

**香港特別行政區
立法會
議事規則委員會**

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

**2023 年 1 月至 12 月的工作進度報告
Progress Report for the period
January to December 2023**

**2023 年 12 月 13 日
13 December 2023**

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Chapter 1 Introduction

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

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

1.3 This Progress Report covers the work of CRoP for the period from January to December 2023 during which one meeting was held. Starting from the Seventh LegCo, a legislative session runs from January to December of the same year instead of starting in October as in the past.¹ In the light of this change, CRoP has considered how to address a technical issue arising from RoP 14(1) in relation to the maximum interval between two Council meetings held in the same session.

¹ Pursuant to the Decision of the Standing Committee of the National People’s Congress made on 11 August 2020, the Sixth LegCo, whose term of office originally scheduled to end on 30 September 2020, continued to discharge duties for not less than one year until the seventh term of office of LegCo began. The election for the Seventh LegCo was held on 19 December 2021, and the term of office is four years from 1 January 2022 to 31 December 2025.

Chapter 2 Proposal to amend Rule 14(1) of the Rules of Procedure in relation to the maximum interval between two Council meetings held in the same session

2.1 Before 2021, the LegCo term started in October of an election year.² Accordingly, the annual legislative session would commence in October and end in July of the following year. However, following the extension of the term of office of the Sixth LegCo in 2021, the LegCo Election was moved to December, causing the annual legislative session to commence in January and end in December,³ thus straddling the period between July and October when the Council does not normally meet. In the light of this change, there was a need to address a technical issue arising from RoP 14(1) which provided that a period of six weeks shall not elapse between two Council meetings in the same session.

2.2 HC agreed in July 2022 that the following actions be taken to tackle the said technical issue:

- (a) moving a motion under RoP 91 to seek the Council's approval to suspend the relevant stipulation in RoP 14(1) in the 2022 session;⁴ and
- (b) inviting CRoP to consider the arrangement for future sessions, including whether and how RoP 14(1) should be amended.

2.3 In considering the matter, CRoP has noted that although the timing for commencement and ending of legislative sessions has changed, the Council's well-functioning annual legislative work pattern has not. While there are generally no Council meetings scheduled between mid-July to mid-October each year, committee meetings are typically held through the end of July and will resume from September to discuss issues of public concern or scrutinize bills and subsidiary legislation. When necessary, the President may convene meetings to deal with urgent business. In addition, duty visits (within Hong Kong and to other places) are conducted and public complaints are handled as normal.

² The term of the First LegCo was from 1 July 1998 to 30 June 2000.

³ Pursuant to section 9(2) of the Legislative Council Ordinance (Cap. 542), the dates on which a legislative session is to begin and to end are specified by the Chief Executive by notice published in the Gazette.

⁴ This motion was moved and passed at the Council meeting of 13 July 2022.

2.4 CRoP has also made reference to the relevant rules and practices in eight selected legislatures,⁵ and noted that none of these legislatures has any rule to regulate the maximum interval between two plenary meetings held in the same legislative session.

2.5 In order for the Council to continue its usual work pattern following the change in the timing of commencement and ending of legislative sessions, CRoP has agreed that RoP 14(1) be amended as follows:

“Meetings of the Council during each session shall be held on such days and shall begin at such hour as the President shall determine ~~but a period of 6 weeks shall not elapse between the date of one meeting and the date appointed for the next meeting in the same session.~~”

2.6 CRoP has noted that the proposed amendment to RoP 14(1) would not raise any Basic Law issue as the President of LegCo has the power and function to decide on the time of meetings under Article 72(3) of the Basic Law.

2.7 CRoP’s proposal was endorsed by HC on 9 June 2023. The proposed amendment to RoP 14(1) took immediate effect upon LegCo’s approval on 29 June 2023.

⁵ These eight legislatures are the Houses of Commons in the United Kingdom and Canada, Houses of Representatives in Australia and New Zealand, Parliament of Singapore, House of Representatives of the National Diet of Japan, National Assembly of South Korea and German Bundestag.

Chapter 3 Acknowledgement

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

Appendix**Committee on Rules of Procedure****Membership list for the 2023 session**

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

(Total : 12 Members)

Clerk	Ms Alice LEUNG (up to 4 August 2023) Mr Richard WONG (since 5 August 2023)
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Legal Advisers	Miss Rachel DAI Ms Clara WONG (up to 10 July 2023)
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