

# 立法會 *Legislative Council*

LC Paper No. CB(2)547/02-03

Ref : CB2/BC/2/02

## **Paper for the House Committee meeting on 6 December 2002**

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

#### **PURPOSE**

This paper reports on the deliberations of the Bills Committee on Electoral Provisions (Miscellaneous Amendments) Bill 2002.

#### **THE BILL**

2. The objects of the Bill are -
  - (a) to amend the District Councils Ordinance (Cap. 547) -
    - (i) to change the number of members to be elected to the Islands, Sai Kung and Yuen Long District Councils (DCs);
    - (ii) to replace references to outdated terms and expressions in the disqualification provisions;
  - (b) to amend the Legislative Council Ordinance (Cap. 542) to adjust the cycle for the compilation and publication of electoral registers and accordingly the date on or before which a person must have reached 18 years of age in order to be eligible for registration as an elector; and
  - (c) to amend the Chief Executive Election Ordinance (Cap. 569) to adjust the cycle for the compilation and publication of registers of voters.

## **THE BILLS COMMITTEE**

3. At the House Committee meeting on 11 October 2002, Members agreed to form a Bills Committee to study the Bill. Under the chairmanship of Hon IP Kwok-him, the Bills Committee has held two meetings with the Administration. A membership list of the Bills Committee is in **Appendix I**.

4. The Bills Committee invited public views on the Bill. However, no written submissions or requests to give oral representations on the Bill were received.

## **BACKGROUND**

5. Schedule 1 to the District Councils Ordinance stipulates that there shall be 18 districts. Schedule 2 provides that a DC is to be established in each of the 18 districts. Schedule 3 sets out the composition of the 18 DCs which are made up of 390 elected seats, 102 appointed seats and 27 ex-officio seats in total. A copy of Schedule 3 is in **Appendix II**.

6. Pursuant to section 18(1)(b) of the Electoral Affairs Commission Ordinance (Cap. 541), the Electoral Affairs Commission (EAC) has to make recommendations on District Council constituency boundaries to be submitted to the Chief Executive. In making its recommendations, EAC should -

- (a) have regard to the community identities and the preservation of local ties as well as physical features such as size, shape, accessibility and development of the relevant area;
- (b) ensure that the population in each constituency is as near the population quota (i.e. the total population of Hong Kong divided by the total number of elected members to be returned in a particular election) as practicable; and
- (c) where it is not practicable to comply with the requirement in paragraph 6(b) above, ensure that the extent of each constituency is such that the population in that constituency does not exceed or fall short of the population quota by more than 25%.

## **DELIBERATIONS OF THE BILLS COMMITTEE**

### **Proposed timetable for 2003 DC elections**

7. The Bills Committee has noted the proposed timetable for the 2003 DC elections as detailed in **Appendix III**.

## **Increase in number of elected seats for Islands, Sai Kung and Yuen Long DCs**

### Justifications for the proposed increase

8. The existing number of elected seats for Islands, Sai Kung and Yuen Long DCs is seven, 17 and 23 respectively. The Bill seeks to increase the number of elected members in respect of Islands, Sai Kung and Yuen Long DCs to eight, 20 and 29 respectively. The Bills Committee has requested the Administration to explain the justifications for its proposal.

9. The Administration has explained that it had consulted the Panel on Constitutional Affairs and Panel on Home Affairs and the 18 DCs on the proposed composition of the second term DCs in June and July 2002. The Administration recommended that the existing district boundaries should be retained, and that each DC should continue to be made up of the existing number of elected, appointed and ex-officio members. Due to an overall population increase in the territory, the population quota would be slightly increased from the existing 17,043 to 17,635. Most LegCo Members and DC members generally found this direction acceptable. However, some LegCo Members and DCs expressed concern over the significant increase of population in the new towns of Islands, Sai Kung and Yuen Long, namely, Tung Chung, Tseung Kwan O and Tin Shui Wai. They considered that the proposed arrangements could not cater for the significant population growth in the new towns by 2003.

10. After conducting a review of the relationship between population growth and the number of elected seats for DCs, the Administration has proposed that three elected seats should be added to Sai Kung DC, six to Yuen Long DC, and one to Islands DC. Under this proposal, the population quota will be revised to 17,194. The Administration has explained that in making the proposal, it has taken into account the following considerations -

- (a) based on the projected population figures of the 18 DCs as at June 2003, 10 DCs would have a reduction in population, and eight would have varying degrees of population increase. The extent of increase in Islands, Sai Kung and Yuen Long is 34%, 28% and 39% respectively, which is far more significant than the other five districts (North, Tuen Mun, Kwai Tsing, Wong Tai Sin and Shatin). Furthermore, the new towns of Tung Chung, Tseung Kwan O and Tin Shui Wai in these three districts would undergo a population expansion of 92%, 40% and 123% respectively;
- (b) as a result of the significant population growth in the new towns, the average population size per constituency of Sai Kung and Yuen Long would exceed the population quota (i.e. 17,635) by more than 25%. The average population per constituency in Sai Kung and

Yuen Long would be as high as 22,000 to 23,000, if the status quo were to be maintained. In the case of Islands District, the two constituencies covering the Tung Chung new town and Lantau would have to support some 60,000 people in total, if no extra elected seat were given to the new town; and

- (c) if the number of elected seats is to remain unchanged, major changes to the boundaries of the existing constituencies in Sai Kung and Yuen Long would be unavoidable as each constituency would have to shoulder a larger population. It is also possible that some rural constituencies would have to be merged to provide seats in the new towns to cater for the population increase. These changes would disrupt the community identity and cohesiveness of the residents already established in some areas since the 1999 DC elections. This would affect the integrity of the community. In addition, the sharp and significant population increase in the new towns of Islands, Sai Kung and Yuen Long would create difficulties for the elected members in these districts to serve the large number of constituents.

#### Constituencies with population deviating from the population quota by 25%

11. Some members note that according to the population projection for the 18 DCs as at June 2003, 10 districts would have no population growth, and the projected population of Wan Chai would in fact decrease by 11% as compared to the population figure in March 1999. They have asked the Administration to provide information on constituencies with population deviating from the population quota by more than 25% in the 1999 DC elections.

12. The Administration has advised that the population quota in the 1999 DC elections was set at the level of 17,043. EAC had allowed the population in 14 constituencies to deviate from the population quota by more than 25%. 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 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.

#### Appointed seats for DCs

13. A member has enquired whether there would be a corresponding increase in the number of appointed seats for DCs with significant population growth.

14. The Administration has reiterated its stand that the number of appointed and ex-officio seats will remain unchanged for the second term DCs.

Proposed increase in the number of elected seats for Shatin DC

15. Hon LAU Kong-wah considers that the increase of population in the Ma On Shan new town should also be addressed, as in the case of the Tung Chung, Tseung Kwan O and Tin Shui Wai new towns. He has proposed that one extra elected seat should be added to Shatin DC.

16. The Administration considers the proposal not justified on the following grounds -

- (a) based on the projected population figures as at June 2003, the population of Shatin as a whole would be increased by 2%. However, the extent of increase is much less than that of Islands, Sai Kung, Yuen Long, which is 34%, 28% and 39% respectively. Moreover, 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;
- (b) apart from Islands, Sai Kung and Yuen Long, five other districts (North, Tuen Mun, Kwai Tsing, Wong Tai Sin and Shatin) 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 the number of elected seats for the other four districts will remain unchanged, it would not be appropriate to add an extra seat to Shatin; and
- (c) 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. However, this figure is far lower than the increase of 40% to 123% 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 exceed the population quota by 18.9%, which is still within the 25% limit. However, the corresponding figures in the other three new towns would exceed the population quota by 46% to 120%.

Demarcation of constituency boundary by EAC

17. Some members have pointed out that apart from Islands, Sai Kung and Yuen Long, a number of other districts would undergo population growth by June 2003 (paragraph 16(b) above refers). They have expressed serious concern that if additional elected seats are not provided for DCs with population expansion, the

boundaries of some existing constituencies of the relevant DCs might have to be redrawn by EAC to provide seats for constituencies with population increase. Some members are particularly concerned about the situation in Shatin. They are worried that certain constituencies with less population in the district would be combined to provide extra seats to cope with the population increase in Ma On Shan new town. They have pointed out that such changes would disrupt the community identities and local ties established in the areas since the 1999 DC elections. They are of the view that boundaries of existing constituencies should be preserved as far as possible. The Bills Committee has sought the Administration's advice on how EAC would delineate the boundary of DC constituencies for the 2003 DC elections.

18. The Administration has advised members that the policy objective is that the existing overall district boundaries for the 18 DCs should be retained. Apart from increasing a small number of elected seats to cater for the population expansion of new towns in Islands, Sai Kung and Yuen Long DCs, the size of elected membership for the remaining 15 DCs should be maintained. The size of appointed and ex-officio membership of DCs should also remain unchanged.

19. As regards the delineation of boundaries for individual constituencies, the Administration has pointed out that it is for EAC to make recommendation pursuant to section 20 of the Electoral Affairs Commission Ordinance. In making its recommendation, EAC should follow the number of elected seats specified in respect of each DC in the District Councils Ordinance. 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.

20. The Administration has also explained that EAC is required under the Electoral Affairs Commission Ordinance to submit its recommendations on constituency boundaries for the 2003 DC elections to CE on or before 27 May 2003. Before finalizing the recommendations, EAC will conduct a one-month public consultation early next year to invite public views on its draft proposals. Members who have views on the delineation of boundaries for individual constituencies are welcome to submit their views to EAC.

21. To address the concerns of members, the Secretary for Constitutional Affairs has undertaken to convey members' concerns about delineation of constituency boundaries in certain DCs to EAC. In response to the request of the Bills Committee, the Secretary for Constitutional Affairs has agreed to give an undertaking in this respect in his speech at the resumption of Second Reading debate on the Bill.

### Electoral system for DC elections

22. Some members have suggested that the Administration should consider the merits of adopting the proportional representation system used in LegCo elections for DC elections. They consider that a proportional representation system has the advantage of minimising the need for re-delineation of boundaries of a large number of constituencies.

23. The Administration has responded that the existing electoral system for DC elections has been working satisfactorily for many years. Members' views would be taken into account in the review to be conducted after the second term DC elections at the end of 2003.

### Views of members of the Bills Committee

24. Some members are in favour of increasing the number of elected seats to cater for population growth in individual DCs. As to whether the elected seats of DCs with dwindling population should be reduced, a member considers that the situation could be reviewed from time to time. However, he stresses that it is important to maintain the stability of the boundary of constituencies of individual DCs as far as possible.

25. Hon Albert CHAN Wai-yip has pointed out that the projected population increase of 92% and 123% for the new towns of Tung Chung and Tin Shui Wai, by June 2003, is far more significant than the increase of the other districts with population growth. Assuming that the proposed additional seats for Islands and Yuen Long would be given to their new towns, the average population size per constituency of Tung Chung (20,199) and Tin Shui Wai (20,975) would still exceed the population quota of 17,194. He considers that the population in each constituency should be as near the population quota as practicable. He is of the view that two elected seats should be added to Islands DC and nine to Yuen Long DC.

### **Disqualification provisions in the District Council Ordinance**

26. The Bills Committee notes that sections 14, 19, 21, 24 and 30 of the District Councils Ordinance set out the disqualification criteria for appointed members, ex-officio members, candidates and elected members as well as electors. These sections contain references to terms and expressions which were previously adopted in the Bankruptcy Ordinance (Cap. 6) and the Mental Health Ordinance (Cap. 136), but have been amended subsequently. The Bill proposes to replace references to the outdated terms and expressions in the District Councils Ordinance, to be consistent with the references in the Bankruptcy Ordinance and the Mental Health Ordinance.

27. A member has pointed out that the number of bankruptcy cases has increased rapidly in recent years. He has asked the Administration to consider reviewing the provisions relating to disqualification of DC members due to bankruptcy in the District Councils Ordinance. The Administration has advised that while the matter raised falls outside the scope of the Bill, it could be considered in the future review of DC elections.

### **Voter registration cycle**

28. The Bills Committee notes that the Administration proposes to adjust the cycle for the compilation and publication of the provisional register (PR) and final register (FR) of electors for geographical constituencies and functional constituencies and those of voters for Election Committee subsectors. The intention is to reduce the time gap between the publication of electoral registers and the polling day as far as practicable, so as to ensure the data on electors contained therein would be more up-to-date.

29. The Bill will amend the Legislative Council Ordinance and the Chief Executive Election Ordinance to defer the deadlines for -

- (a) publication of PRs and FRs from 15 April and 25 May in each year to 15 August and 25 September respectively in years where DC elections are held; and
- (b) publication of PRs and FRs from 15 April and 25 May in each year to 15 June and 25 July respectively in years where LegCo elections are held or in years where no DC or LegCo elections are held.

### **Amendments to the Bill**

30. A member has asked whether, under the present scope of the Bill, LegCo Members could propose amendments to the Bill e.g. to change the number of appointed seats for DCs and the number of elected seats for DCs other than Islands DC, Sai Kung DC and Yuen Long DC.

31. The Administration has advised that any amendments to the Bill should be dealt with in accordance with the relevant requirements laid down in the Basic Law, the relevant provisions of the Rules of Procedure of LegCo, and the policy objective of the Administration to increase a limited number of elected seats for three districts which have a significant population growth in the new towns.



## **COMMITTEE STAGE AMENDMENTS**

32. The Administration has proposed to add a commencement clause to the Bill by way of Committee Stage amendments (CSAs). Under the proposed CSAs, 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. The Committee Stage amendments to be introduced by the Administration are in **Appendix IV**.

33. Hon Albert CHAN Wai-yip has advised the Bills Committee that he would move CSAs to add two and nine elected seats for the Islands and Yuen Long DCs respectively.

## **FOLLOW UP ACTION BY THE ADMINISTRATION**

34. The Secretary for Constitutional Affairs has agreed to give an undertaking at the resumption of Second Reading debate on the Bill that he will convey members' concerns about delineation of constituency boundaries in certain DCs to EAC (paragraph 21 above refers). The Bills Committee has noted that the Secretary for Constitutional Affairs has subsequently written to the Chairman of EAC on the matter. A copy of his letter dated 2 December 2002 is in **Appendix V**.

## **RECOMMENDATION**

35. The Bills Committee recommends that the Second Reading debate on the Bill be resumed at the Council meeting on 18 December 2002.

## **ADVICE SOUGHT**

36. Members are invited to note the deliberations and recommendation of the Bills Committee.

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

**Membership list**

<b>Chairman</b>	Hon IP Kwok-him, JP
<b>Members</b>	Hon Cyd HO Sau-lan Hon Andrew WONG Wang-fat, JP Hon Howard YOUNG, JP Hon LAU Kong-wah Hon Emily LAU Wai-hing, JP Hon Andrew CHENG Kar-foo Hon TAM Yiu-chung, GBS, JP Dr Hon TANG Siu-tong, JP Hon Tommy CHEUNG Yu-yan, JP Hon Albert CHAN Wai-yip Hon LEUNG Fu-wah, MH, JP Hon LAU Ping-cheung  (Total : 13 Members)
<b>Clerk</b>	Mrs Percy MA
<b>Legal Adviser</b>	Mr Arthur CHEUNG
<b>Date</b>	7 November 2002

CAP. 547 *District Councils*

## SCHEDULE 3

[ss. 5, 8, 9 &amp; 11]

## PART I

NUMBER OF ELECTED MEMBERS AND  
APPOINTED MEMBERS

Item	District Council	Number of elected members	Number of appointed members
1.	Central and Western District Council	15	4
2.	Eastern District Council	37	9
3.	Kowloon City District Council	22	5
4.	Kwun Tong District Council	34	8
5.	Sham Shui Po District Council	21	5
6.	Southern District Council	17	4
7.	Wan Chai District Council	11	3
8.	Wong Tai Sin District Council	25	6
9.	Yau Tsim Mong District Council	16	4
10.	Islands District Council	7	4
11.	Kwai Tsing District Council	28	7
12.	North District Council	16	5
13.	Sai Kung District Council	17	5
14.	Sha Tin District Council	36	9
15.	Tai Po District Council	19	5
16.	Tsuen Wan District Council	17	5
17.	Tuen Mun District Council	29	7
18.	Yuen Long District Council	23	7

## PART II

## RURAL COMMITTEES IN DISTRICTS

Item	District	District Council	Number of Rural Committees	Names of Rural Committees
1.	Islands District	Islands District Council	8	Cheung Chau Rural Committee Lamma Island (North) Rural Committee Lamma Island (South) Rural Committee Mui Wo Rural Committee Peng Chau Rural Committee South Lantau Rural Committee Tai O Rural Committee Tung Chung Rural Committee
2.	Kwai Tsing District	Kwai Tsing District Council	1	Tsing Yi Rural Committee
3.	North District	North District Council	4	Fanling District Rural Committee Sha Tau Kok District Rural Committee Sheung Shui District Rural Committee Ta Kwu Ling District Rural Committee
4.	Sai Kung District	Sai Kung District Council	2	Hang Hau Rural Committee Sai Kung Rural Committee
5.	Sha Tin District	Sha Tin District Council	1	Sha Tin Rural Committee
6.	Tai Po District	Tai Po District Council	2	Sai Kung North Rural Committee Tai Po Rural Committee
7.	Tsuen Wan District	Tsuen Wan District Council	2	Ma Wan Rural Committee Tsuen Wan Rural Committee
8.	Tuen Mun District	Tuen Mun District Council	1	Tuen Mun Rural Committee
9.	Yuen Long District	Yuen Long District Council	6	Ha Tsuen Rural Committee Kam Tin Rural Committee Pat Heung Rural Committee Ping Shan Rural Committee San Tin Rural Committee Shap Pat Heung Rural Committee

### Proposed Timetable for the 2003 District Council Elections

<u>Event</u>	<u>Timing</u>
(1) Scrutiny of the Electoral Provisions (Miscellaneous Amendments) Bill 2002	7 November to 5 December 2002
(2) Bills Committee to report back to House Committee	6 December 2002
(3) <i>Resumption of 2<sup>nd</sup> reading and 3<sup>rd</sup> reading of the Bill</i>	18 December 2002
(4) <i>Demarcation of constituency boundaries</i>	
(a) Electoral Affairs Commission (EAC) to conduct the one-month public consultation	Early January 2003
(b) EAC to finalize and submit its recommendations to the Chief Executive	Mid March to early April 2003
(c) Chief Executive in Council (CE in C) to decide on constituency boundaries by way of order	April 2003
(d) Negative vetting by the Legislative Council	May to June 2003
(5) <i>Amendment/Making of subsidiary legislation on voter registration</i>	
(a) EAC/CE in C to make the regulations	January 2003
(b) Negative vetting by the Legislative Council	January to March 2003

<b><u>Event</u></b>	<b><u>Timing</u></b>
(6) Amendment/Making of subsidiary legislation on electoral procedures etc.	
(a) EAC to make the regulations	April/May 2003
(b) Negative vetting by the Legislative Council	May to June 2003
(7) Publication of the provisional register	Before 15 August 2003
(8) Publication of the final register	Before 25 September 2003
(9) Nomination and canvassing for the election	October to November 2003
(10) Election of Second Term District Councils	November 2003

Constitutional Affairs Bureau  
November 2002

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## Appendix IV

ELECTORAL PROVISIONS (MISCELLANEOUS  
AMENDMENTS) BILL 2002

## COMMITTEE STAGE

Amendments to be moved by the Secretary for  
Constitutional Affairs

<u>Clause</u>	<u>Amendment Proposed</u>
1	<p>(a) In the heading, by adding "<b>and commencement</b>" after "<b>title</b>".</p> <p>(b) By renumbering the clause as clause 1(1).</p> <p>(c) By adding -</p> <p style="padding-left: 40px;">"(2) Subject to subsection (3), this Ordinance shall come into operation on the day on which it is published in the Gazette.</p> <p style="padding-left: 40px;">(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.</p> <p style="padding-left: 40px;">(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."</p>

Our Ref.: CAB in C2/11

Tel No: 2810 2988

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2 December 2002

The Hon Mr Justice WOO Kwok-hing, JA, GBS  
Chairman  
Electoral Affairs Commission  
10/F, Harbour Centre  
25 Harbour Road  
Wan Chai  
Hong Kong

Dear Chairman,

**Demarcation of Constituency Boundaries  
for 2003 District Council Elections**

In October, I introduced into the Legislative Council (LegCo) the Electoral Provisions (Miscellaneous Amendments) Bill. One of the purposes of the bill is to increase a total of ten elected seats for Islands, Sai Kung and Yuen Long for the second term District Councils (DCs). During the scrutiny of the bill by the Bills Committee of the LegCo, Members expressed concern about the delineation of constituency boundaries for the coming elections. I have undertaken to reflect the essence of Members' views to you for consideration. However, I wish to underline the fact that we appreciate and subscribe to the principle that the delineation of constituency boundaries lies within the prerogative of the Electoral Affairs Commission (EAC).



Members of the Bills Committee noted that the EAC was required by the Electoral Affairs Commission Ordinance to comply with a number of requirements in making recommendations on the delineation of constituency boundaries. The relevant provision requires that the Commission should –

- (a) ensure that the population in each constituency is as close to the population quota as practicable;
- (b) (should it be not practicable to comply with (a) above) ensure that the population in each constituency does not exceed or fall short of the population quota by more than 25 per cent, unless considerations in (c) below dictate otherwise; and
- (c) have regard to factors such as community identities and the preservation of local ties as well as physical features of the relevant area.

The Ordinance also allows the Commission to depart from (a) and (b) if a consideration in (c) appears to render such a departure necessary or desirable.

Members anticipated that due to population changes within the individual districts in recent years, the EAC might have to re-adjust the boundaries of certain constituencies within a particular district for the 2003 DC elections. In so doing, Members wish to put to the EAC their view that, in view of the considerations in (c) above, boundaries of existing constituencies should be preserved as far as possible.

In particular, Members were concerned about the situation in Shatin. Members strongly requested that, despite the population increase in Ma On Shan new town, no major changes should be made to the boundaries of existing constituencies in Shatin. They pointed out that the community identities and local ties established since the 1999 DC elections would be seriously disrupted, if some constituencies in Tai Wai and Shatin proper were to be combined to free up extra seats for Ma On Shan new town.

The relevant extract of the minutes of the Bills Committee meetings on 7 and 19 November are attached for your reference.

I also wish to take this opportunity to inform you that the Bills Committee has already completed the scrutiny of the bill. The Administration intends to resume Second Reading on 18 December. I understand that the EAC plans to release draft delineation proposals for public consultation in early January 2003. May I thank once again for the support rendered by you and Members of the Commission in this matter.

Yours sincerely,

( Mr Stephen Lam )  
Secretary for Constitutional Affairs

c.c. Mr Norman Leung Nai-pang, GBS, JP  
Dr Elizabeth Shing, JP  
Hon Ip Kwok-him, JP,  
Chairman, Bills Committee  
Hon Andrew Wong Wang-fat, JP,  
Chairman, LegCo Constitutional Affairs Panel  
CEO/REO (Attn. : Mr Li Wing)  
Clerk to Bills Committee (Attn. : Mrs Percy Ma)

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**Extract from draft minutes of first meeting of  
Bills Committee on Electoral Provisions  
(Miscellaneous Amendments) Bill 2002  
held on 7 November 2002**

Action

Meeting with the Administration

*Changes of the number of elected seats of District Councils (DC)*

4. Mr LAU Kong-wah requested the Administration to consider increasing one elected seat for the Sha Tin DC for the following reasons -

- (a) the population in Ma On Shan had also increased substantially;  
and
- (b) if the number of elected seats for Sha Tin DC remained unchanged, in view of the increase in population, the boundaries of the existing constituencies in Sha Tin would have to be changed. This would disrupt the community identity and cohesiveness of the areas concerned.

5. The Secretary for Constitutional Affairs (SCA) replied that the projected percentage increase of the population of Ma On Shan as of June 2003 was in the region of 15%. The increase was relatively mild as compared with Tung Chung, Tseung Kwan O and Tin Shui Wai, which had a population expansion ranging from 40% to 123%, and did not warrant increasing the number of elected seats for Sha Tin DC for the second term DCs. He further informed members that the Administration would conduct a comprehensive review on the composition of the subsequent terms of DCs after the 2003 DC elections.

**Extract from draft minutes of second meeting of  
Bills Committee on Electoral Provisions  
(Miscellaneous Amendments) Bill 2002  
held on 19 November 2002**

8. Mr LAU Kong-wah and Mr Andrew CHENG reiterated the concern that if the number of elected seats for DCs with population growth remained unchanged, the boundaries of the existing constituencies might have to be redrawn by EAC, thus affecting the established integrity of the community and the services provided by DC members to their constituents.

9. SCA said that the Administration was aware of members' concern about delineation of constituency boundaries in certain DCs. He said that the EAC should be aware that the proposed increase in the number of elected seats for the three districts had been made in response to public views about the need to address the growth in population of the respective new towns. It was up to the EAC to recommend delineation of boundaries for specific constituencies. He undertook to convey members' concern to EAC. In response to the request of the Chairman, SCA agreed to repeat his undertaking in his speech at the resumption of the Second Reading debate on the Bill.

Admin