

立法會
Legislative Council

Ref : CB2/SS/9/12

LC Paper No. CB(2)426/13-14
(These minutes have been seen
by the Administration)

Subcommittee on District Councils Ordinance
(Amendment of Schedule 3) Order 2013

Minutes of the third meeting
held on Saturday, 12 October 2013, at 9:00 am
in Conference Room 1 of the Legislative Council Complex

- Members present** :
- Hon IP Kwok-him, GBS, JP (Chairman)
 - Hon Frederick FUNG Kin-kee, SBS, JP (Deputy Chairman)
 - Hon Emily LAU Wai-hing, JP
 - Hon Cyd HO Sau-lan
 - Hon Claudia MO
 - Hon Gary FAN Kwok-wai
 - Hon MA Fung-kwok, SBS, JP
 - Hon LEUNG Che-cheung, BBS, MH, JP
 - Dr Hon Elizabeth QUAT, JP
 - Hon TANG Ka-piu
 - Hon Christopher CHUNG Shu-kun, BBS, MH, JP
- Members absent** :
- Hon Starry LEE Wai-king, JP
 - Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
 - Hon Mrs Regina IP LAU Suk-ye, GBS, JP
 - Hon Paul TSE Wai-chun, JP
 - Hon WONG Yuk-man
 - Hon James TIEN Pei-chun, GBS, JP
 - Hon CHAN Han-pan
 - Dr Hon Kenneth CHAN Ka-lok
 - Dr Hon Helena WONG Pik-wan
- Public Officers attending** :
- Mr Gordon LEUNG
Deputy Secretary for Constitutional and Mainland Affairs

 - Ms Anne TENG
Principal Assistant Secretary for Constitutional and Mainland Affairs

Miss Selina LAU
Senior Government Counsel
Department of Justice

Mr Ronald CHAN
Political Assistant to Secretary for Constitutional and
Mainland Affairs

Attendance by : Right of People's Livelihood & Legal Association HK
invitation

Mr Tim LEE
President

Civic Party

Mr LOUIE Him-hoi
Kowloon East District Developer

Democratic Party

Mr TSOI Yiu-cheong
Convenor, Constitutional Group

Mr Raymond HO Man-kit
Member of Sai Kung District Council

Ms CHAU Chuen-heung, BBS, MH, JP
Vice-Chairman of Islands District Council

Yat Tung Community Network Association

Mr KWOK Chung-man

Tseung Kwan O Community Services & Planning
Development Committee

Mr YU Hon-lun

Labour Party

Mr CHENG Sze-lut
Vice-Chairman

Mr WONG Fuk-kan
Member of Islands District Council

Clerk in attendance : Ms Joanne MAK
Chief Council Secretary (2) 3

Staff in attendance : Mr Kelvin LEE
Assistant Legal Adviser 1

Miss Cindy HO
Senior Council Secretary (2) 3

Mrs Fanny TSANG
Legislative Assistant (2) 3

Action

I. Application for late membership
[LC Paper No. CB(2)18/13-14(01)]

Members agreed to accept Mr Gary FAN's application for late membership.

II. Meeting with the Administration
[CMAB C2/23, LC Paper Nos. CB(3)739/12-13, LS68/12-13 and CB(2)1816/12-13(01)]

2. The Subcommittee deliberated (index of proceedings attached at **Annex**).

Admin 3. The Subcommittee requested the Administration to provide information on the projected population of Islands District as at mid-2015 for members' reference. The Administration was also requested to relay members' concerns on other issues relating to DCs to the Home Affairs Bureau for consideration.

(Post-meeting note: The Administration provided supplementary information on 22 October 2013 vide LC Paper No. CB(2)97/13-14(01).)

4. The Subcommittee completed the scrutiny of the District Councils Ordinance (Amendment of Schedule 3) Order 2013 ("the Order"). The Subcommittee supported the Administration giving fresh notice to move a

motion on the Order at the Council meeting of 6 November 2013. Members agreed that the Subcommittee would report its deliberations to the House Committee on 25 October 2013. The deadline for giving notice of amendments to the Order was 30 October 2013.

III. Any other business

5. There being no other business, the meeting ended at 10:55 am.

Council Business Division 2
Legislative Council Secretariat
3 December 2013

**Proceedings of the third meeting of the
Subcommittee on District Councils Ordinance
(Amendment of Schedule 3) Order 2013
on Saturday, 12 October 2013, at 9:00 am
in Conference Room 1 of the Legislative Council Complex**

Time Marker	Speaker(s)	Subject(s)	Action required
000210 - 000316	Chairman	Members' agreement to accept Mr Gary FAN's application for late membership.	
000317 - 000701	Chairman	Opening remarks Written submissions from individuals/organizations not attending the meeting [LC Paper Nos. CB(2)1852/12-13(03) to (04)].	
000702 - 001225	Chairman Ms Emily LAU Administration	Briefing by the Administration on its letter dated 11 October 2013 [LC Paper No. CB(2)62/13-14(01)].	
001226 - 001542	Chairman Civic Party	Presentation of major views - (a) views on the basis of the calculation of the proposed increase in the number of elected seats for relevant District Councils ("DCs"); (b) the proposed increase of elected seats should be allocated to the respective DCs based strictly on the number of seats calculated according to the population quota of 17 000; and (c) ex-officio seats in DCs should be abolished.	
001543 - 001916	Chairman Democratic Party	Presentation of major views - [LC Paper No. CB(2)62/13-14(02)] (a) for DCs where the calculated number of seats was lower than the existing number of seats, the number of elected seats should be reduced so as to reflect changes in population distribution; (b) the constituency demarcation exercise should be conducted by the Electoral Affairs Commission ("EAC") with greater transparency; and	

Time Marker	Speaker(s)	Subject(s)	Action required
		(c) the electoral method for returning DC seats should be reviewed and consideration should be given to adopting the "proportional representation system".	
001917 - 002235	Chairman Mr Raymond HO	<p>Presentation of major views -</p> <p>(a) discrepancy was found in the population projection by the Administration and those by other parties;</p> <p>(b) the proposed increase of three elected seats for Sai Kung DC should be allocated to the new residential areas in Tseung Kwan O;</p> <p>(c) major changes to the boundaries of existing DC constituency areas ("DCCAs") would disrupt the established cohesiveness of local communities; and</p> <p>(d) anticipated increase in population in new towns beyond mid-2015 was not taken into account in the current exercise.</p>	
002236 - 002557	Chairman Ms CHAU Chuen-heung	<p>Presentation of major views - [LC Paper No. CB(2)1852/12-13(02)]</p> <p>(a) an additional elected seat should be provided to Islands DC given the large area covered and the rapid development in Tung Chung; and</p> <p>(b) for other DCCAs in Islands District which fell short of the population quota, the number of elected seats should not be reduced given the large area covered and geographical features.</p>	
002558 - 002841	Chairman Yat Tung Community Network Association	<p>Presentation of major views -</p> <p>(a) increasing the number of elected seats had nothing to do with enhancing the role and functions of DCs;</p> <p>(b) the disparity of elected DC membership among DCs should be addressed; and</p> <p>(c) views on the electoral method for returning DC members.</p>	

002842 - 003158	Chairman Tseung Kwan O Community Services & Planning Development Committee	Presentation of major views - (a) early completion of the constituency demarcation exercise would facilitate the early preparation of prospective candidates for taking part in the 2015 DC Election; (b) the relevant factors which would be taken into account by EAC in the demarcation exercise, such as local factors (e.g. prevalence of subdivided flats in Yau Tsim Mong District); and (c) how the allocation of resources to DCs would be affected after the addition of elected seats to relevant DCs.	
003159 - 003511	Chairman Labour Party	Presentation of major views – (a) the small size of DC constituencies was not conducive to the overall planning and provision of district services; (b) the established cohesiveness of the local communities should be duly recognized in the demarcation exercise; and (c) there should be further delegation of powers to DCs in district administration.	
003512 - 003751	Chairman Mr WONG Fuk-kan	Presentation of major views - [LC Paper No. CB(2)1845/12-13(01)] (a) DCCA T01 (Lantau) should be re-delineated into two as it was used to be in the early 1990s; and (b) difficulties in reaching out to the remote part of the constituency.	
003752 - 004256	Chairman Administration	The Administration's overall response to deputations' concerns expressed at the meeting.	
004257 - 004501	Chairman Right of People's Livelihood & Legal Association HK	Presentation of major views - [LC Paper No. CB(2)1852/12-13(01)] (a) expression of support for the proposed increase in the number of elected seats for DCs; and (b) appointed DC members might not always represent the interests of the people.	

004502 - 004826	Chairman Ms Cyd HO Mr WONG Fuk-kan	Ms Cyd HO acknowledged the need to provide more seats to Islands DC so as to cope with the development of Tung Chung and the large area covered by DCCA T01 (Lantau).	
004827 - 005354	Chairman Ms Emily LAU Ms CHAU Chuen-heung Democratic Party Labour Party	Discussion on the measures to enhance the role and functions of DCs.	
005355 - 005909	Chairman Ms Claudia MO Administration Tseung Kwan O Community Services & Planning Development Committee	Ms Claudia MO's concerns about the Administration's failure to take heed of members' call for providing more seats for Islands DC despite its unique geographical characteristics. The Administration's response to Ms MO's concern regarding the method of calculating the projected population for each district.	
005910 - 010430	Chairman Mr LEUNG Che-cheung Administration	Mr LEUNG Che-cheung queried why no additional seats were proposed for Islands DC despite the substantial population increase in Tung Chung since the last demarcation exercise.	
010431 - 011002	Chairman Mr TANG Ka-piu Administration Yat Tung Community Network Association	Discussion on the population projection as at mid-2015 adopted by the Administration. Mr TANG Ka-piu's views that such projection had failed to reflect the on-going development of Tung Chung; and the incumbent DC members servicing Tung Chung North and Tung Chung South had to cope with very heavy workload given the rapid rise in population.	
011003 - 011611	Chairman Mr Christopher CHUNG Administration	Mr Christopher CHUNG's suggestions that - (a) the Administration should allocate additional resources to strengthen the manpower of the secretariats of the respective DCs to enhance support for DC operation; (b) allocation of funding to districts should have regard to the size of membership of the relevant DCs; and (c) travelling expenses incurred by DC members in undertaking official visits should be reimbursed on an accountable basis. The Administration's response that matters relating to support to DC operation were under the purview of the Home Affairs Bureau.	Admin (paragraph 3 of the minutes)

011612 - 012118	Chairman Ms Emily LAU Administration	Ms Emily LAU's expression of views on the following issues - (a) incumbent DC members servicing Tung Chung North and Tung Chung South would have to cope with additional workload upon the completion of new residential developments in future; and (b) delineation of DCCAs should be conducted by EAC with greater transparency.	
012119 - 012605	Chairman Mr TANG Ka-piu Ms CHAU Chuen-heung Administration Mr WONG Fuk-kan	Discussion on the current level of population of Tung Chung and the expected increase brought about by the completion of new residential developments over the next few years. The Administration undertook to provide information on projected population of the Islands District for members' reference. Mr TANG Ka-piu's reiteration of concern that the large area covered by DCCA T01 (Lantau) had created heavy workload for the DC member concerned.	Admin (paragraph 3 of the minutes)
012606 - 012839	Chairman Ms Cyd HO Administration	Ms Cyd HO's view that in the last demarcation exercise, the boundaries of 113 DCCAs had been changed and this might affect the relationship established between the incumbent DC members and local residents. The Administration's response to Ms HO's proposal of maintaining the "single seat, single vote system" in rural DCs while adopting "proportional representation system" in other DCs.	
012840 - 013043	Chairman Mr TANG Ka-piu Administration	Mr TANG Ka-piu's enquiry on whether the Administration would revise its proposal having regard to the concerns raised by members and deputations.	
013044 - 013213	Chairman Ms Emily LAU Administration	Ms Emily LAU called on the Administration to undertake a review of the electoral method for returning DC members. The Administration undertook to bring the views back to the Government for internal consideration.	Admin (paragraph 3 of the minutes)
013214 - 013509	Chairman Mr Frederick FUNG	Mr Frederick FUNG shared deputations' concerns regarding the difficulties encountered by members of Islands DC in servicing their constituents. His concerns that in the last demarcation exercise, the addition of seats had caused substantial changes to the boundaries of some DCCAs in Sham Shui Po	

		District, hence disrupting the established cohesiveness of local communities.	
013510 - 014425	Chairman Administration Mr TANG Ka-piu	<p>Referring to the 12 DCCAs which were allowed to exceed the population quota by more than 25% as set out in Annex 2 to the Administration's letter dated 11 October 2013, the Chairman expressed concern that the extent of deviation could be very large, as in the case of Yuen Long and Kwun Tong Districts (e.g. the population in a constituency (Po Tat) of Kwun Tong District had exceeded the population quota by 43.28%). He asked if the Administration would deal with the situation in the current exercise. The Administration's response that this would be dealt with by EAC in the demarcation exercise through creating new DCCAs in the relevant districts where appropriate.</p> <p>The Chairman was concerned that DC members servicing Tung Chung might not be able to cope with the additional workload given that the population growth of Tung Chung beyond 2015 could be quite substantial. The Administration's explanation on the methodology adopted in compiling the population projection. Mr TANG Ka-piu's view that the issue of DCCA T01 could not be addressed merely by re-delineation of that constituency.</p>	
014426 - 014604	Chairman Ms Emily LAU Administration	Ms Emily LAU's views that the Administration should consider adopting "proportional representation system" for returning DC members.	
014605 - 015149	Chairman Administration	Scrutiny of the provisions of the Order [LC Paper No. CB(2)1816/12-13(01)].	
015150 - 015518	Chairman Administration Ms Emily LAU	<p>The Administration undertook to provide information on the projected population of Islands District for members' reference.</p> <p>Legislative timetable</p> <p>The Subcommittee agreed to report its deliberations to the House Committee on 25 October 2013.</p>	Admin (paragraph 3 of the minutes)
015519 - 015535	Chairman	Closing remarks	