

(Translation)

Clerk to the Bills Committee

on Legislative Council (Amendment) Bill 1999

18 March 1999

Dear Sir/Madam,

It is learnt that a bills committee of the Legislative Council (LegCo) is now scrutinizing the Legislative Council (Amendment) Bill 1999. In this connection, I would like to put forward my views on the Bill as follows:

- 1) I strongly oppose the retention of the Functional Constituencies (FCs) and the Election Committee (EC) because their elections are conducted on the basis of corporate electors, which represent a serious violation of the democratic principle of one person one vote. Members so returned are accepted only by a handful of electors and yet, they can formulate public policies in the highest tier of the representative government, namely the LegCo, with other Members who are returned by direct election. This arrangement has seriously hindered the development of democracy in the constitutional system. Therefore, I urge the Bills Committee to support the amendment of the Bill to provide that all 60 seats in the forthcoming LegCo election shall be returned on the basis of geographical constituencies (GCs), hence replacing the elections of FCs and the EC which are not only unfair, but seek to protect the interests of the privileged classes.
- 2) It is also proposed in the Bill that the proportional representation system adopted for the first term of LegCo should continue. In my view, unless the LegCo will be fully directly-elected in future, the role of the legislature in supervising the executive will be continuously undermined by “man-made” factors under the proportional representation system. At present, the LegCo is composed of Members returned in the elections of GCs, FCs and the EC respectively. Given the different electoral mechanisms through which the three groups of Members are returned, it is difficult for the LegCo to reach a consensus on certain public policies and put pressure on the Government. My view is that in adopting the proportional representation system for the 24 GC seats, the intention of the Government is to make it difficult for the LegCo to form a unified force to effectively monitor the Government. Therefore, given that a fully directly-elected LegCo is resolutely rejected by the Government, I consider the single seat single vote system more desirable.

- 3) Under the existing electoral provisions, the election deposit of a candidate will be forfeited if the number of votes the candidate obtained is less than 5% of the total number of votes. By the logic of this provision, if the number of votes secured by a candidate exceeds a certain percentage of the total number of votes, the Government should subsidize the candidate's election expenses as a token of encouragement for his/her participation in the election. Therefore, I propose that the Government should set up a system under which the election expenses of candidates will be subsidized on the basis of the number of votes they secured in the election.

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and Provisional Eastern District Board