Date:2004/02/23 Mon PM 04:19:25 CST

To:<views@cab-review.gov.hk>

Subject:B5.「二〇〇七年以後」應如何理解:是否包括二〇〇七年

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1. 否,不包括二〇〇七年.

2. 請讀下抄之學者意見:-

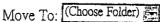
"我國民法通則規定,民法上所稱的'以上'、'以下、'以內'、'?滿,包括本數在內;………此外,有關的限定 詞還有......'以後'.........等,民法通則未作規定. 對這些用語,按上述民法規定的精神和它們在實際使用. 中國人民公安大學出版社,1990年8月第1版,1994年6月第3次印刷,第306頁.

3. The corresponding wording in the English version of the Basic Law reads: "If there is a need to amend the method for selecting the Chief Executives for the terms subsequent to the year 2007......"

The year 2007 ends at 2400Hour, 31st December, 2007. Only things that happen after this point of time can be said to be subsequent to the year 2007. The first term that comes within this provision of the Basic Law is the term that begins on 1st July, 2012. The term that begins on 1st July, 2007 begins within the year 2007, not subsequent to the year 2007.

Submitted by:

2004 - 2 - 23



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