

Commission on Strategic Development
Committee on Governance and Political Development
Possible Models for Forming the Legislative Council
by Universal Suffrage

Introduction

At the Committee meeting in May this year, Members concluded discussions on the concepts and principles relating to universal suffrage (Paper CSD/GC/6A/2006). According to the conclusions, in discussing possible models for electing the Chief Executive (“CE”) and the Legislative Council (“LegCo”) by universal suffrage, any proposal put forward should comply with:

- (1) the basic policies of the State regarding Hong Kong;
- (2) the four principles on constitutional development, namely, meeting the interests of different sectors of society, facilitating the development of the capitalist economy, gradual and orderly progress, and being appropriate to the actual situation in Hong Kong;
- (3) the principle of an executive-led system; and
- (4) the principles of universal and equal suffrage.

2. At previous meetings, Members have explored on a preliminary basis possible models for forming the LegCo when the ultimate aim of universal suffrage is attained. A summary of the discussions has been provided in paragraphs 34-41 of Paper CSD/GC/6A/2006. This paper provides background information to facilitate Members’ further discussion of possible models for forming the LegCo by universal suffrage in accordance with the Basic Law and the concepts and principles relating to universal suffrage.

Provisions in the Basic Law

3. Article 68 of the Basic Law provides that “the LegCo of the HKSAR shall be constituted by election. 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”. In accordance with the Decision made by the Standing Committee of the National People’s Congress (“NPCSC”) of April 2004, in the fourth term of the LegCo, the ratio between members returned by functional constituencies (“FCs”) and members returned by geographical constituencies (“GCs”) through direct elections, who shall respectively occupy half of the seats, is to remain unchanged.

4. Members agree that regardless of which parliamentary model is to be adopted, the ultimate aim of electing all the members of LegCo by universal suffrage, as stipulated in the Basic Law, must be attained. Members also recognize that, to take forward Hong Kong’s constitutional development, we must proceed in a pragmatic manner so as to forge consensus within the community. One important political reality is that 30 out of the 60 LegCo seats are returned by FCs. As any amendment to the electoral method for LegCo shall require the endorsement of a two-thirds majority of all the members of the LegCo, in practice, this means that the endorsement and support of members returned by FCs as well as those returned by GCs through direct elections will be required.

5. When consulting the public on the 2007/08 electoral arrangements, the Constitutional Development Task Force (“the Task Force”) received some views relating to models of a universal suffrage system for electing the LegCo. In accordance with the Decision of the NPCSC of April 2004, universal suffrage would not be implemented for the LegCo election in 2008. Hence, views on models for forming the LegCo by universal suffrage did not fall within the scope of public consultation undertaken by the Task Force. However, to fully reflect the public views received, the Task Force had, with the consent of the concerned individuals/organizations, included the relevant submissions in the appendices to the Reports. Moreover, the Administration has recently received submissions from some organizations relating to possible models for forming the LegCo by universal suffrage. All these views are summarized at Annex I for Members’ reference.

6. According to a paper provided by the LegCo Secretariat to the LegCo Panel on Constitutional Affairs in June 2006, the LegCo had received some written submissions relating to forming the LegCo by universal suffrage. These views are summarized at Annex II for Members' reference.

7. Relevant written submissions from individual Members received by the Committee Secretariat in the past few months are summarized at Annex III.

Possible models for forming the LegCo by universal suffrage

8. In moving towards the ultimate aim of forming the LegCo by universal suffrage, the future of the FCs is one of the key issues to be considered. Members generally agree that the major considerations include the following:

- (a) we must have regard to the special needs, aspirations and historical background of Hong Kong; and
- (b) we must ensure that the interests of different sectors are taken into consideration, and that the principle of "balanced participation" is upheld. In this regard, the role which the FCs have been playing should be considered.

9. In the submissions received (Annexes I to III), the ultimate aim of forming the LegCo by universal suffrage is generally agreed. As to how the FCs should evolve and what models should be adopted for forming the LegCo when the ultimate aim of universal suffrage is attained, the views received can be broadly divided into the following categories:

- (a) **To return all seats by GCs through direct elections; to abolish all FC seats.** However, the relevant submissions have put forth different proposals on the electoral system, the delineation of the constituencies, and the voting system, including:
 - (i) to return all LegCo seats by GCs through direct elections (but with no specific details);

- (ii) to divide all LegCo seats 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 representation system. The whole of Hong Kong will form a single constituency. Each voter will have two votes for electing LegCo Members; and
 - (iii) to divide Hong Kong 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.
- (b) **To return seats by GCs through direct elections, and to preserve FCs seats. However, the FC seats would not be returned by the existing election method.** Relevant proposals include:
- (i) to allow members of the FCs to nominate candidates for election by universal suffrage. Each voter will have two votes, one for a candidate to be returned by GCs through direct elections, and one for a candidate nominated by members of the FCs; and
 - (ii) to return the LegCo seats through different ways: one-third to be returned under the “single seat single vote” system on a GC basis; another one-third to be returned under “a single list voting system” on the basis of three GCs, and the remaining one-third to be returned by FCs through election by universal suffrage. This means that each voter will have three votes.
- (c) **To implement a bicameral system**
- (i) Regarding the composition of the first chamber, all the relevant submissions consider that it should be constituted by directly elected members through the GCs.

As for the second chamber, most of the relevant submissions propose that it should be constituted by members returned by the FCs. Among these submissions, there are views that the electorate base for the FCs could be expanded. There are also views that members of the second chamber can be nominated by the FCs for election by “one person one vote”.

Moreover, there are views that apart from members returned by the FCs, the second chamber may also include Hong Kong deputies to the National People’s Congress, Hong Kong members of the Chinese People’s Political Consultative Conference, and some members from the political sector. There are views that one-quarter of the seats could be allocated to District Councils members and the rest to members from different sectors (e.g. industrial and commercial, labour, education and culture). There are also views that members of second chamber can be returned by the elected District Councils members.

- (ii) As for the division of power between the two chambers, the relevant submissions generally consider that the second chamber, which is constituted by members returned by the FCs, should be empowered to scrutinise bills and motions passed by the first chamber, and to propose amendments to or postpone passage of the concerned bills and motions when necessary. There are also views that the second chamber can be given wider veto power over bills relating to constitutional reform, the relationship between the Central Authorities and the SAR, private bills proposed by members of the first chamber, and important bills which currently require the endorsement of a two-thirds majority in the LegCo.
- (iii) At previous Committee meetings, members discussed preliminarily whether a bicameral system should be implemented. The discussions were summarised in paragraphs 36-38 in Paper CSD/GC/6A/2006.

Transitional arrangements before attaining the ultimate aim of universal suffrage

10. Among the submissions received, some have suggested that, in the process of attaining the ultimate aim of forming the LegCo by universal suffrage, consideration could be given to putting in place some transitional arrangements. The relevant views can be broadly divided into the following categories:

- (a) **To reduce the proportion of FC seats**, for example:
 - (i) to increase the number of seats returned by GCs through direct elections while keeping the number of seats returned by FC unchanged;
 - (ii) to reduce the number of seats returned by FCs;
 - (iii) to reduce the number of FCs;
 - (iv) to abolish or merge some of the existing FCs.
- (b) **To expand the electorate base of the FCs**, for example:
 - (i) to add a “general FC” under which all GC voters who are currently not included in the FCs can be registered as voters;
 - (ii) to add new FCs to include sectors which are currently not represented in LegCo (e.g. women, ethnic minorities, youth groups, Chinese medicine, higher education, environmental protection, and the publishing sectors);
 - (iii) to abolish corporate votes for FCs. FC members to be returned through “one person, one vote” by eligible voters of the relevant FCs.
- (c) **To allow members of the FCs to nominate candidates for election by universal suffrage**

There are views that this could be a transitional arrangement leading to the attainment of the ultimate aim of forming the LegCo by universal suffrage. However, as stated in paragraph 9(b)(i) above, there are also views that this could be a model when the ultimate aim of universal suffrage is attained.

(d) **To implement a bicameral system**

Among the submissions received, some consider that in the process of attaining universal suffrage, a bicameral system could be adopted as a transitional arrangement so that the issue of FCs could be dealt with in a gradual manner. However, as stated in paragraph 9(c) above, there are also views that this could be a model when the ultimate aim of universal suffrage is attained.

Conclusion

11. The Government does not have any established position on the issues set out in paragraphs 8-10 above, and is prepared to listen to Members' views.

Constitutional Affairs Bureau
September 2006

**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> (Submission No. ^{Note})	<u>Date of Submission</u>	<u>Summary of Views</u>
Hon Eric K C LI (Submission A024 in Annex 1 to the First Report of the Constitutional Development Task Force)	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 (Submission E007 in Annex 3 to the Second Report of the Constitutional Development Task Force)	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> (Submission No. ^{Note})	<u>Date of Submission</u>	<u>Summary of Views</u>
Article 45 Concern Group (Submission A004 in Annex 1 to the First Report of the Constitutional Development Task Force)	28.1.2004	<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. <p>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.</p>
The Frontier (Submission A011 in Annex 1 to the First Report of the Constitutional Development Task Force)	29.1.2004	<p>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."</p>

<u>Organizations/individuals making the submissions</u> (Submission No. ^{Note})	<u>Date of Submission</u>	<u>Summary of Views</u>
Hong Kong Democratic Foundation and Power for Democracy (Submission A020 in Annex 1 to the First Report of the Constitutional Development Task Force)	13.2.2004	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.
SynergyNet (Submission A021 in Annex 1 to the First Report of the Constitutional Development Task Force)	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"> <li data-bbox="828 1391 1417 1514">(i) 30 members to be directly elected from single-seat GCs, using the "first past the post" principle. <li data-bbox="828 1559 1417 1977">(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

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population of the region.

(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:

(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
(Submission F46 in
Appendix I to the Fourth
Report of the
Constitutional
Development Task Force)

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

<u>Organizations/individuals making the submissions</u> (Submission No. ^{Note})	<u>Date of Submission</u>	<u>Summary of Views</u>
Hon Rita FAN (Submission F257 in Appendix I to the Fourth Report of the Constitutional Development Task Force)	27.9.2004	<p>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 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> <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 (Submission G112 in Appendix I to the Fifth Report of the Constitutional Development Task Force)	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

<u>Organizations/individuals making the submissions</u> (Submission No. ^{Note})	<u>Date of Submission</u>	<u>Summary of Views</u>
CHAN Wai-yip (Submission F468 in Appendix I to the Fourth Report of the Constitutional Development Task Force)	15.10.2004	one-fourth, and ultimately change all FC seats to GC directly elected seats.
Joint Committee for the Promotion of the Basic Law of Hong Kong (Submission 57 in the addendum to Appendix I to the Fourth Report of the Constitutional Development Task Force)	21.10.2004	Elect FC members by “one person, one vote”.
Mr. Simon N M YOUNG (Submission G79 in Appendix I to the Fifth Report of the Constitutional Development Task Force)	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

<u>Organizations/individuals making the submissions</u> (Submission No. ^{Note})	<u>Date of Submission</u>	<u>Summary of Views</u>
Hong Kong Association for Democracy and People's Livelihood (Submission G219 in Appendix I to the Fifth Report of the Constitutional Development Task Force)	23.3.2005	<p>Executive Council, even if it is only a non-voting one.</p> <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.
Liberal Party (Submission G433 in Appendix I to the Fifth Report of the Constitutional Development Task Force)	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

<u>Organizations/individuals making the submissions</u> (Submission No. ^{Note})	<u>Date of Submission</u>	<u>Summary of Views</u>
The Democratic Alliance for the Betterment and Progress of Hong Kong (Submission G440 in Appendix I to the Fifth Report of the Constitutional Development Task Force)	31.5.2005	<p>Administration.</p> <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.
Business and Professional Federation of Hong Kong (Submission 36 in the Addendum to Annex 1 to the Fifth Report of the Constitutional Development Task Force)	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.

<u>Organizations/individuals making the submissions</u> (Submission No. ^{Note})	<u>Date of Submission</u>	<u>Summary of Views</u>
Student Union of City University (Forwarded to members by the Secretariat on 24.8.2006)	14.8.2006	<ul style="list-style-type: none"> • 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 orderly progress towards greater democracy. • 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

<u>Organizations/individuals making the submissions</u> (Submission No. ^{Note})	<u>Date of Submission</u>	<u>Summary of Views</u>
Hong Kong Democratic Foundation (Forwarded to members by the Secretariat on 24.8.2006)	16.8.2006	<p>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.</p> <ul style="list-style-type: none"> • 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 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. <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

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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.

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

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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.

- 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

<u>Organizations/individuals making the submissions</u> (Submission No. ^{Note})	<u>Date of Submission</u>	<u>Summary of Views</u>
Representatives from the Executive Committee of the Hong Kong University Students' Union (Forwarded to members by Secretariat on 24.8.2006)	16.8.2006	<p data-bbox="887 400 1418 651">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.</p> <p data-bbox="887 701 1023 739"><u>Option 2</u></p> <p data-bbox="887 745 1418 949">Introducing a smaller upper house (30 seats) comprising the existing and the newly added FCs, and a fully directly-elected 60-member lower house.</p> <ul data-bbox="823 1003 1418 1597" style="list-style-type: none"> <li data-bbox="823 1003 1418 1514">• 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. <li data-bbox="823 1563 1137 1597">• Election method <p data-bbox="887 1648 1094 1686"><u>Lower House</u></p> <p data-bbox="887 1693 1418 1939">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>

<u>Organizations/individuals making the submissions</u> (Submission No. ^{Note})	<u>Date of Submission</u>	<u>Summary of Views</u>
The Democratic Alliance for the Betterment and Progress of Hong Kong	18.8.2006	<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> Members of the upper house can be elected by District Council elected members or through a territory-wide election. May add some new seats representing the grassroots sector.</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. • Given the present political environment and the level of socio-economic development of

<u>Organizations/individuals making the submissions</u> (Submission No. ^{Note})	<u>Date of Submission</u>	<u>Summary of Views</u>
(DAB's Expectations of the 2006/07 Policy Address)		<p>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 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.</p>
(Forwarded to members by the Secretariat on 12.9.2006)		<ul style="list-style-type: none"> • 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

<u>Organizations/individuals making the submissions</u> (Submission No. ^{Note})	<u>Date of Submission</u>	<u>Summary of Views</u>
<p>The Hong Kong Social Workers Association (Views on the 2006 Policy Address)</p> <p>(Forwarded to members by the Secretariat on 12.9.2006)</p>	29.8.2006	<p>and thus turning a new page in constitutional development.</p> <ul style="list-style-type: none"> • 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 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. <ul style="list-style-type: none"> • 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.
<p>The Civic Party (Civic Party’s Policy Expectations of the SAR Government)</p> <p>(Forwarded to members by the Secretariat on</p>	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 which claims to be an

<u>Organizations/individuals making the submissions</u> (Submission No. ^{Note})	<u>Date of Submission</u>	<u>Summary of Views</u>
12.9.2006)		<p>“international city”.</p> <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.
<p>Democratic Party (Submitted at the consultation session on the 2006/07 Policy Address)</p> <p>(Forwarded to members by the Secretariat on 12.9.2006)</p>	4.9.2006	<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. • Under this model, all LegCo seats will be divided into two groups. The first group will be returned by a “single seat single vote system”. The whole of Hong Kong will be divided based on population ratio. Another group of seats will be returned by a proportional representation system. The whole of Hong Kong will form a single constituency.

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- Object to the proposal of implementing a bicameral system in order to preserve FCs.

Note: Please refer to “The First to Fifth Reports of the Constitutional Development Task Force” on the Constitutional Affairs Bureau webpage for the original text of the submissions (www.cab.gov.hk/cd/eng/past/index.htm).

**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</u> (Submission No. ^{Note})	<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 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.

<u>Organisations/individuals making the submissions</u> (Submission No. ^{Note})	<u>Date of Submission</u>	<u>Summary of Views</u>
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.

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)

**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 elections – consider abolishing these FCs or merging them with other FCs.

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Dr LEUNG Mei-fun, Priscilla	16.1.2006	<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.
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

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Mr. CHAN Chung-bun, Bunny	20.1.2006	<p data-bbox="863 360 1422 568">difficult to realize a political system that can meet the interests of different sectors of society and facilitate the development of the capitalist economy.</p> <ul data-bbox="799 622 1422 1989" style="list-style-type: none"> <li data-bbox="799 622 1422 913">• 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. <li data-bbox="799 967 1422 1599">• 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. <li data-bbox="799 1653 1422 1776">• Should examine ways to retain FCs and to strengthen their roles, operation and functions. <li data-bbox="799 1830 1422 1989">• At present, many people have not yet been included in FCs. There is a need to work out feasible arrangements enabling the

<u>Members Submitting Views</u>	<u>Date of Submission</u>	<u>Summary of Views</u> ^{Note}
Mr. LAU Nai Keung	1.3.2006	<p data-bbox="863 360 1420 483">concerned people, including those who are not working such as housewives, to also have two votes.</p> <ul data-bbox="799 622 1420 1986" style="list-style-type: none"> <li data-bbox="799 622 1420 869">• 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. <li data-bbox="799 920 1420 1211">• 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. <li data-bbox="799 1267 1420 1986">• The option of a bicameral system recognises 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

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Hon. LEE Wing Tat	5.2006	<p data-bbox="863 360 1422 443">endorsement of a two-thirds majority of the LegCo.</p> <ul data-bbox="799 495 1422 1989" style="list-style-type: none"> <li data-bbox="799 495 1422 869">• 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. <li data-bbox="799 920 1422 1435">• All the present 30 FC seats in LegCo should be abolished and be returned by universal suffrage instead. <li data-bbox="799 1137 1422 1435">• 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”. <li data-bbox="799 1480 1422 1989">• 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

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elector will have two votes for electing LegCo Members.

- 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

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Mr. CHAN Chung Bun, Bunny	26.5.2006	<p>should be determined by the largest remainder formula. Such election method is familiar to the public. Review could be conducted in future as necessary.</p> <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 be 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.

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- 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 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.

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_meeting_items.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.