

Message

With the first anniversary of our reunification with the Mainland just behind us, I am proud to say that the guiding principles of “One Country, Two Systems”, “a high degree of autonomy” and “Hong Kong people ruling Hong Kong” are firmly in place. In the coming year, my colleagues and I will continue to facilitate the Hong Kong Special Administrative Region (HKSAR) Government in complying with the requirements set out in the Basic Law, and in developing our relations with the Central People’s Government and other Mainland authorities in ways which are consistent with the principles set out in our constitutional document. We will also develop our democratic institutions in accordance with the blueprint set out in the Basic Law.

I am delighted to present this Policy Objective booklet, which sets out the key initiatives of my Bureau and our commitments in these areas. We will do our best to meet the targets set out in this booklet and to maintain public confidence in the constitutional arrangements of the HKSAR.

I hope you will find this booklet useful, and will be delighted to receive your comments on its content.

A handwritten signature in black ink, consisting of a large, stylized loop at the top and several smaller, more defined strokes below it, ending with a period.

(Michael M Y Suen)

Secretary for Constitutional Affairs

Confidence in the Constitutional Arrangements

Our Policy Objective is to maintain confidence in the constitutional arrangements of the Hong Kong Special Administrative Region (HKSAR).

Our targets in pursuing this Policy Objective are –

- to hold the second Legislative Council (LegCo) election in 2000
- to implement necessary changes to the structure and functions of district organisations by the end of 1999
- to secure community confidence in the full and faithful implementation of the Basic Law
- to maintain a cordial and constructive working relationship with the Central People's Government (CPG) and other Mainland authorities, consistent with the relevant provisions of the Basic Law
- to enhance community confidence in electoral arrangements and participation in the electoral process
- to ensure that the electoral arrangements are open, fair, honest, acceptable to the community and fully compliant with the Basic Law

Key Result Areas (KRAs)

To ensure that this Policy Objective can be achieved, we must deliver results in a number of key areas, that is, we must –

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The following sections of this booklet explain the importance of these KRAs, describe the broad thrust of our efforts, and outline the indicators which we are using to assess progress. Each section lists the new key initiatives being taken to achieve our objectives and pinpoints the agency accountable for each initiative and the specific targets which we intend to meet.

I

Ensure the full implementation of the Basic Law and promote understanding of the Basic Law

The Basic Law provides us with many important guarantees in accordance with the principles of “One Country, Two Systems”, “a high degree of autonomy” and “Hong Kong people ruling Hong Kong”. The HKSAR Government has the responsibility to ensure the full and faithful implementation of the Basic Law. The Constitutional Affairs Bureau (CAB) facilitates and advises colleagues in other parts of the HKSAR Government on the implementation of the Basic Law in their respective areas of work.

CAB facilitates the promotion of public knowledge and understanding of the Basic Law by providing secretariat support to the Basic Law Promotion Steering Committee. The Basic Law is our constitutional document. It is important for the community as a whole to be well-informed about its provisions and appreciate its significance for Hong Kong as a highly autonomous special administrative region of the People’s Republic of China.

Indicators

The indicators we will use to measure progress in this area are –

- the soundness, consistency and practicability of advice provided
- the effectiveness of support provided to the Basic Law Promotion Steering Committee and the co-ordination of implementation of the action plans endorsed by the Committee

Initiatives	Targets
<p>To facilitate and advise bureaux on the full and faithful implementation of the Basic Law including –</p> <ul style="list-style-type: none"> – the requirements and arrangements for reporting to the CPG (e.g. laws enacted, budget documents, etc.) – the application of any new national laws in the HKSAR in accordance with the Basic Law – matters relating to CPG/HKSAR Government relationship in respect of the Adaptation of Laws <p><i>(Constitutional Affairs Bureau (CAB))*</i></p>	<ul style="list-style-type: none"> ● To provide advice which is consistent with the relevant provisions of the Basic Law ● To co-ordinate and consolidate the HKSAR Government's views on any proposed amendments to the list of national laws in Annex III of the Basic Law
<p>To facilitate the promotion of public knowledge and understanding of the Basic Law by providing secretariat support to the Basic Law Promotion Steering Committee and co-ordinating the implementation of the action plans endorsed by the Committee</p> <p><i>(CAB)</i></p>	<p>To provide quality secretariat support to the Committee, and co-ordinate promotional activities organised in 1999</p>
<p>To co-ordinate HKSAR Government's input as necessary into the Sino-British Joint Liaison Group (JLG)</p> <p><i>(CAB)</i></p>	<p>To provide accurate and up-to-date information in a timely manner to the Chinese JLG Office as necessary to prepare for meetings until 1 January 2000</p>

* the brackets denote the agency with lead responsibility for the initiative

Initiatives	Targets
<p>To facilitate and advise on the conduct of HKSAR’s external affairs. Specifically, to –</p> <ul style="list-style-type: none"> – advise on the full implementation of the international rights and obligations arising from the international agreements applicable to the HKSAR, including the submission of reports and statistics – as appropriate, consolidate views within the HKSAR Government on the application of international agreements to the HKSAR – as necessary, advise on the need to obtain CPG’s authorisation for the negotiation and conclusion of international agreements with foreign states, regions and international organisations – advise on matters relating to the implementation of consular conventions in the HKSAR and the management of the consular corps – advise on matters relating to the establishment of semi-official (mostly trade) missions in the HKSAR, which requires CPG’s permission 	<p>To provide advice which is consistent with the relevant provisions of the Basic Law and the “One Country, Two Systems” principle</p>

Initiatives	Targets
<p>– advise on matters relating to HKSAR’s participation in international organisations and conferences and the hosting of international conferences</p> <p><i>(CAB)</i></p>	
<p>To facilitate HKSAR’s discussions with the relevant Mainland authorities on the establishment of mutual juridical assistance (in criminal, civil and commercial matters) in accordance with the Basic Law</p> <p><i>(CAB)</i></p>	<ul style="list-style-type: none"> ● To provide advice which is consistent with the relevant provisions of the Basic Law ● To facilitate in 1998-1999 the conduct of discussions with the Mainland authorities to establish arrangements for mutual juridical assistance such as service of judicial documents



Maintain cordial and constructive relations with the Central People's Government and other Mainland authorities

Since reunification, we have developed a cordial and constructive working relationship with the Office of the Commissioner of the Ministry of Foreign Affairs in the HKSAR (MFA Office) on matters relating to the HKSAR's external affairs. This has facilitated the HKSAR's continued active participation in the international arena and the maintenance of close contacts with our overseas partners in a manner which reflects our high degree of autonomy.

Separately, with the assistance and support of the Hong Kong and Macao Affairs Office of the State Council, we continue to develop our working relationship with other Mainland authorities, including those at the provincial and municipal levels.

We will continue to strengthen our liaison and contacts with Mainland authorities. The establishment of an HKSAR Government Office in Beijing within the first quarter of 1999 will help to ensure that the HKSAR Government and the CPG are apprised of the latest economic, social and other developments in the Mainland and HKSAR respectively. It will also form an additional channel for liaison and communication between the HKSAR Government and the CPG.

In recognition of our geographical proximity to the Guangdong Province, we pay special attention to ensuring the continued development of a close and effective working relationship with the Guangdong Provincial People's Government. The Hong Kong/Guangdong Co-operation Joint Conference, established in March 1998, provides a new channel for the improvement of co-operation between the HKSAR Government and the Guangdong Provincial People's Government, and for the identification of new areas of co-operation.

Indicators

The indicators we will use to measure progress in this area are –

- the establishment of the HKSAR Government Office in Beijing within the first quarter of 1999
- the extent to which we maintain a cordial and constructive working relationship with the CPG and other Mainland authorities
- the smooth functioning of existing and new channels of communication and co-operation with Mainland authorities
- the degree to which we can enhance mutual understanding between the Mainland authorities and the HKSAR Government

Initiatives

Targets

To set up an HKSAR Government Office in Beijing
(Constitutional Affairs Bureau (CAB))

To set up the Office within the first quarter of 1999

To advise bureaux and departments on developing and maintaining an effective working relationship with their Mainland counterparts, by –

- advising on the proper handling of official contacts with the Mainland authorities, and as necessary assisting in making such contacts

- To provide advice which is consistent with the relevant provisions of the Basic Law and the “One Country, Two Systems” principle
- To encourage as appropriate direct contacts between HKSAR Government officials and their Mainland counterparts

Initiatives	Targets
<p>– encouraging bureaux and departments to visit the Mainland or organise visit programmes that fit their specific needs, and advise them on the arrangements relating to the visits</p> <p><i>(CAB)</i></p>	<ul style="list-style-type: none"> ● To encourage as appropriate official visits by HKSAR Government officials to the Mainland
<p>To strengthen cross-boundary ties between the HKSAR Government and the Mainland authorities by acting as the HKSAR Government’s overall co-ordinator for the Hong Kong/ Guangdong Co-operation Joint Conference and the Cross-Border Liaison System</p> <p><i>(CAB)</i></p>	<ul style="list-style-type: none"> ● To ensure the smooth functioning of these channels ● In 1999, we will co-ordinate discussion of major issues of co-operation between Hong Kong and Guangdong at the Joint Conference and between the related experts
<p>To develop further our working relationship with the MFA Office by –</p> <p>– acting as the focal point of contact between the HKSAR Government and the MFA Office on matters relating to the conduct of HKSAR’s external affairs, or foreign affairs relating to the HKSAR</p>	<p>To ensure the HKSAR Government maintains a cordial and constructive working relationship with the MFA Office that is consistent with the “One Country, Two Systems” principle</p>

Initiatives	Targets
<ul style="list-style-type: none">– consolidating information provided or requests made by the HKSAR Government to the MFA Office where the subject matters cut across more than one policy area <p><i>(CAB)</i></p>	



Ensure continual development of the electoral systems

The Basic Law sets out the blueprint for the gradual and orderly progress of our representative institutions. It provides for a steady increase in the number of geographical seats in the Legislative Council (LegCo), from 20 in the first LegCo in 1998, to 24 in the second LegCo in 2000 and to 30 in the third LegCo in 2004. The ultimate aim is the election of all 60 LegCo members by universal suffrage.

The first HKSAR LegCo election was held on 24 May 1998, with a record voter turnout of 1.49 million, representing a turnout rate of 53.3%. With the successful completion of the first LegCo election, our major task ahead is to prepare for the second LegCo election in 2000. The HKSAR Government is committed to ensuring that the electoral systems continue to develop in accordance with the blueprint of the Basic Law and meet the needs of the community. Our objective is twofold : to ensure that our electoral system remains open, fair, honest, acceptable to the community and fully compliant with the Basic Law; and to increase community awareness of, and participation in, the elections.

To this end, we will formulate legislative proposals for the second LegCo election within the framework of the Basic Law, and will continue to encourage the people of Hong Kong to participate in the coming election.

Indicators

The indicators we will use to measure progress in this area are –

- the formulation of legislative proposals for the 2000 LegCo election in accordance with the blueprint in the Basic Law and the needs of the community
- the practicality of arrangements for the conduct of the 2000 LegCo election
- the compliance of electoral systems with the blueprint in the Basic Law and the extent to which they meet the needs of the community
- the extent to which the community accepts the electoral arrangements as being open, fair and honest
- the degree of community participation in the electoral process

Initiatives

To formulate legislative proposals for the 2000 LegCo election in accordance with the Basic Law's blueprint and the needs of the community

(Constitutional Affairs Bureau (CAB))

Targets

To introduce relevant bills into LegCo in the first quarter of 1999

Initiatives	Targets
<p>To make suitable practical arrangements for the smooth conduct of the second LegCo election. These include –</p> <ul style="list-style-type: none"> – conducting a voter registration drive – publicising the 2000 LegCo election to enhance community awareness of and participation in the election – improving polling and counting arrangements on polling day <p><i>(CAB)</i></p>	<p>To conduct the election in 2000</p>

IV

Review and as appropriate implement changes to the structure and functions of district organisations

In 1997 we undertook to take forward public consultation on the functions of the district organisations, i.e., the Municipal Councils and the District Boards. Our intention is to recommend changes to the structure and functions of district organisations to ensure the efficient and responsive delivery of services to our evolving community. In particular, we will facilitate –

- the implementation of necessary changes
- the introduction of legislative changes
- arrangements for elections to district organisations to be held in the last quarter of 1999

Indicators

The indicators we will use to measure progress in this area are –

- the smooth implementation of changes required to the structure and functions of district organisations
- the level of improvements in and cost-effectiveness of municipal services provided following the restructuring
- the extent to which the community accepts the electoral arrangements as being open, fair and honest

Initiatives	Targets
<p>To formulate changes to the structure, functions, funding arrangements, executive support and composition of district organisations following the public consultation exercise. This will involve –</p> <ul style="list-style-type: none"> – introducing legislation to give effect to the changes of district organisations – implementing organisational and functional changes to the two municipal services departments and possibly other government agencies <p><i>(Constitutional Affairs Bureau (CAB))</i></p>	<p>To complete the changes by the end of 1999</p>
<p>To formulate legislative proposals for the district organisation elections</p> <p><i>(CAB)</i></p>	<p>To introduce relevant bills into LegCo in end 1998 or early 1999</p>
<p>To make arrangements for the smooth conduct of the district organisation elections. These will include publicising the elections to enhance community awareness of and participation in the elections</p> <p><i>(CAB)</i></p>	<p>To conduct the elections in the last quarter of 1999</p>