Interpretation

- 1. 簡稱
- 2. 釋義

**PART II  
PRIVILEGES AND IMMUNITIES**

**第 II 部  
特權及豁免權**

- 3. Freedom of speech and debate
- 4. Immunity from legal proceedings
- 5. Freedom from arrest
- 6. Service of civil process and exemptions
- 7. Evidence of proceedings in the Council or any committee not to be given without leave
- 8. Regulation of admittance to precincts of the Chamber
- 8A. Extension of privileges and immunities

- 3. 言論及辯論的自由
- 4. 有關法律程序的豁免權
- 5. 免遭逮捕
- 6. 民事法律程序文件的送達及豁免
- 7. 未經許可不得就立法局或任何委員會的會議程序作證
- 8. 對進入會議廳範圍的規限
- 8A. 特權及豁免權的延伸

**PART III  
EVIDENCE**

**第 III 部  
證據**

- 9. Power to order attendance of witnesses
- 10. Attendance to be notified by summons
- 11. Witnesses may be examined on oath
- 12. Power to issue warrant to compel attendance
- 13. Objection to answer question or produce papers
- 14. Privileges of witnesses
- 15. Determination of questions relating to evidence and production of documents before the Council or committee
- 16. Limitation on privilege against incrimination of self or spouse

- 9. 命令證人列席的權力
- 10. 以傳票通知列席
- 11. 可訊問經宣誓的證人
- 12. 發出手令強迫列席的權力
- 13. 反對回答問題或出示文據
- 14. 證人的特權
- 15. 關於在立法局或委員會席前作證或出示文件等問題的裁定
- 16. 免使自己或配偶入罪的特權的限制

**PART IV  
OFFENCES AND PENALTIES**

**第 IV 部  
罪行及罰則**

- 17. Contempts

- 17. 藐視罪

2      **CAP. 382**      *Legislative Council (Powers and Privileges)*

Section

18. False evidence and deception
19. Interference with members, officers or witnesses
20. Offences by persons entering or remaining in precincts of Chamber

PART V  
MISCELLANFOUS

21. Journals printed by order of the Council to be admitted as evidence
22. Powers of President supplementary to powers under Letters Patent or Royal Instructions
23. Courts not to exercise jurisdiction in respect of acts of the Council, President or officers
24. Officers of the Council to have powers of police officer
25. President may act when the Council is dissolved
26. Consent of Attorney General to prosecute

**第382章**      *立法局（權力及特權）條例*

條次

18. 虛假證據及欺騙
19. 干預議員、立法局人員或證人
20. 進入或逗留在會議廳範圍的人的罪行

第V部  
雜項

21. 藉立法局命令印刷的議事錄須接納為證據
22. 主席的權力補充《英皇制誥》或《皇室訓令》下的權力
23. 法院不得對立法局、主席或立法局人員的作為行使司法管轄權
24. 立法局人員具有警務人員的權力
25. 主席在立法局解散後仍可行使權力
26. 律政司同意方可檢控

CHAPTER 382

LEGISLATIVE COUNCIL (POWERS AND PRIVILEGES)

第382章

立法局（權力及特權）條例

To declare and define certain powers, privileges and immunities of the Legislative Council and of the members and officers thereof and of the Governor and public officers designated by him in relation to attendance at sittings of the Legislative Council and committees thereof; to secure freedom of speech in the Legislative Council; to make provision for regulating admittance to and conduct within the precincts of the Chamber of the Legislative Council; to provide for the giving of evidence in proceedings before the Legislative Council or committees thereof, and for offences in respect of such proceedings and related matters; and for purposes incidental to or connected therewith.

(Amended 11 of 1994 s. 2)

[26 July 1985] L.N. 215 of 1985

PART I  
PRELIMINARY

1. Short title

This Ordinance may be cited as the Legislative Council (Powers and Privileges) Ordinance.

2. Interpretation

(1) In this Ordinance, except where the context otherwise requires-  
"Chamber" (會議廳) means the Chamber in which the proceedings of the Council are conducted, and any galleries and places therein provided for members of the public and representatives of the press, television and radio, and includes any lobbies, offices or precincts used exclusively in connexion with the proceedings of the Council;

"Clerk" (秘書) means the Clerk to the Legislative Council or any person acting as his deputy;  
(Replaced 11 of 1994 s. 3)

本條例旨在公布和界定立法局與其議員及人員、總督與總督就有關立法局會議及具委員會會議的出席而指定的公職人員的某些權力、特權及豁免權，確保立法局內言論自由；就進入立法局會議廳範圍及在其內的行為等事作出規限；對於在立法局或其委員會的會議程序中作證事訂定條文，並就此等程序及有關事項訂定罪行；以及為其他附帶或相關的目的訂定條文。

(由1994年第11號第2條修訂)

[ 1985年7月26日 ] 1985年第215號法律公告

第I部  
導言

1. 簡稱

本條例可引稱為《立法局（權力及特權）條例》。

2. 釋義

(1) 在本條例中，除文意另有所指外—

“立法局人員”(officer of the Council)指秘書或根據主席的命令在會議廳範圍內行事的任何其他人員或人士、包括在會議廳範圍內當值的任何警務人員；

“主席”(President)指立法局主席，包括正在主持立法局會議時的任何其他立法局議員；



4 CAP. 382 Legislative Council (Powers and Privileges)

"committee" (委員會) means -

- (a) a standing or select committee or any other committee of the Council;
- (b) a subcommittee of any committee referred to in paragraph (a); (Replaced 11 of 1994 s.3)

"Council" means the Legislative Council;

"journals" (議事錄) means the minutes of the Council or the official record of the votes and proceedings thereof;

"member" (議員) means a member of the Council;

"officer of the Council" (立法局人員) means the Clerk or any other officer or person acting within the precincts of the Chamber under the orders of the President and includes any police officer on duty within the precincts of the Chamber;

"precincts of the Chamber" (會議廳範圍) means the Chamber and offices of the Council and any adjacent galleries and places provided for the use or accommodation of members of the public and representatives of the press, television and radio, and subject to any exceptions made by the President under subsection (2) includes, during the whole of any day the Council or a committee is sitting, the entire building in which the Chamber is situated and any forecourt, yard, garden, enclosure or open space adjoining or appertaining to such building and used or provided for the purposes of the Council; (Amended 11 of 1994 s.3)

"President" (主席) means the President of the Council, and includes any other member of the Council when presiding at a sitting of the Council;

"Standing Orders" (會議常規) means the Standing Orders of the Council for the time being in force.

(1A) For the purposes of the definition of "committee" in subsection (1) the reference to any other committee of the Council shall be construed as including a panel consisting only of members and paragraph (b) of that definition shall be construed and have effect accordingly. (Added 11 of 1994 s.3)

(2) The President may, by notice published in the Gazette, order that any part of a building, forecourt, yard, garden, enclosure or open space referred to in the definition in subsection (1) of "precincts of the Chamber" shall be excluded from that definition, either generally or for a specific purpose and either temporarily or permanently.

PART II  
PRIVILEGES AND IMMUNITIES

3. Freedom of speech and debate

There shall be freedom of speech and debate in the Council or proceedings before a committee, and such freedom of speech and debate shall not be liable to be questioned in any court or place outside the Council.

第382章 立法局(權力及特權)條例

"委員會" (committee)指—

- (a) 立法局的任何常務委員會、專責委員會或其他委員會；
- (b) (a)段所提述的任何委員會的小組委員會； (由1994年第11號第3條代替)

"秘書" (Clerk)指立法局秘書或任何以其代理身分行事的人； (由1994年第11號第3條代替)

"會議常規" (Standing Orders)指當其時有效的立法局會議常規；

"會議廳" (Chamber)指立法局進行會議程序的會議廳，以及其內為公眾人士與報界、電視台及電台的代表而提供的任何旁聽席及地方，包括為與立法局會議程序有關的用途而專用的任何大堂、辦事處或其他範圍；

"會議廳範圍" (precincts of the Chamber)指會議廳及立法局辦事處及毗鄰的旁聽席以及供公眾人士與報界、電視台及電台的代表使用或用以容納他們的地方，而除主席根據第(2)款作出例外規定者外，在立法局或任何委員會舉行會議當日全部時間，此詞亦包括會議廳所座落的整座建築物，以及為立法局而使用或提供的任何與該建築物毗鄰或屬於它的前院、庭院、花園、圍場或空地； (由1994年第11號第3條修訂)

"議事錄" (journals)指立法局會議紀錄或立法局表決及會議程序的正式紀錄；

"議員" (member)指立法局議員。

(1A) 就第(1)款中"委員會"的定義而言，凡對立法局任何其他委員會的提述，須解釋為包括一個純粹由議員組成的委員小組，而該定義(b)段亦須據此解釋和具有效力。 (由1994年第11號第3條增補)

(2) 主席可藉憲報公告，命令將第(1)款"會議廳範圍"定義內所提述的建築物、前院、庭院、花園、圍場或空地的任何部分，不包括在該定義內；此舉可以為一般目的，或為某一特定目的，可以是臨時性，亦可以是永久性的。

第II部  
特權及豁免權

3. 言論及辯論的自由

在立法局內及委員會會議程序中有言論及辯論的自由，而此種言論及辯論的自由，不得在任何法院或立法局外的任何地方受到質疑。



**4. Immunity from legal proceedings**

No civil or criminal proceedings shall be instituted against any member for words spoken before, or written in a report to, the Council or a committee, or by reason of any matter brought by him therein by petition, Bill, resolution, motion or otherwise.

**5. Freedom from arrest**

No member shall be liable to arrest-

- (a) for any civil debt (except a debt the contraction of which constitutes a criminal offence) whilst going to, attending at or returning from a sitting of the Council or a committee;
- (b) for any criminal offence whilst attending at a sitting of the Council or a committee.

**6. Service of civil process and exemptions**

(1) No process issued by any court in Hong Kong or elsewhere in the exercise of its civil jurisdiction shall be served or executed within the precincts of the Chamber while the Council is sitting, nor shall any such process be served or executed through the president or any officer of the Council unless it relates to a person employed within the precincts of the Chamber.

(2) Except by leave of the Council obtained in accordance with the Standing Orders, a member, the Governor or any public officer designated by the Governor for the purpose of attending sittings of the Council, while so designated, shall not be required to attend as a witness in any civil proceedings on a day when the Council is sitting. *(Amended 11 of 1994 s.4)*

(3) A member shall be exempted from service as a juror in accordance with section 5 of the Jury Ordinance (Cap. 3).

**7. Evidence of proceedings in the Council or any committee not to be given without leave**

(1) No member or officer of the Council, and no person employed to take minutes or keep any record of evidence before the Council or a committee, shall give evidence elsewhere in respect of the contents of such minutes or record of evidence, or of the contents of any document laid before the Council or committee, as the case may be, or in respect of any proceedings or examination held before the Council or committee, as the case may be, without the special leave of the Council.

(2) During a recess or adjournment of the Council, the special leave referred to in subsection (1) may be given by the President or, if the President is unable to act owing to his absence from Hong Kong or incapacity, in accordance with the Standing Orders.

**4. 有關法律程序的豁免權**

不得因任何議員曾在立法局或任何委員會席前發表言論，或在提交該局或委員會的報告書中發表的言論，或因他曾以呈請書、條例草案、決議、動議或其他方式提出的事項而對他提起民事或刑事法律程序。

**5. 免遭逮捕**

任何議員—

- (a) 在前往立法局或任何委員會會議途中，在出席會議或會議後回程中，可免因民事債項（如訂約承擔則構成刑事罪行的債項除外）而遭逮捕；
- (b) 在出席立法局或任何委員會會議時，可免因刑事罪行而遭逮捕。

**6. 民事法律程序文件的送達及豁免**

(1) 立法局舉行會議時，不得在會議廳範圍內送達或執行由香港或其他地方的法院行使其民事司法管轄權而發出的法律程序文件，亦不得經由主席或任何立法局人員送達或執行任何此等文件，但如該法律程序文件是與受僱於會議廳範圍內的人有關的，則不在此限。

(2) 除按照會議常規獲立法局許可外，議員、總督或由總督為有關立法局會議的出席而指定的任何公職人員（獲如此指定時），在立法局舉行會議之日，無須在任何民事法律程序中列席作為證人。 *（由1994年第11號第4條修訂）*

(3) 議員按照《陪審團條例》（第3章）第5條，須獲豁免出任陪審員。

**7. 未經許可不得就立法局或任何委員會的會議程序作證**

(1) 如未經立法局特別許可，任何議員或立法局人員，以及受僱在立法局或任何委員會會議席上錄取會議紀要或保存證據紀錄的人，不得就上述會議紀要或證據紀錄的內容、或就提交立法局或任何委員會的文件內容（視屬何情況而定）、或就立法局或任何委員會所進行的會議程序或訊問（視屬何情況而定），在其他地方作證。

(2) 在立法局休會或押後會議期間，第(1)款所提述的特別許可，可由主席給予；如主席因不在香港或喪失履行職務能力以致不能行事者，則可按照會議常規給予。





**8. Regulation of admittance to precincts of the Chamber**

(1) Subject to this section, sittings of the Council shall be open to the public.

(2) The right of persons other than members or officers of the Council to enter or remain within the precincts of the Chamber shall be subject to the Standing Orders or any resolution of the Council limiting or prohibiting the enjoyment of such right.

(3) The President may from time to time, for the purpose of maintaining the security of the precincts of the Chamber, ensuring the proper behaviour and decorum of persons therein and for other administrative purposes, issue such administrative instructions as he may deem necessary or expedient for regulating the admittance of persons (other than members or officers of the Council) to, and the conduct of such persons within, the Chamber and the precincts of the Chamber.

(4) Copies of administrative instructions issued by the President under subsection (3) shall be duly authenticated by the Clerk and exhibited in a conspicuous position in the precincts of the Chamber; and such copies when so authenticated and exhibited shall be deemed to be sufficient notice to all persons affected thereby.

**8A. Extension of privileges and immunities**

(1) The persons specified in subsection (2) shall, in the relevant circumstances described in that subsection, enjoy the same privileges or immunities as those provided in or conferred on the members by section 3, 4 or 5.

(2) The persons and circumstances referred to in subsection (1) are-

- (a) the Governor when present at a sitting of the Council or a committee; and
- (b) any public officer designated by the Governor for the purpose of attending sittings of the Council or any committee, while so designated and attending any such sitting.

*(Added 11 of 1994 s. 5)*

PART III  
EVIDENCE

**9. Power to order attendance of witnesses**

(1) The Council or a standing committee thereof may, subject to sections 13 and 14, order any person to attend before the Council or before such

**8. 對進入會議廳範圍的規限**

(1) 除本條另有規定外，立法局會議須公開舉行。

(2) 除議員或立法局人員外，任何人進入或逗留在會議廳範圍內的權利，須受會議常規或立法局所通過用以限制或禁止享有此項權利的決議所規限。

(3) 為維持會議廳範圍的保安、確保在其內的人舉止行為恰當、以及為其他行政上的目的，主席可不時發出他認為必要或適宜的行政指令，以規限非議員或非立法局人員的人進入會議廳及會議廳範圍內，並規限上述的人在其內的行為。

(4) 主席根據第(3)款發出的行政指令，其副本須由秘書妥為認證，並在會議廳範圍內顯眼處予以展示；凡如此認證和展示該等副本，即當作為已給予所有受該行政指令影響的人充分通知。

**8A. 特權及豁免權的延伸**

(1) 第(2)款指明的人，在該款所描述的有關情況下，享有第3、4或5條所提供的或授予議員的相同特權及豁免權。

(2) 第(1)款所提述的人士及情況為—

- (a) 總督在出席立法局或委員會會議時；及
- (b) 由總督為立法局或任何委員會會議的出席而指定的公職人員，在獲如此指定和出席任何該等會議時。

*(由1994年第11號第5條增補)*

第III部  
證據

**9. 命令證人列席的權力**

(1) 除第13及14條另有規定外，立法局或其常務委員會可命令任何人到立法局或該委員會席前，作證或出示其所管有或控制的任何文據、簿冊、紀錄或文件。

committee and to give evidence or to produce any paper, book, record or document in the possession or under the control of such person.

(2) The powers conferred by subsection (1) on a standing committee may be exercised by any other committee which is specially authorized by a resolution of the Council to exercise such powers in respect of any matter or question specified in the resolution.

#### 10. Attendance to be notified by summons

(1) Where any person is lawfully ordered to attend to give evidence or to produce documents before the Council or a committee, he shall be notified by a summons issued under the hand of the Clerk by direction of the President.

(2) In every summons issued to any person under subsection (1) there shall be stated the name of that person and the time when and the place where he is required to attend and the particular documents (if any) he is required to produce, and the summons shall be served on him either by delivering to him a copy thereof or by leaving a copy thereof at his usual or last known place of abode in Hong Kong with some adult person.

(3) A summons issued under this section may be served by an officer of the Council or by a police officer or any public officer.

#### 11. Witnesses may be examined on oath

(1) The Council or a committee may require that any facts, matters and things relating to the subject of inquiry before the Council or such committee be verified or otherwise ascertained by the oral examination of witnesses, and may cause any such witnesses to be examined upon oath.

(2) An oath required to be taken under this section may be administered by the Clerk or by any other person appointed by the Council for that purpose or, in the case of a witness before a committee, by the chairman of the committee or by the member presiding in the absence of the chairman.

#### 12. Power to issue warrant to compel attendance

(1) Where a person to whom a summons is issued under section 10 does not attend before the Council or the committee at the time and place stated therein, the President may, if satisfied that the summons has been duly served or that such person has wilfully avoided service, direct the Clerk to issue a warrant in the prescribed form to apprehend him and bring him, at a time and place stated in the warrant, before the Council or committee, as the case may be.

(2) Where a warrant is issued under this section, the President may, by ordering an appropriate endorsement on the warrant, direct that the person

(2) 第(1)款授予常務委員會的權力，可由任何其他委員會行使，但該委員會須為立法局藉決議特別授權就決議中指明的任何事項或問題而行使上述權力者。

#### 10. 以傳票通知列席

(1) 凡任何人被合法地命令在立法局或任何委員會席前作證或出示文件，須由秘書以按照主席的指示親自簽發的傳票通知該人。

(2) 根據第(1)款發給任何人的每份傳票，須述明該人的姓名及須列席的時間地點，以及該人須出示的指定文件（如有的話）；該傳票須送達該人，送達的方式是將一份傳票交付該人，或將一份傳票留交該人在香港的慣常或最後為人所知的居住地方的一名成年人。

(3) 根據本條發出的傳票，可由立法局人員、警務人員或任何公職人員送達。

#### 11. 可訊問經宣誓的證人

(1) 立法局或任何委員會可就與立法局或該委員會的研訊主題有關的事實、事項及事物，規定予以核實或以口頭訊問證人的方式予以確定，並可安排此等證人在宣誓後接受訊問。

(2) 根據本條須作出的宣誓，可由秘書或由立法局為此目的而委任的任何其他人監督；如證人在任何委員會的席前，則由該委員會的主席監督，或由在該委員會的主席缺席時主持會議的議員監督。

#### 12. 發出手令強迫列席的權力

(1) 凡根據第10條向任何人發出傳票後，該人如不依照傳票內述明的時間地點到立法局或委員會席前，而主席信納傳票已妥為送達或該人是故意逃避送達的，則可指示秘書按訂明的格式發出手令，以拘捕該人及將他在手令內述明的時間地點帶到立法局或委員會席前，視屬何情況而定。

(2) 凡根據本條發出一項手令，主席可藉命令在該手令上作適當的批註，以指示將該手令所指名的人逮捕後帶到裁判官席前，並指示在該人作出擔保以保證依照該批註所指明到立法局或委員會席前後，釋放該人。

named in the warrant be brought before a magistrate after arrest and released on entering into such recognizance for his appearance before the Council or committee as may be specified in the endorsement.

(3) A warrant issued under this section shall be executed by a police officer.

(4) A magistrate may, when a person is brought before him under subsection (2), release that person upon his entering into such recognizance as may be specified in the endorsement on the warrant.

(5) Every warrant and every endorsement on such warrant purporting to bear the signature of the Clerk under this section shall be deemed, unless the contrary is proved, to have been issued or made under the direction or order of the President under this section.

(6) The Governor may, by order in the Gazette, prescribe a form of warrant for the purposes of this section.

### 13. Objection to answer question or produce papers

(1) Subject to section 14, where any person lawfully ordered to attend to have evidence or to produce any paper, book, record or document before the Council refuses to answer any question that may be put to him or to produce any such paper, book, record or document on the ground that the same is of a private nature and does not affect the subject of inquiry, the President may (and shall if such question or the production of such paper, book, record or document is not relevant) excuse the answering of such question or the production of such paper, book, record or document, or may order the answering or production thereof.

(2) Subject to section 14, where any person lawfully ordered to attend to give evidence or to produce any paper, book, record or document before any committee refuses to answer any question that may be put to him or to produce any such paper, book, record or document on the ground that the same is of a private nature and does not affect the subject of inquiry, the chairman of the committee may report such refusal to the President with the reasons therefor; and the President may (and shall if such question or the production of such paper, book, record or document is not relevant) thereupon excuse the answering of such question or the production of such paper, book, record or document or may order the answering or production thereof.

### 14. Privileges of witnesses

(1) Every person lawfully ordered to attend to give evidence or to produce any paper, book, record or document before the Council or a committee shall, subject to section 16, be entitled, in respect of such evidence

(3) 根據本條發出的手令，須由警務人員執行。

(4) 當任何人根據第(2)款被帶到裁判官席前時，裁判官可在該人依照手令上的批註所指明作出擔保後，將他釋放。

(5) 根據本條發出的每一手令及在其上作出的每項批註，如看來是載有秘書的簽署的，則除非相反證明成立，否則須當作是根據本條由主席指示或命令而發出或作出的。

(6) 總督可藉憲報命令，為本條的施行而訂明手令的格式。

### 13. 反對回答問題或出示文據

(1) 除第14條另有規定外，凡任何人被合法地命令到立法局席前作證或出示任何文據、簿冊、紀錄或文件，而該人拒絕回答任何向他提出的問題，或拒絕出示任何上述文據、簿冊、紀錄或文件，他所根據的理由是該問題或該等文據、簿冊、紀錄或文件屬私人性質，且對研訊主題並無影響，則主席可免該人回答該問題或出示該等文據、簿冊、紀錄或文件（如該問題或出示該等文據、簿冊、紀錄或文件確屬與研訊無關，則須免該人回答或出示），或可命令該人回答或出示。

(2) 除第14條另有規定外，凡任何人被合法地命令到任何委員會席前作證或出示任何文據、簿冊、紀錄或文件，而該人拒絕回答任何向他提出的問題，或拒絕出示任何上述文據、簿冊、紀錄或文件，他所根據的理由是該問題或該文據、簿冊、紀錄或文件屬私人性質，且對研訊主題並無影響，則該委員會的主席可向立法局主席報告該人拒絕的事及其拒絕理由，而立法局主席可隨即免該人回答該問題或出示該等文據、簿冊、紀錄或文件（如該問題或出示該等文據、簿冊、紀錄或文件確屬與研訊無關，則須免該人回答或出示），或可命令該人回答或出示。

### 14. 證人的特權

(1) 如任何人被合法地命令到立法局或任何委員會席前作證或出示任何文據、簿冊、紀錄或文件，則除第16條另有規定外，該人在作證或披露任何通訊或出示任何

or the disclosure of any communication or the production of any such paper, book, record or document, to the same right or privilege as before a court of law.

(2) No person, other than a public officer acting with the consent of the Governor, shall before the Council or a committee-

- (a) give any evidence; or
- (b) produce any paper, book, record or document,

relating to the correspondence concerning-

- (i) any naval, military or air force matter or of any other matter relating to the security of Hong Kong; or
- (ii) the responsibilities of Her Majesty's Government in the United Kingdom otherwise than with respect to the administration of Hong Kong by its Government,

nor shall secondary evidence be received by or produced before the Council or a committee of the contents of any such paper, book, record or document.

**15. Determination of questions relating to evidence and production of documents before the Council or committee**

Where at any time any question arises in the Council or a committee in regard to

- (a) the right or power of the Council or a committee to hear, admit or receive oral evidence; or
- (b) the right or power of the Council or a committee to peruse or examine any paper, book, record or document or to order, direct or call upon any person to produce any paper, book, record or document before the Council or committee; or
- (c) the right or privilege of any person (including a member of the Council or committee) to refuse to produce any paper, book, record or document or to lay any paper, book, record or document before the Council or committee,

that question may, subject to this Ordinance and except in so far as express provision is made therein for the determination of that question, be determined in accordance with the usage and practice of the Council which applied prior to the commencement of this Ordinance or applies thereafter by virtue of any resolution of the Council.

**16. Limitation on privilege against incrimination of self or spouse**

(1) In any proceedings in the Council or a committee, any person lawfully ordered to attend to give evidence or to produce any paper, book,

上述文據、簿冊、紀錄或文件方面，須享有權利或特權，與他在法院所享有的權利或特權相同。

(2) 除在總督同意下行事的公職人員外，任何人不得在立法局或任何委員會席前就有關的信息互通—

- (a) 作證；或
- (b) 出示任何文據、簿冊、紀錄或文件，

而該信息互通是與以下各項有關的

- (i) 任何海、陸、空軍事宜或與香港保安有關的任何其他事宜；或
- (ii) 聯合王國的女皇政府所負的責任（該等責任是與香港政府管治香港無關者），

此外，有關上述任何文據、簿冊、紀錄或文件的內容的次要證據，亦不得由立法局或任何委員會收取，或在立法局或該委員會席前出示。

**15. 關於在立法局或委員會席前作證或出示文件等問題的裁定**

凡在立法局或任何委員會內任何時間產生關於以下事項的問題

- (a) 立法局或任何委員會聆聽、接納或收取口頭證據的權利或權力；或
- (b) 立法局或任何委員會閱讀或審查任何文據、簿冊、紀錄或文件的權利或權力，或命令、指示或傳喚任何人到立法局或該委員會席前出示任何文據、簿冊、紀錄或文件的權利或權力；或
- (c) 任何人（包括立法局議員或委員會成員）拒絕到立法局或委員會席前出示任何文據、簿冊、紀錄或文件或拒絕將其提交的權利或特權，

則除本條例另有規定外，以及除非本條例對該問題的裁定有明文規定，否則該問題可按照本條例生效日期前適用於立法局的常習及慣例予以裁定，或按照本條例生效日期後立法局憑藉決議而適用的常習及慣例予以裁定。

**16. 免使自己或配偶入罪的特權的限制**

(1) 在立法局或任何委員會的任何會議程序中，任何人如被合法地命令列席並在立法局或委員會席前作證或出示任何文據、簿冊、紀錄或文件，則除非已根據第13

record or document before the Council or committee shall not, unless excused under section 13, be excused-

- (a) from answering any relevant question put to that person in the proceedings or producing any such paper, book, record or document; or
- (b) from complying with any order made in or in connexion with the proceedings,

on the ground that to do so may tend to expose that person, or the wife or husband of that person, to proceedings for an offence or for the recovery of a penalty.

- (2) Subject to subsection (3), no statement or admission made by a person-
  - (a) in answering a question put to him in any proceedings to which subsection (1) applies; or
  - (b) in complying with any order made in any such proceedings,

shall, in proceedings for any offence or for the recovery of any penalty, be admissible in evidence against that person or (unless they married after the making of the statement or admission) against the wife or husband of that person.

(3) Nothing in subsection (2) shall render any statement or admission made by a person as there mentioned inadmissible in evidence against that person in proceedings for an offence under section 32 (which relates to false statements on oath made otherwise than in a judicial proceeding) or section 36 (which relates to false statutory declarations and other false statements without oath) of the Crimes Ordinance (Cap. 200).

PART IV  
OFFENCES AND PENALTIES

17. Contempts

Any person who-

- (a) disobeys any lawful order made by the Council or a committee requiring him to attend or produce any papers, books, documents or records before the Council or committee, unless such attendance or production is excused under section 13; or
- (b) refuses to be examined before, or to answer any lawful and relevant question put by, the Council or a committee during the course of any examination, unless such refusal is excused under section 13; or

條獲免遵行，否則不得以如此行事可使該人或其妻子或丈夫就某一罪行或就追討罰款而被人向其提出法律程序為理由，而獲免—

- (a) 在該等會議程序中回答任何向其提出的有關問題，或出示任何上述文據、簿冊、紀錄或文件；或
- (b) 遵從在該等會議程序中所作出的，或因與該等會議程序有關而作出的任何命令。

(2) 除第(3)款另有規定外，任何人在以下情況中所作的陳述或承認—

- (a) 在第(1)款所適用的任何會議程序中回答向其提出的問題時；或
- (b) 在遵從任何上述會議程序中所作出的命令時，

在就任何罪行或追討罰款而進行的法律程序中，不得被接納為對該人或其妻子或丈夫不利的證據（除非兩人在作出該陳述或承認後始行結婚）。

(3) 在就《刑事罪行條例》（第200章）第32條所指的罪行（關於在司法程序以外的情況下經宣誓後作出的虛假陳述）或第36條所指的罪行（關於虛假法定聲明及其他未經宣誓的虛假陳述）而進行訴訟時，第(2)款所述任何人所作的任何陳述或承認，不得因該款的任何規定而不獲接納為對該人不利的證據。

第IV部  
罪行及罰則

17. 藐視罪

凡任何人—

- (a) 不服從立法局或任何委員會所作出的合法命令，而該命令是要求他到立法局或該委員會列席，或要求他到立法局或該委員會席前出示任何文據、簿冊、文件或紀錄的，除非該人已根據第13條獲免列席或出示；或
- (b) 在訊問過程中，拒絕接受立法局或任何委員會的訊問，或拒絕回答由立法局或任何委員會所提出的任何合法及有關的問題，除非該人已根據第13條獲免回答；或

**CAP. 382**

*Legislative Council (Powers and Privileges)*

(c) creates or joins in any disturbance which interrupts or is likely to interrupt the proceedings of the Council or a committee while the Council or such committee is sitting, commits an offence and is liable to a fine of \$10,000 and to imprisonment for 12 months, and in the case of a continuing offence to a further fine of \$2,000 for each day on which the offence continues.

**18. False evidence and deception**

(1) Any person who before the Council or a committee intentionally gives a false answer to any question material to the subject of inquiry which may be put to him during the course of any examination commits an offence and is liable to a fine of \$50,000 and to imprisonment for 2 years.

(2) Any person who presents to the Council or a committee any false, untrue, fabricated or falsified document with intent to deceive the Council or such committee, unless such presentation constitutes an offence under subsection (1), commits an offence and is liable to a fine of \$10,000 and to imprisonment for 12 months.

**19. Interference with members, officers or witnesses**

Any person who-

- (a) assaults, obstructs or molests any member going to, being within or going from the precincts of the Chamber, or endeavours to compel any member by force or menace to declare himself in favour of or against any motion or matter pending before the Council or a committee; or
- (b) assaults, interferes with, molests, resists or obstructs any officer of the Council while in the execution of his duty; or
- (c) tampers with, deters, threatens, molests or in any way unduly influences any witness in regard to any evidence to be given by him before the Council or a committee; or
- (d) threatens, molests or in any way punishes or injures or attempts to punish or injure any person for having given evidence before the Council or a committee or on account of any evidence which he has given before the Council or a committee,

commits an offence and is liable to a fine of \$10,000 and to imprisonment for 12 months.

**20. Offences by persons entering or remaining in precincts of Chamber**

Any person, other than a member or officer of the Council, who-

**第382章**

立法局（權力及特權）條例

11

(c) 在立法局或任何委員會舉行會議時，引起或參加任何擾亂，致令立法局或該委員會的會議程序中斷或相當可能中斷，即屬犯罪，可處罰款\$10,000及監禁12個月，如持續犯罪，則在持續犯罪期間，另加每日罰款\$2,000。

**18. 虛假證據及欺騙**

(1) 任何人在訊問過程中，對立法局或任何委員會向其提出在研訊主題上具關鍵性的問題，蓄意給予虛假的回答，即屬犯罪，可處罰款\$50,000及監禁2年。

(2) 任何人向立法局或任何委員會提交虛假、失實、捏造或捏改的文件，而意圖欺騙立法局或該委員會，即屬犯罪，可處罰款\$10,000及監禁12個月，但如此等文件的提交構成第(1)款所指的罪行者則除外。

**19. 干預議員、立法局人員或證人**

凡任何人—

- (a) 襲擊、妨礙或騷擾任何前往或離開會議廳範圍，或在會議廳範圍內的任何議員，或藉武力或恐嚇嘗試強迫任何議員宣布贊成或反對立法局或任何委員會的待決動議或事項；或
- (b) 襲擊、干預、騷擾、抗拒或妨礙任何正在執行職責的立法局人員；或
- (c) 就任何證人即將在立法局或任何委員會席前提出的任何證據而干擾、阻止、威脅、騷擾或以任何方式不當地影響該證人；或
- (d) 因某人曾在立法局或任何委員會席前作證或因該人在立法局或任何委員會席前所提出的任何證據而威脅、騷擾、或以任何方式懲罰或傷害或企圖懲罰或傷害該人，

即屬犯罪，可處罰款\$10,000及監禁12個月。

**20. 進入或逗留在會議廳範圍的人的罪行**

除議員或立法局人員外，凡任何人—

12 **CAP. 382** *Legislative Council (Powers and Privileges)*

- (a) enters or attempts to enter the Chamber or the precincts of the Chamber in contravention of any of the Standing Orders or any resolution under section 8(2); or
- (b) contravenes any administrative instructions issued under section 8(3), or any direction given thereunder, regulating the admittance of persons to or the conduct of persons within the Chamber or the precincts of the Chamber,

commits an offence and is liable to a fine of \$2,000 and to imprisonment for 3 months.

PART V  
MISCELLANEOUS

**21. Journals printed by order of the Council to be admitted as evidence**

Upon any inquiry touching the privileges, immunities and powers of the Council or of any member, any copy of the journals printed or purporting to be printed by the Government Printer shall be admitted as evidence of such journals in all courts and places without any proof being given that such copy was so printed.

**22. Powers of President supplementary to powers under Letters Patent or Royal Instructions**

The powers of the President under this Ordinance shall be supplementary to any powers conferred on him by Letters Patent or Royal Instructions.

**23. Courts not to exercise jurisdiction in respect of acts of the Council, President or officers**

The Council, the President or any officer of the Council shall not be subject to the jurisdiction of any court in respect of the lawful exercise of any power conferred on or vested in the Council, the President or such officer by or under this Ordinance or the Standing Orders.

**24. Officers of the Council to have powers of police officer**

Within the precincts of the Chamber, every officer of the Council shall, for the purposes of this Ordinance and of the application of the criminal law, have all the powers and enjoy all the privileges of a police officer.

**第382章** *立法局（權力及特權）條例*

- (a) 違反第8(2)條所指的任何會議常規或決議，進入或企圖進入會議廳或會議廳範圍；或
- (b) 違反根據第8(3)條所發出的行政指令或根據該等指令所發出的指示，而該等指令或指示是用以規限任何人進入會議廳或會議廳範圍或規限這些人在其內的行為的，

即屬犯罪，可處罰款\$2,000及監禁3個月。

第V部  
雜項

**21. 藉立法局命令印刷的議事錄須接納為證據**

在任何研訊中如觸及立法局或任何議員的特權、豁免權及權力的問題，則由政府印務局局長印刷或看來是由政府印務局局長印刷的任何議事錄文本，在所有法院及其他地方均須接納為該議事錄的證據，而無須證明該文本是如此印刷的。

**22. 主席的權力補充《英皇制誥》或《皇室訓令》下的權力**

本條例授予主席的權力，對《英皇制誥》或《皇室訓令》授予他的權力有所補充。

**23. 法院不得對立法局、主席或立法局人員的作為行使司法管轄權**

立法局、主席或任何立法局人員在合法行使由本條例或會議常規、或根據本條例或會議常規所授予或賦予立法局、主席或該人員的任何權力時，不受任何法院的司法管轄權所管轄。

**24. 立法局人員具有警務人員的權力**

為本條例的施行及刑事法律的應用，每名立法局人員在會議廳範圍內，均具有警務人員的所有權力和享有警務人員的所有特權。

**CAP. 382**      *Legislative Council (Powers and Privileges)*

**25. President may act when the Council is dissolved**

For the purposes of this Ordinance, the President may exercise the powers conferred on him by this Ordinance even though the Council has been dissolved.

**26. Consent of Attorney General to prosecute**

No prosecution for an offence under this Ordinance shall be instituted except with the consent of the Attorney General.

**第 382 章**      *立法局（權力及特權）條例*

13

**25. 主席在立法局解散後仍可行使權力**

為本條例的施行，即使立法局已予解散，主席仍可行使本條例授予他的權力。

**26. 律政司同意方可檢控**

除經律政司同意外，否則不得就本條例所訂的任何罪行提出檢控。





Cap. 382A

核對表及指引  
Check List and Instructions

規限獲准進入立法局大樓的人士及  
其行為的行政指令  
(第382章，附屬法例A)  
ADMINISTRATIVE INSTRUCTIONS FOR REGULATING  
ADMITTANCE AND CONDUCT OF PERSONS  
(CAP. 382 sub. leg. A)

如欲確定此乃本成文法則的最新核對表及指引，請參閱第1冊內的總核對表及指引第II部所載本成文法則的核對表及指引的刊印期數，該刊印期數應與此頁右下角所示的刊印期數相同。  
To verify that this is the latest Check List and Instructions for this enactment, please refer to the issue number of Check List and Instructions for this enactment shown in Part II of the Master Check List and Instructions in Volume 1.  
Such issue number should be the same as the issue number shown at the lower right hand corner of this page.

如欲知悉本成文法則文本切合何時的法律情況，請參閱第1冊內的總核對表及指引第I部。  
To determine how up to date the text of this enactment is, please see Part I of the Master Check List and Instructions in Volume 1.

移去頁數  
Withdraw pages

加插頁數  
Insert pages

目前應有頁數  
You should now have pages

刊印期數  
Issue number 12

.....

.....

A1-  
A6 .....

制定史

本為1992年第227號法律公告—1993年第134號法律公告，1993年第448號法律公告，1994年第174號法律公告，1995年第132號法律公告，1996年第(C)22號法律公告（中文真確本）

尚未實施—  
無

Enactment History

Originally L.N. 227 of 1992 - L.N. 134 of 1993, L.N. 448 of 1993, L.N. 174 of 1994, L.N. 132 of 1995, L.N. (C) 22 of 1996 (Chinese authentic version)

The following are not yet in operation -  
Nil

**CAP. 382** *Administrative Instructions for Regulating  
Admittance and Conduct of Persons*

**第 382 章** *規限獲准進入立法局大樓的人士及  
其行為的行政指令*

A1

[Subsidiary]

[ 附屬法例 ]

**ADMINISTRATIVE INSTRUCTIONS FOR REGULATING  
ADMITTANCE AND CONDUCT OF PERSONS**

**規限獲准進入立法局大樓的人士及  
其行為的行政指令**

Section	CONTENTS	條次	目錄
	PART I PRELIMINARY		第 I 部 導言
1.	Interpretation	1.	釋義
	PART II ACCESS		第 II 部 進入
2.	Members of the public to be admitted to public galleries	2.	准許公眾人士進入公眾席
3.	Visitors to obtain and display pass	3.	訪客須領取和展示訪客證
4.	Restriction on access to areas reserved for Members	4.	進入議員專用範圍的限制
5.	Restriction on access to the President's suite	5.	進入主席套房的限制
6.	Restriction on access to offices of the Council	6.	進入立法局辦事處的限制
7.	Restriction on access to general offices	7.	進入一般辦事處的限制
8.	Restriction on use of Members' entrance	8.	使用議員入口的限制
9.	Restriction on carrying baggage into precincts	9.	攜帶行李進入會議廳範圍的限制
	PART III CONDUCT		第 III 部 行為
10.	Restriction on smoking and eating	10.	吸煙及進食的限制
11.	Requirement for orderly behaviour	11.	遵守秩序的規定
12.	Conduct in galleries	12.	在旁聽席上的行為
	PART IV FACILITIES FOR THE PRESS, RADIO AND TELEVISION		第 IV 部 提供予報界、電台及電視台的設施
13.	Restriction on use of press gallery	13.	使用記者席的限制
14.	Restriction on use of radio and television rooms	14.	使用電台廣播室及電視室的限制
15.	Restriction on taking of photographs	15.	拍攝的限制
	PART V EMERGENCIES		第 V 部 緊急情況
16.	Evacuation of Building	16.	從大樓疏散的措施



**A2**            **CAP. 382**            *Administrative Instructions for Regulating  
Admittance and Conduct of Persons*

**ADMINISTRATIVE INSTRUCTIONS FOR REGULATING  
ADMITTANCE AND CONDUCT OF PERSONS**

(Cap. 382, section 8)

These administrative instructions are issued by the President of the Legislative Council. Failure to comply with these instructions or any requirement made thereunder may render the offender liable to prosecution.

[10 July 1992]

**PART I  
PRELIMINARY**

**1. Interpretation**

In these instructions -

"Building" (大樓) means the Legislative Council Building;

"Chamber" (會議廳) means the Chamber in which the proceedings of the Council are conducted, and any galleries and places therein provided for members of the public and representatives of the press, radio and television, and includes any lobbies, offices or precincts used exclusively in connection with the proceedings of the Council;

"Clerk" (秘書) means the Clerk to the Legislative Council or any person acting as his deputy; (*L.N. 174 of 1994*)

"committee" (委員會) means

(a) a standing or select committee or any other committee of the Council;

(b) a subcommittee of any committee referred to in paragraph (a); (*L.N. 174 of 1994*)

"committee room" (委員會會議室) means any of the conference rooms on the first floor of the Building marked as such on the plan;

"Council" means the Legislative Council;

**第382章**            *規限獲准進入立法局大樓的人士及  
其行為的行政指令*

**規限獲准進入立法局大樓的人士及  
其行為的行政指令**

(第382章第8條)

本行政指令由立法局主席發出。不遵從本指令或不遵從根據本指令所訂立的任何規定者，可被檢控。

[1992年7月10日]

**第I部  
導言**

**1. 釋義**

在本指令中—

“大樓”(Building)指立法局大樓；

“公眾席”(public gallery)指在圖則上註明是公眾席的地方；

“立法局人員”(officer of the Council)指秘書或根據主席的命令在會議廳範圍內行事的任何其他人員或人士，包括在會議廳範圍內當值的任何警務人員；

“立法局辦事處”(office of the Council)指秘書辦事處或任何其他立法局人員的辦事處；

“主席”(President)指立法局主席或代理主席，包括正在主持立法局會議時的任何其他立法局議員； (*1993年第134號法律公告*)

“委員會”(committee)指

(a) 立法局的任何常務委員會、專責委員會或其他委員會；

(b) (a)段所提述的任何委員會的小組委員會； (*1994年第174號法律公告*)

“委員會會議室”(committee room)指在大樓二樓，並在圖則上註明是會議室的任何會議室；

“記者席”(press gallery)指在圖則上註明是記者席的地方；

**CAP. 382** *Administrative Instructions for Regulating  
Admittance and Conduct of Persons*

"Member" (議員) means a Member of the Legislative Council; (L.N. 134 of 1993)

"office of the Council" (立法局辦事處) means the office of the Clerk or of any other officers of the Council;

"officer of the Council" (立法局人員) means the Clerk or any other officer or person acting within the precincts of the Chamber under the orders of the President, and includes any police officer on duty within the precincts of the Chamber;

"plan" (圖則) means the plan of the Building marked and signed by the Clerk and deposited in the office of the Clerk;

"precincts of the Chamber" (會議廳範圍) means the Chamber and offices of the Council and any adjacent galleries, and places provided for the use or accommodation of members of the public and representatives of the press, radio and television, and subject to any exceptions made by the President includes, during the whole of any day the Council or a committee is sitting, the area marked as such on the plan; (L.N. 174 of 1994)

"President" (主席) means the President of the Council or President's deputy, and includes any other Member of the Council when presiding at a sitting of the Council; (L.N. 134 of 1993)

"press gallery" (記者席) means a press gallery marked as such on the plan;

"public gallery" (公眾席) means a public gallery marked as such on the plan.

PART II  
ACCESS

**2. Members of the public to be admitted to public galleries**

Members of the public may be admitted to a public gallery whenever the Council or a committee is sitting in public in the Chamber or in a committee room.

**3. Visitors to obtain and display pass**

Visitors to the precincts of the Chamber, other than those attending public sittings of the Council or a committee, shall apply to an officer of the Council for a pass, and shall display the pass at all times when within the precincts of the Chamber.

**第382章** *規限獲准進入立法局大樓的人士及  
其行為的行政指令*

A3

"秘書" (Clerk)指立法局秘書或任何以其代理身分行事的人； (1994年第174號法律公告)

"會議廳" (Chamber)指供立法局進行會議程序的會議廳，以及其內為公眾人士與報界、電台及電視台的代表而提供的任何旁聽席及地方，包括為與立法局之會議程序有關的用途而專用的任何大堂、辦事處或範圍；

"會議廳範圍" (precincts of the Chamber)指會議廳及立法局辦事處及毗鄰的旁聽席，以及供公眾人士與報界、電台及電視台的代表使用或用以容納他們的地方，而除主席作出例外規定者外，在立法局或任何委員會舉行會議當日全部時間，此詞亦包括在圖則上註明是會議廳範圍的地方； (1994年第174號法律公告)

"圖則" (plan)指經秘書註明和簽署，並存放於秘書辦事處的大樓圖則；

"議員" (Member)指立法局議員； (1993年第134號法律公告)

第II部  
進入

**2. 准許公眾人士進入公眾席**

每當立法局或任何委員會在會議廳或委員會會議室舉行公開會議時，公眾人士可獲准進入公眾席。

**3. 訪客須領取和展示訪客證**

除列席立法局或任何委員會公開會議的訪客外，所有進入會議廳範圍的訪客均須向立法局人員申領訪客證，並須於逗留在會議廳範圍內的時間一直予以展示。

**A4 CAP. 382** *Administrative Instructions for Regulating Admittance and Conduct of Persons*

**4. Restriction on access to areas reserved for Members**

(1) No person other than a Member or an officer of the Council shall enter the antechamber marked as such on the plan or any committee room without the permission of the President.

(2) No person other than a Member or an officer of the Council shall enter any of the Members' rooms, or the Members' social and dining area, marked as such on the plan, without the permission of a Member or the Clerk.

*(L.N. 132 of 1995)*

**5. Restriction on access to the President's suite**

No person shall enter the President's suite without the permission of the President or the Clerk.

**6. Restriction on access to offices of the Council**

No person other than a Member or an officer of the Council shall enter any office of the Council without the permission of an officer of the Council or a Member or the President.

**7. Restriction on access to general offices**

No person other than a Member or an officer of the Council shall enter any general office marked as such on the plan without the permission of a Member or an authorized member of the staff of such office.

**8. Restriction on use of Members' entrance**

When the Council or a committee is sitting no person shall enter or leave the Building by the Members' entrance on Jackson Road or use the adjacent lift except the President, a Member, the Clerk, the Counsel to the Legislature or any person authorized by one of those persons.

**9. Restriction on carrying baggage into precincts**

(1) No person other than a Member or an officer of the Council or a person authorized by a Member or an officer of the Council shall carry any item of baggage other than a handbag or similar item into the precincts of the Chamber, but representatives of the press, radio and television may carry tape recorders and cameras.

(2) Any person to whom subsection (1) applies who is carrying a handbag or similar item into or within the precincts of the Chamber shall, if so requested by an officer of the Council, permit such officer to search such handbag or similar item.

**第382章** *規限獲准進入立法局大樓的人士及其行為的行政指令*

**4. 進入議員專用範圍的限制**

(1) 除議員或立法局人員外，任何人未經主席准許，不得進入在圖則上註明是前廳的地方或任何委員會會議室。

(2) 除議員或立法局人員外，任何人未經議員或秘書准許，不得進入在圖則上註明是議員室或議員社交宴會範圍的地方。

*(1995年第132號法律公告)*

**5. 進入主席套房的限制**

任何人未經主席或秘書准許，不得進入主席套房。

**6. 進入立法局辦事處的限制**

除議員或立法局人員外，任何人未經立法局人員、議員或主席准許，不得進入立法局的任何辦事處。

**7. 進入一般辦事處的限制**

除議員或立法局人員外，任何人未經議員或一般辦事處的獲授權職員准許，不得進入在圖則上註明是一般辦事處的地方。

**8. 使用議員入口的限制**

立法局或委員會舉行會議時，除主席、議員、秘書、立法局法律顧問或獲上述任何人士許可的人外，任何人不得使用位於長臣道的議員入口進出大樓，亦不得使用毗鄰該入口的升降機。

**9. 攜帶行李進入會議廳範圍的限制**

(1) 除議員或立法局人員，或獲議員或立法局人員許可的人外，任何人不得攜帶行李進入會議廳範圍，但手袋或類似物品除外，而報界、電台及電視台的代表則可攜帶錄音機及攝影機。

(2) 第(1)款所適用的人，如在進入會議廳範圍時或在內逗留時，攜帶手袋或類似物品，則在立法局人員要求下，須准許該人員搜查該手袋或類似物品。





**CAP. 382** *Administrative Instructions for Regulating  
Admittance and Conduct of Persons*

PART III  
CONDUCT

**10. Restriction on smoking and eating**

- (1) Subject to subsection (2), no person shall smoke in the Building.
- (2) A person may smoke in a room in the Building
  - (a) where that room is designated by the President as a room in which smoking is permitted;
  - (b) where that room is allocated to that person's sole use or to the sole use of that person and another person, or other persons, who also wish to smoke in that room; or
  - (c) where that person has permission to do so granted by the person or persons having sole use of that room.
- (3) No person shall eat
  - (a) inside the Chamber while the Council or a committee is sitting; or
  - (b) in a committee room while a committee or subcommittee is in session, unless the chairman permits eating to take place.

*(L.N. 448 of 1993)*

**11. Requirement for orderly behaviour**

Persons entering or within the precincts of the Chamber shall behave in an orderly manner and comply with any direction given by any officer of the Council for the purpose of keeping order.

**12. Conduct in galleries**

- (1) No person shall, in a press or public gallery, display any sign, message or banner.
- (2) No person shall, in a press or public gallery, display any sign or message on any item of clothing.
- (3) An officer of the Council may refuse admission to a press or public gallery to any person displaying any sign, message or banner, or to any person displaying any sign or message on any item of clothing, or to any person who, in the opinion of an officer of the Council, may so display any sign, message or banner, may so display any sign or message on any item of clothing or may otherwise behave in a disorderly manner.
- (4) An officer of the Council may take into his temporary custody any item surrendered by any person admitted to a press or public gallery.

**第 382 章** *規限獲准進入立法局大樓的人士及  
其行為的行政指令*

A5

第 III 部  
行為

**10. 吸煙及進食的限制**

- (1) 除第(2)款另有規定外，任何人不得在大樓內吸煙。
- (2) 任何人可在大樓的房間內吸煙
  - (a) 只要該房間是主席指定為可准許任何人在內吸煙的房間；
  - (b) 只要該房間是撥予該人專用，或該人與另一人或其他人專用，而這些人亦意欲在該房間內吸煙；或
  - (c) 只要該人獲可專用該房間的人或各人准許。
- (3) 任何人不得
  - (a) 於立法局或任何委員會舉行會議時在會議廳內進食；或
  - (b) 於任何委員會或小組委員會開會時，在委員會會議室內進食，但如該委員會的主席准許則除外。

*(1993年第448號法律公告)*

**11. 遵守秩序的規定**

進入會議廳範圍或在內逗留的人均須遵守秩序，並須遵從立法局人員為維持秩序而發出的任何指示。

**12. 在旁聽席上的行為**

- (1) 在記者席或公眾席上，任何人不得展示任何標誌、標語或橫幅。
- (2) 在記者席或公眾席上，任何人不得展示在任何衣物上的標誌或標語。
- (3) 任何人展示標誌、標語或橫幅，或展示在任何衣物上的標誌或標語，或立法局人員認為該人會展示標誌、標語或橫幅，或會展示在衣物上的標誌或標語，又或會作出其他不檢的行為，立法局人員可拒絕讓他進入記者席或公眾席。
- (4) 立法局人員可暫時保管獲准進入記者席或公眾席的人所交出的任何物品。

**A6 CAP. 382** *Administrative Instructions for Regulating Admittance and Conduct of Persons*

PART IV  
FACILITIES FOR THE PRESS, RADIO AND TELEVISION

**13. Restriction on use of press gallery**

(1) No person other than a representative of the press, radio or television, an officer of the Council or a person authorized by the Clerk, shall enter or make use of a press gallery.

(2) Representatives of the press, radio or television may enter or make use of a press gallery only when the Council or a committee is sitting in the Chamber or in a committee room where that gallery is situated.

**14. Restriction on use of radio and television rooms**

No person other than a Member or an officer of the Council or a person authorized by the Clerk, shall enter or make use of

- (a) any radio room in the Chamber, or on the second floor of the Building, marked as such on the plan; or
- (b) any television room on the mezzanine floor of the Building, or any television or camera point in the Chamber or on the mezzanine floor of the Building, marked as such on the plan.

**15. Restriction on taking of photographs**

During a sitting of the Council or a committee -

- (a) no person shall take any photograph of the proceedings except if authorized by and from a position designated by the Clerk;
- (b) flash photography is not permitted in the Chamber or in a committee room.

PART V  
EMERGENCIES

**16. Evacuation of Building**

If the order is given to evacuate the Building all persons except persons whose duties require them to remain shall leave the Building immediately, but lifts shall not be used in such circumstances.

**第382章** *規限獲准進入立法局大樓的人士及其行為的行政指令*

第IV部  
提供予報界、電台及電視台的設施

**13. 使用記者席的限制**

(1) 除報界、電台或電視台的代表，立法局人員或經秘書許可的人外，任何人不得進入或使用記者席。

(2) 報界、電台或電視台的代表只可在立法局或委員會在會議廳或在設有記者席的委員會會議室舉行會議時，進入或使用記者席。

**14. 使用電台廣播室及電視室的限制**

除議員或立法局人員或經秘書許可的人外，任何人不得進入或使用

- (a) 在會議廳或大樓三樓，並在圖則上註明是電台廣播室的房間；或
- (b) 在大樓閣樓，並在圖則上註明是電視室的房間，或在會議廳內或大樓閣樓，並在圖則上註明是電視或攝影機拍攝點的地方。

**15. 拍攝的限制**

立法局或任何委員會舉行會議時—

- (a) 任何人不得拍攝會議程序，但如經秘書許可並從其指定的位置進行拍攝，則屬例外；
- (b) 不准在會議廳或委員會會議室內使用閃光燈進行拍攝。

第V部  
緊急情況

**16. 從大樓疏散的措施**

如有須從大樓疏散的命令發出，則除因職責所需留下的人員外，所有人須立即離開大樓，而在此情況下，不得使用升降機。