

**Statement by the Secretary for Constitutional Affairs
On 12 March 2005**

**Election for a new Chief Executive
Pursuant to Article 53 of the Basic Law: Electoral Arrangements**

The Central People's Government (CPG) approved today (12 March 2005) the resignation of Mr TUNG Chee-hwa from the office of the Chief Executive (CE).

2. According to the Chief Executive Election Ordinance (CEEO), where a vacancy arises in the office of the CE, polling shall be conducted to elect a new CE to fill the vacancy on the 120th day after the date on which the office becomes vacant. If that day is not a Sunday, polling should take place on the Sunday immediately following that day.

3. The office of the CE has become vacant today. The 120th day after today is 10 July. Since 10 July is a Sunday, it will be the polling date for the election of a new CE.

4. In brief, arrangements for the election of a new CE will be made in three stages in the coming 120 days:

- The first stage will be between now and mid-April. During this period, the Registration and Electoral Office (REO) will carry out work relating to the compilation and the publication of a provisional register of members of the Election Committee (EC). It will also carry out ground preparation for the next stage of work.
- The second stage will be between mid-April and May. During this period, the REO will arrange for EC subsector nominations and by-elections.

- The third stage will be between June and July. During this period, arrangements for the election of CE will be made.

First Stage: Provisional Register

5. During the first stage (i.e. between March and mid-April) the REO will scrutinize the existing register of EC members to see if the names of any members should be struck out as being deceased or having been disqualified, etc. The REO will then publish a provisional register of EC members.

6. According to the relevant legislation, the REO shall publish a provisional register of EC members within 14 days after the declaration of the vacancy of the office of CE, to provide a basis for EC by-elections.

7. According to latest available information, there are at present 33 vacancies in the EC, involving 17 subsectors. These figures are subject to further verification by the REO in the next few days.

Second Stage: EC Subsector By-elections

8. After the publication of a provisional register of EC members and the completion of the related statutory procedures, the REO will proceed to the second stage of work. Between mid-April and May, the REO will arrange for the conduct of EC subsector by-elections to fill the vacancies in the EC.

9. Having regard to the time required for a number of statutory procedures before the by-elections, it is expected that the polling date for the by-elections will be in early May. According to the Ordinance, the nomination period for subsector by-elections must not be less than seven days and the canvassing period must not be less than 12 days.

Third Stage: CE Election

10. Following the confirmation of the final register of the 800-member after the conclusion of EC subsector by-elections, the third

stage of work will start. The nomination period for the election of CE will then commence.

11. According to the Ordinance, the nomination period for the election of CE shall not be less than 14 days and the canvassing period shall not be less than 21 days. The nomination period and the canvassing period are expected to take place between June and July.

Concluding Remarks

12. The EAC and the REO will make immediate preparations for the elections, including making arrangements for the publication of a provision register of EC members, working out polling and staffing arrangements, and identifying suitable polling stations, etc. Details will be announced after they have been worked out.

13. As in the past, the EAC will work closely with other relevant departments and conduct the elections in accordance with the statutory requirements and timeframe, and ensure that the elections are held in an open, fair and honest manner.

Constitutional Affairs Bureau
12 March 2005