

CB(3)/M/AD
2869 9461
2877 9600

2 March 2005

Urgent By Fax: 2545 5000

Hon Albert Jinghan CHENG
Room 420, West Wing
Central Government Offices
Hong Kong

Dear Mr CHENG

Application for permission to move motion for adjournment of Council

You wrote to me today for permission to move at the Council meeting on 9 March 2005, between Question time and the moving by Hon LEE Wing-tat of the motion on "Seeking papers, books, records and documents regarding the Cyberport project", the following motion for adjournment:

"That this Council do now adjourn for the purpose of enabling Members to debate the following issue: Regarding the changes in the economic conditions of Hong Kong, and a fiscal balance or even surplus may arise in government accounts in the current financial year, which is a departure from the fiscal deficits in many years, this Council express its expectations for the Budget before it is published."

Rule 16(2) of the Rules of Procedure provides that a motion for the adjournment of the Council may be moved with the permission of the President, if the President is satisfied that the adjournment is for the purpose of discussing a specific issue of urgent public importance.

I have considered your request and am of the view that there is no urgency in the matter that you have proposed. Members were informed at as early as the commencement of the current session of the Legislative Council in October 2004 that the Financial Secretary would present the Budget on 16 March 2005. If it is your desire that this Council debate its expectations for the Budget, you should have proposed a motion for debate earlier in accordance with the established queuing system for motion debates and Rule 29(1) of the Rules of Procedure, instead of waiting until today to propose an adjournment debate on the ground of "urgent public importance".

In fact, the Financial Secretary conducted a series of consultations with Legislative Council Members on the 2005-06 Budget in as early as November 2004, seeking Members' views on the Budget. Moreover, there is only a gap of one week between the date you propose for holding the adjournment debate (that is, 9 March) and the date at which the Financial Secretary presents the Budget. I consider that not holding the adjournment debate on that day as you propose will not preclude Members from debating the Budget presented by the Financial Secretary and making decisions regarding the Appropriation Bill.

For the above reasons, I decide not to give you permission to move a motion for the adjournment of the Council, for debating the matter that you have proposed.

Yours sincerely

(Mrs Rita FAN)
President
Legislative Council

c.c. All other Legislative Council Members