

**Administration's Further Responses to Points raised on 2 May 2001
by Members of the Bills Committee
on the Chief Executive Election Bill**

(for submission to the Bills Committee meeting to be held on 22 May 2001)

Clause 4 of the CE Election Bill

Q5: Will the Administration consider setting out the circumstances under which the appointment of CE could be revoked by CPG, such as Articles 52 and 73(9) of the Basic Law and other circumstances?

A5: We propose to amend clause 4(c) as follows –

“(c) If the Central People’s Government removes the Chief Executive from office –

(i) upon his resignation under Article 52 of the Basic Law or otherwise;

(ii) upon the reporting to it for decision of a motion of impeachment passed against him under Article 73(9) of the Basic Law; or

(iii) under any other circumstances.”

Q6: Will the Administration consider revising the wording for clause 4(c) by replacing “revoke” and “撤銷任命” with other more appropriate word/phrase?

A6: We propose to replace “revoke” by “remove” and “撤銷任命” by “免職”. The latter is the expression used in the BL (e.g. BL 90).

Q7: As a vacancy in the office of CE arises either from the expiry of a term of office or other unexpected circumstances, will the Administration consider revising clause 4 to deal with the two sets of circumstances separately?

A7: We see neither merit nor need for adopting this proposal from a drafting point of view. The existing provisions are already clear enough to deal with the two sets of circumstances.

Constitutional Affairs Bureau
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