

Points to Note for Oath-taking of Members of the Legislative Council

Requirements under the Oaths and Declarations Ordinance

1. Section 19(1) of the Oaths and Declarations Ordinance (Cap. 11) (“the Ordinance”) provides that a Member of the Legislative Council (“LegCo”) must take the LegCo Oath as soon as possible after the commencement of the Member’s term of office.
2. Section 21(1) of the Ordinance provides that any person who declines or neglects to take an oath shall, if he has already entered on his office, vacate it, or if he has not entered on his office, be disqualified from entering on it.
3. Section 19(2) of the Ordinance provides that the LegCo Oath must be administered by the Chief Executive or a person authorized by the Chief Executive to administer the Oath.
4. A Member of the LegCo shall take the oath in the form set out in Part IV of Schedule 2 to the Ordinance, and **must read out the words of the LegCo Oath**. A Member may choose to take an oath under section 5 of the Ordinance or make an affirmation under section 7 of the Ordinance.

Requirements on Oath-taking Specified in the Interpretation of Article 104 of the Basic Law of the Hong Kong Special Administrative Region of the People’s Republic of China (“the Interpretation”)

5. Oath-taking is a legal prerequisite and required procedure for LegCo Members to assume office.
6. Oath-taking must comply with the legal requirements in respect of its form and content. An oath taker **must take the oath sincerely and solemnly, and must accurately, completely and solemnly read out the oath prescribed by law, the content of which includes “will uphold the Basic Law of the Hong Kong Special Administrative Region of the People’s Republic of China, bear allegiance to the Hong Kong Special Administrative Region of the People’s Republic of China”**.

7. **An oath taker who intentionally reads out words which do not accord with the wording of the oath prescribed by law, or takes the oath in a manner which is not sincere or not solemn, shall be treated as declining to take the oath.** The oath so taken is invalid and the oath taker is disqualified forthwith from assuming the public office specified in the Article.
8. **The person administering the oath has the duty to ensure that the oath is taken in a lawful manner.** He or she shall determine that an oath taken in compliance with the Interpretation, the Ordinance and the requirements under the laws of the Hong Kong Special Administrative Region is valid, and that an oath which is not taken in compliance with the Interpretation, the Ordinance and the requirements under the laws of the Hong Kong Special Administrative Region is invalid. **If the oath taken is determined as invalid, no arrangement shall be made for retaking the oath.**
9. The oath taker **must sincerely believe in and strictly abide by the relevant oath prescribed by law.** An oath taker who makes a false oath, or, who, after taking the oath, engages in conduct in breach of the oath, shall bear legal responsibility in accordance with law.

Requirement under the Rules of Procedure

10. In accordance with Rule 1 of the Rules of Procedure, no Member of the LegCo shall be present or vote at the election of the President; or attend or vote at a meeting of the Council or any committee, or exercise any other power or function of a Member, until the Member has made or subscribed an oath or affirmation in accordance with the provisions of the Ordinance. Where a general election is held, a Member who had previously made or subscribed an oath or affirmation under the Ordinance shall make or subscribe the oath or affirmation again before the Member is present or votes at the election of the President, or exercises any power or function of a Member.

Proceedings on oath-taking

11. The LegCo Oath will be administered by the Chief Executive.
12. The oath-taking ceremony will be organised by the Hong Kong Special Administrative Region Government. It will be held on 1 January 2026 at 11:00 am, at the Chamber of the LegCo Complex (“the Chamber”). All LegCo Members participating in the oath-taking ceremony **must arrive at the LegCo Complex by 10:30 am, and be seated at the Chamber by 10:45 am. Latecomers will not be allowed into the Chamber.**
13. The oath-taking ceremony will start with the playing and singing of the National Anthem, and end after all Members have taken their oaths. Therefore once the ceremony has started, latecomers will not be allowed into the Chamber for taking the oath. After all Members have taken their oaths, the oath administrator will consider the reasons for any latecomers. Only Members with reasonable explanations to the satisfaction of the oath administrator may be arranged to take the oath in the Chief Executive’s Office at another occasion. If the oath administrator considers that the latecomer does not have a reasonable explanation, he/she will be disqualified in accordance with section 21 of the Ordinance.
14. The Member taking an oath must **read out**, using the selected language, **all the words in the version of the oath or affirmation he/she selected in advance.** The version selected by the Member will be placed on his/her desk in the Chamber to facilitate the Member to take the oath.
15. Members will take the oaths in the order prescribed in Rule 1 of House Rules of the LegCo.¹

¹ According to Rule 1 of House Rules: (a) The order for a Member to make or subscribe an oath or affirmation shall be determined according to the continuous period of time for which he has held office in the Council; a Member who has held office in the Council for a longer continuous period of time shall make or subscribe an oath or affirmation first; and (b) as between two or more Members who have held office for an equal continuous period of time, their order shall be determined according to the number of strokes in the traditional characters of the Members’ names in Chinese; a Member whose name has the least number of strokes shall make or subscribe an oath or affirmation first.

16. When the Clerk to the LegCo reads out the Member's name, the Member shall come forward with the oath or affirmation and take the oath by raising his/her right hand.² According to the Ordinance, the Member who has chosen to take an oath and to use the term "**Almighty God**" should **hold in his/her uplifted hand the New Testament**, or, in the case of a Jew, **the Old Testament**, while taking the oath.
17. The Member who has finished taking an oath should **sign** the oath or affirmation and **leave it on his/her desk**.³
18. During the oath-taking ceremony, Members should remain in the Chamber to avoid missing their turn to take the oath. If a Member inadvertently misses his/her turn, the Member will be arranged to take the oath after all other Members have taken their oaths.

House Rules

19. Only LegCo Members who are invited to the oath-taking ceremony and personnel of the Organiser are allowed to enter the venue. Anyone who has not been invited will be refused entry. If necessary, the Organiser may exercise the right to verify the identity of attendees before allowing entry to the venue.
20. The Organiser may exercise the right to refuse entry to **latecomers and attendees who have left the venue midway through the ceremony**.
21. Attendees shall not disrupt the oath-taking ceremony in any way, disturb other attendees, or use foul languages at the oath-taking venue. The Organiser may exercise the right to remove persons who violate the rules.

² Raising the right hand when taking the oath is **not a statutory requirement**, but is consistent with the common practice adopted by the Chief Executive and principal officials of the Hong Kong Special Administrative Region, as well as Members of the Seventh Term LegCo when taking their oaths.

³ Signing the oath is **not a statutory requirement**. The original signed oath will be kept in the LegCo Archives, and the LegCo Secretariat will provide each Member with a copy.

22. Save with the permission of the Organiser, attendees shall not bring with them any materials which the Organiser considers possible to disrupt the oath-taking ceremony, or cause nuisance, inconvenience or danger to other parties present. These include oversized items, loud hailers/sound amplifiers, umbrellas, defensive equipment, flags, banners or bunting.
23. Attendees should deposit, in a place designated by the Organiser, items which the Organiser considers possible to disrupt the oath-taking ceremony, or cause nuisance, inconvenience or danger to other parties present, and collect them after the ceremony. Any uncollected items found during clearance of the venue will be disposed of without further notice.
24. Where the actual situation warrants, security staff are authorised to request persons inside the venue or attendees to undergo security screening, including checking their personal belongings and bags.
25. Attendees shall not cause any obstruction to the entrances, exits, staircases, passages, emergency exits or emergency passageways of the venue.
26. Security staff may check or stop persons who constitute a threat to the safety and order of the event, including persons under the influence of alcohol or drugs and those in possession of dangerous items or substances. Such persons may be refused entry or be removed from the venue.
27. The Organiser may refuse entry to or remove from the venue any person who fails to comply with the house rules. Such persons are not allowed to re-enter the venue during the oath-taking ceremony.
28. Should there be any disputes, the Organiser has the final decision.

Guidelines on Proper Attire for Oath Takers

29. In order to take the oath sincerely and solemnly, oath takers shall **dress in proper and decent business attire**. Wearing inappropriate attire may be regarded by the oath administrator as a violation of the requirement of taking the oath sincerely and solemnly, and **oath-taking by the person concerned may be rejected** and no arrangement shall be made for retaking the oath. Clothing or attire, including but not limited to the following, are deemed inappropriate:

Overall attire

- Clothing/accessories/surgical masks displaying political signs, catchphrases or slogans;
- Clothing/accessories/surgical masks that are revealing, obscene, indecent or revolting;
- Clothing displaying advertisement of commercial cause (including the promotion and advertising of sports teams, leagues, tournaments, etc.);
- Clothing that is torn or with holes;
- Uniforms of any kind;
- Sportswear;
- Swimwear; and
- Costume masks.

Tops

- Collarless tops (e.g. round- or V-neck T-shirts);
- Singlets/sleeveless tops;
- Sports tops;
- Sweatshirts; and
- Tracksuits.

Bottoms

- Shorts;
- Overalls;
- Jeans/denim; and
- Sweatpants/sportswear leggings/yoga pants.

Headwear

- Hats and caps of various kinds; and
- Headwear of any kind (except for religious or medical reasons).

Footwear

- Flip flops, sandals/slides, mules, trainers and sports shoes; and
- Any kind of open-toe shoes.

30. Should there be any disputes, the Organiser has the final decision.

Hong Kong Special Administrative Region Government
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