

立法會
Legislative Council

LC Paper No. CB(2)1745/12-13

(These minutes have been seen
by the Administration)

Ref : CB2/PL/HA

Panel on Home Affairs

**Minutes of meeting
held on Friday, 12 July 2013, at 8:30 am
in Conference Room 2 of the Legislative Council Complex**

Members present : Hon MA Fung-kwok, SBS, JP (Chairman)
Dr Hon Kenneth CHAN Ka-lok (Deputy Chairman)
Hon WONG Kwok-hing, BBS, MH
Hon Cyd HO Sau-lan
Hon Starry LEE Wai-king, JP
Dr Hon LAM Tai-fai, SBS, JP
Hon CHEUNG Kwok-che
Hon IP Kwok-him, GBS, JP
Hon Claudia MO
Hon Steven HO Chun-yin
Hon Frankie YICK Chi-ming
Hon WU Chi-wai, MH
Hon YIU Si-wing
Hon LEUNG Che-cheung, BBS, MH, JP
Dr Hon Helena WONG Pik-wan
Hon IP Kin-yuen
Dr Hon CHIANG Lai-wan, JP
Hon Christopher CHUNG Shu-kun, BBS, MH, JP
Hon Tony TSE Wai-chuen

Member attending : Hon James TO Kun-sun

Member absent : Hon CHAN Chi-chuen

**Public Officers : Item III
attending**

Mr TSANG Tak-sing, GBS, JP
Secretary for Home Affairs

Mrs Pamela TAN KAM Mi-wah, JP
Director of Home Affairs

Miss Dora FU Ha-man, JP
Assistant Director of Home Affairs (3)

Item IV

Mr TSANG Tak-sing, GBS, JP
Secretary for Home Affairs

Mrs Pamela TAN KAM Mi-wah, JP
Director of Home Affairs

Ms Mimi LEE Mei-mei, JP
Deputy Director of Home Affairs (1)

Ms Leona LAW Ka-wing, JP
Assistant Director of Home Affairs (1)

**Clerk in : Ms Alice LEUNG
attendance Chief Council Secretary (2) 2**

**Staff in : Mr Bonny LOO
attendance Assistant Legal Adviser 3**

Miss Josephine SO
Senior Council Secretary (2) 2

Miss Jasmine TAM
Council Secretary (2) 2

Miss Emma CHEUNG
Legislative Assistant (2) 2

Action

I. Confirmation of minutes

(LC Paper No. CB(2)1540/12-13)

The minutes of the meeting held on 28 May 2013 were confirmed.

II. Information papers issued since the last meeting

(LC Paper Nos. CB(2)1411/12-13(01), CB(2)1426/12-13(01), CB(2)1445/12-13(01)&(02), CB(2)1542/12-13(01), CB(2)1551/12-13(01) and CB(2)1608/12-13(01))

2. Members noted that the following papers had been issued since the last meeting -

- (a) Referral memorandum from the Public Complaints Office of the Legislative Council ("LegCo") Secretariat relating to the Government's policy on anti-discrimination against new arrivals from the Mainland and the support and assistance for these new arrivals;
- (b) Administration's letter dated 18 June 2013 providing supplementary information on Leisure and Cultural Services Department's acquisition and commissioning of artworks by local artists;
- (c) Letter dated 18 June 2013 from Dr Hon Kenneth CHAN concerning the Government's policy on promoting street performance;
- (d) Letter dated 18 June 2013 from Dr Hon Kenneth CHAN on matters relating to street sleepers concerning home affairs;
- (e) Matter arising from the meeting of the Panel on Development ("the DEV Panel") held on 25 June 2013 relating to the monitoring of private recreational leases ("PRLs");
- (f) Administration's response to the letter from Dr Hon Kenneth CHAN dated 18 June 2013 about the matters relating to street sleepers concerning home affairs; and
- (g) Administration's response to the letter from Dr Hon Kenneth CHAN dated 18 June 2013 concerning the policy on promoting street performance.

Action

Government's policy on and measures for promoting street performance

3. Regarding the Deputy Chairman's letter and the Administration's response dated respectively 18 June and 11 July 2013 referred to in paragraph 2(c) and (g) above, the Chairman advised that at the meeting of the Panel on Food Safety and Environmental Hygiene ("the FSEH Panel") on 9 July 2013, a member had also expressed concern on the subject of promoting street performance. As matters relating to street performance fell under the purview of the Panel on Home Affairs ("the HA Panel"), the FSEH Panel agreed that the issue be referred to the HA Panel for follow-up.

4. The Deputy Chairman and Mr IP Kwok-him both considered it necessary for the HA Panel to discuss the matter at a future meeting. The Chairman suggested and members agreed that the item be included in the Panel's list of outstanding items for discussion. The Panel would decide on the timing for discussing the item at a later stage.

Matters relating to street sleepers

5. The Chairman advised that the Panel on Welfare Services ("the WS Panel") had discussed the item "Support for street sleepers who are not on Comprehensive Social Security Assistance" at its meeting on 10 June 2013 and members of the HA Panel were invited to attend the meeting. At the meeting, members were concerned about the recent incident where street sleepers living under the Ferry Street Flyover were evicted from the area due to the community greening project commissioned by the Yau Tsim Mong District Council and to be conducted underneath the Flyover. The Chairmen and Deputy Chairmen of the HA Panel and the WS Panel had made a visit to the street sleepers concerned last week. There was a suggestion that the two Panels should hold a joint meeting to discuss the support services for street sleepers and the co-ordination between government departments in the provision of such services.

6. Members agreed to hold a joint meeting with the WS Panel. The Clerk would consult the Chairmen of the two Panels on the date of the meeting.

(Post-meeting note: With the concurrence of the Chairmen of the HA Panel and the WS Panel, the joint meeting was scheduled for Monday, 22 July 2013, from 4:30 pm to 6:00 pm to discuss the item "Concerted efforts to assist street sleepers".)

Implementation of the Yau Ma Tei Theatre Phase II project

7. Mr IP Kwok-him expressed concern about the progress of the latest development regarding the Administration's proposal to re-provision the Shanghai Street refuse collection point and street sleepers' services units to

Action

facilitate the implementation of the Yau Ma Tei Theatre Phase II project. Noting that the Administration was considering members' views raised at the HA Panel meeting on 15 April 2013, he hoped that the Administration would come up with a feasible solution which could balance the interests of all stakeholders and revert to the Panel as early as possible on how it would take forward the project.

8. The Chairman said that to his understanding, the Administration needed time to consider members' views and suggestion before reverting to the Panel.

Proposal for setting up a joint subcommittee to monitor and review government policies relating to the grant of land under PRLs

9. The Chairman said that at the meeting of the DEV Panel on 25 June 2013, members of the DEV Panel supported the proposal of Mr Gary FAN for the setting up of a joint subcommittee with the HA Panel to monitor and review government policies relating to the grant of land under PRLs and to study related issues. The Chairman of the DEV Panel had requested that Mr FAN's proposal be considered by the HA Panel.

10. Before inviting members' views on the proposal, the Chairman drew members' attention to the latest position of subcommittees on policy issues in action and on the waiting list. As at the date of this meeting, there were a total of eight subcommittees on policy issues, either under the House Committee or under Panels, in action and four subcommittees on policy issues under Panels were on the waiting list. The Chairman said that other than the proposed establishment of a joint subcommittee, members might consider other options for following up the matter. For example, the HA Panel could hold a joint meeting with the DEV Panel or request the Administration to regularly report to the HA Panel on the progress of the renewal of PRLs and, when the matter was discussed by the HA Panel, invite members of the DEV Panel to join the discussion.

11. Mr WONG Kwok-hing said that as there were already four subcommittees on the waiting list pending activation, a more practical approach would be for the two Panels to hold a joint meeting or the HA Panel to continue to follow up the matter with the Administration.

12. Mr IP Kwok-him pointed out that the HA Panel had all along been concerned about and followed up with the Administration on the monitoring of PRLs. In his view, it was more appropriate for the HA Panel to request the Administration to report to it regularly on the progress of the renewal of PRLs as well as the monitoring of facilities that operated under such leases and to invite members of the DEV Panel to join the discussion when the matter was discussed by the HA Panel. Mr IP further said that the quorum

Action

requirement was a factor that should be borne in mind, when considering the proposal of holding joint Panel meetings.

13. The Deputy Chairman said that at the last HA Panel meeting on 14 June 2013, members had passed a motion urging the Government to establish a monitoring and vetting mechanism for the approval and renewal of lands leased under PRLs and further open up such lands for use by the public, so as to safeguard public interests. Members had also requested the Administration to provide supplementary information on a number of issues. He suggested that the Administration should be requested to revert to the HA Panel at the earliest opportunity after the summer break.

14. The Chairman summed up that members of the HA Panel considered it not necessary to form a joint subcommittee to monitor and review the policy on PRLs, and agreed to continue to follow up matters relating to PRLs with the Administration by requesting the latter to regularly report to the HA Panel on the progress of the renewal of PRLs as well as the monitoring of facilities that operated under such leases. When the matter was discussed by the HA Panel in future, members of the DEV Panel would be invited to join the discussion.

III. Support Services for ethnic minorities provided by the Home Affairs Department

(LC Paper Nos. CB(2)1552/12-13(01) and (02))

15. With the aid of powerpoint presentation, Secretary for Home Affairs ("SHA") and Director of Home Affairs ("DHA") briefed Members on the latest position of the support services for ethnic minorities ("EMs") provided by the Home Affairs Department ("HAD"), details of which were set out in the Administration's paper.

(Post-meeting note: The softcopy of the powerpoint presentation material (Chinese version only) was issued to members vide LC Paper No. CB(2)1609/12-13(01) on 12 July 2013.)

Government's efforts in facilitating EMs' integration

16. Mr IP Kwok-him, Mr LEUNG Che-cheung and Dr CHIANG Lai-wan considered that the language barrier problem encountered by EMs was the major obstacle which impeded their integration into the community and affected their employability. In their views, the Government's support services for EMs should focus more on enhancing the Chinese language proficiency, in particular the Chinese writing skill, of EMs. Dr CHIANG suggested that consideration should be given to making it a compulsory requirement for EMs, especially those who were permanent residents of

Action

Hong Kong, to learn Chinese to facilitate their living as well as working in Hong Kong and their integration into the local Chinese community. Mr IP further suggested that the Government should work in collaboration with District Councils and district organizations in the provision of language classes and integration programmes for EMs, as it would be more effective for the Government to bring the support services to the targetted beneficiaries. Mr LEUNG was concerned about the work of the support service centres/sub-centres for EMs and their effectiveness in improving EMs' language proficiency.

17. SHA and DHA responded that to enhance the support services for EMs and to address the needs of individual districts, HAD had set up five support service centres and two sub-centres in different districts, providing tailor-made learning classes, counselling, integration programmes and interpretation services for EMs. DHA further said that other than Chinese staff, the five centres and two sub-centres also employed 66 full-time and five part-time EM staff to provide services for EMs. Generally speaking, the centres were operating very smoothly and the comments from the service users and EM organizations were very positive. EM participants considered that the tailor-made learning classes, such as Cantonese classes, computer classes, after-school remedial classes for EM students helping them to learn Chinese, etc. had strengthened their ability and confidence in adapting to life in Hong Kong.

18. In reply to Mr IP Kin-yuen's enquiry about the Administration's policy objective towards EMs, SHA advised that it was the Government's objective to cultivate a sense of identity as Hong Kong people among EMs and to foster an inclusive society that facilitated the integration of EMs into the mainstream community. To this end, various bureaux and government departments had been providing a range of services to meet the needs of EMs and to help them adapt to life in Hong Kong, such as education support for EM students provided by the Education Bureau ("EDB"), employment training and support for EMs provided by the Labour and Welfare Bureau and the Labour Department, and social welfare services for EM families in need provided by the Social Welfare Department.

19. The Deputy Chairman held the view that the upholding of the principle of equal opportunities in Hong Kong was critical to the well-being of EMs and their integration into the mainstream community. To understand the problems faced by and the needs of EMs, the Deputy Chairman, Mr CHEUNG Kwok-che and Dr Helena WONG considered it necessary for the Administration to conduct thematic studies, in a systematic and focused manner, on issues relating to EMs in such areas as education, employment, housing, use of public services, religion and culture, with a view to formulating a policy with specific action plans for the provision of support services to EMs. The Deputy Chairman also suggested that the Government

Action

should make efforts to raise the awareness and understanding of Hong Kong people about the historical background and cultural difference of different EM groups, as this could help resolve disagreements and disputes as well as facilitate EMs' integration into the local community.

20. Sharing a similar view, Dr LAM Tai-fai asked about the efforts of the Government in promoting mutual respect and understanding between the local Chinese population and EMs. He said that as many EMs belonged to the lower income strata, education and training would be an important government policy enabling their upward mobility in society.

21. SHA responded that he fully agreed that fostering among Hong Kong people a culture of care and respect for EMs would be conducive to the latter's integration into the local community. While the Committee on the Promotion of Civic Education had all along been and would continue to promote and foster a culture of mutual tolerance and respect through public education to enable members of various EM communities to better integrate into the mainstream community, the Leisure and Cultural Services Department as well as district and community organizations also organized a wide range of cultural activities and events at district level to promote integration and encourage communication with EMs. DHA added that HAD had fostered media partnership with the local radio network promoting racial harmony to local Chinese audiences through radio programmes. She undertook to provide the Panel with more detailed information after the meeting.

Admin

22. Mr Frankie YICK said that he had participated in outreaching service organized by the Youth Outreach to young night drifters in Tung Chung. According to his understanding, many EMs had difficulties in integration into the community. The living habit, cultural values and religious rituals and practices of some EMs might affect their education and employment opportunities. He hoped that the Administration would introduce measures to enhance EMs' understanding of Hong Kong in various respects. Mr YICK suggested the Administration to draw reference to the experience of Singapore in the work of fostering social harmony and promoting pluralism for the purpose of creating an accommodating environment for different ethnic groups.

23. SHA responded that the Administration would do its best in providing the necessary support to EMs and enhancing their understanding of Hong Kong. The Administration would consider Mr YICK's suggestion.

24. In response to Mr YIU Si-wing's enquiry, DHA said that among the 451 000 EMs currently residing in Hong Kong, 76% of them came from the six South Asian and Southeast Asian countries (i.e. India, Pakistan, Nepal, Indonesia, Philippines and Thailand). The remaining 24% mainly came from

Action

Europe and the United States. Generally speaking, this group of people did not report any major difficulties in adapting to the life in Hong Kong that required Government's assistance. DHA further said that the Administration was aware of the increase in recent years in the number of Africans residing in Hong Kong. They had access to the support services and assistance, and the Government would review and adjust the services from time to time.

Adequacy of the Administration's support for EMs

25. Expressing concern about the adequacy of Government's support services to meet the needs of EMs, Mr Christopher CHUNG said that consideration should be given to the development of a central service hub and establishment of a committee comprising Government officials from relevant policy bureaux and representatives of EM groups for the co-ordination and monitoring of various services-related initiatives for EMs. Given that a high proportion of the EM population were youths, he further suggested that the Government should make wider use of information technology in disseminating information on public services provided for EMs.

26. In response, SHA and DHA advised that -

- (a) the Government had set up an advisory committee with EMs to collect views and suggestions on the provision of government services for EM groups; and
- (b) at the central level, a working group, comprising representatives from different policy bureaux/government departments, would hold meetings on a need basis to discuss issues straddling different policy areas, such as education and the employment of EMs in the civil service.

27. While appreciating the Administration's efforts in providing support services for EMs, the Chairman was concerned about the number of bullying cases and crimes against/involving EMs over the years. He considered that there was room for improvement in respect of the support services provided by the Government for EMs. In his view, apart from devising a comprehensive policy for EMs, the Administration should make efforts to promote greater cohesion amongst members of EM communities and provide support services to EMs through members of their own communities, as it would be more effective in achieving the intended results. Citing a case of bullying recently reported by the media which occurred among EM children in Hong Kong, Dr Helena WONG asked whether the Administration had learned any lesson from it and taken steps to prevent the recurrence of similar incidents.

Action

28. SHA and DHA responded that the above-mentioned advisory committee provided a platform for EMs and representatives from other government bureaux and departments (including EDB, the Labour Department and the Police) to discuss EMs related issues. The Government had since 2006 commissioned a Pakistani organization and a Nepali organization to set up two community support teams to provide special services for EMs through members of their own community. The services provided by these community support teams included visits, escorting EMs to apply for public services, referral service, after-school tutorial classes, support groups for women and children, as well as integration programmes. According to the survey of EM service users, the services could meet their special needs and promote community care and support.

Admin

29. Mr YIU Si-wing and Dr CHIANG Lai-wan enquired whether the Administration had statistics on the employment situation and salary level of EMs. Mr YIU suggested that the Administration should consider networking and collaborating with the commercial sector in the provision of employment opportunities and vocational training for EMs. DHA noted the suggestion of Mr YIU and undertook to provide the requested statistics after the meeting.

30. Mr CHEUNG Kwok-che noted with concern that various bureaux and departments were providing support services for EMs, without coordination of priorities, in the areas of community services, education, employment assistance, vocational training and retraining, social welfare services, public housing and public healthcare. He considered that the Administration should conduct a long-term study and put forward with a comprehensive policy in this regard. Recognizing the effectiveness of the EM Ambassador Scheme, he hoped that the Administration would make more use of the Scheme to provide support to EMs.

31. In response, DHA said that studies on the backgrounds and needs of EMs had been conducted by making use of the information and data collected from population census/by-census. HAD had commissioned a non-governmental organization to implement the EM Ambassador Scheme since March 2012. The Scheme aimed to provide outreach services to disadvantaged EMs. Persons with similar background and experience were recruited and trained as ambassadors to reach out to the disadvantaged EMs, to build up relationship with them, to care and understand their needs and difficulties, and to introduce to them public services and make referrals to government departments for follow up where necessary. DHA assured Members that the Government would make use of the Scheme to promote the support services for EMs, in view of the positive response to the Scheme.

Education support for EM students

32. Mr WONG Kwok-hing said that education was crucial to the future development of EM children and their integration into the community. He was concerned that many EM children living in the New Territories West, e.g. Tung Chung, had to travel a long way to Chai Wan, to designated schools which admitted non-Chinese speaking ("NCS") students. It was reportedly that some designated schools were implementing "racial and gender segregation" in their teaching. As the policy of segregation would hinder the integration of EM students into the local community, he asked whether and how the Government would address the problem.

33. In response, SHA and DHA advised that -

- (a) the Government attached great importance to the education of EM students. In addition to measures implemented by EDB, inter-departmental meetings had been held on a need basis to review the Government's support services for EMs;
- (b) according to his knowledge, EDB had reviewed the support measures for NCS students implemented since the 2004-2005 school year. Currently, EDB had been providing an additional recurrent grant to some schools admitting NCS students to facilitate schools' arranging specific school-based support measures to cater for the needs of their NCS students. These schools had gradually developed into schools "specialized" in supporting NCS students. They were in general referred to as the so-called "designated schools" by some stakeholders; and
- (c) with a view to providing more school choices to NCS parents and enhancing NCS students' learning effectiveness of Chinese Language, EDB had decided to change the mode of support to schools admitting 10 or more NCS students starting from the 2013-2014 school year. Under the revised mode of support, schools would receive additional recurrent grant to adopt the "Chinese Language Assessment Tools" tailor-made for NCS students to set learning targets and develop teaching strategies for their NCS students.

34. Mr IP Kwok-him said that the Panel on Education ("the ED Panel") had discussed at its meeting on 9 July 2013 the education support for NCS students. As issues relating to the education of NCS/EM students were under the policy portfolio of EDB, he considered it more appropriate for the matters raised by Mr WONG Kwok-hing be followed up by the ED Panel.

Action

Other issues raised

35. Mr LEUNG Che-cheung said that it was his understanding that many EMs, particularly Pakistanis, had difficulty in finding suitable places and venues for conducting religious activities. Mr Christopher CHUNG also said that he had received similar views expressed by some EM communities. They asked about the assistance provided for EMs in this regard.

36. SHA responded that the Administration noted the need of some EM communities for places and venues to conduct religious activities. It would actively explore measures in this regard, including the feasibility of the suggestion of designating specific time slots of community halls/centres for use by EM communities.

IV. Matters relating to rural elections

(LC Paper Nos. CB(2)1523/12-13(01) and CB(2)1552/12-13(03))

37. SHA briefed Members on the improvement measures introduced by the Administration for the Village Representative ("VR") elections and the proposal to bring Kaifong Representative ("KFR") elections under statutory control from the ordinary election in 2015 onwards, as highlighted in the Administration's paper.

Legislative proposal in relation to KFR elections

38. Members, including the Deputy Chairman, Mr Tony TSE, Mr IP Kwok-him and Dr LAM Tai-fai, expressed support for the Administration's proposal to extend the provisions of the Village Representative Election Ordinance (Cap. 576) and other VR-related legislation (including the Electoral Affairs Commission Ordinance (Cap. 541) and the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554)) to cover KFR elections.

39. Mr WONG Kwok-hing was concerned whether the Administration had conducted consultation with the relevant parties on the Administration's proposal to regulate KFR elections by legislation. DHA advised that the proposal was agreed by the Working Group formed between HAD and Heung Yee Kuk ("HYK") ("the Working Group"), members of which included representatives of Rural Committees ("RCs"). The Administration had also consulted the Electoral Affairs Commission ("EAC"), the Cheung Chau Rural Committee ("CCRC") and the Peng Chau Rural Committee ("PCRC") on the proposal to bring KFR elections under statutory control. They all expressed support for the proposal.

Action

40. In reply to a further question from Mr WONG Kwok-hing, DHA said that at present, KFRs made up all of the 39 seats in CCRC and 17 out of the 21 seats in PCRC, with around 8 600 and 3 100 electors respectively. The proposal to bring KFR elections under statutory control sought to improve the electoral arrangements for such elections. The numbers of KFR seats in CCRC and PCRC would not be changed as a result of the introduction of the legislative proposal for KFR election as set out in the Administration's paper.

41. In reply to Mr IP Kwok-him's enquiry about the legislative timetable, DHA advised that the Administration planned to introduce an amendment bill into LegCo in the fourth quarter of 2013, with a view to enacting the legislation by the second quarter of 2014 to allow sufficient time for elector registration and other preparatory work before the next ordinary election took place in early 2015.

Further improvement measures for VR elections

42. Mr IP Kwok-him and Dr LAM Tai-fai expressed support for the Administration's proposal to reduce the number of polling days for the 2015 VR election to three. However, they considered that VR elections should be held on one polling day in the long run.

43. Dr Helena WONG said that Members belonging to the Democratic Party welcomed the improvement measures proposed by the Administration for the conduct of rural elections. Expressing concern about incidents of violence which occurred in past elections and in anticipation of keen competition in the next VR and KFR ordinary elections, she urged the Administration to come up with measures to ensure that candidates would conduct their electioneering activities in a civilized and law-abiding manner.

44. SHA responded that due to manpower constraints, the polling for VR elections had to be conducted over a number of weekends. The Government had been improving the situation by reducing the number of polling days from 12 days in the first statutory VR election in 2003 to 10 days in 2007 and four days in 2011. Subject to availability of manpower and financial resources and the agreement of EAC, it was the aim of the Administration to further reduce the number of polling days for the VR election in 2015 to three, and the Administration's long-term goal was to hold the VR election on one polling day, similar to other public elections sanctioned by EAC. SHA further said that the Government attached great importance to the issue of election-related conflicts and violence. To ensure that the polling would be conducted in an orderly manner, HAD had all along maintained close liaison and communication with the law enforcement agencies. Police officers deployed to polling and counting stations were responsible for maintaining law and order.

Action

45. In response to Mr WONG Kwok-hing's enquiry, DHA advised that an agreement was reached in the Working Group on the proposed reduction in the number of polling days.

Verification of the eligibility of electors and candidates in VR elections

46. Mr LEUNG Che-cheung said that as a resident of the New Territories, he had participated in previous VR elections. He expressed concern about possible abuse of the procedures for lodging claims, objections and reviews in relation to elector registration and the possibility of the lodging of malicious complaints/appeals by a candidate's competitors in the elections for the purpose of depriving the candidate or his/her supporters of their right to be elected or to vote. He asked whether the Administration had contemplated any measure to prevent possible abuse of the existing electoral system.

47. In response, DHA explained that the elector registration for VR elections operated on the basis of an "honour" system. Under the existing mechanism, the relevant provisional registers of electors would be made available for public inspection. Any person who questioned the eligibility of a person whose name appeared on the provisional register might raise objection through a legal proceeding. The Revising Officers ("ROs"), who were magistrates, would make rulings allowing or dismissing such objections. It should however be noted that upon receipt of a complaint, the District Office would conduct investigation into the eligibility of the elector concerned, by cross-checking the registration particulars of the elector concerning his/her status as an indigenous inhabitant or resident of a village. All relevant evidence and information obtained would be placed before ROs for consideration.

48. In response to the questions raised by the Chairman and Mr LEUNG Che-cheung about the verification exercise conducted by the Government to ascertain electors' eligibility, Deputy Director of Home Affairs (1) ("DDHA(1)") advised that to ensure accuracy of the electors' registers of VR elections and to prevent potential vote-rigging, the Government had stepped up its efforts to verify the eligibility of electors. Verification measures included (a) investigating into cases where seven or more electors, or five or more electors with different surnames, registered with the same residential address; (b) performing random checks on other registered electors as well as new applicants; (c) cross-checking the particulars of all electors at least annually against the data records of the Housing Department, the Hong Kong Housing Society, the Registration and Electoral Office and the Immigration Department; and (d) following-up on undelivered election mail/poll card sent to a registered elector and returned to HAD. The Government expected that as a result of the verification exercise, a total of 10 600 persons (representing 6% of some 180 000 registered electors) might be deleted from the registers

Action

of electors in 2012 and 2013. The Administration would continue its efforts on this front as an on-going exercise.

49. DDHA(1) further said that while actions were taken to remove ineligible electors from the registers of VR elections, new electors who applied for registration would be added to the registers. Since the start of the current registration cycle, about 1 700 applications had been received for registration as new electors.

50. Dr LAM Tai-fai was of the view that while it was the responsibility of the Government to ensure that VR elections were conducted in a fair and open manner, the Government, in keeping with its monitoring role, should adopt a gradual and progressive approach in implementing enhancement measures for the conduct of rural elections. The Government should strengthen its educational and promotional efforts to avoid possible violation of election laws by candidates and electors without knowledge on their part.

Measures to encourage participation in VR elections

51. In response to Mr LEUNG Che-cheung's enquiry about the measures taken by the Administration to encourage participation in VR elections, DHA advised that the Government would organize and launch publicity campaigns to encourage eligible persons to register as electors and to cast their votes in VR elections. The campaigns were supported by a range of key publicity programmes, including broadcasting announcements on television and radio, placing advertisements in newspapers, displaying posters, banners and notices in villages, and putting across the message through RCs and the incumbent VRs. HAD staff also appealed to the local community and villagers in-person.

52. Responding to Mr LEUNG Che-cheung's further enquiry about the overall elector turnout rate of the VR election in 2011, DDHA(1) said that the turnover rate reached 64%.

53. The Deputy Chairman and Mr Tony TSE noted with concern from Appendix II to the background brief prepared by the LegCo Secretariat (LC Paper No. CB(2)1552/12-13(03)) that the overall elector turnout rates of the last three rounds of VR elections were on the downward trend, while the numbers of VR seats left vacant with no valid nomination and the numbers of elected VRs returned uncontested had remained persistently high. They asked about the reasons for such phenomena and measures to be taken by the Administration to encourage more people to run for election, to register as electors and to vote in VR elections. The Deputy Chairman further suggested that the Administration should consider commissioning an academic institution to conduct a research study on the reasons for the occurrence of such phenomena.

Action

54. DDHA(1) responded with the following points -

- (a) notwithstanding the mild downward trend in the elector turnout rates, the turnout rates for the 2003, 2007 and 2011 VR elections were the highest among various public elections over the years;
- (b) comparing the 2011 VR election with the 2007 VR election, the number of contested villages had increased by 22% from 191 to 246 and the number of candidates running for election had increased by 7.6% from 1 627 to 1 752; and
- (c) under the existing electoral system for VR elections, if any vacancy could not be filled in the ordinary elections, a by-election would be held.

55. SHA added that the Administration noted the Deputy Chairman's suggestion of conducting a study on issues related to VR elections.

56. Dr Helena WONG and Dr CHIANG Lai-wan expressed concern about the low participation of women and youth in VR elections. Pointing out that there were three levels of election in the villages of the New Territories, namely the election of VRs, RCs and HYK, Dr WONG emphasized that the low participation of females and youths in VR elections would have impact on the representativeness of all three levels of rural elections. Requesting the Administration to provide after the meeting the updated number of registered electors for VR elections (breakdown by gender and age), she considered that the Administration should formulate a policy and come up with concrete measures to boost female and youth participation in VR elections. Her view was echoed by Dr CHIANG. Mr Steven HO and Ms Claudia MO also considered that the Administration should encourage women and young people to participate more in VR elections.

Admin

57. In response, DDHA(1) advised that for the 2011 VR election, there were about 180 000 registered electors. Among them, 47% were women. This figure had recorded a remarkable increase by 17% in the number of female electors, when compared with that of 2003. Regarding the number of candidates running for the 2011 election, 39 of the 1 752 candidates were women, representing an 11% increase from 35 in 2007. Of the elected VRs in 2011, 30 of them were female, roughly a 7% increase over that of 2007. SHA and DDHA(1) said that the Government appreciated the concerns of Members over female and youth participation in VR elections. It would endeavour to encourage more females and youths to register as electors and run for VR elections.

Action

Need to regulate RC elections by legislation

58. The Deputy Chairman noted that the elections of some RC members ("RC elections") were presently not under the regulation of EAC. He asked whether the Administration had any plan to legislate for the RC elections.

59. Pointing out that members of some RCs also included representatives of fishermen, Mr Steven HO enquired whether the Administration would consult the fishermen representatives in examining the need for regulating RC elections.

60. SHA responded that the Administration had all along been discussing with HYK, the relevant sectors and stakeholders the feasibility of regulating RC elections by legislation. At present, there were representatives of fishermen in some RCs. The proposal of introducing a legislative framework for RC elections involved a number of complex issues which required detailed consideration (such as the eligibility criteria for defining "fishermen" who would have the right to stand for election, the right to nominate or the right to vote in RC elections). The Administration would adopt a gradual and progressive approach in implementing changes to the existing electoral system of RCs.

Motion

61. Dr Helena WONG moved a motion, seconded by Ms Cyd HO and amended by Dr CHIANG Lai-wan, as follows -

"本委員會促請民政事務局加強宣傳及鼓勵婦女和青年參加鄉郊各級選舉。"

(Translation)

"That this Panel urges the Home Affairs Bureau to step up publicity and encourage women as well as young people to participate in various levels of rural elections."

62. The Chairman put Dr Helena WONG's motion, as amended by Dr CHIANG Lai-wan, to vote. Seven members voted in favour of the motion, and no member voted against it. The Chairman declared that Dr WONG's motion, as amended by Dr CHIANG, was carried.

Action

63. There being no other business, the meeting ended at 10:37 am.

Council Business Division 2
Legislative Council Secretariat
29 August 2013