

(Translation prepared by the
Legislative Council Secretariat)

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14 June 2011

Urgent By Fax: 2877 0561

Hon Albert HO Chun-yan
7/F, Bangkok Bank Building
28 Des Voeux Road Central
Hong Kong

Dear Mr HO

Council meeting of 15 June 2011

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

You wrote to me on 9 June 2011 seeking my permission for you to move at the Council meeting of 15 June 2011 the following motion for the adjournment of the Council under Rule 16(4) of the Rules of Procedure:

“That this Council do now adjourn for the purpose of debating the following issue: the decision of the Court of Final Appeal to request an interpretation of the Basic Law by the Standing Committee of the National People’s Congress regarding the controversy over diplomatic immunity arising from the debt litigation involving the Democratic Republic of the Congo.”.

You also requested me to exercise my discretion to dispense with the required seven clear days’ notice for moving the aforesaid motion under Rule 16(5) of the Rules of Procedure.

Under Rule 16(4) of the Rules of Procedure, at the conclusion of all the business on the Agenda of the Council, a Member may move that this Council do now adjourn, for the purpose of raising any issue concerning public interest, with a view to eliciting a reply from a designated public officer. Rule 16(5) of the Rules of Procedure provides that a Member who wishes to move a motion of this kind shall give notice of the issue in writing to the Clerk not less than seven clear days before the date of the relevant Council meeting, but the President may in his discretion dispense with such notice.

I consider that the issue you raised for debate concerns public interest. However, I am of the opinion that you failed to provide sufficient grounds in your letter for me to dispense with the required notice and permit you to move at the Council meeting of 15 June 2011 the relevant motion for the adjournment of the Council under Rule 16(4) of the Rules of Procedure.

Under rule 13(a) of the House Rules, not more than two debates initiated by Members should be held at each regular Council meeting; however, more than two such debates may be allowed by the President under special circumstances upon the recommendation of the House Committee. If you wish the aforesaid adjournment debate be held at a subsequent Council meeting, you may consider raising your request with the House Committee to seek its support. If I receive the recommendation of the House Committee supporting your moving of the motion for the adjournment of the Council at the relevant Council meeting, I shall deal with it in accordance with rule 13(a) of the House Rules.

Yours sincerely

(Jasper TSANG Yok-sing)
President
Legislative Council

c.c. All other Legislative Council Members