

立法會
Legislative Council

LC Paper No. CB(2)517/99-00

(These minutes have been
seen by the Administration)

Ref : CB2/BC/11/98

Bills Committee on District Councils Bill

Minutes of Meeting
held on Tuesday, 19 January 1999 at 2:30 pm
in the Chamber of the Legislative Council Building

- Members Present** :
- Hon Ambrose LAU Hon-chuen, JP (Chairman)
 - Hon James TIEN Pei-chun, JP
 - Hon David CHU Yu-lin
 - Hon Cyd HO Sau-lan
 - Hon LEE Wing-tat
 - Hon Eric LI Ka-cheung, JP
 - Hon Lee Kai-ming, JP
 - Hon Fred LI Wah-ming
 - Hon Mrs Selina CHOW LIANG Shuk-ye, JP
 - Hon MA Fung-kwok
 - Hon CHEUNG Man-kwong
 - Hon Ambrose CHEUNG Wing-sum, JP
 - Hon CHAN Wing-chan
 - Hon CHAN Kam-lam
 - Hon SIN Chung-kai
 - Hon Andrew WONG Wang-fat, JP
 - Hon Howard YOUNG, JP
 - Hon Emily LAU Wai-hing, JP
 - Hon Andrew CHENG Kar-foo
 - Hon SZETO Wah
- Members Absent** :
- Dr Hon Raymond HO Chung-tai, JP
 - Hon Ronald ARCULLI, JP
 - Hon Christine LOH
 - Dr Hon LEONG Che-hung, JP
 - Hon WONG Yung-kan
 - Hon Jasper TSANG Yok-sing, JP

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Hon YEUNG Yiu-chung
Hon LAU Wong-fat, GBS, JP
Dr Hon TANG Siu-tong, JP
Hon TAM Yiu-chung, JP

Public Officers : Mr Robin IP
Attending Deputy Secretary for Constitutional Affairs 2

Mrs Maureen CHAN
Deputy Secretary for Constitutional Affairs 3

Mr Paul WONG
Principal Assistant Secretary for Constitutional Affairs

Mr Augustine CHENG
Deputy Director of Home Affairs

Attendance by : *Session A 2:30 pm - 4:00 pm*
Invitation

Hong Kong Democratic Foundation

Mr George CAUTHERLEY
Vice Chairman

Mr Tony CHAN
General Committee Member

Tin Shui Wai Community Service Centre

Mr TONG Woon-shing
Chairman

Ms WONG Fung-chu
Secretary

Member of Provisional Urban Council

Mr KAM Nai-wai

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Action on Focus Youth Alliance

Mr CHAN To-kwong, Jason

Mr WONG Sai-kit, Nathan

Alliance of Democracy 2000

Ms LAU Ka-yee

Mr FUNG Chi-wood

Hong Kong Professional Teachers' Union

Mr CHAN Hung
Secretary General

Mr CHAN Hon-sum
Director of Academic Department

Ho Man Tin Residents Association

Mr LAU Tat-chor, Paul

Hong Kong Human Rights Monitor

Mr LAW Yuk-kai
Director

Hong Kong Association for Democracy and People's Livelihood

Mr Bruce LIU
Secretary-General

Miss MOK Ka-han
Member

The Frontier

Mr CHENG Tsuk-man
Executive Committee Member

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Session B 4:00 pm - 6:00 pm

Sham Shui Po Provisional District Board

Mr CHOY Wai-shek, JP

Mr KWOK Chun-wah

Mr WONG Chung-ki

Mr LEUNG Yau-fong

Members of Kwai Tsing Provisional District Board

Mr CHOW Yick-hay

Mr TSUI Sang-hung

Mr LEUNG Wing-kuen

Mr LAI Siu-tong

Mr WONG Bing-kuen

Member of Eastern Provisional District Board

Mr TSANG Kin-shing

Member of Central and Western Provisional District Board

Ms CHENG Lai-king

Democratic Party

Mr TO Kwun-hang, Andrew

Associate Professor of Department of Politics and Public
Administration, University of Hong Kong

Dr Sonny S H LO

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Research student of Division of Social Science
Hong Kong University of Science and Technology

Mr Gavin KWOK

Kowloon Federation of Associations

Mr LEUNG Ying-pui
Director

Kwun Tong Residents Union

Mr NG Siu-cheung

New Territories Association of Societies

Ms CHAU Chuen-heiug
Vice-chairman

Clerk in Attendance : Mrs Constance LI
Chief Assistant Secretary (2) 2

Staff in Attendance : Miss Flora TAI
Senior Assistant Secretary (2) 2

I. Meeting with deputations

Members noted that a total of 112 submissions and letters had been received by the Bills Committee as at 18 January 1999, and that the Administration's response to these written submissions was tabled at the meeting [The Administration's response was issued to absent members vide Paper No. CB(2)1124/98-99(01)]. The Chairman informed members that 21 deputations had indicated their intention to present their views at the meeting. In view of the time constraint, the Chairman suggested and members agreed that each deputation would be given about 10 minutes to present their submission and members could raise questions within the time limit.

2. The Chairman also reminded deputations that their speech and written submissions were not protected by the Legislative Council (Powers and Privileges) Ordinance.

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Hong Kong Democratic Foundation (the Foundation)

[Paper No. CB(2)1037/98-99(01)]

3. Representatives of the Foundation said that they objected to the proposed appointed membership in District Councils (DC). They then highlighted the main points in their written submission to the Administration on the Consultation Paper on "Review of District Organizations".

4. A representative of the Foundation, who was also member of the Eastern Provisional District Board, disagreed with the Administration that appointed membership was to enhance participation of professionals in District affairs. Quoting the Eastern Provisional District Board as an example, he said that there was sufficient number of professionals among those elected members of the District Board (DB) representing various interests of the local community. Moreover, a DB could always appoint co-opted members to its committees to assist in the deliberation of issues requiring expert knowledge. He commented that some appointed members were not active in deliberating district business particularly when controversial issues were discussed. The representative considered that unless DCs were given more substantial functions and more resources for managing district affairs, the younger generation would not be attracted to participate in the representative government.

5. Referring to paragraph 5.1 of the Foundation's written submission, Mr Howard YOUNG asked how the functions of DCs could be enhanced. A representative of the Foundation responded that, similar to the local governments in overseas countries, DCs were expected to carry out functions within the policy framework set by the central government.

Tin Shui Wai Community Service Centre (the Centre)

[Paper No. CB(2)1050/98-99(06)]

6. Representative of the Centre briefed members on its written submission. The representative said that while members returned by direct election were accountable to the electors, it would be difficult for the public to monitor the performance of appointed members in DCs. In this respect, she shared the views of Hong Kong Democratic Foundation that co-opted members could be appointed to the committees of a DC where professional input was required. She added that appointment of co-opted members would cost no public money as they did not hold any office in the DC and received no remuneration.

7. The representative also expressed doubt about the representativeness of the ex-officio members of a DC, pointing out that the Rural Committee (RC) elections were not entirely based on the "one person one vote" principle. Moreover, some indigenous females villagers were deprived of their voting right

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in these elections. She remarked that the provision of ex-officio membership in DCs would imply the Administration's support of an electoral system which discriminated against female and non-indigenous villagers.

8. Responding to Ms HO Sau-lan's enquiry about the disqualification criteria, the representative said that it would be unacceptable for a DC member to be absent from DC meetings for 6 consecutive months without the DC's consent.

Mr KAM Nai-wai, (member of Provisional Urban Council)
[Paper No. CB(2)1050/98-99(19)]

9. Considering that the establishment of DCs was part of the Review of District Organisations which sought to dissolve the two Provisional Municipal Councils (PMC), Mr KAM Nai-wai expressed dissatisfaction that the Bill only included one sentence under Clause 59(a)(i) that DCs would take over "matters relating to food and environmental hygiene services". He urged members of the Bills Committee to be very cautious in scrutinising the Bill as the proposed DCs were to take over the PMCs which had public mandate. Mr KAM added that a DC should have an independent secretariat so that it could discharge its functions effectively and independently.

10. Mr KAM Nai-wai also disagreed with the Administration's argument that appointment membership provided a channel for individuals who did not wish to participate in an election to serve the community. He made the following points in this connection -

- (a) the Administration had appointed four members to the Central and Western Provisional District Board in 1997 after these members failed in the 1994 DB election; and
- (b) all these four appointed members had political affiliation, three belonging to the Hong Kong Progressive Alliance and one belonging to the Democratic Alliance for Betterment of Hong Kong.

Mr KAM remarked that appointed membership was only intended to create a pro-government party in the DCs. In this regard, he shared the views of other deputations that appointed membership was unnecessary as a DC could always draw expertise from professionals by appointing co-opted members to its committees.

11. Referring to the Administration's response to submissions received by the Bills Committee as at 18 January 1999 [Paper No. CB(2)1124/98-99(01)], Mr KAM Nai-wai pointed out that although the number of written submissions to the Bills Committee indicating support to appointed membership might be more

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than those against it, he personally believed that a public opinion survey if conducted would give the opposite result. In response to Mr CHEUNG Man-kwong, Deputy Secretary for Constitutional Affairs 3 (DS(CA)3) said that the Administration did not intend to conduct a public opinion survey because a comprehensive public consultation exercise had been conducted on the Review of District Organisations in 1997-1998. The Administration had explained to the public and briefed the Legislative Council (LegCo) during the consultation exercise. Based on the feedback of the public consultation, the Administration considered that the provision of appointed membership in DCs was both reasonable and acceptable. Mr CHEUNG maintained the view that the Administration should conduct an opinion survey or a referendum to substantiate its claim that appointed membership had general support of the community.

Action on Focus Youth Alliance

[Paper No. CB(2)1124/98-99(08)]

12. Representatives of the Action on Focus Youth Alliance briefed members on the written submission which was tabled at the meeting. They expressed strong objection to retaining appointed membership in DCs as proposed in the Bill. They considered that individuals who wanted to participate in the deliberation of District business should be encouraged to participate in DC elections.

Alliance of Democracy 2000 (the Alliance)

[Paper No. CB(2)1124/98-99(05)]

13. Representatives of the Alliance tabled a written submission at the meeting, and said that they had collected over 1 000 signatures opposing to appointed and ex-officio membership in DCs. In this connection, the Chairman informed the meeting that the 1 000 signatures provided by the Alliance would be deposited at the LegCo Secretariat for members' reference. The representatives urged the Administration to conduct a referendum to ascertain public views on the issue. Ms HO Sau-lan asked the Administration whether it would treat these 1 000 signatures as 1 000 opposition views to the proposed appointed and ex-officio membership in DCs. DS(CA)3 said that the Administration would examine the details of the written submission and gave a response later.

14. Citing his experience as a directly-elected member of the Shatin District Board during the period of 1988 - 1991, another representative of the Alliance commented that the operation of a DB had not been adversely affected in the absence of appointed members. The Administration could appoint professionals to district advisory committees to enable participation of professionals in district affairs. He commented that DCs should represent the interests of the general public and appointed membership was unnecessary.

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Hong Kong Professional Teachers' Union (Teachers' Union)

[Paper No. CB(2)1124/98-99(07)]

15. Representative of the Teachers' Union tabled its written submission at the meeting. He said that the Teachers' Union strongly objected to the retrograde step of providing appointed membership in DCs. By appointing pro-government members to a DC, the representation of a DC would be diluted. In response to Ms Emily LAU, the representative said that appointed membership was not acceptable even if pro-democracy people were appointed to DCs.

Ho Man Tin Residents Association (Residents Association)

[Paper No. CB(2)1111/98-99(01)]

16. Representative of the Residents Association expressed support for retaining 20% of the DC membership for appointed members. He considered that the Bill should specify the working relationship among DC, DC secretariat and the District Office to avoid giving the impression that Government was dominating the DCs. Mr SZETO Wah questioned the Residents Association's concept that democracy was to "balance" the interests of different sectors in the deliberation of district business. The representative explained that, in a democratic society, people of different sectors should have balanced representation in a district council. Referring to the fact that 90% of DB members were already returned by election in 1994, Mr CHEUNG Man-kwong asked why the Residents Association did not consider appointed membership a retrogression of democracy. In response, the representative said that the appointed seats represented only 20% of the total membership of DCs.

Hong Kong Human Rights Monitor (HKHRM)

[Paper No. CB(2)1124/98-99(04)]

17. Representative of HKHRM tabled its written submission at the meeting. The representative expressed objection to the proposed appointed and ex-officio membership in DCs -

- (a) the provision of appointed membership was in contravention of international human rights treaties as it deprived members of the community of equal opportunity to participate in public affairs;
- (b) the purpose of appointing members to a representative local government was clearly to protect the interests of the political minorities;

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- (c) the proposed appointed membership in DCs would adversely affect the credibility and accountability of DCs; and
- (d) ex-officio membership was discriminatory in nature and was in contravention of Article 25 in ICCPR and Article 39 of Basic Law.

Hong Kong Association for Democracy and People's Livelihood (HKADPL)
[Paper No. CB(2)1100/98-99(01)]

18. Representatives of HKADPL briefed members on the written submission. They suggested that the two PMCs and 18 District Boards could be grouped into five Area Councils. He said that the Bill had disappointed many people who supported streamlining the three-tier representative government. According to the Bill, the Government now proposed to centralize the powers for municipal services while DCs were only given advisory powers in district affairs. Referring to the Administration's response that the Chairman of a DC would be invited to participate in the respective District Management Committee (DMC), the representative opined that the Deputy Chairman of a DC should also be an ex officio member of the DMC.

The Frontier

[Paper No. CB(2)1124(02)]

19. Representative of the Frontier briefed members on the written submission and made the following recommendations -

- (a) appointed and ex-officio membership should be abolished so that all DC members would be returned by direct election based on the "one person one vote" system;
- (b) the proposed disqualification provisions on grounds of conviction of treason should be abolished;
- (c) a DC member should be disqualified if he/she was absent from two DC meetings without the consent of the DC, and that electors could bring proceedings against the members in this respect;
- (d) the Administration should fully explain to LegCo and the public should the Chief Executive hold a different view from the Electoral Affairs Commission's (EAC's) recommendations on the delineation of constituency boundaries;
- (e) the accounts of DCs should be subject to the examination of the Audit Commission; and

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- (f) the Administration should review the role of District Officers to enhance their accountability to DCs.

Sham Shui Po Provisional District Board (SSPPDB)

[Paper No. CB(2)1022/98-99(04)]

20. A SSPPDB representative informed members that SSPPDB had passed a motion at its meeting on 7 January 1999 that -

- (a) all DC seats should be returned by direct election;
- (b) government departments should be more accountable to DCs; and
- (c) the functions of DCs should be enhanced to make them more comparable to that of PMCs.

21. Members also noted that SSPPDB has voted on the provision of appointed and ex-officio membership in DCs. The representative pointed out that 11 members had voted against appointed and ex-officio membership while five out of the nine appointed members voted for such provision.

22. Two other SSPPDB representatives held the view that direct election might not necessarily return members with high calibre. In response to Mr SZETO Wah, one representative said that he had no strong views in respect of proportional representation system. He considered that district administration had developed gradually in past years and that the proposal to retain appointed membership for one-fifth of all DC seats was reasonable in order to balance different interests in the local community. He said that appointed membership had its merits as many appointed members had served the community for a long time and were familiar with district affairs. In this connection, the other representative who was an appointed member of SSPPDB supplemented that appointed members had served the community in the same way as elected members. Although appointed members did not have ward offices, they had actively participated in the "meet-the-public" service operated by the DB.

Members of Kwai Tsing Provisional District Board KTPDB)

[Paper No. CB(2)1111/98-99(02)]

23. KTPDB representatives briefed members on the written submission, expressing opposition to appointed and ex-officio membership. They supported direct election of all DC members based on their belief in democracy rather than the performance of individual members. They were disappointed that the Administration had failed to give an answer as to when there would be direct election for all DC members. In this connection, Ms Emily LAU asked whether, as a matter of policy, the Administration had a timetable to gradually reduce the

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number of appointed members on DCs. DS(CA)3 responded that the Bill reflected the Administration's current position in relation to appointed and ex-officio membership in DCs and such policy would continue until an amendment was made to the enacted Ordinance.

24. KTPDB representation did not agree that retaining appointed membership was to balance different interests in the local community. They considered that DC members had a vital function of reflecting the opinions of people in the community. A special design of adding appointed members to filter and dilute public opinion was therefore undesirable. They also suggested an independent secretariat to assist a DC to discharge its functions effectively.

Mr TSANG Kin-shing (member of Eastern Provisional District Board)
[Paper No. CB(2)1050/98-99(03)]

25. Mr TSANG Kin-sing expressed strong dissatisfaction that the Chief Executive and some LegCo and DC members were not returned by direct election. Mr TSANG then said that he would conduct a 15 second silence at the meeting to mourn for the retrogression of democracy in Hong Kong and in China. The Chairman invited Mr TSANG to express his views on the Bill and reminded him of the time limit. Mr TSANG then resumed his oral representation and questioned why the size of a DC constituency was getting smaller since 1991 while constituencies for LegCo election had grown in size. He also expressed doubts about the representativeness and accountability of DC members if one-fifth of the DC members were to be appointed by the Chief Executive. Mr TSANG also queried the Administration for not adopting the proportional representation system for DC elections.

Ms CHENG Lai-king (member of Central and Western Provisional District Board)
[Paper No. CB(2)1050/98-99(17)]

26. Ms CHENG Lai-king strongly objected to the provision of appointed members in DCs. She said that the appointment of four additional members to the Central and Western Provisional District Board in 1997 who failed in the 1994 DB election was a disincentive to electors and candidates who participated in the election. Ms CHENG opined that it was a retrogression of the development of representative government if appointed membership was retained. She therefore urged the Administration to re-consider whether to retain appointed membership which would prevent public opinion from being reflected to the Government in an accurate and direct manner.

27. Ms Emily LAU then asked the Administration to explain why unsuccessful candidates of the DB election in September 1994 were appointed to the DB in 1997. DS(CA)2 responded that the Administration had noted the

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concern expressed by some members of the community about appointing candidates who failed in the preceding election of a DB. The Administration would take this concern into account when appointing members to the DCs.

Democratic Party

[Paper No. CB(2)1111/98-99(03)]

28. Representative of the Democratic Party informed members that the Social Sciences Research Centre of the University of Hong Kong had conducted an opinion survey on 28 - 29 July 1998. According to the survey, 78.4% of the respondents supported that members of district organisations should be returned by direct election and 30.7% supported retaining appointed membership. He said that the Democratic Party strongly opposed to appointed membership in DCs for reasons given in his submission. He commented that most appointed members of DBs were businessmen rather than professionals, and that these appointed members only spoke for the Government.

29. Referring to a SSPPDB member's view that appointed membership had its merits since direct election might not necessarily return members with good calibre, representative of the Democratic Party made the following points -

- (a) it would be for the electors to judge whether a candidate had the calibre or ability to be a DC member;
- (b) the concern about a candidate getting elected simply by teaming up with a popular candidate also applied to appointed members who gained their seats through partnership with the Government; and
- (c) different interests of the local community could be reflected by members elected from different sectors, and the proportional representation system would be able to reflect the different and minority views.

30. Representative of the Democratic Party referred to a proposal in the Bill that the Chief Executive could specify a shorter period for the term of office of a person appointed to a DC. He said that a member's term of office would then be at the discretion of the Chief Executive, and the intention was to ensure the presence of a pro-government camp in a DC. In this regard, Ms HO Sau-lan expressed grave concern that appointed membership might become a tool for exchange of political advantages, since appointed members in DCs would influence the selection of the Chief Executive. The representative shared the same concern that the exercise was to include supporters of the Chief Executive in the future Selection Committee for the Chief Executive.

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Dr Sonny S H LO, Associate Professor of the Department of Politics and Public Administration, University of Hong Kong
Administration, University of Hong Kong
[Paper No. CB(2)1124/98-99(03)]

31. Dr Sonny LO briefed members on his proposed amendments to Clauses 59 and 60 of the Bill as set out in his written submission. In response to Mr LEE Wing-tat, Dr LO said that government departments should be required to consult the 18 DCs so that their performance pledges could be formulated on a district basis. In so doing, the powers and functions of DCs would be enhanced. Mr LEE further asked and Dr LO confirmed that his proposal was to give some executive powers to DCs in the management of district affairs.

32. In response to Mr CHAN Kam-lam, Dr Sonny LO said that appointed membership was acceptable if the appointment was made in a fair manner based on the abilities and experience of the individuals. Dr LO opined that the Administration should stipulate the appointment criteria to dispel any doubt of favouritism. He considered it feasible for the Administration to specify clear and fair appointment criteria in this respect. He suggested that unsuccessful candidates of a previous DB election and persons with political affiliation should be excluded from appointment. Mr CHEUNG Man-kwong commented that an appointment system could not be fair irrespective of whether criteria for appointment were specified.

33. In reply to Mr CHAN Kam-lam, Dr LO said that the role of a District Officer should be enhanced by holding him accountable to the DC for the effectiveness in the provision of services in the district.

Mr Gavin KWOK, research student of Division of Social Science, Hong Kong University of Science and Technology
University of Science and Technology
[Paper No. CB(2)1124/98-99(06)]

34. Mr Gavin KWOK briefed members on the written submission. He queried the Administration's argument for appointed and ex-officio membership in DCs, the allocation of resources to DCs and the relationship of DCs with the Government.

35. At the request of Ms Emily LAU, the Chairman invited the Administration to respond to issues raised in the written submission. On the ceiling for minor works undertaken by a DB, Deputy Director of Home Affairs (DD(HA)) informed members that the ceiling for projects under the Rural Planning Improvement Strategy Programme was \$15 million, and the Administration was currently considering the suggestion of increasing the ceiling for DB project under the Minor Works Programme to \$15 million as well. However, he reminded members that most DBs did not have an annual allocation up to \$15 million. Deputy Secretary for Constitutional Affairs 2 (DS(CA)2) also

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drew members' attention to paragraph 23 of the Administration's response [Paper No. CB(2)1124/98-99(01)] which described the measures taken to improve the communication and co-operation between Government officials and DCs. Ms LAU expressed dissatisfaction that the Administration only gave brief response to points raised in written submissions and urged the Administration to provide more detailed information at future meetings.

Kowloon Federation of Association (the Association)

[Paper No. CB(2)1037/98-99(21)]

36. Representative of the Association briefed members on the written submission, highlighting the following points -

- (a) while it was reasonable to increase the number of elected seats in response to population change, the existing delineation of constituencies should remain unchanged as far as possible;
- (b) the proposal to maintain appointed seats at one fifth of the DC membership was strongly supported;
- (c) appointment to DCs should be based on the person's integrity, abilities, devotion to the work of the DC and his/her representativeness in the district;
- (d) the role of a DC in giving advice and monitoring the effectiveness of district services should be enhanced; and
- (e) the proposal to elect a Vice Chairman in each DC was supported.

37. Ms Emily LAU noted the Association's concern that a number of the Administration's proposals were turned down by DB, due to the lack of early consultation, and that this had hampered the relationship between the two. In this connection, Ms Emily LAU asked whether the Association considered that DCs should always support the Administration in order to achieve a harmonious working relationship. Representative of the Association clarified that it was the Association's view that prior consultation with DC committees would enable better understanding of the proposals and enhance the effectiveness of DCs. Ms LAU remarked that it was not uncommon for Council members to have disagreement during meetings.

38. In reply to Mr CHAN Kam-lam, the representative said that attendance of officials of higher ranks at DC meetings would enhance the Administration's accountability to DCs.

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Kwun Tong Residents Union

[Paper No. CB(2)1022/98-99(14)]

39. Representative of Kwun Tong Residents Union briefed members on the written submission expressing support of a balanced composition of DCs comprising appointed, ex-officio and elected members. He said that appointed members with professional knowledge and were willing to devote time and effort to council business could improve the quality of DCs. He also supported enhancing the accountability of DCs in giving advice and monitoring services in the Districts.

New Territories Association of Societies (the Association)

[Paper No. CB(2)1124/98-99(09)]

40. Representative of the Association briefed members on the written submission. She supported the retention of appointed seats which could provide independent professional opinions free from party politics. She considered it important for the appointed members to possess professional knowledge and the ability in the deliberation of District business. She was of the view the appointment had been an established feature of DBs since 1982, and that a reasonable proportion of appointed members in DCs would not stifle democratic development.

41. Noting that the representative had a record of long service in DBs as an elected member, Mr CHAN Kam-lam sought her comment on the performance of appointed members. The representative said that appointed members had made contribution to the development of the community as elected members. Appointed and elected members could exist at the same time and worked in harmony for the betterment of the Districts. She supplemented that a DC should be capable of accommodating different views, and this would be conducive to democratic development.

42. The representative of the Association agreed with Mr CHAN Kam-lam that retention of appointment membership was not a retrogression of democracy but only to bridge the gap caused by the abrupt withdrawal of all appointed DB seats by the then Governor in 1994. Ms Emily LAU then questioned how the principle of "Hong Kong people being their own master" could be implemented after July 1997 if the people of Hong Kong could not elect their own representatives to LegCo and DBs. The representative responded that the appointment of Members to the Provisional LegCo was necessary due to derailment of the then legislature, and that the DB appointment system could balance the different interests and was beneficial to community development. Ms HO Sau-lan asked whether the representative considered the proposed DC composition a healthy one. The representative reiterated that it was the Association's view that the appointment system would ensure a balanced

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composition in DCs by providing the necessary professional input and expertise. Ms Emily LAU disagreed with the view expressed, considering that such an argument, if adopted, could lead to all DC seats being filled by professionals appointed by the Administration.

43. In response to Mr Andrew WONG, the representative said that she would not object to appointing persons with political affiliation as such people should not be deprived of their right to participate in District affairs. However, she agreed that candidates who failed in the preceding DB/DC election should not be appointed to a DC.

44. At the request of Ms HO Sau-lan and Mr CHAN Kam-lam, DD(HA) undertook to provide information on the attendance of Provisional DB members at DB meetings to facilitate members' understanding of their performance.

(Post-meeting note : The Administration has provided the attendance records of Provisional DB members from July 1997 to December 1998 vide Paper No. CB(2)1147/98-99(03).)

II. Any other business

Legislative timetable

45. DS(CA)2 appealed to members to accord priority to the scrutiny of the Bill in view of the tight legislative timetable. He said that it was the Administration's intention to resume Second Reading debate of the Bill at the Council meeting on 10 February 1999. According to such timetable, the Bills Committee would have to complete its work and report to the House Committee on 26 January 1999. Ms HO Sau-lan said that the Bills Committee had already scheduled frequent meetings to expedite the scrutiny of the Bill and the Administration must allow adequate and reasonable time for members to properly examine the Bill. She expressed dissatisfaction that as a result of the intensive meetings, members did not have time to study the papers in advance as papers were only provided by the Administration at the meeting. The Chairman said that subject to members' views, more meetings might have to be scheduled to expedite the scrutiny work.

46. Mr CHAN Kam-lam expressed concern that if resumption of the Second Reading debate of the Bill could not take place before the Chinese New Year, preparatory work for the DC election would be delayed. He therefore suggested that the Bills Committee should meet as frequently as possible to speed up scrutiny of the Bill. Ms Emily LAU queried why the Administration could not defer the resumption of Second Reading debate on the Bill to, say, 10 March 1999. In response, DS(CA)2 explained that DC elections had to be held before

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the end of November 1999 and the preparatory work was now subject to a very tight timeframe. For example, EAC could only proceed with its work on the demarcation of constituency boundaries after the enactment of the Ordinance, and a period of public consultation would have to be allowed. After public consultation, EAC would submit its recommendation on the demarcation of constituency boundaries to the Chief Executive for enactment by way of subsidiary legislation. Other subsidiary legislation, such as those governing election expenses and election procedure, must be approved by LegCo at its last meeting in the current session. At the request of the Chairman, DS(CA)2 undertook to provide a timetable showing the necessary steps leading to the 1999 DC election.

(Post-meeting note : The Administration's timetable for action leading to the 1999 District Councils Election was issued vide LC Paper No. CB(2)1137/98-99.)

Dates of future meetings

47. The Chairman informed members that the Clerk to the Bills Committee had ascertained the availability of members and there would be a quorum for the meetings scheduled as follows -

21 January 1999 (4:30pm)
22 January 1999 (4:30pm)
25 January 1999 (4:30pm)
26 January 1999 (10:45am)

At the Chairman's suggestion, members agreed that the Bills Committee might consider scheduling further meetings if the Bills Committee could not complete its work after these four meetings. He also suggested proceeding to clause-by-clause examination at the next meeting on 21 January 1999.

48. There being no other business, the meeting ended at 6:35 pm.

Legislative Council Secretariat

1 December 1999