

CHINA (PEOPLE'S REPUBLIC), CONSULTATIVE COMMITTEE FOR THE BASIC
LAW OF THE HONG KONG SPECIAL ADMINISTRATIVE REGION, SECRETARIAT.

CIRCULAR NO. 32-64 1987

HKS
342.2
C5 S

ACC NO.	2132230
DATE OF ACC.	21.10.1992
CLASS NO.	HKS 342.2
AUTHOR NO.	055
REBOUND	

香港
公共
圖書館
藏書
日期
1992
年
10
月
21
日

CCBL-SECR-00-NL32-870109(E)

CIRCULAR 32

9 January, 1987

1. Lecture: Consensus politics and public participation

Dr Louie Kin Sheun, lecturer of the Department of Social Administration of the City Polytechnic, will give a lecture on "Consensus politics and public participation" on Saturday, 17 January, 1987 from 3.00-5.00p.m. at the CCBL premises. Members may obtain admission tickets for non-members by contacting Ms Ma (5-8100810) before 15 January, 1987.

* The lecture will be in Cantonese.

2. The CCBL Calendar for January, 1987

Date	Activity	Remarks
12 January (Monday)	Subgroup on Professional Qualifications of the Special Group on Culture, Technology, Education, and Religion Time : 5:30 - 7:00 p.m.	Convenor: Raymond C.T. Ho
13 January (Tuesday)	Working Group on the Power of Interpretation of the Basic Law Time : 5:30 - 7:00 p.m.	Convenors: Daniel Fung and Anthony G. Rogers
15 January (Thursday)	Meeting of the Special Group on Culture, Technology, Education, and Religion Time : 5:30 - 7:00 p.m.	Convenor: Nelson W.S. Chow
16 January (Friday)	Special Group on Inhabitants' and Other Persons' Rights, Freedom, Welfare and Duties: Indigenous NT Inhabitants Time: 5:30 - 7.00p.m.	Convenor: Eric S.W. Au
17 January (Saturday)	The eighth meeting of the Executive Committee Time : 11:00 a.m. - 1:00 p.m.	

17 January (Saturday)	Lecture: Consensus Politics and Public Participation Time: 3.00 - 5.00 p.m.	Speaker: Louie Kin Sheun
19 January (Monday)	Working Group on Defence and Foreign Affairs Time: 5.30 - 7.00 p.m.	Convenor: J.S. Lambourn
21 January (Wednesday)	Working Group on the Legislature and its Formation, and Working Group on the Chief Executive and the Executive Authorities: Modes of Election Time: 5.30 - 7.00 p.m.	Convenor: Leung Chun Ying
22 January (Thursday)	Special Group on the Relation- ship between the Central Government and the SAR: Residual Power; Relationship between the Constitution and the Basic Law Time: 5.30 - 7.00 p.m.	Convenor: Fung Ho Keung
24 January (Saturday)	Meet-the-public Session Time: 3:00 - 5:00 p.m.	
27 January (Tuesday)	Working Group on Social Life- style Time : 5:30 - 7:00 p.m.	Convenor: Lee Kai Yu, Paul

3. Seminar on regional organizations

The Working Group on Regional Organizations of the Special Group on the Political Structure of the SAR resolved to hold a seminar on regional organizations on Saturday, 14 February, 1987 from 3.00 to 5.00 p.m. at the CCBL premises. Representatives of district organizations and councillors will be invited to give their opinion at the seminar. Members who are interested in attending the seminar, please contact Ms Ma (5-8100810) by 10 February.

4. Reports / discussion papers available to members

The following reports and discussion papers of the various special groups and working groups are available to members:

I. Preliminary reports

- 1) Preliminary report of the Special Group on the Structure of the Basic Law
- 2) Preliminary report of the Special Group on the Political Structure of the SAR
- 3) Special Group on Finance, Business and the Economy
 - Preliminary report of the Subgroup on Economic System and Land
 - Preliminary report of the Subgroup on Financial System and Monetary System
- 4) Special Group on Culture, Technology, Education and Religion
 - Preliminary report of the Subgroup on Education System and Cultural Policy
 - Preliminary report of the Subgroup on Religious Policy
 - Preliminary report of the Subgroup on Professional Qualifications
- 5) Preliminary report of the Special Group on External Affairs
- 6) Preliminary report of the Special Group on the Relationship between the Central Government and the SAR

II. Final report

- 1) Final report of the Special Group on the Structure of the Basic Law

III. Reports on the following seminars or forums

- 1) Seminar on civil servants and the Basic Law
- 2) Seminar on industry*
- 3) Forum on the Basic Law and aviation policy
- 4) Seminar on sports and recreation*
- 5) Forum on literature and arts*
- 6) Seminar on the youth and the Basic Law
- 7) Seminar on indigenous NT inhabitants

* available in Chinese version only but will be translated upon request.

IV. Discussion papers

- 1) Definition of inhabitants
- 2) Residual power
- 3) Relationship between the Basic Law and the Constitution

Members who would like to have a copy of any of these reports/papers, please contact Mrs Tang(5-8100810).

*If there is any discrepancy between the Chinese and the English versions, the Chinese version shall prevail.

基本法諮詢委員會秘書處通訊32

1987年1月9日

一、講座：共識政治與民衆參與

秘書處在1月17日(星期六)下午三時至五時, 邀請香港城市理工學院社會行政學系講師雷競旋先生在本會會址主講: 「共識政治與民衆參與」, 歡迎委員參加。各委員可於1月15日前致電5-8100810 馬小姐替會外人士索取入場券。

二、基本法諮詢委員會87年1月活動備忘

1 月 1 2 日 (星期一)	文教專責小組：專業資格分組 閉會時間：下午五時三十分至七時	召集人：何鍾泰
1 月 1 3 日 (星期二)	基本法解釋權工作組 閉會時間：下午五時三十分至七時	召集人：馮華健、羅傑志
1 月 1 5 日 (星期四)	文教專責小組全體會議 閉會時間：下午五時三十分至七時	召集人：周永新
1 月 1 6 日 (星期五)	居民專責小組：新界原居民 閉會時間：下午五時三十分至七時	召集人：歐成威
1 月 1 7 日 (星期六)	執行委員會第八次會議 閉會時間：上午十一時至下午一時	
1 月 1 7 日 (星期六)	講座：共識政治與民衆參與 閉會時間：下午三時至五時	講者：雷競旋
1 月 1 9 日 (星期一)	國防外交工作組 閉會時間：下午五時三十分至七時	召集人：林邦莊
1 月 2 1 日 (星期三)	立法機關、行政機關工作組：選舉方式 閉會時間：下午五時三十分至七時	召集人：梁振英
1 月 2 2 日 (星期四)	中央與特別行政區的關係專責小組： 剩餘權力、基本法與憲法關係工作組 閉會時間：下午五時三十分至七時	召集人：馮可強
1 月 2 4 日 (星期六)	會見市民 閉會時間：下午三時至五時	
1 月 2 7 日 (星期二)	社會生活方式工作組 閉會時間：下午五時三十分至七時	召集人：李啓宇

三、區域組織研討會

香港特別行政區政治體制專責小組區域組織工作組議決於2月14日(星期六)下午三時至五時在本會會址舉辦區域組織研討會，邀請香港現時各地方性組織及議員參加，發表意見。有意出席是日研討會的委員，可於2月10日前致電5-8100810馬小姐聯絡。

四、備索文件目錄

秘書處現有各專責小組及工作組所完成的報告或討論文件供各委員索閱，其目錄如下：

(1) 初步報告

1. 基本法的結構專責小組初步報告
2. 政制專責小組初步報告
3. 金融財務經濟專責小組 — 經濟制度、土地制度分組初步報告
— 金融制度、貨幣制度分組初步報告
4. 文化教育科技宗教專責小組 — 教育制度、文化政策分組初步報告
— 宗教政策初步報告
— 專業資格分組初步報告
5. 涉外事務專責小組初步報告
6. 中央與特別行政區的關係專責小組初步報告

(2) 最後報告

1. 基本法的結構專責小組最後報告

(3) 研討會或座談會報告

1. 公務員與基本法研討會報告
2. 工業研討會報告
3. 基本法與航空政策座談會報告
4. 康體研討會報告
5. 文藝座談會報告
6. 青年與基本法研討會報告
7. 新界原居民研討會報告

(4) 討論文件

1. 居民定義
2. 剩餘權力
3. 基本法與憲法關係

委員如有意索取上列文件，請致電5-8100810鄧太。

附 錄 二
專責小組成員登記表

第 一 次 公 開 招 標 投 標 文 件 第 一 冊

1. 請在擬參加的小組欄下填上 x。
2. 請於 2 月 5 日前寄回秘書處。

組 別	工 作 範 圍	參 加 為 組 員	預 訂 完 成 報 告 日 期
基本法結構	— 區旗、區徽		3月6日
政制	— 行政機關的組成與行政長官的產生 — 立法機關的組成與立法機關的產生 — 立法機關與行政機關的關係 — 選舉方式 — 公務員 — 財政、稅收制度 — 區域組織 — 司法：司法架構、司法人員的產生、終審權 — 保安、廉政公署、治安		6月26日
法律	— 法律語言 — 基本法解釋權、修改權 — 引渡條例、國籍法、法律衝突 — 司法、司法架構、司法人員的產生		3月6日
居民及其他人的權利 自由福利與義務	— 居民定義 — 新聞自由 — 基本人權、保障人權問題、 兩個國際公約在港適用問題 — 福利制度與勞工制度		3月6日
金融財務經濟	— 財政、稅收及金融制度 — 自由貿易、航運及民航 — 工業、商業、旅遊業及房地產業政策 — 經濟制度的精神		
文化教育科技宗教	— 新聞自由 — 社會生活方式 — 文化教育 — 專業資格 — 科技		6月26日
涉外事務	— 參與國際機構 / 協定的形式與安排 — 駐外機構 — 簽證問題、入境管制		3月6日
中央與特別行政區的關係	— 剩餘權力 — 基本法的解釋權與修改權 — 憲法與基本法的關係 — 中央與特別行政區在外交與國防的協調、 國防、外交、外事、駐軍 — 駐外機構 — 特區與各省區的關係		

簽 名：_____

日 期： 月 日

CIRCULAR 33

THE SECRETARIAT OF
THE CONSULTATIVE COMMITTEE FOR THE BASIC LAW

20 January, 1987

1. Press release: eighth meeting of the Executive Committee

The eighth meeting of the Executive Committee of the Consultative Committee for the Basic Law was held on 17 January. The meeting was chaired by Dr Ann Tse Kai and attended by Mr Mo Kwan Nin, Mr Ng Hong Mun, Mr Lee Kai Ming, Mr P.-Y. Yuen, Ms Ko Siu Wah, Mr Denis K.-L. Chang, Mr Kwok Yuen Hon, Dr Philip C.-K. Kwok, Mr Leung Chun Ying, Mr Wong Po Yan, Dr Rayson Huang, Justice T.-L. Yang, Mr Lo Tak Shing, and Lord Lawrence Kadoorie with apologies for absence from Mr Kong Tak Yan, Mr Louis Cha and Rev Peter K.-K. Kwong.

The meeting discussed the working plan for 1987 of the Consultative Committee. In order to work in line with the progress of the Drafting Committee, it was proposed that the final reports of the Special Groups on the Structure of the Basic Law, on the Relationship between the Central Government and the SAR, and on the Inhabitants' and Other Persons' Rights, Freedom, Welfare and Duties be compiled by 6 March. Reports of the Special Groups on Political Structure and on Culture, Technology, Education and Religion are to be compiled by 26 June; whereas the report of the Special Group on Finance, Business and the Economy is to be completed by 23 October.

Election was held among members present at the meeting for the vacancy of vice-chairman. Mr Lo Tak Shing was selected as the vice-chairman, and it was passed that Mr Stephen Kam-Chuen Cheong would be invited as a member of the Executive Committee.

The meeting also passed the resolution of the Subcommittee on Finance to have Rev Peter K.-K. Kwong as the chairman and Dr Philip C.-K. Kwok as a member of the Subcommittee. In addition, the meeting discussed matters concerning the replacements of Mr P.-C.-S. Deveson, Mr David E.-L. Wong,

Mr Li Siu Kei and Mr Fung Wai Kwong who had resigned from the CCBL, and of Mr Wong Kwan Cheng who had passed away. It was proposed that Mr Erik Christensen be nominated as a member, and the proposal is to be passed in the general meeting. A four-member group (comprising Ms Ko Siu Wah, Mr Leung Chun Ying, Mr Kwok Yuen Hon and Mr Philip P.Y. Yuen) was set up for dealing with the replacement of members and consulting related organisations, and the results of their investigation will be discussed at the ninth meeting of the Executive Committee.

The annual report of the Consultative Committee was reviewed and passed at the meeting, and copies of the report will be distributed to members.

Since the various special groups have operated for a year, the Executive Committee resolved to have re-registration of membership of the special groups. The Secretariat was made responsible for informing members and arranging for the re-registration.

Report of the Secretariat on the arrangements for tours to the mainland in 1987 was received. It was resolved that three tours will be organised in April, July and November respectively.

The ninth meeting of the Executive Committee will be held on Saturday, 14 February, 1987.

The third general meeting of the Consultative Committee will be held on Saturday, 28 March, 1987.

2) Tours to the mainland

According to the resolution of the seventh Executive Committee meeting, the Secretariat, in consultation with the Drafting Committee, will organise three tours to the mainland in 1987. Details of the tours are as follows:

	Members	Date	Routes	Expenses
1st Tour	20	26/4 - 5/5	Beijing, Kunming, Dali, Ruili.	Return ticket HK -- Beijing
2nd Tour	20	5/7 - 14/7	Beijing, Chengdu, Jiuzhaigou.	Return ticket HK -- Beijing
3rd Tour	20	11/11-20/11	Beijing, Jinan, Qufu, Mount Tai.	Return ticket HK -- Beijing

Each tour will visit Beijing and exchange views with relevant people on the Drafting of the Basic Law before visiting other parts of the mainland.

The tours are for members of the Consultative Committee only. Members can be accompanied by their spouses who are required to pay for their own expenses in the trip. 13 February is the deadline for application (Appendix 1). Priority will be given to members who have never joined the tour before, but those who joined last year are also welcome. After collecting the applications, the Secretariat will make arrangements according to the number of applicants for each tour so that all applicants may go on a trip to the mainland.

3. Re-registration of membership of the special groups

The various Working Groups have operated for a year now, and in order to let members have the chance to re-arrange the priority of their work, the eighth meeting of the Executive Committee resolved that re-registration of membership of the special groups should be conducted. Members may join any of the special groups according to their own interest and expertise. Members who would like to remain in the special groups which they joined in the past year are also asked to sign up again. After filling out the registration forms (Appendix 2), members will automatically become members of the special group(s) of their choice. Registration forms should be returned to the Secretariat by 5 February.

APPENDIX 1

Application form for the tours to the mainland

1. Please return the completed form to the Secretariat before 13 February. Those who do not return the form by the deadline will be deemed not interested.
2. Please indicate your priority by stating (1), (2) and (3) against each tour:

1st Tour: 26/4 to 5/5 Beijing, Kunming, Dali, Ruili.	
2nd Tour: 5/7 to 14/7 Beijing, Chengdu, Jiuzhaigou.	
3rd Tour: 11/11 to 20/11 Beijing, Jinan, Qufu, Mount Tai.	

Date

Signature

APPENDIX 2

Re-registration of membership of the special groups



Please indicate your interest by marking a cross against the appropriate group(s).

Please return the completed form to the Secretariat before 5 February.

AL GROUP	SCOPE	DATE FOR COMPLETION OF FINAL REPORT
ture of the Law	<ul style="list-style-type: none"> - regional flag and regional emblem 	6 March
ical Structure of SAR	<ul style="list-style-type: none"> - formation of the executive authorities and selection of the chief executive - the legislature and its formation - relationship between the executive authorities and the legislature - modes of elections - civil service - finance and taxation system - regional organisations - judiciary: structure of the judiciary, selection of judicial personnel and the power of final adjudication - Security; ICAC; and law and order 	26 June
aws	<ul style="list-style-type: none"> - language of the law - powers of interpretation and amendment of the Basic Law - extradition, Nationality Law, and conflict of the laws - Judiciary: structure of the judiciary and selection of judicial personnel 	6 March
itants' and Persons' s, Freedom, re and Duties	<ul style="list-style-type: none"> - definition of inhabitants - freedom of the press - basic human rights, protection of human rights, and applicability of the two international covenants in Hong Kong - welfare system and labour policy 	6 March

e, Business e Economy	<ul style="list-style-type: none">- finance, taxation, and monetary system- free trade, shipping, and civil aviation- policies on industry, real estate and commerce- principles of the economic system	23 October	
e, Technology, ion and on	<ul style="list-style-type: none">- freedom of the press- lifestyle- cultural policy- professional qualifications- science and technology	26 June	
al Affairs	<ul style="list-style-type: none">- arrangement for and form of participation in international organisations/agreements- overseas offices- issuing of passports and travel documents; immigration control	6 March	
onship between entral ment and AR	<ul style="list-style-type: none">- residual power- powers of interpretation and amendment of the Basic Law- relationship between the Constitution and the Basic Law- foreign affairs and defence co-ordination between the SAR and the Central Government; defence; foreign affairs; external affairs; and garrison- overseas organisations- relationship between the SAR and the various regions/provinces in the mainland	6 March	

Date

Signature

基本法諮詢委員會秘書處通訊33

1987年1月20日

一、執行委員會第八次會議新聞公報

基本法諮詢委員會執行委員會於1月17日舉行了第八次會議。會議由安子介主任主持，出席會議的有(按姓氏筆劃為序)毛鈞年委員、吳康民委員、李啓明委員、阮北耀委員、高荻華委員、張健利委員、郭元漢委員、郭志權委員、梁振英委員、黃保欣委員、黃麗松委員、楊鐵樑委員、羅德丞委員、嘉道理委員。請假的有江德仁委員、查良鏞委員、鄺廣傑委員。

執行委員會討論了基本法諮詢委員會87年度的工作計劃，並為配合起草委員會的進度，建議在3月6日前完成基本法的結構、中央與特別行政區的關係、居民及其他人的權利自由福利與義務三組專責小組的最後報告；在6月26日前完成政制、文化教育科技宗教兩組專責小組的報告；及在10月23日前完成金融財務經濟專責小組的報告。

會議就副主任的出缺進行互選，羅德丞委員當選為副主任。會議並議決增補張鑑泉委員為執行委員。

會議通過了財務委員會的議決，由鄺廣傑委員任財務委員會主席及增補郭志權委員為委員會成員。會議並就戴維信委員、黃日煊委員、李紹基委員及馮焯光委員請辭諮詢委員職務和王寬誠委員不幸逝世進行討論增補諮詢委員事宜，議決通過提名Erik Christensen為增補委員，交全體大會通過；並成立一四人小組(由高荻華委員、梁振英委員、郭元漢委員及阮北耀委員組成)，負責研究和與有關團體洽商，有關結果交由執行委員會第九次會議討論。

會議審閱通過了諮詢委員會的周年報告，議決寄交各委員。

執行委員會並以專責小組運作已近一年，有需要重新登記，責成秘書處通知各委員，安排登記事宜。

會議聽取了秘書處有關87年國內交流參觀團的安排報告。議決在87年4月、7月和11月舉辦三次交流參觀團。

會議議決於2月14日(星期六)召開第九次執行委員會會議。

基本法諮詢委員會第三次全體會議將在3月28日(星期六)召開。

二、交流參觀團

根據執行委員會第七次會議議決，秘書處與起草委員會商議安排87年國內交流參觀團如下：

	人數	日期	地點	費用
第一批	20	26/4 - 5/5	北京、昆明、大理、瑞麗	來回北京—香港機票
第二批	20	5/7 - 14/7	北京、成都、九寨溝	來回北京—香港機票
第三批	20	11/11 - 20/11	北京、濟南、曲阜、泰山	來回北京—香港機票

每批交流參觀團先到北京，和內地有關人士交流對起草基本法的意見，然後再往其他地區參觀。

交流參觀團只限諮詢委員參加，委員可攜帶家屬同行，但家屬須自付所需費用。報名截止日期為2月13日(附錄一)，歡迎去年曾參加交流團之委員再次參加。唯未有參加過的委員將獲優先考慮。報名工作完成後，由秘書處按各批報名人數多寡先作內部調配，務求使全部報名參加的委員都能順利成行。

三、專責小組登記事宜

根據執行委員會第八次會議議決，專責小組經一年工作後，為使各委員有機會重新安排自己的工作重點，現特進行重新登記小組成員之工作，請各委員按興趣及專長，自由參加專責小組；各委員以前已參加的專責小組，如有興趣繼續參加，亦請再次登記。各委員填妥登記表(附錄二)後，即自動成為該小組成員。報名表請於2月5日前寄回秘書處。

附錄一 (交流參觀團報名表)

1. 請於2月5日前寄回秘書處，逾期作放棄論。
2. 請順序填上 ①首選、②次選、③三選

第一批	第二批	第三批
4月26日 - 5月5日 北京、昆明 大理、瑞麗	7月5日 - 7月14日 北京、成都 九寨溝	11月11日 - 11月20日 北京、濟南 曲阜、泰山

簽名：_____

日期： 月 日

附 錄 二
專 責 小 組 成 員 登 記 表

香港特別行政區
基本法
諮詢委員會

1. 請在擬參加的小組欄下填上×。

2. 請於2月5日前寄回秘書處。

組 別	工 作 範 圍	參 加 為 組 員	預 訂 完 成 報 告 日 期
基本法結構	— 區旗、區徽		3月6日
政制	— 行政機關的組成與行政長官的產生 — 立法機關的組成與立法機關的產生 — 立法機關與行政機關的關係 — 選舉方式 — 公務員 — 財政、稅收制度 — 區域組織 — 司法：司法架構、司法人員的產生、終審權 — 保安、廉政公署、治安		6月26日
法律	— 法律語言 — 基本法解釋權、修改權 — 引渡條例、國籍法、法律衝突 — 司法、司法架構、司法人員的產生		3月6日
居民及其他人的權利 自由福利與義務	— 居民定義 — 新聞自由 — 基本人權、保障人權問題、義務、 兩個國際公約在港適用問題 — 福利制度與勞工制度		3月6日
金融財務經濟	— 財政、稅收及金融制度 — 自由貿易、航運及民航 — 工業、商業、旅遊業及房地產政策 — 經濟制度的情神		10月23日
文化教育科技宗教	— 新聞自由 — 社會生活方式 — 文化教育 — 專業資格 — 科技		6月26日
涉外事務	— 參與國際機構／協定的形式與安排 — 駐外機構 — 簽證問題、入境管制		3月6日
中央與特別行政區的關係	— 剩餘權力 — 基本法的解釋權與修改權 — 憲法與基本法的關係 — 中央與特別行政區在外交與國防的協調、 國防、外交、外事、駐軍 — 駐外機構 — 特區與各省區的關係		3月6日

簽 名：_____

日 期： 月 日

CCBL-SECR-00-NL34-870127(E)

CIRCULAR 34

27 January, 1987

1. The 8th Executive Committee meeting resolved that the vacancy in the Executive Committee be filled by Mr Stephen Cheong.
2. The CCBL Calendar for February, 1987

Date	Activity	Remarks
3 February (Tuesday)	Working Group on Defence & Foreign Affairs Time : 5:30 - 7:00 p.m.	Convenor: J.S. Lambourn
4 February (Wednesday)	Working Group on the Legislature and its Formation Time : 5:30 - 7:00 p.m.	Convenor : Leung Chun Ying
4 February (Wednesday)	Working Group on Arrangement for and Form of Participation in International Organisations/ Agreements Time : 5:30 - 7:00 p.m.	
5 February (Thursday)	Working Group on Freedom of the Press Time: 5:30 - 7.00p.m.	
5 February (Thursday)	Special Group on Inhabitants' and other Persons' Rights, Freedom, Welfare and Duties: Definition of Inhabitants Time : 5:30 - 7:00 p.m.	Convenor: Tso Wung Wai
6 February (Friday)	Subgroup on Religion of Special Group on Culture, Technology, Education and Religion Time: 3:00 - 5:00 p.m.	Convenor: Louis E. Keloon Ha
6 February (Friday)	Working Group on Immigration Control Time: 5:30 - 7.00 p.m.	Convenor: Peter C.K Chan

Date	Activity	Remarks
6 February (Friday)	Working Group on Welfare Policy and Labour Policy Time: 5:30 - 7:00 p.m.	
7 February (Saturday)	Working Group on Judiciary System Time: 10:00 - 12:00 p.m.	Convenor: Denis K.L. Chang
9 February (Monday)	Special Group on the Relation- ship between the Central Government and the SAR Time: 5.30 - 7.00 p.m.	Convenor: Fung Ho Keung
10 February (Tuesday)	Working Group on Defence and Foreign Affairs Time: 5.30 - 7.00 p.m.	Convenor: J.S. Lambourn
10 February (Tuesday)	Working Group on the Power of Interpretation of the Basic Law Time : 5:30 - 7:00 p.m.	Convenor: Daniel Fung
13 February (Friday)	Working Group on Welfare Policy and Labour Policy Time: 5:30 - 7.00 p.m.	
14 January (Saturday)	The ninth meeting of the Executive Committee Time : 10:30 a.m. - 12:30 p.m.	
14 February (Saturday)	Seminar on regional organisa- tions Time : 2:30 p.m. - 5:00 p.m.	Chairmen: Zee Sze Yong and Louis E. Keloan Ha
16 February (Monday)	Subgroup on Professional Qualifications of the Special Group on Culture, Technology, Education, and Religion Time : 5:30 p.m. - 7:00 p.m.	Convenor: Tsin Sai Nin

Date	Activity	Remarks
19 February (Thursday)	Special Group on the Relation- ship between the Central Government and the SAR Time: 5.30 p.m. - 7:00 p.m.	Convenor: Eric Sing Wai Au
27 February (Friday)	Working Group on Regional Organisations Time : 2:30 p.m. - 5:00 p.m.	Convenor: Zee Sze Yong
28 February (Saturday)	Meet-the-public Session Time: 3:00 - 5:00 p.m.	

* If there is any discrepancy between the Chinese and the English versions, the Chinese version shall prevail.

基本法諮詢委員會秘書處通訊 34

1987年1月27日

一、根據執行委員會第八次會議議決，增補張鑑泉委員為執行委員。

二、基本法諮詢委員會87年2月活動備忘

2月3日(星期二)	國防外交工作組 開會時間：下午五時三十分至七時	召集人：林邦彥
2月4日(星期三)	立法機關的產生工作組 開會時間：下午五時三十分至七時	召集人：梁振英
2月4日(星期三)	國際條約工作組 開會時間：下午五時三十分至七時	
2月5日(星期四)	新聞自由工作組 開會時間：下午五時三十分至七時	
2月5日(星期四)	居民專責小組：居民定義 開會時間：下午五時三十分至七時	召集人：曹宏威
2月6日(星期五)	文教專責小組：宗教分組 開會時間：下午五時三十分至七時	召集人：夏其龍
2月6日(星期五)	入境管制工作組 開會時間：下午五時三十分至七時	召集人：陳子鈞
2月6日(星期五)	福利政策、勞工政策工作組 開會時間：下午五時三十分至七時	召集人：麥海華
2月7日(星期六)	司法制度工作組 開會時間：上午十時至十二時	召集人：張健利
2月9日(星期一)	中央與特別行政區的關係專責小組 開會時間：下午五時三十分至七時	召集人：馮可強

2月10日(星期二)	國防外交工作組 開會時間：下午五時三十分至七時	召集人：林邦莊
2月10日(星期二)	基本法解釋權工作組 開會時間：下午五時三十分至七時	召集人：馮華健
2月13日(星期五)	福利政策、勞工政策工作組 開會時間：下午五時三十分至七時	召集人：麥海華
2月14日(星期六)	執行委員會第九次會議 開會時間：上午十時半至十二時半	
2月14日(星期六)	區域組織研討會 開會時間：下午二時三十分至五時	主席：徐是雄 夏其龍
2月16日(星期一)	文教專責小組：專業資格分組 開會時間：下午五時三十分至七時	召集人：錢世年
2月19日(星期四)	中央與特別行政區的關係專責小組 開會時間：下午五時三十分至七時	召集人：歐成威
2月27日(星期五)	區域組織工作組 開會時間：下午五時三十分至七時	召集人：徐是雄
2月28日(星期六)	會見市民 開會時間：下午三時至五時	

CIRCULAR 35

THE SECRETARIAT OF THE
CONSULTATIVE COMMITTEE FOR THE BASIC LAW

13 February 1987

1. Amendment to the minutes of the general meeting

According to the resolution of the seventh meeting of the Executive Committee, the minutes of the first and second general meetings were to be distributed amongst members before 15 November 1987. Amendments could be made within a month from the dispatch of the minutes. Within the one-month period, the Secretariat received a letter from Mr Mak Hoi Wah proposing amendments to the minutes. After the meeting of Chairmen was held, it was decided that the minutes of the first general meeting be amended whereas the minutes of the second meeting remain unchanged (see Appendix 1). Members who have any comments on the amended version of the minutes of the first meeting, please write to the Secretariat within two weeks. The minutes of the two general meetings will be confirmed at the third general meeting on 28 March.

2. Change of date of the tour to the mainland

The date of the second tour to the mainland is changed from 5 July - 14 July to 15 July - 24 July. Members who have signed up for this tour but will not be able to go on the new date, please contact Miss Ma on 5-8100810 for further arrangements.

3. Spring tea party

A spring tea party will be held on Wednesday, 25 February from 5:30 to 7:00 p.m. Apart from our own members, the advisors of the CCBL and other related persons are also invited.

4. Progress of the CCBL

1. Working groups on the following topics are in action:
 - 1) The legislature and its formation
 - 2) The power of interpretation of the Basic Law
 - 3) Freedom of the press
 - 4) Overseas offices
 - 5) Regional organisations

- 6) The relationship between basic human rights and duties and the Chinese Constitution; applicability of the two international covenants to Hong Kong
- 7) Social welfare policy and labour policy
- 8) Social lifestyle
- 9) The issuing of passports and travel documents; immigration control
- 10) Cultural policy; education system
- 11) Extradition ordinance; nationality law; conflict of the laws

2. Discussion papers on the following topics* have been completed and are under discussion by the relevant special groups:

- 1) Judicial system
- 2) Defence and foreign affairs
- 3) Relationship between the SAR and the various provinces/regions
- 4) Religious affairs of the HKSAR
- 5) Arrangement for and form of participation in international organisations/agreements

3. Reports on the following topics* have recently been completed:

- 1) Definition of inhabitants; right to land; right of abode; freedom from deportation; rights to vote and to stand for election
- 2) Relationship between the Constitution and the Basic Law
- 3) Residual power

*Members who would like to have a copy, please contact Miss Ma (5-8100810)



APPENDIX I

MINUTES OF THE FIRST GENERAL MEETING
OF THE CONSULTATIVE COMMITTEE FOR THE BASIC LAW

1. Justice T.L. Yang briefed the committee on the Standing Orders of the General Meeting and proposed to pass the Standing Orders of the General Meeting in principle. Members with any opinions or suggestions concerning the Standing Orders were asked to write to the Secretariat by March 10. The Subcommittee on Work Procedure would amend the Standing Orders according to the opinions voiced at the meeting and the written comments submitted by the members thereafter. The amended version was to be examined by the Executive Committee before being submitted to the next general meeting for approval.
 - 1.1 Mr Mak Hoi Wah agreed in principle the "Standing Orders" be passed at the meeting, but stated that, where necessary, amendments could still be made in future, and the amended "Standing Orders" would be endorsed at the next general meeting.
 - 1.2 Ms Yu Wai Mui proposed the following amendments to the "Standing Orders" :
 - (1) Additions should be made to clause 1.2 : "...The Secretariat shall distribute all documents related to the meeting 10 days (including the date of dispatch of the documents, Sundays and public holidays) in advance of the day of the meeting." This is to provide members with enough time for consultative work.
 - (2) Clause 1.3 should read : "The notice of meeting and agenda shall be held to have been given if it was delivered to the member's correspondence address (filed by the member with the Secretariat). Failure to give such notice or agenda to any member as a result of postal problem shall not affect the validity of a meeting."
 - (3) Clauses 6.9 and 6.10 should be deleted because it was obvious that members should have the right to attend meetings and voice their opinions at meetings.

1.3 Mr Fung Wai Kwong maintained that members should have equal rights to attend meetings and participate in the discussions on issues regarding the Basic Law. There should not be any members who had more power than others. Amendments should be made as follows :

- (1) Additions should be made to clause 2.2 : "...Any items supported by 1/6 of the members shall automatically be included in the agenda of the general meeting."
- (2) Additions should be made to clause 4.2 : "...The chairman's decision is final, but is subject to motions objecting to it." Besides, clause 6.12 "motions to object the chairman's decision" should be added under clause 6.
- (3) Regarding clause 7.4 " motions - withdrawal", it should be stated that once a motion was proposed at a meeting, it could only be withdrawn with a majority vote.

1.4 Mr Li Siu Kei agreed to the amendments proposed by Ms Yu Wai Mui and Mr Fung Wai Kwong.

1.5 Mr Ha Man Ho pointed out that according to the Constitution, the work of the CCBL should be made as open to the public as possible. Therefore, members of the public, including members of the press, should be admitted to the general meetings. Mr Ha proposed to retain clause 5.2 : "The general meeting may admit members of the public (including members of the press), depending on the conditions of the venue" or "The general meeting has the authority to decide whether or not members of the public be admitted to the entire meeting."

1.6 Mr Chang Ka Mun made the following comments on the "Standing Orders" :

- (1) "All motions" in clause 7.1 should be clearly defined as some motions might not have been included in "motions which may be moved without notice" under clause 6.
- (2) It was unreasonable that a motion supported by a majority of members should still be referred to a group of people who would decide whether it be raised at the meeting;
- (3) Whether there was any time limit to the proposing of motions in writing;
- (4) Clause 7.2 was illogical because if "every motion or amendment must be proposed and seconded", the situation that "a motion included in the agenda be not proposed" should not arise as any motion would have been proposed and seconded.

- 1.7 Mr Chow Charn Ki consented to pass the Standing Orders at this meeting. He made a supplement to clause 1.1: "Notice in writing of a meeting shall be given by the Secretariat at least fourteen days (including the day the notice is given, Sundays, and public holidays) in advance of the day of the meeting." Though clause 1.2 provides that "the notice of meeting shall include the agenda for the meeting", according to clause 2.2 "any request to add item(s) to the agenda shall be made in writing to the Secretariat-General within seven days after the agenda is given, and be decided jointly by the Chairman, Vice-Chairmen and the Secretary-General." Should the request is be approved, the new agenda (with additions) would not be able to reach members 14 days before the general meeting. Mr Chow hoped that this point could be specified.
- 1.8 Mr Ko Gra Yee proposed to set up a committee, which should include the Chairman, Vice-chairmen and Secretary-General as members, to be responsible for collecting relevant opinions for producing the agenda of the general meeting. The agenda should be sent to members in two parts: (1) A preliminary agenda was to be sent to members 21 days before the meeting so as to consult their opinions; (2) Members with any comments on the preliminary agenda could submit them to the above-mentioned committee through the Secretariat. A final agenda was to be sent 5 days before the meeting. Mr Ko also agreed to the proposed amendments to clauses 6.9 and 6.10.
- 1.9 Mr Leung Siu Tong commented as follows:
- (1) More time should be given to members for consulting the organisations they represent on the documents related to the meetings;
 - (2) The time limit for proposing additional agenda items should be more specific;
 - (3) The chairman had too much power e.g. clause 7.6.1;
 - (4) Certain details were yet to be finalised e.g. clause 7.3: "Where a notice of motion has been given by a member, and at the proper time for it to be moved he is absent, the motion may with his permission be moved by any other member." The term "permission" should be elaborated.
- 1.10 Mr Cheong Kam Chuen held that the procedures provided in the "Standing Orders" were fairly adequate. Since it was a mass meeting of 180 members, it should be conducted effectively by the Chairman lest it would be chaotic. If the meeting was to progress smoothly, members should have full trust in the Chairman. Regarding the agenda,

Mr Cheong remarked that it would be very strenuous to prepare an agenda for such a mass meeting, and if an item with the support of 1/6 of the members could automatically be included in the agenda, the remaining 5/6 of the members would not have enough time to prepare for it. For this reason, he objected to the above proposal.

2. The motion to pass the Standing Orders of the General Meeting in principle was proposed by Justice T.L. Yang and seconded by Mr Lee Kai Ming. The results of voting on the motion were as follows: 153 affirmative votes; 0 dissenting vote; and 1 abstention.
3. The reports on the work of the Subcommittee on Finance, the Subcommittee on Work Procedure and the Subcommittee on Group Planning were delivered by their respective chairmen, namely, Mr Wong Kwan Cheng, Justice T.L. Yang and Dr Rayson Huang.
4. On behalf of the Secretariat, Mr Ann Tse-kai reported on the invitation of advisors. The following people had agreed to be our advisors: Mr R. Benoit, Mr W.C.L. Brown, Sir Jack Cater, Mr Robin Y.H. Chan, Mr Chen Hung, Sir Kenneth P.F. Fung, Mr Yasushi Kajiwara, Mr Ira D. Kaye, Mr Thomas Ketchum, Mr K.S. Lo, Mr Ma Meng, Mr W.C. McAfee, Mr Ng Kai Chai, Mr Akito Odake, Mr Woo Pak Chuen and Mr Fumio Umemoto. In addition, Mr Henry Litton agreed to be the legal advisor of the Consultative Committee for the Basic Law. On behalf of the CCBL, Mr Ann Tse-kai expressed his gratitude to the people mentioned above for accepting our invitations.
5. Mr Mo Kwan Nin reported on the matters concerning the tour to the mainland organised at the members' own expenses.
6. Dr Rayson Huang briefed the committee on the establishment of special groups.
 - 6.1 Mr Howard Young proposed to add the topics "Hong Kong Overseas Organisations" and "Immigration Control" under 1.7.
 - 6.2 Mr Fung Wai Kwong held that even after the establishment of the special groups, their scopes of discussion could still be amended or expanded. As regards "the rights and interests of New Territories indigenous inhabitants (including those living overseas)" under 1.4, there should not be any distinction between indigenous and non-indigenous inhabitants as far as China's sovereignty was concerned.

- 6.3 Mr Ha Man Hoi proposed that 4.4 "...Those who voice their opinions at the public-hearing session have the right to decide whether the session should be open to the public" should read "...Those who voice their opinions at the public-hearing session should have the right to decide whether their opinions be made public."
- 6.4 Mr Fung Kin Kee pointed out that the people's livelihood normally included education, housing, medical services, labour, social welfare, etc., but under 1.4, the scope of discussion only includes "labour" and "social welfare". Thus, 1.4 should be supplemented.
- 6.5 Mr Cheong Kam Chuen noted that such items as "customs duty", "trade", "shipping", and "civil aviation" under 1.7 "external affairs" were highly important to foreign trade and required more technical and professional knowledge. But people from these fields might not be familiar with "cultural and sports agreements". Thus, he proposed that the above-mentioned four items be incorporated into 1.5.
- 6.6 Ms Ip Man Hing proposed to clearly define the items under the eight special topics so that members could choose to join the groups which discuss the items that interest them most, instead of spending too much time on the groups that discuss some general issues. In addition, the meetings on specific items should not clash with one another.
- 6.7 Mr Lau Nai Keung held that even though the "proposal" was quite detailed, inadequacies might still be found. He hoped that additions would still be allowed after the "proposals" were passed. Besides, the form of operation of the four special groups as proposed by point 4 seemed to be catered for experts and professional people, and the general public would have less opportunities to voice their opinions. As one of the major responsibilities of the Consultative Committee was to reflect the opinions of the general public in Hong Kong, Mr Lau hoped that "people from various sectors" mentioned under 4.4 would refer to the general public and the term "invitation" would refer to an open invitation by which every member of the public was given the opportunity to express his/her opinion. In addition, Mr Lau proposed that the special groups conduct some scientific and systematic researches.
- 6.8 Mr Chow Charn Ki pointed out that such important issues as the nationality of Hong Kong people and the relationship between the Basic Law and the laws in China should be included in the scopes of discussion of the special groups for further special deliberation.

- 6.9 Mr Cheung Pak Chi proposed to add "postal services" and "telecommunications" under 1.7. He hoped that the Secretariat could collate the opinions and proposals submitted by organisations and refer them to the relevant special groups for consideration.
- 6.10 Mr Mak Hoi Wah put forward the following amendments to the "proposal":
- (1) "Home Affairs Department" under 1.2 should not be included in the structure of "district administration". Moreover, since that department had been renamed as "City and New Territories Administration", it should be deleted.
 - (2) "Legal system" should be added under 1.3.
7. The motion to pass the proposal for establishment of special groups was proposed by Dr Rayson Huang and seconded by Mr Mo Kwan Nin. The Subcommittee on Group Planning was instructed to revise the proposal, if necessary, according to the opinions voiced at the meeting and the written comments submitted by the members. The results of voting on the proposal were as follows: 153 affirmative votes, 0 dissenting vote and 1 abstention.
8. Summaries of the first round of group discussion sessions on the structure of the Basic Law held from 15 to 23 February were read by Mr Ng Hong Mun, Dr Daniel C.W. Tse, Dr Cheung Yau Kai, Dr Edward K.Y. Chen, Ms Henrietta M.H. Ip, and Dr Poon Chung Kwong. The meeting agreed to submit the six summaries to the Drafting Committee.
9. There being no other business, the meeting was adjourned at 5:00 p.m.

* If there is any discrepancy between the Chinese and the English versions, the Chinese version shall prevail.

基本法諮詢委員會秘書處通訊35

1987年2月13日

一、修正全體會議會議紀錄

根據執行委員會第七次會議議決，於1986年11月15日前同時發出本會第一次及第二次全體會議會議紀錄，各委員並可於寄發會議紀錄後一個月內，提出修正。自秘書處向全體委員寄發會議紀錄後一個月內，秘書處接獲麥海華委員的來函，提出對會議紀錄的建議和意見，經主任會議研究後，修改了第一次全體會議會議紀錄(附件一)，第二次全體會議會議紀錄則無需修改。各委員如對修正本有任何意見，請於兩周內以書面寄交本處。以上兩次會議紀錄將於3月28日第三次全體會議上確認。

二、更改交流參觀團出發日期

原訂於7月5日至14日舉辦之第二批交流參觀團，改於7月15日至24日舉行。各委員若因時間變更而改變原來計劃，請於2月19日前致電5-8100810馬小姐聯絡。

三、新春茶會

本會謹訂於2月25日(星期三)下午五時三十分至七時在本會會址舉行新春茶會。除全體委員外，更邀請本會顧問等有關人士出席。請柬將於稍後寄奉，請各委員留意。

四、會務概況

1. 現時展開工作的工作組有：

- (1) 立法機關與立法機關的產生
- (2) 基本法解釋權
- (3) 新聞自由
- (4) 駐外機構
- (5) 區域組織
- (6) 基本人權和義務問題與中國憲法的關係、兩個國際公約在港適用性
- (7) 福利制度與勞工制度
- (8) 社會生活方式
- (9) 簽證問題、入境管制
- (10) 文化政策、教育制度
- (11) 引渡條例、國籍法、法律衝突

2. 已完成討論文件※，由專責小組進行討論的有：

- (1) 司法制度
- (2) 國防外交
- (3) 特區與各省區關係
- (4) 香港特別行政區宗教事務
- (5) 參與國際機構／協定的形式與安排

3. 最近已完成報告※的有：

- (1) 居民定義、出入境權、居留權、豁免遞解離境權、選舉權及被選舉權最後報告
- (2) 憲法與基本法的關係最後報告
- (3) 剩餘權力最後報告

※ 委員如需要索取已完成的討論文件及報告參考，可致電5-8100810 馬小姐聯絡。

CCBL-GM-01-M102-870213

附件一

基本法諮詢委員會第一次全體會議會議紀錄

1. 會議聽取了楊鐵樑副主任對本會「全體會議細則」的說明。楊鐵樑委員建議，於是次會議原則上通過「全體會議細則」，各委員如對「全體會議細則」的條文內容有任何意見或建議，可於三月十日前以書面形式寄送秘書處。工作程序委員會將根據各委員在這次會議上的發言及會後收集所得之書面意見，對「全體會議細則」作相應的修訂，並經執行委員會審訂後，再交下次全體會議通過。
 - 1.1 麥海華委員原則上同意於是次會議通過「細則」，並同意日後如有需要，可對「細則」進行修訂，在下次全體會議上通過。
 - 1.2 姚偉梅委員建議對「細則」作下列修改：
 - (1) 在第1.2項增加：“...。而秘書處須在召開全體會議前10天（包括發出通知之日、星期日及公眾假期）發出會議文件。”以便委員進行諮詢工作。
 - (2) 第1.3項改作“倘開會通知書或會議議程按委員之通訊地址（指委員知會秘書處之通訊地址）寄出，則作已妥發該通知書及會議議程論。若委員因郵遞問題未能收到上述文件，會議仍屬有效。”
 - (3) 刪去第6.9及6.10項，因為既為委員，便應該有權利參與會議及發言。
 - 1.3 馮煒光委員認為，全體委員都有權平等地參與整個會議，共同討論基本法，不可以有部份人士有過大權力。故建議對細則作下列修改：
 - (1) 在第2.2項增加：“...。如某項議程已獲得六分之一全體委員簽名支持，便可自動成為大會的議程。”
 - (2) 在第4.2項增加：“...。主席的判斷為最終判斷，但受制於反對主席判斷之動議。”同時，在第6項下，增加第6.12項“反對主席判斷之動議。”
 - (3) 關於第7.4項“動議一撤銷”的問題，動議一旦被提到會上，必須經大會以多數票形式同意，方可以撤銷。
 - 1.4 李紹基委員同意姚偉梅委員和馮煒光委員提出的各項修改。
 - 1.5 夏文浩委員表示，根據《章程》，本會工作應盡量公開，所以大會應公開予社會人士，包括報界旁聽，故建議恢復原有的第5.2項：“公眾人士包括新聞界旁聽會議，視乎場地情況而定”，或“大會有權決定會議的全部份是否允許公眾人士旁聽”。

1.6 張家敏委員對「細則」提出下列四點意見和建議：

- (1) 對第7.1項中“所有動議”一詞應有清楚定義；有些動議可能未有包括在第6項的“臨時動議”內；
- (2) 假如有一動議已獲得很多委員的支持，卻要交給一班人決定是否提出討論，是不合理的做法；
- (3) 以書面提交增加動議是否有時間限制；
- (4) 第7.2項在邏輯上有混淆之處，即既然“凡動議或修正提案，必須有正式提議及和議”，則“倘已列入會議議程之動議並無正式提議”的情況，應該不會出現，因為一個正式之動議應該已經有正式提議及和議。

1.7 鄧煥基委員同意，儘可能於是次會議先行通過「細則」。此外，他補充第1.1項：“秘書處須在召開全體會議前14天(包括發出通知之日、星期日及公眾假期)發出開會通知書”；及第1.2項：“會議議程連同開會通知書一併發出”，但按照第2.2項：“如有委員要求增加議程，須將其要求增加之議程以書而交秘書長，由主任、副主任及秘書長決定是否增加”，倘若此項要求獲接納，則增加的議程便不足14天通知期限，故希望加以說明。

1.8 高家裕委員建議，成立一個包括主任、副主任及秘書長在內的委員會，專責收集有關的意見，然後向全體委員提出大會議程。同時將發出議程的程序分為兩部分：(1)在會議召開前21天發出初步議程，徵詢委員意見；(2)委員如對初步議程有任何補充，可通過秘書處將意見交由上述委員會考慮，並於會議召開前5天發出最後議程。他贊同有關修改第6.9及6.10項的意見。

1.9 梁兆棠委員提出下列幾項意見：

- (1) 希望有充裕時間，讓委員可就會議文件徵詢各自代表團體的意見；
- (2) 明確增加議程的合法時限；
- (3) 主席權力過大，例如第7.6.1項；
- (4) 一些細節問題尚待確定，例如第7.3項：“倘委員提出動議通知，而在正式提出動議時缺席，得經其本人允許，由其他委員代為提出動議，”其中所謂“允許”的形式應予明確。

1.10 張鑑泉委員認為，「細則」所定的做法已相當足夠，因為這是180人的大型會議，主席如不能有效地主持的話，便會非常混亂，以致無法順利地進行，故應信任主席。關於議程方面，他認為，180人的大會，議程的編排必很費力，若某一議程獲六分之一全體委員支持，便成為大會討論議程，其他六分之五的委員可能沒有足夠時間對該項議程作準備，因此，他反對上述提議。

2. 楊鐵樑委員動議，李啓明委員和議，原則上通過「全體會議細則」。議案表決結果如下：贊成153票，反對0票，棄權1票。

3. 會議聽取了執行委員會財務委員會召集人王寬誠、工作程序委員會召集人楊鐵樑及小組策劃委員會召集人黃麗松分別對該三個委員會的工作所作的報告。

4. 安子介主任代表執行委員會報告有關邀請顧問和法律顧問的事宜。已接受邀請出任顧問的16位人士為：(按中文姓氏筆劃為序)小竹昭人、白朗、伍啓材、胡百全、紀艾華、唐克誠、馬蒙、馬可飛、馮秉芬、姬達、梅本章夫、梶原保、陳紘、陳有慶、潘傑偉、羅桂祥。同時，烈顯倫大律師亦已接受邀請為本會的法律顧問。
5. 毛鈞年秘書長代表報告有關自費組團回內地交流參觀事宜。執行委員會責成秘書處與起草委員會秘書處聯絡，今年的交流參觀團將於六月、八月、十一月出發。
6. 會議聽取了黃麗松副主任關於成立專責小組建議的說明。
 - 6.1 楊孝華委員建議，在第1.①項增加“香港駐外機構”和“入境管制”兩題目。
 - 6.2 馮煒光委員認為：專責小組成立以後，應可增補或修改其討論範圍。關於第1.④項中“新界原居民(包括僑居外地者)的權利”，從全中國主權的角度考慮，應無所謂“原居民”或“非原居民”之分。
 - 6.3 夏文浩委員認為，第4.④項“...，宣讀意見者有權決定公聽會可否公開。”應改為“...，宣讀意見者有權決定其所提的意見是否公開。”
 - 6.4 馮檢基委員指出，民生通常包括教育、房屋、醫療、勞工及社會福利等五方面，但第1.④項的討論範圍只包括了“勞工”和“福利制度”，應補充第1.④項。
 - 6.5 張鑑泉委員認為，第1.⑦項“涉外事務”中“關稅”、“貿易”、“航運”和“民航”等項目對對外貿易非常重要，且要求較多專門知識，但這些人對“對外文化、體育協定”方面卻不一定很了解，故建議把上述四項拼入第1.⑤項之“對外貿易”內討論。
 - 6.6 葉文慶委員建議，將八大類專題下的每一個項目劃分清楚，讓委員可以選擇只參加其中自己感興趣的小項目，無需花太多時間參加某幾類大專題，而每個小項目的開會時間應儘量不衝突。
 - 6.7 劉迺強委員認為，「建議」相當詳細，但不免還有些遺漏，希望「建議」獲通過後，繼續容許有增補。此外，第4項建議的四項專責小組的工作形式，其對象多為專家、有研究之人士或顧問等等，一般市民似乎較少發言機會。諮詢委員會其中一個重要的責任，是反映全香港市民的意見，因此，希望第4.④項中“各界人士”是指香港市民，而“邀請”也應該是公開的邀請，讓每一位市民都有機會發表意見。他還建議，專責小組還可以進行一些比較科學化的、有系統的調查。
 - 6.8 鄧煥基委員指出，有關香港人的國籍問題及基本法與中國法律的關係等重要的問題，有必要列入討論範圍內，特別加以研究。
 - 6.9 張柏枝委員建議，在1.⑦項下補充“郵政”和“電訊”兩專題。另外，希望秘書處把外間人士或團體交來的意見綜合整理，交有關專責小組考慮。
 - 6.10 麥海華委員提議對「建議」作下列修改：
 - (1) 第1.②項中“民政署”應不是“地方政制”的架構，且現已易名為政務總署，故應刪去。
 - (2) 在1.③項中增加“法律制度”一項。

(3) 將第1.⑦項“涉外事務”的討論專題分散，歸併入其他各組討論：

I. “對外文化、體育協定”應為香港的文化、科技方面與外間聯繫或保持關係的一個伸延部份，若純作“涉外事務”處理，可能會忽略了香港本身在這些方面的結構和關係，故此應歸入第1.⑥項，加以討論。

II. 同意張鑑泉委員關於把“關稅”和“關貿”納入“對外貿易”專題內。

III. “航運”和“民航”可單獨處理或併入經濟方面。至於“陸運”，應不屬“涉外事務”，因為香港是與中國大陸接壤的。

IV. 剛才才有委員建議增加的“駐外機構”和“入境管制”兩方面工作，應為“中央和特別行政區的關係”的討論範圍。

(4) 第1.⑧項內的“特區政制”，應該闡明是指特別行政區與中央人民政府之間在政制問題上的關係。同時，高度自治的界定應在這小組內詳細討論。至於“基本法解釋權、修改權”如歸入等1.①項內討論，會較為完整。

(5) 建議第3.⑤項改為“小組每次開會互選或輪流任召集人及副召集人”，以便召集人不能出席時，副召集人可替代主持會議；而副召集人繼為下次會議召集人。這樣，工作便可較有連貫性。

7. 黃麗松委員動議，毛鈞年委員和議，原則上通過「成立專責小組的建議」，並責成小組策劃委員會稍後參考各委員在全體會議上發表的意見以及來信中的建議，對該「建議」作補充和修訂。議案表決結果如下：贊成153票，反對0票，棄權1票。

8. 會議聽取了吳康民委員、謝志偉委員、張佑啓委員、陳坤燦委員、葉文慶委員、潘宗光委員代表報告本會在二月十五日至二十三日期間舉行第一次全體委員就基本法的結構為專題的分批研討會總結，並同意將此六批總結遞交起草委員會。

9. 會議無其他討論事項，於五時正結束。

CCBL-SECR-00-NL36-870219(E)

CIRCULAR 36

THE SECRETARIAT OF THE
CONSULTATIVE COMMITTEE FOR THE BASIC LAW

25 February, 1987

1. Press release: ninth meeting of the Executive Committee

The ninth meeting of the Executive Committee of the Consultative Committee for the Basic Law was held on 14 February. The meeting was chaired by Dr Ann Tse Kai and attended by Mr Mo Kwan Nin, Mr Ng Hong Mun, Mr Lee Kai Ming, Ms Ko Siu Wah, Mr Denis K.L. Chang, Mr Stephen K.C. Cheong, Mr Kwok Yuen Hon, Dr Rayson Huang, Rev Peter K.K. Kwong, and Lord Lawrence Kadoorie, with apologies for absence from Mr Kong Tak Yan, Mr P.Y. Yuen, Mr Louis Che, Dr Philip C.K. Kwok, Mr Leung Chun Ying, Mr Wong Po Yan, Justice T.L. Yang, and Mr Lo Tak Shing.

The Executive Committee reviewed and passed the following final reports: 1) The definition of inhabitants, right to land, right of abode, freedom from deportation, and rights to vote and to stand for election; 2) Residual power; 3) The Relationship between the Constitution and the Basic Law. It was resolved that these reports be submitted to the Drafting Committee.

After receiving the progress report of the Group for Replacement of Members, the Executive Committee resolved that the Group continue to communicate with relevant organisations and the results of such communication be reported to the next Executive Committee meeting for discussion.

The Executive Committee considered that the recent coverage concerning the operation of the CCBL required some clarifications

- 1) It was alleged that the recent agitation concerning the rejection of direct elections by the first HKSAR Government was caused by inadequate communication between the CCBL and the Drafting Committee. This kind of reasoning is by no means valid. Such unfounded rumour reported in the newspaper has nothing to do with the work of the CCBL, and the CCBL need not answer for it.

- 2) It was alleged that it was improper of the CCBL members to collectively present political structure proposals. In fact, the grouping up of CCBL members to express their opinions did not contravene any provision under the constitution of the CCBL. Moreover, these opinions are directly submitted to the CCBL and the Drafting Committee, facilitating effective communication.
- 3) It was alleged that "the Drafting committee is leading the way for the CCBL" and that the Drafting Committee members "[first] express their views on the issue before such issue is referred to the CCBL for discussion." These statements are totally inaccurate. The issues presently under discussion by the Drafting Committee are those which were discussed by the CCBL last year. The CCBL members' views on these issues were recorded in the preliminary reports which were submitted to the Drafting Committee last autumn. At present, the Drafting Committee is preliminarily discussing these issues and the views on them, whereas the CCBL is conducting in-depth study on these issues. The allegation that the Drafting Committee's discussion preceded that of CCBL is groundless.
- 4) It was alleged that the work of the CCBL was out of line with the work of the Drafting Committee: the issues already covered by the Drafting Committee is still under discussion by the CCBL. This is equally untrue. Take for instance, the relationship between the Constitution and the Basic Law, residual power, and political structure. They were already discussed preliminarily by the CCBL last year. The CCBL is now compiling final reports on these issues. On the other hand, the Drafting Committee's discussions on them are still preliminary. Though the opinions of the Drafting Committee members may not be as divergent as the CCBL members', they cannot be taken as conclusive.
- 5) According to the understanding of the Executive Committee of the CCBL, the Drafting Committee has not yet reached a final decision on any of the issues. The plenary sessions of the Drafting Committee only resolved to pass the Structure of the Basic Law (Draft). The results of discussions of the various Subgroups cannot be taken as conclusions unless they are passed by a plenary session.
- 6) According to the understanding of the Executive Committee of the CCBL, even after conclusions have been reached by a plenary session of the Drafting Committee, discussions on these issues do not necessarily come to an end as the contents of the Basic Law still need to be discussed time and again before it will be finalised by the National People's Congress in 1990.

7) The work of the Drafting Committee will become increasingly heavy. The Drafting Committee and the CCBL should strengthen their communications and liaison. While specific proposals for this purpose can be suggested and studied, it should be clarified that there is no such situation as the Drafting Committee leading the way of the CCBL or the Drafting Committee reaching conclusions on the issues which are still under discussion by the CCBL.

The Executive Committee instructed the Secretariat to send the agenda for the third general meeting (draft) to members in the near future so that members could add new items to the draft.

The Executive Committee received the Secretariat's report on the recent developments of the various special groups and was satisfied with their progress.

The Executive Committee resolved to hold the tenth meeting on Saturday, 14 March 1987.

The third plenary meeting of the CCBL will be held on Saturday, 28 March 1987.

2. Agenda for the third general meeting of the CCBL (draft)

Pursuant to the resolution of the ninth Executive Committee meeting, the agenda for the third general meeting of the CCBL (draft) is enclosed (Appendix I). Members are invited to make any necessary additions and to suggest specific topics for discussion regarding item 5 on the agenda: "to discuss matters on improving the administrative work of the CCBL". All opinions and proposals should be delivered to the Secretariat by 5 March so that they will be submitted to the tenth Executive Committee meeting on Saturday, 14 March.

3. Lecture: Civil service and political operation

Mr Anthony B.L. Cheung, senior lecturer of the Department of Social Administration, City Polytechnic of Hong Kong is invited by the Secretariat to give a lecture (in Cantonese) on "Civil service and political operation" on Saturday 14 March from 3:00 - 5:00 p.m. Members are most welcome. Members can obtain admission tickets for non-members by contacting Miss Ma (5-8100810) before 12 March.

4. Progress of the CCBL

1) Working groups on the following topics are in action:

- 1 The legislature and its formation
- 2 Freedom of the press
- 3 Overseas offices
- 4 Regional organisations
- 5 Fundamental human rights and duties in relation to the Chinese Constitution; applicability of the two international covenants to Hong Kong
- 6 Labour policy
- 7 Social lifestyle
- 8 Cultural policy; education system
- 9 Extradition ordinance; nationality law; conflict of the laws
- 10 Religious issues of the SAR

2) Discussion papers on the following topics* have been completed and are under discussion by the relevant special groups:

- 1 Judicial system
- 2 Defence and foreign affairs
- 3 Relationship between the SAR and the various provinces/regions
- 4 Immigration control; the issuing of passports and travel documents
- 5 Social welfare policy
- 6 Formation of the legislature
- 7 Professional practice in Hong Kong
- 8 The power of interpretation and the power of amendment of the Basic Law

3) Reports on the following topics* have recently been completed:

- 1 Definition of inhabitants; right to land; right of abode; freedom from deportation; rights to vote and to stand for election
- 2 Relationship between the Constitution and the Basic Law
- 3 Residual power
- 4 Arrangement for and form of participation in international organisations/agreements

* Members who would like to have a copy, please contact Miss Ma (5-8100810)

** If there is any discrepancy between the Chinese and the English versions, the Chinese version shall prevail.

THE AGENDA FOR THE THIRD GENERAL MEETING OF
THE CONSULTATIVE COMMITTEE FOR THE BASIC LAW

DATE: Saturday, 28 March 1987

TIME: 3:00 p.m.

VENUE: CCBL Premises

AGENDA:

1. To replace members who have resigned from the Consultative Committee for the Basic Law.
2. To confirm the minutes of the first and second general meetings.
3. To receive the progress report of the Executive Committee.
4. To discuss the working schedule for 1987 of the Consultative Committee for the Basic Law.
5. To discuss matters on improving the administrative work of the Consultative Committee for the Basic Law.
6. Any other business.

基本法諮詢委員會秘書處通訊36

1987年2月19日

一、執行委員會第九次會議新聞公報

基本法諮詢委員會執行委員會於2月14日舉行了第九次會議。會議由安子介主任主持，出席會議的有(按姓氏筆劃為序)毛鈞年委員、吳康民委員、李啓明委員、高荅華委員、張健利委員、張鑑泉委員、郭元漢委員、黃麗松委員、鄺廣傑委員、嘉道理委員。請假的有江德仁委員、阮北耀委員、查良鏞委員、郭志權委員、梁振英委員、黃保欣委員、楊鐵樑委員、羅德丞委員。

執行委員會審閱通過了居民定義、出入境權、居留權、豁免遞解離境權、選舉權及被選舉權最後報告，剩餘權力最後報告和憲法與基本法的關係最後報告，議決寄交起草委員會考慮。

會議聽取了增補委員四人小組的工作報告，議決繼續由增補委員四人小組與有關團體聯絡，結果則交由下一次執委會討論。

最近有一些涉及諮詢委員會運作的報道，執行委員會認為有需要澄清：

1. 有人認為，最近有關首屆特別行政區政府不設直選的風波，成因是諮詢委員會與起草委員會的溝通不足，這種因果關係是完全不能成立的。報章上無根據的報道傳言，與諮詢委員會的工作無關，諮詢委員會對這些無根據的報道也不需負任何責任。
2. 有人認為，諮詢委員會集體發表政制方案的做法是不妥的。查各諮詢委員自由組合，發表意見，並無違反本會《章程》的任何規定，且這些意見均直接送交諮詢委員會和起草委員會，有利意見的流傳。
3. 有人認為，“草委是帶着諮委走”的，首先“由草委提出了意見，才交諮委討論”，這是完全不正確的。據了解，目前起草委員會討論的問題全是諮詢委員會在去年中已討論過的題目，諮詢委員的意見已彙編成初步報告，並於去年秋季遞交起草委員會參考。目前起草委員會是就這些問題、意見，作初步討論，而諮詢委員會則進一步深入研究這些問題。因此，認為起草委員會討論先於諮詢委員會的提法，不符事實。
4. 有人認為，起草委員會與諮詢委員會的工作脫節：起草委員會已有結論的問題，諮詢委員會仍在討論，這同樣是不確實的。可列舉幾個例子說明一下，如憲法與基本法的關係，剩餘權力與政制原則等，均是諮詢委員會去年的初步討論已涉及到的題目，諮詢委員會目前已就這些問題作出最後報告。而起草委員會就這些問題的討論却仍是初步性的，其意見分歧可能不像諮詢委員間的那麼大，但也並不能說已有結論。

5. 據了解，起草委員會目前並無對任何問題作出最後決定。經全體會議通過的就只有《基本法結構(草案)》。各專題小組討論的結果尚要經全體大會通過，才能下結論。
6. 據了解，起草委員會全體大會作出結論後，有關這些問題的討論還不一定完結，因為基本法的内容仍要經過多次反覆討論，最後到1990年才由人大定案。
7. 隨着基本法起草工作的進一步發展，工作會更繁複，起草委員會與諮詢委員會間應加強溝通與交流，具體方法大家可以研究，但應澄清目前並沒有出現起草委員會領導諮詢委員會；或起草委員會已有結論，而諮詢委員會仍在討論的情況。

執行委員會議決責成秘書處於日內寄發第三次全體會議議程(初稿)予委員，徵求補充意見。

會議亦聽取了秘書處報告各專責小組的近況，對專責小組的工作進度表示滿意。

會議議決三月十四日(星期六)召開第十次執行委員會會議。

基本法諮詢委員會第三次全體會議將在三月二十八日(星期六)舉行。

二、基本法諮詢委員會第三次全體會議議程(草稿)

根據執行委員會第九次會議議決，基本法諮詢委員會全體委員第三次會議議程(草稿)現附列於後(附件一)，歡迎各委員提補充意見，並就議程第五項“討論改進本會會務工作問題”提出具體議題。所有意見及建議，請於三月五日前寄抵秘書處，以交三月十四日(星期六)舉行的執行委員會第十次會議討論。

三、講座：文官制度與政治運作

秘書處在三月十四日(星期六)下午三時至五時，邀請香港城市理工學院社會行政學系高級講師張炳良先生在本會會址主講：“文官制度與政治運作”【演講語言：粵語】，歡迎委員參加。各委員可於三月十二日前致電5-8100810馬小姐替會外人士索取入場券。

四、會務概況

1. 現時展開工作的工作組有：

- (1) 立法機關
- (2) 新聞自由
- (3) 駐外機構
- (4) 區域組織

- (5) 基本人權和義務問題與中國憲法的關係、兩個國際公約在港適用性
- (6) 勞工政策
- (7) 社會生活方式
- (8) 文化政策、教育制度
- (9) 引渡條例、國籍法、法律衝突
- (10) 有關香港特別行政區宗教問題

2. 已完成討論文件※，由專責小組進行討論的有：

- (1) 司法制度
- (2) 國防外交
- (3) 特區與各省區關係
- (4) 入境管制、簽證問題
- (5) 社會福利政策
- (6) 立法機關的產生
- (7) 香港專業的操作
- (8) 基本法解釋權、修改權

3. 最近已完成報告※的有：

- (1) 居民定義、出入境權、居留權、豁免遞解離境權、選舉權及被選舉權最後報告
- (2) 憲法與基本法的關係最後報告
- (3) 剩餘權力最後報告
- (4) 參與國際機構／協定的形式與安排最後報告

※ 委員如需要索取已完成的討論文件及報告參考，可致電5-8100810 馬小姐聯絡。

基本法諮詢委員會 第三次全體會議議程(草稿)

日期：一九八七年三月二十八日(星期六)
時間：下午三時正
地點：基本法諮詢委員會會址

- 議程：
1. 增補諮詢委員
 2. 確認全體委員第一次及第二次會議會議紀錄
 3. 執行委員會工作報告
 4. 本會1987年度工作計劃
 5. 討論改進本會會務工作問題

基本法諮詢委員會第一次全體會議會議紀錄

1. 會議聽取了楊鐵樑副主任對本會「全體會議細則」的說明。楊鐵樑委員建議，於是次會議原則上通過「全體會議細則」，各委員如對「全體會議細則」的條文內容有任何意見或建議，可於三月十日前以書面形式寄送秘書處。工作程序委員會將根據各委員在這次會議上的發言及會後收集所得之書面意見，對「全體會議細則」作相應的修訂，並經執行委員會審訂後，再交下次全體會議通過。
- 1.1 麥海華委員原則上同意於是次會議通過「細則」，並同意日後如有需要，可對「細則」進行修訂，在下次全體會議上通過。
- 1.2 姚偉梅委員建議對「細則」作下列修改：
 - (1) 在第1.2項增加：“...。而秘書處須在召開全體會議前10天（包括發出通知之日、星期日及公眾假期）發出會議文件。”以便委員進行諮詢工作。
 - (2) 第1.3項改作“倘開會通知書或會議議程按委員之通訊地址（指委員知會秘書處之通訊地址）寄出，則作已妥發該通知書及會議議程論。若委員因郵遞問題未能收到上述文件，會議仍屬有效。”
 - (3) 刪去第6.9及6.10項，因為既為委員，便應該有權利參與會議及發言。
- 1.3 馮煒光委員認為，全體委員都有權平等地參與整個會議，共同討論基本法，不可以有部份人士有過大權力。故建議對細則作下列修改：
 - (1) 在第2.2項增加：“...。如某項議程已獲得六分之一全體委員簽名支持，便可自動成為大會的議程。”
 - (2) 在第4.2項增加：“...。主席的判斷為最終判斷，但受制於反對主席判斷之動議。”同時，在第6項下，增加第6.12項“反對主席判斷之動議。”
 - (3) 關於第7.4項“動議一撤銷”的問題，動議一旦被提到會上，必須經大會以多數票形式同意，方可以撤銷。
- 1.4 李紹基委員同意姚偉梅委員和馮煒光委員提出的各項修改。
- 1.5 夏文浩委員表示，根據《章程》，本會工作應盡量公開，所以大會應公開予社會人士，包括報界旁聽，故建議恢復原有的第5.2項：“公眾人士包括新聞界旁聽會議，視乎場地情況而定”，或“大會有權決定會議的全部份是否允許公眾人士旁聽”。

1.6 張家敏委員對「細則」提出下列四點意見和建議：

- (1) 對第7.1項中“所有動議”一詞應有清楚定義；有些動議可能未有包括在第6項的“臨時動議”內；
- (2) 假如有一動議已獲得很多委員的支持，卻要交給一班人決定是否提出討論，是不合理的做法；
- (3) 以書面提交增加動議是否有時間限制；
- (4) 第7.2項在邏輯上有混淆之處，即既然“凡動議或修正提案，必須有正式提議及和議”，則“倘已列入會議議程之動議並無正式提議”的情況，應該不會出現，因為一個正式之動議應該已經有正式提議及和議。

1.7 鄒煥基委員同意，儘可能於是次會議先行通過「細則」。此外，他補充第1.1項：“秘書處須在召開全體會議前14天(包括發出通知之日、星期日及公眾假期)發出開會通知書”；及第1.2項：“會議議程連同開會通知書一併發出”，但按照第2.2項：“如有委員要求增加議程，須將其要求增加之議程以書面交秘書長，由主任、副主任及秘書長決定是否增加”，倘若此項要求獲接納，則增加的議程便不足14天通知期限，故希望加以說明。

1.8 高家裕委員建議，成立一個包括主任、副主任及秘書長在內的委員會，專責收集有關的意見，然後向全體委員提出大會議程。同時將發出議程的程序分為兩部分：(1)在會議召開前21天發出初步議程，徵詢委員意見；(2)委員如對初步議程有任何補充，可通過秘書處將意見交由上述委員會考慮，並於會議召開前5天發出最後議程。他贊同有關修改第6.9及6.10項的意見。

1.9 梁兆棠委員提出下列幾項意見：

- (1) 希望有充裕時間，讓委員可就會議文件徵詢各自代表團體的意見；
- (2) 明確增加議程的合法時限；
- (3) 主席權力過大，例如第7.6.1項；
- (4) 一些細節問題尚待確定，例如第7.3項：“倘委員提出動議通知，而在正式提出動議時缺席，得經其本人允許，由其他委員代為提出動議，”其中所謂“允許”的形式應予明確。

1.10 張鑑泉委員認為，「細則」所定的做法已相當足夠，因為這是180人的大型會議，主席如不能有效地主持的話，便會非常混亂，以致無法順利地進行，故應信任主席。關於議程方面，他認為，180人的大會，議程的編排必很費力，若某一議程獲六分之一全體委員支持，便成為大會討論議程，其他六分之五的委員可能沒有足夠時間對該項議程作準備，因此，他反對上述提議。

2. 楊鐵樑委員動議，李啓明委員和議，原則上通過「全體會議細則」。議案表決結果如下：贊成153票，反對0票，棄權1票。

3. 會議聽取了執行委員會財務委員會召集人王寬誠、工作程序委員會召集人楊鐵樑及小組策劃委員會召集人黃麗松分別對該三個委員會的工作所作的報告。

4. 安子介主任代表執行委員會報告有關邀請顧問和法律顧問的事宜。已接受邀請出任顧問的16位人士為：(按中文姓氏筆劃為序)小竹昭人、白朗、伍啓材、胡百全、紀艾華、唐克誠、馬蒙、馬可飛、馮秉芬、姬達、梅本章夫、梶原保、陳紘、陳有慶、潘傑偉、羅桂祥。同時，烈顯倫大律師亦已接受邀請為本會的法律顧問。
5. 毛鈞年秘書長代表報告有關自費組團回內地交流參觀事宜。執行委員會責成秘書處與起草委員會秘書處聯絡，今年的交流參觀團將於六月、八月、十一月出發。
6. 會議聽取了黃麗松副主任關於成立專責小組建議的說明。
 - 6.1 楊孝華委員建議，在第1.⑦項增加“香港駐外機構”和“入境管制”兩題目。
 - 6.2 馮煒光委員認為：專責小組成立以後，應可增補或修改其討論範圍。關於第1.④項中“新界原居民(包括僑居外地者)的權利”，從全中國主權的角度考慮，應無所謂“原居民”或“非原居民”之分。
 - 6.3 夏文浩委員認為，第4.④項“...，宣讀意見者有權決定公聽會可否公開。”應改為“...，宣讀意見者有權決定其所提的意見是否公開。”
 - 6.4 馮檢基委員指出，民生通常包括教育、房屋、醫療、勞工及社會福利等五方面，但第1.④項的討論範圍只包括了“勞工”和“福利制度”，應補充第1.④項。
 - 6.5 張鑑泉委員認為，第1.⑦項“涉外事務”中“關稅”、“貿易”、“航運”和“民航”等項目對對外貿易非常重要，且要求較多專門知識，但這些人對“對外文化、體育協定”方面卻不一定很了解，故建議把上述四項拼入第1.⑤項之“對外貿易”內討論。
 - 6.6 葉文慶委員建議，將八大類專題下的每一個項目劃分清楚，讓委員可以選擇只參加其中自己感興趣的小項目，無需花太多時間參加某幾類大專題，而每個小項目的開會時間應儘量不衝突。
 - 6.7 劉迺強委員認為，「建議」相當詳細，但不免還有些遺漏，希望「建議」獲通過後，繼續容許有增補。此外，第4項建議的四項專責小組的工作形式，其對象多為專家、有研究之人士或顧問等等，一般市民似乎較少發言機會。諮詢委員會其中一個重要的責任，是反映全香港市民的意見，因此，希望第4.④項中“各界人士”是指香港市民，而“邀請”也應該是公開的邀請，讓每一位市民都有機會發表意見。他還建議，專責小組還可以進行一些比較科學化的、有系統的調查。
 - 6.8 鄧燦基委員指出，有關香港人的國籍問題及基本法與中國法律的關係等重要的問題，有必要列入討論範圍內，特別加以研究。
 - 6.9 張柏枝委員建議，在1.⑦項下補充“郵政”和“電訊”兩專題。另外，希望秘書處把外間人士或團體交來的意見綜合整理，交有關專責小組考慮。
 - 6.10 麥海華委員提議對「建議」作下列修改：
 - (1) 第1.②項中“民政署”應不是“地方政制”的架構，且現已易名為政務總署，故應刪去。
 - (2) 在1.③項中增加“法律制度”一項。

(3) 將第1.⑦項“涉外事務”的討論專題分散，歸併入其他各組討論：

- I. “對外文化、體育協定”應為香港的文化、科技方面與外間聯繫或保持關係的一個伸延部份，若純作“涉外事務”處理，可能會忽略了香港本身在這些方面的結構和關係，故此應歸入第1.⑥項，加以討論。
- II. 同意張鑑泉委員關於把“關稅”和“關貿”納入“對外貿易”專題內。
- III. “航運”和“民航”可單獨處理或併入經濟方面。至於“陸運”，應不屬“涉外事務”，因為香港是與中國大陸接壤的。
- IV. 剛才有委員建議增加的“駐外機構”和“入境管制”兩方面工作，應為“中央和特別行政區的關係”的討論範圍。

(4) 第1.⑧項內的“特區政制”，應該闡明是指特別行政區與中央人民政府之間在政制問題上的關係。同時，高度自治的界定應在這小組內詳細討論。至於“基本法解釋權、修改權”如歸入等1.①項內討論，會較為完整。

(5) 建議第3.⑤項改為“小組每次開會互選或輪流任召集人及副召集人”，以便召集人不能出席時，副召集人可替代主持會議；而副召集人繼為下次會議召集人。這樣，工作便可較有連貫性。

7. 黃麗松委員動議，毛鈞年委員和議，原則上通過「成立專責小組的建議」，並責成小組策劃委員會稍後參考各委員在全體會議上發表的意見以及來信中的建議，對該「建議」作補充和修訂。議案表決結果如下：贊成153票，反對0票，棄權1票。

8. 會議聽取了吳康民委員、謝志偉委員、張佑啓委員、陳坤耀委員、葉文慶委員、潘宗光委員代表報告本會在二月十五日至二十三日期間舉行第一次全體委員就基本法的結構為專題的分批研討會總結，並同意將此六批總結遞交起草委員會。

9. 會議無其他討論事項，於五時正結束。



CIRCULAR 37

THE SECRETARIAT OF THE
CONSULTATIVE COMMITTEE FOR THE BASIC LAW

5 March 1987

1. Distribution of CCBL reports

The annual report of the CCBL was published in six leading newspapers on 23 February 1987. The public responded enthusiastically to the announcement that our reports were available: 500 copies of the reports prepared by the Secretariat were all distributed on that day. Replenishment was made. By now 2,497 Chinese copies and 1,116 English copies have been distributed to the public. Members who would like to obtain copies of the reports for friends, please contact Miss Ma (5-8100810).

2. Additional agenda item for the third general meeting

The Secretariat received request from 34 members for an additional item in the agenda for the third general meeting on 28 March: to discuss how to strengthen the communication and co-operation with the Drafting Committee. In accordance with the Standing Orders, this item is now included in the agenda for the third general meeting.

3. Minutes of the first and second general meetings

The amended versions of the minutes of general meetings were enclosed with Circular 35 and delivered to members on 13 February. As no comment was received within the ensuing fortnight, the minutes are to be confirmed at the third general meeting on 28 March.



4. Tours to the mainland: namelists and change of destination

The first tour bound for Kunming and Dali will change its destination. According to the Secretariat of the Drafting Committee who has liaised with the Yunnan authorities, the average temperature in Yunnan around April is 37 C and flights delay from time to time because of the rainy season. The Secretariat of the Drafting Committee therefore suggested the first tour go to Xinjiang instead. The day of departure will be 25 April and the day of return, 3 May. Members who would like to go on this tour, please sign up by 10 March.

1) Name list for the first tour:
[Beijing and Xinjiang (25 April - 3 May)]

Zee Sze Yong	J.S. Lambourn	Steve S.P. Ng
Cheung Sai Lam	Ng Yiu Tung	Ching Yuen Kai *
Chan Cheng Chun	Kasim W.S. Tuet	A.G. Rogers
John H.P. Lok		

Date of meeting: 13 March at 4:30 p.m.

2) Name list for the second tour:
[Beijing, Chengdu, and Jiuzhaigou (15 - 24 July)]

Cheung Pak Chi	Elsie Tu	Frederick K.K. Fung
Agnes M.C. Ng	Chang Ka Mun	Eric S.W. Au
William H.C. Tsui	William K.L. Fung	Cheung Chun Kwok
Leong Che Hung	Anthony M.H. Ha	Tso Wung Wai
Christina W.M. Yu	Mak Hoi Wah	Richard K.H. Li
Lee Jung Kong	Cheung Lun *	Edward K.Y. Chen *
Char Nee Quin *		

Date of meeting: to be decided

3) Name list for the third tour:
[Beijing, Jinan, Qufu, and Mount Tai (11 - 20 November)]

Louis E.K. Ha	Wong Wan Tin	Kenneth C.K. Chow
Tsin Sai Nir	Raymond L. Huang	Peter C.Y. Lee
Peter C.K. Kwok	Ko Siu Wah	Cheung Chi Yung
Paul K.Y. Lee	Chan Ying Lun	Shao You Bao
Andrew S.L. Cheong	Pun Kwok Shing	Leung Lam Hoi
William C.G. Ko	Lau Nai Keung	Chan Wing Kee
Pun Chiu Yin	Kan Fook Yee	

Date of meeting: to be decided

* Mr and Mrs

5. The CCBL Calendar for March 1987

Date	Activity	Remarks
5 March (Thursday)	The joint meeting of the Special Group on Culture, Technology, Education, and Religion and the Special Group on Inhabitants' and Other Persons' Rights, Freedom, Welfare, and Duties: Freedom of the Press Time : 5:30 - 7:00 p.m.	Convenor: Shum Choi Sang
5 March (Thursday)	Special Group on External Affairs Time : 5:00 - 6:00 p.m.	Convenor: William K.L. Fung
5 March (Thursday)	The joint meeting of the Special Group on the Relationship between the Central Government and the SAR and the Special Group on External Affairs: Immigration control Time: 6:00 - 7:00 p.m.	Convenor: Cheung Pak Chi
6 March (Friday)	Working Group on Regional Organisations Time : 5:30 - 7:00 p.m.	Convenor: Zee Sze Yong
7 March (Saturday)	Special Group on External Affairs: Time: 10:00 a.m. - 12:00 p.m.	
9 March (Monday)	Special Group on Inhabitants' and Other Persons' Rights, Freedom, Welfare; and Duties: Time : 5:30 - 7:00 p.m.	Convenor: Eric S.W. Au
14 March (Saturday)	The tenth meeting of the Executive Committee Time : 10:30 a.m. - 12:30 p.m.	

Date	Activity	Remarks
14 March (Saturday)	Seminar on civil service and political operation Time : 3:00 p.m. - 5:00 p.m.	Speaker: Anthony B.L. Cheung
16 March (Monday)	Special Group on the Political structure of SAR Time: 5.30 p.m. - 7:00 p.m.	Convenor: Louis E.K. Ha
28 March (Saturday)	The third general meeting Time : 3:00 p.m. - 5:00 p.m.	

6. Progress of the CCBL

1) Working groups on the following topics are in action:

- 1 The Legislature
- 2 Regional organisations
- 3 Social lifestyle
- 4 Religious issues of the SAR

2) Discussion papers on the following topics* have been completed and are under discussion by the relevant special groups:

- 1 Judicial system
- 2 Defence and foreign affairs
- 3 Immigration control; the issuing of passports and travel documents
- 4 Social welfare policy
- 5 Formation of the legislature
- 6 Professional practice in Hong Kong
- 7 The power of interpretation and the power of amendment of the Basic Law
- 8 Labour policy
- 9 The rights and interests of indigenous New Territories Inhabitants
- 10 Provisions regarding cultural policy and educational system in the Basic Law

- 11 Fundamental rights and duties of inhabitants of Hong Kong
- 12 Freedom of the press
- 13 Conflict of the laws, extradition and other related issues
- 14 Overseas offices

* Members who would like to have a copy, please contact Miss Ma (5-8100810)

If there is any discrepancy between the Chinese and the English versions, the Chinese version shall prevail.

基本法諮詢委員會秘書處通訊 3 7

1987年3月4日

(一) 本會各報告發放情況

1987年2月23日，本會周年報告在六大報章刊登，市民對本會預備各份報告供索閱反應熱烈，秘書處所預備的500份報告在當日已被索取一空，後加印一批備索。計現時共派發中文報告2497份，英文報告1116份。各委員若有意為親友索取報告者，可致電5-8100810馬小姐聯絡。

(二) 第三次全體會議增加議程

秘書處現接獲34位委員要求，在3月28日第三次全體會議中增加議程：討論如何加強與起草委員會的溝通及工作。根據本會會議細則，該議程現已正式列入是日議程，請各委員留意。

(三) 第一次及第二次全體會議紀錄

第一次及第二次全體會議紀錄修正本已於2月13日隨通訊35寄予各委員，在兩周內均無委員提出任何意見，該修正本將交3月28日第三次全體會議確認。

(四) 交流參觀團更改地點及名單

原訂往昆明、大理的第一批交流參觀團，經草委秘書處與雲南聯絡，得悉4月間雲南天氣平均37°C，加上時為雨季，飛機班次多誤，草委秘書處建議改往新疆。出發日期為4月25日，返港日期為5月3日，報名截止日期為3月10日，請各委員留意。

(1) 第一團名單：（北京、新疆（4月25日—5月3日））

徐是雄 林邦莊 吳少鵬 張世林 吳耀東 程源鏜★ 陳誠存
 脫維善 羅傑志 陸孝佩

開會日期：3月13日下午4時30分

(2) 第二團名單：（北京、成都、九寨溝（7月15日—7月24日））

張栢枝 杜葉錫恩 馮檢基 吳夢珍 張家敏 歐成威 徐慶全
 馮國綸 張振國 梁智鴻 夏文浩 曹宏威 姚偉梅 麥海華
 李景行 利榮康 章麟★ 陳坤耀★ 謝宜均★

開會日期：待定

(3) 第三團名單：（北京、濟南、曲阜、泰山（11月11日—11月20日））

夏其龍 黃允畋 鄒煥基 錢世年 黃麗松 李仲賢 郭志權
 高茗華 鍾期榮 李啓宇 陳英麟 邵友保 莊紹傑 潘國城
 梁林開 高贊覺 劉迺強 陳永棋 潘朝彥 簡福始

開會日期：待定

★携眷參加

基本法諮詢委員會 87年3月活動備忘

日期	活動	備註
3月5日(星期四)	文教、居民專責小組：新聞自由 開會時間：下午五時三十分至七時	召集人：岑才生
3月5日(星期四)	涉外專責小組 開會時間：下午五時至六時	召集人：馮國綸
3月5日(星期四)	中央與特別行政區關係、涉外專責小組： 入境管制 開會時間：下午六時至七時	召集人：張栢枝
3月6日(星期五)	區域組織工作組 開會時間：下午五時三十分至七時	召集人：徐是雄
3月7日(星期六)	涉外專責小組 開會時間：上午十時至中午十二時	
3月9日(星期一)	居民專責小組 開會時間：下午五時三十分至七時	召集人：歐成威
3月14日(星期六)	執行委員會第十次會議 開會時間：上午十時三十分至十二時三十分	
3月14日(星期六)	講座：文官制度與政治運作	講者：張炳良
3月16日(星期一)	政制專責小組 開會時間：下午五時三十分至七時	召集人：夏其龍
3月28日(星期六)	第三次全體會議 開會時間：下午三時至五時	

會務概況

1. 現時展開工作的工作組有：

- (1) 立法機關
- (2) 區域組織
- (3) 社會生活方式
- (4) 有關香港特別行政區宗教問題

2. 已完成討論文件※，由專責小組進行討論的有：

- (1) 司法制度
- (2) 國防外交
- (3) 入境管制、簽證問題
- (4) 社會福利政策
- (5) 立法機關的產生
- (6) 香港專業的操作
- (7) 基本法解釋權、修改權
- (8) 勞工政策
- (9) 新界原居民之權益
- (10) 文化政策、教育制度在基本法的條文
- (11) 香港居民的基本權利與義務
- (12) 新聞自由
- (13) 法律衝突、引渡及其他有關問題
- (14) 駐外機構

※ 委員如需要索取已完成的討論文件及報告參考，可致電5-8100810 馬小姐聯絡。

CIRCULAR 38

THE SECRETARIAT OF THE
CONSULTATIVE COMMITTEE FOR THE BASIC LAW

14 March 1987

Press release: the tenth meeting of the Executive Committee

The tenth meeting of the Executive Committee of the Consultative Committee for the Basic Law was held on 14 March. The meeting was chaired by Dr Ann Tse Kai and attended by Mr Ng Hong Mun, Mr Lee Kai Ming, Mr P.Y. Yuen, Mr Louis Cha, Ms Ko Siu Wah, Mr Denis K.L. Chang, Mr Kwok Yuen Hon, Dr Philip C.K. Kwok, Mr Leung Chun Ying, Mr Wong Po Yan, Justice T.L. Yang, Rev Peter K.K. Kwong, and Mr Lo Tak Shing, with apologies for absence from Mr Mo Kwan Nin, Mr Kong Tak Yan, Mr Stephen K.C. Cheong, Dr Rayson Huang, and Lord Lawrence Kadoorie.

The meeting examined and passed the final report on the relationship between the SAR and the various provinces/regions (Special Group on the Relationship between Central Government and the SAR), the final report on the structure of the Basic Law (Special Group on the Structure of the Basic Law), the final report on freedom of the press (Special Group on Inhabitants' and Other Persons' Rights, Freedom, Welfare, and Duties and the Special Group on Culture, Technology, Education, and Religion), the final report on social welfare policy (Special Group on Inhabitants' and Other Persons' Rights, Freedom, Welfare, and Duties), the final report on the arrangement for and form of participation in international organisations/agreements (Special Group on External Affairs), the final report on immigration control; the issuing of visas and travel documents (Special Group on External Affairs and Special Group on the Relationship between the Central Government and the SAR), the final report on the rights and interests of indigenous New Territories inhabitants (Special Group on Inhabitants' and Other Persons' Rights, Freedom,

Welfare, and Duties), the final report on the powers of interpretation and amendment of the Basic Law (Special Group on Law and Special Group on the Relationship between the Central Government and the SAR), and the final report on overseas offices (Special Group on External Affairs). It was resolved that these reports be submitted to the Drafting Committee.

The Executive Committee reviewed the agenda for the third general meeting and included the item "to discuss how to strengthen the co-operation and communication between the CCBL and the Drafting Committee".

After receiving the working report of the 4-member group for replacement of members, the meeting resolved to nominate Mr E.B. Christensen (Hong Kong General Chamber of Commerce), Mr Peter Wong (Chinese General Chamber of Commerce), Mr Leung Yu Shing (Radio Television Hong Kong), Mr Ng Wai Kei (Hong Kong Federation of Students) and Mr Tai Yiu Ting (Hong Kong Federation of Students) as CCBL members. The nominations would be submitted to the third general meeting for approval.

The meeting resolved to hold the eleventh Executive Committee meeting on Saturday, 4 April 1987.

2. The CCBL Calendar for late March 1987

Date	Activity	Remarks
16 March (Monday)	Special Group on the Political Structure of the SAR: Formation of the Legislature Time : 5:30 - 7:00 p.m.	Convenor: Louis E. Keloon Ha
16 March (Monday)	Special Group on Culture, Technology, Education, and Religion: Subgroup on Professional Qualifications Time : 5:30 - 7:00 p.m.	Convenor: Richard K.H. Li
17 March (Tuesday)	Working Group on the Legislature Time : 5:30 - 7:00 p.m.	Convenor: Daniel C.W. Tse

Date	Activity	Remarks
18 March (Wednesday)	Special Group on Relation- ship between the Central Government and the SAR: Foreign and Defence Affairs Time : 5:30 - 7:00 p.m.	Convenor: Cheung Pak Chi
19 March (Thursday)	Working Group on the Selection of the Chief Executive Time : 5:30 - 7:00 p.m.	
19 March (Thursday)	Special Group on Culture Technology, Education, and Religion Time : 5:30 - 7:00 p.m.	Convenor: Leong Che Hung
20 March (Friday)	Working Group on Regional Organisations Time : 5:30 - 7:00 p.m.	Convenor: Zee Sze Yong
21 March (Saturday)	Working Group on the Judicial System Time : 9:30 - 11:00 a.m.	Convenor: A.G. Rogers
28 March (Saturday)	The third general meeting Time : 3:00 - 5:00 p.m.	
30 March (Monday)	Special Group on Culture, Technology, Education, and Religion: Subgroup on Educational System Cultural Policy Time : 5:30 - 7:00 p.m.	Convenor: Ko Siu Wah

3. Letter from the Drafting Committee (Appendix I)

* If there is any discrepancy between the Chinese and the English versions, the Chinese version shall prevail.

CCBL-SECR-00-NL38-AP01-870314(E)

(Appendix I)

(English Translation)

6 March, 1987

The Secretariat of the CCBL

Dear Sirs,

We acknowledge receipt of the final reports on the "relationship between the Basic Law and the Constitution" and on "residual power" prepared by the Special Group on the Relationship between the Central Government and the HKSAR of the CCBL. These reports were passed on to us by Dr Rayson Huang when he attended the meeting in Kunming. The reports have been delivered to the Drafting Committee Subgroup on the Relationship between the Central Government and the HKSAR.

We also thank you for the "Annual Report of the CCBL 1986" which has been received by post.

Yours sincerely,

Secretariat of the Drafting Committee
(seal of the Secretariat of the Drafting Committee)

基本法諮詢委員會秘書處通訊38

1987年3月14日

一、執行委員會第十次會議新聞公報

基本法諮詢委員會執行委員會於3月14日舉行了第十次會議。會議由安子介主任主持，出席會議的有(按姓氏筆劃為序)吳康民委員、李啓明委員、阮北耀委員、查良鏞委員、高荭華委員、張健利委員、郭元漢委員、郭志權委員、梁振英委員、黃保欣委員、楊鐵傑委員、鄺廣傑委員、羅德丞委員。請假的有毛鈞年委員、江德仁委員、張鑑泉委員、黃麗松委員、嘉道理委員。

會議審閱通過了特區與各省區關係最後報告(中央與特別行政區的關係專責小組)、基本法結構最後報告(基本法的結構專責小組)、新聞自由最後報告(居民及其他人的權利自由福利與義務專責小組和文化教育科技宗教專責小組合辦)、社會福利政策最後報告(居民及其他人的權利自由福利與義務專責小組)、參與國際機構/協定的形式與安排最後報告(涉外事務專責小組)、入境管制、簽證問題最後報告(涉外事務專責小組和中央與特別行政區的關係專責小組合辦)、新界原居民權益最後報告(居民及其他人的權利自由福利與義務專責小組)、基本法解釋及修改權最後報告(法律專責小組和中央與特別行政區的關係專責小組合辦)及駐外機構最後報告(涉外事務專責小組)，議決轉交起草委員會參考。

執行委員會審訂了第三次全體會議議程，並將“加強與起草委員會的合作及溝通問題”列入議程內。

會議聽取了增補委員四人小組的工作報告。議決提名祈天順先生(香港總商會)、王敏剛先生(香港中華總商會)、梁儒盛先生(香港電台)、吳蔚奇先生(香港專上學生聯會)和戴耀廷先生(香港專上學生聯會)為諮詢委員，交第三次全體會議通過。

會議議決於4月4日(星期六)召開第十一次執行委員會會議。

二、基本法諮詢委員會87年3月下旬活動備忘

3月16日(星期一)	政制專責小組：立法機關的產生 開會時間：下午五時三十分至七時	召集人：夏其龍
3月16日(星期一)	文教專責小組：專業資格分組 開會時間：下午五時三十分至七時	召集人：李景行
3月17日(星期二)	立法機關工作組 開會時間：下午五時三十分至七時	召集人：謝志偉
3月18日(星期三)	中央與特別行政區的關係專責小組： 國防外交 開會時間：下午五時三十分至七時	召集人：張柏枝
3月19日(星期四)	行政長官的產生工作組 開會時間：下午五時三十分至七時	
3月19日(星期四)	文教專責小組 開會時間：下午五時三十分至七時	召集人：梁智鴻
3月20日(星期五)	區域組織工作組 開會時間：下午五時三十分至七時	召集人：徐是雄
3月21日(星期六)	司法制度工作組 開會時間：上午九時三十分至十一時	召集人：羅傑志
3月28日(星期六)	第三次全體會議 開會時間：下午三時至五時	
3月30日(星期一)	文教專責小組：文教分組 開會時間：下午五時三十分至七時	召集人：高荻華

三、起草委員會來函 (附件一)

中华人民共和国 香港特别行政区基本法起草委员会用笺

基本法咨询委员会秘书处：

昆明会议期间，基本法起草委员会秘书处收到黄丽松委员转来的基本法咨询委员会中央与香港特别行政区的关系专责小组的《基本法与宪法关系》的最后报告和《剩余权力》的最后报告，已转发给基本法起草委员会中央与香港特别行政区的关系专题小组委员参阅。

贵秘书处寄送来的《基本法咨询委员会周年报告1986》亦已收到，特此致谢。

顺 颂

时 祺



基本法起草委员会秘书处

一九八七年六月六日

CIRCULAR 39

THE SECRETARIAT OF THE
CONSULTATIVE COMMITTEE FOR THE BASIC LAW

1 April 1987

1. Completion of Final Reports

The final reports on the following topics have been completed: "Structure of the Basic Law"; "Definition of Inhabitants, Right to Land, Right of Abode, Freedom from Deportation, and Rights to Vote and Stand for Election"; "Freedom of the Press"; "Social Welfare Policy"; "Arrangement for and Form of Participation in International Organisations/Agreements"; "Overseas Offices"; "Immigration Control and Issuing of Passports and Travel Documents"; "Rights and Interests of Indigenous New Territories Inhabitants"; "Relationship between the SAR and the Various Provinces/Regions"; "Powers of Interpretation and Amendment of the Basic Law"; "Residual Power" and "Relationship between the Constitution and the Basic Law". Members who would like to obtain more copies of these reports, please contact Mrs Tang (5-8100810).

2. CCBL Calendar for April 1987:

Date	Activity	Remarks
1 April (Wednesday)	The Working Group on the Legislature Time : 5:30 - 7:00 p.m.	Convenor: Daniel C.W. Tse
2 April (Thursday)	Working Group on the Selection of the Chief Executive Time : 5:30 - 7:00 p.m.	Convenor: Tso Wung Wai
3 April (Friday)	Special Group on Inhabitants' and Other Persons' Rights, Freedom, Welfare, and Duties: Labour Policy Time : 5:30 - 7:00 p.m.	Convenor: Lee Kai Ming

Date	Activity	Remarks
4 April (Saturday)	The eleventh meeting of the Executive Committee Time : 10:30 - 12:30 a.m.	
7 April (Tuesday)	Working Group on Religious Affairs Time : 5:30 - 7:00 p.m.	
9 April (Thursday)	Working Group on the Selection of the Chief Executive Time : 5:30 - 7:00 p.m.	Convenor: Tso Wung Wai
10 April (Friday)	Working Group on Security, Law and Order, and I.C.A.C. Time : 5:30 - 7:00 p.m.	
11 April (Saturday)	Working Group on Conflict of Laws Time : 9:30 - 11:00 a.m.	Convenor: Eric S.W. Au
13 April (Monday)	Joint meeting of the Special Group on Law and the Special Group on Political Structure of the SAR: The Judicial System Time : 5:30 - 7:00 p.m.	Convenor: Denis K.L. Chang
15 April (Thursday)	Tea party for the First Exchange Tour Time : 5:30 - 7:00 p.m.	Convenor: Wilson W.S. Tuet

3. Letter from the Drafting Committee (Appendix I)

* If there is any discrepancy between the Chinese and the English versions, the Chinese version shall prevail.



(Appendix I)

(English Translation)

24 March, 1987

The Secretariat of the CCBL

Dear Sirs,

We recently received the final reports on "Residual Power" and on the "relationship between the Basic Law and the Constitution" prepared by the CCBL Special Group on Relationship between the Central Government and the HKSAR, and the final report on "Definition of Inhabitants, Right to Land, Right of Abode, Freedom from Deportation, Rights to Vote and Stand for Election" prepared by the CCBL Special Group on Inhabitants' and Other Persons' Rights, Freedom, Welfare, and Duties. These reports have been delivered to the Drafting Committee members.

Yours sincerely,

Secretariat of the Drafting Committee
(seal of the Secretariat of the Drafting Committee)

基本法諮詢委員會秘書處通訊39

1987年4月1日

一、最後報告備索

本會現已完成「基本法的結構」、「居民定義、出入境權、居留權、豁免遞解離境權、選舉權及被選舉權」、「新聞自由」、「社會福利政策」、「參與國際機構／協定的形式與安排」、「駐外機構」、「入境管制、簽證問題」、「新界原居民的權益」、「特區與各省區關係」、「基本法解釋及修改權」、「剩餘權力」及「憲法與基本法的關係」等專題的最後報告，各委員若有意為親友索取報告者，可致電5-8100810 鄧太聯絡。

二、基本法諮詢委員會87年4月活動備忘

4月1日(星期三)	立法機關工作組 開會時間：下午五時三十分至七時	召集人：謝志偉
4月2日(星期四)	行政長官的產生工作組 開會時間：下午五時三十分至七時	召集人：曹宏威
4月3日(星期五)	居民專責小組：勞工政策 開會時間：下午五時三十分至七時	召集人：李啓明
4月4日(星期六)	執行委員會第十一會議 開會時間：上午十時三十分至十二時三十分	
4月7日(星期二)	宗教事務工作組 開會時間：下午五時三十分至七時	
4月9日(星期四)	行政長官的產生工作組 開會時間：下午五時三十分至七時	召集人：曹宏威
4月10日(星期五)	保安、治安、廉政公署 開會時間：下午五時三十分至七時	
4月11日(星期六)	法律衝突工作組 開會時間：上午九時三十分至十一時	召集人：歐成威
4月13日(星期一)	法律及政制專責小組：司法制度 開會時間：下午五時三十分至七時	召集人：張健利
4月15日(星期三)	第一批交流參觀團茶會 開會時間：下午五時三十分至七時	召集人：脫維善

三、起草委員會來函 (附件一)

中华人民共和国 香港特别行政区基本法起草委员会用笺

基本法咨询委员会秘书处：

近期，本会秘书处收到贵会秘书处转来的基本法咨询委员会中央与香港特别行政区的关系专责小组关于《剩余权力》和《基本法与宪法的关系》的最后报告，香港特别行政区居民及其他人的权利、自由、福利与义务专责小组关于《居民定义、出入境权、居留权、豁免递解离境权、选举权与被选举权》的最后报告，并已转发给本会的委员们参阅。

特此致谢。顺颂

时祺

香港特别行政区基本法起草委员会秘书处
 一九八七年三月十四日



CIRCULAR 40

THE SECRETARIAT OF THE
CONSULTATIVE COMMITTEE FOR THE BASIC LAW

8 April 1987

1. Completion of Final Report

Final reports on the following topics have been completed: "Co-ordination between the Central Government and the SAR in Foreign and Defence Affairs; Defence; Foreign Affairs; External Affairs; Garrisoning of Troops" and "Labour Policy". Members who would like to obtain more copies of these reports, please contact Mrs Tang (5-8100810).

2. Press release: the eleventh meeting of the Executive Committee

The eleventh meeting of the Executive Committee of the Consultative Committee for the Basic Law was held on 4 April. The meeting was chaired by Dr Rayson Huang and attended by Dr Ann Tse Kai, Mr Lee Kai Ming, Mr Louis Che, Ms Ko Siu Wah, Mr Stephen K.C. Cheong, Mr Kwok Yuen Hon, Dr Philip C.K. Kwok, Mr Leung Chun Ying, and Mr Wong Po Yan, with apologies for absence from Mr Mo Kwan Nin, Mr Ng Hong Mun, Mr Kong Tak Yan, Mr P.Y. Yuen, Mr Denis K.L. Chang, Justice T.L. Yang, Lord Lawrence Kadoorie, Rev Peter K.K. Kwong, and Mr Lo Tak Shing.

The meeting reviewed and passed the final reports on "Co-ordination between the Central Government and the SAR in Foreign and Defence Affairs; Defence; Foreign Affairs; External Affairs; Garrisoning of Troops" (Special Group on the Relationship between the Central Government and the SAR) and "Labour Policy". (Special Group on Inhabitants' and Other Persons' Rights, Freedom, Welfare, and Duties). It was resolved that these reports be submitted to the Drafting Committee.

The Executive Committee discussed the liaison between the CCBL and the Drafting Committee and decided, according to the resolution of the third general meeting, to write to the Drafting Committee on strengthening co-operation and communication between the two committees.

The meeting also discussed the operation of the special groups. Relevant proposals would be referred to the Subcommittee on Working Procedure for consideration before they would be further discussed by the next Executive Committee meeting.

The meeting resolved to hold the twelfth Executive Committee meeting on Saturday, 6 June 1987.

If there is any discrepancy between the Chinese and the English versions, the Chinese version shall prevail.

基本法諮詢委員會秘書處通訊40

1987年4月8日

一、最後報告備索

本會現已完成「中央與特別行政區在國防與外交的協調、國防、外交、外事、駐軍」及「勞工政策」等專題的最後報告，各委員若有意為親友索取報告者，可致電5-8100810鄧太聯絡。

二、執行委員會第十一次會議新聞公報

基本法諮詢委員會執行委員會於4月4日舉行了第十一次會議。會議由黃麗松副主任主持，出席會議的有(按姓氏筆劃為序)安子介委員、李啓明委員、查良鏞委員、高荻華委員、張鑑泉委員、郭元漢委員、郭志權委員、梁振英委員、黃保欣委員。請假的有毛鈞年委員、吳康民委員、江德仁委員、阮北耀委員、張健利委員、楊鐵樑委員、嘉道理委員、鄺廣傑委員、羅德丞委員。

會議審閱通過了「中央與特別行政區在國防與外交的協調、國防、外交、外事、駐軍」最後報告(中央與特別行政區的關係專責小組)及「勞工政策」最後報告(居民及其他人的權利自由福利與義務專責小組)，議決轉交起草委員會參考。

執行委員會討論了有關本會與起草委員會的聯繫問題，議決按第三次全體委員會的議決致函起草委員會，聯絡有關加強本會與起草委員會的合作及溝通。

會議並討論了有關專責小組會議運作上的問題，並作出了一些建議，交由工作程序委員會研究，待下次執行委員會再行討論。

會議議決於6月6日(星期六)召開第十二次執行委員會會議。

CIRCULAR 41

 THE SECRETARIAT OF THE
 CONSULTATIVE COMMITTEE FOR THE BASIC LAW

15 April 1987

1. CCBL Calendar for late April 1987:

Date	Activity	Remarks
21 April (Tuesday)	Special Group on Law: Conflict of Laws Time : 5:00 - 5:30 p.m.	Convenor: Eric S.W. Au
21 April (Tuesday)	Joint meeting of the Special Group on Law and the Special Group on Political Structure of the SAR: The Judicial System Time : 5:30 - 7:00 p.m.	Convenor: Denis K.L. Chang
22 April (Wednesday)	Joint meeting of the Special Group on Relationship between the Central Government and the SAR and the Special Group on Law Time : 5:30 - 7:00 p.m.	Convenor: Eric S.W. Au
22 April (Wednesday)	The Working Group on the Legislature Time : 5:30 - 7:00 p.m.	Convenor: Daniel C.W. Tse

Date	Activity	Remarks
23 April (Thursday)	Special Group on Inhabitants' and Other Persons' Rights, Freedom, Welfare, and Duties: Fundamental Rights and Duties of Hong Kong Inhabitants Time : 5:30 - 7:00 p.m.	Convenor: J.S. Lambourn
23 April (Thursday)	Working Group on Security, Law and Order, and I.C.A.C. Time : 5:30 - 7:00 p.m.	Convenor: Louis Keloon Ha
24 April (Friday)	Special Group on Culture, Technology, Education, and Religion: Subgroup on Professional Qualifications Time : 5:30 - 7:00 p.m.	
24 April (Friday)	Special Group on Political Structure of the SAR Time : 5:30 - 7:00 p.m.	
27 April (Monday)	Special Group on Culture, Technology, Education, and Religion: Subgroup on Educational System and Cultural Policy Time : 5:30 - 7:00 p.m.	

2. Letter from the Drafting Committee (Appendix T)

* If there is any discrepancy between the Chinese and the English versions, the Chinese version shall prevail.

香港
法律
諮詢
委員會

Appendix I

(English Translation)

31 March 1987

The Secretariat of the CCBL

Dear Sirs,

We acknowledge receipt of Mr Ma Lik's letter.

We have received 20 copies of the final report on "structure of the Basic Law" and 45 copies of each of the following final reports: "definition of inhabitants, right to land, right of abode, freedom from deportation, rights to vote and stand for election"; "residual power"; "relationship between the Constitution and the Basic Law"; "relationship between the SAR and various provinces/regions"; "powers of interpretation and amendment of the Basic Law"; "social welfare policy"; "rights and interests of indigenous New Territories inhabitants"; "freedom of the press"; "arrangement for and form of participation in international organisations/agreements"; "immigration control; issuing of passports and travel documents"; and "overseas offices". We have delivered these reports to the mainland Drafting Committee members. We hope you will send these reports to the Drafting Committee members residing in Hong Kong. In future, any reference document that you submit for the reference of the Drafting Committee will be delivered to the mainland members through us, but the members residing in Hong Kong will receive the documents directly from you.

In addition, the 140 written submissions from some of the CCBL members, organisations and individuals, that you sent to us have also been received.

With thanks and kind regards,

Yours sincerely,

Secretariat of the Drafting Committee
(seal of the Secretariat of the Drafting Committee)

基本法諮詢委員會秘書處通訊41

1987年4月15日

一、基本法諮詢委員會87年4月下旬活動備忘

4月21日(星期二)	法律專責小組：法律衝突 開會時間：下午五時至五時三十分	召集人：歐成威
4月21日(星期二)	法律及政制專責小組合組：司法制度 開會時間：下午五時三十分至七時	召集人：張健利
4月22日(星期三)	中央與特別行政區的關係 與法律專責小組合組 開會時間：下午五時三十分至七時	召集人：歐成威
4月22日(星期三)	立法機關工作組 開會時間：下午五時三十分至七時	召集人：謝志偉
4月23日(星期四)	居民專責小組：基本權利 開會時間：下午五時三十分至七時	召集人：林邦莊
4月23日(星期四)	保安、治安、廉政公署工作組 開會時間：下午五時三十分至七時	召集人：夏其龍
4月24日(星期五)	文教專責小組：專業資格分組 開會時間：下午五時三十分至七時	
4月24日(星期五)	政制專責小組 開會時間：下午五時三十分至七時	
4月27日(星期一)	文教專責小組：文教分組 開會時間：下午五時三十分至七時	

二、起草委員會來函 (附件一)

中华人民共和国

香港特别行政区基本法起草委员会用笺

基本法咨询委员会秘书处：

马力先生的来函已收悉。

本处已收到贵处寄送的最后报告计有：《基本法结构》20份，《居民定义、出入境权、居留权、豁免递解离境权、选举权与被选举权》、《剩余权力》、《宪法与基本法的关系》、《特区与各省区关系》、《基本法解释及修改权》、《社会福利政策》、《新界原居民权益》、《新闻自由》、《参与国际机构协定的形式与安排》、《入境管制、签证问题》、《驻外机构》各45份，并已转发内地草委，烦请贵处将上述报告发给在港草委。今后，凡贵处拟送草委参考的文件，内地草委可通过我们转送，在港草委则由贵处直接分送。

另贵处寄来的部份咨询委员、各界社团及个人对基本法的意见共计140件亦已查收。

特此致谢，顺颂
时祺

基本法起草委员会秘书处

一九八七年秘用处一日上



CIRCULAR 42

THE SECRETARIAT OF THE
CONSULTATIVE COMMITTEE FOR THE BASIC LAW

1 May 1987

1. CCBL Calendar for early May 1987:

Date	Activity	Remarks
1 May (Friday)	Special Group on Culture, Technology, Education, and Religion: Subgroup on Professional Qualifications Time : 5:00 - 5:30 p.m.	Convenor: Edward S.T. Ho
6 May (Wednesday)	Working Group on Security, Law and Order, and I.C.A.C. Time : 5:30 - 7:00 p.m.	Convenor: Louis Keloan Ha
7 May (Thursday)	Special Group on Culture, Technology, Education, and Religion Time : 5:30 - 7:00 p.m.	Convenor: Poon Chung Kwong
8 May (Friday)	Joint meeting of the Special Group on Law and the Special Group on Relationship between the Central Government and the SAR Time : 5:30 - 7:00 p.m.	Convenor: Eric S.W. Au
11 May (Monday)	Special Group on Inhabitants' and Other Persons' Rights, Freedom, Welfare, and Duties: Fundamental Rights and Duties of Hong Kong Inhabitants Time : 5:30 - 7:00 p.m.	Convenor: J.S. Lambourn

2. Tour to the mainland

The second tour to the mainland in 1987 will be from 15 July to 24 July. Apart from holding exchange sessions with mainland Drafting Committee members in Beijing, the tour will visit Chengdu and Jiuzhaigou. There are still a few vacancies in the tour. Any member who would like to sign up now, please contact Mrs Tang (5-8100810).

基本法諮詢委員會秘書處通訊42

1987年5月 1日

一、基本法諮詢委員會87年5月活動備忘

5月1日(星期五)	文教專責小組：專業資格分組 開會時間：下午五時至五時三十分	召集人：何承天
5月6日(星期三)	保安、治安、廉政公署工作組 開會時間：下午五時三十分至七時	召集人：夏其龍
5月7日(星期四)	文教專責小組 開會時間：下午五時三十分至七時	召集人：潘宗光
5月8日(星期五)	中央與特別行政區的關係與法律專責小組 聯組會議 開會時間：下午五時三十分至七時	召集人：歐成威
5月11日(星期一)	居民專責小組：基本權利 開會時間：下午五時三十分至七時	召集人：林邦莊

二、交流參觀團繼續接受報名

87年度第二批交流參觀團定於7月15日—7月24日舉行，除赴北京與內地的起草委員交流外，並將往成都及九寨溝參觀，現尚餘少量名額，各委員有意參加者，請致電5-8100810鄧太聯絡。

CIRCULAR 43

THE SECRETARIAT OF THE
CONSULTATIVE COMMITTEE FOR THE BASIC LAW

8 May 1987

1. On the functioning of the Special Groups

A joint meeting of the Subcommittee on Group Planning and the Subcommittee on Working Procedure was held on Saturday morning, 25 April to discuss matters concerning the functioning of the special groups.

Referring to the data of the Secretariat, the meeting analysed the attendance problem of the special groups' meetings. The problem of the lack of quorum mainly concerns individual special groups whose meetings were particularly frequent at the beginning of this year e.g. the Special Group on Central-SAR Relationship and the Special Group on Political Structure. Other special groups such as those on the structure of the Basic Law; on law; on inhabitants' and other persons' rights, freedom, duties, and welfare; on culture, education, technology, and religion; on finance, business, and economy; and on external affairs are functioning normally.

The meeting held that the major cause of the problem was that individual groups had had a hectic time as they had been required to complete a considerable number of final reports promptly before the April meeting of the Drafting Committee. The working groups' and special groups' meetings were rather frequent and clashes might occur. Consequently, members could not attend all of the meetings. In addition, some special groups did not pay enough attention to the procedures or discussion methods at their meetings. And more meetings had to be held to make up for the wasted time and delayed progress. Some practices of the special groups also require improvement. For instance, convenors have been selected on a rotational basis. As a convenor only chairs a particular meeting, he/she cannot oversee the functioning of the special group, nor is he/she in a position to steer the discussion of the various topics. The efficiency of meetings will naturally decline.

On the attendance problem, the meeting made the following proposals:

- 1) Any member of a special group who missed two consecutive meetings of that special group (excused or unexcused) would be deemed suspending his right of attendance.
- 2) Any member of a special group who will not be able to attend meetings for a certain period of time may voluntarily suspend his right of attendance by written notice to the Secretariat.
- 3) Any member of a special group who has suspended his right of attendance are still entitled to receive notices of meetings and other documents of that group, and to be in attendance at meetings. (Those who are in attendance are not entitled to vote but may speak after obtaining the chairman's permission to do so.)
- 4) If a member of a special group who has suspended his right of attendance wishes to re-activate his membership he will be required to submit a re-registration form in person at the next meeting of the special group.

According to the proposal, any member who cannot attend meetings for a certain period of time only suspends his right of attendance and voting but still retains his membership in the special group. As he is still entitled to receive notices of meeting and relevant papers, and to be in attendance at meetings, he can keep himself informed of the discussion and progress of that special group. Members, if they wish to do so, may at any time re-register and resume their rights of voting and of speaking at the meetings of the special group. By now the proposal has already been sent to members of the Executive Committee for examination. With their written approval, the proposal will be officially declared and implemented as soon as possible.

A report in an English newspaper dated 29 April misrepresented the proposal regarding the problem of attendance at special group meetings. Dr Rayson Huang wrote to that newspaper on 30 April for clarification (see Appendix 1), though the letter has not been published.

At the same time, the Secretariat will assist the special groups in drawing up a schedule for meetings so that, as far as possible, the meetings will be regular and cases of double up (i.e. holding two meetings at the same time) will be avoided. In this way, the problem of persistent absence may be alleviated.

As to how the meetings can be conducted more efficiently, a member suggested that to save time and increase efficiency, opinions on the discussion paper be expressed in writing before the meeting and the meeting would only discuss and decide whether such opinions be accepted (see the procedure for the drafting of final reports, now being tried out by the Special Group on Political Structure).

The Executive Committee members present also proposed improvement on the working method of the special groups. For instance, a special group may decide, according to its actual needs, whether a steering group should be formed for the overall planning of the special group and better control of the progress of discussion; members of such steering group may take turns to be the convenors for the meetings of the special groups.

The opinions mentioned above will be further studied by the relevant subcommittees and concrete and detailed proposals will be prepared.

2. Procedure for drafting the final reports of the Special Group on Political Structure

Some special groups have not paid enough attention to the procedure and discussion method of their meetings. Very often, much time was spent on certain minor details or wording. Some members who did not attend the previous meetings tended to go back to the points which had already been dealt with and discuss them all over again. Consequently, the progress was slow. As the topics to be studied by the Special Group on Political Structure are large in number and highly controversial, in order to finish the final reports of the relevant topics before July, the Special Group is experimenting with the following working procedure:

- 1) After completion of the discussion paper on a particular topic, the working group will immediately dispatch the paper to all members of the special group. Members may propose, in writing to the Secretariat, any addition, deletion or amendment to the paper (specifying which paragraphs they are referring to) within ten days from the dispatch of the paper.
- 2) After collecting and sorting out such proposals and arrange them according to the order of the paragraphs, the Secretariat will deliver them, together with the notice of meeting, to members of the special group. Then a full meeting of the special group will be held a week later.

- 3) At its full meeting, the special group will only discuss the proposed amendments delivered to members earlier and decide whether they be accepted. Members may not propose any new addition, deletion or amendment at the meeting.
- 4) Once the discussion paper is endorsed at the special group's meeting, it will become a final report to be submitted to the Executive Committee and then forwarded to the Drafting Committee.

As this procedure is on trial, if it proves itself practicable after review it will be applied to other special groups.

* If there is any discrepancy between the Chinese and the English version, the Chinese version shall prevail.

香港特別行政區
基本法諮詢委員會

Appendix 1

中華人民共和國香港特別行政區

基本法諮詢委員會

THE CONSULTATIVE COMMITTEE FOR THE BASIC LAW
OF THE HONG KONG SPECIAL ADMINISTRATIVE REGION OF
THE PEOPLE'S REPUBLIC OF CHINA

30 April 1987

Mr John Dux
The Editor
South China Morning Post
Tong Chong Street
Quarry Bay
Hong Kong

Dear Mr Dux,

In your report dated 29 April and entitled "Huang gives revolution warning" you misrepresented the statements I made (in Cantonese) to the press the day before at a reception held by the Beijing-Hong Kong Academic Exchange Centre.

What I said about excessively rapid political changes was that these could amount to a revolution which is not what we wanted. I also said that while I believed we were moving in the right direction we should introduce changes gradually and with prudence.

With respect to Consultative Committee members being persistently absent at meetings of the special groups with which they have registered, it has been recommended that members who missed two consecutive meetings be no longer considered participating members, in which capacity they are entitled to vote. However, as members of the parent Consultative Committee they are still entitled to attend group meetings, and to speak after obtaining the Chairman's permission to do so. Alternatively they can re-register to have their membership of the Special Group re-activated. I did not say that they would be "expelled".

I was further surprised to be reported as having spoken to the gathering at the reception. I did not do so. Mr W.K. Young, Director of the Centre, was the only speaker that evening.

Finally I do not head the "working procedure sub-committee" of the CCBL as you erroneously reported.

Short as your report was it contained so many incorrect statements that I wonder if your reporter was actually present when I answered questions put to me by the press.

Yours sincerely,

Rayson Huang

基本法諮詢委員會秘書處通訊43

1987年5月5日

一、有關專責小組運作的問題：

小組策劃委員會及工作程序委員會於4月25日(星期六)上午召開聯席會議，商討了有關專責小組運作的各項事宜。

會議根據秘書處的統計資料，對專責小組會議出席問題進行了分析。因出席人數不足而引致流會的情況，只限於個別本年初開會次數特別多的專責小組，如中央與特別行政區的關係專責小組及政制專責小組，其他如基本法結構、法律、居民及其他人的權利自由與義務、文化教育科技宗教、金融財務經濟和涉外事務等小組，均運作正常。

會議認為，出席問題的主要成因是：個別小組為配合起草委員會四月份全體會議討論的需要，及時完成多個專題的最後報告，故工作非常繁忙。工作組和專責小組會議次數相當頻密，而且部份會議的時間安排可能互有衝突，以致委員未能抽空全數出席。此外，部份會議未有充份注意會議程序和討論方法的掌握，浪費不少時間，致使工作進度拖慢，會議次數也因此相應增加。另一方面，專責小組本身的一些工作形式，如輪選召集人制度，仍有待改進，由於每次會議的召集人只需主持某一次會議，而沒有委員全盤掌握和控制整個專責小組和各個專題的討論進度，故造成會議討論效率減低。

就專責小組全體會議出席問題，會議作出了以下具體的建議：

1. 專責小組成員若連續兩次不出席專責小組全體會議(包括請假或無故缺席)，作暫時放棄出席權論。
2. 如專責小組成員因事未能於某一期間內出席會議，亦可以書面知會秘書處，表示暫時放棄出席權。
3. 暫時放棄出席權的小組成員仍可繼續收取該專責小組的開會通知和該小組其他所有文件，及列席會議(列席會議者無投票權，並需在徵得主席同意後，方可在會上發言)。
4. 暫時放棄出席權的小組成員若希望重新出席該小組之全體會議，需於該專責小組再次召開會議時，親臨會議並交回登記表格。

按上述建議，因事而於某期間連續不能出席專責小組會議的成員，只是暫時放棄出席會議和投票的權利，但仍保留專責小組成員的身份，並可透過繼續收取開會通知和有關文件及列席會議，保持對該小組的討論情況和工作進展的了解。委員亦可於個人情況容許時，隨時再次登記，重新出席會議(有投票權及發言權)。另一方面，專責小組的工作進度亦不致因委員未能出席會議而受到影響。目前，該建議已寄全體執行委員審閱，如獲書面通過，將正式向全體委員公佈，儘速實行。

4月29日本港某英文報章對有關專責小組全體會議出席問題的建議，報導有誤，為此，黃麗松副主任已於4月30日去信該報社，要求澄清（見附件一），但該信至今仍未見報。請各委員留意。

此外，秘書處將協助各專責小組編訂會議時間表，儘可能把各專責小組的開會日期固定，並減少於同一時間內安排一個以上的會議，避免委員因此而無法出席會議的情況。

至於改善專責小組會議的工作效率方面，有委員建議，專責小組於召開會議前，應儘量要求委員以書面，對討論文件提出意見，而在會議上只討論及決定是否接納這些修訂建議，以節省會議時間，加強效率。（參考政制專責小組現正試行之草擬最後報告的程序）

與會執行委員還就改善專責小組的工作形式問題，提出了一些建議，供各專責小組參考。例如，各專責小組可按其實際情況，決定是否需要成立一小組，負責策劃所屬專責小組整個工作安排，掌握和控制各有關專題的討論進度，並轉流擔任該組全體會議之召集人。

有關上述的意見，有關的委員會將會作出進一步的研究，並提出具體建議。

二、政制專責小組草擬最後報告的程序：

個別專責小組會議因未能充份注意對程序和討論方法的掌握，往往在一些細小的問題或斟酌字眼方面，花費大量時間；又有部份曾經沒有出席會議的委員，常在會議上把一些已談妥的內容再拿出來，重重覆覆的討論完一遍又一遍，以致進度緩慢。政制專責小組鑑於所負責的專題多且富爭論性，為了加強工作效率，及時於七月份前完成各有關專題的最後報告，最近開始試行以下草擬最後報告的程序：

1. 工作組完成對某一專題的討論文件後，即寄發所屬專責小組的全體成員審閱。委員可於寄發討論文件後十天內，以書面向秘書處提出對文件內容（必須註明項目名稱）的補充、刪減或修改的意見和建議。
2. 秘書處將意見收集及整理後，把修訂意見按原文件的項目次序列出，寄發所屬專責小組的全體成員，並同時發出開會通知，於寄發修訂意見七天後，召開專責小組全體會議。
3. 專責小組全體會議上，只對修訂意見進行討論並決定是否接納該等修訂。除已提出的修訂意見外，委員不得對討論文件提出新的補充、刪減或修改建議。
4. 討論文件經專責小組全體會議通過後，即成為最後報告，交執行委員會審閱通過後，遞交起草委員會參考。

由於此程序尚在試行階段，如經檢討後認為可行，將會進一步推廣至其他專責小組。

中華人民共和國香港特別行政區
基本法諮詢委員會

THE CONSULTATIVE COMMITTEE FOR THE BASIC LAW
OF THE HONG KONG SPECIAL ADMINISTRATIVE REGION OF
THE PEOPLE'S REPUBLIC OF CHINA

30 April 1987

Mr John Dux
The Editor
South China Morning Post
Tong Chong Street
Quarry Bay
Hong Kong

Dear Mr Dux,

In your report dated 29 April and entitled "Huang gives revolution warning" you misrepresented the statements I made (in Cantonese) to the press the day before at a reception held by the Beijing-Hong Kong Academic Exchange Centre.

What I said about excessively rapid political changes was that these could amount to a revolution which is not what we wanted. I also said that while I believed we were moving in the right direction we should introduce changes gradually and with prudence.

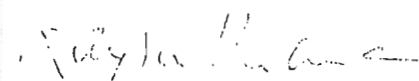
With respect to Consultative Committee members being persistently absent at meetings of the special groups with which they have registered, it has been recommended that members who missed two consecutive meetings be no longer considered participating members, in which capacity they are entitled to vote. However, as members of the parent Consultative Committee they are still entitled to attend group meetings, and to speak after obtaining the Chairman's permission to do so. Alternatively they can re-register to have their membership of the Special Group re-activated. I did not say that they would be "expelled".

I was further suprised to be reported as having spoken to the gathering at the reception. I did not do so. Mr W.K. Young, Director of the Centre, was the only speaker that evening.

Finally I do not head the "working procedure sub-committee" of the CCBL as you erroneously reported.

Short as your report was it contained so many incorrect statements that I wonder if your reporter was actually present when I answered questions put to me by the press.

Yours sincerely,



Rayson Huang

(譯文見後頁)

附件一譯文如下：

貴報在四月二十九日有關本人的報導"Huang gives revolution warning"，歪曲了本人在京港學術交流中心的酒會中，以廣東話向新聞界發表的講話。

我曾說政治轉變過於急劇即等於革命，這都是大家所不願看到的，我並說我相信現在的發展方向正確，但任何轉變都應該是循序漸進而審慎的。

至於諮詢委員在他們所屬的專責小組會議中經常缺席的問題，建議的解決辦法如下：缺席連續兩次的委員應不再算是該組的投票成員。但他們仍可繼續以基本法諮詢委員會成員的身份，列席小組會議，在會議主席准許下發言。此外，他們還可重新登記，再度成為該組的成員。我從未說過他們會被「開除」會籍。

貴報還報導本人在酒會中致詞，令本人更感莫名其妙，因為本人根本沒有在酒會中致詞。該中心的總經理楊偉國先生才是當晚的講者。

最後我要指出，貴報提及本人為工作程序委員會主席之說，亦屬錯誤。

貴報有關此事的簡短報導竟如此多錯誤，令本人懷疑貴報記者當時是否在场。

CIRCULAR 44

THE SECRETARIAT OF THE
CONSULTATIVE COMMITTEE FOR THE BASIC LAW

12 May 1987

1. CCBL Calendar for late May 1987:

Date	Activity	Remarks
15 May (Friday)	Working Group on Security, Law and Order, and I.C.A.C. Time : 5:30 - 7:00 p.m.	Convenor: Louis Keloon Ha
18 May (Monday)	Special Group on Inhabitants' and Other Persons' Rights, Freedom, Welfare, and Duties: Fundamental Rights and Duties of Hong Kong Inhabitants Time : 5:30 - 7:00 p.m.	Convenor: J.S. Lambourn
19 May (Tuesday)	Working Group on Public Servants Time : 5:30 - 7:00 p.m.	
20 May (Wednesday)	Working Group on The Relationship between the Legislature and the Executive Authorities Time : 5:30 - 7:00 p.m.	

Date	Activity	Remarks
21 May (Thursday)	Special Group on Political Structure of the SAR: Formation of the Legislature; The Legislature; and Regional Organisations Time : 5:30 - 7:00 p.m.	Convenors: Mr Ha Man Ho and Mr Leung Siu Tong
26 May (Tuesday)	Special Group on Finance, Business, and Economy Time : 5:30 - 7:00 p.m.	Convenor: Mr Chan Siu Kam
30 May (Saturday)	Joint meeting of the Special Group on Law and the Special Group on Political Structure of the SAR: The Judicial System Time : 9:30 - 11:00 a.m.	Convenor: Denis K.L. Chang

基本法諮詢委員會秘書處通訊44

1987年5月12日

一、基本法諮詢委員會87年5月下旬活動備忘

5月15日(星期五)	保安、治安、廉政公署工作組 開會時間：下午五時三十分至七時	召集人：夏其龍
5月18日(星期一)	居民專責小組：基本人權 開會時間：下午五時三十分至七時	召集人：林邦莊
5月19日(星期二)	公務員工作組 開會時間：下午五時三十分至七時	
5月20日(星期三)	行政與立法關係工作組 開會時間：下午五時三十分至七時	
5月21日(星期四)	政制專責小組：立法機關的產生 立法機關 區域組織 開會時間：下午五時三十分至七時	召集人：夏文浩 梁兆棠
5月26日(星期二)	金融專責小組 開會時間：下午五時三十分至七時	召集人：陳少感
5月30日(星期六)	政制與法律專責小組聯組會議：司法制度 開會時間：上午九時三十分至十一時	召集人：張健利



CIRCULAR 45

THE SECRETARIAT OF THE
CONSULTATIVE COMMITTEE FOR THE BASIC LAW

18 May 1987

1. Progress of the Special Group on the Political Structure of the SAR

In order to keep pace with the progress of the Drafting Committee, the Special on the Political Structure of the SAR has hastened its work with the schedule of passing nine reports on the related topics on political structure at the Special Group's meetings on 21 May, at the beginning and end of June.

Progress and Schedule of the various reports:

Topic	Discussion paper being drafted by the working group	Open to members' comments	Revision of the draft	Expected date of endorsement by the Special Group
Formation of the legislature	→		→	21 May
The legislature	→		→	21 May
District administration	→		→	21 May
Selection of the chief executive	→	→		early June
Public Servants	→			early June

Topic	Discussion paper being drafted by the working group	Open to members' comments	Revision of the draft	Expected date of endorsement by the Special Group
Security, ICAC, and law and order	→			early June
The judiciary	→	→		end of June
The executive authorities	→			end of June
Relationship between the executive authorities and the legislature	→			end of June

2. CCBL Calendar for late May 1987:

Date	Activity	Remarks
15 May (Friday)	Working Group on Security, Law and Order, and I.C.A.C. Time : 5:30 - 7:00 p.m.	Convenor: Louis Keloon Ha
18 May (Monday)	Special Group on Inhabitants' and Other Persons' Rights, Freedom, Welfare, and Duties: Fundamental Rights and Duties of Hong Kong Inhabitants Time : 5:30 - 7:00 p.m.	Convenor: J.S. Lambourn
19 May (Tuesday)	Working Group on Public Servants Time : 5:30 - 7:00 p.m.	
19 May (Tuesday)	Working Group on Free Trade and Policies on Industry and Commerce Time : 5:30 - 7:00 p.m.	Convenor: Chan Siu Kam

Date	Activity	Remarks
21 May (Thursday)	Working Group on Finance, Taxation, and Monetary System Time : 3:00 - 5:00 p.m.	Convenor: Shu Tse Wong
21 May (Thursday)	Special Group on Political Structure of the SAR: Formation of the Legislature; The Legislature; and Regional Organisations Time : 5:30 - 7:00 p.m.	Convenors: Ha Man Ho and Leung Siu Tong
22 May (Friday)	Working Group on Policies on Tourism and Real Estate Time : 5:30 - 7:00 p.m.	Convenors: Howard Young Pun Kwok Shing
25 May (Monday)	Working Group on The Relationship between the Legislature and the Executive Authorities * Time : 5:30 - 7:00 p.m.	
26 May (Tuesday)	Special Group on Finance, Business, and Economy Time : 5:30 - 7:00 p.m.	Convenor: Chan Siu Kam
30 May (Saturday)	Joint meeting of the Special Group on Law and the Special Group on Political Structure of the SAR: The Judicial System Time : 9:30 - 11:00 a.m.	Convenor: Denis K.L. Chang

* Please note that this meeting was originally scheduled to be held on 20 May.

基本法諮詢委員會秘書處通訊 45

1987年5月15日

一、政制專責小組的工作概況

為配合起草委員會的進度，政制專責小組現正加緊工作，務求在5月21日、6月初及6月底的三個政制專責小組會議完成九個有關政制的專題報告。

各專題報告的進度及工作時間表如下：

專題	工作組草擬討論文件	徵求委員意見	整理修訂稿	預算專責小組通過日期
立法機關的產生	—————→			5月21日
立法機關	—————→			5月21日
區域組織	—————→			5月21日
行政長官的產生	—————→	—————→		6月初
公務員	—————→			6月初
保安、治安、廉政公署	—————→			6月初
司法制度	—————→	—————→		6月底
行政機關	—————→			6月底
行政機關與立法機關的關係	—————→			6月底

二、基本法諮詢委員會87年5月下旬活動備忘

5月15日(星期五)	保安、治安、廉政公署工作組 開會時間：下午五時三十分至七時	召集人：夏其龍
5月18日(星期一)	居民專責小組：基本人權 開會時間：下午五時三十分至七時	召集人：林邦莊
5月19日(星期二)	公務員工作組 開會時間：下午五時三十分至七時	
5月19日(星期二)	自由貿易、工商業政策工作組 開會時間：下午五時三十分至七時	召集人：陳少感
5月21日(星期四)	財政稅收及金融制度工作組 開會時間：下午三時至五時	召集人：舒慈煌
5月21日(星期四)	政制專責小組：立法機關的產生 立法機關 區域組織 開會時間：下午五時三十分至七時	召集人：夏文浩 梁兆棠
5月22日(星期五)	旅遊業及房地產業政策工作組 開會時間：下午五時三十分至七時	召集人：楊孝華 潘國城
5月25日(星期一)	行政機關與立法機關的關係工作組★ 開會時間：下午五時三十分至七時	
5月26日(星期二)	金融財務經濟專責小組 開會時間：下午五時三十分至七時	召集人：陳少感
5月30日(星期六)	政制與法律專責小組聯組會議：司法制度 開會時間：上午九時三十分至十一時	召集人：張健利

★是次會議原訂於5月20日舉行，請各委員留意。

CIRCULAR 46

THE SECRETARIAT OF THE
CONSULTATIVE COMMITTEE FOR THE BASIC LAW

28 May 1987

1. Letter from the Drafting Committee (Appendix I)
2. CCBL Calendar for June 1987:

Date	Activity	Remarks
2 June (Tuesday)	Working Group on Public Servants Time : 5:00 - 5:30 p.m.	Convenor: Louis Keloon Ha
3 June (Wednesday)	Special Group on Culture, Technology, Education, and Religion: Religion; Life-style; and Culture and Education Time : 5:30 - 7:00 p.m.	Convenor: Li King Hang
4 June (Thursday)	The Working Group on Relationship between the Legislature and the Executive Authorities Time : 5:30 - 7:00 p.m.	Convenor: Daniel C.W. Tse
5 June (Friday)	Discussion session on political structure Time : 5:30 - 7:00 p.m.	Convenor: Louis Cha

Date	Activity	Remarks
6 June (Saturday)	Special Group on Law: Language of the Law Time : 9:30 - 11:00 a.m.	Convenor: Eric S.W. Au
9 June (Tuesday)	Special Group on Political Structure of the SAR: The Legislature; Regional Organisations; Security, ICAC, and Law and Order; and Selection of the Chief Executive Time : 5:30 - 7:00 p.m.	Convenor: Leung Siu Tong
10 June (Wednesday)	Special Group on Relationship between the Central Government and the SAR Time : 5:30 - 7:00 p.m.	Convenor: Eric S.W. Au
12 June (Friday)	The twelfth meeting of the Executive Committee Time : 4:00 - 5:30 p.m.	

3. Collection of Designs for the Regional Flag and Emblem of the HKSAR

The Drafting Committee invited designs for the regional flag and emblem of the HKSAR on 20 May. The CCBL has been entrusted with the responsibility to collect the designs on behalf of the Drafting Committee. At present, we have received 10 designs which will be sent to the Drafting Committee.

* If there is any discrepancy between the Chinese and the English versions, the Chinese version shall prevail.

Appendix I

(English Translation)

19 May 1987

The Secretariat of the CCBL

Dear Sirs,

We have received your letter on the strengthening of the liaison between the CCBL and the DCBL. We have already reported to the chairmen's meeting and proposed that after each meeting of a DCBL subgroup, the Hong Kong co-convenor of the subgroup will brief the corresponding special group of the CCBL on the progress of the meeting. In addition, the official documents of the Drafting Committee will be distributed to the CCBL members. It is also hoped that the CCBL will provide reference materials and reports to members of the DCBL subgroups whenever necessary. This proposal has been approved by the chairmen's meeting and has already been implemented accordingly.

Yours sincerely,

Secretariat of the Drafting Committee
(seal of the Secretariat of the Drafting Committee)

基本法諮詢委員會秘書處通訊46

1987年5月28日

一、基本法起草委員會來函 (附件一)

二、基本法諮詢委員會87年6月活動備忘

6月2日(星期二)	公務員工作組 開會時間：下午五時三十分至七時	召集人：夏其龍
6月3日(星期三)	文教專責小組：宗教 社會生活方式 文化教育 開會時間：下午五時三十分至七時	召集人：李景行
6月4日(星期四)	行政與立法關係工作組 開會時間：下午五時三十分至七時	召集人：謝志偉
6月5日(星期五)	政制座談會 開會時間：下午五時三十分至七時	召集人：查良鏞
6月6日(星期六)	法律專責小組：法律語言 開會時間：上午九時三十分至十一時	召集人：歐成威
6月9日(星期二)	政制專責小組：立法機關 區域組織 保安、治安、廉政公署 行政長官的產生 開會時間：下午五時三十分至七時	召集人：梁兆棠
6月10日(星期三)	中央與特別行政區的關係專責小組 開會時間：下午五時三十分至七時	召集人：歐成威
6月12日(星期五)	執行委員會第十二次會議 開會時間：下午四時至五時三十分	

三、區旗、區徽設計稿件徵集

基本法起草委員會於5月20日公開徵集香港特別行政區區旗、區徽設計稿件，並委託本會代收香港及海外投稿，現時本會收到的投稿共有十份，將轉交起草委員會處理。

中华人民共和国 香港特别行政区基本法起草委员会用笺

香港基本法咨询委员会秘书处：

贵处关于草委会和咨委会之间加强联系的来函已悉。草委会秘书处已报告主任委员会议并建议，今后草委会各专题小组会议后由小组的香港委员召集人向咨委会各对口专责小组介绍情况。此外，草委会的正式文件也将分送各咨委委员。同时，亦希望咨委会随时提供各类资料、报告，供草委会各专题小组成员参考。此建议已获主任委员会议同意，并已开始照此办理。特此函复。

中华人民共和国香港特别行政区
基本法起草委员会秘书处
秘书处
一九八七年五月十九日

CIRCULAR 47

THE SECRETARIAT OF THE
CONSULTATIVE COMMITTEE FOR THE BASIC LAW

18 June 1987

1. Press release : twelfth meeting of the Executive Committee

The twelfth meeting of the Executive Committee of the Consultative Committee for the Basic Law was held on 12 June. The meeting was chaired by Dr Ann Tse Kai and attended by Mr Ng Hong Man, Mr Lee Kai Ming, Ms Ko Siu Wah, Mr Denis K.L. Chang, Mr Stephen K.C. Cheong, Mr Kwok Yuen Hon, Mr Leung Chun Ying, Dr Rayson Huang and Mr Lo Tak Shing, with apologies for absence from Mr Mo Kwan Nin, Mr Kong Tak Yan, Mr P.Y. Yuen, Mr Louis Cha, Dr Philip C.K. Kwok, Justice T.L. Yang, Mr Wong Po Yan, Lord Lawrence Kadoorie and Rev Peter K.K. Kwong.

The Executive Committee reviewed and passed the following final reports : 1) The legislature (Special Group on Political Structure); 2) Regional organisations (Special Group on Political Structure); 3) Security, law and order, ICAC, and other avenues of complaint (Special Group on Political Structure); 4) Some aspects of final adjudication and the judicial system of the SAR, and the role of an independent prosecuting authority (Special Groups on Political Structure and on Law); 5) Conflict of laws, extradition and other related issues (Special Group on Law); 6) Education system and cultural policy (Special Group on Culture, Technology, Education, and Religion); 7) Professional qualifications and policy on science and technology (Special Group on Culture, Technology, Education, and Religion); 8) Lifestyle (Special Group on Culture, Technology, Education, and Religion); 9) Religious issues of the HKSAR (Special group on Culture, Technology, Education, and Religion); 10) Fundamental rights and duties of Hong Kong inhabitants (Special Group on Inhabitants' and Other Persons' Rights, Freedom, Welfare, and Duties); 11) Right to propose any bill of amendment to the Basic Law (Special Group on the Relationship between the Central Government and the SAR) and 12) Jurisdiction of the HKSAR courts and applicability of the national laws to Hong Kong (Special Group on the Relationship between the Central Government and the SAR).

In respect of the attendance problem of the special groups, the Executive Committee unanimously accepted the proposal of the Subcommittees on Group Planning and on Work Procedure: Any member of a special group who misses two consecutive

meetings of that special group will be deemed suspending his right of attendance, that is, he only suspends his rights of attendance and of voting but still retains his membership in the special group. He is still entitled to receive notices of meeting and relevant papers, and to be in attendance at meetings so that he can keep informed of the discussion and progress of that special group. Such member, if he wishes to do so, may at any time re-register and resume his right of attendance (including the rights of voting and of speaking) at the meetings of the special group. It was resolved that this practice be implemented immediately.

The Executive Committee reviewed the administrative work of the CCBL and the liaison between the CCBL and the DCBL since the third general meeting. Appreciation was expressed to the various special groups for their efforts in completing the reports. Reports on the following topics were still under preparation: "selection of the chief executive", "the executive authorities", "the relationship between the executive authorities and the legislature", and "public servants" of the Special Group on Political Structure; "language of the law" of the Special Group on Law; and the various reports of the Special Group on Finance, Business, and Economy. Members believed that these reports could be completed on time and submitted to the Drafting Committee members for reference before they started discussing the related topics. As regards the liaison between the two committees, members were pleased with the present arrangements that after each subgroup's meeting of the Drafting Committee, the Hong Kong co-convenor of that subgroup would brief the corresponding special group of the Consultative Committee on the progress of the meeting, and that official documents of the Drafting Committee were dispatched to the Consultative Committee.

It was decided the fourth general meeting of the CCBL be held on 19 September.

It was decided the thirteenth meeting of the Executive Committee be held on 8 August.

2. Attendance problem of special groups' meetings

The twelfth meeting of the Executive Committee resolved that any member of a special group who missed two consecutive meetings of that special group would be deemed suspending his right of attendance i.e. suspending his rights of attending the meetings and of voting. But he still retained his membership in the special group: he received relevant papers of the special group as usual and could be in attendance at the meetings. Once the member felt that he would have time for meetings, he could re-register and resume his rights of attendance and of voting. The resolution took effect on 16 June 1987.

3. Final reports to be distributed

Final reports on the following 12 topics have been completed: "the legislature"; "regional organisations"; "security, law and order, ICAC, and other avenues of complaint"; "some aspects of final adjudication and the judicial system of the SAR, and the role of an independent prosecuting authority"; "conflict of laws, extradition and other related issues"; "education system and cultural policy"; "professional qualifications and policy on science and technology"; "lifestyle"; "religious issues of the HKSAR"; "fundamental rights and duties of Hong Kong inhabitants"; "right to propose any bill of amendment to the Basic Law"; "jurisdiction of the HKSAR courts and applicability of the national laws to Hong Kong". Copies in English will be delivered to members in early July. If you would like some extra copies for your friends, please contact Mrs Tang (5-8100810).

4. CCBL Calendar for late June 1987:

Date	Activity	Remarks
19 June (Friday)	Special Group on Finance, Business, and Economy Time : 5:30 - 7:00 p.m.	Convenor: Zee Sze Yong
22 June (Monday)	Special Group on Inhabitants' and Other Persons' Rights, Freedom, Welfare, and Duties Time : 5:30 - 7:00 p.m.	Convenor: John S. Lambourn
23 June (Tuesday)	Special Group on Political Structure of the SAR Time : 5:30 - 7:00 p.m.	Convenor: Daniel C.W. Tse

* If there is any discrepancy between the Chinese and the English versions, the Chinese version shall prevail.

基本法諮詢委員會秘書處通訊47

1987年6月18日

一、執行委員會第十二次會議新聞公報

基本法諮詢委員會執行委員會於6月12日舉行了第十二次會議。會議由安子介主任主持，出席會議的有(按姓氏筆劃為序)吳康民委員、李啓明委員、高荻華委員、張健利委員、張鑑泉委員、郭元漢委員、梁振英委員、黃麗松委員、羅德丞委員。請假的有毛鈞年委員、江德仁委員、阮北耀委員、查良鏞委員、郭志權委員、楊鐵樑委員、黃保欣委員、嘉道理委員、鄺廣傑委員。

會議審閱通過了「立法機關」最後報告(政制專責小組)、「區域組織」最後報告(政制專責小組)、「保安、治安、廉政公署及各種投訴途徑」最後報告(政制專責小組)、「有關特區終審權、司法制度的幾個問題及獨立檢察機關的職責」最後報告(政制專責小組及法律專責小組)、「法律衝突、引渡及其他有關問題」最後報告(法律專責小組)、「教育制度、文化政策」最後報告(文化教育科技宗教專責小組)、「專業資格、科技政策」最後報告(文化教育科技宗教專責小組)、「社會生活方式」最後報告(文化教育科技宗教專責小組)、「有關香港特別行政區宗教問題」最後報告(文化教育科技宗教專責小組)、「香港居民的基本權利與義務」最後報告(居民及其他人的權利自由福利與義務專責小組)、「基本法的修改提議權」最後報告(中央與特別行政區的關係專責小組)、「司法管轄權與全國性法律在香港的應用」最後報告(中央與特別行政區的關係專責小組)。

關於專責小組會議出席問題，執行委員會一致通過小組策劃委員會及工作程序委員會所作的建議：凡因事而於某期間連續兩次不出席專責小組會議的成員，作暫時放棄出席權論——暫時放棄出席會議和投票權利，但仍舊保留成員身份，繼續收取開會通知和有關文件及列席會議，以保持對該小組的討論情況和工作進展的了解；委員亦可於個人情況容許下，隨時重新登記再次出席會議(有發言權及投票權)，議決即時執行。

執行委員會檢討了自第三次全體會議以來本會的會務工作及與基本法起草委員會的合作和溝通，對各專責小組為完成各個專題報告所作的努力表示贊賞，目前尚未完成的專題報告只有政制專責小組的「行政長官的產生」、「行政機關」、「行政機關與立法機關的關係」、「公務員」、法律專責小組的「法律語言」及經濟專責小組的各專題報告，相信亦能如期完成，在起草委員會討論有關專題前遞交參考；至於與起草委員會的合作和溝通問題，現時起草委員會專題小組會議後，都有由該小組的香港召集人向本會各個專責小組介紹情況，此外，起草委員會的正式文件亦分送本會委員，執行委員會對此情況表示滿意。

會議議決第四次全體會議日期為9月19日。

執行委員會並議決第十三次會議將於8月8日召開。

二、專責小組會議出席問題

執行委員會第十二次會議議決：委員若因事請假或無故缺席專責小組會議兩次者，作暫時放棄出席權論，即放棄出席會議及投票權，但仍保留小組成員身份，照常收取會議文件及資料，並可列席會議，俟委員覺得時間許可，得隨時重新登記，擁有出席及投票權。此決議案已於6月16日開始施行。

三、最後報告備索

本會現已完成了「立法機關」、「區域組織」、「保安、治安、廉政公署及各種投訴途徑」、「有關特區終審權、司法制度的幾個問題及獨立檢察機關的職責」、「法律衝突、引渡及其他有關問題」、「教育制度、文化政策」、「專業資格、科技政策」、「社會生活方式」、「有關香港特別行政區宗教問題」、「香港居民的基本權利與義務」、「基本法的修改提議權」、「司法管轄權與全國性法律在香港的應用」等十二份專題報告，歡迎各委員致電5-8100810鄧太索取，供親友閱覽。

四、6月下旬活動備忘

6月19日(星期五)	金融財務經濟專責小組 開會時間：下午五時三十分至七時	召集人：徐是雄
6月22日(星期一)	居民專責小組 開會時間：下午五時三十分至七時	召集人：林邦莊
6月30日(星期二)	政制專責小組 開會時間：下午五時三十分至七時	召集人：謝志偉

CIRCULAR 48

THE SECRETARIAT OF THE
CONSULTATIVE COMMITTEE FOR THE BASIC LAW

7 July 1987.

1. Final reports to be distributed

Final reports on the following 12 topics have been completed: "the legislature"; "regional organisations"; "security, law and order, ICAC, and other avenues of complaint"; "some aspects of final adjudication and the judicial system of the SAR, and the role of an independent prosecuting authority"; "conflict of laws, extradition and other related issues"; "education system and cultural policy"; "professional qualifications and policy on science and technology"; "lifestyle"; "religious issues of the HKSAR"; "fundamental rights and duties of Hong Kong inhabitants -- Part I"; "right to propose any bill of amendment to the Basic Law"; "jurisdiction of the HKSAR courts and applicability of the national laws to Hong Kong". Copies in English will be delivered to members within a few days. If you would like some extra copies for your friends, please contact Miss Ma (5-8100810).

2. CCBL Calendar for late June 1987:

Date	Activity	Remarks
8 July (Wednesday)	Special Group on Inhabitants' and Other Persons' Rights, Freedom, Welfare, and Duties Time : 5:30 - 7:00 p.m.	Convenor: Lee Kai Yu
10 July (Friday)	The Thirteenth (Continuation) Meeting of the Special Group on the Political Structure of the SAR Time : 5:30 - 7:00 p.m.	Convenor: Daniel C.W. Tse

100-100-100-100

Date	Activity	Remarks
14 July (Tuesday)	2nd Meeting on "The Policy Regarding Industry and Commerce, Free Trade, and the Policy Regarding Agriculture and Fishery" of the 2nd & 3rd Working Groups of the Special Groups on Finance, Business, and Economy Time : 5:30 - 7:00 p.m.	Convenor: Chan Siu Kam
15 - 24 July	The Second Tour to Mainland	Destinations: Beijing, Chengdu, Jiuzhaigou
17 July (Friday)	The Working Group on Shipping and Aviation Time : 3:00 - 4:30 p.m.	Convenor: Helmut Sohmen
29 July (Wednesday)	The Working Group on Shipping and Aviation (tentative) Time : 5:30 - 7:00 p.m.	Convenor: Helmut Sohmen

3. Collection of Designs for the Regional Flag and Emblem of the HKSAR

The Drafting Committee invited designs for the regional flag and emblem of the HKSAR on 20 May. The CCBL has been entrusted with the responsibility of collecting the designs on behalf of the Drafting Committee. At present, we have received 36 designs which will be sent to the Drafting Committee.

* If there is any discrepancy between the Chinese and the English versions, the Chinese version shall prevail.

基本法諮詢委員會秘書處通訊48

1987年7月7日

一、最後報告備索

本會最近完成之「立法機關」、「區域組織」、「保安、治安、廉政公署及各種投訴途徑」、「有關特區終審權、司法制度的幾個問題及獨立檢察機關的職責」、「法律衝突、引渡及其他有關問題」、「教育制度、文化政策」、「專業資格、科技政策」、「社會生活方式」、「有關香港特別行政區宗教問題」、「香港居民的基本權利與義務」、「基本法的修改提議權」、「司法管轄權與全國性法律在香港的應用」等十二份專題報告，已於日前寄發全體委員及顧問。各委員若有意為親友索取報告者，可致電5-8100810馬小姐聯絡。

二、基本法諮詢委員會87年7月活動備忘

7月8日(星期三)	居民專責小組會議 開會時間：下午五時三十分至七時	召集人：李啓宇
7月10日(星期五)	政制專責小組第13次會議續會 開會時間：下午五時三十分至七時	召集人：謝志偉
7月14日(星期二)	金融財務經濟專責小組第二及第三 工作組之工商業政策、自由貿易、 漁農業政策第二次會議 開會時間：下午五時三十分至七時	召集人：陳少感
7月15-24日	第二批交流參觀團	地點：北京、成都、 九寨溝
7月17日(星期五)	航運、民航工作組會議 開會時間：下午三時至四時三十分	召集人：蘇海文
7月29日(星期三)	航運、民航工作組會議(暫定) 開會時間：下午五時三十分至七時	召集人：蘇海文

三、區旗、區徽設計稿件徵集

基本法起草委員會於5月20日公開徵集香港特別行政區區旗、區徽設計稿件，並委託本會代收香港及海外投稿，現時本會收到投稿共有36份，將轉交起草委員會處理。



CIRCULAR 49

THE SECRETARIAT OF THE
CONSULTATIVE COMMITTEE FOR THE BASIC LAW

17 July 1987

1. CCBL Calendar for late July 1987:

Date	Activity	Remarks
23 July (Thursday)	Working Group on Finance, Taxation, Monetary System, and Principles of the Economic System Time : 5:30 - 7:00 p.m.	Convenor: Shu Tse Wong
27 July (Monday)	The Thirteenth (Continuation) Meeting of the Special Group on the Political Structure of the SAR Time : 5:30 - 7:00 p.m.	Convenor: Daniel C.W. Tse
29 July (Wednesday)	The Working Group on Shipping and Civil Aviation Time : 5:30 - 7:00 p.m.	Convenor: Helmut Sohlen
30 July (Thursday)	2nd Meeting on "The Policy Regarding Industry and Commerce, Free Trade, and the Policy Regarding Agriculture and Fishery" of the 2nd & 3rd Working Group of the Special Groups on Finance, Business, and Economy Time : 5:30 - 7:00 p.m.	Convenor: Chan Siu Kam

2 Progress of the CCBL

1. Up till now, the special groups have completed 26 final reports. They have already been delivered to the Drafting Committee upon the Executive Committee's examination.
2. The following eight working groups are stepping up their work in order to complete their final reports by early August for submission to the thirteenth meeting of the Executive Committee 8 August 1987.

Working Group on	Progress
1) Selection of the chief executive Formation and the terms of reference of the executive authorities	Final report completed, and passed by the special group
2) The relationship between the executive authorities and the legislature	Discussion paper completed and under discussion by the special group
3) Public servants	Final report completed, and passed by the special group
4) Finance, taxation, monetary system, and principles of the economic system	Discussion paper being prepared by the working group
5) Language of the law	Final report completed, and passed by the special group
6) Fundamental rights and duties of Hong Kong inhabitants -- Part II	Final report completed, and passed by the special group
7) Free trade, shipping and civil aviation	Discussion paper being prepared by the working group
8) The policy regarding industry and commerce, and the policy regarding agriculture and fishery	Discussion paper being prepared by the working group

3 Resignation of Mr Poon Chun Leung

Mr Poon Chun Leung, member of the CCBL, has resigned because of other commitments, with effect from 1 July 1987.

基本法諮詢委員會秘書處通訊49

1987年7月17日

一、基本法諮詢委員會87年7月活動備忘

7月23日(星期四)	財務、稅收、金融制度、經濟制度之精神 工作組會議 開會時間：下午五時三十分至七時	召集人：舒慈煌
7月27日(星期一)	政制專責小組第13次會議續會 開會時間：下午五時三十分至七時	召集人：謝志偉
7月29日(星期三)	航運、民航工作組會議(暫定) 開會時間：下午五時三十分至七時	召集人：蘇海文
7月30日(星期四)	金融財務經濟專責小組第二及第三工作組之 工商業政策、自由貿易、漁農業政策第三次 會議 開會時間：下午五時三十分至七時	召集人：陳少感

二、會務概況：

1. 至目前為止，本會各專責小組先後完成最後報告共26份，經執行委員會審閱後，已送起草委員會參考。
2. 下列8個工作組現正加緊工作，務求在八月初完成有關的專題報告，交8月8日執行委員會第13次會議審閱。

工作組	進度
①行政長官的產生 行政機關的組成與職權	最後報告已完成並獲專責小組通過
②立法機關與行政機關的關係	討論文件已完成，現正在專責小組討論階段
③公務人員	最後報告已完成並獲專責小組通過
④財政、稅收、金融制度、及 經濟制度的精神	工作組草擬討論文件階段
⑤法律語言	最後報告已完成並獲專責小組通過
⑥香港居民的基本權利與義務(之二)	最後報告已完成並獲專責小組通過
⑦自由貿易、航運及民航	工作組草擬討論文件階段
⑧工業、商業、旅遊業及房地 產業政策	工作組草擬討論文件階段

三、潘振良委員辭職事

CIRCULAR 50

THE SECRETARIAT OF THE
CONSULTATIVE COMMITTEE FOR THE BASIC LAW

10 August 1987

Press release: the thirteenth meeting of the Executive Committee

The thirteenth meeting of the Executive Committee of the Consultative Committee for the Basic Law was held on 8 August. The meeting was chaired by Dr Rayson Huang and attended by Mr Denis K. L. Chang, Lord Lawrence Kadoorie, Ms Ko Siu Wah, Mr Kong Tak Yan, Mr Lee Kai Ming, Mr Leung Chun Ying, Mr Mo Kwan Nin, Mr Wong Po Yan, and Mr P. Y. Yuen, with apologies for absence from Mr Ann Tse Kai, Mr Louis Cha, Mr Stephen K. C. Cheong, Rev Peter K. K. Kwong, Mr Philip C. K. Kwok, Mr Kwok Yuen Hon, Mr Lo Tak Shing, Mr Ng Hong Mun, and Mr Justice T. L. Yang.

The meeting examined and passed the final reports on the following topics: the selection of the chief executive, the composition and terms of reference of the executive authorities; the relationship between the executive authorities and the legislature; public servants; language of the law; fundamental rights and duties of Hong Kong inhabitants -- part II; finance, taxation, monetary system and principles of the economic system; policies regarding industry and commerce, free trade, agriculture and fishery; shipping and civil aviation; and policy regarding tourism and policy regarding real estate. It was resolved that these ten reports be submitted to the Drafting Committee.

The meeting was informed of the resignation of Mr Poon Chun Leung. Mr Poon's past contribution to the CCBL was acknowledged.

Preliminary discussion was held on the agenda for the fourth general meeting and related matters. It was resolved that the Secretariat deliver the agenda for the fourth general meeting (draft) to members within a few days so that members could propose any additional item or amendment.

The meeting deliberated the work schedule for the next stage. The eight special groups of the CCBL have already completed all of the 36 final reports. (The Special Group on Finance, Business and Economy was supposed to complete its reports in late October but the reports were already available early this month.) Hence, the work for the second stage, i.e. more thorough discussion and in-depth study, was basically completed. The Subcommittees on Group Planning and on Working Procedure had proposed a work schedule for the third stage. The third stage of work would focus on the following three aspects:

- 1) to submit reference material or reports on the issues for consultation raised by the Drafting Committee;
- 2) to submit views and proposals with regard to the preliminary provisions drafted by the subgroups of the Drafting Committee; and
- 3) to submit reference material and research reports on the crux of the problems arising from the discussions of the various special groups at the second stage.

The meeting resolved that the original 8 special groups be dissolved and the following 6 special groups be formed to meet the needs of the third stage of work.

- 1) Special Group on the Relationship between the Central Government and the HKSAR
- 2) Special Group on Inhabitants
- 3) Special Group on Political Structure
- 4) Special Group on Law
- 5) Special Group on Economy
- 6) Special Group on Culture and Education

The period for registration of membership of the new special groups would be 12 - 22 August. The Secretariat would issue forms where members would be required to indicate which group(s) they would join according to their interest and expertise.

The meeting received the working report of the Subcommittee on Finance and thanked H. Y. Wong Certified Public Accountants for their assistance.

The meeting resolved to hold the fourteenth Executive Committee meeting on Friday, 4 September.

2. Final reports to be distributed

Final reports on the following 10 topics have been completed: the selection of the chief executive, the composition and terms of reference of the executive authorities; the relationship between the executive authorities and the legislature; public servants; language of the law; fundamental rights and duties of Hong Kong inhabitants -- part II; finance, taxation, monetary system and principles of the economic system; policies regarding industry and commerce, free trade, agriculture and fishery; shipping and civil aviation; and policy regarding tourism and policy regarding real estate. Copies of these reports will be delivered to members soon. If you would like some extra copies for your friends, please contact Miss Ma (5-8100810) at the beginning of next week.

3. Agenda for the fourth general meeting of the CCBL (draft)

In accordance with the resolution of the thirteenth meeting of the Executive Committee, the agenda for the fourth general meeting is enclosed (see Appendix 1) so that members may propose additional items or amendment. If you have any comments or proposals regarding the agenda, please send them to the Secretariat by 22 August as they will be referred to the fourteenth Executive Committee meeting to be held on 4 September.

4. Re-registration of membership of special groups

The thirteenth meeting of the Executive Committee resolved that the original special groups be dissolved and the following 6 special groups be formed to meet the needs of the third stage of work (see Appendix 2) :

- 1) Special Group on the Relationship between the Central Government and the HKSAR
- 2) Special Group on Inhabitants
- 3) Special Group on Political Structure

- 4) Special Group on Law
- 5) Special Group on Economy
- 6) Special Group on Culture and Education

The period for re-registration of membership of special groups is 12 - 22 August. Members are asked to join the special group(s) of their choice according to their interest and expertise. Upon completion of the re-registration form (Appendix 3), members will automatically become members of the special group(s) of their choice. Please complete and return the re-registration form to the Secretariat by 22 August 1987.

After re-registration, each special group will soon hold its first meeting to set up a co-ordinating group for drawing up a work schedule for the third stage. The work schedule will be reported to the fourth general meeting on 19 September.

The co-ordinating groups will be composed of 2-5 members, one of whom will be an Executive Committee member and the rest will be selected from among members of the special group. The thirteenth meeting of the Executive Committee selected the following members of the Executive Committee to join the co-ordinating groups of the various special groups: Mr Ng Hong Man (Special Group on the Relationship between the Central Government and the HKSAR); Mr Kwok Yuen Hon (Special Group on Inhabitants); Mr Leung Chun Ying (Special Group on Political Structure); Mr Denis Chang (Special Group on Law); Mr Stephen Cheong (Special Group on Economy); and Ms Ko Siu Wah (Special Group on Culture and Education).

THE FOURTH GENERAL MEETING OF THE
CONSULTATIVE COMMITTEE FOR THE BASIC LAW

- Date : Saturday, 19 September 1987
- Time : 3:00 pm - 5:00 pm
- Place : CCBL premises
- Agenda :
1. To confirm the minutes of the third general meeting.
 2. To pass the proposal for amendment to the Standing Orders of the General Meeting of the CCBL.
 3. To receive the working report of the Subcommittee on Finance.
 4. To receive the progress report of the CCBL.
 5. To discuss the work schedules of special groups for the next stage.

WORK SCHEDULE OF THE CCBL

(August 1987 - April 1988)

1. The fourth general meeting of the CCBL will be held on 19 September 1987. After the second general meeting, the CCBL embarked on the second stage of work at which disparate opinions collected earlier were analysed and more thoroughly discussed. Thirty-four working groups were formed under the 8 special groups, and all final reports are due to be completed before the fourth general meeting. Now that the second stage of work is basically accomplished, the Subcommittees on Group Planning and on Working Procedure held a meeting on 1 August to design a work schedule for the next stage.

2. The third stage of work of the CCBL will focus on the following three aspects :
 - (1) to submit reference material or reports on the issues for consultation raised by the Drafting Committee;
 - (2) to submit views and proposals with regard to the preliminary provisions drafted by the subgroups of the Drafting Committee; and
 - (3) to submit reference material and research reports on the crux of the problems arising from the discussions of the various special groups at the second stage.

3. At the first general meeting, the Subcommittee on Group Planning proposed to form 8 special groups which, according to the CCBL Constitution, are responsible to "undertake the work entrusted to them by the Consultative Committee and to be consulted by the Drafting Committee". It was pointed out by some members that since our Special Group on the Structure of the Basic Law had completed its work and there were only 5 subgroups under the Drafting Committee responsible for drafting preliminary provisions, the CCBL should consider re-organising the special groups in order to tie in with the work of the Drafting Committee. Now that we have reached the end of the second stage, it is proposed that the original special groups be dissolved and to meet the needs of a new stage, 6 new groups will be formed as listed below:

- (1) Special group on the relationship between the Central Government and the HKSAR
- (2) Special group on inhabitants
- (3) Special group on the political structure
- (4) Special group on law
- (5) Special group on economy
- (6) Special group on culture and education

4. The original special groups have been working for one and a half year and have accumulated much experience, but on the other hand, they have encountered some minor problems such as the rotational convenor system (i.e. selecting a new convenor and a deputy convenor for each meeting) and the members' attendance at meetings of special groups. This shows that there is room for improvement in the operation and working procedure of the special groups. Therefore, with the re-organisation of the special groups, the working procedure may be perfected on the basis of past experience and according to the needs of the next stage so that efficiency of the special groups will be further improved.

5. The re-organised special groups will basically correspond to the subgroups of the Drafting Committee which divide their work according to the Structure of the Basic Law (Draft), and each of them is responsible to draft a certain part of the Basic Law. If our special groups divide their work in more or less the same way, there will be the following advantages:

- (1) It will facilitate the future exchange of views between the corresponding groups of the two committees;
- (2) Overlapping or omission of work can be avoided; it also enables a better arrangement of work and schedule and clashes can be minimised;
- (3) Since members' interest in the various topics may change with time, the re-organisation of special groups indirectly provides a chance for them to make new choices and to reconsider the allocation of time and resources for their commitments.

6. The period for re-registration of membership of special groups is 12 - 22 August. The Secretariat will issue re-registration forms where members are required to indicate which group(s) they will join according to their own interest and expertise. The Subcommittee on Group Planning under the Executive Committee has designed the working procedure for the special groups (see appendix). After re-registration of membership, each special group will soon hold its first meeting to form a co-ordinating group for drawing up a work schedule for the third stage with the assistance of the Secretariat. The work schedule of each group will be reported to the fourth general meeting on 19 September.

7. With regard to the first aspect of our work for the third stage (i.e. consultation on the specific issues brought to our attention by the Drafting Committee), it is proposed that the Secretariat carry out research on those issues for consultation as requested by the Drafting Committee and prepare discussion papers which will then be discussed and revised as reports by the special groups. Experts recommended by the special group can be invited by the Executive Committee to give assistance and advice when necessary. Proposed schedule for the completion of reports is as follows:

Special Group	Tentative deadline for completion of the report*
Central Govt. - SAR Relationship	Feb 1988
HK Inhabitants	Dec 1987
Political Structure	Feb 1988
Law	Feb 1988
Economy	Dec 1987
Culture & Education	Dec 1987

* Depending on the number of topics.

8. On the second aspect of our work for the third stage, it is proposed that the Secretariat organise seminars for the special groups after the re-organisation to collect opinions and proposals on the preliminary provisions drafted by the subgroups of the Drafting Committee. After each meeting of a Drafting Committee's subgroup, the co-convenor of the subgroup will be invited to the CCBL to brief our members on the spirit of the preliminary provisions and the existing problems. The members of the Special Group concerned will discuss the provisions thoroughly, and the Executive Committee will mobilise all members for horizontal consultation. The views and proposals thus collected will be compiled as written submissions to be forwarded to the Drafting Committee.

9. The proposed work schedule is as follows:

Special group	Discussion period	Deadline for Submission
Central Govt. - SAR Relationship	Sept to Nov	Nov 1987
HK Inhabitants	Sept to Nov	Nov 1987
Political Structure	Sept to Dec	Dec 1987
Law	Sept to Dec	Dec 1987
Economy	Oct to Dec	Dec 1987
Culture & Education	Oct to Dec	Dec 1987

10. As regards the third aspect of our work for the third stage (i.e. in-depth study on the controversial issues which have not been resolved by discussions at the second stage), it is proposed that the Secretariat summarise the crux of the problems and carry out further research for the compilation of discussion papers.

The papers will be discussed by the special groups. Research reports can be compiled with the assistance of the experts recommended by the special groups and invited by the Executive Committee when necessary. This type of work is to be carried out concurrently with the third aspect of our work.

11. All of the written submissions and research reports should be examined by the special groups and endorsed by the Executive Committee before their submission to the Drafting Committee.
12. The work of this stage will basically be compatible with the progress of the Drafting Committee. Part of the reference materials will be submitted before the sixth plenary session of the Drafting Committee (December 1987), and all of the work of this stage should be completed by the seventh plenary session of the Drafting Committee (April 1988 tentatively).
13. It is proposed that the fifth general meeting of the CCBL be held in March 1988 to discuss the work schedule for the stage after the publication of the first draft of the Basic Law.

* "The re-organisation and working method of the special groups at the third stage" is appended to this work schedule.

THE RE-ORGANISATION AND WORKING METHOD OF

THE SPECIAL GROUPS AT THE THIRD STAGE

1. Provisions regarding the operation of the special groups under the Constitution of the CCBL

Article 11 : "A number of groups with special duties shall be set up by the Consultative Committee to undertake the work entrusted to them by the Consultative Committee and to be consulted by the Drafting Committee. The number of such special groups will be determined according to the need at any given time. Individual members of the Consultative Committee can join these special groups according to their own expertise. The special groups can engage people with expertise outside the Consultative Committee to participate in the study of particular topics. The special groups shall be responsible to the Consultative Committee and they may make rules governing their own working procedure."

2. Proposal on the re-organisation and working method of the special groups

- (1) Membership

- 1.1 Members of the CCBL may freely join the special groups according to their expertise. They may join as many groups as they wish.
- 1.2 The special groups may engage people with expertise outside the Consultative Committee to participate in the study of particular topics.
- 1.3 Members are required to sign the attendance sheet in order to record their attendance at each meeting, and they may participate in the collation of the results of discussion.
- 1.4 Members shall enjoy the rights to elect, to be elected, to vote and to speak.

- (2) Non-voting members

- 2.1 CCBL members may attend meetings of the special groups in the capacity of non-voting members.
- 2.2 Any member of a special group who misses two consecutive meetings of that special group (excused or unexcused) will be deemed suspending his right of attendance, and he will then become a non-voting member.

- 2.3 Any member of a special group who will not be able to attend meetings for a certain period of time may voluntarily suspend his right of attendance by written notice to the Secretariat, and he will then become a non-voting member.
- 2.4 Non-voting members are to sign on a separate attendance sheet which will not be used to calculate the attendance of the special group meetings.
- 2.5 Non-voting members are still entitled to receive notices of meetings and relevant documents. But they do not have the rights to elect, to be elected, and to vote when attending the meetings, and may speak only with the consent of the chairman of the meeting.
- 2.6 A non-voting member may re-register as member of the special group 3 days before the meeting of the relevant group.

(3) Subgroups

- 3.1 Should there be too many members in a special group, subgroups may be formed, each having 10 to 20 members, in order to facilitate discussion.
- 3.2 Should the scope of work of a special group be too broad, subgroups on individual topics may be formed.

(4) Meetings

- 4.1 The quorum for meetings of special groups shall be at least one-half of all the members who are entitled to attend thereat.
- 4.2 If there is no quorum at a certain meeting, the special group concerned will hold a continuation meeting at reasonable (normally 7 days') notice. The continuation meeting will not require a quorum.
- 4.3 If the items on the agenda of a certain special group meeting cannot be covered according to schedule, another meeting or a continuation meeting can be convened at a later date (normally 7 days later) to carry on with the discussion. The continuation meeting will not require a quorum.

(5) Convenors

- 5.1 Members of each special group are to set up a co-ordinating group composed of 2-5 members, one of whom is a member of the Executive Committee and the rest are selected from among members of the special group. With the assistance of the Secretariat and in accordance with the views expressed by members of that special group, the co-ordinating group is to plan the work of the special group for the third stage, to map out and monitor the progress of discussion on the various topics, and members of the co-codinating group are to take turns to preside at meetings of the special group.
- 5.2 The co-ordinating groups will be dissolved after the work for the third stage is completed.

[Note: The present system for selecting convenors of the special groups is as follows :

- 1) Convenors of the special groups are selected on a rotational basis -- At each meeting, members are to select from among themselves a convenor and a deputy convenor. The merit of this system is that all members of the special group who come from different sectors of society may have equal chance of participation, and the workload for individual members can be reduced. However, since a convenor is only responsible for one meeting and no one is in a position to oversee and monitor the progress of discussion, the work of the special group lacks continuity. Furthermore, it is unlikely that the convenors are all well informed about a particular discussion topic. These are all factors leading to the decline of efficiency.
- 2) Covenors of the working groups are fixed -- One or two members are responsible for conducting the discussions of a specific topic. This system avoids the demerits of selection on a rotational basis, and enables more consistent and efficient work. On the other hand, there will be relatively less chance for other members to participate in the planning of the group, and the workload of the convenor is rather heavy. The convenor has to afford considerable time, but not all members can do so.

According to experience, both systems have different pros and cons. On the other hand, the formation of co-ordinating groups has the following merits: it ensures continuity in the work and discussion of special groups; since the work of co-ordination is shared among several members, each of them may have a lighter work load; at the same time, they may pool their ideas so that special groups may function more effectively.]

(6) Working Method

6.1 Internal discussion of the special groups -- The special groups are to carry out discussion on the crux of the problems within their scopes and on the issues for consultation as requested by the Drafting Committee, and to collate the results of discussion. Specific working procedures are as follows:

6.1.1 The Secretariat and the convenors are to research on the topics for discussion or consultation and prepare discussion papers. Experts recommended by the special group may be invited by the Executive Committee to assist and provide advice when necessary. The discussion papers, upon completion, will be dispatched to members of the relevant special groups for examination. Members will then submit their comments or proposed amendments to the Secretariat in writing.

6.1.2 After collecting and sorting out such comments and proposals, the Secretariat will send them to all members of the special group, together with a notice of the special group meeting.

6.1.3 At the special group meeting, members will only discuss the comments and proposed amendments delivered earlier and decide whether they be accepted. Members may not propose any new amendment at the meeting.

6.1.4 A discussion paper, after being examined by the special group, will become a report which is to be endorsed by the Executive Committee and then submitted to the Drafting Committee. Endorsement of reports by the Executive Committee means the Committee affirms that their compilation process is in accordance with the working procedure which includes collection of views and proposals from people of the various sectors, collation of such views and proposals, and final adoption by legitimate special groups' meetings. Hence, the endorsement by the Executive Committee does not refer to the acceptance of the contents of the reports.

- 6.2 Exchange of views with the Drafting Committee and discussion on preliminary provisions
- 6.2.1 Exchange sessions are to be held after each meeting of any subgroup of the Drafting Committee. A co-convenor of the subgroup will be invited to brief members of the corresponding CCBL special group on the spirit of the preliminary provisions and existing problems.
- 6.2.2 The various special groups are to carry out discussion on the preliminary provisions relevant to their respective scopes of work, and the views expressed are to be compiled as reports.
- 6.2.3 The Executive Committee is to mobilise all CCBL members for horizontal consultation. Opinions and proposals thus collected will probably be appended to the reports that are to be submitted to the Drafting Committee.
- 6.2.4 A discussion paper, after being examined by the special group, will become a report which is to be endorsed by the Executive Committee and then submitted to the Drafting Committee. Endorsement of reports by the Executive Committee means the Committee affirms that their compilation process is in accordance with the working procedure which includes collection of views and proposals from people of the various sectors, collation of such views and proposals, and final adoption by legitimate special groups' meetings. Hence, the endorsement by the Executive Committee does not refer to the acceptance of the contents of the reports.

* If there is any discrepancy between the Chinese and the English versions, the Chinese version shall prevail.

RE-REGISTRATION OF MEMBERSHIP OF SPECIAL GROUPS
FOR THE THIRD STAGE

1. Please mark an "X" against the special group(s) that you would like to join.
2. Please return this form by 22 August 1987.

Special Group	Scope of Work	
Central - SAR Relationship	Preamble and Chapters 1, 2, 7 and 9 in the Structure of the Basic Law (Draft)	
Inhabitants	Chapter 3 in the Structure of the Basic Law (Draft)	
Political Structure	Chapter 4 in the Structure of the Basic Law (Draft)	
Law	Sections 4 and 9 of Chapter 4, and issues relating to law under other chapters and sections in the Structure of the Basic Law (Draft)	
Economy	Chapter 5 in the Structure of the Basic Law (Draft)	
Culture and Education	Chapters 6 and 8 in the Structure of the Basic Law (Draft)	

Member's signature: _____

Date: _____

基本法諮詢委員會秘書處通訊 50

1987年8月11日

一、執行委員會第十三次會議新聞公報

基本法諮詢委員會執行委員會於8月8日舉行了第十三次會議，會議由黃麗松副主任主持，出席會議的有(按姓氏筆劃為序)毛鈞年委員、江德仁委員、李啓明委員、阮北耀委員、高若華委員、張健利委員、梁振英委員、黃保欣委員、嘉道理委員。請假的有安子介委員、吳康民委員、查良鏞委員、張鑑泉委員、郭元漢委員、郭志權委員、楊鐵樑委員、鄺廣傑委員、羅德丞委員。

會議審閱通過了「行政長官的產生」、「行政機關的組成及職權」、「行政機關與立法機關的關係」、「公務人員」(政制專責小組)、「法律語言」(法律專責小組)、「香港居民的基本權利與義務」(之二)(居民及其他人的權利自由福利與義務專責小組)、「財政、稅收、金融制度及經濟制度的精神」、「工商業、自由貿易、漁農業政策」、「航運及民航」、「旅遊業及房地產業政策」(金融財務經濟專責小組)等10份最後報告，議決送交起草委員會參考。

會議知悉潘振良委員辭職事，對潘委員在任期間所做的工作表示感謝。

會議對第四次全體會議議程及有關事宜作了初步意見交流，議決責成秘書處於日內寄發議程(初稿)予委員，徵求補充意見。

執行委員會討論了本會在下階段的工作計劃。第二次全體會議以來，本會的8個專責小組已先後完成全部36個專題的最後報告(其中，原訂於10月底才完成的有關金融財務經濟專題的最後報告亦已提前於本月初完成。)。至此，第二階段，即深化整理階段的工作基本上結束。執行委員會屬下之小組策劃委員會及工作程序委員會經共同研究後，提出了本會在第三階段的具體工作計劃。本會的第三階段工作，將集中於以下三個方面：

- (1) 根據起草委員會就各專題中存在的問題所提出的諮詢題目，提出參考資料或報告；
- (2) 就起草委員會專題小組所起草的初步條文，提出意見和建議；
- (3) 就本會各專責小組在第二階段討論中所涉及的癥結問題，提出參考資料及研究報告，以助意見的進一步深化。

執行委員會議決，為配合新階段工作，解散原有專責小組，重新組織6個專責小組：

- (1) 中央特區關係專責小組
- (2) 居民專責小組
- (3) 政制專責小組
- (4) 法律專責小組
- (5) 經濟專責小組
- (6) 文教專責小組

新的專責小組的重新登記日期為8月12日——22日，秘書處將發出表格，讓各位委員按自己的專長和興趣重新選擇，參加小組的工作。

會議聽取了財務委員會工作報告，對本會義務核數師黃匡源會計師給予的協助表示感謝。

會議議決於9月4日(星期五)召開執行委員會第十四次會議。

二、最後報告備索

本會於8月初完成之「行政長官的產生」、「行政機關的組成及職權」、「行政機關與立法機關的關係」、「公務人員」(政制專責小組)、「法律語言」(法律專責小組)、「香港居民的基本權利與義務」(之二)(居民及其他人的權利自由福利與義務專責小組)、「財政、稅收、金融制度及經濟制度的精神」、「工商業、自由貿易、漁農業政策」、「航運及民航」、「旅遊業及房地產業政策」(金融財務經濟專責小組)等10份最後報告，現正由秘書處印製，並將於稍後寄發全體委員及顧問參考。委員若有意為親友索取報告者，請於下周初致電5-8100810馬小姐聯絡。

三、基本法諮詢委員會第四次全體會議議程(初稿)

根據執行委員會第十三次會議議決，基本法諮詢委員會第四次會議議程(初稿)現附列於後(附件一)，歡迎各委員提補充意見。所有意見及建議，請於8月22日前寄抵秘書處，以交9月4日舉行的執行委員會第十四次會議討論。

四、專責小組重新登記事宜

根據執行委員會第十三次會議議決，為配合本會第三階段的工作計劃(附件二)，解散原有專責小組，重新組織6個專責小組如下：

- (1) 中央特區關係專責小組
- (2) 居民專責小組
- (3) 政制專責小組
- (4) 法律專責小組
- (5) 經濟專責小組
- (6) 文教專責小組

新的專責小組重新登記日期為8月12日——22日，請各委員按自己的專長和興趣，重新選擇參加小組的工作。各委員填妥登記表(附件三)後，即自動成為該小組成員。登記表必須於8月22日前寄回秘書處。

重新登記工作結束後，各專責小組將於短期內召開第一次會議，成立統籌組，制定各專責小組第三階段的具體工作計劃，向9月19日第四次全體會議匯報。

統籌組成員2—5人，其中一人為執行委員，其餘由專責小組成員互選產生。根據執行委員會第十三次會議議決，獲推選參與各專責小組統籌組工作的執行委員為：吳康民委員(中央與特區關係專責小組)、郭元漢委員(居民專責小組)、梁振英委員(政制專責小組)、張健利委員(法律專責小組)、張鑑泉委員(經濟專責小組)及高荅華委員(文教專責小組)。

基本法諮詢委員會 第四次全體會議議程

日期：一九八七年九月十九日（星期六）

時間：下午三時至五時

地點：基本法諮詢委員會會址

- 議程：
1. 確認第三次全體會議會議紀錄
 2. 修改全體會議細則的動議
 3. 財務委員會工作報告
 4. 會務報告
 5. 討論各專責小組下階段工作計劃

基本法諮詢委員會工作計劃

(1987年8月—1988年4月)

1. 本會將於1987年9月19日召開第四次全體會議。第二次全體會議以來，本會的工作進入第二階段，即深化整理階段，本會的8個專責小組先後共成立了34個工作組，所有最後報告預期於第四次全體會議前完成。因此，第二階段工作基本上結束。執行委員會小組策劃委員會及工作程序委員會於8月1日舉行會議，共同研究並提出下一階段的工作計劃。
2. 本會的第三階段工作，主要將集中於以下三個方面：
 - (1) 根據起草委員會就各專題中存在的問題所提出的諮詢題目，提出參考資料或報告；
 - (2) 就起草委員會專題小組所起草的初步條文，提出意見和建議；
 - (3) 就本會各專責小組在第二階段討論中所涉及的癥結問題，提出參考資料及研究報告，以助意見的進一步深化。
3. 小組策劃委員會於第一次全體會議上提出成立8個專責小組，根據本會章程，專責小組是「接受諮詢委員會交辦之工作或起草委員會之有關諮詢」。有委員指出，8個專責小組中，結構專責小組已完成工作；而起草委員會則有5個專題小組分別負責起草基本法的初步條文，本會的專責小組應考慮重新組合，以配合起草工作。現在第二階段工作完成，為配合新階段的工作，建議解散原有專責小組，重新組織6個專責小組如下：
 - (1) 中央特區關係專責小組
 - (2) 居民專責小組
 - (3) 政制專責小組
 - (4) 法律專責小組
 - (5) 經濟專責小組
 - (6) 文教專責小組
4. 原有的專責小組運作已達一年半之久，累積了很多經驗，但也曾出現過一些小問題，如每次會議輪流選召集人制度和委員出席率問題，顯示專責小組在運作及工作程序上仍有待改善。因此，在重新組織新的專責小組同時，可根據以往的經驗及切合下階段工作的需要，重新訂定一套更為完善的工作程序，以進一步提高專責小組的效率。
5. 建議中的組合形式，與目前起草委員會的專題小組的劃分方法基本上互相配合，而起草委員會5個專題小組現時乃按基本法結構(草案)進行分工，明確規定各小組負責起草的基本法條文。因此，若本會以大致同樣方式分工，將有以下好處：

- (1) 有利於日後兩會對口小組間的交流；
- (2) 可以避免工作上的重覆或遺漏，也有助於工作和時間上的安排，減少衝撞；
- (3) 由於委員對研討項目的興趣會隨時間而有所轉變，重新組合也間接地提供了機會，讓委員重新選擇，以便更好地安排工作及分配時間。

6. 新的專責小組的重新登記日期為8月12日—22日。秘書處將發出表格，請各位委員按自己的專長和興趣重新選擇，參加小組的工作。執行委員會工作程序委員會已為專責小組制定工作程序（見附錄）。重新登記工作結束後，各專責小組應在短期內召開第一次會議，成立統籌組，在秘書處協助下，制定各專責小組第三階段的具體工作計劃，向9月19日第四次全體會議匯報。

7. 有關第三階段第一方面的工作，即就起草委員會提出的具體問題進行諮詢，建議秘書處在起草委員會提出諮詢題目後，先搜集資料，做好討論文件，然後交專責小組討論、補充及整理報告。必要時可經執行委員會邀請小組指定的專家協助，提供意見。建議完成有關報告的時間如下：

專責小組	暫定完成報告時間※
中央特區關係	88年2月
居民	87年12月
政制	88年2月
法律	88年2月
經濟	87年12月
文教	87年12月

※ 視乎各專題存在的題目多寡而定

8. 新的專責小組成立後，有關第三階段第二方面的工作，建議由秘書處負責安排各專責小組的研討會，就起草委員會專題小組所起草的初步條文，提出意見和建議。在起草委員會各次會議後，請起草委員會負責人到本會介紹該組初步條文的精神及存在問題，然後由各專責小組作深入討論，並由執行委員會組織全體委員作橫向研究。有關的意見及建議將整理成意見書交起草委員會參考。

9. 具體工作進程建議如下：

專責小組	討論時間	完成文件整理時間
中央特區關係	9月 — 11月	87年11月
居民	9月 — 11月	87年11月
政制	9月 — 12月	87年12月
法律	9月 — 12月	87年12月
經濟	10月 — 12月	87年12月
文教	10月 — 12月	87年12月

10. 有關第三階段第三方面的工作，即對本會各專責小組在第二階段討論中涉及的一些分歧大的、仍未得到解決的問題，作更深入研究，建議由秘書處根據各專責小組在第二階段的討論，把這些癥結問題總結出來，進一步搜集資料，做好討論文件，交專責小組討論，必要時可經執行委員會邀請小組指定的專家協助，然後提出研究報告。是項工作與第一方面工作同時進行。
11. 以上所有意見書或研究報告須經專責小組會議審閱後，交執行委員會，再遞交起草委員會參考。
12. 本階段的工作，將盡量配合起草委員會的工作進度，於起草委員會第六次全體會議（87年12月）前提交一部份參考資料，並於起草委員會第七次全體會議（預期88年4月）前完成本階段所有工作。
13. 建議88年3月召開本會第五次全體大會，研究基本法草案初稿公佈後的工作計劃。

※附：專責小組第三階段的組織辦法及工作形式

專責小組第三階段的組織辦法及 工作形式

- 一、 本會《章程》有關專責小組的規定

第 11 項：「諮詢委員會設若干專責小組，接受諮詢委員會交辦之工作或起草委員會之有關諮詢。專責小組之數目視工作需要而定。諮詢委員會成員可根據專長，分別參加各專責小組。專責小組可聘請若干諮詢委員會以外有專長之人士為小組成員，參加研討有關問題。專責小組須向諮詢委員會負責，其工作程序可自行制定。」
- 二、 專責小組的組織辦法及工作形式的建議
 1. 成員
 - 1.1 各諮詢委員按其專長，自由參加專責小組，數目不限。
 - 1.2 專責小組可邀請諮詢委員會以外有專長人士為成員，參加研討有關問題。
 - 1.3 成員須登記出席率，並參與整理討論結果。
 - 1.4 成員享有選舉權、被選舉權、投票權及發言權。
 2. 列席委員
 - 2.1 諮詢委員可隨時列席小組會議，成為列席委員。
 - 2.2 成員若連續兩次不出席專責小組會議(包括請假或無故缺席)，作暫時放棄出席權論，改為列席委員。
 - 2.3 如成員因事未能於某一期間內出席會議，可以書面知會秘書處，表示暫時放棄出席權，改為列席委員。
 - 2.4 列席委員另表簽到，不作為小組出席率計算。
 - 2.5 列席委員可收取該專責小組的開會通知和該小組其他所有文件，惟列席會議時無選舉權、被選舉權及投票權，並需在徵得主席同意後，方可在會上發言。
 - 2.6 列席委員可於該專責小組召開會議前3天登記為小組成員。
 3. 分組
 - 3.1 各專責小組如參加人數太多，可分成小分組，每組10—20人，以方便工作。
 - 3.2 各專責小組如工作範圍太廣泛，可按專題分組。
 4. 會議
 - 4.1 專責小組會議須要最少一半有權出席該會議的成員參加，方為合法。
 - 4.2 專責小組會議如只有不足半數有權出席該會議的成員參加時，專責小組得以合理時間(通常為7天)通知小組之成員，再行召開續會。續會不受合法開會人數之規限。
 - 4.3 專責小組會議如未能於限定時間內完成議程規定的討論項目，可於稍後(通常為7天後)再行召開續會或另一次會議，繼續討論。續會不受合法開會人數之規限。

5. 召集人

5.1 各專責小組成立統籌組，統籌組成員2—5人，其中一人為執行委員，其餘由專責小組成員互選產生。統籌組在秘書處協助下，根據專責小組成員的意見，共同策劃該小組第三階段的整個工作安排，訂定和掌握各有關專題的討論進度，並由統籌組成員輪流主持該專責小組會議。

5.2 統籌組於第三階段工作完成後即自行解散。

(註：目前專責小組的召集人制度：

- (1) 在專責小組層次採用輪選召集人制度——每次會議均由組員互相推選，輪流擔任正、副召集人。這個方法的好處，是能夠提供同等的參予機會給各來自各界別的專責小組成員，委員的工作負擔較輕。但由於每次會議的召集人只需主持某一次會議，而沒有委員全盤掌握和控制整個小組或專題的討論進度，工作欠缺連貫性；再者，並不是每個召集人都對所討論的題目有深切的認識和了解。這些情況均會使效率降低。
- (2) 在專責小組屬下的工作組層次，所採用的是固定召集人制——由一個或兩個委員負責主持整個專題的討論，這做法正能避免輪選召集人制度的弊端，令工作有較強的連貫性、有效率，但相對而言，其他委員的參與策劃工作的機會較少，而擔任召集人之委員工作量頗大，且要付出相當時間，並不是每個委員都可以有這樣的條件。

根據實際經驗，兩者各有可取及不足之處。而成立統籌組的建議，一方面有利於專責小組討論和工作上的連貫性；另一方面，由幾位委員共同承擔工作，既可減輕工作量，並可集合較多不同的建議，從而使專責小組運作更為順利。

工作形式

1 專責小組內部討論——就小組負責範圍內的癥結問題和起草委員會提出的諮詢題目，作內部意見交流，並整理討論結果。具體工作程序如下：

- 1.1 由秘書處與負責各個專題的召集人共同就某討論或諮詢題目搜集資料，做好討論文件。必要時可經執行委員會邀請小組指定的專家協助，提供意見。討論文件整理完畢後寄發所屬專責小組的全體成員審閱。委員可以書面向秘書處提出補充、刪減或修改的意見和建議。
- 1.2 秘書處將意見收集及整理後，再寄發所屬專責小組的全體成員，同時發出通知，召開專責小組會議。
- 1.3 專責小組會議只對修訂意見進行討論並決定是否接納修訂。除原已提出的修訂意見外，委員不得臨時提出其他修訂建議。
- 1.4 討論文件經專責小組會議審閱後，即成為報告，須交執行委員會審閱通過，然後遞交起草委員會參考。執行委員會審閱通過專責小組報告的含意，是指執行委員會認為專責小組提出的最後報告符合工作程序，包括廣泛收集各界的意見和建議，進行整理，並經正式會議通過，而不是接納其內容。

- 3.2 與起草委員會專題小組交流及展開對初步條文的討論工作
- 3.2.1 在起草委員會各次會議後，安排交流座談會，邀請起草委員會對口專題小組負責人到本會介紹該組草擬的初步條文的精神及存在問題。
- 3.2.2 各專責小組對所負責的初步條文進行討論，將意見整理成報告。
- 3.2.3 執行委員會組織全體委員作橫向諮詢，發表意見，並將收集所得的意見和建議收錄或以附件形式附於送交起草委員會的報告內。
- 3.2.4 討論文件經專責小組會議審閱後，即成為報告，須交執行委員會審閱通過，然後遞交起草委員會參考。執行委員會審閱通過專責小組報告的含意，是指執行委員會認為專責小組提出的最後報告符合工作程序，包括廣泛收集各界的意見和建議，進行整理，並經正式會議通過，而不是接納其內容。

第三階段專責小組成員登記表

1. 請在擬參加的專責小組欄下填上“×”。
2. 請於8月22日前寄回秘書處。

組別	工作範圍	參加為組員
中央特區關係	基本法結構(草案) 序言、第一、二、七、九章	
居民	基本法結構(草案) 第三章	
政制	基本法結構(草案) 第四、十章	
法律	基本法結構(草案) 第四章第四節、第九章及 其他各章節中有關的法律問題	
經濟	基本法結構(草案) 第五章	
文教	基本法結構(草案) 第六、八章	

簽署：_____

日期：_____

CIRCULAR 51

THE SECRETARIAT OF THE
CONSULTATIVE COMMITTEE FOR THE BASIC LAW

14 August 1987

1. First meetings of the special groups at the third stage

Special Group	Date & Time	Provisional Convenor
Law	22 August (Sat) 10:30 a.m.-noon	Mr Denis Chang
Culture & Education	24 August (Mon) 5:30-7:00 p.m.	Ms Ko Siu Wah
Political Structure	25 August (Tue) 5:30-7:00 p.m.	Mr Leung Chun Ying
Central-SAR Relationship	26 August (Wed) 5:30-7:00 p.m.	Mr Ng Hong Man
Economy	27 August (Thu) 5:30-7:00 p.m.	Mr Stephen Cheong
Inhabitants	28 August (Fri) 5:30-7:00 p.m.	Mr Kwok Yuen Hon

Agenda:

1. To select 2-5 members to form the co-ordinating group (one of whom is a member of the Executive Committee, i.e. the above-mentioned provisional convenor, and the rest are selected from among members of the special group).
2. To fix the dates for future meetings.
3. To determine the scope of study for the special group.
4. To draw up a work schedule (to be reported to the general meeting of the CCBL on 19 September).

2. A form for re-registration of membership of special groups has been enclosed with Circular 50 and delivered to you on 11 August. Please complete and return the form at your earliest convenience. (The period for re-registration is 12-22 August.)

基本法諮詢委員會秘書處通訊51

1987年8月14日

一、專責小組第三階段第一次會議

開會日期：

專責小組	日期及時間	臨時召集人
法律	8月22日(星期六)上午十時三十分至十二時	張健利委員
文教	8月24日(星期一)下午五時三十分至七時	高荻華委員
政制	8月25日(星期二)下午五時三十分至七時	梁振英委員
中央特區關係	8月26日(星期三)下午五時三十分至七時	吳康民委員
經濟	8月27日(星期四)下午五時三十分至七時	張鑑泉委員
居民	8月28日(星期五)下午五時三十分至七時	郭元漢委員

議程：

1. 互選統籌組2-5人(其中一人為執行委員，其餘由專責小組成員互選產生)
2. 確定專責小組日後召開會議日期
3. 確定專責小組的研究範圍
4. 釐定工作計劃(向9月19日全體會議報告)

二、新的專責小組登記表已於8月11日隨通訊50寄發全體委員，請各委員填妥後，儘快寄回秘書處(登記日期為8月12日-8月22日)。

CIRCULAR 52

THE SECRETARIAT OF THE
CONSULTATIVE COMMITTEE FOR THE BASIC LAW

1 September 1987

1. Work of the Special Groups

Each of the six Special Groups has held its first meeting recently to plan its work for the third stage. The following have been decided:

Special Group	Members of the Co-ordinating Group	Time for Future Meetings
Culture & Education	Ko Siu Wah, Van Lau Edward S.T. Ho, Cheung Chun Kwok, and Poon Chung Kwong	The 1st and 3rd Mondays of each month 5:30-7:00p.m.
Political Structure	Leung Chun Ying, Zee Sze Yong, Chang Ka Mun, Cheng Kai Nam, Frederick K.K. Fung, and Cheng Yiu Tong	*Tuesdays 5:30-7:00p.m.

Central-SAR Relationship	Ng Hong Man, Tso Wung Wai, Cheung Lun, Tai Yiu Ting, and Kan Fook Yee	*Wednesdays 5:30-7:00p.m.
Economy	Stephen Cheong, Wilfred Y.W. Wong, Edward K.Y. Chan, Shu Tse Wong, and Helmut Sohmen	*Thursdays 5:30-7:00p.m.
Inhabitants	Kwok Yuen Hon, Chow Wing Sun, J.S.Lambourn, Louis E. Ha, Mak Chan, and Mak Hoi Wah	*Fridays 5:30-7:00p.m.
Law	Denis K.L. Chang, Steve S.P.Ng, and Eric S.W. Au	The last Saturday of each month 9:30-11:00a.m.

* The frequency of meetings will depend on the progress of the Special Group.

Members who were out of town and have not returned the forms for registration of special group membership for the third stage (enclosed with Circular 50) are asked to complete and return the forms as soon as possible.

2. CCBL Calendar for September 1987:

Date	Activity	Remarks
3 Sept (Thursday)	Exchange session for the Special Group on Political Structure Time : 5:30 - 7:00 p.m.	Speaker: Louis Cha
4 Sept (Friday)	The fourteenth meeting of the Executive Committee Time : 5:15 - 6:30 p.m.	

74
2024
08
11
10

8 Sept (Tuesday)	Exchange session for the Special Group on Central-SAR Relationship Time : 5:30 - 7:00 p.m. (The English translation of the draft provisions will be tabled at the meeting.)	Speaker: Rayson Huang
9 Sept (Wednesday)	Exchange session for the Special Group on Culture and Education Time : 5:30 - 7:00 p.m. (The English translation of the draft provisions will be tabled at the meeting.)	Speaker: Ma Lin
11 Sept (Friday)	The second meeting of the Special Group on Inhabitants Time : 5:30 - 7:00 p.m.	Convenor: Co-ordinating Group
15 Sept (Tuesday)	The second meeting of the Special Group on Political Structure Time : 5:30 - 7:00 p.m.	Convenor: Co-ordinating Group
16 Sept (Wednesday)	Exchange session for the Special Group on Inhabitants Time : 5:30 - 7:00 p.m.	Speaker: Simon Li
17 Sept (Thursday)	The second meeting of the Special Group on Economy Time : 5:30 - 7:00 p.m.	Convenor: Stephen Cheong
19 Sept (Saturday)	The fourth general meeting Time: 3:00 - 5:00 p.m.	

3. Documents for the Fifth Plenary Session of the Drafting Committee

We have recently received from the Secretariat of the Drafting Committee the documents for the fifth plenary session of the Drafting Committee with a covering letter (see enclosure). There are 7 documents, namely, Mr Ji Pengfei's opening speech and closing speech at the fifth plenary session and progress reports of the five Subgroups.



Copies of the English translation of these documents will be delivered to our members and advisors by the end of next week.

4. Tour to Mainland: Change of Dates

The third tour to the mainland, which was scheduled on 11-20 November, will now be held on 5-14 November. Members who have signed up for this tour but cannot go on the new date, please contact Ms Ma (5-8100810) before 12 September 1987.

5. Putonghua (Mandarin) Classes

We have asked the Chinese Language Society of Hong Kong to run putonghua classes for our members. The classes will be conducted in Chinese. The course will take 24 hours. The maximum enrolment for each class is 10. The total fee for a class for the whole course is \$3,600 i.e. in a class of ten, each student will be required to pay \$360. Classes will be held once or twice a week; the exact time for each class is yet to be decided (probably 5:00-6:00 p.m. on weekdays or 10:00-11:00 p.m. on Saturdays). Members who would like to sign up for these putonghua classes are requested to complete and return the following reply slip by 12 September 1987.

Reply Slip

(to be returned to the Secretariat by 12 September 1987)

I, _____, would like to attend the putonghua (Mandarin) classes.

Please give a "✓" where appropriate:

beginners intermediate advanced

第
一
分
组
第
一
分
组
第
一
分
组
第
一
分
组

Appendix I

(English Translation)

28 August 1987

The Secretariat of
the Consultative Committee for the Basic Law

Dear Sirs,

The documents for the fifth plenary session of the Drafting Committee for the Basic Law are now delivered to you. They include Mr Ji Pengfei's opening speech and closing speech at the fifth plenary session, and progress reports of the five Subgroups. Enclosed are 190 copies of these seven documents. Please distribute them amongst your members and advisors.

Best regards,

Yours sincerely,

The Secretariat of the Drafting Committee
(seal of the Secretariat of the Drafting Committee)

基本法諮詢委員會秘書處通訊52

1987年9月1日

一、專責小組工作情況

本會6個專責小組日前已分別召開了第一次會議，籌備第三階段的工作。各專責小組訂定日後之開會日期及互選統籌組成員結果如下：

專責小組	統籌組成員名單	開會日期
1. 文 教	高荇華、文 樓、何承天、張振國、潘宗光	每月第一及第三個星期一 下午五時三十分至七時
2. 政 制	梁振英、徐是雄、張家敏、程介南、馮檢基、 鄭耀棠	*星期二 下午五時三十分至七時
3. 中央與特 區關係	吳康民、曹宏威、章 麟、戴耀廷、簡福飴	*星期三 下午五時三十分至七時
4. 經 濟	張鑑泉、王英偉、陳坤耀、舒慈煌、蘇海文	*星期四 下午五時三十分至七時
5. 居 居	郭元漢、周永新、林邦莊、夏其龍、麥 燦、 麥海華	*星期五 下午五時三十分至七時
6. 法 律	張健利、吳少鵬、歐成威	每月最後一個星期六 上午九時三十分至十一時

* 開會次數視工作情況而定

委員倘因較早前離港而未及交回「第三階段專責小組成員登記表」(附於通訊50內)者，請儘快將表格填妥並寄回本處。

二、基本法諮詢委員會87年9月份活動備忘

9月3日(星期四)	政制專責小組交流會 開會時間：下午五時三十分至七時	講者：查良鏞
9月4日(星期五)	執行委員會第十四次會議 開會時間：下午五時十五分至六時三十分	
9月8日(星期二)	中央特區關係專責小組交流會 開會時間：下午五時三十分至七時 (與會者請帶備起草委員會第5次全體會議文件)	講者：黃麗松
9月9日(星期三)	文教專責小組交流會 開會時間：下午五時三十分至七時 (與會者請帶備起草委員會第5次全體會議文件)	講者：馬臨
9月11日(星期五)	居民專責小組第二次會議 開會時間：下午五時三十分至七時	召集人：統籌組
9月15日(星期二)	政制專責小組第二次會議 開會時間：下午五時三十分至七時	召集人：統籌組
9月16日(星期三)	居民專責小組交流會 開會時間：下午五時三十分至七時	講者：李福善
9月17日(星期四)	經濟專責小組第二次會議 開會時間：下午五時三十分至七時	召集人：張鑑泉
9月19日(星期六)	第四次全體會議 開會時間：下午三時至五時	

三、基本法起草委員會第五次全體會議文件轉發

本處日前接獲基本法起草委員會秘書處來函(見附件)及該會第五次全體會議文件,包括:姬鵬飛主任在第五次全體會議上的開幕講話和閉幕詞,以及五個專題小組的工作報告,合共7款。現茲附上該等文件乙份,請各諮詢委員及顧問存錄。

四、更改交流參觀團出發日期

原訂於11月11日至20日舉辦之第三批交流參觀團，改於11月5日-14日舉行。各委員若因時間變更而改變計劃，請於9月12日前致電5-8100810馬小姐聯絡。

五、國語研習班

本處邀得中國文化協會協助舉辦國語研習班，課程共需時24小時，每班限10人，全期費用3,600元，由學員分攤，即每人約360元。上課時間待定，每周上課一或兩次，通常為星期一至五下午5時至6時或周末上午10時至11時。有意參加者請填妥以下回條，並於9月12日前寄回本處。

回 條

(請於9月12日前寄回秘書處)

本人，_____， 欲報名參加國語研習班。

本人希望參加研習之組別(請在適當處劃上“√”)：

初 級

中 級

高 級

中华人民共和国 香港特别行政区基本法起草委员会用笺

香港基本法咨询委员会
秘书处：

现送去中华人民共和国香港特别行政区基本法起草委员会第五次全体会议文件，包括：姬鹏飞主任委员在第五次全体会议上的开幕讲话和闭幕词，五个专题小组的工作报告，共计7种190份，请分送各咨询委员及顾问。顺致

工作愉快



CCBL-SECR-00-NL53-870908(E)

CIRCULAR 53

THE SECRETARIAT OF THE
CONSULTATIVE COMMITTEE FOR THE BASIC LAW

8 September 1987

1. Press Release: the fourteenth meeting of the Executive Committee of the Consultative Committee for the Basic Law

The fourteenth meeting of the Executive Committee of the Consultative Committee for the Basic Law was held on 4 September 1987. The meeting was chaired by Dr T.K. Ann and attended by Mr Louis Cha, Mr Denis K. L. Chang, Dr Rayson Huang, Mr Kong Tak Yan, Mr Philip C. K. Kwok, Mr Kwok Yuen Hon, Mr Lee Kai Ming, Mr Mo Kwan Nin, Mr Ng Hong Mun, and Mr Philip P. Y. Yuen, with apologies for absence from Mr Stephen K.C. Cheong, Lord Lawrence Kadoorie, Ms Ko Siu Wah, Rev Peter K.K. Kwong, Mr Leung Chun Ying, Mr Lo Tak Shing, Mr Wong Po Yan, and Mr Justice T.L. Yang.

The meeting noted the selection of the following members to the various co-ordinating groups.

- Culture & Education -- Mr Cheung Chun Kwok, Mr Edward S.T. Ho, Ms Ko Siu Wah, Dr Poon Chung Kwong, and Mr Van Lau
- Law -- Mr Eric S.W. Au, Mr Denis K.L. Chang, and Mr Steve S.P. Ng
- Political Structure -- Mr Chang Ka Mun, Mr Cheng Kai Nam, Mr Cheng Yiu Tong, Mr Frederick K.K. Fung, Mr Leung Chun Ying, and Dr Zee Sze Yong
- Central-SAR Relationship -- Mr Cheung Lun, Mr Kan Fook Yee, Mr Ng Hong Man, Mr Tai Yiu Ting, and Dr Tso Wung Wai

Economy -- Dr Edward K.Y. Chen, Mr Stephen Cheong,
Dr Helmut Sohmen, Mr Shu Tse Wong, and
Mr Wilfred Y.W. Wong

Inhabitants -- Dr Chow Wing Sun, Rev Louis E.K. Ha,
Mr Kwok Yuen Hon, Mr J.S. Lambourn, Mr Mak
Chan, and Mr Mak Hoi Wah

With the assistance of the Secretariat and in accordance with the views expressed by members of special group, the co-ordinating group was to plan the work of the special group for the third stage, and to map out and monitor the progress of discussion on the various topics. In addition, members of the co-ordinating group were to take turns to preside at meetings of the special group.

The work of the special groups in third stage included (1) discussion on the preliminary provisions prepared by the Drafting Committee; (2) in-depth study of the controversial issues yet unresolved by discussions in the second stage; and (3) consultation on the specific issues raised by the Drafting Committee. It was expected that the special groups would have completed the third stage of work by mid-November 1987.

The meeting was informed that there would be a special column in the discussion papers of the sixth plenary session of the Drafting Committee, listing the relevant views collected by the CCBL. In this way, the drafters could refer to the CCBL's opinions at a glance and compare them with their own views.

On 25 July 1987, the CCBL had published a notice on newspapers, informing the public that the ten final reports endorsed by the Executive Committee were available to them. Up to now 433 sets of Chinese copies and 175 sets of English copies were distributed.

The fourth general meeting would be held on Saturday, 19 September 1987 from 3:00 to 5:00 p.m. The Executive Committee had distributed the agenda for the general meeting (first draft) after its last meeting so that members of the CCBL might propose any additional item or amendment. As no such proposal was received, the draft would be the official agenda for the general meeting on 19 September.

2. CCBL calendar for September 1987:

Date	Activity	Remarks
8 Sept (Tuesday)	Exchange session for the Special Group on Central-SAR Relationship Time : 5:30 - 7:00 p.m. (The draft provisions will be tabled at the meeting.)	Speaker: Rayson Huang
9 Sept (Wednesday)	Exchange session for the Special Group on Culture and Education Time : 5:30 - 7:00 p.m. (The draft provisions will be tabled at the meeting.)	Speaker: Ma Lin
11 Sept (Friday)	The second meeting of the Special Group on Inhabitants Time : 5:30 - 7:00 p.m.	Convenor: Kwok Yuen Hon
16 Sept (Wednesday)	Exchange session for the Special Group on Inhabitants Time : 5:30 - 7:00 p.m. (Please bring the draft provisions to the meeting.)	Speaker: Simon Li
18 Sept (Friday)	*The second meeting of the Special Group on Economy Time : 5:30 - 7:00 p.m. (Please bring the draft provisions to the meeting.)	Convenor: Stephen Cheong
19 Sept (Saturday)	The fourth general meeting Time: 3:00 - 5:00 p.m.	
22 Sept (Tuesday)	#The second meeting of the Special Group on Political Structure Time : 5:30 - 7:00 p.m.	Convenors: Leung Chun Ying Chang Ka Mun

23 Sept (Wednesday)	The second meeting of the Special Group on Relationship between the Central Government and the SAR Time : 5:30 - 7:00 p.m.	Convenor: Ng Hong Mun
------------------------	---	--------------------------

The meeting was scheduled on 15 September but is now postponed to 22 September.

* The meeting was scheduled on 17 September but since Mr Wong Po Yan, the speaker at the exchange session, will return to Hong Kong at a later date the meeting is now postponed to 18 September.

3. Agenda and papers for the fourth general meeting .
Upon examination and approval by the Executive Committee, the agenda and relevant papers for the fourth general meeting to be held on 19 September were sent to members on 5 September. If you have not received them yet, please contact the Secretariat. Any member who will not attend the general meeting is requested to inform the Secretariat in writing before 19 September.

4. Third tour to Mainland
The third tour to the mainland in 1987 will be from 7-15 November. Apart from holding exchange session with the mainland members of the Drafting Committee in Beijing, the tour will visit Jinan, Qufu (birth place of Confucius), Tai Mountain, and Qingdao. The tour can still accomodate a few more members. If you are interested, please contact Ms Ma (5-8100810) before 19 September 1987.

5. The Business and Professional Group (BPG) of Members of the CCBL has recently worked out a proposal for the future structure of the HKSAR Government. As requested by the BPG, we enclose a copy of the proposal for your reference.

** If there is any discrepancy between the Chinese and the English versions, the Chinese version shall prevail.

基本法諮詢委員會秘書處通訊53

1987年9月8日

一、執行委員會第十四次會議新聞公佈

基本法諮詢委員會執行委員會於9月4日舉行了第十四次會議，會議由安子介主任主持，出席會議的有(按姓氏筆劃為序)毛鈞年委員、江德仁委員、李啓明委員、吳康民委員、阮北耀委員、查良鏞委員、郭元漢委員、郭志權委員、張健利委員、黃麗松委員。請假的有高若華委員、梁振英委員、黃保欣委員、張鑑泉委員、楊鐵樑委員、嘉道理委員、鄺廣傑委員、羅德丞委員。

會議知悉各專責小組已互選出其統籌組成員如下：

1. 文化教育科技宗教 -- 高若華、張振國、何承天、潘宗光、文樓
2. 法律 -- 張健利、吳少鵬、歐成威
3. 政治制度 -- 梁振英、張家敏、馮檢基、程介南、徐是雄、鄭耀棠
4. 中央與特區關係 -- 吳康民、簡福飴、曹宏威、戴耀廷、章麟
5. 金融財務經濟 -- 張鑑泉、陳坤耀、蘇海文、舒慈煌、王英偉
6. 居民權利與義務 -- 郭元漢、夏其龍、周永新、林邦莊、麥燦、麥海華

統籌組的職責為在秘書處協助下，根據專責小組成員的意見，共同策劃該小組第三階段的工作安排，訂定和掌握各有關專題的討論進度，並由統籌組成員輪流主持該專責小組會議。

各小組的第三階段工作為(1)討論起草委員會所起草的初步條文；(2)深入研究第二階段討論中分歧較大、仍未得到解決的問題；(3)就起草委員會提出的具體問題進行諮詢。各小組計劃在八七年十一月中旬前完成此第三階段工作。

會議知悉在草委第六次全體會議的討論文件中，將闢一欄記錄諮詢會對有關問題的意見，以令草委能夠對該等意見一目了然並方便與草委的意見並列參照，加以討論。

秘書處於8月25日在報張刊登啓事，公開執行委員會上次會議通過的10份最後報告，讓外界人士、社團索閱，至目前為止，已派發了中文433套、英文175套。

基本法諮詢委員會第四次全體會議將於九月十九日(星期六)下午三時至五時舉行。執行委員會於上次會議後曾發出全體會議議程(初稿)以徵詢全體委員的意見。各委員對該份議程並無提出修改，故該份議程現在正式成為九月十九日會議的議程。

二、基本法諮詢委員會87年9月份活動備忘

9月8日(星期二)	中央特區關係專責小組交流會 開會時間：下午五時三十分至七時 (與會者請帶備起草委員會第5次全體會議文件)	講者：黃麗松
9月9日(星期三)	文教專責小組交流會 開會時間：下午五時三十分至七時 (與會者請帶備起草委員會第5次全體會議文件)	講者：馬臨
9月11日(星期五)	居民專責小組第二次會議 開會時間：下午五時三十分至七時	召集人：郭元漢
9月16日(星期三)	居民專責小組交流會 開會時間：下午五時三十分至七時 (與會者請帶備起草委員會第5次全體會議文件)	講者：李福善
9月18日(星期五)	經濟專責小組第二次會議暨交流會★ 開會時間：下午五時三十分至七時 (與會者請帶備起草委員會第5次全體會議文件)	召集人：張鑑泉
9月19日(星期六)	第四次全體會議 開會時間：下午三時至五時	
9月22日(星期二)	政制專責小組第二次會議※ 開會時間：下午五時三十分至七時	召集人：梁振英 張家敏
9月23日(星期三)	中央特區關係專責小組第二次會議(暫定) 開會時間：下午五時三十分至七時	召集人：吳康民

※是次會議原訂於9月15日舉行，請各委員注意。

★是次會議原訂於9月17日舉行，惟因擬與本專責小組交流之起草委員黃保欣先生未及回港，故會議順延至9月18日，請各委員留意。

三、第四次全體會議議程及會議文件

9月19日舉行之第四次全體會議的議程及有關的會議文件，經執行委員會審閱後，已於9月5日寄發全體委員，委員如於日內仍未接獲該文件者，請致電本處查詢。倘委員屆時因事而未能出席該會議，請於9月19前以書面通知秘書處。

四、第三批交流參觀團繼續接受報名

87年度第三批交流參觀團定於11月7日—15日舉行，除赴北京與內地的起草委員交流外，並將往濟南、曲阜、泰山及青島等地參觀，現尚餘少量名額，各委員有意參加者，請於9月19日前致電5-8100810馬小姐聯絡。

五、本會工商專業界委員日前提出「未來香港特別行政區政府結構的建議」。秘書處代為轉發，以供各委員參考。

CIRCULAR 54

THE SECRETARIAT OF THE
CONSULTATIVE COMMITTEE FOR THE BASIC LAW

15 September 1987

1. CCBL calendar for late September 1987:

Date	Activity	Remarks
16 Sept (Wednesday)	Exchange session for the Special Group on Inhabitants Time : 5:30 - 7:00 p.m. (Please bring the draft provisions & the summary of the drafters' discussion to the meeting.)	Speaker: Simon Li Convenor: Mak Hoi Wah
18 Sept (Friday)	The second meeting (also an exchange session) of the Special Group on Economy Time : 5:30 - 7:00 p.m. (Please bring the draft provisions to the meeting.)	Convenor: Stephen Cheong
19 Sept (Saturday)	The fourth general meeting Time: 3:00 - 5:00 p.m.	
21 Sept (Monday)	The second meeting of the Special Group on Culture, Technology, Education, and Religion Time : 5:30 - 7:00 p.m.	Convenor: Edward S.T. Ho

22 Sept (Tuesday)	The second meeting of the Special Group on Political Structure Time : 5:30 - 7:00 p.m.	Convenors: Leung Chun Ying & Chang Ka Mun
23 Sept (Wednesday)	The second meeting of the Special Group on Relationship between the Central Government and the SAR Time : 5:30 - 7:00 p.m.	Convenor: Tso Wung Wai
25 Sept (Friday)	The third meeting of the Special Group on Inhabitants Time : 5:30 - 7:00 p.m.	Convenor: Mak Chan
26 Sept (Saturday)	The second meeting of the Special Group on Law Time : 9:30 - 11:00 a.m.	Convenor: Denis Chang
28 Sept * (Monday)	The first meeting of the third tour to the mainland Time : 5:30 - 7:00 p.m.	
29 Sept (Tuesday)	The third meeting of the Special Group on Political Structure (tentative) Time : 5:30 - 7:00 p.m.	Convenors: Cheng Kai Nam & Cheng Yiu Tong
30 Sept (Wednesday)	The third meeting of the Special Group on Relationship between the Central Government and the SAR Time : 5:30 - 7:00 p.m.	Convenors: Tai Yiu Ting & Cheung Lun

* The meeting was scheduled on 25 September but is now postponed to 28 September.

2. The fourth general meeting

The agenda and relevant papers for the fourth general meeting to be held on 19 September were sent to members on 5 September. If you have not received them yet, please contact the Secretariat. Any member who will not attend the general meeting is requested to inform the Secretariat in writing before 19 September.

基本法諮詢委員會秘書處通訊54

1987年9月15日

一、基本法諮詢委員會9月份下旬活動備忘

9月16日(星期三)	居民專責小組交流會 開會時間：下午五時三十分至七時 (與會者請帶備起草委員會第五次全體會議文件及意見匯編)	講者：李福善 召集人：麥海華
9月18日(星期五)	經濟專責小組第二次會議暨交流會 開會時間：下午五時三十分至七時 (與會者請帶備起草委員會第五次全體會議文件及意見匯編)	召集人：張鑑泉
9月19日(星期六)	第四次全體會議 開會時間：下午三時至五時	
9月21日(星期一)	文教專責小組第二次會議 開會時間：下午五時三十分至七時	召集人：何承天
9月22日(星期二)	政制專責小組第二次會議 開會時間：下午五時三十分至七時	召集人：梁振英 張家敏
9月23日(星期三)	中央與特區關係專責小組第二次會議 開會時間：下午五時三十分至七時	召集人：曹宏威
9月25日(星期五)	居民專責小組第三次會議 開會時間：下午五時三十分至七時	召集人：麥 燦
9月26日(星期六)	法律專責小組第二次會議 開會時間：上午九時三十分至十一時	召集人：張健利

9月28日(星期一)	第三批交流參觀團第一次會議 ★ 開會時間：下午五時三十分至七時	
9月29日(星期二)	政制專責小組第三次會議(暫定) 開會時間：下午五時三十分至七時	召集人：程介南 鄭耀棠
9月30日(星期三)	中央與特區關係專責小組第三次會議 開會時間：下午五時三十分至七時	召集人：戴耀廷 章麟

★ 是次交流參觀團預備會議原訂9月25日舉行，請各委員留意。

二、第四次全體會議

9月19日舉行之第四次全體會議的議程及有關文件已於9月5日寄發全體委員。委員至今如仍未接獲該文件者，請致電本處查詢。倘委員屆時因事而未能出席該次會議，請於9月19日前以書面知會秘書處，以作存錄。

三、更正

9月8日本處發出之通訊52第五項內提及協助本處舉辦國語研習班的機構，應更正為「香港中國語文學會」，請各委員留意。不是之處，敬祈原宥。

CCBL-SECR-00-NL55-870925(E)

CIRCULAR 55

THE SECRETARIAT OF THE
CONSULTATIVE COMMITTEE FOR THE BASIC LAW

25 September 1987

1. CCBL calendar for late September and early October 1987: *

Date	Activity	Remarks
26 Sept (Saturday)	Exchange session and the first joint meeting of the Special Groups on the Political Structure of the SAR and on Law Time : 9:30 - 11:00 a.m. Drafting Committee members invited to the session: Mr Martin C.M. Lee, Mr Simon Li, Ms Liu Yiu Chu, and Ms Maria W.C. Tam	Convenor: Denis Chang
28 Sept (Monday)	The first meeting of the third tour to the mainland Time : 5:00 - 5:30 p.m.	
28 Sept (Monday)	The third meeting of the Special Group on Culture, Technology, Education, and Religion Time : 5:30 - 7:00 p.m.	Convenor: Edward S.T. Ho
29 Sept (Tuesday)	The third meeting of the Special Group on Political Structure Time : 5:30 - 7:00 p.m.	Convenors: Cheng Kai Nam & Frederick K.K. Fung

2 Oct (Friday)	The third meeting of the Special Group on Economy Time : 5:30 - 7:00 p.m.	Convenor: Stephen Cheong
5 Oct (Monday)	The third meeting of the Special Group on the Relationship between the Central Government and the SAR Time : 5:30 - 7:00 p.m. (# The meeting was originally scheduled on 30 September)	Convenors: Tai Yiu Ting & Cheung Lun
10 Oct (Saturday)	The second meeting of the Special Group on Law Time : 9:30 - 11:00 a.m.	Convenor: Eric S.W. Au
12 Oct (Monday)	The fourth meeting of the Special Group on Economy (tentative) Time : 5:30 - 7:00 a.m.	Convenor: Stephen Cheong
13 Oct (Tuesday)	Exchange session for the Special Group on the Political Structure of the SAR (tentative) Time : 5:30 - 7:00 p.m.	Convenors: Zee Sze Yong & Cheng Yiu Tong
14 Oct (Wednesday)	The fourth meeting of the Special Group on the Relationship between the Central Government and the SAR Time : 5:30 - 7:00 p.m.	Convenor: Ng Hong Mun
15 Oct (Thursday)	The fifth meeting of the Special Group on Economy (tentative) Time : 5:30 - 7:00 a.m.	Convenor: Stephen Cheong

* The above calendar is subject to changes. You will be informed of such changes by further notices from the Secretariat.

2. Resignation of Mr Brian H. Tisdall

By written notice to the Executive Committee, Mr Brian Tisdall has resigned from the CCBL with effect from 15 September 1987.

3. Holiday on 1 October

The Secretariat will be closed on 1 October. We apologise for any inconvenience thus incurred.

** If there is any discrepancy between the Chinese and the English versions, the Chinese version shall prevail.

基本法諮詢委員會秘書處通訊 55

1987年9月25日

一、基本法諮詢委員會9月份下旬及10月份上旬活動備忘★

9月26日(星期六)	政制專責小組與法律專責小組 聯組會議(-)暨交流會 開會時間：上午九時三十分至十一時 草委：李柱銘、李福善、廖瑤珠、譚惠珠	召集人：張健利
9月28日(星期一)	第三批交流參觀團第一次會議 開會時間：下午五時至五時三十分	
9月28日(星期一)	文教專責小組第三次會議 開會時間：下午五時三十分至七時	召集人：何承天
9月29日(星期二)	政制專責小組第三次會議 開會時間：下午五時三十分至七時	召集人：馮檢基 程介南
10月2日(星期五)	經濟專責小組第三次會議 開會時間：下午五時三十分至七時	召集人：張鑑泉
10月5日(星期一)	中央與特區關係專責小組第三次會議 開會時間：下午五時三十分至七時 (*是次會議原訂9月30日舉行)	召集人：戴耀廷 章麟
10月10日(星期六)	法律專責小組第二次會議 開會時間：上午九時三十分至十一時	召集人：歐成威
10月12日(星期一)	經濟專責小組第四次會議(暫定) 開會時間：下午五時三十分至七時	召集人：張鑑泉

10月13日(星期二)	政制專責小組交流會(暫定) 開會時間：下午五時三十分至七時	召集人：徐是雄 鄭耀棠
10月14日(星期三)	中央與特區關係專責小組第四次會議 開會時間：下午五時三十分至七時	召集人：吳康民
10月15日(星期四)	經濟專責小組第五次會議(暫定) 開會時間：下午五時三十分至七時	召集人：張鑑泉

★ 註：以上備忘僅供參考，如有任何更改或增減，以秘書處通知為準。

二、戴斯德委員辭職

戴斯德委員致函執行委員會，請辭諮詢委員職務，生效日期為1987年9月15日。

三、秘書處假期

10月1日為秘書處假期，秘書處將停止辦公。是日會址暫停開放，不便之處，敬請原諒。

CIRCULAR 56

 THE SECRETARIAT OF THE
 CONSULTATIVE COMMITTEE FOR THE BASIC LAW

3 October 1987

Discussion sessions held with Mr Hu Sheng, the convenor of the co-ordinating group of the Drafting Committee

Mr Hu Sheng, Vice-chairman of the Drafting Committee and convenor of its co-ordinating group has arrived at Hong Kong and he will hold discussion sessions with the various special groups in order to listen to the CCBL members' views on the draft provisions. Please attend the sessions arranged by the special groups which you have joined.

Date and Time of Discussion Sessions:

Date	Special Group	Convenor(s)	Venue
6 Oct (Tue)	The Special Group on Inhabitants and the Special Group on Culture and Education Time : 5:30 - 7:00 p.m.	Edward S.T. Ho & Keloan L. Ha	9/F
10 Oct (Sat)	The Special Group on Law Time : 9:30 - 11:00 a.m.	Denis Chang	8/F
10 Oct (Sat)	The Special Group on the Political Structure Time : 11:00 - 12:30 p.m.	Leung Chun Ying	8/F
12 Oct (Mon)	The Special Group on Economy Time : 3:30 - 5:00 p.m.	Stephen Cheong	8/F

12 Oct (Mon)	The Special Group on the Central-SAR Relationship Time : 5:30 - 7:00 p.m.	Ng Hong Mun	8/F
-----------------	---	-------------	-----

2. Reference Material for the Discussion Sessions:

- (1) The "collection documents of the fifth plenary session of the Drafting Committee" (see item 3) and the summaries of discussions on the draft articles at the fifth plenary session.
- (2) The CCBL members' opinions on the draft articles of the Basic Law. (to be delivered at a later date)

3. An English copy of the "collection of documents of the fifth plenary session" was sent to you yesterday. If you do not receive a copy in these few days, please contact Mrs Tang (5-8100810).

Please note that the English version of the draft articles in the collection had been revised as Mr Eric Au had kindly vetted the English draft articles distributed at the special groups' meetings.

II. CCBL calendar for early October 1987: *

Date	Activity	Remarks
5 Oct (Monday)	The third meeting of the Special Group on the Relationship between the Central Government and the SAR Time : 5:30 - 7:00 p.m.	Convenors: Tai Yiu Ting & Cheung Lun
6 Oct (Tuesday)	The fourth meeting of the Special Group on the Political Structure of the SAR Time : 5:30 - 7:00 p.m.	Convenors: Zee Sze Yong & Cheng Yiu Tong
6 Oct (Tuesday)	Discussion session of the Special Group on Inhabitants and the Special Group on Culture and Education with the convener of the co-ordinating group of the Drafting Committee Time : 5:30 - 7:00 p.m.	Convenors: Edward S.T. Ho & Keloon L. Ha

10 Oct (Saturday)	Discussion session of the Special Group on Law with the convenor of the co-ordinating group of the Drafting Committee Time : 9:30 - 11:00 a.m.	Convenor: Denis Chang
10 Oct (Saturday)	Discussion session of the Special Group on the Political Structure with the convenor of the co-ordinating group of the Drafting Committee Time : 11:00 - 12:30 p.m.	Convenor: Leung Chun Ying
12 Oct (Monday)	Discussion session of the Special Group on Economy with the convenor of the co-ordinating group of the Drafting Committee Time : 3:30 - 5:00 p.m.	Convenor: Stephen Cheong
12 Oct (Monday)	Discussion session of the Special Group on the Central-SAR Relationship with the convenor of the co-ordinating group of the Drafting Committee Time : 5:30 - 7:00 p.m.	Convenor: Ng Hong Mun
13 Oct (Tuesday)	Exchange session for the Special Group on the Political Structure of the SAR (tentative) Time : 5:30 - 7:00 p.m.	Convenors: Zee Sze Yong & Cheng Yiu Tong
14 Oct (Wednesday)	The fourth meeting of the Special Group on the Relationship between the Central Government and the SAR Time : 5:30 - 7:00 p.m.	Convenor: Ng Hong Mun
15 Oct (Thursday)	The fourth meeting of the Special Group on Economy (tentative) Time : 5:30 - 7:00 a.m.	Convenor: Stephen Cheong

* The above calendar is subject to changes. You will be informed of such changes by further notices from the Secretariat.

** If there is any discrepancy between the Chinese and the English versions, the Chinese version shall prevail.

基本法諮詢委員會秘書處通訊 56

1987年10月2日

一、與起草委員會基本法總體工作小組召集人座談會

基本法起草委員會副主任、起草委員會“基本法總體工作小組”召集人胡繩先生於十月初來港，將分別與諮詢委員會各專責小組舉行座談會，聽取本會委員對基本法起草委員會專題小組所提出的初步條文的意見。敬請各委員按自己所參加的專責小組的安排，依時出席座談會。

1. 座談會日期及時間

日期	專責小組	召集人	地點
10月6日(星期二)	居民專責小組及文教專責小組 時間：下午五時三十分至七時	何承天/ 夏其龍	九樓
10月10日(星期六)	法律專責小組 時間：上午九時三十分至十一時	張健利	八樓
10月10日(星期六)	政制專責小組 時間：上午十一時至十二時三十分	梁振英	八樓
10月12日(星期一)	經濟專責小組 時間：下午三時三十分至五時	張鑑泉	八樓
10月12日(星期一)	中央與特區關係專責小組 時間：下午五時三十分至七時	吳康民	八樓

2. 座談會參考文件：

- ① 起草委員會第五次全體會議文件匯編/意見匯編(已發)
- ② 諮詢委員會專責小組對基本法初步條文的意見(待發)

二、基本法諮詢委員會10月上旬活動備忘★

10月5日(星期一)	中央與特區關係專責小組第三次會議 開會時間：下午五時三十分至七時	召集人：戴耀廷 章麟
10月6日(星期二)	政制專責小組第四次會議 開會時間：下午五時三十分至七時	召集人：徐是雄 鄭耀棠
10月6日(星期二)	居民專責小組及文教專責小組 與草委基本法總體工作組召集人座談會 開會時間：下午五時三十分至七時	召集人：何承天 夏其龍
10月10日(星期六)	法律專責小組與草委基本法總體工作組 召集人座談會 開會時間：上午九時三十分至十一時	召集人：張健利
10月10日(星期六)	政制專責小組與草委基本法總體工作組 召集人座談會 開會時間：上午十一時至十二時三十分	召集人：梁振英
10月12日(星期一)	經濟專責小組與草委基本法總體工作組 召集人座談會 開會時間：下午三時三十分至五時	召集人：張鑑泉
10月12日(星期一)	中央與特區關係專責小組與草委基本法 總體工作組召集人座談會 開會時間：下午五時三十分至七時	召集人：吳康民
10月13日(星期二)	政制專責小組交流會(暫定) 開會時間：下午五時三十分至七時	召集人：張家敏 鄭耀棠
10月14日(星期三)	中央與特區關係專責小組第四次會議 開會時間：下午五時三十分至七時	召集人：吳康民
10月15日(星期四)	經濟專責小組第四次會議(暫定) 開會時間：下午五時三十分至七時	召集人：張鑑泉

★ 註：以上備忘僅供參考，如有任何更改或增減，以秘書處通知為準。

CCBL-SECR-00-NL57-871010(E)

CIRCULAR 57

THE SECRETARIAT OF THE
 CONSULTATIVE COMMITTEE FOR THE BASIC LAW

10 October 1987

1. CCBL calendar for late October 1987: *

Date	Activity	Remarks
13 Oct (Tuesday)	Exchange session for the Special Group on the Political Structure of the SAR (tentative) Time : 5:30 - 7:00 p.m.	Convenors: Chang Ka Mun & Cheng Yiu Tong
14 Oct (Wednesday)	The fourth meeting of the Special Group on the Relationship between the Central Government and the SAR Time : 5:30 - 7:00 p.m.	Convenor: Ng Hong Mun
21 Oct (Wednesday)	The fifth meeting of the Special Group on the Relationship between the Central Government and the SAR Time : 5:30 - 7:00 p.m.	Convenors: Tai Yiu Ting & Cheung Lun
22 Oct (Thursday)	The fourth meeting of the Special Group on Economy (tentative) Time : 5:30 - 7:00 a.m.	Convenor: Stephen Cheong

23 Oct (Friday)	The third meeting of the Special Group on the Fundamental Rights and Duties of Inhabitants Time : 5:30 - 7:00 p.m.	Convenor: Louis E. Keloon Ha
24 Oct (Saturday)	The third meeting of the Special Group on Law Time : 9:30 - 11:00 a.m.	Convenor: Eric S.W. Au

* The above calendar is subject to changes. You will be informed of such changes by further notices from the Secretariat.

** If there is any discrepancy between the Chinese and the English versions, the Chinese version shall prevail.

CCBL-SECR-00-NL57-8701010

基本法諮詢委員會秘書處通訊 57

1987年10月10日

一、基本法諮詢委員會10月下旬活動備忘★

10月13日(星期二)	政制專責小組交流會(暫定) 開會時間：下午五時三十分至七時	召集人：張家敏 鄭耀棠
10月14日(星期三)	中央與特區關係專責小組第四次會議 開會時間：下午五時三十分至七時	召集人：吳康民
10月21日(星期三)	中央與特區關係專責小組第五次會議 開會時間：下午五時三十分至七時	召集人：戴耀廷 章麟
10月22日(星期四)	金融財務經濟專責小組第四次會議(暫定) 開會時間：下午五時三十分至七時	召集人：張鑑泉
10月23日(星期五)	居民權利與義務專責小組第三次會議 開會時間：下午五時三十分至七時	召集人：夏其龍
10月24日(星期六)	法律專責小組第三次會議 開會時間：上午九時三十分至十一時	召集人：歐成威

★ 註：以上備忘僅供參考，如有任何更改或增減，以秘書處通知為準。

CIRCULAR 58

THE SECRETARIAT OF THE
CONSULTATIVE COMMITTEE FOR THE BASIC LAW

19 October 1987

1. A lecture on "Public Opinion and Public Opinion Surveys" will be organised by the CCBL on Friday, 30 October 1987 from 5:30 p.m. to 7:30 p.m. at the CCBL Office to explore the relationship between public opinion surveys and the political consciousness of the public. The details are as follows:

Speakers: Mr Archie Man, Managing Director, Marketing Decision Research

Mr Tang Kwai-nang, Managing Director, Survey Research Hong Kong Ltd

Discussants: Dr Kin Lam, Senior Lecturer, Department of Statistics, University of Hong Kong

Mr P.K. Lui, Survey Research Consultant

If you would like to attend the lecture, please obtain admission tickets from Mr Leung Chi Chiu, Clarence (5-8100810) by 26 October 1987. As the number of seats will be limited, the tickets will be distributed on a first-come-first-serve basis. The lecture will be delivered in Cantonese but simultaneous interpreting service will be provided when required. Please inform Mr Leung if you require such service.

2. CCBL calendar for late October 1987: *

Date	Activity	Remarks
20 Oct (Tuesday)	The fifth meeting (continuation) of the Special Group on the Political Structure of the SAR Time : 5:30 - 7:00 p.m.	Convenors: Chang Ka Mun & Cheng Yiu Tong
21 Oct (Wednesday)	The fifth meeting of the Special Group on the Relationship between the Central Government and the SAR Time : 5:30 - 7:00 p.m.	Convenors: Tai Yiu Ting & Cheung Lun
22 Oct (Thursday)	The fourth meeting of the Special Group on Finance, Business and Economy (tentative) Time : 5:30 - 7:00 a.m.	Convenor: Stephen Cheong
22 Oct (Thursday)	Exchange session for the Special Group on Fundamental Rights and Duties of Inhabitants Time : 5:30 - 7:00 p.m.	Convenors: Mak Hoi Wah
23 Oct (Friday)	The third meeting of the Special Group on the Fundamental Rights and Duties of Inhabitants Time : 5:30 - 7:00 p.m.	Convenor: Louis E. Keloan Ha
24 Oct (Saturday)	The third meeting of the Special Group on Law Time : 9:30 - 11:00 a.m.	Convenor: Eric S.W. Au
27 Oct (Tuesday)	The sixth meeting of the Special Group on the Political Structure of the SAR Time : 5:30 - 7:00 p.m.	Convenors: Cheng Kai Nam & Zee Sze Yong

Date	Activity	Remarks
28 Oct (Wednesday)	The sixth meeting of the Special Group on the Relationship between the Central Government and the SAR Time : 5:30 - 7:00 p.m.	Convenor: Kan Fook Yee
30 Oct (Friday)	Lecture: "Public Opinion and Public Opinion Surveys" Time : 5:30 - 7:30 a.m.	

* The above calendar is subject to changes. You will be informed of such changes by further notices from the Secretariat.

** If there is any discrepancy between the Chinese and the English versions, the Chinese version shall prevail.

基本法諮詢委員會秘書處通訊58

1987年10月19日

一、 本會將於十月三十日(星期五)下午五時三十分至七時三十分在本會會址舉辦講座，題目為「民意與民意調查」，以探討民意調查與市民政治意識的關係。

是次講座邀得萬國柱先生(市場策略研究中心總裁)和鄧桂能先生(香港市場研究社董事總經理)主講，林建博士(港大統計系高級講級)及呂炳強先生(調查研究顧問)擔任評論員。

有興趣者請在十月二十六日前致電5-8 1 0 0 8 1 0與梁志超先生聯絡，以便取得入場券，但因座位有限，將以先到先得辦法分配入場券。

二、基本法諮詢委員會10月下旬活動備忘★

10月20日(星期二)	政制專責小組第五次會議續會 開會時間：下午五時三十分至七時	召集人：張家敏 鄭耀棠
10月21日(星期三)	中央與特區關係專責小組第五次會議 開會時間：下午五時三十分至七時	召集人：戴耀廷 章麟
10月22日(星期四)	金融財務經濟專責小組第四次會議(暫定) 開會時間：下午五時三十分至七時	召集人：張鑑泉
10月22日(星期四)	居民權利與義務專責小組與草委交流會 開會時間：下午五時三十分至七時	召集人：麥海華
10月23日(星期五)	居民權利與義務專責小組第三次會議 開會時間：下午五時三十分至七時	召集人：夏其龍
10月24日(星期六)	法律專責小組第三次會議 開會時間：上午九時三十分至十一時	召集人：歐成威

10月27日(星期二)	政制專責小組第六次會議 開會時間：下午五時三十分至七時	召集人：程介南 徐是雄
10月28日(星期三)	中央與特區關係專責小組第六次會議 開會時間：下午五時三十分至七時	召集人：簡福飴
10月30日(星期五)	講座：「民意與民意調查」 時間：下午五時三十分至七時三十分	

★ 註：以上備忘僅供參考，如有任何更改或增減，以秘書處通知為準。

CCBL-SECR-00-NL59-871023(E)

CIRCULAR 59

THE SECRETARIAT OF THE
CONSULTATIVE COMMITTEE FOR THE BASIC LAW

23 October 1987

1. CCBL calendar for late October and early November 1987: *

Date	Activity	Remarks
24 Oct (Saturday)	The third meeting of the Special Group on Law Time : 9:30 - 11:00 a.m.	Convenor: Eric S.W. Au
28 Oct (Wednesday)	The sixth meeting of the Special Group on the Relationship between the Central Government and the SAR Time : 5:30 - 7:00 p.m.	Convenor: Kan Fook Yee
29 Oct (Thursday)	The second meeting of the third tour to the mainland Time : 5:30 - 7:00 p.m.	
30 Oct (Friday)	Lecture: "Public Opinion and Public Opinion Surveys" Time : 5:30 - 7:30 a.m.	
2 Nov (Monday)	The fourth meeting of the Special Group on the Fundamental Rights and Duties of Inhabitants Time : 5:30 - 7:00 p.m.	Convenor: Nelson W.S. Chow

Date	Activity	Remarks
3 Nov (Tuesday)	The sixth meeting of the Special Group on the Political Structure of the SAR Time : 5:30 - 7:00 p.m. (# The meeting was originally scheduled on 27 October)	Convenors: Cheng Kai Nam & Zee Sze Yong
4 Nov (Wednesday)	Exchange session for the Special Group on the Relationship between the Central Government and the SAR (tentative) Time : 5:30 - 7:00 p.m.	Convenor: Ng Hong Mun
5 Nov (Thursday)	Exchange session for the Special Group on Finance, Business and Economy Time : 5:30 - 7:00 a.m.	Convenor: Stephen Cheong
10 Nov (Tuesday)	Exchange session for the Special Group on the Political Structure of the SAR (tentative) Time : 5:30 - 7:00 p.m.	Convenors: Frederick K.K Fung and Leung Chun Ying

* The above calendar is subject to changes. You will be informed of such changes by further notices from the Secretariat.

2. Resignations: Mr Justice T.L. Yang and Mr Mo Kwan Nin

Mr Justice T.L. Yang, Vice-Chairman of the CCBL and Mr Mo Kwan Nin, Secretary-General of the CCBL have recently informed Mr Ann Tse Kai in writing that they will resign from the CCBL with effect from 15 January 1988. On behalf of the CCBL, Mr Ann Tse Kai would like to pay tribute to Mr Justice Yang and Mr Mo for their contribution to CCBL during their terms of office. The Executive Committee will discuss matters concerning the vacancies for Vice-Chairman and Secretary-General at its fifteenth meeting on 4 November 1987. According to the constitution of the CCBL, the post of Vice-Chairman and Secretary-General shall be elected from among members of the Executive Committee, whereas the vacancies in the Executive Committee will be filled by members of the CCBL.

3. Report on the press conferences of the Subgroup on Political Structure of the Drafting Committee

The Subgroup on Political Structure of the Drafting Committee held its eleventh meeting from 4 to 6 October in Guangzhou. The transcripts of the press conferences regarding the meeting have been summarised and are now delivered to members.

* The English translation will be delivered to members soon.

** If there is any discrepancy between the Chinese and the English versions, the Chinese version shall prevail.

Circular 59 (cont'd)

3. Report on the press conferences of the Subgroup on Political Structure of the Drafting Committee

The Subgroup on Political Structure of the Drafting Committee held its eleventh meeting from 4 to 6 October in Guangzhou. The transcripts of the press conferences regarding the meeting have been summarised as follows:

4 October

1. The meeting decided that, after 1997, in the event that the Chief Executive would not sign a piece of legislation passed by the legislature, the legislation should be returned to the legislature for reconsideration. If it was passed by a 2/3 majority of the legislature, the Chief Executive would have to sign the legislation or dissolve the legislature.
2. Members also discussed in general the conditions for the dissolution of the legislature by the Chief Executive. Members held that the Chief Executive should first seek the opinion of the Executive Assembly before he could dissolve the legislature. Moreover, the Chief Executive could dissolve the legislature only in the following circumstances: in the event that the legislature passed a bill gravely against the interest of Hong Kong; or when the legislature, upon repeated discussions, still did not pass a budget proposed by the executive authorities.
3. Some members held that during his term of office the Chief Executive could only dissolve the legislature once.

When the original legislature had been dissolved and a new legislature formed, if the new legislature again disagreed with the Chief Executive and raised the bill proposed by the former legislature, or again vetoed the budget proposed by the Chief Executive, then the Chief Executive would have to resign.

4. Some members held that the opinion of the Consultative Committee and other Hong Kong people should be accepted. The opinion was that the Chief Executive should not be required to report to the Central Government for the record if he did not accept the opinions of the Executive Assembly. Hong Kong's internal administrative affairs should be handled by the Chief Executive; the Central Government should intervene as little as possible.
5. The duty of the Executive Council or Executive Assembly was to assist the Chief Executive in deciding policies. It was not part of the executive authorities and had no obligation to report to the legislature. Regarding the composition of the Executive Assembly, some members held that all of its members should be selected from among the principal officials and should not include members of the legislature or members of the public. But this was a minority view and was not accepted by the meeting.

5 October

1. Regarding the procedure of examining the laws previously in force in Hong Kong, two proposals were raised:

According to the first proposal, a Basic Law Committee comprising legal experts both from the mainland and Hong Kong should be set up under the NPC Standing Committee. The Basic Law Committee set up before 1997 would mainly be responsible for examining the laws previously in force in Hong Kong, and reporting to the NPC Standing Committee on the ones that contravened the Basic Law so that these laws would be declared void by the NPC Standing Committee upon the establishment of the HKSAR. In order to ensure a smooth and stable transition to 1997, other laws previously in force in Hong Kong, the contracts, documents, and rights and duties that were valid under the laws previously in force should continue to be effective provided that they did not contravene the Basic Law.

2. The second proposal was simpler than the first one, only emphasising that any documents, contracts, and rights and duties that were valid under the laws previously in force in Hong Kong should continue to be effective provided that they did not contravene the Basic Law; but they would be invalidated if otherwise. The methods of invalidation were also covered by this proposal. Members who agreed to this proposal held that certain laws had to be invalidated, but not necessarily by way of declaration by the NPC Standing Committee. Besides, they hoped that the provisions would not be too rigid as the composition of the Basic Law Committee was not yet finalised.

3. Mr Cha Chi Man, Mr Martin Lee and Ms Liu Yiu Chu voiced their opinions on the formation of the first government. There were members who were in favour of the proposal of the Group of 76. Some members proposed that a provisional legislature and SAR Government be formed by elections under the British rule. It was also mentioned that an electoral college similar to a consultative body could be formed in Hong Kong to elect the first SAR Government.
4. On the question as to whether the first Government should be formed by election or through consultations, a member suggested that a preparatory committee comprising both Hong Kong and mainland members be set up under the NPC Standing Committee. It would be responsible for setting up an electoral college or a consultative body in Hong Kong for the formation of the first SAR Government.
5. Another member held that the preparatory committee should not be under the NPC Standing Committee; it should be formed under the cooperation of China and Britain instead. However, most of the members maintained that the HKSAR after 1997 should be a part of China, and the formation of the first government of the SAR would be an issue which concerned the sovereignty of China; there was no reason why the British Government should be involved.
6. A member raised several principles regarding the formation of the first government: (i) There should be a stable transition with minimum changes. (ii) The method of formation of the first government should be acceptable to the majority of people. (iii) It should give expression to the sovereignty of China and be in line with the provisions of the Joint Declaration and the Basic Law. Hence, if the first government was to be formed through consultations, there should be as many people involved in the consultations as possible; if it was to be formed by election, then it would be preferable to have the method of election similar to that of functional constituencies rather than on a one-man-one-vote basis because it was impossible to have the first government formed by direct elections under the British rule.

6 October

1. The group did not reach any consensus regarding the selection of the Chief Executive. There were many divergent views on this issue at present, and members agreed to accept as many views as possible instead of trying to reach a consensus too hastily.

- i) 50% by functional constituencies election, 25% by direct election, and 25% by indirect election.
- ii) 25% by functional constituencies election, 50% by direct election, and 25% by indirect election.
- iii) 40% by functional constituencies election, 30% by indirect election, 30% by an advisory body. If election by an advisory body was not acceptable, then 50% could be elected by functional constituencies election, and 50% by indirect election.

Members had the following views regarding the selection of the president of the legislature :

- (1) elected from among members of the legislature;
- (2) the post being held by the Chief Executive concurrently:
 - (i) Should the Chief Executive be too busy, he could delegate his duties to another person.
 - (ii) Should the Chief Executive be selected by election, he would be the ex-officio president of the legislature. Should the Chief Executive be selected through consultations, the president of the legislature would be elected by the Chief Executive and the Executive Assembly.

Qualifications for the president of the legislature were proposed as follows: not less than 40 years old, a permanent inhabitant who had been ordinarily resided in Hong Kong for 20 years, and at the same time a Chinese national.

It was proposed that the president of the legislature could serve a maximum of three consecutive terms for not more than 12 years. As regards the duties of the president of the legislature, no conclusion has been reached yet.

2. There were two main streams of thought as to whether the method of selecting the Chief Executive for the next 50 years after 1997 should be stipulated expressly. Some members were in favour of clear provisions on this issue whereas some objected to this view. Those who were in favour of clear provisions proposed the following selection methods:
- (1) selected by a grand electoral college;
 - (2) the first and second Chief Executive be selected through consultations, while the succeeding ones be elected by a grand electoral college;
 - (3) nominated by the legislature and elected by universal franchise on a one-man-one-vote basis; (It was added that the nomination might not necessarily be made by the legislature.)
 - (4) elected by functional constituencies or by representatives selected by functional constituencies; and
 - (5) to adopt the wording of the Joint Declaration and stipulate in the Basic Law that the Chief Executive would be selected by election or through consultations; the details of the election method could be appended to the Basic Law.
3. It was pointed out that as society might undergo major changes in the 50 years or more beyond 1997, a flexible method which allowed gradual development should be laid down regarding the selection of the Chief Executive and the formation of the legislature. The Basic Law should not provide for this issue in detail. Instead, since amendment to the electoral law would be easier than amendment to the Basic Law, the Basic Law should provide that the election methods would be provided under the electoral law and be reviewed periodically.
4. Another issue yet to be drafted was on the composition and formation of the legislature. Members were divided as to whether these issues should be specifically laid down. The views of those who were in favour of specific provisions could be summarised as 3 major proposals:
- (1) 100% elected by functional constituencies;
 - (2) 100% directly elected on a one-man-one-vote basis by geographical constituencies; and
 - (3) mixed elections:

基本法諮詢委員會秘書處通訊59

1987年10月23日

一、基本法諮詢委員會10月下旬及11月上旬活動備忘★

10月24日(星期六)	法律專責小組第三次會議 開會時間：上午九時三十分至十一時	召集人：歐成威
10月28日(星期三)	中央與特區關係專責小組第六次會議 開會時間：下午五時三十分至七時	召集人：簡福始
10月29日(星期四)	第三批交流參觀團第二次籌備會議 時間：下午五時三十分至七時	
10月30日(星期五)	講座：「民意與民意調查」 時間：下午五時三十分至七時三十分	
11月2日(星期一)	居民專責小組第四次會議 開會時間：下午五時三十分至七時	召集人：周永新
11月3日(星期二)	政制專責小組第六次會議 開會時間：下午五時三十分至七時 (※是次會議原訂於10月27日舉行)	召集人：程介南 徐是雄
11月4日(星期三)	中央特區關係專責小組與起草委員交流會 開會時間：下午五時三十分至七時(暫定)	召集人：吳康民
11月5日(星期四)	經濟專責小組與起草委員交流會 開會時間：下午五時三十分至七時	召集人：張鑑泉
11月10日(星期二)	政制專責小組與起草委員交流會(暫定) 開會時間：下午五時三十分至七時	召集人：馮檢基 梁振英

★ 註：以上備忘僅供參考，如有任何更改或增減，以秘書處正式通知為準。

二、楊鐵樑委員、毛鈞年委員辭職事

本會副主任楊鐵樑先生、秘書長毛鈞年先生日前致函安子介主任，請辭諮詢委員職務，生效日期為一九八八年一月十五日。安子介主任代表本會對楊鐵樑先生及毛鈞年先生在任期間，為起草基本法的諮詢工作所作的努力以及對本會作出的貢獻深表感謝。有關副主任及秘書長職位的出缺事宜，執行委員會將於十一月四日召開之第十五次會議進行商議。根據本會章程，副主任、秘書長將由執行委員互選產生，執行委員空缺將由諮詢委員中增補。

三、草委政制專題小組新聞發佈會意見整理

起草委員會政制專題小組於十月四日至六日在廣州舉行了第十一次會議，有關該次會議新聞發佈會的內容經整理後，現特發予全體諮詢委員參考：

十月四日

1. 會議決定九七年後，行政長官若不簽署立法機關通過的法律，他必須發回給立法機關重議，如立法機關有三分之二委員再通過該法案，行政長官就必須要簽署，若他堅持不同意的話，他便要解散立法機關。
2. 委員們亦大致討論了行政長官解散立法機關的條件。委員們認為行政長官在解散立法機關之前，必須先徵求行政會議的意見。此外，唯有當立法機關通過的法案嚴重違反香港的利益，或者當行政機關提出財政預算案，而立法機關經過再三商量後仍然不通過，則行政長官便可解散立法機關。
3. 有委員認為行政長官任內只能解散立法機關一次。
若原有的立法機關被解散，新的立法機關產生，而該新的機關依然不同意行政長官的意見，提出前立法機關提出的法案，或者同樣拒絕行政長官的財政預算，則行政長官就要辭職。
4. 有委員主張接受諮委及其他香港人士的意見，認為若行政長官不接納行政會議的意見，他亦不需要報中央人民政府備案。香港內部的行政事務，中央盡量不干預，留給行政長官處理。
5. 行政局或行政會議的工作是協助行政長官決定政策，它們將不屬於行政機關的一部份，亦沒有義務向立法機關報告。就行政會議的組成，有委員主張全部要在主要官員中產生，而不包括立法機關的成員及社會人士，但這是少數人的意見，未有被接納。

十月五日

1. 就香港原有法律的審核程序，委員先提出兩個方案：
第一個方案是在人大常委會下設立一基本法委員會，由香港及內地的法律專家組成，該委員會在九七年前成立，主要工作乃審核香港原有法律，就香港法律中與基本法有抵觸的條文，向全國人大常委會報告，由人大常委會在香港特別行政區成立之時宣佈廢除。但其他香港的原有法律，包括原有法律下有效的契約、文件、權利和義務，在不抵觸基本法的情況下，將繼續有效，目的是希望維持九七年前後順利平穩的過渡。
2. 第二個方案比第一方案略為簡單，只強調原有法律中的有效文件、契約、權利和義務，若不抵觸基本法的，將繼續有效；若違反基本法的，就要廢除。但此方案設有寫明廢除的辦法。贊成此方案的委員認為某些法律當然需要廢除，但不一定要以人大常委會公佈的方式，而且基本法委員會的組成仍未決定，所以不希望訂得太死。
3. 就第一屆政府的產生，有數位委員提出意見，他們分別是查濟民、李柱銘及廖瑤珠；又有委員支持76人方案；也有委員建議可在英國統治下進行選舉，成立臨時的立法機關及特區政府。亦有委員提到可在香港成立類似協商團的選舉團，選出第一屆特區政府。
4. 就第一屆政府由協商還是選舉產生的問題，有委員建議在人大常務會下成立一個籌備委員會，成員包括內地及香港委員，再由此籌備委員會在香港成立一個全由香港人組成的選舉團或協商團，產生第一屆特區政府。
5. 另有委員認為籌備委員會不應下屬人大常委會，而應由中英雙方共同合作組成。但多數委員認為97年後的香港特別行政區是中國的一部份，故成立第一屆特區政府是中國的內部主權問題，沒有理由要英國政府參加。
6. 就第一屆政府的產生，有委員提出了幾個原則：第一，要平穩過渡，變動越少越好。第二，成立方式要為大多數市民接受。第三，要體現中國主權，並且符合聯合聲明及基本法的規定。因此，第一屆政府若以協商的形式產生，能參加協商的人應盡量多；若以選舉的形式產生，則較適宜選用類似功能團體的選舉形式，而不宜以一人一票選舉產生，因為在英國人統治之下直接選舉第一屆政府是沒有可能的。

十月六日

1. 關於行政長官的產生，小組還未能達成統一的意見，因為現在意見太多，而委員都贊成把不同的意見都盡量接納，暫時不急於達成一個建議。

2. 就1997年後50年內行政長官的產生方法應否詳細寫出的問題，委員有二種主要的意見。有委員贊成清楚寫明，亦有委員反對。贊成應清楚列明的意見，共提出了五種產生方法：
- (1) 由大選舉團選舉產生；
 - (2) 第一、二屆行政長官由協商產生，以後由大選舉團選出；
 - (3) 立法機關提名，全港一人一票普選產生(有補充說，可不由立法機關提名)；
 - (4) 由功能團體選舉或由功能界別推舉的代表選舉；
 - (5) 依照聯合聲明的用語，只寫行政長官由選舉或協商產生，詳細的選舉辦法則以附件形式附於基本法後。
3. 但亦有意見認為，1997年以後的50年或更長久的時間內，社會將有很大的變動，就行政長官及立法機關的產生，應該列出一個可以循序漸進、有發展餘地的方法，故不應在基本法中寫得很細，只宜寫明以選舉法規定，並定期檢討，因為修改選舉法總比修改基本法容易。
4. 另一個待擬的題目是立法機關的組成及產生。就此，分別有委員贊成應該清楚寫明具體情況及反對清楚寫明。贊成立法機關的組成及產生方法應該清楚寫明的意見，有三類主要提議：
- (1) 全部由功能團體選舉產生；
 - (2) 全部一人一票按地域以直接選舉產生；
 - (3) 混合選舉產生：
 - 1) 功能團體選舉佔50%，直接選舉25%，間接選舉25%。
 - 2) 功能團體選舉25%，直接選舉50%，間接選舉25%。
 - 3) 功能團體佔40%，間接選舉30%，顧問團30%。如果顧問團選舉不被接受，則功能團體及間接選舉各佔50%。
5. 就立法機關主席的產生，委員有以下意見：
- (1) 由立法委員互選產生；
 - (2) 由行政長官兼任：
 - 1) 由行政長官兼任，但如果太忙，他可委托其他人代理他的工作。
 - 2) 如果行政長官由選舉產生，他就是立法機關當然主席。如果他由協商產生，他就不當主席，而改由行政長官和行政議會選出。
6. 有關立法機關主席的資格：年滿40歲，在香港連續居住了20年的香港永久居民，同時是中國公民。
7. 有建議立法機關主席最多只能連任2次，任期不超過12年。至於其職權，則暫時未有結論。

CIRCULAR 60

THE SECRETARIAT OF THE
CONSULTATIVE COMMITTEE FOR THE BASIC LAW

30 October 1987

1. Solicitation for Designs for the Regional Flag and Emblem of the Hong Kong Special Administrative Region

The Secretariat has received 85 entries since the Drafting Committee announced the design competition for the regional flag and emblem of the Hong Kong Special Administrative Region on 20 May. They were sent from Hong Kong, the mainland and overseas. To publicise this historic event, the Drafting Committee has entrusted our Secretariat with the task of promoting the competition and inviting participation from the public.

The promotion campaign launched by our Secretariat will officially commence in mid-November. It will be in two phases, lasting for 4 months. During the first phase, advertisements will be placed on Ming Pao Daily News, Ta Kung Pao, Wen Wei Po, and South China Morning Post on 16 November 1987. In addition, posters and pamphlets will be distributed. During the second phase from mid-December this year to early January next year, lectures and a two-week exhibition on the history and symbolic meaning of the flags and emblems of China, Hong Kong and other countries and regions will be held so that entrants may educate themselves in this respect. We hope members will give their support to make it a full-scale promotion campaign.

The following are the entrance procedure and rules regarding the design competition for the regional flag and emblem of the Hong Kong Special Administrative Region:

It is stipulated in Annex 1 to the Sino-British Joint Declaration that: "Apart from displaying the national flag and national emblem of the People's Republic of China, the Hong Kong Special Administrative Region may use a regional flag and emblem of its own." This will be provided for in the Basic Law. In order to enable the public to participate in the historic project of preparing the regional flag and emblem, the Drafting Committee is soliciting designs for the regional flag and emblem of the Hong Kong Special Administrative Region and entrusts the Secretariat of the Consultative Committee for the Basic Law with the responsibility to promote this event in Hong Kong and places outside China.

Theme:

To reflect the status and characteristics of the Hong Kong Special Administrative Region and the spirit of "one country, two systems".

Entrance Requirements:

The Entrants

The entrants should be:

- (1) Chinese nationals (including those residing in Hong Kong, Macau, and Taiwan) or
- (2) Other Hong Kong inhabitants or
- (3) Overseas Chinese

(Members of the Adjudicating Panel of the Design Competition and the staff concerned may not participate in the competition.)

Specifications:

A. Flag:-

- (1) The size of the flag should comply with the standard ratio of 3:2;
- (2) The flag should be placed horizontally;
- (3) The flag design should be coloured; and

(4) The flag design should be drawn and mounted on a cardboard paper of 40cm by 40cm.

B. Emblem:-

- (1) No restriction on the design of emblem other than that the design should allow for such adjustments as enlargement, reduction, and production in various materials;
- (2) The emblem design should be coloured; and
- (3) The emblem design should be drawn and mounted on a cardboard paper of 40cm by 40cm.

C. Design Explanation:-

- (1) Explanation of the design should be type-written on the back of the cardboard paper on which the design is drawn; and
- (2) The explanation should be clear and concise (not exceeding 100 words for each design).

D. Entrants' Personal Data:-

- (1) Please complete the entry form in block letters and send it in with the design; and
- (2) No names or identification of the entrants are allowed on the cardboard paper (front or back) on which the design is drawn.

Rules:

- (1) Entrants may submit designs for both the flag and the emblem or either of them;
- (2) Every entrant may not submit more than one design for each item. Anyone who submits more than one design for each item has to forfeit his/her previous entries;
- (3) All entries will not be returned; and
- (4) The design and copyright of all entries, upon submission, will become the national property of China.

Collection and Delivery:

- (1) Please send the entries to: The Secretariat of the Consultative Committee for the Basic Law, 8th Floor, Lane Crawford House, 70 Queen's Road, Central, Hong Kong; or P.O. Box 138, Hong Kong; or

- (2) The Secretariat of the Drafting Committee for the Basic Law, P.O. Box 807, Beijing, The People's Republic of China.
- (3) Please indicate on the wrapping paper of the design that it is for the "Design competition for the regional flag and emblem of the HKSAR;" and
- (4) Do not fold the design and the package should be water-proof and damage-proof.

Panel of adjudicators:

Dr Qian Weizhang
(Chairman of the panel of adjudicators, member of the Drafting Committee for the Basic Law)

Dr Ma Lin
(Chairman of the panel of adjudicators, member of the Drafting Committee for the Basic Law)

Ms Lei Jieqiong
(Member of the Drafting Committee for the Basic Law)

Dr Henry Fok
(Member of the Drafting Committee for the Basic Law)

Mr Mo Kwan Nin
(Member of the Drafting Committee for the Basic Law)

Mr Wu Zuoren
(Director of the Central Institute of Fine Arts)

Mr Liu Kaiqu
(Curator of the Art Gallery of China)

Mr Rong Gaotang
(Vice-Chairman of Zhonghua National Sports Association)

Mr Van Lau
(Member of the Consultative Committee for the Basic Law)

Dr Ho Tao
(Director of Tao Ho Design Architects)

Mr Ho Bing Wah
(Principal of Hong Kong Ching Ying Institute of Visual Arts)

Awards:

There will be 1 first prize, 5 second prizes, and 20 merit awards. Outstanding entries will be awarded with certificates.

Deadline:

31 March 1988

Entries selected in the first round will be exhibited in Hong Kong and mainland China.

Should there be any enquiries, please contact the Secretariat of the Consultative Committee for the Basic Law at 5-8100810.

2. CCBL calendar for early November 1987: *

Date	Activity	Remarks
2 Nov (Mon)	The fourth meeting of the Special Group on the Fundamental Rights and Duties of Inhabitants Time : 5:30 - 7:00 p.m.	Convenor: Nelson W.S. Chow
3 Nov (Tue)	The sixth meeting of the Special Group on the Political Structure of the SAR Time : 5:30 - 7:00 p.m.	Convenors: Cheng Kai Nam & Zee Sze Yong
4 Nov (Wed)	The fifteenth meeting of the Executive Committee Time : 4:30 - 6:00 p.m.	
4 Nov (Wed)	Exchange session for the Special Group on the Relationship between the Central Government and the SAR (tentative) Time : 5:30 - 7:00 p.m.	Convenor: Ng Hong Mun
5 Nov (Thur)	The exchange session for the Special Group on Finance, Bussiness, and Economy was originally scheduled on 5 Nov, but is now cancelled.	

Date	Activity	Remarks
7 Nov (Sat)	The fourth meeting of the Special Group on Law Time : 9:30 - 11:00 a.m.	Convenor: Steve S.P. Ng
10 Nov (Tue)	Exchange session for the Special Group on the Political Structure of the SAR (tentative) Time : 5:30 - 7:00 p.m.	Convenors: Frederick K.K. Fung and Leung Chun Ying

* The above calendar is subject to changes. You will be informed of such changes by further notices from the Secretariat.

3. Mr Ambrose Cheung, former Press Secretary of the CCBL has left his post. The duties of Press Secretary are now taken up by Miss Amy Ho, Administrative Officer. Members may contact Miss Amy Ho for any matters regarding the press or public relations.

** If there is any discrepancy between the Chinese and the English versions, the Chinese version shall prevail.

基本法諮詢委員會秘書處通訊60

1987年10月30日

一、徵集香港特別行政區區旗區徽圖案

由基本法起草委員會舉辦的香港特別行政區區旗區徽圖案徵集，自本年五月二十日公佈以來，秘書處共收到八十五份稿件，分別寄自本港、內地及外國。為了推廣是項具歷史意義的活動，起草委員會委托本會秘書處宣傳這活動，引發參與，以收集思廣益之效。

秘書處籌劃的香港特別行政區區旗區徽圖案徵集推廣活動，將在十一月中正式開始，為期四個月，主要分兩階段進行。第一階段活動包括在十一月十六日於明報、大公報、文匯報、南華早報刊登區旗區徽圖案徵集廣告，以及印發宣傳海報及小冊子。第二階段活動包括在十二月中及八八年一月初舉辦講座及為期兩周的展覽，介紹中國、香港、以及各國及地區的旗徽的歷史及象徵意義，提高參加者對設計旗徽的認識。為使是項徵集活動得以全面推廣，敬希各委員予以支持，引發更多參與。

以下是區旗區徽圖案徵集的投稿辦法及細則：

《中英聯合聲明》附件一載明：“香港特別行政區除懸掛中華人民共和國國旗和國徽外，還可以使用區旗和區徽。”基本法將對此作出規定，為了集思廣益，草委會特徵集香港特別行政區區旗區徽的圖案，在香港和海外地區委托基本法諮詢委員會秘書處負責推廣工作。

設計主題：

體現香港特別行政區的地位、特點和“一國兩制”的精神。

投稿者資格：

凡屬下列任何一類人士均可投稿（除評選委員及有關工作人員外）：

- (1) 中國籍人士（包括居住在香港、澳門、台灣者）
- (2) 香港其他居民
- (3) 海外華裔人士

作品規格：

甲．區旗設計：

- (1) 區旗面積比例應依照三比二的標準；
- (2) 區旗應以橫放為準；
- (3) 區旗設計須着色；
- (4) 區旗設計須繪製或裝裱於40cm x 40cm的厚紙上。

乙. 區徽設計：

- (1) 區徽設計形式不受限制，但須考慮到該設計可作多方面的使用，如放大、縮小及適用於各種不同材料製作；
- (2) 區徽設計須着色；
- (3) 區徽設計須繪製或裝裱於40cm x 40cm的厚紙上。

丙. 區旗區徽設計說明：

- (1) 設計說明應用正楷字體分別書寫在區旗及區徽的厚紙背面；
- (2) 設計說明應以簡潔為要，每款不超過100字。

丁. 投稿者資料：

- (1) 投稿者請以正楷填寫投稿表格上的有關資料，並與設計稿件一併寄出；
- (2) 投稿者姓名或任何識別皆不能書寫在區旗及區徽設計厚紙的正面或背面。

投稿規則：

- (1) 投稿者可同時參加區旗區徽圖案設計，或其中一項設計；
- (2) 投稿者最多可報區旗區徽圖案各一件，報多於一件者以其最後報的為準；
- (3) 所有來稿恕不退回；
- (4) 所有來稿的圖案及版權歸國家所有。

收稿地址及投稿辦法：

- (1) 來稿請寄：香港基本法諮詢委員會秘書處，香港皇后大道中70號連卡佛大廈八樓或香港郵政總局信箱138號；
- (2) 或寄：北京基本法起草委員會秘書處，北京郵政信箱807號。
- (3) 投寄稿件，請在包裝紙上註明“香港特別行政區區旗區徽圖案徵集”字樣；
- (4) 請勿將稿件摺疊，注意包裝，以免水污或損壞。

區旗區徽評選委員會成員：

- 錢偉長 (評選委員會主任，基本法起草委員)
馬 臨 (評選委員會主任，基本法起草委員)
雷潔瓊 (基本法起草委員)
霍英東 (基本法起草委員)
毛鈞年 (基本法起草委員)
吳作人 (中央美術學院院長)
劉開渠 (中國美術館館長)
榮高棠 (中華全國體育總會副主席)
文 樓 (基本法諮詢委員)
何 弼 (何弼建築所所長)
韓秉華 (香港正形設計學院院長)

獎勵辦法：

設一等獎一名、二等獎五名和榮譽獎二十名，並對未入選的優秀圖案的應徵投稿人若干名發給紀念獎狀。

截稿日期：

一九八八年三月三十一日

初選入選作品會在香港及內地展出。

如有查詢請致電 5-8 1 0 0 8 1 0 基本法諮詢委員會秘書處

二、基本法諮詢委員會11月上旬活動備忘★

1 1 月 2 日 (星期一)	居民專責小組第四次會議 開會時間：下午五時三十分至七時	召集人：周永新
1 1 月 3 日 (星期二)	政制專責小組第六次會議 開會時間：下午五時三十分至七時	召集人：程介南 徐是雄
1 1 月 4 日 (星期三)	執行委員會第十五次會議 開會時間：下午四時三十分至六時	
1 1 月 4 日 (星期三)	中央特區關係專責小組與起草委員交流會 開會時間：下午五時三十分至七時 (暫定)	召集人：吳康民
1 1 月 5 日 (星期四)	原訂於是日舉行之經濟專責小組與起草委員交流會取消，請各委員留意	
1 1 月 7 日 (星期六)	法律專責小組第四次會議 開會時間：上午九時三十分至十一時	召集人：吳少鵬
1 1 月 1 0 日 (星期二)	政制專責小組與起草委員交流會 (暫定) 開會時間：下午五時三十分至七時	召集人：馮檢基 梁振英

★ 註：以上備忘僅供參考，如有任何更改或增減，以秘書處正式通知為準。

三、本會前新聞秘書張子敏先生經已離任，其職務現由會務主任何敏慧小姐兼任。各委員日後如有關於新聞及公關的事宜，請改與何小姐聯絡。

CIRCULAR 61

THE SECRETARIAT OF THE
CONSULTATIVE COMMITTEE FOR THE BASIC LAW

6 November 1987

1. Press release: the fifteenth meeting of the Executive Committee

The fifteenth meeting of the Executive Committee of the Consultative Committee for the Basic Law was held on 4 November 1987. The meeting was chaired by Mr Ann Tse Kai and attended by Dr Rayson Huang, Ms Ko Siu Wah, Mr Kong Tak Yan, Dr Philip C.K. Kwok, Mr Kwok Yuen Hon, Mr Lee Kai Ming, Mr Leung Chun Ying, Mr Lo Tak Shing, Mr Ng Hong Mun, and Mr Philip P.Y. Yuen, with apologies for absence from Mr Louis Cha, Mr Stephen Cheong, Lord Lawrence Kadoorie, Rev Peter K.K. Kwong, Mr Mo Kwan Nin, Mr Wong Po Yan, and Mr Justice T.L. Yang.

The meeting examined and passed the following reports of the Special Groups:

1. Opinions of the Special Group on the Relationship between the Central Government and the HKSAR regarding the draft articles of the Preamble and Chapter 1, 2, 7, and 9 of the Basic Law.

2. Research report on the "HKSAR delegates to the National People's Congress".
3. Opinions of the Special Group on Fundamental Rights and Duties of Hong Kong Inhabitants regarding the draft articles of Chapter 3 of the Basic Law (revised draft of August 1987).
4. Report on the discussion on the principles and specific questions regarding the protection of fundamental rights and freedoms of Hong Kong inhabitants.
5. Report on the exchange session between the Special Group on Fundamental Rights and Duties of Hong Kong Inhabitants and members of the corresponding Subgroup of the Drafting Committee.
6. Report on the discussion on the fundamental rights and freedoms enjoyed by permanent inhabitants, non-permanent inhabitants, and other persons of the HKSAR: compare and contrast among the three categories of persons.
7. Opinions of the Special Group on Political Structure regarding some of the draft articles of Chapter 4 of the Basic Law.
8. Report on the study of "political party".
9. Report on the summary of proposals regarding the selection of the Chief Executive.
10. Report on the study of the "formation of the first Government of the SAR".
11. Opinions of the Special Group on Law regarding the draft articles on "the judicial organs" in Section 4 of Chapter 4 of the Basic Law.
12. Opinions of the Special Group on Law regarding the draft articles of Chapter 9 of the Basic Law on the "interpretation and amendment of the Basic Law of the HKSAR".
13. Opinions of the Special Group on Finance, Business, and Economy regarding the draft articles of Chapter 5 of the Basic Law.
14. Opinions of the Special Group on Culture, Technology, Education, and Religion regarding the draft articles of Chapter 6 of the Basic Law (revised draft of August 1987).

The meeting noted the resignations of Mr Justice T.L. Yang, Vice-Chairman and of Mr Mo Kwan Nin, Secretary-General. Tribute was paid to Mr Justice Yang and Mr Mo for their contribution to the CCBL during their terms of office.

Ms Ko Siu Wah was elected Vice-Chairman from among members of the Executive Committee.

Mr Leung Chun Ying was elected Secretary-General from among members of the Executive Committee.

According to the Constitution of the CCBL, any vacancy in the Executive Committee should be filled by another member of the CCBL selected by the Executive Committee through consultation. After discussion at the meeting, the Executive Committee resolved to write to two CCBL members, inviting them to join the Executive Committee. They were the two members who had gained the next highest votes in the initial election to the Executive Committee. With the approval of the two members, their names would be announced in the next circular of the Secretariat. Should any of the invitations be refused, the Executive Committee would hold further discussion to select some other member.

Mr Brian H. Tisdall, CCBL member recommended by the Law Society, had resigned. The Executive Committee would ask the Law Society in writing to nominate another member to join the CCBL. The nomination should be submitted to the next general meeting of the CCBL for approval. The meeting decided that apart from the one mentioned above, there would not be any additional CCBL members for the time being. The meeting resolved to hold the sixteenth Executive Committee meeting on Saturday, 16 January 1988 at 11:00 a.m.

2. Vacancies in the Executive Committee

Pursuant to the resolution of the fifteenth meeting of the Executive Committee regarding the vacancies in the Executive Committee, Mr T.K. Ann wrote to Mr Cheng Yiu Tong and Mr Tang Hsiang Chien, inviting them to join the Executive Committee from 15 January 1988. Mr Cheng and Mr Tang agreed to sit on the Executive Committee in reply.

3. CCBL calendar for November 1987: *

Date	Activity	Remarks
7 Nov (Sat)	The fourth meeting of the Special Group on Law Time : 9:30 - 11:00 a.m.	Convenor: Steve S.P. Ng Administrative Officer: Rosalind Chan
9 Nov (Mon)	Exchange session for the Special Group on the Relationship between the Central Government and the SAR Time : 5:30 - 7:00 p.m.	Convenor: Ng Hong Mun Administrative Officer: June Wong
10 Nov (Tue)	Exchange session for the Special Group on the Political Structure of the SAR Time : 5:30 - 7:00 p.m.	Convenors: Frederick K.K. Fung and Leung Chun Ying Administrative Officer: Karen Tang
17 Nov (Tue)	The seventh meeting of the Special Group on the Political Structure of the SAR (tentative) Time : 5:30 - 7:00 p.m.	Convenors: Chang Ka Mun & Cheng Yiu Tong Administrative Officer: Karen Tang

* The above calendar is subject to changes. You will be informed of such changes by further notices from the Secretariat.

** If there is any discrepancy between the Chinese and the English versions, the Chinese version shall prevail.

中華人民共和國香港特別行政區
基本法諮詢委員會
THE CONSULTATIVE COMMITTEE FOR THE BASIC LAW
OF THE HONG KONG SPECIAL ADMINISTRATIVE REGION OF
THE PEOPLE'S REPUBLIC OF CHINA

Our Ref: CCBL-SECR-LE249

16 December 1987

Dear Sir/Madam,

Corrigendum to the Appendix to Circular 62--Summary of
the Transcript of the Press Conference Called by
the Subgroup on Economy

Please note that on page 2 of the above document sent to you on
10 December 1987, point 10 should read:

"(10) There are now 8 articles instead of 10 in section
2, with the former Articles 12 and 13 merged to become
article 7 and the former Articles 16 and 17 merged to
become Article 8.";

and in point 12, " 產業 " and " 行業 " should fill in
the respective spaces within the quotation marks in the last
line.

Our apologies in this regard.

Yours sincerely,



Angelina Luk (Miss)
Senior Administrative Officer

基本法諮詢委員會秘書處通訊61

1987年11月6日

一、執行委員會第十五次會議新聞公報

基本法諮詢委員會執行委員會於一九八七年十一月四日舉行了第十五次會議，會議由安子介主任主持，出席會議的有(按姓氏筆劃為序)：江德仁委員、吳康民委員、李啓明委員、阮北耀委員、高荻華委員、張健利委員、郭元漢委員、郭志權委員、梁振英委員、黃麗松委員、羅德丞委員。請假的有毛鈞年委員、查良鏞委員、張鑑泉委員、黃保欣委員、楊鐵樑委員、嘉道理委員、鄺廣傑委員。

會議審閱通過了以下的專責小組報告：

- (1) 中央與香港特別行政區的關係專責小組對基本法的序言和第一、二、七、九章條文草案的意見
- (2) 「香港特別行政區全國人大代表的問題」專題研究報告
- (3) 香港居民的基本權利與義務專責小組對基本法第三章條文草稿(一九八七年八月修改稿)的意見
- (4) 「保障居民基本權利與自由的原則與具體問題」討論報告
- (5) 香港居民的基本權利與義務專責小組與起草委員會對口專題小組交流紀要
- (6) 「香港特別行政區永久性居民、非永久性居民及其他人所享有基本權利和自由的異同」討論報告
- (7) 政制專責小組對基本法第四章部份條文草稿的意見
- (8) 「政黨問題」專題研究報告
- (9) 行政長官的產生方法方案歸納報告
- (10) 「第一屆特區政府的產生」專題研究報告
- (11) 法律專責小組對基本法第四章第四節「司法機關」條文草稿的意見
- (12) 法律專責小組對基本法第九章「香港特別行政區基本法的解釋和修改」條文草稿的意見
- (13) 金融財務經濟專責小組對基本法第五章條文草稿的意見
- (14) 文化教育科技宗教專責小組對基本法第六章條文草稿(一九八七年八月修改稿)的意見

會議知悉楊鐵樑副主任和毛鈞年秘書長辭去諮詢委員職務之事，並對兩位在任期間所作的貢獻表示感謝。

會議互選高荊華委員為候任副主任。

會議互選梁振英委員為候任秘書長。

根據本會章程，執行委員會如有空缺，將由執行委員會協商，從諮詢委員會成員中增補。會議在商議後，將發信予兩位諮委邀請其出任執行委員。該兩名委員為在最初產生執行委員會投票時，票數僅次於當選之委員者。如得該兩位委員接納，則將於下次秘書處通訊中公佈；若該兩名委員中有不接納邀請者，則執行委員會將再行商議，邀請其他委員出任。

由香港律師會推薦加入諮詢委員會的戴斯德(B.H. Tisdall)先生業已辭職。執行委員會將去信香港律師會邀請該會再行推薦適當人士加入諮詢委員會。該提名須得下次諮詢委員會全體會議通過而成為委員。除此之外，會議決定暫不增補其他諮詢委員。會議議決下次會議日期為1988年1月16日(星期六)上午11時正。

二、增補候任執行委員事

根據執行委員會第十五次會議有關增補候任執行委員之決議案，安子介主任致函鄭耀棠委員和唐翔千委員，邀請其出任執行委員，就任日期為1988年1月15日。鄭耀棠委員和唐翔千委員已覆函執行委員會表示接納邀請。

三、基本法諮詢委員會11月活動備忘★

11月7日(星期六)	法律專責小組第四次會議 開會時間：上午九時三十分至十一時	召集人：吳少鵬 會務主任：陳露玲
11月9日(星期一)	中央與特區關係專責小組與起草委員交流會 開會時間：下午五時三十分至七時	召集人：吳康民 會務主任：黃蕙瑜
11月10日(星期二)	政制專責小組與起草委員交流會 開會時間：下午五時三十分至七時	召集人：馮檢基 梁振英 會務主任：鄧淑德
11月17日(星期二)	政制專責小組第七次會議(暫定) 開會時間：下午五時三十分至七時	召集人：張家敏 鄭耀棠 會務主任：鄧淑德

★ 註：以上備忘僅供參考，如有任何更改或增減，以秘書處通知為準。



Summary of the Transcript of the Press Conference

Called by the Subgroup on Economy

The Subgroup on Economy held its eighth meeting in Guangzhou on 29 and 30 October. A summary of the transcript of the press conference called by the Subgroup has been prepared and is hereby circulated for reference to all members of the Consultative Committee.

(1) Members first discussed Article 1 of Section 1, "The HKSAR shall be financially independent", noting that the word "independent" should be interpreted as: Hong Kong shall have its own financial policies and budget.

(2) After discussion by members, Article 2 of Section 1 was amended to read: "The HKSAR Government shall implement the policy of maintaining a basic balance in the formulation of budgets." Some members expressed reservations about the provision which stated that "The growth rate of the HKSAR budget shall not exceed the growth rate of the Gross Domestic Product". They held that this provision would not be comprehensible if the growth rate was a negative one.

(3) Some members disagreed with the provision which stated that "the HKSAR shall continue to maintain a policy of low tax rates" and held that there was no criterion as to what constituted a high rate and what constituted a low rate. However, a member pointed out that "low" referred to 18% and that this was by no means unclear. After discussion, members unanimously held that it was of paramount importance that the clause "the HKSAR shall continue to maintain a policy of low tax rates" should be written into the Basic Law as it would not only give people confidence but would also provide the future SAR Government with a basic principle and policy to go by.

(4) A member passed on the request put forward by the Consultative Committee that the provision which stated that "the Central People's Government shall not levy taxes on the HKSAR or its people" be clearly written into the Basic Law. After discussion, members unanimously held that the HKSAR should have its independent budget and taxation systems and that the Central People's Government should not levy taxes on the SAR Government. However, members proposed changing the wording of this provision to read "the Central People's Government shall not levy taxes in the HKSAR". They considered this an improvement without changing the meaning intended by the Consultative Committee.

(5) Members felt that the HKSAR Government should, in the formulation of its budget, adhere to a certain policy, i.e. it

would either have to maintain a basically balanced budget, or formulate a deficit budget. It was unanimously agreed that the policy of "maintaining a basically balanced budget" would be conducive to the prosperity and stability of the Hong Kong economy.

(6) According to some members of the Drafting Committee and some members of the Consultative Committee, foreign exchange and foreign currencies have different meanings. Members unanimously agreed that the term "foreign currencies" should be listed in this Article as an independent item.

(7) On the question of the issuing of currency, it was held that not only should the issue system be set down in law but also that specific provisions be set down in respect of the Reserve Fund. Members held that the issue of Hong Kong currency should have no less than 100% convertible currency reserve, but members of the Subgroup unanimously held that there was no need to include such a provision in this Article.

(8) After discussion, it was proposed that the clause "and the Hong Kong currency issue system shall be prescribed by law" be added to the original provision which stated that "the authority to issue Hong Kong currency shall be vested in the HKSAR Government" on the grounds that there should be definite legal provisions for the currency issue system. Members felt that the addition of this clause was necessary because the issue system to be adopted by the SAR Government might or might not be the same as the one in force at present, and in the latter case new laws would have to be enacted.

(9) In respect of the Exchange Fund, members noted that although the Exchange Fund was at present managed and controlled by the Hong Kong Government, there was nothing in the provisions to indicate that after the establishment of the SAR this Fund should be handed over to the HKSAR Government and should not be handed over to any individual, group or organisation.

(10) There are now 8 articles instead of 10 in Section 2, with the former Articles 2 and 13 merged to become Article 7 and the former Articles 16 and 17 merged to become Article 8.

(11) The meeting mainly discussed Section 3 on "External Trade". Firstly, the title of this section was changed to read "External Economic Relations and Trade". The former Article 21 was renamed Article 14 and amended to read "The HKSAR shall adopt a free external trade system and shall decide its external trade policy on its own." Paragraph 2 of this Article was amended to read "The HKSAR shall protect the free movement of goods, intangible property and capital". Article 22 was deleted and Articles 24 and 25 were merged to become Article 16.

(12) The meeting also discussed Section 4 on "Industry and Commerce and Other Trades" and the Chinese term for "trades" : " " was amended to read " ". Article 28 was renamed

Article 19 and amended to read "The HKSAR shall implement a free and open policy regarding industry and commerce and other trades." Articles 29 and 30 were merged to become Article 20; the word "Government" was added after "The HKSAR", the word "trades" was replaced with "industries" and the clause "in order to strengthen its competitiveness in the international arena" was deleted. Paragraph 2 of this Article was amended to read "The HKSAR Government shall provide the necessary environment and conditions to encourage industrial investment." Article 31 was renamed Article 21 and amended to read "The HKSAR Government shall formulate appropriate policies to promote the development of commerce, tourism, real estate industry, transport industry, public utilities, service industries, agriculture and fishery, etc."

(13) In respect of Section 5 on "Land Leases", Section 6 on "Shipping Management" and Section 7 on "Civil Aviation Management", a member noted that the style in which the provisions under these three sections were written was inconsistent with that of the rest of the Basic Law and suggested that major amendments be made. Members felt that as the provisions in question were copied directly from the relevant documents of the Joint Declaration and that every part of the contents was important, they had no way of amending them. However, no decision has yet been made as to whether these sections are to become part of the Basic Law or be treated as appendices.

(14) The meeting also discussed the question of the standardisation of terms. Members felt that in legislation, standardised terms should be employed, and that since China is a member of the United Nations, it would be necessary to use the terms and classification methods prescribed by the United Nations. However, members pointed out that as the Subgroup should finish the report quickly, it did not have time to amend the terms commonly used throughout the provisions, but that every effort would be made to standardise the terms before the Basic Law was finalised in 1990.

Summary of the Transcript of the Press Conference

Called by the Subgroup on Political Structure

The Subgroup on Political Structure under the Drafting Committee met in Guangzhou from 31 October to 2 November. A summary of the transcript of the press conference called by the Subgroup has been prepared and is hereby circulated for reference to all members of the Consultative Member.

(1) In their discussion on the functions and powers of the Chief Executive, the executive authorities and the legislature, members proposed the addition of the clause "and other necessary rights for the performance of functions in accordance with this Law" to the original provisions. Members noted that these rights should be restrictive, specifying that the Chief Executive could not violate the Basic Law.

(2) In respect of the question of the accountability of the executive authorities to the legislature, members held that since the Chief Executive constituted part of the executive authorities, it would be quite sufficient to set up an advisory body under the executive authorities. A second paragraph was added to the original provision, stating that "The legislative power of the HKSAR shall be vested in the legislature of the HKSAR."

(3) Two methods were proposed for the selection of the president of the legislature: The first proposal is to have the president elected from among members of the legislature; the second is for the Chief Executive to take up the post concurrently. No decision has yet been made, and the question will be considered together with other relevant issues. As for the qualifications of the president of the legislature, it was decided that the person should be a permanent inhabitant of China who was no less than 40 years of age and who had resided in Hong Kong for at least 20 years, the same qualifications as those stipulated for the Chief Executive.

(4) The functions and powers of the president of the legislature shall mainly be: to preside at meetings, convene meetings, decide on the agenda, and convene special meetings when the legislature is not in session.

(5) In respect of the terms of reference of the legislature, members noted that the provision on "may impeach the Chief Executive" was an important point because it provided that if the Chief Executive was guilty of serious breach of law or dereliction of duty, with a motion proposed by 1/4 of the members of the legislature, an independent committee chaired by the chief judge of the court of final appeal could be set up to investigate

the case and submit its report to the legislature. It was pointed out that if there was sufficient evidence in the report submitted by the committee to indicate that the Chief Executive was guilty of serious breach of law, with a motion passed by 2/3 of the members of the legislature, an impeachment proposal could be reported to the Central People's Government.

(6) On the question of the continued validity of legal documents, members summarised the views put forward and made the necessary amendments. It was unanimously held that upon the establishment of the HKSAR, those laws previously in force which contravened the Basic Law and were therefore no longer applicable to Hong Kong or those which were colonial in nature should be declared null and void by the NPC Standing Committee. It was noted that in view of the extensive scope of Hong Kong laws, there might be omissions when such an announcement was made. Members held that if, after the establishment of the HKSAR, laws which should have been annulled were discovered, the legislature should carry out the necessary revocation or amendment. Members felt that in respect of those laws which were basically valid but were inappropriately named, a change of wording would be sufficient, but pointed out that there were laws which required amendment in their entirety and some would have to be completely revoked. Some members also held that although the NPC Standing Committee would not have the power to repeal British laws, it would have the power to repeal British laws as applied in Hong Kong because Hong Kong would be a part of China.

(7) The three proposals put forward by members were finally merged to read: "In order that the laws of the HKSAR shall be recognised and protected, documents, certificates, contracts, and the rights and duties that are effective under the laws previously in force in Hong Kong shall continue to be effective provided that they do not contravene this Law." Some members put forward yet another proposal: The laws previously in force in Hong Kong, including the Common Law, rules of equity, precedents, statutes, ordinances and customary law, shall continue to be effective, save for any that contravene this Law.

(8) There are six proposals for the formation of the first government of the HKSAR, but only one principal proposal and one juxtaposing proposal will be adopted for discussion. Since members could not agree on the provisions of the various proposals, it was decided that all the six proposals be reported to the Drafting Committee. The following is the gist of these proposals:

(a) An advisory board comprising no less than 50 advisors from various sectors of Hong Kong shall be appointed either by the National People's Congress or other organ of the Central Government before 1997 to select the Chief Executive through consultations held locally.

(b) The first Chief Executive-designate of the HKSAR shall be selected through consultations held locally on 1 December 1996 in

accordance with the method listed in the appendix to Option C of Proposal 2 under Article 1 of Chapter 10 and shall be recognised by the Central Government. Before 1 April 1997, the first Chief Executive designate shall nominate members of the first Executive Assembly, and these members will then organise the preparatory committee for the first government. At zero hour on 1 July 1997, with the assistance of members of the first Executive Assembly, the first Chief Executive who has been officially appointed by the Central People's Government shall, in accordance with the provisions of this Law, announce the establishment of the first government of the HKSAR which, as authorised by the Central Government, shall take up the administration of the HKSAR from the NPC Standing Committee. Before the formation of the first legislature, a provisional legislature may exercise its provisional legislative power, and may enact provisional legislation if necessary.

(c) The Drafting Committee for the Basic Law will entrust its members in Hong Kong with the responsibility of organising a committee locally.

(d) At an appropriate time before 1 July 1997, the NPC shall set up a "Preparatory Committee for the HKSAR" that comprises mainland and Hong Kong members of the Drafting Committee. The first Chief Executive shall be selected through consultations and elections held locally by organisations representative of people from various sectors of Hong Kong, and the selection shall be reported to the Central Government for appointment. The first legislature of the HKSAR shall be constituted by elections in accordance with this Law within 1 or 2 years from the establishment of the first HKSAR. The provisional legislature set up prior to this shall be constituted in the same way as the Chief Executive is selected.

(e) The NPC Standing Committee shall set up a "Preparatory Committee for the Formation of the First HKSAR Government" that comprises mainlanders and Hong Kong permanent inhabitants. The Committee will entrust its Hong Kong members with the responsibility of organising an electoral college which comprises, among others, representatives of the legislature and regional organisations existing prior to the establishment of the HKSAR Government. This widely representative body shall be called "The Electoral College of the First HKSAR Government." It shall be responsible for drafting the electoral procedures and methods of consultations and for selecting the first Chief Executive by election. The electoral college shall also be responsible for drafting the procedures for electing the first legislature. Members of the legislature existing prior to the establishment of the HKSAR Government who meet the requirements stipulated in Chapter 4 of this Law may be elected as members of the first legislature; government officials as well as civil servants and judicial officers personnel who meet the requirements of this Law may be appointed to the first government.

(f) The NPC Standing Committee shall set up a "Preparatory Committee for the Formation of the First HKSAR Government" that comprises Chinese nationals who are permanent inhabitants of Hong Kong. At the end of 1996, the "Preparatory Committee for the Formation of the First HKSAR Government" shall hold elections in Hong Kong in accordance with this Law to select a Chief Executive-designate by one-man-one-vote direct election. On 1 July 1997, the Chief Executive-designate shall be appointed by the Central People's Government and take his oath of office. Legislative Councillors serving before June 1997 shall automatically become members of the first legislature of the HKSAR until their terms of office expire and shall take an oath of allegiance to the HKSAR Government.

Summary of Transcript of the Press Conference

Called by the Subgroup on the Relationship
between the Central Government and the HKSAR

The Subgroup on the Relationship between the Central Government and the HKSAR under the Drafting Committee met in Guangzhou on 29 October. A summary of the transcript of the press conference called by the Subgroup has been prepared and is hereby circulated for reference to all members of the Consultative Committee.

(1) In Chapter 9, which mainly deals with the power of interpretation, no amendment has been made to the provision in Article 1 which states that "The power of interpretation of the Basic Law shall be vested in the NPC Standing Committee." Paragraph 3 of this Article was moved up one paragraph, with a slight change in wording. The gist of this paragraph is that "When the courts of the HKSAR apply an article of the Basic Law which has been interpreted by the NPC Standing Committee, they shall follow the interpretation of the NPC Standing Committee but judgments previously given shall not be affected." The former paragraph 2 becomes paragraph 3, and reads: "The courts of the HKSAR may, in adjudicating cases before them, interpret those articles of the Basic Law which are within the scope of the SAR's autonomy." Some members held that the words "which are within the scope of the SAR's autonomy" in this paragraph should be deleted. Save for the replacement of the word "may" by "shall", Paragraph 4 remains unchanged: "The NPC Standing Committee shall consult the Basic Law Committee before giving an interpretation of this Law." Members felt that the word "may" could be interpreted as "can" or "may not necessarily be" and that by replacing it with "shall", it conveyed the meaning of "must".

(2) Members suggested that notes to the articles should be as few in number as possible. They maintained that explanatory notes should be condensed, while specific disagreements should be enumerated in the notes in the form of provisions.

(3) Members unanimously held that the final reports produced by the Hong Kong CCBL should be taken seriously. They acknowledged that the reports prepared by the Consultative Committee were the results of hard work and thorough research. They felt that such reports should be discussed during the discussions on the relevant provisions and that reasonable proposals should be adopted wherever possible.

*If there is any discrepancy between the Chinese and the English version, the Chinese version shall prevail.

基本法諮詢委員會秘書處通訊62

1987年12月3日

一、報告備索

本會專責小組現已完成下列十九個對基本法條文草稿的意見及專題研究報告，除已送交起草委員會外，並將寄發全體委員參考。各委員若有意為親友索取報告者，請致電5-8100810馬小姐查詢。

1. 第一屆特區政府的產生專題研究報告
2. 「政黨問題」專題研究報告
3. 行政長官的產生方法方案歸納報告
4. 直接選舉方法方案歸納報告
5. 功能組別選舉方法方案歸納報告
6. 選舉團、大選舉團選舉方法方案歸納報告
7. 對基本法第四章部份條文草稿(一九八七年八月)的意見
8. 對基本法第四章條文草稿(一九八七年十一月)的意見(-)
9. 對基本法第二章第六及第七條條文草稿(一九八七年八月)的意見
10. 對基本法第四章第四節「司法機關」條文草稿(一九八七年八月)的意見
11. 對基本法第九章「香港特別行政區基本法的解釋和修改」條文草稿(一九八七年八月)的意見
12. 對香港特別行政區全國人大代表的問題的意見
13. 對基本法的序言和第一、二、七、九章條文草稿(一九八七年八月)的意見
14. 對基本法第六章條文草稿(一九八七年八月)的意見
15. 香港居民的基本權利與義務專責小組於八七年十月二十二日與起草委員會對口專題小組交流報告
16. 「保障居民基本權利與自由的原則和具體問題」討論報告
17. 「香港特別行政區永久性居民、非永久性居民及他人所享有基本權利和自由的異同」討論報告
18. 對基本法第三章條文草稿(一九八七年八月)的意見
19. 對基本法第五章「香港特別行政區的經濟」條文草稿(一九八七年八月)的意見

二、區旗區徽圖案徵集

秘書處受基本法起草委員會委託籌劃香港特別行政區區旗區徽圖案徵集推廣活動。本處得《明報》、《文匯報》、《大公報》、《南華早報》的贊助，已於十一月二十五日（星期三）於該四份報章刊登區旗區徽圖案徵集廣告。有關的海報及投稿表格也於二十五日開始，於各青年中心、社區中心、大專院校、書局等地張貼及備索；六個香港電視服務站——金鐘、太古、太子、佐敦、彩虹及荃灣也備有投稿表格供大眾索取。另一為推廣此活動的展覽將於明年一月十二日至二十四日舉行，展覽主要介紹全國、州、省旗、徽及其象徵意義，以提高大眾對設計香港特別行政區區旗區徽的興趣。展覽分兩地舉行，一月十二日至十九日於香港匯豐銀行總行廣場；二十日至二十四日於海運大廈展覽大堂。現附上一份區旗區徽圖案徵集投稿表格，供委員存閱，敬希各委員協助推廣此徵集活動。

三、第四次全體會議會議紀錄

9月19日召開之基本法諮詢委員會第四次全體會議會議紀錄（初稿）（文件編號：CCBL-GM-04-M101-871013）整理完畢後，已於10月13日寄予全體委員審閱。而在寄發該會議紀錄後一個月內，並無委員提出修正。該會議紀錄將由明年春季舉行之第五次全體會議確認，謹請各委員予以存錄。

四、起草委員會專題小組新聞發佈會意見整理

起草委員會中央與特別行政區的關係專題小組、政制專題小組及經濟專題小組於十月二十七日至十一月二日期間在廣州分別舉行了會議，有關這些會議的新聞發佈會的內容經已整理，現特發予全體諮詢委員參考（見附件）。

五、秘書處耶誕新年停止辦公（25/12/87 - 3/1/88）

1987年12月25日至1988年1月3日耶誕及新年期間，秘書處將停止辦公，會址將暫停開放，不便之處，敬請見諒。

中央與特別行政區的關係專題小組 新聞發佈會意見整理

起草委員會中央與特別行政區的關係專題小組於十月二十八日在廣州舉行會議，有關新聞發佈會的內容經整理後，現特發予全體諮詢委員參考。

- (1) 第九章主要關於解釋權，第一條沒有改，“基本法的解釋權屬於全國人民代表大會常務委員會”，第三段提上來有些增減，大意如下：“全國人民代表大會常務委員會對基本法的條款作出解釋後，香港特別行政區法院引用這些條款時，應以全國人民代表大會常務委員會的解釋為準，但在此以前所作判決不受影響”。原來的第二段就變成第三段，“香港特別行政區法院在審理案件時，可以對基本法中屬於香港特別行政區自治範圍內的條款進行解釋，”有幾個委員認為中間的一段，即“對基本法中屬於香港……範圍內”這十幾字不要。第四段不變：“全國人民代表大會常務委員會對本法進行解釋前徵詢香港特別行政區基本法委員會的意見”，只刪去徵詢前面的“不”字，這“不”有兩種意思：一是“可以”，一是“不一定要”，去掉不字，則表示一定要。
- (2) 委員們還提出，對條文的說明要盡量減少，屬解釋性而又較長的意見最好濃縮，到最後有些具體的不同意見，最好以條文的方式列入說明。
- (3) 對於香港基本法諮詢委員會提供的最後報告，委員們一致認為應該重視，並肯定了諮委的工作是花了力氣，深入研究的，應在討論條文時再拿出來研究，凡提得合理的，應盡量接受。

基本法政制專題小組 新聞發佈會意見整理

起草委員會政制專題小組於十月三十一日至十一月二日在廣州舉行會議，有關該次會議新聞發佈會的內容整理後，現將發予全體諮詢委員參考。

- (1) 委員們討論關於行政長官、行政機關、立法機關的職權問題時，提議加上：“依照本法執行任務的時候必要的其他權利。”這一條。這權利是有限制的，指定他不能違反基本法。
- (2) 關於行政機關向立法機關負責的問題。委員們認為行政長官屬於行政機關的一部分，所以在行政機關設立諮詢機構就可以了。原來的寫法加第二款：“香港特別行政區的立法權授予香港特別行政區立法機關。”
- (3) 關於立法機關主席的產生方法，有兩個方案：一是互選產生，一是由行政長官兼任。現在仍未決定，這題目將會連同其他相關問題一起考慮。立法機關的主席資格規定為起碼年滿40歲，於香港住滿20年，為永久性中國公民，和行政長官的條件一樣。
- (4) 立法機關主席的職權主要有以下幾項：主持會議，召集會議，決定議程，休會期間召開特別會議。
- (5) 關於立法機關的職權。比較重要的是“可以彈劾行政長官”，如果行政長官有嚴重的違法行為或濫職行為，立法機關有1/4全體成員即可聯合動議組織一個獨立的審查委員會，主席由終審法院的首席法官擔任，負責調查，並向立法機關提出報告。若該委員會提出的報告有足夠證據指出行政長官嚴重違法，而立法機關經2/3全體成員通過，便可報請中央人民政府。
- (6) 關於現有法律文件繼續有效的問題。各委員作了綜合和修改，一致認為現有法律中那些與基本法相抵觸的，香港不適用的，或屬殖民地制的法律，在香港特別行政區政府成立之時，全國人民代表大會常務委員會要頒佈命令，宣佈這些法律無效。由於香港的法律範圍很廣，宣佈時恐怕有遺漏，故香港特區政府成立之後，若發現有仍需廢除的法律，則由立法機關廢除或修改。有些法律基本上是有效的，但名稱不大適合，便只須修改其中的文字，有些需整條修改，有些則要全部推翻。也有委員認為，人大常委會雖然無權廢除英國的法律，但却有權廢除在香港適用的英國法律，因香港是中國的一部份。
- (7) 委員們提出的三個方案最後統一為“根據香港原有法律而有效的文件、證件、契約、權力和義務，在不抵觸本法的情況下繼續有效，使香港特別行政區的法律得到承認和保護”。另外還有委員提出一種方案：香港原有的法律，包括普通法、衡平法、判例、立法條例、習慣法等，除了與基本法相抵觸者外，繼續有效。

(8) 關於香港特別行政區第一屆政府的產生，共有六個方案，討論時只採用一個主流方案和一個並列方案，因為委員們對各方案的條文有不同看法，於是決定將六種方案均向起草委員會報告。以下是六種方案的要點：

- a. 1997年以前由人大或中央其他機構委任一個由不少於50位香港各界人士組成的顧問團，在當地協商產生行政長官。
- b. 香港特別行政區第一屆行政長官候任人選在1996年12月1日在當地按附件所列的辦法協商產生，由中央人民政府承認。第一屆候任行政長官在1997年4月1日前提名第一屆候任行政會議成員，再從當中組成第一屆政府籌備委員會。1997年7月1日零時經中央人民政府正式任命後，第一屆行政長官在第一屆行政會議成員的協助下，按本法規定，宣佈香港特別行政區第一屆政府成立，經中央授權，自全國人民代表大會常務委員會接管香港特別行政區的行政管理權，在第一屆立法機關尚未產生前，由臨時立法機關行使立法權，必要時可制定暫時法律。
- c. 基本法起草委員會委托在港的起草委員於當地組成一個委員會。
- d. 在1997年7月1日前的適當時候，全國人大設立香港特別行政區籌備委員會，由國內和香港草委組成。第一屆香港特區行政長官由香港各界人士組成的代表組織在當地經協商和選舉產生，報中央人民政府任命。第一屆香港特區立法機關在香港特區成立後一或兩年內按本法規定選舉產生。在此以前的臨時立法機關也是按產生行政長官的辦法組成。
- e. 人大常務委員會委任香港特別行政區第一屆政府籌備委員會，成員包括內地人士和香港永久性居民，香港特區第一屆政府籌委會委托香港委員於當地組織選舉團，成員包括香港特別行政區政府成立前的立法機關代表及區域組織代表等。這代表團必須有廣泛的代表性，名為「香港特別行政區第一屆政府選舉團」。負責擬定選舉程序，協商的方法以及投票選出第一屆行政長官。該選舉團亦負責擬定程序選舉第一屆立法機關。香港特區政府成立前的立法機構成員凡符合本法第四章規定的，均可被選為第一屆立法機關的成員；香港特區政府成立前的政府官員和公務、司法人員凡符合本法的規定的，均可任職於第一屆政府。
- f. 人大常務委員會委任香港特別行政區第一屆政府籌備委員會，成員均為香港永久性居民中的中國公民，1996年底，特別行政區第一屆政府籌委會在香港依照本法主持選舉，以一人一票的方法直接選舉產生候任行政長官，1997年7月1日，候任行政長官接受中央人民政府的任命，正式宣誓就職，1997年6月以前的香港立法局議員7月1日後自動成為特別行政區第一屆立法機關成員，並宣誓效忠香港特別行政區政府，直至任期終止。

基本法經濟專題小組 新聞發佈會意見整理

基本法經濟專題小組於十月二十九及三十日在廣州舉行第八次會議，有關該次會議新聞發佈會的內容經整理後，現特發予全體諮詢委員參考。

- (1) 委員們首先討論了第一節第一條“香港特別行政區的財政獨立”，對「獨立」作了以下解釋：就是指香港有自己的財政政策和收支預算。
- (2) 第一節第二條經委員們討論後改成“香港特別行政區政府財政預算的編制貫徹收支基本平衡的方針”。此外關於“香港特別行政區財政預算收支的增長率以不超過本地生產總值的增長率為原則”部份委員有保留意見，他們認為如果生產增長率是負數時，這些條文將難以理解。
- (3) 有些委員對“香港特別行政區繼續實行低稅政策”持不同意見，他們認為何為低、何為高並無標準。但亦有委員指出“低”就是指18%，並不含糊。經討論後，委員們一致認為“香港特別行政區繼續實行低稅政策”，這一點寫進基本法是十分重要的，不但給大家一些信心，同時也給將來的特區政府一個基本的方針和政策。
- (4) 有委員轉達了諮委要求寫明“中央人民政府不向香港特別行政區和個人徵稅”的建議，經討論後，委員們一致認為，香港特別行政區應有一個獨立的財政預算制度和稅收制度，中央人民政府不向特區政府收稅。但委員們建議把措詞稍改為“中央人民政府不在香港特別行政區徵稅”，認為這寫法更完善，諮委意見也不改。
- (5) 委員們認為香港特別行政區政府財政預算的編制，始終要採取某種方針，或是基本平衡；或是赤字財政。大家一致認為要取“基本平衡”這一方針，這將有利於香港的經濟繁榮與穩定。
- (6) 根據有些草委和部份諮委的意見，外匯和外幣有不同的意思。委員一致同意要把“外幣”獨立寫進條文中。
- (7) 關於貨幣發行，除發行制度由法律規定外，儲備金也要有具體規定。委員們認為港幣發行一定要有不低於100%可以兌換的儲備金，小組一致認為不必寫入條文中。
- (8) 關於本有的“港幣的發行權屬於香港特別行政區政府”，經過討論大家提議在後面加上“港幣的發行制度由法律規定”，因為貨幣的發行制度必須要有一確定的法規。將來特區政府採取的發行制度，可能和現時一樣，也可能不一樣，這就需要有新的法律規定，故必需加上此句。

- (9) 關於外匯基金，委員們認為現在的外匯基金由香港政府管理和支配，將來特區政府成立後，這筆基金必須交給香港特區政府，不能交給任何個人、團體或組織，但條文中並沒有寫上去。
- (10) 條款的變動，原第二節共十條改為八條。原第12、13條合併改為第7條；原第16、17條合併為第8條。
- (11) 會議主要討論了第三節“對外貿易”。首先把此節標題改為“對外經濟貿易”，將原21條改為14條，並改為“香港特別行政區實行自由的對外貿易制度，自行制定對外貿易政策”。而第二款改為“香港特別行政區保障貨物、無形財產和資本的流動自由”，第22條省去，24條、25條合併為第16條。
- (12) 會議並討論了第四節“工商業和其他產業”，把“產業”改為“行業”。第28條改為第19條，並略有改動，改為“香港特別行政區對工商業和其他行業實行自由開放的政策”。第29條、30條合併為第20條，並在“香港特別行政區”後面加上“政府”二字；把“產業”改為“工業”，把“以增強國際競爭能力”一句刪去。並把第二款改為：“香港特別行政區政府提供必要的環境和條件，鼓勵工業投資。原31條改為21條，並改為“香港特別行政區政府制定適當政策，促進商業、旅遊業、房地產業、運輸業、公用事業、服務性行業、漁農業等各種行業的發展。”
- (13) 關於第五節“土地契約”、第六節“航運管理”、第七節“民航管理”，有的委員提出這三節條文與整個基本法體例不一致，要求作重大修改。委員們均覺得這幾個問題的條文是照抄《中英聯合聲明》的有關文件，內容都很重要，無從修改。至於將來如何處理，是作為基本法一部份呢？還是作附件？尚未作出結論。
- (14) 會議並談到用詞規範化的問題。要立法，用詞不能沒有規範。因為中國是聯合國的會員，所以必須用聯合國規範的用語及各種分類的方法。但因為小組報告需要馬上完成，故現在條文所使用的慣用語未及修改。委員們指出將盡量爭取在90年基本法定案以前改為使用規範化的語言。

CIRCULAR 63

THE SECRETARIAT OF THE
CONSULTATIVE COMMITTEE FOR THE BASIC LAW

10 December 1987

1. Consultation regarding the proposals on the work plan for the fourth stage of the CCBL

After embarking on their third stage of work in mid-August, the six special groups which had been re-constituted held discussions on the preliminary provisions drafted by the various subgroups of the Drafting Committee, and the opinions on the provisions were thus collected. Researches and analyses on individual topics were also carried out. During these three months, the special groups completed 21 reports regarding the opinions on the draft provisions of the Basic Law and the studies of specific topics. With the endorsement of the Executive Committee, these reports have been submitted for the reference of the Drafting Committee in late November and early December.

By now the work of the third stage has basically been completed. The Executive Committee is drafting a work plan for the next stage i.e. after the publication of the first draft of the Basic Law next year.

The publication of the first draft is symbolic of a new stage of consultation. As no concrete contents of the Basic Law were available in the past, the consultative activities mainly include general discussions and collection of opinions on the items listed in the "Structure of the Basic Law (Draft)" in the light of the Joint Declaration. The scope of study was relatively wide and scattered. As there would be specific provisions after the publication of the first draft, the contents for consultations would be more definite and centralised. It is expected that the form and manner of discussion and consultation of this new stage will be vastly different from that of the past. Careful consideration and thorough discussion is needed for the drawing up of the work plan for the new stage. Members of

第 4 頁
共 4 頁

CCBL are therefore requested to submit proposals and opinions on the work plan for the next two years, especially on the means of collecting opinions and consultation.

The sixteenth meeting of the Executive Committee will be held on Saturday, 16 January, 1988 to preliminarily discuss the future operation of the special groups and the work plan of the CCBL after the publication of the first draft of the Basic Law. Any written submissions on these matters from individual CCBL members will be summarised by the Secretariat and then published in the circulars so that members may pool their ideas to produce a good work plan for the next stage.

The "summary of members' proposals for the work plan to be adopted after the publication of the first draft (I)" is appended to this circular. If you have any opinions or any suggestions on this question, please send them in and they will be submitted for the reference of the Executive Committee.

2. Exchange sessions of the CCBL special groups with the Hong Kong co-convenors of the corresponding subgroups of the Drafting Committee

The co-convenors of the subgroups of the Drafting Committee residing in Hong Kong will be invited to the exchange sessions of the special groups of the CCBL in early January next year to brief our members on the progress of the sixth plenary session of the Drafting Committee held on 12-16 December 1987 in Guangzhou, and to collect relevant opinions from our members. Please refer to the following timetable and attend the exchange sessions of the special group(s) which you have joined.

Special Group	Date and Time		Administrative Officer
Education & Culture	4 Jan 1988 (Mon) 5:30 - 7:00p.m. and 16 Jan 1988 (Sat) [tentative]*	Drafter: Ma Lin Convenor: co-ordinating group of the special group	Monica Lo
Political Structure & Law	5 Jan 1988 (Tue) and 12 Jan 1988 (Tue) [tentative]*	Drafter: Louis Cha Convenors: Leung Chun Ying & Frederick K.K. Fung	Karen Tang & Rosalind Chan

Economy	11 Jan 1988 (Mon) 5:30 - 7:00p.m. and 14 Jan 1988 (Thu) [tentative]*	Drafter: Wong Po Yan Convenors: Stephen Cheong & Shu Tse Wong	Amy Ho
Inhabitants	8 Jan 1988 (Fri) 5:30 - 7:00p.m. and 15 Jan 1988 (Fri) [tentative]*	Drafter: Simon Li Convenor: co-ordinating group of the special group	Monica Lo
Central-SAR Relationship & Law	13 Jan 1988 (Wed) 5:30 - 7:00p.m.	Drafter: Rayson Huang Convenor: Ng Hong Mun	June Wong & Rosalind Chan

* Some special groups may hold two exchange sessions, depending on the progress of the first exchange session. You will be informed of the actual arrangements by further notices from the Secretariat.

3. Wedding of Ms Christina Yu, CCBL member

Ms Christina Yu will be married to Mr Leung Kai Tong on Sunday, 13 December 1987 at 3:45p.m. at the City Hall Marriage Registry. All members of the CCBL are invited to the wedding by Ms Yu. Our congratulations to the new couple.

** If there is any discrepancy between the Chinese and the English versions, the Chinese version shall prevail.

Appendix to Circular 63

SUMMARY OF MEMBERS' PROPOSALS FOR THE WORK PLAN TO BE ADOPTED
AFTER THE PUBLICATION OF THE FIRST DRAFT (I)

Zee Sze Yong's proposal regarding the consultations after the publication of the first draft of the Basic Law:

I To collect the opinions of Hong Kong people through CCBL member

1. Copies of the first draft of the Basic Law will be distributed amongst designated organisations through their members sitting on the CCBL. These organisations will be asked to further distribute copies of the first draft to other relevant organisations and individuals.
2. When copies of the first draft are sent to an organisation, a cover letter will be attached requesting the organisation to express its views and to assist in the collection of opinions on the first draft, and to forward such views and opinions to the CCBL to be submitted to the Drafting Committee.
3. The opinions collected by the CCBL will be sorted out by
 - i) the Executive Committee; or
 - ii) a special group designated by the Executive Committee; or
 - iii) a working group for sorting out opinions of the public on the first draft, comprising members of the existing co-ordinating groups of the various special groups, with the Chairman and Secretary-General of the Executive Committee as convenors.

The working group will summarise the opinions according to the following :

- i) General comments on the first draft as a whole
- ii) Comments on each chapter
- iii) Comments on each article
- iv) Others

The actual summarising of opinions will be done by the Secretariat. With the verification of the working group, the summarised opinions will be submitted to the Executive Committee and the general meeting of the CCBL for endorsement. Then they will be forwarded to the Drafting Committee and published.

II A one-day seminar to be organised by the CCBL

Experts (three from Hong Kong and three from the mainland) will be asked to speak at the seminars. The following people will be invited:

1. Members of the Drafting Committee residing in the mainland
2. Members of the Drafting Committee residing in Hong Kong
3. Advisors to the CCBL
4. All members of the CCBL
5. Members of the press
6. Representatives of organisations

Papers of the seminar will be bound together a volume and copies of it will be available to the public.

III Drafters residing in the mainland as well as those residing in Hong Kong will hold discussion sessions with various representative organisations in Hong Kong to consult their opinions. A discussion session will also be held for CCBL members.

IV To widely publicise the first draft through the mass media: television, radio and newspapers.

基本法諮詢委員會秘書處通訊63

1987年12月10日

一、徵詢有關本會第四階段工作計劃的建議

自8月中本會工作踏入第三階段以來，經過重新組合的6個專責小組，分別就基本法起草委員會各專題小組草擬的初步條文開展了討論及整理意見的工作，並對個別專門的題目進行了深入的研究和歸納。在這三個多月來，專責小組共完成了21個對基本法條文章稿的意見及專題研究報告，經執行委員會審閱後，已先後於11月底及12月初送交起草委員會參考。

現在，第三階段的工作已基本結束。執行委員會正着手擬定本會下一階段——即明年基本法草案(初稿)公佈後——的工作計劃。

初稿的公佈象徵着諮詢工作的另一個新開始。以往，鑑於基本法還沒有實質的內容，因此諮詢活動主要是就《基本法結構(草案)》的各題目，進行廣泛討論，及本着對《中英聯合聲明》的理解，發表和收集意見，研究範圍較大且分散。但初稿公佈以後，由於基本法有了具體條文，因此進行諮詢的內容便會相應地較為明確和集中，故預計有關的研究討論以及諮詢形式將與前階段截然不同。所以需要從長計議，並希望各委員能對本會今後兩年內的工作計劃，特別是基本法草案(初稿)公佈後以至人大常委會通過草案這一段時間內進行的意見收集和諮詢形式，提出具體的建議和意見，務求把初稿的諮詢工作做好。

執行委員會將於1988年1月16日(星期六)舉行第16次會議，初步討論專責小組今後的運作方式及初稿公佈後本會的工作計劃。委員對上述問題的意見來函，將由秘書處撮錄並分別於各期通訊中陸續刊出，供各委員參考，以增進委員對這個問題的交流和啓發。

本期通訊首先刊登“委員對初稿公佈後的工作計劃建議來函撮錄(一)”(見附件)，各委員如對上述問題有任何意見或建議，請以書面形式寄交本處轉執行委員會考慮。

二、專責小組與起草委員會對口專題小組在港召集人交流會：

起草委員會各專題小組在港召集人，將應邀出席明年1月初與本會專責小組交流會，介紹本年12月12日至16日於廣州舉行之起草委員會第六次全體會議情況及工作進展，並聽取諮詢委員對有關問題的意見。謹請各委員按所屬專責小組之安排出席交流會議：

專責小組	日期及時間		會務主任
文 教	1988年1月4日(星期一) 下午五時三十分至七時及 1988年1月16(六)(暫定)*	草 委：馬 臨 召集人：統籌組	羅眉笑
政制及法律	1988年1月5日(星期二)及 1988年1月12日(二)(暫定)*	草 委：查良鏞 召集人：梁振英 馮檢基	鄧淑德 陳露玲
經 濟	1988年1月11日(星期一) 下午五時三十分至七時及 1988年1月14日(四)(暫定)*	草 委：黃保欣 召集人：張鑑泉 舒慈煌	何敏慧
居 民	1988年1月8日(星期五) 下午五時三十分至七時及 1988年1月15日(五)(暫定)*	草 委：李福善 召集人：夏其龍	羅眉笑
中央與特區 關係及法律	1988年1月13日(星期三) 下午五時三十分至七時	草 委：黃麗松 召集人：吳康民	黃蕙瑜 陳露玲

* 部份專責小組可能需要舉行兩次交流會，惟具體安排需視乎第一輪交流的討論情況而定，請各委員留意本處之通知。

三、姚偉梅委員新婚之喜

本月13日(星期日)為姚偉梅委員與梁啓棠先生結婚之喜，並訂於是日下午三時四十五分在香港大會堂婚姻註冊處舉行結婚典禮。姚委員誠邀各委員參加觀禮。本處全人謹此祝賀。

對基本法草案(初稿)公佈後的工作計劃建議 委員來函(撮錄)(一)

徐是雄委員對初稿公佈後的徵詢意見工作建議如下：

一、通過由諮詢委員收集港人意見

1. 通過本會來自各界的委員，把初稿分發給其所屬界別內的團體，並請這些團體協助分發初稿給其他有關團體及人士。
2. 在寄發初稿予各團體負責人的同時，附函邀請他們表達和幫助收集意見，寄交本會轉起草委員會。
3. 諮詢委員會把收集所得的意見交由
 - ①執行委員會整理；或
 - ②執行委員會委派的一個專責小組整理；或
 - ③現今各專責小組的統籌小組成員組成的一個「整理市民對初稿意見」工作組整理，由執行委員會主任和秘書長任召集人。

有關的工作組按以下方式將意見歸納：

- ①對初稿的整體的意見
- ②對每一章的意見
- ③對每一條文的意見
- ④其他意見

具體的意見歸納工作由秘書處負責，經工作組核定無誤後，交執行委員會和諮詢委員會全體會議通過，再送呈起草委員會參考並公開發表。

二、由諮詢委員會組織一個一天的研討會

邀請香港和中國內地的專家各三名負責主講，並邀請以下人士參加：

1. 中國內地的草委
2. 在港起草委員
3. 諮詢委員會顧問
4. 全體諮詢委員
5. 記者
6. 團體代表

研討會論文訂裝成冊，公開發表並供市民索閱。

三、中國內地和香港的草委在港與各具代表性團體座談，徵詢意見；並舉辦一次與諮詢委員的討論。

四、在電視、電台及報紙廣泛宣傳初稿。

CIRCULAR 64

THE SECRETARIAT OF THE
CONSULTATIVE COMMITTEE FOR THE BASIC LAW

21 December 1987

1. "Flags and Emblems of the World" Exhibition

We shall hold an exhibition entitled "Flags and Emblems of the World" on Tuesday, 12 January 1988 at 10:00a.m. at the ground floor plaza of the Hong Kong & Shanghai Banking Corporation Headquarters, Central, Hong Kong. Mr Xu Jiatun, Director of Xinhua News Agency, Hong Kong Branch, Dr Ma Lin, co-chairman of the judging panel of the design competition for the regional flag and emblem of the HKSAR, and Dr Ann Tse Kai have consented to officiate at the opening ceremony. Consuls of various countries, advisors to the CCBL, Drafting Committee members residing in Hong Kong and all members of the CCBL will be invited to the occasion. (An invitation will be sent to you soon.)

2. Talk on flags and emblems [in Cantonese]

In support of the design competition for the regional flag and emblem of the HKSAR, a talk on flags and emblems will be held on Saturday, 16 January 1988. Mr Van Lau (sculptor), Dr Ho Tao (Director of Tao Ho Design Architects), Mr Hon Bing Wah (Principal of Hong Kong Chingying Institute of Visual Arts), and Mr. Cheng Kai Nam (CCBL member) will be invited to speak on the following topics:

- (1) Flags and emblems from an artistic point of view and their symbolic meanings - Mr Van Lau
- (2) The national spirit of Chinese as reflected in the history of development of the flag of China - Dr Ho Tao
- (3) Design for the regional flag and emblem of the HKSAR: the technical aspect - Mr Hong Bing Wah
- (4) The spirit of one country, two systems; the political and historical significance, and status of the HKSAR - Mr Cheng Kai Nam

This talk will be open to the public. Admission tickets which can be obtained by the attached form will be issued on a first-come-first-serve basis.

3. Reports available to members

Two reports on the "Basic Law Committee" prepared respectively by the Special Group on Central-SAR Relationship and the Special Group on Law were circulated amongst Executive Committee members for endorsement. Upon their written approval on 5 December, the reports have already been sent to the Drafting Committee as well as our own members. If you would like to obtain extra copies for your friends, please contact Ms Ma at 5-8100810.

4. Documents of the sixth plenary session of the Drafting Committee

We have just received the "Collection of draft articles of the various chapters prepared by the subgroups of the Drafting Committee". Enclosed for your records is a copy of the "Collection" (with an amendment notice attached to it).*

* English translation of the "Collection" is being prepared and will be delivered to members soon. The amendment notice states that the Chinese title of the "Collection" has been amended: the original title "The Basic Law of the HKSAR (Draft) (A collection of drafts)" is amended to read "Collection of draft articles of the various chapters prepared by the subgroups of the Drafting Committee". The amendment will be incorporated into the English translation of the "Collection".

5. Change of time: exchange session for the Special Group on Culture and Education

The exchange session for the Special Group on Culture and Education which was scheduled on Monday, 4 January is now postponed to Thursday, 14 January. Mr Qian Weichang, co-convenor of the Subgroup on Culture and Education of the Drafting Committee will attend the exchange session.

6. Summary of members' proposals for the work plan to be adopted after the publication of the first draft of the Basic Law (II). (See appendix)

If there is any discrepancy between the Chinese and the English versions, the Chinese version shall prevail.

SUMMARY OF MEMBERS' PROPOSALS FOR THE
WORK PLAN TO BE ADOPTED AFTER THE PUBLICATION OF
THE FIRST DRAFT OF THE BASIC LAW (II)

Lee Kai Yu's proposal regarding the consultations to be held after the publication of the first draft of the Basic Law:

As the youth will be the backbone for "Hong Kong people ruling Hong Kong" and be directly affected when the Basic Law is implemented, their views on the Basic Law are extremely important. It is proposed that the Secretariat should specially assign a person for liaising with youth organisations, promoting and arranging discussions and exchange sessions in order to strengthen consultation with the youth.

Upon the publication of the first draft of the Basic Law next year, the Secretariat will distribute the copies of the first draft to student unions of tertiary institutions and secondary schools, youth centres, independently registered youth associations and organisations, and secondary school teachers teaching civics/ social studies/ economics. Apart from encouraging discussions and submitting opinions, the Secretariat may also arrange meetings so that members of the Drafting Committee and the CCBL may discuss relevant issues with members or representatives of youth organisations. In addition, to facilitate in-depth discussion among members of the various youth organisations, the Secretariat may brief these organisations on the progress of deliberation of the Drafting Committee and the CCBL.

Reply Form



Please send me/us _____ tickets for the talk on flags and emblems.

Name: _____

Telephone: _____

Correspondence address: _____

Date: _____

* When returning this reply form, please attach a self-addressed and stamped envelope.

基本法諮詢委員會秘書處通訊64

1987年12月21日

一、各國旗徽資料展覽

本處謹訂於1988年1月12日(星期二)上午十時正假座中區皇后大道中香港上海滙豐銀行總行地面廣場舉行各國旗徽資料展覽，恭請本會主任安子介博士、新華社香港分社社長許家屯先生及區旗區徽圖案評選委員會主任馬臨博士，主持開幕儀式。本處並將邀請各國駐港領事、諮詢委員會顧問、在港起草委員及全諮詢委員蒞臨觀禮，敬希各顧問及委員撥冗出席。(請柬將於稍後寄奉)

二、旗徽常識講座

為配合香港特別行政區區旗區徽徵集推廣活動，本處將於1988年1月16日(星期六)下午二時三十分至四時三十分在本會會址舉辦「旗徽常識」講座，並邀請文樓先生(雕刻家)、何弢先生(何弢建築所所長)、韓乘華先生(香港正形設計學校校長)及程介南先生(基本法諮詢委員)就下列題目演講【演講語言：粵語】：

- | | |
|------------------------------|-----|
| (一)從藝術角度看世界旗徽，並綜論其象徵意義 | 文樓 |
| (二)從中國旗的發展歷史看中國人精神 | 何弢 |
| (三)設計香港特別行政區區旗區徽的技巧問題 | 韓乘華 |
| (四)一國兩制精神；香港特別行政區的政治、歷史意義和地位 | 程介南 |

歡迎委員及各界人士參加。有興趣者請於1月14日前將所附之回條填妥，以便奉上入場券。座位有限，額滿即止。

三、報告備索

本會執行委員會於12月5日書面通過了中央與香港特別行政區的關係專責小組及法律專責小組有關“基本法委員會”的兩份報告。除送交起草委員會外，該兩份報告已於日前寄發全體委員參考。各委員若有意為親友索取報告者，請致電5-8100810馬小組查詢。

四、基本法起草委員會第六次全體會議會議文件轉發

本處日前接獲基本法起草委員會秘書處送來該會第六次全體會議會議文件《香港特別行政區基本法起草委員會各專題小組擬訂的各章條文草稿匯編》，現附上該文件(連改正通知)乙份，請各顧問及委員存錄。

五、更改文教專責小組與草委舉行交流會議時間

原定於1月4日(星期一)舉行之文教專責小組與草委舉行交流會，現改為1月14日(星期四)舉行。起草委員會文教專題小組召集人錢偉長委員將應邀出席當日交流會。

六、委員對初稿公佈後的工作計劃建議來函撮錄(一) (見附件)

對基本法草案(初稿)公佈後的工作計劃建議 委員來函(撮錄)(二)

李啓宇委員對初稿公佈後的徵詢意見工作有以下建議：

青年將是九七年後港人治港的中堅分子，亦將是基本法推行時受直接影響的人士，所以他們對基本法的意見是十分重要的。建議秘書處設專人負責聯絡各青年團體，鼓勵及安排討論和交流機會，加強對青年方面的諮詢。

明年基本法草案(初稿)公佈後，由秘書處寄發初稿予所有大專院校學生會、中學、青年中心、獨立註冊的青年團體及組織，以及從事公民／社經科之中學教師。除鼓勵各青年組織積極討論，提交意見外，秘書處亦可安排起草委員和諮詢委員與青年組織代表或成員會面，討論及交換對有關問題的看法，以收廣益之效。此外，秘書處還可將起草委員會和諮詢委員會的討論進展，告知各青年團體，有助鼓勵這些團體的成員深入討論，配合意見收集。