

**LETTERHEAD OF CONSTITUTIONAL AFFAIRS BUREAU
GOVERNMENT SECRETARIAT**

25 November 1998

Mrs Percy MA
Clerk to LegCo Panel on
Constitutional Affairs
Legislative Council
3/F, Citibank Tower
3 Garden Road
Central

Dear Mrs Ma,

**LegCo Panel on Constitutional Affairs
Follow-up to meeting on 16 November 1998:
Reform of District Organisations**

I refer to your letter of 19 November which asked us, among other things, to consider Members' suggestion that the District Councils Bill should be introduced together with the bill to repeal the Provisional Urban Council Ordinance and the Provisional Regional Council Ordinance, ahead of other legislation.

We have consulted our legal advisers. Technically it is possible to draft a simple bill to repeal the two ordinances with effect from 1 January 2000. Such a bill, however, does not achieve any meaningful purpose since details of the new structure to be established in their place and the relevant transitional arrangements would not be available. We believe that unless another bill providing such details is introduced in parallel, it would create legal uncertainty over the delivery of municipal services, no matter how temporary it might be.

It has been suggested that introduction of such a bill would enable Members to indicate their position on the future of the Municipal Councils. That opportunity avails itself when the electoral bill for the LegCo election in year 2000 is introduced into Council in early 1999. This is because the bill will provide for two new functional constituencies to replace the two Municipal Councils functional constituencies.

It remains our position that the legislation for the demise of and the transfer of functions, contractual rights, duties and liabilities of the Provisional Municipal Councils should be introduced as soon as the details of the new structure and transitional arrangements are ready.

Yours sincerely,

(John C. Y. Leung)
for Secretary for Constitutional Affairs