

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

**Allocation of seats among the subsectors of
the four sectors of the Election Committee**

At the meeting on 31 May 2010, the Administration was requested to provide:

- (a) background information on the allocation of seats among the subsectors of the four sectors of the Election Committee formed in 1998; and
 - (b) information on the proposed allocation of seats among the subsectors of the four sectors of the Election Committee to be formed in 2012.
- (a) Allocation of seats among the subsectors of the four sectors of the Election Committee formed in 1998

2. According to Annex I to the Basic Law, the Election Committee shall be composed of 800 members returned from the following four sectors:

Industrial, commercial and financial sectors	200
The professions	200
Labour, social services, religious and other sectors	200
Members of the Legislative Council (LegCo), representatives of district-based organizations, 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 (CPPCC)	200

3. Having regard to the deliberation of the Preparatory Committee for the HKSAR of the National People's Congress, the HKSAR Government put forth proposals in 1997 for consulting the public on,

among other things, the delineation of the electorate for the Election Committee for the first LegCo election:

- (i) Members representing the first three sectors of the Election Committee should be elected by the 25 functional constituency (FC) sectors¹ of the Legislative Council (LegCo) plus representatives of seven other groups².
- (ii) As for the fourth sector, members of the Provisional Legislative Council and the Hong Kong deputies to the National People's Congress would be ex-officio members. This sector would also include representatives of Hong Kong members of the National Committee of the CPPCC, representatives of the Heung Yee Kuk, and representatives of the provisional district boards.

4. Following the public consultation, it was decided that the proposals as set out in paragraph 3 above should be taken forward and that there should be 17 subsectors for the first sector, 10 for the second sector, five for the third sector and six for the fourth sector. With 200 members for each of the four sectors, seats were generally allocated evenly among the subsectors.

(b) Proposed allocation of seats among the subsectors of the four sectors of the Election Committee to be formed in 2012

5. The HKSAR Government proposes that the number of members of the Election Committee in 2012 be increased from the current 800 to 1200 and the number of members of the four sectors of the Election Committee be increased by the same proportion, i.e. the number of seats for each sector be increased by 100.

¹ Including (1) Commercial (First); (2) Commercial (Second); (3) Industrial (First); (4) Industrial (Second); (5) Finance; (6) Financial Services; (7) Accountancy; (8) Labour; (9) Social Welfare; (10) Medical; (11) Health Services; (12) Education; (13) Legal; (14) Engineering; (15) Architectural, Surveying and Planning; (16) Real Estate and Construction; (17) Transport; (18) Tourism; (19) Wholesale and Retail; (20) Import and Export; (21) Insurance; (22) Information Technology; (23) Textiles and Garment; (24) Agriculture and Fisheries; and (25) Sports, Performing Arts, Culture and Publication. The then Urban Council, Regional Council and Heung Yee Kuk FCs were excluded.

² Including (1) Hong Kong Chinese Enterprises Association; (2) Hotel; (3) Chinese Medicine; (4) Higher Education; (5) Catering; (6) Employers' Federation of Hong Kong; and (7) Religion.

The First, Second and Third Sectors

6. There will be a respective increase of 50% in the number of members allocated to the first, second and third sectors. Regarding the allocation of seats among the subsectors of the these three sectors, during the public consultation on the two electoral methods for 2012, we have received mainly three types of views:

- (a) increasing proportionally the number of seats according to the existing distribution of seats;
- (b) splitting the existing subsectors³; and
- (c) adding new subsectors⁴.

7. We have not yet formed specific proposals at this stage on how the additional seats should be allocated among the subsectors of the first three sectors of the Election Committee, and will continue to listen to views from the community and the LegCo. Any such arrangements can be specified by local legislation, i.e. in the context of the Chief Executive Election (Amendment) Bill.

The Fourth Sector

8. As for the allocation of seats among the subsectors within the fourth sector, we propose that three quarters of the 100 new seats (i.e. 75 seats) be allocated to elected District Council members. Together with the existing 42 seats, the District Council subsector will have a total of 117 seats, which will be returned through election from among elected District Council members, i.e. appointed District Council members will not take part in the election.

9. The aim of the proposal is to increase public participation in the Election Committee through the elected District Council members who are returned by more than 3.3 million voters, so as to enhance the

³ For example, Hong Kong Dental Association proposes that the Government should allocate at least three of the existing 20 seats of the medical subsector to the dental profession. The proposed number of seats is based on the proportion of the number of medical practitioners to that of dental practitioners. They consider this a viable option for achieving balanced participation.

⁴ For example, the Hong Kong Chamber of Small and Medium Business agrees that the proportion of number of members of the four sectors of the Election Committee should remain even, but considers that a certain number of additional seats should be allocated to representatives of the SMEs. Joint Council of Estate Agents Associations also requests adding estate agents subsector to the professions sector of the Election Committee

democratic elements of the CE election. Elected District Council members represent different strata of the community. They have contributed to district administration and kept a close tab on public opinion. Their participation can help meet the interests of different sectors of society and facilitate balanced participation.

10. As for the remaining 25 new seats, aside from the 10 seats to be allocated to the LegCo⁵, it is proposed that the other 15 seats be allocated to members of the National Committee of the CPPCC and Heung Yee Kuk based on their existing proportion of number of members, i.e. 10 seats be allocated to members of the CPPCC and five to Heung Yee Kuk.

Constitutional and Mainland Affairs Bureau
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⁵ Assuming that the number of LegCo seats will be increased from the current 60 to 70 in 2012, and that the current requirement of including all LegCo Members in the EC will be maintained.