

立法會
Legislative Council

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LC Paper No. CB(2)1728/12-13
(These minutes have been seen
by the Administration)

Panel on Constitutional Affairs

Minutes of meeting
held on Monday, 15 April 2013, at 2:30 pm
in Conference Room 1 of the Legislative Council Complex

Members present : Hon TAM Yiu-chung, GBS, JP (Chairman)
Hon Paul TSE Wai-chun, JP (Deputy Chairman)
Hon Emily LAU Wai-hing, JP
Hon Jeffrey LAM Kin-fung, GBS, JP
Hon WONG Ting-kwong, SBS, JP
Hon Ronny TONG Ka-wah, SC
Hon Cyd HO Sau-lan
Hon Starry LEE Wai-king, JP
Dr Hon LAM Tai-fai, SBS, JP
Hon CHAN Kin-por, BBS, JP
Dr Hon Priscilla LEUNG Mei-fun, JP
Hon WONG Kwok-kin, BBS
Hon IP Kwok-him, GBS, JP
Hon Mrs Regina IP LAU Suk-ye, GBS, JP
Hon Alan LEONG Kah-kit, SC
Hon LEUNG Kwok-hung
Hon WONG Yuk-man
Hon James TIEN Pei-chun, GBS, JP
Hon NG Leung-sing, SBS, JP
Hon Steven HO Chun-yin
Hon YIU Si-wing
Hon Gary FAN Kwok-wai
Hon MA Fung-kwok, SBS, JP
Hon Charles Peter MOK
Hon CHAN Chi-chuen
Dr Hon Kenneth CHAN Ka-lok
Hon CHAN Yuen-han, SBS, JP
Hon Alice MAK Mei-kuen, JP
Hon Dennis KWOK
Hon Christopher CHEUNG Wah-fung, JP

Hon SIN Chung-kai, SBS, JP
Dr Hon Helena WONG Pik-wan
Hon IP Kin-yuen
Hon Martin LIAO Cheung-kong, JP
Dr Hon CHIANG Lai-wan, JP
Hon Tony TSE Wai-chuen

**Members
absent** : Hon LEE Cheuk-yan
Dr Hon LAU Wong-fat, GBM, GBS, JP

**Public Officers
attending** : Item III

Mr LAU Kong-wah
Under Secretary for Constitutional and Mainland Affairs

Ms Anne TENG
Principal Assistant Secretary for Constitutional and Mainland
Affairs

Mr LI Pak-hong
Chief Electoral Officer
Registration and Electoral Office

Miss Jennie CHAN
Deputy Chief Electoral Officer
Registration and Electoral Office

Mr K C MA
Principal Liaison Officer
Home Affairs Department

Item IV

Mr LAU Kong-wah
Under Secretary for Constitutional and Mainland Affairs

Ms Anne TENG
Principal Assistant Secretary for Constitutional and Mainland
Affairs

Mr LI Pak-hong
Chief Electoral Officer
Registration and Electoral Office

Miss Jennie CHAN
Deputy Chief Electoral Officer
Registration and Electoral Office

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

Dr Yuki HUEN
Research Officer 2

Mrs Fonny TSANG
Legislative Assistant (2) 3

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I. Information papers issued since the last meeting
[LC Paper No. CB(2)906/12-13(01)]

The Panel noted that after the last meeting, a paper entitled "Concluding observations issued by the United Nations Human Rights Committee ("UNHRC") after consideration of the third report of the Hong Kong Special Administrative Region ("HKSAR") in the light of the International Covenant on Civil and Political Rights ("ICCPR")" [LC Paper No. CB(2)906/12-13(01)] had been issued to members.

II. Items for discussion at the next meeting
[LC Paper Nos. CB(2)938/12-13(01) to (02), CB(2)880/12-13(01) and CB(2)921/12-13(01)]

2. Members agreed to discuss the following items proposed by the Administration at the next meeting on 20 May 2013 -

- (a) review of the number of elected seats for the fifth-term District Councils ("DCs"); and

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- (b) hearing of UNHRC on the third report of HKSAR in the light of ICCPR.

Regarding item (b) above, the Panel agreed to invite public views on the subject. The Chairman directed that a general notice to invite public views should be posted on the Legislative Council ("LegCo")'s website.

Clerk

3. Regarding item 2(a) above, Under Secretary for Constitutional and Mainland Affairs ("USCMA") said that the Panel would be briefed on the Administration's proposal on the number of elected seats for each DC following a recent review, taking into account the population quota and other relevant considerations. Ms Emily LAU was of the view that related issues including the role and functions of DCs should also be discussed. USCMA said that as explained at the Panel meeting on 21 January 2013, issues relating to the functions of DCs were within the policy portfolios of the Home Affairs Bureau. The Chairman said that members who wished to discuss the role and functions of DCs should make a request to the Panel on Home Affairs.

4. With reference to Mr Ronny TONG's letter dated 26 March 2013 to the Chairman [LC Paper No. CB(2)880/12-13(01)] proposing to discuss issues relating to the prior notice given by the Chief Executive ("CE") to the director of the Hong Kong and Macao Affairs Office before announcing the Buyer's Stamp Duty, Mr Dennis KWOK requested the Panel to follow up by convening a special meeting. Noting that Mr Ronny TONG had also raised a LegCo question on the same issue to the Administration, the Chairman suggested and members agreed that the Panel might consider the need for discussion of the proposed issue after consideration of the Administration's response to Mr TONG's written question first.

III. Date for postponed or adjourned elections of DCs, the LegCo and Village Representatives ("VR")

[LC Paper No. CB(2)938/12-13(03)]

5. At the invitation of the Chairman, USCMA briefed members of the salient points of the Administration's paper [LC Paper No. CB(2)938/12-13(03)] on its proposal to change the fallback day arrangements for the LegCo, DC and VR elections, in the event that it was necessary to postpone an election or postpone/adjourn a poll or a count due to an occurrence which appeared to be a material irregularity relating to the

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election, the poll or the count. At present, the timeframe allowed for this scenario under the relevant provisions required that the election, poll or count be conducted or resumed not later than two days ("the two-day fallback arrangement"). The Administration proposed to change it to 14 days.

Discussion

6. Mr IP Kwok-him noted that according to overseas experience as set out in paragraph 4 of the Administration's paper, an outbreak of disease could result in the postponement or adjournment of an election. He asked whether a disease outbreak in Hong Kong would be regarded as an occurrence of public danger and resulted in a postponement of the election. Regarding the current proposal, he was of the view that the postponed or adjourned election, poll or count should be held as soon as possible and proposed that "seven days" be adopted instead of "14 days" as most candidates might have spent up to the ceiling of the election expenses by the end of the 14th day.

7. Chief Electoral Officer, Registration and Electoral Office ("CEO") explained that in proposing the current two-day fallback arrangement be changed to 14 days, it did not mean that the postponed or adjourned election, poll or count would be held or resumed on the 14th day after the postponement or adjournment. It only required that the postponed/adjourned election, poll or count had to be held/resumed within and not later than 14 days, and it did not preclude conducting/resuming the postponed or adjourned election, poll or count on the seventh day (i.e. the following Sunday) immediately following the original polling day. He reiterated that the current proposal was made in order to provide sufficient flexibility in conducting or resuming the event, and to be in line with the fallback timeframe in dealing with postponement or adjournment due to a typhoon or other climatic condition of a serious nature, or riot or open violence or other occurrence of public danger. CEO added that while the electoral legislation had not prescribed the arrangement for a disease outbreak, it might be regarded as an occurrence of public danger or, depending on the circumstances as the case might be and subject to legal advice, an occurrence which appeared to be a material irregularity relating to the election, the poll or the count. He undertook to follow up this point in collaboration with the Department of Justice.

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8. Mr Martin LIAO was of the view that the proposed period of 14 days was long enough to affect the outcome of the postponed election. He

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considered that the proposed period should be shortened as far as practicable.

9. Dr Helena WONG said that while she had no strong view on the current proposal, she asked about the rationale of the two-day fallback arrangement and why only two days were allowed under the arrangement. Principal Assistant Secretary for Constitutional and Mainland Affairs said that when the Bills Committee concerned scrutinized the relevant electoral legislation in 1993, there was discussion on the possible fallback day arrangement. It was agreed that a two-day fallback arrangement should be introduced to cater for the need to postpone or adjourn an election, poll or count in situations such as misplacement of ballot boxes, discrepancies between the number of ballot papers issued and the number of votes. Although the two-day fallback arrangement had not been triggered before, having thoroughly reviewed past experience and present day circumstances, the Registration and Electoral Office ("REO") and the Home Affairs Department considered that there were insurmountable practical difficulties to implement the two-day fallback arrangement as detailed in paragraphs 7 to 10 of the Administration's paper.

10. Mr WONG Yuk-man said that he had no objection in principle to the current proposal as REO had confirmed that the current proposal only required that the postponed/adjourned election, poll or count had to be held/resumed within and not later than 14 days. Referring to paragraphs 4 and 5 of the Administration's paper, he considered it inappropriate to make reference to the overseas jurisdictions as set out in the paper, given the fundamental differences in terms of the size of constituencies/electorate and the scale of election between those jurisdictions and Hong Kong.

11. Ms Emily LAU held the view that the postponed or adjourned election, poll or count should be held/resumed either on a Sunday or on a public holiday in order to facilitate voting by electors. CEO said that it was already an established practice to hold elections on Sundays for the convenience of electors, and REO would stick to this arrangement in holding/resuming a postponed or adjourned election, poll or count. In response to Ms LAU's concern on the polling stations, CEO explained that the factor to be considered in the selection of venues was that they should be conveniently located and sufficiently spacious to cater for the number of electors, therefore over 60% of the polling stations were set up in school premises which were normally not available for use as polling stations on weekdays under the two-day fallback arrangement. The proposed

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arrangement was to change the prescribed period from two days to 14 days so as to provide sufficient operational flexibility. CEO added that based on past experience, school premises for use as polling stations could mostly be made available for such use on two consecutive Sundays. Ms Emily LAU stressed that the day to be rescheduled for polling should be a Sunday, and consideration should be given to specifying that the postponed/adjourned election, vote or count would be held/resumed on the following or the next following Sunday in the relevant legislative proposal.

12. Ms Cyd HO shared Ms Emily LAU's view and also considered that the polling day should be rescheduled (where necessary) for a Sunday or a public holiday for the convenience of electors. While she had no objection to the current proposal, she was concerned about the conditions in which an election might be postponed as set out in paragraph 2(a) to (c) of the Administration's paper. She expressed worry that the specified conditions were lax and as a result, the authorities concerned might easily exercise the power to declare the postponement or adjournment of an election, a poll or a count, which could significantly impact on the outcome of the election. She recalled that a black rainstorm signal was hoisted in the 1998 LegCo Election and there was flooding inside some polling stations, and in the 2004 LegCo Election, some polling stations had to be closed for more than an hour due to insufficient number of ballot boxes, but that those elections had not been postponed. She stressed that a decision to invoke the relevant provisions should not be taken lightly. Ms HO further asked about the arrangements that would be made for handling the votes already cast by electors before the postponement or adjournment of an election, a poll or a count, and whether electors who had cast their votes would have to do it all over again on the rescheduled polling day. Besides, the Administration should explain whether the media organizations would be allowed to continue to hold election forums during the period of postponement or adjournment of an election, a poll or a count.

13. CEO assured members that the authorities concerned had all along been prudent on this matter. As history had shown, the power had not ever been exercised to declare the postponement or adjournment of an election, a poll or a count. He assured members that postponement or adjournment would be declared only in very exceptional circumstances. CEO advised that as specified in Schedule 2 to Electoral Affairs Commission (Electoral Procedure) (Legislative Council) Regulation (Cap. 541D), in the case of an adjourned poll, the polling hours to be appointed for the resumed poll must be such that the aggregate polling hours, when combined with the polling

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hours spent in the adjourned poll, was not less than the total polling time originally designated for the poll. Also, according to law, only electors who had not cast their votes could vote in the resumed poll, while those who had cast their votes on the original polling day needed not do so again.

14. Ms Cyd HO further asked about the time to be appointed for the resumed poll on the rescheduled polling day, e.g. supposed that a poll was adjourned at 3 pm on the original polling day, whether the poll on the rescheduled polling day would be resumed at 3 pm. CEO said that such was not necessarily the case under the electoral law and it would depend on the actual circumstances. For example, if the adjournment was declared due to inclement weather, the time at which the poll was to be resumed would be set taking into consideration the weather condition and whether the polling stations were accessible or still being seriously affected by the inclement weather. He pointed out that the Electoral Affairs Commission ("EAC") was vested with the authority to decide on the appropriate electoral arrangements to be made having regard to practical circumstances, e.g. the safety of electors under inclement weather and the availability of transportation means.

15. Ms Cyd HO remained concerned about how the time for resuming the adjourned poll on the rescheduled polling day would be set. She pointed out that some people had to work long hours on Sundays and would not be able to vote if an adjourned poll was resumed only in the morning and closed before afternoon. She suggested that an adjourned poll should be resumed at the same hour when the poll was adjourned on the original polling day. Mr IP Kwok-him, however, expressed doubt as to whether Ms HO's suggestion could facilitate voting by electors. Ms HO said that she was open to different views on the issue. The Chairman said that there were diverse views and requested the Administration to consider the appropriate way forward.

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16. Dr Helena WONG asked why the CE election was not included in the current proposal as an occurrence of material irregularity might also happen during a CE election. USCMA said that the CE election was governed by the CE Election Ordinance (Cap. 569). Separate legislative amendments concerning the date for postponed or adjourned CE elections would be proposed in due course as part of a package of legislative proposals for implementing the 2017 CE election. Dr WONG further enquired if electioneering activities might still be allowed prior to the rescheduled polling day. She was particularly concerned about the situation where

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some candidates might have already spent up to the ceiling of the election expenses, while those candidates who had an unspent balance could keep on with their electioneering activities, thereby causing unfairness. Ms Cyd HO said that she would oppose any suggestion of increasing the election expense limit in the situation of postponement or adjournment of an election because it would cause unfairness to those less well-off candidates.

17. CEO said that the election expense limit was governed under the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554) ("ECICO") and the election expense limit would not be changed even if an election was postponed. Candidates would be able to conduct electioneering activities subject to the ceiling of the election expense. CEO added that the arrangement was not new, and existing legislation already allowed for postponement or adjournment of election. Candidates should be fully aware of the arrangement while incurring election expenses.

18. Mr Martin LIAO asked whether the Administration would, in the situation of riot, open violence or other occurrence of public danger, postpone the whole election or only temporarily close the affected polling stations and adjourn the poll there. CEO advised that only the affected polling stations would be closed in case of occurrence of localized violence.

19. Ms Emily LAU requested the Administration to conduct public consultation prior to submitting the legislative proposal to LegCo for scrutiny. USCMA noted the view. In response to Ms LAU's enquiry regarding the timing to make the relevant subsidiary legislation, USCMA advised that the tentative plan was to introduce the legislative amendment within the current year.

IV. Election of the LegCo : Election Forums

[LC Paper Nos. CB(2)938/12-13(04) and IN17/12-13]

Briefing by the Administration

20. At the invitation of the Chairman, USCMA briefed members on the salient points of the Administration's paper [LC Paper No. CB(2)938/12-13(04)]. Members noted that in the 2012 LegCo Election, EAC received a total of 38 complaints which were specifically about the conduct of election forums organized by operators of radio and television broadcasting services ("the broadcasters"), as compared with only three such

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complaints received in the 2008 LegCo Election. According to the Administration, the increase in the number of complaints warranted consideration of (a) whether there was a need for guidelines to be specifically drawn up to regulate the production and broadcasting arrangements including the manner of hosting, the speaking time arrangement, and the design/construction of the relevant programmes; and (b) whether organizers should be given the flexibility in inviting some or all candidates to their election forums, especially when the number of candidates contesting might be very large in future elections. CEO further took members through the principle of "fair and equal treatment" as enshrined in EAC's Guidelines on Election-related Activities in respect of the LegCo Election ("the Guidelines"), Chapter 11 of which was on "Election broadcasting, media reporting and election forums". Members also noted the information note on "Election debates in selected places" prepared by the Research Office of the LegCo Secretariat [LC Paper No. IN17/12-13].

Discussion

21. Mr WONG Yuk-man said that he did not see the need to introduce specific guidelines to regulate the production and broadcasting arrangements of election forums as long as the principle of "fair and equal treatment" in paragraph 10 of the Administration's paper was complied with. Mr WONG said that in the absence of a law governing political parties in Hong Kong, it was improper to allow forum organizers to have the flexibility of inviting some instead of all candidates to their election forums. Otherwise, some candidates might be deprived of the opportunity to take part in any election forum to communicate his election platform to electors. He would suggest that broadcasters should allocate more time for holding these forums if a large number of candidates were involved.

22. Referring to paragraph 11 of the Administration's paper, Mr CHAN Chi-chuen said that while there were 237 complaints alleging that the media had failed to comply with the "fair and equal treatment" principle, only one case could be substantiated. He enquired about the details of that case. CEO advised that the complaint in question was essentially about a technical breach as the media organization involved had failed to give a clear message to audience on the names of all candidates contesting in the same constituency in a news report. However, he was not in a position to disclose further details of the case.

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23. Noting that candidates had the flexibility to take part as guests in non-election related programmes, Mr CHAN Chi-chuen sought details on how to determine whether the relevant programmes were election-related or otherwise, particularly when it involved candidates' participation in game shows or variety shows. He asked whether a medical practitioner might continue to take part in a medical TV programme whilst standing as a candidate. CEO advised that this should be a question of fact depending on the content of the programme itself and insofar as the candidate's participation in the programme was pertinent as detailed in paragraph 8 of the Administration's paper. However, there would not be strict prohibition on such attendance.

24. Mr CHAN Chi-chuen further pointed out that there was unfair treatment in the setting of questions by the moderators and there was also disparity in terms of speaking time between candidates in a radio programme in which he had participated though it was a non-election related programme. He asked whether and how the Administration might deal with these situations. Regarding the setting of questions, CEO said that there was no concrete regulatory proposal yet but issues of concerns raised by members would be relayed to EAC for consideration in the context of its future review. CEO added that no revisions would be made to the relevant Guidelines without prior consultation with the public.

25. Mr IP Kin-yuen said that he supported the Administration's proposal of allowing forum organizers to have the flexibility to invite some or all candidates to their election forums. He, however, considered that providing specific guidelines to regulate the production and broadcasting arrangements for these forums would not be necessary. He opined that election forums should enable candidates to articulate on their election platforms so as to facilitate electors to cast an informed vote, but the present arrangement had rendered it difficult for candidates to elaborate more fully their views and election platforms. On that basis, Mr IP proposed introducing a new requirement whereby candidates should garner a level of support of at least 1% of the electorate of the relevant geographical constituency ("GC") in the public opinion poll, failing which the candidates concerned might not be invited by the forum organizers to their election forums.

26. Dr Helena WONG said that she did not see the need to provide specific guidelines to regulate the production and broadcasting arrangements for election forums in order to maintain editorial independence. She,

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however, expressed concern that some candidates had been the targets of smear campaigns via newspapers just one to two days before the poll, hence causing unfairness to these candidates. She called on the Administration to address issues on maintaining fairness and integrity of the election system. Regarding the prevailing arrangement whereby candidates might take part as guests in non-election related programmes, Dr WONG was concerned if forum organizers might selectively invite candidates of some political parties to attend, while other candidates contesting in the same constituency would not have the same opportunity for appearance in the programmes.

27. Dr Helena WONG further said that it might be the tactics employed by some candidates who deliberately absent themselves from the election forums so that the relevant broadcasters could not proceed with the production of the election forum as planned. CEO explained that according to the Guidelines, the broadcasters might continue with the production of the election forums as planned in the circumstances without contravening the "fair and equal treatment" principle.

28. Miss Alice MAK was of the view that if forum organizers were given the flexibility to selectively invite some or all candidates to their election forums, it might give rise to the situation where some candidates would have greater media exposure over other candidates. As regards the participation of candidates as guests in non-election related programmes, Miss MAK remarked that candidates attending the programmes concerned would also have to declare the relevant expenses in the election return and subject to the regulatory measures under ECICO. She did not see the need for the Administration to provide specific guidelines to regulate the production and broadcasting arrangements.

29. Mr LEUNG Kwok-hung proposed adding a new requirement that the forum organizers should provide equal length of time to each candidate taking part in the election for all GCs across-the-board. Mr LEUNG expressed concern about the need to regulate the activities of electioneering teams as there were complaints that they had caused nuisance to other contesting candidates or some had even interrupted the speech of others at the election forums. Mr LEUNG added that the requirement of providing equal time to candidates to present their election platforms should also apply to any election forums on radio broadcast.

30. Dr CHIANG Lai-wan expressed concern that there was unfairness in the holding of election forums during the 2012 LegCo Election. Firstly, the

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number of candidates was too large and only limited time was given to candidates to present their election platforms. Secondly, some moderators of the election forums did not act fairly in posing questions to some candidates and there was favouritism shown towards some candidates. Thirdly, there was also unequal treatment in terms of the sequence of speaking.

31. Ms Emily LAU said that some broadcasters had raised concerns that the production of election forums for all candidates had become more difficult because of the increasing number of candidates/lists of candidates contesting in LegCo elections. She, however, considered that problems might arise if forum organizers were allowed to invite only some candidates to these forums on a selective basis. Ms LAU asked whether the Administration had solicited views of the media organizations in this regard. CEO reiterated that before promulgating a set of revised Guidelines for future elections, public consultation would be conducted. The media organizations were welcome to offer their views which would be conveyed to EAC for consideration. Ms LAU noted that there were also views on whether the nomination threshold for GCs was considered too low as compared with that of other jurisdictions and asked how the Administration might deal with this. USCMA replied that the existing nomination threshold of 100 registered electors of a GC would enable more candidates to run in an election, and a change in nomination threshold might undermine people's right to stand for election.

32. Ms Cyd HO also considered that the media organizations should be consulted on the matter. With regard to the requirement of reporting each of the candidates/lists of candidates contesting in the same constituency in the programme in accordance with the "fair and equal treatment" principle, Ms HO considered that it would be boring from the audience's perspective to have all the names read out. She stressed that it was crucial for the Administration to explore better arrangements for election forums to be made in consultation with the media organizations. She suggested that broadcasters could consider allocating more time for election forums which involved many candidates/lists of candidates.

33. Mr Paul TSE considered that it was equally important to ensure the quality of the election forums and to uphold the "fair and equal treatment" principle. Noting that some media organizations had failed repeatedly to comply with such requirements and what EAC could do was only to make a reprimand or censure in public, Mr TSE suggested that consideration could

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be given to imposing stricter requirements on these organizations in case they were to hold election forums again. Such requirements might be made licensing conditions that had to be complied with.

34. Dr Priscilla LEUNG shared the view of Mr Paul TSE and suggested that candidates could be divided into different groups and multiple rounds of debates should be held. As such, candidates would each be competing with one another through conducting various rounds of debates.

35. Miss CHAN Yuen-han said that providing specific guidelines to regulate the arrangements for election forum was unnecessary. She asked about the areas for further relaxation under consideration by the Administration. CEO said that there had been suggestions that the present guidelines should be relaxed to give the broadcasters the flexibility to decide on the number of and/or which candidates/lists of candidates to appear on election forums, or whether there could be room for relaxation in terms of the speaking time to be given to the candidates taking part in the forum. REO had all along adhered to the "fair and equal treatment" principle, and it would continue to explore further with a view to improving the arrangements. Miss CHAN added that there was little room for the Administration to maneuver under the "fair and equal treatment" principle. She suggested that media organizations should be consulted and their suggestions should be duly considered by the Administration in mapping out the way forward.

36. Mr NG Leung-sing suggested that the Administration should specify the criteria for selecting moderators, and consideration could be given to restricting the engagement of moderators who had been the subjects of complaints repeatedly in future election forums. Moreover, Mr NG suggested that microphones could be muted when different candidates were speaking at the same time so as to prevent overlapping of voices. Mr NG further proposed that the restriction on election advertisements could be relaxed subject to the maximum amount that could be incurred by a candidate for election expenses and the application of the "fair and equal treatment" principle.

37. CEO said that REO would consider Mr NG Leung-sing's view regarding the selection of moderators in its future reviews. He said that before each general election, EAC would revise the electoral guidelines. The revision was done on the basis of the Guidelines used for previous elections, taking into account the operational experience of each election, as

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well as suggestions and complaints received from the public and other parties concerned. On election advertisements, CEO said that while there was a government policy governing broadcasting advertisements of a political nature, it was the position of EAC that the principle of "fair and equal treatment" applied irrespective of whether election advertisements were published or not.

38. Mr Gary FAN said that given the lack of any law governing political parties, he opposed allowing candidates to buy airtime for broadcasting election advertisements on licensed TV/radio. Alternatively, he considered that it would be most effective and fair for the Government to buy airtime for candidates to present their election platforms in the electronic media. Mr Charles Peter MOK held a similar view. He said that allowing candidates to buy airtime for broadcasting election advertisements on electronic media was inappropriate at this stage or else it might run the risk of developing "money-politics" in Hong Kong.

39. Dr Priscilla LEUNG called on the Administration to adopt an open attitude in its policy on election broadcasting on licensed TV/radio. In this regard, she suggested that the election expense limit should be raised so that candidates could consider making election broadcasting on electronic media in launching their election campaigns.

V. Any other business

40. There being no other business, the meeting ended at 4:35 pm.

Council Business Division 2
Legislative Council Secretariat
21 August 2013