

立法會 *Legislative Council*

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Panel on Constitutional Affairs Updated background brief for the special meeting on 9 December 2013

Constitutional Development

Purpose

This paper provides background information on the constitutional development of the Hong Kong Special Administrative Region ("HKSAR"). This paper also summarizes the major issues raised by Members of the Legislative Council ("LegCo") regarding the methods for selecting the Chief Executive ("CE") and for forming LegCo in 2012 and the implementation of universal suffrage for CE in 2017.

Background

Existing methods for selecting CE and for forming LegCo

2. At present, in accordance with the provisions of Annex I to the Basic Law ("BL"), CE is elected by the Election Committee ("EC") and appointed by the Central People's Government ("CPG"). EC is composed of 1 200 members from four sectors made up of 38 subsectors. A candidate for the office of CE is required to have not less than 150 subscribers (i.e. EC members) nominating him. A candidate shall be elected as CE only if the candidate obtains more than 600 valid votes.

3. Currently, there are 70 seats in LegCo, half of them returned by geographical constituencies ("GCs") through direct elections, and the other half by functional constituencies ("FCs"). For direct elections in GCs, the 35 seats are returned from five GCs by adopting the list system operating under the largest remainder formula, which is a form of proportional representation voting system. For FC elections, 35 seats are returned from 29 FCs. The respective numbers of Members returned through the five GCs and the 29 FCs are listed in **Appendix I**.

Procedure for amending methods for selecting CE and for forming LegCo

4. Under BL 45, CE of HKSAR shall be selected by election or through consultations held locally and be appointed by CPG. The method for selecting CE shall be specified in the light of the actual situation in HKSAR and in accordance with the principle of gradual and orderly progress. The ultimate aim is the selection of CE by universal suffrage upon nomination by a broadly representative nominating committee in accordance with democratic procedures.

5. Under BL 68, LegCo shall be constituted by election. The method for forming LegCo shall be specified in the light of the actual situation in HKSAR and in accordance with the principle of gradual and orderly progress. The ultimate aim is the election of all LegCo Members by universal suffrage.

6. The specific methods for selecting CE and for forming LegCo (the "two electoral methods") are specified in Annex I and Annex II to BL respectively. In accordance with BL and the "Interpretation of Article 7 of Annex I and Article III of Annex II to BL" ("the Interpretation") adopted by the Standing Committee of the National People's Congress ("NPCSC") on 6 April 2004, it is necessary to go through a "five-step mechanism" for amending the two electoral methods –

Step One : CE shall make a report to NPCSC as to whether there is a need to amend the two electoral methods;

Step Two : A determination shall be made by NPCSC that the two electoral methods may be amended;

Step Three : The motions on the amendments to the two electoral methods shall be introduced by the HKSAR Government to LegCo, and be endorsed by a two-thirds majority of all the Members of LegCo;

Step Four : Consent shall be given by CE to the motions endorsed by LegCo; and

Step Five : The relevant amendments to Annex I and Annex II to BL shall be reported by CE to NPCSC for approval or for the record.

Constitutional development

Establishment of the Constitutional Development Task Force

7. On 7 January 2004, CE announced in his Policy Address the establishment of the Constitutional Development Task Force ("the Task Force") led by the Chief Secretary for Administration ("CS"). Its tasks were to examine in depth the relevant issues of principle and legislative process in BL relating to constitutional development, to consult the relevant departments of the Central Authorities, and to gather the views of the public on the relevant issues.

Task Force's First Report and NPCSC Interpretation on 6 April 2004

8. On 30 March 2004, the Task Force published the First Report on issues of legislative process in BL relating to constitutional development. On 6 April 2004, NPCSC adopted the Interpretation. Clause 3 of the Interpretation states that CE of HKSAR shall make a report to NPCSC as regards whether there is a need to amend the methods for selecting CE and for forming LegCo under Annex I and Annex II respectively and its procedures for voting on bills and motions, and NPCSC shall, in accordance with the provisions of BL 45 and BL 68, make a determination in the light of the actual situation in HKSAR and in accordance with the principle of gradual and orderly progress.

Second, Third and Fourth Reports of the Task Force and the NPCSC Decision on 26 April 2004

9. On 15 April 2004, the Task Force published its Second Report on the issues of principle in BL relating to constitutional development. The Task Force recommended that CE should, in accordance with the NPCSC Interpretation on 6 April 2004, submit a report to NPCSC, recommending that the two electoral methods for 2007 and 2008 be amended, and requesting NPCSC to make a determination to that effect in accordance with the relevant provisions and principles in BL. CE endorsed the recommendations of the Task Force and submitted a report to NPCSC on 15 April 2004.

10. NPCSC examined the report submitted by CE, and adopted the "Decision of NPCSC on issues relating to the methods for selecting CE of HKSAR in the year 2007 and for forming LegCo of HKSAR in the year 2008" on 26 April 2004 ("the 2004 NPCSC Decision"). The Decision is summarized as follows –

- (a) the election of the third term CE in 2007 and the fourth LegCo in 2008 shall not be by means of universal suffrage;

- (b) the 50:50 ratio for Members returned by FCs and Members returned by GCs through direct elections shall remain unchanged for the fourth LegCo;
- (c) the procedures of voting on bills and motions in LegCo are to remain unchanged; and
- (d) subject to the above not being contravened, the two electoral methods may be amended appropriately, consistent with Articles 45 and 68 of BL, and provisions of Annex I and Annex II to BL.

11. On 11 May 2004, the Task Force published its Third Report which set out a number of areas to be considered for amendment in respect of the two electoral methods for 2007 and 2008. The Fourth Report published on 15 December 2004 set out and summarized the views and proposals collected from the community on the two electoral methods.

Fifth Report of the Task Force

12. At the Council meeting of 19 October 2005, CS made a statement on the Fifth Report of the Task Force published on the same day. The Fifth Report set out a package of proposals for the methods of selecting CE in 2007 and for forming LegCo in 2008 ("the 2005 proposed package"). The 2005 proposed package was proposed to be effected by way of two motions to amend Annexes I and II to BL. The main thrust of the 2005 proposed package was the enhanced level of participation of District Council ("DC") members in EC and LegCo. The package proposed that half of the newly added members of EC and all the newly added LegCo seats would basically be elected directly or indirectly by over three million voters, for the purpose of enhancing the democratic representation in the two electoral methods.

13. On 21 October 2005, the House Committee ("HC") formed a subcommittee to study the 2005 proposed package and related issues. The issue of DC appointed membership and their involvement in the two electoral processes was one of the main concerns raised by some members of the subcommittee. The Administration subsequently briefed the CA Panel on 19 December 2005 on the adjustments relating to the reduction of appointed DC membership which would be made to the 2005 proposed package on the condition that the two motions were endorsed by LegCo on 21 December 2005.

14. On 21 December 2005, the Administration presented to LegCo for endorsement two motions to, respectively, amend Annexes I and II to BL regarding the two electoral methods for 2007 and 2008. As the motions did

not receive the two-thirds majority support of all the LegCo Members as stipulated in Annexes I and II to BL, the motions could not be processed further.

Discussions of the Commission on Strategic Development

15. Despite the two motions on the 2005 proposed package having been negated, some Members considered that the Administration should take forward constitutional development by providing a timetable for universal suffrage. In December 2005, the Administration tasked the Committee on Governance and Political Development under the Commission on Strategic Development to study ways to implement universal suffrage in accordance with the provisions and principles of BL, with a view to concluding discussions by early 2007.

Green Paper on Constitutional Development

16. At the Council meeting of 11 July 2007, CS made a statement on the Green Paper on Constitutional Development ("the Green Paper") which summarized the different views put forth by the Commission on Strategic Development and the community on the models, roadmap and timetable for implementing universal suffrage, and presented the relevant views in the form of options to facilitate public discussion.

17. Regarding the models for electing CE by universal suffrage, the Green Paper set out three key issues that had to be considered, namely: (a) composition and size of the nominating committee; (b) method of nomination; and (c) method for selecting CE by universal suffrage following nomination. The Green Paper provided three options each for the composition and size of the nominating committee, and the method of nomination. It also covered other related issues such as whether an upper limit should be set on the number of subscribers which a CE candidate could obtain, and whether a candidate should be required to obtain a certain number of nominations from each sector or from some specified sectors of the nominating committee.

18. Regarding the model for implementing universal suffrage for LegCo, the key issue was how the existing FCs should be dealt with. The Green Paper categorized the views received relating to the models for implementing universal suffrage for LegCo under three types of options, namely: (a) to replace FC seats with district-based seats returned through direct election; (b) to retain FC seats by changing the electoral method; (c) and to increase the number of seats representing DCs in LegCo, and all LegCo seats would then be returned either through direct or indirect elections.

19. Regarding the roadmap and timetable for implementing universal suffrage, the Green Paper provided three options each for the CE election and the LegCo election. The Green Paper also covered the aspect of whether universal suffrage for CE should precede that for LegCo.

20. In December 2007, the Administration published the Report on Public Consultation on the Green Paper on Constitutional Development ("the Green Paper Report").

The NPCSC Decision on 29 December 2007

21. On 12 December 2007, CE submitted the "Report on the Public Consultation on Constitutional Development and on whether there is a need to amend the methods for selecting CE of HKSAR and for forming LegCo of HKSAR in 2012" ("the CE Report") to NPCSC together with the Green Paper Report. CS made a statement on the CE Report at the Council meeting on the same day.

22. After considering the CE Report, NPCSC made a decision on 29 December 2007 on issues relating to the methods for selecting CE and for forming LegCo in the year 2012 and on issues relating to universal suffrage ("the 2007 NPCSC Decision"). The 2007 NPCSC Decision is summarized below –

- (a) universal suffrage for electing CE and for election of all the Members of LegCo by universal suffrage may respectively take place in 2017 and thereafter;
- (b) the election of the fourth term CE in 2012 and the fifth LegCo in 2012 shall not be by means of universal suffrage;
- (c) the 50:50 ratio for Members returned by FCs and Members returned by GCs through direct elections shall remain unchanged for the fifth LegCo;
- (d) the procedures of voting on bills and motions in LegCo shall remain unchanged; and
- (e) subject to the above not being contravened and consistent with BL 45 and BL 68, and the provisions of Annex I and Annex II to BL, the two electoral methods for 2012 may be appropriately amended.

Task Group on Constitutional Development under the Commission on Strategic Development

23. CE had appointed the Task Group on Constitutional Development under the Commission on Strategic Development ("the Task Group") to discuss specifically the two electoral methods for 2012 within the framework set out in the 2007 NPCSC Decision.

24. The Administration advised that options for amending the two electoral methods for 2012 would be consolidated for conducting another round of public consultation as early as possible.

Consultation Document on the Methods for Selecting CE and for Forming LegCo in 2012

25. At the Council meeting of 18 November 2009, CS made a statement on the Consultation Document and announced the commencement of a three-month public consultation exercise ending by 19 February 2010.

26. The key elements of the preliminary package of proposals relating to the two electoral methods for 2012 put forward in the Consultation Document include –

For the election of CE

- (a) increasing the number of members of EC to not more than 1 200;
- (b) increasing the number of members of the four sectors by the same proportion, i.e. adding 100 members for each sector;
- (c) allocating most of the newly added 100 seats for the fourth sector (i.e. LegCo, DCs, Heung Yee Kuk ("HYK"), Hong Kong deputies to the National People's Congress and Hong Kong members of the National Committee of the Chinese People's Political Consultative Conference ("CPPCC")) to DC members;
- (d) electing representatives of DCs in EC from among elected DC members;

For the election of LegCo

- (e) increasing the number of seats from 60 to 70 with the five additional seats to be returned by GCs through direct election and another five seats to be allocated to DC FCs;

- (f) having the five new DC FC seats and the existing DC FC seat returned through election among elected DC members; and
- (g) maintaining the existing arrangement of allowing permanent residents of HKSAR who were not of Chinese nationality or who had right of abode in foreign countries to stand in the elections for 12 FC seats.

Package of proposals for the methods for selecting CE and for forming LegCo in 2012

27. At the Council meeting of 14 April 2010, CS made a statement on a package of proposals for the methods for selecting CE and forming LegCo in 2012 published on the same day. The document on the proposed package recorded the views collected during the public consultation period, and put forth detailed proposals regarding the two electoral methods for 2012, including –

For the method for selecting CE

- (a) that the number of EC members be increased from the current 800 to 1 200;
- (b) that the number of members of the four sectors of EC be increased by the same proportion, i.e. the number of seats for each sector be increased by 100;
- (c) that 75 out of the 100 new seats in the fourth sector (i.e. the political sector) be allocated to elected DC members. Together with the existing 42 seats, the DC subsector will have a total of 117 seats, which will be returned through election from among elected DC members, i.e. appointed DC members will not take part in the election. As for the remaining 25 new seats, aside from the 10 seats to be allocated to LegCo, 10 seats will be allocated to members of CPPCC and five to HYK;
- (d) that the current nomination threshold (i.e. at the ratio of one-eighth of the total membership of the EC) be maintained. No upper limit on the number of subscribers should be set at this stage; and
- (e) that the requirement that the CE should not have any political affiliation should not be changed for the 2012 CE election, but can be reviewed in the longer term.

For the method for forming LegCo

- (f) that the number of LegCo seats should be increased from 60 to 70, 35 seats returned by GCs through direct elections and 35 returned by FCs;
- (g) that all the five new FC seats and the existing DC FC seat be returned through election by elected DC members from among themselves (i.e. appointed DC members will not take part in the election);
- (h) that the six DC FC seats be returned under the "proportional representation system"; and
- (i) that the existing arrangement that permanent residents of Hong Kong who are not of Chinese nationality or who have the right of abode in foreign countries can stand in the elections for 12 FC seats be maintained.

28. According to the Administration, the advantage of the package was to inject new democratic elements into the two electoral methods through the participation of elected DC members who had a broad electorate base. In particular, for LegCo FC elections, no more "traditional" FC seat would be created, and 41 seats (i.e. close to 60% of all seats) would be returned through direct or indirect geographical elections.

29. On 16 April 2010, HC formed a subcommittee to study the proposed package. The Subcommittee reported its deliberations to HC on 11 June 2010.

30. On 21 June 2010, CE announced that the Executive Council had given its approval-in-principle to the proposal on "one-person-two-votes" for returning the five new FC seats in 2012. According to the Government's announcement, the proposal would be implemented by the following electoral arrangements under local legislation –

- (a) candidates for the five new FC seats must themselves be elected DC members who must be nominated by elected DC members and would be elected, through one-person-one-vote, by all registered voters who currently did not have a vote in FCs; the electorate base would be about 3.2 million; and
- (b) the original DC FC seat would be returned through election from among elected DC members, i.e. appointed DC members would not take part in the election.

31. On 24 and 25 June 2010, LegCo passed by a two-thirds majority the motions put forth by the Government concerning the draft amendments to the two electoral methods for 2012. According to the draft amendments to the method for the selection of CE in 2012, the number of members of EC would be increased from the current 800 to 1 200. The number of seats for each of the four sectors of EC would be increased by 100. According to the draft amendment to the method for the election of LegCo in 2012, the number of members returned in GC and FC elections would each be increased from 30 to 35.

32. CE gave consent to the draft amendments on 29 June 2010 and reported to NPCSC on 28 July 2010. On 28 August 2010, NPCSC approved the amendment to Annex I to BL and recorded the amendment to Annex II to BL respectively.

The CE Election (Amendment) Bill 2010 ("CEEB") and the LegCo (Amendment) Bill 2010 ("LCB")

33. The two Bills were introduced into LegCo on 15 December 2010. The objects of CEEB were to increase the number of seats for each EC sector to 300, allocate the additional seats among the EC subsectors and make changes in relation to DCs and Chinese medicine subsectors and other related matters. The objects of LCB were to enlarge LegCo by adding five GC seats and creating a new DC FC (i.e. DC (second) FC) of five seats and to make other changes related to LegCo elections. The two Bills were passed by LegCo at the Council meeting of 2 March 2011.

Major issues raised by Members regarding the methods for selecting CE and for forming LegCo in 2012 and the implementation of universal suffrage for CE in 2017

Composition of EC

34. Some Members considered that to facilitate the full implementation of universal suffrage for the selection of CE in 2017, the Administration should broaden the electorate base of the EC subsectors to make EC more broadly representative. Some Members suggested that new subsectors or their representatives (e.g. real estate agents, ethnic minorities, small and medium size enterprises, women and youth) should be added to the relevant sectors of EC. The Administration advised that it had considered proposals of adding new subsectors to EC, and considered that the community was unlikely to reach

a consensus at the present stage on the proposals as a broad range of different organizations were covered. The Administration stressed that the proposed increase of the membership of EC from 800 to 1 200 would enhance the representativeness of EC and help transform EC into the nominating committee when universal suffrage for CE was to be implemented in 2017.

35. Some Members suggested that all of the 100 new seats in the fourth sector of EC should be allocated to elected DC members to enhance the democratic elements of EC. The Administration considered that its proposal of allocating 75 of the 100 new seats in the fourth sector of EC to elected DC members who had public mandate would significantly enhance the democratic elements of EC. The Administration considered it appropriate to allocate the remaining 25 seats to LegCo Members, members of CPPCC and HYK.

36. Dr Margaret NG considered that the allocation of new seats to the existing subsectors of EC should be in proportion to the size of their electorate, rather than the existing distribution of seats. During the scrutiny of CEEB, she proposed a Committee Stage amendment ("CSA") to CEEB to such an effect. The Administration explained that it aimed at enhancing the democratic elements of the EC election mainly through increasing the proportion of elected DC members in the fourth sector of EC. As regards the first three sectors of EC, the Administration considered it appropriate to follow the established mechanism of increasing the number of seats of the subsectors by the same proportion in compliance with the principle of balanced participation.

37. Some Members considered that members of the public did not have adequate representation in EC, and urged the Administration to consider increasing the number of directly or indirectly elected representatives of the public in the first, second and third sectors of EC with a view to enhancing the democratic elements in EC for the ultimate implementation of universal suffrage for CE. The Administration advised that it had already made the best effort to enhance the democratic elements of EC to pave the way for the implementation of universal suffrage in 2017. Under its proposal for the composition of EC, 152 members were returned from direct or indirect GC elections (i.e. 35 directly elected LegCo Members and 117 representatives of DC). The Administration stressed that the four sectors of the current EC were broadly representative and no substantial change should be made to the existing composition of EC in order to maintain the principle of balanced participation and facilitate the EC in 2012 being used as the basis for transforming into the nominating committee when universal suffrage for the CE was to be implemented in 2017.

Nomination mechanism for the CE election in 2012

38. Some Members considered that with the proposed increase in the number of subscribers required from 100 to 150, it would be difficult for the pan-democratic camp to field a candidate for the CE election. Some other Members, however, considered that maintaining the existing nomination threshold at one-eighth of the total membership of EC already allowed competition in the CE election. The Administration also considered that under its current proposal of maintaining the existing nomination threshold of one-eighth of the total membership of EC, the pan-democrats would be able to secure the required 150 nominations in EC to field a candidate for the CE election in 2012.

39. Some Members expressed concern that a prospective candidate might be able to secure a large number of nominations, making it difficult for other intending candidates to secure an adequate number of nominations. These Members suggested that the Administration should set an upper limit of nominations in order to make CE election a fair and truly contested one. During the scrutiny of CEEB, Dr Margaret NG proposed a CSA to set the upper limit of nomination at 165 subscribers, i.e. 110% of the proposed nomination threshold. The Administration, however, believed that it was feasible for more than one candidate to secure the support of 150 EC members and the CE election in 2012 would be a contested one. The Administration therefore did not consider it necessary to cap the number of subscribers to be obtained by a candidate.

40. Some Members urged the Administration to explain its views on the meaning of "democratic procedures" to allay concern that a screening mechanism might be put in place in the nomination procedures in the model for implementing universal suffrage for CE. The Administration advised that the fourth-term Government would be responsible for formulating specific proposals on the democratic procedures for nominating candidates for the office of CE when universal suffrage was to be implemented in 2017.

41. Some Members stressed that the nomination procedures for the selection of CE by universal suffrage in 2017 should be fair and open, and a high nomination threshold should not be used to screen out prospective candidates. Some Members stressed that the public should have the rights to make nomination, to stand for election and to vote for the implementation of a universal and equal suffrage, and there should not be any "screening" or "pre-selection" through a nominating committee. Some Members suggested that any person jointly endorsed by a certain number of electors (e.g. no less than 50 000) and upon verification by the nominating committee could be a

candidate for the office of CE. Some other Members, however, considered that the suggestion did not comply with BL 45 and the Decision of NPCSC. They took the view that it was wrong to interpret the right to make nomination by the nominating committee stipulated by BL merely as a kind of verification right.

Political affiliation of CE

42. Some Members expressed the view that the current requirement under the CE Election Ordinance that CE should not have any political affiliation would hinder the development of political parties, which played a pivotal role in nurturing political talents. They considered that the development of political parties was crucial to the grooming of political talents in Hong Kong, and suggested that the Administration should consider formulating a political party law to facilitate the development and regulation of political parties, particularly if CE was allowed to have political party membership.

43. The Administration advised that it was the general view of the public that the relevant requirement should be retained for the CE election in 2012 to ensure that CE would maintain impartiality when dealing with requests from different political parties, but it could be reviewed in the longer term.

The new DC FC seats

44. Under LCB, the existing DC FC was re-named as the DC (first) FC and the new DC FC was named as the DC (second) FC. Moreover, it was proposed that the five new DC FC seats would be returned from the territory as a single constituency in accordance with the proportional representation list system.

45. During the scrutiny of LCB, some Members expressed the view that adding more FC seats would make it more difficult to abolish the FC system in future. They also queried whether the "one-person-two-votes" election method for the new DC FC would continue to exist after 2012 and would become a model for the implementation of universal suffrage for forming LegCo. Some other Members, however, supported the proposed creation of the new DC FC which they considered had enabled Hong Kong to take a step forward closer to the implementation of universal suffrage for LegCo.

46. The Administration advised that the creation of the five new DC FC seats in 2012 would enhance the democratic elements of the FC elections and facilitate the implementation of universal suffrage for the LegCo election in 2020.

47. Some Members considered that the nomination threshold for the new DC FC should be lowered to 10 instead of 15 so as to allow more candidates to participate in the election. The Administration considered that the proposed nomination threshold of 15 was a low threshold and was reasonable, given that for a list of five candidates, each candidate on average only needed to have three nominations. With the proposed nomination threshold of 15, it was envisaged that the 412 elected DC members of the fourth-term DC could nominate up to some 20 candidates/lists of candidates and this would ensure sufficient competition in the new DC FC election.

48. Some Members, however, considered that it would not be easy for a political party/group, and an independent candidate in particular, to secure 10 nominations. They stressed that as a political party/group would need time to build up its support at district level, the Administration should have allowed more room for any political party/group to participate in the election.

Number of Members to be returned from each GC

49. With the increase in the number of seats to 70 for the Fifth LegCo in 2012, the Administration proposed under LCB to retain the number of GCs at five, and that the number of seats to be allocated to a GC should be not less than five but not more than nine. The Administration explained that if there were too many seats in a GC, it might result in that a Member could be elected with very few votes. Some Members considered the proposal of allocating five to nine seats for each GC appropriate. However, with the increase in population and in the number of GC directly elected seats, these Members also considered that the Administration should, in the long run, consider increasing the number of GCs, say from five to six, with a view to reducing the disparity in the number of seats among GCs.

50. Some Members pointed out that for the New Territories West ("NTW") GC which was expected to have as many as nine seats, a large number of candidates/lists of candidates would compete for the seats, making it difficult for electors to get well-informed of the platform of the candidates. They suggested that the number of GCs be increased so that each GC would have only five or six seats, for example, the NTW GC and the New Territories East GC could be divided into two GCs each. Alternatively, the Administration should consider allocating the 35 GC seats evenly among the five GCs to prevent a GC from having as many as nine seats.

51. The Administration explained that re-delineating the existing GC boundaries would have implications on the work of incumbent Members and electioneering activities. Nevertheless, the Administration agreed to take into

account the experience of the 2012 LegCo Election and consider Members' views in any future review.

Retention and abolition of FCs

52. Some Members held a strong view that the FC system did not comply with the principles of universality and equality and should be abolished ultimately for implementing universal suffrage for LegCo in 2020. They also considered that if there was any restriction in the right to stand for election (i.e. candidates being required to come from a particular sector), the FC system would not be compatible with the principles of universality and equality even though the FC seats were returned on the basis of "one-person-one-vote".

53. Some Members also considered that the current split voting system had given the power to FC Members who were returned from a small electorate to veto proposals put forward by GC Members who had a public mandate. They urged that such a voting system should be abolished as soon as possible. Some other Members, however, considered that the split voting system had provided the necessary check and balance as GC Members could also veto proposals put forward by FC Members.

54. The Administration explained that the consistent position of the HKSAR Government was that the existing FC electoral model for LegCo did not comply with the principles of universality and equality. The existing electoral arrangements could not be maintained when universal suffrage for LegCo was implemented. However, the 2007 NPCSC Decision had made it clear that FC seats should not be abolished in 2012. Any proposal to abolish FCs in future would require the support from FC Members and it would be very difficult to reach a consensus on the matter at the present stage. Besides, there were divergent views in the community as to whether the FC seats should be abolished in one go, or only the electoral model for returning the FC seats needed to be changed when universal suffrage was to be implemented. The Administration stressed that it would continue to listen to the views of the community on the specific models for implementing universal suffrage for LegCo.

The electorate base of "traditional" FCs

55. According to the Administration, its general policy position was that there should be no substantial changes to the traditional FCs. However, as a regular exercise before each LegCo election, the Administration would review whether there was a need to propose technical adjustments to the electorate of the traditional FCs to reflect their latest developments.

56. Some Members considered that the Administration should enhance the transparency of the nature of body electors in FCs to address the concern that they were prone to manipulation. They requested the Administration to verify the status of the registered body electors of FCs on a regular basis to ensure that they remained to be eligible for registration as electors, i.e. whether they were still active and representative. The Administration explained that the Registration and Electoral Office would update the electoral records of the body electors before every LegCo general election to reflect the latest developments.

57. During the scrutiny of LCB, Dr Margaret NG proposed CSAs to LCB to abolish corporate votes and corporate nominations in the elections of a number of FCs and substitute them with directors of the company or all practitioners/members of the FCs concerned to the effect that all members of the industry were eligible to register as electors and all registered electors were eligible to nominate candidates. A CSA was also proposed by her to expand the electorate of the Labour FC to include all members of the trade unions registered under the Trade Unions Ordinance (Cap. 332).

58. The Administration advised that it was well aware of the suggestions that "corporate votes" of the traditional FCs should be replaced with "director's and individual votes", and the voting right should be expanded to all practitioners/members of FCs. The Administration advised that these suggestions, however, were not in compliance with the understanding when the motions to amend the two electoral methods for 2012 were endorsed by LegCo that democratic elements of the FC system would be enhanced through the implementation of the "one-person-two-votes" proposal for returning the new DC FC seats in 2012 and no substantial changes would be made to the electorate base of traditional FCs.

Latest development

59. On 17 October 2013, CE announced the setting up of the Task Force on Constitutional Development led by CS to handle the task of public consultation on constitutional development in relation to the method for forming LegCo in 2016 and for the selection of CE by universal suffrage in 2017. Other members of the Task Force include the Secretary for Justice and the Secretary for Constitutional and Mainland Affairs. CE also announced that the Task Force would publish a consultation document on constitutional development by the end of 2013.

60. At the Council meeting of 4 December 2013, CS made a statement on the "Consultation Document on Methods for Selecting the Chief Executive in 2017 and for Forming the Legislative Council in 2016" and announced the commencement of a five-month public consultation exercise ending by 3 May 2014. The CA Panel will hold a special meeting on 9 December 2013 to discuss the Consultation Document.

Relevant motion debates and questions in Council

61. A list of relevant motions moved for debate in Council and a list of the relevant LegCo questions are in **Appendices II and III** respectively.

Relevant papers

62. A list of the relevant papers available on the LegCo website is in **Appendix IV**.

2012 Legislative Council Election
No. of Members Returned from 5 Geographical Constituencies
and 29 Functional Constituencies

Geographical Constituencies

| <u>Item</u> | <u>Name of GC</u> | <u>Number of members to be returned</u> |
|-------------|----------------------|---|
| 1. | Hong Kong Island | 7 |
| 2. | Kowloon West | 5 |
| 3. | Kowloon East | 5 |
| 4. | New Territories West | 9 |
| 5. | New Territories East | 9 |

Functional Constituencies

| <u>Item</u> | <u>Name of FC</u> | <u>Number of members to be returned</u> |
|-------------|--|---|
| 1. | Heung Yee Kuk | 1 |
| 2. | Agriculture and Fisheries | 1 |
| 3. | Insurance | 1 |
| 4. | Transport | 1 |
| 5. | Education | 1 |
| 6. | Legal | 1 |
| 7. | Accountancy | 1 |
| 8. | Medical | 1 |
| 9. | Health Services | 1 |
| 10. | Engineering | 1 |
| 11. | Architectural, Surveying and Planning | 1 |
| 12. | Labour | 3 |

| <u>Item</u> | <u>Name of FC</u> | <u>Number of members to be returned</u> |
|-------------|---|---|
| 13. | Social Welfare | 1 |
| 14. | Real Estate and Construction | 1 |
| 15. | Tourism | 1 |
| 16. | Commercial (first) | 1 |
| 17. | Commercial (second) | 1 |
| 18. | Industrial (first) | 1 |
| 19. | Industrial (second) | 1 |
| 20. | Finance | 1 |
| 21. | Financial Services | 1 |
| 22. | Sports, Performing Arts, Culture and Publication | 1 |
| 23. | Import and Export | 1 |
| 24. | Textiles and Garment | 1 |
| 25. | Wholesale and Retail | 1 |
| 26. | Information Technology | 1 |
| 27. | Catering | 1 |
| 28. | District Council (first) | 1 |
| 29. | District Council (second) | 5 |

Appendix II

Relevant motions moved for debate in Council (since First LegCo)

| <u>Date of Council meeting</u> | <u>Motion</u> |
|---------------------------------------|---|
| 15 July 1998 | Hon Andrew CHENG Kar-foo moved a motion on "Direct elections" for debate in Council. The motion was negatived. |
| 12 January 2000 | Hon Emily LAU Wai-hing moved a motion on "Political reform" for debate in Council. The motion was passed. |
| 14 June 2000 | Dr Hon LEONG Che-hung moved a motion on "Development of the Hong Kong Special Administrative Region's Political System" for debate in Council. The motion was passed. |
| 13 March 2002 | Hon Emily LAU Wai-hing moved a motion on "The Second Chief Executive Election" for debate in Council. The motion was negatived. |
| 19 February 2003 | Hon Emily LAU Wai-hing moved a motion on "Public consultation on constitutional reforms" for debate in Council. The motion was negatived. |
| 21 May 2003 | Hon Albert HO Chun-yan moved a motion on "Expediently implementing the election of the Chief Executive and All Members of the Legislative Council by universal suffrage" for debate in Council. The motion was negatived. |
| 12 November 2003 | Hon James TO Kun-sun moved a motion on "Election of the Chief Executive and all Members of the Legislative Council by universal suffrage" for debate in the Council. The motion was negatived. |
| 25 February 2004 | Hon Andrew CHENG Kar-foo moved a motion on "Immediately consulting the public on election by universal suffrage" for debate in Council. The motion was negatived. |
| 17 March 2004 | Hon James TO Kun-sun moved a motion on "Respecting and complying with the principles prescribed in the Basic Law" for debate in Council. The motion was negatived. |

**Date of
Council meeting**

Motion

- 22 April 2004 Hon Frederick FUNG Kin-kee moved a motion to adjourn the Council for the purpose of debating the Report by the Chief Executive of the Hong Kong Special Administrative Region to the Standing Committee of the National People's Congress on whether there is a need to amend the methods for selecting the Chief Executive of the Hong Kong Special Administrative Region in 2007 and for forming the Legislative Council of the Hong Kong Special Administrative Region in 2008. The motion was negated.
- 5 May 2004 Hon Frederick FUNG Kin-kee moved a motion on "Requesting the Chief Executive to submit a supplementary report to the Standing Committee of the National People's Congress" for debate in Council. The motion was negated.
- 19 May 2004 Hon Albert HO Chun-yan moved a motion on "Regretting the decision of the Standing Committee of the National People's Congress to rule out universal suffrage in the years 2007 and 2008" for debate in Council. The motion was negated.
- 10 November 2004 Hon Ronny TONG Ka-wah moved a motion on "Constitutional development" for debate in Council. The motion was negated.
- 5 January 2005 Hon Albert Jinghan CHENG moved a motion on "The Fourth Report of the Constitutional Task Force" for debate in Council. The motion was negated.
- 9 March 2005 Hon Ronny TONG Ka-wah moved a motion on "Shortcomings of Functional Constituencies" for debate in Council. The motion was negated.
- 9 November 2005 Hon Ronny TONG Ka-wah moved a motion on "Constitutional Reform Proposal" for debate in Council. The motion was negated.
- 30 November 2005 Hon LEUNG Kwok-hung moved a motion on "Conducting a referendum on the full implementation of elections by universal suffrage in 2007 and 2008" for debate in Council. The motion was negated.
- 7 December 2005 Dr Hon YEUNG Sum moved a motion on "Democratic political system" for debate in Council. The motion was negated.

| <u>Date of Council meeting</u> | <u>Motion</u> |
|---------------------------------------|---|
| 22 November 2006 | Hon Ronny TONG Ka-wah moved a motion on "Electing the Chief Executive by universal suffrage" for debate in Council. The motion was negated. |
| 29 November 2006 | Hon LEE Cheuk-yan moved a motion on "Electing the Legislative Council by universal suffrage" for debate in Council. The motion was negated. |
| 9 January 2008 | Hon Albert CHAN moved a motion on "Report on Public Consultation on Green Paper on Constitutional Development" for debate in Council. The motion was negated. |
| 7 January 2009 | Dr Hon Margaret NG moved a motion on "Public consultation on 2012 constitutional development" for debate in Council. The motion was negated. |
| 11 February 2009 | Hon Albert HO moved a motion on "Procrastinating public consultation on constitutional development" for debate in Council. The motion was negated. |
| 17 June 2009 | Hon LEUNG Kwok-hung moved a motion on "Proposal on constitutional reform in Hong Kong" for debate in Council. The motion was negated. |
| 2 December 2009 | Hon Alan LEONG moved a motion on "Roadmap for universal suffrage" for debate in Council. The motion was negated. |
| 9 June 2010 | Hon Ronny TONG Ka-wah moved a motion on "Constitutional reform" for debate in Council. The motion was negated. |
| 30 June 2011 | Hon LEUNG Kwok-hung moved a motion on "Proposal on the constitutional reform in Hong Kong" for debate in Council. The motion was negated. |
| 20 February 2013 | Hon Ronny TONG Ka-wah moved a motion on "Implementing dual universal suffrage" for debate in Council. The motion was negated. |
| 29 May 2013 | Hon Alan LEONG moved a motion on "Democratic procedures for the election of the Chief Executive by universal suffrage in 2017" for debate in Council. The motion was negated. |

Appendix III

Relevant questions raised in Council (since First LegCo)

| <u>Date of Council meeting</u> | <u>Question</u> |
|---------------------------------------|--|
| 8 December 1999 | Hon Emily LAU Wai-hing raised a question on "Modifying the electoral systems". |
| 13 June 2001 | Hon Martin LEE Chu-ming raised a question on "Improvement on method of forming the Legislative Council". |
| 13 November 2002 | Hon Emily LAU Wai-hing raised a question on "Arrangements for the Legislative Council functional constituencies elections". |
| 8 October 2003 | Dr Hon YEUNG Sum raised a question on "Timetable for review on political system". |
| 18 February 2004 | Hon Michael MAK Kwok-fung raised a question on "Constitutional development of Hong Kong". |
| 2 June 2004 | Hon Martin LEE Chu-ming raised a question on "Interpretation of the Basic Law and decision on issues relating to the methods for selecting the Chief Executive in 2007 and for forming the Legislative Council in 2008 by the Standing Committee of the National People's Congress". |
| 9 June 2004 | Hon SZETO Wah raised a question on "The report submitted by the Chief Executive to the Standing Committee of the National People's Congress". |
| 9 June 2004 | Hon Audrey EU Yuet-mee raised a question on "Registered voters of the functional constituencies". |
| 10 November 2004 | Dr Hon YEUNG Sum raised a question on "Constitutional development". |
| 26 January 2005 | Hon Frederick FUNG Kin-kee raised a question on "Returning of some Legislative Council Members by functional constituencies". |
| 19 October 2005 | Dr Hon YEUNG Sum raised a question on "Political reform". |
| 30 November 2005 | Hon LEE Wing-tat raised a question on "Position and Reaction of Middle Class Towards Universal Suffrage". |

| <u>Date of Council meeting</u> | <u>Question</u> |
|---------------------------------------|--|
| | Hon MA Lik raised a question on "Expansion of Election Committee". |
| 7 December 2005 | Hon LEE Wing-tat raised a question on "Collecting Public Views on Constitutional Development". |
| 21 December 2005 | Hon Martin LEE raised a question on "Establishment of Bicameral System in Hong Kong". |
| 17 May 2006 | Hon Emily LAU raised a question on "Conditions for Implementation of Universal Suffrage in Hong Kong". |
| 14 June 2006 | Hon Emily LAU raised a question on "Dual Elections by Universal Suffrage". |
| 24 January 2007 | Hon LEE Wing-tat raised a question on "Commenting on Constitutional Development of Hong Kong". |
| 23 May 2007 | Hon LEUNG Yiu-chung raised a question on "Universal Suffrage Proposals". |
| 20 June 2007 | Hon Emily LAU raised a question on "Election of Chief Executive by Universal Suffrage". |
| 27 June 2007 | Hon Ronny TONG raised question on "Democratic Development for HKSAR". |
| | Hon LEE Cheuk-yan raised a question on "Qualification for Candidacy of Chief Executive to be Selected by Universal Suffrage". |
| | Hon Alan LEONG raised a question on "Options for Universal Suffrage". |
| 23 January 2008 | Hon Emily LAU raised a question on "Implementation of Universal Suffrage for Chief Executive and Legislative Council in 2012". |
| 2 July 2008 | Hon Emily LAU raised a question on "Method for electing the Chief Executive and for forming the Legislative Council". |
| 2 December 2009 | Hon WONG Sing-chi raised a question on "Retention or otherwise of functional constituencies of the Legislative Council". |

| <u>Date of Council meeting</u> | <u>Question</u> |
|---------------------------------------|---|
| 6 January 2010 | Hon Audrey EU raised a question on "Functional constituencies of the Legislative Council". |
| 3 March 2010 | Dr Hon LEUNG Ka-lau raised a question on "Procedures for voting on motions and bills in the Legislative Council". |
| 10 March 2010 | Hon Paul TSE raised a question on "Legislative Council functional constituencies". |
| 28 April 2010 | Hon Albert HO raised a question on "Legislative Council functional constituencies". |
| 26 May 2010 | Hon Audrey EU raised a question on "Functional constituencies". |
| 9 June 2010 | Hon Tanya CHAN raised a question on "Publicity strategies for 2012 constitutional package". |
| 23 June 2010 | Hon Alan LEONG raised a question on "Reform of the political system". |
| 14 July 2010 | Hon LEE Wing-tat raised a question on "Follow-up work to the passage of motions to amend the electoral methods in 2012". |
| 20 October 2010 | Hon Tanya CHAN raised a question on "Delimitation of functional sectors and corporate bodies of the Legislative Council". Hon Emily LAU raised a question on "Composition of the Election Committee". |
| 20 March 2013 | Hon Emily LAU raised a question on "Government's response to the issues raised by the United Nations Human Rights Committee". |
| 27 March 2013 | Hon James TO raised a question on "The Chief Executive election in 2017". |
| 29 May 2013 | Hon Alan LEONG raised a question on "Selection of the Chief Executive and election of the Legislative Council by universal suffrage". Hon SIN Chung-kai raised a question on "Statistics relating to functional constituencies". |

**Date of
Council meeting**

Question

17 July 2013

Hon Emily LAU raised a question on "Public Consultation on Constitutional Reform".

30 October 2013

Hon Alan LEONG raised a question on "Work of the Task Force on Constitutional Development".

13 November 2013

Dr Hon Kenneth CHAN raised a question on "Proposal on candidates for Chief Executive Election to take oath".

Constitutional development

Relevant documents

| <u>Date</u> | <u>Context</u> | <u>Paper</u> |
|-------------------------|--|---|
| 14 June 2000 | Council meeting | Report of the Panel on Constitutional Affairs on the development of the political system of the Hong Kong Special Administrative Region |
| 12 June and 9 July 2001 | Panel on Constitutional Affairs ("CA Panel") | Background brief on "Development of the Hong Kong Special Administrative Region's Political System" prepared by the LegCo Secretariat [LC Paper No. CB(2)1767/00-01(01)] Administration's paper on "Development of the Political System of the Hong Kong Special Administrative Region" [LC Paper No. CB(2)1763/00-01(05)] |
| 20 October 2003 | CA Panel | Administration's paper on "Review and Public Consultation on Constitutional Development after 2007" [LC Paper No. CB(2)119/03-04(02)] |
| 17 November 2003 | CA Panel | Administration's paper on "Review of and Public Consultation on Constitutional Development after 2007 – Preparatory Work" [LC Paper No. CB(2)337/03-04(01)] |
| 27 February 2004 | House Committee ("HC") | Background brief on "Review on constitutional development after 2007" prepared by the LegCo Secretariat [LC Paper No. CB(2)1445/03-04] Constitutional Development Task Force's paper on "Work Progress of the Constitutional Development Task Force" [LC Paper No. CB(2)1459/03-04(03)] |
| 31 March 2004 | CA Panel | The First Report of the Constitutional Development Task Force : Issues of Legislative Process in the Basic Law Relating to Constitutional Development |
| 16 April 2004 | CA Panel | The Report by the Chief Executive of the Hong Kong Special Administrative Region to the Standing Committee of the National People's Congress on whether there is a need to amend the |

| <u>Date</u> | <u>Context</u> | <u>Paper</u> |
|-----------------|----------------|---|
| | | <p>methods for selecting the Chief Executive of the Hong Kong Special Administrative Region in 2007 and for forming the Legislative Council of the Hong Kong Special Administrative Region in 2008</p> <p>The Second Report of the Constitutional Development Task Force : Issues of Principle in the Basic Law Relating to Constitutional Development</p> |
| 19 April 2004 | CA Panel | <p>Gazette copy of the Interpretation adopted by the Standing Committee of the National People's Congress on Article 7 of Annex I and Article III of Annex II to the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China on 6 April 2004 [LC Paper No. CB(2)1973/03-04(01)]</p> |
| 4 May 2004 | CA Panel | <p>Paper provided by the Administration on Decision of the Standing Committee of the National People's Congress on the Chief Executive's Report on whether there is a need to amend the methods for selecting the Chief Executive of the Hong Kong Special Administrative Region in 2007 and for forming the Legislative Council of the Hong Kong Special Administrative Region in 2008 [LC Paper No. CB(2)2174/03-04(01)]</p> <p>Decision of the Standing Committee of the National People's Congress on issues relating to the methods for selecting the Chief Executive of the Hong Kong Special Administrative Region in 2007 and for forming the Legislative Council of the Hong Kong Special Administrative Region in 2008 [LC Paper No. CB(2)2212/03-04(01)]</p> |
| 17 May 2004 | CA Panel | <p>The Third Report of the Constitutional Development Task Force : Areas which may be Considered for Amendment in respect of the Methods for Selecting the Chief Executive in 2007 and for Forming the Legislative Council in 2008</p> |
| 18 October 2004 | CA Panel | <p>Background Brief on "Review on constitutional development after 2007" prepared by the LegCo Secretariat [LC Paper No. CB(2)49/04-05(02)]</p> |

| <u>Date</u> | <u>Context</u> | <u>Paper</u> |
|------------------|-----------------|--|
| 15 December 2004 | Council meeting | The Fourth Report of the Constitutional Development Task Force : Views and Proposals of Members of the Community on the Methods for Selecting the Chief Executive in 2007 and for Forming the Legislative Council in 2008 |
| 19 October 2005 | Council meeting | The Fifth Report of the Constitutional Development Task Force : Package of Proposals for the Methods for Selecting the Chief Executive in 2007 and for Forming the Legislative Council in 2008 |
| 21 October 2005 | CA Panel | <p>Background brief on "Constitutional development after 2007" prepared by LegCo Secretariat [LC Paper No. CB(2)115/05-06(03)]</p> <p>Administration's paper on "The Fifth Report of the Constitutional Development Task Force : Package of Proposals for the Methods for Selecting the Chief Executive in 2007 and for Forming the Legislative Council in 2008" [LC Paper No. CB(2)119/05-06(01)]</p> <p>Minutes of meeting [LC Paper No. CB(2)597/05-06]</p> |
| 19 December 2005 | CA Panel | <p>Commission on Strategic Development's (CSD) paper on "An Overview of the Political Structure of the Hong Kong Special Administrative Region" [LC Paper No. CB(2)519/05-06(01)]</p> <p>CSD's paper on "A Preliminary Study on the Methods to be Adopted for Selecting the Chief Executive and for Forming the Legislative Council when Universal Suffrage is Attained and Related Issues" [LC Paper No. CB(2)519/05-06(02)]</p> <p>Minutes of meeting [LC Paper No. CB(2)1140/05-06]</p> |
| 21 December 2005 | Council meeting | Report of the Subcommittee to Study the Administration's Proposals for the Methods for Selecting the Chief Executive in 2007 and for Forming the Legislative Council in 2008 [LC Paper No. CB(2)673/05-06] |

| <u>Date</u> | <u>Context</u> | <u>Paper</u> |
|---------------|----------------|---|
| 20 March 2006 | CA Panel | <p>CSD's paper on "Strategic Issues to be Discussed", "Constitutional Basis of Basic Law Provisions Regarding 'Universal Suffrage'" and "General Understanding on the Concept of 'Universal Suffrage'" [LC Paper No. CB(2)913/05-06]</p> <p>CSD's paper on "Adoption of the Principles of Universal Suffrage and Balanced Participation – Practices in Some Democratic Countries" [LC Paper No. CB(2)1307/05-06]</p> <p>Information Note on "Summary of Electoral Systems in Selected Places" prepared by the Research and Library Services Division [IN19/05-06]</p> <p>Minutes of meeting [LC Paper No. CB(2)1968/05-06]</p> |
| 21 April 2006 | CA Panel | <p>Administration's paper on "Method for Selecting the Chief Executive by Universal Suffrage and Review of the Chief Executive Election Ordinance" [LC Paper No. CB(2)1745/05-06(02)]</p> <p>CSD's paper on "Summary of the views expressed at the first meeting on 29 November 2005", "Summary of the views expressed at the second meeting on 20 January 2006" and "Summary of the views expressed at the workshop organized by the Secretariat to CSD and the Constitutional Affairs Bureau on 28 February 2006" [LC Paper Nos. CB(2)1519/05-06(01), (02) and (03)]</p> <p>Minutes of meeting [LC Paper No. CB(2)2226/05-06]</p> |
| 15 May 2006 | CA Panel | <p>Administration's paper on "Discussion regarding the formation of the Legislative Council by universal suffrage" [LC Paper No. CB(2)1971/05-06(02)]</p> <p>Information Note on "Functional Representation in Ireland and Slovenia" prepared by the Research and Library Services Division [IN24/05-06]</p> |

| <u>Date</u> | <u>Context</u> | <u>Paper</u> |
|------------------|----------------|--|
| | | <p>Information Note on "Compliance of the Electoral System of the Legislature with the International Covenant on Civil and Political Rights: New Zealand" prepared by the Research and Library Services Division [IN25/05-06]</p> <p>Fact Sheet on "Nationality Requirement of Legislators in Selected Countries" prepared by the Research and Library Services Division [FS14/05-06]</p> <p>Information Note on "Compliance of the Electoral System of the Legislature with the International Covenant on Civil and Political Rights: Germany" prepared by the Research and Library Services Division [IN34/05-06]</p> <p>Minutes of meeting [LC Paper No. CB(2)2873/05-06]</p> |
| 19 June 2006 | CA Panel | <p>Background brief on "Models for selecting the Chief Executive and forming the Legislative Council by universal suffrage" prepared by the LegCo Secretariat [LC Paper No. CB(2)2386/05-06(01)]</p> <p>CSD's paper on "Summary of the views expressed at the third meeting on 24 March 2006" [LC Paper No. CB(2)2112/05-06]</p> <p>CSD's paper on "Conclusions on Discussions on the Concepts and Principles Relating to Universal Suffrage" [LC Paper No. CB(2)2317/05-06]</p> <p>Minutes of meeting [LC Paper No. CB(2)2936/05-06]</p> |
| 20 November 2006 | CA Panel | <p>CSD's paper on "Possible Models for Forming the Legislative Council by Universal Suffrage" [LC Paper No. CB(2)3062/05-06]</p> |

| <u>Date</u> | <u>Context</u> | <u>Paper</u> |
|------------------|----------------|---|
| | | <p>CSD's paper on "Possible Models for Forming the Legislative Council by Universal Suffrage" and proposals from the Business and Professionals Federation of Hong Kong and Mrs Regina IP [LC Paper No. CB(2)376/06-07(03)]</p> <p>Minutes of meeting [LC Paper No. CB(2)813/06-07]</p> |
| 18 December 2006 | CA Panel | <p>CSD's paper on "Possible Models for Selecting the Chief Executive by Universal Suffrage" [LC Paper No. CB(2)2835/05-06]</p> <p>CSD's paper on "Possible models for selecting the Chief Executive and forming the Legislative Council by universal suffrage" [LC Paper No. CB(2)436/06-07]</p> <p>CSD's paper on "Summary of the views expressed at the sixth meeting on 22 September 2006, workshop on 14 September 2006 and 3 October 2006" [LC Paper Nos. CB(2)445/06-07(01), (02) and (03)]</p> <p>Submissions from guest speakers attending the two workshops held by the CSD on 14 September 2006 and 3 October 2006 [LC Paper No. CB(2)630/06-07(02)]</p> <p>Response of the Secretary for Constitutional Affairs to the motion on "Electing the Chief Executive by universal suffrage" at the Council meeting on 22 November 2006 [LC Paper No. CB(2)630/06-07(03)] (Chinese version only)</p> <p>Minutes of meeting [LC Paper No. CB(2)1022/06-07]</p> |
| 26 March 2007 | CA Panel | <p>Administration's paper on "Promoting constitutional development : The Next Step" [LC Paper No. CB(2)1378/06-07(03)]</p> <p>CSD's paper on "Possible models for selecting the Chief Executive and forming the Legislative</p> |

| <u>Date</u> | <u>Context</u> | <u>Paper</u> |
|---------------------|-----------------|--|
| | | <p>Council by universal suffrage" [Appendix I to LC Paper No. CB(2)920/06-07]</p> <p>Minutes of meeting [LC Paper No. CB(2)1871/06-07]</p> |
| 16 April 2007 | CA Panel | <p>CSD's paper on "Models, Roadmap and Timetable for Electing the Chief Executive by Universal Suffrage" [LC Paper No. CB(2)1520/06-07]</p> <p>Administration's paper on "Possible models for selecting the Chief Executive and for forming the Legislative Council by universal suffrage" [LC Paper No. CB(2)1569/06-07(03)]</p> <p>Minutes of meeting [LC Paper No. CB(2)2468/06-07]</p> |
| 21 May 2007 | CA Panel | <p>Administration's paper on "Models, roadmap and timetable for electing the Chief Executive and for forming the Legislative Council by universal suffrage" and the submissions put forth to the workshop organised by the CSD on 10 May 2007 [LC Paper No. CB(2)1858/06-07(01)]</p> <p>Minutes of meeting [LC Paper No. CB(2)678/07-08]</p> |
| 21 June 2007 | CA Panel | <p>CSD's paper on "Summary of discussions on the models, roadmap and timetable for electing the Chief Executive" [LC Paper No. CB(2)2205/06-07]</p> <p>Minutes of meeting [LC Paper No. CB(2)161/07-08]</p> |
| 11 July 2007 | Council meeting | <p>Green Paper on Constitutional Development</p> <p>Statement by the Chief Secretary for Administration on the Green Paper on Constitutional Development</p> |
| 16 and 25 July 2007 | CA Panel | <p>Transcripts of remarks made by the Chief Executive, the Chief Secretary for Administration</p> |

| <u>Date</u> | <u>Context</u> | <u>Paper</u> |
|---------------------------------|-----------------|--|
| | | <p>and the Secretary for Constitutional and Mainland Affairs to the press on the Green Paper on Constitutional Development on 11 July 2007 [LC Paper No. CB(2)2471/06-07(01)]</p> <p>Minutes of meeting [LC Paper No. CB(2)195/07-08] [LC Paper No. CB(2)671/07-08]</p> |
| 7, 10, 12 and 14 September 2007 | CA Panel | <p>Administration's paper on "Green Paper on Constitutional Development" [LC Paper No. CB(2)2664/06-07(01)]</p> <p>Minutes of meetings [LC Paper No. CB(2)284/07-08] [LC Paper No. CB(2)680/07-08] [LC Paper No. CB(2)943/07-08] [LC Paper No. CB(2)1027/07-08]</p> |
| 5 October 2007 | CA Panel | <p>Administration's paper on "Green Paper on Constitutional Development" [LC Paper No. CB(2)2766/06-07(01)]</p> <p>Information provided by the Administration on the opinion polls on universal suffrage conducted by universities and think-tanks [LC Paper Nos. CB(2)2715/06-07(01)-(12)] (Chinese version only)</p> <p>Minutes of meeting [LC Paper No. CB(2)1818/07-08]</p> |
| 12 December 2007 | Council meeting | <p>Report by the Chief Executive of the Hong Kong Special Administrative Region to the Standing Committee of the National People's Congress on the Public Consultation on Constitutional Development and on whether there is a need to amend the methods for selecting the Chief Executive of the Hong Kong Special Administrative Region and for forming the Legislative Council of the Hong Kong Special Administrative Region in 2012</p> <p>Report on Public Consultation on Green Paper on Constitutional Development</p> |

| <u>Date</u> | <u>Context</u> | <u>Paper</u> |
|-------------------------|-----------------|---|
| | | Statement by the Chief Secretary for Administration on two Reports on constitutional development of Hong Kong |
| 17 and 19 December 2007 | CA Panel | <p>Press releases relating to the two Reports on constitutional development of Hong Kong issued on 12 December 2007 [LC Paper No. CB(2)592/07-08(04)]</p> <p>Minutes of meetings [LC Paper No. CB(2)1334/07-08] [LC Paper No. CB(2)2739/07-08]</p> |
| 21 January 2008 | CA Panel | <p>Decision of the Standing Committee of the National People's Congress on issues relating to the methods for selecting the Chief Executive of the Hong Kong Special Administrative Region and for forming the Legislative Council of the Hong Kong Special Administrative Region in the year 2012 and on issues relating to universal suffrage</p> <p>Press releases on the decision by the Standing Committee of the National People's Congress issued on 29 December 2007 [LC Paper No. CB(2)846/07-08(04)]</p> <p>Minutes of meeting [LC Paper No. CB(2)1615/07-08]</p> |
| 17 March 2008 | CA Panel | <p>CSD's paper on "Issues to be Discussed at Future Meetings" and "Method for Electing the Chief Executive in 2012 – Size and Composition of the Election Committee and Nominating Arrangements" [LC Paper No. CB(2)1177/07-08]</p> <p>Minutes of meeting [LC Paper No. CB(2)2248/07-08]</p> |
| 23 April 2008 | Council meeting | Report of the Bills Committee on Legislative Council (Amendment) Bill 2007 [LC Paper No. CB(2)1665/07-08] |

| <u>Date</u> | <u>Context</u> | <u>Paper</u> |
|------------------|-----------------|--|
| 19 May 2008 | CA Panel | <p>CSD's paper on "Method for Forming the Legislative Council in 2012" [LC Paper No. CB(2)1436/07-08]</p> <p>CSD's paper on "Further Discussion on the Method for Forming the Legislative Council in 2012" [LC Paper No. CB(2)1694/07-08]</p> <p>Minutes of meeting [LC Paper No. CB(2)2841/07-08]</p> |
| 16 June 2008 | CA Panel | <p>Administration's paper on "Methods for electing the Chief Executive and for forming the Legislative Council in 2012" [LC Paper No. CB(2)2223/07-08(01)]</p> <p>Minutes of meeting [LC Paper No. CB(2)2806/07-08]</p> |
| 16 February 2009 | CA Panel | <p>Administration's paper on "Working timetable for public consultation and legislative process for the two electoral methods for 2012" [LC Paper No. CB(2)829/08-09(03)]</p> <p>Background brief on "Constitutional Development" prepared by the Legislative Council Secretariat [LC Paper No. CB(2)829/08-09(04)]</p> <p>Minutes of meeting [LC Paper No. CB(2)1806/08-09]</p> |
| 19 October 2009 | CA Panel | <p>Administration's paper on "2009-2010 Policy Agenda" [LC Paper No. CB(2)32/09-10(01)]</p> <p>Speaking note of the Secretary for Constitutional and Mainland Affairs [LC Paper No. CB(2)74/09-10(01)] (Chinese version only)</p> |
| 18 November 2009 | Council meeting | <p>Statement made by the Chief Secretary for Administration on "Consultation Document on Methods for Selecting the Chief Executive and for Forming the Legislative Council in 2012"</p> |

| <u>Date</u> | <u>Context</u> | <u>Paper</u> |
|------------------|-----------------|--|
| 26 November 2009 | CA Panel | <p>Consultation Document on Methods for Selecting the Chief Executive and for Forming the Legislative Council in 2012</p> <p>Updated background brief on "Constitutional Development" prepared by the LegCo Secretariat [LC Paper No. CB(2)349/09-10(01)]</p> |
| 14 April 2010 | Council meeting | Statement made by the Chief Secretary for Administration on the "Package of Proposals for the Methods for Selecting the Chief Executive and for Forming the LegCo in 2012" |
| 11 June 2010 | HC | Report of the Subcommittee on Package of Proposals for the Methods for Selecting the Chief Executive and for Forming the LegCo in 2012 [LC Paper No. CB(2)1753/09-10] |
| 19 July 2010 | CA Panel | <p>Administration's paper on "The methods for selecting the Chief Executive and electing the LegCo in 2012 : Main issues to be considered under local legislation" [LC Paper No. CB(2)2071/09-10(01)]</p> <p>Background brief on "Main issues to be considered under the local legislation of the two electoral methods for 2012" prepared by the LegCo Secretariat [LC Paper No. CB(2)2071/09-10(02)]</p> |
| 30 October 2010 | CA Panel | <p>Administration's paper on "Arrangements regarding the Methods for Selecting the Chief Executive and for Forming the LegCo in 2012" [LC Paper No. CB(2)150/10-11(01)]</p> <p>Background brief on "Local legislation on the methods for selecting the Chief Executive and for forming the LegCo in 2012" prepared by the LegCo Secretariat [LC Paper No. CB(2)150/10-11(02)]</p> |
| 18 February 2011 | HC | Report of the Bills Committee on Chief Executive Election (Amendment) Bill 2010 and Legislative Council (Amendment) Bill 2010 [LC Paper No. CB(2)1034/10-11] |

| <u>Date</u> | <u>Context</u> | <u>Paper</u> |
|-----------------|-----------------|--|
| 4 December 2013 | Council meeting | Statement made by the Chief Secretary for Administration on "Consultation Document on Methods for Selecting the Chief Executive in 2017 and for Forming the LegCo in 2016" |

Council Business Division 2
Legislative Council Secretariat
6 December 2013