

立法會
Legislative Council

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**Report of Panel on Constitutional Affairs
for submission to the Legislative Council
2003 - 2004**

Purpose

The report gives an account of the work of the Panel on Constitutional Affairs during the 2003-2004 Legislative Council (LegCo) session. It will be tabled at the Council meeting on 7 July 2004 in accordance with Rule 77(14) of the Rules of Procedure of the Council.

The Panel

2. The Panel was formed by a resolution passed by the Council on 8 July 1998 and as amended on 20 December 2000 and 9 October 2002 for the purpose of monitoring and examining Government policies and issues of public concern relating to constitutional affairs. The terms of reference of the Panel are in **Appendix I**.

3. The Panel comprises 37 members, with Hon Andrew WONG Wang-fat and Hon Emily LAU Wai-hing elected as Chairman and Deputy Chairman of the Panel respectively. The membership of the Panel is in **Appendix II**.

Major work

Review on constitutional development after 2007

4. The review on constitutional development of the Hong Kong Special Administrative Region (HKSAR) after 2007, which was discussed at 12 meetings of the Panel, was the most important and controversial subject considered by the Panel in the current session.

Establishment of the Constitutional Development Task Force (the Task Force)

5. In October 2003, the Administration advised the Panel that it would make a decision before the end of 2003 on the timetable for public consultation and the review on constitutional development. Some members requested that the

Administration should make reference to the general principles set out in the United Kingdom Code of Practice on Written Consultation in promulgating a code of practice for public consultation to ensure that the consultation process was open and accountable to the public.

6. On 7 January 2004, the Chief Executive (CE) announced the establishment of the Task Force, led by the Chief Secretary for Administration and with the Secretary for Justice and the Secretary for Constitutional Affairs as members. Its tasks were to examine in depth the relevant issues of legislative process and principle in the Basic Law relating to constitutional development, to consult the relevant departments of the Central Authorities, and to gather the views of the public on the relevant issues.

Consultation with the Central Authorities and with the Hong Kong community

7. The Task Force had met with various sectors of the HKSAR and had gathered the views of the Hong Kong community on the relevant issues of legislative process and principle. The Task Force had also met with officials of the Standing Committee of the National People's Congress (NPCSC) and the Hong Kong and Macao Affairs Office of the State Council in Beijing, Shenzhen and Hong Kong to discuss issues relating to constitutional development.

8. Some members queried the need to consult the Central Authorities on the 12 issues of legislative process and principle identified by the Task Force, and criticized that the Task Force had deliberately dwelled on these issues as a tactic to stall the review on constitutional development. They expressed concern that the Task Force had invited views on how constitutional development could meet "the interests of the different sectors of the society" and "facilitate the development of the capitalist economy", based on the statement made by Director JI Peng-fei in 1990. They also expressed concern that some issues of principle, i.e. "gradual and orderly progress", and "actual situation in HKSAR" were matters for political judgement and had nothing to do with the legal interpretation of the Basic Law. Any attempts to consult the Central Authorities on these issues of principle would be tantamount to giving up Hong Kong's high degree of autonomy. Some other members also pointed out that there had been wide discussions in the community on the issues of legislative process and broad consensus was that these so-called issues were non-issues.

9. The Task Force explained that the issues of legislative process and principle should be thoroughly discussed to lay a solid foundation for future work on constitutional development. The Central Authorities had constitutional powers and responsibilities to oversee the constitutional development in the HKSAR. The basic policies of the Central Authorities regarding Hong Kong were elaborated in the Sino-British Joint Declaration. The Basic Law, prescribing the systems to be practised in the HKSAR, was enacted to ensure the implementation of the basic policies. The political structure of the HKSAR constituted an important element of the Basic Law and could not be unilaterally amended by Hong Kong. Nor could any constitutional development that affected the political system of Hong Kong take place without the consent of the Central Authorities, such as amending the methods for selecting CE and for forming LegCo (the "electoral methods").

Task Force's First Report and NPCSC Interpretation on 6 April 2004

10. On 26 March 2004, the HKSAR Government was notified formally by the Central Authorities that interpretation of Article 7 of Annex I and Article III of Annex II to the Basic Law would be considered at the meeting of NPCSC between 2 April and 6 April 2004. Following the publication of the First Report of the Task Force on Issues of Legislative Process in the Basic Law Relating to Constitutional Development on 30 March 2004, NPCSC promulgated its interpretation on 6 April 2004 (the NPCSC Interpretation). According to the Interpretation, CE should make a report to NPCSC as to whether there was a need to amend the "electoral methods", and NPCSC shall make a determination in accordance with Articles 45 and 68 of the Basic Law.

11. Some members agreed with the Task Force that it was legal and constitutional for NPCSC to exercise its power under the Constitution and the Basic Law to give an interpretation on the relevant provisions of the Basic Law. The NPCSC Interpretation would help put an end to the disputes in the Hong Kong community on the relevant provisions of the Basic Law, eliminate the possibility of unnecessary challenge in court, and provide a clear set of legislative procedures in furthering the constitutional development of Hong Kong.

12. Some members questioned the need and appropriateness for NPCSC to interpret the Basic Law since the community had broad consensus on the legislative issues. They expressed concern about the adverse impact of another interpretation of the Basic Law on the community. A few of these members pointed out that under Article 158 of the Basic Law, NPCSC had authorized the courts of the HKSAR to interpret on their own, in adjudicating cases, the provisions of the Basic Law which were within the limits of the autonomy of the HKSAR. In addition, under the common law system practised in Hong Kong, the power to interpret laws were vested in the courts, and not the legislative organ.

13. The Panel noted the position of the Task Force that amendments to the "electoral methods" should be made at two levels. First, the "electoral methods" should be amended in accordance with the provisions set out in the relevant Annexes to the Basic Law. Thereafter, local electoral laws should be amended to prescribe the detailed arrangements. Under Article 74 of the Basic Law, bills relating to the political structure should only be introduced by the HKSAR Government. As amendments to the "electoral methods" were related to the political structure, the power to introduce these amendments at both levels, be it in the form of a bill or a motion, should rest with the HKSAR Government. Unless a political consensus had been reached by the three parties, i.e. a two-thirds majority of LegCo Members, CE and NPCSC on the amendments to the "electoral methods", the HKSAR Government would not initiate the legislative process.

14. Some members expressed utmost dissatisfaction with the stance of the Task Force. They did not agree that the prior consent of the Central Authorities was required for the HKSAR to initiate the legislative process as this was not a requirement stipulated in the Basic Law. The requirement for a three-party

consensus would mean that the Central Authorities had "veto power" on whether the amendment mechanism in Annex I and Annex II could be triggered. They pointed out that in any event, NPCSC had the final say on the amendments which would be reported to NPCSC for approval or for the record, as stipulated in Annex I and Annex II respectively.

Task Force 's Second Report and CE's report to NPCSC

15. The Second Report of the Task Force on Issues of Principle in the Basic Law Relating to Constitutional Development published on 15 April 2004 concluded that CE should submit a report to NPCSC, recommending that the "electoral methods" be amended. On the same day, CE submitted a report to NPCSC and requested NPCSC to determine whether the "electoral methods" might be amended, in accordance with the provisions of Articles 45 and 68 of the Basic Law and the principle of gradual and orderly progress, and in the light of the actual situation in the HKSAR. Both the Task Force's Second Report and CE's report set out nine factors which everyone concerned should have regard to in considering how the "electoral methods" should be determined.

16. Some members expressed support for the CE's report. Some other members did not accept the report. These members pointed out that the NPCSC Interpretation only required CE to make a report as regards whether there was a need to amend the "electoral methods". It was unnecessary for CE to propose the nine factors, which were tantamount to setting up barricades hindering the implementation of universal suffrage in Hong Kong and hampering the development of democracy. In addition, the nine factors gave very little weight to public opinions and some factors were not stipulated in the Basic Law.

17. The Task Force explained that the nine factors were underpinned by provisions in the Basic Law and the principle of "One Country, Two Systems", and were derived by the Task Force after considering the views of different sectors in Hong Kong and the Central Authorities. It was the view of the Task Force that the closer a proposal was to these nine factors, the easier it would be to achieve consensus among the three parties.

18. A member moved a motion to call upon CE to consult the people of Hong Kong and submit a supplementary report to fully reflect the aspirations of the people of Hong Kong for the elections of CE and LegCo Members by universal suffrage in 2007 and 2008 respectively. The motion was negatived by the Panel.

NPCSC Decision on 26 April 2004

19. At its meeting on 25 and 26 April 2004, NPCSC deliberated on the report submitted by CE. The decision promulgated by NPCSC on 26 April 2004 (the NPCSC Decision) was summarized as follows -

- (a) the election of the third term CE in 2007 and LegCo in the fourth term in 2008 should not be by means of universal suffrage;

- (b) the 50/50 ratio for Members returned by functional constituencies (FCs) and Members returned by geographical constituencies (GCs) through direct elections should remain unchanged for the fourth term LegCo;
- (c) the procedures of voting on bills and motions in LegCo were to remain unchanged; and
- (d) subject to the above not being contravened, the "electoral methods" could be appropriately amended, consistent with Articles 45 and 68 of the Basic Law, and provisions of Annex I and Annex II to the Basic Law.

20. Some members supported the NPCSC Decision. They considered that the Decision had set out the parameters for further discussions on options to amend the "electoral methods" and would allow the democratic system of Hong Kong to progress in a gradual and orderly manner. As the Decision only dealt with the "electoral methods" in 2007 and 2008, they also considered that a timetable should be established for future development of Hong Kong's political structure.

21. Some other members expressed great disappointment at the NPCSC Decision to rule out universal suffrage in 2007 and 2008, and considered that very little room was left for changing the "electoral methods". As the previous consultation conducted by the Task Force on the issues of legislative process and principle did not cover specific options for amending the "electoral methods", and universal suffrage was ruled out by NPCSC before the Hong Kong community was consulted, these members were of the view that the NPCSC Decision had completely ignored the people's aspirations for democracy. They also considered that the NPCSC Decision was a violation of the principles of "One Country, Two Systems" and "a high degree of autonomy", as well as Annex I and Annex II to the Basic Law which set out the proper procedure for amending the "electoral methods". A few members pointed out that the NPCSC Decision to maintain the 50/50 ratio between Members returned by GCs and FCs respectively in 2008 would not accord with the principle of "gradual and orderly progress" in achieving the ultimate goal of universal suffrage.

22. The Task Force explained that there was a lack of consensus in the community as to whether universal suffrage for the elections of CE in 2007 and LegCo Members in 2008 should be implemented. The NPCSC Decision had removed the uncertainties as to the scope of amendments to the "electoral methods". Specific areas which might be considered for amendment in respect of the "electoral methods" would be set out in the Third Report of the Task Force.

Task Force's Third Report

23. On 11 May 2004, the Third Report of the Task Force on Areas which may be Considered for Amendment in respect of the Methods for Selecting the Chief Executive in 2007 and for Forming the Legislative Council in 2008 was published. The public was given until 31 August 2004 to formulate and put forward their views and specific proposals in respect of the "electoral methods".

24. In response to the request of members, the Task Force agreed to consider at a later stage whether the consultation period should be extended to allow sufficient time for the public to give views on the Third Report. On the timetable, the Panel noted that the Task Force would collate views received during the consultation period and put together a range of possible options by this fall for further consultation with the public. Thereafter, local legislation could be enacted in 2005-06 to implement the new electoral arrangements in 2007.

25. Some members considered it difficult to make specific proposals without knowing the parameters set by the Task Force. A few members also sought clarification about whether proposals on areas which were not set out in the Third Report would be considered by the Task Force, such as the voting system for GC election. The Panel was advised that the nine areas which might be considered for amendment in respect of the "electoral methods" set out in the Third Report were not exhaustive. The public was welcome to put forward views or specific proposals on other areas regarding the "electoral methods", in accordance with the relevant provisions of the Basic Law, as well as the Interpretation and Decision of NPCSC.

26. The Task Force commissioned the Central Policy Unit to hold two Seminars on Constitutional Development on 24 May and 11 June 2004 for different sectors of the community to discuss the issues raised in the Third Report in a rational and pragmatic manner. The seminars were organized in the form of group discussions, and it was for facilitators of the groups to report to the plenary session on the outcome of the discussion. The opening and reporting sessions of the seminars were open to the media. Some members who had attended the seminars queried whether the forums were cost-effective and conducive to in-depth discussion and debate on specific options. Some members also expressed concerns about the criteria for inviting the individuals to participate in the seminars, and whether the summaries of the group discussions had fully reflected the views of the participants. The Task Force advised that it would further organize a number of cross-sector focus group discussions to facilitate in-depth discussion on the issues raised in the Third Report, and the first focus group discussion would be held before the end of June 2004.

Remarks made by Mainland officials

27. Some members expressed concern about certain remarks made by Mainland legal experts and officials relating to constitutional development of the HKSAR during their visits to Hong Kong. They were particularly concerned about the remarks made by Mr ZHU Yucheng, the Director of the Institute of Hong Kong and Macao Affairs, at a public forum on 15 May 2004 that the pro-democracy groups were contemplating to turn Hong Kong into an independent or semi-independent political entity through advocating democratic development. These members pointed out that pro-democracy groups in Hong Kong had pursued universal suffrage for the elections of CE and LegCo Members in accordance with the principles of "One Country, Two Systems" and "a high degree of autonomy", as well as the provisions of the Basic Law. They considered that Mr ZHU's remarks were far from the truth and requested the Administration to clarify the matter with the Central Authorities.

28. The Administration advised that it could not clarify with the Central Authorities the positions taken by individual Members. However, it could reflect the views of Members on the matter, if any, to the Central Authorities. The Panel decided to invite Mr ZHU to attend a meeting of the Panel to elaborate on his remarks made at the forum and to have a direct dialogue with members of the Panel. On behalf of the Panel, the Chairman sent an invitation letter to Mr ZHU on 21 May 2004, and another follow-up letter on 23 June 2004.

2004 LegCo election

Election expense limits

29. The Panel was consulted on the Administration's proposal on the election expense limits for the 2004 LegCo election. The Administration recommended that the same four-tier election expense limits used in the 2000 FC elections should continue to apply to the 2004 election.

30. As regards GC elections, the Administration proposed the following three options -

- (a) option 1 essentially followed the formula adopted for the 2000 LegCo elections, i.e. \$1.5 per head of the population in a given GC, rounded to the nearest \$500,000;
- (b) option 2 took into account the downward adjustment of 7.3% in the Composite Consumer Price Index during the period between September 2000 and October 2003; and
- (c) option 3 was the status quo option, i.e. the same election expense limits used in the 2000 LegCo elections would be used.

31. A member considered that no cap on election expenses was necessary and would not support any of the three options. Some members were of the view that in setting the limits, the Administration should have regard to the actual election expenses of candidates running in the 2000 LegCo election, and the need to allow flexibility for candidates to conduct electioneering activities. Other members considered that the limits should allow all candidates to compete on a level playing field. Having considered the views expressed by members, and that there had not been any strong demand for an adjustment of the current limits, the Administration decided that the existing election expense limits should apply to the 2004 LegCo GC election.

Proposed vote counting arrangements for FCs

32. The Administration consulted the Panel on the proposal of the Electoral Affairs Commission (EAC) to use optical mark reader (OMR) machines to count the FC votes at the central counting station. It was expected that with the use of OMR machines, apart from speeding up the process of counting of votes, the time required for sorting

all the ballot papers by individual FCs before counting could also be saved. The efficiency of the whole counting process could be enhanced.

33. Following a demonstration of the operation of OMR machines for all Members, some Members expressed concern about the reliability of OMR machines for counting FC votes. In view of Members' concern, EAC considered it undesirable to pursue further the proposal to use OMR machines to count FC votes, and proposed that the manual counting process for FCs in the 2000 LegCo election should be adopted in the 2004 LegCo election.

Proposed polling and counting arrangements for GC elections

34. Having reviewed the experience of the 2003 District Council (DC) election and in view of the operational problems associated with the transportation of ballot boxes arising from the introduction of the new ballot papers, EAC proposed that vote counting for GCs in the 2004 LegCo election should be decentralized to individual polling stations. It was estimated that over 500 counting stations would be designated for the 2004 LegCo election.

35. Some members expressed support for the proposal as it would speed up the counting process. Some other members did not support the proposal for a number of reasons. First, with the large number of counting stations, candidates with relatively less resources might find it difficult to identify and deploy a sufficient number of agents to monitor the counting process at each and every station within a GC. Second, it would be difficult to ensure a consistent standard in handling questionable ballot papers among the 500 Presiding Officers stationed at individual counting stations. Third, there were concerns about the effectiveness of the decentralized counting arrangements and the openness and transparency of the counting process in the light of the experience of the 2003 DC election. A member considered that the principle of mixing ballot papers from polling stations within a GC before counting was important in safeguarding the integrity of the electoral process and should be upheld.

36. The Administration advised the Panel that the proposed polling and counting arrangements for the 2004 LegCo election had been included in the Proposed Guidelines on Election-related Activities in respect of the Legislative Council Elections (the Proposed Guidelines) issued by EAC for public consultation in March 2004. EAC would publish the finalized guidelines in July 2004, after the conclusion of the negative vetting period of the Electoral Affairs Commission (Electoral Procedure) (Legislative Council) (Amendment) Regulation 2004.

2004 Voter Registration Campaign

37. The Panel was briefed on the main features of the 2004 Voter Registration Campaign which took place from 3 April to 16 May 2004. In response to members' suggestions to appeal to GC electors, the Administration had agreed to implement a number of measures. These included sending individual appeal letters to two million households in Hong Kong, encouraging eligible persons to register as GC electors,

and reminding registered electors who had changed their addresses to update their records with the Registration and Electoral Office.

38. The Panel noted that in the 2004 Provisional Register published on 15 June 2004, the total number of registered GC and FC electors were about 3.206 million and 199,530 respectively. The number of registered GC electors represented an increase of about 232,000 electors (or 7.8%) over the 2003 Final Register. The Final Register would be published not later than 25 July 2004.

Subsidiary legislation

39. The Administration also briefed the Panel on the following items of subsidiary legislation which were subsequently considered in detail by the Subcommittee on subsidiary legislation relating to the 2004 LegCo election -

- (a) the Particulars Relating to Candidates on Ballot Papers (Legislative Council) Regulation which provided for the procedures for printing specified particulars relating to candidates on ballot papers for use in LegCo elections. The specified particulars that might be printed on the ballot papers included registered names and emblems of prescribed bodies, registered emblems of prescribed persons, words indicating that a candidate was an independent candidate or a non-affiliated candidate, and personal photographs of candidates; and
- (b) the Electoral Affairs Commission (Financial Assistance for Legislative Council Elections) (Application and Payment Procedure) Regulation which provided for the procedures for making and submitting claims, etc in respect of a financial assistance scheme for candidates and lists of candidates standing in LegCo elections. Under the scheme, candidates or lists of candidates who got elected or who had received 5% of valid votes or more would be given financial assistance to offset part of their election expenses.

EAC Guidelines on election-related activities in respect of LegCo elections

40. In the light of the experience of the 2003 DC election, some members considered that certain requirements in the Guidelines on Election-related Activities in respect of the District Councils Elections issued by EAC in September 2003 (the DC Guidelines) were too stringent. As the Proposed Guidelines to be prepared would be modeled on the DC Guidelines, the Panel discussed the matter with the Administration at three meetings and made a number of comments on the DC Guidelines. The Panel noted that the Proposed Guidelines, issued by EAC for a 30-day public consultation from 22 March to 20 April 2004, had taken on board a number of suggestions of members.

41. A member was of the view that the Proposed Guidelines were not clear on what constituted "entertainment" under section 12 of the Elections (Corrupt and Illegal Conduct) Ordinance (ECICO), and that inviting non-professionals such as students to

perform at election activities should not be regarded as "entertainment". EAC advised that what constituted "entertainment" was not defined in ECICO. The question would need to be considered on the facts of each case in the light of its own circumstances and eventually it was a matter for the court to determine. Members agreed that a review and amendment of the relevant provisions in ECICO might be necessary.

42. A member had proposed that for LegCo elections, the amount of expenses incurred by the candidates of a joint election advertisement (EA) should be calculated in proportion to the election expense limits or the number of registered electors in their respective constituencies. EAC considered it appropriate for the candidates to share the expenses equally for the production and display of the EA. The proposal might not be fair as one candidate would in effect be subsidizing the other while they received the same amount of benefit.

43. In view of the concerns raised by some members over the power of EAC in regulating election-related activities, the Panel requested the Research and Library Services Division of the LegCo Secretariat to conduct a research to compare the functions and powers of EAC with those of similar bodies in overseas jurisdictions. The Research Report on "Operation of Electoral Regulatory Bodies in Selected Places" was presented to the Panel in June 2004. The Panel agreed to follow up the relevant issues in the next LegCo term.

Rules on voting

44. As a result of calls made by members of the public to radio phone-in programmes claiming about interference of Mainland officials and residents in the 2004 LegCo election, the Panel discussed the relevant issues at a meeting in May 2004.

45. Some members expressed concern about the adequacy of existing legislation on the use of force or duress against electors with a view to influencing their voting behaviour, and the use of camera-equipped mobile telephones for taking photographs of ballot papers inside polling stations. They also expressed concern whether the law governing offences in relation to voter intimidation could be enforced if Mainland officials/residents were involved. Other members were concerned about wide-spread "hearsay" cases targeting at Mainland officials which were neither substantiated nor reported to the law enforcement agencies for investigation. They considered such "hearsay" cases were totally unfair and would have a negative impact on the coming LegCo election.

46. The Panel noted that it was an offence for any person to induce or to bribe another person, or to use or to threaten to use force or duress against another person, to vote for a particular candidate under ECICO. ECICO applied to all conduct concerning an election, whether the conduct was engaged within Hong Kong or elsewhere. Furthermore, it was an offence for electors to use mobile telephones for electronic communication or take photographs inside polling stations under the Electoral Affairs Commission (Electoral Procedure) (Legislative Council) Regulation.

47. The Panel was advised that the Government was committed to conducting public elections in an open, honest and fair manner, and would not tolerate "money politics". Any person who was under threat or duress in relation to voting should report the case to the Independent Commission Against Corruption which had in place arrangements with overseas and Mainland law enforcement agencies in investigation of any reported cases.

48. The Panel requested the Administration and EAC to consider the following to restore public confidence in the integrity of the elections -

- (a) strengthening publicity measures to promote public awareness and understanding of the relevant legislative provisions which dealt with corrupt and illegal conduct and protection of secrecy of votes at elections; and
- (b) introducing enhanced measures to protect secrecy of votes such as prohibiting electors from carrying mobile telephones into polling stations, requiring electors to deposit their camera-equipped mobile telephones before entering the voting compartments, and removing the front curtains of voting compartments.

49. The Administration subsequently briefed the Panel on a range of education and publicity measures to be introduced to promote honest and clean elections. Further measures to be adopted for protecting the secrecy of votes for the 2004 LegCo election were discussed by the Subcommittee on subsidiary legislation relating to 2004 LegCo election in its scrutiny of the Electoral Affairs Commission (Electoral Procedure) (Legislative Council) (Amendment) Regulation 2004.

Appointed membership of District Councils (DCs)

50. Under the District Councils Ordinance (DCO), there were a total of 400 elected members, a maximum of 102 appointed members appointed by CE, and 27 ex-officio members for the second term DC.

51. The Panel held a special meeting jointly with the Panel on Home Affairs on 8 December 2003 to discuss the appointed membership of the second term DC. Some members were of the view that CE was not required to appoint a maximum of 102 members which was about one-fifth of the total number of DC members. They requested the Government to consider appointing a minimum number of DC members to respond to strong public demand for full democracy, as demonstrated by the voting results in the 2003 DC election. They considered that the Government should not go against the will of the public by altering the composition of DCs through appointments by CE. They also expressed concern that one-third of the appointed members in the first DC term were members of three political parties which reflected the intention of the Government to appoint pro-Government supporters in order to influence the operation of DCs.

52. Some other members supported appointed membership of DCs, and were of the view that capable individuals should not be excluded from consideration of appointment on the ground that they had political affiliations.

53. The Administration responded that the decision on the number of appointed members was arrived at after lengthy deliberation during the review of district organizations in 1998. The spirit of the appointment system was appointment by merit. The Government would review the appointed membership in the context of the review on the role, functions and composition of DCs to be conducted. The Administration agreed to report the views expressed by Members at the motion debate held in the Council on 3 December 2003 and the views expressed by various sectors of the community in the past few weeks on DC appointed membership to CE for his consideration.

Panel meetings

54. Between the period from October 2003 to June 2004, the Panel held a total of 14 meetings and one joint Panel meeting.

Council Business Division 2
Legislative Council Secretariat
5 July 2004

Panel on Constitutional Affairs

Terms of Reference

1. To monitor and examine Government policies and issues of public concern relating to implementation of the Joint Declaration and the Basic Law, relations between the Hong Kong Special Administrative Region Government and the Central People's Government and other Mainland authorities, electoral matters and district organizations.
2. To provide a forum for the exchange and dissemination of views on the above policy matters.
3. To receive briefings and to formulate views on any major legislative or financial proposals in the above policy areas prior to their formal introduction to the Council or Finance Committee.
4. To monitor and examine, to the extent it considers necessary, the above policy matters referred to it by a member of the Panel or by the House Committee.
5. To make reports to the Council or to the House Committee as required by the Rules of Procedure.

**Legislative Council
Panel on Constitutional Affairs**

Membership list for 2003 - 2004 session

Chairman Hon Andrew WONG Wang-fat, JP

Deputy Chairman Hon Emily LAU Wai-hing, JP

Members Hon James TIEN Pei-chun, GBS, JP
Dr Hon David CHU Yu-lin, JP
Hon Cyd HO Sau-lan
Hon Albert HO Chun-yan
Hon Martin LEE Chu-ming, SC, JP
Hon Fred LI Wah-ming, JP
Dr Hon LUI Ming-wah, JP
Hon NG Leung-sing, SBS, JP
Hon Margaret NG
Hon James TO Kun-sun
Hon CHEUNG Man-kwong
Hon HUI Cheung-ching, SBS, JP
Hon Bernard CHAN, JP
Hon SIN Chung-kai, JP
Dr Hon Philip WONG Yu-hong, GBS
Hon WONG Yung-kan, JP
Hon Jasper TSANG Yok-sing, GBS, JP
Hon Howard YOUNG, SBS, JP
Dr Hon YEUNG Sum
Hon YEUNG Yiu-chung, BBS, JP
Hon LAU Wong-fat, GBS, JP
Hon CHOY So-yuk
Hon Andrew CHENG Kar-foo
Hon SZETO Wah
Dr Hon LAW Chi-kwong, JP
Hon TAM Yiu-chung, GBS, JP
Hon Abraham SHEK Lai-him, JP
Hon Tommy CHEUNG Yu-yan, JP
Hon Michael MAK Kwok-fung
Hon LEUNG Fu-wah, MH, JP
Hon WONG Sing-chi
Hon IP Kwok-him, GBS, JP
Hon LAU Ping-cheung, SBS
Hon Audrey EU Yuet-mee, SC, JP
Hon MA Fung-kwok, SBS, JP

(Total : 37 Members)

Clerk	Mrs Percy MA
Legal Adviser	Mr Arthur CHEUNG
Date	2 July 2004