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2869 9461  
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10 March 2005

**Urgent By Fax: 2465 7554**

Hon LEE Wing-tat  
Nos. 5-6, G/F, Kwai Chi House  
Kwai Fong Estate  
Kwai Chung  
New Territories

Dear Mr LEE

### **Request to convene Special Council meeting**

You wrote to me this afternoon and requested me to arrange a special Council meeting at 9:30 am tomorrow, for the purpose of debating the following proposed motion:

(Translation)

"That, the sudden resignation of the Chief Executive, Mr TUNG Chee-hwa, before the expiry of his term of office has aroused great concern in the international community and the entire SAR, especially over questions involving the provisions in the Basic Law and their interpretation, and given rise to a series of other questions from various sectors about the future administration of the SAR; the leadership of the Government, including whether the term of office of the succeeding Chief Executive should be two years or five years; whether there is a need to change the membership of the Executive Council and the Directors of Bureaux; the acting Chief Executive concurrently taking up the post of Chief Secretary; and whether such decisions comply with the Basic Law; also, as it is provided in the Chief Executive Election Ordinance that an election shall be held on the 120th day (if the relevant date is a Sunday), or on a Sunday immediately following that day, after the date on which the office of the Chief Executive becomes vacant, whether or not there is sufficient time and whether or not the conditions comply with the all ordinances for the election to be held, in order to immediately alleviate anxieties in the community and to remove relevant doubts, the SAR Government should immediately clarify and offer explanation to the Legislative Council, and to give an account to the Legislative Council and the public as to the future operation, measures and arrangements of the Government."

The above motion is for the Council to debate the demand that the HKSAR Government clarify, explain and give an account to the Council and the public regarding a series of issues. These are all important issues concerning public interest.

In the course of deciding whether or not to accede to your request, my first and foremost considerations are: if the Council does not hold a special meeting tomorrow to debate the motion, will it mean that there will be no opportunity to debate the relevant demand in the foreseeable future? Also, whether there will be irreversible consequences concerning the matters which Government is being asked to clarify, explain and give an account of, if the motion is not debated tomorrow? These are the same considerations as those I employed in the past when considering requests by Members to waive notice in respect of matters that they deemed to be of urgent public importance. I consider these considerations are equally applicable to the request now before me.

After studying in detail the contents of your proposed motion, I am of the view that there are insufficient grounds to satisfy me that a state of emergency exists to justify my exercising the power conferred on me under Rule 14 of the Rules of Procedures to convene a special meeting tomorrow morning.

Yours sincerely

( Mrs Rita FAN )  
President  
Legislative Council

c.c. All other Legislative Council Members