

LETTERHEAD OF GOVERNMENT SECRETARIAT

LC Paper No. CP 467/98-99(01)

BY FAX

Tel: 2810 3838

Fax: 2877 0802

OUR REF.: CSO/ADM CR 11/1136/91

YOUR REF.: CP/G01/12

15 October 1998

Mr Ricky C C Fung
Secretary General
Legislative Council Secretariat
Legislative Council Building
8 Jackson Road
Central
Hong Kong

**Legislative Council (Powers & Privileges) Ordinance
(Cap 382)**

Thank you for your letter of 12 September.

You mentioned in your letter that the LegCo Subcommittee on Review of the Operation of the LegCo Redress System would like to extend the coverage of the Legislative Council (Powers and Privileges) Ordinance to include meetings conducted under the Redress System so that privileges and immunities conferred under sections 3 and 4 of the Ordinance can be extended to cover Members' meetings with the complainants and meetings with the Administration.

Not being aware of Members' plans with regard to any possible changes to the existing LegCo Redress System, we find it difficult to comprehend the objective of the proposal. As we understand it, the existing arrangement for receiving and handling complaints from the public is well-established and has been operating smoothly. Neither Members nor the Administration has been inhibited from dealing with complaints because of the absence of privileges and immunities. Indeed even members of the public have not been found inhibited from taking their complaints to the

system. It is therefore for consideration whether there is a need to introduce changes to a system which has been shown to serve Hong Kong well and which is well known to the clients it serves. I should therefore appreciate if you would apprise us of Members' thinking in this regard, before we take the matter further.

I would also like to add that the adaptation of laws exercise is essentially a technical exercise which aims to bring existing laws into conformity with the Basic Law and with Hong Kong's status as a Special Administrative Region of the People's Republic of China. A proposal to extend the coverage of the privileges and immunities conferred under the Legislative Council (Powers and Privileges) Ordinance would therefore go beyond the scope of the adaptation exercise.

(Mrs Carrie Yau)
Director of Administration