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18 January 2005
Urgent By Fax: 2537 0119

Hon LEUNG Kwok-hung
Room 325, West Wing
Central Government Offices
Hong Kong

Dear Mr LEUNG

**Application for permission to move
a motion for the adjournment of the Council**

With regard to the two requests you raised in your letter yesterday, I explained to you in detail, at our meeting this morning, my opinions and the considerations I had to give in accordance with the Rules of Procedure. The following is my reply in response to your requests.

One-minute silence obituary tribute to Mr ZHAO Ziyang at Council meeting

In respect of the death of individual persons, the legislature paid silent obituary tribute to Mr DENG Xiaoping in memory of his great contributions in successfully implementing reformative and open policies for our country, and in proposing the policies of "One country, two systems", "Hong Kong people ruling Hong Kong", "a high degree of autonomy" and "50 years with no change" to solve the issues of Hong Kong, thus providing a solid basis for the Government of our country to resume sovereignty over Hong Kong and ensuring a smooth transition for Hong Kong.

As a matter of fact, in relation to individual persons, it has been the practice of this Council to pay obituary tribute during its meetings to the legislature's deceased Members in office, serving or retired Governors, or politicians who have made great contributions to Hong Kong. Mr ZHAO does not fall into the above category.

Motion for the Adjournment of the Council in relation to the death of Mr ZHAO

According to Rule 13(a) of the House Rules, no more than two debates initiated by Members may be held during each regular Legislative Council meeting. However, under special circumstances, the President may, upon the recommendations of the House Committee, allow more than two such debates.

Furthermore, according to Rule 16(4) of the Rules of Procedure, the motion for the adjournment that you intend to move has to comply with the following conditions:

- (1) The adjournment motion is for the purpose of raising an issue concerning public interest, with a view to eliciting a reply from a designated public officer (please refer to the Motion for the Adjournment of the Council moved by Hon LEE Wing-tat on 5 January this year in relation to the tsunami in South Asia);
- (2) It is necessary to have a designated public officer(s) to attend the debate and to reply in relation to the issue; and
- (3) It is necessary for notice of the motion to be given not less than seven clear days before the meeting, unless the President, in her discretion, dispenses with such notice.

With reference to point (1) above, you have informed me that you would revise the terms of the motion you intended to initiate for the debate. As for point (2), the Clerk to the Council has informed the Administration of your request to move a motion for the adjournment of the Council and, if the request is permitted, the President will ask the Administration to appoint a public officer to attend the debate. The Clerk is awaiting a reply from the Administration. As for the provisions in Rule 13(a) and point (3) above, you informed me that you would follow the course that Hon LEE Wing-tat took and seek the support of a majority of Members for my consideration.

I hope you can inform me or the Clerk to the Legislative Council in writing, **by 10 am tomorrow**, of the terms of the motion for the adjournment of the Council as well as the support given by a majority of Members, so that I can have sufficient time to deal with the relevant matters.

Yours sincerely

(Mrs Rita FAN)
President
Legislative Council