

LEGISLATIVE COUNCIL BRIEF

Legislative Council Ordinance
(Chapter 542)

**DECLARATION OF GEOGRAPHICAL CONSTITUENCIES
(LEGISLATIVE COUNCIL) ORDER 2015**

INTRODUCTION

At the meeting of the Executive Council on 13 October 2015, the Council **ADVISED** and the Chief Executive (“CE”) **ORDERED** that—

- (a) the recommendations in the report submitted by the Electoral Affairs Commission (“EAC”) to the CE on the delineation and the names of geographical constituencies (“GCs”) and the allocation of seats to each GC for the sixth-term Legislative Council (“LegCo”) general election in 2016 (“the EAC Report”) should be accepted in their entirety; and
- (b) the Declaration of Geographical Constituencies (Legislative Council) Order 2015 (“the Order”), at **Annex A**, should be made under sections 18 and 19 of the Legislative Council Ordinance (Cap. 542) (“LCO”)¹.

A

C

2. The main text of the EAC Report is at **Annex C**. The full report has been tabled at the LegCo on 14 October 2015.

JUSTIFICATIONS

The EAC Report

(A) Statutory Requirements and Criteria (paragraphs 2.1 to 2.4 of the EAC Report)

3. Under section 4(a) of the Electoral Affairs Commission Ordinance (Cap. 541) (“EACO”), one of the functions of the EAC is to consider or review the boundaries of GCs for the purpose of making recommendations on the delineation and the names of GCs for a LegCo general election. The

B

¹ The approved maps as referred to in the Order are at **Annex B**.

EAC is required under section 18 of the EACO to submit a report to the CE on its recommendations for the GCs not more than 36 months from the preceding LegCo general election. As the last LegCo general election was held on 9 September 2012, the EAC should submit its report for the 2016 LegCo general election to the CE by 8 September 2015.

4. In making recommendations on the delineation of GCs, the EAC is bound by certain statutory provisions as set out in the LCO and the EACO. The combined effects of the relevant provisions of these two Ordinances are as follows—

- (a) there are to be five GCs [**section 18(1) of LCO**];
- (b) 35 Members are to be returned for all GCs, and the number of Members to be returned for each GC is not less than five nor greater than nine [**section 19(1) and (2) of LCO**];
- (c) the EAC shall ensure that the population in each proposed GC is as near as practicable to the number which results (i.e. “the resulting number”) when the population quota² is multiplied by the number of Members to be returned to the LegCo by that GC. Where it is not practicable to comply with this requirement, the EAC shall ensure that the population in that GC does not exceed or fall short of the resulting number applicable to that GC by more than 15% [**section 20(1)(a) and (b) of EACO**];
- (d) the EAC shall ensure that each proposed GC is to be constituted by two or more contiguous whole District Council constituencies [**section 20(2) of EACO**];
- (e) the EAC shall have regard to community identities, preservation of local ties, and physical features such as size, shape, accessibility and development of the relevant area or any part thereof [**section 20(3)(a) and (b) of EACO**];
- (f) the EAC shall have regard to the existing boundaries of Districts³ and GCs [**section 20(4)(a) and (b) of EACO**]; and

² According to section 17(1) of the EACO, “population quota” means the total population of Hong Kong divided by the total number of Members to be returned for all GCs in the election. Based on the forecast population as at 30 June 2016, the population quota is: $7\,370\,500 \div 35 = 210\,586$.

³ “Districts” mean the 18 Districts as set out in Part II of Schedule 1 to the District Councils Ordinance (Cap. 547).

- (g) the EAC may depart from the strict application of sub-paragraph (c) above only where it appears that a consideration in sub-paragraph (e) renders such a departure necessary or desirable [section 20(5) of EACO].

D and E Extracts of the relevant provisions of the EACO and the LCO are at **Annexes D** and **E** respectively.

(B) Working principles (paragraph 2.5 of the EAC Report)

5. Apart from the statutory requirements and criteria set out in paragraph 4 above, the EAC also adopted a set of long-established working principles when arriving at its provisional recommendations (which now become its final recommendations after considering views received during public consultation), including the following—

- (a) the boundaries of the existing five GCs should form the basis of consideration in the current delineation exercise;
- (b) for those existing GCs where the population falls within the permissible range of the population quota requirement, their boundaries would be adopted as far as possible to form new GCs;
- (c) Hong Kong Island, Kowloon and the New Territories are to be treated separately, as these areas have been traditionally regarded as distinct from one another;
- (d) splitting of Districts by District Council constituencies should be avoided unless there are very strong reasons. Where splitting is necessary, it should affect the least number of Districts; and
- (e) factors with political implications are not considered.

(C) Provisional Recommendations of EAC (paragraphs 2.10 to 2.16 of the EAC Report)

6. When the EAC drew up its provisional recommendations, a primary consideration was to ensure compliance with the statutory requirements and criteria and working principles as set out in paragraphs 4 and 5 above. An inter-departmental working group led by the Planning Department provided population forecasts for the delineation of GCs for the

2016 LegCo general election, with the total population of Hong Kong projected at 7 370 500 as at 30 June 2016. With 35 GC seats, the population quota (as elaborated in footnote 2) is 210 586.

7. The delineation exercise was basically composed of two parts. The first part concerns determination of the boundaries of GCs. The EAC noted that the existing GC boundaries had been adopted since the first term of LegCo in 1998 and members of the public were generally well accustomed to them in elections. Any suggestion to re-delineate their boundaries would definitely cause confusion to electors and risk upsetting the long-established identities and community ties within each of the GCs. In the absence of any obvious and fundamental change in circumstances justifying alteration of the boundaries, the EAC recommended that the existing boundaries and the names of the five GCs should remain unchanged.

8. The second part concerns allocation of seats among the proposed GCs. Following the established process of delineation and in accordance with the statutory requirement of section 20(1)(a) of the EACO that the population in each proposed GC should be as near as practicable to the resulting number⁴, the EAC adopted a two-step approach to allocate the 35 seats among the five proposed GCs based on their respective projected population as at 30 June 2016—

- (a) Step One: Seats were allocated amongst the five GCs by dividing the projected population of each GC by the population quota and, thereafter, allocating seats according to the integer of the calculated number subject to the statutory limits⁵. Accordingly, 33 seats were first allocated to the five GCs; and
- (b) Step Two: As for the allocation of the remaining two seats, all six possible options for seat allocation were worked out as shown in Appendix I to the EAC Report. After considering the six options, the one with the smallest range of percentage deviations of the population from the resulting number in the individual GCs (i.e. Option E) was adopted.

⁴ The resulting number is obtained by multiplying the number of Members to be returned to the LegCo by that GC and the population quota, see paragraph 4(c) above.

⁵ According to section 19 of the LCO, the number of Members to be returned for each GC must not be less than five nor greater than nine, see paragraph 4(b) above.

The detailed process is set out in paragraphs 2.10 to 2.16 of the EAC Report. A summary of the EAC's provisional recommendations is as follows—

<u>Proposed Name of GC</u>	<u>Projected population as at 30.6.2016</u>	<u>Seats allocated in Step-One</u>	<u>Seats allocated in Step-Two</u>	<u>Proposed number of seats</u>	<u>Deviation from resulting number (see para. 4(c) above)</u>
Hong Kong Island (comprising Central and Western, Wan Chai, Eastern and Southern Districts)	1 268 000	6	0	6	+0.35%
Kowloon West (comprising Yau Tsim Mong, Sham Shui Po and Kowloon City Districts)	1 141 900	5	1	6	-9.63%
Kowloon East (comprising Wong Tai Sin and Kwun Tong Districts)	1 084 600	5	0	5	+3.01%
New Territories West (comprising Tsuen Wan, Tuen Mun, Yuen Long, Kwai Tsing and Islands Districts)	2 100 400	9	0	9	+10.82%

<u>Proposed Name of GC</u>	<u>Projected population as at 30.6.2016</u>	<u>Seats allocated in Step-One</u>	<u>Seats allocated in Step-Two</u>	<u>Proposed number of seats</u>	<u>Deviation from resulting number (see para. 4(c) above)</u>
New Territories East (comprising North, Tai Po, Sha Tin and Sai Kung Districts)	1 775 600	8	1	9	-6.31%
Total	7 370 500	33	2	35	-

9. Comparing the number of seats allocated to each GC under the provisional recommendations with that for the 2012 LegCo general election, Kowloon West will get one more seat while Hong Kong Island (“HKI”) will get one fewer seat, whereas the number of seats for Kowloon East, New Territories West (“NTW”) and New Territories East (“NTE”) will remain unchanged.

Public consultation (paragraphs 3.1 to 4.15 of the EAC Report)

10. In accordance with section 19 of the EACO⁶, the EAC conducted a public consultation exercise on its provisional recommendations from 21 May to 19 June 2015. Members of the public could submit written representations to the EAC, or attend the public forum held on 11 June 2015 to express their views. The LegCo Panel on Constitutional Affairs also discussed the provisional recommendations at its meeting on 15 June 2015.

11. The EAC received a total of 18 written representations. Nine people attended the public forum. The original texts of the written representations are contained in Part II of Volume I of the EAC Report. Summaries of the written representations received and oral representations raised at the public forum are set out in Appendix III to the same volume.

⁶ Section 19 of the EACO requires the EAC to conduct a public consultation exercise on its provisional recommendations for a period of not less than 30 days.

12. The EAC has received representations both in support of, and in opposition to, its provisional recommendations. The EAC continued to adopt the relevant statutory requirements and criteria (paragraph 4 above) and working principles (paragraph 5 above) to examine the grounds put forward in the representations in a prudent manner. For views opposing the provisional recommendations, the EAC noted that they were mainly related to the following issues–

(a) Requests for re-delineation of boundaries

13. A number of representations expressed concerns on the delineation of NTW. Since the proposed number of seats to be allocated to NTW has reached the upper limit stipulated in the LCO and the percentage deviation from the resulting number of NTW has reached +10.82%, the representations raised concern that NTW had insufficient seats to represent the residents in NTW. Many of them proposed re-delineation of the boundaries of NTW and other GCs so as to achieve a more even population distribution among the GCs. Before reaching the provisional recommendations, the EAC had considered four possible options of transferring a single District adjacent from NTW to NTE but none of the options was viable or desirable.

14. Besides, some representations proposed re-delineation of the GC boundaries on grounds of continuing urbanisation and gradual development of community infrastructure and transportation in the New Territories. The EAC considered that there was a need for the EAC to have a fair and objective assessment on whether there are incontrovertible grounds in support of re-delineating the existing boundaries given that the percentages of deviation from the resulting number of the existing five GCs were all within the statutory permissible range. Any suggestion to re-delineate the GC boundaries would unavoidably risk upsetting the long-established community identities and local ties and would not bring about substantial improvement in the delineation exercise. Besides, the EAC noted that many of the representations were in support of maintaining the existing boundaries of the five GCs intact. After due consideration, the EAC was of the view that in order to preserve the long-established community identities and local ties in the existing GCs and avoid causing unnecessary confusion to electors, the delineation exercise should be based on the boundaries of the existing GCs.

(b) Number of GCs

15. Some representations proposed increasing the number of GCs to six and re-delineating the New Territories into three GCs on grounds of the growing population of NTE and NTW. As the number of GCs is specified under section 18(1) of the LCO, the EAC could not accept such proposals.

(c) Number of seats

16. Some representations proposed amending the maximum number of Members to be returned for each GC so that more seats could be allocated to NTW. Some other representations proposed that the total number of seats of both GCs and functional constituencies should each be increased to 40. As the number of seats for GCs and the upper and lower limits of number of seats for each GC are specified in section 19(1) and (2) of the LCO, the EAC could not accept such proposals.

17. Moreover, some representations proposed that the number of seats of each GC should be the same. However, these proposals would involve substantial changes to the boundaries of the existing GCs in order to comply with the existing statutory criteria concerning the percentage of deviation from the resulting number of each GC. The EAC considered that any suggestions to re-delineate the GC boundaries would definitely risk upsetting the long-established identities and community ties within each of the GCs and cause unnecessary confusion to electors in the coming election. In addition, there was no requirement in the existing legislation that the number of seats of each GC must be equal. The EAC therefore did not adopt such representations.

(D) Final Recommendations of the EAC (paragraphs 4.16 to 4.18 of the EAC Report)

18. After examining all the representations against the considerations set out in paragraphs 13 – 17 above, the EAC decided that it was not necessary or appropriate to make any alteration to its provisional recommendations. It has thus adopted its provisional recommendations in full as its final recommendations. The EAC submitted its final recommendations to the CE on 28 August 2015. The CE in Council has accepted all the recommendations. The decision of the CE in Council will be effected by way of the Order.

THE ORDER

19. The Order has four sections and a schedule. **Section 1** specifies 1 January 2016 as the commencement date of the Order, which is after the completion of the negative vetting of the Order. **Section 2** defines certain terms used in the Order. **Section 3** and the **Schedule** declare the delineated areas to be GCs for an election to elect Members for the sixth term of office of LegCo and give names to the GCs. **Section 4** specifies the number of Members to be returned at the general election for the sixth term of office of LegCo for each GC declared by the Order.

LEGISLATIVE TIMETABLE

20. The legislative timetable will be:

Publication in the Gazette	16 October 2015
Tabling the Order at LegCo for negative vetting	28 October 2015

IMPLICATIONS OF THE PROPOSAL

21. The proposal is in conformity with the Basic Law, including the provisions concerning human rights. It will not affect the current binding effect of the relevant Ordinances and existing Regulations. The proposal has no economic, financial, civil service, productivity, environmental, sustainability, family or gender implications.

PUBLIC CONSULTATION

22. The EAC conducted a public consultation exercise from 21 May to 19 June 2015, as set out in paragraphs 10 to 17 above.

PUBLICITY

23. A press release has been issued to announce the decision of CE in Council to fully accept the recommendations of the EAC and the tabling of the EAC Report at LegCo. A spokesperson will be available for answering media enquiries, if any.

ENQUIRY

24. Any enquiry on this brief can be addressed to Miss Helen Chung, Principal Assistant Secretary for Constitutional and Mainland Affairs, at 2810 2908.

Constitutional and Mainland Affairs Bureau
14 October 2015

Declaration of Geographical Constituencies (Legislative Council) Order 2015

Section 1

1

Declaration of Geographical Constituencies (Legislative Council) Order 2015

(Made by the Chief Executive in Council under sections 18 and 19 of the Legislative Council Ordinance (Cap. 542))

1. Commencement

This Order comes into operation on 1 January 2016.

2. Interpretation

In this Order—

approved map (獲批准地圖) means a map—

- (a) referred to in column 3 of the Schedule; and
- (b) approved by the Chief Executive in Council on 13 October 2015;

constituency boundary (選區分界), in relation to an area declared to be a geographical constituency by this Order, means the boundary—

- (a) represented in the relevant approved map by the unbroken edging coloured red delineating that area; and
- (b) described as “2016 Legislative Council Geographical Constituency Boundary (coincides with District Boundary)” in the legend of that map;

constituency code (選區代號), in relation to an area declared to be a geographical constituency by this Order, means the code—

- (a) specified in column 2 of the Schedule opposite that area; and

Declaration of Geographical Constituencies (Legislative Council) Order 2015

Section 3

2

- (b) coloured red in the relevant approved map and described as “2016 Legislative Council Geographical Constituency Code” in the legend of that map.

3. Declaration of Legislative Council geographical constituencies

- (1) Each area delineated and marked on an approved map as described in column 3 of the Schedule is declared to be a geographical constituency for an election to elect Members for the sixth term of office of the Legislative Council.
- (2) The name of a geographical constituency declared under subsection (1) is specified in column 4 of the Schedule opposite the relevant area.

4. Number of Members to be returned for each geographical constituency

For each geographical constituency declared by this Order, the number of Members to be returned at the general election for the sixth term of office of the Legislative Council is specified in column 5 of the Schedule opposite the name of the constituency.

Schedule

[ss. 2, 3 & 4]

Geographical Constituencies

Column 1 Item	Column 2 Constituency Code	Column 3 Delineation of Area	Column 4 Name of Geographical Constituency	Column 5 Number of Members
1.	LC1	The area delineated by the constituency boundary on the approved map identified as Plan No. LCCA/R/2016 /HK and marked with the names Central & Western District, Wan Chai District, Eastern District and Southern District.	Hong Kong Island	6

Column 1 Item	Column 2 Constituency Code	Column 3 Delineation of Area	Column 4 Name of Geographical Constituency	Column 5 Number of Members
2.	LC2	The area delineated by the constituency boundary on the approved map identified as Plan No. LCCA/R/2016 /KLN-W&E and marked with the names Yau Tsim Mong District, Sham Shui Po District and Kowloon City District.	Kowloon West	6
3.	LC3	The area delineated by the constituency boundary on the approved map identified as Plan No. LCCA/R/2016 /KLN-W&E	Kowloon East	5

Declaration of Geographical Constituencies (Legislative Council) Order 2015
Schedule

5

Column 1 Item	Column 2 Constituency Code	Column 3 Delineation of Area	Column 4 Name of Geographical Constituency	Column 5 Number of Members
4.	LC4	and marked with the names Wong Tai Sin District and Kwun Tong District. The area delineated by the constituency boundary on the approved map identified as Plan No. LCCA/R/2016 /NT-W and marked with the names Tsuen Wan District, Tuen Mun District, Yuen Long District, Kwai Tsing District and Islands District.	New Territories West	9
5.	LC5	The area delineated by	New Territories	9

Declaration of Geographical Constituencies (Legislative Council) Order 2015
Schedule

6

Column 1 Item	Column 2 Constituency Code	Column 3 Delineation of Area	Column 4 Name of Geographical Constituency	Column 5 Number of Members
		the constituency boundary on the approved map identified as Plan No. LCCA/R/2016 /NT-E and marked with the names North District, Tai Po District, Sha Tin District and Sai Kung District.	East	

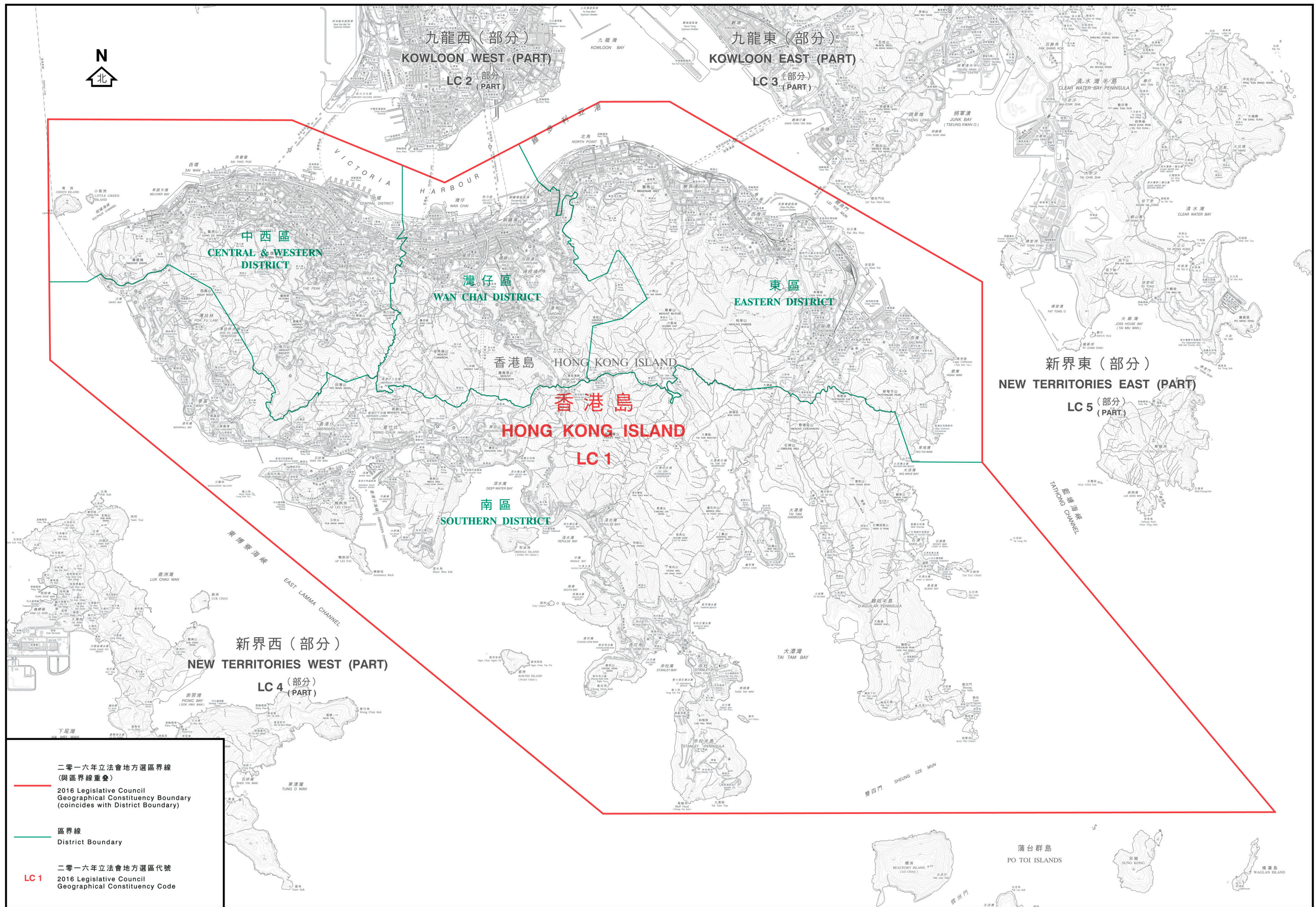
Clerk to the Executive Council

COUNCIL CHAMBER

2015

Explanatory Note

This Order declares areas of Hong Kong to be geographical constituencies for an election to elect Members for the sixth term of office of the Legislative Council, gives names to those constituencies, and specifies the number of Members to be returned for each of those constituencies.



二零一六年立法會地方選區界線
 (與區界線重疊)
 2016 Legislative Council
 Geographical Constituency Boundary
 (coincides with District Boundary)

區界線
 District Boundary

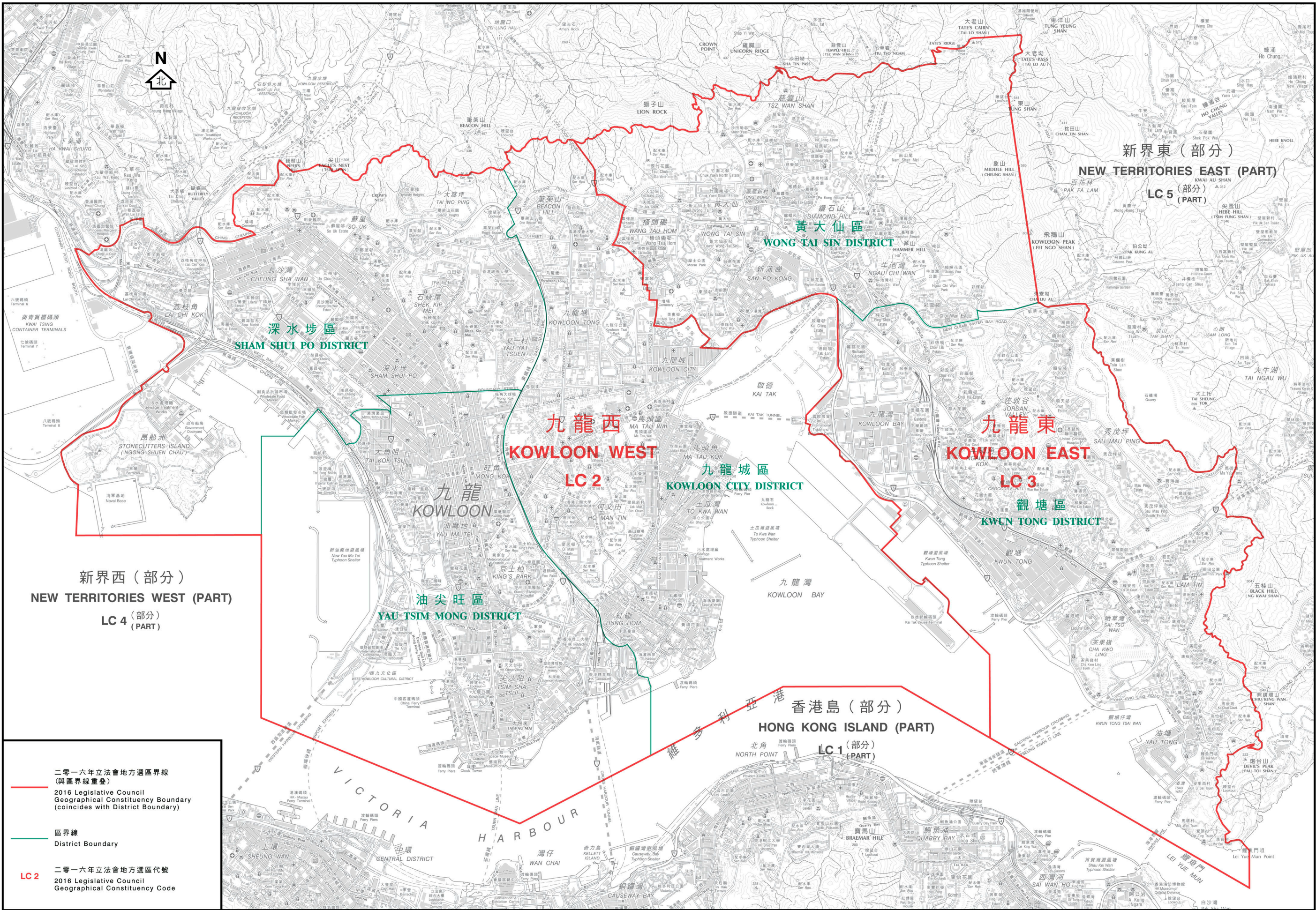
二零一六年立法會地方選區代號
LC 1
 2016 Legislative Council
 Geographical Constituency Code

行政長官會同行政會議根據《立法會條例》(第542章)
 第18及19條就地方選區的劃定
 This was the plan approved by the Chief Executive in Council
 on 13 October 2015 for the purpose of delineating geographical
 constituencies declared under sections 18 and 19 of the
 Legislative Council Ordinance (Cap. 542)

立法會地方選區分界圖—香港島選區
LEGISLATIVE COUNCIL GEOGRAPHICAL CONSTITUENCY BOUNDARIES — HONG KONG ISLAND CONSTITUENCY

米 METRES 500 0 1000 2000 3000 4000 5000 6000 METRES 米

圖則編號
 Plan No. **LCCA/R/2016/HK**
 二零一六年一月版
 January 2016 Edition
 選舉管理委員會刊印
 Published by the Electoral Affairs Commission
 版權所有 未經許可 不得複製 ©2016 Copyright reserved - reproduction by permission only
 地政總署測繪處繪製
 Cartography by Survey & Mapping Office, Lands Department



二零一六年立法會地方選區界線
 (與區界線重疊)
 2016 Legislative Council
 Geographical Constituency Boundary
 (coincides with District Boundary)

區界線
 District Boundary

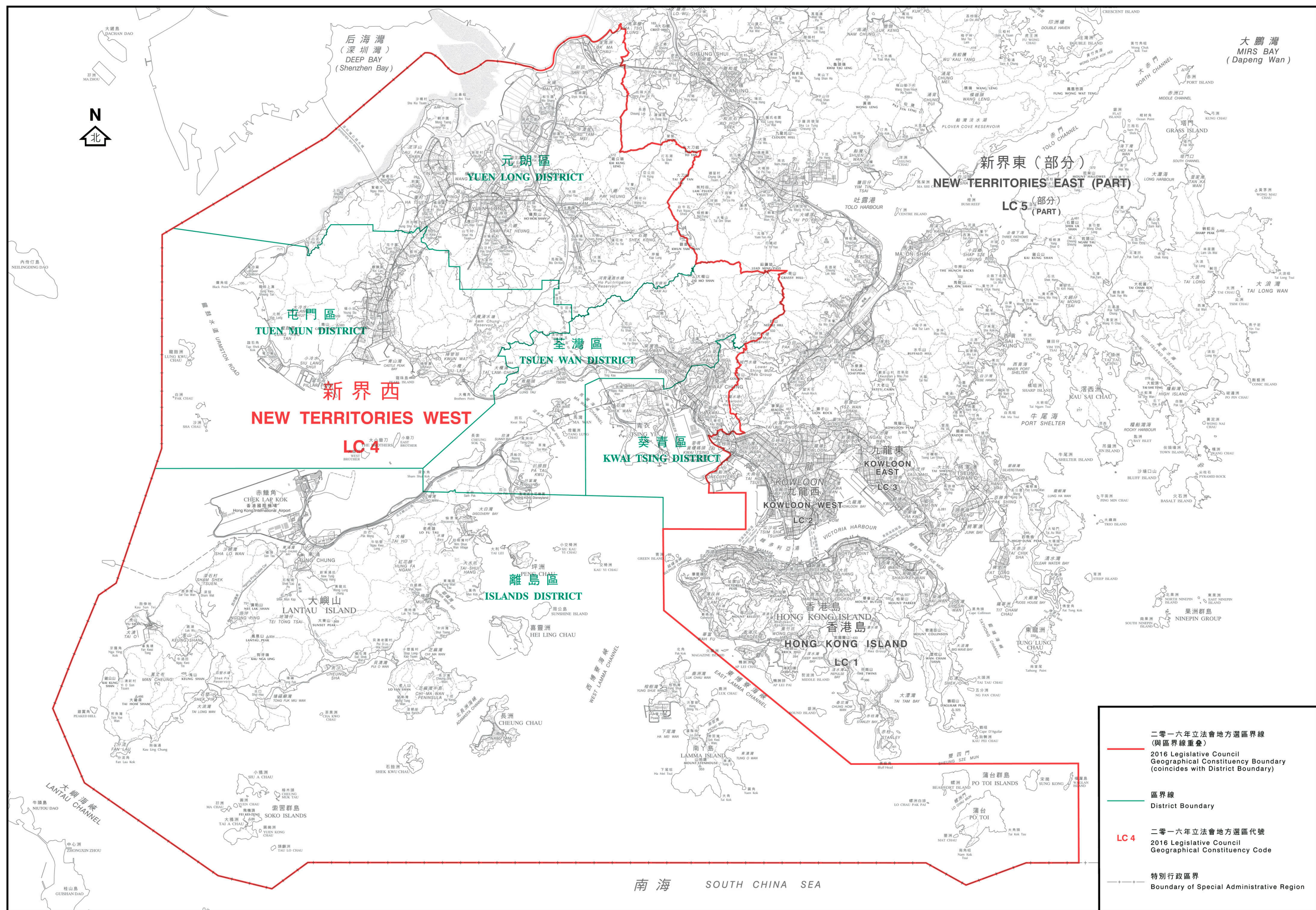
LC 2
 二零一六年立法會地方選區代號
 2016 Legislative Council
 Geographical Constituency Code

行政長官會同行政會議根據《立法會條例》(第542章)
 第18及19條就地方選區的劃定
 於二零一五年十月十三日通過此圖則
 This was the plan approved by the Chief Executive in Council
 on 13 October 2015 for the purpose of delineating geographical
 constituencies declared under sections 18 and 19 of the
 Legislative Council Ordinance (Cap. 542)

立法會地方選區分界圖—九龍西及東選區
 LEGISLATIVE COUNCIL GEOGRAPHICAL CONSTITUENCY BOUNDARIES — KOWLOON WEST & EAST CONSTITUENCIES

* METRES 500 0 500 1000 1500 2000 2500 3000 METRES *

圖則編號 LCCA/R/2016/KLN-W&E
 Plan No. LCCA/R/2016/KLN-W&E
 二零一六年一月版 January 2016 Edition
 選舉管理委員會刊印
 Published by the Electoral Affairs Commission
 版權所有 未經許可 不得複製 ©2016 Copyright reserved - reproduction by permission only
 地政總署測繪處繪製
 Cartography by Survey & Mapping Office, Lands Department



二零一六年立法會地方選區界線
 (與區界線重疊)
 2016 Legislative Council
 Geographical Constituency Boundary
 (coincides with District Boundary)

區界線
 District Boundary

LC 4
 二零一六年立法會地方選區代號
 2016 Legislative Council
 Geographical Constituency Code

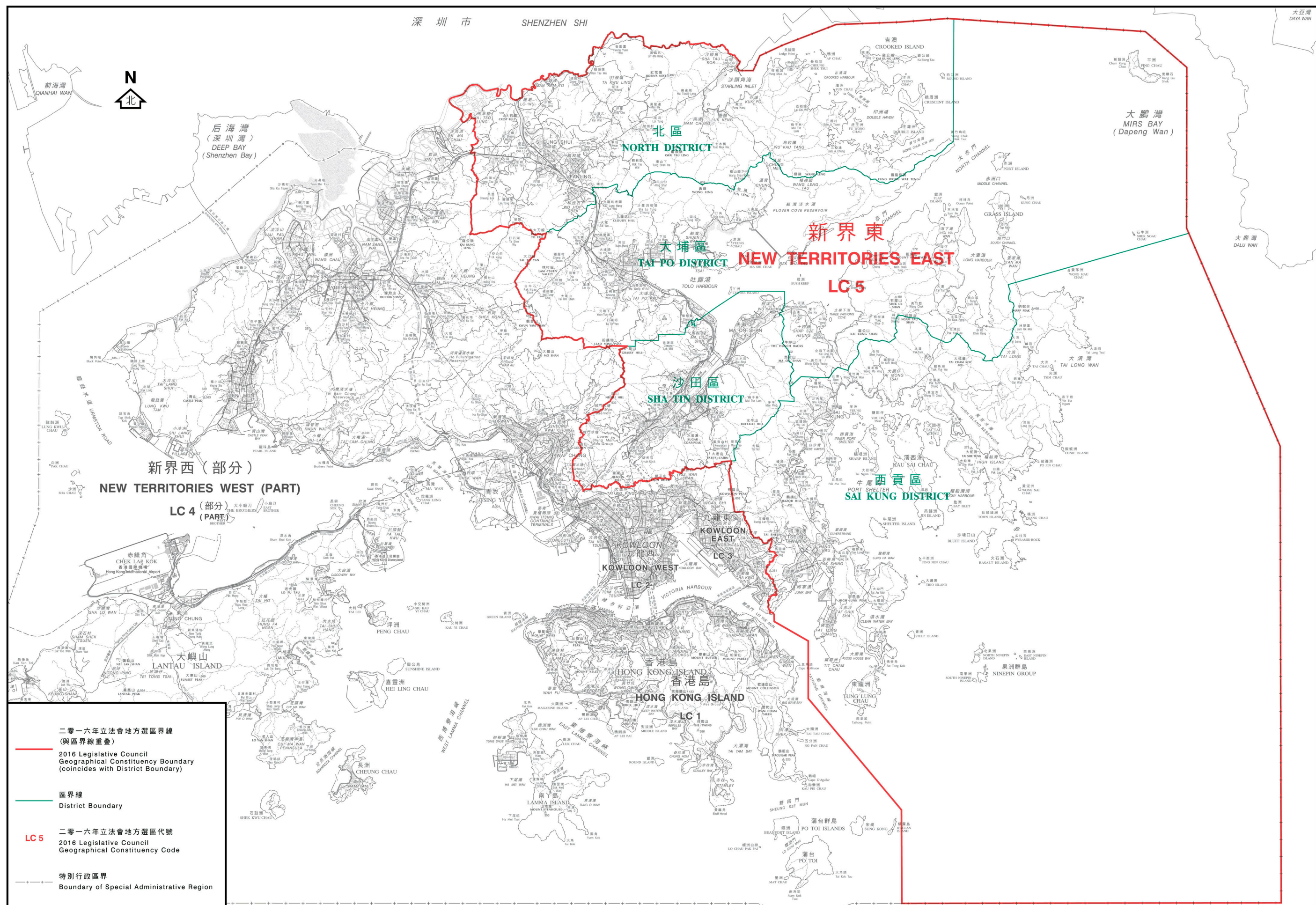
特別行政區界
 Boundary of Special Administrative Region

行政長官會同行政會議根據《立法會條例》(第542章)
 第18及19條就地方選區的劃定
 於二零一五年十月十三日通過此圖則
 This was the plan approved by the Chief Executive in Council
 on 13 October 2015 for the purpose of delineating geographical
 constituencies declared under sections 18 and 19 of the
 Legislative Council Ordinance (Cap. 542)

立法會地方選區分界圖—新界西選區
LEGISLATIVE COUNCIL GEOGRAPHICAL CONSTITUENCY BOUNDARIES — NEW TERRITORIES WEST CONSTITUENCY



圖則編號 **LCCA/R/2016/NT-W**
 Plan No. **LCCA/R/2016/NT-W**
 二零一六年一月版 January 2016 Edition
 選舉管理委員會刊印
 Published by the Electoral Affairs Commission
 版權所有 未經許可 不得複製 © 2016 Copyright reserved - reproduction by permission only
 地政總署測繪處繪製
 Cartography by Survey & Mapping Office, Lands Department



行政長官會同行政會議根據《立法會條例》(第542章)第18及19條就地方選區的劃定
This was the plan approved by the Chief Executive in Council on 13 October 2015 for the purpose of delineating geographical constituencies declared under sections 18 and 19 of the Legislative Council Ordinance (Cap. 542)

立法會地方選區分界圖—新界東選區
LEGISLATIVE COUNCIL GEOGRAPHICAL CONSTITUENCY BOUNDARIES — NEW TERRITORIES EAST CONSTITUENCY



圖則編號 LCCA/R/2016/NT-E
Plan No. LCCA/R/2016/NT-E
二零一六年一月版 January 2016 Edition
選舉管理委員會刊印
Published by the Electoral Affairs Commission
版權所有 未經許可 不得複製 ©2016 Copyright reserved - reproduction by permission only
地政總署測繪處繪製
Cartography by Survey & Mapping Office, Lands Department

CHAPTER 1

INTRODUCTION

Section 1 : The Electoral Affairs Commission

1.1 The Electoral Affairs Commission (“EAC”) is an independent and apolitical body established under section 3 of the Electoral Affairs Commission Ordinance (Chapter 541) (“EACO”), with the primary objective of upholding openness, honesty and fairness in public elections.

Section 2 : Responsibility of the EAC

1.2 Under section 4(a) of the EACO, one of the functions of the EAC is to consider or review the boundaries of geographical constituencies (“GCs”) for the purpose of making recommendations on the boundaries and names of GCs for a Legislative Council (“LegCo”) general election.

1.3 Under section 18 of the EACO, the EAC is required to submit to the Chief Executive (“CE”) a report on the recommendations for the delineation of the GCs and the names proposed for each GC in relation to a LegCo general election not more than 36 months from the preceding general election. As the last general election of the LegCo was held on 9 September 2012, the EAC is required to submit the report for the 2016 LegCo General Election to the CE by 8 September 2015.

Section 3 : Scope of the Report

1.4 The scope and content of this report are based on the requirements stipulated under section 18 of the EACO. The report is published in two volumes. **Volume 1** primarily describes the process of drawing up the proposals of GC boundaries and sets out the EAC's recommendations on the boundaries and the names of the GCs with the reasons for its recommendations. It also contains a summary of all written and oral representations made to the EAC and reproduces all the written representations. **Volume 2** contains a summary of the recommendations on GCs and maps showing the boundaries and names of the recommended GCs.

CHAPTER 2

DELINEATION OF GEOGRAPHICAL CONSTITUENCIES

Section 1 : Statutory Requirements

Provisions stipulated under the Legislative Council Ordinance

2.1 In making the recommendations in respect of the delineation of GC boundaries, the EAC is required to adhere to the following provisions stipulated under the Legislative Council Ordinance (Chapter 542) (“LCO”):

- (a) there are to be **5 GCs** for the purpose of returning Members at elections for those constituencies [section 18(1) of the LCO];
- (b) at a general election, **35 Members** are to be returned for all GCs [section 19(1) of the LCO]; and
- (c) the number of Members to be returned for each GC is to be a number, **not less than 5 nor greater than 9** [section 19(2) of the LCO].

Criteria stipulated under the EACO

2.2 In accordance with the EACO, the EAC shall:

- (a) ensure that the population in each proposed GC is as near as practicable to the number which results (i.e. “the resulting number”) when the population quota is multiplied by the number of Members to be returned to the LegCo by that GC [section 20(1)(a) of the EACO];
- (b) where it is not practicable to comply with paragraph (a) above in respect of a proposed GC, ensure that the population in that GC does not exceed or fall short of the resulting number applicable to that GC by more than 15% [section 20(1)(b) of the EACO]; and
- (c) ensure that each proposed GC is to be constituted by two or more contiguous whole District Council constituencies [section 20(2) of the EACO].

2.3 In making such recommendations, the EAC shall also have regard to:

- (a) community identities and the preservation of local ties [section 20(3)(a) of the EACO];

- (b) physical features (such as size, shape, accessibility and development) of the relevant area or any part thereof [section 20(3)(b) of the EACO];
- (c) existing boundaries of Districts¹ [section 20(4)(a) of the EACO]; and
- (d) existing boundaries of GCs [section 20(4)(b) of the EACO].

2.4 The EAC may depart from the strict application of the requirements set out in paragraph 2.2(a) and (b) above only where it appears that a consideration referred to in paragraph 2.3(a) and (b) above renders such a departure necessary or desirable [section 20(5) of the EACO].

Section 2 : Working Principles

2.5 Apart from the statutory requirements and criteria set out above, the EAC also adopted a set of long-established working principles (as shown below) for the current delineation exercise:

- (a) the boundaries of the existing 5 GCs should form the basis of consideration in the current delineation exercise;

¹ “Districts” means the 18 Districts as set out in Part II of Schedule 1 to the District Councils Ordinance (Chapter 547).

- (b) for those existing GCs where the population falls within the permissible range of the population quota requirement, their boundaries would be adopted as far as possible to form new GCs;
- (c) Hong Kong Island, Kowloon and the New Territories are to be treated separately, as these areas have been traditionally regarded as distinct from one another;
- (d) splitting of Districts by District Council constituencies should be avoided unless there are very strong reasons. Where splitting is necessary, it should affect the least number of Districts; and
- (e) factors with political implications are not considered.

Section 3 : Name and Code of GCs

2.6 In determining the name and code reference for the GCs, the EAC considers that the name of GCs should comprise two easily distinguished components, namely the name of the area in which the GC is situated and a directional reference similar to those adopted for the existing GCs, i.e. Hong Kong Island (“HKI”), Kowloon West (“KW”), Kowloon East (“KE”), the New Territories West (“NTW”) and the New Territories East (“NTE”). The GCs are also distinguished by a code and numbering

system starting from “LC 1” and ending at “LC 5”, being arranged from south to north and from west to east. The EAC hopes that with the adoption of this naming and coding system, anyone who consults the maps would find it easier to understand them and locate the GCs concerned. These methods have also been adopted in the delineation exercises for the LegCo general elections since 1998.

Section 4 : Population Forecasts

2.7 Section 20(6) of the EACO requires that the EAC shall endeavour to estimate the total population of Hong Kong or any proposed GC in the year in which a LegCo general election is to be held for the purpose of making recommendations on the delineation of GCs. If it is not practicable to do so, the EAC shall estimate the population of Hong Kong or the GC having regard to the available information which is the best possible in the circumstances.

2.8 An Ad Hoc Subgroup (“AHSG”), formed under the Working Group on Population Distribution Projections led by the Planning Department (“PlanD”), took up the task of providing the EAC with the necessary population forecasts. The AHSG was chaired by an Assistant Director of the PlanD and comprised representatives from the Constitutional and Mainland Affairs Bureau (“CMAB”), Census and Statistics Department (“C&SD”), Housing Department, Lands Department (“LandsD”) and Registration and Electoral Office (“REO”). Following the established

practice, the AHSB used the statistics of the latest official population projections (2011-based projected figures) released by the C&SD as the basis and provided a report to the EAC on population forecasts of each District Council Constituency Area (“DCCA”) in Hong Kong as at **30 June 2016**.

2.9 The report estimated that the total population of Hong Kong would be **7 370 500** as at 30 June 2016. The population projections in the report were adopted by the EAC for the delineation of GC boundaries. The **population quota** (defined in section 17(1) of the EACO as the total population of Hong Kong divided by the total number of Members to be returned for all GCs, i.e. $7\,370\,500 \div 35$) was **210 586** for the purpose of this delineation exercise.

Section 5 : The Process of Delineation

2.10 Based on the population forecasts mentioned in paragraph 2.9 above and adhering to the statutory requirements, relevant criteria and the established working principles as set out in paragraphs 2.1 to 2.5 above, the EAC drew up its provisional recommendations on the boundaries and names of GCs for the 2016 LegCo General Election.

2.11 The delineation exercise was basically composed of two parts. The first part concerned determination of the boundaries of GCs. According to the LCO, the number of GCs would remain at 5 for the purpose of returning Members at the 2016 LegCo General Election and the

total number of Members to be returned for all GCs would be maintained at 35. The EAC noted that the existing GC boundaries had been adopted since the first term of LegCo in 1998 and members of the public were generally well accustomed to them in elections. Any suggestion to re-delineate their boundaries would definitely cause unnecessary confusion to electors and risk upsetting the long-established identities and community ties within each of the GCs. Moreover, there had not been a major shift in the territorial population ratio² of the 5 GCs since the last LegCo general election. Therefore, in the absence of any obvious and fundamental change in circumstances justifying alteration of the boundaries, the EAC recommended that the existing boundaries of the 5 GCs should be maintained.

2.12 The second part concerned allocation of seats among the proposed GCs having regard to their projected populations. Following the established process of delineation, the EAC had adopted a two-step method to allocate the 35 seats among the 5 proposed GCs with a view to ensuring that the population in each proposed GC was as near as practicable to the resulting number as required under section 20(1)(a) of the EACO (see paragraph 2.2(a) above). This was to ensure that the important principle of “equal representation” could be complied with in the delineation of GC boundaries. Details of the steps on allocating the seats are shown below:

- (a) Step One: Seats were allocated among the 5 GCs by dividing the projected population of each GC by the population quota (see paragraph 2.9 above) and,

² The change of territorial population ratio among the 5 GCs is between 0.01% and 0.85%.

thereafter, allocating seats according to the integer of the calculated number subject to the statutory limits (see paragraph 2.1 (c) above). Accordingly, 33 seats were first allocated to the 5 GCs. For details of the allocation of seats, please refer to the table at paragraph 2.13 below.

- (b) Step Two: There were 2 remaining seats after Step One. As to the allocation of the remaining 2 seats, all the six possible options for seat allocation were set out in the “Summary of the Provisional Recommendations on GCs” of the consultative document. The relevant table is shown at **Appendix I**. Having considered the six options, the EAC adopted the option which gives the smallest range of the percentage deviations of the population from the resulting number in the individual GCs (i.e. Option E). In general, this option ensured that the variation between individual GCs in terms of the number of persons represented by a LegCo seat was reduced to a minimum.

2.13 Under the provisional recommendations, the number of seats allocated to each GC in accordance with the aforesaid method is as follows:

Proposed Name and Code of GC	Projected Population	Seats allocated in Step One	Seats allocated in Step Two	Proposed Number of Seats
Hong Kong Island (LC 1)	1 268 000	6	0	6
Kowloon West (LC 2)	1 141 900	5	1	6
Kowloon East (LC 3)	1 084 600	5	0	5
New Territories West (LC 4)	2 100 400	9	0	9
New Territories East (LC 5)	1 775 600	8	1	9
Total:	7 370 500	33	2	35

Details of the calculation are shown in **Appendix I**.

2.14 The provisional recommendations of the EAC fulfilled all the statutory requirements, relevant criteria and the established working principles set out in paragraphs 2.1 to 2.5 above. As the EAC recommended that the existing boundaries of the 5 GCs should be maintained, the existing names and codes for the 5 GCs were also recommended to be kept unchanged.

2.15 In drawing up the provisional recommendations on the boundaries of the GCs, the EAC had in accordance with the established practice invited the Home Affairs Department (“HAD”) to provide views on the provisional recommendations of maintaining the existing boundaries and

names of the 5 GCs from the perspectives of community identities, local ties and physical features and developments of the GCs.

Section 6 : The Provisional Recommendations

2.16 The EAC considered that the provisional recommendations (i.e. maintaining the existing boundaries and names of the 5 GCs and allocating the 35 seats among the 5 GCs as set out in paragraph 2.13 above) were the most appropriate option, and proceeded to prepare for the launch of a public consultation exercise on the provisional recommendations. Details of the EAC's provisional recommendations, including the population and component DCCAs of each GC are set out in **Appendix II**. These provisional recommendations were then put forth by the EAC for public consultation.

CHAPTER 3

THE PUBLIC CONSULTATION

Section 1 : The Consultation Period and Public Forum

3.1 In compliance with the requirement of section 19 of the EACO, the EAC conducted a public consultation exercise on its provisional recommendations from 21 May to 19 June 2015 for a period of 30 days. During this period, members of the public could send in their representations, in writing, to the EAC to express their views on the EAC's provisional recommendations on the boundaries and names of the GCs.

3.2 During the public consultation period, summary of the provisional recommendations on GCs, together with the method for the allocation of seats, component Districts and DCCAs, and maps showing the boundaries of the GCs were available for public inspection at all District Offices, management offices of all public housing estates, all Post Offices, major and district public libraries and the REO. Such information was also made available to the public on the EAC's website.

3.3 Each set of the consultative document contained the Message from the EAC Chairman, which explained to the public the statutory requirements, relevant criteria and the working principles adopted by the EAC in delineating the GC boundaries, and also the justifications for the

provisional recommendations.

3.4 The public consultation was widely publicised through Announcements in the Public Interest on radio and TV, press releases, newspaper advertisements, posters, the EAC's website and the government gazette.

3.5 On the first day of the consultation period, i.e. 21 May 2015, the EAC held a press conference to launch the public consultation exercise and invited the public to give their views on the EAC's provisional recommendations. To ensure that the final recommendations of the EAC could fully take into account public opinions, the EAC appealed to the public to come forward and express their support or otherwise for the provisional recommendations. This was to enable the EAC to more accurately gauge the public's views and degree of acceptance of the provisional recommendations.

3.6 A public forum was held from 7:00 p.m. to 9:00 p.m. on 11 June 2015 at the Lai Chi Kok Community Hall, 863 Lai Chi Kok Road, Sham Shui Po, Kowloon, where members of the public could attend and express their views to the EAC directly. Audio-visual aids were used to facilitate understanding of the representations by making reference to maps and other relevant information.

3.7 The REO also attended a meeting of the LegCo Panel on

Constitutional Affairs on 15 June 2015 to brief LegCo Members and listen to their views on the EAC's provisional recommendations.

Section 2 : Number of Representations Received

3.8 During the consultation period, the EAC received a total of 18 written representations. In addition, nine persons turned up at the public forum held on 11 June 2015. All written representations are reproduced in Part II of this volume. Summaries of the written and oral representations are shown in **Appendix III** of this volume.

CHAPTER 4

CONSIDERATION OF REPRESENTATIONS

Section 1 : Deliberations and Observations

4.1 As soon as the public consultation period ended, the EAC went through each of the written and oral representations (including the views expressed by LegCo Members at the meeting of the LegCo Panel on Constitutional Affairs held on 15 June 2015) to consider whether they should be accepted.

4.2 As with past delineation exercises, the EAC examined each of the representations received in detail. In the course of deliberation, the EAC adopted broadly the same approaches as with previous delineation exercises. Regarding the views expressed in the representations, the EAC continued to adopt the statutory requirements, relevant criteria and working principles to examine the grounds put forward in the representations in a prudent manner.

4.3 The EAC has received both supporting and opposing representations on its provisional recommendations. For views opposing the provisional recommendations, the EAC noted that they were mainly related to the following issues. In this regard, the EAC would like to set out its factors of consideration so that the public can fully understand the

EAC's recommendations:

(a) *Requests for Re-delineation of Boundaries*

4.4 The principle of “equal representation” (i.e. equal number of people should have equal number of representatives) is an important consideration in the delineation of GC boundaries. Therefore, according to the statutory criteria under the EACO for making recommendations on the delineation of GC boundaries for a LegCo general election, the projected population in each GC should be as near as practicable to the resulting number. However, given the unique situation of Hong Kong being a small and compact place with a dense population, which is distributed vertically, the EACO, at the same time, allows the population of a GC to deviate from its resulting number by not more than $\pm 15\%$ and requires that the EAC shall have regard to the criteria of community identities, the preservation of localities and the physical features of the relevant area in the course of delineation of the GC boundaries. Besides, the EACO also requires the EAC to have regard to the existing GC boundaries in making recommendations in relation to a general election. Therefore, this is reasonable and practical to formulate proposals on the basis of the existing GC boundaries.

4.5 During the consultation period, the EAC received a number of representations relating to the delineation of NTW. These representations pointed out that after dividing the projected population of NTW by the

population quota, its entitled number of seats reached 9.97. However, due to the limit stipulated in the LCO that the maximum number of seats to be returned for each GC is 9, only 9 seats could be allocated to NTW. As a result, the percentage deviation from the resulting number of the NTW has reached +10.82% and for this reason the representors consider that the GC has insufficient seats of representation. Some representations considered that the population of NTW would be on an increasing trend in future and estimated that its percentage deviation of population would be getting larger. Many representations proposed re-delineation of the boundaries of NTW and other GCs so as to achieve a more even population distribution among the GCs.

4.6 The EAC understands the concern raised by the public regarding NTW. In the past delineation exercises, the EAC also received similar representations. In view of this, the EAC had reviewed the situation of NTW afresh before reaching the provisional recommendations and had considered four possible options of transferring a single District adjacent to NTE from NTW to NTE (as set out below). However, these four options were either not viable or not desirable.

- (i) By transferring the Islands District to NTE – under this option, the new NTE would cover an extremely large area and the Islands District would be far away from the other Districts in NTE. Moreover, currently, the northern part of Lantau Island falls within the Tsuen Wan District while

the rest of it belongs to the Islands District. This option would split Lantau Island into two parts and, therefore, would adversely affect the long-established community identities of the area. Although the percentages of deviation of the 5 GCs would be improved (-9.63% to +3.01%) compared with those in the provisional recommendations (-9.63% to +10.82%), this option was considered not desirable in view of the aforementioned factors of consideration;

- (ii) By transferring the Tsuen Wan District to NTE – this option would similarly split Lantau Island into two parts and, therefore, would adversely affect the long-established community identities of the area. Besides, the shape of the new GC would be undesirable and there was no significant improvement on the deviation range (-9.63% to +10.00%) among the 5 GCs. Therefore, this option was also considered not desirable;
- (iii) By transferring the Kwai Tsing District to NTE – this option was not viable because it would increase the population of the NTE significantly but only 9 seats could be allocated to the GCs in accordance with the statutory requirement. Under such circumstances, the percentage of deviation would be +20.64% for NTE, which exceeded

the statutory permissible upper limit;

- (iv) By transferring the Yuen Long District to NTE – this option was not viable because it would increase the population of the NTE significantly but only 9 seats could be allocated to the GC in accordance with the statutory requirement. Under such circumstances, the percentage of deviation would be +26.89% for NTE, which exceeded the statutory permissible upper limit.

4.7 Given the consideration that there has not been a major shift in the territorial population ratio across the 5 GCs since the last LegCo general election, the EAC recommended to keep the existing boundaries of the 5 GCs intact in its provisional recommendations. The percentage deviation of the projected population from the resulting number of the 5 individual GCs was within the 15% permissible range stipulated under section 20(1)(b) of the EACO. As for NTW, its percentage of deviation from the resulting number was similar to that of the last LegCo general election.

4.8 Moreover, some representations put forward grounds of continuing urbanisation and gradual development of community infrastructure and transportation in the New Territories in support of their proposals to re-delineate the existing GC boundaries to form GCs comprising some areas of the New Territories and the Hong Kong Island or Kowloon.

4.9 The EAC agrees that the gradual development of the community infrastructure and transportation network might better connect the related districts in the long run. However, these developments will not necessarily change the long-established community identities and local ties of the relevant areas. When considering these representations, there is a need for the EAC to have a fair and objective assessment on whether there are incontrovertible grounds in support of re-delineating the existing boundaries given that the percentages of deviation from the resulting number of the existing 5 GCs are all within the statutory permissible range. The existing boundaries of the 5 GCs have come into existence since 1998 and the community identities and local ties within each of the GCs have been long established. Any suggestion to re-delineate the GC boundaries would unavoidably risk upsetting the long-established community identities and local ties and would not bring about substantial improvement in the delineation exercise. In fact, these proposals are not incontrovertible and there is no wide consensus in the society. The EAC notes that many of the representations received during the consultation period are in support of maintaining the existing boundaries of the 5 GCs intact.

4.10 After prudent consideration, the EAC is of the view that in order to preserve the long-established community identities and local ties in the existing GCs and avoid causing unnecessary confusion to electors, the delineation exercise should be based on the boundaries of the existing GCs. Given that the percentages of deviation from the resulting number of the existing GCs all fall within the statutory permissible range, and in the

absence of any obvious change in community identities and local ties justifying alteration of the boundaries, it is considered that re-delineating the GC boundaries simply to reduce the population difference among the GCs would not be appropriate and should not be recommended.

(b) Number of Geographical Constituencies

4.11 The LCO stipulates that there are to be 5 GCs for the purpose of returning Members at elections for those constituencies. Some representations proposed increasing the number of GCs to 6 and re-delineating the New Territories into 3 GCs on grounds of the growing population of NTE and NTW. There were also representations suggesting merging the existing 5 GCs into 1 GC.

4.12 In making the recommendations on the delineation of GC boundaries, the EAC is required to adhere to the statutory requirement in the LCO, which stipulates that there are to be 5 GCs. As the aforesaid proposals involve amendment to the LCO, the EAC has referred these views to the CMAB for reference.

(c) Number of Seats

4.13 As the percentage of deviation from the resulting number of NTW has reached +10.82%, some representations proposed amending the maximum number of Members to be returned for each GC so that more

seats could be allocated to NTW. Some representations proposed that the total number of seats of both GCs and functional constituencies should each be increased to 40. As explained above, the EAC should adhere to the statutory requirements stipulated in the LCO in drawing up the provisional recommendations. At present, the law requires that 35 Members are to be returned for all GCs and the number of Members to be returned for each GC is to be a number, not less than 5 nor greater 9. The EAC has referred these views to the CMAB for reference.

4.14 Moreover, some representations proposed that the number of seats of each GC should be the same. Given that the population is unevenly distributed among the existing 5 GCs, there would be substantial changes to the boundaries of the existing GCs if on one hand, an even distribution of the 35 seats among GCs is to be achieved and on the other hand, the existing statutory criteria concerning the percentage of deviation from the resulting number of each GC have to be complied with. Besides, the existing GC boundaries have been adopted since the first term of LegCo in 1998, members of the public are generally well accustomed to them in elections. Any suggestions to re-delineate their boundaries would definitely risk upsetting the long-established identities and community ties within each of the GCs and cause unnecessary confusion to electors in the coming election.

4.15 The existing legislation does not require that the seats should be equally allocated among the GCs. The EAC has allocated the seats

among the proposed GCs having regard to their projected population in accordance with the established calculation procedures with a view to ensuring that the population in each proposed GC is as near as practicable to the resulting number as required under section 20(1)(a) of the EACO.

Section 2 : The Recommendations

4.16 At its meeting on 30 July 2015, the EAC, having considered the representations received, drew up its final recommendations. Its views on the representations are recorded in the last column of **Appendix III**.

4.17 As explained in Section 5 of Chapter 2 above, the EAC's provisional recommendations have fulfilled all the statutory requirements, relevant criteria and established working principles. The EAC has taken into account all the public representations (including supporting and opposing views as well as the specific proposals given in the representations) received during the consultation period. After weighing and balancing all relevant considerations, the EAC considers that the present recommendation to maintain the existing boundaries of the 5 GCs represents the most appropriate and practicable way forward.

4.18 The EAC decides that it is not necessary or appropriate to make any alteration to its provisional recommendations, which now remain as its final recommendations. The final recommendations in respect of the 5 GCs, including the number of seats allocated to each recommended GC,

their names and reference code numbers, the component DCCAs and their projected population details as well as the maps showing the boundaries and names of the recommended GCs are contained in **Volume 2** of this report.

CHAPTER 5

A CONCLUDING NOTE

Section 1 : Acknowledgements

5.1 With the completion of this delineation exercise, the EAC would like to express its gratitude towards the following government departments/units for their contributions: the AHSG for its provision of the population forecasts, the LandsD for its production of maps for the consultation exercise and production of this report, the Information Services Department for its contribution to the publicity programme relating to the consultation exercise, the Government Logistics Department for the printing of the consultation materials and this report, and the HAD for the provision of venue for holding the public forum.

5.2 The EAC is particularly thankful to the EAC Secretariat for their dedicated and concerted efforts in the preparation work.

5.3 The EAC is also grateful to those members of the public for their representations put forth in writing or orally at the public forum.

Section 2 : Conclusion

5.4 As in previous delineation exercises, the EAC has adhered to the statutory requirements, relevant criteria and its working principles in this delineation exercise. Factors with political implications are not considered.

5.5 Delineation of GC boundaries is an integral part of a general election. The EAC is committed to conducting each and every election under its supervision in an open, fair and honest manner. The EAC has all the time held on to this important principle in this delineation exercise.

Chapter:	541 	Title:	Electoral Affairs Commission Ordinance	Gazette Number:	E.R. 2 of 2012
Section:	20	Heading:	Criteria for making recommendations	Version Date:	02/08/2012

(1) In making recommendations for the purposes of this Part, the Commission shall-

- (a) ensure that the extent of each proposed geographical constituency is such that the population in that constituency is as near as is practicable to the number which results (*the resulting number*) when the population quota is multiplied by the number of members to be returned to the Legislative Council by that geographical constituency pursuant to any electoral law;
- (b) where it is not practicable to comply with paragraph (a) in respect of a proposed geographical constituency, ensure that the extent of the constituency is such that the population in that constituency does not exceed or fall short of the resulting number applicable to that constituency, by more than 15% thereof;
- (c) ensure that the extent of each proposed District Council constituency is such that the population in that constituency is as near the population quota as practicable; (Added 8 of 1999 s. 89)
- (d) where it is not practicable to comply with paragraph (c) in respect of a proposed District Council constituency, ensure that the extent of the proposed constituency is such that the population in that constituency does not exceed or fall short of the population quota, by more than 25% thereof. (Added 8 of 1999 s. 89)

(2) In making such recommendations the Commission shall ensure that each proposed geographical constituency is constituted by 2 or more contiguous whole District Council constituencies.

(3) In making such recommendations the Commission shall have regard to-

- (a) community identities and the preservation of local ties; and
- (b) physical features such as size, shape, accessibility and development of the relevant area or any part thereof.

(4) In making such recommendations in relation to a general election the Commission shall have regard to-

- (a) existing boundaries of Districts; and
- (b) existing boundaries of geographical constituencies. (Replaced 78 of 1999 s. 7)

(4A) Subject to subsection (4B), in making such recommendations in relation to an ordinary election, the Commission must follow the existing boundaries of Districts and the existing number of members to be elected to a District Council as specified in or under the District Councils Ordinance (Cap 547). (Added 8 of 1999 s. 89)

(4B) If the Chief Executive in Council makes any order under section 8 of the District Councils Ordinance (Cap 547)-

- (a) not later than 12 months before the deadline for submitting a report for the ordinary election to which the recommendations relate; and
- (b) which is applicable in relation to that ordinary election; and
- (c) for the purpose of declaring Districts or specifying the number of members to be elected to a District Council,

the Commission must, in making such recommendations in relation to that ordinary election, follow the boundaries of the Districts as declared in the relevant order and the number of members to be elected as specified in the relevant order. (Added 8 of 1999 s. 89)

(5) The Commission may depart from the strict application of subsection (1) only where it appears that a consideration referred to in subsection (3) renders such a departure necessary or desirable.

(6) The Commission shall, for the purposes of subsection (1)-

- (a) endeavour to estimate the total population of Hong Kong or any proposed constituency, as the case may be, in the year in which the election to which the recommendations relate, is to be held; and
- (b) if it is not practicable to comply with paragraph (a), estimate the population of Hong Kong, the geographical constituency or the District Council constituency, as the case may be, having regard to the available information which is the best possible in the circumstances for the purpose of making recommendations.

(7) In this section-

District (地方行政區) has the meaning assigned to it by the District Councils Ordinance (Cap 547). (Replaced 8 of 1999 s. 89)

(Amended 8 of 1999 s. 89; 78 of 1999 s. 7)

Chapter:	542	Title:	Legislative Council Ordinance	Gazette Number:	E.R. 2 of 2012
Section:	18	Heading:	Establishment of geographical constituencies	Version Date:	02/08/2012

(1) There are to be 5 geographical constituencies for the purpose of returning Members at elections for those constituencies. (Replaced 25 of 2003 s. 5)

(2) The Chief Executive in Council may, by order published in the Gazette-

- (a) declare areas of Hong Kong to be geographical constituencies; and
- (b) give names to those constituencies.

(3) When making an order under this section, the Chief Executive in Council must have regard to the recommendations made by the Electoral Affairs Commission in the last report of the Commission submitted in accordance with section 18 of the Electoral Affairs Commission Ordinance (Cap 541) for the purposes of the general election to which the order relates.

(4) If an order under this section refers to a map that defines the area of a geographical constituency, the Electoral Registration Officer must ensure that at least one copy of the map is kept at that Officer's office and is made available for inspection by members of the public during ordinary business hours of that office.

(5) No charge is payable by a member of the public who wishes to inspect a copy of the map.

(6) A map certified by the Electoral Registration Officer as a true copy of a map that defines the area of a geographical constituency is conclusive evidence of the area of the constituency.

Chapter:	542	Title:	Legislative Council Ordinance	Gazette Number:	2 of 2011; G.N. 5176 of 2012
Section:	19	Heading:	Number of Members to be returned for geographical constituency	Version Date:	01/10/2012

(1) At a general election, 35 Members are to be returned for all geographical constituencies.

(2) The number of Members to be returned for each geographical constituency is to be a number, not less than 5 nor greater than 9, specified in the order declaring the area of the constituency in accordance with section 18(2).

(Replaced 25 of 2003 s. 6. Amended 2 of 2011 s. 4)
