

**立法會**  
**Legislative Council**

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From : Clerk to the Legislative Council

To : All Members of the Legislative Council

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**Decision of the Standing Committee of the National People's Congress  
for the sixth-term Legislative Council of  
the Hong Kong Special Administrative Region  
to continue to discharge duties**

As directed by the President, I attach the Chief Executive's letter on the captioned matter for Members' information.

(Dora WAI)  
for Clerk to the Legislative Council

Encl.



11 August 2020

Hon Andrew LEUNG Kwan-yuen, GBS, JP  
President of the Legislative Council  
Room 710, Legislative Council Complex  
1 Legislative Council Road  
Central, Hong Kong

*Dear Andrew,*

**Decision of the Standing Committee of the National People's  
Congress for the sixth-term Legislative Council of  
the Hong Kong Special Administrative Region  
to continue to discharge duties**

I announced on 31 July that owing to the severe COVID-19 epidemic situation, the Executive Council decided to postpone the Legislative Council (LegCo) General Election, originally scheduled for 6 September this year, for a year in order to protect public safety and public health as well as ensure elections are conducted openly and fairly. I had explained in detail the grounds and legal analysis of the postponement of the election at a press conference on that day. You may wish to refer to the following link on the details: <https://www.info.gov.hk/gia/general/202007/31/P2020073101043.htm>.

Article 69 of the Basic Law stipulates that the term of the LegCo shall be four years, except the first term which shall be two years. Therefore, the current term of the LegCo would have to end on 30 September 2020. Postponing the General Election by one year would

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lead to a lacuna in the legislature of the Hong Kong Special Administrative Region (HKSAR) in the coming year and as a result LegCo would not be able to discharge its constitutional duties. To resolve this problem, I submitted an urgent report to the Central People's Government seeking its support and guidance. The State Council replied earlier and expressed support for the decision of the HKSAR Government to postpone the election of the seventh-term LegCo by one year, and it would make a submission in accordance with the law to the Standing Committee of the National People's Congress (NPCSC) for a decision on the issue of lacuna in the legislature.

The NPCSC made an authoritative decision today in accordance with the relevant provisions in the Constitution of the People's Republic of China and the Basic Law, fully resolving the issue of lacuna in the legislature arising from the postponement of the election. It not only maintains the constitutional and legal order of the HKSAR, but also ensures the normal governance and operation of the HKSAR Government. It demonstrates once again the care and support of the Central Government for the HKSAR.

According to the Decision made by the NPCSC, the sixth-term LegCo of the HKSAR will continue to discharge its duties for no less than one year until the commencement of the seventh-term LegCo. The Decision also states clearly that the seventh-term LegCo of the HKSAR will have a term of four years after it has been formed in accordance with the law.

The HKSAR Government will publish in the gazette the Decision of the NPCSC in due course. The HKSAR Government will also publish in the gazette the withdrawal of the decision made by the Chief Executive earlier in accordance with section 6 of the Legislative Council Ordinance on the prorogation of the sixth-term LegCo, which was made having regard to the LegCo General Election. The withdrawal would enable the sixth-term LegCo to resume operation at an early juncture when necessary.

I would be grateful if you could inform all LegCo Members of the above Decision of the NPCSC through the LegCo Secretariat. HKSAR Government will continue to work closely with the sixth-term LegCo with the priority of focusing on anti-epidemic work. As in the past, we will also take forward various policies which will benefit our economy and our people's livelihood to serve the citizens of Hong Kong.

Yours sincerely,



(Mrs Carrie Lam)  
Chief Executive