

Summary of Views of Organizations/Individuals which/who met with the Constitutional Development Task Force
Issues of Principle and Legislative Process in the Basic Law relating to Constitutional Development

A. Principles

Principles	Views of Mr James Blake
<p>A1. How could Hong Kong’s political structure develop in accordance with the following principles in the relevant Basic Law provisions which relate to the relationship between the Central Authorities and the Hong Kong Special Administrative Region (HKSAR):</p> <p>(1) Hong Kong is an inalienable part of China (Article 1 of the Basic Law) ?</p> <p>(2) HKSAR comes directly under the Central People Government (CPG) (Article 12 of the Basic Law) ?</p> <p>(3) The Chief Executive (CE) is appointed by the CPG. He is accountable to both the CPG and the HKSAR (Articles 43 and 45 of the Basic Law)?</p>	<ul style="list-style-type: none"> ● There is no doubt that under the Basic Law, Hong Kong SAR is part of the Mainland, will be part of the Mainland in the future, and therefore, we must go forward in the spirit of the law as it now stands. ● Under the Basic Law, the CE is appointed by the CPG. He is accountable to the CPG, but at the same time, he is accountable to the people of Hong Kong. To deal with this, one does not need to change the law, but to see how the relationship can be better represented in the future.

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<p>A2. On the principles of “actual situation” and “gradual and orderly progress”:</p> <p>(1) what should “actual situation” constitute?</p> <p>(2) how “gradual and orderly progress” should be understood?</p>	<ul style="list-style-type: none">• The Basic Law which covers a 50 year period, contains a mechanism for appointment of the CE and the formation of the LegCo up to and including year 2007. This experience constitutes the actual situation when viewed as a whole. The Basic Law mechanism is an example of gradual and orderly progress, and should serve as a model when considering any fine-tuning in the light of the experience gained from applying the Basic Law principles over the initial ten-year period.
<p>A3. Basing on Mr Ji Pengfei’s explanation in 1990, how could the development of Hong Kong's political structure:</p> <p>(1) meet “the interests of the different sectors of society”?</p> <p>(2)“facilitate the development of the capitalist economy”?</p>	<ul style="list-style-type: none">• In taking stock at this time, an attempt should be made to review the original work of the Basic Law drafters and again to look forward to 2047. The best interests of society and development of the economy will be best served by redefining the principles in the Basic Law so as to aim for the best possible convergence of Hong Kong with the Mainland when 2047 is upon us.