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From:  
 Date: 2004/02/24 Tue AM 09:43:28 CST  
 To: [views@cab-review.gov.hk](mailto:views@cab-review.gov.hk)  
 Subject: Views on constitutional development




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Dear CS

As an ordinary Hong Kong Citizen, I would like to make clear the following questions before I give my views:

- a. Under "One Country, Two Systems", which System will prevail when the Two Systems are in conflict?
- b. Under "a high degree of autonomy", to what extent can Hong Kong people enjoy? Will Hong Kong people have similar status as those in Jersey under the British Empire?
- c. Under "Hong Kong People ruling Hong Kong", can Hong Kong People overrule the Interpretation on the Basic Law (BL)?

## 2. Principles

Regard to A1, Hong Kong's political structure should develop in such a way that Hong Kong could be absorbed into Mainland China as one after fifty years as stipulated in the BL

As to A2(1), since the BL was written some fifteen years ago, there may be rapid changes in Hong Kong. I perceive that "actual situation" is earmarked for the changes currently made in Hong Kong.

Refer to A2(2), "gradual and orderly progress" needs to be defined or interpreted because the understanding of the term may be different between the Central Authorities (CA) and Hong Kong People particularly those extremely knowledgeable people in Hong Kong.

As to A3(1), the term "the interests of the different sectors of society", I believe, is to take care all interests of the different sectors of society. Given the foregoing, the middle class has not been taken care of. They are indeed the ones taxation without representation.

A3(2), the development of Hong Kong's political structure should provide a peaceful, stable and prosperous environment in Hong Kong in order to facilitate the development of the capitalist economy.

## 3. Issues on Legislative Process

B1 Under Article 45, CE shall be selected by election or through consultations held locally and be appointed by CPG. I think CE shall not be selected by election. In such a case, how can CE be selected through consultations held locally? Whether the mode of through consultation is determined by the CA. Furthermore, the amendments to the Annexes must be endorsed of the two-thirds majority of all members and the consent of the CE. When the two are in conflict, will CE have the power to overrule the endorsement under BL?

B2 I consider this Article is very important and we should follow the procedures unless amended by National People's Congress.

B3 Initiation of amendments shall be either made by Hong Kong People through suitable channel and by CA.

B4 If no consensus were reached, the original method shall be temporarily remained until a consensus is reached.

B5 As I previously pointed out, there may be discrepancy in the interpretation of the term "subsequent to the year 2007". It is best to refer to the spirit of making of this Annex I.

May I take this opportunity to appeal to you that the official members, while I believe they are servants of the public, should command a little more respect from the unofficial members when the official members

are challenged by the unofficial counterparts in LegCo. The unofficial members are not necessarily to act the official ones' master!  
Indeed, I suggest the government should help those officers to sue those who make malicious accusations to them through civil cases.

Regards  
George

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