

立法會
Legislative Council

Ref : CB4/BC/5/20

LC Paper No. CB(4)1397/20-21
(These minutes have been seen
by the Administration)

**Bills Committee on Improving Electoral System
(Consolidated Amendments) Bill 2021**

**Minutes of the first meeting
held on Saturday, 17 April 2021, at 9:00 am
in Conference Room 1 of the Legislative Council Complex**

- Members present** : Hon Martin LIAO Cheung-kong, GBS, JP (Chairman)
Hon CHEUNG Kwok-kwan, JP (Deputy Chairman)
Hon Tommy CHEUNG Yu-yan, GBS, JP
Hon CHAN Hak-kan, BBS, JP
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
Hon WONG Kwok-kin, SBS, JP
Hon Mrs Regina IP LAU Suk-ye, GBS, JP
Hon Paul TSE Wai-chun, JP
Hon Frankie YICK Chi-ming, SBS, JP
Hon MA Fung-kwok, GBS, JP
Hon Alice MAK Mei-kuen, BBS, JP
Ir Dr Hon LO Wai-kwok, SBS, MH, JP
Hon Wilson OR Chong-shing, MH
Dr Hon CHENG Chung-tai
- Public Officers attending** : Mr Erick TSANG Kwok-wai, IDSM, JP
Secretary for Constitutional and Mainland Affairs
- Mr Roy TANG Yun-kwong, JP
Permanent Secretary for Constitutional and Mainland Affairs
- Ms Cherie YEUNG Lok-sze
Principal Assistant Secretary (Constitutional and Mainland
Affairs) 2
- Ms Carmen KONG Ka-man
Principal Assistant Secretary (Constitutional and Mainland
Affairs) 3

Mr Llewellyn MUI Kei-fat
Law Officer (Special Duties) (Acting)
Department of Justice

Mr Lawrence PENG Si-yun
Deputy Law Draftsman III
Department of Justice

Mr Peter SZE Chun-fai
Senior Assistant Law Draftsman
Department of Justice

Mr Wallance NG Long-ting
Government Counsel
Department of Justice

Miss Celia HO Wai-kwan
Government Counsel
Department of Justice

Clerk in attendance : Ms Joanne MAK
Chief Council Secretary (4) 7

Staff in attendance : Mr Bonny LOO
Senior Assistant Legal Adviser 3

Ms Clara WONG
Assistant Legal Adviser 4

Mr Raymond SEZTO
Senior Council Secretary (4) 6

Mr Dennis HO
Senior Council Secretary (4) 7

Ms Louisa YU
Legislative Assistant (4) 7

Action

I. Meeting with the Administration

[File Ref.: CMAB C1/30/5/5, LC Paper Nos. CB(4)444/20-21, LS65/20-21, CB(4)814/20-21(01) and (02)]

The Bills Committee deliberated (index of proceedings attached at **Annex I**). The Bills Committee commenced clause-by-clause examination of the Bill in the second half of this meeting. The opening speech delivered by the Chairman is at **Annex II**.

Declaration of interest

2. Mr Wilson OR declared that he was a member of the Federation of Hong Kong Chiu Chow Community Organizations.

Discussion

The reconstituted Election Committee ("EC") and Legislative Council ("LegCo")

3. Mrs Regina IP considered that the reconstituted EC was able to ensure broad representation in the political structure, an example being the education subsector now comprising a variety of sponsoring bodies operating schools as its voters.

4. In response to Mrs Regina IP, Secretary for Constitutional and Mainland Affairs ("SCMA") confirmed that the reconstituted EC, now comprising 1 500 seats, might end up with less than 1 500 members due to the fact that some members might be holders of more than one specified office eligible to be registered as ex-officio members.

5. Ir Dr LO Wai-kyok requested the Administration to clarify whether or not the subsidiaries of specified entities were eligible to register as voters. Citing the example of the Hong Kong Institution of Engineers ("HKIEs"), he asked whether its divisions were also eligible to vote. Permanent Secretary for Constitutional and Mainland Affairs ("PSCMA") said that, unless expressly provided in the law, a subsidiary of a specified entity was not entitled to vote. In the example cited by Ir Dr LO, PSCMA said that as only HKIEs was the specified entity for the Engineering Subsector, its divisions were not entitled to vote. Ir Dr LO further enquired whether an individual representing more than one eligible corporate voter could cast multiple votes. PSCMA advised that if an individual was appointed as an authorized representative by a corporate voter of a subsector, he/she could only vote on behalf of that corporate voter. An individual could only be the authorized representative of one corporate voter.

Action

6. Mr MA Fung-kwok said that the goals of improving the electoral system set out by Mr WANG Chen, the Deputy Chairman of the Standing Committee of the National People's Congress ("NPC"), were upholding the principle of "patriots administering Hong Kong", expanding the balanced and orderly political participation and achieving broader representation in line with Hong Kong's actual circumstances. He opined that the reconstituted Sports, Performing arts, Culture and Publications Subsector ("SPCP Subsector") seemed unable to achieve such goals. He pointed out that not only had the electorate size been largely reduced from some 4 000 voters to about 280 voters, some well-established and renowned organizations of the sectors concerned, such as the Hong Kong Institute for the Promotion of Chinese Culture and various district sports associations, were also now excluded. He pointed out that the distribution of seats amongst the four sub-subsectors concerned was also uneven. He requested the Administration to explain the relevant criteria and considerations.

7. Noting that the specified entities of the Associations of Chinese Fellow Townsmen Subsector were, among others, the associations of Chinese fellow townsmen that were recognized by those bodies and at county level or above, Mr Wilson OR expressed concerns about how the associations of Chinese fellow townsmen that were below county level would be represented in the reconstituted EC, and why the Federation of Hong Kong Chiu Chow Community Organizations was not amongst the specified bodies. He pointed out that there were 1.3 million Chiu Chow citizens in Hong Kong, who also loved the Country and loved Hong Kong. Members enquired whether it was still possible for the Administration to amend the specified entities of EC subsectors ("ECSS")/ functional constituencies ("FCs") at the present stage.

8. Mrs Regina IP remarked that the registration eligibility of many ECSSs had been tightened, and that the number of voters had been much reduced. She said that many senior industry members, such as the tourism industry, had been excluded from the electorate. She hoped that the Administration would agree to review in the future.

9. SCMA acknowledged that the reconstitution of EC and LegCo had brought about substantial changes to the electorate base and composition of some ECSSs/FCs. He explained that the goal of the reconstitution was to ensure political participation in a balanced and orderly manner and to achieve broader representation in line with Hong Kong's actual circumstances for the overall benefits of Hong Kong. In the delineation of eligible entities and corporate voters/electors for ECSSs/FCs, consideration was given to their representativeness, their substantial connection with the relevant subsector, and whether they would uphold the principle of "patriots administering Hong Kong". While the Administration understood that the new composition and electorate base of some ECSSs/FCs might not satisfy all members

Action

and relevant stakeholders, SCMA appealed for members' understanding that improvements to the electoral system were for guaranteeing the sound and sustained implementation of "One Country, Two Systems" and enhancing the governance capability of HKSAR, so as to safeguard the long-term stability and prosperity of Hong Kong.

10. In response to members' further enquiries, SCMA advised that the specified entities for different ECSSs provided in the Annexes of the Schedule to the Chief Executive Election Ordinance (Cap. 569) ("CEEEO") were not subject to challenges by individuals or bodies (such as raising objections in the electoral procedures), though legislative amendments could be proposed to revise the lists of the specified entities upon consideration of suggestions of members and relevant stakeholders. He added that the current proposals were the best available options.

11. Mr MA Fung-kwok expressed concerns that with the adoption of mixed election for the 15 elected seats in the SPCP Subsector and the removal of the four sub-subsectors, the performing arts industry might end up with no representative in EC. PSCMA advised that mixed election was adopted across different ECSSs, and that it was reasonable to apply it to the SPCP Subsector as well.

12. Ms Alice MAK enquired what would happen if the specified person eligible to be registered as an ex-officio member was a Principal Official ("PO"), such as the Chairman of the Lantau Development Advisory Committee, which was a specified office under the Architectural, Surveying, Planning and Landscape Subsector. PSCMA advised that if the specified person was a PO, directorate officer, administrative officer, information officer, police officer or any other civil servant who was holding a specified office in his or her official capacity, the specified person was ineligible to be registered as an ex-officio member. In general, the specified person of a relevant body would have to designate another person who was holding an office in that relevant body to be registered as the ex-officio member of the subsector concerned. PSCMA added that, although not specified in the law, in the case of POs, the PO should, as a general principle, designate another person in consultation with the relevant body rather than making the decision on his / her own.

13. In response to members' enquiry about the three-year operational requirement for becoming eligible corporate voters/electors in an ECSS/FC, PSCMA advised that while the authorized representatives of bodies, who might be members of the board of directors of a company, could change on an annual basis, this would not affect the eligibility of the body itself provided that it had been operating for not less than three years after acquiring relevant qualifications for the subsector concerned.

14. In response to Mr Frankie YICK's enquiry, PSCMA clarified that the eligible corporate voters of the Real Estate and Construction Subsector were those entitled

Action

to vote at the general committee or the executive committee of the relevant bodies (i.e. umbrella organizations), as opposed to the corresponding FC where eligible corporate electors were those entitled to vote at the general meeting of the relevant bodies.

15. Mr Frankie YICK expressed concerns that some umbrella organizations had more corporate members with voting rights in its committee (i.e. eligible to be registered as voters) than others. He asked whether this would lead to an uneven distribution of voting rights in the relevant ECSS. PSCMA said that in general, corporate members entitled to vote in the general committees or executive committees of the umbrella organizations would be eligible to be registered as a voter in the relevant ECSS. While the Administration had no plans to restrict the number of corporate members with such voting rights in an umbrella organisation, these umbrella organizations would have a fixed number of such corporate members by the time of the passage of the Bill, and any changes to the number as provided in their constitutions would require the approval of the Constitutional and Mainland Affairs Bureau.

Admin

16. The Deputy Chairman expressed concerns that the nomenclature of the five reconstituted geographical constituencies ("GCs") in the New Territories ("NT") was difficult to remember. He proposed revising them as "NT East", "NT South", "NT West", "NT North" and "Central NT". SCMA agreed to consider the suggestion.

17. Mr Tommy CHEUNG noted that in nominating persons selected by each relevant designated body to become its representatives in EC, the nominee should be a GC elector and had a substantial connection with the relevant subsector. He enquired about the definition of "substantial connection" in this regard. PSCMA advised that the meaning of "substantial connection with a body" was set out in section 3(2) of the Legislative Council Ordinance (Cap. 542) ("LCO"), which included, but was not limited to, being a member, partner, officer or employee of the body. A mechanism was also in place for challenging the eligibility of EC members returned by nomination.

Multiple voting rights

18. Noting from paragraph 46 of the relevant LegCo Brief that an EC member might cast up to three votes based on their different capacities, Dr Priscilla LEUNG requested the Administration to explain further the issue of multiple voting rights. PSCMA advised that every elector had one vote in GC, and an eligible elector had another vote in the relevant FC. For the 1 500 EC members, if they were eligible to vote in both the EC constituency ("ECC") and an FC, that elector could vote in both the ECC and the FC in a LegCo election. In other words, an EC member could

cast up to three votes based on their different capacities. On rare occasions, if the EC member was also an authorized representative of an FC corporate elector, he/she could cast a fourth vote, but that vote was cast on behalf of the FC corporate elector concerned.

The Candidate Eligibility Review Committee ("CERC")

19. Dr CHENG Chung-tai questioned why it was not expressly stipulated in the Bill that the chairperson and members of CERC could not run for the Chief Executive ("CE") election and LegCo elections. He further expressed concerns that while CE had earlier stated that she would withdraw from the relevant discussions of the Committee for Safeguarding National Security of the Hong Kong Special Administrative Region ("the Committee on National Security") if she was seeking to be re-elected, such an arrangement was not expressly provided for in the Bill. SCMA said that as CE had stated the above in public, the said arrangements would be made if the situation arose. Hence, there should not be concern about any conflict of interests with CE being the Chairman of the Committee on National Security.

20. Dr CHENG Chung-tai said that as CE had mentioned that members of society outside the Government would be appointed as CERC members, he expressed concerns about the security measures in place as CERC members would have access to classified information such as information relating to national security. SCMA said that to qualify for appointment to CERC, these members of society would be reputed persons in society, had served the society for a long time and had a good knowledge of the operation of the HKSAR Government. They must also be patriots as they would have to judge whether the candidate complied with the legal requirements and conditions for upholding the Basic Law and bearing allegiance to HKSAR of the People's Republic of China. He added that appropriate administrative arrangements would be put in place to ensure that all CERC members had to observe confidentiality requirements.

21. Noting that the proposed offence of interfering with CERC would entail a maximum penalty of a fine not exceeding level 5 (i.e. \$50,000), Mr CHAN Hak-kan considered that the penalty level was not commensurate with the heavy political pressure borne by CERC members and would not achieve sufficient deterrent effect. He suggested that the Administration should consider enhancing the penalty and introducing imprisonment penalty as well.

22. PSCMA explained that the proposed penalty level was on par with that for the offence of interfering with Returning Officers as stipulated in LCO and CEEO. That said, SCMA said that the Administration would consider the suggestion.

Action

Amending the election date for the 2021 LegCo General Election ("LCGE") stipulated in the Emergency (Date of General Election) (Seventh Term of the Legislative Council) Regulation (Cap. 241L)

23. Mr Paul TSE expressed concerns about the announcement of the date of the 2021 LCGE by way of amendments to the Emergency (Date of General Election) (Seventh Legislative Council) Regulation (Cap. 241L) ("the Regulation"). He called on the Administration to resort to the existing mechanism under the LCO to announce the date of the 2021 LCGE.

24. Law Officer (Special Duties) (Acting) advised that as the current date of the 2021 LCGE was prescribed by the Regulation, the Administration had no choice but to amend the Regulation to revise the date of the 2021 LCGE accordingly. This would be a one-off arrangement and election dates of subsequent LCGEs would be set normally pursuant to LCO.

25. The Chairman noted that the 2021 LCGE was scheduled to be held on 19 December 2021. If the seventh term of LegCo were to begin on 1 January 2022, it would leave only nine working days for elected Members to prepare for the new LegCo term. SCMA advised that the timeframe for enacting the legislative amendments to implement the amended Annex I and Annex II to the Basic Law, and then holding the 2021 ECSS Ordinary Election ("ECSSOE") and the 2021 LCGE in tandem, was very tight. He explained that 19 December 2021 was the earliest possible date for holding the 2021 LCGE. For subsequent terms of LegCo, the Administration would consider holding the corresponding LCGEs on a date further ahead of the start date of the LegCo term.

26. Noting that the seventh term of LegCo would start in January 2022, Mr MA Fung-kwok enquired about its end date, as well as the arrangements of the remainder of the current LegCo term.

27. PSCMA and Principal Assistant Secretary (Constitutional and Mainland Affairs) 2 advised that in accordance with Article 69 of the Basic Law, the term of office of LegCo shall be four years. As such, the start date of subsequent terms would be changed according to the start date of the seventh term of LegCo. The arrangement of LegCo business for the remainder of the current term, which was extended in accordance with NPC's decision, would be considered and determined by LegCo.

Arrangements for upcoming elections

28. Members expressed concerns about the lingering COVID-19 pandemic affecting the upcoming elections, in particular for Hong Kong residents residing in

Action

the Mainland who might be barred from coming back to Hong Kong to cast their votes. They enquired whether measures were in place to assist those voters/electors. SCMA said that the Administration would work with the Electoral Affairs Commission to formulate the most appropriate voting arrangements and different contingency plans in face of possible disruptions caused by the pandemic, including exploring the setting up of voting booths at boundary control points to facilitate voting by Hong Kong residents residing in the Mainland.

29. Dr Priscilla LEUNG noted that the election expenses limit ("EEL") for each GC in the 2021 LCGE had been raised substantially vis-à-vis the 2016 LCGE, while the size of GCs had been reduced. She enquired about the calculation mechanism.

30. PSCMA said that the calculation of the EEL for a GC was based on the EEL of each District Council ("DC") Constituency Area ("DCCA") from the DC Ordinary Election in 2019 and the number of DCCAs covered by the GC concerned, with a slight upward adjustment taking into account the inflation level in 2020.

31. Mr Wilson OR called on the Administration to prescribe in the legislative amendment to allow the use of the priority queues at polling booths by persons aged below 70 who had physical difficulties to wait in queues. PSCMA said that the proposed amendments to the Electoral Affairs Commission (Electoral Procedure) (Legislative Council) Regulation (Cap. 541D), the Electoral Affairs Commission (Electoral Procedure) (District Councils) Regulation (Cap. 541F), and the Electoral Affairs Commission (Electoral Procedure) (Election Committee) Regulation (Cap. 541I) would empower Presiding Officers ("PRO") to set up a special queue (i.e. the priority queue) for "electors in need, namely electors whose age is 70 or above, pregnant women, and persons who are likely to suffer from severe physical pain or suffering when queuing to vote due to illness, injury or disability". Also, a person could demonstrate to a PRO his/her physical need to use the priority queue.

Arrangement of voter registration ("VR")

32. Members expressed concerns about VR arrangement for the upcoming elections for individual electors or corporate electors/voters of ECSSs/FCs, in particular those affected by the reconstitution of EC and LegCo. They called on the Administration to explain clearly the VR arrangements to electors/voters concerned.

33. PSCMA advised that normally, all eligible individuals and bodies had to register as an elector/voter by 2 May 2021 to be included in the registers of electors/voters published subsequently and to participate in the upcoming elections. As a special arrangement in 2021, the Administration would allow individuals and bodies who were eligible to register in the ECSSs and FCs which were newly created

Action

or whose registration eligibilities had been revised, as well as the electors/voters who were no longer eligible to register in their original ECSSs/FCs, but were nonetheless eligible to register in other ECSSs/FCs, to submit VR applications after 2 May 2021. As the reconstitution of EC entailed major changes to its composition, individuals and bodies who met the registration eligibilities for ECSS (whether they were existing voters or not) should submit VR applications after the Bill took effect and not later than the special VR deadline of 5 July 2021. On the other hand, existing GC electors would not need to re-register despite the reconstitution of GCs.

34. With regard to the proposed adoption of the electronic polling and voter/elector registers for the upcoming elections, members expressed concerns about the security measures to protect the electronic registers from theft or unauthorized access. Members also took the view that the Administration should adopt the new arrangements at the 2021 ECSSOE to ensure that electronic polling would operate properly.

35. SCMA advised that the Administration would hire consultants to conduct audits on security and data privacy for the systems developed for electronic polling. PSCMA supplemented that the electronic registers would be stored centrally on the Government Cloud Infrastructure Services, which meant that the data would be secure even if the hardware terminals were stolen or lost.

36. Principal Assistant Secretary (Constitutional and Mainland Affairs) 3 explained that electronic equipment would be set up at the ballot paper issuing desks of polling stations to facilitate the process of ascertaining an elector's eligibility against the electronic register, which could aid in the smooth provision of the appropriate set of ballot paper(s) to the elector. Also, the use of registers of electors in printed form would be replaced by the use of an electronic copy accessible by equipment at the ballot paper issuing desks, which would facilitate a much more accurate recording process of the electors/voters who have obtained their ballot paper(s) on the registers of electors, minimizing human errors in the relevant electoral process.

Term of office of EC

37. Members noted that according to the proposed amended section 9 of the CEEO, while the term of office of EC constituted on 22 October 2021 would end on 21 October 2026, the next EC shall be constituted on 1 February in the year in which the term of office of CE is to expire (i.e. 2027). Members expressed concerns that there would be a "vacuum period" between 21 October 2026 and 1 February 2027. Mr Paul TSE considered it problematic with such a long vacuum period for EC as LegCo might have by-elections during the vacuum period, but that EC would then

Action

be unable to perform its statutory functions. Mr Tommy CHEUNG shared the concerns and considered that the Administration should follow up the matter.

Admin

38. PSCMA advised that the HKSAR Government had received clear instructions from the central authorities that the legislative amendments could only specify the date of the current EC. As to the future arrangements for EC, it was noted that the central authorities would have another decision, but that would not be made in the near future. Noting the Administration's explanation, Mr Paul TSE suggested that section 9(2) of CEEO could be repealed to allow flexibility for any new arrangements to be made with EC in future. SCMA agreed to consider the suggestion.

39. Members noted that the next meeting would be held on Monday, 19 April 2021, at 8:30 am.

(At 10:31 am, the Deputy Chairman took the chair in the absence of the Chairman. The Chairman resumed the chair at 10:44 am.)

II. Any other business

40. There being no other business, the meeting ended at 12:58 pm.

Council Business Division 4
Legislative Council Secretariat
20 August 2021

**Proceedings of the first meeting of the
Bills Committee on Improving Electoral System
(Consolidated Amendments) Bill 2021
on Saturday, 17 April 2021, at 9:00 am
in Conference Room 1 of the Legislative Council Complex**

Time Marker	Speaker(s)	Subject(s)	Action required
000409 - 001009	Chairman	Opening speech of the Chairman (Chinese version only) (see Annex II)	
001010 - 001720	Chairman Mrs Regina IP Ms Alice MAK Administration	<u>Discussion on the policy aspects of the Improving Electoral System (Consolidated Amendments) Bill 2021 ("the Bill")</u> - Discussion on issues relating to ex-officio members of the Election Committee ("EC") and implementation of the electronic poll register system	
001721 - 002241	Chairman Ir Dr LO Wai-ki Administration	- Discussion on the eligibility of corporate voters for EC subsectors and appointment of authorized representatives by specified entities	
002242 - 002820	Chairman Dr CHENG Chung-tai Administration	- Concerns on whether the chairperson and members of the Candidate Eligibility Review Committee ("CERC") could run for the Chief Executive and the Legislative Council ("LegCo") elections	
002821 - 003620	Chairman Mr MA Fung-ki Administration	- Concerns on the changes made to the composition of the Sports, Performing Arts, Culture and Publication ("SPCP") Subsector	
003621 - 004057	Chairman Mr Tommy CHEUNG Administration	- Enquiry about the eligibility criteria for becoming corporate voters/electors for certain EC subsectors/LegCo functional constituencies ("FCs")	
004058 - 004549	Chairman Mr CHAN Hak-kan Administration	- Discussion on issues relating to the operation of CERC and the penalty level for the proposed offence of interfering with CERC	Admin. to consider Mr CHAN Hak-kan's suggestion (para. 22 of minutes)

Time Marker	Speaker(s)	Subject(s)	Action required
004550 - 005111	Chairman Dr Priscilla LEUNG Administration	- Enquiries on the multiple voting rights of EC members and the proposed election expenses limits for geographical constituencies ("GCs") in the 2021 LegCo General Election	
005112 - 005656	Chairman Mr Wilson OR Administration	- Concerns on issues relating to the specified entities of the Associations of Chinese Fellow Townsmen Subsector	
005657 - 010136	Chairman Deputy Chairman Administration	- Concerns about the nomenclature of the five reconstituted GCs in the New Territories	Admin. to consider the Deputy Chairman's suggestion (para. 16 of minutes)
010137 - 010625	Chairman Mr Frankie YICK Administration	- Enquiries on the eligibility for registration as corporate voters for EC subsectors	
010626 - 011657	Chairman Mr Paul TSE Administration	- Discussion on issues relating to the proposed amendment of the election date for the 2021 LegCo General Election stipulated in the Emergency (Date of General Election) (Seventh Term of the Legislative Council) Regulation (Cap. 241L)	
011658 - 012128	Chairman Mrs Regina IP Administration	- Concerns on the registration eligibility of EC subsectors and issues relating to the registration of ex-officio members of EC	
012129 - 012959	Chairman Ms Alice MAK Dr CHENG Chung-tai Administration	- Enquiries on voter registration ("VR") arrangements	
013000 - 013411	Chairman Mr MA Fung-kwok Administration	- Concerns about the allocation of seats for the SPCP Subsector	
013412 - 014424	Chairman Mr Paul TSE Mr Frankie YICK Administration	- Enquiry on the registration eligibility of certain EC subsectors/FCs	
014425 - 015039	Deputy Chairman Mr Wilson OR Administration	- Enquiries on VR and electoral arrangements	

Time Marker	Speaker(s)	Subject(s)	Action required
015040 - 015518	Chairman Dr Priscilla LEUNG Administration	- Discussion on the reconstitution of EC and issues relating to GCs	
015519 - 020028	Chairman Mr Tommy CHEUNG Administration	- Enquiry about the definition of "substantial connection" in relation to the nomination of EC members by designated bodies	
020029 - 021249	<i>Break</i>		
021250 - 022629	Chairman Ir Dr LO Wai-kwok Senior Assistant Legal Adviser Mr MA Fung-kwok Administration	Commencement of clause-by-clause examination of the Bill <u>Examination of the long title, and clauses 1(1) and (2), 2, 3 and 4 of the Bill</u> - Discussion on matters relating to the proposed amendment of the election date for the 2021 LegCo General Election stipulated in Cap. 241L	
022630 - 023200	Chairman Administration	<u>Examination of clauses 380, 396 and 397 of the Bill</u>	
023201 - 025143	Chairman Mr MA Fung-kwok Mr CHAN Hak-kan Mrs Regina IP Mr Tommy CHEUNG Mr Paul TSE Ms Alice MAK Dr Priscilla LEUNG Administration	Discussion on the arrangements for clause-by-clause examination of the Bill	
025144 - 025912	Chairman Mr Tommy CHEUNG Ms Alice MAK Administration	<u>Examination of clauses 380, 396 and 397 of the Bill</u> - Enquiry on the composition of EC subsectors as set out in the Schedule to the Chief Executive Election Ordinance (Cap. 569)	
025913 - 032146	Chairman Deputy Chairman Mr WONG Kwok-kin Mr Paul TSE Ir Dr LO Wai-kwok Dr Priscilla LEUNG Mr Wilson OR Mr MA Fung-kwok Mr Tommy CHEUNG Administration	<u>Examination of clauses 1(3) and 382 of the Bill</u> - Concerns on issues relating to the term of office of EC	Admin. to consider Mr Paul TSE's suggestion (para. 38 of minutes)

Time Marker	Speaker(s)	Subject(s)	Action required
032147 - 034425	Chairman Mr MA Fung-kwok Dr CHENG Chung-tai Mr Paul TSE Administration	<u>Examination of clauses 1(4)(a), (b), (d), 175, 177, 179 and 368 of the Bill</u> - Enquiries on the proposed amendments to section 2 of the Electoral Affairs Commission (Nominations Advisory Committees (Election Committee)) Regulation (Cap. 541H)	
034426 - 040200	Chairman Mr MA Fung-kwok Ir Dr LO Wai-kwok Ms Alice MAK Administration	<u>Examination of clauses 182, 183, 455 and 458 of the Bill</u> - Enquiries on the proposed amendments to section 1 of the Electoral Affairs Commission (Electoral Procedure) (Election Committee) Regulation (Cap. 541I)	
040201 - 040239	Chairman Members	Date of next meeting and closing remarks	

Council Business Division 4
Legislative Council Secretariat
20 August 2021

《2021 年完善選舉制度(綜合修訂)條例草案》委員會
2021 年 4 月 17 日會議

主席廖長江議員的發言稿

各位委員早晨，今天是法案委員會的第一次會議，我想再說明，內務委員會於 3 月 19 日會議上決定，當政府當局將《2021 年完善選舉制度(綜合修訂)條例草案》在 4 月 14 日提交立法會首讀後，早前就人大關於完善香港選舉制度的決定而成立的小組委員會便會轉為本法案委員會。內務委員會亦決定，小組委員會的委員全部自動轉為本法案委員會的委員，而主席及副主席的人選亦維持不變。這是我想交待的一些背景資料，讓公眾了解。

另外，我想向大家說明有關今天會議的安排：

1. 在今早會議，我會先讓委員就條例草案部分的內容，在政策方面進行最多不超過二小時的討論。我所指「部分的內容」，就是《人大決定》或經修訂的基本法附件 I 及 II 所沒有涵蓋(或沒有明顯涵蓋)的事項，包括(大家可參閱已放在大家枱上的一張列表)：
 - (a) 修改《緊急情況(換屆選舉日期)(第七屆立法會)規例》(第 241L 章)所載的 2021 年立法會換屆選舉選舉日期；
 - (b) 地方選區的名稱及劃界；
 - (c) 訂定自 2021 年立法會換屆選舉起的地方選區、功能界別及選委會界別的選舉開支上限；
 - (d) 在《選舉(舞弊及非法行為)條例》中加入新的罪行以禁止任何人在選舉期間內藉公開活動煽惑他人不投票、投白票或廢票，以及訂明任何人故意妨礙或阻止另一人在選舉中投票，即屬干犯舞弊行為；

- (e) 在選舉日使用電子選民登記冊；
- (f) 優化查閱和編製選民登記冊的工作；
- (g) 賦權票站主任為有需要的選民在選舉中設特別隊伍；
- (h) 賦權總選舉事務主任要求收取政府補助的學校及非政府機構借出其物業以供設立投票站及／或點票站；以及
- (i) 取消暫緩發放立法會選舉及區議會選舉的財政資助直至選舉呈請獲處置的規定。

2. 由於審議工作量非常大、時間非常緊迫，我將會嚴格做好時間管理。我要求委員的提問必須是同大家討論中的修訂直接相關，問題要扼要精簡。委員亦應該留足夠時間讓官員作答，因此最好每次只問一條問題，避免一次過問幾條，並且避免問題重復。如果一條問題已經是先前有委員問了及回答了，我與副主席便不准提問。如果時間許可我會容許委員有幾輪提問。

此外，為了這次逐行條文審議工作，政府準備了一份"條文對照表"(立法會 CB(4)814/20-21(02)號文件)。請大家參閱這份文件，大家可以看到，左邊起第一及第二行就是依照條例草案內編排的次序，列出了修訂內容的範疇，我們會依此次序去審議每個範疇所涵蓋的修訂條文，而不是按逐條、逐條法例去審議，請大家了解。

最後，我安排了今次會議會有一個小休，到上午 10 時我會暫停會議 10 分鐘。

多謝大家。