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[English Translation]

Ms Joanne MAK  
Clerk to Panel on Constitutional Affairs  
Legislative Council Complex  
1 Legislative Council Road  
Central, Hong Kong

10 May 2019

Dear Ms MAK,

**Panel on Constitutional Affairs**

**Re: Mechanism for submission of reports to  
the Central People's Government by  
the Hong Kong Special Administrative Region Government**

Regarding the joint letter dated 18 April 2019 from Hon Dennis KWOK, Hon Alvin YEUNG and Hon Tanya CHAN, proposing to discuss and review the mechanism for submission of reports to the Central People's Government by the Hong Kong Special Administrative Region (HKSAR) Government at the meeting of the Panel on Constitutional Affairs, our response is set out below.

2. According to Article 12 of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China (the Basic Law), the HKSAR shall be a local administrative region of the People's Republic of China, which shall enjoy a high degree of autonomy and come directly under the Central People's Government. According to Article 43 of the Basic Law, the Chief Executive of the HKSAR shall be the head of the HKSAR and shall represent the Region, and shall be

accountable to the Central People's Government and the HKSAR in accordance with the provisions of the Basic Law. Based on Article 45 and Article 48 of the Basic Law, the Central People's Government appoints the Chief Executive and principal officials. Article 48 also stipulates that the Chief Executive shall lead the HKSAR Government; be responsible for the implementation of the Basic Law and other laws which, in accordance with the Basic Law, apply in the HKSAR; implement the directives issued by the Central People's Government in respect of the relevant matters provided for in the Basic Law; and conduct, on behalf of the HKSAR Government, external affairs and other affairs as authorized by the Central Authorities, etc. In light of the above, the Central People's Government exercises overall jurisdiction over the HKSAR, and has the power of oversight over the exercise of a high degree of autonomy by the HKSAR.

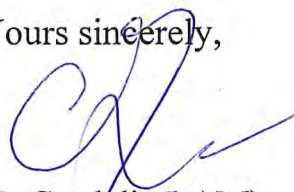
3. Therefore, submission of reports on certain matters of the HKSAR by the Chief Executive to the Central People's Government is the fulfilment of the constitutional responsibility of the Chief Executive to the Central People's Government in accordance with the law; whether the matters concerned fall within the "internal affairs" or the scope of autonomy of the HKSAR is irrelevant, nor is there any contradiction with the high degree of autonomy enjoyed by the HKSAR in accordance with the Basic Law. Similarly, the Chief Executive pays duty visits to Beijing to report to the Central People's Government on her work regularly. Usually, before the annual duty visit, the Chief Executive will submit a written report to the Central People's Government, covering the economic, social and political situation of the HKSAR and the work of the HKSAR Government comprehensively.

4. Regarding Members' concern about the prohibition of the operation of the "Hong Kong National Party" by the HKSAR Government in accordance with the law, as stated in the letter issued by the Central People's Government on 26 February 2019, in accordance with the Constitution of the People's Republic of China and the Basic Law, the HKSAR has the constitutional responsibility to safeguard national security in accordance with the law. The HKSAR is an inalienable part of the People's Republic of China and a local administrative region, which enjoys a high degree of autonomy and comes directly under the Central People's Government. It is the duty of the HKSAR Government, and the shared obligation of all Chinese people, including the compatriots in Hong Kong, to safeguard the sovereignty and unity as well as territorial integrity of the country.

5. To conclude, the submission of the report to the Central People's Government regarding the prohibition of the operation of the "Hong Kong National Party" by the HKSAR Government in accordance with the law and related circumstances by the Chief Executive at the request of the Central People's Government is in full compliance with the basic policy of "one country, two systems", the constitutional order of the HKSAR and the provisions of the Basic Law.

6. As for Members' wish to discuss and review the mechanism for submission of reports to the Central People's Government by the HKSAR Government at the meeting of the Panel on Constitutional Affairs, we wish to reiterate that the Government will not make public the communication and discussion between the HKSAR Government and Mainland authorities.

Yours sincerely,



(Ms Cordelia LAM)

for Secretary for Constitutional and Mainland Affairs

c.c. Director of the Chief Executive's Office  
(Attn: Mr Tony CHAN, Fax no.: 2868 6846)

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