

**Bills Committee on Chief Executive Election (Amendment) Bill 2010
and Legislative Council (Amendment) Bill 2010**

Follow up to Meeting on 10 January 2011

**Voting System for the District Council Subsectors Election under the
Election Committee**

In response to members' requests at the meeting on 10 January 2010, this paper provides the information on the voting system for the District Council ("DC") subsectors election under the Election Committee ("EC").

2. The Administration proposes to continue to adopt the "bloc vote system" for the DC subsectors election because this system has been in use for many years and political parties, candidates and electors are most familiar with its operation. Furthermore, the system is currently adopted in returning seats for all EC subsectors. As such, having studied the issue carefully, we consider it appropriate to use the "bloc vote system" in the DC subsectors election.

Other Voting Systems

3. The Administration has considered other voting systems which include:

- (i) the "list proportional representation system" under the "proportional representation system" ;
- (ii) the "single transferrable voting system" under the "proportional representation system"; and
- (iii) the " preferential elimination system".

(i) *"List proportional representation system"*

4. Currently, this system of voting is adopted in the Legislative Council (LegCo) geographical constituencies ("GC") election. Candidates contest the election by way of a list. If a list contains more than one

name, the names have to be ranked in the order of priority of the group. An elector is entitled to cast a vote for a list but cannot specify his or her support for an individual candidate. The priority of the candidates in the list is determined by respective political parties or the candidates concerned. The number of valid votes cast for the election of the GC will be divided by the number of vacancies to be elected for that GC to arrive at the quota of votes. Each list that gets the quota will have one candidate on the list elected. When not all the vacancies are filled by applying the quota, then the filling of the remaining seat or seats will be decided by the largest remainder of valid votes cast for each list.

(ii) “Single transferrable voting system”

5. Under this system, electors are required to rank candidates in order of preference on the ballot papers. 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 subsequent rounds of count, the value of the surplus votes of elected candidate will be transferred to the candidate who is yet to be elected or eliminated according to the next available preference revealed on the ballot papers for such elected candidate. If a candidate receives votes equal to or greater than the quota, he or she 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 candidate who is yet to be elected or eliminated according to the next available preference revealed on the ballot papers for such eliminated candidate. The process will continue until all vacancies are filled.

(iii) “Preferential elimination system”

6. This system is adopted for returning seats for the Heung Yee Kuk, Agriculture and Fisheries, Insurance, and Transport functional constituencies of the LegCo. Under this system, electors are required to rank candidates in order of preference on the ballot papers. Any candidates who receive a number of first preference votes greater than 50% of all the valid votes will be elected. Where no candidate has been declared elected, candidate with the least number of votes will be eliminated and his votes will be transferred to the remaining candidate who is yet to be elected or eliminated according to the next available preference revealed on the ballot papers of the eliminated candidate. An examination will then be made whether any candidate has obtained a majority vote, and if so, the

candidate will be elected. Where still no candidate has obtained a majority vote, the process will continue until a candidate is elected.

Factors for Consideration

7. To enhance the democratic elements of DC subsectors election, we propose that only elected DC members are qualified to be registered as electors, nominate candidates and stand for election. For the next term of DC, 412 elected members will be returned and the number of seats for DC subsectors will be increased from 42 for the current term to 117 for the next term. If the “list proportional system” is adopted, a candidate for a DC subsector will only need to obtain 3.5 votes to be elected, or only three or even two votes are needed for a candidate to be allocated a seat under the largest remainder formula. This will undermine the representativeness and credibility of the elected members.

8. Under the “single transferrable voting system”, electors are required to rank candidates in order of preference on the ballot papers. As there will be 57 and 60 seats respectively for the two DC subsectors, electors have to rank the order for 57 or 60 candidates according to their choice. Furthermore, the order of preference for candidates differs from one elector to another. As such, if this system is adopted for DC subsectors election, the operation will be very complicated. Given that this system of voting has not been used in the LegCo, DC, EC and Chief Executive elections at present, electors are not familiar with such system.

9. Under the “preferential elimination system”, a candidate needs to obtain an absolute majority of votes in order to be elected. Therefore, this system of voting is more suitable for election where a single seat is to be returned.

Conclusion

10. The “bloc vote system” has been in use for elections of all subsectors for many years. Given the proportion of seats to votes is rather small for DC subsectors, we consider it appropriate to retain the “bloc vote system”, which electors are more familiar with and which is simpler to operate, to enhance the legitimacy of elected members.