

**立法會**  
**Legislative Council**

Ref : CB2/SS/9/12

LC Paper No. CB(2)342/13-14  
(These minutes have been seen  
by the Administration)

**Subcommittee on District Councils Ordinance**  
**(Amendment of Schedule 3) Order 2013**

**Minutes of the second meeting**  
**held on Friday, 4 October 2013, at 10:45 am**  
**in Conference Room 3 of the Legislative Council Complex**

- Members present** :
- Hon IP Kwok-him, GBS, JP (Chairman)
  - Hon Frederick FUNG Kin-kee, SBS, JP (Deputy Chairman)
  - Hon Emily LAU Wai-hing, JP
  - Hon Cyd HO Sau-lan
  - Hon Starry LEE Wai-king, JP
  - Hon Mrs Regina IP LAU Suk-ye, GBS, JP
  - Hon Paul TSE Wai-chun, JP
  - Hon Claudia MO
  - Hon James TIEN Pei-chun, GBS, JP
  - Hon MA Fung-kwok, SBS, JP
  - Hon CHAN Han-pan
  - Dr Hon Kenneth CHAN Ka-lok
  - Hon LEUNG Che-cheung, BBS, MH, JP
  - Dr Hon Helena WONG Pik-wan
  - Dr Hon Elizabeth QUAT, JP
  - Hon TANG Ka-piu
  - Hon Christopher CHUNG Shu-kun, BBS, MH, JP
- Members absent** :
- Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
  - Hon WONG Yuk-man
- Public Officers attending** :
- Mr Gordon LEUNG  
Deputy Secretary for Constitutional and Mainland Affairs
  - Ms Anne TENG  
Principal Assistant Secretary for Constitutional and Mainland Affairs

Mr Ronald CHAN  
Political Assistant to Secretary for Constitutional and  
Mainland Affairs

Department of Justice

Miss Selina LAU  
Senior Government Counsel

**Clerk in attendance** : Ms Joanne MAK  
Chief Council Secretary (2) 3

**Staff in attendance** : Mr Kelvin LEE  
Assistant Legal Adviser 1

Miss Cindy HO  
Senior Council Secretary (2) 3

Mrs Fonny TSANG  
Legislative Assistant (2) 3

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Action

**I. Meeting with the Administration**

[CMAB C2/23, LC Paper Nos. CB(3)739/12-13, LS68/12-13, CB(2)1816/12-13(01) and (02)]

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

**Admin** 2. The Subcommittee requested the Administration to –

- (a) consider some members' suggestion that the number of elected seats for Islands District Council ("DC") should be increased to cope with the rapid population growth in Tung Chung and the large size of the DC constituency area "T01 – Lantau"; and
- (b) provide examples of DC constituency areas where the population was allowed to deviate from the population quota taking into account the large geographical size of the constituency area(s) concerned.

- Admin** 3. The Administration was also requested to relay members' concerns on other issues relating to DCs to the Electoral Affairs Commission and/or the Home Affairs Bureau as appropriate.

## **II. Any other business**

4. Members noted that the next meeting of the Subcommittee would be held on Saturday, 12 October 2013, from 9:00 am to 1:00 pm to meet with deputations and the Administration. In view of the number of deputations attending the meeting, the Chairman proposed and members agreed that the next meeting would be held from 9:00 am to 11:00 am.

5. There being no other business, the meeting ended at 12:30 pm.

Council Business Division 2  
Legislative Council Secretariat  
21 November 2013

**Proceedings of the second meeting of the  
Subcommittee on District Councils Ordinance  
(Amendment of Schedule 3) Order 2013  
on Friday, 4 October 2013, at 10:45 am  
in Conference Room 3 of the Legislative Council Complex**

Time Marker	Speaker(s)	Subject(s)	Action required
000125 - 001321	Chairman Administration	Opening remarks  Briefing by the Administration on the District Councils Ordinance (Amendment of Schedule 3) Order 2013 ("the Order").	
001322 - 002010	Chairman Mr CHAN Han-pan Administration	Mr CHAN Han-pan asked whether consideration could be given to allocating additional seat(s) to Islands District Council ("DC") so as to cope with the new residential developments in Tung Chung North. He stressed that geographical characteristics of individual areas should be taken into account in the demarcation exercise.  On the review of the number of elected seats for the fifth term DCs, the Administration explained that for DCs where the calculated number of seats was lower than the existing number of seats, as in case of Islands DC, the number of elected seats would not be reduced so as not to affect the provision of services to the public in the districts concerned. The Administration further advised that in the demarcation exercise, the Electoral Affairs Commission ("EAC") could consider adjusting the boundary of a DC constituency area ("DCCA") and those of adjacent DCCAs, with a view to bringing the population of the constituency concerned within the $\pm 25\%$ permissible limits.	
002011 - 002847	Chairman Mr LEUNG Che-cheung Administration	While expressing support in principle for increasing the number of elected seats, Mr LEUNG Che-cheung asked whether the concerns of some DC members about the Kai Tak Development Area would be addressed in a separate exercise on re-defining the District boundaries. He also agreed that additional elected seat(s) should be allocated to Islands DC so as to help bring down the population of the relevant constituencies in Tung Chung.	

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		<p>In response to the Chairman's enquiry, the Administration advised that the population of two DCCAs, namely, Tung Chung North and Yat Tung Estate North had exceeded the population quota by around 25% to 30%. On the other hand, the population of four other DCCAs in Islands DC fell short of the population quota by more than 25%. Where necessary, the boundary of the relevant DCCAs might be adjusted so as to bring down the population of the constituencies concerned.</p> <p>The Chairman expressed concern that these changes might inevitably disrupt the integrity of local communities in relevant DCCAs.</p>	
002848 - 003335	Chairman Ms Starry LEE Administration	<p>Ms Starry LEE considered that extra seat(s) should be allocated to Tung Chung so that the DC members concerned could maintain a close relationship with local residents and grasp the needs of the relevant constituency. Ms LEE requested the Administration to provide examples of DCCAs where the population was allowed to deviate from the population quota.</p> <p>The Administration advised on the factors that would be taken into consideration by EAC in drawing up the recommendations on the boundaries of corresponding DCCAs.</p>	<b>Admin</b> (paragraph 2 of the minutes)
003336 - 003926	Chairman Ms Emily LAU Administration	<p>Ms Emily LAU's views that DCs should be given more power in district administration in order to enhance DC members' experience of district administration and help nurture political talents. She suggested that the existing population quota should be raised and the "proportional representation system" should be adopted for returning DC members so as to make elected DC members answerable to electors of larger constituencies and broaden their vision. The Administration should also address issues relating to provision of resources for the operation of DCs.</p> <p>In response to Ms LAU's enquiry, the Administration advised that subject to LegCo's approval for the Order, the demarcation exercise of DCCA boundaries would be carried out independently by EAC in the beginning of 2014. Public consultation would be conducted on the</p>	

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		<p>provisional recommendations of EAC. The Administration would consider putting forward a legislative proposal to reflect the proposed transfer of two DCCAs from Eastern District to Wan Chai District.</p>	
003927 - 004434	<p>Chairman Ms Claudia MO Administration</p>	<p>Ms Claudia MO considered it important to commence early the demarcation of DCCA boundaries.</p> <p>The Administration advised that EAC was required under the Electoral Affairs Commission Ordinance (Cap. 541) to recommend the delineation of DC constituencies for the DC election according to the existing boundaries of Districts and the existing number of elected seats for each of the DCs specified in the District Councils Ordinance as amended by the Order. EAC would follow the established working principles in the demarcation exercise which would be conducted in an open and fair manner.</p>	
004435 - 004714	<p>Chairman Dr Helena WONG Administration</p>	<p>Dr Helena WONG asked whether the Kai Tak Development Area would form a new DCCA (currently fell under Kowloon City DC), and whether the area would be grouped into another DC instead of Kowloon City DC.</p> <p>The Administration responded that EAC would draw up the provisional recommendations on the boundaries of the DCCAs concerned. Meanwhile, there was no plan to change the District boundary in connection with the Kai Tak Development Area.</p>	
004715 - 005054	<p>Chairman Mr Christopher CHUNG Administration</p>	<p>Mr Christopher CHUNG stressed the importance of maintaining the integrity of local communities and called on the Administration to take into account Tung Chung's rapid developments in the current exercise.</p>	<p><b>Admin</b> (paragraph 2 of the minutes)</p>
005055 - 005702	<p>Chairman Dr Kenneth CHAN Administration</p>	<p>Dr Kenneth CHAN's proposal of splitting the two constituencies in Tung Chung into three constituencies with the DC members to be returned through the "proportional representation system". He suggested that members' concerns on various issues relating to DCs should be discussed in the upcoming sessions of Summit on District Administration.</p>	

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		<p>The Administration advised that it had maintained a close liaison with members of the relevant DCs including Islands DC. The Administration would relay members' views to the relevant policy bureau, i.e. Home Affairs Bureau ("HAB") for consideration.</p>	<p><b>Admin</b> (paragraph 3 of the minutes)</p>
005703 - 010259	<p>Chairman Ms Cyd HO Administration</p>	<p>Ms Cyd HO's views that the existing DC constituencies were so small that some DC members only put emphasis on local parochial interests. Her views that the DC election system should be reviewed and consideration could be given to returning DC members through the "proportional representation system" in the 2015 DC Election. The Administration advised that a review of the DC election system involved a major policy change which was outside the scope of the Order.</p>	
010300 - 010707	<p>Chairman Mr Paul TSE Administration</p>	<p>In response to Mr Paul TSE's enquiry on the financial implication as set out in paragraph 11 of the LegCo Brief [CMAB C2/23], the Administration advised that it was based on the existing level of remuneration of DC members and had not taken into account any proposal for future increase. Mr TSE also requested the Administration to consider increasing the allowances for DC members so as to cope with their additional workload.</p>	
010708 - 011334	<p>Chairman Mr TANG Ka-piu Administration</p>	<p>With reference to the submission from Mr WONG Fuk-kan, member of Islands DC [LC Paper No. CB(2)1845/12-13(01)], Mr TANG Ka-piu asked why the Lantau DC constituency "T01" could not be split into two constituencies as the constituency covered a large area. Separately, given the new development of residential estates in Tung Chung North, Mr TANG requested the Administration to consider the need for providing additional seats. He also proposed that the Administration should allocate additional resources to enhance support for DC operation and strengthen the manpower support for DC members.</p> <p>The Administration undertook to relay members' views on the operation of DCs to the relevant policy bureau, i.e. HAB, for consideration.</p>	<p><b>Admin</b> (paragraphs 2 and 3 of the minutes)</p>

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011335 - 011846	Chairman Ms Emily LAU Administration	Ms Emily LAU asked how EAC considered the views received before making its final recommendations on the demarcation exercise. The Administration advised that EAC conducted the whole process openly and fairly by including all the representations received during the consultation period. The relevant justifications for accepting or rejecting the representations were set out in the EAC report.	
011847 - 012339	Chairman Mr CHAN Han-pan Ms Emily LAU Administration	The Chairman considered that the existing DC election system had been operating well and was generally accepted by the public.  Mr CHAN Han-pan's proposal of amending the Order by increasing the number of DC elected seats from 19 to 21.	<b>Admin</b> (paragraph 2 of the minutes)
012340 - 012631	Chairman Mr TANG Ka-piu Administration	Mr TANG Ka-piu further explained the circumstances in Lantau DC constituency "T01" and hence the need for providing an extra seat.	
012632 - 012753	Chairman Mr Christopher CHUNG Administration	Mr Christopher CHUNG's view that at least one extra seat should be allocated to Tung Chung to cope with the population growth.	
012754 - 012930	Chairman Dr Kenneth CHAN	Dr Kenneth CHAN's view that the large size of the DCCA "T01" should merit special consideration as the work of the DC member concerned included overseeing the management of district facilities and handling environmental issues.	
012931 - 013307	Chairman Ms Emily LAU Administration	Ms Emily LAU's reiteration of the need for reviewing the DC election system.	
013308 - 013709	Chairman Ms Cyd HO Administration	Ms Cyd HO called on the Administration to provide adequate resources for the Registration and Electoral Office ("REO") in conducting public consultation. The Administration undertook to provide the requisite resources and would touch base with EAC and REO to ascertain their needs.	
013710 - 014106	Chairman Mr TANG Ka-piu Administration	Mr TANG Ka-piu's proposal of providing an end of contract gratuity for DC members' staff. The Administration undertook to relay the suggestion to HAB for consideration.	<b>Admin</b> (paragraph 3 of the minutes)



<b>Time Marker</b>	<b>Speaker(s)</b>	<b>Subject(s)</b>	<b>Action required</b>
014107 - 014349	Chairman	Closing remarks Schedule of next meeting	

Council Business Division 2  
Legislative Council Secretariat  
21 November 2013