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From: "Au Chak-man"  
Date: 2004/03/03 Wed AM 09:16:46 CST  
To: <views@cab-review.gov.hk>  
Subject: Constitutional Development

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- A1. (1) Hong Kong is already part of China. This fact will not be changed by any constitutional development within the framework of the Basic Law. So this question is meaningless.  
(2) In accordance with the Basic Law, the constitutional change should be reported to the Standing Committee of the National People's Congress. This recognises that HKSAR comes directly under the CPG.  
(3) No matter how the method of choosing the CE, by the people of Hong Kong, is changed, he/she still has to be appointed by the CPG at the end.
- A2. (1) ?Actual situation? means the will of the Hong Kong people.  
(2) The method for forming the LegCo stated in Annex II to the Basic Law clearly demonstrates the meaning of ?gradual and orderly progress? ? there are some changes at each term and the goal is universal suffrage. There is also a clear time table.
- A3. (1) In order to meet ?the interests of the different sectors of society?, everyone much has an equal chance to participate in determining the constitutional development.  
(2) It is already proven fact that all the best developed capitalist countries have some sort of universal suffrage. So it is the best way to ?facilitate the development of the capitalist economy?.
- B1. There is no need to amend Annexes I and II since the method for selecting the CE and LegCo members specified there will expire on 2007. The procedure to be adopted from 2007 onwards will be fixed by local legislation in accordance with the procedure set out in Annexes I and II.
- B2. No. We are not amending the Basic Law, we are only amending the method for selecting the CE and members of LegCo in accordance with procedure set out in the Basic Law.
- B3. Such amendment should be initiated by the HKSAR after consultation with the CPG and the people of Hong Kong.
- B4. Consensus is seldom achievable in politics. The matter has to be put forward for voting in accordance with the Basic Law.
- B5. I believe so. Annex I refers to ?terms subsequent to the year 2007?, since the CE elected in 2007 will stay in office after 2007, his/her term is subsequent to the year 2007.

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