

Legislative Council Panel on Constitutional Affairs

Method for Selecting the Chief Executive in 2007 and Forming the Legislative Council in 2008: Outline Work Plan

Purpose

This paper aims at introducing the outline work plan of the Constitutional Development Task Force regarding the method for selecting the Chief Executive in 2007 and forming the Legislative Council in 2008. This work plan has been drawn up on the basis of the existing situation.

Work Progress of the Constitutional Development Task Force

2. Since its establishment, the Constitutional Development Task Force has published three reports respectively in March, April, and May this year. The First Report focuses on the issues of legislative process in the Basic Law relating to constitutional development. The Second Report focuses on the issues of principle in the Basic Law relating to constitutional development. In accordance with the relevant provisions of the Basic Law and the “Decision of the Standing Committee of the National People’s Congress on issues relating to the methods for selecting the Chief Executive of the Hong Kong Special Administrative Region in the year 2007 and for forming the Legislative Council of the Hong Kong Special Administrative Region in the year 2008”, the Third Report sets out a number of areas which may be considered for amendment in respect of the two selection methods. The public consultation exercise that followed had lasted for more than five months and ended on 15 October.

3. The Constitutional Development Task Force is now studying the views collected from the public. The Task Force will summarize these views which will form the basis of the Fourth Report to be released before the end of this year. The Report will facilitate members of the public to have further in-depth and wide discussions, with a view to finding a proposal which is feasible and appropriate for Hong Kong.

4. The Task Force hopes that by around the middle of next year a consensus will emerge from the community. The Task Force will then issue the Fifth Report and put forward the mainstream proposal for discussion by the public and the Legislative Council, and to strive to gain their support.

Amendment to Annexes I and II to the Basic Law

5. If a consensus among all the relevant parties is reached, we hope that the legislative process relating to amending the relevant provisions of Annexes I and II to the Basic Law can commence in the second half of 2005.

Amendment to the Chief Executive Election Ordinance

6. Thereafter, we hope that a Chief Executive Election (Amendment) Bill can be introduced into the Legislative Council in the first half of 2006. After the amendment bill has been endorsed by the Legislative Council, we will introduce relevant subsidiary legislation into the Legislative Council, such as the regulations to be made by the Electoral Affairs Commission in accordance with the relevant legislation.¹

Formation of Election Committee and Election of Chief Executive

7. We hope that the electoral arrangement for the Election Committee subsector elections can be put in place and the formation of the Election Committee can be implemented in the second half of 2006, in accordance with the amended legislative provisions.

8. The nomination and election process for the third term Chief Executive will commence and be completed in the first quarter of 2007.

Amendment to Legislative Council Ordinance

9. We hope that a Legislative Council (Amendment) Bill can be introduced into the Legislative Council in 2007. After the amendments have been endorsed by the Legislative Council, we will introduce relevant subsidiary legislation into the Legislative Council, such as the regulations to be made by the Electoral Affairs Commission in accordance with the relevant legislation.²

¹ We will study in detail the scope and substance of the amendments required in the relevant subsidiary legislation.

² We will study in detail the scope and substance of the amendments required in the relevant subsidiary legislation.

Legislative Council Election

10. The nomination and election process for the fourth term Legislative Council will commence in the middle of 2008 and will be completed in the third quarter of that year.

Conclusion

11. We would like to emphasize that the above outline work plan is prepared on the basis of the existing situation. We will adjust this suitably in light of changing circumstances. We believe that it would facilitate the timely implementation of the outline work plan, if all relevant parties could work together and reach a consensus at an early juncture. The scrutiny of the amendment bills and subsidiary legislation by the Legislative Council is critical to the timely implementation of the outline work plan. We will strive to complete the necessary legislative and implementation process within the timeframe.

Constitutional Affairs Bureau
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