

立法會
Legislative Council

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by the Administration)

Panel on Constitutional Affairs

Minutes of meeting
held on Monday, 20 January 2014, 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 Albert HO Chun-yan
Hon LEE Cheuk-yan
Hon Emily LAU Wai-hing, JP
Hon Frederick FUNG Kin-kee, SBS, 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, SBS, JP
Hon WONG Kwok-kin, BBS
Hon IP Kwok-him, 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 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 CHUNG Kwok-pan
Hon Tony TSE Wai-chuen

Members attending : Hon WONG Kwok-hing, BBS, MH
Dr Hon Fernando CHEUNG Chiu-hung

Members absent : Dr Hon LAU Wong-fat, GBM, GBS, JP
Hon Mrs Regina IP LAU Suk-ye, GBS, JP
Hon LEUNG Kwok-hung
Hon Michael TIEN Puk-sun, BBS, JP
Hon Gary FAN Kwok-wai

Public Officers attending : Item III

Mr Raymond TAM Chi-yuen
Secretary for Constitutional and Mainland Affairs

Ms CHANG King-yiu
Permanent Secretary for Constitutional and Mainland Affairs

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

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

Miss Charmaine LEE Pui-sze
Deputy Secretary for Constitutional and Mainland Affairs

Item IV

Mr Freely CHENG Kei
Principal Assistant Secretary for Constitutional and Mainland Affairs

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

Mr SHUM Nam-lung
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

Ms Wendy LO
Council Secretary (2) 3

Mrs Fanny TSANG
Legislative Assistant (2) 3

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I. Information papers issued since the last meeting

[LC Paper Nos. CB(2)573/13-14(01) and CB(2)697/13-14(01)]

Members noted the two letters from Hon Emily LAU dated 20 December 2013 and 15 January 2014 respectively to the Panel Chairman [LC Paper Nos. CB(2)573/13-14(01) and CB(2)697/13-14(01)], which had been issued to members after the last meeting.

II. Items for discussion at the next meeting

[LC Paper Nos. CB(2)698/13-14(01) and (02)]

2. Members agreed to discuss the following items proposed by the Administration at the next meeting on 17 February 2014 at 2:30 pm -

- (a) revision of certain fees under the policy areas of the Constitutional and Mainland Affairs Bureau ("CMAB"); and
- (b) the third report by the Hong Kong Special Administrative Region under the International Covenant on Economic, Social and Cultural Rights.

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Clerk Regarding item (a) above, the Secretary for Constitutional and Mainland Affairs ("SCMA") said that 11 fee items under the Registration of Local Newspapers Ordinance (Cap. 268) and the copying fee for election returns under the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554) ("ECICO") had been reviewed. The Administration had come up with fee revision proposals, and intended to consult the Panel at the next meeting. Regarding item (b) above, the Panel agreed to invite deputations to give views.

Issues relating to the duty reports of the Chief Executive ("CE")

Admin 3. Referring to her letter dated 20 December 2013 to the Chairman [LC Paper No. CB(2)573/13-14(01)], Ms Emily LAU proposed that the Panel should discuss the new arrangement of standardizing the duty reports of CE as requested by the Central Government, and the officials concerned who would be responsible for implementing the new requirements should be invited to explain the new requirements and the reasons of imposing such requirements. SCMA advised that the CE's Office was responsible for handling the duty reports of CE, and he would relay members' views and concerns on this subject matter to the CE's Office. He noted that a Member had also written to CE on the subject matter, and a reply letter dated 23 December 2013 was issued by the CE's Office to the Member concerned. He suggested that a copy of the reply letter could be provided to Panel members for their information. Ms Emily LAU said that while she welcomed the provision of the said reply letter to members, the Panel should still discuss the proposed issue with the responsible officials.

Admin 4. Ms Cyd HO, Dr Kenneth CHAN and Mr LEE Cheuk-yan expressed support for Ms Emily LAU's proposal so that members could give their views on CE's duty reports and the relevant arrangements. Mr LEE Cheuk-yan further suggested that there should be standardization of CE's duty reports to the legislature as well. Mr WONG Kwok-kin considered that the delivery of CE's Policy Address and CE's Question and Answer Sessions were already the existing ways of CE's duty reports to the legislature. At the Chairman's request, SCMA undertook to convey the above concerns and suggestions raised by members to the CE's Office, and to coordinate with the CE's Office the provision of a written response on the subject to the Panel.

(Post-meeting Note: CE's Office's letter dated 4 February 2014 to Panel Chairman [LC Paper No. CB(2)831/13-14(01)] was circulated

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to members. A copy of the letter dated 23 December 2013 from CE's Office to Dr Hon Kenneth CHAN was also provided to the Panel by the Administration for circulation to members [LC Paper No. CB(2)831/13-14(02)].)

III. Briefing on the Chief Executive's 2014 Policy Address

[LC Paper No. CB(2)698/13-14(03)]

5. At the invitation of the Chairman, SCMA briefed members on the policy initiatives of the Constitutional and Mainland Affairs Bureau ("CMAB") as set out in the Administration's paper [LC Paper No. CB(2)698/13-14(03)].

(Post-meeting note: The speaking note of SCMA was issued vide LC Paper No. CB(2)733/13-14(01) on 21 January 2014.)

Discussion

Constitutional development

6. Dr Kenneth CHAN enquired whether the Administration would conduct public opinion polls on constitutional development and if so, the relevant details. Dr CHAN was concerned about the design of questionnaire (e.g. whether the option of civic nomination would be included) if opinion polls were to be conducted.

7. SCMA said that according to past experience, opinion polls had been conducted by academic organizations during the past public consultation exercises on constitutional development and the survey results had been published by the Administration as part of the relevant consultation reports. He said that while there was no plan to carry out public opinion polls in the current round of public consultation, the Administration would consider if there was a need to do so in the second round of public consultation. SCMA took note of Dr CHAN's views on the questions to be included in the questionnaire and would consider the views in the second round of public consultation.

8. Mr Albert HO enquired how the Administration would summarize and consolidate views from the public consultation on constitutional development in anticipation of the great differences in views collected

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during the consultation. Mr HO called on the Administration to ensure that the implementation of universal suffrage in Hong Kong would conform to the principles of universal and equal suffrage stipulated in Article 25 of the International Covenant on Civil and Political Rights ("ICCPR"), and that the CE election in 2017 should not be subject to unreasonable restrictions.

9. SCMA explained that the reservation made in respect of Article 25(b) of ICCPR was applicable to the election of the legislature, and the Administration maintained its view that the reservation continued to apply to the Hong Kong Special Administrative Region ("HKSAR") as the Administration had explained before. He said that notwithstanding the reservation, in devising a model for implementing universal suffrage, the Administration would ensure that any proposed selection/formation methods would be consistent with the Basic Law ("BL") and the relevant Interpretation and Decisions of the Standing Committee of the National People's Congress ("NPCSC").

10. Dr Helena WONG and Mr IP Kwok-him requested the Administration to provide information on the timetable on the "Five-step Process" in relation to any amendments to the two electoral methods. SCMA advised that the Task Force on Constitutional Development ("the Task Force") would study and consolidate the public views received during the five-month consultation period ending on 3 May 2014, with a view to facilitating CE to make a report to NPCSC (i.e. the "First Step") around July 2014. NPCSC would then consider CE's Report and to determine, among others, whether the two electoral methods might be appropriately amended (i.e. the "Second Step"). The NPCSC's meeting might be held in end of August 2014. The Administration would then conduct another round of public consultation exercise on the specific methods for selecting CE in 2017 and for forming LegCo in 2016. Based on the views received, the Administration would formulate a package of proposals for the two electoral methods for 2016 and 2017 ("the Package"). A subcommittee was expected to be formed by LegCo to scrutinize the Package. Upon completion of the subcommittee's scrutiny work, the Administration would move motions to amend Annexes I and II to BL and seek LegCo's endorsement of two motions (i.e. the "Third Step") in end 2014 or early 2015, depending on the time required by the subcommittee for its deliberations. He said that the relevant amendments to Annexes I and II to BL would be reported by CE to NPCSC for approval or for the record, followed by the introduction of the relevant bills to prescribe the electoral arrangements.

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11. Ms Cyd HO said that proposals such as civic nomination should not be ruled out and that the Administration should allow room for public discussion of the proposal. She asked how the Administration would deal with different views voiced by different sectors in the community which might not be accepted by the Central Authorities. SCMA said that the work carried out by the Task Force at this stage sought to build up consensus through collecting a wide spectrum of views on how universal suffrage should be attained. It aimed to narrow the differences in opinion through open discussion, and would strive to reach consensus on the relevant issues.

12. Mr IP Kwok-him said that implementing universal suffrage for the CE election in 2017 was the common aspirations of Hong Kong people. He urged the Administration to indicate its position on the proposal of civic nomination. Dr LAM Tai-fai shared Mr IP's view. SCMA said that it would not be appropriate to pre-empt discussion on specific issues whilst the Administration was inviting general public views.

13. Mr WONG Yuk-man said that at the Council meeting of 4 December 2013, he had already pointed out that "五步曲" in the Consultation Document on Methods for Selecting CE in 2017 and for Forming the LegCo in 2016 ("Consultation Document") was erroneous. In Chinese, it should be "五部曲". He expressed dissatisfaction that the Administration was unwilling to make even minor textual amendment and criticized that any discussion on constitutional development would only be empty talk.

Public elections

14. Mr IP Kwok-him said he expected that in connection with the 2015 DC Election, relevant legislation would be reviewed. Mr IP said that some DC members were very concerned about issues relating to inadvertent omissions in the reporting of election returns in the wake of a recent court case. He asked whether legislative proposals would be introduced in relation to submission of election returns.

15. SCMA said that the Administration would follow up with legislative amendments to effect the Chief Executive in Council's decision on the recommendations of the Electoral Affairs Commission on the boundaries of DC constituency areas for the 2015 DC Election. The Administration also planned to introduce into LegCo a bill on the technical amendments to the electoral legislation for scrutiny soon. The Administration would welcome early proposals from members in relation to the ECICO and consider the need for any legislative amendments to take forward such proposals.

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Anti-discrimination on grounds of sexual orientation and gender identity

16. Mr CHAN Chi-chuen expressed dissatisfaction with the Administration's failure to conduct public consultation on enacting legislation to prohibit discrimination on the grounds of sexual orientation and gender identity, and the issue was not mentioned in the Policy Address. Noting that a study on possible legislation to deal with various aspects of gender recognition fell within the policy area of the Department of Justice ("DoJ"), Mr CHAN enquired what other measures were being considered by CMAB to address the issue of discrimination faced by sexual minorities. Mr CHAN also sought details of the Administration's plan to inject more resources to sponsor community projects in this area.

17. SCMA said that various policy bureaux and departments would collaborate to address problems facing transsexuals. In this regard, a high level inter-departmental working group chaired by the Secretary for Justice ("SJ") had been set up to follow up on various aspects of gender recognition in light of the observations made in the judgment of the Court of Final Appeal in the W Case (FACV 4/2012). He said that while the Security Bureau would take the lead in taking forward the necessary legislative amendments to the Marriage Ordinance, CMAB would make sustained efforts to promote the message of equal opportunities on grounds of sexual orientation and gender identity through public education and publicity.

18. Mr CHAN Chi-chuen further referred to the request by a school for its staff to sign the "Standards of Biblical Ethics & Integrity" and said that the act was a discriminatory practice in employment because those who refused to sign might face the consequence of disciplinary action or termination. He considered that such discriminatory practices in employment could not be effectively deterred in the absence of a legislation to outlaw discrimination on the ground of sexual orientation, and solely relying on the Code of Practice Against Discrimination in Employment on the Ground of Sexual Orientation ("the Code") was grossly inadequate to tackle the problem.

19. SCMA said that he had written to organizations in the public and the private sectors to encourage them to follow the practices in the Code so as to eliminate discrimination against people of different sexual orientations in the workplace. He said that the Advisory Group on Eliminating Discrimination Against Sexual Minorities ("Advisory Group") had commissioned a study on the discrimination experienced by sexual minorities which would form the

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basis for its future anti-discrimination work. The Administration might also make arrangement for the Chairperson of the Advisory Group to exchange views on its work with the Panel at a future meeting.

20. Ms Cyd HO criticized that the newly issued Announcement of Public Interest ("API") on the subject had failed to bring out the key message of anti-discrimination on grounds of sexual orientation and gender identity. SCMA took note of Ms HO's views and said that the Advisory Group had been consulted in the production of the relevant API.

Scope of protection against sexual harassment under the Sex Discrimination Ordinance (Cap. 480) ("SDO")

21. Dr Helena WONG recalled that when the Panel was briefed on the Administration's follow-up on Equal Opportunities Commission ("EOC")'s legislative amendment proposal relating to the scope of protection against sexual harassment under SDO at its meeting on 17 June 2013, the Administration had indicated its plan to submit the relevant legislative proposal in the 2013-2014 legislative session. In response to Dr WONG's enquiry about the progress of the matter, Under Secretary for Constitutional and Mainland Affairs ("USCMA") advised that the Administration would take into account members' views expressed at the above meeting and would pursue the matter as planned.

Promotion of racial equality

22. Mr LEE Cheuk-yan pointed out that ethnic minorities ("EMs") in Hong Kong had encountered difficulties in gaining access to various public services, including housing and social welfare, etc. He called on the Administration to conduct an overall review and ensure that government policies could cater for the specific needs of EMs.

23. SCMA said that he would explore with EOC on whether a study or assessment on public services could be conducted in this regard. He said that the relevant policy bureaux and departments would collaborate to address issues relating to EMs, including implementing a number of measures to strengthen education support and employment services for EMs and to help them integrate into the community.

24. Dr CHIANG Lai-wan expressed concern about the need to enhance the opportunities of EMs in joining the civil service. In her view, the

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Chinese Language proficiency requirement for civil service posts, although applicable to all, might constitute a form of indirect discrimination against EMs. Noting the respective measures implemented by the Police and the Correctional Services Department to facilitate non-ethnic Chinese candidates in applying for certain posts in the departments, including adjusting the language proficiency requirements with regard to operational needs, Dr CHIANG asked whether other departments/organizations (such as the Home Affairs Department, Department of Health and Housing Authority) would follow suit.

25. USCMA said that various initiatives were put forward in the 2014 Policy Address to promote racial equality. As an ongoing initiative, the Administration would continue to review the implementation of the Administrative Guidelines on Promotion of Racial Equality ("the Guidelines") as necessary and consider further extending the coverage of the Guidelines to government departments and public organizations.

Children's rights

26. Dr Fernando CHEUNG recalled that at the Panel meeting on 18 November 2013 where the HKSAR's report was discussed, there was almost a unanimous demand by the deputations for the establishment of a commission on children to oversee the specific needs of children in resources allocation and government policies. He said that the motion on "Setting up a commission on children" moved by him was also passed at the Council meeting of 20 November 2013. He was dissatisfied that no response was forthcoming from the Administration. In view of the inadequacies of the Children's Rights Forum and the Family Council to deal with child-related issues, Dr CHEUNG enquired how the Administration would ensure the "best interests of the child" in all government policies. Referring to the highlights of measures to promote the well-being of children (Annex B to the Administration's paper), he asked how the perspective of children's rights had been taken into account in the new measure of "Low-income Work Family Allowance". He also asked whether the Administration had formulated a comprehensive policy on children.

27. USCMA said that the Administration agreed to Dr CHEUNG's view that the perspective of children's rights should be taken into account in government policies. USCMA advised that different policy bureaux and departments would implement the measures set out in the 2014 Policy Address under their respective policy portfolios to promote the well-being of

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children, notably those children who were disadvantaged. Reiterating the government's policy of adopting a family-based approach to provide appropriate services to children and families in need, USCMA said that the Family Council was established in 2007 to provide a platform for examining family-related issues. On the meeting arrangements of the Children's Rights Forum, USCMA considered that there was room for improvement and welcomed members' views in this regard which would be conveyed to the Forum for follow-up.

Relationship between the executive authorities and the legislature

28. Referring to Chapter IX of the Policy Address on Constitution and Administration, Ms Emily LAU expressed concern that unlike before, issues relating to the relationship between the executive authorities and the legislature were not mentioned.

29. SCMA said that the Administration attached great importance to the relationship between the executive authorities and the legislature. He said that the Administration had maintained close liaison with LegCo through the regular meetings of the Chief Secretary for Administration with the Chairman and Deputy Chairman of the House Committee. He added that communication between both sides would be strengthened through the established channels. Ms Emily LAU hoped that the Administration would strengthen its communication with different political parties and secure their support for government policies.

Promotion of Basic Law

30. Mr WONG Kwok-hing said that in view of the divided views on issues relating to the selection method for CE, he asked whether emphasis would be put on promoting understanding of the relevant provisions of BL and the Decisions of NPCSC so as to facilitate a focused and meaningful discussion during the public consultation.

31. SCMA said that the Consultation Document and related official documents had been uploaded to the government website for reference of the general public. He said that it was agreed by the BL Promotion Steering Committee that the focus of its promotion efforts of BL in 2014 included constitutional development on the basis of BL. To this end, thematic seminars and promotional activities at the district level would also be organized. As regards the public consultation exercise currently underway,

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further publicity would be made by SJ on the legal basis of constitutional development with a view to facilitating focused discussions. The Administration would also make use of various promotional channels to promote the content of BL to the public, including through the electronic media and new media. Permanent Secretary for Constitutional and Mainland Affairs added that the Administration had been collaborating with community organizations in staging promotional activities in order to reach a wider audience through their extensive community networks; and thematic seminars had been organized to engage relevant sectors in the community for more in-depth discussions.

32. Mr Paul TSE said that while he had repeatedly urged the Administration to step up its publicity and educational efforts with a view to promoting BL, it could be seen from judicial decisions that certain provisions of the domestic legislation were ruled unconstitutional by the court. He suggested that consideration could be given to setting up a committee to review all government policies and domestic legislation to ensure that they were consistent with BL.

33. SCMA said that apart from publicity efforts targeting the general public, thematic seminars were organized for discussion of BL to enable more in-depth exchange of views. He added that compliance with BL had already been made a mandatory requirement for legislative proposals and government policies. DoJ was responsible for advising the Administration on various BL issues.

IV. Online system for checking voter registration particulars

[LC Paper Nos. CB(2)669/13-14(01) and CB(2)698/13-14(04)]

34. Members noted the background brief [LC Paper No. CB(2)698/13-14(04)] prepared by the LegCo Secretariat.

35. At the invitation of the Chairman, Principal Assistant Secretary for Constitutional and Mainland Affairs and Chief Electoral Officer of the Registration and Electoral Office ("CEO") briefed members on the salient points of the Administration's paper [LC Paper No. CB(2)669/13-14(01)] on the proposed design of the Online Voter Information Enquiry System ("OVIES").

Issues raised by members

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36. Ms Emily LAU said that the Democratic Party supported the development of the proposed system which provided convenience for electors to check their voter registration ("VR") particulars. To facilitate monitoring of any false reporting of residential addresses, Ms LAU enquired whether an elector would also be allowed to check the VR particulars of other registered electors through OVIES, given that members of the public had already been allowed to inspect the registers of electors in person at the Registration and Electoral Office ("REO") and the public enquiry service centres of the 18 District Offices.

37. CEO said that as currently provided for in the electoral legislation, persons who wished to inspect the electoral registers were required to do so at the offices concerned in person during office hours, produce an identity document and sign an undertaking that the information would not be used for non-election related purpose. He said that the proposed system would provide an additional user-friendly and convenient means to facilitate electors to check their VR particulars. In the first phase of development, OVIES would enable electors to check their VR particulars as published in the final register/provisional register/omissions list in force. He was mindful that the suggestion of providing access to VR particulars by a third party would have implications on personal data privacy. He said that the issue would be considered in the light of experience gained from implementation of OVIES.

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38. Noting that the Administration's plan was to launch the first phase of OVIES in July 2014, Mr Charles Peter MOK said that there would not be sufficient time for modifying the system design in the light of members' views. CEO said that as the system was developed by in-house staff of REO, there would be sufficient flexibility to take into account members' concerns on the preliminary design of the system. Mr MOK was of the view that the proposed access to the system in paragraph 8(c) of the Administration's paper was a bit lax in comparison with the relevant procedures for making inspection in the concerned offices in person. He said that the requisite information to be furnished by the enquirer upon logging in the system (such as his name, Hong Kong identity card number and registered addresses) could be easily obtained by other service providers from their customers. He enquired whether REO would allow a third party to check the VR particulars on behalf of an elector if authorization was obtained from that elector.

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39. CEO said that the proposed system aimed to facilitate the electors to access their own VR particulars. He pointed out that a person would have to go through an admission control procedure to authenticate his identity before he could access the information. In considering the means of authentication, REO had made reference to the measures for access to similar electronic databases adopted overseas. Mr MOK suggested that REO should devise appropriate measures to enhance the authentication processes to guard against possible abuse.

40. In response to Mr Charles Peter MOK's enquiry on whether OVIES would be extended to provide for other functions such as online application, CEO said that the existing online application system for new application/updating of VR particulars was a separate system. OVIES would provide a hyperlink and re-direct new applicants or existing electors to the existing online application system whereby an elector could update his particulars online with the aid of a digital certificate. Alternatively, he might download an application form and submit the signed form to REO by post, fax or email.

41. Mr WONG Yuk-man considered that it was not necessary to extend the proposed system to allow checking of VR particulars by a third party. Referring to paragraph 7 of the Administration's paper concerning the review of the system design and development by the Administration through Privacy Impact Assessment and Information Technology Security Risk Assessment, Mr WONG requested the Administration to report the outcome to the Panel once the outcome of the relevant assessments was available. He also queried if the two-tier verification algorithm mentioned in paragraph 8(c) of the Administration's paper would be stringent enough to meet the requirement of ensuring the security of the platform as requested by the Privacy Commissioner for Personal Data ("Privacy Commissioner").

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42. Mr WONG Yuk-man further enquired whether the proposed system would be subject to the statutory timeframe for public inspection and handling claims/objections for each VR cycle; and how the public could raise objection if new applications were still allowed after the publication of provisional registers. CEO said that as OVIES would operate round the clock, an elector might log in the system anytime anywhere to view his own VR particulars throughout the year. This would facilitate electors to check their current VR particulars on the registers and, if required, take timely action to update their particulars by submitting relevant application forms. He explained that the existing statutory deadlines and framework related to VR would not be affected with the launching of OVIES.

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43. Mr SIN Chung-kai considered that, while the two-tier verification algorithm was acceptable, the alternative means of authentication in option (b), with the use of an assigned password for logging in the system, could provide better security. In this connection, he suggested adopting different levels of access control so as to provide different types of information to the enquirers. He said that information of restricted level, e.g. names or number of electors registered at the same residential address, might be made accessible by the enquirer using an assigned password to log in the system. CEO said that there was practical difficulty regarding option (b) because presently there were only some 400 000 electors who had provided their email addresses for the purpose of VR, and that the email addresses provided to REO might not be completely up-to-date. He agreed that the issue could be revisited in the light of operational experience after the launching of OVIES. On the other hand, the provision of personal data of other electors would have implications on personal data privacy and the issue would have to be examined in detail. As regards Mr SIN's suggestion of providing the number of electors registered at the same residential address to facilitate monitoring of any irregularities in existing registers of electors, CEO undertook to consider the suggestion and seek the further advice of the Privacy Commissioner as necessary.

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44. Mr IP Kwok-him said that he welcomed the proposed online system as it would help address members' concern about the removal of registered electors' names from the final register without the knowledge of the electors concerned. He considered that access to the proposed system should be restricted to the enquirers' own VR particulars. He raised concern whether OVIES would provide for other functions such as change of VR particulars or de-registration. CEO reiterated that OVIES would only provide electors with an electronic access to their own VR particulars and a hyperlink to the online application system whereby an elector could update his particulars online with the aid of a digital certificate. In response to Mr IP's follow-up enquiry, CEO said that members of the public who were not internet users could continue to ascertain their VR status through the enquiry hotline of REO during office hours.

45. Dr Priscilla LEUNG supported the proposal which would provide a convenient way for the public to check their VR particulars. She urged the Administration to clearly define the eligibility for voting by Hong Kong permanent residents residing on the Mainland as she was concerned that these electors might not have updated their registered address due to

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negligence. Dr LEUNG expressed concern about the strict criminal liability imposed under the electoral legislation for all types of election-related offences and called on the Administration to review its policy.

V. Any other business

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

Council Business Division 2
Legislative Council Secretariat
27 March 2014