

立法會
Legislative Council

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Date : 24 October 2013

From : Clerk to the Legislative Council

To : All Members of the Legislative Council

Council meeting of 6 November 2013

Proposed resolution under the District Councils Ordinance

The Secretary for Constitutional and Mainland Affairs will move at the Council meeting of 6 November 2013 a proposed resolution under section 8 of the District Councils Ordinance (Cap. 547). The proposed resolution is attached for Members' consideration. The President has directed that it be printed in the terms in which it was handed in on the Agenda of the Council.

2. The speech, in both Chinese and English, which the Secretary will deliver when moving the proposed resolution is also attached.

(Odelia LEUNG)
for Clerk to the Legislative Council

Encl.

District Councils Ordinance

Resolution

(Under section 8 of the District Councils Ordinance (Cap. 547))

Resolved that the District Councils Ordinance (Amendment of Schedule 3) Order 2013, made by the Chief Executive in Council on 25 June 2013, be approved.

District Councils Ordinance (Amendment of Schedule 3) Order 2013

(Made by the Chief Executive in Council under section 8 of the District Councils Ordinance (Cap. 547) subject to the approval of the Legislative Council)

1. Commencement

This Order—

- (a) for all purposes relating to the District Council ordinary election in 2015-- comes into operation on the day on which the Resolution of the Legislative Council approving this Order is published in the Gazette; and
- (b) in so far as it has not come into operation under paragraph (a)—comes into operation on 1 January 2016.

2. District Councils Ordinance amended

The District Councils Ordinance (Cap. 547) is amended as set out in section 3.

3. Schedule 3 amended

- (1) Schedule 3, Part 1, item 3—
Repeal
“22”
Substitute
“24”.
- (2) Schedule 3, Part 1, item 4—
Repeal
“35”

Substitute

“37”.

- (3) Schedule 3, Part 1, item 5—

Repeal

“21”

Substitute

“23”.

- (4) Schedule 3, Part 1, item 9—

Repeal

“17”

Substitute

“19”.

- (5) Schedule 3, Part 1, item 12—

Repeal

“17”

Substitute

“18”.

- (6) Schedule 3, Part 1, item 13—

Repeal

“24”

Substitute

“27”.

- (7) Schedule 3, Part 1, item 14—

Repeal

“36”

Substitute

“38”.

- (8) Schedule 3, Part 1, item 16—

Repeal

“17”

Substitute

“18”.

- (9) Schedule 3, Part 1, item 18—

Repeal

“31”

Substitute

“35”.



Clerk to the Executive Council

COUNCIL CHAMBER

25th June, 2013

Explanatory Note

The purpose of this Order is to amend Schedule 3 to the District Councils Ordinance (Cap. 547) to change the number of elected members of—

- (a) Kowloon City District Council from 22 to 24;
 - (b) Kwun Tong District Council from 35 to 37;
 - (c) Sham Shui Po District Council from 21 to 23;
 - (d) Yau Tsim Mong District Council from 17 to 19;
 - (e) North District Council from 17 to 18;
 - (f) Sai Kung District Council from 24 to 27;
 - (g) Sha Tin District Council from 36 to 38;
 - (h) Tsuen Wan District Council from 17 to 18; and
 - (i) Yuen Long District Council from 31 to 35.
2. The change in the number of elected members will come into effect on 1 January 2016, but will also take effect for the District Council ordinary election to be held in 2015.

(TRANSLATION)

Speech by
the Secretary for Constitutional
and Mainland Affairs
on a motion to pass
the District Councils Ordinance
(Amendment of Schedule 3) Order 2013
at the Legislative Council on 6 November 2013

President,

I move that the District Councils Ordinance (Amendment of Schedule 3) Order 2013 (the Order) be approved. The purpose of this piece of subsidiary legislation is to increase the number of elected seats of nine District Councils (DCs) by 19, starting from the fifth-term DCs which will commence operation on 1 January 2016.

2. The proposed increase in the number of elected seats is based on the forecast of the population in Hong Kong by mid-2015 (i.e.,

7 311 300), the continued application of a population quota of about 17 000 residents to one DC elected seat, the abolition of DC appointed seats from the fifth-term DCs onwards, and the increasingly important role that DCs are expected to play in district administration.

3. Our specific recommendation is to increase the number of elected seats by one for the Tsuen Wan and North DCs respectively; by two for the Sham Shui Po, Kowloon City, Kwun Tong, Yau Tsim Mong and Sha Tin DCs respectively; by three for the Sai Kung DC; and by four for the Yuen Long DC.

4. The Constitutional and Mainland Affairs Bureau consulted the Legislative Council Panel on Constitutional Affairs and the Chairmen and Vice Chairmen of the 18 DCs on the proposal in May this year, and obtained their general support. The

Chief Executive in Council made the Order at the Executive Council meeting on 25 June 2013. The House Committee of the Legislative Council examined the Order at its meeting on 5 July and decided that there was a need to form a Subcommittee on Subsidiary Legislation to scrutinise the Order. The Subcommittee on Subsidiary Legislation has completed the scrutiny after holding two meetings.

5. I wish to take this opportunity to thank the work of Hon. Ip Kwok-him, Chairman of the Subcommittee on Subsidiary Legislation and other Subcommittee members. I understand that during the discussion, the Subcommittee has suggested the Administration to consider whether the circumstances in Tung Chung warrants the provision of one more elected seat for the Islands DC. I would like to make a brief response to this issue. According to the population projections

provided by the authorities, the projected population for the Islands District in mid-2015 is 148 700. According to the methodology adopted in reviewing the number of elected seats in all DCs, the number of elected seats of the Islands DC shall be 8.6. However, taking into consideration that the operations of the DCs will be affected after the abolition of the DC appointed seats and the more important role that the DCs are expected to assume in district administration, etc., the Administration has decided to maintain the existing number of elected seats of the Islands DC at 10. The same arrangement is also applicable to four other DCs. The Administration considers that the current proposal is put forward on the basis of objective data and reasonable considerations. As for the projected increase in population brought about by the completion of new residential developments in Tung Chung, they will be dealt with in the context of the next review exercise for the DC ordinary

election because the completion and in-take period for most of the developments will be beyond mid-2015.

6. Subject to the approval of the District Councils Ordinance (Amendment of Schedule 3) Order 2013 by the Legislative Council today, the Electoral Affairs Commission will make recommendations for the demarcation of constituency boundaries for the 2015 DC election next year having regard to the revised number of DC elected seats. The Registration and Electoral Office will also make preparation for the conduct of the 2015 DC ordinary election in accordance with the revised number of DC elected seats.

7. With the above, I invite Members to approve the District Councils Ordinance (Amendment of Schedule 3) Order 2013 to

implement the increase of 19 elected seats for the fifth-term DCs.

8. Thank you, President.