

立法會
Legislative Council

Ref : CB2/SS/3/17

LC Paper No. CB(2)780/17-18
(These minutes have been seen
by the Administration)

Subcommittee on District Councils Ordinance
(Amendment of Schedule 3) Order 2017

Minutes of the meeting
held on Wednesday, 1 November 2017, at 8:30 am
in Conference Room 3 of the Legislative Council Complex

- Members present** : Hon Jeffrey LAM Kin-fung, GBS, JP (Chairman)
Hon Paul TSE Wai-chun, JP
Hon YIU Si-wing, BBS
Hon LEUNG Che-cheung, SBS, MH, JP
Hon Alice MAK Mei-kuen, BBS, JP
Dr Hon Junius HO Kwan-yiu, JP
Hon Holden CHOW Ho-ding
Hon YUNG Hoi-yan
Hon LAU Kwok-fan, MH
Hon Jeremy TAM Man-ho
- Members absent** : Dr Hon Helena WONG Pik-wan
Hon CHU Hoi-dick
- Public Officers attending** : Mr Andy CHAN Shui-fu
Under Secretary for Constitutional and Mainland Affairs
- Miss Helen CHUNG Chi-ching
Principal Assistant Secretary for Constitutional and
Mainland Affairs
- Miss Emma WONG
Senior Assistant Law Draftsman (Acting)
Department of Justice
- Clerk in attendance** : Ms Joanne MAK
Chief Council Secretary (2) 3

Staff in attendance : Ms Wendy KAN
Assistant Legal Adviser 6

Mr Dennis HO
Senior Council Secretary (2) 3

Mrs Fanny TSANG
Legislative Assistant (2) 3

Action

I. Election of Chairman

Mr Jeffrey LAM was elected Chairman of the Subcommittee. Members agreed that election of a deputy chairman was not necessary.

II. Meeting with the Administration

[LC Paper Nos. CB(3)42/17-18, LS4/17-18, CB(2)192/17-18(01), CB(2)193/17-18(01) and CMAB C2/23]

2. The Subcommittee deliberated (index of proceedings attached at **Annex**).
3. Members considered it not necessary for the Subcommittee to receive views from deputations on the District Councils Ordinance (Amendment of Schedule 3) Order 2017 ("the Order").
4. The Subcommittee completed the scrutiny of the Order. Members noted that the Administration would advise on the proposed date for moving the motion on the Order in the Council in due course.

III. Any other business

5. There being no other business, the meeting ended at 9:25 am.

**Proceedings of the meeting of the
Subcommittee on District Councils Ordinance
(Amendment of Schedule 3) Order 2017
on Wednesday, 1 November 2017, at 8:30 am
in Conference Room 3 of the Legislative Council Complex**

Time Marker	Speaker(s)	Subject(s)	Action required
000432 - 000637	Mr Jeffrey LAM Mr LEUNG Che-cheung Mr YIU Si-wing	Election of Chairman	
000638 - 001352	Chairman Administration	Opening remarks Briefing by the Administration on the District Councils Ordinance (Amendment of Schedule 3) Order 2017 ("the Order").	
001353 - 001922	Chairman Mr LEUNG Che-cheung Administration	<p>Mr LEUNG Che-cheung declared that he was an incumbent member of Yuen Long District Council ("DC"). He expressed support for the proposed increase of four elected seats for Yuen Long DC. He pointed out that for Islands DC, Tung Chung faced rapid population growth and had far exceeded the population quota, while the population size of some outlying islands had fallen short of the population quota. Nevertheless, Islands DC was not allocated an extra seat under this review exercise. He considered that the Administration should come up with measures to improve the situation. He also suggested that the Administration should consider increasing the number of existing DCs from 18 to 19, and that the large membership size of some DCs (e.g. Yuen Long and Sha Tin) should be reviewed as such a large membership had posed operational issues.</p> <p>The Administration replied that it would review the mechanism for determining the number of elected seats for the seventh-term DCs. The review would also look into the merits of suggestions received including the population quota and the membership size of certain DCs. The Administration would seek to complete the review by 2021 for implementation in the seventh-term DCs.</p>	

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001923 - 002437	Chairman Mr Holden CHOW Administration	<p>Mr Holden CHOW declared that he was an incumbent member of Islands DC. Echoing Mr LEUNG Che-cheung's view, he considered that the number of elected seats should be increased for Islands DC to cater for the rapid population growth in Tung Chung. He agreed that the Administration should review the population quota.</p> <p>In response to Mr CHOW's and Mr LEUNG's views, the Administration advised that the existing legislation required the Electoral Affairs Commission ("EAC") to have regard to community identities, preservation of local ties and physical features of the relevant area in making recommendations on the delineation of DC constituency areas ("DCCAs"), and EAC was empowered to allow the population of certain DCCAs to deviate from the population quota by more than 25%, if such a deviation was necessary or desirable due to the above-mentioned considerations.</p>	
002438 - 002759	Chairman Ms Alice MAK Administration	Ms Alice MAK commented that, in determining the number of elected seats and demarcating DCCAs, the Administration should take into account not just the population data, but also other factors such as the community and geographical features of different DCCAs.	
002800 - 003424	Chairman Mr LAU Kwok-fan Administration	<p>With reference to Appendix I to LC Paper No. CB(2)193/17-18(01), Mr LAU Kwok-fan noted that, the deviation figure for North DC was 0.58. He expressed disappointment that North DC was not allocated an extra seat under this review exercise. Noting that there were residential developments in the North District currently under construction, he enquired if due consideration had been given to the anticipated population increase brought about by these new development projects in the projection of population for 2019.</p> <p>The Administration explained that the number of elected seats for North DC and all other DCs were compiled in accordance with the established mechanism. North DC, similar to Islands DC and Sha Tin DC, was not allocated an extra seat as its respective deviation over 0.5</p>	

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		<p>was among the smallest compared with other DCs, and the aggregate of the proposed increase in the number of elected seats in all DCs had to be aligned with the figure which was derived by applying the population quota to the total projected population (i.e. an increase of 16 seats in this case). Besides, the Administration had already taken a more liberal approach by taking the greater of population distribution projections in mid-2019 published by the Working Group on Population Distribution Projections in December 2015 and the actual population in mid-2016 derived from the 2016 Population By-census as the base for this review exercise.</p>	
003425 - 003902	<p>Chairman Mr Jeremy TAM Administration</p>	<p>Mr Jeremy TAM expressed concern that the disparity of population among DCCAs within a District would lead to uneven workload among DC members of the same DC. He also expressed concerns about the large membership size of some DCs and the operational issues that could arise. The Administration agreed to look into the matter during its review on the mechanism for determining the number of elected seats for the seventh-term DCs.</p>	
003903 - 004401	<p>Chairman Ms YUNG Hoi-yan Administration</p>	<p>Noting the proposed addition of three elected seats in Sha Tin DC, Ms YUNG Hoi-yan expressed concern that the large membership size would impact on the operation of Sha Tin DC. She considered that the review of the mechanism for determining the number of DC elected seats should be conducted as early as possible.</p>	
004402 - 005049	<p>Chairman Dr Junius HO Administration</p>	<p>Dr Junius HO pointed out that, according to Appendix I to LC Paper No. CB(2)193/17-18(01), the population of Islands District would increase by 20 000 between 2016 and 2019. He echoed Mr Holden CHOW's view that Islands DC deserved an extra seat in the sixth term to cope with the anticipated rapid population growth in Tung Chung.</p>	
005050 - 005425	<p>Chairman Mr LAU Kwok-fan Administration</p>	<p>Mr LAU Kwok-fan reiterated his concern over the population projection for 2019 which might not reflect the increase in population brought by new residential developments (e.g. new public rental housing developments) in the North District.</p>	

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		<p>The Administration explained that it had already taken a more liberal approach by taking the greater of population distribution projections in mid-2019 published by the Working Group on Population Distribution Projections in December 2015 and population in mid-2016 derived from the 2016 Population By-census as the base for this review exercise. Besides, at the stage of demarcation of DCCA boundaries, EAC would conduct a public consultation exercise and hold public forums to receive views from the stakeholders on its provisional recommendations on DCCA boundaries for the sixth-term DCs before finalizing its recommendations.</p>	
005426 - 005848	Chairman Administration	Examination of provisions of the Order Legislative timetable Closing remarks	

Council Business Division 2
Legislative Council Secretariat
26 January 2018