

立法會
Legislative Council

LC Paper No. CB(3) 265/08-09

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Tel : 2869 9205
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From : Clerk to the Legislative Council
To : All Members of the Legislative Council

Council meeting of 7 January 2009

**Proposed amendments to motion on
“Public consultation on 2012 constitutional development”**

Further to LC Paper No. CB(3) 254/08-09 issued on 24 December 2008, Hon Abraham SHEK Lai-him and Hon CHEUNG Kwok-che have respectively given notice of their intention to move separate amendments to Dr Hon Margaret NG’s motion on “Public consultation on 2012 constitutional development” scheduled for the Council meeting of 7 January 2009. As directed by the President, Hon Abraham SHEK Lai-him’s and Hon CHEUNG Kwok-che’s amendments will be printed in the terms in which they were handed in on the Agenda of the Council.

2. To assist Members in debating the above motion and the two amendments, I set out below the procedure to be followed during the debate:

- (a) Dr Hon Margaret NG moves her motion;
- (b) the President proposes the question on Dr Hon Margaret NG’s motion, and orders a joint debate;
- (c) the President calls on the two Members, who intend to move amendments, to speak in the following order, but no amendment is to be moved at this stage:
 - (i) Hon Abraham SHEK Lai-him; and
 - (ii) Hon CHEUNG Kwok-che;

- (d) the President calls upon the designated public officer(s) to speak;
- (e) joint debate on the motion and the two amendments follows thereafter;
- (f) the President gives leave to Dr Hon Margaret NG to speak for the second time on the two amendments;
- (g) the President calls upon the designated public officer(s) again to speak;
- (h) in accordance with Rule 34(5) of the Rules of Procedure, the President has decided that he will call upon the two Members to move their respective amendments in the order set out in paragraph (c) above. The President invites Hon Abraham SHEK Lai-him to move his amendment to the motion, and forthwith proposes and puts to vote the question on the amendment;
- (i) after Hon Abraham SHEK Lai-him's amendment has been voted upon, the President deals with Hon CHEUNG Kwok-che's amendment to the motion; and
- (j) after Hon CHEUNG Kwok-che's amendment has been dealt with, the President calls upon Dr Hon Margaret NG to reply. Thereafter, the President puts to vote the question on Dr Hon Margaret NG's motion, or her motion as amended, as the case may be.

3. For Members' ease of reference, the terms of the original motion and of the motion, if amended, are set out in the **Appendix**.

(Mrs Justina LAM)
for Clerk to the Legislative Council

Encl.

**Motion debate on
“Public consultation on 2012 constitutional development”
to be held at the Legislative Council meeting
of Wednesday, 7 January 2009**

1. Dr Hon Margaret NG’s original motion

That, this Council demands that when the Chief Executive draws up proposals for reform of the method of election of the Chief Executive and election of the Legislative Council for public consultation early this year as he has pledged in his Policy Address, the Chief Executive will make clear that functional constituencies are to be abolished and he will ensure that such proposals lead:

- (a) for the method of election of the Chief Executive, to a nomination process which is open and in accordance with Article 25 of the International Covenant on Civil and Political Rights (“ICCPR”); and
- (b) for election of the Legislative Council, to the abolition of functional constituencies and to election by universal and equal suffrage and in accordance with Article 25 of ICCPR.

2. Motion as amended by Hon Abraham SHEK Lai-him

That, this Council demands that when the Chief Executive draws up proposals for reform of the method of election of the Chief Executive and election of the Legislative Council *in 2012* for public consultation ~~early this year~~ *during the first half of 2009* as he has pledged in his Policy Address, the Chief Executive will make clear that ~~functional constituencies are to be abolished~~ and he will ensure that such proposals ~~lead~~ *will be conducive to achieving the objective of promoting democracy, and that:*

- (a) for ~~the method of~~ *implementing the* election of the Chief Executive, ~~to a nomination process which is open and in accordance with Article 25 of the International Covenant on Civil and Political Rights (“ICCPR”)~~ *by universal suffrage, a nominating committee has to be formed in 2017 in accordance with Article 45 of the Basic Law to nominate a certain number of candidates according to democratic procedures, and the Chief Executive will be returned by all registered electors on a “one-person-one-vote” basis, so as to comply with the principle of universal and equal suffrage;* and
- (b) for *implementing the* election of the Legislative Council, ~~to the abolition of functional constituencies and to election by universal and equal suffrage and in accordance with Article 25 of ICCPR~~ *by universal suffrage, gradual and orderly progress should be made in developing democracy in accordance with Article 68 of the Basic Law, and all the members of the Legislative Council*

will be elected by universal suffrage in 2020, so as to comply with the principle of universal and equal suffrage.

Note: Hon Abraham SHEK Lai-him's amendment is marked in *bold and italic type* or with deletion line.

3. Motion as amended by Hon CHEUNG Kwok-che

That, this Council demands that when the Chief Executive draws up proposals for reform of the method of election of the Chief Executive and election of the Legislative Council for public consultation early this year as he has pledged in his Policy Address, the Chief Executive will make clear that *all* functional constituencies are to be abolished *in one go* and he will ensure that such proposals lead:

- (a) for the method of election of the Chief Executive, to a nomination process which is open and in accordance with Article 25 of the International Covenant on Civil and Political Rights ("ICCPR"); and
- (b) for election of the Legislative Council, to the abolition of functional constituencies and to election by universal and equal suffrage and in accordance with Article 25 of ICCPR.

Note: Hon CHEUNG Kwok-che's amendment is marked in *bold and italic type*.