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From:

Date: 2004/03/02 Tue PM 06:47:58 CST

To: views@cab-review.gov.hk

Subject: Views on the principles and legislative process

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Dear Sir/Madam,

Please find attached my opinions.

Thank you

Regards,
Jeanne Ma

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A1

(1) I see this Article as the base for all developments of Hong Kong no matter it is economical or political. The status of Hong Kong should always remain as what it is stated in this Article.

(2) This Article is in alignment with Article 1, it continues to confirm the status of Hong Kong to be an inalienable part of the People's Republic of China by stating that Hong Kong should be directly under the Central People's Government. Therefore, my opinion is that we shall in no circumstances try to alter what is suggested in this Article.

(3) There should be no doubt that the Chief Executive has to be appointed by the CPG no matter the kind of election he/she is produced. The CE should be accountable to both the CPG and the HKSAR.

Article 45 states clearly that the method for selecting the CE shall be specified in the light of the actual situation in the Hong Kong Special Administrative Region and in accordance with the principle of gradual and orderly progress. My opinion is that this Article has lay down the opportunity for Hong Kong people to change the election method of the CE according to their wishes.

A2

(1) Actual Situation should constitute:

- Wishes of the general public
- Maturity of the general public's understanding to the election process
- Capability of the current government in terms of financial and man power

(2) How "gradual and orderly progress" should be understood?

Gradual and orderly progress can be achieved by changing the election method step by step; meaning a small amount of changes one election after one election. For example, we can change the method of choosing the nominating committee for CE in Year 2007 to a method that is towards the wishes of the general public and then in the next election we can again change the method of choosing the nominating committee for CE that is welcomed/suggested by the general public. The same theory should apply for election of the LegCo.

A3

(1) To meet the interests of different sectors of the society, the political development of Hong Kong must go towards the direction for a true democratic system that values democracy, the will of the people and free economy.

(2) All members of the government, nominated or elected should understand and passes laws and legislations in consideration for a free economy under all circumstances.

B1: My opinion is to: (a) Amendments to Annexes I and II and local legislation

B2: No, Annex II and I already suggested that a change of the current method is inevitable; therefore changes to the election method should not be considered as an amendment to the Basic Law. Changes made to the election method will not violate what is already said in Article 43 and 45 of the Basic Law. Therefore, it is not necessary to follow the procedures set out in Article 159 to make changes to Annex II and I.

B3: Through the Legislative processes, as any other new laws would follow.

B4: The method for formation of the third term LegCo should be used for the fourth term LegCo if no consensus were reached to avoid confusion and chaos.

B5: No, it should not be understood to include 2007.