

立法會
Legislative Council

Ref : CB2/BC/1/05

LC Paper No. CB(2)1892/05-06
(These minutes have been seen
by the Administration)

**Bills Committee on Chief Executive Election and Legislative Council Election
(Miscellaneous Amendments) Bill 2006**

**Minutes of the sixth meeting
held on Monday, 3 April 2006 at 4:30 pm
in Conference Room A of the Legislative Council Building**

- Members present** : Hon Howard YOUNG, SBS, JP (Chairman)
Hon LI Kwok-ying, MH (Deputy Chairman)
Hon James TIEN Pei-chun, GBS, JP
Ir Dr Hon Raymond HO Chung-tai, S.B.St.J., JP
Dr Hon LUI Ming-wah, SBS, JP
Hon WONG Yung-kan, JP
Dr Hon YEUNG Sum
Hon LAU Kong-wah, JP
Hon TAM Yiu-chung, GBS, JP
Hon Abraham SHEK Lai-him, JP
Hon MA Lik, GBS, JP
Hon Ronny TONG Ka-wah, SC
- Member attending** : Dr Hon Philip WONG Yu-hong, GBS
- Members absent** : Hon Margaret NG
Hon CHEUNG Man-kwong
Hon Jasper TSANG Yok-sing, GBS, JP
Hon LAU Wong-fat, GBM, GBS, JP
Hon Timothy FOK Tsun-ting, GBS, JP
Hon LEE Wing-tat
Hon Daniel LAM Wai-keung, BBS, JP
Hon LEUNG Kwok-hung
Hon WONG Ting-kwong, BBS
Hon CHIM Pui-chung
Hon Patrick LAU Sau-shing, SBS, JP

- Public Officers attending** : Mr Stephen LAM
Secretary for Constitutional Affairs
- Mr Joseph LAI
Deputy Secretary for Constitutional Affairs (1)
- Ms Joyce HO
Principal Assistant Secretary for Constitutional Affairs
(Special Duties)
- Mr Gilbert MO
Deputy Law Draftsman (Bilingual Drafting &
Administration)
- Mr Alan CHONG
Government Counsel
- Clerk in attendance** : Mrs Percy MA
Chief Council Secretary (2)3
- Staff in attendance** : Mr Arthur CHEUNG
Senior Assistant Legal Adviser 2
- Mrs Eleanor CHOW
Senior Council Secretary (2)4
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Action

I. Meeting with the Administration

(CAB C5/1 – The Legislative Council Brief on the Bill)

LC Paper No. CB(3)400/05-06 – The Bill

LC Paper No. CB(2)1433/05-06(01) – Marked-up copy of the Bill

LC Paper No. CB(2)1629/05-06(01) – Administration's further response to the issues raised at the meeting on 23 March 2006

LC Paper No. CB(2)1635/05-06(01) – CSAs proposed by the Administration

LC Paper No. CB(2)1635/05-06(02) – CSAs proposed by Dr Hon YEUNG Sum

LC Paper No. CB(2)1654/05-06(02) – CSAs proposed by Hon James TIEN Pei-chun)

The Bills Committee deliberated (index of proceedings attached at **Annex**).

2. As the Bills Committee had concluded its deliberations, members supported the Second Reading debate on the Bill be resumed at the Council meeting on 10 May 2006. The Chairman informed members that the deadlines for giving notice of resumption of the Second Reading debate and CSAs were 21 and 28 April 2006 respectively. The Bills Committee would report its deliberations to the House Committee on 21 April 2006.
3. The meeting ended at 5:25 pm.

Council Business Division 2
Legislative Council Secretariat
2 May 2006

**Proceedings of the sixth meeting of the Bills Committee on
Chief Executive Election and Legislative Council Election
(Miscellaneous Amendments) Bill 2006
on Monday, 3 April 2006 at 4:30 pm
in Conference Room A of the Legislative Council Building**

Time Marker	Speaker(s)	Subject(s)	Action required
000000 - 000555	Chairman	Opening remarks	
000556 - 001449	Mr James TIEN Chairman	<p>In the light of the views expressed by the deputations at the meeting on 1 April 2006, the position of Liberal Party (LP) was as follows –</p> <p>(a) it would not support imposing an upper limit on the number of subscribers required for nominating candidates for the office of the Chief Executive (CE);</p> <p>(b) it would support abolishing the requirement barring CE from being a member of a political party and would propose Committee Stage amendments (CSAs) to the Bill to repeal section 31 of the Chief Executive Election Ordinance (CEEEO) (LC Paper No. CB(2)1654/05-06(01)); and</p> <p>(c) while it supported expanding the electorate base of the Election Committee by giving voting rights to not more than six directors from each corporation, it would not propose CSAs due to the time constraints and the complexity involved in drafting the amendments</p>	
001450 - 002047	Chairman Dr YEUNG Sum	<p>The position of the Democratic Party (DP) was as follows –</p> <p>(a) it would propose CSAs to amend clause 18 of the Bill to make failure of the CE-elect to relinquish his political affiliation not a ground for legal challenges. It also supported the CSAs proposed by LP; and</p> <p>(b) it would propose a CSA to add a new clause 8A (manner of nomination) to provide that if a sole candidate failed to obtain sufficient support in the first round of polling, an upper limit of 200 subscribers would be imposed for nominating candidates for the office of CE starting from the second round</p>	

Time Marker	Speaker(s)	Subject(s)	Action required
		of nomination (LC Paper No. CB(2)1635/05-06(02))	
002048 - 002135	Mr TAM Yiu-chung Chairman	The position of the Democratic Alliance for the Betterment and Progress of Hong Kong was as follows – (a) it would not support the CSAs proposed by LP and DP; and (b) it would not propose any CSAs to the Bill	
002136 - 002401	Dr LUI Ming-wah Chairman	The position of The Alliance as follows – (a) it would not support the CSAs proposed by LP and DP; and (b) it did not support any proposal to replace corporate voting	
002402 - 002629	Chairman Mr James TIEN Dr YEUNG Sum Mr Ronny TONG	The Chairman's advice that – (a) although there was no consensus among Members on these proposed CSAs, individual Members might give notice of their intention to move CSAs ; and (b) the deadline for giving notice of CSAs was 28 April 2006	
002630 - 003432	Admin Chairman	The Administration's further response to the issues raised at the meeting on 23 March 2006 (LC Paper No. CB(2)1629/05-06(01)) CSAs proposed by the Administration (LC Paper No. CB(2)1635/05-06(01)) Members raised no objection to endorsing the CSAs proposed by the Administration	
003433 - 004005	Mr Ronny TONG Dr YEUNG Sum Mr James TIEN	The Civic Party supported the CSAs proposed by LP The Administration was requested to consider – (a) moving CSAs to abolish the requirement that CE should relinquish his political affiliation; or (b) introducing a separate bill to repeal section 31 of CEEO after passage of the Bill	

Time Marker	Speaker(s)	Subject(s)	Action required
004006 - 004654	Chairman Admin	<p>The Administration's response that –</p> <ul style="list-style-type: none"> (a) the Administration would give its views on the CSAs proposed by Members after they were formally submitted; (b) an opinion poll conducted by the Administration indicated that 70% of the respondents supported that the requirement that CE should relinquish his political affiliation be maintained; (c) the Administration had been introducing measures to facilitate development of political parties; (d) proposed CSAs to impose an upper limit on the number of subscribers required for nominating candidates for the office of CE starting from the second round of nomination could be outside the scope of the Bill; and (e) the Administration would give notice to resume Second Reading debate on the Bill on 10 May 2006 	
004655 - 005144	Mr Ronny TONG Dr YEUNG Sum	<p>Reservation about the opinion poll conducted by the Administration</p> <p>The Administration was urged to move CSAs to abolish the requirement that CE should relinquish his political affiliation</p>	
005145 - 005401	Admin	The Administration reiterated its views	
005402 - 005500	Chairman	The Bills Committee would report its deliberations to the House Committee on 21 April 2006	