

政制及內地事務局局長
政府總部

香港下亞厘畢道



SECRETARY FOR CONSTITUTIONAL AND MAINLAND AFFAIRS
GOVERNMENT SECRETARIAT
LOWER ALBERT ROAD
HONG KONG

Our Ref.: CMAB C1/21
Your Ref.:

Tel No.: 2810 2988
Fax No.: 2840 1528

7 June 2010

The Honourable Jasper Tsang, GBS, JP
The President of the Legislative Council
The Legislative Council Building
8 Jackson Road
Central
Hong Kong

Dear Mr President,

**Notices of Motions by the Administration
Concerning the Amendment to the
Method for the Selection of the Chief Executive and
Concerning the Amendment to the Method for the Formation of
the Legislative Council**

In accordance with Rule 29(1) of the Rules of Procedure, I hereby give notice of my intention to move two motions at the Legislative Council meeting on 23 June 2010 concerning, respectively, the amendment to the method for the selection of the Chief Executive in 2012 and the amendment to the method for the formation of the Legislative Council in 2012. Please find attached to this letter the two duly signed notice forms, together with the text of the two motions.

As you are aware, the Administration published the “Package of Proposals for the Methods for Selecting the Chief Executive and for Forming the Legislative Council in 2012” (“the proposed package”) on 14 April 2010. The Administration has set out in the document two draft motions to be put to the Legislative Council:

- (i) “Draft 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”; and
- (ii) “Draft 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”.

At its meeting on 16 April 2010, the House Committee set up the Subcommittee on Package of Proposals for the Methods for Selecting the Chief Executive and for Forming the Legislative Council in 2012 (“the Subcommittee”). The Subcommittee has since convened a total of nine meetings, including three sessions to receive public deputations held on 22, 25, and 29 May 2010 respectively. Government officials attended these meetings to explain the Administration’s position and to respond to questions raised by Members relating to details of the proposals, including the two draft motions. We have also provided discussion papers to the Subcommittee to facilitate its deliberations. At its final meeting on 3 June 2010, the Subcommittee agreed that it had concluded the study on the proposed package and that it would report the outcome of its deliberations to the House Committee on 11 June 2010.

As the Subcommittee has completed its deliberations of the two draft motions and related issues, the Administration intends to move the motions at the Legislative Council meeting on 23 June 2010. The Administration will move the two motions as attached herewith, which are the same as those studied by the Subcommittee.

The Administration is preparing the draft speech to be made when moving the motions. We will forward the speech to the Clerk to the Legislative Council once we are in a position to do so.

*Yours sincerely,
Stephen Lam*

(Stephen Lam)

Secretary for Constitutional and Mainland Affairs

c.c. Hon Miriam Lau, GBS, JP, Chairman of the House Committee

Hon Tam Yiu Chung, GBS, JP, Chairman of the Subcommittee on Package of Proposals for the Methods for Selecting the Chief Executive and for Forming the Legislative Council in 2012

Ms Pauline Ng, Secretary-General of the Legislative Council Secretariat

立法會
Legislative Council

致 : 立法會秘書
To : Clerk to the Legislative Council

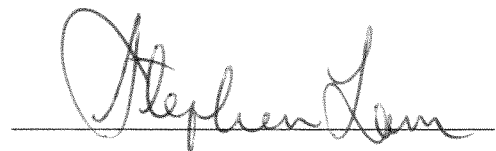
(傳真號碼 Fax No : 2810 1691)

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2010年6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:



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	300

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
To : Clerk to the Legislative Council

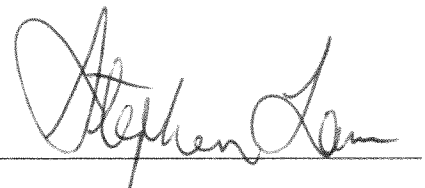
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政府當局作出議案預告
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謹按照《議事規則》第29(1)條作出預告，本人擬在2010年6月23日舉行的立法會會議上，動議附錄1所列的議案。

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:



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)》。

附件

《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.

**(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 Legislative Council in the year 2012 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