

立法會
Legislative Council

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LC Paper No. CB(2)161/07-08
(These minutes have been seen
by the Administration)

Panel on Constitutional Affairs

Minutes of meeting
held on Thursday, 21 June 2007, at 8:30 am
in Conference Room A 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 Martin LEE Chu-ming, SC, JP
 - Hon Margaret NG
 - Hon Mrs Selina CHOW LIANG Shuk-ye, GBS, JP
 - Hon CHEUNG Man-kwong
 - Hon CHAN Yuen-han, JP
 - Hon Mrs Sophie LEUNG LAU Yau-fun, SBS, JP
 - Dr Hon Philip WONG Yu-hong, GBS
 - 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 Abraham SHEK Lai-him, 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 Alan LEONG Kah-kit, SC
 - Hon CHEUNG Hok-ming, SBS, JP
 - Hon WONG Ting-kwong, BBS
 - Hon Ronny TONG Ka-wah, SC
- Members absent** :
- Hon LEE Cheuk-yan
 - Hon Bernard CHAN, GBS, JP

Hon LEUNG Yiu-chung
Hon WONG Yung-kan, JP
Hon LAU Wong-fat, GBM, GBS, JP
Hon MA Lik, GBS, JP
Hon LEUNG Kwok-hung
Dr Hon KWOK Ka-ki
Hon CHIM Pui-chung
Prof Hon Patrick LAU Sau-shing, SBS, JP
Hon KWONG Chi-kin

Public Officers : Items III & IV
attending

The Administration

Mr Stephen LAM Sui-lung
Secretary for Constitutional Affairs

Mr Arthur HO Kin-wah
Deputy Secretary for Constitutional Affairs

Mr Ivanhoe Chang Chi-ho
Principle Assistant Secretary for Constitutional Affairs

Mr LAM Man-ho
Chief Electoral Officer

Item V

The Administration

Mr Stephen LAM Sui-lung
Secretary for Constitutional Affairs

Mr Arthur HO Kin-wah
Deputy Secretary for Constitutional Affairs

Ms Joyce HO Kwok-shan
Principal Assistant Secretary for Constitutional Affairs

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

Staff in : Mr Arthur CHEUNG
attendance Senior Assistant Legal Adviser 2

Mrs Eleanor CHOW
Senior Council Secretary (2)4

Mrs Fanny TSANG
Legislative Assistant (2)3

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I. Information papers issued since the last meeting

(LC Paper No. CB(2)2133/06-07(01) - Case summary referred by the Complaints Division on the proposed electoral methods for selecting the Chief Executive and forming LegCo)

Members noted that the above paper had been issued since the last meeting.

II. Items for discussion at the next meeting

(LC Paper No. CB(2)2202/06-07(01) - List of outstanding items for discussion)

2. Secretary for Constitutional Affairs (SCA) proposed and members agreed to discuss the item "Provisional recommendations on the delineation of geographical constituencies (GCs) for the 2008 Legislative Council (LegCo) election" at the next meeting to be held on 16 July 2007.

Green paper on constitutional development

3. Some members, including Ms Emily LAU, Dr YEUNG Sum, Mr Ronny TONG and Mr Martin LEE, asked SCA to advise on the date on which the green paper on constitutional development (the Green Paper) would be released by the next term Government. They doubted whether the Administration was sincere about the consultation on the Green Paper, as the consultation period would coincide with the LegCo recess. They also expressed concern that the three-month consultation period was too short. Dr YEUNG Sum stressed that the Green Paper should be presented to the LegCo prior to any media briefing, given that the Government was accountable to the LegCo. Ms Emily LAU said that a number of special meetings might need to be arranged from mid-July to September to discuss the Green Paper and to receive public views. Mr Ronny TONG requested that the three-month consultation period be extended, given that constitutional development had far-reaching implications on the political system of Hong Kong.

4. Mr TAM Yiu-chung said that based on past experience, the consultation period of three months was appropriate. He said that a special Panel meeting could be held immediately following the release of the Green Paper and additional meetings could also be arranged provided a quorum could be formed. He preferred the Panel to resume its meeting in September, following the summer recess in August.

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5. Mrs Selina CHOW said that by convention, the LegCo would not hold meetings in August as many Members were out of town. She did not consider a three-month consultation period inadequate.

6. SCA said that at the Council meeting held the day before, he had already undertaken to present the Green Paper to the LegCo in the first instance. He could not tell at this stage the exact date when the Green Paper would be released. He proposed and members agreed that the subject be discussed at the next regular meeting or a special meeting, depending on the date on which the Green Paper was released. He said that apart from the LegCo, there would be forums organised in the community to listen to the views of the public. The Administration would also consult members of District Councils (DCs) before 2 October 2007 when the operation of the DCs would be suspended in connection with the 2007 DC election.

7. SCA further said that the consultation period was appropriate. Since the Committee on Governance and Political Development of the Commission on Strategic Development (CSD) had been tasked to discuss with the issue of universal suffrage in November 2005, there had been wide discussions by the public on the issue over the past 20 months. In addition, there were other opportunities for the public and the LegCo to give views in the coming five years. If the electoral methods for CE and the LegCo would be amended in 2012, the Administration would need to introduce legislative proposals to amend Annex I and Annex II to the Basic Law. Following the passage of these proposals, relevant local legislation would also need to be amended. The Green Paper therefore only marked the beginning of the consultation process.

(Post-meeting note : The Chief Secretary for Administration made a statement on the Green Paper at the Council meeting 11 July 2007. The subject was included in the agenda for the next meeting on 16 July 2007.)

III. Practical arrangements for the 2007 District Council election

(LC Paper No. CB(2)2157/06-07(01) - Administration's paper on "Practical arrangements for the 2007 District Council election")

8. SCA informed members that the CE had determined 18 November 2007 to be the date for holding the third DC ordinary election. Chief Election Officer (CEO) briefed members on the key electoral arrangements proposed by the Electoral Affairs Commission (EAC) for the DC election as set out in the paper.

9. Noting that the size of the new ballot papers would be about 70% larger than that of the 2003 DC election, Ms Emily LAU expressed concern about the size of the ballot boxes. She also enquired whether a large and transparent ballot box would be used, similar to those used by some overseas countries during elections.

10. SCA said that the ballot box used in the 2003 DC election would be used in the 2007 DC election. Having regard to the larger ballot papers to be used, the

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Registration and Electoral Office (REO) was carefully and thoroughly testing the ballot boxes. He assured members that there would be an adequate supply of ballot boxes in each polling station. The REO had no intention to use a transparent ballot box as it was necessary to protect the secrecy of votes.

11. Ms Emily LAU expressed concern about staff recruitment and training. She cautioned that sufficient electoral staff should be hired as the working hours would be quite long. She asked about the time needed to convert a polling station into a counting station. She also asked whether chairs would be provided for electoral staff, candidates and their election and polling agents who might stay in polling stations the whole day.

12. CEO said that as in the past, civil servants would be recruited to carry out polling and vote counting duties on the polling day. A total of some 14 000 civil servants would be hired to work in around 540 polling stations. Given the long working hours, electoral staff would take breaks in turn. Briefing sessions would be arranged for staff to familiarise them with the polling and counting procedures and arrangements including hands-on practice of counting duties. In order to facilitate staff at supervisory level to react to the different situations in polling stations, Polling Management Training including crisis management, quality polling service, EQ training, and experience sharing workshop would be organised.

13. CEO further said that the time taken to convert a polling station into a counting station depended on the physical condition of polling stations. For a large station where preparatory work could be made in advance for the polling and counting areas, the conversion would take about one hour. For small stations, it would take a longer time because of physical constraints. The REO would try its best to provide chairs for persons concerned if condition allowed.

14. Mrs Selina CHOW said that she did not agree to the use of a transparent ballot box which ran the risk of disclosing the vote cast by individual voter. She recalled that in the 2004 LegCo election, electoral staff adopted different practices when polling stations were converted into counting stations. She urged that sufficient training be provided to electoral staff to ensure consistency. To enhance transparency of the counting process, Mrs CHOW said that candidates' agents should be allowed to stay in the polling station while it was closed for the preparation of the counting of votes.

15. SCA said that the arrangement of converting polling stations into counting stations after the close of poll had been adopted in the 2003 DC election. Since then, improvements had been made and the operation had been running smoothly during the 2004 LegCo elections and DC by-elections. CEO supplemented that the law had been amended to allow the polling agents, in addition to the candidates and their election agents, to stay in the polling station while it was closed for the preparation of the counting of votes. The candidates and their election and counting agents were also allowed to monitor the counting of votes. Before the

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counting of votes began, a notice would be displayed outside the counting station showing the telephone number of a polling officer who might be contacted by candidates' agents to facilitate communication between agents and the station staff.

16. Ms Audrey EU asked whether special arrangements were available for handicapped and elderly persons to facilitate their access to polling stations. She also asked whether special arrangement was provided to medical staff who could not vote because they were on duty.

17. CEO responded that the REO had made the best effort to identify polling stations which were easily accessible to persons with disability including those who had difficulty in walking. Whether the polling station allocated to an elector was accessible to persons with mobility difficulty would be specified clearly in the location map attached to the poll card to be sent to each elector, together with a note indicating that an elector could apply to the CEO for re-allocation to a special polling station five days before the polling day if the elector had any difficulty in mobility but was allocated to a polling station not accessible to the disabled. If a special polling station was re-allocated to him, then he could vote only at that polling station. If circumstances permitted, free Rehabus service would also be arranged to take those electors to the special polling station. CEO said that the REO would promote awareness of such services to those electors. As regards the question concerning medical staff, no special arrangement was made at this stage. The EAC would appeal to the Hospital Authority to make suitable arrangements for their staff to vote in-between shifts if necessary.

18. Dr YEUNG Sum said that following globalisation and increasing traffic between the Mainland and Hong Kong, advance polling should be arranged to facilitate electors who were not in Hong Kong on the polling day to vote.

19. SCA said that the polling was deliberately scheduled for a Sunday from 7:30 am to 10:30 pm to facilitate electors to participate in the poll. The problem of advance polling was that the premature release of exit poll results conducted on the advance polling day might influence electors' choice on the general polling day. The Administration had studied overseas practices and came to the view that it was extremely difficult to make laws to prohibit the release of exit polls results on advance polling before the general polling day.

20. Dr YEUNG Sum advocated a cooling off period on the polling day. He pointed out that while such an arrangement was unnecessary in the 1980's when the voter turnout rate was low; this was not the case in the 2000's. Given that electors were getting more mature, they would not be easily swayed by canvassing activities conducted on the polling day. In addition, some electors found such activities irritating. SCA responded that the Administration maintained the view that canvassing activities carried out on the polling day would create a better atmosphere during election.

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21. Miss CHAN Yuen-han said that the no canvassing zones outside polling stations were getting larger and larger and that could hardly be conducive to creating the right atmosphere to encourage voting.

22. SCA said that the no canvassing zones outside polling stations served to maintain free passage for electors and to ensure that electors were not unduly harassed on their way to a polling station. CEO supplemented that the size of no canvassing zone outside a polling station was determined by a Returning Officer who would take into account the characteristics and special conditions of the polling station.

23. Ms Emily LAU expressed concern about the custody of ballot papers and asked why they were not centrally despatched to polling stations on the polling day.

24. CEO responded that reference had been made to other countries and some of them adopted similar method as that of Hong Kong, i.e. the ballot papers were kept by Presiding Officers at their residence before the polling day. The number of ballot papers kept by individual Presiding Officer was recorded and the ballot papers were sealed to protect their integrity. Presiding Officers were responsible for bringing along the ballot papers to polling stations to ensure adequate supply of ballot papers when polling started. With around 540 polling stations involved in the DC elections, there were practical difficulties for the REO to arrange manpower and transportation for the delivery of ballot papers to all these stations before 7:30 am on the polling day. In addition, if delivery was arranged in the early morning on the polling day, it would mean that polling staff had to work even longer hours.

IV. Proposed guidelines issued by the Electoral Affairs Commission on election-related activities in respect of the District Council election

(LC Paper No. CB(2)2108/06-07 - Proposed Guidelines on Election-related Activities in respect of the District Council Election issued by the Electoral Affairs Commission

LC Paper No. CB(2)2157/06-07(02) - Administration's paper on "Proposed Guidelines issued by the Electoral Affairs Commission on Election-related Activities in respect of the District Council election")

25. CEO briefed members on the suitable alterations made to the proposed guidelines on election-related activities in respect of DC elections (the Proposed Guidelines), taking into account the operational experience and suggestions for improvements obtained from recent elections and by-elections. A summary of major proposed changes was set out in the Annex to the Administration's paper. CEO informed members that the Proposed Guidelines were made public on 7 June 2007 for a one-month consultation ending on 6 July 2007.

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Donations

26. Ms Emily LAU said that it was her understanding that any unspent or unused donations could be used by successful candidates to cover their future expenses in district work. She sought clarification on whether this was the case.

27. SCA explained that donations, whether in cash or in kind, when received for the purpose of meeting the costs of a candidate's election expenses, were counted as election expenses. Paragraph 15.30 in the Proposed Guidelines set out the financial assistance scheme for candidates standing in DC elections in respect of election expenses. SCA quoted two examples to illustrate how donations should be handled by candidates. If a candidate had received \$50,000 donations and he had spent up to the prescribed election expense limit of \$48,000, he was required to give the unspent or unused donation (\$2,000) to charitable institutions. If a candidate had received \$48,000 donations, used it up during election and had successfully claimed \$24,000 under the financial assistance scheme, he was allowed to keep the financial assistance of \$24,000 for use in his future district work.

28. CEO supplemented that section 19 of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554) required any amount of donations that exceeded the upper limit of election expenses must be given to charitable institutions. He would review drafting of paragraph 15.17 in the Proposed Guidelines to ensure clarity.

CEO

Electioneering in private premises

29. Mr Albert HO noted that the EAC would appeal to all management bodies of organisations or buildings to provide equal opportunity to all candidates competing in the same constituency for the purposes of electioneering. He asked how the EAC would deal with complaints about unequal opportunity if the complaints were found to be genuine. He recalled that in a previous election, the management company of a large private housing estate in Tin Shiu Wai had allowed only one candidate to carry out electioneering and posting of election advertisements within its complex. He asked whether the Administration would consider introducing laws to prohibit discriminatory treatment of candidates by those management bodies of organisations or buildings.

30. CEO responded that management bodies of organisations or buildings would be advised that in handling applications for entering a building to carry out electioneering activities and posting of election advertisements of candidates, they should adhere to the fair and equal treatment principle. If a complaint was lodged against a management body, the EAC would investigate the case. If the complaint was found to be justified, the EAC could make a reprimand or censure in a public statement against the management body and/or the candidate concerned. In his view, this was a severe punishment.

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31. SCA said that elections had been conducted openly, honestly and fairly in the past in accordance with law. At present, guidelines were issued for the conduct of electioneering activities in premises under the management of Housing Department and Hong Kong Housing Society. Electioneering activities in private premises, however, were outside the purview of the Government. Given that the Basic Law provided Hong Kong residents with the right to vote and to engage in politics, it was inappropriate to make laws to prohibit any organisations or individuals from supporting certain candidates. The Administration considered it appropriate for the EAC to investigate the circumstances of each complaint and take necessary action to prevent unfairness in an election.

32. Ms Emily LAU doubted whether a public statement could have deterrent effect. She suggested that a more effective measure was to display a big poster, which contained a statement to reprimand the candidate concerned, in conspicuous areas of a building such as hallway and lift. Mr Albert HO pointed out that the measure proposed by Ms LAU was negative campaigning. Mr HO said that if a management body had posted election advertisements of a candidate in a building a day before the polling day, any reprimand subsequently issued by the EAC would serve no useful purpose, not to mention that the reprimand could be against the management body of a building rather than the candidate. He asked whether the EAC had ever issued any reprimands.

CEO

33. CEO responded that he would reflect Ms LAU's proposed measure to the EAC for consideration. He said that the EAC had in the past issued letters and made public statements to reprimand both the candidates and organisations that had breached the guidelines. If a candidate considered that another contestant had seriously breached the guidelines to the effect that there was unfairness in an election, he could lodge a petition with the Court of First Instance.

34. Dr YEUNG Sum expressed concern that many owners' corporations of buildings had made unfair decisions to allow certain candidates to electioneer and post advertisements in their buildings, thus depriving the rights of tenants and owners to receive information of other candidates. He urged that the Home Affairs Department should monitor the procedures of owners' corporations in reaching these decisions.

35. SCA responded that owners' corporations should make decisions in compliance with their charter and the law. Tenants and owners should also exercise their rights conferred by the charter. To ensure that electors would have access to information about the candidates in their constituency, a voter register was made available to candidates who were entitled to send free of postage one letter/leaflet to each elector of the constituency for which they were nominated.

V. Models, roadmap and timetable for selecting the Chief Executive and for forming the Legislative Council by universal suffrage

LC Paper No. CB(2)2205/06-07 - Papers for the meeting of Committee on Governance and Political Development on 21 June 2007 on summary of discussions on the models, roadmap and timetable for electing the Chief Executive and forming the Legislative Council by universal suffrage

36. SCA said that the CSD would hold the last meeting within its existing term later that afternoon. The Administration had provided a paper summarising the discussions on the models, roadmap and timetable for electing the CE and forming the LegCo by universal suffrage held by the CSD in the past 20 months. The third-term Government would finalise the Green Paper on the basis of these discussions and those of the community. Apart from faithfully reflecting all the proposals received, the Green Paper would categorise the proposals and present them as three types of options for implementing universal suffrage for electing the CE and for LegCo respectively. The approach sought to ensure that the coverage of the options would be sufficiently wide to help facilitate public understanding of the issues involved, provide scope for discussion, and enable consensus to be formed.

37. Dr YEUNG Sum said that since the CSD was composed mainly of pro-Government members, its views would be lopsided and conservative. He expressed concern whether the Green Paper would provide a roadmap and timetable for universal suffrage. He also expressed concern that no specific proposals would be provided in the Green Paper, and asked about the criteria adopted for categorising the proposals. He was under the impression that the Administration would mix and match the different elements of the proposals received to come up with hybrid models for consultation. He voiced strong objection to such an approach which would allow the Administration to formulate models to suit its needs and manipulate public opinion.

38. SCA said that at this stage, the Administration had not formed any views on the way forward or had not ruled out any options for universal suffrage. In the past 20 months, the Administration had received different views and proposals for universal suffrage from different sectors of the community. All these proposals would be included in the Green Paper for reference of the public. The Administration would not hand-pick any specific proposals because it would be unfair to other proponents. The scope of the consultation on the Green Paper would cover the models, roadmap and timetable for universal suffrage. SCA reiterated that to facilitate public discussion, the Green Paper would focus on specific issues with options provided. Based on the views collected, the Administration would ascertain which options would likely gain the support of 60% of the public and had a good chance to obtain the support of a two-thirds majority of LegCo Members.

39. Mr Ronny TONG said that the views of the CSD could not represent that of the public as its members were appointed by the CE. The summary of discussions

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prepared by the Administration was not balanced as it attached more importance to those given by CSD members than the public. Taking the future of FCs as an example, the public had asked for implementing universal suffrage in 2012 and yet CSD members had proposed to abolish FCs in phases.

40. SCA said that while members of the CSD were appointed by the CE, they comprised representatives of different sectors of the community, including professionals, academics, businessmen, representatives from different political parties, LegCo Members, trade unionists, etc. Their views represented the views of different sectors of society. The discussions held by the CSD had provided a basis for exploring the different models for universal suffrage. On the future of FCs, he pointed out it was a political reality that any proposal to abolish all FC seats would need the support of at least 10 FC Members.

41. Ms Audrey EU sought clarification as to whether the Green Paper would present a number of specific issues, with each issue offering three options for public consultation. For instance, on the timetable for implementing universal suffrage for the CE, the public would be asked to choose from the three options, i.e. 2012, 2017 and after 2017.

42. SCA said that pending discussion held by this Panel and the CSD later that afternoon, the third term Government would decide what should be included in the Green Paper. The reasons for categorising the proposals by specific issues were to facilitate discussion in a focused and systematic manner.

43. Mr LEE Wing-tat doubted whether it was in the best public interest to present in the Green Paper three types of options for the two electoral methods, instead of 10 to 20 specific proposals, for public consultation. He suspected that the Administration had a hidden agenda so as to make it very difficult for the public to comprehend the relation between the different options. He considered that if the proposal of the 22 pan-democratic Members had received support from 60% of the public, the CE should have the moral responsibility to convince the rest of LegCo Members to support that mainstream proposal.

44. Mr Ronny TONG concurred with Mr LEE. He said that an opinion survey indicated that 52% of the public supported the proposal put forth by the 22 pan-democratic Members. Given that a majority support had been obtained from the public on this proposal, the Administration should treat it as a mainstream proposal and encourage discussion on the proposal. That was a practical and expedient way to address public's call for universal suffrage.

45. SCA responded that the Administration would deal with the matter at a macro level. A mainstream proposal would require the support from not only the pan-democratic Members, but also other Members of the LegCo and the community. At this stage, the Administration had no idea what the mainstream proposal would be. The Administration would help forge consensus within the

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community and call upon political parties and groups, as well as different sectors of the community, to keep an open mind and be accommodating to the mainstream proposal, which might be different from their own. He said that the 22 pan-democratic Members had to lobby support from at least 18 other Members and the community on their proposal. Likewise, organisations which had put forth proposals had to lobby support from LegCo Members and the community. SCA stressed that concerted effort from all parties was required for political reform to move forward.

46. Ms Emily LAU recalled that in early 2004 when Hong Kong had started the discussion on the electoral methods for selecting the CE in 2007 and forming the LegCo in 2008 (the 2007/08 electoral methods), the Standing Committee of the National People's Congress made an interpretation on the relevant provisions of the Basic Law and put a halt to the pursuit of universal suffrage. She noted that recently, the media had reported that some personalities in Beijing had been saying that prior consultation on CE candidacy with the Central Authorities was necessary before a collective nomination was made, and that the CE was moving in the wrong direction in the pursuit of universal suffrage. She expressed concern that history would be repeated and urged the Administration to reflect the aspirations of the Hong Kong people to the Central Authorities.

47. SCA responded that to achieve universal suffrage, the electoral methods proposed must comply with Article 45 and Article 68 of the Basic Law. For the CE election, one of the conditions stipulated was that CE candidates should be nominated by a broadly representative nominating committee in accordance with democratic procedures. In this regard, the composition of the nominating committee, the nomination threshold and the democratic procedures had to be determined. Members of the LegCo would be involved in the decision process as the Basic Law required that any changes to the electoral methods required the support of a two-thirds majority of LegCo Members, the consent of the CE and the endorsement of the CPG. In handling proposals relating to constitutional development, it was necessary to achieve both consensus within the Hong Kong community, and between Hong Kong and the CPG.

48. SCA further said that the CPG was well aware of the aspirations of the Hong Kong people for universal suffrage. CPG was also aware that the CE had pledged to make the best endeavour to resolve the issue of universal suffrage within his term of office, and the package of proposals for universal suffrage put forth by the Government should receive support from not less than 60% of the public. After the public consultation, the Administration would summarise the views received from the community and assess whether a mainstream view could be formed as the basis for taking forward the work to the next phase. The CE would submit a report to the CPG to reflect faithfully any mainstream views formed during public consultation and other views expressed.

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49. Mr Albert HO said that the CE had undertaken to present the mainstream proposal for the consideration of the CPG, if it received support from not less than 60% of the public. SCA, on the other hand, had imposed an additional condition i.e. the requirement of a two-thirds majority support of LegCo Members, for the mainstream proposal to be presented to the CPG. Mr HO further said that he was confident that proposal put forth by the 22 pan-democratic would have the support of the people. The CE should present a proposal supported by the people to the CPG with a view to lobbying acceptance. He recalled that the Administration's proposals for the 2007/08 electoral methods, which was formulated after public consultation, was presented to the CPG without the endorsement of LegCo Members. He asked why SCA had imposed an additional condition on this occasion.

50. SCA responded that the requirement that any proposals to amend the two electoral methods should be supported by a two-thirds majority of Members was not new; it was a requirement stipulated in the Basic Law. He said that it would be inappropriate to expect the CE to take side on any proposal before the publication and consultation of the Green Paper, although the CE was determined to pursue universal suffrage. At this stage, the Administration hoped to receive different proposals from the community and presented them in the Green Paper. Thereafter the Administration would listen to the views of LegCo Members and the community on the options offered in the Green Paper and keep an eye on the results of opinion surveys. The Administration hoped that after thorough discussions on the Green Paper, differences would be narrowed and a broad consensus would be forged on the issue of universal suffrage within the community.

51. The meeting ended at 11:27 am.

Council Business Division 2
Legislative Council Secretariat
26 October 2007