



中華人民共和國香港特別行政區  
Hong Kong Special Administrative Region of the People's Republic of China

立法會 LEGISLATIVE COUNCIL

謝偉俊 *Paul W. Tse*

立法會CB(2)930/19-20(05)號文件  
(只備英文本)  
LC Paper No. CB(2)930/19-20(05)  
(English version only)

Hon Starry LEE Wai-king  
Chair of the House Committee

Dear

*Starry*

I refer to your letter of 16 April 2020.

Without expressing any personal views at this stage on the respective merits of the following propositions, you may wish to note that:-

(1) Pursuant to paragraph 5 of Appendix IV of the House Rules, the presiding member nominated for an election of chairman is to be replaced in accordance with paragraphs 2 or 3, as appropriate, unless otherwise decided by the committee. Thus, where the provisions of paragraphs 2 or 3 are deemed no longer appropriate, and/or where a decision is made by the committee not to follow paragraphs 2 or 3, then the election procedure can be in such manner as decided by the committee.

(2) Paragraph 75(2) of the Rules and Procedure and paragraph 20 of the House Rules provide inter alia that the chairman shall hold office until the chairman of the committee of the next session is elected. Hence, any proceedings of the committee dealing with matters, otherwise than election of chairman where the incumbent chairman is nominated which is specifically governed by Appendix IV of the House Rules, before and to be decided by the committee should still be chaired and conducted by the incumbent chairman. In this connection, I have taken note of and notwithstanding the opinion of the Legal Service Division in paragraphs 7 to 9 of LC Paper No. LS 11/19-20.

(3) In the absence of any specific provisions in the Rules of Procedure and the House Rules, when for any reason it is decided to reopen nomination, this can be done by a majority vote of the committee.

Yours sincerely,