立法會黃毓民議員辦事處
Office Of Raymond WONG Yuk-man, Legislative Councillor
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24 October , 2013

Dear President Tsang,

I refer to your letter dated 23 October 2013.

Whereas there could be no doubt that you have to play your role as President in the conduct of the LegCo proceedings, it does not follow that you have unlimited or arbitrary power in doing so, more particularly:

(1) You could only enforce the Rules of Procedure as they stand, and not as improvised by you from time to time, especially when you have absolutely no power so to do. Your addition of the expression "unparliamentary" conduct to the Rules of Procedure is meaningless as it is circuitous to describe any conduct as "unparliamentary" without resort to the Rules of Procedure as they stand;

(2) You have not yet clarified how the Rules of Procedure could have covered the Chief Executive, which failure on your part points to the non-applicability of the Rules of Procedure to him. Your assumption of their applicability to the Chief Executive, if deliberate, implies an abuse of power on your part that you are re-writing or extending the Rules of Procedure without going through the requisite procedure.

(3) Your power to conduct the meeting does not include the power to re-write or extend the Rules of Procedure as aforesaid, or there would be no need to specify "Members" in Rule 41(4) as it could be interpreted by you to cover anyone you like.

(4) The fact that the Chief Executive was elected by 689 people is already very insulting and humiliating. Are you going to ban all references of 689 when Members address Mr. Leung in LegCo?

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(5) Your reference to "immunity" is irrelevant as the context for its relevance could only be in circumstances where legal actions are contemplated or at least possible.

In the circumstances, it would be beneficial to you and to LegCo if you could in future demonstrate your correct understanding of the Rules of Procedure before sending letters like those dated 17th and 23rd October 2013 to Members so that no one needs to be misled by your errors.

Yours Sincerely,

THE OFFICE OF HON. RAYMOND WONG YUK-MAN
黃毓民
立法會議員辦事處
MEMBER OF LEGISLATIVE COUNCIL

Wong Yuk Man

cc. All Hon Member of the Legislative Council