

立法會
Legislative Council

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Panel on Constitutional Affairs

**Minutes of policy briefing cum meeting
held on Monday, 19 January 2015, 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 James TO Kun-sun
Hon CHAN Kam-lam, SBS, JP
Hon LEUNG Yiu-chung
Hon Emily LAU Wai-hing, JP
Hon Abraham SHEK Lai-him, GBS, JP
Hon Frederick FUNG Kin-kee, SBS, JP
Hon WONG Kwok-hing, BBS, MH
Prof Hon Joseph LEE Kok-long, SBS, JP, PhD, RN
Hon Jeffrey LAM Kin-fung, GBS, JP
Hon WONG Ting-kwong, SBS, JP
Hon Ronny TONG Ka-wah, SC
Hon Cyd HO Sau-lan, JP
Hon Starry LEE Wai-king, JP
Hon CHAN Kin-por, BBS, JP
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
Hon IP Kwok-him, GBS, JP
Hon Mrs Regina IP LAU Suk-yeet, GBS, JP
Hon Alan LEONG Kah-kit, SC
Hon LEUNG Kwok-hung
Hon WONG Yuk-man
Hon Claudia MO
Hon Michael TIEN Puk-sun, BBS, JP
Hon James TIEN Pei-chun, GBS, JP
Hon NG Leung-sing, SBS, JP
Hon Steven HO Chun-yin
Hon WU Chi-wai, MH

Hon YIU Si-wing
Hon MA Fung-kwok, SBS, JP
Hon Charles Peter MOK, JP
Hon CHAN Chi-chuen
Dr Hon Kenneth CHAN Ka-lok
Hon CHAN Yuen-han, SBS, JP
Hon Alice MAK Mei-kuen, JP
Dr Hon KWOK Ka-ki
Hon Dennis KWOK
Hon Christopher CHEUNG Wah-fung, SBS, JP
Dr Hon Fernando CHEUNG Chiu-hung
Hon SIN Chung-kai, SBS, JP
Dr Hon Helena WONG Pik-wan
Hon IP Kin-yuen
Hon Martin LIAO Cheung-kong, SBS, JP
Dr Hon CHIANG Lai-wan, JP
Hon CHUNG Kwok-pan
Hon Tony TSE Wai-chuen, BBS

**Members
absent** : Dr Hon LAU Wong-fat, GBM, GBS, JP
Dr Hon LAM Tai-fai, SBS, JP
Hon CHEUNG Kwok-che
Hon WONG Kwok-kin, SBS
Hon Gary FAN Kwok-wai

**Public Officers
attending** : Item III

Mrs Carrie LAM CHENG Yuet-ngor
Chief Secretary for Administration

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

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

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

Item IV

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

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

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I. Information papers issued since the last meeting
[LC Paper No. CB(2) 569/14-15(01)]

1. The Panel noted that the "Report on the Recent Community and Political Situation in Hong Kong" [LC Paper No. CB(2)569/14-15(01)] had been issued to members after the last meeting.

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II. Items for discussion at the next meeting

[LC Paper Nos. CB(2)658/14-15(01) and (02)]

2. Members agreed to discuss the following items at the next regular meeting on 16 February 2015 at 2:30 pm -

(a) review on the subsidy rate of the financial assistance for candidates and the election expenses limit for the 2015 District Council ("DC") Election; and

(b) briefing by the Privacy Commissioner for Personal Data.

3. In reply to Ms Emily LAU's enquiry, the Secretary for Constitutional and Mainland Affairs ("SCMA") said that the United Nations ("UN") hearing on the Hong Kong Special Administrative Region ("HKSAR")'s report under the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment ("CAT") was tentatively scheduled for November 2015, but the exact date had yet to be confirmed. He said that in line with the established practice, the Administration would consult the relevant Panel prior to the UN hearing. He further said that while the submission of HKSAR's report was coordinated by his bureau, the subject matters covered in the HKSAR's report under CAT were mainly related to the work of the Security Bureau. Ms LAU said that while the UN hearing was tentatively scheduled for November 2015, the list of issues and questions raised by the relevant UN Committee was expected to be available by early February 2015. She requested the Administration to provide the relevant information. SCMA undertook to revert to the relevant Panel on any progress in due course.

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4. Referring to earlier press reports that the number of geographical constituencies ("GCs") for the 2016 Legislative Council ("LegCo") election might be increased from five to nine, Mr Ronny TONG enquired about the relevant legislative timetable. SCMA advised that for the LegCo election in 2016, the Administration had no plan to change the existing number of GCs. Nevertheless, the number of seats in one or two GCs might need to be adjusted according to population projection. He said that the population forecasts would be available later in 2015. The Panel would be consulted on relevant proposals as early as practicable.

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III. Consultation Document on the Method for Selecting the Chief Executive ("CE") by Universal Suffrage ("the Consultation Document")

[LC Paper No. CB(2)658/14-15(03)]

5. The Chief Secretary for Administration ("CS") appealed to members for their support for implementation of universal suffrage for the CE election in HKSAR in accordance with the law in 2017. She called on members to support the Government's proposal on the specific method for selecting CE by universal suffrage to be submitted to LegCo later, so as to meet the aspiration of the community for electing the next CE through "one person, one vote" in 2017, thereby taking an important step forward in constitutional development of Hong Kong. CS said she strongly believed that universal suffrage would bring fundamental changes to the political ecosystem and culture of governance in Hong Kong. She further said that if the Government's proposal was rejected, the result would be that the method for selecting CE in 2012 would continue to apply in 2017. Nobody could tell when the community could restart the discussion to implement universal suffrage for the CE election and LegCo election. Hong Kong people might only have the chance to achieve universal suffrage of the CE election in 2022 at the earliest, and that forming LegCo by universal suffrage would be deferred for years.

6. As regards concerns that the method for selecting the CE in 2017 in accordance with the Decision of the Standing Committee of the National People's Congress on Issues Relating to the Selection of the Chief Executive of the Hong Kong Special Administrative Region by Universal Suffrage and on the Method for Forming the Legislative Council of the Hong Kong Special Administrative Region in the Year 2016 ("the Decision") would be final, CS said that after the implementation of universal suffrage for the CE election through "one person, one vote" in 2017, the electoral method could be further refined, and would be developed in the light of the actual situation in HKSAR and progress in a gradual and orderly manner. She pointed out that the "Five-step Process" of constitutional development set out in the Interpretation adopted by the Standing Committee of the National People's Congress ("NPCSC") in 2004 still applied. In other words, after universal suffrage for the CE election was implemented in 2017, future refinements or improvements could still be sought in accordance with the constitutional procedures of the "Five-step Process".

Discussion

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The Decision

7. Mr CHAN Chi-chuen asked whether the current-term Government could reactivate the "Five-step Process" to discuss the implementation of universal suffrage for the CE election in 2017 and beyond, if the constitutional reform proposal was vetoed by LegCo. CS advised that according to the Decision, if the specific method for selecting CE by universal suffrage was not adopted in accordance with legal procedures, the method used for selecting CE for the preceding term would continue to apply. Hence, there was no such room for "restart of the public consultation on constitutional development".

8. Mr CHAN Chi-chuen and Mr Martin LIAO further asked if it was true that even if the constitutional reform proposal was vetoed, the Decision would still remain in force. SCMA said that as CS had explained, if the specific method for selecting CE by universal suffrage could not obtain endorsement in accordance with the relevant statutory procedures, the method for selecting CE in 2017 would continue to adopt the method for selecting CE in 2012. If the next-term CE wished to achieve universal suffrage of the CE election in 2022, he/she would still have to go through the "Five-step Process" again, according to which the next-term CE would have to make a report to NPCSC as regards whether there was a need to amend the method for selecting CE as stipulated in Annex I to the Basic Law ("BL"). NPCSC would, in accordance with BL 45, make a determination in the light of the actual situation in HKSAR and in accordance with the principle of gradual and orderly progress as to whether or not the Decision should remain unchanged or be altered in any way.

9. Dr KWOK Ka-ki said that the participants of the "Umbrella Movement" had clearly expressed that they could not accept the restrictive framework imposed by the Decision, which only allowed voters to choose from among two to three candidates favoured by the Central Authorities. He requested CS to explain the basis on which she had said in her Statement "that once universal suffrage is implemented... the electoral system will continue to improve", and whether the Central Authorities had given such an undertaking. Mr Ronny TONG considered that in order to lobby for support for the constitutional reform proposal, the Central Authorities could consider giving undertakings such as abolishing all the functional constituency ("FC") seats in 2020 and democratizing the composition of the Nominating Committee ("NC") as far as possible and adopting a reasonable

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threshold for the CE election in 2022. He asked whether the HKSAR Government would request the Central Authorities to consider giving such undertakings.

10. CS referred to the remarks by Mr LI Fei, the Deputy Secretary-General of NPCSC, in a briefing on the HKSAR's constitutional development on 1 September 2014, that the method for selecting CE would be developed in light of the actual situation in the HKSAR and progress in a gradual and orderly manner. She said that only after the implementation of the universal suffrage for the CE election in 2017 would Hong Kong have a solid foundation to further promote its democratic development and improve the system of universal suffrage. As regards Mr Ronny TONG's suggestion, CS advised that it was still necessary to handle the relevant work by reactivating the procedures for amending the methods for selecting CE and for forming LegCo at an appropriate juncture.

11. Mr WONG Kwok-hing and Dr CHIANG Lai-wan suggested that the Task Force on Constitutional Development ("Task Force") should clearly explain to the community that the constitutional development of Hong Kong would only suffer a stand-still in 2017 if the opportunity of implementation of universal suffrage of the CE election in 2017 was missed. Miss CHAN Yuen-han, Ms Starry LEE and Mr IP Kwok-him asked what further efforts would be made in enhancing communication with Members of the pan-democratic camp in order to narrow the gap in views and strive for the endorsement of the constitutional reform proposal. They asked whether arrangement would be made for Members to meet with Central People's Government ("CPG") officials. Mr CHUNG Kwok-pan suggested that the Administration should establish a multi-lateral platform for political parties, academics, students, HKSAR Government or even CPG representatives to discuss constitutional reform.

12. CS said that in the past year, the HKSAR Government had arranged Members belonging to different political parties/affiliations to meet with Central Authorities as well as CPG officials stationed in Hong Kong. Regarding the suggestion of arranging Members to meet with the Central Authorities again, CS advised that the HKSAR Government would follow up if Members wished to have such a meeting. She said that CE also welcomed discussions on specific issues relating to universal suffrage for the CE election within the framework of BL and the Decision. She added that there was room for discussion of the method for selecting CE provided that the discussion was carried out within the framework of BL and the Decision.

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13. Mr Alan LEONG said that Members belonging to the pan-democratic camp were willing to meet with CE to discuss the way forward as long as there was no such a prerequisite that the Decision had to be accepted. He considered that the Central Authorities did not want to honour its undertaking to implement universal suffrage in HKSAR. The Decision, in his view, was even more restrictive than any proposals that had ever been put forth by different groups/sectors in the community. He asked whether the Administration had assessed the impact on Hong Kong if the constitutional reform proposal was vetoed by LegCo. Ms Emily LAU also expressed concern about the far-reaching implications on the governance of Hong Kong should the constitutional development of Hong Kong suffer a standstill in 2017. She urged the HKSAR Government to make a careful assessment on the possible impact and advise the Central Authorities accordingly. She stressed that the rights to make nomination, to stand for election and to vote had to conform to the principles of universal and equal suffrage, and that voters should be allowed to have genuine choice.

14. CS said that the Central Authorities were determined to implement the basic policies of "one country, two systems", "Hong Kong people administering Hong Kong" and a high degree of autonomy. It had all along been the position of the Central Authorities to act strictly in accordance with BL in taking forward, in a gradual and orderly manner, universal suffrage for the CE election in 2017. CS stressed that if the proposal of selecting the CE by universal suffrage in 2017 was rejected, the community would not only end up with a political system in gridlock, but also saw even more political arguments and division in the society that would impact on governance, causing further disturbance to the society as a whole and adversely affecting the economy and people's livelihood. CS added that although there was only a slim chance for the constitutional reform proposal to get passed, the Task Force would spare no effort during this second round public consultation and would act in the overall interest of the Hong Kong community.

15. Mr Frederick FUNG said that Members belonging to the pan-democratic camp were opposed to the Decision. He said that the requirement that each candidate must have the endorsement of more than half of all the members of NC was clearly a kind of screening and it was totally unreasonable. CS advised that the Decision was legally binding. In formulating the method for selecting CE by universal suffrage, it was most important to uphold the principle of "one country, two systems" and act

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in strict accordance with the provisions of BL and the relevant Interpretation and Decisions of NPCSC, which were solid constitutional principles.

16. Mr LEE Cheuk-yan considered that the Decision had throttled room for implementing "genuine universal suffrage" for the CE election in 2017. He said that proposals formulated in accordance with the framework of the Decision would not allow voters to have genuine choice as NC would allow only persons who were favoured by the Central Authorities to become CE candidates. He did not see any purpose of participating in the second round public consultation as none of the issues raised for discussion in the Consultation Document could help achieve "genuine universal suffrage". He considered that the constitutional reform proposal should be vetoed, and the current-term Government should reactivate the "Five-step Process" as soon as possible.

17. CS reiterated that it was impossible for the current-term Government to reactivate the "Five-step Process" to discuss all over again the method for the 2017 CE election. She explained that as far as constitutional procedures were concerned, the HKSAR Government had already completed the Second Step of the "Five-step Process" for amending the method for selecting the CE. The next step was for the HKSAR Government to introduce into LegCo a proposal and secure for endorsement by a two-thirds majority of all Members. CS said that according to the Decision, if the proposal was rejected, the method for selecting CE in 2012 would continue to apply in 2017. Therefore, there was no room for the current-term Government to restart the "Five-step Process" to discuss all over again the method for the 2017 CE election.

18. CS further said that under the system of universal suffrage, each CE candidate must face all seven million people in Hong Kong to explain his or her election platform and policy vision, and strive for public support. She said that a system that allowed Hong Kong people to elect the CE-elect, through "one person, one vote" was surely more democratic than the existing system that the CE-elect was only elected by the 1 200-member Election Committee ("EC"). She stressed that if the proposal of selecting CE by universal suffrage in 2017 was vetoed, the democratic development in Hong Kong would suffer delay again.

19. Ms Starry LEE said that the democracy systems in different jurisdictions invariably developed through an evolutionary process. She and other members including Mr CHAN Kin-por and Mr NG Leung-sing

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stressed that the strong aspiration of Hong Kong people for implementing universal suffrage for the CE election in 2017 should be met.

Procedures for NC to nominate CE candidates

20. Dr Helena WONG considered that under the restrictive framework of the Decision, it was almost certain that no person who belonged to the pan-democratic camp would be able to become candidates as it would be impossible for them to secure the endorsement of more than half of all the NC members. Mr Michael TIEN said that the New People's Party had earlier made a proposal about the design of a "mechanism of recommendation", whereby opinion polls would be conducted regarding the popularity of the persons seeking nomination, and the findings could be used to influence NC members in the nomination process.

21. SCMA said that the Administration had recommended, in the Consultation Document, adopting a low "recommendation threshold" at the stage of "members recommendation", with a view to allowing more persons with different background to seek nomination. Under the current proposal, 12 persons seeking nomination could be allowed at the stage of "members recommendation" if the threshold was 100. Besides, it was proposed that an appropriate platform (e.g., a secretariat) be provided for those persons seeking nomination to have equal and adequate opportunities to explain their manifestoes and missions to all the members of NC or even the public in order to seek their support. SCMA explained that this would enable NC to see at the initial stage which of those persons seeking nomination had received the greatest support from the public, and it was believed that the NC members would take the public opinions into account in nominating CE candidates. These proposed arrangements were intended to advance the competitive atmosphere and active involvement of the public from the universal suffrage stage to the nomination stage of the election.

22. Ms Cyd HO expressed doubt as to whether public opinions reflected through opinion polls could really influence NC members in nominating candidates. Mr CHAN Kin-por, however, considered that if 12 persons seeking nomination could be allowed as currently proposed, at least one to two persons of the pan-democratic camp could be allowed to seek nomination. He said that, if NC also adopted a secret ballot in nominating CE candidates, and provided that the pan-democrats seeking nomination were able to impress upon NC members with their outstanding election platforms, there would be a high chance for them to become candidates eventually.

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Composition and formation method of NC

23. Dr Fernando CHEUNG queried how NC, which had to be formed in accordance with the number of members, composition and formation method of the EC for the fourth CE, could comply with the requirement of NC being "broadly representative". He and Mr IP Kin-yuen raised the following which in their view were examples of unfair allocation of seats among various subsectors -

- (a) the Education subsector with an electorate size of some 90 000 was to return only 30 EC members (and another 30 EC members returned by the Higher Education subsector), whereas the Agriculture and Fisheries subsector with only 159 "corporate votes" was to return 60 EC members; and
- (b) despite the large difference in the electorate size between the Agriculture and Fisheries subsector and the Labour subsector, each of them had 60 seats in EC.

24. Mr Steven HO considered that it was inappropriate to make the above comparisons between different subsectors. He clarified that the number of members of the agriculture and fisheries industry was far more than 159. He added that as a reference, there were at least 6 500 fishing vessels and 30 livestock farms in the industry.

25. SCMA explained that the rationale behind the requirement for NC to be composed of the four sectors was that NC should be a microcosm of the society. He said that the Administration recognized that for historical reasons, certain subsectors were allocated relatively more seats than others. He considered that if changes were sought, this should better be made in the light of the actual situation after implementation of universal suffrage for the CE election. He added that if universal suffrage for the CE election could not be implemented, proposals involving certain adjustments might only be regarded as piecemeal and would be difficult to obtain the endorsement of LegCo.

26. Mr Michael TIEN suggested that consideration should be given to expanding the electorate base, such as by replacing "corporate votes" with "directors' votes" in the Finance subsector; adding practitioners of the elderly care service to the constituents of the Social Welfare subsector; and

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adding members of the hair and beauty industry to the constituents of the Wholesale and Retail subsector. Mr SIN Chung-kai also asked whether consideration would be given to replacing corporate voting by individual voting. SCMA said that for certain subsectors where there was co-existence of corporate and individual voting, replacing "corporate votes" with "directors' votes" might not be in line with principles of democratic development, as this would mean increasing the value of each "corporate vote". He advised that replacing corporate voting by individual voting across the board might not suit the circumstances of individual subsectors. It was preferable to take forward such changes only if individual subsectors deemed them practicable.

27. Dr Priscilla LEUNG considered that the Task Force should take the initiative to explain to the public the merits in forming NC by following the same framework of the four sectors of EC, which included enabling balanced participation and facilitating the development of the capitalist economy of HKSAR.

FCs

28. Mr James TIEN sought clarification on whether all FC seats were bound to be abolished in 2020 or just could be abolished in 2020, if universal suffrage for the CE election was implemented in 2017. CS advised that according to the 2007 NPCSC Decision, after CE was selected by universal suffrage, the election of LegCo could be implemented by the method of electing all the Members by universal suffrage. The selection of CE by universal suffrage was accordingly a pre-condition for the election of all LegCo Members by universal suffrage. Mr James TIEN further asked whether implementation of universal suffrage for electing all LegCo Members meant the abolition of all FC seats. CS advised that the specific method of electing all Members by universal suffrage would be formulated in accordance with the constitutional procedures of the "Five-step Process". Besides, it would be for the CE who was elected by universal suffrage to deal with the universal suffrage model for LegCo.

Other issues

29. Mr WU Chi-wai suggested that CE should invoke BL 50 to dissolve LegCo in the event that the resolution to amend Annex I to BL regarding the method for selecting CE was vetoed by LegCo, so as to trigger a quasi-referendum. SCMA said that according to government legal advice,

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the meaning of "important bill" in BL 50 did not apply in this context. Mr Charles Peter MOK asked whether the Government would conduct a referendum with high credibility to gauge public views on the constitutional reform proposal to be submitted to LegCo. CS responded that there was no legal basis for the conduct of referendum by HKSAR Government. However, consideration might be given to commissioning an independent organization to conduct opinion polls. Mr MOK considered that there was no need for any legal basis for the Government to conduct a referendum if it was willing to do so. He said that the results were to be used for reference by Members/Government only.

30. Dr Priscilla LEUNG said that she had grave reservations about the suggestions of "casting blank votes" and having "provisional CE" as currently put forth for discussion in the community. She considered that these suggestions did not conform to the constitutional framework and that the Administration should make clear its position on the matters as early as possible.

IV. Briefing on the Chief Executive's 2015 Policy Address
[LC Paper No. CB(2)658/14-15(04)]

Issues raised by members

Constitutional development

31. Mr Frederick FUNG expressed concern with the Administration's latest position that it would not take forward proposals that had been reported by the media, such as increasing the number of GCs for the 2016 LegCo election, switching the DC (first) FC seat to become a DC (second) FC seat and expanding the electorate base of NC. SCMA clarified that the Administration had not formally put forth any of these proposals but had only explored various suggestions received from stakeholders. He explained that adjusting the existing number of GCs would entail amendments to the Legislative Council Ordinance (Cap. 542) as well as public consultation to be carried out by the Electoral Affairs Commission on the demarcation of GCs. He advised that there was not sufficient time for such work for the 2016 LegCo election. Nevertheless, the number of seats in one or two GCs might need to be adjusted according to population projection. He said that the population forecasts would be available later in 2015. The Panel would be consulted on relevant proposals as early as practicable.

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32. Mr Paul TSE said that following the 79-day Occupy Movement, many Hong Kong people had expected that CE would have set out in his Policy Address appropriate follow-up measures, such as undertaking a comprehensive review to prevent recurrence of similar incidents, implementing measures to improve people's livelihood, providing more channels to gauge public views and setting up a multilateral platform for exchange of views on policy issues. SCMA agreed to give thought to Mr TSE's suggestions which concerned the policy portfolio of the Constitutional and Mainland Affairs Bureau, and would relay Mr TSE's other suggestions to the relevant bureau(x) for consideration.

Anti-discrimination on grounds of sexual orientation and gender identity

33. Mr CHAN Chi-chuen criticized that no new initiatives were proposed for the elimination of discrimination on grounds of sexual orientation or gender identity. He asked whether the Administration would consider prohibiting such discrimination by legislation. SCMA said that under the auspices of the Advisory Group on Eliminating Discrimination Against Sexual Minorities ("Advisory Group"), a consultant was conducting a focused study on discrimination experienced by sexual minorities. The study report was expected to be completed by the first quarter of 2015. Taking into account the findings of the study, the Advisory Group would formulate recommendations to the Administration on strategies and measures to eliminate such discrimination. When the Advisory Group's recommendations were available, the Administration would consider how the recommendations should be followed up. SCMA added that the Equal Opportunities Commission ("EOC") was undertaking the Discrimination Law Review of all the existing discrimination laws in Hong Kong. The Administration would consider how to follow up on the EOC's recommendations when available.

34. Ms Cyd HO considered that public consultation on enacting legislation to safeguard equal opportunities for sexual minorities should not be further delayed. She said that some people in the religious sector had recently expressed that they had no objection to the concept of "civil union for same-sex partners" as long as same-sex marriage would not be legalized. She urged that relevant work should be expedited and requested the Administration to provide the legislative timetable. The Under Secretary for Constitutional and Mainland Affairs advised that the Advisory Group had met sexual minority groups, religious groups as well as other concern groups

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to listen to their views and concerns on the subject. He said that when the Advisory Group's recommendations were available, the Administration would, in close liaison with different stakeholders, consider how the recommendations should be followed up.

Promotion of BL

35. Mr LEUNG Kwok-hung and Mr LEE Cheuk-yan considered that CE's remarks on the "Undergrad" not only infringed on the freedom of speech and academic freedom but also intimidated Hong Kong people from expressing their views. Mr LEE asked about the measures to be taken by the Administration to promote the relevant provisions of BL which safeguarded human rights and various kinds of freedom of Hong Kong people.

36. SCMA said that the 4th April 2015 would mark the 25th anniversary of the promulgation of BL. The HKSAR Government would make use of this important milestone to promote more in-depth understanding of the "one country, two systems" principle and BL in the community in 2015. The Permanent Secretary for Constitutional and Mainland Affairs supplemented that the Basic Law Promotion Steering Committee ("BLPSC") was responsible for providing necessary steer on the overall programme and strategies for promoting BL. Comprehensive BL promotional activities were organized by the five working groups established under BLPSC. The Administration had also made use of various channels such as the electronic media and new media platforms to promote BL and in-depth understanding of the "one country, two systems" principle. She added that thematic seminars were also organized from time to time in collaboration with relevant organizations to engage their respective sectors for in-depth discussion.

Issues relating to DCs

37. Mr IP Kwok-him enquired about the future plans on delegating more powers to the District Management Committees ("DMCs") of 18 DCs in district administration. Referring to the new initiative of providing an additional annual funding of \$20.8 million for community involvement programmes to further strengthen the support for DCs in promoting arts and cultural activities in the districts, Mr IP asked whether DCs would be given more powers so as to enhance their role and functions. SCMA advised that the pilot scheme implemented in Sham Shui Po and Yuen Long in 2014 had provided DMCs with decision-making power to tackle specific district issues.

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In light of the positive feedback on the pilot scheme, the Home Affairs Bureau ("HAB") would actively consider implementing the scheme in all 18 districts starting from the next DC term (2016-2019). He suggested that Mr IP might raise his concerns to HAB at the relevant Panel meeting.

V. Any other business

38. There being no other business, the meeting ended at 5:38 pm.

Council Business Division 2
Legislative Council Secretariat
6 March 2015