

**[LegCo's Panel special meeting on Constitutional Affairs 14.9.07]**

**The views of the Association of Engineering Professionals in Society (AES)  
on the “Green Paper on Constitutional Development”**

**The comprehensive Green Paper**

1. Constitutional development is of paramount importance to the long term stability and prosperity of Hong Kong. Presently, the key issues are the options, models and timetable for universal suffrage for the Chief Executive (CE) and the Legislative Council (LegCo). It is congratulatory that the Green Paper summarises comprehensively and faithfully the many discussions and proposals provided by different political parties and groups, as well as individuals and organisations from the community. The Green Paper certainly helps the public consultation and debate on our constitutional development, and forging consensus on the way forward for implementing universal suffrage.

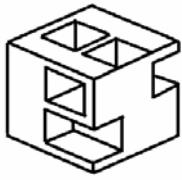
**Options for electing the CE by universal suffrage**

2. It is noted that the method for electing the CE as stipulated in Annex 1 to the Basic Law worked rather adequately and smoothly in the past ten years. In accordance with the principle of gradual and orderly progress, we support options, which are to be modelled on the Annex 1 method and comply with the requirements of the Article 45 of the Basic Law that “the CE shall be selected by universal suffrage upon nomination by a broadly representative nominating committee in accordance with democratic procedures”.

3. On the composition and size of the nominating committee, we can take the 800 members Election Committee as stipulated in Annex 1 to the Basic Law as the basis, and double the size to 1,600, by either increasing the number of members of the original sectors/subsectors, or adding new sectors/subsectors to increase the broad representation. We, however, object to the view of allocating additional seats to District Council (DC) members, as DC members should focus their work on their respective district matters and they are not elected for the purpose of nominating the CE candidate.

4. The electorate base of the nominating committee should be expanded. Considering the specific nature of individual sector and wherever possible, we are of the view that more “individual votes” should be introduced, and new sectors of wide representation should also be added, for example, elderly, women and youth subsectors.

5. To ensure that candidates have wide support and sufficient legitimacy, and to allow a fair number of candidates for our choice, the nomination threshold could be set at 12.5% of the size of the nominating committee. It is consistent with the existing nominating threshold, which has not been exceeded in the past CE elections.



6. As only one CE is to be elected amongst the nominated candidates, we agree that the CE should be elected by universal suffrage on the basis of one-person-one-vote, and simple majority system.

7. We are open as to the timetable to attain CE universal suffrage. However, we may have to watch out for the forming of the new nominating committee and the change of the actual situation of the HKSAR. We are confident that the present conditions of Hong Kong are favourable for implementing CE universal suffrage and the community consensus is gradually building up.

### **Options for forming LegCo by universal suffrage**

8. Functional constituencies (FCs), with their invaluable expertise and experience in their respective fields, have brought the voices of the business and professional sectors into LegCo and have enabled LegCo in carrying out quality debates and many other legislative functions, and in monitoring the Government's work. FCs help LegCo to meet the interests of different sectors of society and to maintain a balanced participation and view. Their contributions to the community are proven and well recognised by the public. For these practical reasons, **FC seats should be retained and reviewed in 2016.**

9. Whilst universal suffrage system is commonly meant one-person-one-vote system and can take the form of direct and indirect election, it can also be based on geographical representation or functional representation. In the circumstances of Hong Kong, the functional sectors are often more cohesive, clear-cut and representative than artificially divided geographical districts. Therefore, functional representation provides a balanced participation and caters for the historical development and actual situation of HKSAR.

10. Whilst the FC seats should be retained in some forms, changes can be made to the electoral system of FC seats of some sectors to meet the principles of universal suffrage. Considering the specific nature of individual FC sector and wherever possible, we are of the view that more "individual votes" should be introduced, and the voter base should be expanded as far as possible. Further review is therefore necessary.

ASSOCIATION OF ENGINEERING PROFESSIONALS IN SOCIETY  
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