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28 April 2014

The Hon Mrs Carrie LAM, GBS, JP
The Chief Secretary for Administration
25/F, Central Government Offices
2 Tim Mei Avenue
Tamar, Hong Kong

Dear Chief Secretary,

Legislative Council meeting of 16 April 2014

I refer to your letter dated 17 April 2014 in which you expressed the Government's utmost regret over the incident of Hon LEUNG Kwok-hung throwing objects at the Financial Secretary at the Council meeting of 16 April 2014. As you know, I ordered Hon LEUNG Kwok-hung to withdraw immediately from the Council in accordance with the Rules of Procedure due to his grossly disorderly conduct.

You have expressed the view that the existing Rules of Procedure have no effect in deterring the disorderly conduct of some Members and should be tightened. As you may be aware, the Committee on Rules of Procedure has been examining the issue of repeated disorderly conduct of Members at Council meetings since the Fourth Legislative Council and will study the issue again at its meeting in May 2014. Unless the Rules of Procedure are amended to provide for a mechanism to prevent such conduct, the President or any committee chairman can take action only after disorderly conduct has occurred at meetings. I have sent a copy of your letter and this reply to the Chairman of the Committee to facilitate its study.

You indicated in your letter that pending further consideration of the matter, appropriate legal action might be taken. I do not wish to comment on what action the Government should or should not take. I just wish to stress that regulation of Members' conduct at meetings of the Council is a matter for the Council. I am sure Members are aware that whilst enjoying certain privileges and immunities as provided under the Basic Law and the Legislative Council (Powers and Privileges) Ordinance, they are subject to the same laws that apply to people in Hong Kong generally.

As regards your concern about the security arrangements inside the Chamber during Council meetings, you may wish to know that the matter will be discussed at the coming meeting of The Legislative Council Commission.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Jasper Tsang', with a long horizontal stroke extending to the right.

(Jasper TSANG Yok-sing)
President
Legislative Council

c.c. Hon TAM Yiu-chung, GBS, JP
Chairman, Committee on Rules of Procedure
Other Members of the Legislative Council