

Chief Executive determines oaths taken by all Members-elect of Legislative Council valid (with photos)

With respect to the oath-taking ceremony held today (January 3) for Members of the seventh Legislative Council (LegCo) of the Hong Kong Special Administrative Region (HKSAR) of the People's Republic of China (PRC) at the Chamber of the LegCo Complex, the oath administrator, the Chief Executive, Mrs Carrie Lam, has determined that the oaths taken by all 90 Members-elect of the LegCo are valid.

Article 104 of the Basic Law of the HKSAR of the PRC stipulates that, when assuming office, Members of the LegCo must, in accordance with the law, swear to uphold the Basic Law and swear allegiance to the HKSAR of the PRC. According to the Interpretation of Article 104 of the Basic Law passed by the Standing Committee of the National People's Congress on November 7, 2016, the person administering the oath has the duty to ensure that the oath is taken in a lawful manner. He or she shall determine that an oath taken in compliance with the Interpretation and the requirements under the laws of the HKSAR is valid, and that an oath which is not taken in compliance with the Interpretation and the requirements under the laws of the HKSAR is invalid. If the oath taken is determined as invalid, no arrangement shall be made for retaking the oath. According to the Public Offices (Candidacy and Taking Up Offices) (Miscellaneous Amendments) Ordinance 2021 that was gazetted and came into effect on May 21, 2021, the amended Oaths and Declarations Ordinance (Cap. 11) stipulates that the oath taken by LegCo Members must be administered by the Chief Executive or a person authorised by the Chief Executive.

Based on the principles laid down by the Interpretation and the relevant legal provisions, the Chief Executive has determined that the oaths taken by all of the 90 Members-elect of the LegCo are valid.



