

立法會
Legislative Council

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LC Paper No. CB(2)538/06-07
(These minutes have been seen
by the Administration)

Panel on Constitutional Affairs

Minutes of meeting
held on Monday, 16 October 2006, at 2:30 pm
in the Chamber of the Legislative Council Building

Members present :

Dr Hon LUI Ming-wah, SBS, JP (Chairman)
Hon TAM Yiu-chung, GBS, JP (Deputy Chairman)
Hon James TIEN Pei-chun, GBS, JP
Hon Albert HO Chun-yan
Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP
Hon Margaret NG
Hon Mrs Selina CHOW LIANG Shuk-yeet, GBS, JP
Hon CHEUNG Man-kwong
Hon CHAN Yuen-han, JP
Hon Bernard CHAN, GBS, JP
Hon Mrs Sophie LEUNG LAU Yau-fun, SBS, JP
Hon WONG Yung-kan, JP
Hon Jasper TSANG Yok-sing, GBS, JP
Hon Howard YOUNG, SBS, JP
Dr Hon YEUNG Sum
Hon LAU Kong-wah, JP
Hon Emily LAU Wai-hing, JP
Hon CHOY So-yuk, JP
Hon Timothy FOK Tsun-ting, GBS, JP
Hon LI Fung-ying, BBS, JP
Hon Audrey EU Yuet-mee, SC, JP
Hon WONG Kwok-hing, MH
Hon LEE Wing-tat
Hon Daniel LAM Wai-keung, SBS, JP
Hon LEUNG Kwok-hung
Dr Hon KWOK Ka-ki
Hon WONG Ting-kwong, BBS
Hon Ronny TONG Ka-wah, SC
Hon CHIM Pui-chung
Hon Patrick LAU Sau-shing, SBS, JP
Hon KWONG Chi-kin

Members absent : Hon LEE Cheuk-yan
Hon Martin LEE Chu-ming, SC, JP
Hon LEUNG Yiu-chung
Dr Hon Philip WONG Yu-hong, GBS
Hon LAU Wong-fat, GBM, GBS, JP
Hon Abraham SHEK Lai-him, JP
Hon MA Lik, GBS, JP
Hon Alan LEONG Kah-kit, SC
Hon CHEUNG Hok-ming, SBS, JP

Clerk in attendance : Mrs Percy MA
Chief Council Secretary (2)3

Staff in attendance : Mrs Eleanor CHOW
Senior Council Secretary (2)4

Mrs Fanny TSANG
Legislative Assistant (2)3

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I. Items for discussion at the next meeting

(LC Paper No. CB(2)32/06-07(01) - List of outstanding items for discussion)

Secretary for constitutional Affairs (SCA) proposed and members agreed to discuss "Proposed guidelines on election-related activities in respect of the Chief Executive elections" at the next meeting to be held on 20 November 2006.

2. Referring to the issue of constitutional development on the outstanding list, Ms Emily LAU expressed dissatisfaction that the Commission on Strategic Development (CSD) was entrusted by the Administration to study models for implementing universal suffrage for selecting the Chief Executive (CE) and for forming the Legislative Council (LegCo). She said that in view of CSD's composition and mode of operation, the public and many LegCo Members could not participate in its discussions. She considered that the Panel should be the forum to discuss the issue. By entrusting the work to CSD, the Administration was sidelining the role of LegCo. Given that CSD would publish its report in the first half of 2007, Ms LAU proposed to discuss the issue at the next meeting.

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3. Mr TAM Yiu-chung said that the Panel and CSD were separate entities. Irrespective of the conclusions drawn by CSD, the Panel and other sectors in the community were free to hold discussions on the issue.

4. SCA responded that CSD was a consultative body while LegCo's constitutional status was conferred by the Basic Law. Any proposals put forth by CSD on the implementation of universal suffrage would be subject to the scrutiny and approval of LegCo. In the past LegCo session, the Administration had provided discussion papers of CSD for Members' reference through the LegCo Secretariat. As CSD would organise a workshop for academics and other parties to exchange views with CSD members on the methods for forming LegCo by universal suffrage in early November 2006, the Administration would provide the latest discussion papers for the workshop to facilitate Panel's discussion at the next meeting.

5. Ms Audrey EU enquired about the timing for the Panel to discuss item 2 "The question of 'important bill' under Article 50 of the Basic Law" on the outstanding list. SCA informed members that the Administration maintained the view that CE would consider the circumstances of each case and the overall interests of Hong Kong in determining whether a bill was "important". The Administration had no new input on the issue. Mr TAM Yiu-chung suggested that members should refer to previous Panel discussions and decide at the next meeting whether the issue should be discussed at the meeting in December 2006. Members agreed.

II. Briefing by the Secretary for Constitutional Affairs on the Chief Executive's 2006-07 Policy Address

(2006-07 Policy Address - "Proactive Pragmatic Always People First")

2006-07 Policy Agenda

Leaflet on 2006-07 Policy Address

LegCo Brief on District Council Review - Implementation in Light of Public Consultations

LC Paper No. CB(2)32/06-07(02) - Paper provided by the Administration on "2006-07 Policy Agenda")

Briefing by the Administration

6. SCA briefed members on the initiatives of the Constitutional Affairs Bureau for 2006-2007. A copy of SCA's speaking note is in the **Appendix** (in Chinese only).

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7. Permanent Secretary for Home Affairs (PSHA) briefed members on the outcome of the public consultation on the Consultation Document on the Review of the Role, Functions and Composition of District Council (the Consultation Document) and the plan to implement a pilot scheme as set out in the LegCo Brief on District Council Review. In gist, all the 18 District Councils (DCs) supported the broad directions of the package of proposals put forth in the Consultation Document. There was also general support in the community for the thrust of the proposals. Having considered the views collected, the Administration had made several minor revisions relating to the setting up of a District Facilities Management Committee under each DC and the new remuneration package for DC members (Annex A to the LegCo Brief refers). The Administration had proposed to implement a pilot scheme in four districts, namely Wan Chai, Wong Tai Sin, Sai Kung and Tuen Mun from 1 January 2007. The purpose of the pilot scheme was not to decide whether or not DCs should be involved in the management of district facilities. The pilot scheme served to test out protocols and working relationship amongst the various stakeholders in order to pave the way for a smooth and effective roll-out to all 18 districts from the next DC term in January 2008. A tertiary institution would be engaged as consultant to conduct an evaluation study on the implementation of the pilot scheme. The Administration would seek Finance Committee's approval of the new remuneration package for DC members and the additional provision for the four pilot districts for additional community involvement projects and minor works.

8. PSHA supplemented that the Administration was drawing up the following guidelines to facilitate implementation -

- (a) guideline on the reimbursement of DC members' remuneration package;
- (b) guideline on the use of DC funds for minor works and community improvement projects;
- (c) guideline on the delineation of responsibilities and duties between the executive departments and DCs; and
- (d) guideline on the implementation of district projects.

She said that some of the above guidelines might have to be refined in the light of the pilot scheme for rolling out to all the 18 DCs from January 2008.

Issues raised by members

Constitutional development after 2007

9. Dr YEUNG Sum asked whether a timetable for implementing universal suffrage would be available during CE's current term of office.

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10. SCA responded that at present, CSD was studying possible models for implementing universal suffrage for the selection of CE and forming of LegCo. If consensus could be reached on the roadmap for attaining universal suffrage, a timetable for universal suffrage would come by naturally. It was hoped that in the coming few months, members of CSD would narrow their differences through discussions and reach consensus on the relevant issues. The Administration would publish a report to draw conclusions on the discussion of CSD (the report) during the first half of 2007, and would submit the report to the Central Authorities.

11. Mr LEE Wing-tat said that being a member of CSD, he was dissatisfied with the work progress of CSD which was much slower than expected. Having participated in the discussion of CSD on the issue of universal suffrage for nine months, the two mainstream proposals for selecting CE and forming LegCo respectively could be summarised as follows. For the selection of CE, there were views that CE should be elected by universal suffrage in 2012, and there were also views that CE should be returned by a "small circle election" with an expanded electorate. As regards the formation of LegCo, there were views that all LegCo seats should be returned through direct elections, and there were also views that the ultimate model of universal suffrage could allow functional constituencies (FCs) to be retained. Although a bicameral system was discussed, the majority of the CSD members were opposed to such a system. Mr LEE pointed out that members of CSD were appointed by CE and the majority of them were very conservative. The consensus reached by CSD members did not necessarily represent that of the people. He expressed serious concern that the Central Authorities would regard the conclusions drawn by CSD as the consensus of the community. Mr LEE further said that as the public had not been involved in the discussion of CSD, the Administration should conduct a public consultation on the relevant issues for a period of three to six months before submitting a report to the Central Authorities. He specifically asked the Administration the following -

- (a) whether the Administration would immediately conduct a public consultation on the views collected by CSD on the relevant issues, and include the outcome of the public consultation in the report to be submitted to the Central Authorities; or
- (b) whether the Administration would conduct a public consultation after it had published a report on the conclusions of the discussion of CSD, and include the outcome of the public consultation in the report to be submitted to the Central Authorities.

12. SCA responded that Hong Kong had to develop an electoral system to suit its needs. The models for implementing universal suffrage must address the interests of different sectors of society and comply with the Basic Law. It

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required the concerted effort of all parties concerned to formulate a proposal on universal suffrage that was acceptable to the Central Authorities, the Government of the Hong Kong Special Administrative Region (HKSAR), LegCo, and different sectors of the community. Members of CSD were drawn from a broad cross section of the community including LegCo Members, individuals with or without political background, professionals, businessmen, prominent labour and media personalities. The work carried out by CSD at this stage sought to build up consensus through collecting a wide spectrum of views on how universal suffrage should be attained, narrowing the differences in opinion through discussions, and striving to reach consensus on the relevant issues. All the views collected by CSD, including views expressed by Members at previous Panel meetings, were information in the public domain and would be included in the CSD report. The report, to be published in the first half of 2007, would be made public and submitted to the Central Authorities.

13. Mr LEE Wing-tat expressed disappointment at SCA's reply. He reiterated his request that the Administration should conduct a public consultation before submitting a report to the Central Authorities. Mr CHEUNG Man-kwong shared the views of Mr LEE. Mr CHEUNG expressed concern that once the Central Authorities had accepted the conclusions of the report, there was no scope for making amendment to the report. He also cautioned that if the consensus reached by CSD was different from public aspiration, the Administration would be misleading the Central Authorities.

14. SCA assured members that the public and LegCo would be given a period of time to discuss the report after its publication. The report, together with the views received on it, would provide a sound basis for the third term CE to consider the way forward for constitutional development in 2012 and beyond.

15. Mr LEUNG Kwok-hung said that those who had the notion that CE would mislead the Central Authorities into accepting the conclusions of CSD lacked political wisdom. In his view, it was CE who asked CSD to deliver the conclusions that were acceptable to the Central Authorities. It was also against this background that CSD, which was not one of the three parties stipulated in Annexes I and II to the Basic Law, was entrusted with the task to explore electoral methods for implementing universal suffrage.

16. SCA responded that the establishment of CSD was an internal decision of the HKSAR Government. Members of CSD included LegCo Members, such as Mr LEE Wing-tat, Mr James TIEN and Mr LEE Cheuk-yan, who were returned through direct elections. In addition, any proposal to implement universal suffrage would be subject to LegCo's scrutiny and endorsement by a two-thirds majority of LegCo Members.

17. Mr CHIM Pui-chung said that he had all along opposed to entrusting CSD as the body to study constitutional issues. LegCo should not and would not

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recognise the status of CSD and its role in constitutional development. In his view, the establishment of CSD would sideline the role of LegCo. He criticised that Members who accepted the appointment as CSD members lacked political wisdom. In the view of LegCo, the conclusions drawn by CSD would not serve any meaningful purpose. He personally would object any proposals put forth by CSD.

18. Mr Albert HO said that in delivering his second Policy Address, CE had the opportunity to speak on his vision and mission in respect of constitutional development and he had not done so. On the other hand, he had evaded the issue and made no commitment on how to implement democratic reform in Hong Kong. He pointed out that LegCo represented the views of three million voters and yet CE had not held discussion with Members or the major political parties in LegCo on how universal suffrage should be attained. At the same time, CE had chosen CSD, rather than LegCo, as the platform to formulate proposals for implementing universal suffrage and had attended each of its six meetings. He expressed disappointment that CE had not made any attempt to discuss with LegCo or political parties with a view to narrowing differences and reaching consensus, or partial consensus, on the issue. He urged SCA to suggest to CE that a round table conference should be organised with political parties to discuss the issue of universal suffrage.

19. SCA said that although CSD had discussed the issue of universal suffrage for less than a year, it had made some progress. Mr LEE Wing-tat and Mr LEE Cheuk-yan had attended the CSD meetings and made constructive comments. On models for selecting CE by universal suffrage, Mr LEE Wing-tat had proposed that the nominating committee should be formed by 60 LegCo Members. Mr LEE Cheuk-yan had proposed that a CE candidate should obtain the support of a few thousand registered voters before he could be validly nominated by a nominating committee. On models for forming LegCo by universal suffrage, different proposals were discussed, including the future of FCs. SCA disagreed that CE had not discussed the issue with political parties. He pointed out that CE had listened to the views of political parties prior to the delivery of his Policy Address.

20. Ms Emily LAU questioned the status of CSD and why the Central Authorities should consider a report on its conclusions. She said that since the package of proposals for selecting CE in 2007 and forming LegCo in 2008 was not supported by LegCo Members, CE had not discussed the issue of constitutional development with political parties. She asked whether SCA would move a motion on the report to gauge the stance of LegCo Members. The Administration could submit the report to the Central Authorities after the motion was passed by a two-thirds majority of LegCo Members.

21. SCA reiterated that members of the public and LegCo would be given the opportunity to discuss the report after its publication. Members were free to

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move a motion on the report for debate at a Council meeting or discuss the report at Panel meetings. However, as the Administration had yet to formally introduce a proposal to amend the two electoral methods by way of a legal instrument for the endorsement of LegCo, the voting procedure under Annexes I and II of the Basic Law would not apply.

22. Referring to paragraph 10 of the Administration's paper that the Administration would continue to make the best endeavours in mapping out a blueprint for Hong Kong's constitutional development covering 2012 and beyond, Ms Margaret NG asked the Administration when it would start discussing the issue with LegCo with a view to reaching consensus, or whether it intended to reach consensus with LegCo only after the publication of the report.

23. SCA explained that the Administration was taking a two-pronged approach in taking forward the work for implementing universal suffrage. On the one hand, it had entrusted CSD to discuss possible models for implementing universal suffrage. On the other hand, it had started discussing the issue with LegCo Members since the last session. The views of Panel members were forwarded to CSD for consideration and were made public. It was the view of the Administration that the issue should be discussed widely both in and outside LegCo with a view to narrowing differences in opinion. At this stage, the Administration did not have any specific proposal on hand to discuss or to reach consensus with LegCo.

24. Ms Margaret NG said that it was a fact that the Administration had not started discussion with LegCo with a view to narrowing differences. Take the electoral method for forming LegCo as an example, there were proposals that FCs should be abolished outright or in phases, but the issue was only discussed in CSD and not in LegCo. She queried how consensus could be reached on the future of FCs if it had not been fully deliberated by LegCo. There was also a need to discuss how universal suffrage could be attained in selecting CE. For example, the question of whether the election of CE by "one person, one vote" following nomination by the nominating committee could be construed as universal suffrage should be addressed.

25. Referring to paragraph 6 of the Administration's paper regarding the principles for implementing universal suffrage, Ms Emily LAU pointed out that the principle of "universal and equal rights for all citizens to nominate and be nominated" was not included. Referring to Paragraph 8 of the Administration's paper, Ms LAU said that imposing a threshold for nominating CE candidates was against the principles of universal suffrage. Ms LAU added that the Administration's paper had put forward models for implementing universal suffrage on a selective basis. For instance, the proposal of Mr James TIEN to phase out FCs and the Frontier's proposal to implement universal and equal suffrage for the CE election were not included in paragraphs 8 and 9 of the paper.

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26. SCA reiterated that past papers and discussions of CSD and LegCo on the issue of universal suffrage were duly recorded and available for public inspection. At the last CSD meeting when the method for selecting CE by universal suffrage was discussed, he had made clear that the Administration had received different proposals for the composition of nominating committee. The proposals of various parties, including that of Frontier, would be included in the CSD report. There were proposals advocating a threshold for nominating CE candidates be imposed. There were also proposals for the membership of a nominating committee be ranged from 60 to 1 600. At this stage, the Administration had not formed any view on the matter. Nevertheless, any proposal must comply with Article 45 of the Basic Law which provided that CE should be selected by universal suffrage upon nomination by a broadly representative nominating committee in accordance with democratic procedures. As regards the concept of universal suffrage, the Administration had already made known its position in a paper prepared for CSD. There was no dispute on the principle that citizens should have universal and equal rights to take part in elections by "one person, one vote". United Nations human rights standards relating to elections were, however, broad in nature and could be achieved through a variety of political systems. The question of whether universal suffrage should take the form of direct or indirect election was open for discussion.

Further development of the Political Appointment System

27. Dr YEUNG Sum was sceptical whether the proposal of further development of the Political Appointment System by creating two additional layers within the Government, namely Deputy Directors of Bureau and Assistants to Directors of Bureau, could achieve the aim of grooming political talents. In his view, providing opportunities for people to participate in direct elections would create favourable condition for nurturing political talents. In the absence of direct elections, he doubted whether political talents would be attracted to participate in political affairs. He pointed out that the Administration had the opportunity to devolve more power to DCs so as to attract more political talents and yet it had chosen not to do so. He held the view that the creation of two additional layers sought to enhance CE's power in appointing like-minded individuals to his governing team. Apart from allowing CE to give political benefits to political parties in exchange for their support, the proposal did not serve any meaningful purpose. Dr YEUNG expressed concern about the impact of the proposal on staff morale and division of labour of civil servants, in particular the Permanent Secretaries who at present had to shoulder the political responsibility to explain Government policies at LegCo meetings.

28. SCA explained that the further development of the Political Appointment System sought to provide better safeguard to civil servants. At present, senior civil servants were involved in work with political content such as explaining Government policies and decisions to LegCo Members and the media. Under the

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proposed arrangements, Deputy Directors of Bureau would take up these duties. The Administration would continue to open up the political system to create more room for participation in public affairs, thereby enable more public spirited individuals to serve the community. By extending the system of political appointments, people from different backgrounds would have more opportunities to pursue a broader political career. The proposal also sought to pave way for the selection of CE by universal suffrage and provide future CEs with sufficient room to form his own political team.

29. Mr LAU Kong-wah said that whether the proposal of furthering the Political Appointment System would work depended on public acceptance. Public acceptance would hinge on whether the creation of the two additional layers would result in duplication of work between Administrative Officers and the new political appointees, and whether it was good value for money. There was public expectation that political appointees would help enhance communication between the Government and the community, improve relationship between the Executive and the Legislature, and result in better governance. He was, however, uncertain whether political appointees could discharge these functions effectively. He also expressed concern about the response of civil servants on the proposal.

30. SCA said that since the publication of the Consultation Document on the proposal, the Administration had listened to public views and received submissions including those from staff associations. It had exchanged views with civil servants of different levels including Information Officers, Administrative Officers, department heads, etc. According to his understanding, the main concern expressed by civil servants was the demarcation of role and duties between the political tier and civil service. Under the proposal, Directors of Bureau and their deputies would take the lead in handling controversial and political issues so as to safeguard the permanency of the civil service system and maintain the political neutrality of civil servants. The proposal might be fine tuned after taking account of public views and the final proposal would be published in the first half of 2007. The actual timing and pace of implementation would be subject to, among other factors, the availability of resources and individuals of the right calibre to fill the new positions. Although the cost for implementing the proposal, which amounted to some \$60 million per annum, was not a significant amount against the annual government budget of \$200 billion, the Administration would be cautious in the use of public funds.

31. Mr LAU Kong-wah held the view that Permanent Secretaries were competent in handling controversial and political issues such as explaining and defending Government policies and decisions and lobbying for support as in the case of the Interception of Communications and Surveillance Bill. He doubted whether Deputy Directors of Bureau could have done better.

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32. SCA responded that Permanent Secretaries indeed had done a good job in that regard. He noted that the political systems of some democratic countries were more clear cut in that political appointees were the ones to explain and lobby support for Government policies and decisions in the parliament. In the long term, Hong Kong could refine the role and responsibilities between the political tier and the civil service to make them more distinctive.

33. Mr LEE Wing-tat said that although the Administration had explained that the two new political layers would have no direct line of command over civil servants, including Permanent Secretaries, the fact remained that when the Deputy Directors of Bureau acted as Directors of Bureau during the latter's absence, they would be in direct command over the civil servants. He asked about the power and duties of Deputy Directors of Bureau when acting as Directors of Bureau and the delineation of the role and responsibility between Permanent Secretaries and Deputy Directors of Bureau.

34. SCA explained that Deputy Directors of Bureau would be vested with statutory powers while they performed duties of Directors of Bureau in the absence of the latter. They would attend the main meetings of LegCo to respond to motion debates and LegCo questions, handle legislative work, and sign relevant documents. In line with the existing practice, Permanent Secretaries would be reporting to Directors of Bureau and responsible for managing staffing and financial matters, conducting researches and analyses on policy options and making policy proposals. He envisaged that at the commencement of each LegCo session, Directors of Bureau would discuss with Deputy Directors of Bureau and Permanent Secretaries the division of work in the coming year based on the policy agenda. SCA said that although CE and his governing team might change every five years, the permanency of the civil service would be maintained. The civil service would remain as a professional and politically neutral institution contributing to the effective governance of Hong Kong. In this respect, the system of government in Hong Kong was similar to that of the United Kingdom and Canada which composed of a political tier and the civil service. SCA believed that over time, the political tier and the civil service in Hong Kong would find their way to work effectively together as other countries did.

35. Mr CHIM Pui-chung said that the measures taken by the Administration, including the creation of two political layers and the proposal to enhance the participation of DC members in the CE election in 2007 put forth by the Constitutional Development Task Force in its Fifth Report, sought to diminish the constitutional role of LegCo. The two measures had in effect changed the constitutional structure of Hong Kong. The latter measure, in particular, had breached Article 97 of the Basic Law which stipulated that district organisations were not organs of political power.

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36. SCA responded that the Department of Justice had confirmed that the proposal to enhance the participation of DC members in the CE election complied with the Basic Law. In fact, DC members had all along participated in LegCo and CE elections. As regards the proposal of further developing the Political Appointment System, SCA said that it was for the third term CE to decide whether to proceed with it. If he decided to do so, the proposal would be put to LegCo for scrutiny and approval. As regards the responsibilities of Directors of Bureau, SCA added that as it remained the duty of Directors of Bureau to ensure that the Government's policy agenda would be delivered, they could not delegate all their duties to their deputies.

Review of District Councils

37. Mr TAM Yiu-chung noted that some staff associations had expressed concern that their professionalism would be undermined if DCs interfered with the operational aspects of their work. He asked about the measures taken by the Administration to address that concern.

38. PSHA said that during public consultation, the Administration had conducted briefings on the package of proposals put forth in the Consultation Document for staff of the Home Affairs Department and the Leisure and Cultural Services Department. The Administration realised that it was necessary to provide additional staffing and financial resources to pilot districts to ensure quality service rendered to the local community would continue. The manpower support included an additional Executive Officer II and Assistant Clerical Officer to each DC Secretariat to support DCs to discharge their enhanced role in the management of district facilities, an additional Liaison Officer to support each of the pilot districts in deploying DC Funds, and an additional Senior Librarian and Leisure Services Manager to each of the pilot districts. In her view, the new arrangement would have little impact on front-line staff as DC members would not interfere into the daily operation of district services. Managerial staff, however, would need to enhance their cooperation with DC members to ensure effective implementation of the proposal. The involvement of DCs in the management of district facilities would necessitate changes to internal operations and require considerable mindset changes among departmental staff. The consultant engaged in the evaluation study on the pilot scheme would be asked to cover this aspect in his report.

39. In response to members, PSHA said that the Consultation Document was the joint effort of the Home Affairs Bureau (HAB) and the Constitutional Affairs Bureau (CAB). Chapters Seven and Eight of the Consultation Document regarding the composition of DCs and DC election related matters fell under the policy portfolios of CAB, while the remaining Chapters fell largely under that of HAB. At this stage, it was mainly the task of HAB to implement the pilot scheme. Under the circumstances, members agreed that subject should more appropriately be followed up by the Panel on Home Affairs in future.

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Election Committee subsector elections

40. Mr Ronny TONG recalled that at a previous Panel meeting, he had expressed concern that voters might not be able to identify the names of candidates on the ballot paper easily in the coming Election Committee subsector elections, given the possibly large number of candidates included in a ballot paper. He had then suggested a joint ticket arrangement whereby several candidates who had a common policy agenda would be grouped under one ticket, and a number would be allocated to each ticket by drawing lots. The arrangement would allow easy identification of candidates by voters. He asked about the follow-up action taken by the Administration since that meeting.

41. SCA responded that Mr TONG's proposal had been considered. It was decided to maintain the status quo as any new arrangement adopted should be fair to all candidates, irrespective of whether they were independent or affiliated with political parties. In addition, it was a statutory requirement for the order of candidates appearing on a ballot paper and the number assigned to each candidate to be determined by drawing of lots. To facilitate better understanding of candidates' background, the Registration and Electoral Office would send an introductory leaflet on the candidates to voters before the polling day. Voters could bring along the leaflet to the polling station or ask the Presiding Officer for a copy to facilitate voting on the polling day.

42. The meeting ended at 4:30 pm.

立法會政制事務委員會
2006年10月16日會議

政制事務局局長發言要點

行政長官於上周發表了2006至2007年施政報告，今天我希望向委員介紹施政綱領內與政制事務局有關的措施，好讓委員對我們來年的工作有更清楚的了解。

在政制發展方面，特區政府會在餘下的任期內，繼續盡最大努力去推動策略發展委員會有關普選的討論，也會繼續向各位議員匯報討論的情況。

有關工作在不少方面已有進展，在此我也簡單向議員說明一下。

在落實普選時我們須貫徹下列四項原則；第一，要兼顧社會各階層利益；第二，要有利於資本主義經濟的發展；第三，要符合循序漸進的原則；而第四是要適合香港的實際情況。

關於普選的討論已進入新的階段。我們已開展有關行政長官和立法會普選的可能模式的討論。

第一方面是有關行政長官普選的可能模式，委員會正集中討論三方面的問題。第一是提名委員會的組成；第二是提名行政長官選舉候選人的門檻和方式；第三是候選人獲提名後，如何由市民普選選出行政長官。

第二個範疇是關乎立法會普選的可能模式。我們曾就幾個類別的方案作過一些討論。第一類別是全部議席由地區直選產生，取消全部功能界別議席；第二類別是由地區直選產生部份議席，功能界別議席不會繼續按照現有的選舉方式產生；第三類別是推行兩院制。

我們會繼續積極處理政制發展的議題，並且為勾劃包括二零一二年香港的政制發展藍圖繼續作出最大努力以達成一個共識。

我們準備於 2007 年上半年，歸納策發會的討論發表報告，並會向中央提交該報告。我們希望這個報告會為下一屆政府繼續處理政制發展這議題提供一個良好的基礎。

關於進一步發展政治委任制度的問題，我們在 7 月 31 日的事務委員會會議上，向委員匯報了諮詢文件的內容和目標。

文件的內容主要有幾個目標。第一方面是要廣納人才，吸引來自不同背景的人士，包括具有學術、政黨、公務員、專業及商界背景的人士參與政府的工作，讓他們有機會發展更廣闊的從政途徑；第二是開拓一個新的參政渠道，從而創造更大空間讓有志之士參與公共事務，以配合香港選舉制度的進一步發展；第三方面是進一步發展目前的制度安排，即以主要官員作政治領導層，並由一個常任、專業及政治中立的公務員體制予以支持。藉此我們希望給主要官員更多支援以處理他們的工作，同時確保能保持公務員體制的優良傳統。

目前我們正就文件的內容收集各方的意見。我們也把諮詢文件的內容上載到政制事務局的網頁，以便公眾人士參閱，並向我們提出意見。

到目前為止我們已舉辦過工作坊，也參與過一些由不同業界和智庫團體安排的論壇和研討會，亦接見過一些青年團體及專業界的人士。在餘下的個多月內，我們會繼續與不同的團體接觸和聽取地區人士的意見。

我們準備在明年上半年總結在諮詢期收集到的意見後，再提一個新的方案。但相信要留待第三屆行政長官產生之後才可以作最後的決定。

接着我希望說明一下在加強內地與香港的聯繫方面的工作。我們在本年四月在局內設立了內地事務聯絡辦公室，特區政府駐上海和成都經濟貿易辦事處亦已於本年九月成立。

新的內地事務辦公室和辦事處的成立，將有助於在省市層面推動我們和內地的區域合作，亦有助於處理港人在內地求助的個案。

最後，來年政制事務局會落實為區議會選舉候選人提供的財政資助計劃的建議，即「十元一票」的計劃，我們稍後會向立法會提交有關的條例草案。

至於加強區議會在地區事務上的角色及職能方面，我們已經完成了區議會角色、職能及組成的檢討的公眾諮詢。在此我希望在委員發表意見之前，請民政事務局常任秘書長向各位介紹一下公眾諮詢的結果。

政制事務局
二零零六年十一月