

**Ming Pao Education Publications Limited ‘Life and Society’  
Corrigenda (09/2021)**

Module	Page no. (2019 edition)	Chapter	Section	Amendment	
				Old	New
22	8	1	Learning Activity 1	Part 1 1(1) The HKSAR is an independent country.	Part 1 1(1) The HKSAR is an <b>inalienable part of the</b> country.
	42	3	Focus of Learning	3.1.B The 4th term Chief Executive is Leung Chun Yin, and the 5th term Chief Executive is Lam Cheng Yuet Ngor.	3.1.B The 4th term Chief Executive is Leung Chun <b>Ying</b> , and the 5th term Chief Executive is Lam Cheng Yuet Ngor.
	58	3	Learning Activity 2	12 October 2014	12 October
	66	--	Word Easy	<b>A</b> ‘Arab Spring’ 「阿拉伯之春」	<b>A</b> <del>‘Arab Spring’</del> <del>「阿拉伯之春」</del>
				<b>B</b> ‘Black gold politics’ 「黑金政治」	<b>B</b> ‘Black gold politics’ 「黑金政治」 <b>block vote</b> 全票制 broadly representative 廣泛代表性 <b>brownfield sites</b> 棕地（已改變用途的新界農地）
				<b>C</b> candidates 候選人 capitalism 資本主義 capitalist system 資本主義制度	<b>C</b> <b>Candidate Eligibility Review Committee (CERC)</b> 候選人資格審查委員會 candidates 候選人 capitalism 資本主義 capitalist system 資本主義制度 <b>caverns</b> 岩洞
				<b>C</b> Cheung Tat Ming 張達明	<b>C</b> <b>Cheung Tat Ming</b> 張達明
				<b>C</b> Choy Chi Keung 蔡子強 civic awareness 公民意識 civil nomination 公民提名 Communist Party of China 中國共產黨	<b>C</b> <b>Choy Chi Keung</b> 蔡子強 civic awareness 公民意識 <del>civil nomination</del> 公民提名 <b>Communist Party of China</b> 中國共產黨 <b>consensus</b> 共識
<b>D</b> ‘Democracy’s Fourth Wave’ 「第4波民主化」 democratic political system 民主政制				<b>D</b> <del>‘Democracy’s Fourth Wave’</del> <del>「第4波民主化」</del> democratic political system 民主政制 <b>designated eligible bodies</b> 指定合資格團體	

				<p><b>D</b> disparity between the rich and the poor 貧富差距 District Council (2nd) functional constituency 區議會 (第二) 功能界別 <i>District Councils Ordinance</i> 《區議會條例》 District Court 區域法院</p>	<p><del>disparity between the rich and the poor 貧富差距</del> <del>District Council (2nd) functional constituency</del> <del>區議會 (第二) 功能界別</del> <i>District Councils Ordinance</i> 《區議會條例》 District Court 區域法院 <del>double seats single vote 雙議席單票制</del></p>
66-67	--	Word Easy	<p><b>E</b> election 選舉 election committee 選舉委員會 Election Committee Subsector 選舉委員會界別分組 electioneering team 助選團 Elections (Corrupt and Illegal Conduct) Ordinance 《選舉 (舞弊及非法行為) 條例》 Electoral Affairs Commission 選舉管理委員會 eligible voters 合資格選民 Employers' Federation of Hong Kong 香港僱主聯合會</p>	<p><b>E</b> 'East Lantau Metropolis' reclamation project 「東大嶼都會」填海計劃 election 選舉 Election Committee (EC) 選舉委員會 Election Committee sector 選舉委員會界別 Election Committee subsector 選舉委員會界別分組 electioneering team 助選團 <del>Elections (Corrupt and Illegal Conduct) Ordinance 《選舉 (舞弊及非法行為) 條例》</del> Electoral Affairs Commission 選舉管理委員會 electorates 選民基礎 eligible voters 合資格選民 <del>Employers' Federation of Hong Kong 香港僱主聯合會</del></p>	
67	--	Word Easy	<p><b>E</b> executive power 行政管理權</p> <p><b>F</b> final adjudication 終審權 first past the post 得票最多者當選 foreign affairs 外交事務 foreign powers 外國勢力</p> <p><b>G</b> 'genuine universal suffrage' 「真普選」</p> <p><b>H</b> Heung Yee Kuk 鄉議局 High Court 高等法院 Ho Chun Yan 何俊仁 Hong Kong Chinese Enterprises Association</p>	<p><b>E</b> executive-led 行政主導 executive power 行政管理權</p> <p><b>F</b> final adjudication 終審權 Financial Secretary 財政司司長 first past the post 得票最多者當選 foreign affairs 外交事務 <del>foreign powers 外國勢力</del></p> <p><b>G</b> <del>'genuine universal suffrage' 「真普選」</del></p> <p><b>H</b> Hei Ling Chau 喜靈洲 Heung Yee Kuk 鄉議局 High Court 高等法院 <del>Ho Chun Yan 何俊仁</del> <del>Hong Kong Chinese</del></p>	

			香港中國企業協會	<del>Enterprises Association</del> 香港中國企業協會
			<b>I</b> Independent Commission Against Corruption (ICAC) 廉政公署	<b>I</b> <del>Improving Electoral System (Consolidated Amendments) Ordinance 2021</del> 《2021年完善選舉制度（綜合修訂）條例》 Independent Commission Against Corruption (ICAC) 廉政公署
			<b>I</b> individual voters 個人選民 <del>International Bill of Human Rights 《國際人權公約》</del>	<b>I</b> individual voters 個人選民 <del>International Bill of Human Rights 《國際人權公約》</del>
68	--	Word Easy	<b>K</b> 'keeping expenditure within the limits of revenue' 「量入為出」	<b>K</b> <del>Kau Yi Chau 交椅洲</del> 'keeping expenditure within the limits of revenue' 「量入為出」
			<b>L</b> Lam Cheng Yuet Ngor 林鄭月娥 Lee Shau Kee 李兆基	<b>L</b> Lam Cheng Yuet Ngor 林鄭月娥 'Lantau Tomorrow Vision' 「明日大嶼願景」 <del>Lee Shau Kee 李兆基</del>
			<b>L</b> Legislative Council 立法會 Legislative Council (Amendment) Bill 2011 《2011年立法會（修訂）條例》	<b>L</b> Legislative Council (LegCo) 立法會 <del>Legislative Council (Amendment) Ordinance 2011</del> 《2011年立法會（修訂）條例》
			<b>L</b> Leung Chun Ying 梁振英 Liaison Office of the Central People's Government in the HKSAR 中央人民政府駐香港特別行政區聯絡辦公室（中聯辦） Li Tzar Kuoi 李澤鉅	<b>L</b> Leung Chun Ying 梁振英 <del>Liaison Office of the Central People's Government in the HKSAR</del> 中央人民政府駐香港特別行政區聯絡辦公室（中聯辦） <del>Li Tzar Kuoi 李澤鉅</del>
			<b>M</b> municipality directly under the Central Government 直轄市 Muslim Brotherhood 穆斯林兄弟會	<b>M</b> municipality directly under the Central Government 直轄市 <del>Muslim Brotherhood</del> 穆斯林兄弟會
			<b>N</b> Ng Ngoi Yee 吳靄儀 nominate 提名	<b>N</b> <del>Ng Ngoi Yee 吳靄儀</del> nomination 提名
			<b>O</b> one-person-one-vote	<b>O</b> <del>one-person-one-vote</del>

			<p>一人一票 one-person-two-votes 一人兩票 'ordinarily resided in Hong Kong' 「在香港通常居住」</p> <p><b>P</b> pan-democrat camp 泛民主派 'participate equally' 「均衡參與」</p> <p><b>P</b> 'populism' 「民粹主義」 'Preferential elimination' 「按選擇次序淘汰」</p>	<p><del>一人一票</del> one-person-two-votes 一人兩票 <del>ordinarily resided in Hong Kong</del> 在香港通常居住</p> <p><del>P pan-democrat camp</del> <del>泛民主派</del> <del>'participate equally'</del> <del>「均衡參與」</del> <i>Private Recreational Lease</i> 《私人遊樂場契約》</p> <p><del>P 'populism' 民粹主義</del> <del>'Preferential elimination'</del> <del>「按選擇次序淘汰」</del></p>
69	--	Word Easy	<p><b>P</b> proportional representation 比例代表制</p> <p><b>R</b> radicals 激進分子 remain unchanged for 50 years 五十年不變 'representative democracy' 「代議民主」 'representative government' 「代議制政府」 right of abode 居留權 rights defenders on the mainland 內地維權分子 rule of law 法治</p> <p><b>S</b> seats 議席 separate vote count 分組點票 'small-circle' election 「小圈子」選舉 socialism 社會主義 socialist system 社會主義制度 Song Sio Chong 宋小莊</p> <p><b>S</b> Suen Pang 孫澎</p> <p><b>T</b> Tang Ying Yen 唐英年</p> <p><b>T</b> Tsang Chun Wah 曾俊華</p> <p><b>V</b> vote by secret ballot 以不記名投票方式選舉</p>	<p><del>P proportional representation</del> 比例代表制</p> <p><del>R radicals 激進分子</del> remain unchanged for 50 years 五十年不變 'representative democracy' 「代議民主」 'representative government' 「代議制政府」 <del>returning members</del> 產生出成員 right of abode 居留權 <del>rights defenders on the mainland</del> 內地維權分子 River Trade Terminal 香港內河碼頭 <del>rule of law</del> 法治</p> <p><del>S seats 議席</del> <del>secret ballot</del> 不記名投票 <del>separate vote count</del> 分組點票 <del>'small-circle' election</del> <del>「小圈子」選舉</del> socialism 社會主義 socialist system 社會主義制度 <del>Song Sio Chong</del> 宋小莊</p> <p><del>S Suen Pang</del> 孫澎</p> <p><del>T Tang Ying Yen</del> 唐英年 Task Force on Land Supply 土地供應專責小組</p> <p><del>T Tsang Chun Wah</del> 曾俊華</p> <p><del>V vote by secret ballot</del> 以不記名投票方式選舉</p>

			voters 選民 voting rights 選舉權	voters 選民 <del>voting rights</del> 選舉權
			<b>W</b> weight of vote 選票分量 Welfarism 福利主義 Woo Kwok Hing 胡國興	<b>W</b> <del>weight of vote</del> 選票分量 Welfarism 福利主義 <del>Woo Kwok Hing</del> 胡國興
			<b>Y</b> Yee Tung Sing 爾冬陞 <b>Z</b> Zhang Xiaoming 張曉明	<del><b>Y</b> Yee Tung Sing</del> 爾冬陞 <del><b>Z</b> Zhang Xiaoming</del> 張曉明

Old:



A1 Top News

6 January 2019

## Is universal suffrage for the Chief Executive a panacea for social problems?

**[Summary reports]** To the majority of Hong Kong people, it is a fact that the Government of the Hong Kong Special Administrative Region (HKSAR) is having great difficulties for the governance and administration. But people from different political groups have diverse opinions on the reasons for this fact and the solutions to Hong Kong's problems.

Some people think that it is not hard to achieve strong governance as long as the Chief Executive is assisted by people with similar ideas, who can set out policies which fit the actual needs of Hong Kong and then recommend them to the Legislative Council and the public. For these people, it is not a must to implement universal suffrage or reform the political system, since universal suffrage does not necessarily mean greater legitimacy for the Chief Executive and a democratically elected government does not necessarily bring good governance. For example, the 'Arab Spring' broke out under 'Democracy's Fourth Wave' and Egyptians elected their government for the first time. However, within a year, the people were protesting against the government of the Muslim Brotherhood, which was then overthrown in a military coup.

Other people are of the opinion that the governance crisis in the HKSAR can only be solved by implementing the 'genuine universal suffrage' which is universal and equal. Many years after the handover, experience has shown that the legitimacy of the Chief Executive continues to decrease because the present election method only allows the nominating committee of a few members to take part in the election of the Chief Executive. As the



Lam Cheng Yuet Ngor (left), Tsang Chun Wah (middle), and Woo Kwok Hing (right), candidates for the Chief Executive election in 2017.



Leung Chun Ying (left), Tang Ying Yen (middle) and Ho Chun Yan (right), candidates for the Chief Executive election in 2012.

Chief Executive and the HKSAR Government lack legitimacy, it is difficult to reach a consensus in society, resulting in a failure to solve deep conflicts in Hong Kong society, such as social security issues involving housing, healthcare and pensions, as well as the growing problem of disparity between the rich and the poor. At the same time, the original core values of society, such as the rule of law and freedom, are being eroded. While submitting the consultation document on the methods for electing the Chief Executive, Lam Cheng Yuet Ngor, the Chief Secretary for Administration at that time, admitted that a governance crisis would arise if there was no universal suffrage in the HKSAR.

### Independent Learning

1. Based on your knowledge, what opinions do different sectors of the community have towards universal suffrage for the Chief Executive?
2. Do you support the plan for all eligible voters in Hong Kong to nominate and elect the Chief Executive?
3. Ask 5 classmates and 5 adult relatives or friends what they think is the most pressing governance problem in Hong Kong. Are there any differences in the opinions of the 2 groups?



## Task Force of Land Supply begins public consultation addressing the issue of housing shortage

**[Summary reports]** In recent years, the supply of housing in Hong Kong has fallen short of demand, and the problem of soaring property prices has become more and more serious. People are facing high property prices, expensive rents and difficulties in buying flats. In this regard, the HKSAR Government has set up the Task Force on Land Supply (Task Force) to study on options of finding lands. The Task Force was set up in September 2017, to give advices to the government on general strategy of land supply and prioritisation of land supply options.

The Task Force published a public consultation document in April 2018, it also collected public opinions through various channels, in order to make advice to the government with the greatest consensus within the community.

During the public consultation period, the government announced the Policy Address in October 2018, proposing to expand the scale of 'East Lantau Metropolis' reclamation project to 1,700 hectares. By making an artificial island on the eastern side of Lantau Island, 260,000 to 400,000 residential units would be built for a population size of 700,000 to 1.1 million. The project called 'Lantau Tomorrow Vision', in the hope of promoting Hong Kong's economic development, improving people's livelihood, and igniting the public's hope to live and work in peace and contentment.

After 5 months of public consultation, the Task Force collected over 100,000 submissions. After another 3 months of analysis, the Task Force submitted a 100-page report with annexes to the Chief Executive in December 2018, listing out the popularity and mainstream views of the 18 land supply options. Based on opinions from the public consultation, the Task Force shortlisted the 8 most

popular options, and advised the government to promote those options first.

### High priority options recommended by the Task Force

- **3 short to medium term options (3-4 years for residential development):**  
Developing brownfield sites; public-private partnership for developing agricultural lands in the New Territories; allowing other use of lands granted by the *Private Recreational Lease*, including the development of The Fanling Golf Course
- **5 medium to long term options (10-30 years for residential development):**  
Near-shore reclamation outside Victoria Harbour; development of East Lantau Metropolis; development of caverns and underground space; more new development areas in the New Territories; development of the River Trade Terminal in Tuen Mun West



The government plans to commence the first phase of a 1,000-hectare reclamation around Kau Yi Chau. The picture showed the waters mentioned by the 'Lantau Tomorrow Vision' project, with Discovery Bay at below.

In response to the recommendations of the Task Force, the government finally decided to revise its original 1,700-hectare reclamation plan in February 2019. The government stated that 'Lantau Tomorrow Vision' would remain unchanged, but it would first focusing on the 1,000-hectare artificial island project on Kau Yi Chau, which was expected to build 150,000 to 260,000 units; meanwhile the 700-hectare project on Hei Ling Chau, which was not mentioned by the Task Force, was yet to have a development schedule.

### Independent Learning

1. What is the government's purpose of making public policy? Why did the government propose to promote the 'Lantau Tomorrow Vision' project?
2. What is public consultation? Why does the government need to conduct public consultations before formulating policies?

Old:

**Source 1**

**Basic policies of the People's Republic of China regarding the HKSAR**

<p><b>Hong Kong people administering Hong Kong</b></p>	<ul style="list-style-type: none"> <li>The executive authorities and legislature of the HKSAR shall be composed of permanent residents of Hong Kong in accordance with the relevant provisions of the <i>Basic Law</i>.</li> </ul>
<p><b>A high degree of autonomy</b></p>	<ul style="list-style-type: none"> <li>The National People's Congress (NPC) authorises the HKSAR to exercise a high degree of autonomy and enjoy <b>executive power</b>, <b>legislative power</b> and <b>independent judicial power</b>, including that of <b>final adjudication</b>, in accordance with the provisions of the <i>Basic Law</i>.</li> <li>The laws previously in force in Hong Kong shall be maintained, except for any that contravene the <i>Basic Law</i>, and subject to any amendment by the legislature of the HKSAR.</li> </ul>
<p><b>Implementation of 'one country, two systems', remain unchanged for 50 years</b></p>	<ul style="list-style-type: none"> <li>The socialist system and policies shall not be practised in the HKSAR, and the previous capitalist system and way of life shall remain unchanged for 50 years.</li> </ul>

*Basic Law*

**Source 2**

**Meaning of 'one country, two systems' (I)**

**Meaning of 'one country'**

- (1) National unity and territorial integrity:
  - a. The Hong Kong Special Administrative Region (HKSAR) is an inalienable part of the People's Republic of China.
- (2) The sovereignty of the People's Republic of China over the HKSAR:
  - a. The HKSAR shall be a local administrative region of the People's Republic of China, which shall enjoy a high degree of autonomy under the Central People's Government. The HKSAR is supervised and led by the Central Authorities.
  - b. The National People's Congress (NPC) authorises the HKSAR to exercise autonomy within the Region.
  - c. The People's Republic of China exercises the following sovereignty over Hong Kong:
    - The Central People's Government shall be responsible for the foreign affairs and defence of the HKSAR, and it shall appoint the Chief Executive and the principal officials of the executive authorities of the HKSAR in accordance with the provisions of Chapter 4 of the *Basic Law*;
    - The courts of the HKSAR shall have no jurisdiction over acts of state such as defence and foreign affairs;
    - Laws enacted by the legislature of the HKSAR must be reported to the Standing Committee of the National People's Congress (NPCSC) for the record;
    - The power of interpretation of the *Basic Law* shall be vested in the NPCSC, and the power of amendment of the *Basic Law* shall be vested in the NPC.
- (3) Participation of Chinese citizens who are residents of the HKSAR in the management of state affairs:
  - a. In accordance with the assigned number of seats and the selection method specified by the NPC, Chinese citizens among the residents of the HKSAR shall locally elect deputies of the Region to the NPC to participate in the work of the highest organ of state power.

*Basic Law Bulletin: Issue 2, Basic Law*



New:

### Source 1

#### Basic policies of the People's Republic of China regarding the HKSAR

Hong Kong people administering Hong Kong	<ul style="list-style-type: none"><li>The executive authorities and legislature of the HKSAR shall be composed of permanent residents of Hong Kong in accordance with the relevant provisions of the <i>Basic Law</i>. <b>Article 3</b></li></ul>
A high degree of autonomy	<ul style="list-style-type: none"><li>The National People's Congress (NPC) authorises the HKSAR to exercise a high degree of autonomy and enjoy <b>executive power, legislative power and independent judicial power</b>, including that of <b>final adjudication</b>, in accordance with the provisions of the <i>Basic Law</i>. <b>Article 2</b></li><li>The laws previously in force in Hong Kong shall be maintained, except for any that contravene the <i>Basic Law</i>, and subject to any amendment by the legislature of the HKSAR. <b>Article 8</b></li></ul>
Implementation of 'one country, two systems', remain unchanged for 50 years	<ul style="list-style-type: none"><li>The socialist system and policies shall not be practised in the HKSAR, and the previous capitalist system and way of life shall remain unchanged for 50 years. <b>Article 5</b></li></ul>

Basic Law

### Source 2

#### Meaning of 'One Country' in 'One Country, Two Systems'

- (1) National unity and territorial integrity:
  - a. The Hong Kong Special Administrative Region (HKSAR) is an inalienable part of the People's Republic of China. **Article 1**
- (2) The sovereignty of the People's Republic of China over the HKSAR:
  - a. The HKSAR shall be a local administrative region of the People's Republic of China, which shall enjoy a high degree of autonomy under the Central People's Government. The HKSAR is supervised and led by the Central Authorities. **Article 12**
  - b. The National People's Congress (NPC) authorises the HKSAR to exercise **a high degree of autonomy**. **Article 2**
  - c. The People's Republic of China exercises the following sovereignty over Hong Kong:
    - The Central People's Government shall be responsible for the foreign affairs and defence of the HKSAR, and it shall appoint the Chief Executive and the principal officials of the executive authorities of the HKSAR in accordance with the provisions of Chapter 4 of the *Basic Law*. **Article 13,14,15**
    - The courts of the HKSAR shall have no jurisdiction over acts of state such as defence and foreign affairs; **Article 19**
    - Laws enacted by the legislature of the HKSAR must be reported to the Standing Committee of the National People's Congress (NPCSC) for the record; **Article 17**
    - The power of interpretation of the *Basic Law* shall be vested in the NPCSC, and the power of amendment of the *Basic Law* shall be vested in the NPC. **Article 158,159**
- (3) Participation of Chinese citizens who are residents of the HKSAR in the management of state affairs: **Article 21**
  - a. In accordance with the assigned number of seats and the selection method specified by the NPC, Chinese citizens among the residents of the HKSAR shall locally elect deputies of the Region to the NPC to participate in the work of the highest organ of state power.

Basic Law Bulletin: Issue 2, Basic Law

Old:

Source 3

### Meaning of 'one country, two systems' (II)

#### Meaning of 'two systems'

- (1) The basic policies of the People's Republic of China regarding the HKSAR as stated in the *Basic Law*, namely Hong Kong people administering Hong Kong, a high degree of autonomy and implementation of 'one country, two systems' shall remain unchanged for 50 years.
- (2) No department of the Central People's Government and no province, autonomous region or municipality directly under the Central Government may interfere in the affairs which the HKSAR administers on its own in accordance with the *Basic Law*.

*Basic Law Bulletin: Issue 2, Basic Law*

New:

Source 3

### Meaning of 'Two Systems' in 'One Country, Two Systems'

- (1) The basic policies of the People's Republic of China regarding the HKSAR as stated in the *Basic Law*, namely Hong Kong people administering Hong Kong, a high degree of autonomy and implementation of 'one country, two systems' shall remain unchanged for 50 years.
- (2) No department of the Central People's Government and no province, autonomous region or municipality directly under the Central Government may interfere in the affairs which the HKSAR administers on its own in accordance with the *Basic Law*. **Article 22**

*Basic Law Bulletin: Issue 2, Basic Law*

Old:

- (4) In 2013, the Court of Final Appeal rejected the appeal of a foreign domestic helper fighting for the right of abode in Hong Kong. The judgment stated that the nature of residency of foreign domestic helpers does not fulfil the definition of ‘ordinarily resided in Hong Kong’ stated in Article 24 (2) and (4) of the *Basic Law*. According to Article 158 (2) and (3) of the *Basic Law*, the courts of the HKSAR are authorised to interpret on their own, in adjudicating cases, the provisions of the *Basic Law* which are within the limits of the autonomy of the Region and other provisions of the *Basic Law*. The meaning of Article 24 (2) and (4) of the *Basic Law* is clear, and it is unnecessary to refer to the NPCSC for interpretation of the right of abode.

Summary of local news on 26 March 2013

The rights and responsibilities of judging the case of residency of foreign domestic helpers belong to \_\_\_\_\_  
 because \_\_\_\_\_  
 \_\_\_\_\_

4. Further to the above question, which of the following roles do the Central Authorities play in the governance of the HKSAR? Circle the correct answers. (You may choose more than 1 option.) [Analyse]

New:

- (4) In 2013, the Court of Final Appeal rejected the appeal of a foreign domestic helper fighting for the right of abode in Hong Kong. The judgment stated that the nature of residency of foreign domestic helpers does not fulfil the definition of ‘ordinarily resided in Hong Kong’ stated in Article 24 (2)(4) of the *Basic Law*. According to Article 158 (2)(3) of the *Basic Law*, the courts of the HKSAR are authorised to interpret on their own, in adjudicating cases, the provisions of the *Basic Law* which are within the limits of the autonomy of the Region and other provisions of the *Basic Law*. The meaning of Article 24 (2)(4) of the *Basic Law* is clear, and it is unnecessary to refer to the NPCSC for interpretation of the right of abode.

Summary of local news on 26 March 2013

The rights and responsibilities of judging the case of residency of foreign domestic helpers belong to \_\_\_\_\_  
 \_\_\_\_\_  
 because \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

4. Further to the above question, which of the following roles do the Central Authorities play in the governance of the HKSAR? Circle the correct answers. (You may choose more than 1 option.) [Analyse]

**Learn more about Basic Law**

**Article 24 (4)**  
 (4) Persons not of Chinese nationality who have entered Hong Kong with valid travel documents, have ordinarily resided in Hong Kong for a continuous period of not less than 7 years and have taken Hong Kong as their place of permanent residence before or after the establishment of the HKSAR.

**Article 158 (2, 3) (excerpt)**  
 The NPCSC shall authorise 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.  
 The courts of the HKSAR may also interpret other provisions of this Law in adjudicating cases.

Old:

HKSAR is a local administrative region of the People's Republic of China enjoying a high degree of autonomy directly under the Central People's Government. As stated in Article 2 of the *Basic Law*, all powers of the HKSAR come from the Central Authorities and are authorised by the National People's Congress (NPC). This shows the hierarchical relationship between the Central Authorities and the HKSAR, which represents the country and the local administrative region respectively. The NPC authorises the HKSAR to exercise autonomy within the Region under the supervision of the Central Authorities.

Reflecting the spirit of 'two systems', the *Basic Law* stipulates that the Central Authorities are responsible for defence and foreign affairs relating to the HKSAR, in addition to affairs that affect national sovereignty, such as appointing the Chief Executive and the principal officials of the executive authorities of the HKSAR. However, the HKSAR is responsible for handling the majority of administrative, legislative and judicial issues, as well as the setting out of economic and social policies within the Region. The Central Authorities offer assistance through national or regional policies in accordance with the development strategies of the nation or requests from the HKSAR, for example by coordinating economic integration between the HKSAR and the Pearl River Delta on the mainland.



Fig. 1.3 The Government of the People's Republic of China resumed the exercise of sovereignty over Hong Kong on 1 July 1997.



Fig. 1.4 The People's Liberation Army Hong Kong Garrison

### 1.3 Classification of powers

The powers of the Central Authorities over Hong Kong are mainly in the areas of defence, foreign affairs and amending and interpreting the *Basic Law*, as well as supervising the HKSAR in general. The HKSAR enjoys the right to handle internal affairs.

New:

HKSAR is a local administrative region of the People's Republic of China enjoying a high degree of autonomy directly under the Central People's Government, and all powers of the HKSAR come from the Central Authorities and are authorised by the National People's Congress (NPC). This shows the hierarchical relationship between the Central Authorities and the HKSAR, which represents the country and the local administrative region respectively. The NPC authorises the HKSAR to exercise autonomy within the Region under the supervision of the Central Authorities.

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Learn more about  
*Basic Law*

Article 12

The HKSAR shall be a local administrative region of the PRC, which shall enjoy a high degree of autonomy and come directly under the Central People's Government.

Article 2

The NPC authorises the HKSAR to exercise a high degree of autonomy and enjoy executive, legislative and independent judicial power, including that of final adjudication, in accordance with the provisions of this Law.

Learn more about  
*Basic Law*

Article 13 (1, 3)

The Central People's Government shall be responsible for the foreign affairs relating to the HKSAR.

The Central People's Government authorises the HKSAR to conduct relevant external affairs on its own in accordance with this Law.

Article 14 (1)

The Central People's Government shall be responsible for the defence of the HKSAR.



Fig. 1.3 The Government of the People's Republic of China resumed the exercise of sovereignty over Hong Kong on 1 July 1997.



Fig. 1.4 The People's Liberation Army Hong Kong Garrison

### 1.3 Classification of powers

The powers of the Central Authorities over Hong Kong are mainly in the areas of defence, foreign affairs and amending and interpreting the *Basic Law*, as well as supervising the HKSAR in general. The HKSAR enjoys the right to handle internal affairs.

Learn more about  
*Basic Law*

Article 16

The HKSAR shall be vested with executive power. It shall, on its own, conduct the administrative affairs of the Region in accordance with the relevant provisions of this Law.

Old:

	Powers of the Central Authorities	Powers of the HKSAR
Foreign affairs	Responsible for all foreign affairs relating to the HKSAR.	The Central People's Government authorises the HKSAR to conduct relevant external affairs on its own in accordance with the <i>Basic Law</i> .
Defence	<ul style="list-style-type: none"> <li>The People's Liberation Army Hong Kong Garrison is responsible for the defence of the HKSAR but does not interfere in the local affairs of the Region.</li> <li>Expenditure for the garrison is borne by the Central People's Government.</li> </ul>	The Hong Kong disciplinary forces are responsible for the maintenance of public order in the Region.
	The HKSAR Government may, when necessary, ask the Central People's Government for assistance from the garrison in the maintenance of public order and in disaster relief.	
Administration	Appointing the Chief Executive and the principal officials of the executive authorities of the HKSAR.	The HKSAR is vested with <b>executive power</b> , and conducts on its own the administrative affairs of the Region, such as setting out economic policies, budgets and various social policies.
Legislation	<ul style="list-style-type: none"> <li>If the Standing Committee of the National People's Congress (NPCSC) considers that any law enacted by the legislature of the HKSAR does not conform with the provisions of the <i>Basic Law</i> regarding affairs within the responsibility of the Central Authorities or regarding the relationship between the Central Authorities and the Region, the NPCSC may return the law in question (i.e. the law will be invalidated).</li> <li>In a state of war and a state of emergency, the Central People's Government may issue an order applying the relevant national laws in the HKSAR.</li> </ul>	<ul style="list-style-type: none"> <li>The HKSAR is vested with <b>legislative power</b>.</li> <li>The HKSAR can enact laws on its own to prohibit any act threatening national security.</li> </ul>
Judiciary and final judgment	Whenever questions arise in the adjudication of cases on questions of fact concerning acts of state such as defence and foreign affairs, the courts of the HKSAR shall obtain a certificate from the Chief Executive. This certificate is binding on the courts. (Before issuing the certificate, the Chief Executive must obtain a certifying document from the Central People's Government).	The HKSAR is vested with <b>independent judicial power</b> , including that of <b>final adjudication</b> .
Interpretation and amendment of the <i>Basic Law</i>	<ul style="list-style-type: none"> <li>The power of interpretation of the <i>Basic Law</i> is vested in the NPCSC.</li> <li>The power of amendment of the <i>Basic Law</i> is vested in the NPC.</li> </ul>	The courts of the HKSAR are authorised to interpret on their own, in adjudicating cases, the provisions of the <i>Basic Law</i> which are within the limits of the autonomy of the Region.
	The power to propose bills for amendments to the <i>Basic Law</i> is vested in the State Council, the NPCSC and the HKSAR.	
Others	<ul style="list-style-type: none"> <li>No department of the Central People's Government and no province, autonomous region or municipality directly under the Central Government may interfere in the affairs which the HKSAR administers on its own in accordance with the <i>Basic Law</i>.</li> <li>The number of people from other parts of China who enter the HKSAR for the purpose of settlement is determined by the competent authorities of the Central People's Government after consultation with the HKSAR Government.</li> </ul>	The way of life of Hong Kong residents shall <b>remain unchanged for 50 years</b> . The rights and freedoms of Hong Kong residents, such as freedom of speech, freedom of conscience and freedom of assembly and demonstration, are protected.

Table 1.1 The classification of powers of the Central Authorities and the HKSAR

*Basic Law*

New:

	Powers of the Central Authorities	Powers of the HKSAR
Foreign affairs Article 13	Responsible for all foreign affairs relating to the HKSAR.	The Central People's Government authorises the HKSAR to conduct relevant external affairs on its own in accordance with the <i>Basic Law</i> .
Defence Article 14	<ul style="list-style-type: none"> <li>The People's Liberation Army Hong Kong Garrison is responsible for the defence of the HKSAR but does not interfere in the local affairs of the Region.</li> <li>Expenditure for the garrison is borne by the Central People's Government.</li> </ul>	The Government of the HKSAR shall be responsible for the maintenance of public order in the Region.
	The HKSAR Government may, when necessary, ask the Central People's Government for assistance from the garrison in the maintenance of public order and in disaster relief.	
Administration	Appointing the Chief Executive and the principal officials of the executive authorities of the HKSAR. Article 15	The HKSAR is vested with executive power, and conducts on its own the administrative affairs of the Region, such as setting out economic policies, budgets and various social policies. Article 16
Legislation	<ul style="list-style-type: none"> <li>If the Standing Committee of the National People's Congress (NPCSC) considers that any law enacted by the legislature of the HKSAR does not conform with the provisions of the <i>Basic Law</i> regarding affairs within the responsibility of the Central Authorities or regarding the relationship between the Central Authorities and the Region, the NPCSC may return the law in question (i.e. the law will be invalidated). Article 17</li> <li>In a state of war and a state of emergency, the Central People's Government may issue an order applying the relevant national laws in the HKSAR. Article 18</li> </ul>	<ul style="list-style-type: none"> <li>The HKSAR is vested with legislative power. Article 17</li> <li>The HKSAR shall enact laws on its own to prohibit any act threatening national security. Article 23</li> </ul>
Judiciary and final judgment Article 19	The courts of the HKSAR shall have no jurisdiction over acts of state such as defence and foreign affairs. Whenever questions arise in the adjudication of cases on questions of fact concerning acts of state such as defence and foreign affairs, the courts of the HKSAR shall obtain a certificate from the Chief Executive. This certificate is binding on the courts. (Before issuing the certificate, the Chief Executive must obtain a certifying document from the Central People's Government).	The HKSAR is vested with independent judicial power, including that of final adjudication.
Interpretation and amendment of the <i>Basic Law</i> Article 158, 159	<ul style="list-style-type: none"> <li>The power of interpretation of the <i>Basic Law</i> is vested in the NPCSC.</li> <li>The power of amendment of the <i>Basic Law</i> is vested in the NPC.</li> </ul>	The courts of the HKSAR are authorised to interpret on their own, in adjudicating cases, the provisions of the <i>Basic Law</i> which are within the limits of the autonomy of the Region.
	The power to propose bills for amendments to the <i>Basic Law</i> is vested in the State Council, the NPCSC and the HKSAR.	

Table 1.1 The classification of powers of the Central Authorities and the HKSAR

*Basic Law*

Old:



## Summary

1. The *Basic Law* is a constitutional document for the HKSAR. It enshrines within a legal document the important concepts of 'one country, two systems', a high degree of autonomy and Hong Kong people administering Hong Kong. It also prescribes the various systems operating in the HKSAR, including the political structure, the socio-economic system and the rights and obligations of residents.
2. Reflecting the spirit of 'one country', there is a hierarchical relationship between the Central Authorities and the HKSAR, which represents the country and the local administrative region respectively. The NPC authorises the HKSAR to exercise autonomy within the Region under the supervision of the Central Authorities. Reflecting the spirit of 'two systems', the Central Authorities are responsible only for affairs that affect national sovereignty. The HKSAR is responsible for the administration, legislation and judiciary, and for the setting out of economic and social policies within the Region's autonomy. The Central Authorities offer assistance through national or regional policies in accordance with the development strategies of the nation or requests from the HKSAR.
3. The powers of the Central Authorities over the HKSAR are mainly in the areas of defence, foreign affairs and amending and interpreting the *Basic Law*, as well as supervising the HKSAR. The HKSAR enjoys the right to handle its internal affairs.

New:



## Learn more about National Security Law

According to the pamphlet of *The Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region* released by the HKSAR Government, the Central Authorities unwaveringly uphold the principle of 'One Country, Two Systems', stating that Hong Kong society must understand the relationship between 'One Country' and 'Two Systems' properly. 'One Country' is the foundation for 'Two Systems', and this foundation will be seriously shaken if territorial integrity is compromised and national security is at risk. On the contrary, the stronger the bottom line for national security is, the greater the room for development under 'One Country, Two Systems' will be.

Thus, the *National Security Law* was adopted at the 20th Session of the 13th NPC Standing Committee on 30 June 2020 and then added to the list of laws in Annex III to the *Basic Law* according to Article 18 of the *Basic Law*. The law was gazetted and took effect on the same day in the HKSAR.

### Article 1 (excerpt)

Ensuring the resolute, full and faithful implementation of the policy of 'one country, two systems' under which the people of Hong Kong administer Hong Kong with a high degree of autonomy; safeguarding national security; preventing, suppressing and imposing punishment for the offences of secession, subversion, organisation and perpetration of terrorist activities, and collusion with a foreign country or with external elements to endanger national security in relation to the HKSAR; maintaining prosperity and stability of the HKSAR; and protecting the lawful rights and interest of the residents of the HKSAR.



## Summary

1. The *Basic Law* is a constitutional document for the HKSAR. It enshrines within a legal document the important concepts of 'one country, two systems', a high degree of autonomy and Hong Kong people administering Hong Kong. It also prescribes the various systems operating in the HKSAR, including the political structure, the socio-economic system and the rights and obligations of residents.
2. Reflecting the spirit of 'one country', there is a hierarchical relationship between the Central Authorities and the HKSAR, which represents the country and the local administrative region respectively. The NPC authorises the HKSAR to exercise autonomy within the Region under the supervision of the Central Authorities. Reflecting the spirit of 'two systems', the Central Authorities are responsible only for affairs that affect national sovereignty. The HKSAR is responsible for the administration, legislation and judiciary, and for the setting out of economic and social policies within the Region's autonomy. The Central Authorities offer assistance through national or regional policies in accordance with the development strategies of the nation or requests from the HKSAR.
3. The powers of the Central Authorities over the HKSAR are mainly in the areas of defence, foreign affairs and amending and interpreting the *Basic Law*, as well as supervising the HKSAR. The HKSAR enjoys the right to handle its internal affairs.



Old:

## 2.1 Political structure of the HKSAR

According to the *Basic Law*, the HKSAR administers affairs within the limits of its autonomy, and sets out relevant policies in accordance with the situation and needs of Hong Kong. The decision-making process includes the following political structures:

### A. Chief Executive

The chief of the HKSAR is the Chief Executive, who is responsible for executing the *Basic Law*, signing bills and budgets passed by the Legislative Council, promulgating laws, deciding government policies and issuing executive orders, as well as setting out policies with the assistance of the [Executive Council](#).

### B. Executive Council

The Executive Council is responsible for advising and assisting the Chief Executive in making decisions.

### C. Executive authorities

The executive authorities of the HKSAR are mainly composed of 3 secretaries, 13 bureaus and various departments. They are responsible for setting out and implementing policies.

Timely Update



New:

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### C. Executive authorities

The executive authorities of the HKSAR are mainly composed of 3 secretaries, 13 bureaus and various departments. They are responsible for setting out and implementing policies.

**Learn more about Basic Law**

**Article 48**  
The Chief Executive of the HKSAR shall exercise the following powers and functions: (3 of 13 items are listed below)

- (2) To be responsible for the implementation of this Law and other laws which, in accordance with this Law, apply in the HKSAR;
- (3) To sign bills passed by the Legislative Council and to promulgate laws; to sign budgets passed by the Legislative Council and report the budgets and final accounts to the Central People's Government for the record;
- (4) To decide on government policies and to issue executive orders.

**Article 54**  
The Executive Council of the HKSAR shall be an organ for assisting the Chief Executive in policy-making.

Timely Update





Fig. 2.3 The Court of Final Appeal

### D. Legislative Council

The Legislative Council is the legislature of the HKSAR, and is responsible for passing laws, discussing affairs related to the public interest, examining and approving the *Budget*, and listening to the *Policy Address* delivered by the Chief Executive and conducting discussions about it, as well as endorsing the appointment and removal of judges of the Court of Final Appeal and the Chief Judge of the High Court.

### E. Judiciary

The Judiciary is responsible for the administration of justice in Hong Kong and for conducting trials for all prosecutions and civil lawsuits. It is independent of the executive and legislative authorities. The highest court of appeal in Hong Kong is the Court of Final Appeal, which is led by the Chief Justice of the Court of Final Appeal. The High Court, District Court and Magistrates' Courts are all under the Court of Final Appeal.

## 2.2 Decision-making process: input, decision, output and feedback

You may refer to p.21 for a detailed explanation of the decision-making process.

The government's decisions on public affairs can affect the long-term development of society and involve the rights and benefits of different sectors in society. The people or organisations involved are the 'stakeholders'. It is important that there is a clear decision-making process and mechanism when the government sets out public policies so as to take on board the demands of different stakeholders and fulfil 'procedural justice'.

There are standard procedures for setting out public policies: input, decision, output and feedback.



Some people are dissatisfied with the government's decision on granting free-to-air TV licenses, although the government has said that the demands of different stakeholders have been taken on board.



Fig. 2.4



Fig. 2.5

Learn more about Basic Law

Article 73

The Legislative Council of the HKSAR shall exercise the following powers and functions: (5 of 10 items are listed below)

- (1) To enact, amend or repeal laws in accordance with the provisions of this Law and legal procedures;
- (2) To examine and approve budgets introduced by the government;
- (4) To receive and debate the policy addresses of the Chief Executive;
- (6) To debate any issue concerning public interests;
- (7) To endorse the appointment and removal of the judges of the Court of Final Appeal and the Chief Judge of the High Court.

Article 80

The courts of the HKSAR at all levels shall be the judiciary of the Region, exercising the judicial power of the Region.

Article 81 (excerpt)

The Court of Final Appeal, the High Court, district courts, magistrates' courts and other special courts shall be established in the HKSAR.

Article 85

The courts of the HKSAR shall exercise judicial power independently, free from any interference. Members of the judiciary shall be immune from legal action in the performance of their judicial functions.

D. Legislative Council

The Legislative Council is the legislature of the HKSAR, and is responsible for passing laws, discussing affairs related to the public interest, examining and approving the Budget, and listening to the Policy Address delivered by the Chief Executive and conducting discussions about it, as well as endorsing the appointment and removal of judges of the Court of Final Appeal and the Chief Judge of the High Court.


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2.2 Decision-making process: input, decision, output and feedback

The government's decisions on public affairs can affect the long-term development of society and involve the rights and benefits of different sectors in society. The people or organisations involved are the 'stakeholders'. It is important that there is a clear decision-making process and mechanism when the government sets out public policies so as to take on board the demands of different stakeholders and fulfil 'procedural justice'.

There are standard procedures for setting out public policies: input, decision, output and feedback.



You may refer to p.21 for a detailed explanation of the decision-making process.

Challenge

Some people are dissatisfied with the government's decision on granting free-to-air TV licenses, although the government has said that the demands of different stakeholders have been taken on board.



Fig. 2.3



Fig. 2.4


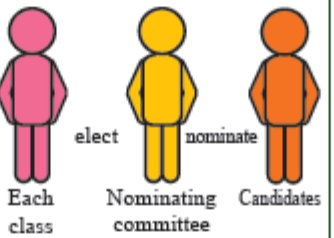
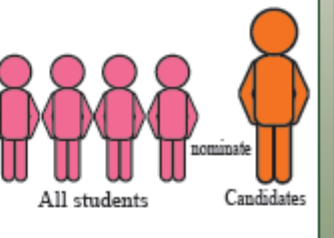
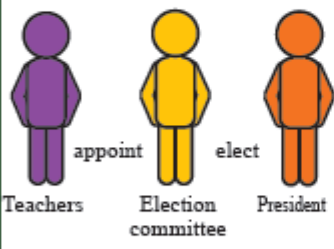
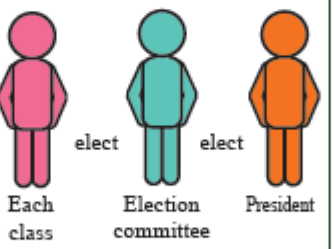
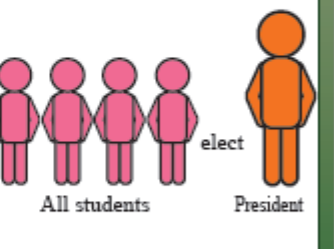
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**Learning Activity 1** How to elect the president of the Student Union?

Study the following information carefully and answer the questions.

Wisdom Secondary School has a total of 720 students in Secondary 1 to 6, with 24 classes in total and 30 students in each class. The school intends to change the election method for the president of the Student Union next year. After consulting all the teachers and students, they have come up with the following 3 plans:

	Plan 1	Plan 2	Plan 3
<b>Method of nomination</b>	The principal and teachers appoint 2 students with an A in conduct to be nominating and election committee members and form the election committee.	Each class holds an in-class election to choose 2 students to be members of the nominating committee.	All students can directly nominate candidates.
<b>Method of standing for election</b>	All S4 students can stand for election, but they have to be nominated by at least 10 members of the election committee / nominating committee. There is no upper limit for the number of candidates to be nominated. 	All S4 students can stand for election, but they have to acquire the signatures of 100 students of the school to support them. The number of candidates is not limited. 	All S4 students can stand for election, but they have to acquire the signatures of 100 students of the school to support them. The number of candidates is not limited. 
<b>Method of voting</b>	The members of the election committee elect the president by the method of one-person-one-vote. 	Each class holds an in-class election to choose another 2 students to be members of the election committee. The members of the election committee elect the president by the method of one-person-one-vote. 	All students elect the president by the method of one-person-one-vote. 

- According to the above information, compare and contrast the 3 plans from the point of view of method of nomination, method of standing for election and method of voting. Circle the similarities in the information with a red pen, and the differences with a blue pen. [Compare]

Old:

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- 2.** What are the features of the 3 plans? For Question (1) to (3), write the number representing the plan on the line provided. Then, for Question (4) to (6), circle the appropriate answer.

**[ Analyse ] [ Compare ]**

**(1) Method of nominating candidates**

Plan \_\_\_\_\_ represents the students the most.

Plan \_\_\_\_\_ represents the students.

Plan \_\_\_\_\_ does not represent the students.

**(2) Method of standing for election**

In Plan \_\_\_\_\_, it is easier to become a candidate.

In Plan \_\_\_\_\_, it is harder to become a candidate.

**(3) Method of voting**

In Plan \_\_\_\_\_, the president of the Student Union is elected by students appointed by the school.

In Plan \_\_\_\_\_, the president of the Student Union is elected by students appointed by the other students.

In Plan \_\_\_\_\_, the president of the Student Union is elected by students directly.

The features of the 3 plans are:

- (4) Plan 1:** From nominating and standing for election to voting, the (school participates / students participate) more.

Election methods: (undemocratic election / direct election / indirect election).

The (school is / students are) more influential in the result of the election.

- (5) Plan 2:** From nominating and standing for election to voting, the (school participates / students participate) more.

Election methods: (undemocratic election / direct election / indirect election).

The (school is / students are) more influential in the result of the election.

- (6) Plan 3:** From nominating and standing for election to voting, the (school participates / students participate) more.

Election methods: (undemocratic election / direct election / indirect election).

The (school is / students are) more influential in the result of the election.

- 3.** Which plan do you suggest Wisdom Secondary School adopts for the election of the president of the Student Union? Explain. **[ Evaluate ]**

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## Learning Activity 1

# How to select the Chief Executive?

Study the following information carefully and answer the questions.

### Source 1

#### The legal basis and process of improving electoral system



The electoral system of the HKSAR shall uphold the principle of 'one country, two systems', accord with the actual situation of the HKSAR, implement the principle of 'patriots administering Hong Kong', which is conducive to safeguarding sovereignty, national security, and development interests of the country, and maintaining Hong Kong's long-term prosperity and stability.



In order to improve the electoral system of the HKSAR, the 13th National People's Congress (NPC) adopted the *Decision of the NPC on Improving the Electoral System of the HKSAR* (the *Decision*) on 11 March 2021.



On 30 March, the Standing Committee of the 13th NPC was authorised to pass the amendments of Annex I *Method for the Selection of the Chief Executive of the HKSAR*, and Annex II *Method for the Formation of the Legislative Council of the HKSAR and Its Voting Procedures* to the *Basic Law*.



The HKSAR Government amended the relevant local laws according to the *Decision* and the amended Annexes I and II to the *Basic Law*, to arrange and regulate the election-related activities in accordance with law.



On 14 April, the HKSAR Government introduced the *Improving Electoral System (Consolidated Amendments) Bill 2021* into the Legislative Council, which was then passed by the Council on 27 May.



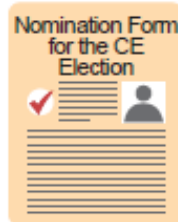
On 29 May, Chief Executive Lam Cheng Yuet Ngor signed the *Improving Electoral System (Consolidated Amendments) Ordinance 2021*. The ordinance was gazetted and took effect on 31 May.

*A Layman's Guide to the Improving Electoral System (Consolidated Amendments) Bill 2021*  
the pamphlet of *Improve Electoral System Ensure Patriots Administering Hong Kong*

Source 2

## Functions of the Election Committee

①



Nominate candidates for the office of the Chief Executive (CE)

②



Elect the Chief Executive-elect

③



Nominate all Legislative Council (LegCo) election candidates

④



Elect 40 Legislative Council members

## 3 methods for returning Election Committee (EC) members

①



### Ex-officio members

- Taken up by holders of the specified offices;
- Such as Legislative Council members, HKSAR deputies to the NPC and vice-chancellors or presidents of universities.

②



### Nomination

- Nominated by the designated eligible bodies;
- Such as all members of the Religious Subsector, certain members of the Technology and Innovation Subsector.

③



### Election

- Elected by eligible corporate or individual voters;
- Individual voters are applicable to relevant subsectors such as Heung Yee Kuk, District Fight Crime Committees and District Fire Safety Committees;
- Corporate voters are applicable to subsectors like Catering, Import and export, and Financial Services.

*A Layman's Guide to the Improving Electoral System (Consolidated Amendments) Bill 2021, the pamphlet of Improve Electoral System Ensure Patriots Administering Hong Kong*

Source 3

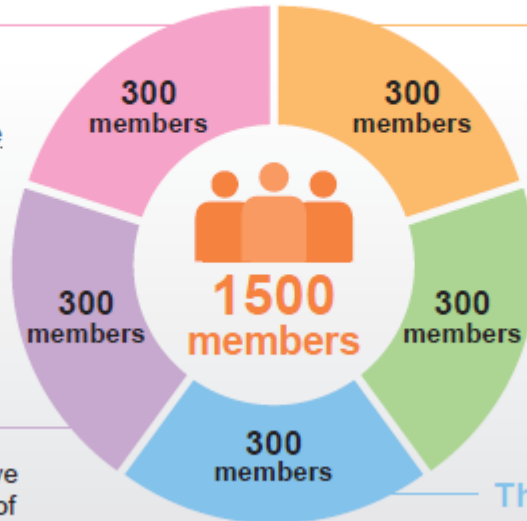
### Composition of the Election Committee

#### Fifth Sector

HKSAR deputies to the NPC, HKSAR members of the National Committee of the Chinese People's Political Consultative Conference (CPPCC), and representatives of Hong Kong members of relevant national organisations

#### Fourth Sector

Members of the Legislative Council, representatives of district organisations and other organisations



#### First Sector

Industrial, commercial and financial sectors

#### Second Sector

The professions

#### Third Sector

Grassroots, labour, religious and other sectors

The pamphlet of *Improve Electoral System Ensure Patriots Administering Hong Kong*

Source 4

Matthew Cheung Kin Chung, the then Chief Secretary for Administration, pointed out in his blog that the Election Committee (EC) is at the core of the improvements to the electoral system. On the whole, the expanded EC, with more representatives from different sectors and strata, can better represent the overall interests and fundamental interests of Hong Kong society.

In addition, to ensure a broad representation of the Chief Executive candidates, the new electoral system has added an additional requirement that the Chief Executive candidates must receive no less than 15 nominations from each of the 5 sectors of the EC, all of which are broadly representative and widely accepted by the public.

Website of the Chief Secretary for Administration's Office of the HKSAR



New:

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**1.** According to Source 1, which of the followings is NOT the legal basis for improving the electoral system? **[ Understand ]**

- A. *Decision on Improving the Electoral System of the HKSAR*
- B. Annex III to the *Basic Law – National Laws to be Applied in the HKSAR*
- C. Annex II to the *Basic Law – Method for the Formation of the Legislative Council of the HKSAR and Its Voting Procedures*
- D. Annex I to the *Basic Law – Method for the Selection of the Chief Executive of the HKSAR*

**2.** According to Source 1, what are the procedures for the improved electoral system? Sort the following procedures by time. **[ Understand ]**

- A. The NPCSC authorised to amend Annexes I and II to the *Basic Law*
- B. The passage of the NPC's *Decision*
- C. The HKSAR amended local electoral laws

\_\_\_\_\_ → \_\_\_\_\_ → \_\_\_\_\_

**3.** According to Source 2, which of the followings is NOT the function of the Election Committee? **[ Understand ]**

- A. Nominate candidates in the Chief Executive election
- B. Nominate candidates in the Legislative Council election
- C. Review the eligibility of the Chief Executive election candidates
- D. Elect the Chief Executive-elect

**4.** According to Source 2, which of the following descriptions about the returning members of Election Committee is/are correct? (You may choose more than one option.) **[ Understand ]**

**[ Analyse ]**

- A. Some of them are elected by eligible individual voters.
- B. Some of them are ex-officio members.
- C. Some of them are assigned by the Executive Council.
- D. Some of them are nominated by designated eligible bodies.

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5. With reference to the above sources, what are the advantages for the Election Committee to have representatives from various sectors? **[Analyse]** **[Evaluate]**

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## Part 2

Study the following information carefully and answer the questions.

### Source 1

#### Method for selecting the 6th term Chief Executive in 2022

##### Eligibility:

Anyone who fulfils the criteria below can be nominated in the election:

- A permanent resident of the HKSAR;
- A Chinese citizen as defined in Article 2 of *Hong Kong Special Administrative Region Passports Ordinance* (Chapter 539 of the *Laws of Hong Kong*);
- With no right of abode in any foreign country; and
- Not less than 40 years of age and has ordinarily resided in Hong Kong for a continuous period of not less than 20 years.

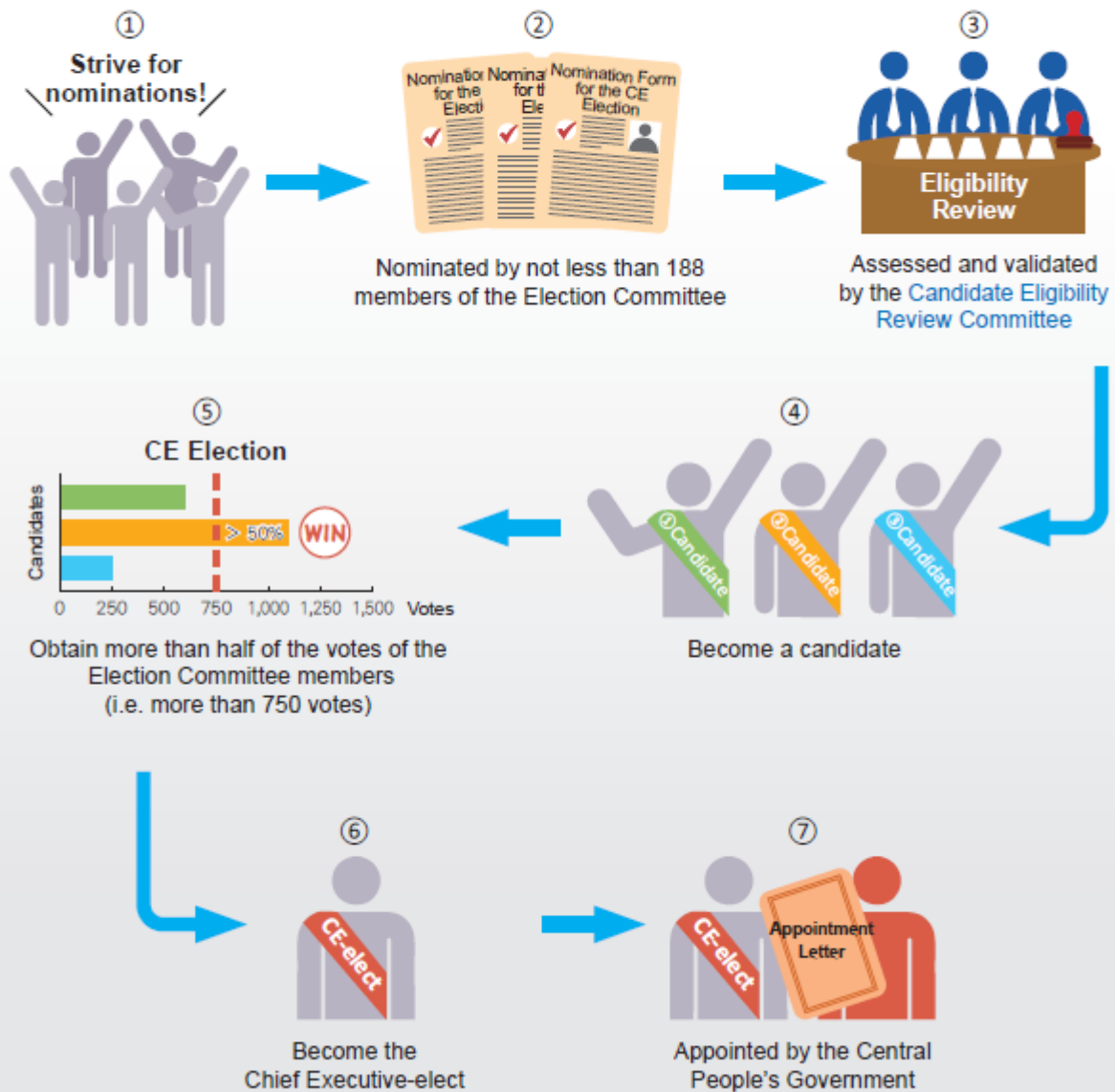
#### Learn more about Basic Law

##### Article 44

The Chief Executive of the HKSAR shall be a Chinese citizen of not less than 40 years of age who is a permanent resident of the Region with no right of abode in any foreign country and has ordinarily resided in Hong Kong for a continuous period of not less than 20 years.

Source 2

### Method for selecting the Chief Executive (CE)



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**6.** According to Source 1, what are the thresholds of being a Chief Executive election candidate? (You may choose more than one option.) **[ Understand ]**

- A. Older than 40 years of age and has been continuously living in Hong Kong for 10 years.
- B. To be validated by the Candidate Eligibility Review Committee.
- C. To obtain not less than 150 nominations from the members of the Election Committee.
- D. A Chinese citizen who has no right of abode in any foreign countries.

**7.** According to the above sources, what are the procedures to become a Chief Executive? Sort the following procedures by time. **[ Understand ]**

- A. To be appointed by the Central People's Government
- B. To be nominated
- C. To be certified as eligible for election
- D. To be validated by the Candidate Eligibility Review Committee
- E. Victory in the election

\_\_\_\_\_ → \_\_\_\_\_ → \_\_\_\_\_ → \_\_\_\_\_ → \_\_\_\_\_

**8.** What principles should be followed for the election of the Chief Executive? Explain your answers. **[ Analyse ] [ Evaluate ]**

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## Learning Activity 2

### Does each vote in the Legislative Council election carry equal weight?

Study the following information carefully and answer the questions.

#### Source 1

The formation of the 6th term Legislative Council in 2016			
Method of election	Direct elections for geographical constituencies	Elections for functional constituencies	
		Traditional functional constituencies	District Council (2nd) functional constituency
Allocation of seats	35 members are returned by 5 geographical constituencies in the HKSAR. The number of seats in each geographical constituency is allocated in proportion to the population in the district.	35 members are returned by 28 traditional functional constituencies include representatives for different economic, social and professional sectors. 30 members are returned in the elections among the sectors.	29 functional constituencies. Voters from geographical constituencies who are not registered in the 28 traditional functional constituencies elect 5 members.
		All voters must be registered to vote in the geographical constituencies.	
Qualifications to be voters	All eligible Hong Kong permanent residents can register as voters.	Voters: <ul style="list-style-type: none"> <li>Individual voters (employees in the sector);</li> <li>Corporate voters (organisations or corporations in the sector; individual voters of related industries are not qualified to vote).</li> </ul>	Voters from geographical constituencies who are not registered in the 28 traditional functional constituencies.
		Voters included in different traditional functional sectors: <ul style="list-style-type: none"> <li>10 sectors only include individual voters;</li> <li>10 sectors only include corporate voters;</li> <li>8 sectors include both individual and corporate voters.</li> </ul>	
Number of registered voters	3,779,085	239,724	3,473,792

Electoral Affairs Commission,  
Facts about the Legislative Council Election 2016

Source 2

Traditional functional constituencies	Number of registered voters	Traditional functional constituencies	Number of registered voters
<b>Individual voters</b>		<b>Individual and corporate voters</b>	
Heung Yee Kuk	147	Real estate and construction	714
Education	88,185	Commercial (2nd)	1,491
Legal	6,773	Sports, performing arts, culture and publication	2,920
Accountancy	26,008	Import and export	1,400
Medical	11,191	Textiles and garment	2,332
Health services	37,423	Wholesale and retail	6,727
Engineering	9,406	Information technology	12,115
Architectural, surveying, planning and landscape	7,371	Catering	5,543
Social welfare	13,824	/	/
District Council (1st)	431	/	/
<b>Corporate voters</b>			
Agriculture and fisheries	154	Industrial (1st)	544
Insurance	134	Industrial (2nd)	769
Transport	195	Finance	125
Labour (3 members are returned)	668	Financial services	622
Tourism	1,426	Commercial (1st)	1,086
		<b>Total: 239,724</b>	

Website of Voter Registration of the HKSAR Government, Facts about the Legislative Council Election 2016

Source 3

Functional constituencies: to preserve or abolish?



Perry Suen Pang, former Secretary of Roundtable Community and a former part-time member of the Central Policy Unit of the HKSAR

If the functional constituencies were abolished and geographical direct election was implemented entirely, no one could ensure that there would be someone in the Legislative Council who concerned about the benefits of each of the primary sectors.

Actually the co-existence of functional constituencies and geographical constituencies is to ensure that the sectors of society with fewer members can also 'participate equally' in government. If universal suffrage is implemented entirely, only the opinions of the majority, or the voice of 'populism', will be protected.

Functional constituencies don't serve the function of 'making use of one's strengths and devoting oneself to contribute to the Council'. On the contrary, the majority of members of functional constituencies only participate actively on issues involving 'sector interests', and they tend to protect the interests of their sectors. Some never appear in the Council before 3 p.m., are returned because they are the only candidates, have low attendance rates, and seldom participate in the examination of bills that do not affect the interests of their sectors directly.



Margaret Ng Ngoi Yee, former member of the Legislative Council for the legal sector



Geographical direct election is one of the ways to achieve universal suffrage, but it is not the only way. In order to comply with the principle of gradual and orderly progress, we should gradually broaden the electoral base of functional constituencies and abolish corporate votes. Hong Kong voters should be allowed to elect members of the Legislative Council through a one-person-two-votes system (one vote for a geographical constituency and the other one for a functional constituency), and the separate vote count mechanism should be cancelled.

According to the *International Bill of Human Rights*, 'universal suffrage' is defined as a 'universal and equal suffrage'. Everyone has an equal chance to stand for election and enjoys equal voting rights. In functional constituencies, the right to stand for election and the right to vote are restricted by functional status in particular sectors. This is an unfair system which goes against the fundamental spirit and definition of 'universal suffrage'.



Local media review in September 2009



Go to the following websites and read the full texts of the controversies about functional constituencies mentioned in Source 3:

1. 〈功能組別的價值基礎〉 (Chinese version only) by Suen Pang in *Ming Pao* on 9 September 2009  
<http://las.mpep.com.hk/22/news1>
2. 〈功能組別對誰有價值?〉 (Chinese version only) by Ng Ngoi Yee in *Ming Pao* on 11 September 2009  
<http://las.mpep.com.hk/22/news2>
3. 〈回應吳靄儀「功能組別對誰有價值」〉 (Chinese version only) by Suen Pang in *Ming Pao* on 21 September 2009  
<http://las.mpep.com.hk/22/news3>



1. According to Source 1, compare how the different seats in the Legislative Council are returned. **[Understand]**

	Geographical constituencies	Traditional functional constituencies	District Council (2nd) functional constituency
(1) Who are eligible voters?			
(2) How many people are registered voters?			
(3) How many seats do they make up in the Legislative Council?			

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2. With reference to Question 1, analyse whether the 3 types of seats in the Legislative Council can represent the public opinion. Consider who the eligible voters are and how many registered voters there are. **[ Analyse ]**

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3. According to Source 1, calculate the difference in the weight of vote (i.e. how many registered voters elect 1 seat on average) for the 3 types of seats in Question 1. Then circle the suitable answer in the sentence below. **[ Understand ] [ Analyse ]**

Types of seats in the Legislative Council	Geographical constituencies	Traditional functional constituencies	District Council (2nd) functional constituency
Weight of each vote			

The above data reflects the fact that the weight of vote for the 3 types of seats is (equal / unequal), so the voting rights of the registered voters for the 3 types of seats are (equal / unequal).

4. According to Source 2, calculate the difference in the weight of vote for some of the seats in the traditional functional constituencies (i.e. how many registered voters elect 1 seat on average). Then circle the suitable answer in the sentence below. **[ Understand ] [ Analyse ]**

Types of voters	Individual voters	Corporate voters	Individual and corporate voters
Traditional functional constituencies	Education	Agriculture and fisheries	Commercial (2nd)
Weight of each vote			

The above data reflects the fact that the weight of vote for the seats in the traditional functional constituencies is (equal / unequal), so the voting rights of the registered voters for traditional functional constituencies are (equal / unequal).

5. With reference to Source 3, summarise the reasons to support and oppose preserving functional constituencies. **[ Summarise ]**

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- Values **6.** With reference to the above information and summarise the answers of the above questions, do you agree with amending the present method for forming the Legislative Council? Why? [ Evaluate ]

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### Learning Activity

3

## How to select the Chief Executive?

Study the following information carefully and answer the questions.

### Source 1

#### Method for selecting the 5th term Chief Executive in 2017

##### Qualifications for candidates:

A person is eligible to be nominated as a candidate for election if:

- he is a permanent resident of the Hong Kong Special Administrative Region;
- he is a Chinese citizen as defined by Section 2 of the *Hong Kong Special Administrative Region Passports Ordinance* (Cap 539);
- he has no right of abode in any foreign country; and
- he has reached 40 years of age and has ordinarily resided in Hong Kong for a continuous period of not less than 20 years.

##### Method of nomination:

No fewer than 150 members of the Election Committee must support the nomination for a Chief Executive candidate. Each member can only nominate 1 candidate.

##### Method of election:

- Each member of the Election Committee is entitled to cast a single vote by secret ballot to elect the Chief Executive, and the winning candidate is appointed by the Central People's Government.

Electoral Affairs Commission, *Basic Law: Annex 1, Chief Executive Election Ordinance*

**Source 2**

**Election Committee for the 5th term Chief Executive election**

Duty: To elect the Chief Executive

Term of office: 5 years, commencing on 1 February in the year in which the term of office of the Chief Executive is to expire

Number of members: 1,200

Composition: Classified into 4 sectors:

① Industrial, commercial and financial sectors (300 people)	② The professions (300 people)
③ Labour, social services and other sectors (240 people)	④ Representatives of the Heung Yee Kuk, District Councils and Hong Kong members of the National Committee of the Chinese People's Political Consultative Conference (194 people)
Religious sector (60 people)	Members of the 4th Legislative Council (70 people) Hong Kong deputies to the National People's Congress (36 people)

- Type A: Elected by voters (need to register separately as voters in the Election Committee Subsector elections) of the functional constituencies of the Legislative Council or voters of related organisations
- Type B: Nominated by designated religious bodies of the sector
- Type C: Ex-officio members

Electoral Affairs Commission, *Basic Law: Annex 1, Chief Executive Election Ordinance*, Facts and Figures of Election Committee Subsector Election 2016

**Source 3**

**How Type A members of the Election Committee are returned**

<b>Qualifications for candidates</b>	A registered geographical constituency voter in Legislative Council election, and a registered voter in the relevant subsector, or with a close connection to the subsector.
<b>Qualifications for voters in subsectors</b>	<b>Individual voters:</b> Registered functional constituency voters are eligible to vote in the corresponding subsector elections, but they have to register separately as voters in the Election Committee Subsector elections. <sup>(1)</sup> <b>Corporate voters:</b> Corporate voters appoint an eligible <sup>(2)</sup> individual to be their authorised representative and vote in the elections on behalf of the voters in the corporation.
<b>Method of nomination</b>	At least 5 registered voters in the relevant Election Committee Subsector (excluding the candidate) sign to support the nomination.
<b>Voting system</b>	First past the post

Remarks: (1) The District Council (2nd) functional constituency does not have a corresponding subsector, so the registered voters in that sector cannot vote in the Election Committee Subsector elections.

(2) 'Eligible' means: (a) a registered voter in a geographical constituency; (b) someone with a close connection to the corporate voter; and other qualifications.

Electoral Affairs Commission, *Chief Executive Election Ordinance*, Facts and Figures of Election Committee Subsector Elections 2016

## Source 4

The 5th term Chief Executive election registered voters for Type A members of the Election Committee (35 subsectors in total)						
	Subsectors	No. of members	No. of registered voters	Subsectors	No. of members	No. of registered voters
Individual voters	Education	30	80,643	Heung Yee Kuk	26	147
	Legal	30	6,769	Hong Kong and Kowloon District Councils	57	208
	Accountancy	30	26,001	New Territories District Councils	60	223
	Medical	30	11,189	Chinese People's Political Consultative Conference	51	91
	Health services	30	37,387	Higher education	30	7,497
	Engineering	30	9,405	Architectural, surveying, planning and landscape	30	7,370
	Chinese medicine	30	6,143	/	/	/
Corporate voters	Agriculture and fisheries	60	154	Finance	18	122
	Insurance	18	131	Financial services	18	622
	Transport	18	195	Hotel	17	120
	Labour	60	668	Employers' Federation of Hong Kong	16	139
	Tourism	18	1,298	Commercial (1st)	18	1,045
	Industrial (2nd)	18	764	/	/	/
Individual and corporate voters	Textiles and garment	18	2,330	Catering	17	5,530
	Social welfare	60	14,130	Hong Kong Chinese Enterprises Association	16	308
	Real estate and construction	18	706	Information technology	30	12,109
	Import and export	18	1,379	Sports, performing arts, culture and publication	60	2,909
	Wholesale and retail	18	6,706	Commercial (2nd)	18	1,460
	Industrial (1st)	18	542	/	/	/
<b>Total:</b>					<b>1,034</b>	<b>246,440</b>

Remarks: Registered voters in the functional constituencies of the Legislative Council have to register separately as voters in the Election Committee Subsector elections. The District Council (2nd) functional constituency does not have a corresponding subsector.

Facts and Figures of Election Committee Subsector Elections 2016

## Source 5

Comparison of the number of registered voters in 2016		
	Elections	Number of registered voters
The 6th term Legislative Council election	Geographical constituencies	3,779,085
	Traditional functional constituencies	239,724
	District Council (2nd) functional constituency	3,473,792
The 5th term Chief Executive election	Type A members of the Election Committee in 35 subsectors	246,440

Website of Voter Registration of the HKSAR Government, Facts about the Legislative Council Election 2016

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1. According to Source 1 and 2, complete the table below. [Understand]

Method for selecting the 5th term Chief Executive	
Standing for election	
(1) What are the qualifications for candidates?	
(2) What organisation can nominate the candidates?	
(3) How is the organisation formed?	
(4) How many people are there in the organisation?	
Method of voting	
(5) What organisation can cast the votes?	
(6) What is the method of voting?	

2. According to Source 2, 3 and 4, analyse the method for returning Type A members of the Election Committee. [Understand]

- (1) Who are eligible voters?

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- (2) How many Election Committee members are there in the 35 subsectors? What percentage of the overall committee do they account for?

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- (3) Calculate the weight of vote in different subsectors. Complete the table below.

Subsectors	No. of members	No. of registered voters	No. of voters per member on average
Employers' Federation of Hong Kong	16	139	
Transport	18	195	
Import and export	18	1,379	
Education	30	80,643	
Chinese medicine	30	6,143	
Chinese People's Political Consultative Conference	51	91	
Labour	60	668	
Social welfare	60	14,130	

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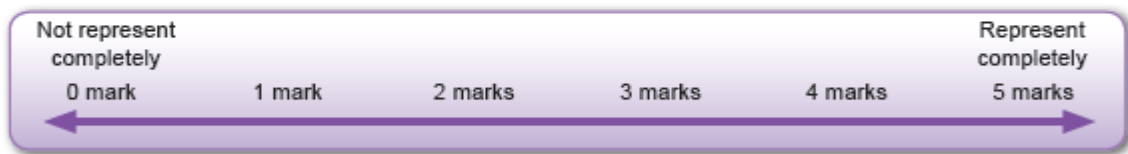
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(4) Further to Question (3), is the weight of vote in each subsector equal? Explain with examples.

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3. Summarise the above information. To what extent do you think the Election Committee represents Hong Kong residents in electing the Chief Executive? Circle the mark and explain. **[Analyse]**



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4. Do you agree with the present method for selecting the Chief Executive through nomination and election by the Election Committee? Why? **[Comment]**

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**Values** 5. What principles should be fulfilled by the method for selecting the Chief Executive? Express your opinions. **[Analyse]**

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**Values** 6. With reference to the plans for electing the president of the Student Union in Wisdom Secondary School in Learning Activity 1 (p.30 – 31), design a suitable plan for selecting the Chief Executive of the HKSAR. **[Problem Solving]**



**Learning Activity 2**

**How to select members of the Legislative Council?**

Study the following information carefully and answer the questions.

**Source 1**

**Composition of the Legislative Council**

Members returned by the Election Committee

**40**  
members

**30**  
members

Members returned by functional constituencies

**20**  
members

Members returned by geographical constituencies through direct elections

**Total:**  
**90**  
members

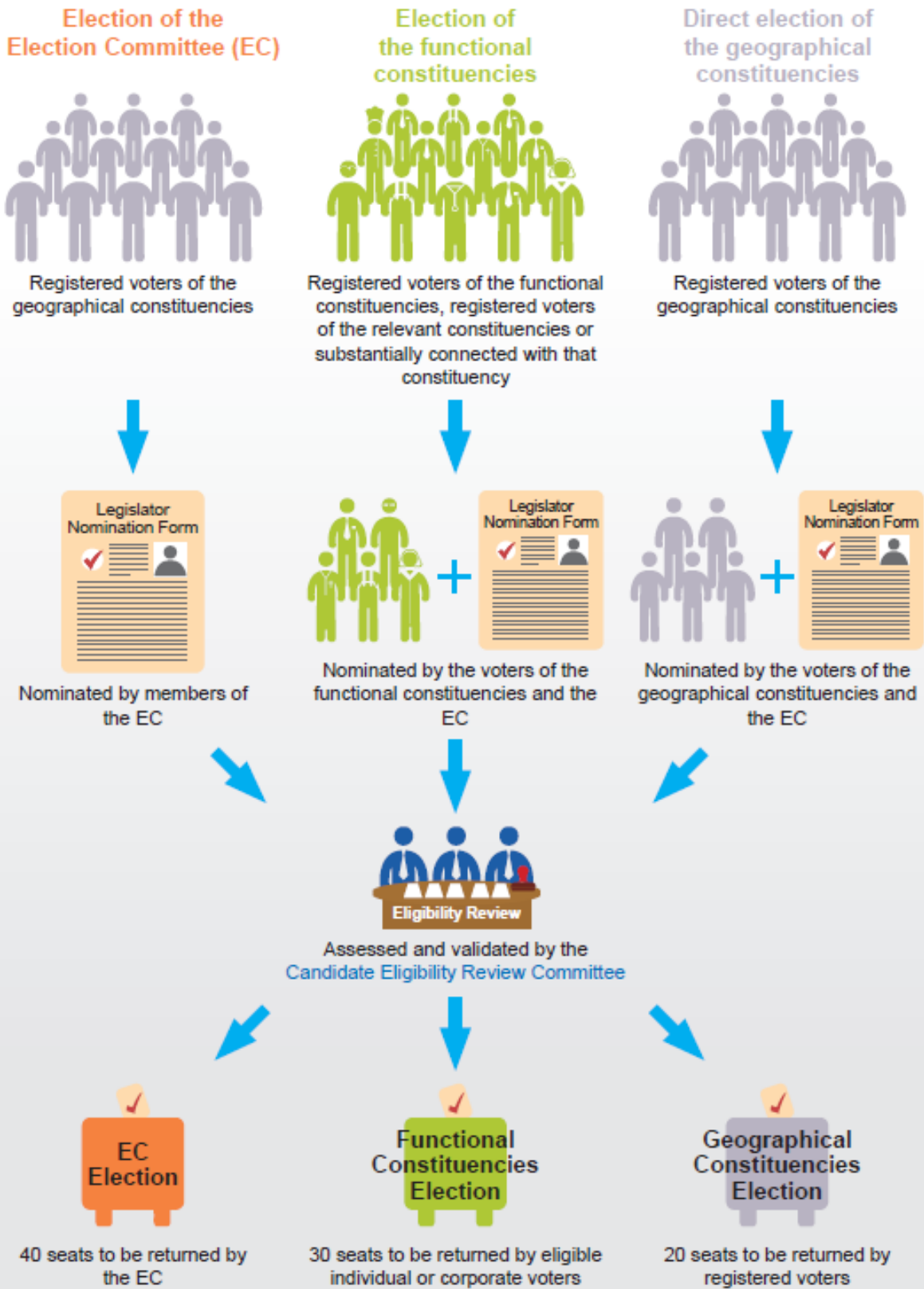


The Legislative Council Chamber.

The pamphlet of *Improve Electoral System Ensure Patriots Administering Hong Kong*

Source 2

### Method for forming the 7th term Legislative Council in 2021

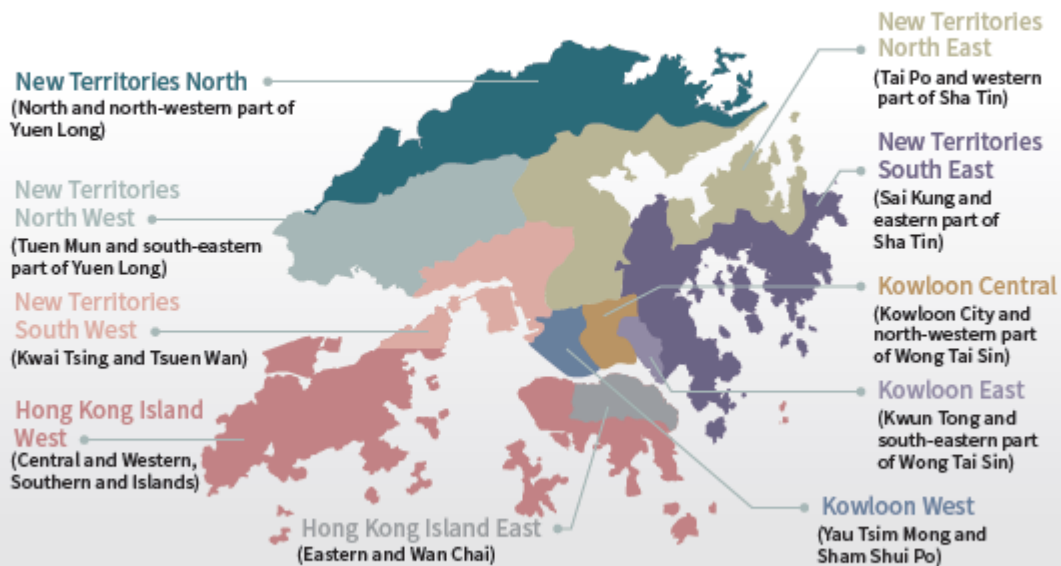


**Source 3**

28 Functional Constituencies				
Elected by individual voters	Heung Yee Kuk	Engineering	Architecture, surveying, planning and landscape	Accountancy
	Legal	Education	Medical and health services	Social welfare
	HKSAR deputies to the NPC, HKSAR members of the National Committee of CPPCC, and representatives of relevant national organisations			
Elected by eligible corporate voters	Agriculture and fisheries	Industrial (first)	Industrial (second)	Textiles and garment
	Commercial (first)	Commercial (second)	Commercial (third)	Finance
	Financial services	Insurance	Real estate and construction	Transport
	Import and export	Tourism	Catering	Wholesale and retail
	Technology and innovation	Sports, performing arts, culture and publication		Labour

**Source 4**

**Delineation of 10 Geographical Constituencies**



*A Layman's Guide to the Improving Electoral System (Consolidated Amendments) Bill 2021*



### Source 5

Central Authorities' overall requirements of improving the electoral system are to enhance the balanced and orderly political participation by the community and ensure broader representation in the political structure of Hong Kong. The reconstituted Election Committee (EC) is broadly representative, and its composition best demonstrates the balanced and orderly political participation.

Mr. Wang Chen, the Vice Chairman of the Standing Committee of the NPC, has pointed out in the *Explanations on the Draft Decision* that the EC will be entrusted with the new function of electing a larger proportion of legislators. The arrangement that the EC elects 40 out of 90 legislators will help meet the objective of going beyond the vested interests of various groups and districts, which in turn helps the Legislative Council (LegCo) reflect the overall interests of the Hong Kong society and enhance efficacy of the HKSAR's administration.

The pamphlet of *Improve Electoral System Ensure Patriots Administering Hong Kong*

### Source 6

Financial Secretary Paul Chan Mo Po pointed out in his blog that the neighbouring cities have been going through high-speed development in recent years and offer abundant opportunities. Yet Hong Kong over the past decade left an impression of stalemate in development. In particular, the endless political disputes and the non-functioning of the LegCo had hampered the governance effectiveness of the government.

Under the new electoral system, with the executive-led political system strengthened and the government's governance effectiveness enhanced, Hong Kong society will be able to focus on tackling social, economic and livelihood issues, including complicated long problems such as land and housing. The reality is that, with the restoration of political order, different sectors of society are having a high expectation on the dealing of those deep-seated issues which have hindered the development of Hong Kong for long time. The HKSAR Government has to unite different sectors of society to work together to solve the problems.

Website of the Financial Secretary's Office of the HKSAR

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- 1.** Which 3 methods can contribute to the formation of the Legislative Council?  
[Understand]

Method	Electorates

- 2.** What are the functions of the Candidate Eligibility Review Committee? What is its importance to the Legislative Council election? Explain with reference to Source 2 and online resources. [Analyse] [Use of IT]

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- 3.** How can the formation of the Legislative Council help in enhancing governance effectiveness? Explain with reference to the above sources and other online resources.  
[Analyse] [Evaluate] [Use of IT]

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### 3.1 Election of the Chief Executive

#### A. Method for selecting the Chief Executive

The Chief Executive of the HKSAR must have reached 40 years of age, have ordinarily resided in Hong Kong for a continuous period of not less than 20 years, and have no right of abode in any foreign country. The Chief Executive must be a permanent resident of the HKSAR and a Chinese citizen as well. The method for selecting the Chief Executive is specified in the *Method for the Selection of the Chief Executive of the HKSAR*, as stated in Annex 1 of the *Basic Law*. The details of the method are as follows:

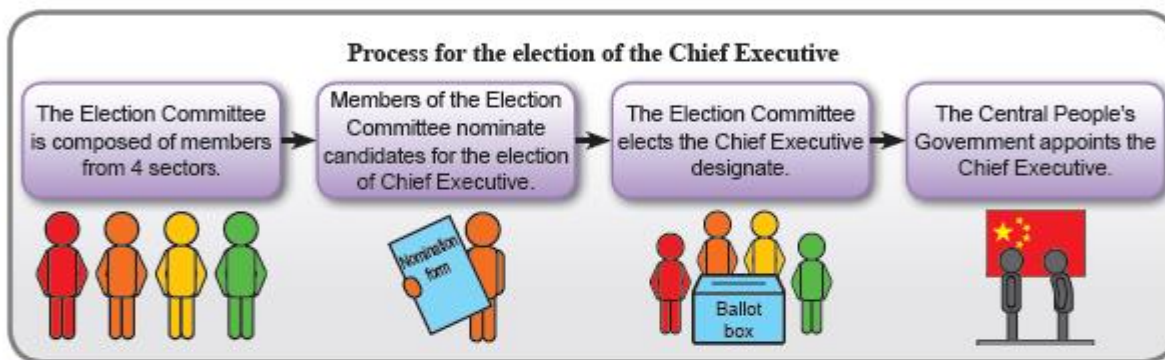


Fig. 3.1

4 sectors			
Industrial, commercial and financial sectors	The professions	Labour, social services, religious and other sectors	Legislative councillors, representatives of district-based organisations, Hong Kong deputies to the National People's Congress, and Hong Kong members of the National Committee of the Chinese People's Political Consultative Conference (Political sectors)
 Fig. 3.2 Lee Shau Kee (Real estate and construction)	 Fig. 3.3 Cheung Tat Ming (Legal)	 Fig. 3.4 Yee Tung Sing (Performing arts sub-sector)	 Fig. 3.5 Li Tzar Kuoi (Chinese People's Political Consultative Conference)

## B. Progress of the election of the Chief Executive

Tung Chee Hwa was the Chief Executive of the HKSAR for the 1st and 2nd terms, but he resigned because of illness before the end of the 2nd term of office. Donald Tsang Yam Kuen, the acting Chief Executive at the time, formally announced that he would stand for the Chief Executive election in May 2005 and resigned as the Chief Secretary for Administration. Tsang was elected as the new Chief Executive and finished the remainder of the term of the preceding Chief Executive. In 2007, Tsang was re-elected as the 3rd term Chief Executive. The 4th term Chief Executive is Leung Chun Yin, and the 5th term Chief Executive is Lam Cheng Yuet Ngor.

As shown in the table below, the methods for selecting the 2nd to 5th terms Chief Executive were different in terms of the increased number of Election Committee members, but were otherwise unchanged.

	The 2nd term (2002-2007)	The 3rd term (2007-2012)	The 4th and 5th terms (2012-2022)						
Number of Election Committee members	800		1,200						
Composition of the Election Committee	4 sectors		4 sectors						
	<table border="1"> <tr> <td>Industrial, commercial and financial sectors (200 people)</td> <td>The professions (200 people)</td> </tr> <tr> <td>Labour, social services, religious and other sectors (200 people)</td> <td>Political sectors (200 people)</td> </tr> </table>	Industrial, commercial and financial sectors (200 people)	The professions (200 people)	Labour, social services, religious and other sectors (200 people)	Political sectors (200 people)	<table border="1"> <tr> <td>Industrial, commercial and financial sectors (300 people)</td> <td>The professions (300 people)</td> </tr> <tr> <td>Labour, social services, religious and other sectors (300 people)</td> <td>Political sectors (300 people)</td> </tr> </table>	Industrial, commercial and financial sectors (300 people)	The professions (300 people)	Labour, social services, religious and other sectors (300 people)
Industrial, commercial and financial sectors (200 people)	The professions (200 people)								
Labour, social services, religious and other sectors (200 people)	Political sectors (200 people)								
Industrial, commercial and financial sectors (300 people)	The professions (300 people)								
Labour, social services, religious and other sectors (300 people)	Political sectors (300 people)								
Procedures to nominate candidates for the Chief Executive election	No fewer than 100 members of the Election Committee support the nomination of a Chief Executive candidate. Each member can only nominate 1 candidate.		No fewer than 150 members of the Election Committee support the nomination of a Chief Executive candidate. Each member can only nominate 1 candidate.						
Procedures of election and appointment	Each member of the Election Committee is entitled to cast a single vote by secret ballot to elect the Chief Executive, and the winning candidate is appointed by the Central People's Government.								

Remarks: Among the increased number of seats in the political sectors in the 4th term Election Committee, the majority were for elected district councillors, who could only register as voters and nominators for the election of the Chief Executive, or be nominated as Chief Executive candidates.

Table 3.1

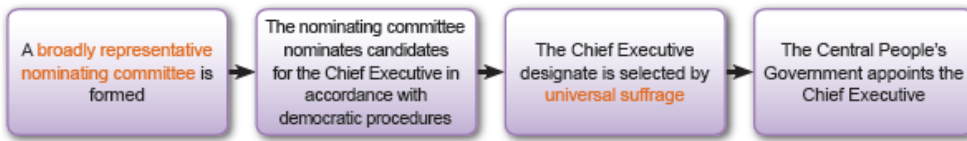
Basic Law

## C. Universal suffrage for the Chief Executive

According to Article 45 of the *Basic Law*, the Chief Executive of the HKSAR shall ultimately be selected by universal suffrage.

The method for selecting the Chief Executive shall be specified in light of the actual situation in the HKSAR and in accordance with the principle of gradual and orderly progress. The ultimate aim is the election of the Chief Executive by universal suffrage based on nomination by a broadly representative nominating committee in accordance with democratic procedures.

In 2007, the Standing Committee of the National People's Congress (NPCSC) clearly stated that the Chief Executive of the HKSAR would be selected by universal suffrage in 2017, in accordance with the stipulation in the *Method for the Selection of the Chief Executive of the HKSAR*, as stated in Annex 1 of the *Basic Law*. In implementing universal suffrage, the 4 procedures for the election and appointment of the Chief Executive would be followed:



The *Decision of the Standing Committee of the National People's Congress on Issues Relating to the Selection of the Chief Executive of the Hong Kong Special Administrative Region by Universal Suffrage and on the Method for Forming the Legislative Council of the Hong Kong Special Administrative Region in the Year 2016* was promulgated on 31 August 2014, which caused fierce controversies in the public and the Legislative Council (refer to p.54 for details). At last, the motion moved by the HKSAR Government was vetoed by the Legislative Council in June 2015. Therefore the method for selecting the Chief Executive shall follow the existing one of 2012 without any change, that is, selecting the Chief Executive by an Election Committee with 1,200 members.

### 3.1 Election of the Chief Executive

#### A. Method for selecting the Chief Executive

The Chief Executive of the HKSAR must have reached 40 years of age, have ordinarily resided in Hong Kong for a continuous period of not less than 20 years, and have no right of abode in any foreign country. The Chief Executive must be a permanent resident of the HKSAR and a Chinese citizen as well. The method for selecting the Chief Executive is specified in the *Method for the Selection of the Chief Executive of the HKSAR*, as stated in Annex I of the *Basic Law*. The details of the method are as follows:

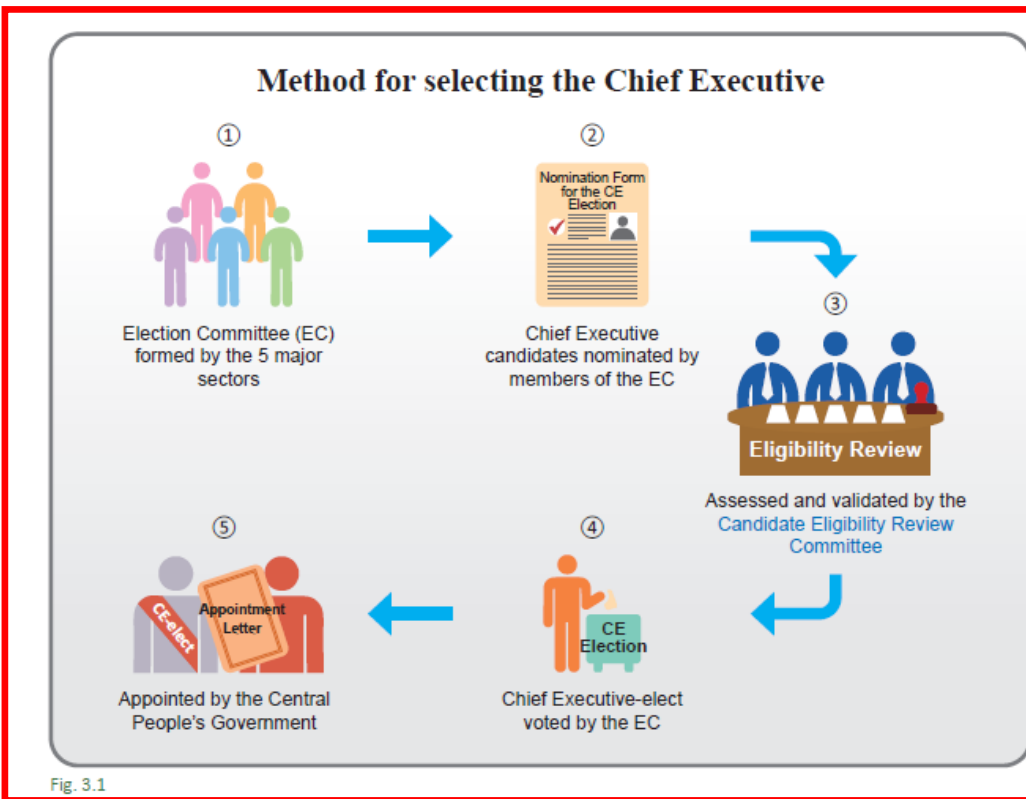


Fig. 3.1

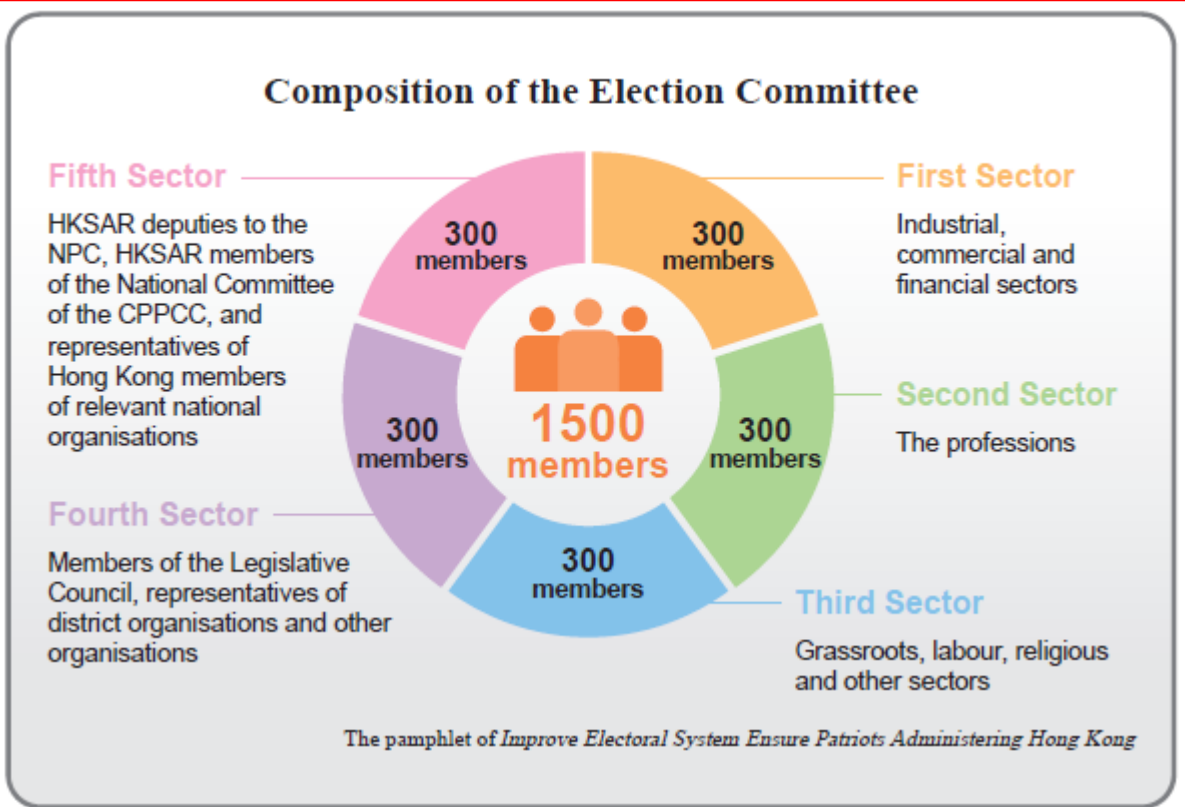


Fig. 3.2

### B. Progress of the election of the Chief Executive

Tung Chee Hwa was the Chief Executive of the HKSAR for the 1st and 2nd terms, but he resigned because of illness before the end of the 2nd term of office. Donald Tsang Yam Kuen, the acting Chief Executive at the time, formally announced that he would stand for the Chief Executive election in May 2005 and resigned as the Chief Secretary for Administration. Tsang was elected as the new Chief Executive and finished the remainder of the term of the preceding Chief Executive. In 2007, Tsang was re-elected as the 3rd term Chief Executive. The 4th term Chief Executive is Leung Chun Ying and the 5th term Chief Executive is Lam Cheng Yuet Ngor.

As shown in the table below, the methods for selecting the 2nd to 6th terms Chief Executive were different in terms of the increased number of Election Committee members, but were otherwise unchanged.

	The 2nd term (2002-2007)	The 3rd term (2007-2012)	The 4th and 5th terms (2012-2022)	The 6th term (2022-2027)																												
Number of Election Committee members	800		1,200	1,500																												
Composition of the Election Committee	4 sectors <table border="1"> <tr> <td>Industrial, commercial and financial sectors</td> <td>200 members</td> </tr> <tr> <td>The professions</td> <td>200 members</td> </tr> <tr> <td>Labour, social services, religious and other sectors</td> <td>200 members</td> </tr> <tr> <td>Political sectors</td> <td>200 members</td> </tr> </table>		Industrial, commercial and financial sectors	200 members	The professions	200 members	Labour, social services, religious and other sectors	200 members	Political sectors	200 members	4 sectors <table border="1"> <tr> <td>Industrial, commercial and financial sectors</td> <td>300 members</td> </tr> <tr> <td>The professions</td> <td>300 members</td> </tr> <tr> <td>Labour, social services, religious and other sectors</td> <td>300 members</td> </tr> <tr> <td>Political sectors</td> <td>300 members</td> </tr> </table>		Industrial, commercial and financial sectors	300 members	The professions	300 members	Labour, social services, religious and other sectors	300 members	Political sectors	300 members	5 sectors <table border="1"> <tr> <td>Industrial, commercial and financial sectors</td> <td>300 members</td> </tr> <tr> <td>The professions</td> <td>300 members</td> </tr> <tr> <td>Labour, social services, religious and other sectors</td> <td>300 members</td> </tr> <tr> <td>Members of the Legislative Council, representatives of district organisations and other organisations</td> <td>300 members</td> </tr> <tr> <td>HKSAR deputies to the NPC, HKSAR members of the National Committee of the CPPCC, and representatives of Hong Kong members of relevant national organisations</td> <td>300 members</td> </tr> </table>		Industrial, commercial and financial sectors	300 members	The professions	300 members	Labour, social services, religious and other sectors	300 members	Members of the Legislative Council, representatives of district organisations and other organisations	300 members	HKSAR deputies to the NPC, HKSAR members of the National Committee of the CPPCC, and representatives of Hong Kong members of relevant national organisations	300 members
Industrial, commercial and financial sectors	200 members																															
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HKSAR deputies to the NPC, HKSAR members of the National Committee of the CPPCC, and representatives of Hong Kong members of relevant national organisations	300 members																															
Nomination threshold	Not less than 100 nominations		Not less than 150 nominations	Not less than 188 nominations (with at least 15 nominations from each of the 5 sectors)																												
Number of nominations can be made by each Election Committee Member	1		1	1																												
Eligibility review	To be validated by the Electoral Officer			To be validated by the Candidate Eligibility Review Committee																												

	The 2nd term (2002-2007)	The 3rd term (2007-2012)	The 4th and 5th terms (2012-2022)	The 6th term (2022-2027)
Method of election	The Election Committee shall cast their votes by secret ballot			
Method of appointment	Shall be appointed by the Central People's Government in applying the principle of 'one country, two systems', which means to exercise of sovereignty over Hong Kong by the Motherland, the Central People's Government has the right to appoint and dismiss major officials of Hong Kong. Therefore, the Central People's Government has the right to not appoint the Chief Executive-elect.			

Table 3.1

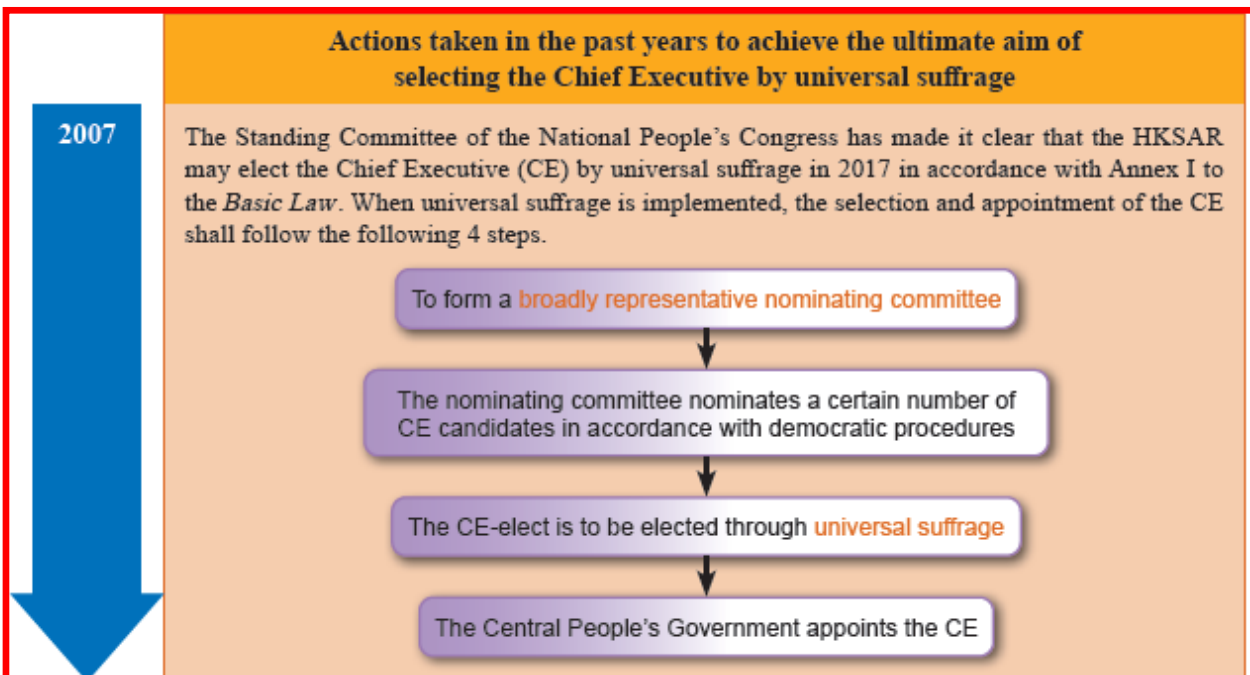
Annex I to the *Basic Law*

### C. Universal suffrage for the Chief Executive

According to Article 45 of the *Basic Law*, the method for selecting the Chief Executive shall be specified in light of the actual situation in the HKSAR and in accordance with the principle of gradual and orderly progress. The ultimate aim is the election of the Chief Executive by universal suffrage based on nomination by a broadly representative nominating committee in accordance with democratic procedures.

**Learn more about Basic Law**

**Article 45 (2)**  
 The method for selecting the Chief Executive shall be specified in the light of the actual situation in the HKSAR and in accordance with the principle of gradual and orderly progress. The ultimate aim is the selection of the Chief Executive by universal suffrage upon nomination by a broadly representative nominating committee in accordance with democratic procedures.





2014 -  
2017

In order to implement universal suffrage as soon as possible, in late August 2014, NPCSC promulgated the 'August 31 Decision' to determine the methods for selecting the CE and for forming the Legislative Council in 2016, which caused great controversy in both the society and the Legislative Council. In June 2015, the Legislative Council finally rejected the motion proposed by the HKSAR Government. Therefore, the method for selecting the CE in 2017 followed the current system in 2012, with the CE elected by a 1,200-member Election Committee.

2021

To ensure the electoral system of the HKSAR upholds the principle of 'one country, two systems', accords with the actual situation of the HKSAR, implements the principle of 'patriots administering Hong Kong', which is conducive to safeguarding sovereignty, national security, and development interests of the Country, and maintaining Hong Kong's long-term prosperity and stability, the NPC adopted the *Decision on Improving the Electoral System of the Hong Kong Special Administrative Region* (the *Decision*) in March 2021, and the Standing Committee of the NPC was authorized to pass the newly amended Annexes I and II to the *Basic Law*.

In accordance with the *Decision* and the amended Annexes I and II to the *Basic Law*, the HKSAR Government amended the relevant local laws to organise and regulate the relevant electoral activities in accordance with the law, and in May of the same year, the Legislative Council passed the *Improving Electoral System (Consolidated Amendments) Ordinance 2021*. The most significant amendments regarding the CE election include:

1. The number of members of the Election Committee responsible for nominating and electing the CE is increased from 1,200 to 1,500;
2. Election Committee sector's number is increased from 4 to 5;
3. A CE candidate must be nominated by not less than 188 Election Committee members, and the number of members participating in the nomination shall be at least 15 for each of the above 5 sectors. Each member of the Election Committee may nominate 1 candidate only.
4. The Candidate Eligibility Review Committee shall confirm the eligibility of Election Committee members and CE candidates according to vetting letter from the National Security Council of the HKSAR.

As of now, the HKSAR has not achieved the ultimate aim of selecting the Chief Executive by universal suffrage.

\*Editor's note: For the sake of convenience, the amended content of Annex II to the *Basic Law* is also mentioned in this section. See 3.2 Formation of the Legislative Council for more details.

Table 3.2



### Candidate Eligibility Review Committee

The Candidate Eligibility Review Committee (CERC) is responsible for assessing and validating the eligibility of candidates for the elections of the Election Committee, the Chief Executive, and the Legislative Council. The Chairperson and members of the CERC shall be appointed by the Chief Executive by notice published in the Gazette. The number of committee members shall not be more than 8, including a chairperson, 2 to 4 official members and 1 to 3 non-official members.

The Committee for Safeguarding National Security of the HKSAR will decide whether a candidate complies with the legal requirements and conditions for upholding the *Basic Law* and bearing allegiance to the HKSAR, and issues an opinion to the CERC for those who do not comply with the legal requirements and conditions. The CERC's decision made pursuant to the Committee for Safeguarding National Security of the HKSAR's review advice is not subject to any judicial proceedings.

Website of Improving Electoral System of the HKSAR

Old:

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## 3.2 Formation of the Legislative Council

### A. Method for forming the Legislative Council

The Legislative Council has 70 members for the 6th term, with 35 members returned by geographical constituencies through direct elections, and 35 members by functional constituencies.

#### Formation of the 6th term Legislative Council in 2016 (I)

Method of election	Direct elections for geographical constituencies	Elections for functional constituencies	
		Traditional functional constituencies	District Council (2nd) functional constituency
Allocation of seats	35 members are returned by 5 geographical constituencies in the HKSAR. The number of seats in each geographical constituency is allocated in proportion to the population in the district.	35 members are returned by 29 functional constituencies.	
		28 traditional functional constituencies include representatives for different economic, social or professional sectors. 3 members are returned by the Labour functional constituency, and 1 member each for the remaining 27 traditional functional constituencies.	Voters from geographical constituencies who are not registered in the 28 traditional functional constituencies elect 5 members.
Qualifications for candidates	<ul style="list-style-type: none"> <li>• 21 years of age or above;</li> <li>• Registered as a voter for a geographical constituency, etc.*</li> </ul>	<ul style="list-style-type: none"> <li>• Eligible to be nominated as a candidate in a direct election for a geographical constituency*;</li> <li>• Registered as a voter for the traditional functional constituency, or able to satisfy the Returning Officer for the constituency that they have a close connection with the constituency with the exception of the District Council (1st) functional constituency and the District Council (2nd) functional constituency, in which only the district councillors returned by District Council election are qualified to be candidates.</li> </ul>	

\*Refer to Article 37 of the *Legislative Council Ordinance* for details.

Table 3.2

Electoral Affairs Commission

## Formation of the 6th term Legislative Council in 2016 (II)

Method of election	Direct elections for geographical constituencies	Elections for functional constituencies	
		Traditional functional constituencies	District Council (2nd) functional constituency
Qualifications for voters	<ul style="list-style-type: none"> <li>• 18 years of age or above;</li> <li>• A permanent resident of Hong Kong ordinarily resided in Hong Kong, etc.*</li> </ul>	A registered voter in a geographical constituency	
		<p>There are 2 types of voters, both from professional, industrial or business organisations:</p> <ul style="list-style-type: none"> <li>• Individual voters (employees in the sector);</li> <li>• Corporate voters (organisations or corporations in the sector; individual voters of related industries are not qualified to vote).</li> </ul> <p>Voters included in different traditional functional sectors:</p> <ul style="list-style-type: none"> <li>• 10 sectors only include individual voters;</li> <li>• 10 sectors only include corporate voters;</li> <li>• 8 sectors include both individual and corporate voters.</li> </ul>	Voters from geographical constituencies who are not registered in the 28 traditional functional constituencies.
Number of registered voters	3,779,085	239,724	3,473,792
Method of voting	Proportional representation	'Preferential elimination' for 4 functional constituencies (Heung Yee Kuk, Agriculture and fisheries, Insurance and Transport); 'First past the post' for the remaining 24 functional constituencies.	Proportional representation

\*Refer to Articles 27 to 31 of the *Legislative Council Ordinance* for details.

Table 3.3

Electoral Affairs Commission, Facts about the Legislative Council Election 2016



### Learn about the proportional representation voting system

The proportional representation system allocates seats of representative organisations according to the number of votes given to each political party or candidate. Take a constituency with 5 seats as an example. If political party A and B receive  $\frac{2}{5}$  and  $\frac{1}{5}$  of the total amount of votes respectively, then the parties will win 2 seats and 1 seat respectively among the 5 seats for that constituency. If there is a seat remaining after the seats have been allocated, it goes to the party with the most remaining votes.

1. Go to the website of the Legislative Council. Browse [What is Proportional Representation?](http://las.mpep.com.hk/22/math/en) to learn about the operation of the proportional representation system in detail.

<http://las.mpep.com.hk/22/math/en>



2. Go to the following websites and read the articles carefully. Identify the opinions in the articles towards proportional representation. Do you agree with the opinions? Why?

(1) 〈解惑篇：比例代表制可檢討，功能組別不可取消〉 (Chinese version only) by Song Sio Chong in *Wenweipo* on 21 June 2013

<http://las.mpep.com.hk/22/news4>



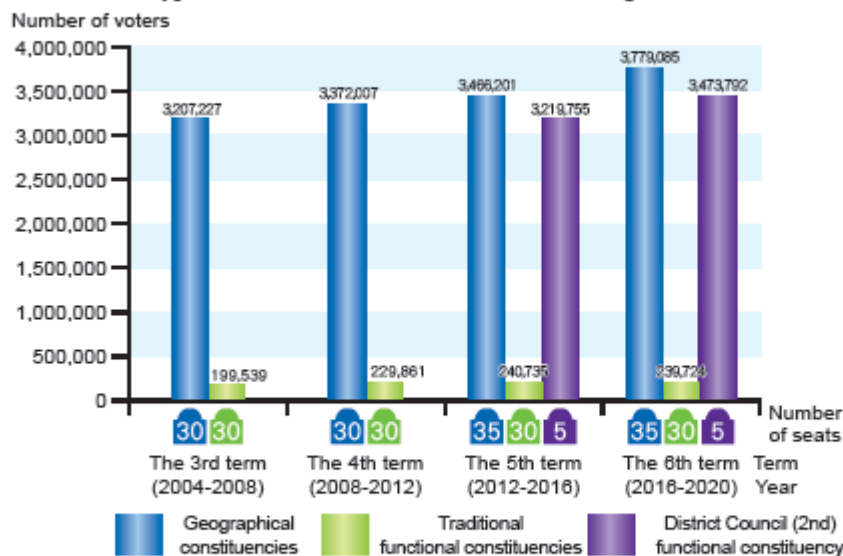
(2) 〈港式比例代表制如何締造四分五裂政局〉 (Chinese version only) by Choy Chi Keung in *Ming Pao* on 23 August 2012

<http://las.mpep.com.hk/22/news5>



### B. Progress of formation of the Legislative Council

Comparison of the number of registered voters and seats in different types of constituencies for the elections of Legislative Council



Website of Voter Registration of the HKSAR Government, Facts about the Legislative Council Election 2012, Facts about the Legislative Council Election 2016

Table 3.4

Timely Update

[las.mpep.com.hk/22/info3/en](http://las.mpep.com.hk/22/info3/en)



According to the *Legislative Council (Amendment) Bill 2011*, the number of seats in the Legislative Council increased from 60 to 70 in the 5th term. Among the additional seats, 5 are returned by direct elections for geographical constituencies and the other 5 seats are returned by elections of functional constituencies. The latter are called the 'District Council (2nd) functional constituency', and the candidates are nominated by the elected district councillors and elected by all the voters in the geographical constituencies who are not registered in the 28 traditional functional constituencies. Every voter has 2 votes, 1 for the geographical constituency and 1 for the functional constituency.

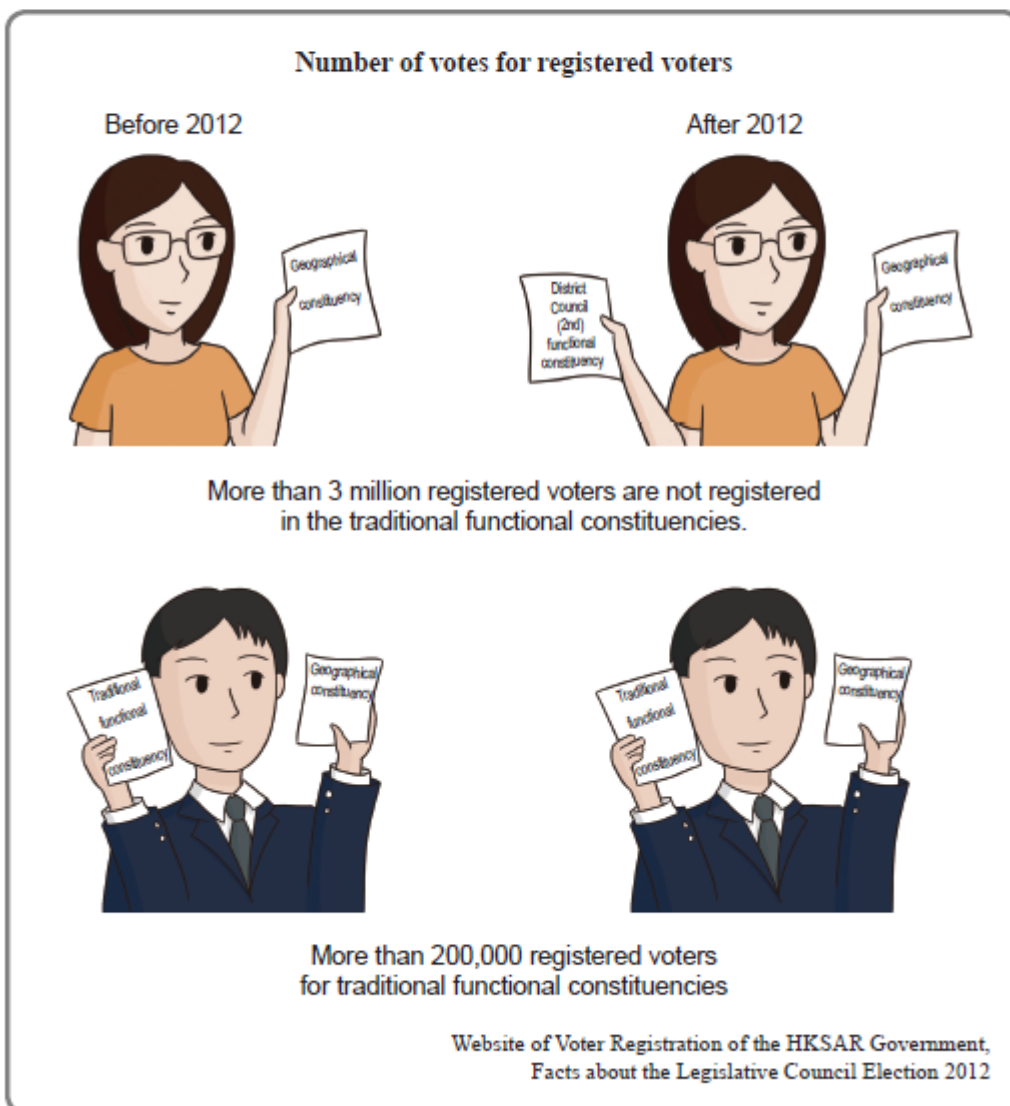


Fig. 3.6

### C. Universal suffrage for all the members of the Legislative Council

According to Article 68 of the *Basic Law*, all the members of the Legislative Council of the HKSAR shall ultimately be returned by universal suffrage.

The method for forming the Legislative Council shall be specified in the light of the actual situation in the HKSAR and in accordance with the principle of gradual and orderly progress. The ultimate aim is the election of all the members of the Legislative Council by universal suffrage.

In 2007, the Standing Committee of the National People's Congress (NPCSC) clearly stated that the HKSAR can elect all the members of the Legislative Council by universal suffrage in accordance with the *Method for the Formation of the Legislative Council of the HKSAR and Its Voting Procedure*, as stated in Annex 2 of the *Basic Law*. However, universal suffrage will be implemented for the Chief Executive election first.

## 3.2 Formation of the Legislative Council

### A. Method for forming the Legislative Council

According to the Improving Electoral System (Consolidated Amendments) Ordinance 2021, the 7th term of the Legislative Council shall be composed of 90 members, in which 40 members shall be returned by the Election Committee, 30 members shall be returned by functional constituencies and 20 members shall be returned by geographical constituencies through direct elections.

Formation of the 7th term of Legislative Council in 2022

Method	Returned by the Election Committee (EC)	Returned by functional constituencies	Returned by geographical constituencies through direct elections
Allocation of seats	40 seats	30 seats	20 seats
Eligibility	All eligible* voters can be nominated as candidates, including non-EC members	Eligible* and registered voters and registered voters of the concerned functional constituencies or has a substantial connection with that functional constituency.	All eligible* and registered voters
Nomination threshold	2 to 4 members from each of the 5 sectors of the EC	<ul style="list-style-type: none"> <li>• 2 to 4 members from each of the 5 sectors of the EC;</li> <li>• 10 to 20 voters of the respective constituency.</li> </ul>	<ul style="list-style-type: none"> <li>• 2 to 4 members from each of the 5 sectors of the EC;</li> <li>• 100 to 200 voters of the respective constituency.</li> </ul>
Eligibility review	Assessed and validated by the Candidate Eligibility Review Committee		
Electoralates	1,500 members of the EC	Eligible individual or corporate voters	All voters in Hong Kong
Voting method	<ul style="list-style-type: none"> <li>• Block vote (each EC member must select 40 candidates);</li> <li>• The 40 candidates who obtain the greatest number of votes shall be returned in the election.</li> </ul>	<ul style="list-style-type: none"> <li>• Each functional constituency returns 1 member (except 3 from 'Labour');</li> <li>• The candidate who obtains the greatest number of votes shall be returned in the election (first past the post).</li> </ul>	<ul style="list-style-type: none"> <li>• Double seats single vote (each constituency returns 2 members, and each voter can vote for 1 candidate);</li> <li>• The 2 candidates who obtain the greatest number of votes shall be returned in the election.</li> </ul>

\*Aged 21 or above who have ordinarily resided in Hong Kong for 3 years, see Article 37 of the *Legislative Council Ordinance* for more details.

Table 3.3

### B. Progress of formation of the Legislative Council

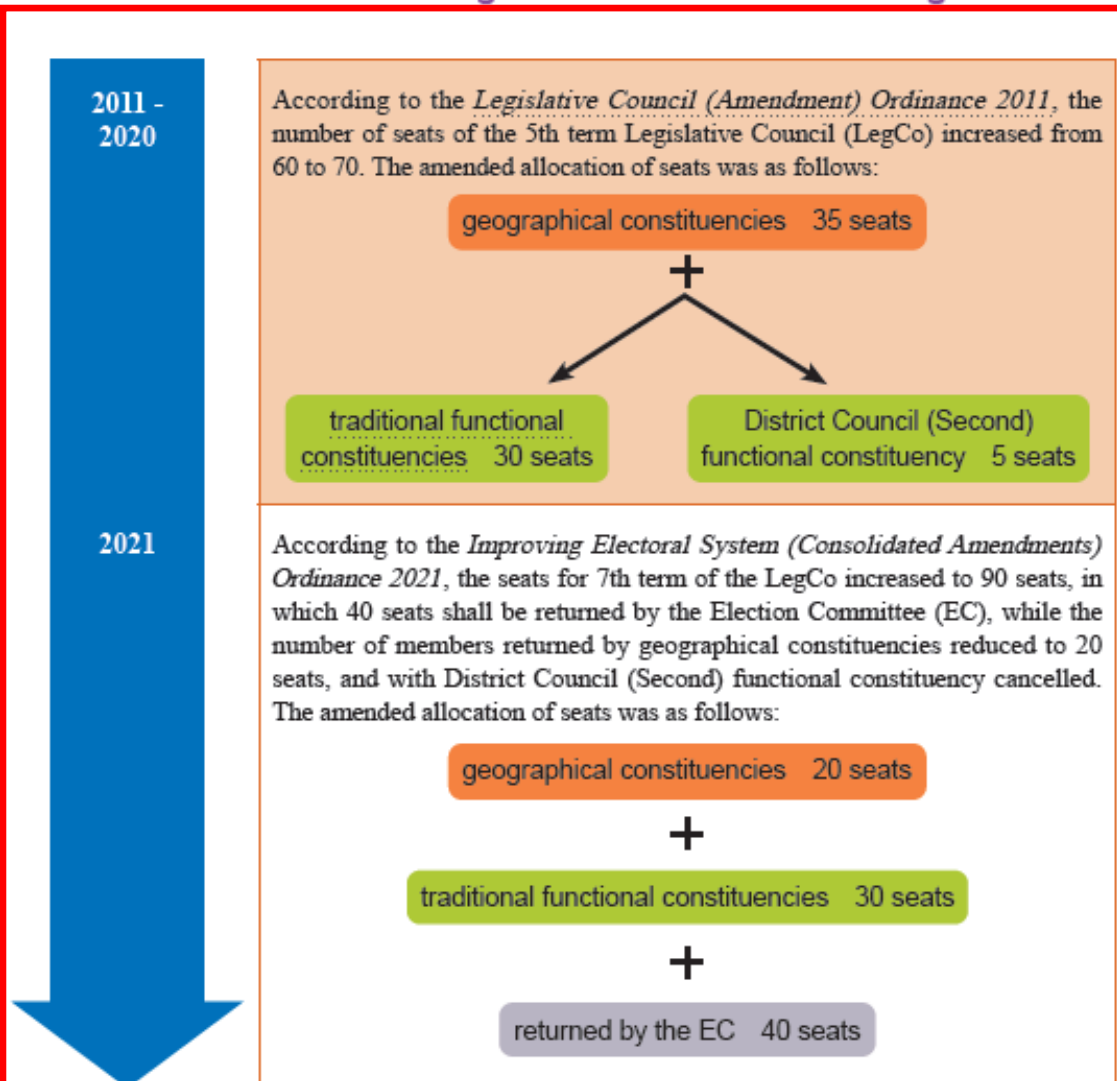


Table 3.4



Fig. 3.3 In March 2021, some LegCo members held a press conference in support of the NPCSC to amend Hong Kong's electoral system, believing that the action was working in accordance with wide range of public opinions.



Fig. 3.4 In April 2021, After LegCo's first and second readings, the government's draft bill on the amendment of the electoral system was handed to the Bills Committee.



Fig. 3.5 On 27 May 2021, the LegCo passed the amendment of the electoral system during the third reading, with 40 votes in favour and 2 votes against. After passing the draft bill, the government would prepare and hold the next 3 elections, accordingly the Election Committee Subsector Ordinary Elections (19 September 2021), the LegCo Election (19 December 2021), and the Chief Executive Election (27 March 2022).

### C. Universal suffrage for all the members of the Legislative Council

According to Article 68 of the *Basic Law*, with regard to the method for forming the Legislative Council in the light of the actual situation in the HKSAR and in accordance with the principle of gradual and orderly progress, the ultimate aim is the election of all the members of the Legislative Council by universal suffrage.

As of now, the HKSAR has not achieved the ultimate aim of electing all the members of the Legislative Council by universal suffrage.

#### Learn more about *Basic Law*

##### Article 68 (2)

The method for forming the Legislative Council shall be specified in the light of the actual situation in the HKSAR and in accordance with the principle of gradual and orderly progress. The ultimate aim is the election of all the members of the Legislative Council by universal suffrage.



Old:

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## 3.3 Controversies over double universal suffrage

### A. Definition of universal suffrage

Article 25 of the *International Covenant on Civil and Political Rights* (the *Covenant*) states that every citizen shall have the right and the opportunity, without any of the distinctions mentioned in Article 2\* and without unreasonable restrictions:

- (a) To take part in the conduct of public affairs, directly or through freely chosen representatives;
- (b) To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors;
- (c) To have access, on general terms of equality, to public service in his country.

\* The distinctions mentioned in Article 2 (1) of the *Covenant* include race, colour, sex, language, religion, political or other opinions, national or social origin, property, birth or other status.

Fig. 3.7

According to the *Covenant*, the definition of universal suffrage is that every citizen has universal and equal rights in elections:

- Every citizen has the right to vote, with every vote having equal weight;
- Every citizen has an equal chance to participate in an election or be elected.

Everyone is born equal. The meaning of universal suffrage is for all people to enjoy equal rights of political participation.

### B. Controversies over universal suffrage for the Chief Executive

The present Chief Executive is not elected by universal suffrage but by the voting of the Election Committee. There are a total of 1,200 members in the Election Committee. They come from 38 different sectors to reflect the opinions of various parts of society. However, some people doubt whether 1,200 members from 38 sectors can represent the will of all Hong Kong people. In general, people from different parties are concerned about the method of universal suffrage for the Chief Executive. The following plans had been proposed:

Plan 1	The Election Committee for the election of the Chief Executive is transformed into a nominating committee. This means that an organisation with 1,200 members will nominate residents intending to stand for election, and all residents will then elect the Chief Executive according to the one-person-one-vote system. However, the residents will not be able to affect the actions of the nominating committee.
Plan 2	All residents directly elect a nominating committee. The <i>Basic Law</i> states that the election of the Chief Executive by universal suffrage shall be 'upon nomination by a broadly representative nominating committee in accordance with democratic procedures'. Therefore, a nominating committee elected by residents according to the one-person-one-vote system is not only 'broadly representative' but also in line with the <i>Basic Law</i> .
Plan 3	A system of 'civil nomination' is adopted, in line with electoral methods abroad. Under this system, a certain number of residents can jointly nominate someone to be a Chief Executive candidate. 'Civil nomination' can be implemented alongside Plan 1 and Plan 2 above, and can best reflect the will of the residents.

Table 3.5

The Central Government insists that the election of the Chief Executive by universal suffrage must be carried out according to the provisions in the *Basic Law*.



Zhang Xiaoming, former director of the Liaison Office of the Central People's Government in the HKSAR

Concerning the method of nomination for Chief Executive candidates by universal suffrage, it is clearly stated in Article 45 of the *Basic Law* that there shall be a 'nomination by a broadly representative nominating committee in accordance with democratic procedures', without any other option. 'Civil nomination' violates the provisions of the *Basic Law*, and is thus an ill-founded suggestion.

Fig. 3.8

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People from different sectors of society have proposed the following questions with regard to the qualification of candidates and voting for the election of the Chief Executive

- Does the threshold of candidature fulfil the principle of democracy, which is equal participation?
- Does the voting system provide a universal and equal election?

No matter which plan is adopted in the end, the Central Authorities have the right to reject the elected candidate, according to the *Basic Law*. This is to reflect the principle of 'one country, two systems', by which the Central Authorities exercise sovereignty over the HKSAR and have the power to appoint or dismiss its principal officials.

### **C. Controversies over universal suffrage for all members of the Legislative Council**

The most controversial issue involving universal suffrage for the Legislative Council is whether the functional constituencies should be abolished.

#### **(1) Reasons to support preserving the functional constituencies**

- The representatives from each sector are professionals, so they can provide professional advice to the government on administration or policy-making, thus enhancing the quality of official discussions;
- Functional constituencies ensure that sectors of society with fewer members also have a chance to 'participate equally' and protect their interests;
- Geographical direct election is a kind of universal suffrage. The functional constituencies can be preserved as long as the method of election for functional constituencies is amended to fulfil the principle of democracy. For example, the electoral base of the functional constituencies can gradually be broadened, in line with the principle of gradual and orderly progress, until all Hong Kong residents are allowed to elect members of the Legislative Council through a one-person-two-votes system (one vote for a geographical constituency and the other for a functional constituency).

#### **(2) Reasons to oppose preserving the functional constituencies**

- Functional constituencies grant greater voting rights to certain people in society, and thus violate the principle of an equal election;
- In sectors such as Finance, Transport and Labour, the voters are organisations, registered unions or companies, not the individual employees. If not all the members of a sector are allowed to vote, the functional constituency cannot represent the interests of the sector;

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- Under the system of corporate votes, a large business group can control many companies in different industries so as to acquire greater voting rights. A large business group can also set up many subsidiaries and register as voters in the same or different sectors in the name of the subsidiaries so that the head of the business group can control multiple votes, in violation of the one-person-one-vote system and the principle of fairness;
- Members returned by the functional constituencies are not elected by universal suffrage, and thus only need to be responsible to the voters in their sectors and protect the interests of the sectors. Therefore, the functional constituencies have long been criticised as an unfair electoral system which protects vested interests.

New: (Focus of Learning 3.3 Definition and meaning of universal suffrage)

Page 50

### 3.3 Definition and meaning of universal suffrage

Article 25 of the *International Covenant on Civil and Political Rights* (the *Covenant*) states that every citizen shall have the right and the opportunity, without any of the distinctions mentioned in Article 2\* and without unreasonable restrictions:

- (a) To take part in the conduct of public affairs, directly or through freely chosen representatives;
- (b) To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors;
- (c) To have access, on general terms of equality, to public service in his country.

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Fig. 3.6

According to the *Covenant*, the definition of universal suffrage is that every citizen has universal and equal rights in elections:

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### 3.4 Importance of moving forward to double universal suffrage

#### A. Promoting the development of democratic politics in Hong Kong

Putting double universal suffrage for the Chief Executive and the Legislative Council into practice can ensure that Hong Kong residents have universal and equal rights in elections. If every eligible voter in society can participate in the elections of the Chief Executive and the Legislative Council, their civic awareness will be raised. They will also have an equal chance to participate in social and political affairs, which will further develop democratic politics in Hong Kong.

#### B. Strengthening the legitimacy of the HKSAR Government and promoting the development of Hong Kong

The present Chief Executive is not elected by universal suffrage. Therefore, if the government's performance is unsatisfactory, or if it cannot gain the trust of residents, there will be great difficulties for the administration which could even slow down the development of Hong Kong. If the Chief Executive is elected by universal suffrage with legitimacy, however, all the eligible voters in Hong Kong will have the right to elect the best leader in their opinions. This means that the winning candidate is authorised by the majority of voters, so the government will face less opposition when implementing different policies, which will promote social and economic development.

Old

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#### C. Prompting the government and legislative councillors to be accountable to the public

Although democratic election is not a radical solution to the social problems in Hong Kong, it can be seen from the experiences of foreign countries that democratic systems can prompt the rulers to respect public opinion, carry out policies which benefit the public, and respect human rights. Under a democratic system, eligible voters can refuse to elect unsatisfactory officials in the next elections. In this way, putting double universal suffrage for the Chief Executive and the Legislative Council into practice can effectively prompt the government and legislative councillors to be more accountable to the public.

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### 3.5 Concerns of different parties over moving forward to double universal suffrage

#### A. Uncertainty over the compatibility of universal suffrage and 'one country, two systems'

The representatives returned by double universal suffrage for the Chief Executive and the Legislative Council may not be the ideal candidates for the Central Authorities. If they are sympathetic to the pan-democrat camp or even the radicals, it is reasonable for the Central Authorities to worry whether the future Chief Executive will be able to communicate well with them and whether the bills approved by the legislative councillors will be acceptable to them. The Central Authorities may also worry that these representatives may turn Hong Kong into a base for 'opposing China and upsetting order in Hong Kong', as well as colluding with foreign powers. Furthermore, the emotions of rights defenders on the mainland may be influenced, leading to turmoil threatening national security and the governance of the Communist Party of China.

#### B. The rise of populism and welfarism

Some people think that double universal suffrage for the Chief Executive and Legislative Council elections may lead to the rise of populism and welfarism and increase the burden on the government. If the majority of voters for the double universal suffrage are from lower levels and non-professionals of society, they will probably elect the representatives who are inclined to protect the interests of the poor. In order to strive for continuous support from the voters, these representatives will put pressure on the government to implement more welfare policies and neglect the principle of 'keeping expenditure within the limits of revenue'. This will ultimately lead to a great increase in public expenditure, and the government may need to change the taxation system to impose heavy

taxes on rich people, professionals and large business groups. In the long term, rich people and business groups may consider disinvestment, which will greatly affect overall economic development. Moreover, as functional constituencies will no longer exist in the Legislative Council, it is doubtful whether the opinions of the professionals, business sectors and minorities will be heard in the Council.

### C. Universal suffrage is not a panacea for social problems

Some people exaggerate the effects of universal suffrage and treat it as a panacea, thinking that as long as a leader has electoral legitimacy, all problems will be solved easily. However, different kinds of problems in society at the moment, such as the ageing population, poverty, education, healthcare, housing, environmental problems and prospects for young people, cannot be solved by having double universal suffrage only. Moreover, people who have been elected by universal suffrage may focus on short-term benefits when implementing policies in their term of office and neglect long-term social well-being. In order for Hong Kong to overcome its problems, every resident must bear responsibilities, instead of just putting the blame on the Chief Executive and legislative councillors. If they lack this kind of self-awareness, even greater disappointment and discontent will arise when the Chief Executive and legislative councillors fail to solve social problems. This, in turn, will lead to a crisis in governance.

#### Challenge

The present Chief Executive in Hong Kong was returned by a 'small-circle' election, and half of the seats in the Legislative Council belong to functional constituencies, whose representation is doubtful. The administrative and legislative authorities formed by these kinds of methods lack a basis of public support, and their legitimacy is doubtful. Public opinion cannot be fully reflected through official political channels and systems, so people will take to the streets to express their demands and discontent. This may lead to a lot of disputes, and if the government cannot deal with the situation, governance will become more and more difficult.



Fig. 3.9 Ng Chi Sum, a commentator

Go to 'L.I.F.E.' of Ming Pao, search for 吳志森看時事：2012 特首選舉 (Chinese version only) and watch the video:

<http://las.mpep.com.hk/video>



What is Ng's opinion on Hong Kong moving forward to double universal suffrage? Are there any other opinions in society? What do you think about the other opinions? Search for related information and answer the questions.



### 3.5 Concerns of different parties over moving forward to double universal suffrage

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#### B. Universal suffrage is not a panacea for social problems

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Old:



## Summary

1. In 2007, the NPCSC clearly stated that the Chief Executive of HKSAR would be selected by universal suffrage according to Annex 1 of the *Basic Law*. However, as society could not meet an agreement, the motion was vetoed in the Legislative Council meeting in 2015, and the system of 2012 for selecting the Chief Executive has been retained. Furthermore, the HKSAR would be able to elect all the members of the Legislative Council by universal suffrage according to the Annex 2 of the *Basic Law*, but universal suffrage for the Chief Executive election should be implemented first.
2. The definition of universal suffrage is that every citizen has universal and equal rights in elections.
3. Controversies over universal suffrage for the Chief Executive mainly focus on the method of nomination, the qualifications for candidates and the voting system.
4. Controversies over universal suffrage for all members of the Legislative Council mainly focus on the preservation or abolition of the functional constituencies.
5. Importance of moving forward to double universal suffrage:
  - Promoting the development of democratic politics in Hong Kong;
  - Strengthening the legitimacy of the HKSAR Government, reducing internal friction in society, harnessing the strength of residents, implementing policies smoothly, and promoting social and economic development;
  - Prompting the government and legislative councillors to be more accountable to the public.
6. Concerns over moving forward to double universal suffrage:
  - Whether elected representatives can coordinate with the Central Authorities to fulfil the principle of 'one country, two systems';
  - The rise of populism and welfarism;
  - The fact that universal suffrage is not a panacea for social problems.



## Summary

1. The definition of universal suffrage is that every citizen has universal and equal rights in elections.
2. According to Article 45 of the *Basic Law*, with regard to the method for selecting the Chief Executive in the light of the actual situation in the HKSAR and in accordance with the principle of gradual and orderly progress, the ultimate aim is the selection of the Chief Executive by universal suffrage upon nomination by a broadly representative nominating committee in accordance with democratic procedures.
3. According to Article 68 of the *Basic Law*, with regard to the method for forming the Legislative Council in the light of the actual situation in the HKSAR and in accordance with the principle of gradual and orderly progress, the ultimate aim is the election of all the members of the Legislative Council by universal suffrage.
4. In 2021, in order to uphold the principle of ‘one country, two systems’ accord with the actual situation of the HKSAR, implement the principle of ‘patriots administering Hong Kong’, which is conducive to safeguarding sovereignty, national security, and development interests of the Country, and maintaining Hong Kong’s long-term prosperity and stability, the NPC passed the *Decision on Improving the Electoral System of the Hong Kong Special Administrative Region* and the NPCSC was authorised to amend Annexes I and II to the *Basic Law*. In order to regulate the conduct and arrangement of election-related activities, the HKSAR Government introduced the *Improving Electoral System (Consolidated Amendments) Bill 2021* into the Legislative Council, which was then passed by the Legislative Council.
5. Importance of moving forward to double universal suffrage:
  - Promoting the development of democratic politics in Hong Kong;
  - Strengthening the legitimacy of the HKSAR Government, reducing internal friction in society, harnessing the strength of residents, implementing policies smoothly, and promoting social and economic development;
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6. Concerns over moving forward to double universal suffrage:
  - The rise of populism and welfarism;
  - The fact that universal suffrage is not a panacea for social problems.

Old:

P.53



### representative government

is a system of government in which people elect representatives to express their opinions in official discussions and deal with public affairs for them. The system can be classified as having either direct or indirect elections. In direct election, voters directly elect suitable people for public office. In indirect election, voters elect representatives who then elect suitable people for public office.

P.54

### *International Covenant on Civil and Political Rights*

is mentioned in Article 39 of the *Basic Law*, which states that the provisions of the *International Covenant on Civil and Political Rights* (the *Covenant*) as applied to Hong Kong will remain in force. Article 25 of the *Covenant*, which is treated as the international standard for universal suffrage, states that:

‘Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in Article 2 and without unreasonable restrictions:

- (a) To take part in the conduct of public affairs, directly or through freely chosen representatives;
- (b) To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors;
- (c) To have access, on general terms of equality, to public service in his country.’

### double universal suffrage (universal suffrage for the Chief Executive and the Legislative Council)

is one of the goals laid out in the *Basic Law*, which stipulates that the Chief Executive of the HKSAR shall ultimately be selected by universal suffrage ‘upon nomination by a broadly representative nominating committee in accordance with democratic procedures’, and that the formation of the Legislative Council shall be aimed at ‘the election of all the members of the Legislative Council by universal suffrage’. The *Basic Law* also stipulates that the related aims shall be achieved in the light of the actual situation in the HKSAR and in accordance with the principle of gradual and orderly progress.

### legitimacy

means the level of acceptance of the government by the public in general. Legitimacy can be reflected by elections. If legitimacy is high, the government will face less opposition.

#### Controversies raised by the *Decision of 31 August 2014*

1. The formation of Nominating Committee would follow the Election Committee for the Fourth Chief Executive (refer to p.42). Some thought that the basis of electors of the Committee was not well-formed. But others thought that the Committee was representative enough as it covered four sectors.
2. 2 to 3 Chief Executive candidates would be nominated and each of them should obtain endorsement of more than half of all the Nominating Committee members. Some thought that it was hard to be qualified, which could be seen as ‘filtering’ candidates. But others thought that this system could ensure the competitiveness of the election, avoiding problems like complicated procedures and high election expenses.

New:

P.54



## Glossary

### representative government

is a system of government in which people elect representatives to express their opinions in official discussions and deal with public affairs for them. The system can be classified as having either direct or indirect elections. In direct election, voters directly elect suitable people for public office. In indirect election, voters elect representatives who then elect suitable people for public office.'

### The Candidate Eligibility Review Committee (CERC)

is responsible for assessing and validating the eligibility of candidates for the Election Committee, the Chief Executive, and the Legislative Council. The establishment and functions of CERC are stipulated in Annexes I and II to the *Basic Law*.

### *International Covenant on Civil and Political Rights*

is mentioned in Article 39 of the *Basic Law*, which states that the provisions of the *International Covenant on Civil and Political Rights* (the *Covenant*) as applied to Hong Kong will remain in force. Article 25 of the *Covenant*, which is treated as the international standard for universal suffrage, states that:

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Old:



Go to the following websites for a comprehensive understanding of the background, concerns and performance of legislative councillors:

1. Members' Biographies

 <http://www.legco.gov.hk/general/english/members>




2. Catholic Monitors on Legislative Councillors (Chinese version only)

 <http://las.mpep.com.hk/22/legco2>



3. Motions, voting or questions proposed by members in the Legislative Council

 <http://www.legco.gov.hk/general/english/counmtg/cm1620.htm>



4. Homepage of individual legislative councillor

New:



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3. Homepage of individual legislative councillor

Old:

## Module Features



Learning outcomes predicted in point form.



Content learning through inquiry activities for multiple learning styles.



Explanations reinforce and deepen knowledge acquired through activities.



Inductive summary in point form.



Further explanations on main **concept words** (highlighted in blue) for understanding of more relevant information.



Extended questions in articles, pictures and mind mapping offer students opportunities to reflect and express acquired knowledge.



Key points summarised as concept map help students in using and understanding of concept words.



Quick and easy reference of special terms and vocabularies (underlined with a grey dotted line) helps students to understand the content in a bilingual way.



Current affairs and critical questions as independent learning materials, enables students to do preparation before lessons and get motivated in learning.



Questions to trigger students' interest and critical thinking.



Inspiring questions promote deeper thinking of knowledge and concepts.



Diversified supplementary information allows students to carry out learning activities on reinforced knowledge foundation.



Diverse elements help to enhance independent learning for students.



Daily categorised news reports and updated statistical charts can be downloaded through scanning of QR codes. A resource bank of supplementary worksheets, question bank and multimedia materials are provided to complement the overall needs of independent learning.

New:

## Module Features



Learning outcomes predicted in point form.



Quick and easy reference of special terms and vocabularies (underlined with a grey dotted line) helps students to understand the content in a bilingual way.



To deepen students' understanding of the *Basic Law* with its original texts.

Articles from the *Basic Law* are put in simple wordings for helping student to understand the meanings of the articles, indicated with **Article 1**



Current affairs and critical questions as independent learning materials, enables students to do preparation before lessons and get motivated in learning.



To deepen students' understanding of the *National Security Law* by studying its background, original texts and main contents.



Questions to trigger students' interest and critical thinking.



Content learning through inquiry activities for multiple learning styles.



Inspiring questions promote deeper thinking of knowledge and concepts.



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