

**立法會**  
**Legislative Council**

Ref : CB4/BC/5/20

LC Paper No. CB(4)1448/20-21  
(These minutes have been seen  
by the Administration)

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

**Minutes of the sixth meeting  
held on Thursday, 22 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 Peter SZE Chun-fai  
Senior Assistant Law Draftsman  
Department of Justice

Miss Emma WONG  
Senior Assistant Law Draftsman  
Department of Justice

Mr Wallance NG Long-ting  
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 Jason LAI  
Clerical Assistant (4) 6

Miss Mandy LUI  
Clerical Assistant (4) 5

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Action

**I. Meeting with the Administration**

[File Ref.: CMAB C1/30/5/5, LC Paper Nos. CB(3)444/20-21, LS65/20-21, CB(4)814/20-21(01) and (02), CB(4)836/20-21(01), CB(4)827/20-21(01), CB(4)858/20-21(01), and CB(4)859/20-21(01) and (02)]

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

Discussion/Clause-by-clause examination

*Clause 356: Nominations subscribed by Election Committee ("EC") members in a Legislative Council ("LegCo") election*

2. Members considered the proposed section 7(5)(c) of the Legislative Council (Subscribers and Election Deposit for Nomination) Regulation (Cap. 542C) unclear (the section provided for the arrangements of subscriptions by EC members and other electors at LegCo elections). Members considered that an EC member should not be restricted from nominating different candidates in geographical constituencies ("GCs") and functional constituencies using their different capacities. For instance, an EC member might nominate one candidate in any GC as an EC member, while nominating another candidate in the GC that he/she belonged to as a GC elector. Members requested the Administration to review the proposed nomination arrangements and also the relevant provision to improve clarity. The Administration agreed to provide a written response to members' concerns after the meeting.

Admin

*Clause 383: Composition of the Candidate Eligibility Review Committee ("CERC") and clause 84(7): Mode of operation of CERC*

3. In response to Dr Priscilla LEUNG's concerns, Principal Assistant Secretary (Constitutional and Mainland Affairs) 2 confirmed that the Administration would propose amendments to clause 383 of the Bill to provide for members of society (in addition to Principal Officials) to be appointed as CERC non-official members.

4. Ms Alice MAK noted that the provisions in the Bill on CERC's mode of operation did not specify the type of information to be collected from a person in order to confirm his/her eligibility to stand for elections. She suggested that the Administration should amend the relevant provisions of the Bill to make it mandatory for a prospective candidate to declare in writing whether he/she had the right of abode in a foreign country or possessed a British National (Overseas) passport, or whether he/she had connections with and/or had received financial support from foreign political organizations.

5. Permanent Secretary for Constitutional and Mainland Affairs ("PSCMA") said that the Administration's current thinking was to require candidates to declare any information deemed essential by CERC by completing a form in order to confirm their eligibility. Details of the arrangement would be determined in consultation with CERC after its establishment.

6. The Chairman enquired whether secretariat support for CERC would be provided by the Government or by an independent body. PSCMA advised that the Administration was still contemplating the precise arrangements of CERC's secretariat support.

Action

*Setting the election expenses limits ("EELs") for the 2021 LegCo General Election ("LCGE")*

7. In response to members' enquiries about the mechanism for calculating EELs for GCs for the 2021 LCGE, PSCMA said that the Administration recommended that the level of EELs for GCs be set with reference to the number of District Council Constituency Areas ("DCCAs") in the GC concerned. The corresponding EEL for each DCCA was recommended to be set at \$69,000.

8. Some members expressed concerns that the EEL for the EC constituency election (at \$213,000) in LegCo was significantly lower than that for the Chief Executive election, despite the fact that the candidates for both elections would be canvassing the same electorate. The Administration was requested to consider members' views.

9. Members agreed that the next meeting would be held in that afternoon at 2:30 pm.

*(At 11:11 am, the Deputy Chairman took the chair in the absence of the Chairman. The Chairman resumed the chair at 12:33 pm.)*

**II. Any other business**

10. There being no other business, the meeting ended at 12:56 pm.

Council Business Division 4  
Legislative Council Secretariat  
26 August 2021

**Proceedings of the sixth meeting of the  
Bills Committee on Improving Electoral System  
(Consolidated Amendments) Bill 2021  
on Thursday, 22 April 2021, at 9:00 am  
in Conference Room 1 of the Legislative Council Complex**

Time Marker	Speaker(s)	Subject(s)	Action required
000403 - 000633	Chairman	Opening remarks	
000634 - 002556	Chairman Dr Priscilla LEUNG Administration	Continuation of clause-by-clause examination of the Improving Electoral System (Consolidated Amendments) Bill 2021 ("the Bill")  <u>Examination of clauses 241(2)-(4), 243, 244-248, 250-252, 253(1)-(3) and (5)-(6), 254-257, 258(3), 259-261, 262(5), 292, 333(3), 352(1), (2)(b)-(d) and (3), 355(1), 357, 381, 383 and 463 of the Bill</u>  - Discussion on the composition of the Candidate Eligibility Review Committee ("CERC")	
002557 - 003945	Chairman Mr Paul TSE Dr CHENG Chung-tai Deputy Chairman Administration	<u>Examination of clauses 306, 307(2) and (5), 310, 312, 314(6), 315, 324 and 329-331 of the Bill</u>  - Discussion on the division of labour between the CERC and Returning Officers; and the provision of financial assistance to candidates	
003946 - 011009	Chairman Ms Alice MAK Mr MA Fung-kwok Mr Paul TSE Ir Dr LO Wai-kwok Mrs Regina IP Dr Priscilla LEUNG Administration	<u>Examination of clauses 84(7), 85(4), 88(1)-(8), 89, 90(1), 91, 95(2), (4), (5) and (8), 144, 145 and 149(1) of the Bill</u>  - Concerns over the type of information to be collected from candidates for CERC's consideration	
011010 - 011434	Chairman Dr Priscilla LEUNG Ms Alice MAK Administration	<u>Examination of clauses 152 and 153(1) of the Bill</u>  - Enquiries on the arrangements in case of the death or disqualification of a candidate after the close of poll in a Legislative Council ("LegCo") geographical constituency election	

Time Marker	Speaker(s)	Subject(s)	Action required
011435 - 015706	Chairman Dr Priscilla LEUNG Mr MA Fung-kwok Mr WONG Kwok-kin Administration	<u>Examination of clauses 182(11), 194-198, 200, 215, 217, 218, 222-227, 239, 358(2)-(3), 385-387 and 423-426 of the Bill</u>  - Discussion on the mode of operation of CERC	
015707 – 021452	<i>Break</i>		
021453 - 032829	Deputy Chairman Mrs Regina IP Mr MA Fung-kwok Mr Wilson OR Ir Dr LO Wai-kwok Dr Priscilla LEUNG Mr Paul TSE Mr Tommy CHEUNG Ms Alice MAK Dr CHENG Chung-tai Mr WONG Kwok-kin Mr CHAN Hak-kan Administration	<u>Examination of clauses 1(6)(e), 80(14) and (16), 88(10), 301(5), 327, 332(3), 333(1) and (2), 356, 391-394, 432, 440, 441, 444, 456, 457 and 459 of the Bill</u>  - Discussion on the arrangements for each Election Committee ("EC") member to subscribe nomination forms using different capacities	<b>Admin. to provide a written response (para. 2 of minutes)</b>
032830 - 034301	Deputy Chairman Mrs Regina IP Dr Priscilla LEUNG Chairman Mr MA Fung-kwok Mr Paul TSE Mr Tommy CHEUNG Administration	<u>Examination of clauses 374, 376 and 377 of the Bill</u>  - Enquiries about the proposed election expenses limits for the 2021 LegCo General Election	
034302 - 035959	Chairman Mr Paul TSE Administration	<u>Examination of clauses 103, 107(2), 113, 114(1) and (2), 115, and 116(1), (4) and (5) of the Bill</u>  - Discussion on the electoral arrangements for LegCo EC constituency elections	
040000 - 040035	Chairman Members	Date of next meeting and closing remarks	