

(translation)

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22 January 2010

Urgent By Fax: 2537 0119

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

Dear Mr LEUNG

Council meeting of 27 January 2010

**Application for moving a motion
for the adjournment of the Council**

You wrote to me on 19 January 2010 seeking my permission for you to move at the Council meeting of 27 January 2010 the following motion for the adjournment of the Council under Rule 16(2) of the Rules of Procedure:

“That this Council do now adjourn for the purpose of debating the following remark made by Mr Jasper TSANG Yok-sing, President of the Legislative Council: ‘The officials and Members who voted for the funding proposal for the Hong Kong section of the Guangzhou-Shenzhen-Hong Kong Express Rail Link reflected the views of the majority of the people in the community.’”

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. As such, I have to consider whether the issue you raised is of urgent public importance.

In considering the matter, I had made reference to the rulings of the former President on Members' applications for moving the same type of motion debates, and noted that the former President had established in a number of rulings the following two principles for consideration, namely:

- (a) if the debate is not carried out at the Council meeting specified by the Member concerned, whether there will be any irreversible consequences; and
- (b) if the issue is not debated at that Council meeting, whether the Council will not debate the issue in the foreseeable future?

After careful consideration of the reasons for holding the debate as stated in your letter, I am of the view that even if the issue raised by you is not debated at the Council meeting of 27 January 2010, there will not be any irreversible consequences. Besides, I am also not satisfied that if the issue cannot be debated at the meeting on that date, Members will lose the opportunity to express views on that issue in Council meetings.

Based on the above reasons, I am not satisfied that the issue raised by you is so urgent that it must be debated at the Council meeting of 27 January 2010. Therefore, I am unable to grant permission to your request.

Yours sincerely

(Jasper TSANG Yok-sing)
President
Legislative Council

c.c. All other Legislative Council Members