

**Bills Committee on the Rural Representative Election  
Legislation (Amendment) Bill 2013**

**Information requested  
at the 2<sup>nd</sup> Meeting on 6 January 2014**

**Introduction**

Following the deliberations at the meeting on 6 January 2014, the Administration provides the supplementary information requested as follows:

**Rural Committee**

2. Currently, there are a total of 27 Rural Committees (RCs) in the New Territories. Under the District Councils Ordinance (Cap. 547), the Chairmen of RCs (including Cheung Chau RC and Peng Chau RC) are ex officio members of the District Councils of their respective districts, and under the Heung Yee Kuk Ordinance (Cap. 1097), the Chairmen and Vice-Chairmen of RCs are Ex Officio Councillors of the Heung Yee Kuk (HYK).

**Cheung Chau and the Village Representative Election Ordinance**

3. Cheung Chau is not an indigenous village already in existence in 1898. We have made reference to the following records, which indicate that –

- (1) on the List of Established Villages in the New Territories jointly compiled by the Government and the HYK in 1991 after years of deliberation, it was clearly shown that Cheung Chau is a “Market Town” instead of a “Village”;
- (2) the Block Lease of land in the New Territories normally contains the names of villages alongside the names of landowners. However, the Block Lease of Cheung Chau does not contain any village names; and
- (3) Cheung Chau is not included in the List of Recognized Villages under the New Territories Small House Policy.

In view of the above, Cheung Chau had not been included as an Indigenous Village under the Village Representative Election Ordinance (Cap. 576)

(VREO). When proposed amendments to the VREO were introduced in 2009, the Legislative Council (LegCo) Panel on Home Affairs and the Bills Committee on Village Representative Election Legislation (Miscellaneous Amendments) Bill 2009 had thorough deliberations on why Cheung Chau had no Indigenous Inhabitant Representative seat, and the Government gave detailed replies<sup>1</sup>.

### **Regulation of Kaifong Representative Election by Statute**

4. Since the enactment of the VREO in 2003, three statutory village ordinary elections have been conducted. Having regard that the existing Village Representative (VR) election system has been operating smoothly, and that Kaifong Representatives (KFRs), same as VRs, are also members of RCs and serve similar functions as Resident Representatives of VRs, that is to reflect the views of Cheung Chau and Peng Chau residents on local affairs, we propose, after deliberation with the HYK, to regulate KFR election by statute. The proposal is supported by the LegCo Panel on Home Affairs, Electoral Affairs Commission, Cheung Chau RC and Peng Chau RC.

5. Similar to the principle for regulating VR elections by statute in 2003, the legislative intent of the Rural Representative Election Legislation (Amendment) Bill 2013 is that only market towns already in existence in 1898 and with KFR election system in place in 2010 (i.e. the year when the last KFR ordinary election was held before the introduction of the present Bill) will be brought under the regulation of the VREO. Currently, KFR seats are found only in Cheung Chau RC and Peng Chau RC<sup>2</sup>.

### **Home Affairs Department January 2014**

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<sup>1</sup> For the Government's written replies, please refer to LC Paper Nos. CB(2)580/08-09(01), CB(2)1506/08-09(02) and CB(2)2156/08-09(01) (paragraphs 13 to 20).

<sup>2</sup> Although Tsing Yi Hui is also a market town as shown on the List of Established Villages in the New Territories and had a KFR seat before, according to records, the KFR seat has been abolished by the Tsing Yi RC in 1998.