

**Bills Committee  
on the Electoral Provisions (Miscellaneous Amendments) Bill 2002**

**Administration's Response  
to Points Raised by Members of the Bills Committee**

**Purpose**

This paper sets out the Administration's response to the points raised by Members of the Bills Committee at the meeting on 7 November 2002, and presents the Committee Stage Amendment proposed by the Administration.

**Population in Constituencies of Islands, Sai Kung, Shatin and Wan Chai**

2. At the meeting held on 7 November, Members asked the Administration to provide population figures on individual constituencies in Islands, Sai Kung, Shatin and Wan Chai as at March 1999 as well as the projected population as at June 2003 for the concerned constituencies. We have set out at Annex 1 the population figures for each constituency of the above four districts in March 1999 for Members' reference.

3. As regards the projected population of respective constituencies in June 2003, we consider that it is not appropriate to publish these figures at this stage. Although the concerned government departments have provided the projected figures to the Electoral Affairs Commission (EAC) to facilitate its delineation of constituencies,

premature disclosure of figures would undermine the independence and fairness of EAC's work. As a matter of fact, it is our established practice in previous elections to publish the projected figures for individual constituencies as and when EAC launches its public consultation exercise.

4. We, therefore, consider that we should follow our past practice of publishing the relevant figures only when the EAC consults the public on its proposals early next year. However, the projected population for each of the above four districts is set out at Annex 2 for Members' reference.

### **Constituencies with Population Deviating from the Population Quota by More Than 25%**

5. Members also asked the Administration to provide information on constituencies with population deviating from the population quota by more than 25%. In the 1999 District Council (DC) elections, the EAC had allowed the population in 14 constituencies to deviate from the population quota by more than 25%. The details are set out at Annex 3. Among the 14 constituencies, the population in six constituencies exceeded the population quota by more than 25%. The remaining eight fell short of the population quota by more than 25%. The decision of the EAC to allow the population in these constituencies to depart from the 25% limit was based on such considerations as the need to maintain the integrity or local ties of the communities, or the

physical features of, and area covered by, individual constituencies.

### **Increasing the Number of Elected Seats for Shatin**

6. A Member has proposed that one extra elected seat should be added to Shatin to cater for the increase of population in Ma On Shan new town. In response to this Member's suggestion, we have considered the following factors-

- (a) We have set out at Annex 4 the projected population figures as at June 2003 for Islands, Sai Kung, Yuen Long and Shatin, their respective new towns, as well as the extent of population increase or decrease expressed in percentage terms. The population of Shatin as a whole would be increased by 2% by 2003. The extent of increase is much less than that of the other three districts. During the same period, the total population in Islands, Sai Kung and Yuen Long would be increased by 28% to 39%. If the number of elected seats remains unchanged for the 18 DCs, the average population per constituency in Sai Kung and Yuen Long would be as high as 22,000 to 23,000, while the corresponding figure for Shatin would only be about 17,680, which is comparable to the territory-wide average of 17,635.

In fact, apart from Islands, Sai Kung and Yuen Long, five other districts would also undergo population growth by 2003.

Among these five districts, the extent of increase in North is the greatest, reaching a level of 10%. The increase of 2% in Shatin is the lowest among these districts. As we are not going to increase the number of elected seats for the other four districts, it would not be appropriate to add an extra seat to Shatin.

- (b) As for the population increase in the four new towns, the population in Ma On Shan would be increased by 25,000 or 15% by 2003. This figure is far lower than the 40% to 123% increase in Tseung Kwan O, Tung Chung and Tin Shui Wai. If the number of elected seats for the new towns is maintained at the existing level, the average population per constituency in Ma On Shan would be about 20,970 (please see Annex 5). This figure, exceeding the population quota by 18.9%, still stays within the 25% limit. The corresponding figures in the other three new towns would be 25,800 to 38,950 people per constituency, exceeding the population quota by 46% to 120%. These figures suggest that the population growth in Ma On Shan is not as sharp and significant as the other three new towns. Even if we look at the population increase in Ma On Shan, the case for adding an extra seat to Shatin for Ma On Shan is not strong.

7. Having considered carefully the above factors, we consider that the proposal of adding one elected seat to Shatin is not justified. We,

therefore, decide not to adopt the suggestion.

### **Demarcation of Constituency Boundary by the EAC**

8. At the meeting held on 7 November, Members expressed concern on how the EAC would delineate the boundary of constituencies in individual DCs. On this issue, Members may wish to note that the EAC is required under the Electoral Affairs Commission Ordinance (Cap. 541) to submit its recommendations on constituency boundaries for the 2003 DC elections to the Chief Executive on or before 27 May 2003. Before finalizing the recommendations, the EAC will conduct a one-month public consultation early next year to solicit public views on its draft proposals.

9. Section 20 of the Electoral Affairs Commission Ordinance provides that the EAC, in making its recommendation on constituency boundaries, should follow the number of elected seats specified in respect of each DC in the District Councils Ordinance (Cap. 547). The EAC is also empowered to allow the population in certain constituencies to deviate from the population quota by more than 25% if the departure is considered desirable after taking into account such factors as the community identities and the preservation of local ties. If Members have any comments on the delineation of DC constituencies, they are welcomed to submit their views to the EAC.

### **Committee Stage Amendment Proposed by the Administration**

10. As we have explained at the last meeting, we will add a commencement clause to the Bill by way of Committee Stage Amendment (CSA) after consulting the Bills Committee on our proposal. The draft CSA is at Annex 6 for Members' consideration. Specifically, we propose that the provision relating to the number of elected seats for the second term DCs (i.e. clause 10 of the Bill) should come into full effect on 1 January 2004 when the office of the second term DCs commences. Before that, the effect of this provision would be limited to purposes relevant to the preparation of the 2003 DC elections only. The remaining provisions would, on the other hand, come into effect on the day on which the Ordinance is published in the Gazette.

### **Conclusion**

11. Members are invited to express views on the response set out in this paper.

Constitutional Affairs Bureau  
November 2002

**Annex 1**  
**附件 1**

**Wan Chai District Council**  
**灣仔區議會**

Code and Name of Constituency 選區代號及名稱		Population in March 1999 1999 年 3 月 的人口	+/- % of Population Quota 標準人口基數 偏差百分比
Code 代號	Name 名稱		
B01	軒尼詩 Hennessy	15 389	-9.70%
B02	愛群 Oi Kwan	14 088	-17.34%
B03	鵝頸 Canal Road	16 059	-5.77%
B04	銅鑼灣 Causeway Bay	15 901	-6.70%
B05	大坑 Tai Hang	14 947	-12.30%
B06	渣甸山 Jardine's Lookout	14 456	-15.18%
B07	樂活 Broadwood	14 094	-17.30%
B08	跑馬地 Happy Valley	15 879	-6.83%
B09	司徒拔道 Stubbs Road	14 344	-15.84%
B10	修頓 Southorn	19 898	+16.75%
B11	大佛口 Tai Fat Hau	17 083	+0.23%

# Sai Kung District Council

## 西貢區議會

Code and Name of Constituency 選區代號及名稱		Population in March 1999 1999 年 3 月 的人口	+/- % of Population Quota 標準人口基數 偏差百分比
Code 代號	Name 名稱		
Q01	西貢中心 Sai Kung Central	15 655	-8.14%
Q02	白沙灣 Pak Sha Wan	15 706	-7.84%
Q03	西貢離島 Sai Kung Islands	11 437	-32.89%
Q04	坑口東 Hang Hau East	18 183	+6.69%
Q05	尚德 Sheung Tak	14 469	-15.10%
Q06	坑口西 Hang Hau West	12 868	-24.50%
Q07	翠林 Tsui Lam	20 517	+20.38%
Q08	康景 Hong King	18 174	+6.64%
Q09	寶林 Po Lam	21 231	+24.57%
Q10	欣英 Yan Ying	13 914	-18.36%
Q11	運亨 Wan Hang	19 507	+14.46%
Q12	景林 King Lam	20 720	+21.57%
Q13	厚德 Hau Tak	20 494	+20.25%
Q14	富裕 Fu Yu	14 288	-16.16%
Q15	東明 Tung Ming	18 725	+9.87%
Q16	安康 On Hong	20 890	+22.57%
Q17	廣明 Kwong Ming	18 433	+8.16%

<sup>1</sup> Tseung Kwan O new town covers a total of 12 constituencies (i.e. Q5, Q7 to Q17), with a total population of 221,362.

將軍澳新市鎮覆蓋範圍內共有 12 個選區(即 Q05, Q07 至 Q17), 其總人口為 221,362 人。



**Sha Tin District Council**  
**沙田區議會**

Code and Name of Constituency 選區代號及名稱		Population in March 1999 1999年3月 的人口	+/-% of Population Quota 標準人口基數 偏差百分比
Code 代號	Name 名稱		
R01	沙田市中心 Shatin Tin Town Centre	19 006	+11.52%
R02	瀝源 Lek Yuen	17 705	+3.88%
R03	禾輦邨 Wo Che Estate	23 004	+34.98%
R04	第一城 City One	15 751	-7.58%
R05	愉城 Yue Shing	18 961	+11.25%
R06	王屋 Wong Uk	20 982	+23.11%
R07	沙角 Sha Kok	19 494	+14.38%
R08	博康 Pok Hong	21 785	+27.82%
R09	乙明 Jat Min	14 803	-13.14%
R10	泰金 Chun Kam	13 037	-23.51%
R11	新翠 Sun Chui	15 157	-11.07%
R12	大圍 Tai Wai	17 370	+1.92%
R13	美城 May Shing	13 450	-21.08%
R14	下城門 Lower Shing Mun	12 893	-24.35%
R15	穗禾 Sui Wo	15 795	-7.32%
R16	火炭 Fo Tan	15 443	-9.39%
R17	駿馬 Chun Ma	16 769	-1.61%
R18	恒濤 Heng To	21 389	+25.50%
R19	錦豐 Kam Fung	18 394	+7.93%
R20	新港城 Sunshine City	21 102	+23.82%
R21	利安 Lee On	19 249	+12.94%
R22	富寶 Saddle Ridge	15 419	-9.53%
R23	錦英 Kam Ying	16 088	-5.60%
R24	耀安 Yiu On	19 102	+12.08%
R25	恒安 Heng On	17 275	+1.36%
R26	大水坑 Tai Shui Hang	15 349	-9.94%
R27	碧湖 Bik Woo	12 845	-24.63%
R28	廣康 Kwong Hong	13 790	-19.09%
R29	廣源 Kwong Yuen	17 745	+4.12%
R30	曾大屋 Tsang Tai Uk	14 464	-15.13%
R31	新田圍 Sun Tin Wai	14 491	-14.97%
R32	徑口 Keng Hau	19 615	+15.09%
R33	顯嘉 Hin Ka	16 764	-1.64%
R34	美田 Mei Tin	20 305	+19.14%
R35	田心 Tin Sum	19 134	+12.27%
R36	翠田 Chui Tin	17 797	+4.42%

<sup>1</sup> Ma On Shan new town covers a total of 9 constituencies (i.e. R18 to R26) with a total population of 163,367.  
馬鞍山新市鎮覆蓋範圍內共有 9 個選區(即 R18 至 R26)，其總人口為 163,367 人。

# Islands District Council

## 離島區議會

Code and Name of Constituency 選區代號及名稱		Population in March 1999 1999 年 3 月 的人口	+/- % of Population Quota 標準人口基數 偏差百分比
Code 代號	Name 名稱		
T01	大嶼山 Lantau	14 856	-12.83%
T02	東涌新市鎮 Tung Chung New Town	16 723	-1.88%
T03	愉景灣 Discovery Bay	15 791	-7.35%
T04	坪洲及喜靈洲 Peng Chau & Hei Ling Chau	9 537	-44.04%
T05	南丫及蒲台 Lamma & Po Toi	5 220	-69.37%
T06	長洲南 Cheung Chau South	10 181	-40.26%
T07	長洲北 Cheung Chau North	12 601	-26.06%

Constitutional Affairs Bureau  
政制事務局

November 2002  
2002 年 11 月

<sup>1</sup> Tung Chung new town covers a total of 2 constituencies (i.e. T01 and T02), with a total population of 31,579. 東涌新市鎮覆蓋範圍內共有 2 個選區(即 T01 及 T02), 其總人口為 31,579 人。

**Projected Population Figures of  
Islands, Sai Kung, Shatin and Wan Chai Districts**  
**離島、西貢、沙田及離島區的人口預測數字**

<b>District 地區</b>	<b>Population in March 1999 1999年3月的 人口</b>	<b>Population projection as of June 2003 截至2003年6月的 人口預測</b>	<b>Population increase / decrease 人口增/減</b>	<b>% of increase / decrease 增/減的百分率</b>
Islands 離島	84,909	113,538	28,629	+34%
Sai Kung 西貢	295,211	376,451	81,240	+28%
Shatin 沙田	621,722	636,562	14,840	+2%
Wan Chai 灣仔	172,138	153,100	-19,038	-11%

Constitutional Affairs Bureau  
政制事務局

November 2002  
2002年11月

Constituencies with Population Deviating from the Population Quota  
by more than 25%  
人口超過標準人口基數多於 25%的選區

District Council 區議會	Code and Name of Constituencies 選區代號及名稱		Population in March 1999 1999 年 3 月 的人口	+/- % of Population Quota 標準人口基數 偏差百分比 <sup>2</sup>
	Code 代號	Name 名稱		
Shatin 沙田	R03	禾輦邨 Wo Che Estate	23,004	+34.98%
	R08	博康 Pok Hong	21,785	+27.82%
	R18	恒濤 Heng To	21,389	+25.50%
Wong Tai Sin 黃大仙	H05	鳳德 Fung Tak	22,711	+33.26%
Tuen Mun 屯門	L27	田景 Tin King	21,357	+25.31%
Southern 南區	D16	黃竹坑 Wong Chuk Hang	21,349	+25.27%
Islands 離島	T07	長洲北 Cheung Chau North	12,601	-26.06%
	T06	長洲南 Cheung Chau South	10,181	-40.26%
	T04	坪洲及喜靈洲 Peng Chau & Hei Ling Chau	9,537	-44.04%
	T05	南丫及蒲台 Lamma & Po Toi	5,220	-69.37%
Sai Kung 西貢	Q03	西貢離島 Sai Kung Island	11,437	-32.89%
Yuen Long 元朗	M11	廈村 Ha Tsuen	11,209	-34.23%
	M21	錦田 Kam Tin	9,175	-46.17%
Tai Po 大埔	P19	西貢北 Sai Kung North	6,659	-60.93%

Constitutional Affairs Bureau  
政制事務局

November 2002  
2002 年 11 月

<sup>2</sup> The population quota in 1999 District Council elections was set at the level of 17,043.  
在 1999 年區議會選舉中，標準人口基數是定於 17,043 的水平。

Population Figures of Islands, Sai Kung, Yuen Long and Shatin Districts  
離島、西貢、元朗及沙田區的人口數字

District 地區	Population in March 1999 1999年3 月的人口	Population projection as of June 2003 截至2003年 6月的 人口預測	Population increase / decrease 人口增/減	% of increase / decrease 增/減的百分率	Average population size per constituency 每個選區 的平均人口
Islands 離島	84,909	113,538	28,629	+34%	16,220
(Tung Chung 東涌)	31,579	60,598	29,019	+92%)	
(Other Area 其它地區)	53,330	52,940	-390	-0.73%)	
Sai Kung 西貢	295,211	376,451	81,240	+28%	22,144
(Tseung Kwan O 將軍澳)	221,362	309,620	88,258	+40%)	
(Other Area 其它地區)	73,849	66,831	-7,018	-9.5%)	
Yuen Long 元朗	391,364	542,615	151,251	+39%	23,592
(Tin Shui Wai 天水圍)	122,233	272,681	150,448	+123%)	
(Other Area 其它地區)	269,131	269,934	803	+0.29%)	
Shatin 沙田	621,722	636,562	14,840	+2%	17,682
(Ma On Shan 馬鞍山)	163,367	188,713	25,346	+15.5%)	
(Other Area 其它地區)	458,355	447,849	-10,506	-2.29%)	

Constitutional Affairs Bureau  
政制事務局

November 2002  
2002年11月

Population Figures of Tung Chung, Tseung Kwan O,  
Tin Shui Wai and Ma On Shan  
東涌、將軍澳、天水圍及馬鞍山的人口數字

New Town 新市鎮	Population Projection as of June 2003 截至 2003 年 6 月的 人口預測	Number of Elected Seats 民選議席 數目	Average Population Size per Constituencies 每個選區 的平均人口	+/-% of Population Quota 標準人口基數 偏差百分比
Tung Chung 東涌	60,598	2	30,299	71.81%
Tseung Kwan O 將軍澳	309,620	12	25,802	46.31%
Tin Shui Wai 天水圍	272,681	7	38,954	120.89%
Ma On Shan 馬鞍山	188,713	9	20,968	18.89%

Constitutional Affairs Bureau  
政制事務局

November 2002  
2002 年 11 月

ELECTORAL PROVISIONS (MISCELLANEOUS  
AMENDMENTS) BILL 2002

**COMMITTEE STAGE**

Amendments to be moved by the Secretary for  
Constitutional Affairs

Clause

Amendment Proposed

- 1
- (a) In the heading, by adding "**and commencement**" after "**title**".
- (b) By renumbering the clause as clause 1(1).
- (c) By adding -
- "(2) Subject to subsection (3), this Ordinance shall come into operation on the day on which it is published in the Gazette
- (3) Section 10 (except in so far as it relates to the purpose of enabling arrangements to be made for the holding of the District Councils ordinary election in 2003) shall come into operation on 1 January 2004.
- (4) In subsection (3), "District Councils ordinary election" (區議會一般選舉) means elections to elect persons to fill the vacancies caused by the expiration of the term of office of the elected members of District Councils."

《2002年選舉條文(雜項修訂)條例草案》

委員會審議階段

由政制事務局局長動議的修正案

條次

建議修正案

- 1 (a) 在標題中，在“簡稱”之後加入“及生效日期”。
- (b) 將其重編為第1(1)條。
- (c) 加入 —

“ (2) 除第(3)款另有規定外，本條例自其在憲報刊登當日起實施。

(3) 第10條(但在該條與使於2003年舉行的區議會一般選舉的安排得以作出的目的有關的範圍內除外)在2004年1月1日起實施。

(4) 在第(3)款中，“區議會一般選舉”(District Councils ordinary election)指為填補因區議會民選議員任期屆滿而出現的空缺而舉行的選舉。”。