

**Extract from the Official Record of Proceedings of the
Legislative Council Meeting held on 2 March 2005**

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MR LEE WING-TAT: Madam President, in accordance with the power conferred upon us by Rule 16 of the Rules of Procedure on motion for the adjournment of the Council, I request to move the above motion according to Rule 16(2) without notice. The reason is that in the past two days, I would like to, regarding this request of mine,

PRESIDENT: Should you first read out the wordings of the motion once so that Members will know what you wish to do?

MR LEE WING-TAT: In fact, I would like to read out the wordings of the motion. The motion I propose for adjournment debate is about the rumoured resignation of the Chief Executive as well as the clarification to be made and measures to be taken by the Government. Madam President, I propose the motion for adjournment debate in accordance with Rule 16(2) for three reasons. First, in the past two days, the media have extensively reported that the Chief Executive Mr TUNG Chee-hwa will resign. This has not only led to extensive discussion in society, but also the fact that neither the Chief Executive nor the Central Government has made any clarification has resulted in very widespread social unrest; Second, I hope that the Central Government and the Chief Executive TUNG Chee-hwa can make clarification as soon as possible so as to put a stop to such social unrest; Third, I think any election for the successor of

the Chief Executive should be conducted in an orderly manner, and time should be allowed for all candidates and the public to thoroughly discuss and participate. In view of the urgency of this matter which has extensive social interests involved, I therefore ask Madam President to approve this motion in accordance with Rule 16(2). Thank you.

PRESIDENT: Members, as I was taking a break just now, at around 7 pm, Mr LEE Wing-tat came to my office with four other Members to raise the above-mentioned request. At that time, Mr LEE Wing-tat did not yet have the contents of his motion properly set out in writing. Thus, I ask Mr LEE to write down the contents properly. Ten-odd minutes later, I received the contents of this motion and considered it forthwith. I hastily entered the Chamber after having given due consideration. Therefore, I knew about this motion just proposed by Mr LEE Wing-tat and have considered it in detail. Mr. LEE wished to propose a motion for the adjournment of the Council according to Rule 16(2), which requires that if the President is satisfied that the adjournment is for the purpose of discussing a specific issue of urgent public importance, the President may permit the moving of a motion for the adjournment of the Council. However, the proposed subject for debate is merely a rumour not supported by facts. In the absence of factual evidence, I cannot be satisfied that this issue has urgency. Therefore, I do not allow this motion for adjournment debate proposed by Mr LEE Wing-tat.

MR LEE WING-TAT: Madam President, can I make an enquiry on the procedure? I propose this motion for adjournment debate in order to have this rumour clarified. If this rumour goes unclarified, it is not possible to pacify the

unrest of the general public at large and, indeed of all sectors. Therefore, while I am not denying support for the line taken by Madam President, this rumour itself has stirred up much discussions and unrest. Madam President, would you please consider once again whether this motion for adjournment debate can be accepted as a motion of urgent public importance and is of substantial interest to the public? Thank you, Madam President.

MS MARGARET NG: Madam President, can I ask a question? Would Madam President please clarify the ruling made just now? Of course, there is no factual evidence as to whether or not Mr TUNG Chee-hwa has resigned

PRESIDENT: If it is a point of order, you may raise it. If this is a matter which you want to discuss or debate regarding the motion itself, then I do not think you should raise it here because I have already made a ruling.

MS MARGARET NG: Madam President, I

PRESIDENT: If you respect the ruling made by the President, please do as I ask.

MS MARGARET NG: Madam President, I understand that; I am not deliberately taking this chance to engage in a debate. Madam President, my focus is on the point that there is no factual evidence (that is, as to whether or not Mr TUNG Chee-hwa has already resigned). Madam President, have you considered the fact that there is a rumour going around and that it is turning fierce? I would like Madam President to clarify this issue, and would like to

ask Madam President if you have considered this aspect? If not, I hope Madam President can consider from this angle.

PRESIDENT : I hope that we can proceed to the next item on the agenda after what I am going to say. My consideration is: Is the Legislative Council going to use this Council's time to conduct a debate on a rumour that has no factual basis – no matter how heated and how extensive the rumour has spread? Without a factual basis, I can neither decide nor rule whether or not an issue is urgent and important. For, without the basis of facts, it will be arbitrary simply to rely on rumour to decide whether or not there is urgency and importance.

I believe that in this Chamber, there are colleagues who feel that there is urgency and importance and those who do not think the same. Yet, according to Rule 44 of the Rules of Procedure, this is a decision for the President to make and I will surely take up this responsibility. No matter whether or not this decision is to your liking, no matter whether this decision is difficult or easy, this is a responsibility that the President must shoulder, and also a task entrusted to me by Members. I have considered the request made by Mr. LEE Wing-tat, so this decision is final and I will not alter this decision.

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