

**Legislative Council Panel on Constitutional Affairs**

**Legislation on the Election of the Chief Executive**

**Purpose**

This note responds to Members' questions over –

- (a) when the five-year term of the first-term CE expires;
- (b) the legislative timetable for the Chief Executive (CE) Election Bill; and
- (c) the role of the Election Committee formed in July 2000.

**Expiry of the term of the first-term CE**

2. The term of the first-term CE commences on 1 July 1997 and hence will come to an end on 30 June 2002. The State Council Order, by which the first-term CE was appointed, sets out clearly that the office of the first-term CE was to commence on 1 July 1997. In addition, Section 16A of the Oaths and Declarations Ordinance (Cap. 11) provides that “a person appointed or elected as the Chief Executive shall take the Oath of the Chief Executive before entering upon any of the duties of his office”. In this connection, Members will recall that the first-term CE took the Oath on 1 July 1997.

**Timetable for the CE Election Bill**

3. At the Policy Objective Booklet for the Constitutional Affairs Bureau issued in the context of the 2000 Policy Address, we announce that one of our initiatives under the Key Result Area, “Ensure Continual Development of the Electoral Systems”, is to formulate legislative proposals for the election of the second-term CE in 2002 in accordance with the Basic Law. Our target is to introduce the CE Election Bill into the Legislative Council in mid-2001.

**Election Committee**

4. As we have said on various occasions in the past, we would specify clearly the Election Committee responsible for electing the second term CE. In so doing, we will ensure that our proposal complies with the relevant provisions of the Basic Law.

**Way forward**

5. We are currently working on the legislative proposals for the CE Election Bill.

Constitutional Affairs Bureau  
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