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From:

Date: 2004/04/02 Fri PM 05:30:57 CST

To: &lt;views@cab-review.gov.hk&gt;

Subject: Views on the Constitutional Development of Hong Kong



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Hi CAB,

As a citizen of Hong Kong, I have the following views on Constitutional Development of Hong Kong.

1. The Chief Executive should be directly elected in 2007
2. The LegCo should be fully directly elected in 2008
3. The One Country Two System and High Degree of Autonomy of Hong Kong should be respected.
4. The Basic Law states very clear that the change of the political structure be initiated by the Legco with two thirds of votes for it, then the approval of the Chief Executive of HKSAR and then handed in to the National People's Congress of PRC (NPC). There is no need to the Standing Committee to interpret the Basic Law.
5. As in above point, the initiation of the application for change of political structure is in and should be in the Legco of HK and approved by CE of HKSAR. The NPC has the final decision as the Central Government organ. The Central Government should respect the high degree of autonomy and not intervene in the initial discussion of change of political structure.
6. In Article 158 of Basic Law, the Standing Committee of the NPC authorize the courts of the HKSAR to interpret on their own, in adjudicating cases, the provisions of this Law which are within the limits of the autonomy of the Region. Now that the court of Hong Kong have not seek the interpretation from NPC; there is no riot or any disastrous matter in Hong Kong, the NPC should state calm on the matter and not actively interfere the autonomy of Hong Kong.
7. The interpretation of NPC is subjected to the political decision and not judicial decision. It will hurt the independence of HK judicial system. Without request even from the CE on the interpretation, it also undermines the governance of the CE on local matters.
8. The political structure reform is a matter within the framework of the Basic Law which is an important document on which the trust of the Central Government and the people of Hong Kong lies. If an interpretation in effect makes a modification of the Basic Law, it will ruin the trust of both parties and erode the rule of law.
9. The consultation of the political structure development is still under way. The HKSAR government should encourage more expression and sharing of opinions, and facilitate the exchange of views of the Central Government and the different parties.

10. The Constitutional Development Task Force should list our more concrete timeline for the discussion of the political reform and stay away from superficial discussions on principles.

Regards,  
Leung Siu Cheong

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