

19 March 1999

Members of the Bills Committee on
the Legislative Council (Amendment) Bill 1999

My views on the Legislative Council (Amendment) Bill 1999 and the proposed amendments to the Bill are as follows:

1. I oppose the proposed amendment to provide for all 60 seats in the Legislative Council (LegCo) to be directly-elected by the “single seat single vote” system. To implement this system, Hong Kong will have to be divided into 60 constituencies. In that case, each constituency will be drastically reduced in size to cover six or seven District Councils only, comparable to the size of a constituency in the election of Municipal Councils. This proposed amendment represents a retrogression in democracy.

In the election for the first term of LegCo, the high voter turnout rate is mainly attributed to the fact that the size of each constituency is appropriately expanded, enabling more people to contest the election and hence providing electors with more choices. It is inappropriate for the next LegCo election to be conducted in the form of a “small circle” election.

2. I also oppose the amendment proposing a “cooling-off period” and “no canvassing day” on the polling day for the following reasons:
 - A. This proposal will lower the voter turnout rate.
 - B. Canvassing activities on the polling day are ways for candidates to publicize themselves. More importantly, they provide an avenue for candidates to make explanation and clarification on vicious and unfounded criticisms, rumours and vilification that they faced on or before the election day.
3. I propose to add in the Bill that legal proceedings instituted by a candidate in his/her own name during the election should be suspended and revoked. Candidates may give reasons to the election authorities in order to apply for an exemption from this requirement. Other candidates in the same constituency may put forth reasons to object to such an exemption. Any election advantage that candidates gained from these proceedings should be taken as election expenses incurred by the candidates.

There was a case where a candidate of the New Territories East in the election for the first term of LegCo instituted legal proceedings against the Director of the Xinhua News Agency, Mr JIANG En-zhu. The Government should assess the advantage that candidates can obtain from such proceedings and impose restrictions in this respect by legislative means.

WONG Kam-cheung

Note: I do not wish to make an oral representation to the Bills Committee but if there is any query, please feel free to contact me for clarification.