

**File Ref.: CAB C4/18/C**

**LEGISLATIVE COUNCIL BRIEF**

**PACKAGE OF PROPOSALS FOR THE METHODS  
FOR SELECTING THE CHIEF EXECUTIVE IN 2007 AND  
FOR FORMING THE LEGISLATIVE COUNCIL IN 2008 :**

**PHASED ABOLITION OF  
APPOINTED DISTRICT COUNCIL SEATS**

**INTRODUCTION**

At the meeting of the Executive Council on 19 December 2005, the Council ADVISED and the Chief Executive ORDERED that:

- (a) as part of the Government's overall package for the 2007/08 electoral arrangements:
  - (i) the maximum number of appointed DC seats be reduced from the existing 102 to 68 when the new term of DCs commences in January 2008; and
  - (ii) the Government should decide in the light of the prevailing situation, which would mainly be the reaction of the community and the operation of the DCs following the reduction in the appointed seats, before the end of 2011 whether the maximum number of appointed DC seats should be further reduced to zero in January 2012, or to 34 in January 2012 and then to zero in January 2016; but
- (b) that the proposal at (a) above will be implemented only if the two Government motions on amendments to Annexes I and II to the Basic Law are endorsed by LegCo on 21 December 2005.

## **BACKGROUND**

### ***Fifth Report of the Constitutional Development Task Force***

2. On 19 October 2005, the Constitutional Development Task Force (“the Task Force”) published the Fifth Report and put forth its package of proposals for the methods for selecting the Chief Executive (“CE”) in 2007 and for forming the LegCo in 2008.

3. Since the publication of the Fifth Report, the Chief Secretary for Administration (“CS”) has personally attended the meetings of all 18 DCs to listen to their views on the proposed package. Government officials have also attended meetings of the LegCo Subcommittee to Study the Administration’s Proposals for the Method for Selecting the CE in 2007 and for Forming the LegCo in 2008 to explain the Administration’s position and to respond to questions raised by LegCo Members.

## **VIEWS OF THE COMMUNITY**

4. Feedback from various channels, including opinion polls conducted by outside institutions, indicate that in overall terms:

- (a) the proposed package has the majority support of the community;
- (b) at the same time, there are clear aspirations in the community that a timetable for attaining universal suffrage should be set as soon as possible; and
- (c) the majority of the public is of the view that the issue of the 2007/08 electoral arrangements should be handled separately from the issue of a roadmap or a timetable for universal suffrage.

5. The issue of appointed DC membership and their involvement in the two electoral processes was an issue raised by some LegCo Members when the proposed package was made public. There are views that appointed DC seats should be phased out or abolished. There are also views that appointed DC members should not take part in the two electoral processes. During CS’s meetings with the DCs, some DC members also suggested the abolition of appointed seats. As for the

public, on the whole they do not seem to have a strong view on the issue itself, but there is a general expectation that the Government should make some adjustments to the package of proposals in the hope of achieving consensus.

## **GOVERNMENT'S RESPONSE**

6. In view of the community's feedback as set out in paragraphs 4-5 above, the Government will address two issues, namely, universal suffrage and appointed DC seats.

### ***Universal Suffrage***

7. On universal suffrage, the CE has tasked the Committee on Governance and Political Development of the Commission on Strategic Development ("the Committee") to study a roadmap for universal suffrage. The work will be carried out in two stages. The first stage would focus on principles and concepts relating to universal suffrage, with a view to concluding discussions by summer next year. The second stage would be to discuss the design of the electoral systems for the CE and the LegCo when attaining universal suffrage, with a view to concluding discussions by early 2007. The Committee already met for the first time in November 2005.

### ***Appointed DC Members***

8. On appointed DC seats, the Administration's main considerations are :

- (a) over the years, the appointment system has provided a channel for individuals to serve the community. Appointed members have made constructive and useful contribution to the work of DCs. If the number of appointed seats were drastically reduced in one go, it would have an impact on the quality of Government services delivered at district level; and
- (b) even amongst those who support the abolition of appointed seats, there are different views on whether the abolition should be achieved in one go or in phases.

9. In light of the above considerations, the Administration considers that it would be more appropriate to phase out appointed DC seats over a period of time as follows:

- (a) the maximum number of appointed DC seats be reduced from the existing 102 to 68 when the new term of DCs commences in January 2008; and
- (b) the Administration will decide in the light of the prevailing situation, which would mainly be the reaction of the community and the operation of the DCs following the reduction in the appointed seats, before the end of 2011 whether the maximum number of appointed DC seats should be further reduced to zero in January 2012, or to 34 in January 2012 and then to zero in January 2016.

10. It should be emphasised that the above proposal forms part of the overall package for the 2007/08 electoral arrangements. If the two Government motions on amendments to Annexes I and II to the Basic Law are endorsed by LegCo, we will implement the changes to the DC appointed seats through amendments to local legislation. In the event that the two Government motions are rejected by LegCo, we will not proceed with the changes to the DC appointed seats. However, this is a subject which the community may continue to discuss, for example, in the context of the review of the roles, functions and composition of DCs which will start in the first quarter of 2006.

## **IMPLICATIONS OF THE PROPOSAL**

### **(a) Basic Law Implications**

11. The proposal is in conformity with the Basic Law, including the provisions concerning human rights and the political structure.

### **(b) Financial and Civil Service Implications**

12. The phased abolition of appointed District Council seats would result in savings in respect of honorarium and operating expenses allowance for District Council members.

13. The proposal does not have staffing implications.

## **PUBLIC CONSULTATION**

14. The proposed package is the culmination of various phases of open and wide public consultation since January 2004. The current proposal on appointed DC seats is put forward in the light of latest feedback from the community.

## **PUBLICITY**

15. The CS will meet with the press today to announce the proposal. The CE will also make a statement. The Secretary for Constitutional Affairs will attend a meeting of the LegCo Panel on Constitutional Affairs in the afternoon to explain the proposal to LegCo Members and to answer questions.

## **CONCLUSION**

16. The Administration sincerely hopes that the proposed package put forth by the Constitutional Development Task Force in its Fifth Report, together with the phased abolition of appointed DC seats, will receive the support of Members so that Hong Kong's constitutional development can move forward in 2007 and 2008.

## **ENQUIRY**

17. Enquiries should be directed to Mr Joseph LAI, Deputy Secretary for Constitutional Affairs at 2810 2368, or Mr Raymond TAM, Principal Assistant Secretary for Constitutional Affairs (5) at 2810 2852.

Constitutional Affairs Bureau  
19 December 2005  
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