

立法會
Legislative Council

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Paper for the House Committee meeting on 3 November 2000

**Report of the Panel on Constitutional Affairs on
arrangements for the election of the Chief Executive**

Purpose

This paper sets out the deliberations of the Panel on Constitutional Affairs on the arrangements for the election of the Chief Executive (CE).

Background

2. The term of the first-term CE commences on 1 July 1997 and will come to an end on 30 June 2002.
3. As prescribed in Annex I of the Basic Law, the second-term CE shall be elected by a broadly representative Election Committee in accordance with the Basic Law and appointed by the Central People's Government. The Election Committee shall be composed of 800 members from various sectors.
4. The Policy Objective Booklet for the Constitutional Affairs Bureau issued in the context of the 2000 Policy Address announced that the CE Election Bill will be introduced into LegCo in mid-2001.

Deliberations of the Panel

5. In response to the request of the Panel, the Acting Secretary for Constitutional Affairs attended the Panel's meeting on 31 October 2000 to brief members on the arrangements for the election of the second-term CE and the legislative timetable for introducing a bill for the election. The main concerns raised by members were as follows -
 - (a) the bill should be introduced into LegCo as soon as possible in order to allow sufficient time for scrutiny by Members. Early announcement of the electoral arrangements would also provide a level playing field for all persons intending to stand as candidates in the election; and
 - (b) the question of whether the Election Committee established in July 2000 for returning six Members for the second term of LegCo in

accordance with the requirements of Annex II of the Basic Law would also be responsible for selecting the second-term CE should be clarified as soon as possible.

6. The Administration reiterated that its target was to introduce the bill into LegCo in mid-2001, and that it would specify clearly the Election Committee responsible for electing the second term CE. Despite members' repeated questions seeking more concrete information, the Administration kept repeating its position that it was not able to divulge further information at this stage, including when the CE election would be held.

7. Members expressed strong dissatisfaction with the answers of the Administration which were considered not conducive to strengthening cooperation between the executive authorities and the legislature. This was also contrary to the pledge of the Administration that it would make better use of Panels to discuss policy proposals so that it could understand fully the standpoints and opinions of Members, in order to better ensure that bills submitted would have the support of the legislature.

8. After discussion, members requested the Administration -

- (a) to introduce the bill into LegCo as soon as possible;
- (b) to provide a timetable showing the various steps involved for holding the election of CE; and
- (c) pending introduction of the Bill, to provide to the next Panel meeting to be held on 20 November 2000 information on the broad framework of the bill, such as the method for selecting CE, the composition of the Election Committee, and the timing for holding the CE election.

9. As the Administration's representatives present at the meeting were not in a position to advise whether the Panel's request could be acceded to, members of the Panel agreed that the matter should be brought to the attention of the House Committee. The Panel also recommended that the matter should be further pursued with the Administration at a higher level.

Advice sought

10. Members are invited to note the deliberations of the Panel and to support its recommendation in paragraph 9 above.

Legislative Council Secretariat
2 November 2000