

立法會
Legislative Council

Ref : CB2/PL/CA

LC Paper No. CB(2)528/10-11
(These minutes have been seen
by the Administration)

Panel on Constitutional Affairs

Minutes of meeting
held on Monday, 19 July 2010, at 2:30 pm
in the Chamber of the Legislative Council Building

Members present : Hon TAM Yiu-chung, GBS, JP (Chairman)
Hon Albert HO Chun-yan
Dr Hon Margaret NG
Hon CHEUNG Man-kwong
Dr Hon Philip WONG Yu-hong, GBS
Hon WONG Yung-kan, SBS, JP
Hon LAU Kong-wah, JP
Hon Emily LAU Wai-hing, JP
Hon Timothy FOK Tsun-ting, GBS, JP
Hon Abraham SHEK Lai-him, SBS, JP
Hon LI Fung-ying, SBS, JP
Hon Audrey EU Yuet-mee, SC, JP
Hon WONG Kwok-hing, MH
Hon LEE Wing-tat
Hon Jeffrey LAM Kin-fung, SBS, JP
Hon WONG Ting-kwong, BBS, JP
Hon Ronny TONG Ka-wah, SC
Hon CHIM Pui-chung
Prof Hon Patrick LAU Sau-shing, SBS, JP
Dr Hon LAM Tai-fai, BBS, JP
Hon CHAN Kin-por, JP
Hon WONG Kwok-kin, BBS
Hon IP Kwok-him, GBS, JP
Dr Hon PAN Pey-chyou
Hon Paul TSE Wai-chun
Dr Hon Samson TAM Wai-ho, JP
Hon Alan LEONG Kah-kit, SC
Hon Tanya CHAN
Hon WONG Yuk-man

- Members attending** : Hon Andrew CHENG Kar-foo
Hon Frederick FUNG Kin-kee, SBS, JP
- Members absent** : Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP (Deputy Chairman)
Hon Mrs Sophie LEUNG LAU Yau-fun, GBS, JP
Hon LAU Wong-fat, GBM, GBS, JP
Hon Miriam LAU Kin-ye, GBS, JP
Hon CHEUNG Hok-ming, GBS, JP
Hon Cyd HO Sau-lan
Dr Hon Priscilla LEUNG Mei-fun
Hon CHEUNG Kwok-che
Hon Mrs Regina IP LAU Suk-ye, GBS, JP
Hon LEUNG Kwok-hung
- Public Officers attending** : Item II
- Mr Stephen LAM Sui-lung
Secretary for Constitutional and Mainland Affairs
- Mr Joshua LAW Chi-kong
Permanent Secretary for Constitutional and Mainland Affairs
- Mr Arthur HO Kin-wah
Deputy Secretary for Constitutional and Mainland Affairs
- Ms Joyce HO Kwok-shan
Principal Assistant Secretary for Constitutional and Mainland Affairs
- Item III
- Mr Stephen LAM Sui-lung
Secretary for Constitutional and Mainland Affairs
- Miss Adeline WONG Ching-man
Under Secretary for Constitutional and Mainland Affairs
- Mr Arthur HO Kin-wah
Deputy Secretary for Constitutional and Mainland Affairs
- Mr Ivanhoe CHANG Chi-ho
Principal Assistant Secretary for Constitutional and Mainland Affairs

Item IV

Mr Matthew CHEUNG Kin-chung
Secretary for Labour and Welfare

Mr Roy TANG Yun-kwong
Deputy Secretary for Labour and Welfare (Welfare) 1

Mrs LAU CHAN Suk-chun, Alison
Principal Assistant Secretary for Labour and Welfare
(Welfare)2

Mr Arthur HO Kin-wah
Deputy Secretary for Constitutional and Mainland Affairs

Mr Alan LO Ying-ki
Principal Assistant Secretary for Security (Security) C

Ms Judy CHUNG Sui-kei
Principal Assistant Secretary for Development
(Planning and Lands)1

Ms Roxana CHENG Pui-lan
Senior Assistant Solicitor General
Department of Justice

Dr Shirley LEUNG Sze-lee
Principal Medical and Health Officer
(Family Health Service)
Department of Health

Mr FONG Ngai
Assistant Commissioner
(Policy Support and Strategic Planning)
Labour Department

Mrs MAK CHOW Suk-har, Anna
Assistant Director (Family and Child Welfare)
Social Welfare Department

Attendance by : Item IV
invitation

Equal Opportunities Commission

Mr Ferrick CHU
Head, Policy and Research

Hong Kong Women Development Association

Ms AU YEUNG Po-chun
Vice-Chairperson

Action for Reach Out

Miss CHAN Man-wai
Programme Officer

Amnesty International Hong Kong

Miss Clara FOK
Campaigner

Hong Kong Human Rights Monitor

Miss TSUI Ka-wing
Project and Education Officer

Democracy Youth

Mr CHAN Chung-yau
Chairman

Ms CHUNG Kwan-chun
Member of Sai Kung District Council

The Association for the Advancement of Feminism

Ms AU Mei-po
Organizer

Ms CHAN Shu-ying
Member of Tuen Mun District Council

Society for Community Organization

Miss SZE Lai-shan
Community Organizer

Clerk in attendance : Miss Flora TAI
Chief Council Secretary (2)3

Staff in attendance : Mr Arthur CHEUNG
Senior Assistant Legal Adviser 2

Ms Clara TAM
Assistant Legal Adviser 9

Mrs Eleanor CHOW
Senior Council Secretary (2)4

Ms Wendy LO
Council Secretary (2)3

Mrs Fanny TSANG
Legislative Assistant (2)3

Miss Lulu YEUNG
Clerical Assistant (2)3

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I. Information papers issued since the last meeting

Members noted that the letter dated 21 June 2010 from the Secretary for Constitutional and Mainland Affairs ("SCMA") enclosing the statements made by the Chief Executive ("CE") and the Secretary for Justice ("SJ") at the press conference on constitutional reform package [LC Paper No. CB(2)1872/09-10(01)] had been issued since the last meeting.

II. Main issues to be considered under the local legislation of the two electoral methods for 2012

[LC Paper Nos. CB(2) 1872/09-10(01), 2071/09-10(01) to (02) and CB(2)2101/09-10(01)]

2. SCMA thanked members for their support for passing the two motions put forth by the Government of the Hong Kong Special Administrative Region ("HKSAR") to amend the methods for selecting CE and for forming The Legislative Council ("LegCo") in 2012 ("the two electoral methods") by a two-thirds majority at the Council meeting on 24 and 25 June 2010 respectively. He stressed that it was the first time since the establishment of HKSAR that the community was able to reach a consensus on amending the two electoral methods in accordance with the Basic Law ("BL"). SCMA then briefed members on the main issues to be considered under the local legislation regarding the two electoral methods as

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set out in the Administration's paper [LC Paper No. CB(2)2071/09-10(01)]. He said that after listening to Members' views and collecting views from the public on those issues, the Administration aimed at putting together a set of legislative proposals to amend the relevant local legislation by the autumn. If the legislative proposals were passed in the second quarter of 2011, the Administration would work out the practical electoral arrangements for the two elections before the end of 2011.

3. Members noted the following papers on the subject under discussion -
 - (a) background brief prepared by the LegCo Secretariat [LC Paper No. CB(2)2071/09-10(02)]; and
 - (b) submission from Yat Tung Community Network Association [LC Paper No. CB(2)2101/09-10(01) tabled at the meeting and issued on 20 July 2010].

Method for selecting CE

Composition of the Election Committee ("EC")

4. Members noted that according to the draft amendments to the method for the selection of CE in 2012, the number of members of EC would be increased from the current 800 to 1200. The number of members for the four EC sectors would be increased by the same proportion, i.e. the number of seats for each sector would be increased by 100. It was also proposed in the package of proposals for the methods of selecting CE and for forming LegCo in 2012 published by the Administration on 14 April 2010 that for the fourth sector of EC, 75 seats would be allocated to elected District Council ("DC") members. Together with the existing 42 seats, the DC subsector would have a total of 117 seats, which would be returned through election from among elected DC members, i.e. appointed DC members would not take part in the election.

5. Referring to the remark made by Mr QIAO Xiaoyang, Deputy Secretary-General of the Standing Committee of the National People's Congress ("NPCSC") on 7 June 2010 that *"the future nominating committee for the selection of CE will nominate candidates in accordance with democratic procedures, and the method of nomination will be entirely different from that of the existing EC for the selection of CE, under which candidates are nominated jointly by 100 members, and the two are not comparable"*, Ms Audrey EU enquired whether the EC to be formed for the

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selection of CE in 2012 would be comparable to the nominating committee to be formed to elect CE by universal suffrage in 2017. She considered that although the EC membership would be expanded to 1 200, the CE in 2012 would still be returned by a small-circle election. She enquired whether the Administration had received proposals on the allocation of the new seats among the subsectors in the first, second and third sectors of EC, other than the one which suggested that the number of seats allocated to the existing 32 subsectors in the three sectors of EC should be increased by 50%, and how the Administration would make EC more broadly representative.

6. SCMA explained that according to BL45, the ultimate aim was the selection of CE by universal suffrage upon nomination of a broadly representative nominating committee in accordance with democratic procedures. The 2007 NPCSC Decision also stipulated that the nominating committee could be formed with reference to the current provisions regarding EC. On the allocation of the additional EC seats to be created, the Administration had received mainly three types of views during the relevant public consultation exercise, namely increasing proportionally the number of seats according to the existing distribution of seats; splitting the existing subsectors (e.g. splitting the Medical subsector so that seats could be allocated to the dentist profession); and adding new subsectors (e.g. small and medium enterprises, youth, women, and real estate agents). The Administration had not yet formulated specific proposals at the present stage on how the additional 100 seats should be allocated among the subsectors of these three sectors of EC respectively, and would continue to listen to views from the community and LegCo. Any such arrangements would be specified in the context of the CE Election (Amendment) Bill.

7. Mr LEE Wing-tat also referred to the remark made by Mr QIAO Xiaoyang and enquired whether the Administration had any idea about the procedures for nominating candidates for the election of CE in 2017. For instance, whether the nomination threshold would be maintained at one-eighth of the total membership of EC and whether a screening mechanism would be put in place by the nomination committee in the model for implementing universal suffrage for CE. He considered that if a screening mechanism was put in place, the election of CE was not implemented in accordance with the principles of genuine universal suffrage.

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8. SCMA responded that the current HKSAR Government had not formulated any specific proposal on the democratic procedures for nominating candidates for the office of CE when universal suffrage was implemented in 2017 as it should be the task of the fourth-term CE and the Fifth LegCo. Between 2012 and 2017, LegCo would have the opportunity to scrutinise the nominating procedures to be proposed by the Administration on the basis of the principles of universality and equality.

9. Mr Alan LEONG enquired whether the Administration would consider broadening the electorate base of the EC subsectors in the 2012 CE election in order to facilitate the full implementation of universal suffrage in 2017. For example, all employees of bodies which were registered under the Transport subsector would be eligible to vote to return their representatives to EC. SCMA responded that when Members supported the motion on the method for the selection of CE in 2012, it was the understanding that there would not be substantial changes to the electorate base of EC.

10. Mr Ronny TONG sought confirmation as to whether the existing 42 seats for the DC subsector in EC would be returned by the bloc vote system while the new 75 DC seats would be returned by a proportional representation system.

11. SCMA responded that there were views that the voting system adopted for returning the seats for the DC subsector in EC should be the bloc vote system and there were also views that a proportional representation system should be adopted. The Administration held the view that the same voting system should be adopted to return the 117 DC seats, but was open-minded as to how those seats should be returned.

Method for electing LegCo

The "one-person-two-votes" proposal for returning the five new DC FC seats

12. Members noted that according to the draft amendments to the method for the formation of LegCo in 2012, the number of members returned in the geographical constituency ("GC") and functional constituency ("FC") elections would each be increased from 30 to 35. According to the package of proposals for the methods of selecting CE and for forming LegCo in 2012 published by the Administration on 14 April 2010, all the new FC seats would be allocated to DC FC, and these new seats together with the existing

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DC FC seats would be returned through election from among elected DC members under the proportional representation system. Members also noted that CE had subsequently announced during the press conference on constitutional reform package on 21 June 2010 that the Government accepted the "one-person-two votes" proposal for returning the five new DC FC seats in 2012. The Government had also stated that once the two motions to amend the two electoral methods were passed, the following electoral arrangement would be pursued through local legislation -

- (a) candidates for the five new FC seats would be nominated by elected DC members and elected by all registered electors who currently did not have a right to vote in FCs on a one-person-one-vote basis; and
- (b) the original DC FC seat would be returned through election from among elected DC members.

Candidature and nomination of DC FC

13. Ms Emily LAU said that the Democratic Party ("DP") had suggested that persons who had a substantial connection with DC FC should be allowed to stand as candidates for the five new DC FC seats so as to increase the pool of candidates. She enquired whether the suggestion was legally viable given that the "substantial connection" provision had currently been implemented for the FC elections.

14. SCMA informed members that in his statement made at the press conference on 21 June 2010, SJ had outlined the three salient features of the new DC FC election method -

- (a) candidates must themselves be elected DC members;
- (b) candidates must be nominated by elected DC members; and
- (c) candidates would be elected, through one-person-one-vote, by the registered electors in Hong Kong less those electors who currently have the right to vote in other FCs. (In other words, the electorate base would be about 3.2 million, being the total 3.43 million registered electors less 230,000 electors for the other FCs.)

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He pointed out that the Administration had made it clear that the election for these five new seats would be FC election, as opposed to GC direct election. There was legal consideration in restricting the right of nomination and the right to stand as candidates to elected DC members.

15. SCMA further explained that the electorate of the five new DC FC seats had already been expanded to cover the 3.2 million registered electors and there was a need to restrict the candidature and nomination of the new DC FC election in order to comply with the features of the FC system. At present, electors who had a substantial connection with the 28 traditional FCs were allowed to stand as candidates in the respective FC elections. If the same principle was applied to the new DC FC election, each of the 3.2 million registered electors could be nominated as a candidate and could be a subscriber to a nomination for a candidate of DC FC, which would depart from the characteristics of the FC system. SCMA pointed out that the new DC FC election was not direct election. To comply with the FC features, the candidates should be limited to elected DC members nominated by elected DC members.

16. Mr Jeffrey LAM said that he had supported the motions to amend the two electoral methods on the basis of the electoral framework laid down by the Administration during the press conference on 21 June 2010 and the debates on the two motions held at the Council meeting between 23 and 25 June 2010, i.e. candidature and nomination from elected DC members only in the election of the five new DC FC seats. He wondered what the scope of expansion would be and whether the Administration would be breaching its undertaking if it accepted the DP's suggestion to expand the nomination rights for the five new DC FC seats to people who had a substantial connection with DCs and their participation as candidates.

17. SCMA responded that the stance of the Administration had been made clear during the press conference and the debates on the motions to amend the two electoral methods. Legally, the new DC FC seats must comply with the features of the FC system as set out in paragraph 14 above. The democratic elements embedded in the "one-person-two-votes" proposal for returning the five new DC FC seats and its compliance with the FC system were important considerations which the Administration would not change lightly. The Administration was fully aware that Members had voted in favour of the two motions on these policy considerations.

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18. Mr IP Kwok-him said that the Democratic Alliance for the Betterment and Progress of Hong Kong ("DAB") supported setting a low threshold for the nomination of the DC FC election and the return of the five DC FC seats to be nominated by elected DC members and elected by registered voters of the whole territory through a single constituency. DAB had considered the possibility of expanding the pool of candidates for the DC FC election and came to the view that it was not easy to grasp the extent to which the eligibility for candidature and nomination should be broadened. Hence, it considered the Administration's position of restricting the nomination rights and candidature of the five new DC FC seats to elected DC members to be appropriate. Mr IP further asked the Administration to explain its rationale for restricting the candidature and nomination in the DC FC election from people "having a substantial connection" with DCs to members of DCs only in 2006.

19. SCMA clarified that the candidature of the existing DC FC election included DC members or persons with a substantial connection with the constituency. To enhance the democratic elements in future LegCo elections, restriction would be imposed on the fifth term LegCo whereby candidature and nomination of the DC FC election would be confined to elected DC members.

Voting method for returning the new DC FC seats

20. Mr Andrew CHENG expressed concern that the "one-person-two-votes" proposal for returning the five new DC FC seats would instil quantity as well as quality change to the electoral method for the formation of LegCo. He was concerned that as these seats would be returned through a single constituency representing the whole territory and the nomination would be confined to a small circle of DC members, a territory-wide election would mean only well-off candidates would be able to afford the cost to run an election campaign of such a scale. The proposal would put independent candidates and those backed by smaller political parties at a disadvantaged position. In addition, candidates might have to seek donations from the rich or the business sector in order to pay for the election expenses which could amount to five to eight millions dollars. If these candidates got elected, they would be obliged to represent the interest of the rich in LegCo. Mr CHENG suggested that the five new seats should be allocated to the existing five GCs respectively to be returned under the "single seat single vote" system which, he considered, was more akin to the implementation of universal suffrage.

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21. SCMA responded that the electoral method for the formation of LegCo would change for the better with enhanced democratic elements in 2012. In terms of quantity, the number of LegCo seats would be increased from 60 in 2008 to 70 in 2012. In terms of quality, the democratic elements in the LegCo election would be enhanced through the participation of 3.2 million registered electors in the DC FC election for returning the five DC FC seats. In order to encourage participation in the LegCo election, the Administration would consider increasing the financial assistance for LegCo candidates and review whether a higher election expense limit should be set given the broad electorate base of the new DC FC.

22. Ms Audrey EU said that if the entire territory would become one single constituency, it would create a "super constituency" with five "super Members". The election expenses of each candidate would be enormous as they had to campaign extensively. Ms EU expressed concern that as having two types of Members within LegCo, i.e. GC and FC Members, had already created tension and conflicts, the creation of another type of "super Members" would not be conducive to the operation of LegCo. Echoing the views of Ms EU, Mr Alan LEONG said that dividing the territory into five constituencies could pave way for the 5 DC FC seats to be converted into five GC seats when universal suffrage was implemented, and reduce the difficulty in abolishing the FC system.

23. SCMA responded that political parties and the academia had in the past suggested that reference should be made to the electoral systems adopted by overseas countries and the Administration found that many countries, including Japan and New Zealand, had adopted the proportional representation system with a large constituency in their general elections. The Administration had made known its stance during the debates on the motions to amend the two electoral methods held between 23 and 25 June 2010 that it was inclined to adopt the proportional representation system with one single constituency to return the five DC FC seats on the ground that the number of constituencies in DC FC election should remain small in order not to affect the effect of proportional representation. It was based on this understanding that Members had voted in favour of the motions.

24. Noting that there were two possible options for the proportional representation voting system, namely the "single transferrable voting system" or the "list proportional representation system" for returning DC FC seats, Mr Albert HO enquired why computerisation could not assist in implementing a "single transferrable voting system" for an electorate of 3.2 million.

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25. SCMA explained that under the single transferable voting system, electors were required to rank candidates in order of preference on the ballot paper. The result of the election was determined through a series of vote-counting. While computerisation would assist in the counting of votes, manual counting might be needed in case of any malfunctioning of the system on the polling day. Given that the mechanism of transferring of surplus votes and the calculation of values of votes transferred would involve manual counting of tens of million of votes, the Administration considered that the risk of prolonged counting should be avoided on the polling day. SCMA added that as the list proportional representation system was currently adopted in the LegCo election for GCs, electors were familiar with the voting system and it was a practical choice.

26. Mr Albert HO, however, said that the public should be given the choices as to whether the list proportional representation system or the single transferable voting system should be used to return the five DC FC seats. They should also be allowed to choose between returning all these seats through a single constituency representing the whole territory, or dividing the territory into more than one constituency. The Administration should not rule out the option of delineating the territory into five constituencies to return the five DC FC seats at this stage. If the public considered that such a system would be fairer and would reduce election expenses, it would be their choice.

27. SCMA said that the issues of voting method, delineation of constituencies, financial assistance and election expense limit for the DC FC election were inter-related which had to be considered as a whole. The Administration had explained its position during the press conference on 21 June 2010 and subsequently during the debates on the motions to amend the two electoral methods held between 23 and 25 June 2010 that the proportional representation system would be a fairer system for candidates representing political parties/groups and independent candidates. The Administration maintained the view that the proportional representation system to return the five DC FC seats through a single constituency was not only logical, but also practical.

28. Mr Frederick FUNG enquired whether the adoption of the proposal to return the five DC FC seats by the proportional representation system through a single constituency was a condition in exchange for the support of the motions to amend the two electoral methods from certain political parties. SCMA replied in the negative. He pointed out that the Administration had

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made clear its policy intention that the proportional representation system was proposed to be adopted for returning these DC FC seats under which candidates from political parties/groups of different sizes and independent candidates would all have a chance to get elected. The Administration must propose electoral arrangements in accordance with such policy intention.

29. Mr WONG Yuk-man said that League of Social Democrats was opposed to the constitutional reform package which sought to expand the FC system and was inconsistent with the principles of universality and equality. He, however, did not object the adoption of the proportional representation system to return the five DC FC seats through a single constituency. In his view, there were inherent limitations of the "one-person-two-votes" proposal for returning the new DC FC seats and dividing the territory into five constituencies to return the five DC FC seats by the proportional representation system was not viable.

Financial assistance for LegCo election and election expense limit for the new DC FC seats

30. Ms Audrey EU and Ms Emily LAU enquired whether the Administration would consider increasing the financial assistance of \$11 per vote to encourage participation in the LegCo election. Ms EU considered that the same amount of financial assistance should be provided to candidates running for the GC and DC FC seats. Mr Albert HO expressed the view that while the same amount should be provided, the Administration should consider providing special assistance to relieve the financial burden of candidates in the election of the five new DC FC seats if one single constituency was to be used.

31. SCMA responded that under the existing financial assistance scheme for LegCo election, candidates or lists of candidate who got elected or who had received 5% of the valid votes or more were eligible for financial assistance. The amount payable as financial assistance in respect of a list of candidates or a candidate was the lower of either the amount obtained by multiplying the total votes cast for the list of candidates or the candidate by \$11 or 50% of their declared election expenses. The Administration intended to adhere to the existing system while considering whether the rate of financial assistance of \$11 per vote and the 50% threshold should be adjusted in order to encourage political participation. The financial assistance scheme, after revision, would apply to all candidates across the board. He added that to encourage participation in elections and to reduce

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candidates' financial burden, the Registration and Electoral Office ("REO") would continue to produce a booklet to introduce candidates to voters in the 2012 LegCo election. As the five new DC FC seats would involve an electorate of 3.2 million people, the Administration would also review the election expense limit for the new DC FC. The Administration sought to ensure that candidates from large or small political parties and independent candidates could participate in the election and would welcome views from Members. A set of recommendations would be put forward for consideration by the autumn. Ms Emily LAU considered that the upper limit of election expenses should be kept at a low level in order not to put candidates who were not well-off in a disadvantaged position.

The electorate of traditional FCs and DC FC

32. Mr Ronny TONG enquired whether the existing traditional FC electors could opt for voting in the DC FC in the 2012 LegCo election and whether there would be a lower limit to the electorate base of a particular FC. SCMA explained that at present, persons who were eligible for registration as electors in more than one FC might choose to register in any one of the FCs, except for electors in the Heung Yee Kuk, Agriculture and Fisheries, Insurance and Transport FCs ("the special FCs") who could only register in the special FC concerned but not in other FCs as the electorate base of these special FCs was small. The Administration intended to adopt the same practice in the 2012 LegCo election. If the 225 000 electors registered in the traditional FCs were allowed to choose to register in the new DC FC, REO would need to inform the 225 000 registered electors of their right to choose the FC for which they would vote. In further response to Mr TONG, SCMA explained that the major campaign for elector registration would usually be launched in the year of general election during which electors could choose to register in any one of the appropriate FCs. In this connection, for the general election to be held in September 2012, the elector registers would be released in July 2012 and electors could choose to register in any one of the appropriate FCs prior to the registration deadline.

33. Mr Paul TSE said that the traditional FCs had not undergone any substantive changes since the change of sovereignty and the system had been condemned by a lot of people. He had conducted an opinion survey within the tourism sector and 80% of the respondents had expressed support for the FC system and some respondents had suggested broadening the electorate base so as to enhance its representativeness. Referring to paragraph 9(vi)(b) of the Administration's paper, Mr TSE enquired about the technical amendments to be made to the Legislative Council Ordinance

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(Cap. 542) ("LCO"), the circumstances under such technical amendments were made, the party to initiate those amendments and whether the electorate of an individual FC could be expanded with the endorsement of its electorate.

34. SCMA explained that the Administration would introduce technical amendments to LCO prior to each general election. The technical amendments which included, among others, changes in the names of the eligible organisations, removal of organisations which had ceased to exist in the relevant FC, and adding new eligible organisations, could be proposed by the relevant FC sectors or the Administration. However, the general understanding was that there should be no substantial changes to the electorate base of the traditional FCs when Members supported the two motions to amend the two electoral methods.

The five new GC seats

35. Mr IP Kwok-him said that it was expected that three or four new GC seats would be allocated to the GCs in the New Territories because of the population growth there. He enquired whether the Electoral Affairs Commission ("EAC") would consider retaining the number of GCs, or increasing the number from five to six so as to avoid a particular GC being allocated too many seats.

36. SCMA explained that HKSAR was delineated as five GCs, each with four to eight seats based on its population. To his understanding, as re-delineating the existing GC boundaries would have wide implications on the work of elected Members and electioneering activities, EAC had tended to maintain the status quo as far as possible. He, however, noted that there was an increasing concern that if a particular GC was allocated too many seats, a candidate receiving a small percentage of votes could win a seat in the election. The Administration welcomed views from Members on the number of GCs to be demarcated and the range of seats to be returned from each GC.

Abolition of the DC appointment system

37. Some members, including Ms Audrey EU, Mr LEE Wing-tat, Mr WONG Yuk-man, Mr Andrew CHENG and Mr Frederick FUNG, expressed dissatisfaction at the retention of the DC appointment system in 2011. They enquired about the Administration's plan to abolish the system. Mr Frederick FUNG said that the DC appointment system was worse than

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the FC system and the Administration should stop appointing DC members in the next DC election. Mr LEE Wing-tat pointed out that although the law empowered the Administration to appoint DC members, it had the discretion not to exercise such power. Hence, appointed DC seats could cease to exist without the need to amend any legislation. He added that appointing persons affiliated with political parties to serve on DC might be questioned by some people that the Administration was making political dealings with the political parties concerned. Mr WONG Yuk-man considered that the DC appointment system should be abolished in one go and its instant abolition would not contravene BL. Ms Audrey EU remarked that Members should have reached a consensus with the Administration in advance on the abolition of the DC appointment system before they pledged their support for the motions to amend the two electoral methods. She asked whether the Administration would undertake not to appoint any members to DCs after 2011.

38. SCMA responded that the Administration was working on the proposal to abolish the DC appointment system and would put forth proposals for members' consideration in the autumn. At present, there were views that appointed DC members should be abolished in one go and there were also views that they should be abolished in phases. SCMA said that as the issue did not fall within the scope of the CE Election Ordinance (Cap. 569) and LCO, it would be dealt with separately.

39. Mr Abraham SHEK disagreed with the view that the DC appointment system should be abolished in one go. He said that appointed DC members had served as a bridge among the Administration, elected DC members and residents of the districts, and had contributed to the work of DCs. The Administration should exercise caution in its plan to abolish the DC appointment system in order not to affect the work of DCs.

Next step

40. Ms Audrey EU and Ms Emily LAU suggested that the Panel should receive views from the public on the main issues to be considered under local legislation. In response to the Chairman's enquiry, SCMA advised that the Administration would present a final set of legislative proposals to the Panel by the autumn. The Chairman suggested and members agreed that the Panel might consider receiving views from the public when the final set of legislative proposals was made available.

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III. Review of the number of elected seats for the Fourth Term District Councils

[LC Paper Nos. CB(2)2071/09-10(03) to (04), CB(2)2101/09-10(02), 2123/09-10(01), and 2157/09-10(01)]

41. SCMA briefed members on the Administration's review of the number of elected seats for the fourth term DC as set out in the Administration's paper [LC Paper No. CB(2)2071/09-10(03)]. In gist, the existing population quota of 17 275 would continue to be adopted for the 2011 DC election. On the basis of the projected population compiled by the Planning Department, the total number of elected seats for the fourth term DC should be 412, i.e. seven seats more than that of the current term.

42. Members noted the following papers on the subject under discussion -

- (a) background brief prepared by the LegCo Secretariat [LC Paper No. CB(2)2071/09-10(04)]; and
- (b) submission from Yat Tung Community Network Association [LC Paper No. CB(2)2101/09-10(02) tabled at the meeting and issued on 20 July 2010].

(Post-meeting note: The submission from a member of the public requesting the increase in the number of elected seats for Tsuen Wan DC due to the increase in population in Ma Wan and the Administration's response were issued to members vide LC Paper No. CB(2)2123/09-10 on 27 July 2010 and LC Paper No. CB(2)2157/09-10 on 5 August 2010 respectively.)

43. Mr Ronny TONG enquired about the basis of setting the population quota at around 17 000. He said that pan-democratic Members had advocated the merging of several DC constituency areas ("DCCAs") because the population of the existing DC constituencies was so small that DC members lacked representativeness. As individual DC members often discussed public policies and community issues from a narrow perspective, their views were fragmented and decisions could not be made efficiently. Some minor issues such as the provision of traffic lights in certain districts had been debated for several years before they were installed. He considered that such debates were unnecessary and failed to address the interests of the larger community. With a larger population, more resources would be allocated to a larger constituency and that would attract talented

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people to participate in district affairs. Ms Emily LAU concurred with Mr TONG.

44. SCMA explained that the population quota of 17 043 was incepted in the first term DC in 1999 under which the total population of Hong Kong (6.65 million) was divided by the total number of elected members to be returned in the DC ordinary election (390 DC members). The population quota had then been scrutinised and endorsed by LegCo. Practical experience for the past 10 years indicated that it was feasible for one DC member to serve about 17 000 residents. He noted that some Members had suggested raising the population quota by merging three to four DCCAs and adopting the proportional representation system for returning DC members so as to make DC members answerable to electors of larger constituencies and hence broaden their vision. Some political parties, however, held contrary views. The Administration considered that the existing population quota was operating well and should continue to be adopted in the 2011 DC election. He envisaged that the "one-person-two-votes" proposal for returning the five new DC FC seats would attract more political talent to participate in the 2011 DC election.

45. Mr IP Kwok-him clarified that the quoted example of delayed installation of traffic lights in some districts was a problem caused by the Government, not the DCs concerned. He also clarified that the sizes of DCCAs were not as small as some members had suggested. If there were two candidates contesting in an election, a candidate had to secure around 2 000 votes in order to get elected and for some DCCAs, the winning candidates had secured as many as 4 000 votes. Mr IP considered that the existing population quota of about 17 000 appropriate, enabling individual DC members to maintain a close relationship with local residents and to grasp the needs of the relevant constituencies. In his view, there was room for the population quota to be adjusted downward so that individual DC members could serve better the local residents and more elected DC seats could be created.

46. SCMA reiterated that there were different views among Members on the level of population quota. While some Members considered that the quota should be increased, some thought otherwise, and some considered the existing level reasonable. The Administration respected the different views of Members. It was the view of the Administration that the number of elected DC seats should be adjusted in each term in the light of population change, so as to provide more room for political talent to participate in politics and to serve the local community.

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47. Mr IP Kwok-him said that he held no strong view on the increase of elected seats for the fourth term DC in the light of the population growth. He said that DAB supported the abolition of DC appointed membership in phases and envisaged that the number of appointed DC members would be reduced gradually starting 2011. Pointing out that the number of elected DC members varied from districts to districts, Mr IP expressed concern that districts with a small elected DC membership might face operational problems following the reduction in the number of appointed DC members. He enquired whether the Administration would consider replacing the appointed DC members by elected DC members. He also enquired whether the Administration would consider re-defining the DC boundaries so as to reduce the disparity of elected DC membership among DCs, e.g. the elected DC membership in Wan Chai DC and Eastern DC was 11 and 37 respectively.

48. SCMA responded that the Administration had not decided whether the DC appointed membership should be abolished in one go or in phases. SCMA said that the issues of appointed DC seats and elected DC seats had to be dealt with separately. He explained that as the population in the Wai Chai District was far less than that of the Eastern District, the former inevitably had fewer elected DC members. He cautioned that redefining the district boundaries of the 18 DCs would disrupt the cohesiveness and identity of the local communities. As the 18 DCs and their boundaries had been operating smoothly for many years and were widely accepted by the public, they should not be changed lightly.

49. Ms Emily LAU said that while she supported the abolition of the DC appointment system in one go, the Administration should devise appropriate arrangements as a recognition of the contributions rendered by appointed members and so that they could continue to contribute at district levels. With the creation of seven elected DC seats, she enquired when EAC would consult LegCo on the delineation of boundaries of DCCAs.

50. SCMA responded that the Administration would welcome suggestions from Members on the post-office arrangements for DC appointed members. For instance, some Members had suggested that ex-DC appointed members could become district consultants. He said that EAC had the statutory authority to recommend the boundaries of DCCAs before each DC ordinary election. The Administration aimed to introduce subsidiary legislation in the autumn to effect the proposed addition of the seven elected DC seats. If the legislative proposal was endorsed by Members, EAC would take into

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account the newly added seats in its demarcation of DCCAs for the 2011 DC election and consult LegCo accordingly.

51. Ms Emily LAU said that if the functions of DC members were to be enhanced, the remuneration for DC members should be reviewed to ensure that it was comparable with that of LegCo Members. She also suggested that the DC Secretariat should be made independent.

52. SCMA responded that the remuneration of DC members was reviewed by the Home Affairs Bureau ("HAB") every four years to tie in with the DC ordinary elections. He noted that HAB was currently collecting views on the matter. In his view, the remuneration of DC members should be reasonable and preferably enhanced so as to encourage more people to participate in politics. SCMA added that HAB and the Home Affairs Department ("HAD") had exchanged views with DC members on the independence of DC Secretariat. As the District Offices had provided essential secretariat support to DC members, the Administration considered the existing arrangement effective.

53. Ms Emily LAU enquired whether any revised financial assistance scheme for LegCo election candidates would be applicable to the 2011 DC election candidates. SCMA responded that the Administration was reviewing the arrangement for the 2012 LegCo election and aimed at implementing the revised financial assistance rates starting from the 2011 DC election.

IV. An outline of the topics to be covered in the third report of the Hong Kong Special Administrative Region under the United Nations Convention on the Elimination of All Forms of Discrimination Against Women

[LC Paper Nos. CB(2)2071/09-10(05) to (08), CB(2)2101/09-10(03) to (09) , CB(2)2141/09-10(01) and 2157/09-10(01)]

54. Secretary for Labour and Welfare ("SLW") briefed members on the proposed outline of the topics to be covered in the third report of HKSAR under the United Nations Convention on the Elimination of All Forms of Discrimination Against Women ("CEDAW") ("the third report") as set out in the Administration's paper [LC Paper No. CB(2)2071/09-10(05)].

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55. Members noted the following papers on the subject under discussion -
- (a) background brief prepared by the LegCo Secretariat [LC Paper No. CB(2)2071/09-10(06)];
 - (b) submission from Dr YANG Mo, member of Southern DC [LC Paper No. CB(2)2071/09-10(08)]; and
 - (c) submission from Dr YEUNG Wai-sing, member of Eastern DC [LC Paper No. CB(2)2101/09-10(06) tabled at the meeting and issued on 20 July 2010].

(Post-meeting note: A submission from the Association Concerning Sexual Violence Against Women received after the meeting was issued to members vide LC Paper No. CB(2)2157/09-10 on 5 August 2010.)

Presentation of views

56. Mr Ferrick CHU of the Equal Opportunities Commission ("EOC") expressed concern that little progress had been made on the following issues: EOC's proposed amendments to the anti-discrimination ordinances in its report to the Government in 1999: under-representation of women in advisory and statutory bodies ("ASBs"); inadequate provision of secluded venues for breastfeeding in public places; review of the Small House Policy; and inadequate effort for the implementation of gender mainstreaming. He said that the Administration should cover those issues in the third report. The views of EOC were detailed in its submission [LC Paper No. CB(2)2071/09-10(07)].

57. Ms AU YEUNG Po-chun of Hong Kong Women Development Association ("HKWDA") said that the Administration should consider allocating more resources to the Women's Commission, appointing more female adjudicators to the Obscene Articles Tribunal, enhancing the support services provided to victims of domestic violence, allocating more resources to provide leadership training to women, assisting women to re-enter the job market through social enterprises, enhancing childcare facilities and services, implementing family-friendly employment practices, and enhancing various healthcare services to ensure equality in access to health facilities by women. Ms AU YEUNG requested the Administration to address those issues in the third report. The views of HKWDA were detailed in its submission

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[LC Paper No. CB(2)2101/09-10(03) tabled at the meeting and issued on 20 July 2010].

58. Miss CHAN Man-wai of Action for Reach Out ("ARO") said that sex workers were being discriminated against and marginalised. As the outline of the third report was too general, she suggested that it should include the following subjects: stereotyping and prejudices against sex workers; exploitation of sex workers; and equality in employment and labour rights of sex workers. The views of ARO were detailed in its submission [LC Paper No. CB(2)2101/09-10(07) issued on 20 July 2010].

59. Miss Clara FOK of Amnesty International Hong Kong ("AIHK") expressed concerns about the low representation of women in public offices, low status and insufficient authority of the Women's Commission, and inadequate protection for women against domestic violence. Miss FOK requested the Administration to address these concerns in the third report. The views of AIHK were detailed in its submission [LC Paper No. CB(2)2101/09-10(08) issued on 20 July 2010].

60. Miss TSUI Ka-wing of Hong Kong Human Rights Monitor ("HKHRM") said that the Administration should give a full account of the issues raised by HKHRM in its submission in the third report [LC Paper No. CB(2)2101/09-10(09) issued on 20 July 2010]. She expressed concerns on the following subjects: the EOC's proposed amendments to the Sex Discrimination Ordinance; implementation of gender mainstreaming; gender budgeting, equal representation of women in political and public life; and family reunion of Mainland mothers and their adult children in Hong Kong.

61. Mr CHAN Chung-yau of Democracy Youth said that the Administration had not set out the measures to prevent domestic violence in its paper. He said that despite a decline in the number of domestic violence cases from 2 505 in 2007 to 2 341 in 2008, the Administration should work towards eliminating domestic violence and adopt a zero-tolerance position.

62. Ms CHUNG Kwan-chun, Member of Sai Kung DC, said that the Women's Commission was not given sufficient resources to promote the well-being and interests of women in Hong Kong. Unlike the Elderly Commission and the Commission on Youth, the Women's Commission did not have the resources to subsidise non-government organisations to launch programmes for women. Ms CHUNG also expressed concern about the inadequate provision of health facilities to women. She pointed out there were only two Women's Clubs located in Lam Tin and Tseung Kwan O to

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serve all the women in Sai Kung and Tseung Kwan O districts. The opening hours of the two Clubs were inconvenient to working women, not to mention that they had a limited quota of consultation sessions. She urged the Administration to consider allocating more resources to the Women's Commission, prolonging the opening hours of the two Women's Clubs, increasing the number of consultation sessions in the two Clubs, and enhancing healthcare facilities to ensure women's right to access to health services, especially those from grassroots.

63. Ms AU Mei-po of the Association for the Advancement of Feminism ("AAF") expressed dissatisfaction that the Administration had only provided an outline of the third report without giving details of its contents for the public's comments, the Women's Commission had a low status, and the selection panel to recruit the Chairperson of EOC in 2009 consisted of men only. Ms AU doubted whether the Administration was sincere about promoting the well-being and interests of women and queried how the Administration would deal with the views received on the outline of topics. The views of HKHRM were detailed in its submission [LC Paper No. CB(2)2141/09-10(01) issued on 3 August 2010].

64. Ms CHAN Shu-ying, Member of Tuen Mun DC, said that she was also the deputy spokesperson on women policies for the Democratic Party. She advocated the setting up of a dedicated tribunal to deal with domestic violence. She expressed concern that the existing working target of 25% as a gender benchmark for appointments to ASBs did not comply with the international standards and the FC system was discriminatory against women. Ms CHAN urged that more resources should be provided to carers support service in view of the aging population. The views of Ms CHAN were detailed in its submission [LC Paper No. CB(2)2101/09-10(04) tabled at the meeting and issued on 20 July 2010].

65. Miss SZE Lai-shan of Society for Community Organisation ("SOCO") expressed concern about the hardships in terms of poverty faced by women from grassroots, as new arrivals and on two-way permits. She pointed out that these women had difficulties in taking up full-time jobs because of the need to take care of children, social discrimination, ineligibility to social benefits and lack of child care services. She criticised that the Administration and the Women's Commission had failed to devise appropriate support measures for these women. The views of SOCO were detailed in its submission [LC Paper No. CB(2)2101/09-10(05) tabled at the meeting and issued on 20 July 2010].

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Discussion with members

Status of Women's Commission (Article 2)

66. Ms Emily LAU said that in the Concluding Comments issued by the UN Committee on the Elimination of Discrimination against Women ("the UN Committee") on the HKSAR's first report, the UN Committee had recommended the setting up of a high-level central mechanism for development and coordination of a women-focused policy. As the Women's Commission did not perform the functions of formulation and review of policies, legislation and budget for women, Ms LAU sought the views of deputations on whether a high-level central mechanism should be set up under the Executive Council.

67. Ms AU Mei-po of AAF said that the Women's Commission lacked authority and resources to promote the well-being and interests of women. Given its low status, its work had not achieved the desired result. In order to enhance its status, she suggested that the Women's Commission should report directly to CE.

68. Echoing the concern about the low status of the Women's Commission, Ms CHAN Shu-ying, Member of Tuen Mun DC said that the Women's Commission had published reports touching on a wide range of issues relating to women. However, she doubted very much adequate importance had been attached to these reports.

69. Mr Ferrick CHU of EOC said that ideally the Administration should set up a high-level centralised mechanism for development and coordination of a women-focused policy. Despite the absence of such a mechanism, there would be improvement on various policy areas if government departments and their officials adopted a proactive attitude in implementing gender mainstreaming.

Gender mainstreaming (Article 3)

70. Miss Emily LAU expressed concern that despite gender mainstreaming had been implemented in Hong Kong for about 10 years, many government officials and the public still did not have a good understanding of the concept. She questioned how the Administration could implement CEDAW in Hong Kong effectively under the circumstances. She sought the views of deputations on the subject.

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71. Ms AU Mei-po of AAF said that given that gender mainstreaming was not a compulsory requirement for government departments in formulating their policies and programmes, it would be difficult to expect government officials to put it into practice. The fact that the composition of the EOC Chairperson's interviewing panel was all men had indicated that gender mainstreaming had not been implemented in practice. AAF had monitored the implementation of gender mainstreaming in many government departments and found that many civil servants had a vague understanding of the concept. She wondered whether civil servants had received adequate training on gender issues and gender sensitivity in their day-to-day work and whether the training had been effective. In her view, the slow progress of applying gender mainstreaming in public policies was partly due to the low status and lack of authority of the Women's Commission.

Women's political representation and participation in public affairs (Article 7)

72. Ms Audrey EU said that the problem of under-representation of women in political and public life boiled down to the question of whether there was an adequate number of women to serve on ASBs. She enquired whether the deputations had ever recommended female representatives to serve on the relevant ASBs at the invitation of the Administration.

73. Mr Ferrick CHU of EOC said that EOC had not recommended any women to the Administration for appointment to ASBs. He considered that gender balance in ASBs hinged very much on the attitude of the relevant government officials.

74. Ms CHAN Shu-ying, Member of Tuen Mun DC said that while DC members had the opportunity to be appointed as a member of other committees, they had rarely been invited to serve on ASBs. Her affiliation with the Democratic Party might have lowered her chance of being appointed to serve on ASBs. In her view, the Administration had not done enough to encourage women representation in public affairs.

75. Ms AU YEUNG Po-chun of HKWDA said that she was aware that some front-line district organisations had recommended female representatives to serve on district-based advisory committees. Given that not many women had participated in public affairs, very few women had been recommended to serve on committees at central level. She was aware that the Administration had strived to improve that area of work and had invited HKWDA to nominate female representatives to service on certain

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committees through the Central Personality Index System. However, she had no idea about the criteria for appointment to ASBs.

76. Ms AU Mei-po of AAF said that members of AAF had never been invited to serve on any ASBs. While AAF had passed the qualification of its chairman for the consideration of the Administration, no invitation had been made.

77. Ms CHUNG Kwan-chun, Member of Sai Kung DC said that she was the Chairperson of a women committee under DC. At the invitation of HAD, she had recommended three women to serve as members of a branch committee. The Administration had appointed one woman at the end and she had no idea about the criteria for appointment.

78. Ms Emily LAU said that the Administration had explained that the appointments to ASBs were made on the basis of the merit of the individual concerned, taking into account the individual's ability, expertise, experience, integrity and commitment to public service, etc, and having regard to the nature of work of the board or committee concerned. Noting that 40 out of 400 ASBs had no representation of women, including seven DCs with no female appointed members, she found it unbelievable that there was no woman qualified for those appointments in Hong Kong. She recalled that the Administration had previously explained that some members serving on ASBs were recommended by the relevant organisations and not the Administration. In addition, the Administration had rejected the recommendations of some government departments for appointing more men to certain ASBs which fell short of gender benchmark for appointments. Ms LAU sought the views of deputations on the issue.

79. Ms AU YEUNG Po-chun of HKWDA said that as the Administration had not set up a high-level central mechanism for development and coordination of a women-focused policy, there were insufficient resources to promote women policies, to encourage women participation in public affairs, and to provide leadership training for women. As a result, there was low representation of women in public life.

80. Ms AU Mei-po of AAF said that apart from providing a framework for gender benchmark for appointments to ASBs, complementary measures, such as the provision of childcare facilities and services in the offices of public bodies, should be put in place to facilitate women to participate in public affairs. The Administration should also step up its effort to promote CEDAW.

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81. Ms CHAN Shu-ying of Tuen Mun DC said that she did not know the Administration's criteria for appointing women to ASBs. To her understanding, many woman associations had not been invited to nominate representatives who had ample experience and knowledge on women issues to serve on the Women's Commission. On the other hand, the Administration had appointed a male DC member who had no relevant background to the Women's Commission.

Response of the Administration

82. SLW thanked the views of deputations. In response to the concerns raised by members and the deputations, SLW said that -

- (a) while the Administration had always strived to enhance women's participation in public affairs, there would still be room for improvement. The gender benchmark for appointments to ASBs had been raised from 25% to 30% since 1 June 2010. In fact, the gender benchmark had already reached 28.1% in 2008. However, it would take time to groom and encourage women to participate in public affairs;
- (b) the percentage of women working at the directorate level in the civil service surpassed 30% in 2008 and seven out of the current 17 Permanent Secretaries were women. It was envisaged that the number of female directorate officers would continue to grow in the coming 10 years;
- (c) the Administration would continue to promote gender mainstreaming. So far, training had been provided to over 4 000 civil servants. Apart from class-room training, the Administration had launched in January 2009 a gender-related online training programme to facilitate self-learning by civil servants. Gender mainstreaming was also applied to the design of the new government headquarters in the Tamar site with the provision of non-reflective floor tiles, nursery rooms, venues for breastfeeding, etc. to cater for the needs of women and mothers;
- (d) on measures to protect women, the Administration had introduced amendments to the Domestic Violence Ordinance (Cap. 189) (amended as Domestic and Cohabitation

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Relationships Violence Ordinance) and stepped up efforts to provide assistance to victims of domestic violence. This included providing training to the Police and social workers to enhance their sensitivity in handling domestic violence cases, increasing the number of Family and Child Protective Services Units which were dedicated to handle domestic violence cases in the Social Welfare Department, and providing legal aid and shelter places for victims of domestic violence, etc.;

- (e) the Women's Commission had discharged its function well by providing advice to the Government on a wide range of issues relating to women. While the Women's Commission was neither an executive nor a funding body, it had provided useful advice to the Administration on the promotion of gender mainstreaming, upgrading of the gender benchmark for appointments to ASBs, prevention of domestic violence and self-learning programme for women including new arrival women, etc.; and
- (f) it was the established practice of the Administration to provide an outline of the HKSAR report to be submitted under various international human rights treaties for public consultation prior to the preparation of the relevant report. In this connection, the Administration would take into account the views expressed by Members and the public when compiling the third report under CEDAW. In addition, the third report would also give a factual account of the situation of women in Hong Kong.

83. Ms Emily LAU did not subscribe to the view that the functions of the Women's Commission were equivalent to those of a high-level central mechanism advocated by the UN Committee. She pointed out that the Women's Commission did not formulate policies, legislation and budgets relating to women, nor assess the impact of government policies on women. For instance, the Women's Commission had never offered views to the 40 odd government departments on the impact of education, transport, health and finance policies on women.

84. SLW noted that from the perspective of the Administration, the Women's Commission had performed the role of a high-level central mechanism for development and coordination of a women-focused policy. Over the years, the Women's Commission had provided concrete advice and guidance to the Administration on issues relating to women including the

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implementation of strategies and allocation of resources for the well-being and interests of women. Principal Assistant Secretary for Labour and Welfare (Welfare)2 supplemented that the Women's Commission held meetings once every two months to discuss a wide range of issues including domestic violence, childcare facilities and services, women representation in ASBs, welfare for women, etc.. Representatives of relevant policy bureaux and departments were invited to attend those meetings and they would take into account the advice of the Women's Commission in formulating their policies and programmes where appropriate. At Ms LAU's request, the Administration undertook to provide after the meeting a list of policy areas which had been reviewed by the Women's Commission.

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(Post-meeting note: The information provided by the Administration was issued to members vide LC Paper No. CB(2)2215/09-10 on 31 August 2010.)

85. Ms Emily LAU said that the Administration should continue to reject the recommendations of government departments for appointing new male members to ASBs which had not met the 30% gender benchmark. SLW responded that government bureaux and departments were required to observe the 30% gender benchmark and would strive to exceed the benchmark, if possible.

86. In response to Ms Emily LAU's enquiry, Deputy Secretary for Labour and Welfare (Welfare)1 said that the Administration would submit the third report to the Central People's Government as soon as the drafting of the report was completed. He expected that the third report of HKSAR, which would form part of China's 7th and 8th combined report, would be submitted to the UN Committee at the end of 2010 or early 2011.

87. The meeting ended at 5:25 pm.