

*** Decision of the National People's Congress On
Improving the Electoral System of the
Hong Kong Special Administrative Region**

(Adopted at the Fourth Session of the Thirteenth National People's Congress
on 11 March 2021)

The Fourth Session of the Thirteenth National People's Congress (NPC) deliberated the motion regarding the request for examination of the "Draft Decision of the National People's Congress On Improving the Electoral System of the Hong Kong Special Administrative Region" submitted by the Standing Committee of the NPC. The session considered that the return of Hong Kong to the motherland put the region once again under the overall governance system of the country, and the Constitution of the People's Republic of China (PRC) and the Basic Law of the Hong Kong Special Administrative Region (HKSAR) of the PRC jointly form the constitutional basis of the HKSAR. The electoral system of the HKSAR, which includes the methods for the selection of the Chief Executive and for the formation of the Legislative Council (LegCo), is an important part of the political structure of the HKSAR. It should conform to the policy of "one country, two systems", meet the realities in the HKSAR and serve to ensure that Hong Kong is administered by people who love the country and Hong Kong; be conducive to safeguarding national sovereignty, security, and development interests of the country and maintain the long-term prosperity and stability of Hong Kong. To improve the electoral system of the HKSAR and develop a democratic system suited to the HKSAR's realities, the NPC has made the following decision pursuant to Articles 31 and 62(2), (14) and (16) of the Constitution of the PRC and the relevant provisions of the Basic Law of the HKSAR of the PRC and the Law of the PRC on Safeguarding National Security in the HKSAR:

1. Improving the electoral system of the HKSAR must fully and faithfully implement the policy of "one country, two systems" under which the people of Hong Kong administer Hong Kong with a high degree of autonomy, uphold the constitutional order in the HKSAR as

established by the Constitution of the PRC and the Basic Law of the HKSAR of the PRC, ensure the administration of Hong Kong by Hong Kong people with patriots as the main body, effectively improve the governance efficacy of the HKSAR, and safeguard the right to vote and the right to stand for election of permanent residents of the HKSAR.

2. The HKSAR shall establish an Election Committee which is broadly representative, suited to the HKSAR's realities, and representative of the overall interests of its society. The Election Committee shall be responsible for electing the Chief Executive designate and part of the members of the LegCo. The Election Committee shall also be responsible for nominating candidates for the Chief Executive and LegCo members, as well as for other matters.

The Election Committee shall be composed of 1,500 members from the following five sectors: industrial, commercial and financial sectors; the professions; grassroots, labour, religious and other sectors; LegCo members and representatives of district organizations; Hong Kong deputies to the NPC, Hong Kong members of the National Committee of the Chinese People's Political Consultative Conference and representatives of Hong Kong members of related national organizations.

3. The Chief Executive shall be elected by the Election Committee and appointed by the Central People's Government.

Candidates for the office of the Chief Executive shall be nominated jointly by not less than 188 members of the Election Committee, among whom the number of members of each sector should be not less than 15. The Election Committee shall elect the Chief Executive designate by secret ballot on a one-person-one-vote basis. The election of the Chief Executive designate shall require a simple majority vote of all the members of the Election Committee.

4. The LegCo of the HKSAR shall be composed of 90 members in each term. Members of the LegCo shall include members returned by the Election Committee, those returned by functional constituencies, and those by geographical constituencies through direct elections.

5. A candidate qualification review committee of the HKSAR shall be established. The committee shall be responsible for reviewing and confirming the qualifications of candidates for the Election Committee members, the Chief Executive, and the LegCo members. The HKSAR shall improve the system and mechanisms related to qualification review, to ensure that the qualifications of candidates are in conformity with the Basic Law, the Law on Safeguarding National Security in the HKSAR, the NPC Standing Committee's interpretation of Article 104 of the Basic Law, the NPC Standing Committee's decision on the qualification of HKSAR LegCo members, and provisions of relevant local laws of the HKSAR.

6. The NPC Standing Committee is authorized to, in accordance with the decision on improving the electoral system of the HKSAR, amend Annex I: Method for the Selection of the Chief Executive of the Hong Kong Special Administrative Region and Annex II: Method for the Formation of the Legislative Council of the Hong Kong Special Administrative Region and Its Voting Procedures, to the Basic Law.

7. In accordance with this decision and the Basic Law's Annex I and Annex II amended by the NPC Standing Committee, the HKSAR shall amend relevant local laws, and organize and regulate election activities accordingly.

8. The Chief Executive of the HKSAR shall submit in a timely manner reports to the Central People's Government on relevant important situations including the institutional arrangements for elections of the HKSAR and the organization of the elections.

9. The decision shall go into effect as of the date of promulgation.

Note:

* This is an English translation of the original instrument in Chinese and is published for information.