

**香港特別行政區
立法會
議事規則委員會**

**Committee on Rules of Procedure
of the Legislative Council
of the Hong Kong Special Administrative Region**

**2024 年 1 月至 12 月的工作進度報告
Progress Report for the period
January to December 2024**

**2024 年 12 月 11 日
11 December 2024**

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Chapter 1 Introduction

1.1 The Committee on Rules of Procedure (“CRoP”) is a committee of the Legislative Council (“LegCo”) established under Rule 74 of the Rules of Procedure (“RoP”) of the Council. The functions of CRoP are to review RoP and the committee system, and to propose to the Council any amendments or changes as are considered necessary. CRoP may examine matters of practice and procedure relating to the Council referred by the Council or its committees or the President, or raised by its own members.

1.2 CRoP consists of 12 members, including Chairman Hon Paul TSE, Deputy Chairman Prof Hon Priscilla LEUNG and 10 other members, appointed by the President in accordance with the recommendations of the House Committee. The membership list is in the **Appendix**.

1.3 During the report period from January to December 2024, CRoP considered and endorsed the LegCo Secretariat’s proposed follow-up work in relation to the Department of Justice (“DoJ”)’s proposals to make formatting amendments to the Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region (Instrument A501) then published on the Hong Kong e-Legislation (“HKeL”), and to publish a verified copy of Instrument A501 on HKeL.

Chapter 2 Publishing the verified copy of the Rules of Procedure on the Hong Kong e-Legislation

2.1 HKeL is the official database of Hong Kong legislation. Since the launch of HKeL in early 2017, DoJ has been progressively publishing verified copies for legislation in Hong Kong on HKeL under the Legislation Publication Ordinance (Cap. 614).¹ In October 2023, DoJ sought the view of the LegCo Secretariat on whether a verified copy should be provided for RoP on HKeL.² Having consulted the President of LegCo, the Legal Service Division (“LSD”) of the Secretariat informed DoJ that the Secretariat had no objection to the inclusion of a verified copy of RoP on HKeL if DoJ considered it appropriate to do so.

2.2 Given that RoP adopted the old style of legislation when they were made as L.N. 265 of 1998 and some amendments adopting the current style have been made over the years, the existing version of RoP is a mixture of old and new styles of drafting. One of the technical restraints for DoJ in providing a verified copy of RoP was that the Secretary for Justice (“SJ”) did not have the required editorial power to standardize the format of RoP as they are not within the meaning of “Ordinance” under the Interpretation and General Clauses Ordinance (Cap. 1). By Part 10 of the Statute Law (Miscellaneous Provisions) Bill 2024 passed by LegCo at the Council meeting of 10 July 2024, amendments to Cap. 614 were made to empower SJ to make formatting amendments to database instruments (other than Ordinances) (i.e. the Basic Law, a national law applying in Hong Kong, or other materials and information that SJ considers useful to users of HKeL, including RoP).

2.3 CRoP was consulted in July 2024 on the Secretariat’s proposed follow-up work on the draft verified copy of RoP provided by DoJ.

¹ HKeL (<https://www.elegislation.gov.hk/>) was officially launched by DoJ on 24 February 2017. Under section 5 of the Legislation Publication Ordinance (Cap. 614), a verified copy of a database instrument is presumed, unless the contrary is proved, to correctly state the instrument as at the date specified in the copy.

² The Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region (Instrument A501) then published on HKeL was not a verified copy.

2.4 In considering the matters, CRoP has noted that the proposed amendments to RoP set out in the draft verified copy of RoP provided by DoJ are only formatting amendments, which include:

- (a) adding a pair of “《》” to the Chinese title, i.e. 《香港特別行政區立法會議事規則》;
- (b) changing the capitalization of the English title and part headings;³
- (c) adjusting the indentation of provisions; and
- (d) deleting the quotation marks (“ ”) around defined terms and putting them in bold and italics instead.⁴

2.5 LSD has confirmed that the above formatting amendments proposed by DoJ would not change the legal effect of RoP and are agreeable.

2.6 CRoP has also noted that besides the formatting issues mentioned above, both DoJ and LSD had incidentally noticed during this exercise certain minor textual inconsistencies between the Chinese and English texts of RoP (e.g. “一個半小時” is used as the Chinese equivalent to “one and a half hours” generally (e.g. in RoP 16(2A)), whereas in RoP 26(8)(a), “個半小時” is used instead) and minor internal textual inconsistencies in the usage of terms in one of the texts only (e.g. “judgment” is more commonly used in RoP (e.g. in RoP 47(1)(b)), whereas in RoP 30(3A), “judgement” is used). Such minor textual inconsistencies may have resulted from amendments made to RoP at different times, but they have had no impact on the interpretation and effect of the relevant rules.

³ For example, the English title would be amended from “RULES OF PROCEDURE OF THE LEGISLATIVE COUNCIL OF THE HONG KONG SPECIAL ADMINISTRATIVE REGION” to “Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region”.

⁴ For example, the first sentence of RoP 26(6B) would be amended from “In subrule (6A), “the chairman of the House Committee” shall mean—” to “In subrule (6A), *the chairman of the House Committee* shall mean—”.

2.7 To address the above matters, CRoP has agreed and endorsed the Secretariat's proposal to:

- (a) reply to DoJ to confirm that the proposed formatting amendments in the draft verified copy of RoP are agreeable, to facilitate timely publication of the verified copy of RoP on HKeL by DoJ in late 2024; and
- (b) rectify the minor textual inconsistencies on the next occasion when there is any substantive amendment to RoP in the future, in line with the usual approach for making mere textual amendments together with substantive amendments to RoP in the past.

2.8 The formatting amendments were subsequently made to RoP through Part 8 of Editorial Record ([E.R. 6 of 2024](#)) under new section 14A of Cap. 614, and DoJ published the first verified copy for RoP on HKeL (<https://www.elegislation.gov.hk/hk/A501>) on 7 November 2024.

Chapter 3 Acknowledgement

3.1 CRoP wishes to express its appreciation to Members of the Council for their views and support for the work of the Committee.

Appendix**Committee on Rules of Procedure****Membership list for the 2024 session**

Chairman	Hon Paul TSE Wai-chun, JP
Deputy Chairman	Prof Hon Priscilla LEUNG Mei-fun, GBS, JP
Members	Hon Tommy CHEUNG Yu-yan, GBM, GBS, JP Dr Hon CHAN Han-pan, BBS, JP Hon KWOK Wai-keung, BBS, JP Ir Dr Hon LO Wai-kwok, GBS, MH, JP Dr Hon TIK Chi-yuen, SBS, JP Hon LAM San-keung, JP Hon YIU Pak-leung, MH, JP Hon LAI Tung-kwok, GBS, IDSM, JP Hon Carmen KAN Wai-mun, JP Dr Hon SO Cheung-wing, SBS, JP

(Total : 12 Members)

Clerk	Mr Richard WONG (up to 30 June 2024) Ms Doris LO (since 1 July 2024)
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Legal Adviser	Miss Rachel DAI
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