

立法會
Legislative Council

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LC Paper No. CB(2)1787/12-13
(These minutes have been seen
by the Administration)

Panel on Constitutional Affairs

Minutes of meeting
held on Monday, 17 June 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 LEE Cheuk-yan
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 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 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

Member attending : Dr Hon Fernando CHEUNG Chiu-hung

Members absent : Dr Hon LAU Wong-fat, GBM, GBS, JP
Hon LEUNG Kwok-hung
Hon MA Fung-kwok, SBS, JP

Public Officers attending : Item III

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

Mr Gordon LEUNG Chung-tai
Deputy Secretary for Constitutional and Mainland Affairs (1)

Mr CHEUNG Doi-ching
Principal Assistant Secretary for Constitutional and Mainland Affairs (5)

Item IV

Equal Opportunities Commission

Dr York CHOW Yat-ngok
Chairperson of Equal Opportunities Commission

Mr Herman POON
Chief Legal Counsel of Equal Opportunities Commission

The Administration

Mr Gordon LEUNG Chung-tai
Deputy Secretary for Constitutional and Mainland Affairs (1)

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

Staff in attendance : Mr Kelvin LEE
Assistant Legal Adviser 1

Mr Michael YU
Chief Research Officer (Research)

Dr Yuki HUEN
Research Officer 2

Miss Cindy HO
Senior Council Secretary (2) 3

Ms Wendy LO
Council Secretary (2) 3

Mrs Fonny TSANG
Legislative Assistant (2) 3

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I. Information papers issued since the last meeting
[LC Paper No. CB(2)1361/12-13(01)]

The Panel noted that after the last meeting, a referral memo from the Public Complaints Office of the Legislative Council ("LegCo") regarding discrimination encountered by new arrivals from the Mainland [LC Paper No. CB(2)1361/12-13(01)] had been issued to members.

II. Items for discussion at the next meeting
[LC Paper Nos. CB(2)1324/12-13(01) to (02) and
CB(2)1340/12-13(01)]

2. Members agreed to discuss the following items proposed by the Administration at the next meeting on 15 July 2013 -

- (a) 2013 Provisional Registers of Electors and related matters; and
- (b) issues in relation to display of roadside publicity materials during a District Council by-election.

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Regarding item (a) above, Under Secretary for Constitutional and Mainland Affairs ("USCMA") said that the Administration would also advise on its position in response to Dr Helena WONG's letter dated 5 June 2013 [LC Paper No. CB(2)1340/12-13(01)] proposing that the electoral register should be allowed to be used for purposes other than election-related purposes.

III. Follow-up on Equal Opportunities Commission ("EOC")'s legislative amendment proposal related to the scope of protection against sexual harassment under the Sex Discrimination Ordinance (Cap. 480)

[LC Paper Nos. CB(2)1324/12-13(03) and (04)]

3. USCMA briefed members on the progress of the Administration in following up EOC's proposal to expand the scope of protection against sexual harassment under the Sex Discrimination Ordinance (Cap. 480) ("SDO") as detailed in the Administration's paper [LC Paper No. CB(2)1324/12-13(03)].

4. Members noted the background brief prepared by the LegCo Secretariat [LC Paper No. CB(2)1324/12-13(04)].

Discussion

EOC's proposal to expand the scope of protection against sexual harassment

5. Mr WONG Yuk-man expressed support for the EOC's proposal to amend section 40(1) of SDO to expand the scope of protection against sexual harassment to cover customers harassing providers of goods, services, or facilities. Referring to paragraph 12 of the Administration's paper on the six main issues to be considered in taking forward the legislative proposal, Mr WONG made the following comments -

- (a) to uphold the principle of equality before the law, he opposed adopting a less stringent approach in handling sexual harassments in specific sectors where such problem was relatively not so serious;
- (b) the prevention of sexual harassment through publicity and public education programmes was supported, and such

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programmes could be launched before the enactment of the proposed legislative amendment;

- (c) as it seemed that the proposed amendment to section 40(1) of SDO did not contravene the existing section 2(5) of the ordinance, he did not see any legal implications that might arise in pursuing EOC's proposal; and
- (d) whether it was still necessary to examine if there should be liability on the part of owners/management of the premises where the sexual harassment took place, given that there were clear provisions stipulating the vicarious liability of employers in the common law and that the owner/management of the premises might not be aware of the harassment or might have already taken measures to prevent the occurrence of the harassment.

6. USCMA undertook that the Administration would take into account Mr WONG's views in its consideration of the relevant issues.

7. Dr Helena WONG said that the Democratic Party ("DP") was of the view that the Administration should take forward as soon as possible the proposed legislative amendment in order to plug the identified loophole. Citing figures about the employment situation of the service industries, Dr WONG said that the proposed amendment would afford better protection to male and female employees of different industries (e.g. frontline staff of the catering and insurance industries, lawyers, nurses, social workers, beer promoters, massage practitioners, and telephone operators), and the early introduction of proposed amendment was supported by women groups as indicated in a recent survey. Dr WONG further said that DP considered that reference should be made to the relevant legislation in Australia as cited in paragraph 13 of the Administration's paper in taking forward the proposed legislative amendment. Besides, she considered that the Administration should step up publicity and public education against sexual harassment.

8. Mr IP Kwok-him said that the Democratic Alliance for the Betterment and Progress of Hong Kong welcomed the Administration's plan to take forward the proposed legislative amendment. Referring to paragraph 12(a) of the Administration's paper, Mr IP enquired whether the Administration would conduct a survey to collect information on the prevalence of the sexual harassment in any particular service sectors (e.g. the beer promotion

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business), and the number of complaints received by EOC concerning sexual harassment in specified fields under SDO, for instance, sexual harassment by employers against staff and by staff of educational establishments against students.

9. USCMA replied that the Administration would consider the suggestion of Mr IP. He advised that from 2008 to 2012, EOC received a total of 459 complaints relating to sexual harassment, of which nine cases were related to sexual harassment in educational establishments. According to EOC, 33 complaints relating to service providers harassing customers were received in the same period under the current scope of section 40 of SDO. Upon the enquiry of the Administration, EOC advised that from November 2012 to May 2013, two cases relating to customers sexually harassing service providers had been received. USCMA stressed that irrespective of the number of complaints received, the Administration planned to act on the EOC's recommendation to amend section 40(1) of SDO to protect service providers from sexual harassment by customers.

10. Mr Alan LEONG and Ms Cyd HO asked whether the Administration would consult stakeholders (e.g. foreign domestic helpers associations, flight attendant associations and female labour unions) on the proposed legislative amendment. USCMA replied that the Administration had solicited the views of community groups on the issue. It was also expected that public views would be invited by LegCo on the legislative amendment proposal when it was submitted to LegCo for scrutiny. USCMA advised that it was the Administration's plan to submit the legislative amendment proposal to LegCo in the next legislative session.

11. Mr Paul TSE declared interest that he was a member of the EOC Board. He expressed concern whether it was the appropriate timing to introduce the proposed legislative amendment before EOC had completed the Discrimination Law Review ("DLR") of the existing anti-discrimination laws. USCMA advised that having regard to the views expressed by members in general, the Administration would consider introducing the legislative amendment as early as possible in the next legislative session.

Review of SDO

12. Mr WONG Yuk-man was of the view that a comprehensive review of the provisions of SDO should be conducted as the ordinance had come into operation for more than a decade. For instance, he noted that while section

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2(5) of SDO was applicable to women, section 2(8) stipulated that "A provision of Part III or IV framed with reference to sexual harassment of women" was equally applicable to men. He considered that section 2(5) should be amended to clearly provide for the applicability of the relevant provisions in SDO to men.

13. Referring to the court case of *W v Registrar of Marriages* (FACV4/2012) where the Court of Final Appeal ("CFA") ruled that the plaintiff, known as "W", who was a transsexual person, had the legal right to marry in her post-operation gender, Mr WONG Yuk-man considered that there was a need to review SDO in the light of CFA's judgment as transsexual persons might not be regarded as "women" or "men" under SDO and were therefore not covered by SDO. He suggested that reference could be made to the relevant legislation in Australia where, in addition to the two genders (male and female), a gender "X" was provided in the law representing the transgender and intersex people starting from 1 July 2013 so that they were also entitled to legal protection. Mr WONG called on the Administration and EOC to review whether Hong Kong was lagging behind in its legislation.

14. Ms Cyd HO said that she had handled a complaint about sexual harassment at workplace lodged by a female employee hired by an outsourced service contractor of the Food and Environmental Hygiene Department, and in the end the complaint was not substantiated. Ms HO said that the employee concerned was then very worried that she would be transferred to another workplace far away from her home by the contractor as a punishment to her making the complaint to EOC. Ms HO suggested that new provisions should be added to SDO to prohibit employers/the management concerned from taking punitive actions against their employees who had lodged complaints about sexual harassments to EOC even though the complaints were eventually not substantiated. USCMA noted Ms HO's suggestion and agreed to consider it.

15. In response to Mr CHAN Chi-chuen's concerns, Deputy Secretary for Constitutional and Mainland Affairs ("DSCMA") affirmed that SDO aimed to provide equal protection to men and women from sexual harassment. Mr CHAN considered that the Administration should reflect this purpose in the drafting of the proposed legislative amendment and step up public education and publicity to promote the awareness of men of their right under SDO.

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Other legislative amendment proposals submitted by EOC

16. In response to Ms Emily LAU's enquiry, DSCMA advised that in respect of the 20 proposals submitted by EOC in 1999 to amend the anti-discrimination ordinances, the Administration had expressed its position on each of these 20 proposals at a meeting of the Panel on Home Affairs on 13 February 2001. One of the proposals was subsequently implemented in 2008. In 2011, EOC submitted another set of legislative proposals (a total of 11) to the Administration. Regarding these 11 proposals from EOC, the Administration had implemented one proposal and intended to introduce a Statute Law (Miscellaneous Provisions) Bill tentatively by the end of 2013 to deal with five legislative proposals concerning technical amendments. Out of the remaining five proposals, one relating to sexual harassment was the subject of discussion at this meeting; one was considered by the Administration as not strictly necessary from the legal point of view; and three were considered to have more far-reaching implications which therefore required more time to study. At Ms LAU's request, DSCMA undertook to provide in writing the updated position on EOC's legislative proposals that had been submitted since 1999.

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17. Referring to the submission from the Hong Kong Confederation of Trade Unions [LC Paper No. CB(2)1409/12-13(01)], Ms Emily LAU sought responses from the Administration on the progress in following up the recommendations of EOC concerning the removal of the gender recruitment quotas in the disciplinary services and the reservation of positions for men within the Police Tactical Unit. She also expressed concern that the Code of Practice on Employment under SDO had not been revised since its publication in 1996.

18. DSCMA advised that the Administration would follow up the removal of the reservation of positions for men within the Police Tactical Unit in the context of the Statute Law (Miscellaneous Provisions) Bill tentatively to be introduced to LegCo by the end of 2013. He added that it was considered necessary to retain the gender recruitment quotas in some disciplinary services. For instance, the Correctional Services Department had to exercise flexibility in its recruitment in order to ensure the ratio of male to female staff was in line with its male and female penal population. USCMA said that according to EOC, it had embarked on reviewing the Code of Practice on Employment under SDO, and the review was expected to be completed next year.

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Other issues

19. Referring to the role of EOC in handling sexual harassment as set out in paragraph 6 of the Administration's paper, Mr YIU Si-wing expressed concern that some complainants might not be able to lodge written complaints to EOC due to illiteracy. Noting that EOC would endeavour to effect a settlement by conciliation, he queried whether EOC would maintain an impartial role in handling complaints or it might simply urge the parties concerned to resort to conciliation so as to settle the case.

20. USCMA advised that EOC would arrange staff to interview and follow up with complainants in handling their complaint cases. He said that the Judiciary had been promoting the use of conciliation as a means to resolve disputes other than through litigation in court for the benefit of the parties to disputes. In fact, 10 of the 33 complaints relating to service providers harassing customers received over the past five years had been settled by mediation.

21. Dr CHIANG Lai-wan expressed concern about the increase in the number of reported cases of indecent assault on MTR in recent years, and asked whether EOC would support the suggestion of introducing female-only train compartments in the MTR network. USCMA responded that the suggestion should be considered by the MTR Corporation Limited. He advised that while the Police would take enforcement actions against reported cases of indecent assaults, EOC would also act on relevant complaints in accordance with the law where appropriate.

IV. Briefing by the Chairperson of EOC

[LC Paper Nos. CB(2)1324/12-13(05) and (06)]

22. The Chairperson of EOC briefed members on the work of EOC, including its three-year strategic plan and the ongoing major undertakings, as detailed in the paper submitted by EOC [LC Paper CB(2)1324/12-13(05)].

23. Members also noted the background brief on this item prepared by the LegCo Secretariat [LC Paper CB(2)1324/12-13(06)].

Discussion

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DLR and legal protection for sexual minorities from discrimination on the basis of sexual orientation and gender identity

24. Dr Helena WONG considered that the Administration seemed to have made little progress in following up some of the legislative amendment proposals put forward by EOC over the years. She sought the view of the Chairperson of EOC in this regard and asked how EOC would take forward DLR.

25. The Chairperson of EOC and the Chief Legal Counsel of EOC briefed members on the Administration's follow-up action taken in respect of the legislative proposals that had been submitted by EOC since 1999. They said that EOC welcomed the Administration's plan to take forward one of the EOC's legislative proposals, i.e. the proposal to expand the scope of protection against sexual harassment under SDO as discussed under the previous item at this meeting. They advised that the legislative proposals submitted by EOC in the past mainly involved technical issues. However, in the light of its operational experience, EOC also considered it necessary to undertake a comprehensive review of all the existing anti-discrimination laws to rectify limitations and inconsistencies. The Chairperson of EOC said that EOC also welcomed the setting up of the Advisory Group on Eliminating Discrimination against Sexual Minorities to look into discrimination issues on the basis of sexual orientation and gender identity. He hoped that the cooperation between EOC and the Administration in eliminating discrimination could be further strengthened in the future.

26. Mr CHAN Chi-chuen considered that the Administration had not been proactive in eliminating discrimination on the ground of sexual orientation and gender identity, as seen from its refusal to conduct public consultation on legislating against such discrimination and failure to amend section 118 of the Crimes Ordinance which had been ruled unconstitutional by the Court in 2006. He asked the Chairperson of EOC whether he was confident that he would succeed in persuading the Administration to introduce legislation to protect against discrimination on the ground of sexual orientation and gender identity.

27. The Chairperson of EOC replied that EOC aimed to consult the public and make submissions to the Government on introducing legislation to protect against discrimination on the ground of sexual orientation and gender identity. The work involves three phases as elaborated in item 2 of the EOC's paper under discussion. Ms Cyd HO requested the Chairperson of

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EOC to step up efforts in eliminating some people's misunderstanding that enactment of legislation to prohibit discrimination against people of different sexual orientations would lead to reverse discrimination. The Chairperson of EOC agreed to step up efforts in this regard.

28. Mr CHAN Chi-chuen said that in its reply to his question concerning the Government's subvention to EOC for promoting non-discrimination on the grounds of sexual orientation in 2013-2014 raised at a special meeting of the Finance Committee, the Administration advised that EOC had no plan to allocate funding to conduct publicity activities and studies on promoting non-discrimination on the ground of sexual orientation because the issue was not directly within the EOC's ambit. He sought EOC's clarification in this regard. The Chairperson of EOC assured members that EOC had been allocated sufficient financial resources in the current financial year to carry out its work. However, EOC might need to use its reserve to fund its operation in the next financial year and seek additional funding resources from the Administration to cope with anticipated increases in workload.

29. Mr CHAN Chi-chuen and Ms Cyd HO expressed concern whether the public consultation on legal protection for sexual minorities from discrimination would be undertaken only after the conduct of DLR which was expected to be comprehensive and might take a long time to complete. Mr WONG Yuk-man requested the Chairperson of EOC to provide timetables for the relevant work.

30. The Chairperson of EOC said that EOC had already commenced an internal review of the existing four discrimination ordinances. It was the plan of EOC to consult the public on their views in early 2014. He expected that discussion on issues relating to DLR would take a long time. On the other hand, he noted that there was urgency to follow up the issue of legal protection for sexual minorities from discrimination, given the legal obligation of the Government to amend the relevant legislation within 12 months following the judgment of the Court of Final Appeal in the recent court case of *W v Registrar of Marriages* (FACV4/2012). He considered that the Government could first introduce legislation to protect sexual minorities from discrimination on the basis of sexual orientation and gender identity. Then, the Government might also consider whether the legislation should be consolidated with the existing discrimination ordinances into a single ordinance. He added that EOC would make the best efforts in striving for the enactment of legislation to protect sexual minorities from discrimination on the ground of sexual orientation and gender identity in the coming three years.

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31. Dr Kenneth CHAN asked whether EOC would, in the course of conducting DLR, consider adding new grounds (e.g. age and religion) to prohibit discrimination in these areas as well. The Chairperson of EOC responded that as an initial step, EOC would explore the feasibility of consolidating the existing discrimination ordinances into a single ordinance under DLR. Public views would need to be further sought on whether there should be addition of new grounds.

Integrated Education for students with special education needs ("SEN")

32. Referring to EOC's comments in item 4 of its paper that the limited progress of implementation of the integrated education policy might contravene the right to equal access to education irrespective of disability, which was protected by international human rights treaties to which the Hong Kong Government was bound and the Disability Discrimination Ordinance (Cap. 487) ("DDO"), Ms Emily LAU asked the EOC Chairperson whether the Administration had been in breach of the relevant treaties and DDO. She further asked whether EOC would resort to legal means to press for improvements to be made by the Administration.

33. Dr Fernando CHEUNG also expressed concern that the Education Bureau had refused to take on board some of the recommendations made by EOC in its report entitled "Study on Equal Learning Opportunities for Students with Disabilities under the Integrated Education System" released in 2012. One of the recommendations which had not been adopted was related to the appointment of designated SEN coordinators in schools to specifically evaluate the development of integrated education and deal with matters related to SEN students. Dr CHEUNG also considered that the Administration should strengthen its work on early identification of SEN students and the provision of support for these students. He asked about EOC's plan to tackle the issues.

34. The Chairperson of EOC responded that EOC was empowered to initiate legal proceedings against contravention of anti-discrimination ordinances. Although EOC had not examined the Administration's Integrated Education policy for SEN students from a legal perspective, EOC noted with concern that there were still more than 6 000 SEN children on the waiting list for subvented pre-school rehabilitation places, and that SEN students might not benefit from the proposed 15-year free education. EOC was of the view that adequate resources and support measures for SEN

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students should be provided in early childhood education and primary education with a view to facilitating their integration into the mainstream education system. EOC would take this matter up with the Education Bureau, and would not rule out the possibility of resorting to legal means where necessary. Ms Emily LAU considered that adequate support services should also be provided for SEN students in secondary and tertiary education. She suggested that EOC might consider submitting a report to the United Nations Committee on the Rights of the Child so as to exert pressure on the Government.

35. In response to Mr IP Kin-yuen's comment on the second paragraph of item 4 of the EOC's paper under discussion, the Chairperson of EOC clarified that EOC was of the view that there was a need to enhance resources and manpower for both special education and integrated education.

Anti-sexual harassment campaign and review of the Code of Practice ("CoP") on Employment under SDO

36. Dr Helena WONG expressed support for the review of the CoP on Employment under SDO and hoped that it could be completed as early as possible. Dr WONG also expressed support for the anti-sexual harassment campaign targeted at the education and business sectors to be launched by EOC. She suggested that as demanded by some concern groups, EOC should draw up guidelines under SDO and DDO on the handling of sexual harassment at school. The guidelines should specify the responsibility of schools in reporting sexual harassment to EOC, the training of staff in handling sexual harassment, and the mechanism for handling reported cases. She added that apart from the education sector, EOC should also issue guidelines to the medical sector and the disciplinary services on the prevention of sexual harassment at health care institutions and during removal of protestors in clearance operations, etc.

37. The Chairperson of EOC responded that EOC had arranged in collaboration with the Education Bureau four training courses on the handling of sexual harassment for school management staff. EOC would also issue guidelines on the prevention and handling of sexual harassment for schools. For example, schools were suggested to appoint designated staff responsible for handling the relevant complaints. On the employment front, EOC had requested employees' associations and trade associations to provide information on whether they had issued any guidelines on handling

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of sexual harassment in workplace. The Chairperson of EOC added that EOC would also assist the Hospital Authority and health care institutions in preventing sexual harassment and developing internal guidelines in this regard.

Disability discrimination in the performance of government functions

38. Dr Fernando CHEUNG considered that EOC should promote the adoption of a broader definition of disability for the provision of government services, such as the Disability Allowance Scheme, to afford better protection to persons with disabilities. The Chairperson of EOC responded that EOC considered that the Administration should standardize the definition of disabilities and adopt the new International Classification of Functioning, Disability and Health introduced by the World Health Organization in formulating its policies and providing services to persons with disabilities. He added that EOC would pursue the matter with the Administration.

Corporate governance

39. Mr WONG Yuk-man asked about the current position of following up the recommendation that the post of Chief Executive Officer of EOC should be reinstated to oversee the administrative and operational matters of EOC. The Chairperson of EOC replied that in the next six months, he would consider whether there was a need to conduct open recruitment for the post of Chief Executive Officer in the light of the updated manpower situation of EOC.

(To allow sufficient time for discussion, the Chairman directed that the meeting be extended by 15 minutes.)

V. Proposed research outline on nomination and voting procedures governing presidential elections in selected places
[LC Paper No. CB(2)1238/12-13(01)]

40. With reference to the draft research outline [LC Paper No. CB(2)1238/12-13(01)], Chief Research Officer (Research) briefed members on the proposed scope of study. The study was proposed to cover the presidential election arrangements in France, Ireland and Singapore including their nomination and voting procedures.

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41. Dr Kenneth CHAN suggested that the study should cover the relevant arrangements of newly emerged democratic countries, such as Poland where a potential candidate was required to receive 100 000 signed nominations from electors. In addition, the study should examine their regulatory measures under the electoral legislation governing candidates who belonged to political parties and those who did not, and the setting of election expenses and financial subsidies provided by government to candidates.

42. Mr LEE Cheuk-yan and Mr Dennis KWOK did not consider the study on Singapore would provide very useful reference. Ms Cyd HO pointed out that in Singapore, the President performed a largely ceremonial role and possessed far less executive powers than the Chief Executive ("CE") of the Hong Kong Special Administrative Region did. Mr LEE Cheuk-yan proposed that the nomination and screening mechanism of Iran should be studied instead. Mrs Regina IP proposed that the study should include how primary elections in the United States ("US") presidential election operated and the screening conducted by the political parties concerned. She also suggested that the study might include Taiwan. Ms Cyd HO expressed support for including US in the study. She further suggested that apart from nominations by political parties, the study should also cover other arrangements for nominations in US, such as the electors' right to nominate and the nomination threshold. Mr CHAN Chi-chuen opined that Ireland might not be of relevance to the study having regard to the limited power of its President. He suggested that South Korea might be considered instead. Ms Emily LAU said that the proposed study should seek to provide useful and objective information for members' reference. She supported including those other places suggested by various members, such as Poland, Iran, US and Taiwan, in the study. Mr IP Kwok-him supported that the proposed study should include more places as far as resources permitted to facilitate the Panel's consideration of the relevant issues.

43. Summing up, the Chairman said that the Panel agreed to proceed with the proposed research. The Chairman said that he would meet with staff of the Research Office after the meeting to discuss the places to be studied in the light of the views and suggestions of members. The Chairman also reminded members that the selection of CE by universal suffrage should be carried out within the framework as stipulated in the Basic Law and in the decision adopted by the Standing Committee of the National People's Congress in December 2007.

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(Post-meeting Note: With the concurrence of the Chairman, the research outline had been revised to include US and exclude Ireland. The revised outline was circulated for members' consideration and comments vide LC Paper No. CB(2)1513/12-13 on 4 July 2013. Comments were received from Dr Kenneth CHAN. After considering the comments made by Dr CHAN, the Chairman directed that the research outline be further revised to include Poland as well, with the proposed completion date revised to be early October 2013.)

VI. Any other business

44. There being no other business, the meeting ended at 4:45 pm.

Council Business Division 2
Legislative Council Secretariat
12 September 2013