

Summary of Views Expressed by Organizations/Individuals which/who met with Constitutional Development Task Force
Issues on Principles and Legislative Process Relating to the Basic Law

B. Issues on Legislative Process

Issues on Legislative Process	Views of Business and Professionals Federation of Hong Kong
<p>B1. What is the most appropriate legislative procedure for amending the methods for selecting the CE and forming the Legislative Council (LegCo) set out in Annexes I and II:</p> <p>(a) amendments to Annexes I and II and local legislation; or</p> <p>(b) local legislation only ?</p>	<ul style="list-style-type: none"> • Since any amendments to the method for electing the Chief Executive need to be reported to the NPC for approval, it would be advisable to seek the support of the Central People's Government first before enacting legislation. In other words, consensus should be reached first.
<p>B2. Do we need to follow the procedures set out in Article 159 of the Basic Law, if we amend the methods for selecting the CE or forming the LegCo as specified in Annexes I and II of the Basic Law?</p>	<ul style="list-style-type: none"> • If the Annexes are read as part of the Basic Law, then Article 159 applies.
<p>B3. How should any amendment relating to the methods for selecting the CE and for forming the LegCo be initiated ?</p>	<ul style="list-style-type: none"> • It appears that it would need to be a Government motion since it relates to political structure.
<p>B4. Whether the method for formation of the third term LegCo could be used for the fourth term LegCo, if no consensus were reached on whether to amend the method for forming the LegCo after 2007 ?</p>	<ul style="list-style-type: none"> • Yes.

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B5. Whether the phrase “subsequent to the year 2007” should be understood to include 2007 ?	<ul style="list-style-type: none">• Basic Law Draftsman and Lawyer Xiao Weiyun says explicitly in his book that it does and it is believed to be the opinion of Basic Law drafters. It is ambiguous. The ambiguity should be resolved but a clearer explanation would help.