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2869 9461
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28 May 2008

Urgent By Fax: 2537 4874

Hon Albert HO Chun-yan
Rooms 901-902, Takshing House
20 Des Voeux Road Central
Hong Kong

Dear Mr HO

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

You wrote to me on 26 May 2008 seeking my permission for you to move at today's Council meeting the following motion for adjournment under Rules 16(1) and 16(2) of the Rules of Procedure:

"That this Council do now adjourn for the purpose of discussing the new operating arrangements for the outlying island ferry services."

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 agree that the issue of the new operating arrangements for the outlying island ferry services proposed by you is of public importance because it will have an important impact on the local residents and the public.

As for the urgency of the issue, you have pointed out that the current licences for the outlying island ferry services will expire on 30 June 2008 and the Transport Department is presently vetting the issue of new licences, in order that the ferry services can continue to operate from 1 July 2008. In addition, under section 28(7)(a) of the Ferry Services Ordinance (Cap. 104), any person whose application for a licence is not granted by the Commissioner for Transport may, within 28 days of the date of the Commissioner's decision, appeal in writing to the Secretary for Transport and Housing against that

decision. You consider that based on the above information, you have reasonable ground to believe that the Administration would make a decision in relation to and announce the results of the re-tender exercise in or before early June 2008.

After careful consideration, I am of the view that you have not provided objective facts to uphold your claim that the Administration would make a decision in relation to and announce the results of the re-tender exercise in the period between today's meeting and the next Council meeting. I cannot be convinced that if you do not move the above motion at today's meeting, the Council will not have other opportunities to discuss the issue before the Administration makes a decision on the matter.

As you have not provided objective facts to substantiate your claim that the issue proposed by you for discussion is so urgent that it must be debated by the Council at today's meeting, I am unable to grant permission to your request.

Yours sincerely

(Mrs Rita FAN)
President
Legislative Council

c.c. All other Legislative Council Members