

立法會

Legislative Council

LC Paper No. LS75/05-06

**Paper for the House Committee Meeting
on 9 June 2006**

**Legal Service Division Report on
Proposed Resolution under section 8 of the
District Councils Ordinance (Cap. 547)**

District Councils Ordinance (Amendment of Schedule 1) Order 2006

The Secretary for Home Affairs has given notice to move a motion at the Legislative Council meeting of 21 June 2006. The purpose of the motion is to seek the Legislative Council's approval of the District Councils Ordinance (Amendment of Schedule 1) Order 2006 made under section 8 of the District Councils Ordinance (Cap. 547) ("the Ordinance").

2. Schedule 1 to the Ordinance sets out the number and declaration of districts. When delineating District Council constituency boundaries, the Electoral Affairs Commission is required to follow the existing district boundaries.

3. The purpose of this Order is to realign the boundaries of Sham Shui Po District and Kwai Tsing District (by substituting new maps in place of existing maps that delineate the area of the two Districts) in order to put Nob Hill, which straddles the two Districts, wholly within Sham Shui Po District.

4. Members may refer to the LegCo Brief (File ref.: HAD HQ CR/13/5/2(c)) issued by the Home Affairs Department in May 2006 for details.

5. According to the LegCo Brief, the Sham Shui Po District Council and the Kwai Tsing District Council have been respectively consulted in February 2006. The Sham Shui Po District Council has passed a motion unanimously urging the Administration to include not only Nob Hill but also five other neighbouring residential developments in Sham Shui Po District. The Kwai Tsing District Council, on the other hand, considered it more important for the Administration to consult the Nob Hill residents. Some members suggested that the entire Nob Hill should be included in Kwai Tsing District. A survey was conducted by the Owners' Committee of Nob Hill. A great majority of the respondents (82%) preferred their residential development to be included in Sham Shui Po District.
6. The Panel on Home Affairs has not been consulted.
7. The Order shall come into operation on 1 January 2008 when the new term of the District Council commences but for the purpose only of enabling arrangements to be made for the holding of the District Council ordinary election, the Order shall come into operation on 14 July 2006.
8. No difficulties relating to the legal and drafting aspects of the proposed resolution have been identified.

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