

(Translation)

**(Gist of a submission from the Tin Shui Wai Community Service Centre dated 30 March 1999 on the Legislative Council (Amendment) Bill 1999)**

With regard to the composition of the Legislative Council (LegCo), the Tin Shui Wai Community Service Centre (the Service Centre) questions the rationale for adhering to the model stipulated by the Basic Law, as it considers that the LegCo formed thereby cannot perform its functions properly.

As illustrated by the recent motion debate on “Vote of no confidence in the Secretary for Justice” and the passage of the District Councils Bill, the decisions of the present LegCo often go against public sentiments and the Service Centre blames it on elections that are not broadly-based. For Members who are directly elected, they will strive to reflect public opinion; otherwise, they will be criticized by their constituents. However, as the Election Committee and the Functional Constituencies (FCs) are composed of big businesses and large corporations, the Members returned thereby tend to pay less attention to the interests of the general public.

The Service Centre considers that the crux of the problem is the strange method for the formation of the LegCo. The election method and the formation of the LegCo are designed for the sake of easy control and to take care of the interests of businessmen and their businesses. Under the existing arrangements, some business organizations have the right to vote in both the FCs and the Election Committee. On the other hand, only 20 seats are returned by direct election and on average, only one Member is returned by every 100 000 electors in the Geographical Constituencies. Therefore, the LegCo seats are allocated unevenly.

The aspiration of the people is to have a LegCo that speaks their mind and fights for their rights and benefits. As a district organization serving the local residents, the Service Centre opposes the present bill introduced by the Government, under which only 24 seats in the LegCo are directly elected. The Service Centre is in support of the Democratic Party’s proposed amendments to the bill for having all 60 seats returned by direct election. It is hoped that with such a composition, the LegCo will be accountable to the public and truly reflect

public opinion.

Turning to other legislatures, the Service Centre contends that few in fact have Members returned by functional constituencies. Even for those legislatures that have seats for functional constituencies, such as China, the Members returned thereby only account for a small proportion. Therefore, the Service Centre opines that the composition of the LegCo should break away from the restriction imposed by the Basic Law, so that all 60 seats shall be returned by direct election. As regards the method of election, the Service Centre supports the single seat single vote system which is widely adopted in other countries.