

# 立法會 *Legislative Council*

LC Paper No. CROP 17/2025

Ref: CB(2)/CROP/3/104

## **Paper for the House Committee meeting on 4 July 2025**

### **Committee on Rules of Procedure**

### **Proposals to enhance the operation of the Legislative Council**

#### **Purpose**

This paper invites the House Committee (“HC”) to endorse the proposals to enhance the operation of the Legislative Council (“LegCo”) as agreed by the Committee on Rules of Procedure (“CRoP”).

#### **Background**

2. It is an established practice that before the end of each LegCo term, Members will draw on their experience to review and enhance the operation of the Council. Earlier this year, LegCo undertook a series of reviews on, among other things, **improving the system on performance of duties by Members, introducing a Code for Members of the Legislative Council (“the Code”), and enhancing the operation of committees**. To this end, the President has exchanged views with and consulted representatives of various political parties or groupings and Members of different sectors on proposals to improve self-supervision, enhance the system on performance of duties by Members, etc., and has reached a consensus with all Members on taking forward such proposals with a view to further enhancing the effectiveness and transparency of the Council.

#### **Proposals**

3. At its meeting on 13 May 2025, CRoP considered the following proposals to enhance the operation of the Council, and agreed that they should be submitted to HC for consideration:

- (a) improving the system on performance of duties by Members of LegCo;
- (b) enhancing the operation of committees;
- (c) streamlining the election procedures of committees; and
- (d) textual or technical amendments to the Rules of Procedure (“RoP”) and the House Rules (“HR”).

The contents of these proposals are summarized in the ensuing paragraphs.

***Proposal 1: Improving the system on performance of duties by Members of the Legislative Council***

4. As an integral part of the governing team of the Hong Kong Special Administrative Region, Members are fully aware that they should hold themselves to higher standards in the performance of their duties on the principle that **“what is good can always be better”**. Members agree that there is a need to **formulate a clear and comprehensive code** to assist them in bolstering self-supervision and self-improvement in order to enhance the performance of their duties and enable LegCo to better fulfil its constitutional functions.

5. With reference to the arrangements for the performance of duties by members of the Executive Council, politically appointed officials, District Council members and civil servants, as well as the relevant codes of conduct or guidelines, and on the basis of the existing RoP, the drafting of the Code has been completed with its contents perused by all Members earlier. The proposed Code, which **consolidates and refines** the existing requirements comprehensively in a systematic manner, makes clear the **requirements on Members’ conduct, ethics and performance of duties**, establishes **a mechanism for imposing sanctions on Members according to the gravity of the misconduct**,<sup>1</sup> and enhances the mechanism for declaration of Members’ interests, etc.

6. To tie in with the implementation of the Code, the functions of the Committee on Members’ Interests (“CMI”) will be expanded, and it will be **renamed as the Legislative Council Supervisory Committee** (“the Supervisory Committee”) to reflect that the Committee is established by LegCo to assist it in discharging important supervisory functions. In order for the Supervisory Committee’s functions to be performed more effectively, it is necessary to seek LegCo’s approval to authorize any **investigation subcommittee** appointed by the Supervisory Committee to exercise the powers conferred on the Supervisory Committee by virtue of section 9(1) of the Legislative Council (Powers and Privileges) Ordinance (Cap. 382) (“P&P Ordinance”)<sup>2</sup> to investigate complaints referred to it by the Supervisory Committee.

7. CRoP has agreed to amend the relevant provisions of RoP and HR (a marked-up version of the proposed amendments is in **Appendix A**) for the sake of effectively implementing the Code (**Appendix B**). Furthermore, to tie in with the implementation of the Code, CMI has agreed to amend its existing procedure for handling complaints (the revised text is in Appendix 2 to the Code), and to amend and merge the current Guidelines on Registration of Interests and the Registration Form on Members’ Interests (the revised and merged text is in **Appendix C**).

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<sup>1</sup> For more serious cases, and subject to LegCo’s passage of the motions on proposed sanctions, the Members concerned may be suspended from the service of the Council, and be deprived of remuneration and allowances during the period of suspension.

<sup>2</sup> Under the proposed amended RoP 73(1), the Supervisory Committee would be a standing committee. Section 9(1) of the P&P Ordinance provides that LegCo or a standing committee thereof may order any person to attend before LegCo or before such committee and to give evidence or to produce any paper, book, record or document in the possession or under the control of such person.

8. To effectively implement the package of proposals to improve the system on performance of duties by Members, apart from amending the relevant provisions of RoP and HR, it is also necessary to **amend** section 20A of the **P&P Ordinance** (Cap. 382)<sup>3</sup> to the effect that the existing arrangement for depriving a Member suspended from the service of the Council of remuneration and allowances during the period of suspension would **apply to all Members suspended under RoP (including Members suspended for breaching the Code)**, rather than applying only to Members suspended for engaging in “grossly disorderly conduct” as currently provided under the P&P Ordinance.

***Proposal 2: Enhancing the operation of committees***

9. CROp has examined (a) the **composition** of policy subcommittees under Panels (“**Panel SCs**”);<sup>4</sup> and (b) the **arrangements for duty visits of committees** (including those conducted locally or outside Hong Kong),<sup>5</sup> and agreed to the following two enhancement proposals: (i) **allowing non-Panel members to join Panel SCs**; and (ii) **enhancing the arrangements for duty visits of committees**.<sup>6</sup>

10. The salient points of the proposals are as follows (with details set out in **Appendix D**):

- (a) **Members who are not members of the relevant Panel(s) should be allowed to join a Panel SC, but the number of Panel members joining must be more than the number of non-Panel members joining**; by the same token, if a committee invites non-members of the committee to participate in its duty visit **outside Hong Kong, the number of members joining must be more than the number of non-members joining**. In the case of a **local** duty visit, the restriction that **the number of members joining must be more than the number of non-members joining** may be **suitably relaxed** if the threshold of participation by a majority of the members as stated in paragraph (b) below has been met;
- (b) **the minimum membership/participation threshold for a Panel SC/duty visit of a committee should be raised to a majority of the members concerned** (on a pro-rata basis of the actual membership size of the relevant Panel(s) or committee); and
- (c) where the **withdrawal of a member** from a Panel SC or duty visit results in the requirements of paragraph (a) or (b) above not being met, the withdrawing member must **arrange for another member to be a**

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<sup>3</sup> The Administration will introduce a bill into LegCo to seek to amend the P&P Ordinance.

<sup>4</sup> According to RoP 77(9) and (9A) and HR 22(s) and (t), a Panel SC shall consist of not less than 3 and not more than 20 members, and its members must be members of the relevant Panel(s). In other words, at present even if there is a vacancy in a Panel SC, a non-Panel member who is interested to fill the vacancy may not join it.

<sup>5</sup> According to HR 29(d), the participation of at least three Members is required for a local visit, but there is no requirement on the minimum number of participants in a visit outside Hong Kong or on the composition of a delegation (whether in or outside Hong Kong).

<sup>6</sup> Excluding duty visits of the Parliamentary Liaison Subcommittee.

**replacement** to fill his seat/participate in the duty visit. If the withdrawing member is unable to arrange for another member to be a replacement:

- (i) in the case of a **Panel SC**, taking into account that the queuing mechanism and operational arrangements for Panel SCs are subject to HC's decision, the **Panel SC chairman** shall, after **consulting the HC chairman**, decide whether the Panel SC should **continue or cease to operate**;
- (ii) in the case of a duty visit **outside Hong Kong**, taking into account that such a duty visit is subject to the approval of HC, **the delegation leader (or the committee chairman if there is no delegation leader<sup>7</sup>)** shall, after **consulting the HC chairman**, decide whether the visit should **be proceeded with, postponed or cancelled**; in the case of a **local** duty visit, the decision would be made by the committee chairman; and
- (iii) the Secretariat would **keep a record of the Members who withdraw from duty visits** and their **reasons for withdrawal**.

11. In the light of the proposal in paragraph 10(b) above, CRoP has also agreed that the **minimum membership threshold** for a **policy subcommittee under HC<sup>8</sup>** should **be raised** correspondingly **to not less than 11 members** (i.e. more than half of the maximum number of members (20) of such a subcommittee).

12. Given the above enhancement proposals, it is necessary to make corresponding amendments to the relevant provisions of RoP and HR. A marked-up version of the proposed amendments is in **Appendix A**.

### ***Proposal 3: Streamlining the election procedures of committees***

13. For the purposes of rationalizing and streamlining the election procedures of the **Public Accounts Committee ("PAC")**, **CMI<sup>9</sup>**, **CRoP** and the **Committee on Access to the Legislature's Documents and Records ("CoA")**, CRoP has agreed to the following enhancement proposals:

#### **(a) Procedure for election of members**

Existing practice: The election of members of each of the above four committees shall be conducted at an HC meeting, and the election date shall be appointed by HC.

Proposals: With reference to the procedure for election of members of The Legislative Council Commission and the procedure for election of

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<sup>7</sup> If the delegation leader and the committee chairman **are not the same person, the decision would be made by the delegation leader**; if there is no delegation leader, the decision would be made by the committee chairman.

<sup>8</sup> That is, a subcommittee formed by HC under RoP 75(12)(d) and HR 20(j)(ii).

<sup>9</sup> If the proposals to expand the functions of and rename CMI are endorsed by LegCo, the name and composition of CMI will change and there will be no need to elect its chairman and deputy chairman.

Members of LegCo to serve on advisory/governing bodies, it is proposed that: (i) the election of members should be **conducted at a meeting in which all Members may participate, rather than at an HC meeting**,<sup>10</sup> and the election date should be determined by the President's Deputy;<sup>11</sup> and (ii) if the number of valid nominations received is **equal to or less than**<sup>12</sup> **the number of seats**, all Members would **be notified in writing of the election results, and the election meeting need not be held**. Given the above enhancement proposals, it is necessary to make corresponding amendments to RoP. A marked-up version of the proposed amendments is in **Appendix A**, and the proposed election procedure is in **Appendix E**.

(b) **Procedure for election of chairmen and deputy chairmen**<sup>13</sup>

Existing practice: Upon completion of the elections of members at an HC meeting, the HC meeting will be suspended for members of the relevant committees to elect their respective chairmen and deputy chairmen.

Proposals: With reference to the procedure for election of the chairmen and deputy chairmen of other committees of LegCo, such as Panels and Bills Committees, it is proposed that: (i) the elections of the **chairmen and deputy chairmen** would **not be conducted at an HC meeting**, and the Member who has the highest precedence among the elected members of each of the relevant committees should call an election meeting; and (ii) if there is **only one valid nomination received for each** of the offices of chairman and deputy chairman, the members would **be notified in writing of the election results, and the election meeting need not be held**.<sup>14</sup> The proposed election procedure is in **Appendix F**.

(c) **Election procedures endorsed by HC**

Existing practice: The election procedures of the four committees are determined by HC.<sup>15</sup> The relevant election procedures are submitted to HC for endorsement at the beginning of each LegCo term.

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<sup>10</sup> Starting from the Seventh LegCo, HC no longer comprises all Members other than the President; instead, it consists of not less than 50 members (including the HC chairman).

<sup>11</sup> Under RoP 5, the HC chairman shall be the President's Deputy; and in the absence of the HC chairman or when, in his opinion, he is unable to act, the HC deputy chairman shall act as the President's Deputy.

<sup>12</sup> Among the four committees, only CoA may have fewer members than the number of seats. All the seats of PAC, CMI and CROp must be filled.

<sup>13</sup> Not applicable to CoA, and CMI with expanded functions. As the President and the HC chairman shall respectively be the chairman and deputy chairman of each of these committees, there will be no need to elect their chairmen and deputy chairmen.

<sup>14</sup> In accordance with the existing procedure, if there is no valid nomination for the office of chairman, the member who has the highest precedence in the committee shall be deemed to be elected as chairman; and if there is no valid nomination for the office of deputy chairman, the member who has the highest precedence in the committee shall be deemed to be elected as deputy chairman after the chairman is elected.

<sup>15</sup> See RoP 72(3), 73(2), 74(2) and 74A(2)(d).

Proposal: **The election procedures need not be submitted afresh to HC for endorsement at the beginning of each LegCo term unless amendments are to be made.**

***Proposal 4: Textual or technical amendments to the Rules of Procedure and the House Rules***

14. In July last year, the Department of Justice (“DoJ”) initiated an exercise to **make available a verified copy of RoP** on the Hong Kong e-Legislation (“HKeL”). DoJ subsequently made **formatting amendments**<sup>16</sup> to RoP by way of Editorial Record (E.R. 6 of 2024) to achieve uniformity of style, and the first [verified copy](#) of RoP was published on HKeL on 7 November 2024.

15. During the aforesaid exercise, both DoJ and the Legal Service Division of the LegCo Secretariat incidentally noticed certain **minor textual inconsistencies** in RoP. This may have resulted from amendments made to RoP at different times, but such inconsistencies have had **no impact on the interpretation and effect of the relevant rules**.

16. In this regard, CRoP has agreed to make **minor textual amendments** to RoP (as set out in **Appendix A**), including rectifying minor textual inconsistencies, or inconsistencies in the usage of terms, between the Chinese and English texts or within either text,<sup>17</sup> as well as improving the drafting and correcting typographical errors.<sup>18</sup>

17. CRoP has also agreed to take the opportunity to make certain minor textual amendments to HR (as set out in **Appendix A**). In addition, to ensure **consistency of all versions** of RoP and **streamline the publication arrangement**, printed copies of RoP published by the Secretariat in future will be modelled on the [verified copy](#) referred to in paragraph 14 above.

**Advice sought**

18. Members are invited to consider:

- (a) **Proposals 1 to 4**, and the proposed amendments to the relevant provisions of RoP and HR in **Appendix A**;
- (b) the Code in **Appendix B**;
- (c) the Guidelines and Form on Registration of Interests in **Appendix C**; and
- (d) the proposed procedures for election of members, and of the chairmen and deputy chairmen, of the committees referred to in paragraph 13 above in **Appendices E and F**.

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<sup>16</sup> These amendments only involved changes to the format, layout, printing style and other presentational aspects, and do not change the legal effect of the relevant rules.

<sup>17</sup> For example, in the Chinese text of RoP 26(8)(a), replacing “個半小時” with “一個半小時”; and in the English text of RoP 30(3A), replacing “judgement” with “judgment”.

<sup>18</sup> For example, in the English texts of RoP 31(1) and 35(2), adding the article “an” before the word “amendment”.

19. Subject to HC's endorsement of the documents mentioned in paragraph 18 above, the CRO P Chairman will move the following **two proposed resolutions** at the LegCo meeting of 23 July 2025:

- (a) a proposed resolution to be moved under **Article 75 of the Basic Law** to amend the relevant provisions of RoP and to adopt the Code; and
- (b) a proposed resolution to be moved under **section 9(2) of the P&P Ordinance** (Cap. 382) to authorize the matter referred to in paragraph 6 above.

In addition, to tie in with the implementation of Proposal 1, the Administration will **introduce** into LegCo **a bill** to amend the P&P Ordinance (Cap. 382) in respect of the matter referred to in paragraph 8 above.

20. Subject to the passage of the two proposed resolutions mentioned in paragraph 19 above, the aforesaid proposals to enhance the operation of LegCo (including the amendments to HR) are to **come into operation on the day on which the eighth term of office of LegCo** begins, and the Secretariat will make consequential amendments to the relevant procedures/guidelines (e.g. the relevant Handbooks for Chairmen) in due course.

Council Business Divisions  
Legislative Council Secretariat  
3 July 2025

**Marked-up version of the proposed amendments to  
the Rules of Procedure and the House Rules**

**Proposal 1: Improving the system on performance of duties by Members of  
the Legislative Council**

**Rules of Procedure**

**IAA. *Formulation of Code for Members***<sup>1</sup>

**(1)** *The Council may formulate a Code for Members of the Legislative Council to prescribe requirements on Members' performance of duties, including the conduct, ethics and work performance expected of Members, and the mechanism for sanctioning Members for misconduct.*

**(2)** *Any amendments to the Code mentioned in subrule (1) shall be recommended by the Legislative Council Supervisory Committee under Rule 73(1)(aa) (Legislative Council Supervisory Committee) and subject to the approval of the House Committee.*

**Legend:**

Texts proposed to be added are shown in *italics* and highlighted in **yellow**.

Texts proposed to be deleted are shown with **deletion lines**.

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<sup>1</sup> The proposed Rule 1AA of the Rules of Procedure ("RoP") will come into operation immediately after the passage of the relevant Resolution by the Legislative Council ("LegCo"), while the rest of the amendments to RoP and the House Rules will come into operation on the day on which the eighth term of office of LegCo begins.



#### 45A. Naming and Suspending

(1) If, by reason of the grossly disorderly conduct of a Member, the President is of the opinion that his powers under Rule 45(2) (Order in Council and Committee) are inadequate with respect to such grossly disorderly conduct, the President may, at any time he considers appropriate, name such Member.

(2) Where it comes to the knowledge of the President that a Member's grossly disorderly conduct has been committed in a committee of the whole Council, the Finance Committee or the House Committee, the President may, at any time he considers appropriate, name such Member if the President is of the opinion that the powers of the Chairman of the committee of the whole Council, the chairman of the Finance Committee or the chairman of the House Committee under Rule 45(2) (Order in Council and Committee) are inadequate with respect to such grossly disorderly conduct.

(3) Where a Member is named by the President under subrule (1) or (2), the President shall, on a motion being moved forthwith by the President's deputy, put the question "That (name of such Member) be suspended from the service of the Council".

*(3A) If the President's deputy is not present to move the motion mentioned in subrule (3) –*

*(a) the Member present who has the highest precedence in accordance with Rule 1A (Precedence of Members) shall move the motion; or*

*(b) in the event that the Member referred to in subrule (3A)(a) is the Member named by the President under subrule (1) or (2), the Member present who is next in the order of precedence shall move the motion.*

(4) A motion moved under subrule (3) **or (3A)** shall be voted on forthwith without amendment or debate.

~~(5) If a Member is suspended by a motion moved and passed under subrule (3), the duration of the suspension (including the day of suspension) –~~

~~(a) on the first occasion is one week;~~

~~(b) on the second occasion during the same term of the Council is two weeks; and~~

~~(e) on any subsequent occasion during the same term of the Council is twice that of the previous occasion, provided that such duration shall not extend beyond the end date of the term concerned.~~

~~(6) Any Member who is suspended from the service of the Council under this Rule shall immediately leave the Chamber. The suspended Member shall, for the duration of his suspension, be excluded from participation in the exercise of the Council's powers and functions under Article 73 of the Basic Law.~~

~~(7) If the suspended Member refuses to comply with subrule (6), the President shall order the Clerk to take such action as may be necessary to ensure compliance.~~

~~(8) The suspended Member shall not be entitled to receive any remuneration or allowance (including end-of-service gratuity) in respect of the period of suspension, but the suspended Member shall be entitled to be reimbursed the operating expenses incurred by him in respect of that period.~~ *Rule 85A (Suspension from Service) shall apply to any Member suspended from the service of the Council under this Rule.*

Legend:

Texts proposed to be added are shown in *italics* and highlighted in yellow.

Texts proposed to be deleted are shown with *deletion lines*.

73. **Legislative Council Supervisory Committee** ~~on Members' Interests~~

(1) There shall be a standing committee, to be called the **Legislative Council Supervisory Committee** ~~on Members' Interests~~, *the functions of which are as follows* –

- (a) *to study and formulate guidelines on matters relating to the monitoring of Members' performance of duties, so as to ensure compliance with the requirements relating to Members' performance of duties, including the Code for Members of the Legislative Council formulated under Rule 1AA (Formulation of Code for Members), the relevant requirements of these Rules of Procedure and other relevant requirements;*
- (aa) *to regularly review the effectiveness of the Code for Members of the Legislative Council and, if necessary, make recommendations for amending the Code to the House Committee for its consideration and approval;*
- (ab) to examine the arrangements made for the compilation, maintenance and accessibility of the Register of Members' Interests;
- (b) to consider any proposals made by Members or others as to the form and contents of the Register;
- ~~(c) to consider any complaint made in relation to the registration and declaration of Members' interests or any complaint of a failure to do so and, if it thinks fit after consideration, investigate such complaint;~~
- ~~(ca) to consider any complaint made in relation to the conduct of Members referred to in Rule 83AA (Claims for Reimbursement of Operating Expenses or Applications for Advance of Operating Funds) and, if it thinks fit after consideration, investigate such complaint;~~
- (d) to consider ~~matters of ethics in relation to the conduct of Members in their capacity as such, and to give advice and issue guidelines on such matters~~ *any complaints about Members' breaches of the Code for Members of the Legislative Council, the relevant requirements of these Rules of Procedure and other relevant requirements, including misconduct relating to matters such as the registration and declaration of Members' interests, claims for reimbursement of operating expenses or applications for advance of operating funds, and Members' conduct, ethics and work performance, and to investigate such complaints if it is considered appropriate to do so;*
- (e) to report to the Council ~~and make recommendations, including a recommendation as to a sanction, and to impose or recommend sanctions~~ under Rule 85 (Sanctions ~~relating to Interests, Operating~~

*Expenses or Operating Funds for Breaching the Code for Members of the Legislative Council).*

(1A) In *the performance of its functions (including* considering or investigating a complaint referred to in subrule (1)~~(ea)(d))~~, the committee shall, ~~in addition to any other matter that the committee may consider relevant, have regard to the provisions of A Guide for Reimbursement of Operating Expenses for Members of the Legislative Council~~ *have due regard to the Code for Members of the Legislative Council, the relevant requirements of these Rules of Procedure and other relevant requirements.*

(2) The committee shall consist of ~~a~~

(a) *the President, who shall be the* chairman;

(b) *the chairman of the House Committee, who shall be the* deputy chairman;

(c) *the deputy chairman of the House Committee;* and

(d) ~~510~~ members who shall be ~~Members appointed by the President in accordance with an election procedure determined by~~ *elected in such manner as* the House Committee *may determine*.

*(2AA) The term of office of the members of the committee shall be the whole term of the Council.*

(2A) ~~The chairman and 2 other members shall constitute a~~ *The* quorum of the committee *shall be 6 members including the chairman.*

(2B) In the event of the temporary absence of the chairman and deputy chairman, the committee may elect a chairman to act during such absence.

*(2BA) The clerk to the committee appointed under Rule 6(7) (Duties of the Clerk) shall attend meetings of the committee and shall keep the minutes of proceedings of the committee in a manner determined by the committee.*

(2C) All matters ~~before~~ *for the decision of* the committee shall be decided by a majority of the members voting *and abstentions shall not be counted*. Neither the chairman nor any other member presiding shall vote, unless the votes of the other members are equally divided, in which case he shall give a casting vote.

(3) The committee shall meet at the time and the place determined by the chairman. Written notice of every meeting shall be given to the members at least 5 clear days before the day of the meeting but shorter notice may be given in any case where the chairman so directs.

(4) Meetings *held by the committee for the purpose of performing its functions under subrule (1)(d)* shall be held in ~~public camera~~ unless ~~the chairman~~ otherwise ~~orders in accordance with any decision of~~ *decided by* the committee. *Other meetings of the committee shall be held in public unless otherwise decided by the committee.*

(5) *(Repealed L.N. 214 of 2005)*

(6) The committee may invite any person to attend before the committee and to give evidence or to produce any paper, book, record or document in the possession or under the control of such person.

*(6A) The chairman of the committee may establish an assessment panel to assist him in his initial consideration of complaints received, and to make recommendations to the committee on the actions that should be taken in respect of such complaints. The assessment panel shall consist of the chairman and deputy chairman of the committee, as well as a member elected by and from among the members of the committee.*

*(6B) The chairman of the committee may appoint an investigation subcommittee to assist the committee in the performance of its functions under subrule (1)(d). The chairman of the committee may, when appointing an investigation subcommittee, also appoint its members and determine its terms of reference.*

*(6C) An investigation subcommittee, whose members must be members of the committee, shall consist of not less than 3 members including the chairman of the investigation subcommittee.*

*(6D) The quorum of an investigation subcommittee shall be 3 members including the chairman, or one half of the members including the chairman (a fraction of the whole number being disregarded), whichever is the greater.*

*(6E) The provisions of subrules (1A), (2B), (2BA), (2C), (3), (4) and (6) shall apply to an investigation subcommittee.*

*(6F) An investigation subcommittee shall, upon completion of the handling of a complaint, submit a report (including recommendations) to the committee for its consideration. An investigation subcommittee will be dissolved upon completion of its work, or when the chairman of the committee so decides.*

(7) Subject to these Rules of Procedure *and the Code for Members of the Legislative Council*, the practice and procedure of the committee, *assessment panel (if established) and investigation subcommittees* shall be determined by the committee.

Legend:

Texts proposed to be added are shown in *italics* and highlighted in **yellow**.

Texts proposed to be deleted are shown with **deletion lines**.

## 81. Premature Publication of Evidence

(1) The evidence taken before a committee under Rule 80 (Attendance of Witness) and documents presented to the committee shall not, except in the case of meetings of the committee held in public, be published by a member of the committee or by any other person before the committee has presented its report to the Council.

(2) Any member of the committee who fails to comply with subrule (1) may be admonished~~or~~, reprimanded *or suspended* by the Council on a motion to that effect. *The motion shall not be subject to amendment.*

(3) *Rule 85A (Suspension from Service) shall apply to any Member suspended from the service of the Council under this Rule.*

### Legend:

Texts proposed to be added are shown in *italics* and highlighted in yellow.

Texts proposed to be deleted are shown with ~~deletion lines~~.

### 83. Registration of Interests

(5) In this Rule, “registrable interests” means –

...

- (d) (i) all donations, as a candidate in the Legislative Council election in which the Member was elected as a Member of the Council, received by the Member or any person on his behalf for the purpose of meeting the Member’s election expenses in the election; ~~or~~

...

(iii) *gifts worth HK\$1,000 or more received by the Member arising out of his membership of the Council;*

- (e) ~~overseas~~-visits made by the Member or his spouse *to places outside Hong Kong* relating to or arising out of *his* membership of the Council where the cost of any such visit has not been wholly borne by the Member or public funds;

...

- (g) land and property *owned by the Member, including land and property held in the name of the Member’s spouse, children or other persons or companies but actually owned by the Member, or other land and property which are not held in the name of the Member but in which the Member has a beneficial interest;*

...

(6) *In addition to the registrable interests mentioned in subrule (5), the interests to be registered by a Member shall also include other interests which, in his opinion, should be declared, such as important unremunerated offices, and any relevant financial interests or material advantage, etc. which are not clearly classified into other categories.*

#### Legend:

Texts proposed to be added are shown in *italics* and highlighted in **yellow**.

Texts proposed to be deleted are shown with ~~deletion lines~~.

**85. Sanctions ~~relating to Interests, Operating Expenses or Operating Funds for Breaching the Code for Members of the Legislative Council~~**

(1) *If, after investigation, the Legislative Council Supervisory Committee is of the opinion that a* ~~Any Member who fails to comply with Rule 83 (Registration of Interests), 83A (Personal Pecuniary Interest to be Disclosed), 83AA (Claims for Reimbursement of Operating Expenses or Applications for Advance of Operating Funds) or 84(1) or (1A) (Voting or Withdrawal in case of Direct Pecuniary Interest)~~ *has breached the Code for Members of the Legislative Council, relevant requirements of these Rules of Procedure or any other relevant requirements, the Member* may be warned in writing, or warned in writing and admonished in person, by the chairman of the Legislative Council Supervisory Committee, or be admonished, reprimanded or suspended by the Council on a motion to that effect, *depending on the gravity of the misconduct.*

(2) *The debate on a motion mentioned in subrule (1) shall take place at the earliest meeting of the Council at which normal business is transacted after the report of the Legislative Council Supervisory Committee has been laid on the Table of the Council. The deputy chairman of the Legislative Council Supervisory Committee shall give notice of the motion not less than 2 clear days before the Council meeting at which the motion is to be debated, and move the motion at that meeting:*

*Provided that the President may in his discretion dispense with such notice.*

(3) *If the deputy chairman of the Legislative Council Supervisory Committee is unable to attend the relevant Council meeting, another member decided on by the Legislative Council Supervisory Committee shall act on his behalf (including giving the required notice and moving the motion at the relevant Council meeting).*

(4) *A motion moved under subrule (2) or (3) shall not be subject to amendment.*

(5) *Rule 85A (Suspension from Service) shall apply to any Member suspended from the service of the Council under this Rule.*

Legend:

Texts proposed to be added are shown in *italics* and highlighted in **yellow**.

Texts proposed to be deleted are shown with **deletion lines**.



**85A. Suspension from Service**

(1) *If a Member is suspended by any motion moved and passed under these Rules of Procedure, the duration of the suspension (including the day on which the Member is suspended) –*

(a) *on the first occasion is one week;*

(b) *on the second occasion during the same term of the Council is two weeks; and*

(c) *on any subsequent occasion during the same term of the Council is twice that of the previous occasion, provided that such duration shall not extend beyond the end date of the term concerned.*

(2) *The suspended Member shall immediately leave the Chamber. For the duration of his suspension, the suspended Member shall be excluded from participation in the exercise of the Council's powers and functions under Article 73 of the Basic Law.*

(3) *If the suspended Member refuses to comply with subrule (2), the President shall order the Clerk to take such action as may be necessary to ensure compliance.*

(4) *The suspended Member shall not be entitled to receive remuneration and allowance (including end-of-service gratuity) in respect of the period of suspension, but shall be entitled to be reimbursed the operating expenses incurred by him in respect of that period.*

Legend:

Texts proposed to be added are shown in *italics* and highlighted in yellow.

Texts proposed to be deleted are shown with *deletion lines*.

## House Rules

### Appendix IIIA to the House Rules

#### Duration of Debates and Speaking Time Limits of Members in Debates

##### Page 3

##### (III. Members' motions)

<u>Types of motions on which debates may arise</u>	<u>Duration of each debate</u> (including voting on the motion and amendment(s) thereto)	<u>Number of speech(es) allowed for individual Members in each debate</u>	<u>Maximum time for a speech</u>
◆ Motions under Rule 49B(1A) of the Rules of Procedure to censure a Member	Not more than 4 hrs	1 <sup>6</sup>	5 mins <sup>7</sup>
<hr/> <sup>4, 6</sup> The mover, apart from having up to 5 minutes for an introductory speech, may speak for up to 5 minutes in reply. <sup>5</sup> The mover, apart from having up to 5 minutes for an introductory speech, may speak for up to 5 minutes in reply and also up to 5 minutes on the proposed amendment(s), if any. <sup>7</sup> <i>The Member who is the subject of the motion may speak once for up to 15 minutes.</i>			

##### Page 4

##### (III. Members' motions)

<u>Types of motions on which debates may arise</u>	<u>Duration of each debate</u> (including voting on the motion and amendment(s) thereto)	<u>Number of speech(es) allowed for individual Members in each debate</u>	<u>Maximum time for a speech</u>
◆ <i>Motions under Rule 81 of the Rules of Procedure (Premature Publication of Evidence)</i>	Not more than 4 hrs	1 <sup>8</sup>	5 mins <sup>9</sup>
◆ Motions under Rule 85 of the Rules of Procedure (Sanctions <del>relating to</del> <i>Interests, Operating Expenses or Operating Funds for Breaching the Code for Members of the Legislative Council</i> )		1 <sup>7, 8</sup>	5 mins <sup>9</sup>

<sup>7, 8</sup> The mover, apart from having up to 5 minutes for an introductory speech, may speak for up to 5 minutes in reply ~~and also up to 5 minutes on the proposed amendment(s), if any.~~  
<sup>9</sup> *The Member who is the subject of the motion may speak once for up to 15 minutes.*

**Page 5**

**(IV. Other motions moved by Members or public officers under the following provisions of the Rules of Procedure:)**

<u><b>Types of motions on which debates may arise</b></u>	<u><b>Duration of each debate</b></u> (including voting on the motion and amendment(s) thereto)	<u><b>Number of speech(es) allowed for individual Members in each debate</b></u>	<u><b>Maximum time for a speech</b></u>
◆ ...	Not more than 2 hrs	1 <sup><i>s/0</i></sup>	3 mins

---

<sup>*s/0*</sup> The mover, apart from having up to 3 minutes for an introductory speech, may speak for up to 3 minutes in reply.

**Legend:**

Texts proposed to be added are shown in *italics* and highlighted in yellow.

Texts proposed to be deleted are shown with *deletion lines*.

## Proposal 2: Enhancing the operation of committees

### Marked-up version of the proposed amendments to the relevant provisions of the Rules of Procedure and the House Rules

#### (A) Allowing non-Panel members to join policy subcommittees under Panels

##### Rules of Procedure

#### 75. House Committee

(12)

...

- (d) Where a subcommittee is appointed for the purpose of assisting the committee to consider an issue of public concern which falls outside the purview of Panels or straddles the purview of a number of Panels, such subcommittee shall consist of not less than ~~3~~**11** members and not more than 20 members including the chairman.

...

#### 77. Panels

...

(9) A Panel may, if it considers appropriate, appoint subcommittees to study specific issues and to report to the Panel. The members of a subcommittee shall be those ~~members of the Panel~~ **Members (other than the President)** who have signified membership and are allocated committee seats in accordance with the mechanism decided by the House Committee under Rule 75(3A) (House Committee). A subcommittee shall consist of ~~not less than 3 members and~~ not more than 20 members including the chairman. ***The membership of a subcommittee appointed by a Panel must include a majority of the membership of the Panel, and the remaining seats may be allocated to non-Panel members provided that the number of non-Panel members joining must be less than the number of members of the Panel joining. The chairman and deputy chairman of the subcommittee must be members of the Panel.***

(9A) Two Panels may, if they consider appropriate, appoint joint subcommittees to study any matter of common interest to the Panels and to report to the Panels. The members of a joint subcommittee shall be those ~~members of the Panels~~ **Members (other than the President)** who have signified membership and are allocated committee seats in accordance with the mechanism decided by the House Committee under Rule 75(3A) (House Committee).

**(9B)** A joint subcommittee **appointed under subrule (9A)** shall consist of ~~not less than 3 members and~~ not more than 20 members including the chairman. ***The membership of a joint subcommittee appointed by two Panels must include a majority of the average number of members of the Panels, and the remaining seats may be allocated to non-Panel members provided that the number of non-Panel members joining must be less than the number of members of the Panels joining. For the calculation of the average number of members of two Panels, a member of both Panels shall be counted only once, and a fraction of the whole number shall be disregarded. The chairman and deputy chairman of the joint subcommittee must be members of the Panels.***

...

##### Legend:

Texts deleted are shown with **deletion lines**.

Texts added are shown in **italics** and **highlighted in yellow**.

## House Rules

### 20. House Committee

- ...
- (j) The House Committee may appoint a subcommittee to assist the committee's consideration of -
- ...
- (ii) an issue of public concern which falls outside the purview of Panels or straddles the purview of a number of Panels; and
- ...
- (ja) A subcommittee referred to in (j)(i) and (iii) shall consist of not less than 3 members and (unless otherwise decided by the House Committee) not more than 15 members including the chairman, and a subcommittee referred to in (j)(ii) shall consist of not less than ~~3~~**11** members and not more than 20 members including the chairman.
- ...

### 22. Panels

- ...
- (s) A Panel may appoint subcommittees to study specific issues. ~~Only Both~~ members of the Panel *and other Members who are not members of the Panel (other than the President)* may join the subcommittees.
- (sa)** A subcommittee *referred to in (s)* shall consist of ~~not less than 3 members and~~ not more than 20 members including the chairman. *The membership of a subcommittee appointed by a Panel must include a majority of the membership of the Panel, and the remaining seats may be allocated to non-Panel members provided that the number of non-Panel members joining must be less than the number of members of the Panel joining. If the number of Members who have signified membership exceeds 20, or among them the number of non-Panel members is equal to or more than the number of members of the Panel, the committee seats are to be allocated in accordance with the mechanism set out in Appendix IIIB. The chairman and deputy chairman of the subcommittee must be members of the Panel.*
- (t) Two Panels may appoint joint subcommittees to study any matter of common interest to the Panels. ~~Only Both~~ members of the Panels *and other Members who are not members of the Panels (other than the President)* may join the *joint* subcommittees. Where the number of Panels which wish to appoint a joint subcommittee exceeds two, a proposal shall be made to the House Committee for a subcommittee to be formed under the House Committee.
- (ta)** A *joint* subcommittee *referred to in (t)* shall consist of ~~not less than 3 members and~~ not more than 20 members including the chairman. *The membership of a joint subcommittee appointed by two Panels must include a majority of the average number of members of the Panels, and the remaining seats may be allocated to non-Panel members provided that the number of non-Panel members joining must be less than the number of members of the Panels joining. For the calculation of the average number of members of two Panels, a member of both Panels shall be counted only once, and a fraction of the whole number shall be disregarded.* If

the number of ~~members~~ *Members* who have signified membership exceeds 20, *or among them the number of non-Panel members is equal to or more than the number of members of the Panels*, the committee seats are to be allocated in accordance with the mechanism set out in Appendix IIIB. *The chairman and deputy chairman of the joint subcommittee must be members of the Panels.* The quorum of a *joint* subcommittee so appointed will be one-third of the membership of the *joint* subcommittee including the chairman (a fraction of the whole number being disregarded).

...

## 23. Application for Late Membership

- (a) An application for late membership of the House Committee, a Bills Committee, Panel, subcommittee appointed by the House Committee, a Bills Committee or Panel or a joint subcommittee formed by two Panels (the relevant committee) shall be considered in accordance with this rule after the election of the chairman and deputy chairman, if any, of the relevant committee, provided that the number of committee members does not exceed the specified maximum number ~~(if any)~~ of members of the relevant committee *and, in the case of a subcommittee appointed by one or two Panels for purposes set out in rule 22(s) or (t), this will not result in the number of non-Panel members in the subcommittee being equal to or more than the number of its Panel members*. The raising of questions which relate to the signification of membership of a relevant committee, after the time when a Member should signify his membership, shall be deemed to be an application for late membership.

...

## Appendix IIIB (Mechanism for Allocation of Committee Seats)

### 2. For Bills Committees and subcommittees –

- (a) Members may, *by submission of returns to the Secretariat by a date specified by the Secretariat*, join:
- (i) a Bills Committee or its subcommittee(s) appointed under Rule 76(4) of the Rules of Procedure ~~or~~;
  - (ii) a subcommittee appointed by the House Committee for purposes set out in rule 20(j)(i) to (iii) of the House Rules; or
  - (iii) *a subcommittee appointed* by one or two Panels for purposes set out in rule 22(s) or (t) of the House Rules ~~by submission of returns to the Secretariat by a date as specified by the Secretariat~~.
- (b) The lists which Members have formed for the purpose of allocation of committee seats of Panels in a session are applicable to the allocation of seats of the committees ~~specified~~ *mentioned* in 2(a) in the same session, *except for the allocation of seats to non-Panel members signifying membership of a subcommittee mentioned in 2(a)(iii) (in which case the allocation of seats shall be conducted in accordance with the requirements of 2(ga))*, if the total number of

Members signifying membership exceeds the specified number of members of the committee or subcommittee as stated in 2(c) and (d). A conversion table between the number of Members on a list and the designated quota is in Annex I.

- (c) A subcommittee appointed by the House Committee for the purpose set out in rule 20(j)(ii) of the House Rules or by one or two Panels for purposes set out in rule 22(s) or (t) of the House Rules is to consist of no more than 20 members including the chairman.

...

- (e) Before the deadline for signification of membership, Members who intend to signify membership *(except for non-Panel members signifying membership of a subcommittee mentioned in 2(a)(iii))* should indicate whether they signify membership using the designated quota or signify as an individual Member without any designated quota.

- (f) ~~After~~ *Subject to 2(ga), after* the specified deadline for signification of membership, if the total number of Members signifying membership does not exceed the specified number of members of the committee or subcommittee as stated in 2(c) and (d), each of these Members will be allocated a committee seat. Otherwise, Members on respective lists using the designated quota will be first allocated committee seats, and other Members (including Members on respective lists signifying membership in excess of the designated quota and Members signifying membership as an individual Member) will be included in the “oversubscription list”.

- (g) Among Members on the “oversubscription list”, lots will be drawn by the chairman of the House Committee or (if the chairman is not available) deputy chairman of the House Committee for determining the allocation of the seat(s) in that committee. In the event that both the chairman and deputy chairman of the House Committee are not available, the clerk to a committee will draw the lots.

*(ga) In the case of a subcommittee mentioned in 2(a)(iii), members of the Panel(s) will be first allocated committee seats. If the number of non-Panel members signifying membership is equal to or more than the number of members of the Panel(s) who have been allocated committee seats, or exceeds the number of seats available for allocation, lots will be drawn by the chairman of the House Committee or (if the chairman is not available) deputy chairman of the House Committee for determining the list of non-Panel members who may join. In the event that both the chairman and deputy chairman of the House Committee are not available, the clerk to a subcommittee will draw the lots.*

- (h) In the event that a vacancy in a Bills Committee or a subcommittee arises before its completion of work, such vacancy will not be filled; *but in the case of a subcommittee mentioned in 2(a)(iii), if the withdrawal of membership of a Panel member from the subcommittee results in less than a majority of the members of the Panel(s) being members of the subcommittee, or the number of non-Panel members in the subcommittee being equal to or more than the number of its Panel members, the withdrawing member shall arrange on his own for another member of the Panel(s) to be a replacement. If the withdrawing member is unable to arrange for a replacement, the chairman of the subcommittee shall, after*

*consulting the chairman of the House Committee, decide whether the subcommittee should continue or cease to operate.*

- (i) A Member who joins the Council after the start of a session may join a Bills Committee or a subcommittee by submission of a return to the Secretariat within one month of the date on which he is declared elected as Member of the Council, provided that the number of members of that committee does not exceed the specified number of members of the committee or subcommittee as stated in 2(c) and (d) *and, in the case of a subcommittee mentioned in 2(a)(iii), his joining will not result in the number of non-Panel members in the subcommittee being equal to or more than the number of its Panel members.* His membership of the committee shall take effect upon confirmation by the Secretariat. In the event that the number of Members' returns for joining a committee exceeds the number of committee seat(s) of that committee available for allocation, lots will be drawn by the chairman of the House Committee or (if the chairman is not available) deputy chairman of the House Committee for determining the allocation of the seat(s) in that committee. In the event that both the chairman and deputy chairman of the House Committee are not available, the clerk to a committee will draw the lots.

Legend:

Texts deleted are shown with **deletion lines**.

Texts added are shown in *italics* and **highlighted in yellow**.



## **(B) Enhancing the arrangements for duty visits of committees**

### **House Rules**

#### **29. Visits in Hong Kong**

- (a) Visits may be conducted from time to time by committees to enable Members to gain first-hand information on issues or organisations of interest to them in connection with Council business.
- (b) The timing and programme of visits are decided by the respective chairmen in consultation with members of the committees concerned and the host organisations. The duration of a visit should be kept to within three hours as far as possible.
- (c) Members should indicate their availability for a visit before a set deadline.
- (d) *The participation of a majority of the members of the committee concerned shall be required for each visit.*
- ~~(d)(e)~~ *The chairman will, in consultation with other Members or the host organisation, determine whether a scheduled visit should be cancelled or postponed if less than three Members have signed up by the deadline, or where lastminute withdrawals deplete the visiting party to less than three Members. Where the withdrawal of a committee member from the visit results in less than a majority of the members joining, the withdrawing member shall arrange on his own for another committee member to be a replacement. If the withdrawing member is unable to arrange for a replacement, the committee chairman shall decide whether the scheduled visit should be proceeded with, postponed or cancelled.*
- ~~(e)(f)~~ The Secretariat ~~should~~ *shall* keep a record of the Members who withdraw from such visits *and their reasons for withdrawal*.

#### **29A. Visits outside Hong Kong**

- (a) A committee may consider it necessary to undertake a visit to places outside Hong Kong under the name of the committee for purposes such as obtaining first-hand information on certain subject matters and practices in those places. Where the visit is to be conducted under the name of the committee and/or funding for the visit of the committee is to be charged to individual Members' ~~Overseas Duty Visit~~ accounts *for duty visits outside Hong Kong*, the prior permission of the House Committee shall be sought. The decision of the House Committee shall be referred to The Legislative Council Commission for reference.
- (b) Members of the committee joining the visit should participate in the entire programme. The committee may invite other Members who are not members of the committee to take part in the visit provided that these Members are also able to participate in the entire programme.

- (c) Any visit proposed in response to an invitation should first be discussed by the relevant committee(s) to determine if the visit is related to the business of the Council. There should be transparency in the deliberation on logistical arrangements, including who among the Members would take part in the visit, the itinerary, matters to be studied and places to be visited.
- (d) Approval of the House Committee is required for proposed visits referred to in (c) and visits which are to be led by the President or any Member and conducted under the name of the Council or any of its committee(s), ~~and the funding of~~ *for* which is to be charged to individual Members' ~~Overseas Duty Visit~~ *accounts for duty visits outside Hong Kong*. The decision of the House Committee shall be referred to The Legislative Council Commission for reference.
- (e) The participation of a majority of the members of the committee concerned shall be required for each visit. If non-members are invited to join, the number of non-members joining must be less than the number of members joining. If the number of non-members who have signed up is equal to or more than the number of members joining, lots will be drawn by the delegation leader or the committee chairman for determining the list of participating non-members, unless otherwise decided by the committee. In the event that both the delegation leader and the committee chairman are not available, an Assistant Secretary General will draw the lots.*
- (f) Where the withdrawal of a committee member from the visit results in less than a majority of the members joining, or the number of non-members joining being equal to or more than the number of members joining, the withdrawing member shall arrange on his own for another member to be a replacement. If the withdrawing member is unable to arrange for a replacement, the delegation leader or the committee chairman shall, after consulting the chairman of the House Committee, decide whether the scheduled visit should be proceeded with, postponed or cancelled.*
- (g) The handling of the matters mentioned in (e) and (f) shall be the responsibility of the delegation leader if the delegation leader and the committee chairman are not the same person, or the responsibility of the committee chairman if there is no delegation leader.*
- (h) The Secretariat shall keep a record of the Members who withdraw from such visits and their reasons for withdrawal.*
- ~~(e)~~*(i) The detailed mechanism for handling* *Where appropriate, the requirements of (e) to (g) shall apply to* Members' visits outside Hong Kong in response to invitations. *The detailed mechanism for handling such visits* is set out in Appendix VI.
- (j) The requirements of (e) to (g) do not apply to visits coordinated by the Parliamentary Liaison Subcommittee mentioned in rule 34.*
- ~~(f)~~*(k)* A report on a visit outside Hong Kong that has been approved by the House Committee shall be submitted to the House Committee after the conduct of the visit.

### 34. Parliamentary Liaison Subcommittee

The Parliamentary Liaison Subcommittee of the House Committee coordinates all parliamentary liaison activities between the Council and other parliamentary organisations outside Hong Kong, considers proposals for setting up friendship groups with such organisations, and makes recommendations to the House Committee.

<i>Remarks: No amendments is required in the English text of rule 34.</i>
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#### Appendix VI (rule 29A~~(e)~~(i))

#### **Mechanism for Handling Members' Visits Conducted under the Name of the Council or its Committees outside Hong Kong in response to Invitations**

- ...
2. If the invitation is extended to all Members of the Council, the House Committee should convene a meeting to discuss whether to accept the invitation. If the House Committee considers that the proposed visit is related to Council business and agrees to accept the invitation, it should also consider whether the expenditure of the visit should be charged to individual Members' ~~Overseas Duty Visit (ODV)~~ accounts **for duty visits outside Hong Kong** and the detailed arrangements of the proposed visit. If the invitation is extended to Members of the Council (except the President) but a quota is prescribed on the number of participating Members by the relevant organisation, the House Committee should also consider the composition of the delegation which should normally be broadly representative of the membership of the Council.
3. If the invitation is extended to members of more than one Panel,<sup>1</sup> the Chairmen of the Panels should discuss and agree as to whether a joint meeting should be convened or whether the Panel having a prominent interest in the subject matter should convene a meeting and invite members of the other Panel(s) to attend. The notice of the meeting should be copied to all other non-Panel ~~Members~~ **members** who are welcome to attend the meeting and participate in the discussion, but they do not have any voting right in respect of the issues under discussion. At the meeting, members should discuss whether to accept the invitation and the details of the proposed visit.
4. If the invitation is extended to one Panel only, the meeting should be convened by the Chairman of the Panel. The same meeting arrangement as in step (3) above should be adopted.
- ...
7. If the invited Panel(s) considers that the proposed visit is related to Council business and agrees to accept the invitation, it should issue a circular to invite members to indicate whether they will join the visit. The Panel(s) should submit a paper on the detailed arrangements of the visit to the House Committee. Where the Panel(s) considers that the expenses incurred ought to be charged to ~~the ODV accounts of Members'~~ **accounts for duty visits outside Hong Kong**, such a proposal should be included in its paper and the House Committee's endorsement is required.
8. If the endorsement of the House Committee on the financial arrangement is obtained, the expenditure of the visit should be charged to individual Members' ~~ODV~~ accounts **for duty visits outside Hong Kong**.

9. If the endorsement of the House Committee on the financial arrangement is not obtained, Members may join the visit on a self-financing basis or claim reimbursement of the expenses incurred for the visit under the Operating Expenses Reimbursement system.<sup>2</sup>

10. A report on a visit outside Hong Kong that has been approved by the House Committee shall be submitted to the House Committee after the conduct of the visit.

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<sup>1</sup> The same arrangement ~~will apply~~ *applies* to invitations extended to Bills Committees and subcommittees on subsidiary legislation/policy issues.

<sup>2</sup> Under ~~the~~ *A* Guide for Reimbursement of Operating Expenses for Members *of the Legislative Council*, entertainment, liaison or travelling expenses incurred by a Member or his staff in or outside Hong Kong for Legislative Council business may be reimbursed against claims certified by the Member without supporting documents.

Legend:

Texts deleted are shown with *deletion lines*.

Texts added are shown in *italics* and *highlighted in yellow*.

### **Proposal 3: Streamlining the election procedures of committees**

#### **Proposed amendments to Rule 74A(2)(d) and (3) of the Rules of Procedure<sup>2</sup>**

#### **74A. Committee on Access to the Legislature's Documents and Records**

...

- (2) The committee shall consist of –
- (a) the President, who shall be the chairman;
  - (b) the chairman of the House Committee, who shall be the deputy chairman;
  - (c) the deputy chairman of the House Committee; and
  - (d) not more than 10 other members who shall be elected ~~at a House Committee meeting~~ in such manner as the House Committee may determine.
- (3) The term of office of the elected members shall be one year or until the next ~~House Committee meeting held for the~~ election of members, whichever is the earlier.

...

#### Legend:

Texts proposed to be deleted are shown with **deletion lines**.

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<sup>2</sup> As the provisions specify that the election of members of the Committee on Access to the Legislature's Documents and Records shall be conducted at a meeting of the House Committee ("HC"), it is necessary to delete the relevant wording so that the election may be conducted otherwise than at an HC meeting. In the case of the Public Accounts Committee, the Committee on Members' Interests and the Committee on Rules of Procedure, as it is not specified in the Rules of Procedure that the elections of their members shall be conducted at an HC meeting, it is not necessary to amend the relevant rules.

**Proposal 4: Textual or technical amendments to the Rules of Procedure and House Rules**

**(A) To rectify minor textual inconsistencies between the Chinese and English texts of the Rules of Procedure (“RoP”)**

**(i) Amendments proposed to the Chinese text only**

RoP	Proposed amendments	Remarks
<b>26(8)(a)</b>	.....可在擬提出質詢的會議開始前不少於一個半小時向立法會秘書作出預告，將該質詢撤回；或	Replacing “個半小時” with “一個半小時”, which is generally used as the Chinese equivalent for “one and a half hours” in the Rules of Procedure (“RoP”)
<b>88(3)</b>	當立法會、全體委員會、委員會或小組委員會，或立法會主席或全體委員會主席根據第(1)及或(2)款作出命令時.....	Replacing “第(1)及(2)” with “第(1)或(2)” to reflect the meaning of “subrule (1) or (2)” in the English text

**(ii) Amendments proposed to the English text only**

RoP	Proposed amendments	Remarks
<b>29(6)</b>	Except as otherwise provided in these Rules <del>of Procedure</del> , no amendment shall be moved to a motion...	Replacing “these Rules” and “the Rules of Procedure” with “these Rules of Procedure”, which is generally used as the English equivalent for “本議事規則” in RoP
<b>Schedule 3, paragraph 2</b>	The provisions of <del>the</del> these Rules of Procedure, <del>the</del> House Rules and any other rules and procedures made under <del>the</del> these Rules of Procedure shall remain in force except as may be modified or supplemented by this Schedule.	
<b>Schedule 3, paragraph 3</b>	...Notice and agenda for a remote meeting shall be given in accordance with the current provisions of <del>the</del> these Rules of Procedure.	
<b>Schedule 3, paragraph 4(b)</b>	the President or the chairman of a committee or any other presiding Member (as the case may be) shall have all the powers as provided for in the current provisions of <del>the</del> these Rules of Procedure;	

RoP	Proposed amendments	Remarks
93(f)	references to “printing” include references to all mechanical, electrical, electronic and photographic methods of reproducing words in visible form.	Adding quotation marks (“ ”) around the word “printing” to align with the Chinese text

**(B) To rectify inconsistencies in the usage of terms in the Chinese or English text of RoP**

**(i) Amendments proposed to the Chinese text only**

RoP	Proposed amendments	Remarks
<b>1B</b>	立法會設有立法會主席一職，其職權載於《基本法》第七十二條、香港法律及本 <del>《議事規則》</del> 。	Replacing “本《議事規則》” and “第XX條” with “本議事規則” and “本議事規則第XX條” respectively, which are generally used when referring to “本議事規則” and rule numbers in the Chinese text of RoP
<b>74A(1)(c)</b>	考慮任何就立法會秘書根據 <del>本議事規則</del> 第6(5A)(b)條(立法會秘書的職責)拒絕提供該等文件或紀錄而提出的反對……	
<b>25(1)(c)</b>	不得包含議論、推論、意見、指摘或綽號，亦不得使用偏頗、諷刺或冒犯性的措 <del>詞辭</del> 。	Replacing “措詞” with “措辭”, which is the recommended use of the word in the Secretariat’s in-house drafting manual
<b>25(1)(g)</b>	不得論及法庭的判決，所用措 <del>詞辭</del> 亦不得有相當可能會妨害在法庭待決的案件。	
<b>30(3A)</b>	……如將合併的議案或修正案是由超過 <del>1</del> <del>一</del> 名議員提出，立法會主席可指定由哪名議員提出有關的合併議案或修正案。	Replacing “1名議員” with “一名議員”, which is generally used when referring to a/one/each Member in the Chinese text of RoP



(ii) Amendments proposed to the **English text only**

RoP	Proposed amendments	Remarks
<b>1A(2)</b>	As between <del>two</del> <sup>2</sup> or more Members who have held office for an equal continuous period of time...	Replacing the <b>words</b> with <b>figures</b> , which are generally used when counting Members and days in the English text of RoP
<b>36(3)</b>	If <del>two</del> <sup>2</sup> or more Members indicate their intention to speak at the same time, the President or Chairman shall select one Member and call on him to speak.	
<b>74A(4)</b>	The chairman and <del>three</del> <sup>3</sup> other members shall constitute a quorum of the committee.	
<b>74A(7)</b>	... Written notice of every meeting shall be given to the members at least <del>three</del> <sup>3</sup> days before the day of the meeting but shorter notice may be given in any case where the chairman so directs.	
<b>Schedule 1, paragraph 3</b>	A nomination form for the office of President shall be signed by a Member making the nomination and by at least <del>three</del> <sup>3</sup> other Members seconding the nomination...	
<b>Schedule 1, Annex I, Part I</b>	Members seconding the nomination (at least <del>three</del> <sup>3</sup> )	Replacing “ <b>judgement</b> ” with “ <b>judgment</b> ”, which is more commonly used in RoP
<b>30(3A)</b>	...request any Member who has given notice of a motion or an amendment to give such explanation of the subject matter of the motion or amendment as may enable him to form his <del>judgement</del> <sup>judgment</sup> on the matter...	
<b>79B</b>	Where a Rule <del>of</del> <sup>in</sup> this Part provides that a committee shall meet at the time and the place determined by the chairman of the committee...	Replacing “Rule <b>of</b> this Part” with “Rule <b>in</b> this Part”, which is generally used in RoP

(C) To improve the drafting of and correct typographical errors in RoP

RoP	<u>Chinese text</u> with proposed amendments	<u>English text</u> with proposed amendments
31(1)	No need to amend	A motion or <b>an</b> amendment ...
35(2)		
47(1)(b)		...subject to any challenges to his statement being dealt with under paragraph (c) <del>below</del> , he shall declare the question to have been so decided;
83(5)(f)(i)		any government or organization of a place outside Hong Kong; <b>;</b> or
26(6B)(b)	如內務委員會主席及副主席均不在席，指“出席會議的議員中根據本議事規則第1A條(議員的排名)而定的議員排名序排名最先者 <b>排名最先的議員</b> ”。	“the Member present who has the highest precedence <del>in the order of precedence of Members as determined</del> in accordance with Rule 1A (Precedence of Members)” if both the chairman and deputy chairman of the House Committee are not present.
49E(3)	.....如主席和副主席均不會出席有關會議，將會出席第(2)款所提述的立法會會議的議員中 <b>，</b> 根據本議事規則第1A條(議員的排名)而定的議員排名序排名最先者 <b>排名最先的議員</b> 須作出預告及動議該議案。	...and in the event that both of them will not be present, the Member who will be present at the Council meeting referred to in subrule (2) and has the highest precedence <del>in the order of precedence of Members as determined</del> in accordance with Rule 1A (Precedence of Members) shall do so.
71(1)	.....委員會委員的任期為整屆立法會任期， <del>但如委員退出委員會，則屬例外。</del>	...The term of office of the members of the committee shall be the whole term of the Council <del>except in the case of resignation from the committee.</del>
71(5B)	所有在 <b>由</b> 委員會或其轄下小組委員會內討論 <b>決定</b> 的事宜，須以 <b>由</b> 參與表決的委員贊成者及反對者的過半數決定 <b>，棄權票不計算在內</b> .....	All matters <del>before</del> <b>for the decision of</b> the committee or its subcommittees shall be decided by a majority of the members voting <b>and abstentions shall not be counted</b> ...

RoP	Chinese text with proposed amendments	English text with proposed amendments
72(3C)	所有在由委員會內討論決定的事宜，須以由參與表決的委員贊成者及反對者的過半數決定，棄權票不計算在內.....	All matters <del>before</del> for the decision of the committee shall be decided by a majority of the members voting <b>and abstentions shall not be counted</b> ...
74(2C)		
74A(6)		
72(3)	委員會須由一名主席、一名副主席及5名委員組成，全部均須為立法會主席按內務委員會決定的選舉程序任命的議員。委員會委員的任期為整屆立法會任期。	The committee shall consist of a chairman, <b>a</b> deputy chairman and 5 members who shall be Members appointed by the President in accordance with an election procedure determined by the House Committee. <b>The term of office of the members of the committee shall be the whole term of the Council.</b>
73A(1)	根據本議事規則第49B(2A)條(取消議員的資格)規定成立的調查委員會須由一名主席、一名副主席及5名委員組成.....	No need to amend
74(2)	委員會須由一名主席、一名副主席及10名委員組成，全部均須為立法會主席按內務委員會決定的選舉程序任命的議員。委員會委員的任期為整屆立法會任期。立法會主席可應邀列席會議，就立法會行事方式及議事程序事宜提供意見。	The committee shall consist of a chairman, a deputy chairman and 10 members who shall be Members appointed by the President in accordance with an election procedure determined by the House Committee. <b>The term of office of the members of the committee shall be the whole term of the Council.</b> The President may be invited to attend its meeting to advise on matters of practice and procedure relating to the Council.
74A(2)	委員會須由以下委員組成——	No need to amend
75(1)	.....委員會委員的任期為整屆立法會任期， <del>但如委員退出委員會，則屬例外。</del>	...The term of office of the members of the committee shall be the whole term of the Council <del>except in the case of resignation from the committee.</del>
75(12AA)	所有須由委員會或其轄下小組委員會決定的事宜，須以由參與表決的委員贊成者及反對者的過半數決定，棄權票不計算在內。	All matters for the decision of the committee or its subcommittees shall be decided by a majority of the members voting <b>and abstentions shall not be counted.</b>

RoP	<u>Chinese text</u> with proposed amendments	<u>English text</u> with proposed amendments
76(8)	所有須由法案委員會或其轄下小組委員會決定的事宜，須以由參與表決的委員贊成者及反對者的過半數決定，棄權票不計算在內.....	All matters for the decision of a Bills Committee or its subcommittees shall be decided by a majority of the members voting and abstentions shall not be counted...
77(13)	所有須由事務委員會、根據第(9)款委任的小組委員會或根據第(9A)款委任的聯合小組委員會決定的事宜，以及所有須由第(10)款提述的聯席會議決定的事宜，須以由參與表決的委員贊成者及反對者的過半數決定，棄權票不計算在內.....	All matters for the decision of a Panel, a subcommittee appointed under subrule (9) or a joint subcommittee appointed under subrule (9A), and all matters for decision at a joint meeting referred to in subrule (10), shall be decided by a majority of the members voting and abstentions shall not be counted...
80	<p>(a)(1) 常設委員會在行使職權時，如有需要，可傳召有關人士出席作證和提供證據；及</p> <p>(b)(2) 內務委員會、法案委員會、事務委員會、專責委員會、調查委員會.....</p>	<p>(a)(1) Any standing committee may summon, as required when exercising its powers and functions, persons concerned to testify or give evidence; and</p> <p>(b)(2) the House Committee or a Bills Committee, Panel, select committee, investigation committee...</p>
Schedule 1, Paragraph 15	立法會秘書將隨即進行抽籤，並按結果隨即宣布該名候選人當選為立法會主席，然後結束選舉。	No need to amend

RoP	<u>Chinese text</u> with proposed amendments	<u>English text</u> with proposed amendments
Schedule 1, Annex I, Parts I & II	1. 本人謹按照 <del>《議事規則》</del> <del>《香港特別行政區立法會議事規則》</del> 附表1所規定的立法會主席選舉程序，提名__議員於__(日期)起為立法會主席。	1. In accordance with the election procedure prescribed under Schedule 1 to the <del>Rules of Procedure</del> <del>Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region</del> , I nominate the Honourable _____ for the office of the President of the Legislative Council commencing _____ (date).
	.....謹以至誠鄭重聲明，本人符合以下條件，具有資格可根據《基本法》第七十一條及 <del>《議事規則》</del> <del>《香港特別行政區立法會議事規則》</del> 第4(2)條成為立法會主席：	...solemnly and sincerely declare that I am qualified to become the President of the Legislative Council under Article 71 of the Basic Law and Rule 4(2) of the <del>Rules of Procedure</del> <del>Rules of Procedure of the Legislative Council of the Hong Kong Special Administrative Region</del> in that:
Schedule 3, paragraph 4(c)	出席會議的立法會議員或委員會委員及其他與會者，須透過根據(a) <del>段</del> <del>節</del> 決定的虛擬、數碼或電子方式，從香港境內的地方參與會議.....	Members of the Council or a committee attending the meeting and other participants are required to participate in the meeting from a place within Hong Kong through the virtual, digital or electronic means determined _____ under <del>paragraph</del> <del>subparagraph</del> (a)...
Schedule 3, paragraph 4(d)	就點算會議法定人數及在會議上進行表決而言，按照(c) <del>段</del> <del>節</del> 參與遙距會議的立法會議員或委員會委員，須視作出席會議計算.....	Members of the Council or a committee who participate in a remote meeting in accordance with <del>paragraph</del> <del>subparagraph</del> (c) shall be counted as present for the purposes of constituting the quorum for the meeting and of voting at the meeting...

(D) Proposed minor textual amendments to the House Rules (“HR”)

HR	<u>Chinese text</u> with proposed amendments	<u>English text</u> with proposed amendments
32(k)	在會議上討論的事項會視乎情況交由負責研究有關政策的事務委員會或申訴部公共申訴辦事處跟進處理。	Matters discussed at the meetings are followed up by the relevant policy Panels or the <del>Complaints Division</del> <b>Public Complaints Office</b> as appropriate.
Annex II to Appendix IIIB	<p>.....</p> <p>8. <del>民政事務委員會</del> <b>民政及文化體育事務委員會</b></p> <p>.....</p> <p>17. <del>工商事務委員會</del> <b>工商及創新科技事務委員會</b></p> <p>.....</p>	<p>...</p> <p>8. <del>Panel on Home Affairs</del> <b>Panel on Home Affairs, Culture and Sports</b></p> <p>...</p> <p>17. <del>Panel on Commerce and Industry</del> <b>Panel on Commerce, Industry, Innovation and Technology</b></p> <p>...</p>
10	.....議員如擬就有關要求徵得內務委員會同意，除非內務委員會主席另有決定，否則應在 <b>本</b> 守則第20(f)(i)條所述提出會議議程項目的限期前，通知內務委員會主席。	No need to amend
11(a)	.....立法會主席須叫喚出席會議的議員中根據《議事規則》第1A條(議員的排名) <del>而定的議員排名序排名最先者</del> <b>排名最先的議員</b> ，提出該質詢。	...the President shall call upon the Member present who has the highest precedence <del>in the order of precedence of Members as determined</del> in accordance with Rule 1A (Precedence of Members) to ask the question.
14A(l)	依據本條編配的辯論時段，不得依據 <b>上文</b> <b>本</b> 守則第14(e)條轉讓。	A debate slot allocated pursuant to this rule shall not be transferred pursuant to rule 14(e) <del>above</del> .



HR	<u>Chinese text</u> with proposed amendments	<u>English text</u> with proposed amendments
15(a)	<p><del>上文</del> <del>本</del> 守則第13(b)(i)至(v)及(viii)條所列的議案應首先進行辯論，然後才就根據<del>上文</del> <del>本</del> 守則第14條獲編配辯論時段的個別議員動議的不擬具立法效力的議案進行辯論。</p>	<p>Debates on motions such as those listed in rule 13(b)(i) to (v) and (viii) <del>above</del> shall take place before debates on motions not intended to have legislative effect moved by individual Members who have been allocated debate slots in accordance with rule 14-<del>above</del>.</p>
15(aa)	<p><del>上文</del> <del>本</del> 守則第13(b)(vi)條提述的議案，不得在根據<del>上文</del> <del>本</del> 守則第14條獲編配辯論時段的個別議員動議的不擬具立法效力的議案前進行辯論。</p>	<p>Debates on motions referred to in rule 13(b)(vi)-<del>above</del> shall not take place before debates on motions not intended to have legislative effect moved by individual Members who have been allocated debate slots in accordance with rule 14-<del>above</del>.</p>
15(ab)	<p>除非先獲內務委員會同意，否則<del>上文</del> <del>本</del> 守則第13(b)(viiia)及(viib)條所列的議案，不得在根據<del>上文</del> <del>本</del> 守則第14條獲編配辯論時段的個別議員動議的不擬具立法效力的議案前進行辯論。</p>	<p>Unless with the prior agreement of the House Committee, debates on motions such as those listed in rule 13(b)(viiia) and (viib)-<del>above</del> shall not take place before debates on motions not intended to have legislative effect moved by individual Members who have been allocated debate slots in accordance with rule 14-<del>above</del>.</p>
15(c)	<p>按照<del>上文</del> <del>本</del> 守則第14A條獲編配辯論時段的事務委員會、委員會或小組委員會主席所動議的議案.....</p>	<p>The debate on a motion to be moved by the chairman of a Panel, committee or subcommittee who has secured the debate slot in accordance with rule 14A-<del>above</del>...</p>
20(aa)	<p>.....內務委員會委員的任期為整屆立法會任期，<del>但如委員退出內務委員會，則屬例外</del>.....</p>	<p>...The term of office of a member of the House Committee shall be the whole term of the Council-<del>except in the case of resignation from the House Committee</del>...</p>

HR	<u>Chinese text</u> with proposed amendments	<u>English text</u> with proposed amendments
20(fa)	議員如擬就有關立法會事務的事宜(例如 <b>本</b> 守則第13(c)、14(i)、14(k)(ii)及15(ab)條所提述者)徵求內務委員會同意或建議.....有關要求須在 <b>本</b> 守則第20(f)(i)條所述提出內務委員會會議議程項目的限期前提交。	No need to amend
20(k)(iv)	該等小組委員會何時展開工作，按照 <b>本</b> 守則第26條所載的機制決定。	No need to amend
22(n)	就計算聯席會議的會議法定人數而言，在聯席會議上 <del>同時隸屬</del> <b>同屬</b> 兩個事務委員會的議員，應算作聯席會議的一名委員.....	No need to amend
22(o)	所有 <del>須</del> 由事務委員會聯席會議決定的事宜，須 <del>以由</del> 參與表決的委員 <del>贊成者及反對者的</del> 過半數決定， <del>棄權票不計算在內</del> .....	All matters for decision at a joint Panel meeting shall be decided by a majority of the members voting, <b>with abstentions not being counted</b> ...
22(u)(iv)	該等小組委員會何時展開工作，按照 <b>本</b> 守則第26條所載的機制決定。	No need to amend
22(v)	.....須按 <b>本</b> 守則第29A條所載的程序先徵求內務委員會批准。	No need to amend
22(w)	.....提交報告的方式載於 <b>本</b> 守則第2條.....	No need to amend



HR	<u>Chinese text</u> with proposed amendments	<u>English text</u> with proposed amendments
<b>26(a)</b>	除(b)及(e)段另有規定外，就內務委員會為 <b>本</b> 守則第20(j)(ii)及(iii)條所述目的而委任的小組委員會，以及事務委員會為 <b>本</b> 守則第22(s)或(t)條所述目的而委任的小組委員會而言，在同一時間運作的小組委員會數目最多為10個。	No need to amend
<b>26(b)</b>	.....若運作中的法案委員會數目少於 <b>本</b> 守則第21(a)條所指的數目，內務委員會經考慮下列因素後，可讓輪候名單上的小組委員會展開工作——	No need to amend
<b>26(b)(iii)</b>	內務委員會為 <b>本</b> 守則第20(j)(i)條所述目的而已經或相當可能委任的小組委員會數目，以及法案委員會已經或相當可能委任的小組委員會數目；及	No need to amend
<b>26(d)</b>	就內務委員會為 <b>本</b> 守則第20(j)(i)條所述目的而委任的小組委員會而言，在同一時間最多可運作的小組委員會數目並無限制。	No need to amend
<b>26(f)</b>	在適當情況下， <b>本</b> 守則第20至25條所載的行事方式及程序，將適用於內務委員會、法案委員會或事務委員會轄下的小組委員會(包括由兩個事務委員會委任的聯合小組委員會)。	No need to amend

HR	<u>Chinese text</u> with proposed amendments	<u>English text</u> with proposed amendments
Appendix I Appendix IA Appendix II Appendix III Appendix IIIA Appendix IIIB Appendix IV Appendix V Appendix VI	( <del>守則</del> 《內務守則》.....)	No need to amend

Legend:

Texts proposed to be added are shown in *italics* and *highlighted in yellow*.

Texts proposed to be deleted are shown with ~~deletion lines~~.

# **Code for Members of the Legislative Council**



立法會  
LEGISLATIVE  
COUNCIL

**Legislative Council  
of the Hong Kong Special Administrative Region  
of the People's Republic of China**

**Legislative Council of the Hong Kong Special Administrative Region**  
**Code for Members of the Legislative Council**

**Table of content**

	<u>Page number</u>
<b>Preface</b>	<b>1</b>
<b>Chapter 1      General Principles</b>	<b>3</b>
Upholding constitutional order	
Safeguarding national security	
Upholding the executive-led system	
Dedication to duty	
Commitment to the rule of law	
Serving honestly and with integrity	
Maintaining close ties with the public	
Upholding the reputation of LegCo	
Observing the obligation of secrecy	
<b>Chapter 2      Duties of Members of LegCo</b>	<b>6</b>
Requirements related to meetings	
Attendance at meetings/participation in voting	
Non-attendance/out-of-town notification	
Order of meetings	
Timely reporting of legal proceedings	
Engaging with all sectors of society	
Submission of work reports	
<b>Chapter 3      Conduct and Ethics Required of Members of LegCo</b>	<b>9</b>
Statutory requirements	
Conduct and ethical standards required of Members	

<b>Chapter 4</b>	<b>Declaration of Interests</b>	<b>12</b>
	Interests registrable on a regular basis	
	Disclosure of pecuniary interests at meetings	
	Claims for reimbursement of operating expenses and applications for advance of operating funds	
<b>Chapter 5</b>	<b>Investigations and Sanctions</b>	<b>17</b>
	Legislative Council Supervisory Committee	
	Procedure for handling complaints	
	Sanctions and implementation mechanism	
	Suspension or non-commencement of work on a complaint	
<b>Appendices</b>	Appendix 1: Reasonable grounds for absence to the satisfaction of the President/chairman	
	Appendix 2: Procedure of the Legislative Council Supervisory Committee for Handling Complaints	

# **Legislative Council of the Hong Kong Special Administrative Region**

## **Code for Members of the Legislative Council**

### **Preface**

1. On 1 July 1997, Hong Kong returned to the motherland and entered a new historical era of “one country, two systems”, under which “the people of Hong Kong administer Hong Kong” with a high degree of autonomy. With the full support of the Central Government and the motherland, the implementation of “one country, two systems” in Hong Kong has achieved universally recognized success. Practice has proven that the cause of “one country, two systems”, which embodies distinctive institutional strengths and strong vitality and serves the fundamental interests of the country, the nation and Hong Kong, is a good system that sustains the long-term prosperity and stability of Hong Kong. It is a good system that facilitates endeavours to build China into a great country and achieve national rejuvenation, and it is a good system for ensuring peaceful coexistence and mutual benefit between different social systems. It is a must to stay committed to this cause.

2. The return of Hong Kong to the motherland marked a great change in the constitutional order. The Constitution of the People’s Republic of China (“the Constitution”) and the Basic Law of the Hong Kong Special Administrative Region of the People’s Republic of China (“the Basic Law”) together form the constitutional basis of the Hong Kong Special Administrative Region (“SAR”). The National People’s Congress authorizes the Hong Kong SAR to exercise a high degree of autonomy and enjoy executive, legislative and independent judicial power, including that of final adjudication, in accordance with the law. The Legislative Council (“LegCo”) is the legislature of the Hong Kong SAR of the People’s Republic of China. It shall exercise powers and functions in accordance with the Basic Law, including enacting, amending and repealing laws, examining and approving budgets, and approving taxation and public expenditure. As an integral part of the governing team of the SAR, Members of LegCo bear important responsibilities in enhancing the SAR’s governance capability and governance efficacy. They shall perform their duties in accordance with the Basic Law and relevant laws, wholeheartedly safeguarding national sovereignty, security and development interests. They shall also respect and uphold the country’s basic system and the constitutional order of the SAR, maintain the long-term prosperity and stability of Hong Kong, support the SAR Government in administering Hong Kong in accordance with the law, and serve the people of Hong Kong, truly working for the good of the country, for the good of Hong Kong, and for the good of all its citizens.

3. The continuous deepening of the practice of “one country, two systems”, the enactment and implementation of the Law of the People’s Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region (“Hong Kong National Security Law”) and the Safeguarding National Security Ordinance, the continuous improvement of the systems and mechanisms for public

servants to stand for election, assume office, and take the oath of office, the revision and improvement of the electoral system of the Hong Kong SAR, and the thorough implementation of the principle of “patriots administering Hong Kong” have all provided solid institutional safeguards, enabling LegCo to perform its duties in accordance with the law and facilitating healthy interaction between the executive and the legislature. At present, the practice of “one country, two systems” has entered a new stage. Members should actively identify, respond to, and steer changes, strive to enhance their ability to participate in and deliberate on political affairs, set high-quality model standards, take responsibility courageously, be enterprising and proactive, accomplish deeds, and work together with the SAR Government and all sectors of society to play an active and important role in the good governance of Hong Kong and the steadfast and successful implementation of “one country, two systems”.

4. LegCo has made its own Rules of Procedure (“RoP”) in accordance with Article 75 of the Basic Law and issued a series of prescriptive guidelines. These, together with other relevant laws, have provided the basis for Members to perform their duties in accordance with the law. Under the improved electoral system and the principle of “patriots administering Hong Kong”, Members are aware that they shall hold themselves to higher standards, strengthen self-management, self-supervision and self-improvement, voluntarily accept public and media supervision, and live up to society’s higher expectations of Members. Therefore, LegCo has formulated this Code in accordance with RoP to further specify the conduct and performance required of Members and establish a mechanism for imposing sanctions on Members for misconduct. This will enable Members to perform their duties more efficiently and allow LegCo to better fulfil its constitutional functions.

5. This Code does not specify all conduct and performance required of Members. Where the circumstances are not prescribed, it is the responsibility of Members to make judgments in accordance with the spirit of this Code on how best to act in order to uphold the highest standards.

## **Chapter 1: General Principles**

Members shall adhere to the following basic principles:

### **Upholding constitutional order**

1.1 The Constitution, with supreme legal status and the highest legal authority, is the fundamental law of the state and the basis of all laws and systems of the country. No law or system shall be in conflict with the Constitution. The Constitution and the Basic Law together form the constitutional basis of the Hong Kong SAR. Members shall support the principle of “one country, two systems”, willingly respect and uphold the country’s fundamental system and the constitutional order of the Hong Kong SAR, and sincerely support the Central Government’s overall jurisdiction while securing the Hong Kong SAR’s high degree of autonomy. They shall also support and implement the principle of “patriots administering Hong Kong”, and promote the common development of Hong Kong and the motherland.

### **Safeguarding national security**

1.2 Safeguarding national sovereignty, security and development interests is the highest principle of the policy of “one country, two systems”. The Hong Kong SAR has the constitutional duty to safeguard national security. LegCo shall, in accordance with the Hong Kong National Security Law, the Safeguarding National Security Ordinance and other relevant legal provisions, effectively prevent, suppress and punish acts and activities endangering national security. Members shall take the exemplary lead in conscientiously discharging the duty to safeguard national security, and enhance their awareness and capabilities in safeguarding national security. They shall promote mainstream values characterized by patriotism with affection for our country and Hong Kong and in conformity with the principle of “one country, two systems”, and resolutely oppose any words and deeds that infringe on national sovereignty, security and development interests as well as the prosperity and stability of Hong Kong.

### **Upholding the executive-led system**

1.3 Under the Basic Law, the Chief Executive shall be the head of the Hong Kong SAR and shall represent the Hong Kong SAR. The Chief Executive shall also be the head of the Hong Kong SAR Government and shall lead the Hong Kong SAR Government. The Chief Executive and the SAR Government in the driver’s seat are the first to be held accountable for the governance of the SAR. The SAR upholds the executive-led system in which the executive and legislative branches check and balance and cooperate with each other. Members should sincerely support the Chief Executive and the SAR Government in administering Hong Kong in accordance with the law, perform their duties in a constructive manner, and provide valuable insights and practical advice. They should not intentionally vilify the governance credibility of the Chief Executive and the SAR Government, nor should they deliberately undermine or weaken the effectiveness of executive-led governance.



They should strive to strengthen the constructive interaction between the executive and the legislature and fully embody the new landscape of the executive and the legislature working together with one mind to achieve good governance in Hong Kong.

### **Dedication to duty**

1.4 Members shall uphold a holistic perspective, constantly enhance their political quality, analytical capability and judgment, and deepen their understanding of national policies and development. They shall keep in mind their important role and responsibilities in the governance of the SAR, and take the fundamental interests of the country and the overall interests of Hong Kong society as their first priority. Rather than only pursuing personal political gains and glory, they shall demonstrate commitment and contribute to the country and Hong Kong.

1.5 Members should focus their primary efforts on the business of LegCo, actively participate in meetings of LegCo, and fulfil their responsibilities for high-standard debates, efficient scrutiny and high-quality public policy deliberations. They should strengthen research and studies, continuously broaden their professional horizons, enrich their knowledge base, uphold fundamental principles while breaking new ground, and do their best to put forward constructive suggestions and solutions to assist the SAR Government in improving its governance. They should base their actions on facts and evidence, adhere to a professional attitude, and exercise their supervisory powers in accordance with the law.

### **Commitment to the rule of law**

1.6 As members of the legislature of the Hong Kong SAR, Members shall take the exemplary lead in upholding the rule of law. Their primary responsibility is to uphold the spirit of the rule of law, earnestly perform their duties in law making and continuously improve the legal system, thereby providing Hong Kong with stronger safeguards for the rule of law. In exercising their powers, Members shall abide by all laws in force in the Hong Kong SAR, as well as RoP and this Code, etc, and act within the scope of the powers conferred on them without abuse of power or dereliction of duty.

### **Serving honestly and with integrity**

1.7 Members shall strictly adhere to the principles of honesty and integrity, and ensure that no actual, perceived or potential conflict of interest will arise between public duties and their private interests. Members shall not act in an improper or unethical manner. They shall not use their capacity as Members to seek personal gains for themselves or others, and shall not solicit or accept, directly or indirectly, any advantage which would influence or might reasonably be seen to influence the impartiality in the discharge of their duties. Members shall stay vigilant against corrupt practices and guard against possible commission of the relevant offences.

## **Maintaining close ties with the public**

1.8 As representatives of public opinion, Members should engage extensively with the public and all sectors of society. They should actively immerse themselves in communities and various sectors to listen to opinions, and give full play to their bridging role between the public and the Government.

## **Upholding the reputation of LegCo**

1.9 Members should do their best to uphold the reputation of LegCo. Their words and deeds should meet society's expectations of LegCo. Members shall observe the highest standards of personal conduct and ethics at all times. When deciding whether to engage in any activities, Members shall give due consideration to the nature and contents of such activities to ensure that their participation is in line with the capacity and prestige of Members.

## **Observing the obligation of secrecy**

1.10 Members shall abide by the requirements on secrecy under the laws in force in the Hong Kong SAR and RoP, as well as other requirements of LegCo relating to confidential information (e.g. information classified as confidential or highly sensitive). They shall not disclose any confidential documents, information or messages.

## **Chapter 2: Duties of Members of LegCo**

2.1 Members of LegCo shall duly discharge their duties in accordance with the laws in force in the Hong Kong SAR, RoP, this Code, etc, during their terms of office. However, no Member shall be present or vote at the election of the President of LegCo, 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 taken an oath in accordance with Article 104 of the Basic Law, the Interpretation of Article 104 of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China by the Standing Committee of the National People's Congress, and the provisions of the Oaths and Declarations Ordinance (Cap. 11).

### **Requirements related to meetings**

#### Attendance at meetings/participation in voting

2.2 Members shall attend meetings of the Council and its committees. Members are obliged to actively and conscientiously participate in the business of meetings, including voting on bills introduced/motions moved by the SAR Government or Members. Records of Members' attendance at meetings will be made available for public inspection. According to the Legislative Council (Powers and Privileges) Ordinance (Cap. 382) and RoP, if a Member's absence from a Council meeting causes adjournment of the Council and the President of LegCo is not satisfied that there is a valid reason for the Member's absence, the Member shall be liable to pay a financial penalty.

#### Non-attendance/out-of-town notification

2.3 If a Member is unable to attend a meeting (including a Council/committee meeting) because of official business, health or other reasons, he or she shall notify the LegCo Secretariat ("the Secretariat") and provide the reason before the meeting, and the Secretariat shall report to the President/chairman of the meeting before the start of the meeting. If the President/chairman is satisfied that the Member is absent with valid reason (the valid reasons that may satisfy the President/chairman are in **Appendix 1**), the meeting from which the Member is absent will not be counted in the Member's attendance rates. If prior notification is not possible due to an emergency, he or she should notify the Secretariat as soon as possible. Article 79 of the Basic Law stipulates that the President of LegCo shall declare that a Member is no longer qualified for the office when he or she, with no valid reason, is absent from meetings for three consecutive months without the consent of the President of LegCo.

2.4 If a Member needs to leave Hong Kong for more than 48 hours while LegCo is in session, he or she shall notify the Secretariat of their period of absence prior to departure.

## Order of meetings

2.5 When attending meetings, Members shall comply with the rules on the order of meetings set out in RoP, the House Rules and other relevant meeting procedures, and respect other attendees. They shall adopt a pragmatic approach, conduct efficient and high-quality deliberations, and ensure the effective operation of LegCo and the full exercise of its constitutional functions.

2.6 Members shall behave and dress with decorum at meetings. They shall not disturb the proceedings of the meeting, which includes making offensive or insulting remarks towards or causing nuisance to other Members, public officers and attendees, or obstructing them from attending or leaving meetings; disrupting the order of meetings or causing chaos; disobeying the rules of the meeting (such as digressing, and interrupting without being called upon by the President/chairman); and obstructing Secretariat staff from performing their duties. The decision of the President/chairman on a point of order shall be final and Members shall comply with it.

2.7 A Member may be suspended from the service of the Council if he or she engages in grossly disorderly conduct at a meeting. The Member is not entitled to receive remuneration and allowance (including end-of-service gratuity) in respect of the period of suspension.

## **Timely reporting of legal proceedings**

2.8 Any Member who is involved in legal proceedings (including any criminal proceedings, and civil proceedings that may affect the performance of his or her duties as a Member) should report this to the President of LegCo in a timely manner.

## **Engaging with all sectors of society**

2.9 Members shall actively and extensively engage with the public and all sectors of society (especially electors of the district/constituency to which they belong) to understand their needs and solicit their views on various issues, and convey the views and suggestions collected to the relevant authorities for consideration.

2.10 To facilitate communication with all sectors of society, Members should set up district/constituency offices, or joint offices with their affiliated political groups or other Members. They should also actively participate in meetings with the public and exchanges with District Councils.

## **Submission of work reports**

2.11 Members shall submit a work report every year, elaborating on the major work done during the year. The work report shall be completed within two months after the end of a session and published on the LegCo website for public inspection. The work report should cover (but not limit to) the following:

- (1) major work achievements/highlights;
- (2) attendance rates, voting rates and speeches made at Council meetings;
- (3) the number and names of committees joined by the Member and attendance rates;
- (4) the number of questions raised, motions moved and bills introduced at Council meetings, and a brief summary of their contents;
- (5) policy proposals made after research and in-depth analysis (which may be submitted through channels such as Members' motions, consultations on the Policy Address and consultations on the Budget);
- (6) work done on "telling the good stories of Hong Kong" to the world;
- (7) engagement with district/constituency electors;
- (8) other exchange activities and important work; and
- (9) participation in study tours, research visits and training programmes not arranged by LegCo.

## **Chapter 3: Conduct and Ethics Required of Members of LegCo**

3.1 In addition to upholding the general principles set out in Chapter 1, Members shall meet the following requirements and standards in respect of their conduct and ethics.

### **Statutory requirements**

3.2 Members shall take an oath as prescribed by Article 104 of the Basic Law. According to the Interpretation of Article 104 of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China by the Standing Committee of the National People's Congress, a Member shall sincerely believe in and strictly abide by the relevant oath prescribed by law. A Member 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. Pursuant to the Decision of the Standing Committee of the National People's Congress on Issues Relating to the Qualification of the Members of the Legislative Council of the Hong Kong Special Administrative Region, a Member who does not meet the legal requirements and conditions on upholding the Basic Law and bearing allegiance to the Hong Kong SAR of the People's Republic of China, once being decided as such in accordance with law, is immediately disqualified from being a Member of LegCo. Pursuant to Article 79 of the Basic Law, the President of LegCo shall declare that a Member of LegCo is no longer qualified for the office when he or she is censured for misbehaviour or breach of oath by a vote of two-thirds of the Members of LegCo present.

3.3 Members shall uphold the rule of law and abide by all laws in force in the Hong Kong SAR. Article 79 of the Basic Law provides that the President of LegCo shall declare that a Member of LegCo is no longer qualified for the office when he or she is convicted and sentenced to imprisonment for one month or more for a criminal offence committed within or outside the Hong Kong SAR, and is relieved of his or her duties by a motion passed by two-thirds of the Members of LegCo present. While there is not an exhaustive list of the laws by which Members shall abide, some provisions are set out below for reference:

- (1) under Article 35 of the Hong Kong National Security Law, a person who is convicted of an offence endangering national security by a court shall be disqualified from standing as a candidate in the elections of LegCo. If a person so convicted is a Member of LegCo who has taken an oath or made a declaration to uphold the Basic Law and swear allegiance to the Hong Kong SAR of the People's Republic of China, he or she shall be removed from his or her office upon conviction, and shall be disqualified from standing for the election of LegCo or from holding office as a Member of LegCo;
- (2) under sections 15(1)(f) and (g) of the Legislative Council Ordinance (Cap. 542), a Member's office becomes vacant if the Member is in

breach of an oath taken under section 19 of the Oaths and Declarations Ordinance (Cap. 11), or fails to fulfil the legal requirements and conditions on upholding the Basic Law and bearing allegiance to the Hong Kong SAR of the People's Republic of China;

- (3) under section 39(1)(c) of the Legislative Council Ordinance, a person is disqualified from being elected as a Member if the person has been convicted of an offence endangering national security; and
- (4) under section 39(1)(e) of the Legislative Council Ordinance, a person is disqualified from being elected as a Member if the person, where the election is to be held or is held within five years after the date of the person's conviction, is or has been convicted:
  - (i) in Hong Kong or any other place, of an offence for which the person has been sentenced to imprisonment, whether suspended or not, for a term exceeding three months without the option of a fine;
  - (ii) of having engaged in corrupt or illegal conduct in contravention of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554);
  - (iii) of an offence against Part II of the Prevention of Bribery Ordinance (Cap. 201); or
  - (iv) of any offence prescribed by section 7 of Schedule 4A to the District Councils Ordinance (Cap. 547) or regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541).

### **Conduct and ethical standards required of Members**

3.4 As LegCo is the legislature of the Hong Kong SAR, and its Members are representatives of public opinion and public officers, society has very high expectations for their conduct and ethics. Members shall be mindful of their words and deeds at all times, and shall discuss and debate public policies on the basis of facts and evidence. They shall not fabricate or distort facts, make biased or insulting remarks or personal attacks, or do anything which may compromise or impair their integrity, impartiality, objectivity or ability to perform their duties, so as to keep up with the reputation of LegCo and Members of LegCo and be in line with public expectations. They shall also ensure that they observe the highest standards of personal conduct and ethics.

3.5 Members shall fulfil their responsibilities, and act in the fundamental interests of the country and the overall interests of Hong Kong society. They should not only pursue personal political gains and glory. In performing their duties, Members should

not only act as commentators, and should instead proactively give full play to the role of representatives of public opinion, bring the views and suggestions of all sectors of society into LegCo, actively advise the Government and do their best to propose effective solutions, so as to assist in and monitor the formulation of policies by the Government that meet the needs of society, thereby enhancing the effectiveness of governance and advancing the welfare of people.

3.6 Members shall be honest and impartial, and ensure that no actual or potential conflict arises between public duties and their private interests. Members shall serve honestly with integrity. They shall not, in their capacity as Members of LegCo, seek to influence others or render favour to any person or organization in order to gain benefits for themselves.

3.7 Members shall maintain their integrity and objectivity. If the acceptance of an advantage by Members in their private capacity could affect their objectivity, induce them to act against LegCo's interests, or lead to questions or complaints of bias or impropriety, they shall decline the advantage. Moreover, Members should not accept luxurious, generous or frequent entertainment from any person or organization in order to avoid embarrassment or loss of objectivity when they consider or give their views on matters concerning that person or organization.

3.8 Members shall not abuse their capacity as Members of LegCo to obtain information which is not generally available to the public, or obtain benefits from such information or use such information to render favour to any person or organization. Members shall not use the confidential documents, information or messages obtained in their capacity as Members of LegCo to gain benefit for themselves or render favour to any person or organization. Members shall not, without lawful authority, disclose confidential documents, information or messages received in the course of their official duties or by virtue of their official position.

3.9 Members should ensure that the personal information (e.g. qualifications) they provide to LegCo (including the LegCo Secretariat) is correct and true.

3.10 Members shall, by leadership and example, support and promote the above conduct and ethical standards required of them.



## **Chapter 4: Declaration of Interests**

4.1 To ensure the integrity of its Members, LegCo has adopted a stringent system of declaration of interests. The system mainly comprises three parts as set out below.

### **Interests registrable on a regular basis**

4.2 A Member shall declare particulars of registrable interests according to the following time limits via specified registration forms:

- (1) not later than the first meeting of each term;
- (2) within 14 days from the date of his or her becoming a new Member returned through a by-election; and
- (3) within 14 days of any change in registrable interests.

4.3 Particulars of Members' registered interests are entered in a Register of Members' Interests ("the Register"), which will be uploaded onto the LegCo website for public inspection. The main purpose of maintaining the Register is to provide information on any pecuniary interest or other material benefit a Member receives which might reasonably be thought by others to influence his or her actions, speeches or votes in the Council, or actions taken in his or her capacity as a Member of LegCo.

4.4 The scope of Members' "registrable interests" includes:

- (1) Remunerated directorships

Remunerated directorships of public or private companies;

- (2) Remunerated jobs, offices, etc

For remunerated employments, offices, trades, professions or vocations, particulars such as the name of the employer and its nature of business shall be provided;

- (3) Provision of personal services in the capacity of a Member of LegCo

When the interests referred to in (1) or (2) above include personal services provided by Members which are related to their membership of the Council, particulars of the client shall be provided;

- (4) Election donations

All donations, as a candidate in the LegCo election in which the Member was elected as a Member of LegCo, received by

the Member or any person on his or her behalf for the purpose of meeting the Member's election expenses;

(5) Financial sponsorships

For financial sponsorships (including any payment or any material benefit or advantage) received by a Member (or his or her spouse) arising out of his or her membership of the Council, particulars such as the name of the sponsoring person or organization (and its nature), and the amount sponsored, shall be provided;

(6) Gifts

Members should as far as possible decline gifts given/offered to them arising out of their membership of the Council. If they accept any gifts worth HK\$1,000 or more arising out of their membership of the Council, they shall so declare within 14 days in accordance with the established mechanism. Particulars which shall be provided include the name of the giver (such information is only required to be declared to the President of LegCo in confidence), the nature and value of the item, the date and occasion on which the gift was received, the capacity in which the gift was accepted (such as officiating guest), and the disposal of the gift;

(7) Visits outside Hong Kong

For any visits made by a Member (or his or her spouse) outside Hong Kong arising out of his or her membership of the Council where the cost of any such visit has not been wholly borne by the Member or public funds, particulars such as the name of the person or organization (and its nature) sponsoring the visit, and the amount sponsored, shall be provided;

(8) Payments, material benefits or advantages received from any government or organization of a place outside Hong Kong or from any person who is not a Hong Kong permanent resident

If a Member (or his or her spouse) receives any payments or any material benefits or advantages arising out of his or her membership of the Council from or on behalf of any government or organization of a place outside Hong Kong or any person who is not a Hong Kong permanent resident, particulars such as the name of the person or organization, along with the amount and the date received, shall be provided;

(9) Land and property

For land and property owned by a Member in or outside Hong Kong, including those which are held in the name of the Member's spouse or children, other persons or companies but are actually owned by the Member, or those which are not owned by the Member but in which the Member has a beneficial interest, particulars such as the use of the land/type of property, along with their number and location, shall be provided;

(10) Beneficial interest in shares of companies/bodies

Having a beneficial interest in shares of a number greater than 1% of the total number of issued shares of a company/body (including shares held with or on behalf of a Member's spouse or infant children); and

(11) Other interests

Other interests for which Members consider that declaration should be made, such as an important unremunerated office and any relevant financial or material interests not explicitly included in other categories.

4.5 Members shall declare interests truthfully in accordance with this Code and guidelines drawn up by the Legislative Council Supervisory Committee. These guidelines should be considered as the minimum reasonable requirements. Members should make their own judgment as to whether they should register interests outside the specified scope. Whether or not the acceptance of a particular material benefit is in contravention of the provisions of the Prevention of Bribery Ordinance (Cap. 201) or other legislation is a matter for Members to decide for themselves having regard to their own circumstances.

### **Disclosure of pecuniary interests at meetings**

4.6 Members have the responsibility to examine whether they have direct or indirect pecuniary interests in matters scrutinized/handled in the Council and committees and shall act in accordance with the relevant rules of RoP. In Council/committee meetings, Members shall not move any motion or amendment relating to a matter in which they have a pecuniary interest, whether direct or indirect, or speak on any such matter, except where they disclose the nature of that interest. Members should disclose the relevant interests at the time when they begin to speak on a matter. The registration of interests is additional to, and in no way a replacement of, the requirement on Members to disclose pecuniary interests.

4.7 RoP also provides that in Council/committee meetings, Members shall not vote upon any question in which they have a direct pecuniary interest except where

their interest is in common with the rest of the population of Hong Kong or a sector thereof, or their votes are given on a matter of Government policy. Furthermore, in meetings of the Council or a committee of the whole Council, Members shall withdraw when a vote is taken on a question in which they have a direct pecuniary interest except where their interest is in common with the rest of the population of Hong Kong or a sector thereof, or their vote is given on a matter of Government policy.

4.8 Given the wide range of matters considered in Council/committee meetings, Members may encounter subjects in which they could be construed to have an interest. What is important is that the interest be recognized, its nature and significance weighed, and due account taken of it.

### **Claims for reimbursement of operating expenses and applications for advance of operating funds**

4.9 Members of LegCo are provided with reimbursements to cover expenses arising out of their LegCo duties. Members may also apply for advance of operating funds to finance expenses such as those on office operation, entertainment and travelling, setting up of office and information technology.

4.10 In the procurement of goods and services and in the employment of staff, Members shall use public funds in an open, fair and accountable manner. Members shall not use the reimbursement of expenses for LegCo business or operation of a Member's office for purposes not relating to LegCo business.

4.11 To avoid any perception of conflict of interest or improper personal gain, Members should separate LegCo and non-LegCo business or interests as far as possible. In claiming reimbursement of operating expenses, Members shall ensure that they themselves, their relatives or business associates do not have any direct or indirect financial interest in any transaction in respect of which reimbursement is claimed. Members are not allowed to employ their relatives as staff.

4.12 Should there be a perceived conflict of interest on a Member in a transaction in respect of which reimbursement is claimed or may be claimed, or should the transaction has become a matter of public concern, the Member should deal with the claim in favour of public interest.

4.13 A Guide for Reimbursement of Operating Expenses for Members of the Legislative Council ("the Reimbursement Guide") sets out the types of expenses that could be reimbursed and the principles and requirements for claiming reimbursement. When making a claim for reimbursement of operating expenses or applying for advance of operating funds, Members shall comply with the requirements set out in the Reimbursement Guide by ensuring that the information provided and the declaration or certification made are true, accurate and complete, and that they act according to the undertaking they have given.

4.14 All claims for reimbursement of expenses and declarations of interests submitted by Members will be deposited in the LegCo Library for public inspection. In addition, Members' reimbursement claims are subject to compliance audit annually. The audit reports are also deposited in the LegCo Library for public inspection.

## **Chapter 5: Investigations and Sanctions**

5.1 If a Member of LegCo is alleged to have engaged in misconduct (i.e. an act in breach of the relevant law, RoP or this Code) in a complaint, the Member may be sanctioned if the complaint is found to be substantiated upon investigation under the relevant procedure.

### **Legislative Council Supervisory Committee**

5.2 In order to further improve the mechanism for monitoring Members in their performance of duties, LegCo expanded the terms of reference (“TOR”) of the original “Committee on Members’ Interests” and renamed it the “Legislative Council Supervisory Committee” (“the Committee”). The Committee is a standing committee responsible for monitoring Members in their performance of duties. Its TOR include studying and formulating guidelines on matters relating to the monitoring of Members in their performance of duties; reviewing the effectiveness of and the enhancement measures for this Code on a regular basis, and proposing amendments to the House Committee (“HC”) for its consideration and approval; and considering and handling complaints about alleged misconduct of Members, including those relating to Members’ registration and declaration of interests, claims for reimbursement of operating expenses or applications for advance of operating funds, as well as Members’ conduct, ethics and work performance.

5.3 The President of LegCo shall be the Chairman of the Committee. Other members of the Committee include the Chairman of HC (who is also the Deputy Chairman of the Committee), the Deputy Chairman of HC and 10 members who are elected in accordance with the procedure as determined by HC.

### **Procedure for handling complaints**

5.4 The Committee will consider and handle complaints against Members’ misconduct in a stringent, fair, just, impartial, independent and objective manner in accordance with the Procedure of the Legislative Council Supervisory Committee for Handling Complaints (**Appendix 2**).

5.5 Complaints filed with the Committee shall be in written form under the complainants’ real name. The Committee will not consider a complaint if it is outside the purview of the Committee or for other reasons (for example, it is made by an anonymous person) rendering the Committee unable to follow up the complaint effectively.

5.6 If the Committee decides to initiate an investigation after considering a complaint, it may invite the persons concerned to provide information and/or attend the Committee’s meeting(s). Meetings of the Committee for investigating complaints shall be closed meetings, unless the Committee has acceded to the request of the Member under complaint or persons attending the meetings that such meetings be

held in public. The Committee may, if it considers it necessary, invoke the powers under section 9(1) of the Legislative Council (Powers and Privileges) Ordinance (Cap. 382) to order by summons any person to attend before the Committee and to give evidence or to produce any paper, book, record or document in the possession or under the control of that person. In attending meetings before the Committee, the Member under complaint may be accompanied by a maximum of three persons (which may include legal adviser(s)) for the purpose of giving the Member assistance or advice (“the accompanying persons”). The accompanying persons attending meetings are not allowed to address the Committee. The Member under complaint shall answer questions, give explanations or provide information personally. The Committee may also gather and consider relevant information from other sources as it deems appropriate.

5.7 The Chairman of the Committee may, for the purpose of facilitating more effective performance of the Committee’s functions, establish subcommittees under the Committee as he or she thinks fit to investigate complaints, and determine their membership, TOR and procedure. When a subcommittee has completed its work, it shall make a report to the Committee for consideration.

5.8 The Committee shall submit a report to the Council upon completion of investigation of a complaint. The relevant parts of the draft report shall be forwarded to the Member under complaint, subject to the Member’s signing of a confidentiality undertaking. The Member under complaint may, within a specified period, make a written response to the Committee.

### **Sanctions and implementation mechanism**

5.9 Members who breach the relevant requirements of this Code by engaging in misconduct may be imposed the following sanctions depending on the gravity of the misconduct (from minor to gross): written warning; written warning and admonishment in person; or admonishment, reprimand or suspension on a motion to that effect. Other misconduct in breach of the law may be dealt with in accordance with existing mechanism.

5.10 In considering whether or not to recommend a sanction, or what sanction to recommend, the Committee may take into account relevant factors, including whether there is evidence that the Member concerned has engaged in misconduct, the nature and gravity of the misconduct, the specific circumstances of the misconduct (such as the number of instances, duration and whether it is deliberate), the impact of the misconduct (including whether it has failed to live up to society’s expectations of Members or has brought LegCo into disrepute), and the sanctions imposed in respect of similar precedents, if any.

5.11 If the Committee considers that a lighter sanction such as “written warning” or “written warning and admonishment in person” should be imposed on the Member concerned, it shall be administered by the Chairman of the Committee after a report is

tabled in Council. If the Committee considers that a more severe sanction such as “admonishment”, “reprimand” or “suspension” should be imposed on the Member concerned on a motion to that effect, the Deputy Chairman of the Committee shall, after a report is tabled in Council, move a motion at a Council meeting for the Council to decide whether or not to support the sanction recommended by the Committee.

5.12 If a Member is suspended from the service of the Council by the passage of a motion by the Council to that effect, the Member shall not be entitled to receive remuneration and allowance (including end-of-service gratuity) in respect of the period of suspension, but shall be entitled to be reimbursed the operating expenses incurred in respect of that period. During the period of suspension, a suspended Member shall be excluded from participation in the exercise of the powers and functions of LegCo under Article 73 of the Basic Law, including attending meetings of the Council and all its committees, and handling of complaints under the LegCo Redress System.

### **Suspension or non-commencement of work on a complaint**

5.13 If, in the course of considering or investigating a complaint, the Committee has come to the knowledge that the complaint is, or matters related to it are, being investigated by a law enforcement agency or related to a case pending in a court of law, the Committee may suspend its consideration or investigation of the complaint until the conclusion of the investigation by the law enforcement agency or the legal proceedings.

5.14 If the Committee considers that a complaint received is a suspected case of misbehaviour or breach of oath referred to in Article 79(7) of the Basic Law, the Committee may, to avoid duplication of investigation, decide not to commence (or to suspend) an investigation, and a censure motion shall be moved by the Deputy Chairman of the Committee at a Council meeting in accordance with Rule 49B(1A) of RoP to initiate the mechanism for disqualification of a Member from office, so as to set up an investigation committee to commence an investigation.



**Reasonable grounds for absence to the satisfaction of  
the President/chairman**

Reasonable grounds include:

1. Serious illness or injury
2. Maternity or paternity leave
3. Marriage
4. Bereavement
5. Participation in events arranged by the Legislative Council (“LegCo”) or the Government of the Hong Kong Special Administrative Region

Example:

- Participating in delegations of LegCo or its committees to visit places outside Hong Kong

6. Participation in meetings and events arranged by the Central Authorities

Examples:

- Attending meetings and events of the National People’s Congress and the Chinese People’s Political Consultative Conference
- Attending meetings and events arranged by central state organs

7. For LegCo Members who also serve on the Executive Council: attendance at meetings and events arranged by the Executive Council
8. Other reasonable grounds to the satisfaction of the President/chairman

**Procedure of the  
Legislative Council Supervisory Committee  
for Handling Complaints**

**January 2026**

## **Procedure of the Legislative Council Supervisory Committee for Handling Complaints**

### **Part I: Initial handling of a complaint**

1. All complaints lodged with the Legislative Council Supervisory Committee (“the Committee”) by a complainant shall be in writing. The complainant’s identity will be disclosed to the Member under complaint and in any report on the complaint made by the Committee to the Council.
2. Where a complaint:
  - (a) is made by an anonymous person, or by a person (i) who cannot be contacted, (ii) whose identity cannot be verified, or (iii) who has refused to allow his or her identity to be disclosed;
  - (b) is made against a former Member;
  - (c) is about a Member’s act(s) which allegedly took place seven years or more prior to the date of receipt of the complaint; or
  - (d) is outside the purview of the Committee, as set out in Rule 73 of the Rules of Procedure (“RoP”),

the Clerk to the Committee (“the Clerk”) shall send a written reply to the complainant, if the complainant can be contacted, that the Committee will not consider the complaint, and circulate the complaint and the written reply to all members of the Committee (“members”). Where the Member under complaint has indicated in advance that he or she should be informed of any complaint against him or her which the Committee does not consider, the Clerk shall forward the complaint and the written reply to the Member. If item (a)(iii) of this paragraph is applicable, the Clerk shall redact the information in relation to the identity of the complainant before forwarding the complaint to the Member under complaint.
3. Where a complaint does not fall under paragraph 2, the Clerk shall invite the Chairman of the Committee (“the Chairman”) to decide whether the Committee should hold a meeting to consider the complaint. The Chairman shall inform the Clerk of such a decision within three working days from the date of being notified of the complaint.
4. The Chairman may decide not to hold a meeting to consider the complaint for the following reasons:

- (a) the complaint is based merely on speculations, inferences or unfounded judgments, or is trivial and frivolous;
  - (b) the complaint involves substantially repeated allegations which have already been dealt with by the Committee and no fresh information has been produced; or
  - (c) other reasons the Chairman deems appropriate.
5. If the Chairman decides not to hold a meeting to consider the complaint, the Chairman shall inform the Clerk of the reason(s) for the decision. The Clerk shall then forward the Chairman's decision and the reason(s) therefor to members by a circular. Any member disagreeing with the Chairman's decision shall reply to the Clerk within three working days from the date of the circular.
- (a) If the Clerk has received replies from a majority of members indicating disagreement with the Chairman's decision upon the expiry of the aforesaid three working days, the Chairman shall forthwith direct the Clerk to arrange a meeting to be held within 10 working days to consider the complaint.
  - (b) If the Clerk has received replies from less than a majority of members indicating disagreement with the Chairman's decision upon the expiry of the aforesaid three working days, the Chairman's decision and the reason(s) therefor shall be deemed to be those of the Committee and the Committee shall not take further action on the complaint. The Clerk shall forward the Committee's decision and the reason(s) therefor to the complainant in writing. Where the Member under complaint has given the advance instruction that he or she should be informed of any complaint against him or her which the Committee does not consider, the Clerk shall forward the complaint and the written reply to the Member.
6. If the Chairman decides to hold a meeting to consider the complaint, the Clerk shall arrange for the meeting to be held within 10 working days from receipt of notification of such a decision.

## **Part II: Consideration of a complaint**

7. The Committee may hold one or more closed meetings for consideration of a complaint. The purpose of such meeting(s) is to decide whether the Committee will investigate the complaint after taking into account the following:

- (a) the information contained in the complaint;
  - (b) the relevant rules(s) that the Member under complaint is alleged to have breached; and
  - (c) any other relevant information readily available, such as records of interests registered by the Member under complaint, the Code for Members of the Legislative Council (“the Code”), A Guide for Reimbursement of Operating Expenses for Members of the Legislative Council (“the Reimbursement Guide”), and media reports.
8. If the Committee decides not to investigate the complaint, it shall not take further action on the complaint. The Clerk shall forward the decision and the reason(s) therefor to the complainant in writing. Where the Member under complaint has given the advance instruction that he or she should be informed of any complaint against him or her which the Committee does not investigate, the Clerk shall forward the complaint and the written reply to the Member.
9. If the Committee decides to investigate the complaint, the Clerk shall inform the Member under complaint of the complaint and the Committee’s decision.

### **Part III: Investigation of a complaint**

10. The Chairman may, for the purpose of facilitating more effective performance of the Committee’s functions, establish a subcommittee under the Committee in accordance with RoP to investigate a complaint, and determine its membership, terms of reference and procedure. The provisions in relation to investigation of complaints in this part shall apply to the subcommittees formed under the Committee.
11. The Committee may hold one or more meetings to investigate a complaint. During the investigation of a complaint, the Committee may:
- (a) invite the Member under complaint to provide information in writing and/or to attend the Committee’s meeting(s) to give explanations and provide information;
  - (b) invite the complainant or any other persons to provide information in writing and/or to attend the Committee’s meeting(s) to provide information; and
  - (c) gather or cause to be gathered information relevant to the complaint from any other sources as the Committee deems appropriate.

12. If the complaint relates to a Member's claims for reimbursement of operating expenses or applications for advance of operating funds, the Committee shall have regard to the provisions of the Reimbursement Guide, as provided in RoP 73(1A). If the complaint relates to a Member's work performance, conduct and ethics, the Committee shall have regard to the provisions of the Code, as provided in RoP 73.
13. The Committee may invoke the powers under section 9(1) of the Legislative Council (Powers and Privileges) Ordinance (Cap. 382) to order by summons any person to attend before the Committee and to give evidence or to produce any paper, book, record or document in the possession or under the control of that person.
14. The Committee may cause any person summoned to attend before it to be examined upon oath and ask the person to verify upon oath any information and statements that the person has provided previously or at any previous meeting(s).
15. Meetings of the Committee for investigating the complaint shall be closed meetings unless the Committee has acceded to the request of the Member under complaint, or of a person invited or ordered to attend the relevant meetings, that they be held in public.
16. In attending meetings before the Committee, the Member under complaint may be accompanied by a maximum of three persons for the purpose of giving the Member assistance or advice ("accompanying persons"). The accompanying persons may be different persons for different sessions of meetings of the Committee and may include legal adviser(s). The accompanying persons are not allowed to address the Committee. The Member under complaint shall answer questions, give explanations or provide information personally.
17. Depending on the complexity of the complaint and the Committee's work arrangements, it may take some time to complete the handling of the complaint. The Clerk shall notify the complainant of the progress of his or her case in a timely manner.

#### **Part IV: Report to the Council**

18. Where the Chairman has established a subcommittee under paragraph 10 above to investigate a complaint, the subcommittee shall, upon completion of its work, submit a report to the Committee for consideration.

19. Upon completion of investigation of a complaint, the Committee shall submit a report to the Council. The relevant parts of the draft report shall be forwarded to the Member under complaint, subject to the Member's signing of a confidentiality undertaking referred to in paragraph 27. The Member under complaint may, within seven working days from the date of receipt of the relevant parts of the draft report, make a written response to the Committee.
20. After considering the written response, if any, of the Member under complaint under paragraph 19, the Committee may finalize its report. The transcripts of evidence taken at meeting(s) shall be published in full as far as possible in the report.
21. Where the Committee is of the opinion that the Member under complaint has breached any of the relevant rule(s) of RoP and/or relevant requirements of the Code, the Committee may impose or recommend a sanction on the Member concerned in accordance with RoP 85. The types of sanctions and the mechanism for administering the sanctions are in **Annex**.
22. Upon reporting to the Council, the Committee shall make available a copy of the report to the complainant.

#### **Part V: Suspension or non-commencement of work on a complaint**

23. If, in the course of considering or investigating a complaint, the Committee has come to the knowledge that the complaint is or matters related to it are being investigated by a law enforcement agency or related to a case pending in a court of law, the Committee may suspend its consideration or investigation of the complaint until the conclusion of the investigation by the law enforcement agency or the legal proceedings.
24. If the Committee considers that a complaint received is a suspected case of misbehaviour or breach of oath referred to in Article 79(7) of the Basic Law, the Committee may, to avoid duplication of investigation, decide not to commence (or to suspend) an investigation, and a motion of censure shall be moved by the Deputy Chairman of the Committee at a meeting of the Council in accordance with RoP 49B(1A) to initiate the mechanism for disqualification of a Member from office, so as to set up an investigation committee to commence an investigation.

## **Part VI: Confidentiality requirements**

25. All members and other persons attending closed meetings of the Committee (except the Member under complaint) shall each sign a confidentiality undertaking that the member or person shall not publish, without the prior written authorization of the Committee, any matter relating to the proceedings of closed meetings of the Committee, including evidence taken before the Committee, documents produced to it, its deliberations and decisions, except such matter that has already been published or contained in any report presented by the Committee to the Council.
26. Where the Committee finds that a member or any person has breached the undertaking given to the Committee, the Committee shall consider whether and how to deal with the member or that person, and may take actions including imposing sanction(s) on the member or that person in accordance with RoP 85.
27. Before the Committee forwards the relevant parts of its draft report to the Member under complaint under paragraph 19, the latter shall sign a confidentiality undertaking that the Member shall not publish, without the prior written authorization of the Committee, any matter relating to the draft report, except such matter that has already been published or contained in any report presented by the Committee to the Council. Where the Committee finds that the Member under complaint has breached the undertaking given to the Committee, the Committee may consider whether to impose sanction(s) on the Member in accordance with RoP 85.
28. All provisions in this part shall apply to subcommittees.

## **Part VII: Participation of members in the handling of complaints**

29. No member is allowed to participate as a member of the Committee in the handling of a complaint or to attend any of the meetings of the Committee to deliberate on or inquire into a complaint where the complaint is made by or against that member.



**Appendix 2 (Annex) to  
Code for Members of the Legislative Council**

**Legislative Council Supervisory Committee**

**Types of sanctions imposed for Members' misconduct and  
mechanism for administering sanctions**

Type of sanction	Mechanism for administering sanction	Number of instances and gravity of misconduct <sup>Note</sup>
Warning and admonishment		
Written warning	To be administered by the Chairman of the Legislative Council Supervisory Committee	<ul style="list-style-type: none"><li>First instance of minor misconduct</li></ul>
Written warning and admonishment in person		<ul style="list-style-type: none"><li>Second instance of minor misconduct</li></ul>
Sanction to be imposed by way of a motion		
Admonishment	For the Council to decide whether to support the sanction recommended by the Legislative Council Supervisory Committee on a motion to be moved by its Deputy Chairman at a Council meeting in accordance with RoP 85	<ul style="list-style-type: none"><li>Third instance of minor misconduct</li></ul>
Reprimand		<ul style="list-style-type: none"><li>First instance of serious misconduct</li></ul>
Suspension from service and deduction of Member's remuneration and allowance		<ul style="list-style-type: none"><li>First instance of gross misconduct</li><li>Second instance of serious misconduct</li><li>More than three instances of minor misconduct</li></ul>

<sup>Note</sup> Misconduct of Members includes those relating to the registration and declaration of interests, claims for reimbursement of operating expenses or applications for advance of operating funds, and Members' conduct, ethics, work performance, etc.

**Legislative Council of the  
Hong Kong Special Administrative Region**

**Guidelines and Form on  
Registration of Members' Interests**

**January 2026**

## **Guidelines and Form on Registration of Members' Interests**

### **Time limits for registration of interests**

Members are required to declare in the Registration Form on Members' Interests ("the Registration Form") particulars of their registrable interests in accordance with the following time limits:

- (a) not later than the first meeting of each term;
- (b) **within 14 days** from the date of becoming a new Member returned through a by-election; and
- (c) **within 14 days** of any change to the registrable interests.<sup>1</sup>

### **Register of Members' interests**

2. Particulars of interests registered by Members are entered in a Register of Members' Interests ("the Register") for public inspection.

3. The main purpose of maintaining the Register is to provide information of any payments, material benefits or advantages received by a Member which might reasonably be thought by others to influence the Member's actions, speeches or votes in the Legislative Council ("LegCo"), or actions taken in his or her capacity as a Member of LegCo. Members should have this general purpose in mind when determining what interests should be declared.

4. It is for Members to provide the required information and be responsible for the information they register in the Register, and be answerable to their fellow Members and the public as and when necessary.

### **Disclosure of pecuniary interests**

5. Rule 83A of the Rules of Procedure ("RoP") requires Members to disclose pecuniary interests. The rule reads as follows:

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<sup>1</sup> Unless otherwise specified in the Registration Form, any change to the registrable interests (including change to registered interests, cessation of registered interests and registration of new registrable interests) shall be declared within 14 days of the change.

“In the Council or in any committee or subcommittee, a Member shall not move any motion or amendment relating to a matter in which he has a pecuniary interest, whether direct or indirect, or speak on any such matter, except where he discloses the nature of that interest.”

6. The requirement on registration of interests provided under RoP 83 is additional to that under RoP 83A. Therefore, even if a Member has registered all his interests in accordance with RoP 83, he or she is still required to disclose the nature of his or her pecuniary interests at the relevant meeting(s) in accordance with RoP 83A.

### **Points to note on registration**

7. For details of the registrable interests which are required to be registered under RoP 83, Members may refer to the reference notes in each category of registrable interests in the Registration Form. Benefits known to be made available without discrimination to all Members of LegCo are exempted from registration.

8. It is for Members to register any interests they are aware of (including **interests held in Hong Kong and in places outside Hong Kong**).

9. Members shall declare their interests truthfully in accordance with these guidelines, which should be considered as the minimum reasonable requirements. It is for Members to decide whether to disclose interests beyond those specified.

10. As far as RoP are concerned, it is not a breach to receive material benefits, provided that the material benefits are registered in accordance with RoP 83. Whether or not the acceptance of a particular material benefit is in contravention of the requirements under the Prevention of Bribery Ordinance (Cap. 201) or other legislation is a matter for a Member to decide for himself or herself having regard to his or her own knowledge of the circumstances.

11. When declaring their registrable interests, Members shall complete each and every page of the Registration Form and submit the entire set of the Form to the Clerk to LegCo (“the Clerk”) through the online system. When declaring particulars of any change in registrable interests, Members may simply complete the relevant page(s) of the Registration Form and submit to the Clerk, instead of submitting the entire set of the Form. A template of the Registration Form is in **Appendix**.

**Appendix to**  
**Guidelines and Form on Registration of Members' Interests**

**Registration Form Template**

<b>Categories of registrable interests</b>	<b>Form Number</b>
Remunerated directorships	<b>1</b>
Remunerated employments, offices, etc.	<b>2</b>
Provision of personal services in the capacity as a Member of the Council	<b>3</b>
Election donations	<b>4</b>
Financial sponsorships	<b>5</b>
Gifts	<b>6</b>
Visits outside Hong Kong	<b>7</b>
<p>Payments, material benefits or advantages received from any government or organization of a place outside Hong Kong or from any person who is not a Hong Kong permanent resident</p> <p>(a) From any government or organization of a place outside Hong Kong</p> <p>(b) From any person who is not a Hong Kong permanent resident</p>	<b>8</b>
Land and property	<b>9</b>
Beneficial interests in shares of companies/bodies	<b>10</b>
Other interests	<b>11</b>

Name of Member: \_\_\_\_\_

Registration Date: \_\_\_\_\_

This document is **for reference only**.  
Registration of interests **shall be made**  
**through the online system.**

### Category 1 Registration Form – Remunerated directorships

(Please refer to the reference notes highlighted in green below before filling out the form)

#### 1(1). Do you hold any remunerated directorship of any public or private company?

Yes ☐ No ☐ (Please ✓ where appropriate)

If yes, please list the details of each remunerated directorship in the form below.

#### Registration Form:

Name of company	
- Nature of business of the company	
- Post (Please ✓ where appropriate)	<input type="checkbox"/> Executive Director <input type="checkbox"/> Non-Executive Director <input type="checkbox"/> Others (please specify) _____
- Starting date of holding the directorship of the company if the directorship is appointed during the current term	
- Name(s) of all holding companies, if any, of the company (please see (f) of reference notes below)	

#### Please read the following reference notes carefully when filling out the above form:

- (a) Remunerated directorships of both local companies and companies outside Hong Kong are registrable.
- (b) “Remunerated directorships” include all directorships for which a fee, honorarium, allowance or other material benefit is payable.
- (c) The term “material benefit” refers to:
  - (i) interests received from a single source in the course of one year where the total value of such interests exceeds 5% of the annual remuneration of a Member of LegCo (where “remuneration” excludes the operating expenses reimbursement); or
  - (ii) one-off material benefits exceeding \$10,000 in value.
- (d) Remunerated directorships through corporate directors are also registrable. However, particulars of such remunerated directorships are to be updated on an annual basis only, at the beginning of each legislative session.
- (e) Where you are a remunerated director of a company, all remunerated subsidiary or associated directorships which you hold within the same group shall also be registered.
- (f) Holding company has the same meaning as in section 13 of the Companies Ordinance (Cap. 622) which specifies that –
  - “(1) For the purposes of this Ordinance, a body corporate is a holding company of another body corporate if –
    - (a) it controls the composition of that other body corporate’s board of directors;
    - (b) it controls more than half of the voting rights in that other body corporate; or
    - (c) it holds more than half of that other body corporate’s issued share capital.
  - (2) For the purposes of this Ordinance, a body corporate is also a holding company of another body corporate if it is a holding company of a body corporate that is that other body corporate’s holding company.”

By virtue of section 13(2) reproduced above, company A is a holding company of company C if company A is the holding company of company B which in turn is the holding company of company C. In other words, both companies A and B are holding companies of company C. The names of all holding companies of a company of which a Member is a remunerated director should be registered.

Name of Member: \_\_\_\_\_

Registration Date: \_\_\_\_\_

This document is **for reference only**.  
Registration of interests **shall be made**  
**through the online system.**

### Category 1 Registration Form – Remunerated directorships

**1(2). Cessation of registration** (If you have ceased, during the current term, to hold any remunerated directorship of a company which has been registered, please list the details in the form below.)

#### Registration Form:

Name of company	Date of ceasing to hold the remunerated directorship of the company	Remarks

Name of Member: \_\_\_\_\_

Registration Date: \_\_\_\_\_

This document is **for reference only**.  
Registration of interests **shall be made**  
**through the online system**.

### Category 2 Registration Form – Remunerated employments, offices, etc.

(Please refer to the reference notes highlighted in green below before filling out the form)

**2(1). Are you engaged in any remunerated employment, office, trade, profession or vocation (apart from membership of the Council)?**

Yes ☐

No ☐ (Please ✓ where appropriate)

If yes, please list the details of each employment, office, trade, profession or vocation in the form below.

#### Registration Form:

The remunerated employment, office, trade, profession or vocation, and <b>name of employer</b>	<b>Nature of business</b> of company (if a company is named)	<b>Starting date</b> of being engaged in the employment, office, trade, profession or vocation if the engagement is made during the current term

#### Please read the following reference notes carefully when filling out the above form:

- (a) All remunerated employments in Hong Kong and outside Hong Kong are registrable.
- (b) An employment, office, trade, profession or vocation is “remunerated” where a salary, honorarium, allowance or other material benefit is payable.
- (c) The term “material benefit” refers to:
  - (i) interests received from a single source in the course of one year where the total value of such interests exceeds 5% of the annual remuneration of a Member of LegCo (where “remuneration” excludes the operating expenses reimbursement); or
  - (ii) one-off material benefits exceeding \$10,000 in value.
- (d) “Remunerated offices” include all “remunerated” public offices.
- (e) A Member who holds remunerated offices as consultants or advisers should indicate in the Register of Members’ Interests the nature of the consultancy, e.g. “management consultant”, “legal adviser”.



Name of Member: \_\_\_\_\_

Registration Date: \_\_\_\_\_

This document is **for reference only**.  
Registration of interests **shall be made**  
**through the online system.**

### Category 2 Registration Form – Remunerated employments, offices, etc.

**2(2). Cessation of registration** (If you have ceased, during the current term, to engage in any remunerated employment, office, trade, profession or vocation which has been registered, please list the details in the form below.)

#### Registration Form:

The remunerated employment, office, trade, profession or vocation, and <b>name of employer</b>	<b>Date of ceasing</b> to engage in the remunerated employment, office, trade, profession or vocation	Remarks

Name of Member: \_\_\_\_\_

Registration Date: \_\_\_\_\_

This document is **for reference only**.  
Registration of interests **shall be made**  
through the online system.

**Category 3 Registration Form – Provision of personal services  
in the capacity as a Member of the Council**

*(Please refer to the reference notes highlighted in green below before filling out the form)*

**3(1). Does any of the remunerated post registered in Category 1 (Remunerated directorships) or Category 2 (Remunerated employments, offices, etc.) above entail the provision to clients of personal services which arise out of or relate in any manner to your membership of the Council?**

Yes ☐No ☐ *(Please ✓ where appropriate)*

If yes, please list the details of each client in the form below.

**Registration Form:**

Name of client	Nature of business of client	Starting date of provision of service to the client if such provision is started during the current term

**Please read the following reference notes carefully when filling out the above form:**

- (a) Personal services mentioned above include those rendered by a Member personally or those, to his or her knowledge, rendered by an organization of which he or she is a partner, director, employee or office holder. Some examples of registrable interests under this category are:
- (i) a solicitor Member's firm acts for a client in drafting a private bill for presentation to LegCo or in making representations to LegCo on a bill;
  - (ii) an accountant Member's firm acts for a client in preparing tender documents for a works project which is subject to the consideration of the Finance Committee; and
  - (iii) a Member is retained (e.g. paid by a public relations firm or an environmentalist group) to lobby LegCo with the purpose of, among others, drawing Members' attention to a particular point of view or issue, while such lobbying does not necessarily have to be connected with any bill introduced into LegCo.
- (b) As far as this category of registrable interests is concerned, a Member's obligation is to register the particulars of any interests within his or her knowledge.

Name of Member: \_\_\_\_\_

Registration Date: \_\_\_\_\_

This document is **for reference only**.  
Registration of interests **shall be made**  
**through the online system.**

**Category 3 Registration Form – Provision of personal services  
in the capacity as a Member of the Council**

**3(2). Cessation of registration** (If you have ceased, during the current term, any provision of personal service under this category which has been registered, please list the details in the form below.)

**Registration Form:**

Name of client	Date of ceasing the provision of service to the client	Remarks

Name of Member: \_\_\_\_\_

Registration Date: \_\_\_\_\_

This document is **for reference only**.  
Registration of interests **shall be made**  
through the online system.

### Category 4 Registration Form – Election donations

*(Please refer to the reference notes highlighted in green below before filling out the form)*

4. In the election in which you were elected as a Member of the Council, did you, as a candidate, or any person acting on your behalf, receive any donations (please see (a) of reference notes below) for the purpose of meeting your election expenses?

Yes ☐ No ☐ (Please ✓ where appropriate)

If yes, please list the details in the form below.

### Registration Form:

If yes, choose only one of the following (i.e. (A) or (B)):

- (A) ☐ The sponsor and amount of each donation (please see (b) of reference notes below) are listed below; or

Name of donor	Amount

- (B) ☐ A copy of the election return relating to election donations lodged with the Chief Electoral Officer (please see (c) of reference notes below) is attached.

### Please read the following reference notes carefully when filling out the above form:

- (a) “Election donation” has the same meaning as in the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554). Under the Ordinance, “election donation” means any of the following donations:
- (i) any money given to or in respect of the candidate/candidates for the purpose of meeting, or contributing towards meeting, the election expenses of the candidate/candidates;
  - (ii) any goods given to or in respect of the candidate/candidates for the purpose of promoting the election of the candidate/candidates or of prejudicing the election of another candidate/other candidates, and includes any goods given incidental to the provision of voluntary service; and
  - (iii) any service provided to or in respect of the candidate/candidates for the purpose of promoting the election of the candidate/candidates or of prejudicing the election of another candidate/other candidates, but does not include voluntary service.
- (b) If a Member has registrable election donation but the particulars are not ready by the registration deadline specified in the Rules of Procedure, an interim registration should be made by entering wording such as “to be furnished”, and the registration shall be completed by the deadline for lodging LegCo election return provided under section 37(1B) of Cap. 554.
- (c) For the purpose of stating the particulars of the donor and amount of election donation, a Member may attach a copy of the election return relating to election donations which he or she is required to lodge with the Chief Electoral Officer under section 37(1)(b) of Cap. 554. Copies of receipts are not required.

Name of Member: \_\_\_\_\_

Registration Date: \_\_\_\_\_

This document is **for reference only**.  
Registration of interests **shall be made**  
through the online system.

### Category 5 Registration Form – Financial sponsorships

(Please refer to the reference notes highlighted in green below before filling out the form)

5. Have you or your spouse received any financial sponsorships (including payments, material benefits or advantages) from any person or organization which arise out of your membership of the Council?

Yes ☐No ☐ (Please ✓ where appropriate)

If yes, please list the details of each sponsorship in the form below.

#### Registration Form:

Name of sponsor or sponsoring organization	
Nature of sponsoring organization	
Amount of sponsorship	
Date of receipt	
Other details	

#### Please read the following reference notes carefully when filling out the above form:

- (a) A Member is expected to make the necessary enquiries of his or her spouse in order to make a timely return on the registration of interests relating to financial sponsorships.
- (b) The term “material benefit” refers to:
  - (i) interests received from a single source in the course of one year where the total value of such interests exceeds 5% of the annual remuneration of a Member of LegCo (where “remuneration” excludes the operating expenses reimbursement); or
  - (ii) one-off material benefits exceeding \$10,000 in value.
- (c) Any material benefit or advantage received *gratis* or at a price below that generally available to members of the public should be included.
- (d) Regarding the financial sponsorships received from a Member’s political body <sup>Note</sup>, it would suffice if a Member merely registers interests of “financial sponsorships” directly received from his political body. Such registrable interests include cash subsidy of HK\$5,000 or above each month.

**Note** The definition of “political body” is the same as the definition of “political body” in the Societies Ordinance (Cap. 151). The definition in the Societies Ordinance is as follows:

“Political body” means-

- (i) a political party or an organization that purports to be a political party; or
- (ii) an organization whose principal function or main object is to promote or prepare a candidate for an election.

Name of Member: \_\_\_\_\_

Registration Date: \_\_\_\_\_

This document is **for reference only**.  
Registration of interests **shall be made**  
through the online system.

### Category 6 Registration Form – Gifts

(Please refer to the reference notes highlighted in green below before filling out the form)

**6. Have you received any gifts worth HK\$1,000 or more which arise out of your membership of the Council (please see (a) to (c) of reference notes below)?**

Yes ☐No ☐ (Please ✓ where appropriate)

If yes, please list the details of each gift in the form below.

#### Registration Form:

<b>Name of giver</b> <i>(in the interests of privacy, this will be provided to the President of the Legislative Council in an encrypted format and will not be disclosed to the public)</i>	
<b>Nature and value</b> of the item	
<b>Date</b> of receipt	
<b>Occasion</b> (e.g. academic lecture, award ceremony)	
<b>Capacity</b> (e.g. guest of honour)	
<b>Disposal</b> (e.g. retained as a souvenir, donated to charitable organizations)	

#### Please read the following reference notes carefully when filling out the above form:

- (a) The requirement for a Member to register interests under this category shall take effect from the date of commencement of the Eighth LegCo. A Member shall register any gifts worth HK\$1,000 or more received from such date onwards.
- (b) A Member should, as far as possible, refuse to accept gifts offered/given to him or her arising out of his or her membership of the Council.
- (c) Gifts received from a relative or received on a special occasion, or advantages which are available on equal terms to a person who is non-Member of LegCo, are not required to be registered. “Special occasion” includes birthday, wedding, anniversary, engagement, baptism, or gatherings, banquets, etc. hosted by a Member of LegCo.

Name of Member: \_\_\_\_\_

Registration Date: \_\_\_\_\_

This document is **for reference only**.  
Registration of interests **shall be made**  
**through the online system**.

### Category 7 Registration Form – Visits outside Hong Kong

*(Please refer to the reference notes highlighted in green below before filling out the form)*

7. **Have you or your spouse made any visits to places outside Hong Kong relating to or arising out of your membership of the Council where the cost of any such visits has not been wholly borne by yourself or by public funds?**

Yes ☐

No ☐ *(Please ✓ where appropriate)*

If yes, please list the details of each visit in the form below.

#### Registration Form:

<b>Name</b> of sponsor or sponsoring organization	
<b>Nature</b> of sponsoring organization	
<b>Date</b> of visit	
<b>Country/place</b> visited	
<b>Purpose</b> of visit	
<b>Reasons</b> for participating in the visit	
<b>Nature</b> and <b>amount</b> of benefit received (Please specify whether the benefit relates to the provision of passage, accommodation, and/or subsistence allowance)	

#### Please read the following reference notes carefully when filling out the above form:

- A Member is expected to make the necessary enquiries of his or her spouse in order to make a timely return on the registration of interests under this category.
- An interest under this category shall be registered within 14 days of the conclusion of the visit.

Name of Member: \_\_\_\_\_

Registration Date: \_\_\_\_\_

This document is **for reference only**.  
Registration of interests **shall be made**  
**through the online system**.

**Category 8 Registration Form – Payments, benefits or advantages received  
from any government or organization of a place outside Hong Kong or  
from any person who is not a Hong Kong permanent resident**

*(Please refer to the reference notes highlighted in green below before filling out the form)*

**8(a). From any government or organization of a place outside Hong Kong**

**Have you or your spouse received any payments, material benefits or advantages from or on behalf of any government or organization of a place outside Hong Kong (please see (b) of reference notes below) which arise out of your membership of the Council?**

Yes ☐No ☐ (Please ✓ where appropriate)

If yes, please list the details of each case in the form below.

**Registration Form:**

<b>Name</b> of the government or organization concerned	
<b>Nature</b> of organization	
<b>Amount</b> received	
<b>Date</b> of receipt	
Other details	

**Please read the following reference notes carefully when filling out the above form:**

- (a) A Member is expected to make the necessary enquiries of his or her spouse in order to make a timely return on the registration of interests under this category.
- (b) “Any government or organization of a place outside Hong Kong” means any government or organization outside Hong Kong, including any government or organization in other parts of China (e.g. Taiwan and Macau).
- (c) Hospitality and travel facilities outside Hong Kong should be registered under “Category 7”.
- (d) Registrable payments, material benefits or advantages include such benefits received by a company in which a Member has a controlling interest, or the largest shareholding, as well as payments, material benefits or advantages received by the Member personally.
- (e) The term “material benefit” refers to:
  - (i) interests received from a single source in the course of one year where the total value of such interests exceeds 5% of the annual remuneration of a Member of LegCo (where remuneration excludes the operating expenses reimbursement); or
  - (ii) one-off material benefits exceeding \$10,000 in value.



Name of Member: \_\_\_\_\_

Registration Date: \_\_\_\_\_

This document is **for reference only**.  
Registration of interests **shall be made**  
through the online system.

**Category 8 Registration Form – Payments, benefits or advantages received  
from any government or organization of a place outside Hong Kong or  
from any person who is not a Hong Kong permanent resident**

*(Please refer to the reference notes highlighted in green below before filling out the form)*

**8(b). From any person who is not a Hong Kong permanent resident**

**Have you or your spouse received any payments, material benefits or advantages from or on behalf of any person who is not a Hong Kong permanent resident as defined under the Basic Law (please see (c) of reference notes below) which arise out of your membership of the Council?**

Yes ☐No ☐ (Please ✓ where appropriate)

If yes, please list the details of each case in the form below.

**Registration Form:**

<b>Name</b> of the person concerned	
<b>Amount</b> received	
<b>Date</b> of receipt	
<b>Other details</b>	

**Please read the following reference notes carefully when filling out the above form:**

- (a) A Member is expected to make the necessary enquiries of his or her spouse in order to make a timely return on the registration of interests under this category.
- (b) Hospitality and travel facilities outside Hong Kong should be registered under “Category 7”.
- (c) The definition of “permanent residents of the Hong Kong Special Administrative Region” given in Article 24 of the Basic Law is as follows:
  - (1) Chinese citizens born in Hong Kong before or after the establishment of the Hong Kong Special Administrative Region;
  - (2) Chinese citizens who have ordinarily resided in Hong Kong for a continuous period of not less than seven years before or after the establishment of the Hong Kong Special Administrative Region;
  - (3) Persons of Chinese nationality born outside Hong Kong of those residents listed in categories (1) and (2);
  - (4) Persons not of Chinese nationality who have entered Hong Kong with valid travel documents, have ordinarily resided in Hong Kong for a continuous period of not less than seven years and have taken Hong Kong as their place of permanent residence before or after the establishment of the Hong Kong Special Administrative Region;
  - (5) Persons under 21 years of age born in Hong Kong of those residents listed in category (4) before or after the establishment of the Hong Kong Special Administrative Region; and
  - (6) Persons other than those residents listed in categories (1) to (5), who, before the establishment of the Hong Kong Special Administrative Region, had the right of abode in Hong Kong only.
- (d) Registrable payments, material benefits or advantages include such benefits received by a company in which a Member has a controlling interest, or the largest shareholding, as well as payments, material benefits or advantages received by the Member personally.
- (e) The term “material benefit” refers to:
  - (i) interests received from a single source in the course of one year where the total value of such interests exceeds 5% of the annual remuneration of a Member of LegCo (where remuneration excludes the operating expenses reimbursement); or
  - (ii) one-off material benefits exceeding \$10,000 in value.

Name of Member: \_\_\_\_\_

Registration Date: \_\_\_\_\_

This document is **for reference only**.  
Registration of interests **shall be made**  
**through the online system**.

### Category 9 Registration Form – Land and property

*(Please refer to the reference notes highlighted in green below before filling out the form)*

9. **Do you own any land and property (including land and property held in the name of your spouse, children or other persons or companies but actually owned by you, or land and property which are not held in your name but in which you have a beneficial interest) (please see (b) to (d) of reference notes below)?**

Yes ☐No ☐ *(Please ✓ where appropriate)*

If yes, please list the location, number, type, purpose, etc. of the land or property (including owner-occupied property) in the form below (for example: own two commercial building units for rental in Mainland China, and own a piece of farmland in the United Kingdom).

#### Registration Form:

<b>Detail of land</b>	
<b>Detail of property</b>	

#### Please read the following reference notes carefully when filling out the above form:

- (a) A Member is not required to register the detailed address of land or property owned by him or her.
- (b) All land and property in Hong Kong and outside Hong Kong are registrable.
- (c) A Member shall register any owner-occupied land and property.
- (d) Land or property is registrable where a Member has a right over its disposition or has any pecuniary interest deriving from it. Registrable interest includes land or property owned by the Member in his own name, or held indirectly such as through a company or through another person. In the case of holding through a company, the interest is registrable where the Member has control of the company or has more than 50% shareholding in it. In the case of holding through another person, the interest is registrable where the Member may dispose of the land or property through that person or derive any pecuniary interest from that land or property. Land or property held by a Member as trustee and in which the Member has no autonomous right of disposition (e.g. as a nominee, trustee or custodian) need not be registered.

Name of Member: \_\_\_\_\_

Registration Date: \_\_\_\_\_

This document is **for reference only**.  
Registration of interests **shall be made**  
through the online system.

**Category 10 Registration Form – Beneficial interests in shares of  
companies/bodies**

*(Please refer to the reference notes highlighted in green below before filling out the form)*

**10(1). Do you hold any beneficial interest in shares** (please see (b) of reference notes below) **of any company/body of a number greater than 1% of the total number of issued shares of the company/body (including those held with or on behalf of your spouse or infant children)?**

**Yes** ☐ **No** ☐ *(Please ✓ where appropriate)*

If yes, please list the details of each case in the form below.

**Registration Form:**

Name of company/body	Nature of business of company/body

**Please read the following reference notes carefully when filling out the above form:**

- (a) The size or value of the shares need not be registered.
- (b) “Shares” is defined as shares of local companies/bodies and companies/bodies outside Hong Kong (including shell companies/bodies which do not (i) own any assets or (ii) carry on any business or (iii) conduct any commercial activities), and does not include shares held by a Member in the capacity of a nominee shareholder unless the shares are held on behalf of his spouse or infant children.
- (c) It is the obligation of a Member to register interests, to his knowledge, under this category.
- (d) Shares held by a Member’s spouse are not registrable unless such shares are within the knowledge of the Member and are held by the Member with or on behalf of his or her spouse. This is equally applicable to shares in respect of a Member’s infant children.

Name of Member: \_\_\_\_\_

Registration Date: \_\_\_\_\_

This document is **for reference only**.  
Registration of interests **shall be made**  
**through the online system.**

**Category 10 Registration Form – Beneficial interests in shares of  
companies/bodies**

**10(2). Cessation of registration** (If you have ceased, during the current term, to own or hold any beneficial interest in shares of a company/body which has been registered, please list the details in the form below.)

**Registration Form:**

Name of company/body	Date of ceasing to own or hold the beneficial interests in shares of the company/body	Remarks

Name of Member: \_\_\_\_\_  
 Registration Date: \_\_\_\_\_

This document is **for reference only**.  
 Registration of interests **shall be made**  
 through the online system.

### Category 11 Registration Form – Other interests

*(Please refer to the reference notes highlighted in green below before filling out the form)*

**11(1). Do you have any other interests** (please see (a) to (c) of reference notes below) **which you consider should be registered but are not registrable interests under categories 1 to 10 (e.g. important unremunerated offices, any related financial or material advantage that is not clearly classified into any category)?**

Yes ☐ No ☐ (Please ✓ where appropriate)

If yes, please give details in the form below.

#### Registration Form:

In addition to the interests under categories 1 to 10 above, I hereby register the following interest(s):

#### Please read the following reference notes carefully when filling out the above form:

- (a) The main purpose of maintaining a Register of Members' Interests is to provide information of any payments, material benefits or advantages received by a Member which might reasonably be thought by others to influence the Member's actions, speeches or votes in LegCo, or actions taken in his or her capacity as a Member of LegCo. Members should have this general purpose in mind when determining what interests should be declared.
- (b) Registrable interests under categories 1 to 10 should be considered as the minimum reasonable requirements. It is for Members to decide whether interests beyond those 10 categories should be disclosed.
- (c) In registering interests under this category, particulars such as the nature of the interests, relevant dates, etc. shall be provided (e.g. when registering an important unremunerated office, the name of the company or organization and its nature of business, the post title, and the date on which you assumed the post (if the post is taken up during the current term) shall be provided), and the relevant registration shall be ceased within 14 days of ceasing to hold such interests.

Name of Member: \_\_\_\_\_

Registration Date: \_\_\_\_\_

This document is **for reference only**.  
Registration of interests **shall be made**  
**through the online system.**

### Category 11 Registration Form – Other interests

*(Please refer to the reference notes highlighted in green below before filling out the form)*

**11(2). Cessation of registration** (If you have ceased, during the current term, to hold any interest registered under this category, please list the details in the form below.)

#### Registration Form:

Interest registered	Date of ceasing to hold such interest	Remarks

**Please read the following reference notes carefully when filling out the above form:**

If a Member ceases to hold an important unremunerated office, the name of the company or organization and the post title shall be provided.

## Enhancing the operation of committees

## (a) Allowing non-Panel members to join policy subcommittees under Panels (“Panel SCs”)

Maximum number of members of a <b>Panel SC</b>	Remain unchanged at 20
Minimum membership threshold for a <b>Panel SC</b> be raised	<b>A majority of the members of the relevant Panel(s) are required to join</b> (on a pro-rata basis of the actual membership size of the Panel(s)) (Example: if the actual membership size is 20, at least 11 members are required to join)
Minimum membership threshold for an <b>HC SC</b> be raised	To avoid the setting up of more policy subcommittees under the House Committee (“HC SCs”) due to a low threshold, it is proposed that the <b>minimum membership threshold</b> for an <b>HC SC</b> be changed from at least three members at present to <b>at least 11 members</b> (i.e. more than half of the maximum number of members of an HC SC)
Number of non-Panel members	<ol style="list-style-type: none"> <li>(1) <b>The number of non-members joining must be less than the number of members of the Panel(s) joining</b></li> <li>(2) <b>If the number of non-members who wish to join is equal to or more than the number of members of the Panel(s) joining, or exceeds the number of seats available, lots will be drawn for determining the list of non-members joining</b></li> </ol>
Withdrawal arrangements	<ul style="list-style-type: none"> <li>➤ <b>During the operation of a Panel SC, if a member’s withdrawal of membership results in less than a majority of the members of the Panel(s) being members of the Panel SC, or the number of its Panel members being equal to or less than the number of its non-Panel members, the withdrawing member shall arrange for another member of the Panel(s) to be a replacement</b></li> <li>➤ <b>If the withdrawing member is unable to arrange for another member of the Panel(s) to be a replacement, the chairman of the Panel SC shall, after consulting the chairman of the House Committee, decide whether the Panel SC should continue or cease to operate</b></li> </ul>

(b) **Enhancing the arrangements for duty visits of committees (including those conducted locally and outside Hong Kong)**

<b>Minimum participation threshold be raised</b>	<b>A majority of the committee members are required to participate</b> (on a pro-rata basis of the actual membership size of the committee) (Example: if the actual membership size is 20, at least 11 members are required to participate)
<b>Number of non-members</b>	<p>(1) <b>The number of participating non-members must be less than the number of participating members</b> (in the case of a local duty visit, the restriction that <b>the number of participating non-members must be less than the number of participating members</b> may be <b>suitably relaxed</b> if the threshold of participation by a majority of the members has been met)</p> <p>(2) <b>If the number of non-members who wish to participate is equal to or more than the number of participating members, or exceeds the number of places available, lots will be drawn for determining the list of participating non-members unless otherwise decided by the committee</b></p>
<b>Withdrawal arrangements</b>	<p>➤ Where the withdrawal of a member from the visit results in less than <b>a majority of the members joining, or the number of non-members joining being equal to or more than the number of members joining</b>, the withdrawing member shall <b>arrange for another member to be a replacement</b></p> <p>➤ If the withdrawing member is unable to arrange for another member to be a replacement:</p> <ul style="list-style-type: none"> <li>■ in the case of a duty visit <b>outside Hong Kong, the delegation leader (“leader”) (or the committee chairman if there is no leader</b> <sup>Note 1</sup>) shall, after <b>consulting the chairman of the House Committee</b>, decide whether the visit should be <b>proceeded with, postponed or cancelled</b></li> <li>■ in the case of a <b>local</b> duty visit, the decision shall be made by the committee chairman <sup>Note 2</sup></li> </ul> <p>➤ The Secretariat will keep a record of the Members who withdraw from such visits and their reasons for withdrawal <sup>Note 3</sup></p>

**Note 1:** If the leader and the committee chairman **are not the same person, the decision shall be made by the leader**. If there is no leader, the decision shall be made by the committee chairman.

**Note 2:** Under the existing rule 29(d) of the House Rules in relation to visits in Hong Kong, “[t]he chairman will, in consultation with other Members or the host



organisation, determine whether a scheduled visit should be cancelled or postponed if less than three Members have signed up by the deadline, or where last-minute withdrawals deplete the visiting party to less than three Members.”

**Note 3:** Under the existing rule 29(e) of the House Rules in relation to visits in Hong Kong, “[t]he Secretariat should keep a record of the Members who withdraw from such visits.”

**Procedure for election of members of the Public Accounts Committee,  
the Committee on Members' Interests,<sup>1</sup> the Committee on Rules of  
Procedure and the Committee on Access to the Legislature's  
Documents and Records**

**Submission of nominations**

The elections of members of the Public Accounts Committee ("PAC"), the Committee on Members' Interests ("CMI"), the Committee on Rules of Procedure ("CRoP") and the Committee on Access to the Legislature's Documents and Records ("CoA") shall be presided over by the President's Deputy referred to in Rule 5 of the Rules of Procedure. The date, time and venue of each of such elections shall be determined by the President's Deputy. All Legislative Council Members (other than the President) ("all Members") will be invited to attend the elections.

2. The committee clerks shall each issue a circular and a nomination form to all Members at least five clear days before the election date to invite nominations for members of the committees.

3. Nominations shall be submitted via electronic means specified by the Legislative Council Secretariat ("Secretariat"). A valid nomination shall be made by a Member, seconded by at least one other Member, and accepted by the Member being nominated.

4. The name of a Member shall not appear on more than one submission of nomination for the office as a member of a committee, whether in the capacity as a Member being nominated, or as a Member making the nomination, or as a Member seconding the nomination; otherwise, only the first such submission of nomination received by the Secretariat shall be valid. However, a Member may nominate himself for the office as a member of a committee, provided that such nomination is seconded by at least one other Member. In such a case, the name of the Member concerned will appear on a submission of nomination in the capacities as a Member making the nomination and a Member being nominated. The Secretariat shall notify the Member who submitted any invalid nomination(s).

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<sup>1</sup> If the proposals to expand the functions of and rename the Committee on Members' Interests are endorsed by the Legislative Council, the name and composition of the committee will change, and the name of the committee in this procedure will then be updated accordingly.

5. Nominations shall reach the Secretariat at least two clear days before the election date.

#### **After the close of nominations**

6. If, by the deadline:

- (a) the number of valid nominations received in respect of **PAC, CMI or CRoP is less than the number of seats**; or
- (b) **no valid nomination is received** in respect of **CoA**,

the deadline will **automatically be extended** to one clear day before the election date. If such an extended deadline for submission of nomination falls on a Saturday or public holiday, then the deadline shall be advanced to the first preceding day that is not a Saturday or public holiday. All Members will be so notified by the Secretariat. If, by the extended deadline, the number of valid nominations received in respect of PAC, CMI or CRoP is still less than the number of seats, or there is still no valid nomination received in respect of CoA, the President's Deputy shall determine another date for the election.

7. If, by the deadline referred to in paragraph 5 or the extended deadline referred to in paragraph 6 above:

- (a) the number of valid nominations received in respect of **PAC, CMI or CRoP is equal to the number of seats**; or
- (b) the number of valid nominations received in respect of **CoA is equal to or less than 10**,

the President's Deputy shall **notify all Members in writing that the nominees are duly elected, and no election will be held**.

#### **Election of members**

8. If **the number of valid nominations** received **exceeds the number of seats**, a poll shall be taken at the **election**; and Members shall cast their votes by open ballot with the use of the Electronic Voting System. The number of nominees to be voted for by a Member may not be more than the number of seats. The nominees who get the highest number of votes will be declared elected.

9. In the case where a nominee would have been elected but for there being one or more other nominees having been given the same number of

votes, a separate poll shall be taken in respect of that nominee and such other nominee(s) in accordance with the manner of election provided in paragraph 8 above.

10. If, after a separate poll is held under paragraph 9 above, there is still a nominee who would have been elected but for there being one or more other nominees having been given the same number of votes, lots shall be drawn by the President's Deputy among such nominees to determine which of them will take up the remaining place(s).

11. The voting records will be uploaded onto the Legislative Council website after the election.

**Procedure for election of the chairmen and deputy chairmen of the Public Accounts Committee and the Committee on Rules of Procedure<sup>1</sup>**

The elections of the chairmen and deputy chairmen of the Public Accounts Committee and the Committee on Rules of Procedure (hereinafter each referred to as “the committee”) shall follow the procedures set out below.

**Nomination procedure**Submission of nominations

2. After the members<sup>2</sup> of the committee in each term of the Legislative Council have been elected, the member who has the highest precedence shall be responsible for calling a meeting (“scheduled meeting”) for the elections of the chairman and deputy chairman. The clerk shall invite nominations from members.

3. Nominations for the office of chairman shall be submitted via electronic means specified by the Legislative Council Secretariat (“Secretariat”). A valid nomination shall be made by a member, seconded by at least one other member, and accepted by the member being nominated.

4. The name of a member shall not appear on more than one submission of nomination for the office of chairman, whether in the capacity as a member being nominated, or as a member making the nomination, or as a member seconding the nomination; otherwise, only the first such submission of nomination received by the Secretariat shall be valid. However, a member may nominate himself for the office of chairman, provided that such nomination is seconded by at least one other member. In such a case, the name of the member concerned will appear on a submission of nomination in the capacities as a member making the nomination and a member being nominated. The Secretariat shall notify the member who submitted any invalid nomination(s).

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<sup>1</sup> Excluding the Committee on Access to the Legislature’s Documents and Records, and the Committee on Members’ Interests with expanded functions. As the President and the chairman of the House Committee shall respectively be the chairman and deputy chairman of each of these committees, there will be no need to elect the chairmen and deputy chairmen of these committees.

<sup>2</sup> In this procedure, the term “member” includes a member elected in accordance with the election procedure determined by the House Committee who is yet to be appointed or has been appointed by the President.

5. Nominations for the office of chairman shall reach the Secretariat at least one clear day before the scheduled meeting. If the deadline for submission of nomination falls on a Saturday or public holiday, then the deadline shall be advanced to the first preceding day that is not a Saturday or public holiday.

6. The requirements set out in paragraphs 3 to 5 above shall also apply to submission of nominations for the office of deputy chairman.

After the close of nominations

7. Upon the close of the nomination period, the clerk shall prepare a list of valid nominations for the offices of chairman and deputy chairman (if any) in the order of receipt by the Secretariat and shall distribute the list to members of the committee before the scheduled meeting. If there is more than one valid nomination for the office of chairman and/or deputy chairman, the election shall be conducted in accordance with the arrangements set out in paragraphs 9 to 21.

8. In the cases set out in (a) and (b) below, the election of chairman and/or deputy chairman will not be required to be conducted at the scheduled meeting –

- (a) if there is only one valid nomination for the office of chairman, the nominee shall be deemed to be elected as chairman. If there is no valid nomination for the office of chairman, the member who has the highest precedence in the committee shall be deemed to be elected as chairman; or
- (b) if there is only one valid nomination for the office of deputy chairman, the nominee shall be deemed to be elected as deputy chairman. If there is no valid nomination for the office of deputy chairman, the member who has the highest precedence in the committee shall be deemed to be elected as deputy chairman after the chairman is elected. However, if the election of chairman is required to be conducted at the scheduled meeting, the only valid nominee for the office of deputy chairman/the member who has the highest precedence in the committee (as the case may be) shall be declared elected as deputy chairman after the chairman is elected.

The clerk shall notify members of the committee in writing of the election result(s) and updated meeting arrangements. In the case where neither the election of chairman nor the election of deputy chairman is required to be

conducted at the scheduled meeting, the scheduled meeting shall be deemed to be cancelled.

### **Election of chairman**

9. If there is more than one valid nomination for the office of chairman, the election of chairman shall be conducted at the scheduled meeting.

### Presiding member

10. Subject to paragraph 11 below, the member present who has the highest precedence among the members not nominated for the office of chairman shall preside at the election.

11. For the election to fill a vacancy in the office of chairman during a term, the deputy chairman shall preside at the election. If the deputy chairman is absent or is being nominated for the office, the member present who has the highest precedence among the members not nominated for the office of chairman shall preside at the election.

### Balloting process

12. The presiding member shall proceed straight to balloting in accordance with the procedures prescribed below. The presiding member may deal with matters necessary for the conduct of such procedures, but he shall not hear points of order or entertain any motion including a motion to establish the manner in which the committee concerned wishes to proceed with the election. Nominees shall not present election platforms or answer questions from members.

13. The presiding member shall announce a vote by secret ballot and shall order the clerk to distribute a ballot paper to each of the members present, including the presiding member. Each nominee shall be assigned a nominee number according to the order set out in the list of valid nominations.

14. A member present who wishes to vote shall mark on a ballot paper using a chop with a “✓” in the box opposite the nominee number of his choice, and place the ballot paper into the ballot box. Any ballot paper not marked, not properly marked, or marked with a “✓” in the respective boxes opposite two or more nominee numbers shall be discarded.

15. After all the members present who wish to vote have done so, the clerk shall count the ballot papers in front of all the members present and report the result to the presiding member, who shall check the result for

confirmation. The presiding member shall invite the members making the nominations or seconding the nominations to witness the counting of votes.

16. The presiding member shall declare elected as chairman the nominee who receives the highest number of valid votes among all the nominees.

17. If two or more nominees receive the same highest number of valid votes, the presiding member shall announce that lots will be drawn by him to decide how he shall give the casting vote in respect of these nominees.

18. The presiding member shall then draw lots and give the casting vote to one of the nominees in accordance with the lot drawn, and shall forthwith declare that nominee elected as chairman.

### **Election of deputy chairman**

19. If there is more than one valid nomination for the office of deputy chairman, the election of deputy chairman shall be conducted at the scheduled meeting.

#### Presiding member

20. The chairman of the committee shall preside at the election. If the chairman is absent, the member present who has the highest precedence among the members not nominated for the office of deputy chairman shall preside at the election.

#### Balloting process

21. The balloting process set out in paragraphs 12 to 18 above shall also apply to the election of deputy chairman.