

立法會
Legislative Council

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Date : 25 October 2013

From : Clerk to the Legislative Council

To : All Members of the Legislative Council

Council meeting of 13 November 2013

**Proposed resolution under
the District Councils Ordinance**

The Secretary for Constitutional and Mainland Affairs will move at the Council meeting of 13 November 2013 a proposed resolution under section 8 of the District Councils Ordinance (Cap. 547). The proposed resolution is attached for Members' consideration. The President has directed that it be printed in the terms in which it was handed in on the Agenda of the Council.

2. The speech, in both Chinese and English, which the Secretary will deliver when moving the proposed resolution is also attached.

(Odelia LEUNG)
for Clerk to the Legislative Council

Encl.

District Councils Ordinance

Resolution

(Under section 8 of the District Councils Ordinance (Cap. 547))

Resolved that the District Councils Ordinance (Amendment of Schedules 1 and 3) Order 2013, made by the Chief Executive in Council on 22 October 2013, be approved.

District Councils Ordinance (Amendment of Schedules 1 and 3) Order 2013

(Made by the Chief Executive in Council under section 8 of the District Councils Ordinance (Cap. 547) subject to the approval of the Legislative Council)

1. Commencement

This Order comes into operation—

- (a) for all purposes relating to the District Council ordinary election in 2015—on the day on which the Resolution of the Legislative Council approving this Order is published in the Gazette; and
- (b) in so far as it has not come into operation under paragraph (a)—on 1 January 2016.

2. District Councils Ordinance amended

The District Councils Ordinance (Cap. 547) is amended as set out in sections 3 and 4.

3. Schedule 1 amended (number of and declaration of Districts)

- (1) Schedule 1, Part II, item 2, column 3—

Repeal

“DC/2000/C”

Substitute

“DC/2013/C”.

- (2) Schedule 1, Part II, item 7, column 3—

Repeal

“DC/2000/B”

Substitute

“DC/2013/B”.

4. Schedule 3 amended

- (1) Schedule 3, Part 1, item 2, column 3—

Repeal

“37”

Substitute

“35”.

- (2) Schedule 3, Part 1, item 7, column 3—

Repeal

“11”

Substitute

“13”.

Clerk to the Executive Council

COUNCIL CHAMBER

22nd October, 2013

Explanatory Note

The purpose of this Order is to amend Schedule 1 to the District Councils Ordinance (Cap. 547) to give effect to the revision of delineation of District areas and revised map references of Eastern and Wan Chai Districts.

2. Schedule 3 to the Ordinance is consequentially amended—
 - (a) to change the number of elected members of Eastern District Council from 37 to 35; and
 - (b) to change the number of elected members of Wan Chai District Council from 11 to 13.
3. The change will take effect on 1 January 2016, but will also take effect for the purpose of the District Council ordinary election to be held in 2015.

(TRANSLATION)

Speech by
the Secretary for Constitutional
and Mainland Affairs
on a motion to pass
the District Councils Ordinance
(Amendment of Schedules 1 and 3) Order 2013
at the Legislative Council on 13 November 2013

President,

I move that the District Councils Ordinance (Amendment of Schedules 1 and 3) Order 2013 (“the Order”) be approved. The purpose of this piece of subsidiary legislation is to implement the adjustment to the boundaries of the Eastern and Wan Chai Districts and the related amendment to the number of elected members of the Eastern and Wan Chai District Councils (“DCs”) starting from the fifth-term DCs which will commence operation on 1 January 2016.

2. During the review of the number of elected seats for the fifth-term DCs, there were views suggesting that the Wan Chai DC would have a relatively small number of elected seats and the Eastern DC would have a relatively large one, resulting in the possible impact on the daily operation of both DCs, and some suggested the Government to consider adjusting the boundaries of the Eastern and Wan Chai Districts by transferring some DC elected seats from the Eastern DC to the Wan Chai DC. The proposal to transfer the area of the existing Tin Hau and Victoria Park DC constituency areas (“DCCAs”) from the Eastern District to the Wan Chai District was considered as one of the most feasible options for further consideration.

3. We launched a formal consultation during the summer with the Eastern and Wan Chai DCs, local residents and the public on the following two

options: transferring the area of the existing Tin Hau and Victoria Park DCCAs from the Eastern District to the Wan Chai District or maintaining the status quo. The outcome of the consultation indicates general support by the Eastern and Wan Chai DCs, local residents and the public for the transfer of the area of the existing Tin Hau and Victoria Park DCCAs from the Eastern District to the Wan Chai District.

4. Therefore, our recommendation is to amend the District Councils Ordinance to adjust the boundaries of the Eastern and Wan Chai Districts in order to reflect the transfer of the area of the existing Tin Hau and Victoria Park DCCAs from the Eastern District to the Wan Chai District, and to correspondingly revise the number of elected seats of the Eastern DC from 37 to 35 and the number of

elected seats of the Wan Chai DC from 11 to 13, from the fifth-term DCs.

5. The Chief Executive in Council made the District Councils Ordinance (Amendment of Schedules 1 and 3) Order 2013 at the Executive Council meeting on 22 October 2013 to implement the above-mentioned adjustments. The House Committee of the Legislative Council examined the Order at its meeting on 1 November and decided that there was no need to form a Subcommittee on Subsidiary Legislation to scrutinise the Order.

6. Subject to the approval of the District Councils Ordinance (Amendment of Schedules 1 and 3) Order 2013 by the Legislative Council today, the Electoral Affairs Commission will make recommendations for the demarcation of constituency boundaries for the 2015 DC election next year having regard to the new District

boundaries and the correspondingly revised number of seats. The Registration and Electoral Office will also make preparation for the conduct of the 2015 DC ordinary election in accordance with these amendments.

7. With the above, I invite Members to approve the District Councils Ordinance (Amendment of Schedules 1 and 3) Order 2013 to implement the adjustment to the boundaries of the Eastern and Wan Chai Districts and the related amendment to the number of elected members of the Eastern and Wan Chai DCs starting from the fifth-term DCs.

8. Thank you, President.