

立法會
Legislative Council

LC Paper No. CB(2)202/01-02

Ref : CB2/BC/13/00

**Legislative Council
Bills Committee on Chief Executive Election Bill**

**Minutes of the sixth meeting
held on Tuesday, 8 May 2001 at 8:30 am
in the Chamber of the Legislative Council Building**

Members Present : Hon IP Kwok-him, JP (Chairman)
Hon Andrew WONG Wang-fat, JP (Deputy Chairman)
Hon David CHU Yu-lin
Hon James TIEN Pei-chun, JP
Hon Cyd HO Sau-lan
Ir Dr Hon Raymond HO Chung-tai, JP
Hon Martin LEE Chu-ming, SC, JP
Hon Eric LI Ka-cheung, JP
Hon NG Leung-sing
Prof Hon NG Ching-fai
Hon Margaret NG
Hon CHEUNG Man-kwong
Hon HUI Cheung-ching
Hon CHAN Yuen-han
Dr Hon Philip WONG Yu-hong
Hon Howard YOUNG, JP
Dr Hon YEUNG Sum
Hon Ambrose LAU Hon-chuen, JP
Hon Emily LAU Wai-hing, JP
Hon CHOY So-yuk
Hon SZETO Wah
Hon Timothy FOK Tsun-ting, SBS, JP
Hon TAM Yiu-chung, GBS, JP
Hon Abraham SHEK Lai-him, JP
Hon LEUNG Fu-wah, MH, JP
Dr Hon LO Wing-lok
Hon LAU Ping-cheung
Hon Audrey EU Yuet-mee, SC, JP

Members : Hon Jasper TSANG Yok-sing, JP
Absent Hon Tommy CHEUNG Yu-yan, JP
Hon Michael MAK Kwok-fung

Public Officers : Mr Robin IP
Attending Deputy Secretary for Constitutional Affairs

Ms Doris HO
Principal Assistant Secretary for Constitutional Affairs

Mr Bassanio SO
Principal Assistant Secretary for Constitutional Affairs

By Invitation : 8:30 am

The Chinese University of Hong Kong Student Union

Mr KWAN Siu-kwan

Mr TSANG Wing

Hong Kong Foshan Trader Association Ltd

Mr TEO Kong-lap

Hong Kong Association of International Investment

Mr PUN Tak-hung

The Hong Kong Island Federation

Mr CHUNG Yam-cheung

Fukien Athletic Club Ltd

Mr CHOI Sai-chuen

Yau Tsim Mong Federation of Association

Mr KONG Wai-yeung

Mr LAM Kam-fai

Kowloon City District Resident Association

Mr SIU Yu-ken

East Kowloon District Residents' Committee

Mr LEE Tat-yan

The Youth Power of Kwai Tsing
Mr CHAN Yung

Sham Shui Po Residents Association
Mr CHAN Keng-chau

Ngau Tau Kok Community Affairs Association
Mr CHAN Kan-bar

Federation of Hong Kong Kowloon New Territories
Hawker Association
Mr LAM Kwei-cheong

10:45pm

Hong Kong Fishermen's Association
Mr LEUNG Wai-ying
Mr LAM Kun-so

Hong Kong Youth Association
Mr Joe MIT

Shan Wei City Hai Lu Feng Clansmen Association Ltd
Mr HUNG Kwong-ton

The Hong Kong Southern District Alliance
Mr MAK Chi-yan

Tai Hang Concern Association
Mr HO Tai-sing

The Hong Kong Federation of Trade Unions, Social Policy
Committee
Mr WONG Kwok-hing

The General Association of Xiamen (HK) Ltd
Mr John SHI

Kowloon City, Kwun Tong and Wong Tai Sin Residents'
Association Co. Ltd
Mr WONG Siu-yee

Motor Transport Workers General Union
Mr LI Wing-sang

New Territories Association of Societies

Ms FUNG Choi-yuk
Mr WAN Yuet-kau

Hong Kong Central and Western District Woman
Association

Miss CHIU Wah-kuen

Fong Chung Social Service Centre Limited

Mr CHAN Yiu-keung
Mr CHIU Tsu-kwong

Zhongshan University Law Faculty Hong Kong Students
Association

Mr LIU King-tong
Miss NG Wai-ling

Hong Kong Construction Industry Employees General Union

Mr CHOI Chun-wa

Hong Kong Human Rights Monitor

Mr LAW Yuk-kai

Hong Kong Federation of Women

Mrs Janice CHOI
Miss LAM Siu-ping

Hong Kong Chinese Importers and Exporters Association

Mr WONG Ting-kwong

Individual

Mr LAI Wing-yiu

Clerk in Attendance : Mrs Percy MA
Chief Assistant Secretary (2)3

Staff in Attendance : Mr Stephen LAM
Assistant Legal Adviser 4

Mr Paul WOO
Senior Assistant Secretary (2)3

I. Meeting with deputations

(LC Paper Nos. CB(2)1442/00-01 and 1451/00-01)

The Chairman welcomed the representatives of the various organizations and individual persons to the meeting, which was the second of the two sessions held by the Bills Committee to receive public views on the Bill. He said that the written submissions had been circulated to members before the meeting. He then invited each of the deputations to make a brief oral presentation on the submissions

2. A summary of the views of the deputations was attached in the Appendix.

3. The Chairman invited questions from members of the Bills Committee. The major issues discussed were summarised in the following paragraphs.

Selection of the Chief Executive (CE)

4. Dr YEUNG Sum sought the deputations' comments on the view expressed by some that CE should be selected by the "elite" groups in the community.

5. Mr KWAN Siu-kwan said that the issue of crucial importance in the Bill was the selection of CE by a 800-member Election Committee (EC). He found this unacceptable because the EC, by its very nature, could not be representative of the people in Hong Kong. He opined that if CE was not elected by universal suffrage under one-person-one-vote, any discussion on how the Bill should be amended would be meaningless. Hence, he objected to the Bill in its totality.

6. Mr CHUNG Yam-cheung said that the Basic Law, which was a national law of the People's Republic of China, prescribed the method for the selection of CE in the Hong Kong Special Administrative Region (HKSAR). The Bill could not be in contravention of the Basic Law. He added that Hong Kong had gone into a new era since the reunification four years ago. In order not to cause instability, constitutional development should progress gradually, taking into account the actual situation in Hong Kong. He said that he did not object to selection of CE by particular groups of people in the community, provided that they knew better than the general masses how to choose the right candidate. To illustrate his point, Mr CHUNG said that "if you do not know how to choose a good durian, better let someone who knows pick one for you."

7. Referring to Mr CHUNG's statement, Mr LAW Yuk-kai said that people who did not know how to choose a durian should always learn how to do it, rather than let someone do it for them. Also, people might want to decide by

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themselves whether there were things better than a durian.

8. Mr LAW added that selection of CE by EC was a "small-circle" election which violated the international "equal and universal" principles applied to elections. He further said that because of the limited number of EC members, and the substantive proportion of non-directly elected members, the chances of manipulation of election result would be enhanced.

9. Ms Emily LAU said that the matter was not whether or not the general public was competent to choose the CE, but whether the right to choose should be limited to particular groups of people only. She said that according to the result of a survey released by the Hong Kong Transition Project at the Baptist University in April 2000, 71% of the respondents supported direct election of CE at an early stage, while only 19% opposed. She pointed out that other opinion polls also showed that there was majority support for direct election of CE.

10. Mr Chung Yam-cheung said that one must face the reality that the Bill had to comply with the constitutional framework laid down in the Basic Law. Hence, it was on this basis that his organisation had considered the Bill.

11. Mr LAM Kam-fai said that direct election of the head of state under one-person-one-vote might lead to political instability, as demonstrated by the situation in Indonesia, Malaysia and the Philippines.

12. Mr Andrew WONG said that it was not a matter for the Bills Committee to consider whether and how the Basic Law should be amended to provide for direct election of CE by universal suffrage, but whether the Bill should be passed, with the appropriate amendments if necessary, so that the election of CE could be properly regulated within the confine of the Basic Law. He said that without a local legislation for the election of CE, there might be very undesirable consequences.

13. Miss Margaret NG said that the Legislative Council (LegCo) could not enact any legislation which violated the Basic Law. She sought the deputations' views on whether it was the right course for the Bills Committee, in scrutinising the Bill, to try to achieve the greatest possible room for democracy, within the framework prescribed under the Basic Law.

14. Mr KWAN Siu-kwan reiterated that no matter how the Bill was drafted, the essence of it, i.e. selection of CE by an EC, was objectionable in principle. The Bill was therefore not acceptable. He said that the Basic Law could be amended, and he failed to see why the question of amending the Basic Law to advance the election of CE by universal suffrage should be avoided.

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15. Mr LAI Wing-yiu opined that it was necessary to have a mechanism for the election of CE specified in the law. LegCo Members should consider the Bill with a view to ensuring that the best possible mechanism could be achieved.

Winning candidate to declare not a member of political party (clause 32)

16. In response to members, Mr LAW Yuk-kai said that he did not see the necessity of the requirement in clause 32 of the Bill that a successful candidate who was a member of a political party had to resign from his political party. He pointed out that the requirement contradicted the situation in the People's Republic of China. Furthermore, it was not in conformity with the principle of freedom of association guaranteed under Article 22 of the International Covenant on Civil and Political Rights (ICCPR). He said that the right of association and the right to assume an elected office were not contradictory to each other. He further opined that the argument that clause 32 was necessary to ensure public accountability of CE did not stand. ICCPR had specified some legitimate restrictions on freedom of association, such as for reason of ensuring state security or public order or avoiding infringement on the rights of others etc. However, public accountability could not be a justifiable reason for restricting the freedom of association. He added that the important features of democratic politics included the right to participate in public affairs and political parties. The Basic Law did not prohibit such rights.

17. Ms Cyd HO said that if one should be seriously concerned about manipulation of the activities of CE by political parties, one should be equally concerned about manipulation of CE by EC. She further said that she did not think that members of political parties would be "manipulated" by their political parties. Effective control over CE would be ultimately derived from direct election under one-person-one-vote.

18. Dr YEUNG Sum considered that there was no contradiction between CE being a member of a political party and his duty to be accountable to the public. He pointed out that Article 47 of the Basic Law set out the necessary requirements which CE must satisfy. In his opinion, Clause 32 of the Bill, which was not found in the Basic Law, discriminated against political parties.

19. Miss NG Wai-ling held a different view. She said that CE should be accountable to HKSAR and the Central People's Government (CPG). The accountability would be in doubt if CE was a member of a political party.

20. Mr WAN Yuet-kau supported clause 32 of the Bill. He said that the requirement was in the public interest as there was no single political party in Hong Kong which could win the majority support of the community.

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21. Mrs Janice CHOI said that a CE who was a member of a political party would pledge allegiance to both HKSAR and the political party to which he belonged. The CE would find himself in a very difficult position if party interests conflicted with his duty to act impartially. Mr David CHU Yu-lin and Mr Joe MIT expressed similar views.

Withdrawal of candidature (clause 19)

22. Mr Andrew WONG sought the deputations' views on the proposal in the Bill that candidates should be allowed to withdraw from the election after the close of nominations. He said that in his view, due to the limited number of EC members and the requirement that a candidate should be nominated by not less than 100 EC members, the proposal might lead to manipulation of election result.

23. Mr CHUNG Yam-cheung said that he tended to support the argument that candidates should not be allowed to withdraw from candidature after the close of nominations.

24. Mr LAW Yuk-kai said that it had been pointed out by the Independent Commission Against Corruption that the more limited the scale of an election, the more easily corruption would occur. Hence, it was necessary to take every possible measure to remove the opportunities for bribery or unfair practices. Mr LAI Wing-yiu agreed that forbidding candidates to withdraw from candidature after the close of nominations should achieve greater fairness in election.

25. Mr WONG Siu-ye said that the relevant arrangements under the LegCo Ordinance and District Councils Ordinance should apply to CE elections for the sake of consistency.

26. Some deputations supported the proposal. Mr LEE Tat-yan said that had a mechanism for withdrawal been in place, the LegCo by-election to fill the seat left vacant by the resignation of Mr Gary CHENG Kai-nam, which had been criticised by many as a waste of time and public money, could have been avoided. He added that penalty such as confiscation of election deposit or payment of fine could be imposed on candidates withdrawing after the close of nominations without valid reasons. Mrs Janice CHOI said that a mechanism for withdrawal of candidature was desirable to cater for unforeseen and justified circumstances. Mr Joe MIT opined that there was no point in forcing a candidate who wanted to withdraw to continue to stand for election. Moreover, if the candidate became elected and subsequently resigned, as in the case of Mr Gary CHENG, tremendous public resources would have to be spent on a by-election.

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Appointment and removal of CE

27. Ms Emily LAU sought the deputations' comments on the view that appointment and removal of CE by CPG originated from Article 45 of the Basic Law, and that such power of CPG was necessary for the manifestation of the exercise of sovereignty.

28. Mr TSANG Wing opined that Article 45 of the Basic Law merely stipulated an appointment procedure to provide a person with the formal status to enable him to carry out the duties and functions as CE of HKSAR. He said that under the principle of "high degree of autonomy", the CPG should not veto the appointment of a duly elected CE.

29. Mr LAW Yuk-kai said that the implication of clause 4(c) of the Bill was that the HKSAR Government was failing its duty to safeguard the high degree of autonomy of HKSAR provided under the Basic Law.

Voting method

30. Mrs Janice CHOI pointed out that if the purpose of clause 26 of the Bill, which required the winning candidate to obtain more than half of the total number of valid votes cast, was to ensure that the CE elected secured the support of the majority of voters, then it could be argued that the same requirement of majority support should also apply in the situations where there was only one candidate or one remaining candidate. Therefore, clauses 22, 27 and 28 might also need to be reviewed in the light of this consideration.

31. Mr Andrew WONG suggested that where there were three or more candidates standing for election, voters might be required to vote for the candidates by specifying the order of preference.

Administration's response to deputations' views

32. The Chairman called upon the Administration to consider the deputations' views carefully in reviewing the Bill.

33. Deputy Secretary for Constitutional Affairs said that the Administration would provide a consolidated written response in due course.

(Post-meeting note - The Administration's written response was circulated vide LC Paper No. CB(2)1712/00-01(01))

II. Date of next meeting

34. The next meeting was scheduled for 15 May 2001 at 8:30 am.

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35. The meeting ended at 12:25 pm.

Legislative Council Secretariat
30 October 2001

Bills Committee on Chief Executive Election Bill

Summary of submissions on the Bill (presented at the meeting on 8 May 2001)

| LC Paper No. | Organization/ Person | | | Regulation of election- related activities and others |
|--------------|--|---|--|---|
| | | <p>Election of Chief Executive (CE);</p> <p>Clause 4(c) - Power of Central People's Government (CPG) to revoke appointment of CE;</p> <p>Clause 8 - Constitution of Election Committee (EC)</p> | <p>Clause 10 - Polling date;</p> <p>Clause 16(2)(a) - Nomination by at least 100 EC members;</p> <p>Clause 16(7) - Declaration to uphold Basic Law (BL) and pledge allegiance to HKSAR;</p> <p>Clause 18 - Publication of nomination;</p> <p>Clause 19 - Withdrawal of candidature;</p> <p>Clause 31 - LegCo Members to resign if elected;</p> <p>Clause 32 - Winning candidate to declare not a member of political party</p> | |
| 1. | Hong Kong Foshan Trader Association Ltd CB(2)1442/00-01(01) | <ul style="list-style-type: none"> • The Bill complies with BL. • The existing EC is representative of the wide interests of the community. | <ul style="list-style-type: none"> • Supports clauses 16(7) and 32. • Supports polling date on 24 March 2002. | |
| 2. | Hong Kong Association of International Investment CB(2)1442/00-01(02) | <ul style="list-style-type: none"> • Clause 8 complies with Annex I of BL. • Supports Administration's proposal to deal with overlapping membership of EC members. The actual number of EC members should be as close to 800 as possible. | <ul style="list-style-type: none"> • Supports clause 10 and setting polling date on 24 March 2002. | |

| <p style="text-align: center;">Organization/ Person</p> <p>LC Paper No.</p> | <p>Election of Chief Executive (CE);</p> <p>Clause 4(c) - Power of Central People's Government (CPG) to revoke appointment of CE;</p> <p>Clause 8 - Constitution of Election Committee (EC)</p> | <p>Clause 10 - Polling date;</p> <p>Clause 16(2)(a) - Nomination by at least 100 EC members;</p> <p>Clause 16(7) - Declaration to uphold Basic Law (BL) and pledge allegiance to HKSAR;</p> <p>Clause 18 - Publication of nomination;</p> <p>Clause 19 - Withdrawal of candidature;</p> <p>Clause 31 - LegCo Members to resign if elected;</p> <p>Clause 32 - Winning candidate to declare not a member of political party</p> | <p>Regulation of election-related activities and others</p> |
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| <p>3. The Hong Kong Island Federation CB(2)1442/00-01(03)</p> | <ul style="list-style-type: none"> • Supports clause 8. | <ul style="list-style-type: none"> • Supports clauses 10, 16(2)(a) and 32. | |
| <p>4. Fukien Athletic Club Ltd CB(2)1442/00-01(04)</p> | <ul style="list-style-type: none"> • Method for selecting CE should follow BL. • Supports clause 8. | <ul style="list-style-type: none"> • Clause 32 complies with BL 43. | |
| <p>5. Yau Tsim Mong Federation of Association CB(2)1442/00-01(05)</p> | <ul style="list-style-type: none"> • Supports clause 8. There should be a gradual process to election of CE by universal suffrage. | <ul style="list-style-type: none"> • Supports clauses 18 and 32. • Polling day should be a Sunday. | |
| <p>6. Kowloon City District Resident Association CB(2)1442/00-01(06)</p> | <ul style="list-style-type: none"> • Clause 8 complies with BL. | <ul style="list-style-type: none"> • Supports clause 18. | |

| <p style="text-align: center;">Organization/ Person</p> <p>LC Paper No.</p> | <p>Election of Chief Executive (CE);</p> <p>Clause 4(c) - Power of Central People's Government (CPG) to revoke appointment of CE;</p> <p>Clause 8 - Constitution of Election Committee (EC)</p> | <p>Clause 10 - Polling date;</p> <p>Clause 16(2)(a) - Nomination by at least 100 EC members;</p> <p>Clause 16(7) - Declaration to uphold Basic Law (BL) and pledge allegiance to HKSAR;</p> <p>Clause 18 - Publication of nomination;</p> <p>Clause 19 - Withdrawal of candidature;</p> <p>Clause 31 - LegCo Members to resign if elected;</p> <p>Clause 32 - Winning candidate to declare not a member of political party</p> | <p>Regulation of election-related activities and others</p> | |
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| <p>7.</p> | <p>East Kowloon District Residents' Committee CB(2)1442/00-01(07)</p> | <ul style="list-style-type: none"> • Supports clause 8 • A vacancy in EC should be filled at the time of a LegCo by-election or CE election. | <ul style="list-style-type: none"> • Polling date should be appointed by CE or Acting CE, as the case may be, within the period of 90 to 120 days before the vacancy arises. • Supports clauses 18, 31 and 32. • Supports clause 19 but withdrawal of candidature after the nomination period should be subject to a fine or forfeiture of deposit. | |
| <p>8.</p> | <p>The Youth Power of Kwai Tsing CB(2)1442/00-01(09)</p> | <ul style="list-style-type: none"> • Supports clause 8. EC is representative of different interests of the community. | | |

| <p style="text-align: center;">Organization/ Person</p> <p>LC Paper No.</p> | <p>Election of Chief Executive (CE);</p> <p>Clause 4(c) - Power of Central People's Government (CPG) to revoke appointment of CE;</p> <p>Clause 8 - Constitution of Election Committee (EC)</p> | <p>Clause 10 - Polling date;</p> <p>Clause 16(2)(a) - Nomination by at least 100 EC members;</p> <p>Clause 16(7) - Declaration to uphold Basic Law (BL) and pledge allegiance to HKSAR;</p> <p>Clause 18 - Publication of nomination;</p> <p>Clause 19 - Withdrawal of candidature;</p> <p>Clause 31 - LegCo Members to resign if elected;</p> <p>Clause 32 - Winning candidate to declare not a member of political party</p> | <p>Regulation of election-related activities and others</p> |
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| <p>9. Sham Shui Po Residents Association CB(2)1442/00-01(10)</p> | <ul style="list-style-type: none"> The Bill complies with the requirements of BL. | <ul style="list-style-type: none"> Supports clauses 16(2)(a) and 32. | |
| <p>10. Ngau Tau Kok Community Affairs Association CB(2)1442/00-01(11)</p> | | <ul style="list-style-type: none"> Supports clauses 16(2)(a), 18 and 32. | |
| <p>11. Federation of Hong Kong Kowloon New Territories Hawker Association CB(2)1442/00-01(12)</p> | <ul style="list-style-type: none"> Supports clause 8. | <ul style="list-style-type: none"> Supports clause 32. | |

| <p style="text-align: center;">Organization/ Person</p> <p>LC Paper No.</p> | <p>Election of Chief Executive (CE);</p> <p>Clause 4(c) - Power of Central People's Government (CPG) to revoke appointment of CE;</p> <p>Clause 8 - Constitution of Election Committee (EC)</p> | <p>Clause 10 - Polling date;</p> <p>Clause 16(2)(a) - Nomination by at least 100 EC members;</p> <p>Clause 16(7) - Declaration to uphold Basic Law (BL) and pledge allegiance to HKSAR;</p> <p>Clause 18 - Publication of nomination;</p> <p>Clause 19 - Withdrawal of candidature;</p> <p>Clause 31 - LegCo Members to resign if elected;</p> <p>Clause 32 - Winning candidate to declare not a member of political party</p> | <p>Regulation of election-related activities and others</p> |
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| <p>12. Chinese University of Hong Kong Student Union CB(2)1451/00-01(01)</p> | <ul style="list-style-type: none"> • BL should be amended immediately to provide for election of new CE by universal suffrage. • Clause 4(c) is not acceptable. | | <ul style="list-style-type: none"> • Political system should be reviewed to provide for true executive accountability. |
| <p>13. Hong Kong Fishermen's Association CB(2)1442/00-01(08)</p> | <ul style="list-style-type: none"> • Clause 8 is in accordance with Annex I and II of BL. The Bill complies with BL 45. | <ul style="list-style-type: none"> • Supports clauses 16(2)(a), 18 and 32. | |
| <p>14. Hong Kong Youth Association CB(2)1442/00-01(13)</p> | | <ul style="list-style-type: none"> • The provisions of the Bill comply with BL and are suitable to the political development of Hong Kong. | |

| <p style="text-align: center;">Organization/ Person</p> <p>LC Paper No.</p> | <p>Election of Chief Executive (CE);</p> <p>Clause 4(c) - Power of Central People's Government (CPG) to revoke appointment of CE;</p> <p>Clause 8 - Constitution of Election Committee (EC)</p> | <p>Clause 10 - Polling date;</p> <p>Clause 16(2)(a) - Nomination by at least 100 EC members;</p> <p>Clause 16(7) - Declaration to uphold Basic Law (BL) and pledge allegiance to HKSAR;</p> <p>Clause 18 - Publication of nomination;</p> <p>Clause 19 - Withdrawal of candidature;</p> <p>Clause 31 - LegCo Members to resign if elected;</p> <p>Clause 32 - Winning candidate to declare not a member of political party</p> | <p>Regulation of election-related activities and others</p> |
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| <p>15. Shan Wei City Hai Lu Feng Clansmen Association Ltd CB(2)1442/00-01(14)</p> | <ul style="list-style-type: none"> • Supports clause 8. | <ul style="list-style-type: none"> • Supports clauses 16(7), 18 and 32. • Withdrawal of candidature should not be allowed. • Election expenses limit is unnecessary. | |
| <p>16. The Hong Kong Southern District Alliance CB(2)1442/00-01(15)</p> | <ul style="list-style-type: none"> • EC is representative of different interests of the community. | <ul style="list-style-type: none"> • Supports clause 16(2)(a). Each EC member can only nominate one candidate. • Supports voting by secret ballot. | |
| <p>17. Tai Hang Concern Association CB(2)1442/00-01(16)</p> | <ul style="list-style-type: none"> • Supports clause 8. | <ul style="list-style-type: none"> • Supports clause 32. | |

| <p style="text-align: center;">Organization/ Person</p> <p>LC Paper No.</p> | <p>Election of Chief Executive (CE);</p> <p>Clause 4(c) - Power of Central People's Government (CPG) to revoke appointment of CE;</p> <p>Clause 8 - Constitution of Election Committee (EC)</p> | <p>Clause 10 - Polling date;</p> <p>Clause 16(2)(a) - Nomination by at least 100 EC members;</p> <p>Clause 16(7) - Declaration to uphold Basic Law (BL) and pledge allegiance to HKSAR;</p> <p>Clause 18 - Publication of nomination;</p> <p>Clause 19 - Withdrawal of candidature;</p> <p>Clause 31 - LegCo Members to resign if elected;</p> <p>Clause 32 - Winning candidate to declare not a member of political party</p> | <p>Regulation of election-related activities and others</p> |
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| <p>18. The General Association of Xiamen (HK) Ltd CB(2)1442/00-01(17)</p> | <ul style="list-style-type: none"> The method of election of CE complies with BL. | <ul style="list-style-type: none"> Supports clauses 18 and 32. | |
| <p>19. Motor Transport Workers General Union CB(2)1442/00-01(18)</p> | <ul style="list-style-type: none"> Clause 8 is in accordance with the intent of BL. | <ul style="list-style-type: none"> Accepts the proposal of holding election at least 90 days before the vacancy arises. | |
| <p>20. New Territories Association of Societies CB(2)1442/00-01(19)</p> | <ul style="list-style-type: none"> Election of CE should comply with BL. | <ul style="list-style-type: none"> Supports clauses 16(2)(a), 18 and 32. | |
| <p>21. Hong Kong Central and Western District Woman Association CB(2)1442/00-01(20)</p> | | <ul style="list-style-type: none"> Accepts the provisions of the Bill Election should not be too costly. | |

| <p style="text-align: center;">Organization/ Person</p> <p>LC Paper No.</p> | <p>Election of Chief Executive (CE);</p> <p>Clause 4(c) - Power of Central People's Government (CPG) to revoke appointment of CE;</p> <p>Clause 8 - Constitution of Election Committee (EC)</p> | <p>Clause 10 - Polling date;</p> <p>Clause 16(2)(a) - Nomination by at least 100 EC members;</p> <p>Clause 16(7) - Declaration to uphold Basic Law (BL) and pledge allegiance to HKSAR;</p> <p>Clause 18 - Publication of nomination;</p> <p>Clause 19 - Withdrawal of candidature;</p> <p>Clause 31 - LegCo Members to resign if elected;</p> <p>Clause 32 - Winning candidate to declare not a member of political party</p> | <p>Regulation of election-related activities and others</p> |
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| <p>22. Zhongshan University Law Faculty Hong Kong Students Association CB(2)1442/00-01(21)</p> | <ul style="list-style-type: none"> • Supports clause 8. • The Bill complies with the requirements of BL. | <ul style="list-style-type: none"> • Supports the Bill including clauses 10(2), 18, 19 and 31. • Accepts the proposal to conduct the poll on 24 March 2002. • Should specify in the Bill that each EC member can only nominate one candidate. • Clause 16(7)(b) should be amended to "一項關於該候選人的國籍是中國國籍及並無擁有外國居留權的聲明"。 • The procedures and time-frame for election petitions and judicial review should be clearly set out. Any election petition should be settled not later than one month before the new term of office of CE begins. • Election expenses limit should be comparable to that for LegCo and EC elections. | <ul style="list-style-type: none"> • Incumbent CE standing for election should differentiate between official duties and electioneering activities undertaken by him in his respective role as CE and a candidate. • Senior government officials should maintain a neutral stand where the incumbent CE stands for election. |

| <p style="text-align: center;">Organization/ Person</p> <p>LC Paper No.</p> | <p>Election of Chief Executive (CE);</p> <p>Clause 4(c) - Power of Central People's Government (CPG) to revoke appointment of CE;</p> <p>Clause 8 - Constitution of Election Committee (EC)</p> | <p>Clause 10 - Polling date;</p> <p>Clause 16(2)(a) - Nomination by at least 100 EC members;</p> <p>Clause 16(7) - Declaration to uphold Basic Law (BL) and pledge allegiance to HKSAR;</p> <p>Clause 18 - Publication of nomination;</p> <p>Clause 19 - Withdrawal of candidature;</p> <p>Clause 31 - LegCo Members to resign if elected;</p> <p>Clause 32 - Winning candidate to declare not a member of political party</p> | <p>Regulation of election-related activities and others</p> |
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| <p>23. Hong Kong Construction Industry Employees General Union CB(2)1442/00-01(22)</p> | <ul style="list-style-type: none"> The Bill complies with BL. | <ul style="list-style-type: none"> Support clauses 16(2)(a), 18 and 32. | |
| <p>24. Mr LAI Wing-yiu CB(2)1442/00-01(23)</p> | <ul style="list-style-type: none"> BL should be amended to provide for election of CE by universal suffrage. There is no similar provision to clause 4(c) in BL. The clause should be deleted, while provisions similar to BL 52 should be included. | <ul style="list-style-type: none"> Clause 14(g) on disqualification from being nominated as a candidate should be amended along the line of section 39(2) of the Legislative Council Ordinance. Clauses 19 and 32 should be deleted. | |
| <p>25. Hong Kong Federation of Trade Unions CB(2)1451/00-01(02)</p> | <ul style="list-style-type: none"> Supports clause 8. | <ul style="list-style-type: none"> Supports clauses 16(2)(a), 18 and 32. Supports monitoring of election by EAC. | |

| <p style="text-align: center;">Organization/ Person</p> <p>LC Paper No.</p> | <p>Election of Chief Executive (CE);</p> <p>Clause 4(c) - Power of Central People's Government (CPG) to revoke appointment of CE;</p> <p>Clause 8 - Constitution of Election Committee (EC)</p> | <p>Clause 10 - Polling date;</p> <p>Clause 16(2)(a) - Nomination by at least 100 EC members;</p> <p>Clause 16(7) - Declaration to uphold Basic Law (BL) and pledge allegiance to HKSAR;</p> <p>Clause 18 - Publication of nomination;</p> <p>Clause 19 - Withdrawal of candidature;</p> <p>Clause 31 - LegCo Members to resign if elected;</p> <p>Clause 32 - Winning candidate to declare not a member of political party</p> | <p>Regulation of election-related activities and others</p> |
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| <p>26. Kowloon City, Kwun Tong and Wong Tai Sin Residents' Association Co. Ltd CB(2)1489/00-01(02)</p> | <ul style="list-style-type: none"> Supports clause 8. CE election should follow the requirements of BL. | | <ul style="list-style-type: none"> The submission also provides the result of a survey on the Bill from 69 respondents who are EC members. |
| <p>27. Hong Kong Human Rights Monitor CB(2)1489/00-01(03)</p> | <ul style="list-style-type: none"> The Schedule to the Bill on EC should be amended to allow for wider participation by individual voters. Corporate voting should be abolished. Clause 4(c) should be deleted. | <ul style="list-style-type: none"> Clause 32 should be deleted. Should not limit the locus standi to file a legitimate election petition. Election should take place on a certain date and not determined by incumbent CE. Reasonable and non-discriminatory amount of deposit from potential candidates. | |

| <p style="text-align: center;">Organization/ Person</p> <p>LC Paper No.</p> | <p>Election of Chief Executive (CE);</p> <p>Clause 4(c) - Power of Central People's Government (CPG) to revoke appointment of CE;</p> <p>Clause 8 - Constitution of Election Committee (EC)</p> | <p>Clause 10 - Polling date;</p> <p>Clause 16(2)(a) - Nomination by at least 100 EC members;</p> <p>Clause 16(7) - Declaration to uphold Basic Law (BL) and pledge allegiance to HKSAR;</p> <p>Clause 18 - Publication of nomination;</p> <p>Clause 19 - Withdrawal of candidature;</p> <p>Clause 31 - LegCo Members to resign if elected;</p> <p>Clause 32 - Winning candidate to declare not a member of political party</p> | <p>Regulation of election-related activities and others</p> |
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| <p>28. Hong Kong Federation of Women CB(2)1489/00-01(04)</p> | <ul style="list-style-type: none"> • Supports clause 8. • Should clarify the relationship between clause 4(c) and BL 52. | <ul style="list-style-type: none"> • Supports clauses 16, 19, 31, 32 and the Schedule to the Bill. • The voting system specified under clause 26 is inconsistent with that provided under clauses 22, 27 and 28 and should be synchronized. | |
| <p>29. Hong Kong Chinese Importers' & Exporters' Association CB(2)1489/00-01(05)</p> | <ul style="list-style-type: none"> • Supports clause 8. | <ul style="list-style-type: none"> • Supports clauses 16(7), 18 and 32. | |
| <p>30. Fong Chung Social Service Centre Limited CB(2)1506/00-01(02)</p> | <ul style="list-style-type: none"> • Supports clause 8. | <ul style="list-style-type: none"> • Supports clauses 18 and 32. | |