

立法會
Legislative Council

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Tel : 2869 9205

Date : 7 December 2005

From : Clerk to the Legislative Council

To : All Members of the Legislative Council

Council meeting of 21 December 2005

**Motions on the Amendment to the Method for the Selection of
the Chief Executive and on the Amendment to the Method for
the Formation of the Legislative Council**

I forward for Members' consideration two motions which the Secretary for Constitutional Affairs (SCA) will move at the Council meeting of 21 December 2005, concerning the Amendment to the Method for the Selection of the Chief Executive and the Amendment to the Method for the Formation of the Legislative Council respectively. The President has directed that "it be printed in the terms in which it was handed in" on the Agenda of the Council.

2. Members are invited to note that, according to Article 7 of Annex I and Article III of Annex II to the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China (the Basic Law), and the Interpretation by the Standing Committee of the National People's Congress (NPCSC) of Article 7 of Annex I and Article III of Annex II to the Basic Law on 6 April 2004, the proposed amendments to the methods for the selection of the Chief Executive and for the formation of the Legislative Council shall be introduced by the Government, and such amendments must be made with the endorsement of a two-thirds majority of all the Members of the Legislative Council.

3. In the light of the requirements of Annexes I and II to the Basic Law and the NPCSC's Interpretation, the President has directed that amendments to SCA's motions, if any, shall be moved by the Government only and the passage of the two motions shall require a two-thirds majority of all Council Members.

(Ray CHAN)
for Clerk to the Legislative Council

Encl.

Motion on the Amendment to the Method for the Selection of the Chief Executive

Pursuant to Article 7 of Annex I to the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China (that is, amendments must be made with the endorsement of a two-thirds majority of all the members of the Legislative Council and the consent of the Chief Executive, and they shall be reported to the Standing Committee of the National People's Congress for approval), the Interpretation by the Standing Committee of the National People's Congress of Article 7 of Annex I and Article III of Annex II to the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China, and the Decision of the Standing Committee of the National People's Congress on Issues relating to the Methods for Selecting the Chief Executive of the Hong Kong Special Administrative Region in the year 2007 and for Forming the Legislative Council of the Hong Kong Special Administrative Region in the year 2008, the "(Draft) Amendment to Annex I to the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China Regarding the Method for the Selection of the Chief Executive of the Hong Kong Special Administrative Region" annexed to this Motion is hereby endorsed by this Council by a two-thirds majority of all Members, for submission to the Chief Executive for consent, and thence for reporting by the Chief Executive to the Standing Committee of the National People's Congress for approval.

**(Draft) Amendment to Annex I to the Basic Law
of the Hong Kong Special Administrative Region
of the People's Republic of China Regarding the
Method for the Selection of the Chief Executive of the
Hong Kong Special Administrative Region**

1. The Election Committee to elect the third term Chief Executive in 2007 shall be composed of 1 600 members from the following sectors:

Industrial, commercial and financial sectors	300
The professions	300
Labour, social services, religious and other sectors	300
Members of the Legislative Council, members of the District Councils, representatives of the Heung Yee Kuk, Hong Kong deputies to the National People's Congress, representatives of Hong Kong members of the National Committee of the Chinese People's Political Consultative Conference	700

The term of office of the Election Committee shall be five years.

2. Candidates for the office of Chief Executive may be nominated jointly by not less than 200 members of the Election Committee. Each member may nominate only one candidate.

Motion on the Amendment to the Method for the Formation of the Legislative Council

Pursuant to Article III of Annex II to the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China (that is, amendments must be made with the endorsement of a two-thirds majority of all the members of the Legislative Council and the consent of the Chief Executive, and they shall be reported to the Standing Committee of the National People's Congress for the record), the Interpretation by the Standing Committee of the National People's Congress of Article 7 of Annex I and Article III of Annex II to the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China, and the Decision of the Standing Committee of the National People's Congress on Issues relating to the Methods for Selecting the Chief Executive of the Hong Kong Special Administrative Region in the year 2007 and for Forming the Legislative Council of the Hong Kong Special Administrative Region in the year 2008, the "(Draft) Amendment to Annex II to the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China Regarding the Method for the Formation of the Legislative Council of the Hong Kong Special Administrative Region and its Voting Procedures" annexed to this Motion is hereby endorsed by this Council by a two-thirds majority of all Members, for submission to the Chief Executive for consent, and thence for reporting by the Chief Executive to the Standing Committee of the National People's Congress for the record.

**(Draft) Amendment to Annex II to the Basic Law
of the Hong Kong Special Administrative Region
of the People's Republic of China Regarding the
Method for the Formation of the Legislative Council
of the Hong Kong Special Administrative Region
and its Voting Procedures**

The fourth term Legislative Council in the year 2008 shall be composed of 70 members, and the composition shall be as follows:

Members returned by functional constituencies	35
Members returned by geographical constituencies through direct elections	35