

立法會

Legislative Council

LC Paper No. CB(2)538/2022

Ref: CB2/H/12

Paper for the House Committee meeting on 8 July 2022

Proposed motion to suspend Rule 14(1) of the Rules of Procedure

This paper seeks the House Committee (“HC”)’s recommendation for the moving of a motion under Rule 91 of the Rules of Procedure (“RoP”) to seek the Legislative Council (“LegCo”)’s approval to suspend RoP 14(1) so that the maximum interval between two Council meetings held in the same session as stipulated in this provision does not apply to Council meetings to be held in the remainder of the 2022 session.

Background

2. Following the LegCo general election held on 19 December 2021, the first session (i.e. the 2022 session) of the Seventh LegCo commenced in January 2022. On 4 July 2022, the Administration Wing wrote to the Clerk to LegCo advising that the 2022 session shall end in December 2022 on a date to be appointed by the Chief Executive.¹ The 2022 session will therefore run from January to December.

3. Before the Seventh LegCo, a legislative session usually commenced in October and ended in July of the following year. Where necessary, meetings might be held during the period between two sessions (normally from around mid-July to mid-October) for Members to deal with urgent matters. Such a work pattern has been working well in facilitating Members’ discharge of their LegCo duties. In order for the Council to continue with this usual work pattern, there is a need to address a technical issue arising from RoP 14(1).²

¹ Pursuant to section 9(2) of the Legislative Council Ordinance (Cap. 542), the dates on which a legislative session is to begin and to end are specified by the Chief Executive by notice published in the Gazette.

² RoP 14(1) reads as follows: “Meetings of the Council during each session shall be held on such days and shall begin at such hour as the President shall determine but a period of 6 weeks shall not elapse between the date of one meeting and the date appointed for the next meeting in the same session.”

Proposed motion under Rule 91 of the Rules of Procedure

4. To tackle the said technical issue, it is proposed that a motion be moved under RoP 91 to suspend RoP 14(1) to the extent that the maximum interval between two Council meetings held in the same session as stipulated in this provision does not apply to Council meetings to be held in the remainder of the 2022 session. The draft wording of the proposed motion is in the **Appendix**. As in the past, the Council and its committees may hold meetings for Members to deal with urgent matters as and when necessary.

5. In accordance with **RoP 91**, a motion which has the object or effect of suspending a Rule of RoP shall not be moved except with the recommendation of HC and after notice together with the consent of the President. HC's recommendation is therefore sought for seeking the President's permission to dispense with the requisite notice for the HC Chairman to move the motion set out in the Appendix at the **Council meeting of 13 July 2022**.

6. As regards the arrangement for future sessions, it is proposed that the matter, including whether and how RoP 14(1) and other relevant rules should be amended, be referred to the Committee on Rules of Procedure for consideration.

Advice sought

7. Members are invited to consider and endorse the proposals in paragraphs 4 to 6 above.

Council Business Division 2
Legislative Council Secretariat
7 July 2022

Appendix

Motion to be moved by Hon Starry LEE under Rule 91 of the Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region

Wording of the Motion

That Rule 14(1) of the Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region be suspended, to the extent that the maximum interval between two Council meetings held in the same legislative session as stipulated in this Rule does not apply to Council meetings to be held in the remainder of the 2022 session.