

立法會
Legislative Council

Ref : CB2/BC/3/14

LC Paper No. CB(2)2147/14-15
(These minutes have been seen
by the Administration)

Bills Committee on Electoral Legislation
(Miscellaneous Amendments) Bill 2015

Minutes of the third meeting
held on Tuesday, 9 June 2015, at 2:30 pm
in Conference Room 1 of the Legislative Council Complex

Members present : Hon IP Kwok-him, GBS, JP (Chairman)
Hon Emily LAU Wai-hing, JP
Hon WONG Ting-kwong, SBS, JP
Hon Starry LEE Wai-king, JP
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
Hon Paul TSE Wai-chun, JP
Hon Alan LEONG Kah-kit, SC
Hon WONG Yuk-man
Hon Steven HO Chun-yin
Hon MA Fung-kwok, SBS, JP
Hon Charles Peter MOK, JP
Hon CHAN Han-pan, JP
Dr Hon Kenneth CHAN Ka-lok
Hon SIN Chung-kai, SBS, JP
Hon IP Kin-yuen
Dr Hon Elizabeth QUAT, JP
Ir Dr Hon LO Wai-kwok, BBS, MH, JP
Hon CHUNG Kwok-pan

Members absent : Hon LEUNG Yiu-chung
Hon Cyd HO Sau-lan, JP
Hon Tony TSE Wai-chuen, BBS

Public Officers attending : Mr LAU Kong-wah, JP
Under Secretary for Constitutional and Mainland Affairs

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

Miss Helen CHUNG Chi-ching
Principal Assistant Secretary for Constitutional and
Mainland Affairs

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

Miss Candy MA Siu-hung
Principal Electoral Officer
Registration and Electoral Office

Miss Emma WONG
Senior Government Counsel
Department of Justice

Attendance by : Liberal Party Taskforce On Constitutional Development
Invitation

Mr Alan HOO
Convenor

Dynamic Islands

Mr Felix WU Pat-lun
Spokesperson

Hong Kong Apparel Society Ltd

Mr Banny YU
Chairman

The Institution of Engineering and Technology Hong Kong

Mr Raymond LUI
Branch Committee Ordinary Member (Section Committee)

Professional Information Security Association

Mr FAN Kin-man
Chairman

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

Mrs Fanny TSANG
Legislative Assistant (2) 3

Action

I. Meeting with deputations and the Administration

[LC Paper Nos. CB(3)597/14-15, LS59/14-15, CB(2)1490/14-15(01) to (02) and CMAB C1/30/5/4]

The Bills Committee deliberated (index of proceedings attached at **Annex**).

2. The Bills Committee received views from five deputations/individuals attending the meeting, and noted that two written submissions had been received from organizations which did not attend the meeting.

Follow-up actions required of the Administration

Admin 3. The Administration was requested to provide supplementary information/written response to the following issues raised by members -

- (a) to follow up the requests from individual bodies for inclusion in the Information Technology functional constituency ("FC") and the Textiles and Garment FC which had not received substantive replies from the Administration so far, and explain the criteria for handling such requests;
- (b) to follow up the case brought up by Mr MA Fung-kwok and provide written explanation; and
- (c) to provide response to some members' views that the Administration should enhance the composition of FCs in accordance with the principle of gradual and orderly progress, and

review the electorate of FCs so as to enhance their representativeness.

(Post-meeting note: The Administration's written response was issued to members vide LC Paper No. CB(2)1707/14-15(01) on 12 June 2015.)

4. Members agreed that the next meeting would be held on Monday, 15 June 2015, at 4:30 pm.

II. Any other business

5. There being no other business, the meeting ended at 4:30 pm.

Council Business Division 2
Legislative Council Secretariat
29 September 2015

**Proceedings of the third meeting of the
Bills Committee on Electoral Legislation (Miscellaneous Amendments) Bill 2015
on Tuesday, 9 June 2015, at 2:30 pm
in Conference Room 1 of the Legislative Council Complex**

Time Marker	Speaker(s)	Subject(s)	Action required
000535 - 000942	Chairman	Opening remarks Meeting with deputations to receive views on the Electoral Legislation (Miscellaneous Amendments) Bill 2015 ("the Bill").	
000943 - 001313	Liberal Party Taskforce On Constitutional Development	Presentation of views	
001314 - 001629	Dynamic Islands	Presentation of views	
001630 - 001940	Hong Kong Apparel Society Ltd	Presentation of views [LC Paper No. CB(2)1661/14-15(01)]	
001941 - 002214	The Institution of Engineering and Technology Hong Kong	Presentation of views [LC Paper No. CB(2)1710/14-15(01)]	
002215 - 002426	Professional Information Security Association	Presentation of views [LC Paper No. CB(2)1710/14-15(02)]	
002427 - 002937	Chairman Ms Emily LAU Liberal Party Taskforce On Constitutional Development	Ms Emily LAU considered that the "principle of gradual and orderly progress" in Article 68 of the Basic Law ("BL") would be contravened if no measure was introduced to enhance the democratic element of the electoral method of the Legislative Council ("LegCo") election in 2016. She exchanged views with a deputation on the relevant BL provisions and the need for the Administration to promote public discussion of universal suffrage once the proposals on the method for selecting the Chief Executive ("CE") by universal suffrage were voted down by LegCo.	
002938 - 003434	Chairman Mr Charles Peter MOK The Institution of Engineering and Technology Hong Kong ("IETHK") Professional Information Security Association ("PISA")	Regarding the applications made by some Information Technology ("IT") organizations for inclusion in IT functional constituency ("FC"), Mr Charles Peter MOK requested the Administration to follow up and provide a response to those applications as soon as possible.	Admin (paragraph 3 of minutes)

Time Marker	Speaker(s)	Subject(s)	Action required
003435 - 003821	Chairman Mr CHUNG Kwok-pan Administration	<p>Mr CHUNG Kwok-pan enquired about the current status of an application made by an organization of the textiles and garment sector for inclusion in the FC concerned. He also asked about the mechanism for handling such applications and the relevant criteria.</p> <p>The Administration advised that in line with past practice, after completion of the relevant legislative exercise, the Administration would inform the relevant bodies of the outcome of their requests. The Constitutional and Mainland Affairs Bureau had given an interim reply in June 2011 to the organization in question.</p>	Admin (paragraph 3 of minutes)
003822 - 004447	Chairman Mr SIN Chung-kai Liberal Party Taskforce On Constitutional Development Ir Dr LO Wai-kwok IETHK	Discussion on proposals to expand the composition of the Election Committee ("EC") to enhance the democratic element and the role of District Council ("DC") members in CE elections.	
004448 - 005029	Chairman Mr MA Fung-kwok Administration	<p>Mr MA Fung-kwok pointed out that an association in the printing industry ("the Association") was restricted to be registered as an elector of the Insurance FC, despite the repeated requests by the Association for inclusion in the Sports, Performing Arts, Culture and Publication FC because the Association did not consider that it belonged to the insurance sector.</p> <p>The Administration explained that since the Association was an association of underwriters approved by the Insurance Authority under the Insurance Companies Ordinance (Cap. 41) to carry on insurance business, it fulfilled the eligibility to be registered as an elector of the Insurance FC under the Legislative Council Ordinance (Cap. 542) ("LCO"). In accordance with section 25(3)(d) of LCO, the Association could only be registered for the Insurance FC and not for another FC.</p>	Admin (paragraph 3 of minutes)
005030 - 005616	Chairman Mr IP Kin-yuen Administration	Mr IP Kin-yuen reiterated his request for provision of a list of all the eligible ranks of "full-time academic staff engaged in teaching or research and administrative staff of equivalent rank" in each institution under section 20E(a) and (aa) of LCO.	

Time Marker	Speaker(s)	Subject(s)	Action required
005617 - 010213	Chairman Mr Paul TSE	Mr Paul TSE called on the Administration to review the composition and the electorate of FCs so as to enhance their representativeness.	Admin (paragraph 3 of minutes)
010214 - 010737	Chairman Mr Charles Peter MOK Liberal Party Taskforce On Constitutional Development	Mr Charles Peter MOK considered that the Administration should make proposals to improve the composition and electorate base of FCs in 2016, and to make corresponding changes to the relevant EC subsectors.	Admin (paragraph 3 of minutes)
010738 - 011657	Chairman Mr CHUNG Kwok-pan Administration Liberal Party Taskforce On Constitutional Development Mr Paul TSE	Mr CHUNG Kwok-pan requested the Administration to reconsider his suggestion of setting up a platform to discuss improvements to the method for selecting CE. Mr Paul TSE also considered that the composition of EC could be improved to enhance the democratic element of the CE election. A deputation considered that the electorate of the Legal FC, for example, might be expanded to include all legal professionals.	
011658 - 013145	Chairman Ms Emily LAU Hong Kong Apparel Society Ltd IETHK PISA Dynamic Islands Mr Paul TSE Mr MA Fung-kwok Administration	Members noted the justifications put forward by the deputations concerned in connection with their applications. The Chairman requested the Administration to provide supplementary information on its handling of the applications made by the deputations concerned. Mr MA Fung-kwok reiterated that the restriction on the Association to be registered as an elector of the Insurance FC was not reasonable, and called on the Administration to rectify the arrangements. The Chairman considered that the case might warrant special consideration as the Association all along did not consider that it belonged to the insurance sector. The Administration agreed to provide information on the issue.	Admin (paragraph 3 of minutes) Admin (paragraph 3 of minutes)
013146 - 013656	Chairman Mr Charles Peter MOK Administration	Mr Charles Peter MOK expressed dissatisfaction that the views expressed by the deputations from the IT sector would not be taken into account by the Administration in the current exercise. Mr MOK suggested that arrangements be made for the relevant organizations to meet with the Administration to further discuss their requests.	
013657 - 014210	Chairman Mr Paul TSE Administration	Mr Paul TSE considered that the Administration should seek refinements to the FC system (including the delineation of the existing FCs) in the light of the concerns raised by members. The	

Time Marker	Speaker(s)	Subject(s)	Action required
		Administration responded that Mr TSE's views and comments were noted.	
014211 - 014814	Chairman Mr WONG Yuk-man Administration	In response to the concerns raised by Mr WONG Yuk-man, the Administration explained that the proposed technical amendments in relation to the counting procedures for the DC (second) FC election only sought to remove possible procedural ambiguities and better align with the policy objectives to speed up the counting process and to protect secrecy of votes. The proposed procedures were similar to those in respect of main counting stations in a geographical constituency election, which had already been implemented with the passage of the Electoral Legislation (Miscellaneous Amendments) Ordinance 2014 in July 2014.	
014815 - 020053	Chairman Mr Charles Peter MOK Administration	Mr Charles Peter MOK considered that the Administration should make proposals to broaden the electorate base of existing FCs, such as by replacing corporate votes with director's votes in the LegCo election in 2016. In response to the Chairman's enquiry, the Administration explained that only technical amendments would be made in relation to the 2016 LegCo election. Nevertheless, the Administration took note of the views expressed by members and deputations in relation to the composition and the electorate of FCs.	
020054 - 020143	Chairman	Closing remarks Date of next meeting	