

7th May 2012

Mr. TAM Chi Yuen, Raymond, JP
Secretary for Constitutional and Mainland Affairs,
Constitutional and Mainland Affairs Bureau,
12/F, East Wing,
CGO, Tamar, Hong Kong

Dear Mr. Tam,

**Shifting the order of the Legislative Council (Amendment) Bill 2012 to give
priority to more important business**

I refer to the Legislative Council (Amendment) Bill 2012 that is currently before Legco and has now been adjourned to Wednesday owing to a lack of quorum last week.

As you know, the pan democratic legislators together with many civil society organizations are opposed to this Bill and voted against the resumption of the second reading. However, with the support of the pro-establishment legislators, the Bill resumed second reading by a vote of 29 to 19 and is now at the committee stage amendment with over 1000 amendments put forward by the legislators of People's Power. It is estimated that Legco needs at least a week to go through all these amendments. The Civic Party together with the pan democratic legislators already said we will not take part.

We urge the administration to put priority on many other livelihood matters and more important bills that Legco has to pass before its last sitting on 18th July. We propose a way out by a simple procedural motion to re-arrange the order of priority of business.

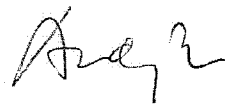
By Regulation 40 and 10 of the Rules of Procedure, the Administration has the option to postpone this Bill to after other more important matters are dealt with. You can move a procedural motion under Regulation 40 to temporarily defer the debate on the Bill, if passed, the administration can resume debate on this Bill later in June or July by merely giving 5 days notice. This will accord with the wishes of the people as well as what Mr. C Y Leung the CE elect has intimated.



If the administration is unwilling to take this course, I will move this procedural motion on Wednesday. However unlike a motion by the government, this has to be passed by both functional constituencies and the geographical constituencies. Similarly the government can resume the committee stage amendment of the Bill after the more important matters are dealt with by merely giving 5 days notice.

I have confirmed with the Legco Secretariat and the Legal Advisor who confirm that either course is viable. **From the administration's point of view, this does not mean permanent shelving or withdrawing of the Bill. It is simply a re-arrangement of priorities.** I note from the newspaper reports that the administration is opposed to this course. This will be most unfortunate. The procedural motion, once voted down, cannot be made put again in respect of the same business. Since there is no telling how protracted the committee stage amendments on the Bill can take, I urge the administration to give serious re-consideration and to support this way out on Wednesday.

Yours sincerely,



Audrey Eu



香港添馬
政府總部東翼 12 樓
政制及內地事務局
政制及內地事務局局長
譚志源 先生, JP

譚局長：

重新編排立法會《2012 年立法會(修訂)條例草案》、
優先處理其他更重要事項及草案

立法會正在審議的《2012 年立法會(修訂)條例草案》(下稱「替補草案」)，上星期因人數不足而導致流會，這星期三待續。

民主派議員與不少民間團體，一直反對這替補惡法，上星期我們發言時亦表明，反對恢復二讀，之後離場抗議這不公義的草案。儘管我們反對，替補草案在建制派護航下仍以 29 票贊成 19 票反對通過二讀。現時進入全體委員會審議階段，接下來委員會即將審議由人民力量議員提出逾千項修訂。據估計，立法會至少需時一星期才能完成有關審議。

公民黨呼籲政府優先處理關乎民生事項及其他更重要法案，好讓立法會能於今屆休會前(7 月 18 日)完成有關工作。公民黨提出簡單解決方法，政府可透過簡單的程序議案，重新編排審議優先次序。

按立法會議事規則第 40 條及第 10 條，政府官員可提出暫延處理「替補草案」。譚局長只需按議事規則第 40 條提出暫時中止待續議案，若通過，政府其後只須向立法會秘書提出不少於 5 天的預告，便可在本年 6 月或 7 月提出恢復辯論替補草案。此建議符合市民期望，同時亦回應了候任特首梁振英先生擔心審議「替補草案」將影響立法會審議其他法案的疑慮。

倘若政府不接納此建議，本人將於星期三提出上述程序動議，不過議員議案與政府議案不同，本人的議案須經功能組別及地區直選分組通過。若動議順利通過，政府同樣只需 5 天的預告，隨時可恢復全體委員會審議「替補草案」。

本人已向立法會秘書處及法律顧問再三確認，上述兩個方案均切實可行。在政府的角度而言，提出上述程序動議並非表示永久撤回「替補草案」，只是簡單

余若薇立法會議員辦事處

Office of Audrey Eu, Legislative Council Member



的次序調動。本人從報章得悉政府反對此程序動議，感覺非常可惜，一旦有關議案被否決，便不可再就相同事項提出該程序動議。由於現時實在無法預計全體委員會將會花多少時間審議人民力量所提出的修正案，本人呼籲政府再次認真考慮這星期三支持此兩全其美的解決方法。

祝
政安!

余若薇謹啟

二〇一二年五月七日



環保再造紙品
Recycled paper

香港中環立法會道1號立法會綜合大樓812室
Room 812, 8/F, Legislative Council Complex,
1 Legislative Council Rd., Central, H.K.

電話 Tel: 2899 2438 傳真 Fax: 2899 2249
電郵 Email: audreyeu@audreyeu.hk 網址 Website: www.audreyeu.hk

7th May 2012

ALL Legislative Council Members,
Legislative Council Complex,
1 Legislative Council Road,
Central, Hong Kong.

Dear colleagues,

**Shifting the order of the Legislative Council (Amendment) Bill 2012 to give
priority to more important business**

I refer to the Legislative Council (Amendment) Bill 2012 that is currently before Legco. Due to insufficient quorum last week, this has now been adjourned to Wednesday when Legco has to deal with over 1000 amendments put in by the legislators of People's Power. It is estimated that Legco needs at least a week to go through all these amendments. The Civic Party together with the other pan democratic legislators have already said we will not take part.

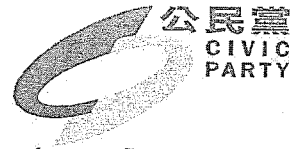
I have written to the Secretary for Constitutional and Mainland Affairs Mr. Tam Chi Yuen urging him to put priority on many other livelihood matters and more important bills that Legco has to pass before its last sitting on 18th July. I have put forward a way out by a simple procedural motion to re-arrange the order of priority.

By Regulation 40 and 10 of the Rules of Procedure, the Administration has the option to postpone this Bill to after other more important matters are dealt with. Mr. Tam can move a procedural motion under Regulation 40 to temporarily defer the debate on the Bill and if this is passed, the administration can resume at any time later in June or July by merely giving 5 days notice. This will accord with the wishes of the people as well as what Mr. C Y Leung the CE elect has intimated.

If the administration is unwilling to take this course, I will move this procedural motion on Wednesday. However unlike a motion by the government, this has to be passed by both functional constituencies and the geographical constituencies and I write to seek your support. Similarly the government can resume the committee stage amendment of the Bill after the more important matters are dealt with by merely giving 5 days notice.

余若薇立法會議員辦事處

Office of Audrey Eu, Legislative Council Member



I have confirmed with the Legco Secretariat and the Legal Advisor who confirm that either course is viable. From the administration's point of view, **this does not mean permanent shelving or withdrawing of the Bill. It is simply a re-arrangement of priorities.** I note from the newspaper reports that the pro-establishment legislators will not support this course. This is most unfortunate. The procedural motion, once voted down, cannot be put again in respect of the same business. Since there is not telling how protracted the committee stage amendments of this Bill can take, I urge you to give serious re-consideration and to support my procedural motion on Wednesday.

Yours sincerely

Audrey Eu



環保再造紙品
Recycled paper

香港中環立法會道1號立法會綜合大樓812室
Room 812, 8/F., Legislative Council Complex,
1 Legislative Council Rd., Central, H.K.

電話 Tel: 2899 2438 傳真 Fax: 2899 2249
電郵 Email: audreyeu@audreyeu.hk 網址 Website: www.audreyeu.hk

香港添馬
立法會道 1 號
立法會綜合大樓
立法會全體議員

各位同事：

重新編排立法會《2012 年立法會(修訂)條例草案》、
優先處理民生事項及其他重要草案

立法會正在審議的《2012 年立法會(修訂)條例草案》(下稱「替補草案」)。由於法定人數不足，上星期立法會會議延至本星期三，而立法會當天即將審議由人民力量議員提出逾千項修訂。據估計，立法會至少需時一星期才能完成有關審議，而公民黨與其他民主派議員早已表明不會參與有關審議程序。

本人已去信政制及內地事務局局長譚志源先生，促請他優先處理關乎民生事項及其他重要草案，好讓立法會能於休會前(7 月 18 日)完成有關工作。本人提出簡單解決方法，建議政府提出一項程序議案，重新編排審議事項次序。

按立法會議事規則第 40 條及第 10 條，政府官員可提出暫延處理「替補草案」，好讓立法會繼續審議其他較重要的事項。譚局長按議事規則第 40 條提出暫時中止待續議案，若議案通過，其後政府只須向立法會秘書提出不少於 5 天的預告，便可在本年 6 月或 7 月提出恢復替補草案辯論。這建議既符合市民期望，同時亦回應了候任特首梁振英先生擔心審議「替補草案」將影響立法會審議其他法案的疑慮。

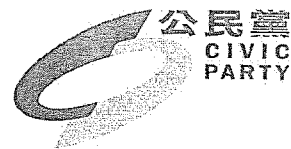
倘若政府不接納此建議，本人將於星期三提出上述程序動議，不過議員議案與政府議案不同，本人的議案須經功能組別及地區直選分組通過，故本人特來信希望議員支持本人動議。若議案順利通過，政府同樣只需 5 天的預告，隨時可恢復全體委員會審議「替補草案」。

本人已向立法會秘書處及法律顧問再三確認，上述兩個方案均切實可行。在政府的角度而言，提出上述程序動議並非表示永久撤回「替補草案」，而是簡單的次序調動。本人從報章得悉建制派議員不支持此程序動議，感覺非常可惜，一旦有關議案被否決，便不可再就相同事項提出該程序動議。由於現時實在無法預計全體委員會將會花多少時間審議修正案，本人呼籲議員再次認真考慮這星期三支持此兩全其美的解決方法。

香港中環立法會道 1 號立法會綜合大樓 812 室
Room 812, 8/F., Legislative Council Complex,
1 Legislative Council Rd., Central, H.K.



余若薇立法會議員辦事處
Office of Audrey Eu, Legislative Council Member



祝
政安!

余若薇謹啟

二〇一二年五月七日



環保再造紙品
Recycled paper

香港中環立法會道1號立法會綜合大樓812室
Room 812, 8/F., Legislative Council Complex,
1 Legislative Council Rd., Central, H.K.

電話 Tel: 2899 2438 傳真 Fax: 2899 2249
電郵 Email: audreyeu@audreyeu.hk 網址 Website: www.audreyeu.hk