

立法會
Legislative Council

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**Paper for the House Committee meeting
on 28 March 2008**

**Report of the Bills Committee on
Legislative Council (Amendment) Bill 2007**

PURPOSE

This paper reports on the deliberations of the Bills Committee on Legislative Council (Amendment) Bill 2007

BACKGROUND

2. On 21 December 2005, the Administration put to the Legislative Council (LegCo) two motions to amend Annexes I and II to the Basic Law respectively to implement the package of proposals for the methods of selecting the Chief Executive (CE) in 2007 and forming the LegCo in 2008. As the motions did not receive the required two-thirds majority support of LegCo Members, the proposals could not be processed further.

3. In accordance with the interpretation made by the Standing Committee of the National People's Congress (the NPCSC) on 6 April 2004, if no amendment is made to the methods for selecting the CE and for forming the LegCo as stipulated in Annexes I and II to the Basic Law, the provisions relating to the two methods in Annexes I and II to the Basic Law will continue to apply. In the circumstances, the 2008 LegCo election will be held on the basis of the existing arrangements. Based on this approach, the Administration's view is that the number and composition of existing functional constituencies (FCs) should remain unchanged for the 2008 LegCo election, and only minor technical updates will be made.

THE BILLS COMMITTEE

4. At the House Committee meeting on 4 January 2008, Members formed a Bills Committee to study the Bill. The membership list of the Bills Committee is in **Appendix I**.

5. Under the chairmanship of Hon Howard YOUNG, the Bills Committee has held six meetings with the Administration and received views from six organizations on the Bill, a list of which is in **Appendix II**.

THE BILL

6. The Bill seeks to amend the Legislative Council Ordinance (Cap. 542) (LCO) to update the electorate of FCs and, where necessary, makes consequential amendments to the Chief Executive Election Ordinance (Cap. 569) (CEEO).

DELIBERATIONS OF THE BILLS COMMITTEE

Impact of the Bill on the electorate size of FCs

7. Members have sought information on the potential electorate size vis-à-vis the number of registered electors of FCs, and the impact of the Bill on the electorate of FCs.

8. The Administration has advised that at present, there are a total of 305,285 potential electors in the 28 FCs, of which 212,825 or 69.7% have registered in the respective FCs as electors. The size of the potential electorate and the number of registered electors for each FC are set out in **Appendix III**.

9. The Administration has further advised that, as reflected in its long title, the Bill seeks to -

- (a) reflect changes in the names of corporate electors/organizations in the existing electorate of FCs. These amendments concern the Education, Import and Export, Information Technology, Transport, Sports, Performing Arts, Culture and Publication, and Wholesale and Retail FCs;
- (b) remove the Kowloon-Canton Railway Corporation from the Transport FC to reflect the corporation's cessation of transport operation under the Rail Merger Ordinance (11 of 2007);
- (c) amend the description of the members of the bodies in section 20Z(1)(a) and (f) of the LCO (the Information Technology FC); and
- (d) include one organization each in the Sports, Performing Arts, Culture and Publication FC and the Wholesale and Retail FC respectively, and the relevant Election Committee subsector.

The Administration has confirmed that apart from the deletion of an FC component (i.e. the Kowloon-Canton Railway Corporation) from the Transport FC, the proposed amendments in the Bill have no impact on the electorate of FCs.

Contribution of FCs to Hong Kong

10. Some members have referred to a remark made by Mr ZHANG Xiaoming, Vice-minister of the Hong Kong and Macao Affairs Office of the State Council, at the Forum on the Constitutional Development of Hong Kong on 29 December 2007 that the FCs have accounted for almost 90% of the Gross Domestic Product (GDP) of Hong Kong. Members have requested the Administration to provide information on the contribution of FCs to Hong Kong's GDP.

11. The Administration has advised that since the first election of the LegCo in 1985, FCs have been an important component of Hong Kong's electoral system. After the Handover, the FC seats have been retained to cater for the interests of different sectors of society, with a view to realizing the principle of balanced participation. The existing 28 FCs represent important economic, social and professional sectors in Hong Kong and have provided important contributions to the economic and social development of Hong Kong as a whole. The Administration has provided information on the contribution of sectors involved in FCs to Hong Kong's GDP in 2005. The sectors concerned together accounted for almost 90% of the GDP of Hong Kong.

12. Some members have queried the association between FCs and their contribution to GDP. Some members are of the view that the GDP figures highlight the absurdity of the FC system which should be abolished. First, the allocation of FC seats is not commensurate with the GDP contribution of individual FCs, e.g. while both the Agriculture and Fisheries FC and the Import and Export FC have one seat, the contribution of the former to the GDP is 0.1% while that of the latter is 22.7%. The Heung Yee Kuk FC and the District Council FC have no contribution at all to the GDP. Second, while the contribution of sectors involved in FCs accounted for 90% of Hong Kong's GDP, only over 212,000 registered electors are eligible to vote in FC elections. Some other members consider that all FCs are important and contribution to GDP is only one of the references on FCs' contribution to the Hong Kong society.

13. The Administration has explained that the GDP figures are provided in response to requests from members. Apart from contribution to Hong Kong economy, FCs also represent the interests of various key trades and professions as well as a broad spectrum of the community.

Principle and criteria for delineation of electorate of FCs

14. Members have requested the Administration to explain the principle and criteria for delineation of electorate of FCs. The Administration has advised that in general, FCs which comprise corporate electors are made up of major organizations

representative of the relevant sectors or their corporate members, including trade associations, labour unions and professional bodies. As for professional sector FCs, their composition in general is based on professional membership with well-established and recognized qualifications, including statutory qualifications.

15. According to the Administration, it has, since the enactment of the LCO in 1997, reviewed the Ordinance before every LegCo general election, taking into account the latest developments and relevant factors. In preparation for the 2000 and 2004 LegCo elections, the Administration reviewed and proposed adjustments to the sectoral coverage of FCs. Corporate bodies with a status comparable to that of existing corporate electors and representative bodies in the relevant trade were included in the relevant FCs. Besides, the eligibility criteria of certain FCs were updated in light of changes in statutory registration/licensing regime. Those corporate bodies which had ceased operation or were no longer holding the specified type of licence/franchise were deleted.

16. Some members are concerned about the absence of standardized criteria for determining whether certain organizations should be included as corporate electors. The Administration has advised that various factors have to be taken into account in such consideration and it may not be appropriate to apply a single and standardized criterion to all cases.

17. Some members consider that the Administration should assess and verify the status of registered corporate electors of FCs on a regular basis to ensure that they remain to be eligible for registration as electors. The Administration has advised that the Registration and Electoral Office (REO) will seek updates on electoral records from various sources. The REO will issue letters to invite umbrella organizations (the members of which are electors) to provide up-to-date membership information and registered corporate electors to update their records. In addition, relevant bureaux and departments will also provide the REO with information relevant to their sectors that can facilitate the updating of electoral record, such as the updating of the names of the electors, changes relating to their businesses, or changes relating to organizations which are registered under statutory registration systems or are licence holders of statutory licensing systems. The REO will process the information received, e.g. to update the electoral record after verifying relevant information, to invite any new corporate members of the umbrella organizations to register as electors, and to remove any corporate electors which are no longer members of the umbrella organizations from the electoral register according to statutory procedures.

18. Some members have doubts over whether the basic information requested in the reply slips attached to the letters issued by the REO would facilitate it to determine whether or not a corporate elector remains to be eligible for registration as an elector. The Administration has explained that in accordance with the LCO, any amendments to or substitution of the constitution of an umbrella organization which relate to its objects, criteria and conditions of membership, or the eligibility of members to vote at a general meeting of the body have to be approved in writing by the Secretary for

Constitutional and Mainland Affairs for the purpose of defining the composition of the relevant FCs. In addition, the REO would also take account of information from various sources, e.g. bureaux and departments, in updating electoral records.

Expanding the electorate base of FCs

Applications from organizations for inclusion into FCs

19. In response to the enquiry of the Bills Committee, the Administration has advised that since the enactment of the LegCo (Amendment) Ordinance 2003, 75 organizations have submitted applications for inclusion in the electorate of FCs. As the motion submitted by the Government on 21 December 2005 on the method of forming LegCo in 2008 did not receive the required support from the LegCo and in accordance with the NPCSC's interpretation on 6 April 2004, the 2008 LegCo election will be held on the basis of the existing arrangements. Given that the number and composition of existing FCs should remain unchanged for the 2008 LegCo election, the Administration cannot accept the 75 applications.

20. Some members find the Administration's explanation unacceptable and have requested it to take the opportunity to expand the electorate of FCs in the current legislative exercise through, for example, replacing corporate electors with individual electors. They consider that the least the Administration could do is to allow new corporate bodies with a status comparable to that of existing corporate electors to be added to FCs, as in the case of the 2004 LegCo election. They also point out that the Administration's decision to reject applications for inclusion in the electorate of FCs is tantamount to manipulating the result of the 2008 FC elections. Some other members, however, have reservations on making any radical changes to the electorate base of FCs, which would require careful consideration and consultation with the relevant sectors. They have also cautioned about the implications of introducing such substantial changes only a few months before the 2008 LegCo election.

21. The Administration has reiterated its position and has assured members that in the course of examining the method of forming the LegCo in 2012, it will consider the views expressed by these 75 organizations along with the views put forth by others at a later stage.

22. Some members have suggested that the Bills Committee should receive views from the 75 organizations. The majority of members disagree and point out that it would be unfair for the Bills Committee to receive views from the 75 organizations, but not other interested organizations. In addition, as the Bill is confined to technical amendments to the LCO, receiving views by the Bills Committee from these organizations would give the public a false impression that the electorate of FCs could be expanded in the current legislative exercise. These members also consider that the issue of expanding the electorate base of FCs is outside the remit of the Bills Committee and should be followed up by the Panel on Constitutional Affairs.

Room for expansion of the electorate base of FCs

23. Some members have criticized the Administration for misleading the public into thinking that there is no room for expanding the electorate base of FCs in the 2008 LegCo election under the NPCSC's interpretation on 6 April 2004. The Bills Committee has requested the legal professional bodies and the Legal Service Division (LSD) of the LegCo Secretariat to provide views on whether, as a matter of law or otherwise, the NPCSC's interpretation on 6 April 2004 prohibits changes to be made to the electorate base of FCs in the 2008 LegCo election, such as replacing corporate electors with individual electors, or inclusion of new corporate bodies with a status comparable to that of existing corporate electors in certain FCs.

24. The LSD advises that apart from the NPCSC's interpretation on 6 April 2004, the NPCSC's decision on 26 April 2004 on, inter alia, the method for forming LegCo in the year of 2008 is also relevant. In view of the NPCSC's interpretation and decision, the existing provisions relating to the method for forming the third term LegCo in Annex II to the Basic Law will still be applicable to the 2008 LegCo election unless appropriate amendments are introduced by the Administration to amend the specific method. Such amendments, however, must -

- (a) not result in the LegCo election being held by means of an election of all members by universal suffrage;
- (b) preserve the ratio between members returned by FCs and members returned by geographical constituencies through direct election; and
- (c) conform to the principle of gradual and orderly progress.

25. The LSD is of the view that the Government may introduce and LegCo may pass amendments affecting the electorate base of FCs in accordance with the principles in paragraph 24 above provided that the amendments do not require any amendment to Annex II to the Basic Law.

26. The Hong Kong Bar Association is of the view that the expansion of the electorate of FCs by the LCO is not without prohibitions or restrictions. One such prohibition or restriction is that the electorate of a FC should not be expanded so that the delimitation of the sector(s) concerned ceases to be functional, whether as understood historically or otherwise. However, the abolition of corporate voting in FCs will not infringe the prohibition or restriction described.

27. The Administration has expressed the view that, given that even the 2005 proposed package, which had been formulated after wide and extensive consultation with the public and political parties, failed to get passed in LegCo, it will be extremely difficult now to secure consensus within the community and LegCo to make substantial adjustments to the electorate of FCs for the 2008 LegCo election. Hence, it is the Administration's policy that the 2008 LegCo election should be held on the

basis of the existing arrangements, i.e. the number and composition of existing FCs should remain unchanged and only technical updates should be made.

Principle of gradual and orderly progress in constitutional development

28. Some members have questioned whether the Administration's policy that the 2008 LegCo election should be held on the basis of the existing arrangements is consistent with Article 68 of the Basic Law which states, inter alia, that the method for forming the LegCo should be in accordance with the principle of gradual and orderly process towards the ultimate aim of the election of all LegCo Members by universal suffrage.

29. The Administration has explained that it did propose, in 2005, to enhance the democratic elements of the 2008 LegCo election by increasing the number of LegCo seats and enabling District Council members to elect more representatives to LegCo. Although the package received the support of 60% of the public and more than half of all LegCo Members, it was not endorsed by a two-thirds majority of all LegCo Members as required by the Basic Law. The Administration's position is that the existing electoral arrangements should continue to apply to the 2008 LegCo election.

30. Notwithstanding that, the Administration has continued to study the issue of universal suffrage through the Commission on Strategic Development. In the course of the first six months of the current term Government, the Administration has issued the Green Paper on Constitutional Development to consult the public on the models and timetable for implementing universal suffrage, published the Report on the Green Paper Public Consultation, and submitted the report to the NPCSC to request confirmation that the methods for selecting the CE and for forming LegCo in 2012 may be amended.

31. Having considered the CE's report, the NPCSC, on 29 December 2007, promulgated a decision on issues relating to the methods for selecting the CE and for forming the LegCo in the year 2012 and on issues relating to universal suffrage. The NPCSC's decision has determined that appropriate amendments conforming to the principle of gradual and orderly progress may be made to the two electoral methods in 2012. The Administration has advised that the NPCSC's decision has also made it clear that the CE may be elected by universal suffrage in 2017 and that the LegCo may be formed by universal suffrage in 2020. The Administration's aim is to settle the two electoral methods for 2012 within the tenure of the third-term Government. This will lay a solid foundation for attaining universal suffrage for the CE in 2017 and for LegCo in 2020.

Proposal to replace corporate elector/organization in FCs

32. Members have requested the Administration to provide justifications for the following two proposals in the Bill -

- (a) clause 8(3) amends Part 3 of Schedule 1B to the LCO by including the Hong Kong Sports Institute Limited (HKSIL) in the Sports, Performing Arts, Culture and Publication FC; and
- (b) clause 9(5) amends Schedule 1C by including the Tobacco Association of Hong Kong Limited (TAHKL) in the Wholesale and Retail FC.

33. The Administration has explained that following the dissolution of the Hong Kong Sports Development Board (HKSDB) on 1 October 2004, the HKSIL was established to take over the elite training function of the former HKSDB. The former HKSDB was a registered voter under the Sports, Performing Arts, Culture and Publication FC. As some key functions of the former HKSDB have been taken over by the HKSIL, the HKSIL should be included in this FC.

34. The Wholesale and Retail FC is composed of members of the bodies listed in Schedule 1C to the LCO that are entitled to vote at general meetings of the body. The bodies in this FC cover specific business sectors. The Tobacco Institute of Hong Kong Limited (TIHKL) was deleted from Schedule 1C to the LCO in 2006 upon its winding up in December 2004. In 2006, the Tobacco Association of Hong Kong Limited (TAHKL) informed the Administration that since the deletion of the TIHKL from Schedule 1C to the LCO in 2006, there is no organization in the Wholesale and Retail FC that represents the tobacco industry. The TAHKL was formed on 18 April 2005 with the intention to replace the TIHKL as the representative of the industry. TAHKL indicated that, as a successor to the TIHKL, its objectives, structure and membership are similar to those of TIHKL.

35. Some members consider it questionable whether the status as a corporate elector/organization that ceased to exist can be taken up by another organization. They also question whether the approach adopted by the Administration in handling the 75 applications (paragraphs 19 to 22 refer) and these two applications is inconsistent. The Administration has explained that there is clear information showing the justification for including the two organizations in the FCs concerned. The majority of members consider these two proposals in order.

Meeting with organizations

Overall views

36. The Bills Committee has received views from the six organizations listed in Appendix II concerning the Bill. Some organizations consider that the Administration, in delineating the electorate of FCs, should respect the autonomy of a professional organization of an FC to determine the eligibility of its members as electors, ensure that the criteria for determining electors among different organizations in the same FC are consistent, and ensure that members of the same organization are given equal right to vote in the FC election.

37. Some organizations point out that the existing size of potential electorate for the Information Technology FC (ITFC) is 7,300, which is about 11.25% of the total number of IT professionals in Hong Kong. They consider the figures are a demonstration of the under representation of the IT sector, which is attributable to the rigid eligibility for voter registration. They further point out that under section 20Z of the LCO, specified members of 21 IT professional bodies or trade associations are eligible to register as electors for the ITFC. However, the eligibility requirements for members of the IT organizations to register as electors are different; some are exceptionally high as compared with other organizations listed in section 20Z of the LCO. In their view, this constitutes unfair and unequal treatment towards members of the IT sector and should be rectified.

38. Some organizations have suggested that all IT professionals should be eligible for registration as electors, or the FCs should be abolished for the 2008 LegCo election.

Specific proposals put forward by organizations

Proposal to restructure membership

39. Section 20Z(1)(f) of the LCO specifies that the ITFC is composed of, inter alia, Fellows and Corporate Members of The Institution of Electrical Engineers Hong Kong (IEEHK) entitled to vote at general meetings of the Institution. Under clause 6(2) of the Bill, the Administration has proposed to amend section 20Z(1)(f) of the LCO as follows -

"(f) Honorary Fellows, Fellows and Members of The Institution of Engineering and Technology Hong Kong entitled to vote at general meetings of the Institution who are either –

- (i) persons registered as Chartered Engineers with the Engineering Council UK; or
- (ii) Corporate Members of The Institution of Electrical Engineers Hong Kong (IEE Hong Kong) before 15 October 2002; and".

40. The Bills Committee has received views from the The Institution of Engineering and Technology Hong Kong (IETHK) concerning clause 6(2) of the Bill. IETHK's main concern is that the eligibility requirement for members of the Institution to register as electors in the ITFC stipulated in items (i) and (ii) of the proposed section 20Z(1)(f) are not in line with those for other organizations listed in section 20Z of the LCO and are therefore discriminatory towards its members. In addition, the proposed amendment is divisive and would create administrative difficulties to the Institution as more than 1 000 of its members would not be eligible to register as electors in the ITFC. IETHK urges the Bills Committee to delete the relevant provisions from clause 6(2).

41. The Administration has explained that in November 2002, the IEEHK informed the Government of the restructuring of its membership and change in membership criteria. In April 2006, the IEEHK merged with the Institution of Incorporated Engineers and changed its name to the IETHK. According to the information from the Institution, after the change of its membership criteria, its Honorary Fellows, Fellows and Members entitled to vote at its general meetings, who are either Chartered Engineers registered with the Engineering Council UK or Corporate Members of IEEHK before 15 October 2002, could meet the criteria of Fellows and Corporate Members entitled to vote at general meeting of the Institution in section 20Z(1)(f) of the LCO before the change of membership criteria. On the basis of the proposed amendment from the Institution and to ensure that the electorate of the ITFC would not be expanded as a result of the Institution's change of membership criteria, the Administration has proposed to introduce the proposed amendment in the Bill to reflect the change.

42. Some members have expressed concern whether any of the Institution's members who were eligible to vote as electors of the ITFC in the 2004 LegCo election would lose their rights to vote in the 2008 LegCo election as a result of the proposed amendment. The Administration has confirmed that the categories of the Institution's members who formed part of the electorate of the ITFC under the LCO before the changes in name and membership structure will continue to form part of the electorate after the proposed amendment to the LCO.

43. In response to some members' enquiries, the IETHK has clarified that it has had discussions with the Administration on a number of occasions since 2003. It has reluctantly accepted the amendment proposed in the Bill in January 2008 because IEEHK no longer existed after its merger with the Institution of Incorporated Engineers to form the IETHK.

Proposal to relax the voter eligibility criteria

44. The Information Systems Audit and Control Association (Hong Kong Chapter) Limited (ISACA) and the Professional Information Security Association (PISA) are umbrella organizations in the ITFC. Under section 20Z(1)(ja) and Part 2 of Schedule 1D of the LCO, the ITFC is composed of, inter alia -

- (a) Ordinary Member of the ISACA who are confirmed by the Association to have been holders of the Certified Information Systems Audit Certification (CISA) during a period of four years immediately preceding the date on which that person applies for registration as an elector of the ITFC (the "relevant period") and entitled to vote at general meetings of the Association; and

- (b) Full Members of the PISA who are confirmed by the Association to have been holders of the Certified Information Systems Security Professional Certification (CISSP) during the "relevant period" entitled to vote at general meetings of the Association.

ISACA and PISA have pointed out that with the "relevant period" requirement, their members would generally require nine years of working experience before they can apply as electors of the ITFC. This eligibility requirement is exceptionally high and not in line with those of other organizations listed in section 20Z of the LCO. They have requested the deletion of the relevant provisions.

45. The Administration has explained that ISACA and PISA were included as umbrella organizations in the ITFC through the Legislative Council (Amendment) Bill 2003. Given the specialist nature of the two organizations, it was considered appropriate to allow experienced members who were holders of the recognized certification to be electors in the ITFC. Thus, to be eligible as an ITFC elector, it was proposed that an ISACA member must have attained the CISA for at least five years and a PISA member must have attained the CISSP for at least five years. Following discussions by the relevant Bills Committee, the Administration lowered the proposed amendment to "four years". The "relevant period" requirement was agreed by the LegCo.

Views of the Bills Committee

46. Some members of the Bills Committee consider that the Administration should not interfere with and should respect the autonomy of professional organizations to amend the criteria and conditions of their membership to keep pace with international or other developments. They have requested the Administration to take on board the proposals made by the IETHK, ISACA and PISA. Some other members consider that any proposals which would have the effect of expanding the electorate of the existing FCs are outside the scope of the Bill and should be pursued in a separate forum.

47. The Administration's stance is that the proposed amendment under clause 6(2) of the Bill in respect of the IETHK is in line with the principle of maintaining the electorate of the ITFC. The Administration cannot process the proposals of the ISACA and PISA in the current legislative exercise as they would broaden the electorate of the ITFC. In addition, the Administration has to treat all applications for inclusion in the electorate of FCs on an equitable basis.

48. After voting, the Bills Committee decided against moving Committee Stage Amendments (CSAs) to the Bill. Hon SIN Chung-kai has indicated that he may move CSAs in this respect.

COMMITTEE STAGE AMENDMENTS

49. The Administration will move the following CSAs to the Bill -
- (a) to reflect the most up-to-date information, the LCO is proposed to be amended to include the change of the names of five corporate electors/organizations and the deletion of three corporate electors/organizations which have ceased operation or dissolved. The Administration has confirmed that the proposed CSAs will have no impact on the electorate of FCs;
 - (b) clause 2, which provides that the commencement date of the Bill is 1 April 2008, is proposed to be deleted; and
 - (c) clause 10 is proposed to be amended to include a consequential amendment to the CEEO in relation to the deletion of the Hong Kong Mass Media Professionals Associations Ltd (item 30 of Part 3 of Schedule 1B) from the LCO as proposed in the CSAs.

A full set of the draft CSAs to be moved by the Administration is in **Appendix IV**.

RESUMPTION OF SECOND READING DEBATE

50. The Administration has advised that it will give notice for resumption of the Second Reading debate on the Bill at the Council meeting on 23 April 2008.

ADVICE SOUGHT

51. Members are invited to note the deliberations of the Bills Committee.

Council Business Division 2
Legislative Council Secretariat
25 March 2008

Bills Committee on Legislative Council (Amendments) Bill 2007

Membership list

Chairman	Hon Howard YOUNG, SBS, JP
Deputy Chairman	Hon WONG Ting-kwong, BBS
Members	Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP Dr Hon LUI Ming-wah, SBS, JP Hon Margaret NG Hon CHEUNG Man-kwong Hon Mrs Sophie LEUNG LAU Yau-fun, GBS, JP Hon SIN Chung-kai, SBS, JP Dr Hon Philip WONG Yu-hong, GBS Hon WONG Yung-kan, SBS, JP Hon Jasper TSANG Yok-sing, GBS, JP Hon LAU Kong-wah, JP Hon Emily LAU Wai-hing, JP Hon Timothy FOK Tsun-ting, GBS, JP Hon TAM Yiu-chung, GBS, JP Hon Abraham SHEK Lai-him, SBS, JP Hon Audrey EU Yuet-mee, SC, JP Hon Vincent FANG Kang, JP Hon Daniel LAM Wai-keung, SBS, JP Hon Jeffrey LAM Kin-fung, SBS, JP Hon Andrew LEUNG Kwan-yuen, SBS, JP Dr Hon Fernando CHEUNG Chiu-hung Hon Ronny TONG Ka-wah, SC Hon KWONG Chi-kin Hon TAM Heung-man Hon Mrs Anson CHAN, GBM, JP
	Total: 26 Members
Clerk	Mrs Percy MA
Legal Adviser	Mr Kelvin LEE
Date	22 January 2008

《 2007 年立法會 (修訂) 條例草案 》 委員會
Bills Committee on Legislative Council (Amendment) Bill 2007

曾向法案委員會表達意見的團體名單
List of organizations who have
given views to the Bills Committee

團體名稱

Name of organizations

- | | |
|-----------------------------|---|
| 1. IT 呼聲 | IT Voice |
| 2. 工程及科技學會香港分會 | The Institution of Engineering and Technology Hong Kong |
| 3. 公共專業聯盟 | The Professional Commons |
| 4. 香港互聯網協會 | Internet Society Hong Kong |
| 5. 國際資訊系統審計協會
(香港分會)有限公司 | Information Systems Audit & Control Association (Hong Kong Chapter) Limited |
| 6. 專業資訊保安協會 | Professional Information Security Association |

The Size of the Potential Electorate and the Number of Registered Electors of FCs

FCs	Existing size of potential electorate ¹	Number of registered electors ²
1. Heung Yee Kuk	158	151
2. Agriculture and Fisheries	163	160
3. Insurance	172	141
4. Transport	187	180
5. Education	114,038	84,639
6. Legal	6,923	5,483
7. Accountancy	24,633	20,329
8. Medical	12,694	9,954
9. Health Services	46,419	35,391
10. Engineering	8,980	7,688
11. Architectural, Surveying and Planning	6,461	5,559
12. Labour	694	556
13. Social Welfare	12,107	11,329
14. Real Estate and Construction	979	745
15. Tourism	1,643	976
16. Commercial (First)	2,231	1,053
17. Commercial (Second)	4,565	1,752

¹ The potential electorate size fluctuates from time to time due to changes in the membership sizes of umbrella organizations.

² The number of electors registered on the final electoral register published in September 2007.

FCs	Existing size of potential electorate¹	Number of registered electors²
18. Industrial (First)	1,387	761
19. Industrial (Second)	1,035	527
20. Finance	186	134
21. Financial Services	707	569
22. Sports, Performing Arts, Culture and Publication	3,828	1,894
23. Import and Export	5,442	1,389
24. Textiles and Garment	18,283	3,812
25. Wholesale and Retail	9,835	4,222
26. Information Technology	7,263	4,976
27. Catering	13,790	8,013
28. District Council	482	442
Total	305,285	212,825

LEGISLATIVE COUNCIL (AMENDMENT) BILL 2007

COMMITTEE STAGE

Amendments to be moved by the Secretary for Constitutional
and Mainland Affairs

<u>Clause</u>	<u>Amendment Proposed</u>
2	By deleting the clause.
New	By adding - "6A. Composition of the Agriculture and Fisheries Functional Constituency (1) Item 59 of Schedule 1 is repealed. (2) In the English text, item 71 of Schedule 1 is repealed and the following substituted - "71. The Hong Kong Branch of the World's Poultry Science Association."."
7	By adding immediately before subclause (1) - "(1A) Item 1 of Schedule 1A is repealed and the following substituted - "1. Parking Management and

Consultancy Services
Limited."."

8 By adding -

"(1A) Item 6 of Part 1 of Schedule 1B is
repealed and the following substituted -

"6. Kwai Tsing District Sports
Association Limited."."

8 By adding -

"(2A) Item 27 of Part 3 of Schedule 1B
is repealed and the following substituted -

"27. The Hong Kong Intellectual
Property Society Limited."."

8 By adding -

"(2B) Item 30 of Part 3 of Schedule 1B
is repealed."

9(2) In the proposed item 49 of Schedule 1C, in the
Chinese text, by adding "(1970)" after "鞋業".

9 By adding -

"(4A) Item 91 of Schedule 1C is
repealed."

10

By adding -

"(3) Section 12(2)(d) of the Schedule
is amended by repealing "30,".

《 2007 年立法會(修訂)條例草案 》

委員會審議階段

由政制及內地事務局局長動議的修正案

條次

建議修正案

2 刪去該條。

新條文 加入 —

“6A. 漁農界功能界別的組成

(1) 附表 1 第 59 項現予廢除。

(2) 在英文文本中，附表 1 第 71 項現予廢除，代以 —

“71. The Hong Kong Branch of the World’s Poultry Science Association.” 。”。

7 在緊接第(1)款之前加入 —

“(1A) 附表 1A 第 1 項現予廢除，代以 —

“1. 停車管理及諮詢服務有限公司。” 。”。

8 加入 —

“(1A) 附表 1B 第 1 部第 6 項現予廢除，代以 —

“6. 葵青區體育會有限公司。”。

8 加入 —

“(2A) 附表 1B 第 3 部第 27 項現予廢除，代以 —

“27. 香港知識產權會有限公司。”。

8 加入 —

“(2B) 附表 1B 第 3 部第 30 項現予廢除。”。

9(2) 在建議的附表 1C 第 49 項中，在中文文本中，在“鞋業”之後加入“(1970)”。

9 加入 —

“(4A) 附表 1C 第 91 項現予廢除。”。

10 加入 —

“(3) 附表第 12(2)(d)條現予修訂，廢除“30、”。