

**Subcommittee on Package of Proposals
for the Methods for Selecting the Chief Executive
and for Forming the Legislative Council in 2012**

**Possible options for the voting system for the Legislative Council District
Council Functional Constituency in 2012**

PURPOSE

This paper explores the possible voting systems for returning the Legislative Council (“LegCo”) District Council (“DC”) functional constituency (“FC”) seats in 2012, if the Government’s proposed package for 2012 constitutional development is carried forward.

BACKGROUND

2. The single LegCo DC FC seat is currently returned through the first-past-the post voting system.
3. In the Package of Proposals for the Methods for Selecting the Chief Executive and for Forming the Legislative Council in 2012, it is proposed that all the five new LegCo DC FC seats and the existing DC FC seat should be returned through election by elected DC members from among themselves under the “proportional representation system”.

POSSIBLE OPTIONS

4. There are two major types of proportional representation voting systems, namely the list proportional representation system and the single transferrable voting system.

Option 1: List Proportional Representation system

5. The list proportional representation system (“list system”) is currently adopted in the LegCo election for the geographical constituencies.
6. If this system is adopted for returning the LegCo DC FC members in 2012, the nomination of candidates would be by way of lists of one or more candidates as a group. The names of the candidates have to be ranked in the order of priority of the group. The maximum number of candidates on each list will be limited by the number of members to be returned for the

constituency. If the whole HKSAR territory is represented by a single constituency, there will be a maximum of six candidates on each list.

7. An elector is entitled to cast a single vote for a list. The number of valid votes cast for the election of the DC FC will be divided by the number of vacancies to be elected to arrive at the quota of votes. For every quota of votes cast for a list, a candidate on the list will be elected in the order of preference as ranked on the list. Any remaining vacancies are filled by applying the largest remainder of valid votes cast for each list.

8. Since the list system has been in use for the election of LegCo geographical constituency, electors are in general familiar with the voting system. However, as the ranking of the candidates on the list are already predetermined by the group, electors would not be able to indicate their preference towards individual candidates on the list.

Option 2: Single Transferrable Voting System

9. Another option is the single transferrable voting system. This system was used in returning the ten LegCo Election Committee Constituency members in 1995. The electorate then was made up of all the elected DC members.

10. Under the system, candidates are nominated as individual candidates. Each elector can cast one vote which is transferrable. Electors rank candidates in order of preference on the ballot paper.

11. The result of the election is determined through a series of counts. At the first count, the total number of first preference votes for each candidate is ascertained and the quota is determined. Any candidate who receives a number of first preference votes equal to or greater than the quota will be elected. In the second and subsequent rounds of count, the value of the surplus votes of elected candidates will be transferred to the candidate ranking next on the ballot papers, and the candidate receiving votes equal to or greater than the quota will be elected. After any count, if no candidate is elected, the candidate with the lowest total votes is eliminated and the value of the candidate's votes will be transferred to the candidates ranking next on the ballot papers. The process will continue until all vacancies are filled.

12. Though the single transferrable voting system was used in the 1995 LegCo election for the Election Committee Constituency, it has not been in use since the establishment of the HKSAR. Electors are unfamiliar with the voting system. The mechanism of transferring of surplus votes and the calculation of value of votes transferred is also relatively more complicated and difficult to understand. However, the system does allow electors to indicate their

preferences towards individual candidates and hence the choice of electors could be better reflected.

Delineation of constituencies

13. Given that only six Members will be returned in the DC FC, the number of constituencies in the DC FC should remain small. Otherwise, the number of Members returned from each of the constituencies would be too small and the effect of proportional representation could be affected. In view of the above, we could consider :

- (a) returning all the six seats through a single constituency representing the whole HKSAR territory; or
- (b) dividing the territory into two constituencies.

14. According to the forecast of population for 2012¹, the total population in the Hong Kong Island and Kowloon and that in the New Territories are forecast to be around 3.47 million and 3.75 million respectively. Alternatively, if we are to distribute the six seats among two constituencies, we could consider allocating three seats to a constituency consisting of the Hong Kong Island and Kowloon, and the other three seats to the other constituency comprising the New Territories.

15. The population forecast, number of registered electors and the number of DC elected members under the two options of constituency delineation in paragraph 13 above are set out at Annex.

WAY FORWARD AND ADVICE SOUGHT

16. If the package of proposals put forward by the Government is carried forward, the details of the voting system will be implemented during the amendment of the local legislation.

17. We would welcome Members' views on the voting systems set out in paragraphs 5 to 15 above for consideration.

Constitutional and Mainland Affairs Bureau
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¹ Projections of Population Distribution published by the Planning Department in December 2009.

**Options for Delineating the Legislative Council (“LegCo”)
District Council (“DC”) Functional Constituency**

*(a) Single constituency representing the whole HKSAR territory
(6 LegCo seats)*

Forecast population in 2012 ¹	7,211,600
Number of registered electors in the 2009 Final Register	3,373,342
Number of DC elected members (2008 – 2011)	405

(b) Dividing the territory into two constituencies (3 LegCo seats each)

	Hong Kong Island and Kowloon	New Territories
Forecast of population in 2012 ¹	3,465,100	3,746,400
Number of registered electors in the 2009 Final Register	1,600,528	1,772,814
Number of DC elected members (2008 – 2011)	198	207

¹ Projections of Population Distribution published by the Planning Department in December 2009.