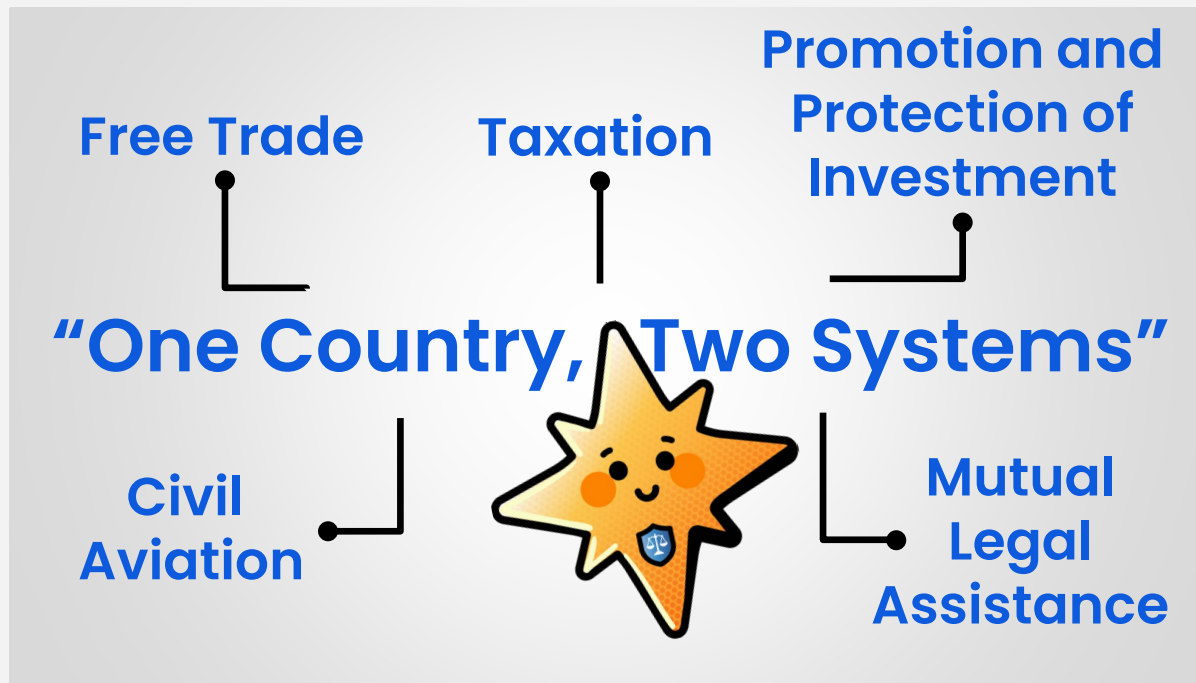


“RULE OF LAW” AND “ONE COUNTRY, TWO SYSTEMS”



What is "One Country, Two Systems"?



"One Country, Two Systems" means that there are two systems within a country. It allows Hong Kong's previous capitalist system and way of life to remain unchanged. **One country comes before two systems.**



Can you think of any example that reflects "One Country, Two Systems" in daily life?

What is "One Country, Two Systems"?

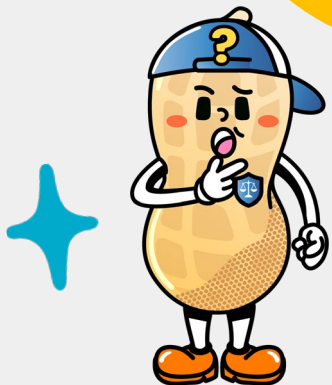
Freely exchange
foreign currency
with Hong Kong
Dollars?

Travel everywhere
with the HKSAR
Passport?



Winning medals for
Hong Kong, China?

Other examples?

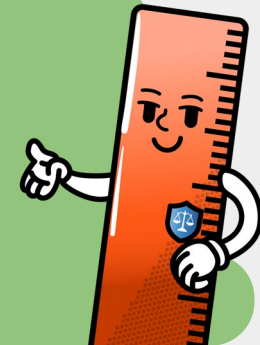


What is “One Country, Two Systems”?

It is usual that within a country, there is only one system. Why can Hong Kong implement “One Country, Two Systems”?



Legal basis is needed to implement “Two Systems”.

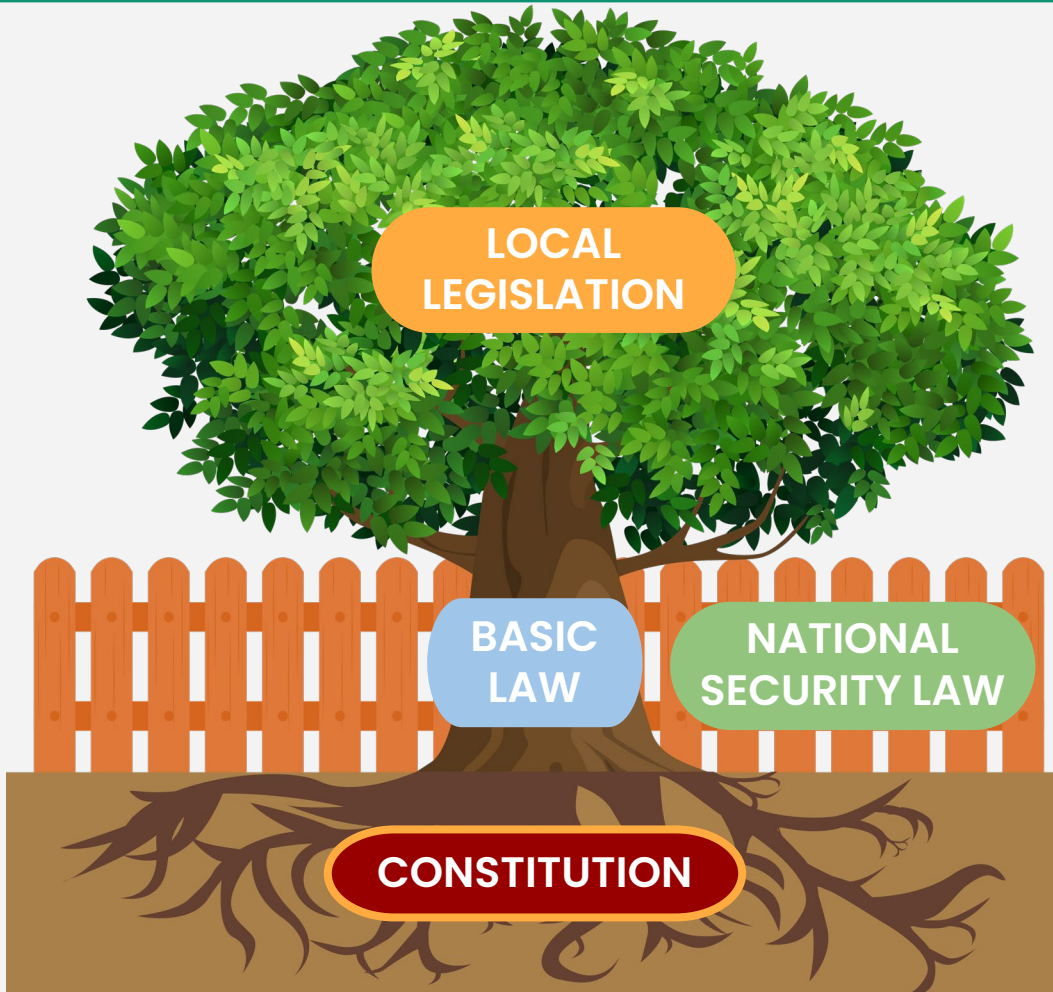


The Constitution – **Basis** of “One Country, Two Systems”



The Constitution

- ❑ Enacted by the highest organ of state power, the National People's Congress
- ❑ The fundamental law of the state, having supreme legal force
- ❑ Stipulates the fundamental system of the state
- ❑ The powers of local governments are authorised by the Central Authorities
- ❑ Authorised the establishment of the HKSAR

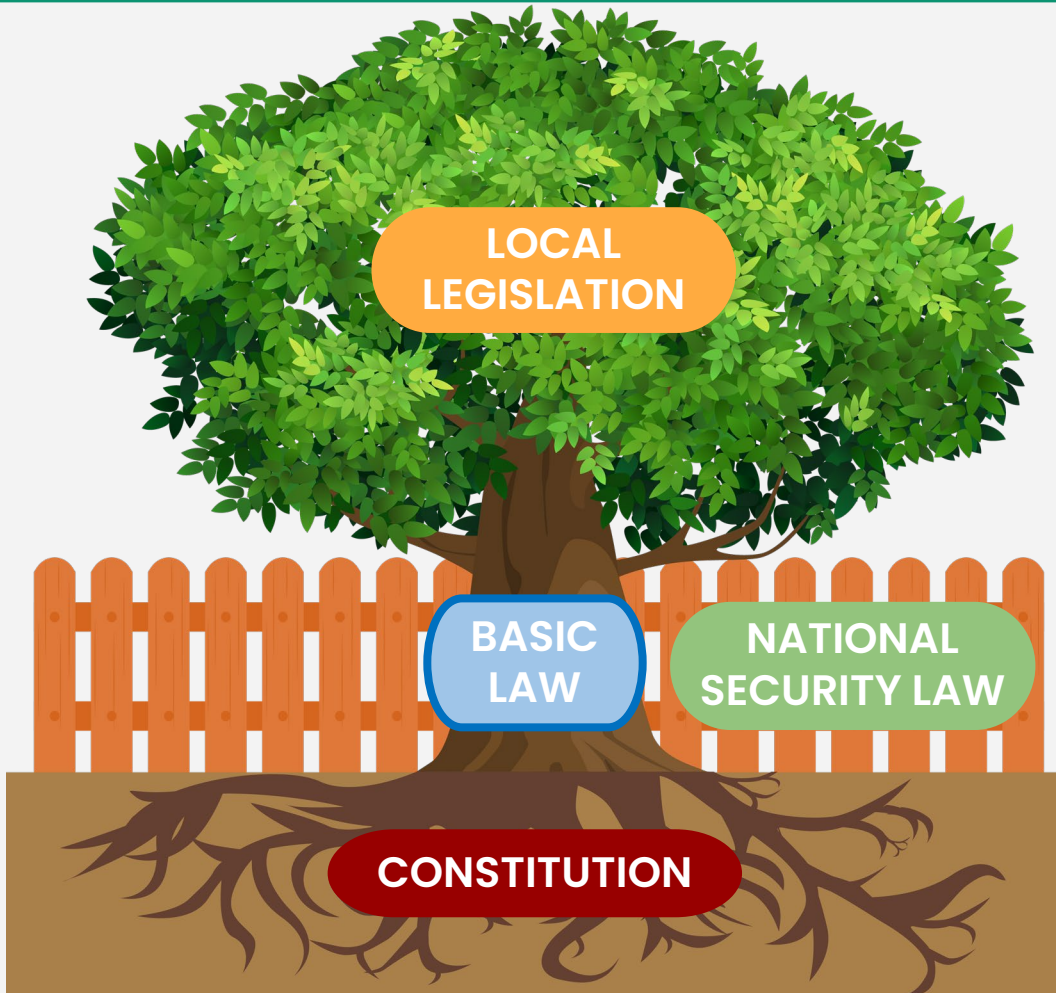


The Basic Law – **Framework** of “One Country, Two Systems”



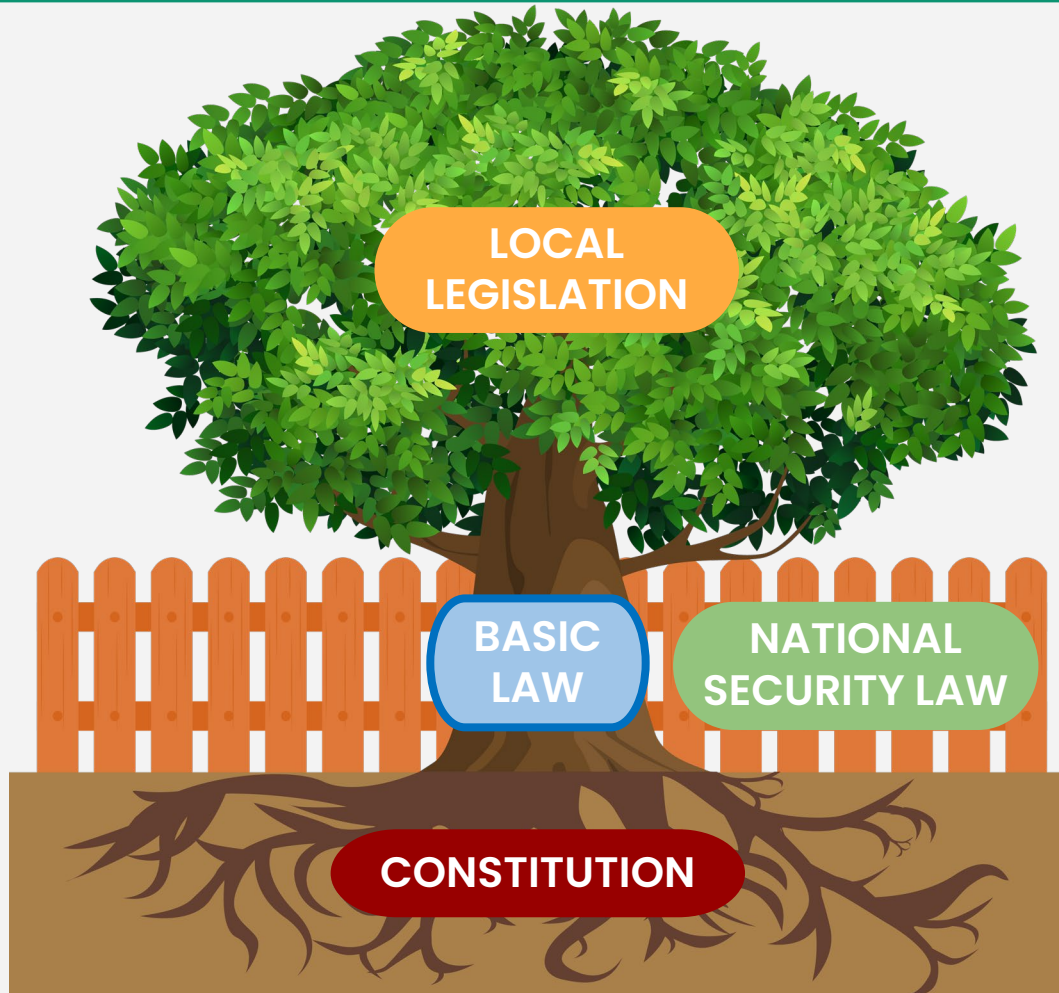
Basic Law

- ❑ The Constitution preceded the Basic Law
- ❑ The Basic Law is an “authorisation law”. The high degree of autonomy in the HKSAR comes under the authorisation of the Central Government.
- ❑ The Basic Law stipulates the system implemented in the HKSAR





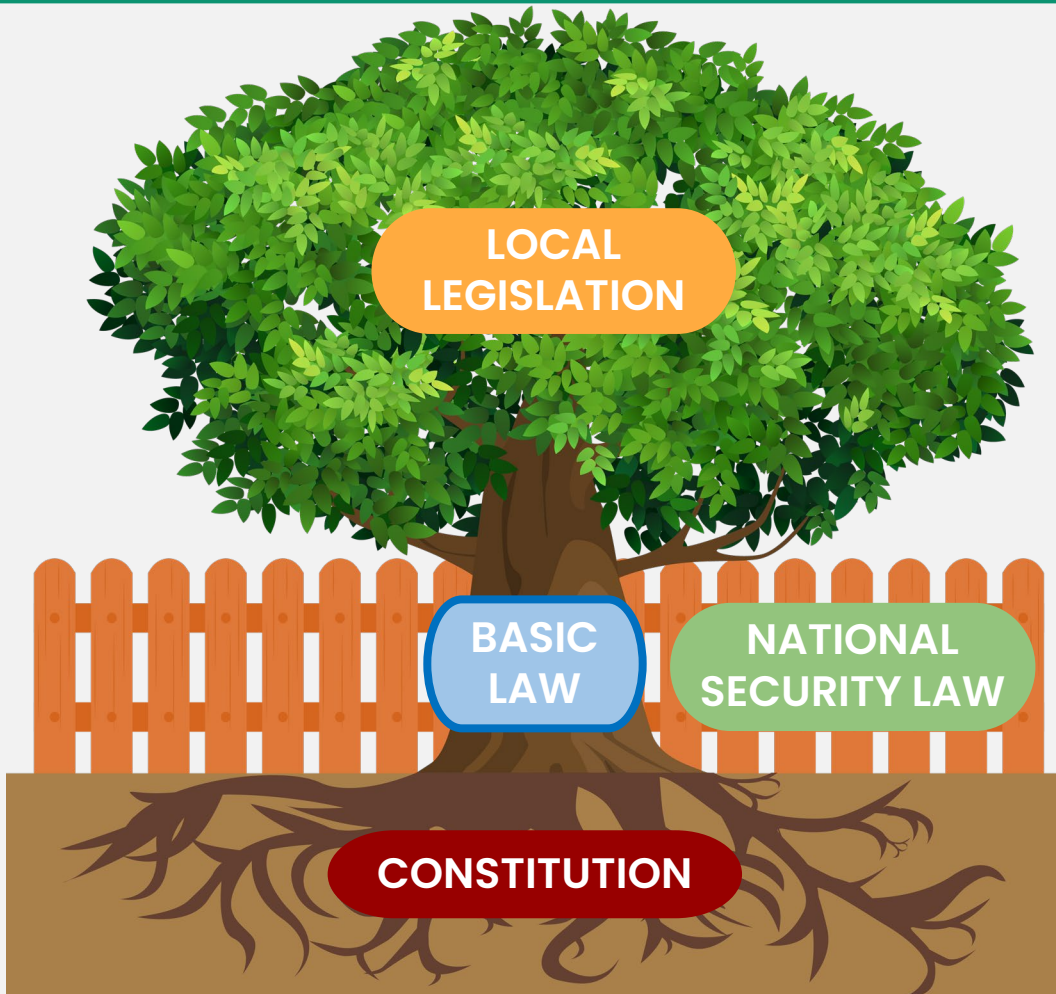
The Basic Law – **Framework** of “One Country, Two Systems”



Basic Law

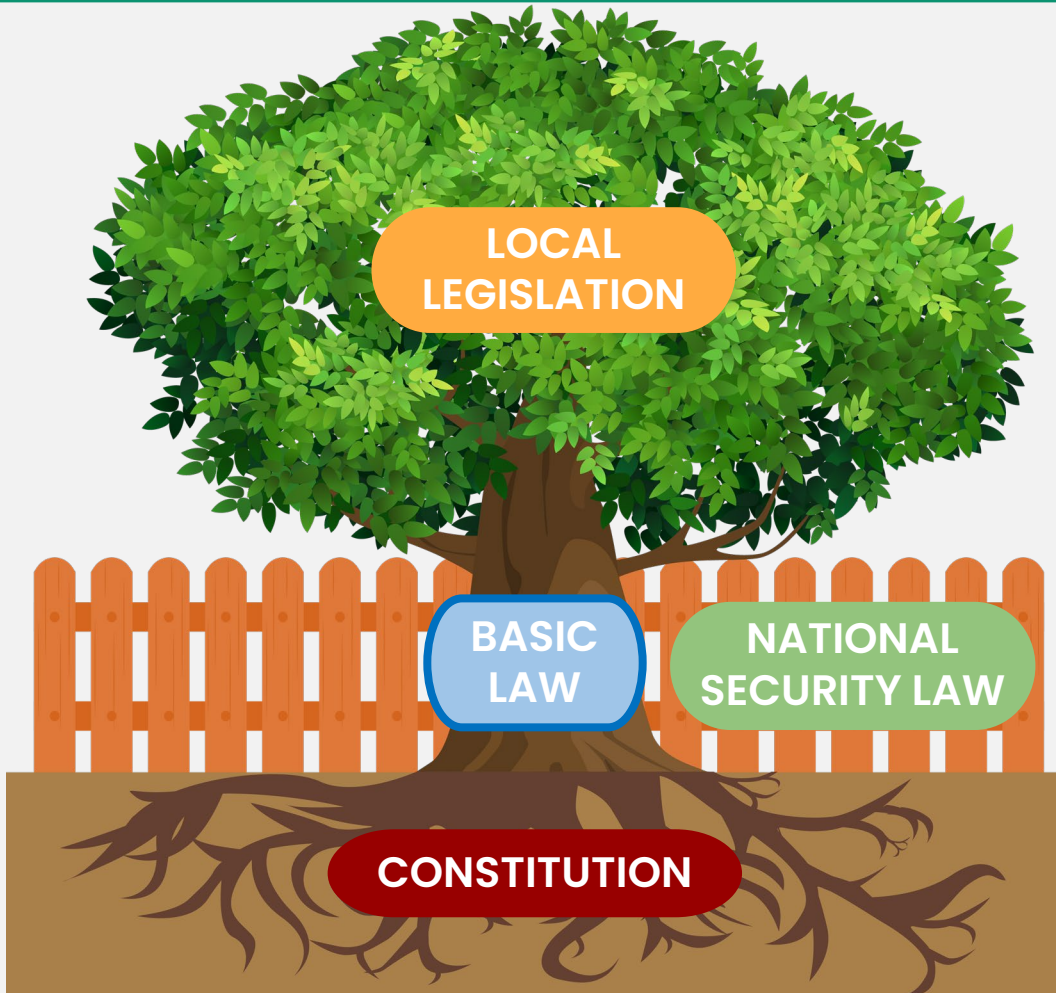
- ❑ Establishes an executive-led system headed by the Chief Executive (CE)
- ❑ CE is vested with the dual role as the head of the HKSAR and the head of the Government of the HKSAR
- ❑ In the **executive-led** system, the executive branch plays a **proactive and leading role** in its relationship with the legislative branch, e.g. the wider right of legislative initiatives vested with the Government
- ❑ **A relationship of checks and balances exists between the executive and legislative branches.** Article 64 of the Basic Law stipulates, among other things, that the Government must be accountable to the Legislative Council (LegCo) and implement laws passed by the LegCo and already in force

The Basic Law – Framework of “One Country, Two Systems”



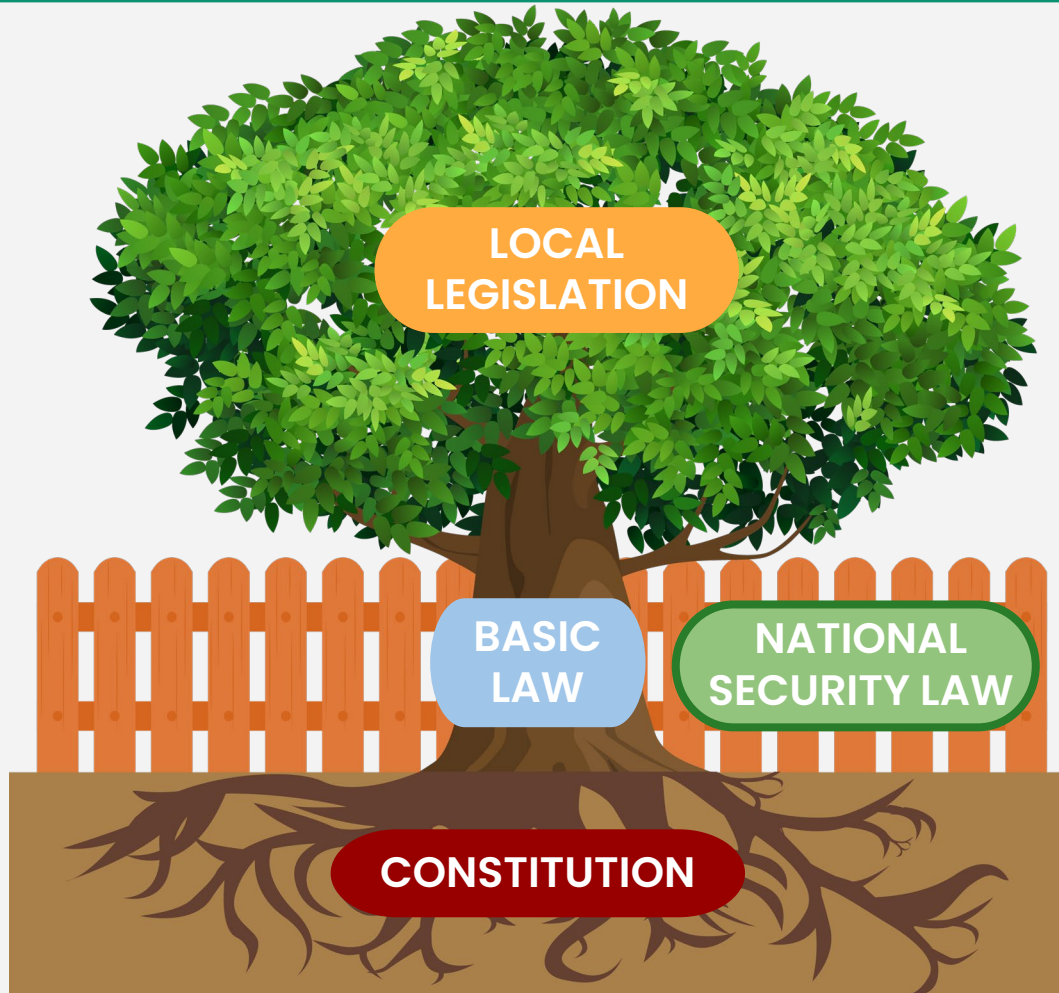
- ❑ The implementation of executive-led governance is by no means a denial of independent exercise of judicial power
- ❑ Article 64 of the Basic Law stipulates, among other things, that the Government must abide by the law while Article 35 protects various rights of Hong Kong residents, including the right to institute legal proceedings in the courts against the acts of the executive authorities and their personnel
- ❑ CE plays a unique, vital role in the operational of the Judiciary, e.g. the appointment and removal of judges and judicial officers
- ❑ Under specific individual circumstances, the Judiciary must comply with the opinion of the CE, e.g. certificate issued by the CE on questions of fact concerning acts of state such as national defense and foreign affairs

The Basic Law – Framework of “One Country, Two Systems”



- ❑ There is a division of powers among the executive, legislative and judicial branches, each performing their duties and providing checks and balances on each other
- ❑ The ultimate goal is to serve the well-being of the general public and the overall interests of Hong Kong. It requires everyone to play their respective roles well, build good interaction and mutual understanding with each other, and work together to tell Good Stories of Hong Kong
- ❑ Maintaining and perfecting executive-led governance is key to ensuring the steadfast and successful implementation of “One Country, Two Systems”

Hong Kong National Security Law – **Safeguard** of “One Country, Two Systems”



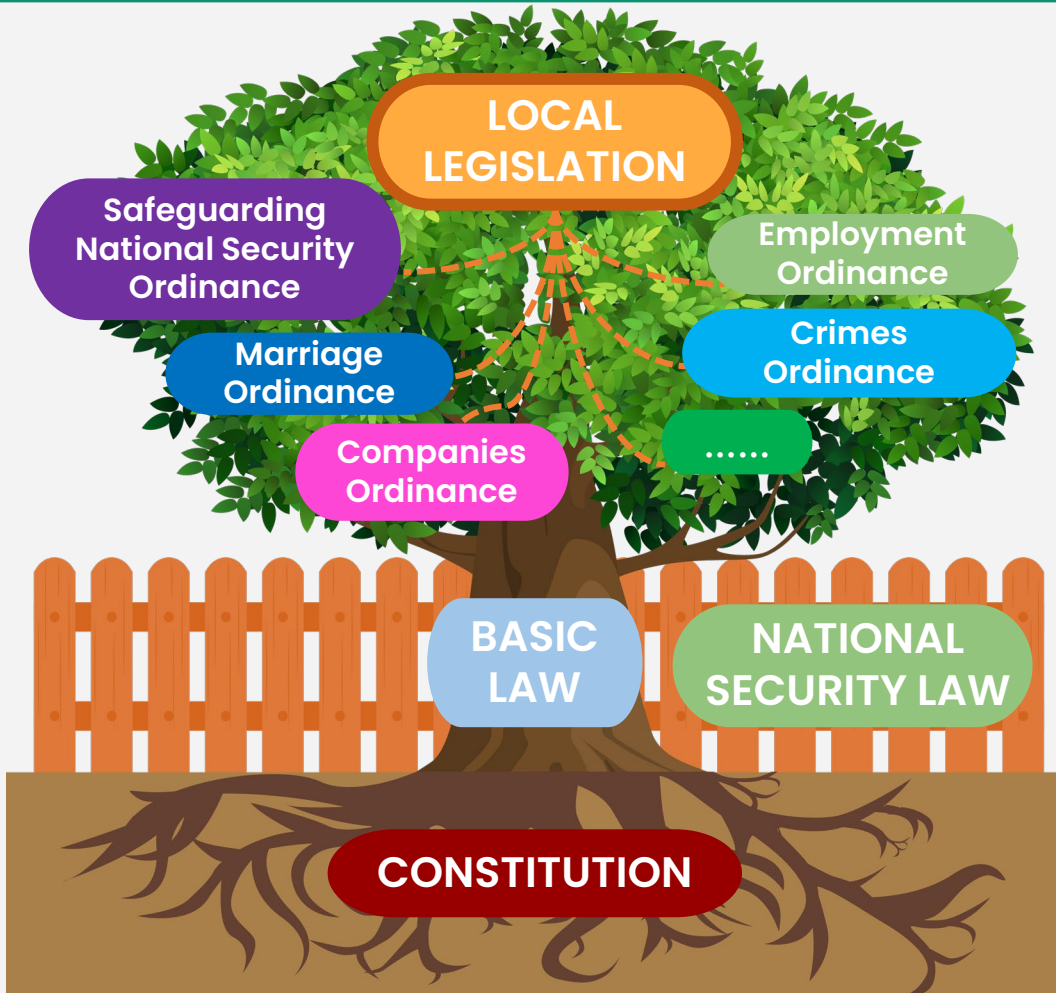
Hong Kong National Security Law

- ❑ Ensures the steadfast and successful implementation of “One Country, Two Systems”
- ❑ Articles 1 and 12 of the Basic Law are of fundamental importance
- ❑ Safeguards national sovereignty, safety and development interests
- ❑ Regulates four types of criminal activities that endanger national security
- ❑ Human rights shall be respected and protected in safeguarding national security in the HKSAR



What can we do to help safeguard national security?

Local Legislation – A **reflection** of “One Country, Two Systems”



Local Legislation

- ❑ The Basic Law stipulates that national laws shall not be applied in the HKSAR except for those listed in Annex III to the Basic Law
- ❑ The Basic Law guarantees that the HKSAR enjoys legislative power
- ❑ Local legislation covers different areas, for example, national security, matrimonial and family matters, commerce and trade, etc. Local legislation provides legal protection to the general public, which reflects “One Country, Two Systems”

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