

立法會 *Legislative Council*

LC Paper No. AS 34/09-10

Ref. AM12/01/12 (Pt 4)

Paper for the House Committee Meeting on 23 October 2009

Election of Members of The Legislative Council Commission

LC Paper No. AS 18/09-10 invited nomination of Members for election to The Legislative Council Commission to be held at the House Committee meeting on 23 October 2009.

2. The following nine nominations were received by 19 October 2009, i.e. the deadline for nomination:

<u>Nominee</u>	<u>Proposer</u>	<u>Seconder</u>
Hon LEE Cheuk-yan	Hon CHEUNG Kwok-che	Hon Frederick FUNG Kin-kee
Dr Hon Margaret NG	Hon Ronny TONG Kawah	Hon Alan LEONG Kah-kit
Dr Hon Philip WONG Yuhong	Hon Starry LEE Wai-king	Hon IP Kwok-him
Hon Emily LAU Wai-hing	Hon Frederick FUNG Kin-kee	Hon LEE Cheuk-yan
Hon Andrew LEUNG Kwan-yuen	Hon Jeffrey LAM Kin-fung	Hon Mrs Sophie LEUNG LAU Yau-fun
Hon WONG Ting-kwong	Hon CHAN Kam-lam	Hon TAM Yiu-chung
Prof Hon Patrick LAU Sau-shing	Ir Dr Hon Raymond HO Chung-tai	Dr Hon Priscilla LEUNG Mei-fun
Hon Cyd HO Sau-lan	Hon LEE Cheuk-yan	Hon Emily LAU Wai-hing
Hon IP Kwok-him	Hon CHAN Hak-kan	Hon WONG Yung-kan

3. As the number of nominations received is less than the maximum number of members to be elected (i.e. 10), further nominations may be proposed from the floor at the House Committee meeting on 23 October 2009. Each nomination must be proposed by one Member and seconded by another, with the proposed nominee signifying his/her consent to the nomination.

4. In cases where the number of nominations received is more than 10, a poll shall be taken at that House Committee meeting by secret ballot in accordance with the simple or relative majority system of election (otherwise known as "first-past-the-post" system of election). A Member may vote for not more than 10 nominees. The nominees with the highest number of votes will be declared elected.

5. In cases where a nominee would have been elected but for there being one or more other nominees having been given the same number of votes, a separate poll shall be taken in respect of that nominee and such other nominee(s) in accordance with the system of election mentioned in paragraph 4 above until all the remaining vacancy or vacancies are filled.

6. A copy of the resolution setting out the manner of election is in the **Appendix**.

7. The term of office of the elected members will be for one year or until the next election, or until the next dissolution of the Legislative Council, whichever is the earlier.

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THE LEGISLATIVE COUNCIL COMMISSION ORDINANCE

RESOLUTION

(Determination made under sections 4(1)(e) and 5(4)
of The Legislative Council Commission Ordinance (Cap 443))

RESOLVED that with effect from 8 July 1998 the membership of The Legislative Council Commission, the election of members thereof and their term of office, be determined as follows :

Membership

1. In accordance with section 4(1)(e) of The Legislative Council Commission Ordinance (“the Ordinance”), the maximum number of members to be elected shall be 10.

Manner of election

2. An election of members referred to in section 4(1)(e) of the Ordinance shall be held at a meeting of the House Committee, the date of which (“election date”) shall be appointed by the House Committee.

3. The Legislative Council Secretariat shall issue a circular and a nomination form to the Members of the Legislative Council at least seven clear days before the election date, inviting nominations to be made.

4. Each nomination form shall be for the nomination of one Member and shall be signed by one Member as the proposer, one Member as the seconder, and by the nominee Member to signify his consent to the nomination.

5. Duly completed nomination forms shall be delivered to the Legislative Council Secretariat at least three clear days before the election date.

6. In cases where the number of nominations received by the Legislative Council Secretariat by the deadline for nomination is less than the number referred to in paragraph 1, further nominations may be proposed, at the House Committee meeting at which the election is conducted, by any Member and seconded by another, with the proposed nominee signifying his consent to the nomination.

7. In cases where the number of nominations received under paragraphs 5 and 6 is less than or equal to the number referred to in paragraph 1, the Chairman of the House Committee shall declare the nominees duly elected.

8. In cases where the number of nominations received under paragraphs 5 and 6 is more than the number referred to in paragraph 1, a poll shall be taken at the House Committee meeting at which the election is conducted; voting at which shall be by secret ballot and counted in accordance with the simple or relative majority system of election (otherwise known as “first-past-the-post” system of election), whereby a Member may vote for as many nominees as the number of vacancies and no more and the nominees who get the highest numbers of votes will be declared elected.

9. In cases where a nominee would have been elected but for there being one or more other nominees having been given the same number of votes, a separate poll shall be taken in respect of that nominee and such other nominee(s) in accordance with the system of election mentioned in paragraph 8 above until all the remaining vacancy or vacancies are filled.

Term of Office

10. Unless otherwise determined by the Council by resolution, the term of office of members elected under section 4(1)(e) shall be one year or until the next House Committee meeting held for the election of Commission members, or until the next dissolution of Legislative Council, whichever is the earlier.