

# Angry legislators turn on 'Pontius Pilate' UK

By Lily Mak

THE government was criticised yesterday as being the "contemporary Pontius Pilate" for not defending legislators' four-year term of office against China's stated intention to abolish Legco and replace it with its own provisional legislature.

Democratic Party legislator Cheung Man-kwong made the accusation at the meeting of the Legislative Council Constitutional Affairs Panel meeting.

Secretary for Constitutional Affairs, Nicholas Ng Wing-fui, earlier told the panel the term of office for legislators would "normally be four years" but there was no legal entitlement to that time limit.

Mr Cheung said he would like to point out the hypocrisy of the British and Hong Kong governments for not taking action to prevent the dismantling of the Legco by China. The Governor has repeatedly rejected the provisional legislature

"When Pontius Pilate was urged to crucify Jesus Christ, knowing he was innocent, he washed his hands in front of the crowd to say he was not involved," Mr Cheung said.

"Now you and the UK government are representing hypocrisy.

"Tell us honestly that our term of office can only last for two years and the government you are representing is the contemporary Pontius Pilate."

Mr Ng reacted to Mr Cheung's criticism by asking whether he was alleging all those who participated in the 1995 election were hypocrites.

"I am not saying the voters are hypocrites but only that the government has not kept its promise to defend the term of office of the legislators," Mr Cheung said.

China has said the Legco would be dismantled by 30 June 1997 and replaced with a provisional legislature.

Mr Ng repeated through the meeting that the British government had tried to reach a consensus with China in the 17 rounds of talks on Hong Kong's political development but had failed.

Ian Wingfield, crown solicitor, argued that there was no legal entitlement for the legislators to a four-year term and any right of four-year term was based on political rather than legal positions.

Mr Wingfield disagreed with Legco legal adviser, Jonathan Daw, that there was a constitutional presumption for a four-year term of office for legislators.

Independent legislator Emily Lau Wai-hing agreed with Mr Cheung's criticism by saying the crux of the issue was whether the British government, as the outgoing sovereign power, had carried out its duty to defend the full term of office for the legislators.

Democratic Alliance for the Betterment of Hong Kong (DAB) legislator Chan Yuen-han also agreed that the Hong Kong government and British governments were hypocritical in allowing Legco to be disbanded.

"I am surprised to hear the government telling us there is no legal basis for four-year term, as it has always told us that our term of office would be up to 1999 and I agree it is hypocritical," she said.

Legco legal adviser Jonathan Daw also hit back at Mr Wingfield's opinions, saying the executive had a constitutional duty to ensure a continuation of office for the legislators beyond 1 July 1997.

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