#### 立法會CB(2)1744/09-10(01)號文件

## 政制及內地事務局局長政府總部

香港下亞州里道

本函檔號: CMAB C1/21

來函檔號:



### SECRETARY FOR CONSTITUTIONAL AND MAINLAND AFFAIRS GOVERNMENT SECRETARIAT

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香港中區 昃臣道8號 立法會大樓 立法會主席 曾鈺成議員,GBS,JP

主席:

## 政府當局就修改行政長官產生辦法及修改立法會產生辦法作出議案預告

我現謹按照《議事規則》第 29(1) 條作出預告,本人擬在 二零一零年六月二十三日舉行的立法會會議上,分別就二零一二年 行政長官產生辦法的修改及二零一二年立法會產生辦法的修改動 議兩項議案。隨函付上兩份已簽署的預告表格及兩項議案的內容。

正如你已知悉,政府在二零一零年四月十四日發表《二零一二年行政長官及立法會產生辦法建議方案》("建議方案"),並在文件內列出兩項將提交立法會的議案(草擬本):

- (i) "特區政府向立法會提交有關修改香港特別行政區行政長官產生辦法的議案(草擬本)"及
- (ii) "特區政府向立法會提交有關修改香港特別行政區立 法會產生辦法和表決程序的議案(草擬本)"

在二零年四月十六日的會議上,內務委員會成立 2012 年行政長官及立法會產生辦法建議方案小組委員會("小組委員會")。小組委員會隨後共召開九次會議,包括分別在二零一零年五 月二十二日、二十五日及二十九日會見公眾人士。政府官員在這些 會議上解釋政府的立場,並回應議員提出關於建議的細節,包括兩 項議案(草擬本)的問題。我們也向小組委員會提交討論文件以協助 其討論。在二零一零年六月三日最後一次會議上,小組委員會同意 建議方案的研究工作已經完成,並會在二零一零年六月十一日向內 務委員會報告其討論的結果。

鑒於小組委員會已完成對兩項議案(草擬本)及相關課題的 討論,政府擬在二零一零年六月二十三日的立法會會議上動議有關 議案。現將政府動議的兩項議案隨函夾附,議案內容與小組委員會 所研究的議案(草擬本)是一致的。

政府現正草擬動議有關議案的發言初稿。當準備就緒後,便會提交立法會秘書。

政制及內地事務局局長人工工艺人发生

二零一零年六月七日

副本送:內務委員會主席劉健儀議員,GBS,JP

2012 年行政長官及立法會產生辦法建議方案小組委員會 主席譚耀宗議員,GBS,JP

立法會秘書處秘書長吳文華女士

## 立法會 Legislative Council

致 : 立法會秘書 (傳真號碼 Fax No : 2810 1691)

To : Clerk to the Legislative Council

## 政府當局作出議案預告 Notice of Motion by the Administration

謹按照《議事規則》第29(1)條作出預告,本人擬在<u>2010</u>年<u>6</u>月 23 日舉行的立法會會議上,動議附錄1所列的議案。

In accordance with Rule 29(1) of the Rules of Procedure, I hereby give notice of my intention to move the motion in Appendix 1 at the Legislative Council meeting of \_\_\_\_23 June 2010 \_\_.

簽署 Signature:	Mephen Jam
姓名 Name:	Stephen Lam
職位名稱 Post title:	Secretary for Constitutional and Mainland Affairs
日期 Date:	7 June 2010

#### 特區政府向立法會提交有關 修改香港特別行政區行政長官產生辦法的議案

根據《中華人民共和國香港特別行政區基本法》附件一第七條的規定、2004年4月6日《全國人民代表大會常務委員會關於〈中華人民共和國香港特別行政區基本法〉附件一第七條和附件二第三條的解釋》,及2007年12月29日《全國人民代表大會常務委員會關於香港特別行政區 2012年行政長官和立法會產生辦法及有關普選問題的決定》,本會現以全體議員三分之二多數通過載於附件的《中華人民共和國香港特別行政區基本法附件一香港特別行政區行政長官的產生辦法修正案(草案)》。

# 《中華人民共和國香港特別行政區基本法附件一香港特別行政區行政長官的產生辦法修正案(草案)》

一、 二〇一二年選舉第四任行政長官人選的選舉委員會共 1200人,由下列各界人士組成:

工商、金融界

300 人

專業界

300 人

勞工、社會服務、宗教等界

300 人

立法會議員、區議會議員的代表、鄉議局的代表、香港特別行政區全國人大代表、香港特別行政區全國政協委員的代表

300 人

選舉委員會每屆任期五年。

二、 不少於一百五十名的選舉委員可聯合提名行政長官候 選人。每名委員只可提出一名候選人。

#### Appendix 1

#### Motion to be Put by the HKSAR Government to the Legislative Council Concerning the Amendment to the Method for the Selection of the Chief Executive of the Hong Kong Special Administrative Region

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, 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 of 6 April 2004, 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 and for Forming the Legislative Council of the Hong Kong Special Administrative Region in the year 2012 and on Issues relating to Universal Suffrage of 29 December 2007, the "(Draft) Amendment to Annex I to the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China Concerning the Method for the Selection of the Chief Executive of the Hong Kong Special Administrative Region" appended to this Motion is hereby endorsed by this Council by a two-thirds majority of all Members.

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

1. The Election Committee to elect the fourth term Chief Executive in 2012 shall be composed of 1200 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, representatives of members of the District Councils, representatives of the Heung Yee Kuk, Hong Kong deputies to the National People's Congress, and representatives of Hong Kong members of the National Committee of the Chinese People's Political Consultative Conference			

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 150 members of the Election Committee. Each member may nominate only one candidate.

## 立法會 Legislative Council

致 : 立法會秘書

(傳真號碼 Fax No : 2810 1691)

To : Clerk to the Legislative Council

## 政府當局作出議案預告 Notice of Motion by the Administration

謹按照《議事規則》第29(1)條作出預告,本人擬在<u>2010</u>年<u>6</u>月 23 日舉行的立法會會議上,動議附錄1所列的議案。

In accordance with Rule 29(1) of the Rules of Procedure, I hereby give notice of my intention to move the motion in Appendix 1 at the Legislative Council meeting of \_\_\_\_23 June 2010\_\_\_.

簽署 Signature:	Methen dam
姓名 Name:	Stephen Lam
職位名稱 Post title:	Secretary for Constitutional and Mainland Affairs
日期 Date:	7 June 2010

#### 特區政府向立法會提交有關 修改香港特別行政區立法會產生辦法和表決程序的議案

根據《中華人民共和國香港特別行政區基本法》附件二第三條的規定、2004年4月6日《全國人民代表大會常務委員會關於〈中華人民共和國香港特別行政區基本法〉附件一第七條和附件二第三條的解釋》,及2007年12月29日《全國人民代表大會常務委員會關於香港特別行政區 2012年行政長官和立法會產生辦法及有關普選問題的決定》,本會現以全體議員三分之二多數通過載於附件的《中華人民共和國香港特別行政區基本法附件二香港特別行政區立法會的產生辦法和表決程序修正案(草案)》。

# 《中華人民共和國香港特別行政區基本法附件二香港特別行政區立法會的產生辦法和表決程序修正案(草案)》

二〇一二年第五屆立法會共70名議員,其組成如下:

功能團體選舉的議員 35人 分區直接選舉的議員 35人

#### Appendix 1

Motion to be Put by the HKSAR Government to the Legislative Council Concerning the Amendment to the Method for the Formation of the Legislative Council of the Hong Kong Special Administrative Region and its Voting Procedures

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, 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 of 6 April 2004, 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 and for Forming the Legislative Council of the Hong Kong Special Administrative Region in the year 2012 and on Issues relating to Universal Suffrage of 29 December 2007, the "(Draft) Amendment to Annex II to the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China Concerning the Method for the Formation of the Legislative Council of the Hong Kong Special Administrative Region and its Voting Procedures" appended to this Motion is hereby endorsed by this Council by a two-thirds majority of all Members.

#### **Annex**

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

1.	The fifth	term	Le	gislative	Cound	cil i	n the	year	2012	shall	be
	composed	of 7	70	members,	and	the	comp	ositio	n sha	ll be	as
	follows:										

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