

立法會
Legislative Council

Ref : CB2/BC/1/07

LC Paper No. CB(2)981/07-08
(These minutes have been seen
by the Administration)

Bills Committee on Legislative Council (Amendment) Bill 2007

Minutes of the first meeting
held on Tuesday, 22 January 2008, at 8:30 am
in the Chamber of the Legislative Council Building

- Members present** :
- Hon Howard YOUNG, SBS, JP (Chairman)
 - Hon WONG Ting-kwong, BBS (Deputy Chairman)
 - Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP
 - Dr Hon LUI Ming-wah, SBS, JP
 - Hon Margaret NG
 - Hon CHEUNG Man-kwong
 - Hon Mrs Sophie LEUNG LAU Yau-fun, GBS, JP
 - Hon SIN Chung-kai, SBS, JP
 - Dr Hon Philip WONG Yu-hong, GBS
 - Hon WONG Yung-kan, SBS, JP
 - Hon Jasper TSANG Yok-sing, GBS, JP
 - Hon LAU Kong-wah, JP
 - Hon Emily LAU Wai-hing, JP
 - Hon TAM Yiu-chung, GBS, JP
 - Hon Audrey EU Yuet-mee, SC, JP
 - Hon Vincent FANG Kang, JP
 - Hon Jeffrey LAM Kin-fung, SBS, JP
 - Hon Andrew LEUNG Kwan-yuen, SBS, JP
 - Hon Ronny TONG Ka-wah, SC
 - Hon KWONG Chi-kin
 - Hon TAM Heung-man
 - Hon Mrs Anson CHAN, GBM, JP
- Members Absent** :
- Hon Timothy FOK Tsun-ting, GBS, JP
 - Hon Abraham SHEK Lai-him, SBS, JP
 - Hon Daniel LAM Wai-keung, SBS, JP
 - Dr Hon Fernando CHEUNG Chiu-hung
- Public Officers attending** :
- Item II
 - The Administration

Mr Arthur HO Kin-wah
Deputy Secretary for Constitutional and Mainland Affairs

Mr Ivanhoe CHANG Chi-ho
Principal Assistant Secretary for Constitutional and Mainland
Affairs

Miss Katharine CHOI Man-yee
Assistant Secretary for Constitutional and Mainland Affairs

Ms Rayne CHAI Chih-hui
Senior Government Counsel

Mr Eddie NG Sik-hay
Deputy Chief Electoral Officer for Registration and Electoral
Office

Miss Rebecca LEE On-nai
Senior Electoral Officer for Registration and Electoral Office

Clerk in attendance : Mrs Percy MA
Chief Council Secretary (2)3

Staff in attendance : Mr Kelvin LEE
Assistant Legal Adviser 1

Mrs Eleanor CHOW
Senior Council Secretary (2)4

Action

I. Election of Chairman/Deputy Chairman

Mr Howard YOUNG and Mr WONG Ting-kwong were elected Chairman and Deputy Chairman of the Bills Committee respectively.

II. Meeting with the Administration

(LC Paper No. CB(3)215/07-08 - The Bill

CMAB/C1/30/5 - The Legislative Council Brief on the Bill

LS26/07-08 - The Legal Service Division Report

LC Paper No. CB(2)892/07-08(01) - Marked-up copy of the Bill

Action

LC Paper No. CB(2)893/07-08(02) - Background Brief prepared by the Legislative Council Secretariat)

2. The Bills Committee deliberated (index of proceedings attached at **Annex**).
3. The Administration was requested to provide paper(s) to -
 - (a) explain the principle and procedure for determining the inclusion of organisations in the electorate of functional constituencies (FCs);
 - (b) provide information on the contribution of individual FCs to the Gross Domestic Product;
 - (c) provide information on the number of eligible electors vis-à-vis registered electors of individual FCs;
 - (d) advise whether the various proposals in the Bill would result in any addition/reduction in the electorate of individual FCs;
 - (e) provide information on organisations which applied for inclusion in the electorate of FCs since the last LegCo election in 2004 and the reasons for rejecting these applications;
 - (f) explain how the "representativeness" of corporate electors/organisations in a particular sector was assessed in delineating the electorate for FCs; and
 - (g) explain the steps taken to ensure that the corporate electors/organisations included in FCs would remain to be representative of the relevant sectors.

III. Date of next meeting

4. Members agreed that the next meeting would be held on 1 February 2008 at 10:45 am.
5. The meeting ended at 10:22 am.

**Proceedings of the first meeting of the
Bills Committee on Legislative Council (Amendment) Bill 2007
on Tuesday, 22 January 2008, at 8:30 am
in the Chamber of the Legislative Council Building**

| Time Marker | Speaker(s) | Subject(s) | Action required |
|--------------------|--|---|--|
| 000000 - 000212 | Ir Dr Raymond HO Mrs Sophie LEUNG Mr LAM Kin-fung Mr Howard YOUNG | Election of Chairman | |
| 000213 -000343 | Chairman Mr TAM Yiu-chung Mr Andrew LEUNG | Election of Deputy Chairman | |
| 000344 - 000427 | Chairman | Opening remarks | |
| 000428 - 000608 | Administration | Briefing by the Administration on the Bill | |
| 000609 - 000744 | Chairman | Concerns raised by members of the Panel on Constitutional Affairs when they were consulted on the proposed arrangements for updating the electorate of functional constituencies (FCs) for the 2008 LegCo election at the meeting on 19 November 2007 | |
| 000745 - 001506 | Chairman Ms Margaret NG Administration | Principle and procedure for determining the inclusion of organisations in the electorate of FCs | Admin to follow up (para 3(a) of the minutes) |
| 001507 - 001937 | Chairman Mrs Anson CHAN Administration | Broadening of the electorate base of FCs in the 2008 LegCo election Response of the Administration that - (a) the number and composition of the existing FCs should remain unchanged for the 2008 LegCo election as explained in paragraphs 2 and 3 of the LegCo Brief; and (b) the issue of the electorate of FCs would be addressed when consideration was given to the appropriate electoral methods for the elections of the Chief Executive and the LegCo in 2012 | |
| 001938 - 002542 | Chairman Mr Ronny TONG Administration | Principle for determining the inclusion of an organisation in the electorate of a FC Contribution of FCs to the Gross Domestic Product as mentioned by Mr ZHANG Xiaoming at the forum on constitutional development | Admin to follow up (para 3(a) and (b) of the minutes) |

| Time Marker | Speaker(s) | Subject(s) | Action required |
|-----------------|--|---|--|
| 002543 - 002640 | Chairman Mr FANG Kang | Supplementary information that the membership of the Tobacco Association of Hong Kong Limited, which was proposed to be included in the Wholesale and Retail FC, was almost identical to that of the Tobacco Institute of Hong Kong Limited which had wound up in December 2004 | |
| 002641 - 003104 | Chairman Miss TAM Heung-man Administration | Broadening of the electorate base of the Accountancy FC in the 2008 LegCo election and if not, in the 2012 LegCo election | |
| 003105 - 003830 | Chairman Ms Emily LAU Administration | Views of Ms LAU - (a) the Frontier did not support "small circle" election and the Bill; (b) the FC system infringed human rights and breached the International Covenant on Civil and Political Rights, and (c) she did not object to broadening the electorate base of FCs as a step towards the direction of implementing universal suffrage Views of the Administration that FCs had contributed to the well-being of Hong Kong | |
| 003831 - 005605 | Ms Audrey EU Chairman Administration | Publicity to promote voter registration of FCs Size of eligible voters of FCs and the voter registration rates Effect of the Bill on the electorate of FCs | Admin to follow up (para 3(c) - (d) of the minutes) |
| 005606 - 010210 | Chairman Mrs Sophie LEUNG Administration | Concern about the impact of introducing drastic changes to the electorate of FCs only a few months before a LegCo election Confirmation of the Administration that the number and composition of the existing FCs should remain unchanged for the 2008 LegCo election, and only minor technical updates would be made | |
| 010211 - 010422 | Chairman Mr SIN Chung-kai Administration | Broadening of the electorate base of FCs in the 2008 LegCo election | |

| Time Marker | Speaker(s) | Subject(s) | Action required |
|-----------------|---|--|--|
| 010423 - 012323 | Chairman Ms Margaret NG Administration Mr WONG Ting-kwong | Concern about consistency and fairness in delineation of the electorate of FCs Response of the Administration that in general, corporate electors of FCs were organisations representative of the relevant sectors. The composition of the existing FCs was deliberated and endorsed by the LegCo in 2003 | |
| 012324 - 012731 | Chairman Mr SIN Chung-kai Administration | Concern about the power of the Administration to reject applications for inclusion in the electorate of FCs which could affect the result of an election Information on organisations which applied for inclusion in the electorate of FCs since the last LegCo election in 2004 | Admin to follow up (para 3(e) of the minutes) |
| 012732 - 014301 | Chairman Ms Margaret NG Administration Mr SIN Chung-kai ALA1 | Definition of "representativeness" of FC constituents Consistency of the FC system with the principle of equal political right | Admin to follow up (para 3(f) - (g) of the minutes) |
| 014302 - 014516 | Chairman Ms Margaret NG | Summary of requests made by members of the Bills Committee | |
| 014517 - 015200 | Chairman Administration Clerk Mr WONG Ting-kwong Mrs Anson CHAN | Date of next meeting | |