

CAB C5/1/3
LS/B/17/04-05
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By Fax (2840 1976) & By Post

11 April 2005

Secretary for Constitutional Affairs
Constitutional Affairs Bureau
(Attn. : Mr Raymond TAM, PAS(CA)5)
3/F, Main and East Wing
Central Government Offices
HONG KONG

Dear Mr TAM,

**Chief Executive Election (Amendment)
(Term of Office of the Chief Executive) Bill**

We would be grateful for the Administration's response as to whether the amendments proposed by the Bill would have the following implications on the operation of other provisions in the Chief Executive Election Ordinance (Cap. 569) and if so, how the Administration proposes to deal with such implications :-

- (a) would the meaning of "term" as used in "2 consecutive terms" in section 3(2) include part of a term such as the remainder of the term of a CE who leaves office pre-maturely as provided under the proposed section 3(1A);
- (b) would the requirement under section 6 that an election be held to fill every vacancy without exception be affected in that, where section 3(1A) is applicable, the remainder of the term may be too short for an election to fill the vacancy to be practicable;
- (c) would section 11(3)(b) be similarly affected where the remainder of the original term is too short to allow a further polling.

Yours sincerely,

(Arthur CHEUNG)
Senior Assistant Legal Adviser

c.c. CCS(2)3
LA