



香 港 公 民 協 會
HONGKONG CIVIC ASSOCIATION

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2 March 2004

The Hon Donald Y K Tsang, GBM, JP
Chief Secretary for Administration
Central Government Offices,
Lower Albert Road,
Hong Kong

Dear Mr. Tsang:

The five points of principle raised recently by Chief Executive Tung Chee-hwa should be a good platform regarding which political organizations and individual citizens can express their views on the pace of constitutional change by 2007 - 2008.

Firstly, Hong Kong is governed under the Basic Law, following the "One Country - Two Systems" formula as proposed by Deng Xiaoping about 20 years ago.

Secondly, the central government wishes to ensure that Hong Kong is ruled by patriots who support reunification, respect the Chinese nation, and do not seek to subvert Hong Kong's stability and prosperity.

Thirdly, as a Special Administrative Region under Chinese sovereignty, Hong Kong has been given a high degree of local autonomy as defined in the Basic Law by the central government.

Fourthly, Hong Kong's system of government is still evolving in the light of its previous colonial history under the British, and therefore the central government considers it important that Hong Kong should continue to have an executive-led government if it is to become, like London and New York, a modern, international and global city.

Fifth and lastly, there has to be balanced participation in government and due regard for the interests of all sectors of society.

In reflecting on our fiftieth anniversary this year, the Hong Kong Civic Association recognizes the vital importance of these five issues in Hong Kong's economic, social and constitutional development.

As both Chief Executive Tung Chee-hwa and you also have said publicly, the Civic Association equally believe that the great majority of people living here love the country and the Hong Kong Special Administrative Region, and therefore are patriotic.

As a global financial and services centre with a high degree of transparency, Hong Kong performs a vital role as a facilitator and expediter in China's march under WTO towards modernization and higher living standards. As such, Hong Kong is useful to China.

And many Mainland provinces and cities are now planning to utilize CEPA to build closer links with the Hong Kong Special Administrative Region to expedite the reform and restructuring of their provincial economies, strengthen their efficiency and competitiveness, and through Hong Kong to expand their international links with the global community.

In the months ahead, you will no doubt be encouraging greater dialogue among all sectors of the Hong Kong community, and liaising with the central government, on the manner and pace of constitutional change under the aegis of the Basic Law, One Country - Two Systems, and Hong Kong People Ruling Hong Kong with a high degree of autonomy, as already granted by the central government.

At the end of the day, constitutional progress in Hong Kong cannot move forward in a vacuum, without due regard for the pace of opening up and reform now taking place in the Pearl River Delta and elsewhere on the Mainland. Democratic change under the capitalistic system in Hong Kong must develop in a balanced and constructive way, without subverting the historic economic and social changes taking place under the Mainland's socialist system.

The SAR government must rely on the cooperation and support of the central government in supporting Hong Kong's economic growth and expanding employment and investment opportunities on the mainland for our residents. In this way, Hong Kong will be fulfilling its patriotic role of positively contributing to China's modernization and progress.

Our Association recognizes the importance of the aforementioned five points of principle as being important for developing a consensus for democratic development in Hong Kong. In this connection, we are exploring various ideas for political advance, (copy of our Constitutional Affairs Committee report dated March 1, 2004, is attached for reference) in order to enhance Hong Kong's role as a global city and knowledge-based society, with higher living standards, and as an active participant in China's modernization blueprint.

We would like to assure you of our steadfast support for the difficult assignment and heavy responsibility which your Constitutional Development Task Force has been given.

Yours sincerely,

(Signed)

Frederick Lynn
Chairman

(Signed)

Hilton Cheong-Leen
President

Enclosure

cc The Hon Tung Chee Hwa
Chief Executive



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CONSTITUTION AFFAIRS COMMITTEE

Minutes of 1st Meeting held on Monday, March 1, 2004 at Chinese Club

The Constitution Affairs Committee was appointed by our Association General Committee at its first 2004 meeting held on 2 February 2004.

Our terms of reference include (a) reviewing the contents of the speech by Mr. Hilton Hilton Cheong-Leen to the Rotary Club of Kowloon at Golden Mile Holiday Inn on 12 November 2003, and (b) coming up with additional ideas for public discussion.

At the outset, we wish to emphasize that constitutional changes can only take place within the framework of One Country – Two Systems, the Basic Law, and the high degree of local autonomy – i.e. “Hong Kong people ruling Hong Kong” – granted by the Central Authorities to the HKSAR government.

As the National Congress and the Central People's Government have overall responsibility on the sovereignty and general administration of the HKSAR, we believe it is in the interests of all concerned in Hong Kong that the HKSAR government should interact closely in the months ahead with the Central Authorities in realizing the aspirations of Hong Kong residents towards democratic change in Hong Kong at a progressive and steady pace.

In addition to the contents of Mr. Hilton Cheong-Leen's speech which we recommend for public discussion, we now present further options also for public comment, having to do with electing a new Chief Executive in 2007, and a new legislature in 2008.

Year 2007 – Electing a new Chief Executive

Annex I of the Basic Law should be revised as follows:

Annex I. (2): The Election Committee should be increased from 800 to 1,000 members.

Annex I. (4): The minimum number of nominators for a candidate shall be 200 and the maximum 250.

Electoral Law: As a steady step towards universal suffrage, the current electoral law should be reviewed and revised to allow for a larger number of voters within the various categories of the four sectoral levels.

Annex II – Year 2008 Legislative Council

Annex II.1(1): Increasing the number of members returned by functional constituencies and by geographic constituencies from 30 to 40 members respectively.

Hong Kong performs a vital and essential role in the modernization and economic growth of the whole of China, and for this reason we urge that for the 2008 election, parity be maintained in the equal number of seats totaling 40 each for the functional and geographic constituencies respectively in the Legislative Council.

Annex II II(3): Because of Hong Kong's growing importance as a global city, international financial center, and services hub, we believe it is in Hong Kong's overall interests to retain for the time being the split voting system in the Legislature.

Electoral Law: The realization of universal suffrage for the Legislature in the Hong Kong political environment would be progressively achieved by widening the base of voter participation of the functional constituencies for the 2008 election, wherever applicable.

With regard to the 2012 Legislature Council elections, the HKSAR government should again consult the public and the Central Authorities in good time on further changes, particularly on whether the parity ratio between geographic and functional constituencies membership should be amended in pursuit of further progress towards universal suffrage, as stated in the Basic Law.

It goes without saying that the HKSAR government will be consulting Hong Kong residents as widely and effectively as practicable on constitutional changes to be put forward to the Central Authorities in regard to the 2007 and 2008 election.

The above suggestions are submitted for public discussion through your Task Force. In due course we anticipate further consulting our Association general membership to ascertain their fuller views and conclusions.

(Signed)

Frederick Lynn
Convenor



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Hong Kong Civic Association Constitutional Affairs Committee Membership

Advisors : Mr. Cheung Wing In
Mr. Chan Sai Hoi
Mr. Parrick P.T. Wong

Convenor : Mr. Frederick Lynn

Members: Mr. Hilton Cheong-Léon (ex-officio)
Ms. Ha Thuc Van Jacqueline
Mr. Chan Ping
Mr. So Chung Ping
Mr. Ko Ka Yu
Mr. Mak Luk Chiu
Mr. Lee Lau Shek
Mr. Mak Por
Mr. Cheng Hok Yin
Mr. Yeung Chiu Ming
Mr. Ng Cheuk Yan
Mr. Ngai Ming Tak Michael
Mr. Chin Chi Yung Barry



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政制事務委員會

二零零四年三月一日第一次會議記錄 - 地點：華商會所

本會的“政制事務委員會”乃由本會常務委員會於2004年2月2日舉行之2004年度首次會議中被委任。

該委員會的工作範圍包括(1)檢討張有興先生於九龍扶輪社2003年11月12日例會演講詞之內容及(2)提出一些有關政制改革的初步建議，供大眾討論。

在提出意見之始，我們欲強調香港政制改革事宜是應在一國兩制，基本法及中央政府授予香港特別行政區高度自治的範圍內進行，即“港人治港”的原則。

由於全國人民代表大會與中央政府對香港特別行政區的主權及施政有整體性責任，我們相信在未來數月，特區政府在反映港人循序漸進的民主改革渴求時，應與中央政府進行緊密互動合作，這對香港任何人士來說都是有利的。

我們除了介紹上述張有興先生演詞內容作為大眾討論的參考資料，還同時提出有關2007年選舉一個新的行政長官及於2008年選出一個新的立法會一些建議供大眾參考討論。

2007年 - 選出一個新行政長官

建議基本法附件一作出如下修改：

附件一第(二)段：選舉委員會委員應由800人增至1000人。

附件一第(四)段：候選人提名人數目最少需200名選舉委員，最多不能超過250名。

選舉法：

為了循序漸進達到全民普選的目標，應該檢討及修改現行的選舉法，大量增加選舉委員會四大界別的選民數目。

附件二 - 2008年的立法會

附件二第一(一)：建議增加由功能團體與分區直接選舉的議員數目，各自由30人增至40人。

在整個中國的現代化與經濟增長過程當中，香港擔當一個重要及實質的角色。基於這個理由，我們建議在 2008 年立法會選舉，功能團體選舉與分區直接選舉議員人數應保持兩者同等的數目，即在立法會中各佔 40 席位。

附件二第二(三)：由於香港作為一個經濟國際一體化的城市，國際金融中心及服務行業樞紐的重要性日益增加，我們相信在目前來說保留立法會對法案、議案由功能團體與分區直選出席議員兩部份分組點票的表決程序是有利於香港的整體利益。

選舉法：立法局全民普選在香港的政治環境中將會逐步發展達到目標，其中方法就是盡可能擴大 2008 年立法局選舉功能團體的選民基礎。

至於 2012 年立法會選舉，香港特別行政區政府應準備充足時間再諮詢市民與中央政府有關任何政改的意見，而特別要諮詢的是在循序漸進邁向基本法所訂的全民普選目標，有關立法會功能團體選舉與分區直接選舉議員人數兩者同等比率應否修改。

眾所周知，香港特別行政區政府將盡可能全面及有效地諮詢香港居民有關 2007 與 2008 年選舉的政改意見，然後呈交中央政府當局。

我們現透過 閣下的“政制發展專責小組”提出上述建議，供大眾討論。在適當時間，我們將會再諮詢本會會員同人以便獲得他們更全面的意見與結論。

(已簽署)

召集人
林國華



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