

**Commission on Strategic Development
Committee on Governance and Political Development**

**Summary of discussions on the models, roadmap and timetable for
electing the Chief Executive by universal suffrage**

Introduction

The Chief Executive (“the CE”) has undertaken to publish a green paper on constitutional development (the “Green Paper”) in mid-2007, after the third term HKSAR Government has been formed in July. The HKSAR Government will set out in the Green Paper different views put forth by the Commission on Strategic Development and the community on the options, roadmap and timetable for implementing universal suffrage, and present the relevant views as three types of options to facilitate public discussion. Following the end of the public consultation period, we will submit a report to the Central Authorities, which will reflect any mainstream views formed during the public consultation and other views expressed.

2. Members commenced discussion on the possible models, roadmap and timetable for electing the CE and forming the Legislative Council (“LegCo”) by universal suffrage last July and September respectively. Members had been narrowing differences on the relevant issues, and had been reducing the scope of discussion as far as possible. This paper aims at summarizing members’ views on the possible models, roadmap and timetable for electing the CE by universal suffrage. This will provide a basis for the HKSAR Government to prepare the Green Paper.

3. The summary of views of various organizations and individuals on possible models for electing the CE received by the Administration and LegCo are appended at Annex I and Annex II respectively. A summary of written submissions received by the Commission Secretariat is at Annex III.

Model for implementing universal suffrage for electing the CE

4. At previous meetings and workshops, members discussed the following three key issues relating to possible models for electing the CE by universal suffrage:

- (a) composition and size of the nominating committee;
- (b) method of nomination; and
- (c) method for selecting the CE by universal suffrage following nomination.

5. Members recognized that, in accordance with Article 45 of the Basic Law, the model for electing the CE by universal suffrage should involve CE candidates being nominated by the nominating committee to be followed by universal suffrage election. Any proposals which did not involve the nomination of candidates by a nominating committee, or which suggested only the election of the CE by universal suffrage (i.e. without forming a nominating committee), would not be consistent with the Basic Law requirement.

Composition and size of the nominating committee

6. Regarding the composition and size of the nominating committee, most members were inclined to support using the composition of the Election Committee as a basis to consider for forming the nominating committee. As for the size of the nominating committee, members generally considered that the size should not be too large.

7. As regards the composition and size of the nominating committee, members had reduced the scope of discussion to the following three types of options:

- (a) to form the nominating committee by less than 800 members, for example, to form the nominating committee by 60 LegCo Members;
- (b) to form the nominating committee by 800 members, for example, by referring to the existing 800-member Election

Committee as a basis to consider the composition of the nominating committee; and

- (c) to form the nominating committee by more than 800 members, for example, by referring to the composition of the existing Election Committee, and increasing the size to 1200-1600 members.

Nominating committee: less than 800 members

8. The option of forming the nominating committee by less than 800 members involves the proposal to form the nominating committee by 60 LegCo Members. The major reasons were:

- (a) LegCo Members had the broadest electorate base and were the most representative;
- (b) if LegCo played a leading role in the nomination of CE candidates, it would be conducive to improving the relationship between the executive authorities and the legislature; and
- (c) when compared to changing the composition of the existing Election Committee, it would be simpler to form the nominating committee by LegCo Members, so as to enhance the democratic elements of the nominating committee. It would also be more easily understood by the public.

9. However, most members did not support the proposal for the following reasons:

- (a) the Basic Law had already clearly prescribed the functions of LegCo, and had not empowered LegCo Members to nominate CE candidates. The proposal of allowing LegCo to nominate CE candidates was not consistent with the Basic Law;
- (b) according to the Basic Law, the relationship between the executive authorities and the legislature was one of mutual regulation. If CE candidates were nominated by LegCo,

this would undermine the function of the executive authorities and the legislature to operate with due checks and balances, which would not be consistent with the legislative intent of the Basic Law;

- (c) it was prescribed in the Basic Law that the nominating committee should be broadly representative. This was to realize the principle of “balanced participation”¹. It may not be consistent with the legislative intent of the Basic Law if the nominating committee is composed solely of LegCo Members;
- (d) during the drafting of the Basic Law, the option of nominating CE candidates by LegCo had already been ruled out because this was not consistent with the “executive-led” principle; and
- (e) when voting for LegCo Members, voters had not authorized them to nominate CE candidates on their behalf.

Nominating committee: 800 members

10. Regarding the option for forming the nominating committee by 800 members, most proposals put forth suggested modelling on the existing Election Committee, with the size of the nominating committee set at 800 members. In fact, most members were inclined to support using the composition of the Election Committee as a basis to consider that of nominating committee. The main reasons included:

- (a) Article 45 and Annex I to the Basic Law stipulated respectively that the nominating committee and the Election Committee should be “broadly representative”. If the composition of the Election Committee was used as a basis, this should give rise to fewer disputes and should be conducive to forging consensus within the community on the composition of the nominating committee;

¹ From a certain perspective, the range of sectors covered by the Election Committee is broader than that of the Legislative Council, for example, the religious subsector and the Chinese medicine subsector are represented in the Election Committee, but not in LegCo.

- (b) the composition of the Election Committee complied with such principles as “meeting the interests of the different sectors of society” and “facilitating the development of the capitalist economy”. Making reference to the composition of the Election Committee to form the nominating committee could ensure that the committee would comply with these principles; and
- (c) the formation of the Election Committee by four sectors was a useful reference point. Also, using the Election Committee as a basis could help ensure the smooth operation of the nominating committee.

11. The reasons for modelling on the size of the Election Committee (i.e. 800 members) included:

- (a) the 800-member Election Committee was broadly representative, which complied with the principle of balanced participation; and
- (b) too large a membership would cause operational difficulties for the nominating committee.

Nominating committee: more than 800 members

12. Members also discussed the formation of the nominating committee by modelling on the Election Committee, but with its membership expanded. In this regard, more members suggested expanding the size to 1200 to 1600 members. The major reasons included:

- (a) this could allow wider participation of people from different strata and sectors in the nominating committee, thereby enhancing the representativeness of the committee; and
- (b) this could include sectors which were currently not represented in the Election Committee. This would comply with the principle of “meeting the interests of different sectors of society”.

13. However, members held diverse views on the size of the nominating committee, and the relative proportion of different sectors in the committee. In this regard, members discussed mainly the following proposals:

- (a) to form the nominating committee by about 1200 members i.e. by adding about 400 elected District Council members to 800 members of the Election Committee;
- (b) to enlarge the size of the nominating committee to 1200-1600 members. The number of seats for each of the existing four sectors should be increased evenly;
- (c) using the 2007/08 proposal put forth by the Government in 2005 as a basis, to include all District Council members in the nominating committee and set the size of the nominating committee at 1600. (However, some members considered that appointed District Council members should not be included);
- (d) to allocate the additional seats to sectors which were currently not represented in the Election Committee; and
- (e) to increase suitably the number of members from the business sector, for example, to raise the percentage of members from the industrial, commercial and financial sectors in the Election Committee from 25% to 35% to reflect the contribution of the business sector to Hong Kong. (However, a member considered that the composition of the current Election Committee was already slanted towards the industrial, commercial and professional sectors.)

Method of nomination

14. In accordance with Article 45 of the Basic Law, there are three stages for electing the CE by universal suffrage:

Firstly, nomination by a broadly representative nominating committee in accordance with democratic procedures, i.e. a CE candidate will be required to gain the support from representatives of different sectors and strata in the nominating committee;

Secondly, selection by universal suffrage upon nomination, i.e. a CE candidate will be required to gain the support of the public through “one-person-one-vote”; and

Thirdly, the CE elected from universal suffrage shall be appointed by the Central People’s Government.

Members understood that the nominating committee would play a crucial role in ensuring that the CE elect could meet the interests of different sectors of society.

Number of subscribers for nominating a candidate

15. Regarding the method of nominating CE candidates by the nominating committee, members previously focused their discussion on the number of subscribers required for nominating a candidate. In overall terms, members were generally inclined to support that, at the early stage of implementing universal suffrage, the nomination threshold should not be too low and there should not be too many candidates. The main reasons included:

- (a) the nomination procedures should ensure that there would not be too many candidates;
- (b) a relatively higher nomination threshold should first be set to help forge consensus among different sectors, so as to implement universal suffrage as early as possible. The system could evolve gradually after universal suffrage had been implemented; and

- (c) even if a relatively higher nomination threshold was set, the candidates would still have to face the public because they would need to gain the votes of the public in the process of universal suffrage.

16. Among those members who considered that the nomination threshold should not be too low, more suggested that the nomination threshold should be set at 20% or 25% of the size of the nominating committee.

17. However, some members considered that the nomination threshold should be set at a lower level, for example, for a 1200-member nominating committee, only 50 nominations should be required (i.e. about 4% of the size of the nominating committee), or at least not higher than the existing requirement (i.e. 12.5% of the size of the nominating committee) to enable more candidates to take part in the election. Some members considered that if only a small number of candidates could run for the election as a result of a high nomination threshold, there would not be sufficient competition.

Nomination in accordance with democratic procedures

18. At the last meeting, members held preliminary discussion on how the method of nomination could comply with the requirement of “nomination in accordance with democratic procedures” as stipulated in Article 45 of the Basic Law. A member pointed out that “nomination in accordance with democratic procedures” would require full and equal participation of the members of the nominating committee in the nomination of candidates. Therefore:

- (a) the nominations obtained by the CE candidates should be from the nominating committee itself, rather than from individual or certain members of the committee; and
- (b) the candidates should have the opportunity to introduce his or her platform to all members of the nominating committee. The nominating committee should then nominate the candidates for universal suffrage through “one-person- one-vote”.

Other nomination requirements

19. Assuming that a nominating committee was to be formed based on the composition of the four sectors of the Election Committee, members discussed whether consideration should be given to requiring candidates to obtain a certain number of nominations in each sector to ensure that the candidates had a certain level of support from different sectors and strata, and that the principle of meeting the interests of different sectors of society would be complied with.

20. As for the number of nominations required in each sector, members had different suggestions, including 5%, 10%, 12.5%, 20% or 25%. However, a few members did not support the above mentioned proposal on the ground that the high threshold amounted to giving members of the nominating committee a power of veto.

21. Some members pointed out that the Central Authorities had the ultimate power to determine the constitutional development of the HKSAR. Hence, in examining the nomination method for the CE, consideration should be given to ways to ensure that the CE elected would be acceptable to both the Central Authorities and the people of Hong Kong.

22. Members discussed the proposal on whether candidates should be required to secure nominations from a certain number of LegCo Members, Hong Kong deputies to the National People's Congress or/and Hong Kong members of the National Committee of the Chinese People's Political Consultative Conference. Some members expressed the view that this could ensure that candidates would have sufficient legitimacy. However, some members considered that the nomination mechanism should impose minimal restrictions, and did not agree that any sectors should be given a power of veto.

23. In addition, some members suggested setting an upper limit on the number of subscribers for nominating candidates (e.g. 50%), so that more aspiring individuals would have a chance to get nominated. However, some members held the opposite view.

Method of universal suffrage after nomination

24. Members agreed that, after the nomination of candidates, the CE should be elected by universal suffrage on the basis of “one-person-one-vote”.

25. Members explored on a preliminary basis the following related issues, but had not discussed them in depth:

- (a) Whether one or more rounds of election should be held after nomination

In this regard, members expressed different views, including:

- (i) holding more than one round of election until a candidate was returned by receiving more than half of the valid votes cast. This could enhance the legitimacy of the CE;
- (ii) holding two rounds of elections, in which only two candidates could enter the second round of universal suffrage. In the final round, the candidate who received more than half of the valid votes cast would be elected. This proposal could ensure that the CE elect would obtain a clear majority of the votes, so as to enhance the legitimacy of the CE; and
- (iii) holding only one round of universal suffrage and adopt a simple majority voting system. The candidate who received the highest number of valid votes cast would be elected. This could avoid having to invest an enormous amount of social resources to arrange for another round of voting by all registered voters.

- (b) Whether the election proceedings should continue if there was only one candidate

In this regard, members expressed different views:

- (i) some members considered that as it was prescribed in the Basic Law that the nomination of the CE by the nominating committee should be followed by universal suffrage, election by universal suffrage should still be held even when there was only one candidate. This would allow the public to express their wish. Some members supported this proposal and considered that the candidate should be required to receive more than half of the valid votes cast or a specified percentage of votes to get elected. This could ensure that the CE elect would have legitimacy.
- (ii) However, some members considered that if the election proceedings continued when there was only one candidate, this might distort the overall inclination of voters, because those who were against the candidate would have a stronger intention to vote. This would in turn affect the CE election process.

Roadmap and timetable for implementing universal suffrage for the CE

26. Members discussed whether universal suffrage for the CE should precede that for LegCo. Members generally considered that there were still significant differences within the Commission and among different sectors of the community on models for forming LegCo by universal suffrage, particularly on how the functional constituencies (FCs) should evolve. It was, therefore, anticipated that it would not be easy for the community to reach consensus on the model for forming LegCo by universal suffrage in the short term. Relatively speaking, the major issues that needed to be addressed in relation to the model for electing the CE by universal suffrage were the composition of the nominating committee and the nomination mechanism. In this regard, members had been forming mainstream views on some of the related issues gradually, and hence, there should be a higher chance that the community could first reach consensus on the model for electing the CE by universal suffrage. Therefore, quite a number of members agreed that consideration should be given to the direction of “resolving the simple issues before the difficult ones” in taking forward constitutional development, and that universal suffrage for the CE should be implemented first.

27. If the community generally supports the direction of “universal suffrage for the CE should precede that for LegCo”, we need to consider whether the existing electoral model (i.e. an 800-member Election Committee):

- (a) should be transformed to universal suffrage in one go by forming the nominating committee directly; or
- (b) should be transformed to universal suffrage by first going through a transitional phase.

28. In this regard, members held diverse views: some members proposed attaining universal suffrage in one go by forming the nominating committee directly in 2012. At the same time, some members suggested first going through a transitional phase and attaining universal suffrage in 2017 or thereafter.

Conclusions

29. To conclude, members’ previous discussions on the models, roadmap and timetable for electing the CE by universal suffrage are summarized below:

Composition and size of nominating committee

- (a) members were inclined to support using the composition of the Election Committee as a basis to consider that of the nominating committee;
- (b) on the size of the nominating committee, members were inclined to support that the number of members should not be too large. More members suggested modelling on the size of the existing 800-member Election Committee, or expanding it to 1200 or 1600; and
- (c) regarding the relative proportion of different sectors in the committee, members discussed different proposals, but had not formed any mainstream views.

Nomination method

- (d) in overall terms, members were generally inclined to support that, at the early stage of implementing universal suffrage, the nomination threshold should not be too low and there should not be too many candidates. More members suggested setting the nomination threshold at the range of 12.5% to 25%. However, some members considered that the nomination threshold should be set at a lower level, at least not higher than the existing requirement (i.e. 12.5% of the size of the nominating committee);
- (e) members explored on a preliminary basis the requirement of “nomination in accordance with democratic procedures” as prescribed in Article 45 of the Basic Law, but had not discussed the issue in-depth; and
- (f) members discussed whether other nomination requirements should be set, including whether candidates should be required to obtain a certain number of nominations in each sector, and whether an upper limit on the number of subscribers should be set, but had not formed any mainstream views on the relevant issues.

Method of Universal Suffrage after Nomination

- (g) members agreed that, after the nomination of candidates, the CE should be elected by universal suffrage on the basis of “one-person-one-vote”;
- (h) members explored preliminarily whether the CE should be elected through one round of election without the requirement that a candidate should receive more than half of the valid votes to be elected, or whether there should be a requirement that a candidate should receive more than half of the valid votes to get elected, and thus more than one round of election would be held if necessary. However, members had not discussed the issues in-depth; and

- (i) members explored preliminarily whether the election proceedings should continue if there was only one candidate. However, members had not discussed the issues in-depth.

Roadmap and timetable for implementing universal suffrage for the CE

- (j) quite a number of members agreed that consideration should be given to the direction of “resolving the simple issues before the difficult ones” in taking forward constitutional development, and that universal suffrage for the CE should precede that for LegCo; and
- (k) regarding the timetable for electing the CE by universal suffrage, members had not formed any mainstream views on whether the nominating committee should be formed directly to achieve the ultimate aim of universal suffrage in one go, or whether there should be a transitional phase before implementing universal suffrage. Some members proposed forming the nominating committee directly in one go in 2012, while some suggested going through a transitional phase and attaining universal suffrage in 2017 or thereafter.

Constitutional Affairs Bureau
June 2007

**Commission on Strategic Development
Committee on Governance and Political Development**

**Public views on possible models for
electing the Chief Executive by universal suffrage**

Written submissions received by the Government

<u>Organizations/individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
Mr Eric K C LI	4.1.2004	<ul style="list-style-type: none">• First Phase: turn the 800-member Election Committee into a nominating committee and elect no more than 3 candidates for universal suffrage.• Second and Final Phase: full universal suffrage.
SynergyNet	13.2.2004	<ul style="list-style-type: none">• Any 500 registered voters can together make a preliminary nomination of a candidate for the CE post. Each registered voter can make only one such nomination.• Preliminary nominees will be scrutinized by the Nomination Committee. Only those preliminary nominees who obtain the endorsement of a minimum of 100 members of the Nomination Committee will be put forward for election by universal suffrage. Each Committee member can nominate only one preliminary nominee. In practice, this means a maximum of 8 preliminary candidates to be

<u>Organizations/individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
		‘screened in’ by an 800-member Nomination Committee for popular election.
Hong Kong Democratic Foundation and Power for Democracy	13.2.2004	<ul style="list-style-type: none"> • The total membership of the Nomination Committee can be 800 or an enlarged number such as 1 000 – 1 200. Members of the Nomination Committee from different sectors should be elected on the basis of one-person-one-vote within the sectors to which they belong.
Article 45 Concern Group	23.2.2004	<ul style="list-style-type: none"> • Option 1: Formal candidacy for the CE requires nomination by a certain number of Election Committee members. A low threshold such as 50 can facilitate candidates from various political backgrounds to stand for election. Election of the CE by universal suffrage after nomination by the Election Committee. • Option 2: A CE candidate may qualify for formal candidacy through the collection of a certain number of supporting signatures from registered voters (say, 50 000 – 100 000), followed by election by universal suffrage.

<u>Organizations/individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
		nominate any candidate with the endorsement of say, 5 members. The general electorate will vote on all candidates thus nominated on a one-person- one-vote basis.
Democratic Party	25.5.2004	<p>The nominating committee should be formed by Members of the LegCo. A CE candidate may be nominated by 5 LegCo Members (each LegCo Member may nominate only one candidate). Members of the public will vote on all candidates thus nominated on a one-person-one-vote basis.</p>
Hong Kong University Graduates Association Political Reform Concern Group	9.2004	<ul style="list-style-type: none"> • To transform the 800-member Election Committee into a 1200-member nominating committee. The method for electing members should be similar to that of the existing Election Committee. • A CE candidate should be jointly nominated by not less than 150, but not more than 200 members of the nominating committee (with not less than 25 members from each sector). Each member may only nominate one candidate. • Election of the CE by universal suffrage will be held after nomination. As regards the election and vote counting methods, consideration should be given to requiring a candidate to secure more than half of the valid votes in order to be elected.

<u>Organizations/individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
The Law Society of Hong Kong	27.9.2004	The nominating committee can take the form of either a separate Committee, or transformed from the Election Committee or the LegCo.
Hon Mrs Rita FAN	27.9.2004	<ul style="list-style-type: none"> • CE candidates could be elected by universal suffrage upon nomination by a nominating committee. • The nominating committee should comprise 1600 members from different sectors (same as those of the Election Committee) who are returned by election. Formal candidacy for the CE requires nomination by not less than 400 Committee members.
Hon Albert CHAN	15.10.2004	<ul style="list-style-type: none"> • A CE candidate may qualify for formal candidacy if he is able to secure nominations by not less than 5 000 registered voters, and the support of not less than 5% of the Election Committee. • After nomination, candidates will be elected by all electors in Hong Kong by universal suffrage. The candidate receiving the highest number of votes will become the CE. The Election Committee should validate the election result procedurally, and the candidate elected will become the CE upon validation.
Joint Committee for the Promotion of the Basic Law of Hong Kong	21.10.2004	<ul style="list-style-type: none"> • To turn the Election Committee into the nominating committee. The method for electing members of the

<u>Organizations/individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
		<p>nominating committee should be the same as that for electing members of the Election Committee. The number of members should be increased to 1 600. In each sector, there should be 25 members returned by universal suffrage through geographical constituencies.</p> <ul style="list-style-type: none"> • Each member of the nominating committee may nominate only one candidate, and each candidate must be nominated by 200 members. • If only one candidate is elected by the nominating committee, that candidate will be elected <i>ipso facto</i>. If more than one candidate are elected by the nominating committee, election by universal suffrage shall be held.
Business and Professionals Federation of Hong Kong	25.7.2006	<ul style="list-style-type: none"> • The Election Committee which currently elects the CE consists of four sectors, each comprising 200 delegates. • These delegates are themselves elected or chosen by either the individual members or by the elected committee of the relevant organization. • The first, second and third sectors of the Committee elect or select their representatives some by the votes of individual members, and some chosen by the committee of the organization. In order to make sure the

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representatives do indeed represent the general membership of the constituent organization there should be an effort to systemize the method of selection and to endeavour to involve the general membership on these organizations in the election of their representatives.

- The fourth sector comprises the individual members of representative bodies having a largely political role. To enhance the authority of this sector, a number of new seats were proposed to be elected by an electoral college of all the District Councillors. Changes in the District Councils are currently being examined and the role of the appointed members will no doubt be discussed during the course of this review. Thus the inclusion or not of District Councillors should wait until this review is completed.
- Nomination of CE candidates should be based on a closed-ballot.
- Each candidate should secure the support and nomination of at least 100 members out of a nominating committee of 800.
- Candidates might be required to secure at least 20 nominations from each of the four sectors and each candidate in addition should have among his nominators the support of at least 15 of the 60 Members of

<u>Organizations/individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
		<p>LegCo (i.e. one-fourth of the 60 LegCo Members). This requirement would limit the number of candidates to four to enter the final election process.</p> <ul style="list-style-type: none"> • To elect the CE through a one man one vote process; the one-round first-past-the-post voting method is the preferred option.
Mr David YUEN	29.7.2006	<ul style="list-style-type: none"> • An electoral college system (with 1 000 electoral college votes) should be adopted, of which 30% of the votes (i.e. 300 electoral college votes) should be determined by the Central Government while the other 70% should be decided by universal suffrage. • Election on the basis of one-person-one-vote should be first held. The 700 electoral college votes should be apportioned on the basis of the votes received. In the following 1-2 weeks, the Central Government would cast its sacred vote (i.e. the 300 electoral college votes). The election result would then be determined by the number of the electoral college votes received by the candidates. • As for the nomination method, candidates would be required to secure nominations from 200 registered voters.

<u>Organizations/individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
Chu Hai College Students' Union	13.8.2006	<ul style="list-style-type: none"> • Composition of the nominating committee: <p>The first sector: about 200 members from the business sector.</p> <p>The second sector: about 200 members from the professional sector.</p> <p>The third sector: about 400 members from education, labour, religious, social services and other sectors.</p> <p>The fourth sector: about 700 members comprising LegCo Members, District Councils (DC) members, Executive Council Members, Hong Kong deputies to the National People's Congress (NPC), Hong Kong members of the National Committee of the Chinese People's Political Consultative Conference (CPPCC).</p> <ul style="list-style-type: none"> • Based on the above, a nominating committee with 1500–1600 members will be formed. • For candidates nominated by political parties, they will be required to secure nomination from only 5% of the nominating committee members. As for independent candidates, they will be required to secure nominations from 10% of the nominating committee members. Those who have secured sufficient number of nominations will become CE candidates for election by universal

<u>Organizations/individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
		suffrage.
City University of Hong Kong Students' Union	14.8.2006	<ul style="list-style-type: none"> • As a transitional arrangement before implementing universal suffrage, the composition of the nominating committee should make reference to the proposed package put forth last year. The number of members should increase from 800 to 1600. Members of the Election Committee in the first sector (industrial, commercial and financial sectors), second sector (the professionals) and third sector (labour, social services, religious and other sectors) should increase from 200 to 300. The fourth sector (LegCo members, DC members, representatives of Heung Yee Kuk, Hong Kong deputies to the NPC, representatives of Hong Kong members of the CPPCC) should increase from 200 to 700, including all DC members. • The nomination threshold for electing the CE by universal suffrage for the first time could be increased (e.g. from 1/8 of all committee members to 1/4), but the Government should undertake to conduct regular reviews in future with a view to lowering the threshold gradually. • In addition to increasing the nomination threshold, a mechanism to allow voters to recommend candidates should be introduced. Any person who has the support of 5% of

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		<p>eligible voters in Hong Kong should be deemed to be recommended by voters as a candidate. As the candidate endorsed by voters should have already obtained a certain level of support from the electorate, the nomination threshold for him should be lowered. He will only need to obtain endorsement from 1/8 of the nominating committee members to stand for election.</p> <ul style="list-style-type: none"> • When the model for implementing universal suffrage has been fully developed, consideration should be given to allowing the public to take lead in the nomination process. For example, CE candidates would only be eligible for consideration by the nominating committee if they have obtained nominations from a certain number of registered voters. A candidate can stand for election at the final stage only after he has secured a certain level of support from the nominating committee.
Heung Yee Kuk (Submission for the 2006/07 Policy Address)	15.8.2006	<ul style="list-style-type: none"> • To increase the number of committee members from 800 to 1200. • Regarding the method for forming the committee responsible for nominating CE candidates, the nomination method and the number of subscribers required for nominating a CE candidate, further discussion within the community will be needed in order to reach consensus.

<u>Organizations/individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
Hong Kong Democratic Foundation	16.8.2006	<p><u>Option 1:</u></p> <ul style="list-style-type: none"> • Direct election of the CE through universal suffrage as soon as possible, namely 2012. <p><u>Option 2:</u></p> <ul style="list-style-type: none"> • Increasing the membership of the Election Committee from 800 to, say, 1600 or 2400, turning it into a nominating committee. • After the nominating committee endorses a number of candidates, who will have to compete among themselves by gaining a certain percentage of votes from the nominating committee, then all the eligible voters in the HKSAR will be entitled to vote for their CE candidates. <p><u>Option 3:</u></p> <ul style="list-style-type: none"> • Widening the membership of the Election Committee. This option is arguably so conservative that it will perhaps be bound to be rejected in the legislative assembly.
Executive Committee of the Hong Kong University Students' Union	16.8.2006	<ul style="list-style-type: none"> • As a transitional arrangement for one term, the existing Election Committee should be responsible for nominating the CE candidates. • The Election Committee should include all LegCo Members and elected DC members.

<u>Organizations/individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
		<ul style="list-style-type: none"> • As for other subsectors, corporate voting should be abolished and replaced by individual voting. The nominating committee should be abolished in 2012 in order to achieve the aim of electing the CE by universal suffrage. • As regards the nomination threshold, candidates should be required to secure nominations from 10% of the nominating committee members when the committee is still in place. In future CE elections, candidates who have received nominations from 500 members of the public would be eligible to stand for election. • If there is only one candidate or there are two, a candidate must obtain more than half of the support votes to get elected, or a fresh round of election would be conducted. If there are three or more candidates and none of them receives more than half of the votes in the first round, then the two candidates with the highest number of votes in the first round will enter into the second round. A fresh round of election would be held if none of the candidates receives more than half of the votes cast.
Mr Hilton CHEONG-LEEN	18.8.2006	<ul style="list-style-type: none"> • To transform the current 800-member Election Committee into an 800-member nominating committee.

<u>Organizations/individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
Democratic Alliance for the Betterment and Progress of Hong Kong (DAB's expectations of the 2006/2007 Policy Address)	18.8.2006	<ul style="list-style-type: none"> • Given the present political environment and the level of socio-economic development of Hong Kong, we should promote the approaches of “formulating a roadmap before a timetable” and “resolving the simple issues before the difficult ones”. • By “formulating a roadmap before a timetable”, we should first formulate the ultimate models for implementing universal suffrage for the two elections, to be followed by formulating a phased plan leading to universal suffrage. Finally, a timetable can be formulated based on the actual situation. • By “resolving the simple issues before the difficult ones”, universal suffrage for the CE can first be implemented. Thereafter, according to the actual situation, we can reform the method for forming the LegCo and its procedures of voting in two or three stages, and finally implement universal suffrage for the LegCo.
Hon Emily LAU Wai-hing (Proposals for the Policy Address)	21.8.2006	<ul style="list-style-type: none"> • Before the Basic Law can be amended, the “broadly representative nominating committee” under Article 45 should be formed by election on the basis of one-person-one-vote. • The threshold for nominating candidates should not be too high, and the nomination mechanism

<u>Organizations/individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
		should not be used to prevent those holding dissenting views from participating in the election. If restrictions are imposed to prevent those candidates not acceptable to the Central Authorities from standing for election, such an election by universal suffrage would be hypocritical and deceptive.
The Chinese General Chamber of Commerce	23.8.2006	<ul style="list-style-type: none"> • The composition of the nominating committee may model on that of the existing Election Committee. The number of members can remain at 800. • Each candidate should be required to receive nominations from at least 200 nominating committee members. With each member nominating only one candidate, there will not be more than four CE candidates. • Of the nominations received by a candidate, at least 50 should come from the industrial, commercial and financial sectors. • Following nomination, the CE will be returned by election on the basis of one-person-one-vote by all eligible voters.
Hong Kong Federation of Fujian Associations	23.8.2006	<ul style="list-style-type: none"> • It will be more appropriate to maintain the membership of the Election Committee at 800. The 38 subsectors under the four sectors in the existing Election Committee have

<u>Organizations/individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
		already covered different sectors of society.
Mr Robin CHAN Yau-hing Chairman, Hong Kong Federation of Overseas Chinese Associations	29.8.2006	<ul style="list-style-type: none"> • Those who intend to stand for the CE election should be required to receive nominations from and support of 1/4 of the nominating committee members. Two to three candidates will then be selected to stand for election. The CE will be returned by election on the basis of one-person-one-vote. • The nominating committee should be formed on the basis of the existing Election Committee, with all Hong Kong members of the CPPCC included. • Aspiring individuals should be required to receive nominations from 1/4 of the nominating committee members to become candidates. This is to ensure that candidates are qualified and endorsed by different parties. • Finally, the CE will be returned by universal suffrage.
Hong Kong Social Workers Association (Views on the 2006 Policy Address)	29.8.2006	<ul style="list-style-type: none"> • Before universal suffrage for CE is implemented, the electorate base of the Election Committee should be expanded.

<u>Organizations/individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
Kowloon City District Resident Association	30.8.2006	<ul style="list-style-type: none"> • The functions of the existing Election Committee should be changed by retaining the function of nominating CE candidates while removing that of electing the CE. • The formation of the Election Committee based on different professions/sectors, the election method and the size of membership at 800 should remain unchanged. • Candidates should secure a prescribed number of nominations from the nominating committee members before they can enter the stage which their eligibility will be verified by the Electoral Affairs Commission. The nomination threshold should be lower than the present one (i.e. 100 nominations). For example, the minimum requirement may be set at 50 nominations. • Each member may nominate only one candidate. • It is appropriate to limit the number of candidates to two. If more than two contenders have received the required number of nominations, the two who secured the highest number of nominations will become CE candidates. • The CE will be returned by election on the basis of one-person-one-vote

<u>Organizations/individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
		by all eligible voters.
Civic Party (Civic Party's Policy Expectations of the SAR Government)	31.8.2006	<ul style="list-style-type: none"> • Hong Kong is long ready for implementing universal suffrage for the two elections. Democratic election to be held on the basis of equal and universal suffrage is a prerequisite for being an “international city”.
Democratic Party (Democratic Party's submission for the 2006/07 Policy Address "The Building of a Truly Accountable Government")	4.9.2006	<ul style="list-style-type: none"> • The nominating committee should be formed by LegCo Members. The CE should be returned by election on the basis of one-person-one-vote and appointed by the Central People's Government. • A CE candidate may be nominated by five LegCo Members. Each LegCo Member may nominate only one candidate. • A candidate with political party background, if elected as CE by universal suffrage, should not be required to withdraw from his party.
SynergyNet (Views submitted at the consultation meeting of the 2006/07 Policy Address)	5.9.2006	<ul style="list-style-type: none"> • In order to improve governance, the Government should carry out political reforms with a view to attaining universal suffrage and enhancing its legitimacy.
Kowloon Federation of Associations (Opinion survey on expectations of the 2006-07 Policy	5.9.2006	<ul style="list-style-type: none"> • Under the principle of gradual and orderly progress in taking forward Hong Kong's constitutional development, this Association supports taking the approach of

<u>Organizations/individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
Address)		“resolving the simple issues before the difficult ones”. The issue of electing the CE by universal suffrage should be handled first. The elections of the CE and LegCo by universal suffrage should not be bundled together, otherwise the pace of constitutional development in Hong Kong will be damped.
The Chinese Manufacturers' Association of Hong Kong	13.9.2006	<ul style="list-style-type: none"> • Universal suffrage for electing the CE should be implemented before that for forming the LegCo. • Reference should be made to the composition of the existing Election Committee. The number of members should remain at 800. The Committee should be formed by four sectors: (a) 200 members from the industrial, commercial and financial sectors; (b) 200 members from various professions; (c) 200 members from the labour, social services, religious sectors; (d) 200 members from LegCo Members, representatives of district-based organizations, Hong Kong deputies to the NPC, and representatives of Hong Kong members of the CPPCC. • The election method should be modelled on that for the existing Election Committee to ensure smooth transition from the old to the new electoral system.

<u>Organizations/individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
		<ul style="list-style-type: none"> • Nominating committee members should select, by election on the basis of one-person-one-vote, not more than three CE candidates from those who have obtained nominations from 100 or more members. • The CE should be returned by universal suffrage on the basis of one-person-one-vote. Among the CE candidates (no more than three), the one who obtains the highest number of valid votes cast will be returned as the CE elect, who will then be officially appointed by the Central People's Government as the CE.
Professor WONG Ka-ying	14.9.2006	<ul style="list-style-type: none"> • To maintain the current Election Committee system and the nomination threshold with a view to pursuing the implementation of universal suffrage in 2012. This can respond to the demand of the pro-democracy camp for early attainment of universal suffrage. The proposal should serve as a basis for compromise between the Central Authorities and the pro-democracy camp on the issue of electing the CE by universal suffrage.
Mr Ivan CHOY Chi-keung	2.10.2006	<ul style="list-style-type: none"> • The delineation of the sectors of the existing Election Committee can generally be adopted. That is, if the nominating committee comprises 800 members, 200 can be from the industrial, commercial and financial sectors, 200 from the professions, 200

<u>Organizations/individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
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from the political sector and 200 from various sectors of the community.

- Members of different sectors of the nominating committee should be returned by democratic elections as far as possible, so as to enhance the representativeness and credibility of the nominating committee.
- In essence, if a certain nomination threshold is set to help forge consensus of different parties on implementing universal suffrage for the CE in 2012, a timetable should be formulated to abolish such a threshold in two or three terms.
- For electing the CE by universal suffrage for the first time, a relatively higher number of subscribers could be required (e.g. 100). Thereafter, the number of subscribers required should be reduced gradually.
- Among the 100 subscribers, the number of subscribers from each of the four sectors should at least be 10.
- Among the 100 subscribers, at least 15 should come from LegCo Members.
- A two-round voting system should be adopted. Any candidate who has received more than half of the votes cast in the first round will be elected.

<u>Organizations/individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
		If none of the candidates is able to obtain more than half of the votes, the two candidates receiving the highest number of votes will enter into the second and final round. The candidate who receives a majority of votes in the second round will be elected.
Mr CHANG Chak-yan	23.11.2006	<ul style="list-style-type: none"> • In principle, it is impossible to break away from the realm of sovereignty. Also, according to international practice, the power to make appointment reflects the sovereignty of a country. After assessing political risks, the proposal to prescreen CE candidates before universal suffrage is preferable. • In order to remove doubts about verification of the eligibility of candidates and reduce political controversies, the best course of action is to reach consensus first before enacting a law on verification of the eligibility of CE candidates.
Kowloon Federation of Associations	4.12.2006 10.5.2007	<ul style="list-style-type: none"> • Should first deal with the election of the CE by universal suffrage, which is less controversial and adopt the pragmatic approach of “resolving the simple issues before the difficult ones”. Support focusing on handling the election of the CE by universal suffrage first. • The roadmap of universal suffrage should be drawn up first with a view to reaching consensus among

<u>Organizations/individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
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different sectors of society. Practical and sound proposals on the timetable issue could then follow the direction of the planned roadmap.

- The Election Committee should double its membership to 1600 and turn into a nominating committee.
- The total nominations secured by a CE candidate from the 1 600-member nominating committee should not be less than 100 (i.e. 1/16). Nominations so secured should include at least 10 nominations from each of the four sectors within the nominating committee. In addition, it should include nominations from at least five LegCo Members and five HK Deputies to the NPC.
- A CE candidate should be required to secure more than 50% of the valid votes cast to get elected. If none of the candidates obtains more than 50% of the valid votes cast, a second round should be held to elect the CE among the two candidates who have received the highest votes in the first round.

Mrs Anson Chan and her Core Group	5.3.2007	<ul style="list-style-type: none"> • Increasing the size of the nominating committee will not, in itself, help to make the nominating committee more truly representative of the Hong Kong community. • If the option of converting the present Election Committee into the
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<u>Organizations/individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
		<p>nominating committee is to be selected, then it will be necessary to take steps to broaden the franchise of the sub-sectors, as well as to consider the addition of further sub-sectors to ensure that, as far as possible, the members of the nominating committee can legitimately claim to represent the wishes of the community as a whole.</p> <ul style="list-style-type: none"> • Candidates are required to receive nominations from 10% of nominating committee members. If the size of the nominating committee is kept at 800 members, this would mean that prospective candidates require a minimum of 80 nominations. • Implementation of universal suffrage for the election of the CE raises far fewer issues to be resolved than in the case of implementation of universal suffrage for elections to LegCo. Given the wide measure of consensus which already exists within the community, in relation to the principle of converting the current Election Committee into the future nominating committee, there seems to be no fundamental reason why universal suffrage for the CE election should not be introduced at the first permissible date, namely in 2012.
22 LegCo Members	27.3.2007	<ul style="list-style-type: none"> • Before the Basic Law could be amended to abolish the nominating committee, the nominating committee

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should be transformed, in 2012, from the existing 800-member Election Committee. By also including about 400 elected District Council members, the nominating committee would become 1200-member strong.

- CE candidates could be nominated by 50 members from any sector.
- CE should be returned by universal suffrage though “one-person-one-vote”.

Dr Dixon Sing Ming 3.4.2007

Qualification for Formal Candidacy

- Any adult, who is a resident of Hong Kong and has resided in Hong Kong for not less than ten years, is in principle eligible to stand for CE election if he gets nominated.
- CE candidates who are members of political parties should be allowed to run in the election.

Nomination Method

- To convert the present Election Committee into a nominating committee for nominating CE candidates to run in the election by universal suffrage. The number of members should be increased to 3200 in 2012, in order to accommodate all DC members and a larger number of Hong Kong members of the CPPCC.
- Corporate voting should be abolished by 2012, and the electorate base

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should be expanded considerably.

- In 2012, every candidate should receive nominations from at least 12.5% of the nominating committee members.
- In 2012, every candidate who gets nominated should receive nominations from at least 5% of members from each of the four sectors mentioned in Annex I to the Basic Law.
- In the 2012 election, every candidate who gets nominated is required to secure nominations from at least 25% of the LegCo Members.
- Each member of the nominating committee may nominate only one candidate.

Electoral Method

- In 2012, all registered voters may elect the CE by universal suffrage.
- One round of voting on the basis of the first-past-the-post should be adopted in the CE election.
- Propose to increase the number of nominating committee members from 800 to 3200. The four sectors of the existing Election Committee should be replaced by two main divisions which modelled on LegCo elections, namely the geographical constituencies and functional constituencies, each taking

Hong Kong Citizen (without signature)	8.4.2007
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up 1600 seats.

- (a) Geographical constituencies include:
 - (i) not more than 800 members, comprising all LegCo Members, DC members, Hong Kong deputies to the NPC, Hong Kong members of the CPPCC and recipients of HKSAR honours and awards. If more than 800 people are eligible, LegCo Members, DC members, Hong Kong deputies to the NPC and Hong Kong members of the CPPCC will be designated as ex-officio members, while the rest will be offered a seat through screening according to the classes of their honours and awards.
 - (ii) Besides, 800 members plus any unfilled quotas of item(i) will be returned by geographical elections (in the form of DC election) held in various districts of the territory using the proportional representation method.
- (b) Functional constituencies may adopt the groupings of functional constituencies of the existing LegCo, retaining the original industrial and commercial,

<u>Organizations/individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
		<p>financial sectors (increased to 500 members), professionals (increased to 500 members) and labour and social services sectors (increased to 400 members), as well as the religious sector (200 members) etc. In addition, new functional constituencies may be added or the ratio of appointed members may be raised, in order to increase the membership to 1600. For the selection of new members, the existing electoral method of functional constituencies of the LegCo should be adopted.</p> <ul style="list-style-type: none"> ● It is proposed that each candidate should secure nominations of not less than 17.5% (560 nominations) of the total members in order to be qualified to run in the CE election. ● Elect a CE on the basis of one-person-one-vote. ● If a consensus cannot be reached concerning the election of CE by universal suffrage in 2012, a 800-member nominating committee should be formed in 2012. Electors of the nominating committee will elect a CE on the basis of one-person-one-vote. ● The 800-member nominating committee to be formed in 2017 will nominate a list of candidates. A CE
Hong Kong Civic Association	10.4.2007 3.5.2007 10.5.2007	

<u>Organizations/individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
		will then be elected by one-person-one-vote.
Mr WONG Hok-kut President of Asia-Pacific Institute of International Relations	10.4.2007	<ul style="list-style-type: none"> ● To convert the Election Committee into a nominating committee, with membership maintained at 800. In order to enhance its representativeness, the nominating committee should be composed of members returned by election on the basis of one-person-one-vote. ● Nomination threshold should be maintained at 100 (ie 1/8 of the membership). ● After verifying the eligibility of CE candidates, the CE elect will be returned by election on the basis of one-person-one-vote by all voters of Hong Kong. The power of appointment continues to be vested in the Central Government. ● If the Central Government does not announce the appointment of CE within seven days after the election, the re-election process will be activated automatically. Nomination and election will be conducted within six months.
Basic Law Institute	11.4.2007	<ul style="list-style-type: none"> ● The fourth term CE election in 2012 should continue to adopt the practice of nomination by the 800-member Election Committee.

<u>Organizations/individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
		<ul style="list-style-type: none"> ● The required number of nominations to be secured by a CE candidate should be reduced by half, ie. not less than 50 members of the Election Committee may jointly nominate a CE candidate. ● 800-member Election Committee is well qualified to transform into a nominating committee in 2017. The operation of the nominating committee should follow that of 2012, that is, not less than 50 members of the nominating committee may jointly nominate a CE contender. Following initial nomination, two formal candidates (who have obtained the highest numbers of votes) will be returned by election on the basis of one-person-one-vote by the full board of the nominating committee in accordance with democratic procedures. All qualified residents of Hong Kong may cast their votes on these two candidates on the basis of one-person-one-vote to return the CE of the HKSAR for appointment by the CPG.
New Century Forum	12.4.2007	<ul style="list-style-type: none"> ● The main principles of the CE election in 2012: <ul style="list-style-type: none"> 1. a modest nomination mechanism which allows three to four candidates to run in the election. 2. composition of the nominating committee and the nomination

<u>Organizations/individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
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mechanism should be in line with the principle of balanced participation.

3. all members of nominating committee should be Hong Kong permanent residents of Chinese nationality.

- Specific proposals:

1. to transfer the existing functions of the Election Committee to the nominating committee. Electoral method, composition and number of sectors of the nominating committee should be the same as that of the existing Election Committee.

2. candidates must secure nominations from not less than 160 members. They have to obtain not less than 20% (ie 40) and not more than 25% (ie 50) nominations from each of the four sectors (ie the industrial, commercial and financial sectors, the professions, labour, social service, religious and other sectors and political sectors).

3. Upon confirmation, the CE will be returned by election on the basis of one-person-one-vote. The one who secures more than half of the valid votes will become the CE.

4. If there is only one candidate, a vote of confidence will be conducted. If

<u>Organizations/individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
Hong Kong Policy Research Institute Limited	18.4.2007 9.5.2007	<p>he cannot secure more than half of the valid votes, it is necessary to re-activate the nomination procedure until a candidate is able to get more than half of the valid votes.</p> <ul style="list-style-type: none"> ● The method for selecting CE in 2012 should comply with the requirements laid down in Article 45 of the Basic Law, which stipulates that CE should be elected by universal suffrage upon nomination by a broadly representative nominating committee. ● The nominating committee may follow the delineation of sectors under the existing Election Committee. Members of these sectors should be returned by democratic elections within their own sectors as far as possible, so as to enhance the representativeness and credibility of the nominating committee. ● The nomination threshold should be set at 10% of the nominating committee members.
Mr TSUI Dai-lam (transliteration)	19.4.2007	<ul style="list-style-type: none"> ● The CE of the SAR should be nominated by a nominating committee and elected by all voters of Hong Kong on the basis of one-person-one-vote. ● A candidate must secure the approval of more than 50% of the nominating committee members. This is neither a preliminary selection nor

<u>Organizations/individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
		<p>pre-screening. It should be referred as a decision made by voting after discussion or consultation.</p> <ul style="list-style-type: none"> ● There should not be too many candidates. Two to three will suffice.
Mr WONG Siu-yee	26.4.2007	<ul style="list-style-type: none"> ● Two issues have to be considered for attaining universal suffrage: one is by adopting the approach of "resolving the simple issues before the difficult ones" (the approach), and the other is by establishing a constitution protection mechanism. The approach consists of two parts: the first one is to "formulate a roadmap before a timetable", the second one is to achieve "universal suffrage for the CE preceding that for LegCo". ● Rather than indulge in the endless debate on the timetable of attaining universal suffrage, parties concerned should take the approach of "formulating a roadmap before a timetable", shelving the dispute on timetable and commencing work on practical issues. Discussions should be conducted in a pragmatic manner, with a view to reaching consensus on the formulation of roadmap for universal suffrage before determining a timetable for attaining universal suffrage. ● The function of the nominating committee is to acquire the consent and support from both the Central

<u>Organizations/individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
		Government and the people of Hong Kong on the CE candidates.
Mr CHIM Ming (transliteration)	3.5.2007	<ul style="list-style-type: none"> ● The nominating committee will exist in name only if it does not have a screening mechanism. Without initial screening, the Central Government may subsequently exercise a veto over the CE elect whom it does not accept, leading to the conduct of a new round of election. This will bring about an enormous political upheaval, which may even cause a constitutional crisis. It is, therefore, necessary to set up a constitution protection mechanism in relation to CE election by universal suffrage. ● To convert the Election Committee into a nominating committee in 2012. The four sectors will each nominate one candidate. All the 800 members will then select two candidates out of the four by a simple majority voting method, who will then run in the CE election by universal suffrage. ● To convert the Election Committee into a nominating committee in 2012. The four sectors will each nominate one candidate to run in the election of CE by universal suffrage. The CE will ultimately be returned by two rounds of voting.
The Democratic Party	3.5.2007	<ul style="list-style-type: none"> ● In 2012, the nominating committee should be formed by 1200 members, comprising 800 Election Committee

<u>Organizations/individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
		members and about 400 elected DC members. 50 members from any sector may nominate one CE candidate. The CE will then be elected on the basis of one-person-one-vote, which fully reflects the principle of democracy and the implementation of universal suffrage.
Mr LAI Chi-lap	4.5.2007	<ul style="list-style-type: none"> ● There is only one model for implementing universal suffrage, i.e. referendum. ● CE candidates are required to secure nominations from ten thousand members of the public. ● Suggest abolishing appointed members to District Councils. The right to vote for the CE of the appointed members may be questioned.
Mr WONG Kam-din	8.5.2007	<ul style="list-style-type: none"> ● The community should reach a consensus on the model for implementing "universal suffrage" before determining on the roadmap and timetable. ● Models for selecting CE and forming LegCo by universal suffrage may not be the same as they represent different political entities. ● 2012 is not the right time to select CE by universal suffrage, i.e. direct election on the basis of one-person-one-vote.

<u>Organizations/individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
Hong Kong Federation of Fujian Associations	9.5.2007	<ul style="list-style-type: none"> • The number of nominations to be secured by a candidate should be high rather than low and the eligibility criteria for a candidate should be stringent rather than loose. • The nomination threshold in regard to elections by universal suffrage should be higher than that of the existing threshold of 1/8 of the nominating committee. • Any so-called "proposal" which jumble models for implementing universal suffrage with Basic Law amendments should therefore not be considered. • The 38 subsectors under the four sectors in the existing Election Committee responsible for selecting the CE have already covered different sectors of society. It meets the requirements of "broadly representative" and in particular, the principle of balanced participation. A Election Committee returned on such basis should be acceptable to different sectors and conducive to the maintenance of social stability and harmony. • As new sectors are coming up, corresponding adjustments in the light of the actual situation should be made. • There is no need to set a timetable for attaining “dual universal suffrage”.

<u>Organizations/individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
38 th Student Union of Chu Hai College of Higher Education	10.5.2007	<ul style="list-style-type: none"> • As to the CE election, which is claimed by the Government to be "highly representative", most of the students in Hong Kong do not have any opportunity to participate, or a right to vote. • Support the attainment of universal suffrage in 2012 and propose to abolish the nominating committee. Those who secure nominations from thirty thousand eligible electors will become CE candidates. Residents of Hong Kong will cast their votes to return a CE by universal suffrage.
Basic Law Institute	21.5.2007	<ul style="list-style-type: none"> • Article 45 clearly provides that the entity responsible for nomination is the "nominating committee", and not a certain number of members or individual member of the nominating committee. Nomination should therefore, only be made by "nominating committee" itself. • Article 45 of the Basic Law does not prescribe any threshold for "candidacy". Apart from the eligibility for formal CE candidacy expressly provided in Article 44, other qualifications for "candidacy" should be made by local legislation. • Although Article 45 of the Basic Law does not prescribe the "threshold", at least there should be one recommender and one seconder on the operational level. That being the case, there may

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be a maximum of 400 contenders in theory.

- Article 45 clearly stipulates that the nominating committee should be "broadly representative". It should be noted that there are legal consequences of this provision:
 - (1) the formation of "nominating committee" should cover extensively different sectors and professions in society;
 - (2) the contenders need to be nominated by the "nominating committee" itself. Nominations by members of some sectors under the committee is not on par with nomination by "a broadly representative" nominating committee.
- Article 45 clearly stipulates that the nominating committee should make its nomination in accordance with democratic procedure. It should be noted that the emphasis of such "procedure" lays on "openness", "fairness" and "equality".
- Support using democratic method to select the CE, but, "one-person-one-vote" may not be the most suitable option.
- In the future, it is unavoidable that the electorate base for the CE election has

Mr Henry WOO

8.6.2007

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to be expanded. It is a reasonable strategy if the development is properly managed.

**Public views on possible models for
electing the Chief Executive by universal suffrage**

Written submissions received by the Legislative Council

<u>Organizations/individuals making the submissions (Submission No.^{Note})</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
Hong Kong Bar Association (Submission No. 03 in Appendix I to LC Paper No. CB(2)2386/05-06(01))	3.3.2000	All members of the Election Committee shall be returned by direct or indirect election; at least half of the members of the Election Committee be returned by geographical constituency election by universal suffrage.
Hong Kong University Graduates Association Political Reform Concern Group (Submission No. 04 in Appendix I to LC Paper No. CB(2)2386/05-06(01))	9.2004	<ul style="list-style-type: none">• To transform the 800-member Election Committee into a 1200-member nominating committee. The method for electing members should be similar to that of the existing Election Committee.• A CE candidate should be jointly nominated by not less than 150, but not more than 200 members of the nominating committee (with not less than 25 members from each sector). Each member may nominate only one candidate.• Election of the CE by universal suffrage will be held after nomination. As regards the election and vote counting methods, consideration should be given to requiring a candidate to secure more than half of the valid votes in order to

<u>Organizations/individuals making the submissions</u> (Submission No. ^{Note})	<u>Date of Submission</u>	<u>Summary of Views</u>
Civic Exchange (Submission No. 01 in Appendix I to LC Paper No. CB(2)2386/05- 06(01))	15.2.2005	<p>be elected.</p> <ul style="list-style-type: none"> • The Election Committee to be composed of not less than 5 000 members and be changed into a nominating committee. • As regards the composition of the nominating committee, apart from the ex-officio members (such as the Legislative Council Members, Hong Kong Deputies to the National People's Congress and representatives of Hong Kong members of the National Committee of the Chinese People's Political Consultative Conference), the other members may be selected at random based on each of the District Council constituency. • A candidate needs to secure nominations from not less than 250 members of the nominating committee and 2 500 registered voters in order to be qualified to stand at election.
Association for the Advancement of Feminism (Submission No. 14 in Appendix I to LC Paper No. CB(2)2386/05- 06(01))	9.11.2005	The Chief Executive should be elected by direct election on a “one-person-one-vote” basis. No need to establish any form of election committee.

<u>Organizations/individuals making the submissions</u> (Submission No. ^{Note})	<u>Date of Submission</u>	<u>Summary of Views</u>
Hon LEUNG Kwok-hung (Submission No. 13 in Appendix I to LC Paper No. CB(2)2386/05-06(01))	16.1.2006	It is inappropriate to retain the nominating committee for the selection of the CE. A candidate can only be nominated when he has secured support from a specified percentage of registered voters. The nomination and election proceedings should adhere to the principle of “one-person-one-vote”.
Democratic Party (Submission No. 02 in Appendix I to LC Paper No. CB(2)2386/05-06(01))	4.2006	The nominating committee to be formed by the Members of the LegCo. The CE should then be elected by members of the public on a “one-person-one-vote” basis and appointed by the CPG. A CE candidate is to be nominated by five LegCo Members. Each Member may nominate only one candidate.
Hon CHEUNG Man-Kwong (LC Paper No. CB(2)1022/06-07)	18.12.2006	The Government should make reference to the “dual nomination system” as practised by other countries, under which candidates may either be nominated by a nominating committee or by the public if they could enlist a certain percentage of public support. Aspiring candidates who are able to secure nominations from 5% of voters should be eligible to stand for the CE election.
The Chinese General Chamber of Commerce (LC Paper No. CB(2)1873/06-07(11))	9.5.2007	<ul style="list-style-type: none"> ● Constitutional development should be pursued without invoking a constitutional crisis and amending the Basic Law. ● The model for universal suffrage should comply with the provisions of the Basic Law and four principles on

<u>Organizations/individuals making the submissions</u> (Submission No. ^{Note})	<u>Date of Submission</u>	<u>Summary of Views</u>
		<p>constitutional development, namely (1) meeting the interests of different sectors of society; (2) facilitating the development of the capitalist economy; (3) gradual and orderly progress; and (4) appropriate to the actual situation in Hong Kong.</p>
League of Social Democrats (LC Paper No. CB(2) 1873/06-07(09))	11.5.2007	<ul style="list-style-type: none"> ● To abolish the existing Election Committee. Any eligible resident, who can secure a certain number of nominations from, say 50,000, eligible electors (with signatures) is qualified for CE candidacy. A CE election on the basis of one-person-one-vote will be held, and the one who obtains the "absolute majority" of votes will be returned as the CE. ● By "absolute majority", the CE elect is required to secure more than 50% of votes. If no one receives a "absolute majority" of votes in the first round of voting, then the two candidates with the highest number of votes in the first round will enter into the second round.
Mr LEUNG Siu-tong (LC Paper No. CB(2) 1873/06-07(10))	11.5.2007	<ul style="list-style-type: none"> ● The CE election in 2012 may involve two stages. First of all, CE candidates are to be returned by a Election Committee election. After that all residents of Hong Kong will vote on the eligible CE candidates thus returned on a one-person-one-vote basis. If there is only one candidate, consideration should be given to requiring him to obtain 40% of the

<u>Organizations/individuals making the submissions</u> (Submission No. ^{Note})	<u>Date of Submission</u>	<u>Summary of Views</u>
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vote of confidence in order to get elected.

- Membership of the Election Committee should be enlarged to 1800. The delineation of sectors under the Committee should also be readjusted, with 600 members from industrial, commercial and financial sectors and professions sectors, 600 from labour, social services and religious sectors, 600 from LegCo members, DC members, Hong Kong deputies to the NPC and representatives of Hong Kong members of the CPPCC.
- The nomination threshold should be set at 1/5 of the Election Committee members. That is to say, a person has to secure nominations from 360 eligible members in order to be qualified for candidacy.
- If the threshold is set at 1/10 (ie. 180) of the Election Committee members, then candidates must secure nominations from at least 1/10 of the members from each of the three sectors mentioned above, in order to fulfill the purpose of balanced participation.
- Professions like pre-school education, Chinese medicine, mass media, security services and beauty consultancy should take up a number

<u>Organizations/individuals making the submissions</u> (Submission No. ^{Note})	<u>Date of Submission</u>	<u>Summary of Views</u>
Ms YUNG Wing-sheung, Amy (LC Paper No. CB(2) 1873/06-07(02))	15.5.2007	<p>of seats in the Election Committee.</p> <ul style="list-style-type: none"> ● Agree with the proposal of converting the existing Election Committee into a nominating committee. The electorate base of each sector under the Committee should be enlarged. ● The proposal on the inclusion of elected DC members in the nominating committee, which will help promoting the representativeness and credibility of the Committee, is worthy of consideration. ● Nomination threshold for CE election should be adjusted downward. It should be lower than the existing threshold of 12.5%, regardless of the formation and size of the Committee. The aim of which is to ensure that aspiring contenders will not be banned from running in CE election and more choices are offered to residents of Hong Kong.
Liberal Party (LC Paper No. CB(2) 1873/06-07(13))	15.5.2007	<ul style="list-style-type: none"> ● If the relevant conditions have ripened into maturity, the election of CE by universal suffrage could be implemented hopefully by 2012. Such "conditions" include the nomination of CE candidates for election by universal suffrage by a broadly representative nominating committee and the rationalized relationship between the ExCo and LegCo.

<u>Organizations/individuals making the submissions</u> (Submission No. ^{Note})	<u>Date of Submission</u>	<u>Summary of Views</u>
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- The existing Election Committee may be converted into a nominating committee. The number of members could be increased to 1200 or 1600, so as to enhance the legitimacy and representativeness of the nominating committee. At the same time, consideration should be given to the principle of balanced participation, as well as attainment of balance between sectoral interests and overall interests. The number of seats of the current four sectors should be increased evenly and the ratio of membership among sectors should not be changed in a slipshod manner.
- Nomination threshold for the first CE election by universal suffrage should not be too low, on the contrary, it is appropriate and prudent to set the threshold at a relatively high level. In subsequent elections, the threshold may be lowered gradually in the light of the actual situation of Hong Kong.
- Nominations secured by a candidate should come from the four sectors in order to reflect the principle of balanced participation as set out in the Basic Law.
- Early implementation of universal suffrage in CE election is subject to the fulfillment of some essential and related requirements, such as the improvement of the relationship

<u>Organizations/individuals making the submissions</u> (Submission No. ^{Note})	<u>Date of Submission</u>	<u>Summary of Views</u>
The Chinese Manufacturers' Association of Hong Kong (LC Paper No. CB(2) 1910/06-07(01))	17.5.2007	<p>between the executive authorities and the legislature.</p> <ul style="list-style-type: none"> ● Propose that the composition and electoral method should be modelled on that for the existing Election Committee. Membership of 800 should remain unchanged. ● Propose that nominating committee members should select, by election on the basis of one-person-one-vote, not more than three CE candidates from all who have secured signature support from 100 or more members. Nominating committee members select the CE candidates on the basis of one-person-one-vote by simple majority voting method. ● The CE should be returned by universal suffrage on the basis of one-person-one-vote. Among the CE candidates (not more than three), the one who obtains the highest number of valid votes cast will be returned as the CE elect, who will then be officially appointed by the CPG as the CE.
Civic Association (LC Paper No. CB(2) 1910/06/07(02))	18.5.2007	<ul style="list-style-type: none"> ● Set up a 800-member nominating committee in 2012. The nominating committee will nominate a list of CE candidates and the voters will elect the CE by one-person-one-vote.

<u>Organizations/individuals making the submissions</u> (Submission No. ^{Note})	<u>Date of Submission</u>	<u>Summary of Views</u>
The Frontier	19.5.2007	<ul style="list-style-type: none"> • Before the Basic Law can be amended, the nominating committee under Article 45 should be formed by election on the basis of one-person-one-vote. • The threshold for nominating candidates should not be too high, the nomination mechanism should not be used to prevent those holding dissenting views from participating in the election.
Civil Human Rights Front	20.5.2007	<ul style="list-style-type: none"> • Given a mature government, well-developed supporting electoral measures and wide public participation in the election, it is believed that Hong Kong people are provided with the required conditions and rights to elect the CE and all LegCo Members of the HKSAR on the basis of “one person, one vote” so as to truly implement the accountability system.
Concern Group on Hong Kong’s Future	21.5.2007	<ul style="list-style-type: none"> • There should be a low threshold, without a screening process or exercise in nomination, so as to protect the purity of democracy. • Before the nominating committee can be abolished, the nominating committee in 2012 should be formed by 1200 members, which comprise 800 Election Committee member and about 400 elected DC members. 50 members from any sectors may nominate one CE candidate. A CE will

<u>Organizations/individuals making the submissions</u> (Submission No. ^{Note})	<u>Date of Submission</u>	<u>Summary of Views</u>
The Democratic Party (LC Paper No. CB(2) 1873/06-07(08))	5.2007	<p>then be elected by members of the public on the basis of one-person-one-vote.</p> <ul style="list-style-type: none"> ● Before the Basic Law amendment on abolishing the nominating committee can be made, the nominating committee in 2012 should be formed by about 1200 members, comprising 800 Election Committee members and about 400 elected DC members. ● 50 members from any sectors may nominate one CE candidate. A CE will then be elected by members of the public on the basis of one-person-one-vote.
Asia-Pacific Institute of International Relations (LC Paper No. CB(2) 1873/06-07(12))	5.2007	<ul style="list-style-type: none"> ● In the 2012 CE election, the existing 800-member Election Committee should turn into a nominating committee. A person who secures nominations from 100 members will be qualified for candidacy. All eligible voters of Hong Kong will then elect a CE by one-person-one-vote for the appointment by the Central Government. Annex I to the Basic Law should be amended. ● In 2017, the number of the nominating committee member should increase from 800 to 1600. The newly added 800 members are returned from the eight constituencies by one-person-one-vote. A person who secures nomination from 200 members will be qualified for candidacy. All

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eligible voters of Hong Kong will then elect a CE by one-person-one-vote for the appointment by the Central Government. Annex I to the Basic Law should be amended.

- In 2022, the nominating committee should be formed by 1600 members who are all returned from the eight constituencies by one-person-one-vote. A person who secures nomination from 200 members will be qualified for candidacy. All eligible voters of Hong Kong will then elect a CE by one-person-one-vote for the appointment by the Central Government. Annex I to the Basic Law should be amended.

Note: Please refer to the Legislative Council webpage for the original text of the submissions (LC Paper No. CB(2)2386/05-06(01)).
www.legco.gov.hk/yr05-06/english/panels/ca/papers/ca0619cb2-2386-1e.pdf

**Views on possible models for
electing the Chief Executive by universal suffrage**

**Written submissions received by
the Committee on Governance and Political Development
of the Commission on Strategic Development**

<u>Members Submitting Views</u>	<u>Date of Submission</u>	<u>Summary of Views</u> ^{Note}
Hon LEE Cheuk-yan	9.1.2006	<ul style="list-style-type: none">• The composition of the nominating committee must realize the principle of universal and equal rights for all citizens to nominate and be nominated. The current composition of the Election Committee stipulated in Annex I to the Basic Law is obviously not in line with the principle of equal and universal rights. It will not be consistent with the provisions of “democratic procedures” and “ultimate aim of universal suffrage” stipulated in Article 45 if such a composition is taken as a blueprint for forming the nominating committee.• Regarding the voting method for electing the CE by universal suffrage, it is necessary to consider whether to adopt a “simple majority” voting method or a “two-round polling system” (i.e. if no candidate obtains more than half of the valid votes cast in the first round of polling, a second round will be held for voters to elect the CE between the two candidates obtaining the most votes in the first round).

<u>Members Submitting Views</u>	<u>Date of Submission</u>	<u>Summary of Views</u> ^{Note}
Mr CHAN Chung-bun, Bunny	20.1.2006	To expand considerably the membership of the Election Committee (including all District Council members as originally proposed by the Government).
Hon LEE Wing-tat	26.5.2006	<ul style="list-style-type: none"> • The nominating committee should be composed of the Members of LegCo, and the CE should be elected on a “one-person-one-vote” basis. • A CE candidate may be nominated by five LegCo Members. Each Member may nominate only one candidate. As such, the number of candidates will be capped at 12.
Hon LEE Cheuk-yan	7.2006	<ul style="list-style-type: none"> • It will not be consistent with the principle of democratic election and the provisions of Article 45 of the Basic Law if the Election Committee is used as a basis for forming the nominating committee. • Political parties or groups with certain representativeness (or alliances formed by political parties / groups) may recommend a contender to the nominating committee to stand for the CE election. • 50 000 (or 100 000) registered voters may also jointly recommend a contender to the nominating committee to stand for election. • Even if a contender is recommended by political parties/groups, he should not

<u>Members Submitting Views</u>	<u>Date of Submission</u>	<u>Summary of Views</u> ^{Note}
		<p>be considered as a nominee for the election. He will become a formal candidate for the CE election only after the recommendation is validated by the nominating committee.</p> <ul style="list-style-type: none"> • Regarding the voting method for electing the CE by universal suffrage, it is necessary to consider whether to adopt a “simple majority” voting method or a “two-round system” (i.e. if no candidate obtains more than half of the valid votes cast in the first round of polling, a second round will be held for voters to elect the CE among the two candidates who have received the highest number of votes in the first round).
Mr TAM Kwok-kiu	19.7.2006	<p><u>Option 1:</u></p> <ul style="list-style-type: none"> • To transform the existing Election Committee into a nominating committee. To expand the number of members from the present 800 to 3 200; • The electorate base of the nominating committee should be expanded to cover all eligible voters in Hong Kong; • Certain sectors should be added or removed, and some should have its composition adjusted to reflect the relative importance of these sectors in the community;

<u>Members Submitting Views</u>	<u>Date of Submission</u>	<u>Summary of Views</u> ^{Note}
		<ul style="list-style-type: none"> • Each voter should be assigned to one of the sectors according to the new delineation, and should have the right to vote and stand for election in the respective sector; • The number of seats allocated to the respective sectors in the nominating committee should be proportionate to their population size; • To abolish corporate voting; • A CE candidate should be required to secure nominations from at least 5% of the members of the nominating committee. Each member of the nominating committee may nominate only one candidate; • The number of candidates should be limited to 10. Candidates will be ranked according to the number of nominations they received. The 10 people who received the highest number of nominations will be qualified for formal candidacy; and • A CE should be returned by universal suffrage on the basis of “one-person-one vote” by a “simple majority voting method”. The CE elect will become the CE of the SAR upon appointment by the Central People's Government.

<u>Members Submitting Views</u>	<u>Date of Submission</u>	<u>Summary of Views</u> ^{Note}
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Option 2:

- The future nominating committee should be formed by all 60 Members of the LegCo;
- Only those who have secured nominations from 10% of the Members of the LegCo (i.e. 6 Members) should formally become a candidate in the CE election. Each LegCo Member may nominate only one candidate, thus limiting the number of candidates to 10; and
- A CE should be returned by universal suffrage on the basis of “one-person-one vote” by a “simple majority voting method”. The CE elect will become the CE of the SAR upon appointment by the Central People's Government.

Miss Maria TAM Wai-chu	28.7.2006	<ul style="list-style-type: none"> • To use the Election Committee as a basis and to maintain the four sectors, namely the industrial and commercial, the professions, grassroots and political sectors, each taking up one-fourth of the seats. • The nomination threshold should not be too low, as this will lead to too many candidates with mixed quality standing for election. • It is more appropriate to first focus on discussing the operation of the
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<u>Members Submitting Views</u>	<u>Date of Submission</u>	<u>Summary of Views</u> ^{Note}
		<p>first-term nominating committee. The nomination method of the subsequent terms should be improved gradually in future.</p> <ul style="list-style-type: none"> • For electing the CE by universal suffrage for the first time, the nomination threshold should be set at 25% of all members of the nominating committee. In principle, there should be no more than four candidates. • Apart from receiving the required number of subscribers, candidates should also have the support of at least one-fourth of all Members of the LegCo and one-fourth of the Hong Kong deputies to the NPC.
Mr YU Kwok-chun	28.7.2006	<ul style="list-style-type: none"> • The existing Election Committee should serve as a blueprint for forming the nominating committee, with adjustments made as appropriate. • All Hong Kong members of the CPPCC should be included in the nominating committee. • For the election of the first CE by universal suffrage, the nomination threshold should be set at 25% of members of the nominating committee. • Following nomination, the CE will be returned by universal suffrage.

<u>Members Submitting Views</u>	<u>Date of Submission</u>	<u>Summary of Views</u> ^{Note}
Mr NG Sze-fuk, George	28.7.2006	<ul style="list-style-type: none"> • The Election Committee should serve as the blueprint for forming the nominating committee. • The number of members of the nominating committee could be modeled on that of the Election Committee, and be adjusted appropriately in the light of the actual situation in Hong Kong and public views. • The number of candidates should be limited to four. A preliminary selection mechanism should be set up to enable aspiring candidates to pass a lower threshold. For example, contenders who are able to secure 100 supporting signatures from the 800-strong nominating committee will undergo the preliminary selection mechanism. Members of the nominating committee may cast a maximum of four votes by secret ballot and those four contenders receiving the highest number of votes will become CE candidates.
Hon SHEK Lai-him, Abraham	28.7.2006	<ul style="list-style-type: none"> • The composition of the nominating committee should model on the four sectors of the existing Election Committee. On this basis, corresponding adjustments could be made e.g. to increase the number of members from the business sector to encourage greater participation of the sector in the process.

<u>Members Submitting Views</u>	<u>Date of Submission</u>	<u>Summary of Views</u> ^{Note}
		<ul style="list-style-type: none"> • The number of members of the nominating committee should double that of the existing Election Committee, amounting to 1 600. • All new seats should be allocated to the existing four sectors, with more seats for members from the business sector. The proportion of members from the industrial, commercial and financial sectors should be increased from the current 25% to 35% to reflect the sectors' commitment to and influence on the Hong Kong community. • The nomination threshold should be increased from the current 12.5% to 25%. • There should not be any upper limit on the number of subscribers required for nomination. • Each member of the nominating committee may nominate only one candidate. • The CE should be elected by all eligible voters in Hong Kong on the basis of one-person-one-vote. • Abolition of corporate voting will hamper the participation of the business sector and undermine the confidence of investors in Hong Kong. It is not in line with the fundamental interests of Hong Kong.

<u>Members Submitting Views</u>	<u>Date of Submission</u>	<u>Summary of Views</u> ^{Note}
Mr CHAU How-chen	28.7.2006	<ul style="list-style-type: none"> • The existing Election Committee should be taken as a blueprint for forming the nominating committee. • The number of members of the nominating committee should be increased to 1 600, of which different strata and major sectors of the community should be included. • A relatively higher nomination threshold for candidates should be set to ensure that they are capable of soliciting support from different sectors of society. • Each candidate should receive at least 400 nominations. Each member of the nominating committee can only nominate one candidate. • There should be an upper limit for the number of subscribers, say 50% of the members of the nominating committee. There will be two to four candidates under such a nomination mechanism. • In addition, each candidate should also secure supporting signatures from not less than 5 000 registered voters. Each registered voter may sign up to support one candidate. • The particulars of candidates should be submitted to the Central Government for the record. The CE will then by returned by universal suffrage on the

<u>Members Submitting Views</u>	<u>Date of Submission</u>	<u>Summary of Views</u> ^{Note}
		basis of one-person-one-vote by secret ballot, using the simple majority voting method. There is no need to set up a threshold for the percentage of votes to be received by the winning candidate. The candidate who receives the highest number of votes will be elected for appointment by the Central Government in accordance with the Basic Law.
Mr SZE Chin-hung, Jerome	31.7.2006	<ul style="list-style-type: none"> • In forming a “broadly representative” nominating committee, the following three areas should be considered: <ul style="list-style-type: none"> (1) to carefully examine whether the existing 38 subsectors of the Election Committee are sufficiently broadly representative; (2) all Hong Kong members of the CPPCC should become members of the nominating committee; (3) in principle, it is reasonable to have a nominating committee larger than the Election Committee. It will be conducive to allowing contenders from different sectors to secure nominations by expanding the number and size of the subsectors. • The nomination threshold should allow no less than six candidates to get nominated. • The nominating committee can exercise a veto power. Any contender

<u>Members Submitting Views</u>	<u>Date of Submission</u>	<u>Summary of Views</u> ^{Note}
		who is vetoed by 50% or more of the members will automatically lose his eligibility for nomination.
Mr LAU Nai-keung	1.8.2006	<ul style="list-style-type: none"> • The nominating committee should comprise about 1 500 members: <ul style="list-style-type: none"> <u>The first sector</u> 200 members from the business sectors. Corporate voting should be abolished. <u>The second sector</u> 200 members from the professions. Corporate voting should be abolished. <u>The third sector</u> 200 members from education and social welfare sectors. Corporate voting should be abolished. <u>The fourth sector</u> Around 200 members representing the establishment of the Central Authorities, including the deputies to the NPC and members of the CPPCC. <u>The fifth sector</u> Around 200 ex-officio members representing the establishment of the HKSAR, including the CE, members of the Executive Council, all Members of the LegCo, as well as chairpersons of standing advisory bodies. <u>The sixth sector</u> Around 500 ex-officio members representing the district organizations,

<u>Members Submitting Views</u>	<u>Date of Submission</u>	<u>Summary of Views</u> ^{Note}
		including all elected DC members.
		<ul style="list-style-type: none"> • The nominating committee is highly representative of the population since all elected DC members are included. There is no need to consider adding other functional sectors such as housewives.
		<ul style="list-style-type: none"> • Contenders should be required to receive nominations from not less than 10% (about 150 members) and not more than 30% (about 450 members) of the members of the nominating committee. They should also obtain nominations from not less than 10% of the members in each of the sectors (about 20 from each of the first five sectors, and 50 from the 6th sector) to formally become a CE candidate. Each member of the nominating committee may nominate one candidate, and the nominations should be made public and on record.
		<ul style="list-style-type: none"> • Universal suffrage should be held four months before the current term of the office of the CE expires. The new CE should be elected by all eligible and registered electors on the basis of one-person-one-vote by secret ballot.
		<ul style="list-style-type: none"> • Polling should still be held even if there is only one candidate. The candidate must receive more than half of the votes cast before being put forth for appointment by the Central Government. The election will become

<u>Members Submitting Views</u>	<u>Date of Submission</u>	<u>Summary of Views</u> ^{Note}
		<p>invalid if the candidate fails to receive more than half of the votes. A fresh round of nomination and election should be held within two months. The proceedings will continue until a new CE is elected.</p> <ul style="list-style-type: none"> • If none of the candidates is able to receive more than half of the votes cast, the two candidates with the highest number of votes will contest the second round of election which should be held within two weeks. The candidate who receives more than half of the votes will be elected and put forth for appointment by the Central Government.
Ms KO Po-ling	30.8.2006	<ul style="list-style-type: none"> • The nominating committee should comprise 1 600 members from different sectors. • Those who stand for the CE election must receive nominations from 50 or more members of the nominating committee. Among the nominations, five should be from LegCo Members and five from the Hong Kong deputies to the NPC. • Contenders should go through preliminary selection procedures. Each member of the nominating committee can select two contenders. The two contenders having the highest number of votes will become CE candidates. All eligible electors in Hong Kong may cast their votes on the

<u>Members Submitting Views</u>	<u>Date of Submission</u>	<u>Summary of Views</u> ^{Note}
Mr CHAN Chung-bun, Bunny	31.8.2006	<p>basis of one-person-one-vote. The candidate who receives more than 50% of the valid votes cast will be elected and put forth for appointment by the Central People's Government.</p> <ul style="list-style-type: none"> • The Election Committee should be taken as a blueprint, but the number of members should be increased. The 800-member Election Committee comprises four sectors (each with 200 members). These four sectors should be maintained, while the number of members of each sector should be increased to 300 (i.e. the nominating committee will have 1 200 members). • Each candidate must receive nominations from at least 240 (i.e. 20%) members of the nominating committee (if the total membership of the committee is increased to 1 200). • Each member of the nominating committee may nominate only one candidate. • The number of subscriptions obtained by a candidate should be capped at half of the total membership of the nominating committee. • Under the executive-led principle, it is important that a candidate will be elected as the CE only if he obtains more than half of the votes cast.

<u>Members Submitting Views</u>	<u>Date of Submission</u>	<u>Summary of Views</u> ^{Note}
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Option 1:

Candidates who receive the smallest number of votes will be eliminated first. Polling arrangements will then be made for voters to elect from among the remaining candidates. After one or more rounds of elections, there will finally be two candidates left. The candidate who secures more than half of the votes cast will become the CE.

Option 2:

To limit the number of candidates standing for the election by universal suffrage. Only the two candidates receiving the highest number of nominations should appear on the list. The candidate so returned must have received more than half of the votes cast.

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| Hon LEE Wing-tat | 9.2006 | <ul style="list-style-type: none"> • The nominating committee should be formed by LegCo Members for nominating CE candidates, who will then be elected by universal suffrage on the basis of one-person-one-vote. |
| Mr SZE Chin-hung,
Jerome | 5.9.2006 | <ul style="list-style-type: none"> • A lower nomination threshold should be set - five LegCo Members may jointly nominate a candidate to stand for election. • There are two requirements for nomination under the Basic Law - nomination by a “broadly representative” nominating committee |

<u>Members Submitting Views</u>	<u>Date of Submission</u>	<u>Summary of Views</u> ^{Note}
		<p>“in accordance with democratic procedures”.</p> <p>The first requirement is to admit individuals who are “broadly representative” into the nominating committee so that they can nominate aspiring contenders in their personal capacity.</p> <p>The second requirement is that the committee as a whole will nominate “formal” candidates “in accordance with democratic procedures”. Those who have received the prescribed number of subscription should undergo a “veto or confidence voting” by all members of the committee “in accordance with democratic procedures”. A member may indicate on the nomination list the candidates whom they have no confidence on. Any nominees who are “vetoed” by 50% or more of the members will lose their eligibility in running the election.</p>
Hon TIEN Pei-chun, James	8.9.2006	<ul style="list-style-type: none"> • Provided that favorable conditions are available (e.g. with good coordination in political work), 2012 could be the earliest possible date for implementing universal suffrage for the CE election. • Before implementing universal suffrage for the CE election, it is necessary to enhance cooperation between the executive authorities and the legislature. In this regard, the formation of a governing coalition can ensure that

<u>Members Submitting Views</u>	<u>Date of Submission</u>	<u>Summary of Views</u> ^{Note}
Mr WONG Ying-ho, Kennedy	14.9.2006	<p>government policies will have regular and sufficient support in the LegCo.</p> <ul style="list-style-type: none"> • In regard to the election of the CE by universal suffrage for the first time, consideration can be given to transforming the Election Committee into a nominating committee in accordance with the existing method for forming the Election Committee. The membership of 800 should remain unchanged. • The composition of some trades may have undergone major changes, with some new sectors keep emerging. Suitable adjustments should be made in the light of the actual situation, but such adjustments should not deviate from the guiding principles stipulated in the Basic Law (i.e. each sector to take up one-fourth of the membership of the nominating committee). • The operation of the nominating committee can be divided into two stages: <p>Stage 1: Aspiring contenders should first receive supporting signatures from 100 (or more) members of the nominating committee, with at least 25 signatures from each of the four sectors. Each member of the committee may support eight candidates at most.</p> <p>Stage 2: The 800 members of the nominating committee should select</p>
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<u>Members Submitting Views</u>	<u>Date of Submission</u>	<u>Summary of Views</u> ^{Note}
		<p>candidates by secret ballot. It should be prescribed in the Chief Executive Election Ordinance that the maximum number of candidates is three. The number of votes to be cast by nominating committee members will be determined by the number of contenders, with a maximum of three.</p> <ul style="list-style-type: none"> • If there are more than three contenders, each member of the nominating committee may cast three votes to nominate three nominees. If there are only three contenders, each member may cast two votes. The contenders who secure more than half (i.e. more than 400 votes) of the votes will be selected as CE candidates. • If there are only two contenders, the abovementioned voting procedures should take place to return candidates. If there is only one contender, members should cast a vote of confidence in accordance with the above procedures and the contender should not be selected as candidate automatically.
Ms CHOW, Wendy	18.9.2006	<ul style="list-style-type: none"> • To take the first and the subsequent two elections of the CE by universal suffrage as a pilot scheme. A review should be conducted to formulate a long term electoral method thereafter. • During the pilot period, the electoral method for electing the CE by universal suffrage can be carried out in 3 stages:

<u>Members Submitting Views</u>	<u>Date of Submission</u>	<u>Summary of Views</u> ^{Note}
		<u>Stage 1</u> To transform the Election Committee to a nominating committee. The number of members should remain unchanged.
		The nomination threshold should be raised to 20%.
		If there are more than two eligible CE candidates, the CE will be elected by eligible registered voters on the basis of one-person-one-vote through two rounds of elections.
		<u>Stage 2</u> The original four sectors should be maintained, but a fifth sector (comprising 200 members who are directly elected by all eligible voters from different districts on the basis of one-person-one-vote) will be added. Voters may choose to vote in one of the five sectors to which they are qualified to vote. Corporate voting should be abolished.
		Candidates will be required to receive nominations from not less than 20% of members in each of the sectors. Among the nominations, at least 10% should come from Hong Kong deputies to the NPC and Hong Kong members of the CPPCC.
		The voting method will be the same as that in stage 1.

<u>Members Submitting Views</u>	<u>Date of Submission</u>	<u>Summary of Views</u> ^{Note}
		<p><u>Stage 3</u></p> <p>The membership of the fifth sector (directly elected members) should increase from 200 to 400.</p> <ul style="list-style-type: none"> • Nomination and voting methods are the same as those in stage 2. • The electoral system should be reviewed after completion of the third election of the CE by universal suffrage.
Dr LEUNG Mei-fun, Priscilla	22.9.2006	<ul style="list-style-type: none"> • The number of the nominating committee members should increase to 1 600. Making reference to the existing method for forming the Election Committee, the nominating committee should comprise the original four sectors, with the membership in each sector doubled and returned through either election or consultations. • The nominating committee may subsequently be further expanded and returned by universal suffrage. • Contenders must receive at least 300 nominations. Eligible candidates will be elected by all voters in Hong Kong on the basis of one-person-one-vote. • The Registration and Electoral Office of Hong Kong should submit the names of candidates who have received sufficient nominations to the Central Government. Verification of their

<u>Members Submitting Views</u>	<u>Date of Submission</u>	<u>Summary of Views</u> ^{Note}
		<p>eligibility will be conducted by the Hong Kong and Macao Affairs Office of the State Council, which is a department directly under the Central Government.</p> <ul style="list-style-type: none"> • Upon verification of the eligibility of candidates, election by universal suffrage can be conducted. The CE elected by universal suffrage can be appointed by the Central Government in a smooth manner.
Mr SZE Chin-hung, Jerome	3.10.2006	<ul style="list-style-type: none"> • Before universal suffrage can be implemented in Hong Kong, a mechanism for the nominating committee to carry out preliminary screening should be established. This is to allow patriots with the capability to govern Hong Kong to stand for election. • Membership of the nominating committee should be 1 200. • The nomination procedures should involve two steps: <ul style="list-style-type: none"> (1) Each member of the nominating committee may nominate one potential candidate, who must receive support from 150 (12.5%) members of the nominating committee. (2) After potential candidates are put forth, all members of the nominating committee should

<u>Members Submitting Views</u>	<u>Date of Submission</u>	<u>Summary of Views</u> ^{Note}
		exercise their veto power to vote down those who fail to meet the requirements (i.e. candidates should have the capability to govern Hong Kong and should be patriotic). Potential candidates who are vetoed by more than half of the members would lose their eligibility as candidates.
Ms FONG, Janie	6.10.2006	<ul style="list-style-type: none"> • The nominating committee should comprise 800 to 1 600 members. • The nomination threshold should be set at 12.5% to 25% of the membership. • Each member may nominate only one candidate. • Simple majority voting method should be used.
Mr LIE-A-CHEONG Tai-chong, David	23.11.2006	<ul style="list-style-type: none"> • A consensus should first be reached on the constitutional development proposals put forth by the Government in 2005. On this basis, the existing Election Committee should be expanded. In addition to the current 800 members, consideration could be given to including all DC members and HK members of the CPPCC. Those from sectors which are not yet included could also be included as appropriate. The size of the Election Committee should not exceed 1600.

<u>Members Submitting Views</u>	<u>Date of Submission</u>	<u>Summary of Views</u> ^{Note}
Dr LEUNG Mei-fun, Priscilla	23.11.2006	<ul style="list-style-type: none"> • The Election Committee is only a transitional arrangement, which should be improved through operation. Ultimately, it could turn into a nominating committee when universal suffrage for CE is attained. • The Central Authorities and Hong Kong will face a great political crisis if candidates returned by universal suffrage are in the end not appointed by the Central Authorities. • A simple and forthright approach is to allow the Central Authorities to participate directly in the candidate selection process. • If the proposal of allowing the Central Authorities to verify the eligibility of candidates could hardly be accepted, consideration may be given to forming a committee. Selection of members and composition of the committee could further be examined (participation of Hong Kong people in the committee should not be ruled out). • The function of this committee is mainly to verify the eligibility of candidates. The size of the committee should not be too big. Its role is to verify eligibility of candidates, rather than nominating candidates.

<u>Members Submitting Views</u>	<u>Date of Submission</u>	<u>Summary of Views</u> ^{Note}
Mr SHIH Wing-ching	7.3.2007 & 8.3.2007	<ul style="list-style-type: none"> • The role of Election Committee should first be changed from selecting the CE to selecting CE candidates for universal suffrage. • Hong Kong deputies to the National People's Congress and Hong Kong members of the National Committee of the Chinese People's Political Consultative Conference could be ex-official members. Other members should mainly come from the functional constituencies. • The nomination threshold could be lowered to require 30 subscribers, so that more people could participate. The Election Committee should elect three "formal" candidates for universal suffrage.
Mr SZE Chin-ming, Jerome	10.4.2007	<ul style="list-style-type: none"> • Support the establishment of a nominating committee, whose members will exercise negative voting on those who are qualified for formal candidacy.
Mr WONG Kong-hon	10.4.2007	<ul style="list-style-type: none"> • There should be balanced participation of all social strata in the nominating committee, including people of Hong Kong who are serving in the establishment of the Central Authorities, such as Hong Kong deputies to the NPC and Hong Kong members of the CPPCC.
Miss TAM Wai-chu, Maria	11.4.2007	<ul style="list-style-type: none"> • It is not appropriate to form the nominating committee by LegCo members.

<u>Members Submitting Views</u>	<u>Date of Submission</u>	<u>Summary of Views</u> ^{Note}
		<ul style="list-style-type: none"> • In formulating the electoral method for selecting CE, "local" people, who are experienced in dealing with the affairs of the Central Government, should actively play the role of a bridge in local consultation or nomination process. As Hong Kong deputies to the NPC are members of the legislature under the Central Government who abide by the national constitution and laws (including the Basic Law), they are well qualified in helping the SAR Government in the implementation of constitution and law. They are a minority in Hong Kong, who have the firsthand knowledge on the operation of "One Country, Two Systems" both in Hong Kong and the Mainland. • The composition of the Election Committee may serve as a blueprint of the nominating committee. It is appropriate to maintain the current composition of industrial and commercial sectors, professions, grassroots and political sectors, with each taking up 1/4 seats. • Membership of the nominating committee may be maintained at 800. • If universal suffrage is to be implementing in CE election, the nomination threshold should be set at a higher level. The nomination method of the first and second elections by universal suffrage should be dealt with first and improvements be made after

<u>Members Submitting Views</u>	<u>Date of Submission</u>	<u>Summary of Views</u> ^{Note}
		<p>conclusion of experience. The nomination threshold should not be too low as this will lead to too many candidates with mixed quality standing for election and also many rounds of voting or counting before a CE can be returned.</p> <ul style="list-style-type: none"> • The basic principle of nomination is that there should not be more than four candidates. If the nominating committee comprises 800 members, then the nomination threshold should be set as 25%, i.e. each candidate should obtain nominations from not less than 200 members, with 50 nominations from each of the four sectors. The nominations thus secured should also include those from at least 1/4 of the LegCo members (1/4 of 60 is 15) and 1/4 of representatives of Hong Kong members of the CPPCC (that is 9).
The Hon SHEK Lai-him, Abraham	12.4.2007	<ul style="list-style-type: none"> • Composition of the nominating committee should be modelled on the 800-member Election Committee. The CE candidates should obtain 200 nominations, instead of the present 100, in order to be qualified for standing for election. The requirement that each member may nominate only one candidate should be maintained. • Election of CE by universal suffrage should be implemented before that of the LegCo.

<u>Members Submitting Views</u>	<u>Date of Submission</u>	<u>Summary of Views</u> ^{Note}
Mr NG Sze-fuk, George	12.4.2007	<ul style="list-style-type: none"> • To enhance the representativeness of the future nominating committee, its membership may be increased to 1200 or 1600, but corresponding adjustments should be made on the basis of the four sectors of the existing Election Committee. For example, the proportion of industrial and commercial, financial services sectors should be increased to 35%. • The nomination threshold should be raised from the present 12.5% to 25%. • There should only be one round of election, in which the candidate do not necessarily have to secure more than half of the valid votes in order to be returned as CE. • Voting should be held even if there is only one candidate. • Support the composition of the nominating committee basing on that of the Election Committee. The four sectors of the current Election Committee may serve as a reference. The nominating committee should be formed by 800 members. • On nomination threshold, it should be set at 20% (ie 160 members) or 25% (ie 200 members) of the total membership of the nominating committee, ensuring that the candidate has the quality of a CE and the election is a contested one.

<u>Members Submitting Views</u>	<u>Date of Submission</u>	<u>Summary of Views</u> ^{Note}
Dr LEUNG Mei-fun, Priscilla	12.4.2007	<ul style="list-style-type: none"> • Only one round of voting should be conducted, in which the candidate do not necessarily have to secure more than half of the valid votes. In order to display the spirit of universal suffrage, voting should be held even if there is only one candidate. • Agree to proceed in the direction of "universal suffrage for the CE preceding that for LegCo".
Dr LEUNG Mei-fun, Priscilla, Prof CHENG Kwok-hon, Leonard, Mr Chang Chak-yan	10.5.2007	<ul style="list-style-type: none"> • According to the Basic Law, the electoral method for selecting CE is mainly divided into 3 levels: <ol style="list-style-type: none"> (1) election by universal suffrage (2) nomination by the elite (3) appointment by the Central Government. • Any proposal for early implementation of universal suffrage for CE election has to meet these requirements. Hong Kong should recognize that the Central Government has a right in deciding any proposal on political reform. In formulating any proposal, Hong Kong in fact should invite the Central Government to participate in the discussion and express their opinion. This will be beneficial to the smooth formulation of proposal. • On the issue of universal suffrage, including the composition of nominating committee and nomination threshold for electing the CE, the problem will not be resolved if no compromise can be

<u>Members Submitting Views</u>	<u>Date of Submission</u>	<u>Summary of Views</u> ^{Note}
		reached among different parties. A model with lower nomination threshold, without any screening process and will ensure the property of the Central Authorities should be attained. Under such circumstances, Hong Kong has to:
		<ol style="list-style-type: none"> 1) formulate the local legislation on Article 23 performing our duty under the Basic Law; 2) amend the Chief Executive Election Ordinance in order to ensure the right to appoint the CE by the Central Authorities; 3) formulate the political party law so as to regulate the development of political parties.
Dr ZHOU Ba-jun	8.5.2007 15.5.2007 22.5.2007 29.5.2007	<ul style="list-style-type: none"> • At present, the biggest difficulty in the formulation of a model for selecting CE by universal suffrage lies in the composition of the nominating committee and the nomination "threshold" for the CE candidates. The deep-level conflict behind include the unresolved conflicts between "Two Systems" and "One Country" within the political environment of Hong Kong, and the insufficient mutual trust between the society of Hong Kong and the Central Government. • The development of a democratic political system according to the concept of "one country, two systems" is a ground-breaking attempt without any successful precedents. Apart from the requisites elaborated in the textbooks

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		<p>and writings on politics published in the western countries, certain fundamentals are required to promote the development of a democratic political system under “two systems” within the framework of “one country”.</p> <ul style="list-style-type: none"> • Common values developed from the principle of “One Country, Two System” between Hong Kong and the Central Authorities and among the various political factions within Hong Kong are pertinent to universal suffrage in Hong Kong “achieved when the conditions are ripe” and “accomplished naturally with ease” and the long-term stability and prosperity of Hong Kong. That will be the “sustainable” democratic political system. • The constitutional development of Hong Kong is now confronted with a severe predicament - to implement universal suffrage under a not yet well-developed environment or to establish a common value that meets the requirement of "One Country, Two Systems" among the society of Hong Kong, the Central Government and different political parties in Hong Kong. The society of Hong Kong should make a prudent choice in this regard.
		<p>Note: Please refer to the Central Policy Unit webpage (“Committee on Governance and Political Development – Members’ views on strategic issues discussed outside committee meetings”) for the original text of the submissions. www.cpu.gov.hk/english/csd_gc_submissions.htm</p>

**Commission on Strategic Development
Committee on Governance and Political Development**

**Summary of discussions on the models, roadmap and timetable for
forming the Legislative Council by universal suffrage**

Introduction

As stated in the paper “Summary of discussions on the models, roadmap and timetable for electing the Chief Executive by universal suffrage” (Paper No: CSD/GC/5/2007), the HKSAR Government plans to publish a green paper on constitutional development (the “Green Paper”) in mid-2007 and launch a public consultation for three months. This paper aims at summarizing members’ views on the possible models, roadmap and timetable for forming the Legislative Council (“LegCo”) by universal suffrage. This will provide a basis for the HKSAR Government to prepare the Green Paper.

2. The summary of views of various organisations and individuals on possible models for forming the LegCo received by the Administration and LegCo are appended at Annex I and Annex II respectively. A summary of written submissions received by the Commission Secretariat is at Annex III.

Model for implementing universal suffrage for forming LegCo

3. At previous meetings and workshops, members discussed in detail, when universal suffrage for forming LegCo was implemented, whether functional constituency (“FC”) seats should be abolished altogether or retained in some form. However, members still had significant differences on the issue.

4. Regarding the model for forming LegCo by universal suffrage, members had reduced the scope of discussion to the following three types

of options¹:

- (a) replacing all FC seats with district-based seats returned through direct election;
- (b) retaining the FC seats in some form, but changes could be made to the electoral system so as to make the arrangements consistent with the principles of universal and equal suffrage; and
- (c) attaining universal suffrage for LegCo in phases.

Replacing all FC seats with district-based seats returned through direct election

5. Some members considered that, when universal suffrage for LegCo was implemented, all FC seats should be replaced with district-based seats returned through direct election, so as to enable all voters to enjoy universal and equal voting rights. Any electoral systems which would confer special rights on FCs to nominate candidates or to vote would not be consistent with the principle of universal suffrage. In this regard, specific proposals put forth by members included:

- (a) all seats to be returned by GCs through direct elections, with half of the seats returned by a “single-seat-single-vote” system on a district basis, and the other half by a proportional representation system, under which the whole of Hong Kong would form a single constituency, i.e. “one-person-two-votes”; and
- (b) all seats to be returned by “one-person-one-vote”, such that the number of seats allocated to different political parties would be proportional to the respective number of votes they received.

¹ After detailed discussion, members agreed to set aside for the time being any further discussions on a bicameral system as an option for implementing universal suffrage.

Changing the electoral method for FC seats

6. However, some members had reservations about the proposal of replacing all FC seats with district-based seats returned through direct election. The main reason was that, given that any amendment to the electoral methods specified in the Annexes to the Basic Law would require the endorsement of a two-thirds majority of all the members of LegCo, it would not be possible, at this stage, to secure sufficient support in LegCo for a proposal to abolish all FC seats. On the contrary, they considered it worthwhile to retain the FC seats for the following reasons:

- (a) FCs had been playing an important role in LegCo and in society. In particular, they had brought the voices of the business and professional sectors into LegCo and had, through their expertise, assisted LegCo in carrying out its legislative function and in monitoring the Government's work. FC members had made contributions to the community;
- (b) FCs could meet the interests of different sectors of society, which was consistent with the principle of "balanced participation"; and
- (c) abolishing FCs altogether was bound to meet with objections from among different sectors of the community, and it would be difficult to reach consensus on the issue.

7. Some members proposed that, when universal suffrage was implemented for LegCo, the FC seats should be retained in some form. However, changes could be made to the electoral system, so as to make the arrangements consistent with the principles of universal and equal suffrage. Members discussed various options as to how FC seats could be retained in some form when universal suffrage was implemented:

- (a) enable voters who were currently not included in FCs to vote in FCs. In other words, each voter would elect LegCo Members on the basis of "one-person-two-votes": one vote to return directly-elected GC Members, and the other to return FC Members.

Those members who supported this proposal considered that, as long as every voter would be entitled to vote for FC Members, the principles of universal and equal suffrage would be complied with.

However, some members considered that under this kind of proposals, there would be very significant disparity in the number of voters among different FCs, leading to inequality in the “value” of each vote. However, other members pointed out that even for universal suffrage which was implemented on the basis of GC elections, it would not be possible for each vote to carry the same “value”.

- (b) allow FCs to nominate candidates for election by all voters through “one-person-multiple-votes”, i.e. one vote to return directly-elected GC Members, and multiple votes to return FC Members.

Those members who supported the proposal considered that this could help ensure the candidates would not only look after the interests of individual sectors, but would also strive to gain the support of the community at large. This would be consistent with the principles of universal suffrage and “balanced participation”, and would be conducive to maintaining the long-term prosperity and stability of Hong Kong.

However, some members pointed out that this proposal would require further consideration. For example, if each voter could cast one vote to return directly-elected GC members and multiple votes to return 30 FC Members, this would mean that each voter would have 31 votes. The voting system might be too complicated for voters. Moreover, the proposal would restrict voters’ right to nominate, which could not be regarded as being consistent with the principles of “universal” and “equal” suffrage.

Attaining universal suffrage for LegCo in phases

8. Although members held diverse views on models for forming LegCo by universal suffrage, they agreed that, in taking forward Hong Kong's constitutional development, we would have to face the political reality that 30 out of the 60 LegCo seats were returned by FCs. As any amendment to the electoral method for forming LegCo would require the endorsement of a two-thirds majority of all the members of LegCo, in practice, this meant that the endorsement and support of members returned by FCs as well as those returned by GCs through direct elections would be required.

9. On the premise set out above, members considered carefully whether universal suffrage for LegCo should be implemented in phases, so that the arrangements would be more easily accepted by members of some sectors.

10. Members put forth the following specific proposals regarding the transitional arrangement:

- (a) to expand the electorate base of FCs, and replace corporate voting by individual voting;
- (b) to abolish or merge some of the existing FCs;
- (c) to return directly-elected Members from GCs and, at the same time, to allow FCs to nominate candidates for election by universal suffrage;
- (d) to abolish the FC seats in phases. However, some members considered that this would lead to disputes on which FCs should be abolished first. The problem would not be easy to resolve and the proposal might not receive two-thirds majority support from LegCo; and
- (e) to increase the proportion of district-based seats to FC seats. For example, some members suggested that consideration could be given to increasing the number of GC seats, and at the same time also increase the number of LegCo seats returned by members of District Councils

electing amongst themselves.

11. Regarding the transitional arrangement mentioned in paragraph 10(e) above, there were suggestions that it could be regarded as a model for implementing universal suffrage, i.e. all LegCo seats would be district-based seats returned through direct and indirect elections. However, members did not have in-depth discussion on this universal suffrage option.

Roadmap and timetable for forming LegCo by universal suffrage

12. Members still had significant differences on the model for forming LegCo by universal suffrage. To determine the roadmap and timetable for universal suffrage for LegCo, the major considerations would be whether:

- (a) universal suffrage for the CE should precede that for LegCo;
- (b) universal suffrage for LegCo should be attained in one go or in phases.

13. Quite a number of members agreed that consideration should be given to the direction of “resolving the simple issues before the difficult ones” in taking forward constitutional development, and that universal suffrage for the CE should be implemented first. However, some members considered that “dual universal suffrage” should be implemented in 2012, i.e. attaining universal suffrage for CE and LegCo in one go in 2012.

14. Also, some members proposed attaining universal suffrage for LegCo in phases, for example, a member suggested that the FC seats should be phased out in three LegCo terms starting from 2016.

Conclusions

15. To conclude, members’ previous discussions on the models, roadmap and timetable for forming the LegCo by universal suffrage are summarized below:

- (a) members generally agreed that, when universal suffrage was attained, the FC seats could not continue to be returned by the existing electoral method;
- (b) members had not formed any mainstream views on whether all FC seats should be replaced with district-based seats returned through direct election, or whether the electoral methods for FC seats should be changed;
- (c) quite a number of members agreed that consideration should be given to the direction of “resolving the simple issues before the difficult ones” in taking forward constitutional development, and that universal suffrage for the CE should precede that for LegCo; and
- (d) members had not formed any mainstream views on whether universal suffrage for LegCo should be attained in one go, or in phases.

Constitutional Affairs Bureau
June 2007

**Public views on possible models for
forming the Legislative Council by universal suffrage**

Written submissions received by the Government

<u>Organizations/ individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
Mr Eric K C LI	4.1.2004	<ul style="list-style-type: none">• First phase: add 30 more geographically elected seats and maintain 30 functional constituency (FC) seats.• Second phase: turn the 30 FC seats into nominating committees. Each nominating committee to select no more than three candidates who must then obtain the mandate from the people of Hong Kong in a universally held direct election.• Final phase: all 90 seats open for universal suffrage.
Hong Kong Civic Association	12.1.2004	<ul style="list-style-type: none">• To consider a bicameral legislature consisting of a House of Representatives (i.e. Lower House) and a Senate (i.e. Upper House).• The House of Representatives could be elected on a geographical constituency (GC) basis, at a ratio of one representative for every 120,000 to 150,000 residents, for a 4-year term of office.

<u>Organizations/ individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
		<ul style="list-style-type: none"> • The Senate could have between 40-50 members, about one-quarter of whom would come from the District Councils. The rest of the Senate seats should be apportioned among different sectors, such as commerce and industry, labour, education, culture, medical and social welfare etc. The term of office could be between 4 to 6 years, with half of the Senate seats coming up for election every 2-3 years.
Article 45 Concern Group	28.1.2004	The inequities in the current system of FCs are legion. The consequence of these defects in the structure is that the HKSAR Government is out of touch with the citizens. Must reflect to the Central People's Government the positive consequences if a change to universal suffrage is allowed.
The Frontier	29.1.2004	The future development of the political system is already prescribed clearly and in detail in the Basic Law. Article 68(2) provides that “The method for forming the LegCo shall be specified in the light of the actual situation in the HKSAR and in accordance with the principle of gradual and orderly progress. The ultimate aim is the election of all the members of the LegCo by universal suffrage.”

<u>Organizations/ individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
Hong Kong Democratic Foundation and Power for Democracy	13.2.2004	<p>All seats in LegCo should be directly elected. If this ultimate goal is to be delayed, then transitional arrangements should be considered by the Administration, including proposals such as increasing the number of directly-elected seats and reducing the number of FC seats, increasing the number of directly-elected seats only, or increasing the number of both directly-elected and FC seats, or establishing a two-chamber system.</p>
SynergyNet	13.2.2004	<p>The number of LegCo seats should be increased to 90. All Members should be elected by universal suffrage through three different ways to achieve balanced representation:</p> <ul style="list-style-type: none"> (i) 30 members to be directly elected from single-seat GCs, using the "first past the post" principle. (ii) 30 members to be directly elected on a regional single-list system. There will be three regions - namely Hong Kong Island, Kowloon and the New Territories. Seats will be allocated on the basis of the percentage of votes received by each list. The number of seats in each region will be dependent on the population of the region.

<u>Organizations/ individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
		<p>(iii) 30 members to come from designated functional sectors (similar to the existing FCs) to be elected by universal suffrage. This can be done in two ways:</p> <ul style="list-style-type: none"> (a) turn all FCs into “occupational constituencies” so that each member of the public will belong to one of these constituencies and can take part in the election of his functional/occupational representative; or (b) nomination of candidates by recognized bodies of the designated functional sectors (such as business and commerce chambers, trade unions and professional societies); election by universal suffrage.
Democratic Party	25.5.2004	All LegCo Members should be returned by universal suffrage. It is proposed that a mixed system of a “single seat single vote system” and a “proportional representation system” be adopted. The 60 LegCo seats will be divided into two groups. The first group (with 30 seats) will be returned by a “single seat single vote system”. The whole of Hong Kong will be divided into 30 constituencies based on population ratio. Another group of seats will be returned by a proportional

<u>Organizations/ individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
		<p>representation system. The whole of Hong Kong will form a single constituency. In other words, each voter will have two votes for electing LegCo Members.</p>
Hon Rita FAN	27.9.2004	<ul style="list-style-type: none"> • The current arrangement under which Members are returned by FCs can be replaced by a new arrangement under which Members will be nominated by the constituents of the FCs and elected by universal suffrage. This can be done over three phases. • Candidates who are nominated by FCs to participate in election by universal suffrage should be nominated by at least one-third of the electors in the respective sector.
Hong Kong University Graduates Association Political Reform Concern Group	9.2004	<ul style="list-style-type: none"> • First phase: every eligible GC elector should have voting right in FC elections. Add a “general FC seat” under which all GC electors, whose occupations or professions are not included in other FCs, can be registered as electors. • Second and final phase: reduce the number of FC seats to less than one-fourth, and ultimately change all FC seats to GC directly elected seats.

<u>Organizations/ individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
Hon Albert CHAN Wai-yip	15.10.2004	Abolish LegCo FC seats. Increase the number of seats to 90. The whole of Hong Kong to be divided into 45 GCs, with two seats in each GC. Every voter can cast two votes for two candidates. The two candidates receiving the highest number of votes in a constituency will be elected.
Joint Committee for the Promotion of the Basic Law of Hong Kong	21.10.2004	Elect FC members by “one person, one vote”.
Dr Simon N M YOUNG	1.2005	<ul style="list-style-type: none"> • All LegCo Members to be elected by way of direct elections on the basis of GCs. • From amongst the elected legislators, a sub-group will be further elected on the basis of FCs. The FCs will be based on policy areas. The elected FC legislators could serve as the chairpersons of LegCo Panels, and would also have a role to play in the executive apparatus of government. For example, the new FC legislators must be given a seat in the Executive Council, even if it is only a non-voting one.
Hong Kong Association for Democracy and People’s Livelihood	23.3.2005	<ul style="list-style-type: none"> • Only by abolishing the FC seats in the LegCo can implementation of universal suffrage fulfill the principles of balanced participation and gradual and orderly progress.

<u>Organizations/ individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
Liberal Party	31.5.2005	<ul style="list-style-type: none"> • In accordance with the Basic Law, the method for forming the LegCo shall be specified in the light of the actual situation in Hong Kong and in accordance with the principle of gradual and orderly progress. The ultimate aim is the election of all the Members of the LegCo by universal suffrage. However, FC Members' contributions to the LegCo and the Hong Kong community should not be brushed aside. • At present, the number of Members returned by FCs is equal to that of directly elected members. They serve to complement each other. We need to be cautious if this balanced situation is to be changed. There is a suggestion in the community that a bicameral system should be introduced. This suggestion merits consideration by the Administration.
The Democratic Alliance for the Betterment and Progress of Hong Kong	31.5.2005	<ul style="list-style-type: none"> • With regard to constitutional development after 2008, it is proposed that favourable conditions should be actively created with a view to achieving the ultimate aim of forming the LegCo by universal suffrage as stipulated in the Basic Law as early as possible.

<u>Organizations/ individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
Business and Professionals Federation of Hong Kong	19.8.2005	<ul style="list-style-type: none"> • The first chamber to be constituted by directly elected members, and the second chamber for the vocational or functional representatives. • The number of directly elected members in the first chamber to be increased from 30 to 40 or more. The number of functional representatives may also need to be increased. • The second chamber is a place to allow for second thoughts to be given to bills and motions passed by the first chamber, to give careful scrutiny, to appoint an expert committee, to seek wider consultation, if necessary to propose amendments to legislation and then to refer the findings of the deliberations to the first chamber. • A lack of agreement between the two chambers can be dealt with by giving the second chamber the power to delay the passage of bills or motions, by appointing a joint committee of both chambers, or by providing for bills to shuttle between both chambers until agreement is reached. • Adoption of a bicameral system would amount to gradual and

<u>Organizations/ individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
City University of Hong Kong Students' Union	14.8.2006	<p>orderly progress towards greater democracy.</p> <ul style="list-style-type: none"> • While the principle of equal suffrage and the system of “one person, one vote” should be promoted, there should also be an interim proposal to gradually enhance the representativeness of the legislature and to limit the political power of FC Members. • As a transitional arrangement, the number of directly elected seats in 2012 could be increased from 30 to 40, while the number of FC seats shall remain unchanged. • LegCo procedures for voting can be reformed in two ways. Firstly, the bicameral voting system should be abolished. Secondly, the political roles of FCs should be redefined. With reference to a bicameral system, FCs can play the role of an upper house. Through the power to delay passage of bills, they can provide checks and balances to a lower house constituted by directly elected members. • If a bicameral system is to be further developed, FCs should undergo further reforms e.g. certain FCs of exceptionally small size should be abolished; members

<u>Organizations/ individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
		<p>returned by universal suffrage and some appointed members could be included in the upper house. It is envisaged that FC seats in the second chamber will gradually be replaced by directly elected seats and all seats will eventually be returned by universal suffrage.</p>
Hong Kong Democratic Foundation	16.8.2006	<ul style="list-style-type: none"> • Structural reforms of the LegCo: <ul style="list-style-type: none"> <u>Option 1</u> Increasing the number of directly elected members and FC members proportionately. <u>Option 2</u> Adopting two houses with a fully directly-elected lower house. <u>Option 3</u> Reforming the FCs, including (1) widening the franchise of electors eligible to vote for their functional representatives; (2) enlarging the number of electors beyond those executive committee members in corporate organizations eligible to vote in FC elections; and (3) co-opting new functional groups, particularly women groups, ethnic minorities and youth organizations that are relatively under-represented in the existing LegCo etc.

<u>Organizations/ individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
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Option 4

Abolishing FCs. The option of abolishing the FCs will perhaps be politically acceptable to the vested interest groups in the event that a bicameral system is adopted.

Option 5

Maintaining the number of LegCo Members at 60 but fully democratizing the election of FC representatives (i.e. to maintain the existing 30 directly elected representatives through GCs while democratizing the elections of the FC representatives to the fullest extent). This means that FC groups can nominate representatives to run in territory-wide direct elections. After the nomination process, the candidates will compete in territory-wide elections in which each citizen will have two votes, one vote for a representative in his or her GC and the other vote for another representative in his or her occupational sector. In this way, democratization of the entire LegCo will be in conformity with the Basic Law principle of achieving universal suffrage for the whole legislative body. While FCs will be maintained, their electoral method will be democratized to the fullest extent.

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- The two houses system, or the bicameral model, can be viewed not necessarily as the final product of democratization, but as an interim solution. The following structural reforms can be considered if a bicameral model is to be adopted:

Option 1

A wholly directly-elected 60-member LegCo (Lower House) and a newly created 60-member upper house.

The composition of the upper house: (1) all the existing FCs in the legislature and also new functional sectors such as women, youth and ethnic minorities. Furthermore, some existing FCs can be augmented, such as allocating more upper house seats to the labour groups; (2) members from not only FCs but also Hong Kong deputies to the National People's Congress, Hong Kong members of the Chinese People's Political Consultative Conference, and other former politicians of the HKSAR.

Option 2

Introducing a smaller upper house (30 seats) comprising the existing and the newly added FCs, and a fully directly-elected 60-member

<u>Organizations/ individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
Representatives from the Executive Committee of the Hong Kong University Students' Union	16.8.2006	lower house.
		<ul style="list-style-type: none"> • Adopting a bicameral system in Hong Kong is not without merits. The composition of the upper house can be adjusted according to the actual situation. A bicameral system is to protect vulnerable groups whose fundamental interests are hampered (and not to protect vested interests). Hence, the existing FCs in their present form should not be incorporated into the upper house. • Election method
		<p><u>Lower House</u></p> <p>Comprising members returned by GCs through direct elections; may review the delineation of the constituencies and the number of seats in each of the constituencies as appropriate.</p>
		<p>Retaining the proportional representation system. Further, an open-list proportional representation system can be adopted so that voters will not be affected by the ranking of candidates on the list pre-determined by political parties.</p>
		<p><u>Upper House</u></p> <p>Members of the upper house can be elected by District Council</p>

<u>Organizations/ individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
		<p>elected members or through a territory-wide election. May add some new seats representing the grassroot sectors.</p> <ul style="list-style-type: none"> • Functions and responsibilities of the two houses: the power of the upper house and its number of seats must be less than that of the lower house. • If a bicameral system is not supported by the public after thorough discussions, it will be desirable and indeed necessary to adopt a fully directly-elected LegCo, to abolish the FCs, and to restore the normal functions of the legislature.
The Democratic Alliance for the Betterment and Progress of Hong Kong (DAB's Expectations of the 2006/07 Policy Address)	18.8.2006	<ul style="list-style-type: none"> • Given the present political environment and the level of socio-economic development of Hong Kong, we should promote the approaches of “formulating a roadmap before a timetable” and “resolving the simple issues before the difficult ones”. By “formulating a roadmap before a timetable”, we should first formulate the ultimate models of the two elections by universal suffrage, then draw up a phased plan leading to that ultimate aim, and finally work out a timetable based on the actual situation. By “resolving the simple issues before

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the difficult ones”, universal suffrage for the CE can be implemented first. Thereafter, according to the actual situation, we can reform the method for forming the LegCo as well as its procedure of voting in two or three stages, and finally implement universal suffrage for the LegCo.

- Moving towards universal suffrage in this direction will be conducive to enhancing the legitimacy of the CE and realizing the principle of an executive-led system as stipulated in the Basic Law. Furthermore, with the experience gained from selecting the CE by universal suffrage, this will create favourable conditions for implementing universal suffrage for the LegCo, facilitate the public in forging consensus and thus turning a new page in constitutional development.
- We should actively create favourable conditions for constitutional development, including accelerating the economic integration of Hong Kong and the Mainland so as to build a solid economic foundation for constitutional development; nurturing political talents; and strengthening national education to promote Hong Kong people’s

<u>Organizations/ individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
		understanding of the concept of “one country” and the Basic Law. Hence, the aim of attaining universal suffrage as stipulated in the Basic Law can be achieved as early as possible.
Hon Emily LAU Wai-hing (Proposals for the Policy Address)	21.8.2006	<ul style="list-style-type: none"> • To abolish FCs as soon as possible and elect all LegCo Members on the basis of “one person, one vote”. • If FCs cannot be abolished at once, at least company/corporate votes should be abolished and the electorate base for the FCs should be expanded to allow more members of the public to participate in the election.
The Hong Kong Social Workers Association (Views on the 2006 Policy Address)	29.8.2006	<ul style="list-style-type: none"> • To formulate a timetable for implementing universal suffrage for the two elections and elect all LegCo Members by universal suffrage as soon as possible. • Before all LegCo Members are elected by universal suffrage, broaden the electorate base of FC elections.
The Civic Party (Civic Party’s Policy Expectations of the SAR Government)	31.8.2006	<ul style="list-style-type: none"> • Hong Kong has long acquired the conditions for implementing universal suffrage for the two elections. Democratic elections by equal and universal suffrage are the basic conditions for any city

<u>Organizations/ individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
		which claims to be an “international city”.
Democratic Party (Submitted at the consultation session on the 2006/07 Policy Address)	4.9.2006	<ul style="list-style-type: none"> The CE has tasked the Commission on Strategic Development, with all of its members appointed, as the main platform to discuss a roadmap and timetable for universal suffrage. However, the conclusions of the Commission cannot replace the views of the public. The Policy Address to be delivered in October should announce an immediate commencement of a public consultation exercise on the issue.
Ms Regina IP LAU Suk-yee	9.2006	<ul style="list-style-type: none"> Propose to adopt a mixed system of a “single seat single vote system” and a “proportional representation system”. Each voter will have two votes for electing all LegCo Members. Object to the proposal of implementing a bicameral system in order to preserve the FCs.
		<ul style="list-style-type: none"> The principles of “balanced representation” and “facilitation of a capitalist economy” can be preserved by the HKSAR adopting a mixed system. A mixed system means seats in LegCo may be divided into two categories:

<u>Organizations/ individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
Civic Exchange	21.11.2006	<p>1) Seats in multi-member GCs which may be returned by elections in the districts as at present, and seats to be filled by candidates on a party list;</p> <p>2) Each voter may be given two votes: a vote in a GC and a vote for a candidate from the party list. In both categories, the number of candidates from each party will depend on the number of votes cast for candidates on a party list.</p> <ul style="list-style-type: none"> • Such a mixed system, which may be called “parallel geographical-party list” system, would have the advantage of enabling two categories of candidates, those who focus on representation of local interests in GCs, and those who focus on broader, Hong Kong-wide issues to stand for elections. • To retain FC as they are will likely reinforce public suspicions that the current political system unfairly favours certain groups, particularly business interests. • Bicameralism has been proposed as a possible solution. We believe this concept has not been fully explored.
		<p>- 25 -</p>

<u>Organizations/ individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
		<ul style="list-style-type: none"> • If the HKSARG is willing to be frank with the people of Hong Kong on the necessity to retain FCs and to show a genuine openness in examining how the FC election system can be overhauled, it may well lead to the possibility of moving the constitutional development debate forward.
Kowloon Federation of Associations	4.12.2006 10.5.2007	<ul style="list-style-type: none"> • Should first handle the issue of selecting the CE by universal suffrage. With the experience and insight gained from implementing universal suffrage for the CE, it would be a practical way to implement universal suffrage for LegCo afterwards.
Mrs Anson Chan and her core group	5.3.2007	<ul style="list-style-type: none"> • There is no doubt that the Hong Kong community is politically mature enough for election of all members of LegCo, on the basis of universal suffrage, to be introduced smoothly in 2012. • If, for whatever reason, it is decided that universal suffrage will not be introduced in 2012, then it is considered that Hong Kong people must be given an assurance, at the earliest opportunity, that it will be achieved no later than the following round of LegCo elections in 2016.

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- It is important to make some gradual and orderly progress in the next round of elections in 2008, include refining corporate voting to encompass all members of the Boards of Directors, Executive and/or Management Committees of those companies, associations and organizations which currently exercise a single corporate vote. If this measure is implemented, it is estimated that the overall number of eligible voters for Functional Constituencies will increase from the current 215,551 to approximately 450,000.
- Recommend that the existing Functional Constituencies be organized into 10 groups. This will strengthen the mandate and representativeness of those elected:

Group	Functional Constituencies Included	No. of Seats
1	Commercial (First), Commercial (Second), Import & Export and Wholesale & Retail	4
2	Agriculture & Fisheries, Industrial (First), Industrial (Second) and Textiles & Garment	4

<u>Organizations/ individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>	
	3	Catering, Tourism and Transport	3
	4	Insurance, Finance, Financial Services and Information Technology	4
	5	Accountancy and Legal	2
	6	Architectural, Surveying & Planning, Engineering and Real Estate & Construction	3
	7	Education	1
	8	Labour	3
	9	Health Services, Medical and Social Welfare	3
	10	District Council, Heung Yee Kuk and Sports, Performing Arts, Culture & Publication	3
		Total	30

- If it is decided not to introduce universal suffrage in 2012, it is proposed that the 10 electoral groupings be further combined to form no more than three large groups for voting purpose, and that the number of FC seats be reduced by 50% to 15:

<u>Organizations/ individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>	
	Group	Functional Constituencies Included	No. of Seats
	1	Industrial, commercial and financial sectors	5
	2	The professions	5
	3	Labour, social services, religious and other sectors	5
22 LegCo Members	27.3.2007	<ul style="list-style-type: none"> • The balance of 15 seats, vacated by Functional Constituency members would be converted into directly elected geographical seats thus paving the way for the complete phasing out of Functional Constituencies in 2016. <p>Adopt a mixed system in the 2012 LegCo election. Half of the LegCo seats to be returned by simple majority system on the basis of “single-seat-single-vote”; the other half to be returned by proportional representation system. The whole of Hong Kong will be a single constituency. Each voter would have two votes.</p>	
Dr Dixon Sing Ming	3.4.2007	<ul style="list-style-type: none"> • LegCo shall be divided into two houses: Upper House and Lower House. • Lower House shall be comprised of 76 members. All seats shall be 	

<u>Organizations/ individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
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elected by universal suffrage.

- The composition of Upper House:
 - (a) 40% for reformed functional constituencies.
 - (b) 40% from representatives elected by directly elected district council members.
 - (c) 20% are appointed members.
 - (d) There shall be in total 62 members.
- In electing Upper House members, the functional constituency shall employ “first past the post” mechanism, while representatives of directly elected district council members shall be elected by the open list in proportional representation.
- Seats of Lower House shall be elected by way of mixed plurality principle. A single, Hong Kong-wide, closed list-tier using proportional representation will be used to elect two-thirds of the seats in Hong Kong’s Lower House. The remaining one-third seats in the Lower House, chosen by majoritarian elections, should be elected by double-seat constituencies, using a double-vote electoral system.

<u>Organizations/ individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
Hong Kong Citizen (without signature)	8.4.2007	<ul style="list-style-type: none"> • Each voter may have four votes, two for GCs universal suffrage election and the other two for FCs universal suffrage election. • 30 district-based seats will be allocated to five districts according to existing practice. Each voter can cast two votes, one for a candidate (or the list of candidates) within the district and the other one for a candidate (or the list of candidates) outside the district. However, voters may not cast two votes for the same candidate or the same candidate list. Adopt a “proportional representation system” to standardise the method of determining the results across the territory in the form of lists of candidates. • There will be 30 FC seats covering the whole territory. Each voter may cast two votes, one for a candidate within the group (lists of candidates are not applicable) and the other one for a candidate outside the group (lists of candidates are not applicable). However, voters may not cast two votes for the same candidate. Adopt the “simple majority system” to determine the results and the 30 candidates receiving the highest

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- number of votes will be elected.
- The number of eligible voters of each functional body cannot be too small and 15 000 voters may be used as a reference. Sectors which have inadequate number of voters would need to merge with other sectors or undergo reorganisation in order to meet the requirement. Moreover, a substantial number of representatives have to be appointed through each functional body with a view to meeting the target. Abolish FC seats in district councils (this is an overlap with GC election) to allow wider participation of functional bodies.

Hong Kong Civic Association	10.4.2007 3.5.2007 5.2007	<u>2008 LegCo elections</u> <ul style="list-style-type: none"> • Corporate voting in the FCs should be redefined to encompass all members of the Boards of Directors and Executive and/or Management Committees of those companies.
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2012 LegCo elections

- The introduction of a bicameral system can enhance the sustainable economic and social development of Hong Kong. As such, the system, as a feasible option, should not be rejected.

<u>Organizations/ individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
		<ul style="list-style-type: none"> • Add 10 more LegCo seats and five more seats each in GCs and the District Council FC. • To combine the existing relatively narrow-based FCs into several functional bodies so as to reduce the number of FCs and have a larger one-man-one-vote base. The number of FCs should be below 15. Suggest introducing a representative nominating committee to prepare a list of candidates. • In the 2012 LegCo elections, the arrangement of half of its members returned by GCs through direct elections and half by FCs should be maintained. • Each voter will have two votes, one vote for a representative in his or her GC and the other vote for another representative in his or her occupational sector.

2016 LegCo Elections

- No recommendations can be made at this stage as to whether all LegCo seats should be elected by universal suffrage in 2016.

<u>Organizations/ individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
Mr WONG Hok-kut, President, Asia-Pacific Institute of International Relations	10.4.2007	<ul style="list-style-type: none"> • It is the general trend to remove all seats from functional constituencies in LegCo, which is also in line with the people-based principle of a civil society. • The proposal is to gradually reduce and remove the seats from functional constituencies by three phases. Merging related functional constituencies to reduce 10 seats in 2012 and a further reduction of 10 seats in 2016, followed by the removal of the remaining 10 seats in 2020 when all 60 seats will be elected by universal suffrage. • Increasing the number of geographical constituencies in 2012 from 6 to 8, including Hong Kong Island North, Hong Kong Island South, Kowloon East, Kowloon West, New Territories East, New Territories West, New Territories North and New Territories South. Seats will be allocated to each constituency pro rata based on population while proportional representation will continue to be adopted. • It should be expressly stipulated that a permanent resident of Hong Kong must also be a Chinese citizen before he/she acquires the rights to vote and stand for election. Moreover, it is necessary

<u>Organizations/ individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
		to remove the provision that allows LegCo Members to possess foreign nationality.
Mr CHIM Ming (transliteration)	10.4.2007	<ul style="list-style-type: none"> • Hong Kong has already had a bicameral system in practice, with the Executive Council serving as the counterpart of the British House of Lords and the Legislative Council as the counterpart of the British House of Commons. We only need to bring members of functional constituencies into the Executive Council.
Basic Law Institute	11.4.2007	<ul style="list-style-type: none"> • Suggests maintaining 60 LegCo seats in 2012, 30 to be returned by direct election through geographical constituencies, and the other 30 returned through functional constituency. • Introduce institutional innovation into the current 30 functional constituency seats. In 2012, 10 seats (one-third) will be nominated by functional constituencies for election as LegCo members on a one-person-one-vote basis; in 2016, another 10 seats will be nominated in the same way for election as LegCo members on a one-person-one-vote basis; finally, in 2020, the remaining 10 seats will be nominated in the

<u>Organizations/ individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
		<p>same way for election as LegCo members on a one-person-one-vote basis.</p> <ul style="list-style-type: none"> • When situation allows, i.e. when the operation of local political parties has become mature, the distinction between directly-elected geographical seats and functional constituency seats should be abolished and the ultimate aim of election of all members of the Legislative Council by universal suffrage should be achieved.
New Century Forum	12.4.2007	<ul style="list-style-type: none"> • Gradual abolition of FC seats. Abolition of FC seats within eight years is suggested. • LegCo seats to be increased to 70 in 2008. Five additional seats respectively for GCs through direct election and FCs. All five new FC seats are added to the District Council FC. • LegCo seats to be increased to 80 in 2012. Five additional seats respectively for GCs through direct election and FCs. All five new FC seats to be added to District Council FC, i.e. District Council FC seats to be increased to 11. To abolish bicameral voting arrangement at LegCo.

<u>Organizations/ individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
Mr CHOI Yeung-chi	12.4.2007	<ul style="list-style-type: none"> • Abolition of all LegCo FC seats in 2016. Number of seats to be maintained at 80, all of which to be returned by direct election through GCs. • 30 seats respectively for FCs and GCs. • <u>FCs:</u> The top 30 FC candidates with the best rate are elected. The best rate refers to that of the FC candidates who receive the highest number of votes against all registered electors (instead of the electors who cast the votes) for that particular FC. No by-election. Vacancies are filled by the 31st candidate in line of succession and so on. No one will be elected uncontested. Voting is still required for the FC with only one candidate. • <u>GC:</u> Territory-wide GC voting: the top 30 with the highest votes are elected. No by-election. Vacancies are filled by the 31st candidate in line of succession and so on.

<u>Organizations/ individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
Hong Kong Policy Research Institute	18.4.2007 9.5.2007	<ul style="list-style-type: none"> • <u>Electors' votes and voting rights:</u> Electors may have more than one voting right but as electors, they are entitled to cast one vote only. In other words, when they vote, they have to decide to cast which vote (including the FC vote and the GC vote) rather than casting one vote for the FC and one for the GC. • The 2008 LegCo Election should adopt the same electoral method as that for the last LegCo Election, i.e. 30 seats returned by geographical constituencies (GCs) through direct election and 30 seats by functional constituencies (FCs). • To abolish all the 30 FCs and implement universal suffrage in 2012. • If, for whatever reasons, it is decided that universal suffrage will not be introduced for LegCo Election in 2012, the following options are suggested for consideration: <ul style="list-style-type: none"> 1. 30 members be returned by proportional representation system; 2. 30 members to come from designated FCs, but the electorate base for some FCs

<u>Organizations/ individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
		<p>should be expanded;</p> <p>3. Under this option, if those eligible to vote in FC elections choose to vote for FC members, they have to give up their chance to vote in the GC elections.</p>
Name provided (the sender requested anonymity)	30.4.2007	<ul style="list-style-type: none"> • Voters should have equal suffrage and they should at least be entitled to cast the same number of votes. • 2008 LegCo Election <ul style="list-style-type: none"> (a) No need to change the arrangement for GC elections by universal suffrage. (b) To abolish all corporate votes and replace them by individual votes in all FC elections. (c) To merge 17 existing sectors into 10. (d) The delineation of FCs enables people in the professional sectors to participate in politics. Hence, the existing definition of FC should be retained and only graduates from universities/tertiary institutions can register as voters for these sectors. To add one seat for the “emerging and others” sector, ensuring that people with professional qualifications but not covered by other sectors can stand for

<u>Organizations/ individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
		<p>and vote in elections.</p> <ul style="list-style-type: none"> • To add one seat for the labour sector (3 seats at present) and abolish trade union votes. • Only District Councillors from 5 major constituencies can compete for the 5 seats in the social service sector. Voters are those who are not working. • Emerging and others: This additional seat is provided for those eligible Hong Kong residents (including some religious people and ethnic minorities, etc.) who are aged 18 and cannot stand for or vote in any FC election. • All eligible voters in Hong Kong should have the second vote.
Democratic Party	3.5.2007	<ul style="list-style-type: none"> • Abolish FCs and adopt a mixed electoral system in the 2012 LegCo election. Half of the LegCo seats to be returned by simple majority system on the basis of “single-seat-single-vote”; the other half to be returned by proportional representation system under which the whole of Hong Kong will form a single constituency. Each voter will have two votes.
Mr LAI Chi Lap, Albert	4.5.2007	<ul style="list-style-type: none"> • There is only one model of universal suffrage: referendum.

<u>Organizations/ individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
Mr WONG Kam-din	8.5.2007	<ul style="list-style-type: none"> • The LegCo FC seats must be abolished. • Acceptable social consensus on the model of “universal suffrage” should be reached before deciding on the roadmap and the timetable. • The models for electing the CE and forming the LegCo by universal suffrage may not be the same as the CE and the LegCo are representing different political entities. • Propose to maintain the existing LegCo FCs but abolish the company votes and corporate votes, which are to be replaced by director’s individual votes and executive’s individual votes, from 2012. In a LegCo election, those entitled to the individual votes of FCs may choose to vote in either the FCs or the GCs through direct election. Each of these voters shall cast only one vote. • Set up a “committee on the review of the functional constituencies of the Legislative Council” which shall regularly review “the formation, functions and members’ performance of the functional constituencies of the Legislative

<u>Organizations/ individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
38 th Student Union of Chu Hai College of Higher Education	10.5.2007	<p>Council" and submit reports on the review.</p> <ul style="list-style-type: none"> • In the direct election of the GCs, "balanced participation" is realised with one person having one vote. However, for the FCs, some people such as the students, housewives, etc. do not have the votes. • The Government should abolish the bicameral voting system immediately and expand the electorate base of the FCs in 2008. In 2012, the LegCo should be formed by universal suffrage in order to plug the loophole of the "bicameral voting system" and to address the people's request.
Mr Henry WOO	8.6.2007	<ul style="list-style-type: none"> • Maintaining the current functional constituency system with multiple sectors and layers should be a feasible option to perform its "check and balance" role on the future CE elected by universal suffrage.

**Public views on possible models for
forming the Legislative Council by universal suffrage**

Written submissions received by the Legislative Council

<u>Organisations/individuals making the submissions (Submission No.^{Note})</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
Dr Anthony B L CHEUNG (Submission No. 15 in Appendix II to LC Paper No. CB(2)2386/05-06(01))	27.1.2000	<ul style="list-style-type: none">• Ways to move to a democratically elected LegCo –<ul style="list-style-type: none">(a) all 60 LegCo seats to be directly elected on a GC basis; or(b) 30 seats to be directly elected on a GC basis and the remaining 30 on a territory-wide single-list system so as to achieve mixed representation of local and territory-wide interests; or(c) 30 seats to be directly elected on a GC basis and 30 FC seats on a universal franchise basis (each voter is eligible to vote in one GC and one FC).• To allay concerns of the business and professional sectors about direct election, the number of LegCo seats

<u>Organisations/individuals making the submissions (Submission No. ^{Note})</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
		can be increased to, say, 100 or 120 to provide greater chance for elite members of the community to be elected to LegCo under the proportional representation voting system.
Mr KY SHAW (Submission No. 18 in Appendix II to LC Paper No. CB(2)2386/05-06(01))	14.2.2000	LegCo Members to be elected on a GC basis. The delineation of GC boundaries is open to discussion, and the number of seats in a GC should be in direct proportion to the population of the GC.
Association for the Advancement of Feminism (Submission No. 14 in Appendix II to LC Paper No. CB(2)2386/05-06(01))	9.11.2005	<ul style="list-style-type: none"> • Abolish FCs. • All Members to be elected by way of direct elections on the basis of GCs.
Hong Kong Christian Institute (Submission No. 17 in Appendix II to LC Paper No. CB(2)2386/05-06(01))	12.11.2005	All 60 Members to be returned by GCs under a “one person, one vote” and a simple majority system.
Shatin Tertiary Students’ Association (Submission No. 20 in Appendix II to LC Paper No. CB(2)2386/05-06(01))	12.11.2005	<ul style="list-style-type: none"> • Explore the possibility of implementing a bicameral legislature. • Universal suffrage could take the form of direct or indirect election.

<u>Organisations/individuals making the submissions</u> <u>(Submission No. ^{Note})</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
The Chinese General Chamber of Commerce (LC Paper No. CB(2)1873/06-07(11))	9.5.2007	<ul style="list-style-type: none"> • Constitutional development should be pursued without invoking a constitutional crisis and amending the Basic Law. • The model for universal suffrage should comply with the provisions of the Basic Law and four principles on constitutional development, namely (1) meeting the interests of different sectors of society; (2) facilitating the development of the capitalist economy; (3) gradual and orderly progress; and (4) appropriate to the actual situation in Hong Kong.
Ms LEE Kwai-chun (LC Paper No. CB(2)1873/06-07(07))	10.5.2007	<ul style="list-style-type: none"> • To tie in with the enhanced role and functions of the District Councils, support to increase District Council FC seats in the 2008 LegCo Election and all these seats should be returned through election by District Council Members among themselves.
League of Social Democrats (LC Paper No. CB(2)1873/06-07(09))	11.5.2007	<ul style="list-style-type: none"> • The number of LegCo seats should be increased from 60 to 70, all of which should be returned by universal suffrage with the abolition of the existing FCs.

<u>Organisations/individuals making the submissions (Submission No. ^{Note})</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
		<ul style="list-style-type: none"> • An open attitude is held towards the electoral method and three options are proposed: <ul style="list-style-type: none"> (a) “Single seat, single vote” system; (b) Proportional representation system; and (c) Mixed electoral system: half of the seats to be returned by a “single seat, single vote” system, under which the whole of Hong Kong would be divided into 35 small GCs, and the other half allocated in proportion to population to five large GCs, namely Hong Kong Island (6 seats), Kowloon East (6 seats), Kowloon West (5 seats), New Territories East (8 seats) and New Territories West (10 seats) and returned by a proportional representation system.
Mr LEUNG Siu-tong (LC Paper No. CB(2)1873/06-07(10))	11.5.2007	<ul style="list-style-type: none"> • The number of seats for the 2012 LegCo Election should be increased to 72, with the number of Members returned by FCs and that by direct

<u>Organisations/individuals</u> <u>making the submissions</u> <u>(Submission No. ^{Note})</u>	<u>Date of</u> <u>Submission</u>	<u>Summary of Views</u>
		<p style="text-align: center;">elections on a GC basis both raised to 36.</p> <ul style="list-style-type: none"> • The number of seats for the 2016 LegCo Election can be maintained at 72, with the number of FC seats reduced to 18 and GC directly elected seats increased to 54. At the same time, the Government should re-evaluate the mechanism for electing the CE and forming the LegCo with a view to broadening the base for democracy.
Miss Amy YUNG Wing-sheung (LC Paper No. CB(2)1873/06-07(02))	15.5.2007	<ul style="list-style-type: none"> • To achieve universal suffrage for the 2012 LegCo Election, the abolition of the FC seats is a natural development. If we are to follow the principle of “gradual and orderly progress”, it is a reasonable step to first introduce a reform in 2008. • It is of utmost importance to expand the electorate base of FCs, and therefore company/corporate voting should be abolished. • In 2012, all FC seats should be abolished in one go and full-scale direct elections should be implemented.

<u>Organisations/individuals making the submissions</u> (Submission No. ^{Note})	<u>Date of Submission</u>	<u>Summary of Views</u>
Liberal Party (LC Paper No. CB(2)1873/06-07(13))	15.5.2007	<ul style="list-style-type: none"> • It is undesirable to implement universal suffrage for both the CE and LegCo in 2012 in one go so as to avoid uncertainties in both the executive and legislative frameworks of the HKSAR simultaneously. • In the event that universal suffrage for CE election can be implemented in 2012, we could work towards the attainment of universal suffrage with regard to the LegCo FC seats could start in 2016 (i.e. the immediately following term) at the earliest. • The number of FC seats can be reduced from 30 to 20 in the first phase, and further reduced to 10 in the second phase, and finally all the seats would be returned by universal suffrage. Through this process, it is estimated that universal suffrage for the LegCo can be achieved in 2024. As for the actual pace in achieving this, continued efforts should be made to seek consensus within the community. Since traditional FCs which have expertise in economic policies such as commercial and industrial and professional

<u>Organisations/individuals making the submissions (Submission No. ^{Note})</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
		<p>FCs need more time to adapt to such a change, it is proposed that they can be abolished in the last phase.</p> <ul style="list-style-type: none"> • During the transitional period, the electorate base of the FCs can be expanded as appropriate by, for example, extending the company votes of the FCs to increase the number of director votes and senior executive votes.
The Chinese Manufacturers' Association (LC Paper No. CB(2)1910/06-07(01))	17.5.2007	<ul style="list-style-type: none"> • It is considered that the emergence of a favourable environment in the community is a pre-requisite for changing the existing electoral mode for the LegCo. • It is proposed that universal suffrage for CE election should be implemented before that for the LegCo.
Civic Association (LC Paper No. CB(2)1910-06/07(02))	18.5.2007	<p><u>2008 LegCo elections</u></p> <ul style="list-style-type: none"> • Corporate voting in the FCs should be redefined, i.e. to extend the voting right from the company to all members of the Boards of Directors and Executive and/or Management Committees of those companies.

<u>Organisations/individuals making the submissions</u> <u>(Submission No. ^{Note})</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
		<p><u>2012 LegCo elections</u></p> <ul style="list-style-type: none"> • Add 10 more LegCo seats and five more seats each in GCs and District Council FC. • To combine the existing relatively narrow-based FCs to no more than 15 as far as practicable so as to enlarge the electorate base. Such FC groups should form a nomination committee, consisting of no more than 100 members, to compile a list of eligible contenders. Electors on the electoral roll may elect their representatives. • In the five existing LegCo constituencies, District Council members may elect from among themselves a representative to the LegCo. One more seat should be allocated to each of the five LegCo constituencies. • Each voter will have two votes, one vote for a representative in his or her GC and the other vote for another representative in his or her occupational sector.

<u>Organisations/individuals making the submissions (Submission No. ^{Note})</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
The Frontier	19.5.2007	<ul style="list-style-type: none"> • FCs should be abolished as soon as possible to enable Hong Kong people to elect all LegCo Members on the basis of “one person, one vote”. The universal suffrage for the LegCo can be implemented by adopting a “single seat, single vote” system or proportional representation system. • If FCs cannot be abolished immediately, at least company/corporate votes should be abolished and the electorate base of the FCs should be expanded to allow more members of the public to participate in the election.
Civil Human Rights Front	20.5.2007	<ul style="list-style-type: none"> • Given a mature government, well-developed supporting electoral measures and wide public participation in the election, it is believed that Hong Kong people are provided with the required conditions and rights to elect the CE and all LegCo Members of the HKSAR on the basis of “one person, one vote” so as to implement of the accountability system finally.

<u>Organisations/individuals making the submissions (Submission No. ^{Note})</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
Concern Group on Hong Kong's Future	21.5.2007	<ul style="list-style-type: none"> • Half of the seats to be directly elected from single-seat GCs, using the “first past the post” principle, and the other half allocated under a proportional representation system in order to achieve balanced participation.
The Democratic Party (LC Paper No. CB(2)1873/06-07(08))	5.2007	<ul style="list-style-type: none"> • A mixed electoral system to be adopted for the 2012 LegCo Election, with half of the seats directly elected through a single seat single vote system on a district basis (using the simple majority system) and the other half returned by a proportional representation system, under which the whole of Hong Kong would form a single constituency. Each voter would have two votes.
Asia-Pacific Institute of International Relations (LC Paper No. CB(2)1873/06-07(12))	5.2007	<ul style="list-style-type: none"> • To abolish FCs in the LegCo Election in three stages: <ol style="list-style-type: none"> (1) Reduce 10 FC seats by merging related FCs in 2012; (2) Reduce 10 more FC seats by merging FCs which are related in broad term; (3) Abolish all FCs in 2020. • There are to be eight GCs for GC Election:

<u>Organisations/individuals making the submissions (Submission No. ^{Note})</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
		<p>(1) Increase the number of GCs to 8 in 2012. These are Hong Kong Island North, Hong Kong Island South, Kowloon East, Kowloon West, New Territories East, New Territories West, New Territories North and New Territories South. Seats are allocated on the basis of the population ratio of each region.</p> <p>(2) Further increase the number of GC seats in 2016.</p> <p>(3) All 60 seats to be returned by eight GCs in 2020.</p> <ul style="list-style-type: none"> • A proportional representation system to be adopted throughout.

Note: Please refer to the Legislative Council webpage for the original text of the submission (LC Paper No. CB(2)2386/05-06(01)). (www.legco.gov.hk/yr05-06/english/panels/ca/papers/ca0619cb2-2386-1e.pdf)

Annex III

Written Submissions Received by the Committee on Governance and Political Development of the Commission on Strategic Development

<u>Members Submitting Views</u>	<u>Date of Submission</u>	<u>Summary of Views</u> ^{Note}
Miss TAM Wai-chu, Maria	29.11.2005	<ul style="list-style-type: none">• Apart from considering the options of eliminating the FCs altogether or implementing a bicameral system, a third option could be universal suffrage with designated seats with candidates nominated by FCs.• The separate voting system now in place can be retained under this model.
Hon LEE Cheuk-yan	1.2006	<ul style="list-style-type: none">• The FC system should be abolished as soon as possible.• Before the abolition of FC elections, the Government should introduce the following two reform measures:<ul style="list-style-type: none">(a) expand the electorate base of FCs - replacing corporate votes with individual votes (for example, expanding the electorate base of the Labour FC to cover all members of the registered trade unions); and(b) review the need to retain FCs with little competition in

<u>Members Submitting Views</u>	<u>Date of Submission</u>	<u>Summary of Views</u> ^{Note}
Dr LEUNG Mei-fun, Priscilla	16.1.2006	<p>elections – consider abolishing these FCs or merging them with other FCs.</p> <p>In the process of developing the existing system towards the ultimate aim of universal suffrage, we may consider:</p> <ul style="list-style-type: none"> (a) gradually reducing the number of FCs, starting with turning those FCs which support universal suffrage into GC seats, and ultimately abolishing all FCs. (b) abolishing corporate votes of FCs. FC representatives should be elected by eligible voters in the respective FCs by “one person, one vote”. Voters in FCs must be clearly delineated. (c) If it is not possible to reduce the number of FCs, we may consider introducing more FCs and re-delineating the electorate of the FCs to pave way for reform e.g. adding a Chinese medicine FC, a higher education FC, an environmental protection FC, a publishing FC or any other FCs which should have been represented in the LegCo. There may even be a FC for homemakers. In the end, LegCo Members returned by FCs would be as representative as those returned by GCs through direct elections.

<u>Members Submitting Views</u>	<u>Date of Submission</u>	<u>Summary of Views</u> ^{Note}
Hon SHEK Lai-him, Abraham	19.1.2006	<ul style="list-style-type: none"> • In the light of political reality, if FCs are abolished, it would be difficult to realize a political system that can meet the interests of different sectors of society and facilitate the development of a capitalist economy. • If the design of a bicameral system can reflect the actual situation of Hong Kong and help resolve the complicated issues relating to the design of the political structure, it will be worthwhile to examine and explore this option. • In the event that a bicameral system is adopted for LegCo in future, and if members returned by FCs are to form the second chamber, the electorate base of these FCs could be expanded suitably. For example, a “one person, one vote” system could be adopted for professional sectors where voters are professionally qualified and have certain years of experience in the related trades. Moreover, the existing corporate voting system should be maintained to protect the interest of investors.
Mr CHAN Chung-bun, Bunny	20.1.2006	<ul style="list-style-type: none"> • Should examine ways to retain FCs and to strengthen their roles, operation and functions. • At present, many people have not yet been included in FCs. There is a need to work out feasible arrangements

<u>Members Submitting Views</u>	<u>Date of Submission</u>	<u>Summary of Views</u> ^{Note}
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- enabling the concerned people, including those who are not working such as housewives, to also have two votes.
- As for FC elections, all organizations should adopt an open and competitive process as far as practicable to allow all electors in the constituencies to vote for their LegCo representatives.
 - Mr LAU Nai Keung 1.3.2006 Under the principle of “gradual and orderly progress” of constitutional development, it appears that some sort of transitional arrangement is inevitable. In this regard, a bicameral system is currently discussed most.
 - The option of a bicameral system recognizes that certain interests of Hong Kong, including the interests of the Central Authorities in Hong Kong, require special regard on a long-term basis, and that a bicameral system should be a long-term arrangement. As such, the upper house should have more extensive veto power, which should at least cover bills relating to constitutional reform and the relationship between the Central Authorities and the SAR, private bills proposed by members of the lower house, and other important bills which currently require the endorsement of a two-third majority of the LegCo.

<u>Members Submitting Views</u>	<u>Date of Submission</u>	<u>Summary of Views</u> ^{Note}
Hon LEE Wing Tat	5.2006	<ul style="list-style-type: none"> • To achieve the ultimate aim of having all LegCo seats returned by universal suffrage, one possible method is that the seats in the upper house be nominated by the respective FCs, and be elected by “one person one vote”. This could likely avoid the need to amend the Basic Law. • All the present 30 FC seats in LegCo should be abolished and be returned by universal suffrage instead. • Consideration should be given to a mixed election model combining the “single seat single vote system” and the “proportional representation system”, where all LegCo Members will be returned through elections by “one person, two votes”. • Under this model, LegCo seats will be divided into two groups. The first group will be returned by a “single seat single vote system”. The whole Hong Kong will be divided into certain number of constituencies based on population ratio. Another group of seats (half of all seats) will be returned by a proportional representation system. The whole of Hong Kong will form a single constituency. In other words, each elector will have two votes for electing LegCo Members.

<u>Members Submitting Views</u>	<u>Date of Submission</u>	<u>Summary of Views</u> ^{Note}
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- Regarding the criteria for delineation of constituencies, under the proposed option, 30 LegCo Members will be returned by GCs on a “single seat single vote” basis. In other words, 30 constituencies will be delineated across the territory according to population ratio, each returning one LegCo Member.
- Apart from the population quota, it is proposed that other criteria provided for in the existing legislation should continue to be adopted. These include community identities, the preservation of local ties and physical features of the relevant areas etc. As for the existing boundaries of districts and GCs, they will need to be delineated afresh.
- On the voting system, under the proposed model, a “single seat single vote system” will be adopted for GC elections, and a “proportional representation system” adopted for the single constituency covering the whole territory. It is proposed that the “list voting system” under the “proportional representation system” should continue to be adopted, and that the election results should be determined by the largest remainder formula. Such election method is familiar to the public. Review could be conducted in future as necessary.

<u>Members Submitting Views</u>	<u>Date of Submission</u>	<u>Summary of Views</u> ^{Note}
Mr CHAN Chung Bun, Bunny	26.5.2006	<ul style="list-style-type: none"> • As the FCs have been playing a very important role in the LegCo and in the community at large, consideration should be given to preserving their role in the legislative framework. • However, the issue seems to be that, conceptually, under a LegCo with all members returned by universal suffrage, there should no longer be any FCs. Even if we further enhance the role of FCs, the continual existence of FCs should only be temporary and the FCs should be abolished eventually. • If there is sufficient support for preserving the FCs, the direction should be that the composition and election method of the FCs should remain unchanged. Only by doing so will it is consistent with the view that FCs are indispensable. • Increasing the number of seats in the “District Council FC” for LegCo election will enhance the representativeness of the FCs as members of the District Councils are elected by all GC voters. • Another possible option is to add new LegCo FCs so that eligible voters who are currently not covered by the FCs, such as housewives, employees in business entities, persons without professional qualifications and

<u>Members Submitting Views</u>	<u>Date of Submission</u>	<u>Summary of Views</u> ^{Note}
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- students having reached the voting age, will be included. The ultimate aim is that all eligible voters are covered by the FCs. Under this model, all eligible voters will have two votes each, i.e. one for a GC and one for an FC.
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| Hon SHEK Lai-him,
Abraham | 22.9.2006 | <ul style="list-style-type: none"> • In the future LegCo formed by universal suffrage, half of the seats should be allocated to FC members. • Regarding the method for returning FC Members, candidates should be nominated by voters in their respective FCs for election by universal suffrage. Candidates should be required to obtain support from at least 30% of the voters in the relevant trade to become eligible for running the election. • To abolish corporate voting cannot meet the principle of “facilitate the development of a capitalist economy”. • After implementation of universal suffrage, candidates nominated by FCs will need to stand for election on the basis of “one-person-one-vote”. Candidates will have wider legitimacy and will be able to truly represent their respective trades if corporate voting can be retained. |
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<u>Members Submitting Views</u>	<u>Date of Submission</u>	<u>Summary of Views</u> ^{Note}
Miss TAM Wai-chu, Maria	22.9.2006	<ul style="list-style-type: none"> • Since FC Members will be returned by universal suffrage, it would be meaningless to expand the electorate base of FCs. To expand the electorate base of FCs would only give rise to more disputes concerning how to determine the eligibility of voters. <p>A legislature with half of its members returned by GCs through direct election and half by FCs is indeed more representative. As a matter of fact, such a legislature has helped maintain Hong Kong's long term social stability and had helped ensure that the Government policies would take fuller account of the interests of different sectors. It is on this basis that the nomination right of FCs should be retained when moving towards universal suffrage.</p>
Dr LEUNG Mei-fun, Priscilla, Prof CHENG Kwok-hon, Leonard	22.9.2006	<ul style="list-style-type: none"> • On the basis of the current arrangements, there should continue to be equal number of seats for FC and GC Members. The number of seats could be increased on the same proportion. The 30 FC seats should form a separate chamber. • To introduce the concept of "one council two groups". To require separate voting by the "FC group" and the group returned by universal suffrage on passage of bills, thereby formally separating the two groups.

<u>Members Submitting Views</u>	<u>Date of Submission</u>	<u>Summary of Views</u> ^{Note}
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- Through returning FC Members by universal suffrage, not only can the ultimate aim of forming LegCo by universal suffrage as stipulated in the Basic Law be achieved, the interests of the relevant trades and different sectors can also be met.
- FCs:
First Phase
 - (1) To expand the electorate base and the constituencies
Once the principle that a candidate must come from his respective trade is laid down, all eligible voters can either select the candidates on the basis of “constituency”, or select the candidates by marking on the list of candidates for each FC.
 - (2) Abolishing corporate voting in the FCs
FC representatives should be elected by eligible voters in the respective FCs by “one-person-one-vote”. Voters in FCs must be clearly delineated.
 - (3) Adding more FCs
If it is not possible to reduce the number of FCs gradually, consideration can be given to introducing more FCs and re-delineating the electorate of the FCs to pave way for reform. Some proposed new FCs include

<u>Members Submitting Views</u>	<u>Date of Submission</u>	<u>Summary of Views</u> ^{Note}
		Chinese medicine, higher education, environmental protection, publication or any other sectors which should have been represented in the LegCo. There could even be a “comprehensive FC” to cover all those voters who are not included in any other FCs.
		<u>Second Phase</u> To allow all voters to vote at FCs (i.e. voters will have one vote to return directly elected members and other votes to return all FC Members).
		<u>Third Phase</u> Should only consider abolishing all FC seats and returning all seats by universal suffrage when the necessary pre-conditions are ready.
Mr YU Kwok-chun	27.9.2006	<ul style="list-style-type: none"> • FCs should be retained when universal suffrage is implemented; the roles and functions of FCs should be substantiated.
Ms Janie FONG	6.10.2006	<ul style="list-style-type: none"> • Models with nominated FC candidates elected by universal suffrage, along with open elections of GCs through direct elections may serve as viable solutions to ensure a certain level of stability in the policy making process with experienced and proven legislative policy leaders during the transition process.

<u>Members Submitting Views</u>	<u>Date of Submission</u>	<u>Summary of Views</u> ^{Note}
Dr Leung Mei-fun, Priscilla	25.1.2007	<ul style="list-style-type: none"> • The proposed bicameral system requires careful review as to whether it is legally viable and conforms to the Basic Law. • The option of returning FC Members by universal suffrage on the basis of "one-person-multi-votes" is a happy medium between bicameralism and universal suffrage. • The original option comprises three phases. In the First Phase, every voter will gain the experience of casting two votes. The principles of balanced participation and of gradual and orderly progress will be maintained throughout its development process. Only after the First Phase is fully developed will it proceed into the Second and Third phases. • The First Phase aims at expanding the electoral base. The process of expansion should be intricately designed, forbidding people to come "all of a sudden" to register as members of a sector to which they have no connection with. • "One-person-multi-votes" will be implemented in the Second Phase. Before entering the Second Phase, the issue of definition of electors of different FCs should be taken note of.

<u>Members Submitting Views</u>	<u>Date of Submission</u>	<u>Summary of Views</u> ^{Note}
Mr WONG Kong-hon	10.4.2007	<ul style="list-style-type: none"> • Dual universal suffrage of the Third Phase may come into effect when the conditions are ripe for the implementation of universal suffrage. • Preserving the FCs not only meets the interests of different sectors of society, but also accords with the check-and-balance function between the executive authorities and the legislature in a way that they are able to regulate each other as well as co-ordinate their activities. Retaining the FC seats in some form is conducive to the community at large as a more balanced account of views of people from all walks, as well as different sectors and spectra of society could be taken. • A legislature with half of its members returned by GCs through direct election and half by FCs is indeed more representative. Hence, FC seats returning by universal suffrage should be retained.
Miss TAM Wai-chu, Maria	11.4.2007	<ul style="list-style-type: none"> • Preserving the FCs not only meets the interests of different sectors of society, but also accords with the check-and-balance function between the executive authorities and the legislature in a way that they are able to regulate each other as well as co-ordinate their activities.

<u>Members Submitting Views</u>	<u>Date of Submission</u>	<u>Summary of Views</u> ^{Note}
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- It is not desirable to change the existing requirements in respect of the qualification of FC voters. These voters should be conferred with the right to nominate or to select candidates for election by universal suffrage.
 - Regarding the model for implementing universal suffrage, we should not limit ourselves to the format of “one-person-one-vote”, “one-person-two-votes” or “one-person-multiple-votes”. As long as all members of the public are given universal and equal voting right, the system itself is, in essence, universal suffrage.
 - Better start with changing the method for electing representatives of those FCs in favour of universal suffrage, so that a broader support for the option in LegCo could be secured.
 - All LegCo members returned by universal suffrage must be Chinese citizens with no right of abode in any foreign country. The nationality of LegCo members should be an issue for discussion.
- Hon SHEK Lai-him,
Abraham 12.4.2007 • Abolishing FC seats and forming the LegCo with all seats returned by universal suffrage will make the principle of “balanced participation” hard to realise.

<u>Members Submitting Views</u>	<u>Date of Submission</u>	<u>Summary of Views</u> ^{Note}
		<ul style="list-style-type: none"> • The proposal for re-defining corporate voting for the LegCo Election in 2008 is not feasible.
		<ul style="list-style-type: none"> • The duration of the transitional period for the FCs before abolishing all FC seats and having all LegCo seats returned by universal suffrage in 2012 is inadequate.
		<ul style="list-style-type: none"> • If a consensus on the model of universal suffrage for the CE election could be reached, it should be put into practice for at least two CE elections before implementing LegCo election. As to how the principle of “balanced participation” could be realized in the legislature, further discussion needed to be conducted.
Dr Zhou Ba-jun	9.5.2007	<ul style="list-style-type: none"> • In respect of model design and roadmap for electing the Legislative Council by universal suffrage, the greatest difficulty at present is how to handle the issue of functional bodies.
	15.5.2007	
	22.5.2007	
	28.5.2007	<ul style="list-style-type: none"> • The function of functional bodies in Hong Kong’s political system has gone through enormous changes before and after 1997. Their function of representing the interests of the specific sectors or groups is diluting and will dilute with the growing sophistication of political bodies and politicians. Also, in the time when Hong Kong’s political

<u>Members Submitting Views</u>	<u>Date of Submission</u>	<u>Summary of Views</u> ^{Note}
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ecology is still unable to consciously strike a balance between the conflicts of “two systems” and “one country”, the balancing function of functional bodies in direct election within geographical constituencies, which has been dominated by the pro-democracy camp, is very crucial.

- The development of a democratic political system according to the concept of “one country, two systems” is a ground-breaking attempt without any successful precedents. Apart from the requisites elaborated in the textbooks and writings on politics published in the western countries, certain fundamentals are required to promote the development of a democratic political system under “two systems” within the framework of “one country”.
- Common values developed from the principle of “One Country, Two System” between Hong Kong and the Central Authorities and among the various political factions within Hong Kong are pertinent to universal suffrage in Hong Kong “achieved when the conditions are ripe” and “accomplished naturally with ease” and the long-term stability and prosperity of Hong Kong. That will be the “sustainable” democratic political system.

<u>Members Submitting Views</u>	<u>Date of Submission</u>	<u>Summary of Views</u> ^{Note}
		<ul style="list-style-type: none"> • Hong Kong's constitutional development is truly standing at a very crucial crossroads – whether the universal suffrage should be implemented without some of the necessary conditions? Or common values developed from “one country two systems” are needed between Hong Kong community and the Central Authorities and among the various political factions in Hong Kong as soon as possible? Hong Kong people must make a careful choice.
Mr SHIH Wing-ching	16.5.2007	<ul style="list-style-type: none"> • If all elector each belong to one of the FC and every person has a chance for voting, elections for FC can also be fair and reasonable. • If it is the objective to involve more people to participate, adding in new FCs like housewives, students, retiree can be set up. All existing FCs shall be personalised – everyone can choose one of the following 3 FCs: <ul style="list-style-type: none"> (i) Commerce; (ii) Professionals and Management; and (iii) Employees and self-employed. • For the number of seats to each sector, it would depend on the social role of the sector in the society.

Note: Please refer to the Central Policy Unit webpage (“Committee on Governance and Political Development- Submissions from Members) –for the original text of the submissions.
[\(www.cpu.gov.hk/english/csd_gc_submissions_meeting.htm\)](http://www.cpu.gov.hk/english/csd_gc_submissions_meeting.htm)

Related views raised by Members at previous meetings have been recorded in the summary of views expressed at the meetings. Members are welcome to continue to express their views.

**Summary of the views expressed at
the Ninth Meeting of
the Committee on Governance and Political Development
of the Commission on Strategic Development
held on 12 April 2007**

(Translation)

The Chairman welcomed members to the ninth meeting of the Committee.

Matters arising from the last meeting

2. The Chairman informed the meeting that the Constitutional Affairs Bureau had further summarised the views expressed by members so far on possible models for selecting the Chief Executive (CE) and forming the Legislative Council (LegCo) by universal suffrage and had collated them into two discussion papers (CSD/GC/3/2007 and CSD/GC/4/2007) to help members focus their discussion.

3. The Chairman made the following remarks before the discussion:

- (a) The Commission had made progress at each meeting, and promoted discussion within the community. All discussion papers of the Commission and summaries of views expressed at the meetings were uploaded to the website of the Commission for public reference.
- (b) The Secretariat had distributed proposals on possible models for implementation of universal suffrage it had recently received, including those submitted by Mrs Anson Chan and her Core Group, 22 Legislative Council Members and some members of the Commission, to all members for reference and discussion.
- (c) The Decision of the Standing Committee of the National People's Congress made in April 2004 was not applicable to the electoral arrangements for the fourth term CE and the fifth term LegCo in 2012.

- (d) As regards possible models for selecting the CE by universal suffrage, the most important issue was whether the existing electoral arrangements should evolve in phases to attain the ultimate aim of universal suffrage, i.e. according to Article 45 of the Basic Law, forming a broadly representative nominating committee to nominate CE candidates in accordance with democratic procedures for subsequent election by universal suffrage, or to attain the ultimate aim of universal suffrage in one go by directly setting up a nominating committee on the basis of the existing electoral arrangements of the Election Committee. The adoption of either of these approaches depended on the community aspirations, which on one hand, wished to have universal suffrage for the CE to be implemented at an early date. On the other hand, the community also hoped to maintain stability in the socio-economic performance and in the relationship with the Central Authorities in the process of achieving universal suffrage.
- (e) Members still had significant differences on possible models for forming the LegCo by universal suffrage, particularly on the future development of Functional Constituency (FC) seats. The finalization of a roadmap and timetable for forming the LegCo by universal suffrage depended on whether different sectors of the community could reach consensus along the direction of “resolving the simple issues before the difficult ones” and “universal suffrage for the CE preceding that for the LegCo”, and on whether the ultimate aim of universal suffrage for LegCo should be attained in phases or in one go.
- (f) The final model for universal suffrage should include the design and detailed arrangements, as well as the roadmap and timetable for implementation. Members had put forth many specific proposals on possible model for universal suffrage, and timetables were included in these models and roadmaps. Furthermore, with the approach of “formulating a roadmap before a timetable”, if different sectors of the community could reach consensus on the models and roadmap for selecting the CE and forming the LegCo by universal suffrage, the timetable for universal suffrage would emerge naturally.

- (g) The Government would summarise the discussion of the Committee, and, on that basis, publish a Green Paper on constitutional development in mid-2007. The Green Paper would also reflect the specific proposals and views put forward by different political parties of the LegCo, organizations and members of the public, in addition to those put forward by the Commission. The Government would launch a public consultation for about three months to enable the public and various sectors to have adequate discussion on models and roadmap for selecting the CE and forming the LegCo by universal suffrage. The Government would submit a report to the Central Authorities reflecting faithfully any mainstream views formed during public consultation and the other views expressed after the completion of the public consultation.
- (h) The Green Paper would set out the views of the Commission as well as those of the community on models, roadmap and timetable for universal suffrage, and present three types of options for public discussion. As to which three types of options would be included, a decision had yet to be made. The Government would finalise the Green Paper having regard to the progress of discussion, proposals received and public response to various proposals in the next few months.
- (i) The Government had yet to finalize specific details of the public consultation exercise of the Green Paper on constitutional development. Details would be finalized in the next few months. The Chairman stressed that the public consultation exercise would definitely be open and highly transparent, and that various sectors of the community would be able to actively participate in the discussion.
- (j) As regards opinion polls on the Green Paper on constitutional development, the Chairman said that media companies, academic institutions and organisations in the community would very likely carry out various opinion polls on this issue.
- (k) The Chairman remarked that any mainstream proposal would have to take into account the views of the general public and gain acceptance among the community. It would only

emerge through integration, reconciliation and compromise of views among different parties. The public also understood that the proposal could not be formulated to merely satisfy a certain class, organisation, political party or person. It was most important for different parties in the community to adopt an open and accommodating attitude in the course of discussion, with a view to narrowing differences and forming a mainstream proposal for the consideration of the Central Authorities.

Discussion on models, roadmap and timetable for selecting the CE by universal suffrage

4. With respect to the models, roadmap and timetable for selecting the CE by universal suffrage, members expressed the following views.

Composition and size of the nominating committee

5. Regarding the composition of the nominating committee, most members were inclined to support using the composition of the existing Election Committee as a basis to consider that of the nominating committee. Proposals put forth by members varied in terms of the size of the nominating committee and the relative proportion of the sectors in the committee. The Committee did not have obvious mainstream views in this regard.

6. Some members suggested a nominating committee with 800 members by making reference to the existing Election Committee. A member suggested a nominating committee with 1200 members, comprising the 800 members of the Election Committee and about 400 elected District Council members. There was also a suggestion that the membership of the nominating committee should be increased to 1 600.

7. As regards the delineation of sectors, there was a suggestion that the nominating committee should be formed by the existing four sectors of the Election Committee. There was a view that in addition to the existing four sectors, consideration might be given to the inclusion of other new sectors, especially those with inadequate representation under the current political structure such as the youth. This would allow individuals from different quarters to voice their opinions and take up civic responsibility, through participation in the nominating committee.

Method of nomination

8. The Committee did not have obvious mainstream views on the nomination threshold. There was a view that the nomination threshold should not be higher than 12.5%, which was the level adopted by the existing Election Committee. There was another view that candidates should only be required to secure a minimum of 50 nominations (i.e. 6.25%). Nevertheless, quite a number of members suggested maintaining the threshold at 12.5% or even increasing it to 20% or 25%. A member pointed out that a higher nomination threshold would not necessarily represent a setback in democratic development, taking into account that candidates had to run for an election by universal suffrage.

9. A member pointed out that the function of the nominating committee was to nominate candidates for the CE election by universal suffrage. The nomination procedures should ensure that there would not be too many candidates. There were also views that it would be desirable to have only three to four candidates. A 800-member nominating committee with a nomination threshold of 50 nominations could generate a maximum of 16 candidates. Such a high number of candidates was rarely seen in the elections of other countries. Nevertheless, a member opined that a nominating committee with too much screening effect would leave the public with few “real” choices.

10. Some members remarked that the nomination threshold was a key element in the design of the models for selecting the CE by universal suffrage and should be examined together with the timetable for universal suffrage. The implementation of universal suffrage might be delayed if a lower nomination threshold was set. On the contrary, universal suffrage might be attained earlier if a higher nomination threshold was set. Quite a number of members agreed that universal suffrage should be implemented in accordance with the principle of “gradual and orderly progress”. They also supported that a relatively higher nomination threshold should initially be set in order to strive to reach consensus among all sectors of the community and attain universal suffrage at an early opportunity. The threshold could gradually evolve after implementation of universal suffrage.

11. A member proposed that a contender should be required to obtain a certain number of nominations (say not less than 20%) from each of the four sectors of the nominating committee to qualify as a candidate. Such an arrangement would ensure that the candidate was supported by different

sectors within the nominating committee and would take care of the interests of different sectors in society.

12. Members agreed that the Central Authorities had substantive power in the appointment of the CE of the Hong Kong Special Administrative Region. There was a view that requiring candidates to obtain a certain number of nominations from the deputies to the National People's Congress and members of the National Committee of the Chinese People's Political Consultative Conference was a substantive realisation of the Central Authorities' involvement in the process. However, a member disagreed with any proposal of conferring a veto power to any of the members of the nominating committee. He considered that nomination threshold and veto power were two different arrangements. He believed that any proposal with a veto power would not receive a two-third majority support from the LegCo.

13. A member raised that according to Article 45 of the Basic Law, the nominating committee should not only be broadly representative, it should also nominate candidates in accordance with democratic procedures. The CE would then be elected by universal suffrage. In relation to the design of the nomination method, he added that consideration should be given to both the threshold level and drawing up of the democratic procedures in order to be consistent with the requirements of the Basic Law. He also pointed out that for a nomination to be made in accordance with "democratic procedures", it would require all members of the nominating committee to have collective and equal participation in nomination. He proposed that contenders should explain their election platform to the nominating committee after securing the required number of nominations. The nominating committee would, in accordance with democratic procedures, select the contenders by one-person-one-vote. The two contenders with the highest votes would be nominated candidates for CE election by universal suffrage on the basis of one-person-one-vote, and the candidate selected would then be appointed by the Central Authorities.

14. As for other nomination requirements, a member held that the nomination of CE candidates was the political rights of Chinese citizens. As such, the nationality of the subscribers should also be examined. A member proposed that members of the nominating committee should be Chinese citizens who were permanent residents of the Hong Kong Special Administrative Region, though the non-possession of foreign right of abode should not be a requisite.

15. A member opined that the Committee should continue to examine the issue raised in previous meetings of whether to set an upper limit to the number of nominations to be subscribed. The Chairman said that the point would be taken into account in the preparation of the Green Paper.

Method of universal suffrage after nomination

16. A member opined that in an election by universal suffrage, a candidate should obtain more than half of the valid votes cast in order to be elected. This would enhance the legitimacy of the CE-elect.

17. Members had not discussed the issue in depth.

Roadmap and timetable for selecting the CE by universal suffrage

18. Quite a number of members supported adopting the approach of “resolving the simple issues before the difficult ones” and the direction of “universal suffrage for the CE preceding that for the LegCo” to take forward the next step of work. Members generally agreed that there were still significant differences among members on models for forming the LegCo by universal suffrage, especially on the way forward of FCs, and that mainstream views had yet to be formed in this respect in the community. A member hoped that people from different sectors would discuss the timetable issue in a rational way, and that the discussion on the respective timetables for selecting the CE and forming the LegCo by universal suffrage should not be bundled together.

19. Some members opined that in considering the roadmap and timetable for implementing universal suffrage, we should not only be concerned with the method to attain the ultimate goal of universal suffrage. We had to take into account the important principle of maintaining the prosperity and stability of Hong Kong. The Committee had carried out in-depth and detailed discussions on the principles and concepts relating to universal suffrage, and conclusions had been reached. These principles and concepts were accepted by members (Please refer to Paper No.CSD/GC/6A/2006 for details).

20. A member opined that the discussion on the pre-conditions for implementing universal suffrage was not thorough enough. He held that a balance had to be struck between the promotion of democracy and the implementation of “One Country, Two Systems”. It was also important to

have sufficient communication and a high degree of mutual trust between Hong Kong and the Central Authorities.

Further discussion on possible models for forming the LegCo by universal suffrage

Electoral method for FC seats

21. Members still had significant differences on the way forward for FCs. Some held that all FC seats should be abolished when the ultimate aim of forming LegCo by universal suffrage was attained. However, other members maintained that the retention of FCs in some form would help meet the interests of different sectors. The arrangement also satisfied the need of having the executive and the legislature complementing each other on the one hand and operating with checks and balances on the other. This was conducive to striking a balance between the different views within the community.

22. There was a suggestion to examine whether it would conform with the principle of “balanced participation” provided in the Basic Law for all LegCo members to be returned through GC direct elections. The member pointed out that the existing LegCo Members returned through GC elections were largely from certain specific sectors. To fulfill the principle of “balanced participation”, consideration should be given to establishing “occupational constituencies” and further discussion on the method for forming the “occupational constituencies” would be required. He added that universal suffrage should be implemented on the basis of “one-person-two-votes”: one vote to return directly elected GC members, and the other to return occupational constituency members.

23. However, a member considered that the mechanism for implementing universal suffrage should not be formulated solely on the basis of social background or occupational background considerations. In addition, “balanced participation” should not be measured too precisely in terms of statistical results. In this connection, a member opined that “balanced participation” was not tantamount to “balanced outcome” since election results could neither guarantee representation from each and every sector nor an equal number of seats among the sectors.

24. A member supported the option of “one-person-multiple-votes”, i.e. the public could cast one vote to return directly elected GC members and multiple votes to return FC members.

Transitional arrangements before attaining the ultimate aim of universal suffrage

25. Quite a number of members remarked that different sectors of the community would find it more acceptable if universal suffrage was to be implemented in phases. Such an arrangement was also in line with the principle of “gradual and orderly progress” provided in the Basic Law. A member pointed out that the proposal of immediately abolishing all FC seats was unlikely to receive support from a two-third majority of the LegCo Members. Judging from this political reality, such a proposal was not feasible. Some members opined that the number of FC seats could be gradually reduced. For instance, a member proposed to abolish 10 or 15 FC seats first in 2012. However, some members remarked that this phasing out option would give rise to disputes over the selection of the FCs to be abolished first and was not easy to implement.

26. A member proposed to expand the electorate base of the FCs and abolish corporate voting so that all eligible persons could elect LegCo members by “one-person-one-vote”.

27. A member opined that the three options set out in paragraph 11 of the Paper No.CSD/GC/4/2007 were feasible options for transition, but falling short of being ultimate models because they did not fully conform with the concept and principles of universal suffrage generally accepted by the international community. However, he pointed out that the length of the transitional period could be further discussed. A member held that the core concept of universal suffrage should be interpreted as encompassing equal rights to elect and to be elected. He remarked that the proposal put forth by the 22 LegCo members, which were closer to the concept of universal suffrage generally accepted by the international community and would not entail amendments to the Basic Law, might be considered for adoption as the ultimate model.

Roadmap and timetable for forming LegCo by universal suffrage

28. Quite a number of members supported adopting the direction of “universal suffrage for the CE preceding that for the LegCo” in taking

forward the next step of work, and opined that successful selection of the CE by universal suffrage on the basis of one-person-one-vote would help promote the forming of the LegCo by universal suffrage.

29. Some members maintained that forming the LegCo by universal suffrage in 2012 was neither radical nor against the principle of “gradual and orderly progress”. However, some members held a different view. They pointed out that the community still had significant differences on the model for forming the LegCo by universal suffrage, especially the way forward for FCs, and that a mainstream view had yet to be formed in this respect. They considered it too early to implement universal suffrage for LegCo election in 2012.

30. Another member opined that FCs should not be abolished until the development of party politics had reached a maturity. Only by then could we achieve the ultimate aim of electing all the members of the LegCo by universal suffrage.

Green Paper on constitutional development and public consultation

31. A member suggested that the Basic Law principles pertaining to the design of the political structure and the implementation of universal suffrage in Hong Kong should be spelt out in the Green Paper. The Chairman responded that the Green Paper would be drafted on the basis of the Basic Law. As such, the aforesaid principles would be properly reflected in the Green Paper.

32. A member proposed that the mainstream views should be set out by categories so as to enable members of the public to have a better grasp of the key points and details of the various models for universal suffrage. Another member suggested that the Green Paper could present more than three types of options, and could provide an exposition of their compliance with the principles of universal suffrage to give the public a clear picture of their respective characteristics.

33. A member recommended that the Green Paper should cover all the proposed options, including the one submitted by 22 LegCo members, for the public to consider. Another member considered the possibility of electing the CE and forming the LegCo by universal suffrage in 2012 should not be ruled out at this stage, and proposed that such an option should be included in the Green Paper to invite public views.

34. The Chairman indicated that the Green Paper would set out the views of the Commission as well as those of the community on possible models, roadmap and timetable for universal suffrage, and three main types of options would be presented to invite public views. As to which three types of options would be included, a decision had yet to be made. The Government would finalise the Green Paper having regard to the progress of discussion and proposals to be received in the next few months.

35. A member pointed out that people of different political affiliation should not confine their attention to the three types of options to be set out in the Green Paper. He held that the mainstream option should be the one consolidated by the Government after taking into account all the views collected upon completion of the consultation. At the present stage, all sectors of society should try to form mainstream views on the basis of mutual understanding and compromise. Only by so doing could an option acceptable to all parties be drawn up for universal suffrage.

36. A member expressed concern about the Government's criteria for defining "mainstream public opinion". The Chairman responded that the Government would evaluate public opinions according to two objective criteria: first, whether the option would stand a chance to be supported by two-third of the LegCo Members; and second, verification against the results of opinion polls carried out by various organisations in the community.

37. In response to an enquiry from a member as to whether any opinion poll would be carried out in respect of the Green Paper, the Chairman said that various academic institutions and community organisations were conducting opinion polls on political issues and issues of public concern, the results of which should be capable of reflecting public views in an objective and independent manner.

Concluding remarks

38. The Chairman concluded the discussion by making the following remarks:

- (a) The Chairman emphasised that the public consultation for the Green Paper would be open, fair, transparent, and subject to public scrutiny. He and the third term Hong Kong Special Administrative Region Government would

handle the issues relating to universal suffrage in a pragmatic and people-based manner, and fully respect the opinions of different sectors of the community. Any proposal would require the endorsement of a two-third majority of the LegCo Members. There would be no question of the Government stealing through.

- (b) He understood that members were concerned about how a “mainstream option” could be reached. He remarked that any option had to meet certain requirements, including the followings:
 - (i) The option should be in compliance with the principles of the Basic Law on the design of the political structure of Hong Kong and other relevant provisions. It should not entail amendments to the principal provisions of the Basic Law.
 - (ii) The option had to be supported by the majority of the public. As regards the public opinions collected by different organisations in the community by way of opinion polls from different perspectives, the Government undertook to address them in an open and transparent manner.
 - (iii) The option would likely to have the support of a two-third majority of all LegCo members.
 - (iv) The option would likely be considered seriously by the Central Authorities.
- (c) Regarding the discussion on the models for selecting the CE by universal suffrage, members mentioned the requirements of the Basic Law and the principles of universal suffrage. A member remarked that attention should be drawn to Article 45 of the Basic Law which referred to “nomination in accordance with democratic procedures”, and that in devising a model for selecting the CE by universal suffrage, it was important to thoroughly consider the mode of operation of the nominating committee.

- (d) As for the discussion on the models for forming the LegCo by universal suffrage, members agreed that “balanced participation” was one of the essential principles to uphold. A member opined that “balanced participation” might not necessarily mean “balanced outcome”.
- (e) As regards the way forward for the FC seats, there was a view that the proposal to abolish all FC seats in one go was unlikely to secure support from the majority of LegCo members, and this proposal would have adverse impact on society as a whole. As such, a member proposed that universal suffrage for forming the LegCo should be implemented in phases.
- (f) There were significant differences among members over the model for forming the LegCo by universal suffrage. Quite a number of members shared the view that we should adopt the approach of “resolving the simple issues before the difficult ones”, thus implementing universal suffrage for the selection of CE first and then for the forming of LegCo. There were also members who considered that the possibility of implementing “dual universal suffrage” in 2012 should not be ruled out at this stage.
- (g) The Secretariat would organise a workshop on 10 May, inviting organisations and stakeholders to present the proposals that they had submitted during this period. The workshop would also provide an opportunity for members to have more in-depth discussions on the possible models for selecting the CE and forming the LegCo by universal suffrage. The Chairman said that a report summarising members’ discussions over the past months on the possible models for universal suffrage would be prepared for the next meeting. On the basis of the report, the Government would prepare a Green Paper on constitutional development for public consultation.

39. The Chairman informed members that the next meeting would be held on 21 June (Thursday). He urged members to submit to the Secretariat their views and proposals on universal suffrage, if any, on or before 15 June.

40. The attendance list is attached at Annex.

Secretariat to the Commission on Strategic Development
June 2007

策略發展委員會
管治及政治發展委員會第九次會議
2007年4月12日

**Ninth Meeting of
the Committee on Governance and Political Development
of the Commission on Strategic Development
12 April 2007**

出席人士

Attendance List

主席 :

Chairman :

The Chief Executive

行政長官

官方委員 :

Official Members :

Head, Central Policy Unit

中央政策組首席顧問

Director, Chief Executive's Office

行政長官辦公室主任

非官方委員 :

Non-Official Members :

Mr CHAN Chung-bun, Bunny, B.B.S., J.P.

陳振彬先生, B.B.S., J.P.

Mr CHAN Tak-lam, Norman, S.B.S., J.P.

陳德霖先生, S.B.S., J.P.

Mr CHAU How-chen, G.B.S., J.P.

周厚澄先生, G.B.S., J.P.

Prof CHEN Hung-yee, Albert, J.P.

陳弘毅教授, J.P.

Mr CHEUNG Chi-kong

張志剛先生

The Hon CHEUNG Hok-ming, S.B.S., J.P.

張學明議員, S.B.S., J.P.

Mr CHOW Charn-ki, Kenneth

鄒燦基先生

Mr CHOW Yick-hay, B.B.S., J.P.

周奕希先生, B.B.S., J.P.

Mr CHOW Yung, Robert, B.B.S.

周融先生, B.B.S.

Mr FUNG, Daniel R., S.B.S., J.P.

馮華健先生, S.B.S., J.P.

Mr HOO, Alan, S.B.S., J.P.

胡漢清先生, S.B.S., J.P.

Ms KO Po-ling, M.H.

高寶齡女士, M.H.

Prof KUAN Hsin-chi

關信基教授

Mr LAU Nai-keung

劉迺強先生

The Hon LEE Cheuk-yan

李卓人議員

The Hon LEE Wing-tat	李永達議員
Dr LEUNG Mei-fun, Priscilla	梁美芬博士
Mr LIE-A-CHEONG Tai-chong, David, J.P.	李大壯先生, J.P.
Dr LO Chi-kin, J.P.	盧子健博士, J.P.
Mr LUI Tim-leung, Tim, J.P.	雷添良先生, J.P.
Mr MOK Hon-fai	莫漢輝先生
Mr NG Sze-fuk, George, S.B.S., J.P.	吳仕福先生, S.B.S., J.P.
Mr SZE Chin-hung, Jerome, J.P.	施展熊先生, J.P.
Mr TAM Kwok-kiu, M.H., J.P.	譚國僑先生, M.H., J.P.
Miss TAM Wai-chu, Maria, G.B.S., J.P.	譚惠珠女士, G.B.S., J.P.
The Hon TIEN Pei-chun, James, G.B.S., J.P.	田北俊議員, G.B.S., J.P.
Dr WANG Xiao-qiang	王小強博士
Mr WONG Wai-yin, Zachary	黃偉賢先生
Mr WONG Ying-ho, Kennedy, B.B.S., J.P.	黃英豪先生, B.B.S., J.P.
Dr ZHOU Ba-jun	周八駿博士

列席 In Attendance

Secretary for Constitutional Affairs
 Permanent Secretary for Constitutional Affairs
 Deputy Secretary for Constitutional Affairs (1)

政制事務局局長
 政制事務局常任秘書長
 政制事務局副秘書長(1)

因事未能出席 Apologies

非官方委員 :
Non-Official Members :

Mr CHEN Nan-lok, Philip, S.B.S., J.P.
 Prof CHENG Kwok-hon, Leonard
 Ms CHOW, Wendy
 Ms FONG, Janie
 Prof LEE Chack-fan, S.B.S., J.P.
 The Hon MA Lik, G.B.S., J.P.
 The Hon SHEK Lai-him, Abraham, J.P.
 Mr WONG Kong-hon, S.B.S., J.P.
 Mr YU Kwok-chun, G.B.S., J.P.

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