

# 立法會 *Legislative Council*

LC Paper No. CB(2)2043/13-14

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## **Special House Committee meeting on 15 July 2014**

### **Background brief on Methods for Selecting the Chief Executive in 2017 and for Forming the Legislative Council in 2016**

#### **Purpose**

1. This paper summarizes the issues raised by Members of the Legislative Council ("LegCo") regarding the methods for selecting the Chief Executive ("CE") in 2017 and for forming LegCo in 2016.

#### **Background**

##### Existing methods for selecting CE and for forming LegCo

2. According to the Amendment to Annex I<sup>1</sup> to the Basic Law ("BL") approved by the Standing Committee of the National People's Congress ("NPCSC") on 28 August 2010, the Election Committee ("EC") to elect the fourth term CE in 2012 shall be composed of 1 200 members from four sectors. Candidates for the office of CE may be nominated jointly by not less than 150 members (i.e. one-eighth) of EC, and there is no cap on the number of candidates to be nominated. Each member of EC may nominate only one candidate.

3. The CE Election Ordinance (Cap. 569) stipulates, in accordance with the provisions of Annex I to BL and the above Amendment, the detailed statutory requirements and procedures for the election of CE, including the composition of EC. The four sectors of EC are constituted by 38 subsectors (**Appendix I**). A candidate shall be elected as CE only if the candidate obtains more than 600 valid votes.

4. According to the Amendment to Annex II<sup>2</sup> to BL recorded by NPCSC on 28 August 2010, the Fifth LegCo in 2012 shall be composed of 70 Members, half of them returned by geographical constituencies ("GCs") through direct elections, and the other half by functional constituencies ("FCs").

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<sup>1</sup> The specific method for selecting CE is prescribed in Annex I to BL: "Method for the Selection of the Chief Executive of the Hong Kong Special Administrative Region".

<sup>2</sup> The specific method for forming LegCo and its procedures for voting on bills and motions are prescribed in Annex II to BL: "Method for the Formation of the Legislative Council of the Hong Kong Special Administrative Region and Its Voting Procedures".

5. As regards direct elections in GCs, the LegCo Ordinance (Cap. 542) stipulates that there should be five GCs. For direct GC elections, the list system operating under the largest remainder formula, which is a form of proportional representation voting system, is adopted. For FC elections, 35 seats are returned from 29 FCs. The respective numbers of Members returned through the five GCs and the 29 FCs are listed in **Appendix II**.

#### Procedure for amending the methods for selecting CE and for forming LegCo

6. In accordance with BL and the "Interpretation of Article 7 of Annex I and Article III of Annex II to BL" ("the Interpretation") adopted by NPCSC on 6 April 2004, it is necessary to go through a "Five-step Process" for amending the method of selection/formation –

Step One : CE shall make a report to NPCSC as to whether there is a need to amend the method of selection/formation;

Step Two : A determination shall be made by NPCSC on whether any amendment to the method of selection/formation may be made;

Step Three : The motions on the amendments to the method for selecting CE/method for forming LegCo shall be introduced by the Hong Kong Special Administrative Region ("HKSAR") Government to LegCo, and be endorsed by a two-thirds majority of all Members of LegCo;

Step Four : Consent shall be given by CE to the motions endorsed by LegCo; and

Step Five : The relevant amendments to Annex I and Annex II to BL shall be reported by CE to NPCSC for approval or for the record.

### **Methods for Selecting CE in 2017 and for Forming LegCo in 2016**

#### Method for selecting CE in 2017

7. BL 45 provides that CE of HKSAR shall be selected by election or through consultations held locally and be appointed by the Central People's Government ("CPG"). The method for selecting CE shall be specified in the light of the actual situation in HKSAR and in accordance with the principle of gradual and orderly progress. The ultimate aim is the selection of CE by universal suffrage upon nomination by a broadly representative nominating committee ("NC") in accordance with democratic procedures.

8. According to the Decision of NPCSC in 2007, "the election of the fifth Chief Executive of the Hong Kong Special Administrative Region in the year 2017 may be implemented by the method of universal suffrage; that after the Chief Executive is selected by universal suffrage, the election of the Legislative Council of the Hong Kong Special Administrative Region may be implemented by the method of electing all the members by universal suffrage."

9. According to the Decision of NPCSC in 2007, in selecting CE by the method of universal suffrage, a broadly representative NC shall be formed. NC may be formed with reference to the current provisions regarding EC in Annex I to BL. NC shall in accordance with democratic procedures nominate a certain number of candidates for the office of CE, who is to be elected through universal suffrage by all registered electors of HKSAR, and to be appointed by CPG.

10. The Interpretation of NPCSC in 2004 and the Decision in 2007 also stipulate that if no amendment is made to the method for selecting CE in accordance with the legal procedures, the method for selecting CE used for the preceding term shall continue to apply.

#### Method for forming LegCo in 2016

11. BL 68 provides that LegCo shall be constituted by election. The method for forming LegCo shall be specified in the light of the actual situation in HKSAR and in accordance with the principle of gradual and orderly progress. The ultimate aim is the election of all LegCo Members by universal suffrage.

12. As advised by the Administration, according to the Decision of NPCSC in 2007, after CE is selected by universal suffrage, the election of LegCo may be implemented by the method of electing all Members by universal suffrage. Therefore, election of all Members by universal suffrage would not be implemented in the 2016 LegCo Election.

#### Consultation Document on Methods for Selecting CE in 2017 and for Forming LegCo in 2016

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13. Following CE's announcement on 17 October 2013 of the setting up of the Task Force on Constitutional Development ("Task Force") led by the Chief Secretary for Administration ("CS") to handle the public consultation work on constitutional development, the above Consultation Document was published on 4 December 2013. At the Council meeting of 4 December 2013, CS made a statement on the Consultation Document and announced the commencement of a five-month public consultation exercise ending by 3 May 2014.

14. Regarding the method for selecting CE, the Consultation Document sets out various key issues to be considered, namely: (a) composition and size of NC; (b) electorate base of NC; (c) method for forming NC; (d) procedure for NC to nominate CE candidates; (e) voting arrangements for electing CE by universal suffrage; (f) procedure for appointing CE and the linkage with local legislation; and (g) political affiliation of CE.

15. Regarding the method for forming LegCo, the Consultation Document sets out various key issues to be considered, namely: (a) number of seats and composition of LegCo; (b) composition and electorate base of FCs; and (c) number of GCs and number of seats in each GC.

#### Issues raised by Members regarding the methods for selecting CE in 2017 and for forming LegCo in 2016

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16. Since the Fifth LegCo, two motion debates on constitutional reform had been held at the Council meetings of 20 February and 29 May 2013 respectively<sup>3</sup>. After the release of the Consultation Document on 4 December 2013, the Panel on Constitutional Affairs ("the Panel") held a special meeting on 9 December 2013 to receive a briefing by the Task Force. The Panel also held two special meetings on 11 and 18 January 2014 to receive public views on the Consultation Document. The major issues raised by Members at these meetings are summarized in ensuing paragraphs.

#### *Procedures for nominating candidates for the office of CE*

17. Some Members considered that when formulating proposals on the election of CE in 2017, it had to be ensured that the rights to make nomination, to stand for election and to vote conformed to the principles of universal and equal suffrage stipulated in Article 25 of the International Covenant on Civil and Political Rights ("ICCPR")<sup>4</sup>. They stressed that for the selection method to be

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<sup>3</sup> At the Council meeting of 20 February 2013, Hon Ronny TONG moved a motion urging the Government to expeditiously commence extensive consultation on implementing dual universal suffrage and, before the submission by CE of a report on constitutional reform to NPCSC, to allow sufficient time for the general public to discuss the contents of the report. At the Council meeting of 29 May 2013, Hon Alan LEUNG moved a motion on the democratic procedures for the election of CE by universal suffrage in 2017. Both motions were negatived.

<sup>4</sup> Article 25(b) of ICCPR provides that every citizen shall have the right and the opportunity to vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors. When the Government of the United Kingdom extended ICCPR to Hong Kong in 1976, the following reservation was added –

"The Government of the United Kingdom reserve the right not to apply sub-paragraph (b) of Article 25 in so far as it may require the establishment of an elected Executive or Legislative Council in Hong Kong ..."

regarded as "genuine universal suffrage", there must be "no screening" in the procedures for nominating candidates for the office of CE. To this end, some Members considered that the public should have the right to make nomination. It was suggested that any person jointly endorsed by a certain number of electors and upon verification by NC could be a candidate for the office of CE. These Members urged the Administration not to rule out civic nomination or nomination by political parties. Some other Members, however, considered that civic nomination was inconsistent with BL. They took the view that it was wrong to interpret the right to make nomination by NC stipulated by BL merely as a kind of verification right.

18. The Task Force stressed that the consultation on the method for selecting CE by universal suffrage had to be conducted strictly in accordance with BL and the relevant Interpretation and Decisions of NPCSC. The Task Force highlighted that under BL 45, "The ultimate aim is the selection of CE by universal suffrage upon nomination by a broadly representative NC in accordance with democratic procedures". It was clear from BL 45 that the power to nominate CE candidates was vested in NC only, and that the power was a substantive one. Any proposal which bypassed the nomination procedures of NC or undermined the substantive power of NC to nominate candidates might be inconsistent with BL 45.

19. Some Members expressed dissatisfaction with the Task Force's raising the question *'how could the "democratic procedures" reflect the requirement of "organizational nomination"?' in the Consultation Document.* They pointed out that the expression "organizational nomination" had only been mentioned by Mr QIAO Xiaoyang<sup>5</sup>, Chairman of the Law Committee of the National People's Congress, and there was no such a procedure called "organizational nomination" in the previous CE elections or in BL. They questioned how this new form of "organizational nomination" could enable voters to have a genuine choice of candidates in the CE election and the basis of such concept. In response to these Members' view, the Task Force explained that the electoral system in each jurisdiction invariably imposed certain restrictions. The Task Force advised that in devising a model for implementing universal suffrage on the basis of BL and the relevant Interpretation and Decisions of NPCSC, the Administration would seek to ensure that there would be no unreasonable restrictions in the electoral system.

### *Composition of NC*

20. Some Members expressed the view that, if the EC to elect the fourth term CE was adopted as the basis to form NC, consideration could be given to making some adjustments to the current composition of EC. For example, the number of

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<sup>5</sup> "Organizational nomination" was mentioned by Mr QIAO Xiaoyang as detailed in footnote 10 of the Consultation Document.

members of the Agriculture and Fisheries Subsector should be reduced and the electorates for certain Subsectors (e.g. Financial Services) should be expanded, in order to enhance the representativeness of the future NC.

21. At the Panel meeting on 9 December 2013, some Members sought clarification as to whether it was the Administration's understanding that NC had to be formed with reference to the current provisions regarding EC in Annex I to BL. With regard to the Decision of NPCSC in 2007 that NC "may be formed with reference to" the current provisions regarding EC in Annex I to BL, some Members pointed out that the word "may" must not be overlooked, and their understanding was that it could mean "may" or "may not". The Task Force advised that in 2007, Mr QIAO Xiaoyang, the then Deputy Secretary-General of NPCSC, had explained the Draft Decision of NPCSC, including the composition of NC. The Task Force requested Members to note the three reasons<sup>6</sup> given by Mr QIAO for the Decision of NPCSC in 2007 that NC "may be formed with reference to" the current provisions regarding EC in Annex I to BL.

22. The Task Force also advised that pursuant to Annex I to BL, CE was to be elected by a "broadly representative EC". The Task Force considered that NC modeled on the framework of the broadly representative four-sector EC currently in place would stand a better chance of being accepted in both the legal and political context.

#### *Number of CE candidates*

23. Some Members pointed out that the 2007 NPCSC Decision had only mentioned that NC would have to "nominate a certain number of candidates for the office of CE". The literal meaning of "a certain number" was that the number only had to be plural. These Members pointed out that the Decision of NPCSC in 2007 did not require the HKSAR Government to define "a certain number" mentioned in that Decision as a specific number. They considered that the Administration's attempt to define "a certain number of candidates" as a specific figure was intended to impose a restriction for screening purpose.

24. Some other Members, however, supported capping the number of CE candidates to be nominated both from the legal and the practical points of view. They said that based on the experience of the 2012 LegCo Election, too many candidates had resulted in chaos in some of the election forums. While some candidates had complained being given inadequate time to articulate on their

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<sup>6</sup> Please see "5. The formation of the nominating committee when the Chief Executive is selected by universal suffrage" in the Explanations on the Draft Decision of NPCSC in 2007 (Appendix VI to LC Paper No. CB(2)349/09-10(01)).

election platforms, electors had also complained being unable to understand some candidates' views due to the limited time allocated to each candidate.

25. The Task Force explained that the Decision of NPCSC in 2007 had stipulated that "The nominating committee shall in accordance with democratic procedures nominate a certain number of candidates for the office of the Chief Executive,...". As the Decision was binding, the Task Force was obliged to consider the issue. The Task Force also advised that in considering this issue, it had to also consider whether a candidate had sufficient public acceptance, whether a fair chance was given to people who were interested in running for election, and whether the competitiveness of the election was ensured.

*Principles of universal and equal suffrage in Article 25 of ICCPR*

26. Some Members took the view that the implementation of universal suffrage in Hong Kong should conform to the principles of universal and equal suffrage stipulated in Article 25 of ICCPR. They pointed out that the United Nations Human Rights Committee had already reiterated its view in its concluding observations issued after consideration of the HKSAR's reports under ICCPR that the electoral system for the formation of LegCo did not meet the requirements of Article 25 of ICCPR and, once direct election was introduced into LegCo, the reservation made in respect of Article 25(b) would no longer apply. The Administration advised that ICCPR did not seek to impose any specific electoral system. Hong Kong would attain universal suffrage because of BL, and not ICCPR. The Administration also pointed out that in the case of *Chan Yu Nam v Secretary for Justice* (HCAL32/2009 and HCAL55/2009) in 2009, the High Court had ruled that the reservation made in respect of Article 25(b) continued to apply to HKSAR.

27. At the Council meeting of 4 December 2013, CS requested Members to note that the design and establishment of any political structure had to have regard to the historical background of the relevant place, and with the constitutional basis and the characteristics of that place as the foundation. Therefore, in the discussion of the methods for selecting CE by universal suffrage in 2017 and for forming LegCo in 2016, it was necessary to consider the historical background of the establishment of HKSAR, understand the unique constitutional status of HKSAR, and comprehend the legal framework based on BL and the relevant Interpretation and Decisions of NPCSC.

*Retention and abolition of FCs*

28. Some Members considered that FC seats should be abolished in one go in 2016 and, if not, the Administration should provide the roadmap for attaining the abolition of these seats altogether in 2020.

29. The Task Force explained that according to the 2007 NPCSC Decision, after CE was selected by universal suffrage, the election of LegCo could be implemented by the method of electing all the Members by universal suffrage. The selection of CE by universal suffrage was accordingly a pre-condition for the election of all Members of LegCo by universal suffrage. Therefore, election of all Members by universal suffrage would not be implemented in the 2016 LegCo Election. The Task Force also advised that for the universal suffrage model for LegCo in 2020, it would be for the fifth term Government to deal with it. For the method for forming LegCo in 2016, the Task Force advised that the following key issues might be considered -

- (i) number of seats and composition of LegCo;
- (ii) composition and electorate base of FCs; and
- (iii) number of GCs and number of seats in each GC.

The Task Force advised that it had no pre-conceived position and was willing to listen to all ideas during the current public consultation exercise.

30. Some Members considered that the new District Council ("DC") (second) FC should be abolished, while some other Members suggested that the Administration should consult the public on the retention or abolition of this new FC. The Administration advised that it had no pre-conceived position and welcomed views and suggestions from members of the community on the way forward of the new DC (second) FC.

#### *The separate voting system*

31. Some Members considered that the issue of separate voting system under Annex II of BL should have been discussed in the Consultation Document with reference to various scenarios on possible changes to the composition of LegCo. For example, if the proportion of seats returned by direct GC elections was adjusted upward by reducing the number of FC seats, the retention of the separate voting system could hardly be justified in such a scenario. These Members also expressed concern as to how universal suffrage of LegCo could be achieved in 2020, if no adjustment was made to the number of FC seats and the separate voting system in 2016.

32. The Task Force advised that any view on the separate voting system was welcome, and issues relating to the method for forming LegCo in 2016 were set out in chapter 4 of the Consultation Document to facilitate the public to



formulate views and proposals. The Task Force pointed out that in line with the established practice, the current term Government would only handle the electoral methods of CE and LegCo of the following term. For the universal suffrage model for LegCo in 2020, it would be for the fifth term Government to deal with it.

*Timetable on "Five-step Process" in relation to any amendments to the methods for selecting CE in 2017 and for forming LegCo in 2016*

33. Some Members asked about the legislative timetable for the two electoral methods. The Administration advised that upon the end of the five-month consultation period on 3 May 2014, it would study and consolidate the public views received, with a view to facilitating CE to make a report to NPCSC (i.e. the "First Step") around July 2014, and NPCSC would make a decision (i.e. the "Second Step"). After NPCSC had made the decision, the Administration expected that another round of public consultation exercise could be launched around the fourth quarter of 2014. Based on the views received, the Administration would formulate a package of proposals for the two electoral methods for 2016 and 2017 ("the Package"). A subcommittee was expected to be formed by LegCo to scrutinize the Package. Upon completion of the subcommittee's scrutiny work, the Administration would move motions to amend the annexes to BL and obtain endorsement by a two-thirds majority of all Members of LegCo (i.e. the "Third Step") in end 2014 or early 2015, depending on the time required by the subcommittee for its deliberations. The relevant amendments to the annexes to BL would be reported by CE to NPCSC for approval or for the record, followed by the introduction of the relevant bills to prescribe the electoral arrangements.

### **Relevant motion debates and questions in Council**

34. A list of relevant motions moved for debate in Council and a list of the relevant LegCo questions are in **Appendices III and IV** respectively.

### **Relevant papers**

35. A list of the relevant papers available on the LegCo website is in **Appendix V**.

## Appendix I

### Composition of the Election Committee

#### First Sector (Industrial, commercial and financial sectors)

	<u>Subsector</u>	<u>Number of members</u>
1.	Catering	17
2.	Commercial (First)	18
3.	Commercial (Second)	18
4.	Employers' Federation of Hong Kong	16
5.	Finance	18
6.	Financial Services	18
7.	Hong Kong Chinese Enterprises Association	16
8.	Hotel	17
9.	Import and Export	18
10.	Industrial (First)	18
11.	Industrial (Second)	18
12.	Insurance	18
13.	Real Estate and Construction	18
14.	Textiles and Garment	18
15.	Tourism	18
16.	Transport	18
17.	Wholesale and Retail	18

#### Second Sector (The professions)

	<u>Subsector</u>	<u>Number of members</u>
18.	Accountancy	30
19.	Architectural, Surveying and Planning	30
20.	Chinese Medicine	30
21.	Education	30
22.	Engineering	30
23.	Health Services	30
24.	Higher Education	30
25.	Information Technology	30
26.	Legal	30
27.	Medical	30

### **Third Sector (Labour, social services, religious and other sectors)**

	<u>Subsector</u>	<u>Number of members</u>
28.	Agriculture and Fisheries	60
29.	Labour	60
30.	Religious*	60
31.	Social Welfare	60
32.	Sports, Performing Arts, Culture and Publication	60

### **Fourth Sector (Members of the Legislative Council, representatives of members of the District Councils, representatives of the Heung Yee Kuk, Hong Kong deputies to the National People's Congress, and representatives of Hong Kong members of the National Committee of the Chinese People's Political Consultative Conference)**

	<u>Subsector</u>	<u>Number of members</u>
33.	National People's Congress	36
34.	Legislative Council	70
35.	Chinese People's Political Consultative Conference	51
36.	Heung Yee Kuk	26
37.	Hong Kong and Kowloon District Councils	57
38.	New Territories District Councils	60

\* The number of members to be nominated by each of the six designated bodies of the religious subsector are as follows:

	<u>Number of members</u>	
1.	Catholic Diocese of Hong Kong	10
2.	Chinese Muslim Cultural and Fraternal Association	10
3.	Hong Kong Christian Council	10
4.	The Hong Kong Taoist Association	10
5.	The Confucian Academy	10
6.	The Hong Kong Buddhist Association	10

**2012 Legislative Council Election**  
**No. of Members Returned from 5 Geographical Constituencies**  
**and 29 Functional Constituencies**

**Geographical Constituencies**

<u>Item</u>	<u>Name of GC</u>	<u>Number of members to be returned</u>
1.	Hong Kong Island	7
2.	Kowloon West	5
3.	Kowloon East	5
4.	New Territories West	9
5.	New Territories East	9

**Functional Constituencies**

<u>Item</u>	<u>Name of FC</u>	<u>Number of members to be returned</u>
1.	Heung Yee Kuk	1
2.	Agriculture and Fisheries	1
3.	Insurance	1
4.	Transport	1
5.	Education	1
6.	Legal	1
7.	Accountancy	1
8.	Medical	1
9.	Health Services	1
10.	Engineering	1
11.	Architectural, Surveying and Planning	1
12.	Labour	3

<u>Item</u>	<u>Name of FC</u>	<u>Number of members to be returned</u>
13.	Social Welfare	1
14.	Real Estate and Construction	1
15.	Tourism	1
16.	Commercial (first)	1
17.	Commercial (second)	1
18.	Industrial (first)	1
19.	Industrial (second)	1
20.	Finance	1
21.	Financial Services	1
22.	Sports, Performing Arts, Culture and Publication	1
23.	Import and Export	1
24.	Textiles and Garment	1
25.	Wholesale and Retail	1
26.	Information Technology	1
27.	Catering	1
28.	District Council (first)	1
29.	District Council (second)	5

**Relevant motions moved for debate in Council**  
(since First LegCo)

<b><u>Date of Council meeting</u></b>	<b><u>Motion</u></b>
15 July 1998	Hon Andrew CHENG Kar-foo moved a motion on "Direct elections" for debate in Council. The motion was negatived.
12 January 2000	Hon Emily LAU Wai-hing moved a motion on "Political reform" for debate in Council. The motion was passed.
14 June 2000	Dr Hon LEONG Che-hung moved a motion on "Development of the Hong Kong Special Administrative Region's Political System" for debate in Council. The motion was passed.
13 March 2002	Hon Emily LAU Wai-hing moved a motion on "The Second Chief Executive Election" for debate in Council. The motion was negatived.
19 February 2003	Hon Emily LAU Wai-hing moved a motion on "Public consultation on constitutional reforms" for debate in Council. The motion was negatived.
21 May 2003	Hon Albert HO Chun-yan moved a motion on "Expediently implementing the election of the Chief Executive and All Members of the Legislative Council by universal suffrage" for debate in Council. The motion was negatived.
12 November 2003	Hon James TO Kun-sun moved a motion on "Election of the Chief Executive and all Members of the Legislative Council by universal suffrage" for debate in the Council. The motion was negatived.
25 February 2004	Hon Andrew CHENG Kar-foo moved a motion on "Immediately consulting the public on election by universal suffrage" for debate in Council. The motion was negatived.

<b><u>Date of Council meeting</u></b>	<b><u>Motion</u></b>
17 March 2004	Hon James TO Kun-sun moved a motion on "Respecting and complying with the principles prescribed in the Basic Law" for debate in Council. The motion was negated.
22 April 2004	Hon Frederick FUNG Kin-kee moved a motion to adjourn the Council for the purpose of debating the Report by the Chief Executive of the Hong Kong Special Administrative Region to the Standing Committee of the National People's Congress on whether there is a need to amend the methods for selecting the Chief Executive of the Hong Kong Special Administrative Region in 2007 and for forming the Legislative Council of the Hong Kong Special Administrative Region in 2008. The motion was negated.
5 May 2004	Hon Frederick FUNG Kin-kee moved a motion on "Requesting the Chief Executive to submit a supplementary report to the Standing Committee of the National People's Congress" for debate in Council. The motion was negated.
19 May 2004	Hon Albert HO Chun-yan moved a motion on "Regretting the decision of the Standing Committee of the National People's Congress to rule out universal suffrage in the years 2007 and 2008" for debate in Council. The motion was negated.
10 November 2004	Hon Ronny TONG Ka-wah moved a motion on "Constitutional development" for debate in Council. The motion was negated.
5 January 2005	Hon Albert Jinghan CHENG moved a motion on "The Fourth Report of the Constitutional Task Force" for debate in Council. The motion was negated.
9 March 2005	Hon Ronny TONG Ka-wah moved a motion on "Shortcomings of Functional Constituencies" for debate in Council. The motion was negated.
9 November 2005	Hon Ronny TONG Ka-wah moved a motion on "Constitutional Reform Proposal" for debate in Council. The motion was negated.

<b><u>Date of Council meeting</u></b>	<b><u>Motion</u></b>
30 November 2005	Hon LEUNG Kwok-hung moved a motion on "Conducting a referendum on the full implementation of elections by universal suffrage in 2007 and 2008" for debate in Council. The motion was negated.
7 December 2005	Dr Hon YEUNG Sum moved a motion on "Democratic political system" for debate in Council. The motion was negated.
22 November 2006	Hon Ronny TONG Ka-wah moved a motion on "Electing the Chief Executive by universal suffrage" for debate in Council. The motion was negated.
29 November 2006	Hon LEE Cheuk-yan moved a motion on "Electing the Legislative Council by universal suffrage" for debate in Council. The motion was negated.
9 January 2008	Hon Albert CHAN moved a motion on "Report on Public Consultation on Green Paper on Constitutional Development" for debate in Council. The motion was negated.
7 January 2009	Dr Hon Margaret NG moved a motion on "Public consultation on 2012 constitutional development" for debate in Council. The motion was negated.
11 February 2009	Hon Albert HO moved a motion on "Procrastinating public consultation on constitutional development" for debate in Council. The motion was negated.
17 June 2009	Hon LEUNG Kwok-hung moved a motion on "Proposal on constitutional reform in Hong Kong" for debate in Council. The motion was negated.
2 December 2009	Hon Alan LEONG moved a motion on "Roadmap for universal suffrage" for debate in Council. The motion was negated.
9 June 2010	Hon Ronny TONG Ka-wah moved a motion on "Constitutional reform" for debate in Council. The motion was negated.



<b><u>Date of Council meeting</u></b>	<b><u>Motion</u></b>
30 June 2011	Hon LEUNG Kwok-hung moved a motion on "Proposal on the constitutional reform in Hong Kong" for debate in Council. The motion was negatived.
20 February 2013	Hon Ronny TONG Ka-wah moved a motion on "Implementing dual universal suffrage" for debate in Council. The motion was negatived.
29 May 2013	Hon Alan LEONG moved a motion on "Democratic procedures for the election of the Chief Executive by universal suffrage in 2017" for debate in Council. The motion was negatived.

**Relevant questions raised in Council**  
(since First LegCo)

<b><u>Date of Council meeting</u></b>	<b><u>Question</u></b>
8 December 1999	Hon Emily LAU Wai-hing raised a question on "Modifying the electoral systems".
13 June 2001	Hon Martin LEE Chu-ming raised a question on "Improvement on method of forming the Legislative Council".
13 November 2002	Hon Emily LAU Wai-hing raised a question on "Arrangements for the Legislative Council functional constituencies elections".
8 October 2003	Dr Hon YEUNG Sum raised a question on "Timetable for review on political system".
18 February 2004	Hon Michael MAK Kwok-fung raised a question on "Constitutional development of Hong Kong".
2 June 2004	Hon Martin LEE Chu-ming raised a question on "Interpretation of the Basic Law and decision on issues relating to the methods for selecting the Chief Executive in 2007 and for forming the Legislative Council in 2008 by the Standing Committee of the National People's Congress".
9 June 2004	Hon SZETO Wah raised a question on "The report submitted by the Chief Executive to the Standing Committee of the National People's Congress".
9 June 2004	Hon Audrey EU Yuet-mee raised a question on "Registered voters of the functional constituencies".
10 November 2004	Dr Hon YEUNG Sum raised a question on "Constitutional development".
26 January 2005	Hon Frederick FUNG Kin-kee raised a question on "Returning of some Legislative Council Members by functional constituencies".

<b><u>Date of Council meeting</u></b>	<b><u>Question</u></b>
19 October 2005	Dr Hon YEUNG Sum raised a question on "Political reform".
30 November 2005	Hon LEE Wing-tat raised a question on "Position and Reaction of Middle Class Towards Universal Suffrage".
	Hon MA Lik raised a question on "Expansion of Election Committee".
7 December 2005	Hon LEE Wing-tat raised a question on "Collecting Public Views on Constitutional Development".
21 December 2005	Hon Martin LEE raised a question on "Establishment of Bicameral System in Hong Kong".
17 May 2006	Hon Emily LAU raised a question on "Conditions for Implementation of Universal Suffrage in Hong Kong".
14 June 2006	Hon Emily LAU raised a question on "Dual Elections by Universal Suffrage".
24 January 2007	Hon LEE Wing-tat raised a question on "Commenting on Constitutional Development of Hong Kong".
23 May 2007	Hon LEUNG Yiu-chung raised a question on "Universal Suffrage Proposals".
20 June 2007	Hon Emily LAU raised a question on "Election of Chief Executive by Universal Suffrage".
27 June 2007	Hon Ronny TONG raised question on "Democratic Development for HKSAR".
	Hon LEE Cheuk-yan raised a question on "Qualification for Candidacy of Chief Executive to be Selected by Universal Suffrage".
	Hon Alan LEONG raised a question on "Options for Universal Suffrage".
23 January 2008	Hon Emily LAU raised a question on "Implementation of Universal Suffrage for Chief Executive and Legislative Council in 2012".

<b><u>Date of Council meeting</u></b>	<b><u>Question</u></b>
2 July 2008	Hon Emily LAU raised a question on "Method for electing the Chief Executive and for forming the Legislative Council".
2 December 2009	Hon WONG Sing-chi raised a question on "Retention or otherwise of functional constituencies of the Legislative Council".
6 January 2010	Hon Audrey EU raised a question on "Functional constituencies of the Legislative Council".
3 March 2010	Dr Hon LEUNG Ka-lau raised a question on "Procedures for voting on motions and bills in the Legislative Council".
10 March 2010	Hon Paul TSE raised a question on "Legislative Council functional constituencies".
28 April 2010	Hon Albert HO raised a question on "Legislative Council functional constituencies".
26 May 2010	Hon Audrey EU raised a question on "Functional constituencies".
9 June 2010	Hon Tanya CHAN raised a question on "Publicity strategies for 2012 constitutional package".
23 June 2010	Hon Alan LEONG raised a question on "Reform of the political system".
14 July 2010	Hon LEE Wing-tat raised a question on "Follow-up work to the passage of motions to amend the electoral methods in 2012".
20 October 2010	Hon Tanya CHAN raised a question on "Delimitation of functional sectors and corporate bodies of the Legislative Council".
	Hon Emily LAU raised a question on "Composition of the Election Committee".

<b><u>Date of Council meeting</u></b>	<b><u>Question</u></b>
20 March 2013	Hon Emily LAU raised a question on "Government's response to the issues raised by the United Nations Human Rights Committee".
27 March 2013	Hon James TO raised a question on "The Chief Executive election in 2017".
29 May 2013	Hon Alan LEONG raised a question on "Selection of the Chief Executive and election of the Legislative Council by universal suffrage".
	Hon SIN Chung-kai raised a question on "Statistics relating to functional constituencies".
17 July 2013	Hon Emily LAU raised a question on "Public Consultation on Constitutional Reform".
30 October 2013	Hon Alan LEONG raised a question on "Work of the Task Force on Constitutional Development".
13 November 2013	Dr Hon Kenneth CHAN raised a question on "Proposal on candidates for Chief Executive Election to take oath".
12 February 2014	Dr Hon LAM Tai-fai raised a question on "Public consultation on constitutional development".
9 April 2014	Dr Hon LAM Tai-fai raised a question on "Constitutional development".
18 June 2014	Dr Hon LAM Tai-fai raised a question on "Occupy Central and constitutional development proposals".
25 June 2014	Dr Hon LAM Tai-fai raised a question on "Civil referendum".

## Appendix V

### Relevant documents on methods for selecting the Chief Executive in 2017 and for forming the Legislative Council in 2016

Committee	Date of meeting	Paper
Legislative Council	4 December 2013	<a href="#">Consultation Document on Methods for Selecting the Chief Executive in 2017 and for Forming the Legislative Council in 2016</a> and <a href="#">Statement made by the Chief Secretary for Administration</a>
Panel on Constitutional Affairs	9 December 2013 (Item I)	<a href="#">Agenda</a> <a href="#">Minutes</a>
	11 January 2014 (Item I)	<a href="#">Agenda</a> <a href="#">Minutes</a>
	18 January 2014 (Item I)	<a href="#">Agenda</a> <a href="#">Minutes</a>

Council Business Division 2  
Legislative Council Secretariat  
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