

A BILL

To

Amend the Chief Executive Election Ordinance to provide that the term of office of a Chief Executive who fills a vacancy in the office of the Chief Executive that arises otherwise than due to expiry of term of office shall last until such expiry.

Enacted by the Legislative Council.

1. Short title

This Ordinance may be cited as the Chief Executive Election (Amendment) (Term of Office of the Chief Executive) Ordinance.

2. Term of office of Chief Executive

Section 3 of the Chief Executive Election Ordinance (Cap. 569) is amended—

(a) in subsection (1)(a), by adding “subject to subsection (1A),” before “be 5 years”;

(b) by adding—

“(1A) Where—

(a) a vacancy in the office of the Chief Executive arises under section 4(b) or (c) during the term of office of a Chief Executive; and

(b) a person is appointed by the Central People’s Government as the Chief Executive to fill the vacancy before the expiry of the term of office referred to in paragraph (a),

the term of office of the Chief Executive referred to in paragraph (b) shall expire upon the expiry of the term of office referred to in paragraph (a).”.

Explanatory Memorandum

This Bill proposes to amend the Chief Executive Election Ordinance (Cap. 569) to provide that a Chief Executive who fills a vacancy that arises under section 4(*b*) or (*c*) of the Ordinance shall serve the residue of the term of his predecessor.

2. Section 4 of the Ordinance reads as follows—

“4. Vacancy in office

The office of the Chief Executive becomes vacant—

- (*a*) on the expiry of the term of office of the Chief Executive;
- (*b*) if the Chief Executive dies; or
- (*c*) if the Central People’s Government removes the Chief Executive from office in accordance with the Basic Law.”.