

**Legislative Council Bills Committee on
Legislative Council (Amendment) Bill 2003**

Delineation of Functional Constituency Electorate

Introduction

This note sets out further adjustments we propose to make to the electorate of certain functional constituencies (FCs) and provides a summary of changes to the electorate size of FCs as a result of the proposed adjustments. It also addresses Members' query about the names of two organizations under the Import and Export FC, raised at the meeting on 29 May 2003.

Further Amendments to the FC Electorate

Tourism FC

2. At the last meeting, a Member suggested that the status of the travel industry members of the former Hong Kong Tourist Association (HKTA) which were previously eligible electors in the Tourism FC should be grandfathered.

3. The electorate of the Tourism FC is delineated in sections 200(b) to 200(e) of the Legislative Council (LegCo) Ordinance, Cap. 542 as follows -

- members of the Travel Industry Council of Hong Kong entitled to vote at general meetings of the Council (section 200(b));
- members of the Board of Airline Representatives in Hong Kong (section 200(c));
- members of the Hong Kong Hotels Association entitled to vote at general meetings of the Association (section 200(d)); and
- members of the Federation of Hong Kong Hotel Owners entitled to vote at general meetings of the Federation (section 200(e)).

Under the original section 200(a), "travel industry members of the HKTA entitled to vote at general meetings of the Association" were also entitled to register as electors in the Tourism FC. This provision was repealed in 2001 as a consequential amendment of the HKTA (Amendment) Ordinance 2001. The Ordinance, among other things, amended the name of the HKTA to the Hong Kong Tourism Board and scrapped the membership system of the HKTA.

4. Section 20O(a) was repealed in 2001 as the Administration was given to understand at the time that it would not cause any travel industry members of the HKTA to lose their eligibility for registration as electors in the Tourism FC. They would either retain their registered elector status by virtue of their membership of one of the four other umbrella organizations listed in paragraph 3 above, or were eligible to be members of these umbrella organizations and hence electors of the Tourism FC.

5. At the last meeting, it was pointed out by a Member that some travel industry members of the former HKTA in fact may not be eligible for membership of the four remaining umbrella organizations. Having reviewed the matter, we propose to grandfather the status of all organizations which were travel industry members of the former HKTA entitled to vote at the general meetings of the Association immediately before the commencement of the HKTA (Amendment) Ordinance 2001. By doing so, we will be able to preserve, once and for all, their eligibility for registration as electors in the Tourism FC. It will ensure that no organization will lose their eligibility as electors in the Tourism FC as a result of the HKTA (Amendment) Ordinance 2001.

6. Immediately before the commencement of the HKTA (Amendment) Ordinance 2001, the HKTA had about 300 travel industry members which were entitled to vote at the Association's general meetings. According to our information, up to about 30 have lost their eligibility to register in the Tourism FC as a result of the legislative amendment in 2001. The grandfathering proposal will restore their eligibility. (The other 270 or so former travel industry members of the HKTA were not affected by the 2001 legislative amendments, as they were members of the other four umbrella organizations.)

Other FCs

7. As reported to Members at the last meeting, we have received two more requests for inclusion in the Agriculture and Fisheries FC and the Transport FC before the issue of our last paper on this subject (LC Paper No. CB(2)2256/02-03(01)). We also indicated that we were reviewing another request for inclusion in the Technology FC. We have concluded that the three bodies should also be included in the respective FCs. Detailed proposals are set out at **Annex A**.

Changes to the Electorate Size

8. We have made various proposals to adjust the electorate of certain FCs to ensure that the composition of the FCs reflects the latest developments in the relevant sectors. The detailed proposals are set out in the LegCo Brief issued to Members in February 2003 (Ref. CAB C1/30/5), a paper issued to Members for the last meeting (LC Paper No. CB(2)2256/02-03(01), and this paper. For Members' easy reference, we have summarized at **Annex B** the estimated changes to the electorate size of nine FCs as a result of these various proposals.

Import and Export FC

9. As requested by Members at the last meeting, we have double checked the names of "Hong Kong Shippers' Council" and "Shippers' Association of Hong Kong", both of which are umbrella organizations under the Import and Export FC.

10. We can confirm that the Chinese name of "Shippers' Association of Hong Kong" is "香港付貨人協會". Further, it has changed its name to "The Shippers' Association of Hong Kong", with no Chinese name. Clause 13(4) of the Bills proposes amending section 20W(e)(xix) of the Ordinance accordingly.

11. As regards "Hong Kong Shippers' Council", we can confirm that its Chinese name is "香港付貨人委員會". It has just come to our notice that the Council has changed its name to "The Hong Kong Shippers' Council" with no Chinese name. In view of this latest information, we will propose a Committee Stage Amendment to section 20W(e)(xviii) of the Ordinance accordingly.

Constitutional Affairs Bureau
3 June 2003

Further Adjustments to the Electorate of Functional Constituencies (FC)

Agriculture and Fisheries FC (Section 20B of the Legislative Council Ordinance (LCO) and Schedule 1 to LCO)

Addition	Remarks
Aberdeen Fisherwoman Association 香港仔漁民婦女會	The Association is actively involved in the promotion of fisheries industry. The body will have one vote in the FC.

Inclusion of the body above in the FC will increase the electorate size by 0.60%.

Transport FC (Section 20D of LCO and Schedule 1A to LCO)

Addition	Remarks
Worldwide Flight Services, Inc.	The company is providing a wide variety of services which are essential to the smooth operation of the Hong Kong International Airport, including into-plane fuelling services, the baggage handling system and ancillary passenger services at the Airport as well as the baggage handling services in connection with the Airport Express Line. The body will have one vote in the FC.

Inclusion of the body above in the FC will increase the electorate size by 0.62%

Information Technology FC (Section 20Z of LCO)

Addition	Remarks
<p>Professional Information Security Association (PISA): 專業資訊保安協會</p> <p>Members of the Executive Committee and Full Members who have been holders of the Certified Information Systems Security Professional (CISSP) Certification for at least 5 years at the time of applying for registration as an elector</p>	<p>The Association aims at promoting IT security awareness. It is a “specialist” IT body, composed of IT security professionals.</p>

Inclusion of the body above in the FC will increase the electorate size by 0.10%.

Changes to Electorate Size of Functional Constituencies

FC	Existing Potential Electorate	Proposed Changes		Net Change (% change)	Potential Electorate Size after Adjustments
		Addition	Deletion		
1. Agriculture and Fisheries	168	5	3	+2 (+1.19%)	170
2. Transport	161	37	7	+30 (+18.6%)	191
3. Education	91 400	11	-	+11 (+0.01%)	91 411
4. Tourism	1 200	30	-	+30 (+2.50%)	1 230
5. Sports, Performing Arts, Culture and Publication	2 580	14	3	+11 (+0.43%)	2 591
6. Import and Export	6 440	0	6	-6 (-0.09%)	6 434
7. Wholesale and Retail	9 330	612	52	+560 (+6%)	9 890
8. Information Technology	6 900	441	-	+441 (+6.39%)	7 341
9. Catering	12 100	1	2	-1 (-0.01%)	12 099

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