

HKP 342.202 C53 D2d B9
342.202 The Draft Basic Law of the
C53 Hong Kong Special
D2d Administrative Region of the
B9 People's Republic of China :
chapters 2-6
[Hong Kong : The Group, 198-]

HKP
342.202
C53
D2d
B9

The Business & Professional Group of Members of BLCCSubmission of Viewson Relationship between the Central Authorities & the HKSARChapter II, the Draft Basic Law of theHong Kong Special Administrative Region of thePeople's Republic of China

The Business and Professional Group of Members of BLCC held special Group Meetings to discuss the above topic; and the following are their proposals :

On Article 11

It is proposed that the phrase "Central People's Government" should be defined as "State Council".

On Article 13 (3rd paragraph)

It is proposed to re-phrase the following sentence :

" 駐軍人員除應遵守全國性的法律外，
還應遵守香港特別行政區的法律。 "

to " 駐軍人員除應遵守全國性的法律外，
還必須遵守香港特別行政區的法律。 "

On Article 15

It is proposed that the original article be amended to the following :

"The Hong Kong Special Administrative Region is vested with executive power and shall, on its own, manage various aspects of the executive function."

The Chinese version is :

" 香港特別行政區享有行政管理權，
自行處理各方面的行政工作。 "

.../2



.../2

On Article 16

It is proposed that the Committee for the Basic Law should be established in the following manner :

(I) Structure

(1) The Committee will be made up of 20 members consisting of both PRC and HKSAR representatives in a ratio of 50:50, with a member of the PRC and a member of HKSAR as joint conveners.

(2) Rules;

(a) Nomination

Members of HKSAR should be nominated by a nominating committee consisting of the Chief Executive, the President of the Legislature and the Chief Justice.

(b) Qualification

Majority of the members should be legal experts from both sides.

(c) Stagger Principle

A stagger principle is preferred for terms of office for continuity purpose.

(d) Terms of Office

Members of the Committee should be eligible for a maximum of two 4-year-terms.

(e) Vote

Resolutions of the Committee should be passed by a 2/3 majority vote.

(II) Relationship with the Standing Committee of National People's Congress

(a) The Committee for the Basic Law should be a Working Group of the Standing Committee of National People's Congress to deal with matters pertaining to issues of all matters of the Basic Law.

(b) The Committee should be authorized to appoint sub-committees if necessary without the need of referring back to the Standing Committee of the NPC.

(c) Resolutions passed by the Committee will be adhered to by the Standing Committee of the NPC.

.../3

.../3

On Article 17 (3rd paragraph)

It is proposed to add the words "where reasonably applicable" to the Article as underlined below :

"Laws, enacted by the National People's Congress or its Standing Committee, which relate to defence and foreign affairs as well as other laws which give expression to national unity and territorial integrity and which, in accordance with the provisions of this Law, are outside the limits of the high degree of autonomy of the Hong Kong Special Administrative Region, shall be applied locally where reasonably applicable by the government of the Hong Kong Special Administrative Region by way of promulgation or legislation on the directives of the State Council, whenever there is the need to apply any of such laws in the Region."

On Article 17 (4th paragraph)

It is proposed to add the word 'national' to the Article as underlined below :

"Except in cases of national emergency, the State Council shall consult the Committee for the Basic Law of the Hong Kong Special Administrative Region and the government of the Hong Kong Special Administrative Region before issuing the above-mentioned directives."

On Article 17 (5th paragraph)

It is proposed to delete this paragraph.

On Article 18 (3rd paragraph)

It is proposed that the words "cases" should be amended to "issues" as underlined below :

Courts of the Hong Kong Special Administrative Region shall have no jurisdiction over issues relating to defence and foreign affairs, which are the responsibility of the Central People's Government, and issues relating to the executive acts of the Central People's Government. Courts of the Hong Kong Special Administrative Region shall seek the advice of the Chief Executive whenever questions concerning defence, foreign affairs or the executive acts of the Central People's Government arise in any legal proceeding. A statement issued by the Chief Executive regarding such questions shall be binding on the courts.

.../4

.../4

On Article 20

It is proposed to incorporate the following suggestion in the Article namely :

That members of the Hong Kong SAR Legislature be eligible for election as members of the National People's Congress.

On Article 22

It is proposed to delete this Article.

Reasons : (1) Since Hong Kong already has such law more or less the same, there is no need to repeat it in the Basic Law. (ii) this could be well covered by Article 42 in Chapter 3.

The Business & Professional Group of Members of BLCC

Submission of Views

on Fundamental Rights and Duties of the Residents

Chapter III, Draft Basic Law of the

Hong Kong Special Administrative Region of the

People's Republic of China

The Business & Professional Group of Members of BLCC held special group meetings to discuss the above topic; and the following are their proposals:

On Article 23

Proposal: It is proposed that the term "Chinese nationals" mentioned in this Article should only apply to those with Chinese Nationality; it should not apply to those holding a foreign passport.

Persons of the racial minorities, if born in Hong Kong, should be protected by granting them the right to Chinese Nationality.

Additional paragraph is proposed to this Article to the effect that residence of members of the P.L.A. stationed in the Hong Kong SAR shall not be counted as eligibility for permanent resident status.

On Article 24 (and Article 38)

Proposal: It is proposed that the applicable clauses of the "International Covenant on Civil and Political Rights" and the International Covenant on Economic, Social and Cultural Rights" should be included in the Basic Law; and implement them as local Law.

On Article 25

Proposal: It is proposed that the Article should be amended as follows:

"Permanent residents of the Hong Kong Special Administrative Region who have reached the voting age as determined by the SAR government shall have the rights to vote and the right to stand for election as prescribed by law."

.../2

On Article 26

Proposal: It is proposed to add "freedom to receive information" to this Article.

On Article 27

Proposal: It is proposed to amend the sentence i.e. "Hong Kong residents shall not be unlawfully arrested" to "No persons within the territory of the Hong Kong SAR shall be unlawfully arrested".

On Article 30

Proposal: It is proposed to add the following right to the Article:

"Hong Kong residents have the right to acquire SAR travel documents or passports according to law."

On Article 35

Proposal: It is proposed to qualify the phrases of "social welfare" and "welfare benefits" in the Article by adding "as prescribed by law".

On Article 39

Proposal: It is proposed to amend the phrase "by Hong Kong residents" in the first sentence of the Article to "by people within the territory in the Hong Kong SAR."

On Article 40

Proposal: It is proposed to define the "traditional rights" mentioned in the Article.

The Business & Professional Group of Members of BLCC

Submission of Views

on Political Structure

Chapter IV, Draft Basic Law of the

Hong Kong Special Administrative Region of the

People's Republic of China

Since we had previously submitted our proposal on Hong Kong's future political structure to both the BLCC and BLDC, this paper consists of only our proposals on some outstanding issues.

On Article 46

The term of office of the Chief Executive of the Hong Kong Special Administrative Region shall be five years. He/She may serve for no more than two terms.

Proposal: It is proposed that the term of office should be four years. Reasons: to match with the staggered elections to the Legislature as proposed by our Group.

On Article 49 & 50

According to these two Articles, the Chief Executive can dissolve the Legislative Council if he refuses to sign the bill passed by the Legislative Council for a second time or the legislative Council refuses to pass the budget or other important bills introduced by the Government; a Chief Executive can dissolve the Legislative Council only once in each term of office.

Proposal: It is proposed:

- (i) The Chief Executive can dissolve the Legislative Council if it refuses to pass the budget introduced by the Government and if majority vote still cannot be reached after consultations.
- (ii) Such power of the Chief Executive will not be restricted to only once in each term of office.
- (iii) Other than budget issue as mentioned above, the Chief Executive should have no power to dissolve the Legislative Council simply because he refuses to sign a bill by the Legislative Council for a second time.

.../2

On Article 55 (2nd paragraph)

It reads: "Members of the Executive Council of the Hong Kong Special Administrative Region shall be Chinese Nationals who are permanent residents of the Region."

Proposal: It is proposed that the qualification of becoming a member of the Executive Council should be the status of a permanent resident of the Region without the requirement of being a Chinese National.

On Article 70

Alternative 1: The president of the Legislative Council of the Hong Kong Special Administrative Region shall be elected from among the members of the Legislative Council.

The president of the Legislative Council of the Hong Kong Special Administrative Region shall be a Chinese national of no less than 40 years of age, who is a permanent resident of the Region and has ordinarily resided in Hong Kong for a continuous period of 20 years.

Alternative 2: The Chief Executive shall concurrently be the president of the Legislative Council of the Hong Kong Special Administrative Region.

Proposal: We are in favour of Alternative 1 because our Group has proposed an independent Legislature under the principle of Separation of Power reinforced by a system of checks and balances.

On Article 72 (Item 9)

It reads: "In the event of serious breach of law or dereliction of duty by the Chief Executive, an independent investigating committee, to be chaired by the Chief Justice of the Court of Final Appeal, on the motion initiated jointly by one-fourth of the members of the Legislative Council and passed by the council, may be established to carry out investigations and to report its findings to the council. If the committee considers the evidence sufficient, the council may pass a motion of impeachment with a two-thirds majority and report it to the Central People's Government for decision."

.../3

.../3

Proposal:

- (i) That the above motion of impeachment should be initiated by 1/3 instead of 1/4 of members of the Legislative Council.
- (ii) If the investigative committee considers the evidence sufficient, the motion of impeachment should be passed by 3/4 instead of 2/3 majority in the Legislative Council before reporting it to the Central People's Government for decision.

On Article 73

Alternative 1: Members of the Legislative Council of the Hong Kong Special Administrative Region may, in accordance with the provisions of this Law and legal procedures, individually or jointly introduce any bills. However written consent of the Chief Executive is required before the following three kinds of bills are introduced:

- (1) Bills relating to revenue and expenditure;
- (2) Bills relating to government policies; and
- (3) Bills relating to the structure and operation of the government.

Alternative 2: Members of the Legislative Council of the Hong Kong Special Administrative Region may, in accordance with the provisions of this Law and legal procedures, introduce bills. Bills which do not relate to public expenditure or public policies may be introduced individually or jointly by members of the Council.

Proposal: It is proposed that

- (i) Bills which do not relate to public expenditure may be introduced individually or jointly by members of the Legislative Council.
- (ii) written consent of the Chief Executive is required before introducing bills relating to revenue and expenditure.

The Business & Professional Group of Members of BLCC

Submission of Views

on Economy

Chapter V, the Draft Basic Law of the

Hong Kong Special Administrative Region of the

People's Republic of China

Preamble

This chapter contains many articles which are not stipulated in the Joint Declaration. It comprises statements quoted from the Joint Declaration, statements of principles and detailed policy statements.

It is proposed to remove detailed policy statements to an annex in order to give effect to the principle that the future Special Administrative Region shall have a high degree of autonomy (Article 11).

Amendments to the Basic Law will require reference to the National People's Congress. However policies stated in the Annex are subject to amendments by the Hong Kong Special Administrative Region in accordance with Article 15 of the Basic Law. Any policy changes are subject to the approval of the Chief Executive, the Executive Council and two-third majority vote in the Legislative Council and shall be reported to the Standing Committee of the National People's Congress for record.

Article 104 (and Article 108)

Article 104 states that "the Hong Kong Special Administrative Region shall have independent finances" and Article 108 states that "the types of tax rates and tax exemptions in the Hong Kong Special Administrative Region shall be prescribed by law".

PRC tax law and HKSAR will remain different. However different tax systems pose the threat of double taxation of the same income earned across borders. The PRC has entered into tax treaties with 17 other sovereign states (including one with the U.S.)

Proposal: To protect Hong Kong's position, it is proposed that the Basic Law should confer upon the SAR the authority to enter into its own tax treaties with other countries and that the PRC treaties will not apply to Hong Kong for the 50 year period.

.../2

Article 105

1st Paragraph

The government of the Hong Kong Special Administrative Region shall follow the principle of measuring expenditure by revenues in drawing up its budget.

Proposal: The 1st Paragraph is a statement of principle and could be retained.

2nd Paragraph

The government of the Hong Kong Special Administrative Region shall, over a number of fiscal years taken as a whole, maintain a basic balance between total budgetary revenues and expenditure.

Proposal: It is proposed to remove it to the annex as it is an elaboration of the first paragraph and contains policy directives. From 1946 to 1988, there was only one balanced budget presented to the Legislature. There were 21 budgets predicting a deficit and 20 budgets predicting a surplus. When there is a recession, it may be necessary for the Government to maintain its spending to stimulate the economy.

3rd Paragraph

In principle, the rate of increase of the budgetary revenues and the expenditure of the Hong Kong Special Administrative Region shall not exceed that of the gross domestic product over a number of fiscal years taken as a whole.

Proposal: The third paragraph puts the future SAR government in a straitjacket. It is virtually impossible to follow. It should be deleted. There is at least a two-year time lag in the publication of GDP data. If this is followed, the future SAR Government will be forced to take a very conservative view of GDP trend rate of growth. There are economic cycles and budgeting on past growth trends of a two to three years time lag will have the effect of decreasing expenditures when the economy recovers from a recession and increasing expenditures as the economy slows down. This type of stop-go budgeting strategy is detrimental to the development of the economy. It reduces the flexibility of the future SAR Government and prevents it from reacting to changing situations in a sensible manner.

Article 107

The Hong Kong Special Administrative Region shall continue to practise a low tax policy.

.../3

.../3

Proposal: This is a policy statement and should be removed to the annex. There is no reference to direct and indirect taxation and while maintaining a low direct tax base, it is tempting for the future SAR government to introduce indirect tax, e.g. value added tax. The Basic Law should not bias the SAR Government in favour of indirect taxation.

Article 109

Proposal: It is proposed to re-word it as follows:

The government of the Hong Kong Special Administrative Region shall continue to create conditions conducive to the maintenance and development of the status of the Hong Kong Special Administrative Region as an international financial centre.

Article 111

No exchange control policies shall be applied in the Hong Kong Special Administrative Region. Markets for foreign exchange, gold, securities and futures shall continue.

Proposal: It is proposed to remove it to the annex.

Article 117

The Hong Kong Special Administrative Region shall continue the policy of free external trade and free external economic relations.

The government of the Hong Kong Special Administrative Region shall safeguard the free movement of goods, intangible assets and capital.

Investments from outside the Region shall be protected by law.

Proposal on 1st paragraph

It is proposed that the word "external" should be deleted to remove the impression that internal trade may not be free. Thus the sentence reads "The Hong Kong Special Administrative Region shall continue the policy of free trade and free external economic relations".

Proposal on 2nd paragraph

It is proposed that the phrase "intangible assets" be changed to "assets".

.../4

.../4

Proposal on 3rd paragraph

It is proposed to re-word it as follows:

"Investments from inside and outside the Region shall be protected by law".

Article 120

Proposal: It is proposed to re-word the Chinese version of the Article as follows:

“香港特別行政區所取得和以前取得仍繼續有效的出口配額，關稅優惠和達成或其他安排，全由香港特別行政區享有，如果外國政府將香港特別行政區的貿易優惠和配額和中國混合處理，中國應對屬於香港特別行政區前優惠和配額，無論香港將會全部使用它與否，照原有比例和種類，全數發回香港特別行政區，倘有增減，則按照比例分配予香港特別行政區。

(English Translation)

Export quotas, tariff preferences and other similar arrangements, which are obtained by the Hong Kong Special Administrative Region or which were obtained and remain valid, shall be enjoyed exclusively by the Region.

In the event that the foreign governments combine the handling of the export quotas and tariff preferences of both China and Hong Kong Special Administrative Region, China shall allocate in totality the export quotas and tariff preferences as per the proportions and categories previously given to Hong Kong Special Administrative Region irrespective of whether the Region can utilize them or not. Should there be increase or decrease in the aforesaid case, the allocation to Hong Kong Special Administrative Region shall be on pro rata basis.

Article 122

The Hong Kong Special Administrative Region shall practise free and open policies regarding industry, commerce and other trades.

.../5

.../5

Proposal: The meaning of Article 122 is far from clear. Hong Kong is not practising free and open policies because there is now a growing body of legislation concerned with environmental control, offensive trades and labour. There are examples of privatization of Government agencies (e.g. the Kowloon-Canton Railway Corporation). This Article also contradicts Article 123 which implies a special policy aimed at encouraging industrial investment, technological progress and new industries.

Hong Kong has flourished on the basis of free trade and free enterprise and this basic feature of the Hong Kong economic system should be enshrined in the Basic Law.

It is proposed to re-word this Article to read "The Hong Kong Special Administrative Region shall continue to practise free trade and free enterprise in relation to industry, commerce and other trades".

Article 123

The government of the Hong Kong Special Administrative Region shall create the necessary environment and conditions for encouraging industrial investment, technological progress and the development of new industries.

Proposal: The Article implies special treatment for industry but there is no definition of what is meant by "industry". Does the term "industry" include manufacturing and service industries? While Article 124 permits the Hong Kong Special Administrative Region to formulate appropriate policies for various trades, the Hong Kong Special Administrative Region is not given the authority to formulate appropriate policies for industry.

It is proposed to re-word this Article as follows:

"The government of the Hong Kong Special Administrative Region shall continue to formulate appropriate policies for encouraging industrial investment, technological progress and the development of manufacturing and service industries."

Article 9

In addition to the Chinese language, the English language may also be used by the executive authorities, legislature and judicial organs of the Hong Kong Special Administrative Region.

.../6

.../6

Proposal: Although this Article does not fall within Chapter 5, the language issue has an important bearing on the performance of the economy.

Hong Kong's success is based on its ability to attract and retain international investment. To a large extent, the business practices in Hong Kong are English language oriented. The common law is used in most English speaking countries. The English language should have equal status with the Chinese language.

It is proposed to re-word Article 9 to read "The Chinese language and the English language will have equal status and will be used by the Executive authorities, legislative, and judicial organs of the Hong Kong Special Administrative Region."

It is also proposed that there should be an equally authentic English version of Basic Law.

Other Proposals

The continued success of our economic system is dependent on our unrestricted access to technology. There is a concern that with the reversion of sovereignty to China in 1997, Hong Kong may be affected by the COCOM arrangement, which controls the exports of hi-tech products to Eastern bloc countries.

To safeguard Hong Kong's position, it is necessary to take the following steps:

- (a) China should allow Hong Kong to trade in its own name and to remove references to Hong Kong, China whenever possible;
- (b) In addition to operating as a separate customs territory (Article 119), the Hong Kong Special Administrative Region should have the authority to prohibit the "re-export" of COCOM controlled items from Hong Kong to another territory, including China. (Article 119 should be re-worded to read "The Hong Kong Special Administrative Region shall be a separate customs territory and shall have the authority to prohibit the re-export of products to other separate custom territories.")
- (c) The establishment of a credible internationally recognised system of protection of intellectual property rights. Article 146 and Article 147 contain references to the protection by law of achievements in scientific and technological research, patents, discoveries and inventions. However this Article should be strengthened by requiring the future SAR Government to take steps to establish a credible and an internationally accepted system of protection.

The Business & Professional Group of Members of BLCC

Submission of Views

on Education, Science, Culture, Sports, Religion, Labour
and Social Services

Chapter VI, the Draft Basic Law of the

Hong Kong Special Administrative Region of the

People's Republic of China

Preamble

The fundamental principles contained in this Chapter are not controversial. However, there are problems related to the drafting aspects of this Chapter which are also common to some other chapters:

1. Many of the articles contained policy statements which many thought that they should be transferred to a separate annex to provide the necessary flexibility for the future SAR Government.
2. It is necessary to define the terms 'previously practised' or 'previous practice' and in Chinese '原有' or '原在' to give the words more clarity as to timing. No proper explanation so far has been given to these words: whether they mean 1984 when the Joint Sino British Declaration was agreed upon, or 1985 when they became effective, or when the Basic Law would be promulgated in 1990, or on 30 June, 1997. It is proposed that all such words should relate to June 30, 1997 to promote further development of present systems to the date when China resumes the exercise of sovereignty over Hong Kong with effect from 1 July, 1997.
3. While some articles in this Chapter provided for further development in the light of economic conditions and social needs such as Article 151 on sports and Article 153 on social welfare, other articles have not contained such provision, in particular, Article 142 on educational system.
4. Many of the issues contained in this Chapter are also referred to in Chapter III under Fundamental Rights and Duties of the Residents. For example, Article 26 on freedom of speech, etc., Article 30 on freedom of movement, Article 31 on freedom of conscience and

.../2

religious belief, Article 32 on freedom of choice of occupation and Article 33 on freedom of academic research, etc.

Article 142

It is proposed to add the words as underlined below.

The Hong Kong Special Administrative Region shall maintain the educational system previously practised in Hong Kong, and may formulate its own developmental directions.

Article 144

It is proposed to add "including their enrolment policy" to the first paragraph of the Article as underlined below.

Educational institutions of all kinds may retain their autonomy including their enrolment policy and enjoy academic freedom. They may continue to recruit staff and use teaching materials from outside the Hong Kong Special Administrative Region. Schools run by religious organizations may continue to provide religious education, including course on religion.

Article 145

It is proposed to add the words as underlined.

The government of the Hong Kong Special Administrative Region shall promote the development of medical and health services and the development of Western and Chinese traditional medicine, and encourage community organisations and individuals to provide, according to law, medical and health services of various kinds.

Article 146

It is proposed to refine part of the Article as underlined.

The government of the Hong Kong Special Administrative Region shall, on its own, formulate policies on science and technology. The Hong Kong Special Administrative Region shall protect, by law, patents, designs and copyright and operate an internationally recognised system of registration and control.

The government of the Hong Kong Special Administrative Region, shall, in consultation with relevant organisations, decide on the scientific and technological standards and specifications and codes of practice applicable in Hong Kong.

.../3

.../3

Article 147

It is proposed to add "and other" as underlined below.

The government of the Hong Kong Special Administrative Region shall, on its own, formulate policies on culture and protect the achievements and the legitimate rights and interests of authors in their literary and artistic and other pursuits.

It is noted that if the internationally accepted system as proposed in Article 146 is established, it will also protect the interest of the authors, both local and foreign ones.

Article 150

It is proposed to refine the wording of the Article as underlined below.

The Hong Kong Special Administrative Region shall, on its own, decide on the methods of assessing and accrediting qualifications for professional practice for the various professions. The system of assessing and accrediting qualifications shall be maintained and developed.

Subject to the relevant rules of conduct, persons with professional qualifications or qualifications for professional practice obtained prior to the establishment of the Hong Kong Special Administrative Region may retain their previous qualifications.

The government of the Hong Kong Special Administrative Region shall continue to recognise professions and professional organisations recognised prior to the establishment of the Region, and these organisations may, on their own, assess and confer professional qualifications.

The government of the Hong Kong Special Administrative Region may, as required by developments in society and in consultation with parties concerned, recognise new professions and professional organisations.

Explanation of the proposals

In the first sentence, the word 'government' should be deleted. When the word 'government' is used, it precludes

.../4

.../4

the participation of non-government organisations such as, in this case, the professional institutions. The present method of assessing and accrediting qualifications for professional practice differs from profession to profession and it only involves the government when such is necessary for the purpose of ensuring public safety, sanitation and health, all of which are specifically provided in different legislations, for instance, the Buildings Ordinance, the Medical Registration Ordinance, etc.

In the second sentence of the first paragraph, the word 'methods' should be changed to 'system' as it is considered that the word 'methods' is too restrictive and it does not have the flexibility to cover the different situations presently practised in Hong Kong.

In the second paragraph, it is proposed to add the words 'subject to the relevant rules of conduct'. This addition is necessary because in the present Draft, a professional may retain his previous qualification, but there is no provision for such qualification to be rescinded if he is in breach of his professional conduct.

In the third paragraph, to add the words 'The government of' before 'the HKSAR', and the words 'shall maintain' should be changed to 'continue to recognise' which are more appropriate words to be used. The word 'maintain' implies some other meaning than just a recognition, for example, it implies that the SAR has an obligation to support financially such professions and professional organisations.

Proposed Chinese Version after refinement

香港特別行政區自行制定辦法以審定和評核各種專業的執業資格。原有的審定和評核制度應予保持和發展。

在香港特別行政區成立前已取得專業和執業資格者，可按照有關專業守則保留原有的資格。

香港特別行政區政府繼續承認在特別行政區成立前已承認的專業和專業團體，所承認的專業團體可自行評核和頒授專業資格。

香港特別行政區政府可根據社會發展需要並諮詢有關方面的意見，承認新的專業和專業團體。

.../5

.../5

Article 152

It is proposed to add the words as underlined and delete the part in bracket.

The Hong Kong Special Administrative Region shall maintain and develop the policy previously practised in Hong Kong in respect of subventions for organisations in fields including education, medicine, culture, arts, recreation, sports, social welfare and social work. (Staff previously serving in subventioned organisations in Hong Kong may remain in their employment in accordance with the previous system.)

Article 153

It is proposed to delete the part as underlined.

The government of the Hong Kong Special Administrative Region shall maintain the previous social welfare system and shall formulate, on its own, policies on the development and improvement of this system in the light of the economic conditions and social needs.

Article 154

It is proposed to delete the part as underlined.

Voluntary organisations providing social services in the Hong Kong Special Administrative Region may, on their own, decide their forms of service in accordance with law.

Article 155

It is proposed to delete the part as underlined.

The Hong Kong Special Administrative Region shall, on its own, formulate labour laws and policies in the light of economic development, social needs and the specific circumstances of labour management consultations.

Article 156

It is proposed to add the words as underlined.

The relationship between non-governmental organisations in fields such as education, science, technology, culture, sports, the professions, health, labour and social welfare as well as religious organisations in the Hong Kong Special Administrative Region and their counterparts on the mainland shall be in conformity with the principles of non-subordination, non-interference and mutual respect.

.../6

.../6

Article 157

It is proposed to add the words as underlined. Organisations in fields such as education, science, technology, culture, sports, health, the professions, labour, social welfare and religion in the Hong Kong Special Administrative Region may maintain and develop relations with foreign countries and other regions and with relevant international organisations. They may, as required, use the name "Hong Kong, China" or "Hong Kong" in the relevant activities.

Article 159

It is proposed to add the words as underlined.

The Hong Kong Special Administrative Region may, on its own, using the name "Hong Kong, China" or "Hong Kong", maintain and develop relations and conclude and implement agreements with states, regions and relevant international organisations in the appropriate fields, including economics, trade, finance and monetary affairs, professional and technological matters, shipping, communications, tourism, patent, copyright, culture and sports.

