

立法會

Legislative Council

LC Paper No. LS4/17-18

Paper for the House Committee Meeting on 20 October 2017

Legal Service Division Report on Proposed Resolution under section 8 of the District Councils Ordinance (Cap. 547)

The Secretary for Constitutional and Mainland Affairs has given notice to move a motion at the meeting of the Legislative Council ("LegCo") of 1 November 2017 to seek LegCo's approval of the District Councils Ordinance (Amendment of Schedule 3) Order 2017 ("the Order") made by the Chief Executive in Council under section 8 of the District Councils Ordinance (Cap. 547) on 10 October 2017.

2. Part 1 of Schedule 3 to Cap. 547 sets out the number of members to be elected to each District Council ("DC"). At present, the total number of elected members of DCs is 431. The Order seeks to increase a total number of 21 elected members for ten DCs as prescribed in Part 1 of Schedule 3 to Cap. 547 as follows:

DC	Current number of elected members	Proposed number of elected members	Proposed number of additional elected members
Kowloon City	24	25	1
Kwun Tong	37	40	3
Sham Shui Po	23	25	2
Yau Tsim Mong	19	20	1
Kwai Tsing	29	31	2
Sai Kung	27	29	2
Sha Tin	38	41	3
Tsuen Wan	18	19	1
Tuen Mun	29	31	2
Yuen Long	35	39	4
		Total	21

3. If the Order is approved by LegCo, it would come into operation on the day on which the resolution of LegCo approving it is published in the Gazette for all purposes relating to the DC ordinary election to be held in 2019. The 21 newly added elected seats would take effect on 1 January 2020 (i.e. the commencement of the sixth-term DCs).

4. According to the LegCo Brief (File Ref: CMAB C2/23) issued by the Constitutional and Mainland Affairs Bureau on 11 October 2017, the proposed increase reflects the result of the review of the number of elected seats of DCs. Such review has taken into consideration a number of factors, such as the forecast of the population of Hong Kong by mid-2019. As to the public consultation that has been conducted on the proposal, the Administration met with the Chairmen and Vice Chairmen of the 18 DCs on 10 July 2017 to listen to their views, and obtained their general support of the principles adopted in the review and the resultant increase in the number of elected seats. Members may refer to the LegCo Brief for further information relating to the Order, including the factors that have been taken into consideration in the review and the views received by the Administration in the consultation.

5. As advised by the Clerk to the Panel on Constitutional Affairs, at its meeting on 17 July 2017, the Panel was consulted on the review of the number of elected seats for the sixth-term DCs. While members in general had no strong views on the proposed number of elected seats for the sixth-term DCs, some members requested the Administration to consider whether an additional elected seat could be allocated to each of Islands and North DCs to cope with the rapid growth in population in Tung Chung North and the North District. The Administration agreed to consider the request.

6. No difficulties have been identified in relation to the legal and drafting aspects of the Order.

Prepared by

KAN Wan-yee, Wendy
Assistant Legal Adviser
Legislative Council Secretariat
18 October 2017