

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

**Further Discussion on Possible Models for
Selecting the Chief Executive by Universal Suffrage**

Introduction

Members have 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:

- (a) the basic policies of the State regarding Hong Kong;
- (b) 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;
- (c) the principle of an executive-led system; and
- (d) the principles of universal and equal suffrage.

2. At the meeting in July and the two workshops held in September and October this year respectively, members discussed in detail possible models for selecting the CE in accordance with the Basic Law and the concepts and principles relating to universal suffrage. This paper summarizes members’ views to facilitate members’ further discussion on the subject.

3. For members’ easy reference, we have updated the summary of views of various organizations and individuals on possible models for selecting the CE received by the Administration and the LegCo, as appended at Annex I and Annex II respectively. A summary of written

submissions received from individual members in the past and recently by the Committee Secretariat is provided at Annex III.

Provisions in the Basic Law

4. Article 45 of the Basic Law provides that “the CE of the Hong Kong Special Administrative Region (“HKSAR”) shall be selected by election or through consultations held locally and be appointed by the Central People’s Government (“CPG”). The method for selecting the CE 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 selection of the CE by universal suffrage upon nomination by a broadly representative nominating committee in accordance with democratic procedures.” According to this provision, the selection and appointment of the CE involves three steps when universal suffrage is attained:

- (a) nomination by a broadly representative nominating committee in accordance with democratic procedures;
- (b) selection by universal suffrage following nomination; and
- (c) appointment by the CPG.

5. According to Article 45 of the Basic Law, the composition of the nominating committee shall be broadly representative, and nominations shall be made in accordance with democratic procedures. However, the Basic Law has not stipulated the specific composition of the nominating committee, or how nominations are to be made in accordance with democratic procedures.

Key issues discussed

6. During past meetings and workshops, members have discussed the following three key issues relating to possible models for selecting 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.

Composition of the nominating committee

7. Members agreed that, in accordance with Article 45 of the Basic Law, the election of the CE by universal suffrage should be preceded by the nomination of candidates by a nominating committee. Any proposals which did not suggest the nomination of candidates by a nominating committee, or which suggested only the selection of the CE by universal suffrage (i.e. without forming a nominating committee), would not be consistent with the Basic Law requirement.

8. In examining the composition of the nominating committee, members generally agreed that, apart from considering how to ensure that the requirement of “broadly representative” as stipulated in the Basic Law will be complied with, consideration should also be given to the principles of “meeting the interests of different sectors of society”, “facilitating the development of the capitalist economy”, etc. On this basis, members discussed various options.

- (i) *To use the composition of the Election Committee as a blueprint for that of the nominating committee*

9. More members suggested using the composition of the Election Committee as a blueprint for that of the nominating committee. The main reasons included:

- (a) Article 45 and Annex I of 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;
- (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 could ensure that the formation

of the nominating committee would comply with these principles; and

- (c) the formation of the Election Committee by four sectors was a good reference. Also, using the Election Committee as a basis could help ensure the smooth operation of the nominating committee.

10. Some members considered that if the composition of the nominating committee was to be based on that for the Election Committee, the electorate base of the nominating committee should be expanded (e.g. replacing corporate voting by individual voting, re-organizing the existing sectors, or broadening the electorate base to cover all eligible voters). However, a member did not agree to abolishing corporate voting on the ground that as there were more employees than employers in different trades, if corporate voting were abolished, there would be fewer opportunities for the business sector to participate in the election. This would be against the principle of balanced participation by all sectors of society.

11. A Member had reservation about the proposal of using the composition of the Election Committee as the basis for forming the nominating committee because the composition of the Election Committee did not comply with the principles of universal and equal suffrage. Also, voters' right of nomination was not equal.

(ii) To form the nominating committee by 60 LegCo Members

12. A member proposed that the nominating committee should be formed by the 60 LegCo Members because LegCo Members had the broadest electorate base and were the most representative.

13. However, quite a number of members had reservation about this 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 the CE. The proposal of allowing LegCo to nominate the CE 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 and coordination. The proposal of allowing LegCo to nominate the CE was not consistent with the legislative intent of the Basic Law and went beyond the powers and functions of LegCo;
- (c) during the drafting of the Basic Law, the option of nominating the CE by LegCo had already been ruled out because this was not consistent with the “executive-led” principle; and
- (d) when giving their votes to LegCo Members, voters had not authorized them to nominate the CE on their behalf.

(iii) *Other Models*

14. Members noted that there were suggestions that it was not necessary to set up a nominating committee (e.g. a CE candidate would first be nominated by a certain number of registered voters, and then elected by universal suffrage on the basis of “one-person-one-vote”). Members generally agreed that these proposals were not consistent with the requirement under Article 45 of the Basic Law that the selection of the CE should be “by universal suffrage upon nomination by a broadly representative nominating committee in accordance with democratic procedures”.

Size of nominating committee

15. Quite a number of members considered that the membership of the Nominating Committee should not be too large because the composition of the nominating committee was meant to represent different sectors of the community. Too large a membership would not be consistent with the original purpose. A member pointed out that the function of the nominating committee was to nominate, rather than to elect the CE, hence, its membership should not be too large.

16. Regarding the specific number of members of the nominating committee, members expressed the following views:

- (a) Some members suggested modeling on the size of the Election Committee (i.e. 800) for reasons including the following:
 - (i) the 800-member Election Committee was broadly representative, which complied with the principle of balanced participation; and
 - (ii) too large a membership would cause operational difficulties for the nominating committee.
- (b) Some members suggested that while the nominating committee could be formed by reference to the Election Committee, its membership should be expanded to 1200, 1500 or 1600. This could allow wider participation of people from different strata and sectors in the nominating committee, thereby enhancing the representativeness of the Committee.

As for the allocation of the additional seats, members had put forth various proposals:

- (i) to allocate the additional seats to sectors which were currently not represented in the Election Committee;
- (ii) to allocate the additional seats to District Council members; however a member did not agree to this;
- (iii) to allow all Hong Kong members of the National Committee of the Chinese People's Political Consultative Conference (CPPCC) and Hong Kong deputies to the National People's Congress (NPC) to become ex-officio members, thereby realizing the status of "One Country" under Hong Kong's constitutional system;
- (iv) to establish a new sector "the establishment of the HKSAR", which would include the CE, all members of the Executive Council and LegCo, and all chairpersons of standing consultative bodies. This was to reflect the political status of the HKSAR establishment; and

- (v) suitably increase 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.

17. A Member proposed that the nominating committee should be formed by the 60 LegCo Members. However, quite a number of members had reservation about the proposal (see paragraph 13 above). A Member suggested enlarging the membership of the nominating committee to 3200, but this was disagreed by another Member. It was considered that Article 45 of the Basic Law provided that the CE should be “selected by election or through consultations held locally”, but consultations would not be possible if the size of the nominating committee was too large. However, a Member considered that the CE should be selected by election, not through consultations.

Method of Nomination

18. Regarding the method of nominating a CE candidate by the nominating committee, one of the key issues to be considered was the number of subscribers required for nominating a candidate. In deciding the nomination threshold, members generally agreed that the following factors should be taken into account:

- (1) complying with the requirement of “nomination in accordance with democratic procedures” as stipulated in the Basic Law;
- (2) ensuring that candidates had wide support and sufficient legitimacy; and
- (3) providing aspiring individuals with the opportunity to be nominated.

19. At present, Annex I to the Basic Law provides that candidates for the office of the CE may be nominated jointly by not less than 100 members (i.e. 12.5%) of the Election Committee. Each member may nominate only one candidate.

Number of Subscribers for Nominating Candidates

20. Quite a number of members considered that, at the early stage of implementing universal suffrage, the nomination threshold should not be too low and the number of candidates should not be too many. The major reasons were:

- (a) the nomination threshold should not be too low to avoid having too many candidates of mixed quality standing for election;
- (b) while a low nomination threshold might better comply with democratic principles, it might not be acceptable to the Central Authorities and some sectors of the community. An inability to reach consensus on this issue would slow down the progress towards universal suffrage; and
- (c) even with a higher nomination threshold, candidates would still need to face the public to canvass their votes as they would have to go through the process of universal suffrage.

21. On the other hand, a Member considered that the current threshold of 12.5% was not low and should not be increased further, or else it might discourage aspiring individuals from standing for election. A Member considered that if the threshold was too high, only a small number of candidates could stand for election, leaving the public with no choice. This would be against the principle of a democratic system.

22. Some members suggested to first determine the number of CE candidates, and then keep the number of candidates within that limit through the nomination threshold and mechanism. In this regard, there were more members who proposed to limit the number of candidates to 4 or 8, although individual members suggested the number be capped at 2, 3, 10 or 12.

23. Regarding the number of subscribers required for nominating a candidate, more members suggested maintaining the nomination threshold at 12.5% or raising it to 25%. Others proposed setting the threshold at 3%, 5%, 10%, 20% and 30%. Also, some members suggested limiting the number of candidates through the nomination mechanism, for example:

- (a) contenders must go through “a preliminary selection” whereby each member of the nominating committee could vote for two or four contenders. The two or four contenders receiving the highest number of votes would become candidates; and
- (b) to rank contenders according to the number of subscriptions they received from members of the nominating committee. The 10 contenders receiving the most subscriptions would become candidates.

24. A Member suggested that a nominating committee to be formed by LegCo could nominate candidates; an aspiring candidate with subscriptions from five LegCo Members could become a candidate. He did not regard the proposal as amounting to “legislative-led” as a CE candidate would have to obtain the support of only five, rather than all, LegCo Members. Moreover, as it would not be difficult for a CE candidate to secure sufficient nominations, the elected CE would not be obliged to look after the interests of any single party. However, a Member considered that this proposal would easily generate 12 candidates, which was too large a number.

25. A Member suggested allowing political parties or groups with certain representativeness, or 50 000 or 100 000 registered voters, to recommend a contender to the nominating committee. A contender so recommended could formally become a candidate only upon endorsement by the nominating committee. The nominating committee’s authority to make endorsement should be substantive i.e. the nominating committee could decide to endorse or not to endorse the individuals recommended for candidature. However, some members considered that this proposal was not consistent with the Basic Law requirement that the CE should be nominated by the nominating committee. Also, a Member considered that nomination by political parties was neither fair nor consistent with democratic principles. Besides, even if a candidate was nominated by a large number of voters, these voters might not necessarily be broadly

representative because they might only represent the interests of a certain group.

Other Nomination Requirements

26. Assuming that a nominating committee was to be formed based on the composition of the four sectors of the Election Committee, some members suggested that 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. As for the number of nominations required in each sector, members had different suggestions, including 5%, 10%, 12.5%, 20%, 25% or 50%. However, a few members did not support the abovementioned proposal on the ground that the high threshold amounted to giving members of the nominating committee a veto power, instead of letting the public make a decision through election.

27. Some members pointed out that the Central Authorities had the ultimate power to determine the constitutional development of the HKSAR. Hence, when studying the nomination method for the CE, consideration should be given to ways to ensure that the CE elect would be acceptable to both the Central Authorities and the people of Hong Kong. In this regard, members had made various suggestions:

- (a) candidates should be required to secure nominations from certain number of LegCo Members and Hong Kong deputies to the NPC. This arrangement could reflect the constitutional role of LegCo Members and Hong Kong deputies to the NPC, ensure that the candidates would have sufficient legitimacy, and ensure that they would be acceptable to both the Central Authorities and the HKSAR;
- (b) the eligibility of candidates should be verified by the Central Authorities before the CE election by universal suffrage was held. With this arrangement, the CE elected by universal suffrage should hopefully be appointed by the Central Authorities in a smooth manner;
- (c) members of the nominating committee should be allowed to disqualify a candidate whom they considered not competent

to govern Hong Kong and are unpatriotic. Any candidate disapproved by more than half of the members could not stand for election; and

- (d) particulars of candidates should first be filed with the Central People's Government for the record, to be followed by election on the basis of "one person-one-vote."

28. However, a Member considered that the nomination mechanism should impose minimal restrictions, and did not agree to use Hong Kong deputies to the NPC or LegCo Members as "gatekeepers". Also, a Member considered that since Hong Kong deputies to the NPC were already ex-officio members of the Election Committee and had a certain degree of influence, they should not be further provided with a veto power. If the nominating committee was to be formed based on the composition of the current Election Committee, it would be sufficient to simply raise the nomination threshold to ensure that candidates would be acceptable to the Central Authorities.

29. 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.

30. Moreover, more members considered that each member of the nominating committee should nominate only one candidate. However, a few members suggested that each member should be allowed to nominate more than one candidate so that more aspiring individuals might stand for election.

Method of Universal Suffrage after Nomination

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

32. As for the detailed arrangements, a few members considered that the CE should be elected through one round of election using a "first past the post" system so as to avoid wasting resources. However, a member considered that if a CE was returned by a low number of votes, this would cast doubt on his legitimacy, and hence suggested that a candidate should

receive more than half of valid votes to get elected. More than one round of election could be held if necessary. Also, a Member suggested that, on the premise that candidates were required to receive more than half of valid votes to get elected, a simpler way would be to limit the number of candidates to two. This could ensure that the candidate elected must have received more than half of the valid votes.

33. Furthermore, a Member suggested that if there was only one CE candidate, election proceedings should continue. The candidate should obtain more than half of the valid votes to get elected.

Other Related Issues

34. When considering the detailed arrangements for possible models for selecting the CE by universal suffrage, members discussed an important issue, which was whether a universal suffrage proposal with a higher nomination threshold should first be adopted. This could ensure that the candidates would be acceptable to both the Central Authorities and the HKSAR, and this would in turn help secure the support of the Central Authorities and various sectors of the community for the proposal. Once universal suffrage was implemented, the electoral systems could continue to evolve gradually.

35. On this issue, members expressed different views, including the following:

- (a) to reach consensus with the Central Authorities on a model for universal suffrage, we must convince the Central Authorities that with universal suffrage, the sovereignty of the State or the “executive-led” principle would not be challenged;
- (b) as the Hong Kong community generally accepted that the Central Authorities had the ultimate power to determine the changes to the electoral method for returning the CE, we could consider trade-offs between the degree of openness of the composition of the nominating committee and the pace for achieving universal suffrage. For example, we might take a more conservative approach in forming the nominating committee in order to secure the support of the

Central Authorities to implement universal suffrage as early as possible;

- (c) we should take into account the actual situation of Hong Kong when formulating the model for electing the CE by universal suffrage. All proposals, including the relatively conservative ones, should be carefully considered by all sectors of the community. Only when the first step was taken could experience be gained and the electoral system continue to evolve into a more democratic and open universal suffrage model;
- (d) if universal suffrage was implemented when the necessary pre-conditions were not available, this would bring about many undesirable consequences. It would be appropriate to take a more cautious approach at the beginning, for example, by adopting a relatively higher nomination threshold. After implementation of universal suffrage, the electoral system could be reviewed and continue to evolve as conditions became suitable; and
- (e) public aspirations should be taken into account when designing a model for universal suffrage; otherwise, it would be difficult for the community to reach consensus, and constitutional development could not be taken forward.

Summary of Views

36. Members' views on possible models for selecting the CE by universal suffrage are summarized below:

Composition and Size of nominating committee

- (a) members agreed that the composition of the nominating committee must meet the requirement of being "broadly representative" as stipulated in the Basic Law, and that consideration should also be given to the principles of "meeting the interests of different sectors of society", "facilitating the development of the capitalist economy", etc;

- (b) members were inclined to support the formation of the nominating committee based on the composition of the Election Committee. Fewer members supported other models (e.g. to form the nominating committee by the 60 LegCo Members);
- (c) 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 modeling on the size of the Election Committee (i.e. 800), or expanding it to 1 200 or 1 600; and
- (d) it was necessary to further discuss the composition of different sectors of the nominating committee and the size of the Committee.

Method of Nomination

- (e) members were inclined to support that, at the early stage of implementing universal suffrage, the nomination threshold should not be too low. More members suggested setting the nomination threshold at the range of 12.5% to 25%;
- (f) it was necessary to further discuss whether to impose additional nomination requirements, including setting an upper limit on the number of subscribers or requiring candidates to obtain a certain number of nominations in each sector;
- (g) it was necessary to further discuss whether and how to ensure that the CE elect would be acceptable to the Central Authorities;
- (h) it was necessary to further discuss whether a relatively higher nomination threshold should first be set, and allow evolution of the electoral system after implementation of universal suffrage; and
- (i) it was necessary to further discuss whether each member of the nominating committee could nominate more than one candidate.

Method of Universal Suffrage after Nomination

- (j) members agreed that after nomination, the CE should be returned by “one person, one vote”; and
- (k) it was necessary to further discuss whether the CE should be elected through one round of election without the requirement that a candidate should receive more than half of valid votes to get elected, or whether there should be a requirement that a candidate should receive more than half of valid votes to get elected, and that more than one round of election could be held if necessary.

Constitutional Affairs Bureau
November 2006

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

**Public views on possible models for
selecting 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 'screened in' by the Nomination Committee for popular election.

<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	<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. • 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.
Article 45 Concern Group	23.2.2004	<ul style="list-style-type: none"> • Either to convert the present Election Committee to a nomination committee whose only function is to nominate any candidate with the endorsement of say, 5% of its members, or to give power to the Legislative Council (LegCo) to 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.

<u>Organizations/individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
Democratic Party	25.5.2004	<ul style="list-style-type: none"> 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). The members of the public will vote on all candidates thus nominated on a one-person-one-vote basis.
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.
The Law Society of Hong Kong	27.9.2004	<ul style="list-style-type: none"> The nominating committee can take the form of either a separate Committee, or transformed from the Election Committee or the LegCo.

<u>Organizations/individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
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 1 600 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 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

<u>Organizations/individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
Business and Professionals Federation of Hong Kong	25.7.2006	<p>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 selected by the Nominating Committee, that candidate will be elected <i>ipso facto</i>. If more than one candidate are selected by the Nominating Committee, election by universal suffrage shall be held. • 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 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.

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- 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 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.
- To elect the CE through a one man one vote process; the one-round first-past-the-post voting method is the preferred option.

<u>Organizations/individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
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.
Chu Hai College Students' Union	13.8.2006	<ul style="list-style-type: none"> • Composition of the nominating committee: <ul style="list-style-type: none"> The first sector: about 200 members from the business sector. The second sector: about 200 members from the professional sector. The third sector: about 400 members from education, labour, religious, social services and other sectors.

<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>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 suffrage. • 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

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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 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.
- When the model for implementing universal suffrage has been fully developed, consideration should be given to allowing the public to take

<u>Organizations/individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
Heung Yee Kuk (Submission for the 2006/07 Policy Address)	15.8.2006	<p>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.</p> <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.
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, 1 600 or 2 400, 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

<u>Organizations/individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
Executive Committee of the Hong Kong University Students' Union	16.8.2006	<p>eligible voters in the HKSAR will be entitled to vote for their CE candidates.</p> <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. • 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. • 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

<u>Organizations/individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
Mr. Hilton CHEONG-LEEN	18.8.2006	<p>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.</p> <ul style="list-style-type: none"> • To transform the current 800-member Election Committee into an 800-member nominating committee.
<p>Democratic Alliance for the Betterment and Progress of Hong Kong</p> <p>(DAB's expectations of the 2006/2007 Policy Address)</p>	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

<u>Organizations/individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
<p>Hon. Emily LAU Wai-hing</p> <p>(Proposals for the Policy Address)</p>	21.8.2006	<p>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.</p> <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 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.
<p>The Chinese General Chamber of Commerce</p>	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

<u>Organizations/individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
Hong Kong Federation of Fujian Associations	23.8.2006	<p>from the industrial, commercial and financial sectors.</p> <ul style="list-style-type: none"> • Following nomination, the CE will be returned by election on the basis of one-person-one-vote by all eligible voters. • 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 already covered different sectors of society. • 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.
Mr. Robin CHAN Yau-hing Chairman, Hong Kong Federation of Overseas Chinese Associations	29.8.2006	<ul style="list-style-type: none"> • 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.

<u>Organizations/individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
Hong Kong Social Workers Association (Views on the 2006 Policy Address)	29.8.2006	<ul style="list-style-type: none"> • Finally, the CE will be returned by universal suffrage. • Before universal suffrage for CE is implemented, the electorate base of the Election Committee should be expanded.
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 selecting 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

<u>Organizations/individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
		<p>secured the highest number of nominations will become CE candidates.</p> <ul style="list-style-type: none"> The CE will be returned by election on the basis of one-person-one-vote by all eligible voters.
<p>Civic Party</p> <p>(Civic Party's Policy Expectations of the SAR Government)</p>	<p>31.8.2006</p>	<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".
<p>Democratic Party</p> <p>(Democratic Party's submission for the 2006/07 Policy Address "The Building of a Truly Accountable Government")</p>	<p>4.9.2006</p>	<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.
<p>SynergyNet</p> <p>(Views submitted at the consultation meeting of the 2006/07 Policy Address)</p>	<p>5.9.2006</p>	<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.

<u>Organizations/individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
Kowloon Federation of Associations (Opinion survey on expectations of the 2006-07 Policy Address)	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 "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 dampened.
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

<u>Organizations/individuals making the submissions</u>	<u>Date of Submission</u>	<u>Summary of Views</u>
		<p>electoral system.</p> <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 selecting 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

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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. If none of the candidates is able to obtain more than half of the votes, the two candidates receiving the highest

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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.

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

Written submissions received by the Legislative Council

<u>Organizations/individuals making the submissions</u> (Submission No. ^{Note})	<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 be elected.

<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	<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.
Hon LEUNG Kwok-hung (Submission No. 13 in Appendix I to LC Paper	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

<u>Organizations/individuals making the submissions</u> (Submission No. ^{Note})	<u>Date of Submission</u>	<u>Summary of Views</u>
No. CB(2)2386/05-06(01))		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.

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
selecting 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 selecting 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 select 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 be considered as a nominee for the election. He will become a formal candidate for the CE election only after

Members Submitting Views	Date of Submission	Summary of Views ^{Note}
Mr. TAM Kwok-kiu	19.7.2006	<p data-bbox="882 327 1490 405">the recommendation is validated by the nominating committee.</p> <ul data-bbox="831 461 1490 958" style="list-style-type: none"> <li data-bbox="831 461 1490 958">• Regarding the voting method for selecting 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 select the CE among the two candidates who have received the highest number of votes in the first round). <p data-bbox="831 1010 975 1043"><u>Option 1:</u></p> <ul data-bbox="831 1099 1490 1998" style="list-style-type: none"> <li data-bbox="831 1099 1490 1301">• To transform the existing Election Committee into a nominating committee. To expand the number of members from the present 800 to 3 200; <li data-bbox="831 1357 1490 1480">• The electorate base of the nominating committee should be expanded to cover all eligible voters in Hong Kong; <li data-bbox="831 1536 1490 1738">• 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; <li data-bbox="831 1794 1490 1998">• 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;

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- 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.

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

<u>Members Submitting Views</u>	<u>Date of Submission</u>	<u>Summary of Views</u> ^{Note}
Miss Maria TAM Wai-chu	28.7.2006	<p>election. Each LegCo Member may nominate only one candidate, thus limiting the number of candidates to 10; and</p> <ul style="list-style-type: none"> • 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. • 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 first nominating committee. The nomination method of the subsequent terms should be improved gradually in future. • 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

<u>Members Submitting Views</u>	<u>Date of Submission</u>	<u>Summary of Views</u> ^{Note}
Mr. YU Kwok-chun	28.7.2006	<p>one-fourth of all Members of the LegCo and one-fourth of the Hong Kong deputies to the NPC.</p> <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 selection 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.
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

<u>Members Submitting Views</u>	<u>Date of Submission</u>	<u>Summary of Views</u> ^{Note}
Hon. SHEK Lai-him, Abraham	28.7.2006	<p>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.</p> <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. • 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

<u>Members Submitting Views</u>	<u>Date of Submission</u>	<u>Summary of Views</u> ^{Note}
Mr. CHAU How-chen	28.7.2006	<p data-bbox="882 327 1062 360">nomination.</p> <ul data-bbox="834 416 1490 2007" style="list-style-type: none"> <li data-bbox="834 416 1490 528">• Each member of the nominating committee may nominate only one candidate. <li data-bbox="834 584 1490 707">• The CE should be elected by all eligible voters in Hong Kong on the basis of one-person-one-vote. <li data-bbox="834 763 1490 1010">• 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. <li data-bbox="834 1066 1490 1178">• The existing Election Committee should be taken as a blueprint for forming the nominating committee. <li data-bbox="834 1234 1490 1447">• 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. <li data-bbox="834 1503 1490 1704">• A relatively higher nomination threshold for candidates should be set to ensure that they are capable of soliciting support from different sectors of society. <li data-bbox="834 1760 1490 1917">• Each candidate should receive at least 400 nominations. Each member of the nominating committee can only nominate one candidate. <li data-bbox="834 1973 1490 2007">• There should be an upper limit for the

<u>Members Submitting Views</u>	<u>Date of Submission</u>	<u>Summary of Views</u> ^{Note}
Mr. SZE Chin-hung, Jerome	31.7.2006	<p>number of subscribers, say 50% of the members of the nominating committee. There will be two to four candidates under such a nomination mechanism.</p> <ul style="list-style-type: none"> • 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 be returned by universal suffrage on the 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. <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

Members Submitting Views	Date of Submission	<u>Summary of Views</u> ^{Note}
Mr. LAU Nai-keung	1.8.2006	<p>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.</p> <ul style="list-style-type: none"> • The nomination threshold should allow no less than six candidates to get nominated. • The nominating committee can exercise a veto power. Any contender who is vetoed by 50% or more of the members will automatically lose his eligibility for nomination. • 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.

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The fifth sector

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.

The sixth sector

Around 500 ex-officio members representing the district organizations, including all elected DC members.

- 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.
- 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.
- 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

Members Submitting Views	Date of Submission	Summary of Views ^{Note}
Ms KO Po-ling	30.8.2006	<p>registered electors on the basis of one-person-one-vote by secret ballot.</p> <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 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. • 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. • 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.

<u>Members Submitting Views</u>	<u>Date of Submission</u>	<u>Summary of Views</u> ^{Note}
Mr. CHAN Chung-bun, Bunny	31.8.2006	<ul style="list-style-type: none"> <li data-bbox="836 331 1490 875">• 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 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. <li data-bbox="836 927 1490 1346">• 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). <li data-bbox="836 1397 1490 1608">• 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). <li data-bbox="836 1659 1490 1780">• Each member of the nominating committee may nominate only one candidate. <li data-bbox="836 1832 1490 1998">• The number of subscriptions obtained by a candidate should be capped at half of the total membership of the nominating committee.

Members Submitting Views	Date of Submission	Summary of Views ^{Note}
Hon. LEE Wing-tat	9.2006	<ul style="list-style-type: none"> • 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. <p><u>Option 1:</u> 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.</p> <p><u>Option 2:</u> 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.</p>
Mr. SZE Chin-hung, Jerome	5.9.2006	<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. • 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

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representative” nominating committee “in accordance with democratic procedures”.

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.

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.

Hon. TIEN Pei-chun,
James

8.9.2006

- 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 government policies will have regular

<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>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 style="margin-left: 40px;">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 style="margin-left: 40px;">Stage 2: The 800 members of the nominating committee should select candidates by secret ballot. It should be prescribed in the Chief Executive Election Ordinance that the maximum</p>

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Ms CHOW, Wendy	18.9.2006	<p>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. <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 selecting the CE by universal suffrage can be carried out in 3 stages: <ul style="list-style-type: none"> <u>Stage 1</u> To transform the Election Committee to a nominating committee. The number of members should remain

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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.

Stage 2

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.

Stage 3

The membership of the fifth sector (directly elected members) should increase from 200 to 400.

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Dr LEUNG Mei-fun, Priscilla	22.9.2006	<p>Nomination and voting methods are the same as those in stage 2.</p> <p>The electoral system should be reviewed after completion of the third election of the CE by universal suffrage.</p> <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 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. • Upon verification of the eligibility of candidates, election by universal

<u>Members Submitting Views</u>	<u>Date of Submission</u>	<u>Summary of Views</u> ^{Note}
Mr. SZE Chin-hung, Jerome	3.10.2006	<p>suffrage can be conducted. The CE elected by universal suffrage can be appointed by the Central Government in a smooth manner.</p> <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 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.

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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.

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)