

OFFICIAL REPORT OF PROCEEDINGS**Thursday, 10 January 1985****The Council met at half past two o'clock****PRESENT**

HIS EXCELLENCY THE GOVERNOR (*PRESIDENT*)
SIR EDWARD YOUDE, G.C.M.G., M.B.E.

THE HONOURABLE THE CHIEF SECRETARY
SIR CHARLES PHILIP HADDON-CAVE, K.B.E., C.M.G., J.P.

THE HONOURABLE THE FINANCIAL SECRETARY
SIR JOHN HENRY BREMRIDGE, K.B.E., J.P.

THE HONOURABLE THE ATTORNEY GENERAL
MR. MICHAEL DAVID THOMAS, C.M.G., Q.C.

THE HONOURABLE SIR ROGERIO HYNDMAN LOBO, C.B.E., J.P.

THE HONOURABLE DAVID AKERS-JONES, C.M.G., J.P.
SECRETARY FOR DISTRICT ADMINISTRATION

DR. THE HONOURABLE HARRY FANG SIN-YANG, C.B.E., J.P.

THE HONOURABLE FRANCIS YUAN-HAO TIEN, O.B.E., J.P.

THE HONOURABLE ALEX WU SHU-CHIH, C.B.E., J.P.

THE HONOURABLE CHEN SHOU-LUM, C.B.E., J.P.

THE HONOURABLE LYDIA DUNN, C.B.E., J.P.

THE HONOURABLE ALAN JAMES SCOTT, C.B.E., J.P.
SECRETARY FOR TRANSPORT

THE HONOURABLE PETER C. WONG, O.B.E., J.P.

THE HONOURABLE WONG LAM, O.B.E., J.P.

DR. THE HONOURABLE THONG KAH-LEONG, C.B.E., J.P.
DIRECTOR OF MEDICAL AND HEALTH SERVICES

THE HONOURABLE ERIC PETER HO, C.B.E., J.P.
SECRETARY FOR TRADE AND INDUSTRY

DR. THE HONOURABLE HO KAM-FAI, O.B.E., J.P.

THE HONOURABLE ALLEN LEE PENG-FEI, O.B.E., J.P.

THE HONOURABLE ANDREW SO KWOK-WING, O.B.E., J.P.

THE HONOURABLE HU FA-KUANG, O.B.E., J.P.

THE HONOURABLE WONG PO-YAN, O.B.E., J.P.

THE HONOURABLE DONALD LIAO POON-HUAI, C.B.E., J.P.
SECRETARY FOR HOUSING

THE HONOURABLE WILLIAM CHARLES LANGDON BROWN, O.B.E., J.P.

THE HONOURABLE CHAN KAM-CHUEN, O.B.E., J.P.

THE HONOURABLE STEPHEN CHEONG KAM-CHUEN, O.B.E., J.P.

THE HONOURABLE CHEUNG YAN-LUNG, M.B.E., J.P.

THE HONOURABLE MRS. SELINA CHOW LIANG SHUK-YEE, J.P.

THE HONOURABLE MARIA TAM WAI-CHU, O.B.E., J.P.

DR. THE HONOURABLE HENRIETTA IP MAN-HING

THE HONOURABLE PIERS JACOBS, O.B.E., J.P.
SECRETARY FOR ECONOMIC SERVICES

THE HONOURABLE DAVID GREGORY JEAFFRESON, C.B.E., J.P.
SECRETARY FOR SECURITY

THE HONOURABLE CHAN NAI-KEONG, C.B.E., J.P.
SECRETARY FOR LANDS AND WORKS

THE HONOURABLE RONALD GEORGE BLACKER BRIDGE, J.P.
COMMISSIONER FOR LABOUR

THE HONOURABLE CHAN YING-LUN

THE HONOURABLE MRS. RITA FAN HSU LAI-TAI

THE HONOURABLE MRS. PAULINE NG CHOW MAY-LIN

THE HONOURABLE PETER POON WING-CHEUNG, M.B.E., J.P.

THE HONOURABLE YEUNG PO-KWAN, C.P.M.

THE HONOURABLE JAMES NEIL HENDERSON, O.B.E., J.P.
SECRETARY FOR EDUCATION AND MANPOWER

THE HONOURABLE KIM CHAM YAU-SUM, J.P.

THE HONOURABLE KEITH LAM HON-KEUNG, J.P.

THE HONOURABLE CARL TONG KA-WING

THE HONOURABLE JOHN WALTER CHAMBERS, J.P.
SECRETARY FOR HEALTH AND WELFARE

THE HONOURABLE MICHAEL LEUNG MAN-KIN, J.P.
DIRECTOR OF EDUCATION

THE HONOURABLE PETER TSAO KWANG-YUNG, C.P.M., J.P.
SECRETARY FOR HOME AFFAIRS

ABSENT

THE HONOURABLE LO TAK-SHING, C.B.E., J.P.

THE HONOURABLE JOHN JOSEPH SWAINE, O.B.E., Q.C., J.P.

IN ATTENDANCE

THE CLERK TO THE LEGISLATIVE COUNCIL
MR. LI WING

Government business**Motion****WHITE PAPER ON THE FURTHER DEVELOPMENT OF REPRESENTATIVE GOVERNMENT IN HONG KONG****Resumption of debate on motion (9 January 1985)**

MR. STEPHEN CHEONG:—Sir, the solemn signing ceremonies of the Sino-British Joint Declaration in Peking last month unveiled the beginning of another chapter in Hong Kong's illustrious record of progress and developments, hopefully, that is. Given that we have twelve and a half years before our transformation into a highly autonomous Special Administrative Region of China, it must be of paramount importance for all parties concerned who have the interest of Hong Kong at heart to recognise the need to work realistically and closely together in our pursuit of a smooth transition followed by continued maintenance of our stability and prosperity. Towards this end, I applaud and fully support the gradual approach adopted in the White Paper towards the development of a workable and more representative administrative structure in Hong Kong. Criticisms on the White Paper's proposals have been focussed on two points—namely the lack of open or firm commitment on the part of Government to introduce direct elections to the legislature and that Government has not been promoting a quicker pace towards democratisation. Proponents of total direct elections have argued vehemently that the key towards future stability and prosperity in Hong Kong lies in Hong Kong being able to achieve total democracy through direct election before 1997 is ushered in. Sir, I have no doubt on the sincerity of whoever that believes in total democracy, but I do have very serious doubts on whether in fact the future stability and prosperity of the territory can be maintained simply by having a totally directly elected legislature here before 1997. It seems to me that there had been a concerted effort by a relatively few to push and hard sell to the public the idea that total democracy in Hong Kong is the only acceptable means of government structure leading up to 1997. The administration must not be misled by such well organised tactics and misread the real important ingredients to our future stability and prosperity. Quite a number of people from different walks of life have told me that they do not really mind what kind of a government structure we will have in future as long as they can have the chance of making a reasonable living together with a reasonable retention of their present freedoms. If total democracy can really bring them that so be it but will it? Will total democracy be suitable in Hong Kong? Should we really transplant lock, stock and barrel what seems to work well in the west to Hong Kong without due consideration to our own unique circumstances? Should total democracy be sold to Hong Kong as an end in itself without due regard for

stability and prosperity? The answers to those questions, according to my observations, is a resounding 'No'. We must therefore approach this issue in future with due caution. There may be a case for an element of direct election to our legislature to be introduced in future years but the case for total western style democracy in Hong Kong is certainly far from proven let alone widely accepted. Sir, shortly after the signing of the Sino-British Joint Declaration and in the midst of the return of some degree of confidence to Hong Kong, some international institutional investors as well as local professionals said to me and I quote: 'We are not afraid that China will not honour the agreement. We are not afraid of the possibility of erosion of the British resolve in governing Hong Kong effectively for the next 12 years. We are not even worried that the external links of Hong Kong after 1997 will develop into any unsolvable problems. What we are most afraid of is the fact that the cry of total democracy will be blindly accepted by the people of Hong Kong thereby seriously affecting Hong Kong's own chances of survival and progress.'

Such are the prevailing sentiments amongst those who constitute an important sector of our community and we would be extremely foolhardy indeed to brush those sentiments aside.

The success story of Hong Kong to-date no doubt was the result of a combination of many factors yet it must be right to say that one of the most single important factor lies in the pragmatic attitude that Hong Kong people had adopted throughout our struggle for progress. Idealism never seems to be part of our society and idealism will be highly unlikely to become the corner stone of our future. Indeed, our only hope of survival and our future progress therefore lies totally in continuing to adopt realistic and pragmatic attitudes in our quest for solutions to future problems. The development of a more representative government is certainly no exception.

Finally, Sir, with regard to the pace of our constitutional changes, the proposals of the White Paper are just about right. We must constantly remind ourselves of Sir S. Y. CHUNG'S often repeated but very apt analogy of the relationship between a multinational parent company and her subsidiary. The future Government of Hong Kong is the subsidiary company whilst the Central Government of China is the parent company. Whilst as a subsidiary we may be granted a high degree of autonomy we will always need to respect the overall objective of the parent company. It would be futile to push and shove for drastic constitutional changes without at least reaching some sort of understanding with China. Thus, before we go any further in 1987, it is important that, rapports and understandings are to be developed with China. Otherwise, whatever changes so undertaken may well prove to be ineffective towards achieving the desired objective of maintaining long term stability and prosperity in Hong Kong.

Sir, with these remarks, I support the motion.

MR. CHEUNG YAN-LUNG delivered his speech in Cantonese:—

督憲閣下：本人以萬分欣喜的心情歡迎代議政制白皮書，這份白皮書使我們在迎向民主的路途上又邁進一步。本人更注意到，很多人在綠皮書發表後所提出的建議及意見，均獲得當局審慎考慮，其中多項且已收納在這份白皮書內，特別是有關立法局應該增加間接民選議席的建議，已喚起社會人士的興趣，有助於鼓勵人民齊心合力，使整個計劃得以成功地推行。

督憲閣下，白皮書的各項建議使本港對公民教育的需要更形迫切，目的是要使港人去準備和適應代議政制不斷的發展。白皮書建議在學校推行公民教育，這點非常值得嘉許。白皮書又強調急需要為估本港展民人數更多的成年人提供公民教育，因為他們即時要直接地參與其事，使立法局出現一個新面貌。本人較早前曾就此事在立法局發表意見，現有若干點補充。

責任的問題

參加競選的人士，不論是直接參選抑或是間接推選出來，均應堅持履行任的務、不負所托的基本原則。首先，參加競選的人士，不單有責任為推選他們的人說話及做事，更要充當全港人民的喉舌，為全港人民謀求利益。他們應該能夠隨時隨地留心聽取整個社會的實際問題。因此，他們一定要樂於獻出許多時間，盡量不要被其他事務干擾，才可以有效地完成自己的責任。督憲閣下曾提及，而白皮書亦指出：「議員必須將他們的時間及精力用在立法局的工作上」，有關向議員發給適當酬金的建議正合時宜。希望這項建議能俾社會很多熱心公益的有志之士挺身參選，準備負起重任。

選民亦須負起重要的任務。他們要確保那些未能代表廣大市民和不合適的候選人或個別小撮人士，不會因投票人對選舉漠不關心而獲得議席。某些發言人士最近在傳播媒介中表示，對已有百分之六十有資格在區議會選舉中投票的人士已登記為選民一事感到滿意。這樣的評論容易令人感到自滿，因而有礙的大事。在任何選舉中，真正投票的登記選民相信最多只有百分之七十五至八十。因此，如果有四名或四名以上的候選人角逐一個議席的話，一個候選人只要有一個組織完善的助選團，或者，一小撮擁有支持者的人士，只須取得百分之十至二十合資格的選民的支持，就可贏取議席。由於香港人對選舉的經驗不多，如果容許這種情況出現，顯然是輕率的做法。在本港社會尚未能建立較為成熟的選舉模式以反映大多數人的意願和權益之前，政府也許有必要鼓勵所有登記選民在投票日行使選民的權利，履行選民的責任，前往投票。

立法局

本人現在想轉而談及有關立法局的建議，先談談按社會功能劃分的選民組別。我知道其中一項決定與本港經濟和社會有關的選民組別的準則，就是以「全港性而為各界承認的主要組織、社團和機構」作為甄選基礎。對於已獲提名代表銀行界、製造業或工業界的團體，不會有人提出異議，但是，為甚麼只有兩個商會獲提名為代表，而九龍總商會和新界總商會竟被摒諸門外？既然應顧及「全港性」這一原則，這些商會也應該有參與選派代表的機會吧？

同樣，在專業團體中，醫學界、法律界、教育界及工程界等都各有代表，這是正確的；但會計師也是一項重要的專業，卻沒有代表，希望這只是因疏忽而引致的遺漏。因為將來本港的安定和繁榮，主要須視乎貿易和商業方面的成就，而本港現時能夠攀上世界第三大金融中心的地位，全因為多年的均有準確可靠的會計及核數服務而使本港備受推崇，聲譽昭著。本港有今天的成就，這些專業人士居功不少，我們應該適當地承認他們的貢獻及重視，在重組的立法局中給予這些專業人士應得的地位，使他們的專長得到重視，使本港將來能夠保持美譽。

幸運的數字，所以，除非新立法局會議廳的座位無法容納，否則本人希望當局能增設兩個席位。本人確信這兩個席位是必要的。

督憲閣下，本人謹此陳辭，支持當前動議。

(The following is the interpretation of what Mr. CHEUNG Yan-hung said.)

Sir, it is with much pleasure that I welcome this White Paper on the Further Development of Representative Government in Hong Kong: another step on the road to democratisation. I also note, with pleasure that many of the suggestions and views put forward since the publication of the Green Paper have been carefully considered and several of them incorporated in this document. In particular, the proposal that the number of indirectly elected seats for the Legislative Council should be increased has enhanced the interest of the community and will help to encourage its keen cooperation in making the whole scheme a success.

Sir, the proposals in the White Paper heighten the urgent need for civic education in Hong Kong so that the people of Hong Kong could be better prepared for the on-going process of development of our representative government. The White Paper calls for civic education at school level and this is to be highly commended. It also stresses on the urgent need for civic education among the larger adult community who will be more directly and immediately involved in the creation of the new Legislative Council. I wish to add something to my remarks made previously in this Council on this subject.

Responsibility and accountability

Those who put themselves forward for election, whether direct or indirect, must do so in accordance with the basic principle of responsibility and accountability. Responsibility first on the part of those who stand for election to speak and act not only in the interest of those who elect them but of all the people of Hong Kong. They must be prepared to listen to the real problems of the whole community. To do this, they must be willing to devote much time and they must be freed from their other pursuits in order to do it well. As Your Excellency mentioned and the White Paper records 'there is a need for Councillors to devote their time and attention to their duties' and the proposal to remunerate them suitably is a timely one. It is hoped that this proposal will encourage the many worthy and selfless citizens in our community to come forward and be prepared to accept office.

Responsibility also rests heavily on those who elect, to ensure that neither unsuitable candidates nor small groups, unrepresentative of the vast majority of the community, may obtain seats through the apathy and indifference of the electors. Some spokesmen in the media have recently expressed satisfaction that 60 per cent of those eligible have registered as electors for the District Board elections. This could cause dangerous complacency. In any election it can be taken that, at most, 75 per cent to 80 per cent, of all those registered would

actually vote. So, if there were four or more candidates for a seat, a determined person with a well-organised group of campaigns agencies or a small faction with dedicated followers might win a seat with the support of only 10 per cent-12 per cent the eligible voters. Since people of Hong Kong have not yet much experience in elections, it would be rash if such a situation should be permitted to arise. Perhaps, until the community can establish a more mature pattern of voting according to the wishes and interests of the majority, there may be a need for Government to encourage all registered electors to vote on the polling day so as to exercise their right and perform their duty as voters.

The Legislative Council

Turning now to the proposal on the Legislative Council and, in the first place, to the functional constituencies. I note that one of the guidelines for determining economic and social constituencies is that they should be based on 'well- recognised major organisations, associations and institutions with a territory- wide coverage'. No one could disagree on the organisations nominated for banking, manufacturing or industry, but why should the chambers of commerce be limited to two only, to the exclusion of the Kowloon Chamber of Commerce and the New Territories Chamber of Commerce? Surely the principle of 'territory-wide coverage' should here be applied and these chambers should also be given a voice in the election of representatives?

Similarly, among the professional groups, doctors, lawyers, educationalists and engineers all have representatives, rightly, in my view; but one of the most important professions, accountants, has no representative. This, I hope, is only an oversight. Since Hong Kong's stability and prosperity in the years to come will depend largely on the success of its business and commercial sectors and its present position as the third greatest financial centre in the world is due to the respect and reputation it has acquired over the years for sound and trustworthy accounting and auditing, its success owes much to these professionals. This should be suitably acknowledged and the future good reputation of this territory be maintained by giving them and their expertise due weight in the new Council.

Sir, with the understanding that the proposals in this White Paper are intended to be a blue-print for Hong Kong people administering Hong Kong in the future I would urge that all aspects be carefully considered and all suggestions be given deep thought and, if thought fit, tested before the frame-work becomes rigid and difficult to change. Apart from the functional constituencies proposed in the White Paper, thought should be given to the possibility of including other important groups in Hong Kong which are equally worthy of representation or how proposed groups might be more equitably represented. Would it not be better that all registered professionals in the nominated professions should have an equal right to vote? In order to exercise their right to vote, individuals should not be forced to join particular associations: associations which for good and honest reasons they may not be

willing to join. If the functional constituency scheme were to continue, it could happen as with the chambers of commerce, that more than one association might arise within a single profession, as happens in other countries. Are there, perhaps, other important groups in Hong Kong that may be worthy of inclusion? Should, for example, the very flourishing tourist trade not have a separate representation? Would, for example, the nurses have a more dedicated concern for Hong Kong and its future than some of the other professional groups whose members can more easily settle down elsewhere? Would they not even serve to redress somewhat the likely male predominance of this proposed council? Such questions and many others must be addressed and answered in the immediate future so that Hong Kong may secure the very best representatives to guide its future destiny.

The electoral college

The Introductory Chapter of the White Paper declared that the proposed scheme of representative government would be 'firmly rooted in our community; on which the views of the community are fully represented' and built 'on our existing institutions'. I am, therefore, dismayed to find that the Heung Yee Kuk, which so well fulfills all these conditions, has not been nominated for a seat on the new Council, whether as a functional constituency or through the electoral college. As an institution that has formally existed for almost 60 years it is firmly rooted in a population that is spread over 92 per cent of the territory and has long represented the rural community of that area. The population it serves today is some half a million people which, according to the White Paper, should form a single district, nominating them for a seat on the new Council. Since, however, the people represented by the Heung Yee Kuk are scattered over a very wide area, they cannot form a separate geographical district. May I, therefore, boldly propose that, in all fairness, the Heung Yee Kuk be given a seat as a separate constituency in the electoral college so that it can properly represent the rural population of the New Territories. I note that the Heung Yee Kuk will be assigned seats on the Regional Council of the New Territories but this will not serve the same purpose. In the first place, the Heung Yee Kuk, formally established some 60 years ago to represent the indigenous inhabitants of the New Territories, has had direct access for many years to the highest authority in administration on many matters of great importance to the villagers and people living on the land as well as to the new comers. A few seats on the New Territories Regional Council are no substitute for this. Secondly, the activities and concern of the proposed Regional Council will be limited to such matters as cultural and recreational facilities and hygiene. It will not be allowed or even be qualified to address the many and complex problems that beset the rural population and which have been faced and overcome for years through the efforts of the Heung Yee Kuk: for example, personal and family problems, problems of land and development, besides disruption of their ancient tradition and ways of life.

Over the past 40 years I have personally witnessed the rise of these complex problems for the inhabitants of the New Territories: the inroads on privately owned, fertile agricultural land resumed for railways and roads, for reservoirs and catchments, for police-stations and military camps, for cemeteries and container port. I have seen entire valleys in Tsuen Wan, Kwai Chung, Sha Tin and Tuen Mun taken over for the development of satellite towns and housing estates on a scale unknown in other parts of the world, even where rural land is going abegging, and the end of land-resumption is not yet in sight. It is the Heung Yee Kuk that has represented the New Territories villagers, fought their battles for fair compensation and striven to lessen the shock to farmers and villagers of displacement and disorientation. Many of these people have lost their means of livelihood on the land and have been forced, without preparation, into urban life. Many of their children have been forced to go overseas to find employment in restaurants and other catering services and have suffered from the breakdown of family ties and family traditions. It has been and still is the Heung Yee Kuk which best understands their problems and it alone can represent their needs fairly and authoritatively to the Hong Kong administration. To do this properly it must have a voice on the Legislative Council.

Sir, I maintain that the sentiment expressed in paragraph 20 of the White Paper, should be further applied 'to meet the wide and diverse needs of presentday Hong Kong'. I respectfully and boldly submit, therefore, that one seat should be added for the Heung Yee Kuk in Appendix A of the White Paper and another for the accountants in Appendix B. In Chinese tradition, 56 is not a particularly lucky number. Unless, therefore, the maximum seating capacity in the new Council Chamber makes it impossible, I hope that two more can be added as I firmly believe that they are necessary.

Sir, with these remarks, I Support the motion

Miss Tam:—Sir, the signing of the Sino-British Joint Declaration on the future of Hong Kong was widely reported as one of the major international events and success stories of 1984. It is a diplomatic success achieved by the skilful negotiators on both sides in reaching this detailed and internationally binding agreement to secure a continuation of our present life-style and systems up to at least the year 2047. Indeed, Sir, you are one of these negotiators who had secured for Hong Kong a future government with its legislature to be constituted by elections. Executive authorities shall abide by the law and shall be accountable to the legislature. The White Paper on the Further Development of Representative Government in Hong Kong in fact contains proposals which form the basic structure of such a government. I agree with the objectives and the principles upon which these proposals were made in the Green Paper. I believe the gradual approach is accepted by the Hong Kong community, and many Members of Parliament in the United Kingdom who debated on the acceptability of the Joint Declaration on 10 and 11 December 1984 and the

U.K. Government. It has attracted no adverse comments from the People's Republic of China. The acceptance or acquiescence of these three different parties on the speed of progress and planning of the development of constitutional reforms here is extremely important as we certainly wish to achieve a smooth transfer of power and responsibility, first to a new form of government, and in 1997, to a new government. We want our constitutional reforms here to be another success story.

Power and responsibility

Sir, at this moment when throughout the territories we can see a colourful display of election banners, and read about the rising number of registered candidates participating in the March 1985 District Board election, it is timely that we should remember what the Sino-British Joint Declaration says, and it says far more than giving us a government constituted by elections. While a teacher may confine his attention to item X of Annex I of the Joint Declaration, and a lawyer would read every word in item II of the same Annex as his legal authority, those who aspire to be or who are in government must be totally aware of the objectives of the Joint Declaration:—

- (1) Both China and Britain wish to maintain the stability and prosperity of Hong Kong.
- (2) The United Kingdom Government will be responsible for the administration of Hong Kong right up to 30 June 1997 and China will give the United Kingdom her co-operation.
- (3) The Hong Kong Special Administrative Region will be directly under the authority of the Central People's Government of the People's Republic of China and the S.A.R. Government will have to manage its own affairs except in foreign affairs and defences.
- (4) The task of this Government is to maintain the life style, rights and freedoms under the law in Hong Kong; to keep it an international financial centre under a free economy, to have an independent judiciary, etc., and to ensure that this will be a place where over 5.4 million (and by 1997, nearly 7 million) people can build a comfortable home, whatever the colour or description of their passports may be; we must remember that they have only one right of abode and it is in Hong Kong.

I believe that the elected members of the Legislative Council in the years to come must accept the first three objectives that I have mentioned and they do have the responsibility to pledge their efforts in maintaining the lifestyle and upholding the systems described under the fourth one. They come into power under item I of Annex I of the Joint Declaration, they have an obligation to perform their duties under the rest of the provisions of that agreement.

The public reactions

Sir, the Chief Secretary, Sir Philip HADDON-CAVE had, in paragraphs 17 to 20 of his speech moving the debate on this motion, described the public response to

the White Paper and Government's plans and intentions in dealing with them. In paragraph 16 he had also listed at least four issues for review in 1987. I appreciate that there is probably very little scope now for changing the proposals in Chapter II of the White Paper, and we have to rely on the 1987 review to work out the answers to many of these public criticisms.

The 1987 review

I believe the 1987 review must produce answers to the vital questions of whether there will be direct election to the Legislative Council, how the executive authorities are accountable to the legislature; and whether some kind (and indeed what kind) of ministerial system will be suitable for Hong Kong. There will not be sufficient time thereafter to make any major changes of policy, as the new form of government must have reached maturity before 1997 in order to operate smoothly at and beyond the reversion of sovereignty back to China. The 1987 review will be based on 'our experience during the first couple of years of life of the new Council.' This brief I hope must cover the Government's, the two Councils', UMELCO's and the community's experience of political changes inside and outside the new Council.

(a) *Experience outside the new Council*

I believe the public service minded groups in the community which have declared their commitment to and confidence in the future of Hong Kong will mature in the next few years into organisations which may even be capable of supporting their own candidates even on a single list direct election to the Legislative Council. In these coming three years these well intentioned organisations will continue to look for indications from Government on the pace and direction of constitutional reforms in Hong Kong. The question to me here is not whether there will be direct elections to the Legislative Council but whether we can make a third success story out of changing from 'government by consensus' to party politics. Hence the 1987 review must include an assessment on our experience of political movements in the whole community, i.e. outside of the new Council, before Government comes to a decision on whether there will be direct elections to the Legislative Council.

(b) *Experience within the Council*

Sir, you have spoken in the October 1984 policy speech on the Legislative Council (Power and Privileges) Bill which may give the select committees of the Legislative Council the power to hear evidence on matters affecting public interests. With greater power and may be even access to sensitive information. I believe Legislative Council Members should also be subjected to restrictions from abusing such privileges and may be some sets of rules should be devised for this purpose. Also, I support the proposal in the Green Paper that eventually Members of the Executive Council should be elected by the Members of the Legislative Council so as to make them more 'accountable to the legislature'.

Finally, I agree with the Honourable F. K. HU that UMELCO has played and will play an important part in the constitutional reforms envisaged in the White Paper. I have no doubt that UMELCO will at the relevant time formulate views on recommendations for the purpose of the 1987 review.

With these remarks, Sir, I support the motion.

DR. IP:—Sir, we must not have a complicated system of election in Hong Kong. Furthermore elections and changes to the method of elections must not occur too frequently as it would be disruptive to our already existing busy financial and industrial centre. The thought of District Board elections in March, followed by elections from the electoral college and functional constituencies in September this year, then yet again the Urban Council elections in 1986, a review in 1987, changes to bring in partially some form of direct election in 1988 . . . all this worries me. This is even before I take into consideration the possibility of by-elections.

In spite of the fact that I ask long and apparently complicated questions in this Council, Sir, basically I try to keep matters simple and clear-cut. However I will be a bit long winded in doing so. This is the reason, why, Sir, ever since the introduction of the Green Paper, and then the White one, and whilst listening to the response of the public to both, my mind haven't really rested, in trying incessantly to find a simple solution most acceptable to the people as well as suitable to Hong Kong.

The metamorphosis of my thoughts really haven't come to a standstill until yesterday evening, after having heard the speeches of my colleagues in this Chamber. I have purposely left it until the very last moment, to present my consolidated thoughts on this matter after having heard the response of as many people as I could. And I have managed to come up with this proposal, heavily influenced by my colleague Mr. K. C. CHAN and was certainly helped a great deal by the wise comments of my colleagues yesterday.

I accept the White Paper for the 1985 election as it is proposed. Planning ahead, however, I feel that the number of Legislative Council members should expand to between 60 to 70 (I believe the new Chamber at the Old Supreme Court site can just about accommodate up to this number). I remember asking this question when there was the planning of the Supreme Court. I also remember having worked out a number in the region of 66 based on the same Member of Parliament to population ratio as in the United Kingdom. This is for the purpose of increasing representation from the District Boards, Urban Council, Regional Council and the functional constituencies.

The representatives from the District Boards are very important as they serve as a link with the populace in general. These should be doubled to 24 in the next review and the delineation of the districts refined such that in effect there would be a Legislative Council member from each district representing a population

of around a quarter of a million. This is because in the long run, it is not ideal to expect a member representing more than one district to be able to keep in close touch with other districts than his own. The elected District Board member with the highest vote from his district becomes automatically the representative to the Legislative Council, unless by dissent or default, in which case the next in line would take his place. This would introduce an element of direct election within our existing proposed framework and would offset the need for by-elections if a seat falls vacant, and yet ensuring a link with all districts at all time. This method of an automatic seat based on the highest number of votes is not new and exists, I think, in Australia for the States Parliament. A district can foreseeably have half a million population; if so it should be eligible to have two representatives.

The Urban Council and Regional Council should likewise have double the number of seats in the Legislative Council and the direct method making those with the most direct votes from the general public automatically a member of the Legislative Council should also be adopted. This should occur in 1988.

The functional constituencies are very important as it would ensure representation and input from a spectrum of professional people all vitally necessary for the running of Hong Kong. The number of members from the functional constituencies should also be doubled, as everyone acknowledges, not all professions are represented during this interim measure of only 12 seats. By doubling this number we could ensure that professions such as the Heung Yee Kuk, reasons of which have been covered in depth by Mr. CHEUNG Yan-lung, the religious groups, the accountants, the paramedicals, the social workers, the ethnic minority groups, etc., could all be represented. I must stress that while all professions should be represented, there must be a greater emphasis on the legal, commercial, industrial, accounting and financial constituencies as I see them to make up the structure of our society whereas the other professions make up the beautiful and refined finishing.

I consider that the number of Official members have already been contracted to a minimum, unless of course the ministerial system is to be introduced. With no change in this number, there would be eight appointed seats left to be filled on the discretion of the Governor with experts not already available through the District Board and functional seats, or with people who although not eligible to be elected save for their resident status, are nonetheless very beneficial to Hong Kong. I can't agree more with my colleague Mr. K. C. CHAN that the appointed system has its merits because in this short span of three years, I have had the good fortune to see the work of the more senior Members of this Council and experienced how they contribute to Hong Kong.

There are those who can contribute, want to contribute, considered to be able and have been shown to contribute, who nevertheless would not be prepared to run for elections even within the functional constituencies. I think the small number of appointed seats can only supplement and compliment the

elected members. Don't forget that the Members of the House of Lords are all there by appointment. Appointed members should not be looked on with suspicion to be an eye-man of the Government. Anyway a small number of appointed members, being in the minority, cannot affect the Council adversely but good ideas and wise advice from them can go a long way. Members who are prepared to run for elections are a special breed of people who are prepared and can achieve the task of selling themselves; not everyone can do it.

With the contingency allowed with the appointed seats, I consider it important to standardise that all members elected through whichever channel must necessarily be a registered elector on the general electoral roll and have been ordinarily resident in Hong Kong for a minimum of ten years.

I consider that another standardisation should be that any candidate for election must be nominated by ten, be it registered electors on the general electoral roll, be it registered electors or registered organisations from functional constituencies.

As suggested in the White Paper, it seems to me that there are primarily two forms of election from the functional constituencies. One, which is more direct, when the constituencies are homogeneous, for example doctors and lawyers as was pointed out by Dr. Harry FANG. Such voting is based on the persons eligible to vote. Another which is more indirect, when the constituencies are heterogeneous and when they cannot be based on persons, since lacking an existing register of such professionals, the constituencies are based on organisations. The indirectness of the latter method stems from the need of such organisations having to elect a representative to represent them in voting for a member into the Legislative Council. Namely, it is a form of an electoral college among the functional constituencies. I quote an example of the Council of Social Service, which consists of over 154 full member agencies, the size of the member agencies differ widely, the nature of service although all socially orientated are in ways different, the active degree in which the organisations pursue their service to the community varies immensely, and lastly the staff constitution of these member agencies are miscellaneous. Furthermore, executive board members of such member agencies are usually volunteers instead of being a staff but nonetheless are the policy-makers of the organisations. Please do not misunderstand. I sincerely support the Council of Social Service to form one of the functional constituencies. I am an integral part of it. The point is that while trying very hard to come up with a fair system of election within the Council of Social Service, I have come upon a lot of obstacles because of the heterogeneous nature of the member agencies. This is understandable since the formation of the Council of Social Service was to link together all such organisations whether large or small, and was not created for the sake of election of a Legislative Council member.

I am greatly encouraged by the former method of election by a homogeneous group of professional persons as it is more direct and simple. I consider it

important that this method of election from the functional constituencies should be used whenever possible and the latter method adopted only as a last resort. New registers of various professions which may become a functional constituency in the future can be formed.

I appreciate that the representative organisations chosen for the functional constituencies by the Administration were the best possible in the circumstances and after serious review I consider that in all respects they have chosen the most appropriate existing ones for each functional constituency. However, this does not mean to say that they are the most ideal for the following reasons.

Some professional persons may not be a member of the chosen representative organisation as was also pointed out by Mr. CHEUNG Yan-lung. Only half the doctors in Hong Kong are members of the Hong Kong Medical Association and all government lawyers are not members of either the Bar Association or the Law Society.

Not all organisations offering the service appropriate to the functional constituencies are necessarily a member of that representative organisation.

This is understandable again since such representative organisations are not statutory and as I said earlier not created for the purpose of election. I also do not consider it justifiable to force such persons or organisations necessarily to join the representative organisation before they have voting powers.

Having said that, I reiterate that I do consider that in all respects the administration have chosen the most appropriate existing representative organisations for these function constituencies as long as such deficiencies are recognised. I see it of the utmost importance that such representative organisations are to act as liaison bodies only, and voting rights should extend outside and beyond these organisations to persons or bodies who are not members as long as they fulfil a definitive set criteria to be eligible to vote.

A quick analysis give it that there are in the region of 4 000 doctors, 1 750 lawyers not including the government lawyers, some 3 000 social workers, some 1 900 or so executive board members of member agencies of the Hong Kong Council of Social Service. Whereas member agencies (I mean full members) to those functional constituencies such as the Hong Kong Council of Social Service are 154. The corresponding figures for the two commercial, two industrial, one financial, and one labour constituencies are in the region of 7 000, 2 000, 3 000, 1 000, 140 and 383.

In conclusion it seems appropriate that functional constituencies based on individual voting should consists of a number which is at least in the thousand bracket, and those functional constituencies based on voting by member agencies should be based on a number of at least a hundred. This again is one of my attempts, Sir, to standardise our system.

As regards disqualification of a member once legitimately elected in position, this should also be standardised for all constituencies. I suggest the following should as a rule, disqualify members when they revert to a situation which if it was prior to election would not have qualified them to be a candidate in the first place. For example, when a doctor is deregistered, when a person is no longer a member of the organisation through which he stood for election, when a member is no longer a Hong Kong resident etc. and this broad proposal would of course include a member found to have committed a crime.

Turning to the term of election, I think a three-year term have a tendency to be too short, perhaps a four-year term is more appropriate.

Some initial adjustments of the year of election must be made such that the electoral process for the District Board, Urban Council, Regional Council, and functional constituencies can all fall in line in 1988, when there will be one big election only. Since the elected members with the most votes in the District Board, Urban Council and Regional Council are automatically made members of the Legislative Council together with those of the functional constituencies, there is no need for a secondary indirect election from these electoral colleges.

When these elections all fall in line with each other, it is easy to see and prevent and require that no candidates run for the Legislative Council seats through more than one constituency, to avoid the situation in which he may be elected successfully in both. This would be a duplication of work which we must avoid. However, this does not bar candidates in running for both the District Board and the Legislative Council via functional constituencies, as long as he, on registration as a candidate, specifies that if he were to obtain the highest vote through the district he will relinquish the automatic right to be a Legislative Council member through the District Board seat.

So summarising, Sir, every three or four years whichever it may be, there would be one big electoral process whereby members are elected into District Boards, the Urban Council, the Regional Council and the Legislative Council, all at the same time. Then there will be a gap of a few years for these elected members to settle in to better Hong Kong. Such an electoral process can be computerised with information fed in through different channels so as to recognise who is eligible to vote and who is eligible to be voted on from the different constituencies and what category of council they want to be voted in for. One single form can be devised for such voting and any illegitimate votes or information should be automatically discarded by computer. A suitable time of the year probably in the summer where the Legislative Council normally is in recess should be chosen to minimise disruption of normal business.

I would conclude by saying, Sir, how grateful I am to hear that the elections of the functional constituencies will be conducted by government officials, in a similar fashion to that in which the District Board and Urban Council elections

are conducted already, and that the voting will be by secret ballot. As I anticipate, without such support, there will be chaos. I hope that my comments would be considered in the drafting of the legislation for the election into the Legislative Council next year and this year, and secondly that these will be taken into consideration in the next few years.

With these remarks, Sir, I support the Motion.

MR. CHAN YING-LUN delivered his speech in Cantonese:—

督憲閣下：本港代議政制的發展，猶如白皮書所言，其目標是要逐步建立一個具有充份權威代表港人意見，與及能直接向港人負責的政府，其改革過程更必須顧及香港前途協議的條文和精神。

我們要在九七年以前，去完成組織一個基礎穩固、大部份由本地人組成的政府架構，同時將權力從英國殖民地政府移交給香港的民選代表，使之能有效地管治香港。以少於十二年的時間，去完成政制改革和權力移交這兩項工作，雖然是不能操諸過急，但時間實在相當緊迫。所以我嘗試探討這兩個問題。先談政制改革。

政制改革

香港市民大都希望現存政府的權力，能順利移交到我們具有信心、能直接向港人負責的港人政府手裡。那麼，要建立一個怎麼樣的政府，才能令我們具有信心呢？代議政制白皮書，為我們提供了一個可行方案。雖然白皮書內有關立法局間接選舉的建議，較綠皮書更為大膽和開放，我仍然對白皮書抱有頗大的信心。因為，立法局內的議員，將由選舉團、社會功能團體、政府委任、與及官守議員所組成，較現時的立法局更具代表性。

來自各區的選舉團成員，令立法局吸納不少的地區領袖；社會功能團體的代表，可保證立法局對維繫香港繁榮安定的各個環節，具有深切的瞭解；而更重要者，是保留二十二個委任議席，肯定被委任的議員都有豐富的社會服務經驗，以及專業知識和超卓才能，為立法局建立一可靠的基柱。

選舉團的每一位成員都是議員，均熟知選舉的運作，與及瞭解議員本身的職責要求。所以，從選舉團中獲推選出任立法局議員的人士，其日後的工作表現，將受到嚴格的監察。這無疑可驅策議員不能單為鞏固個人政治地位而忙於修飾門面工作，而要認真從事立法局的工作一作為一個具有廣泛代表性、來自基層的議員，在立法局商議本港事務時，將更能充份照顧各階層人士一亦即是本港整體的利益。

至於社會功能團體的推選方法，以專業人士和社會功能團體增強立法局的代表性，我本人同意這種構思頗為獨特的。不過，就本港長遠發展而言，這種獨特的推舉代表方式，其效果是否一如所料，還有待事實的證明，和市民日後的取捨決定。

白皮書的其中一個目標，是建立一個有代表性的政府。關於代表性這個問題，雖然有部份人士認為白皮書所提議的各界代表仍然有所遺漏，不過這應是無損於立法局的代表性。我同意要建立一個有充份權威代表港人意見的政府，得讓社會各個階層代表進入決議機構。不過，有一點更加重要的，就是我們必須要求這些代表在審議決定所有公眾事務時，均要顧及港人的整體利益，而並非讓代表們各自爭取其代表的選民或功能團體的利益，因為這種代表性祇會造成社會分裂和失衡。是以，本人認為，在立法局內所謂代表性，是各個代表應以不同的角度和所處的層面，去共同商議社會事務，為公眾利益來議決一切事項，去尋求各方利益的均衡，而並非代表自己的選民或團體，去爭取各自的利益。

展望下一步的發展，特別關於直接選舉，個人從參加區議會選舉，體驗到選舉是一個理想的政治制度。由人民所選出、為人民而服務，並得向人民負責的民選議員，其最終權力

的來源，是來自人民，這種做法是合乎政治的最高理想。然而，這個理想能否真的獲得實現，絕對要視乎人民是否有充份機會去監察議員的工作，否則，選舉祇會淪為一種政治遊戲的規則，而不能作為一種保證，保證議員在任內的任何時間，均覺察自己對人民的責任。

雖然在現階段而言，我贊成立法局的間接選舉，本人相信，本港推行直接選舉，祇是時間上的問題而已。不少團體曾建議本港應儘快推行直接選舉，有關理論頗獲市民所支持。雖然按照現時的政治環境和條件，直接選舉不宜倉卒施行，然而我們不應將直接選舉的可行性完全抹殺。這個問題既然會在八七年檢討時重行攷慮，而白皮書內亦反映部份人士認為直接選舉在八八年可逐步開始，是以本人認為那些積極鼓吹直接選舉和有興趣參與的人士，可趁這檢討前的兩年內，儘量表現個人的才能，積極參與社會事務，使市民能逐漸增強對直接選舉的認識和信心。

權力移交

政制的發展固然要循序漸進，而權力的移交，時間上的掌握更為重要。如果在政制發展未定型以前，便貿然把權力全部移交，可能招來難以控制的局面。理想的方式，是根據區議會的發展作為借鏡，以政制的發展為火車頭，帶動權力的移交，使兩者互相連結，互相配合，兩者不能分割。按照這步伐，本港政制改革將會逐步由下而上，由地方行政的推行而攷立法局成員組織的改革。然而，由於我們祇有十二年，或者應該說是不足十二年的時間，去試行和檢驗改革的成效和修正，是以本人認為，現時不單着重施行由下而上的政制改革，更應同時攷慮由上而下的政制改革，即從政府內部決策執行階層結構開始，同時在上層權力架構試行改革。因為，要在這短促的十年間，達致香港前途協議內所言，九七年後香港特別行政區的行政機關對立法機關負責，充份的掌握時間，是成功的主要因素。特別有關推行類似部長責任制的問題，雖然白皮書表示留待日後再行討論，然而此制度若要施行，便要及早考慮。因為部長制度所可能出現的內閣，其與政府官員之間的默契和協調性，對整個政府的運作益形重要，故此必需及早考慮這方面所涉及的有關上層的權力移交問題。

此外，市民對行政局將來的改革，如局內成員的來源及比例，功能和地位，及與立法局的關係等問題，均異常關注。要維持立法局與行政局之間的密切而直接的關係，本人非常支持綠皮書有關在八八年和九一年先後在立法局選出四名及八名非官守議員加入行政局的建議。猶如綠皮書所言，這樣可使民選代表能從現有各個組織，由下而上直達行政局。遺憾是上述綠皮書的建議，沒有在白皮書上出現。

要真正讓港人參與政治架構的運作，建立一個穩固而為港人所信任的政府，民主是一個重要組成的部份。香港的民主模式，猶如大部份人士所言，要結合本港實際的環境和需要、前境和歷史背景等因素，來選取本港獨特的發展方向。本人深信，在一個平穩的情況下逐步進行民主化政制，將會令本港更加繁榮和安定，這是符合中國政府、英國政府、以及香港市民的共同願望。

督憲閣下，本人支持動議。

(The following is the interpretation of what Mr. CHAN Ying-lun said.)

Sir, as stated in the White Paper, the aim of developing representative government in Hong Kong is to progressively establish a government fully representative of, and directly accountable to, the people of Hong Kong. During the process of development, due regard must be given to the provisions and spirit of the Sino-British agreement on the future of Hong Kong.

Before 1997 we have to complete the establishment of a stable government framework mainly consisting of the people of Hong Kong and to effect the smooth transition of power from a British Colony to the elected representatives of Hong Kong so that they may administer Hong Kong effectively. There are less than 12 years in which to accomplish these two tasks, that is, reforming the system of government and transfer of power. Although these tasks must not be done in haste, time is really very pressing. Therefore I would try to explore these two issues. First of all, I would like to talk about the reform of the system of government.

Reform of the system of government

A great majority of the people of Hong Kong hope that the power of the present Government will be transferred smoothly to a government which can command our confidence and directly accountable to us. What kind of government will have our confidence? To this, the White Paper on the Further Development of Representative Government in Hong Kong provides a feasible solution. Though the White Paper, when compared with the Green Paper, contains bold and open-minded proposals regarding indirect election to the Legislative Council, I still have much confidence in the White Paper. This is because the future Legislative Council will consist of members elected by the electoral college and the functional constituencies as well as Appointed and Official members and will be of an even more representative nature than the present Legislative Council.

Members of the electoral college come from different districts and thus the Legislative Council is able to absorb many local leaders. The representatives of the functional constituencies will ensure that the Legislative Council will have a better understanding of the various elements necessary for the maintenance of prosperity and stability in Hong Kong. What is more important is that 22 seats in the Legislative Council are retained for the appointed members, I believe that with their long experience in community service, together with their professional expertise and outstanding capability, will provide a strong foundation for the Legislative Council.

Every member of the electoral college is a member of either the Urban Council, the Regional Council or the District Boards and is therefore conversant with the election procedures. They fully understand the responsibilities of being a councillor/board member. Thus, the performance of the Legislative Councillors elected by the electoral college will be closely monitored. Doubtless to say, this will help urge the councillors to perform the work of the Legislative Council conscientiously and they can in no case just concentrate on showcase matters to strengthen their own position. As a representative figure, the Legislative Councillors from the grassroot level will be able to take better care of the interests of the various social strata, i.e. the overall interests of the society as a whole.

The mode and nature of returning representatives from the functional constituencies to the Legislative Council which will increase the representative nature of the Legislative Council by including representatives from professional bodies and functional groups is a rather unique concept. However, as far as the long term development of Hong Kong is concerned whether such a unique way of electing representatives can produce the expected results remains to be tested and will have to be decided by the public in the long run.

One of the aims of the White Paper is to establish a representative government. As far as representativeness is concerned some people think that some sectors are left out in the proposals contained in the White Paper. However, I am of the opinion that this will in no way undermine the representative nature of the Legislative Council. I agree that representatives of all sectors should be included in the policy making bodies if a government fully representing the views of the people of Hong Kong is to be established. However, what is more important is that we should ask these representatives, when deciding policies affecting the general public, to take into account the overall interests of the people of Hong Kong instead of just the interests of the voters and functional constituencies they represent as this phenomenon will lead to social disintegration and imbalance. Therefore I think the so-called representativeness of the Legislative Council should be taken to mean that the various representatives should discuss jointly the social issue from different angles and from their own respective positions when deciding on matters of public interest. In this way the councillors will seek to strike a balance and not merely fight for the interests of the sector they represent.

As for further development in future, especially regarding direct elections, my experience with District Board elections shows that election is an ideal political system. It goes in line with the highest political ideal in that the ultimate source of power for the elected members, who are elected by the people and who shall serve and be responsible to the people, comes from the people. However, the realisation of this ideal depends entirely on whether the people have sufficient opportunities to monitor the work of the members, otherwise the elections will degenerate into a kind of political game and cannot serve to guarantee that the elected members will, at any time during their term of office, realise that they are responsible to the people.

Though at the present stage, I agree to indirect elections to the Legislative Council, I believe that it is only a matter of time for the implementation of direct elections in Hong Kong. Many organisations have suggested that direct elections should be introduced in Hong Kong as quickly as possible and this idea is generally supported by the public. Under the present political circumstances, direct elections must not take place in a hurry, but we should not rule out the possibility of direct elections. As the problem of direct elections will be reconsidered during the review in 1987 and some people, as reflected in the White Paper, are of the view that direct elections can be implemented

progressively in 1988, I think those who actively advocate direct elections and take an interest in entering for the elections can, within these two years before the review, show their abilities in the public eye and play an active part in community affairs, thus the public will gradually get to know more about and have more confidence in direct elections.

Transfer of power

Admittedly, the system of government should be developed progressively, but in the transfer of power, good timing is even more important. A total transfer of power before the system of government is well developed may result in an unmanageable situation. The surest way is to borrow the wisdom from the development of District Boards. The development of the system of government is the locomotive which brings along the transfer of power, so that the two must be linked together and are inseparable. According to this pace, the reform of the system of government in Hong Kong will proceed upwards progressively, starting with the implementation of district administration up to the reform of the composition of the Legislative Council. However, as we have only 12 years, or to be more exact, less than 12 years to try out the reform, examine its effectiveness and make adjustments accordingly, I am of the view that emphasis should now be placed not only on the reform working upwards but also in the reverse direction as well, that is, to start with the reform of the structure of Government's internal policy-making machinery. Good timing is an essential factor for success in fulfilling, within the short span of a decade, what is set out in the agreement on the future of Hong Kong—i.e. after 1997, the executive authorities of Hong Kong Special Administrative Region shall be accountable to the legislature. With regard to the ministerial system, the White Paper states that it will be discussed at a later stage, however, if the system is to be implemented, it should be considered as soon as possible. As the ministerial system may give rise to a cabinet, and the mutual understanding and coordination between the cabinet and government officials is important in the proper running of the Government, it is therefore necessary to take into consideration its involvement with the transfer of power at the higher level.

Furthermore, the people of Hong Kong are much concerned with the reform of the Executive Council in the future, such as the composition of its members, their functions and status, and the relationship between the Executive Council and the Legislative Council. For the maintenance of a close and direct link between the Legislative Council and the Executive Council, I fully support the proposal in the Green Paper that four Unofficial members of the Executive Council should be elected by the Legislative Council in 1988 and 1991 respectively. As set out in the Green Paper, this will extend representative status to the Executive Council by building upwards from the base of existing institutions. It is regrettable that the said proposal in the Green Paper does not appear in the White Paper.

Democracy plays an important role in ensuring that people of Hong Kong can participate in the operation of the political framework, and establish a stable government formed by, and to be trusted by, the people of Hong Kong. As suggested by most people, the pattern of democracy in Hong Kong should be geared to the real situation and local needs, factors like Hong Kong's future prospect and historic background, so that the proper direction for the unique development of Hong Kong can be decided upon. I firmly believe that, the introduction of democratic government under stable conditions will promote Hong Kong's prosperity and stability, which is the common wish of the Chinese Government, the British Government and the people of Hong Kong.

Sir, I support the motion.

MRS. FAN delivered her speech in Cantonese:—

督憲閣下：自從代議制白皮書公佈之後，香港社會各階層都有不同的反應。白皮書列出各點無疑對香港是一個新嘗試。香港是個獨特的地方，到目前為止，雖然並沒有民主的政制，但市民卻享有各種自由及權利；香港亦沒有天然的資源，由於市民的努力奮鬥及政府的積極建設，現已達到了高度的經濟繁榮。香港今日的成就，當然有賴過往政治的穩定，國際間對我們的信心，加上其得天時、地利、人和的因素。但我們絕不應忽略香港人的能力和努力，以及現行制度中的優點，對繁榮安定的貢獻。

香港大多數人都具有很強的適應力，做事落力，腳踏實地，而且不怕艱苦。過去，香港也曾經歷過困難及動盪的時刻，但憑市民的堅毅及明智的抉擇，我們終能一一安然渡過。所以我深信香港市民是具有判斷是非的能力。雖然對政治方面經驗尚淺，但過往兩年已能令香港市民深切地體會到，政治對我們日常生活的重要性。香港人一向對新嘗試初期都是有保留的態度，但祇要政府對公民教育推行得法，市民的政治意識應該可以在短期內普遍地提高，到深切了解後，便會積極參與。故此，我相信代議政制在香港的發展是會成功的。

中英雙方同意香港主權將會在一九九七年交還中國，並且香港人必須負起管治香港的重任。為應付這重大的轉變，適應新環境，香港必須要有新的政制，因此現行的政制不宜改變。這些優點包括：對人的權和自由及尊重及維護來說，香港現有的通商、自由貿易、外匯不受管制，簡單的稅制及低稅率。舉例來說，香港現有的通商、國際間所重視的金融中心。香港能處於這個地位，完全有賴於我們好成果的。若一朝一夕可以建立起來的，而日積月累的經驗和不斷的努力，才爭取到這若為某些原故，譬如政治性的理由而有修了制度上的優點，或者厚此薄彼，中英兩國及一般香港市民所願見到的。

香港人需要時刻記住，各種導致政制發展成了功的主要因素。為香港的前途，代議政制必須發展，客觀環境已為我們訂了限期。因此，大家要在限期前完成任務。並且祇許成功，不許失敗。怎樣做法才是最佳的呢？眾人所意見紛紛。如何取捨，的確費人思量。代議政制白皮書決定「第一步」對這代議政制的計劃，亦沒有指定的一九八八年開始有直選，故他們深感五年內此認爲是有意拖慢民主改革的進度。另一方面，亦有法局持性，因此認爲改革步伐略嫌過速。我的覺得兩種說法，都有的道理，但全部客觀因素。在九零年代的初期，代議政制的發展必須全部完成，才權順利移交，而「一國兩制」

的構思也能在「港人治港」下得以實現。由於這樣，我們祇有約十年的時間去完成政制改革的工作。因此白皮書的「第一步」步伐雖然較大，但在時間的限製下，雖則未必盡善盡美，亦是可行的方法。在未來的三年裏面，香港人的政制意識應該更成熟，而且香港的前景亦會更明朗，如果在現在定出代議政制發展的全盤計劃，未必是明智之舉，我們需要更多的資料和經驗，才能確保下一步政制的發展，是適合香港的需要。白皮書已決定在一九八七年進行檢討，香港市民到時如果認為直接選舉是有利香港的話，大可以在一九八八年實行。本人覺得在許多方面還需市民詳加考慮及探討，譬如行政局的人選、港督所擔任的角色、兩局議員擔任政府要職的可行性。因此一方面看看白皮書所提出的發展成果，另一方面再多些考慮客觀環境和新的資料，在一九八七年才作出決定，實在是一種審慎而又安全的辦法。

督憲閣下，本人謹此陳辭，支持動議。

(The following is the interpretation of what Mrs. FAN said.)

Sir, since the publication of the White Paper on representative government, there have been mixed reactions from people at different levels of the society. There is no doubt that the plans outlined in the White Paper on representative government represent a new attempt for Hong Kong. Hong Kong is a unique place. While there is no democratic system of government up to the present, citizens do enjoy numerous rights and freedoms. Though Hong Kong lacks natural resources, nevertheless the hardworking and enterprising spirit of the citizens together with the constructive action taken by the Government, enabled it to achieve a high level of economic prosperity. Hong Kong's achievements today is attributed undoubtedly to our political stability, international confidence in our state of being, coupled with timely opportunities, favourable geographical position, and unity and harmony amongst the population. However, we should not underestimate the contribution of the people of Hong Kong, their capability and efforts, as well as the merits of the existing systems, in maintaining prosperity and stability.

Most people in Hong Kong possess a high degree of adaptability and flexibility. They work conscientiously. They are realistic and pragmatic, and are not afraid of hardships. In the past, there are difficult times and periods of turmoil for Hong Kong, however, due to the fortitude and discernment of the citizens, we were able to come through all these period rather well. So I strongly believe that the people of Hong Kong have the ability to distinguish between right and wrong. Although we still have limited experience in politics, the last two years have caused us to appreciate fully the importance of politics to our daily life. Hong Kong people always had reservations in new attempts during initial stages. However, if Government can implement civic education effectively, the level of people's political consciousness can be raised within a short time. After people have a better understanding, they will participate actively. I therefore believe representative government can be successfully developed and implemented in Hong Kong.

Both China and Britain have agreed that the sovereignty of Hong Kong will revert back to China in 1997, and Hong Kong people must take up the responsibility of administering Hong Kong. To cope with this major change and to adapt ourselves to new circumstances, Hong Kong need a new form of government system. The development of representative government is therefore a necessity. The main objective of representative government is to maintain social stability and economic prosperity. Our achievement today is due, in the first instance, to the existing good systems. It is for this reason that the merits of the existing systems must be preserved. These merits include: respect for and maintenance of human rights and freedoms, judicial independence and the rule of the law, free trade, no foreign exchange control, simple taxation system and low tax rates. For instance, Hong Kong is at present recognised as an international financial centre. Hong Kong is able to achieve such a status because we have a very good communications network, together with the support provided by professionals in all fields. Under these circumstances, things can be done efficiently and conveniently. These achievements were not established overnight, but were attained through unceasing efforts and accumulation of experience over a long period. If for any reasons, such as political reasons, merits of our existing system are undermined, or there is a loss of balance, then an outflow of capital and brain drain may occur which would then put the prosperity of Hong Kong at risk. I am sure this is not what China and Britain nor the general public of Hong Kong would like to witness.

The people of Hong Kong must always bear in mind the main factors which contribute to the successful development of governmental systems. For the future of Hong Kong, a system of representative government must be developed. Circumstances have already imposed on us a time limit. So we have to complete our task before the time limit, and we must succeed because we simply cannot afford the price of failure. What is the best and most effective way of doing this? There are divergent views regarding this question. To make the right decision is indeed difficult. The White Paper on Representative Government has taken the 'first step'. There are two distinctly different views concerning this 'first step'. On the one hand, there are people who criticise the White Paper for not giving an overall plan for the development of representative government and failing to specify 1988 as the date for implementing direct election, so they are very disappointed and even feel that there is intention to slowing down the progress of democratic reforms. On the other hand, there are also people who feel that the sudden increase of 24 indirectly elected members to the Legislative Council in 1985 may affect the continuity of the Council, and therefore consider the pace of the progress to be a bit too fast. I feel that both views have their own rationale, but they have overlooked some important objective factors. The development of representative government must be completely accomplished in the early nineties to ensure the smooth transfer of sovereignty, so that the concept of 'two systems within one country' can be realised under 'Hong Kong people ruling Hong Kong'. Because of this we have

only about ten years' time to complete the work of government reforms. Thus, although the 'first step' set out in the White Paper is a rather big step, yet given the time limit this is really a feasible and practical alternative if not the ideal and perfect way. Within the next three years, Hong Kong people should have developed a more mature political sense and the future prospects of Hong Kong can be perceived even clearer. So it may not be a wise move to lay down now an overall plan for the development of representative government. We need more information and experience to ensure that the next step of the development of governmental system is in line with the needs of Hong Kong. The White Paper has decided to carry out a review in 1987. If by that time the people of Hong Kong think that direct election is beneficial to Hong Kong, it may then be held in 1988. I personally think that there are still many areas which need to be carefully considered and studied by the citizens, e.g. membership of the Executive Council, the role of the Governor, the feasibility of ministerial responsibility. So we have to look at the results of the development outlined by the White Paper on the one hand, and to give more consideration to the objective circumstances and new information that become available on the other hand. To wait till 1987 to make these important decisions is indeed a cautious and safe approach.

With these remarks, Sir, I support the motion.

MRS. NG delivered her speech in Cantonese:—

督憲閣下：近數年間香港政治架構的發展可以用四個字來形容，就是「一日千里」，從一九八〇年「地方行政的模式」綠皮書發表，到一九八二年區議會的選舉，及政府剛發表的「代議政制在香港的進一步發展」白皮書，都是這四年間的事。而預料今年的區議會大選，臨時區域議局的成立及立法局的改革，都使香港人在一段短短的日子裏體驗到政治架構重大的改變。

自從代議政制綠皮書在去年七月發表以來，市民大眾和有關團體都就其中的各項建議發表意見。而在去年十一月發表的「代議政制在香港的進一步發展」白皮書，其中有許多地方都比綠皮書內的原有的建議有顯著的改善。這表明政府有詳細考慮及接納市民的意見。這是可喜的現象，也是香港逐步邁向民主的一個好驗證。本人記得在代議政制綠皮書發表後不久，本人曾建議應把綠皮書內所提出的檢討日期，即一九八九年提前到一九八七年。在去年十一月發表的代議政制白皮書果然將檢討日期提前到八七年，本人因此感到非常高興。其實許多社會人士都認為綠皮書所建議的檢討日期稍遲，並會影響代議政制發展的步伐，現在政府能順應民意，將檢討日期提前到八七年舉行，實在是很值得嘉許的。

除檢討日期外，代議政制白皮書亦將由選舉團及功能團體分別選出的立法局議員人數由綠皮書所建議的六席增加至十二席，本人非常贊同這個決定，因為藉著間接選舉議員的增加，立法局議員的代表性亦相應地提高，在為九七年後「港人治港」作準備的路途上又跨進一步。

代議政制綠皮書發表時，有很多人士對功能團體推選代表出任立法局議員的建議表示不同的意見，其中亦有許多人抱有懷疑的態度。本人認為，按照社會功能劃分選民組別，然後從這些組別中推選代表出任立法局議員，不失為一個好建議。因為今日的香港無論工、商業都發展迅速，且更是世界第三大金融中心，所以本港財經界及專業人士對維繫香港繁榮的信心，至為重要。功能團體的代表可以為立法局提供大量專門知識和寶貴的專業意見，

such as the 1985 District Board elections, the setting up of a Provisional Regional Council and reforms in the Legislative Council, will enable Hong Kong people to experience a major change in the government system within a short period of time.

After the publication of the Green Paper on representative government in July last year, members of the public and interest groups commented on its proposals. The proposals in the White Paper on the Further Development of Representative Government in Hong Kong, published last November, show marked improvements over the original proposals contained in the Green Paper. This shows that the Government has carefully considered and accepted the suggestions of the people. This is gratifying and provides good evidence of Hong Kong's gradual progress towards democracy. I remember soon after the publication of the Green Paper on representative government, I had suggested that the date of review proposed in the Green Paper should be brought forward from 1989 to 1987. Much to my satisfaction, the White Paper did indeed put forward the date of review to 1987. In fact, many people were of the view that the date of review proposed by the Green Paper was too far off and would obstruct the development of representative government in the territory. The Government should thus be commended for bringing forward the date of review, in response to public opinion.

Apart from the date of review, the number of the Legislative Council members returned by the electoral college and functional constituencies has been increased from six, as proposed by the Green Paper, to 12 in the White Paper. I strongly support this change because the increase in number of indirectly elected seats will enhance the representativeness of the Legislative Council Members. This marks a big stride towards the preparation for 'Hong Kong people administering Hong Kong'.

When the Green Paper was published, there were many comments on the proposed election of the Legislative Council members from representatives of functional constituencies and many people expressed misgivings about it. I concede that the election of representatives from functional constituencies to serve on the Legislative Council can, after all, be considered a good proposal. Hong Kong has seen rapid growth both in trade and industry. It is now the third largest financial centre in the world. Therefore members of the financial and professional sectors have an important part to play in maintaining the territory's prosperity and confidence. Representatives from functional constituencies can provide the Legislative Council with most professional expertise as well as valuable advice, both of which are essential to a legislative body. Hence I believe the decision to increase to 12 elected seats of the Legislative Council from functional constituencies is a commendable one.

While the valuable expertise of the professional sector is important, we cannot neglect grassroot interests. The grassroots, who make up a large proportion of the population and coming from the lower stratum of society,

particularly need capable persons to reflect their problems, difficulties and aspirations to the highest legislative and decision-making level of the Government. With the implementation of the District Administration Scheme four years ago, the problems encountered by the public in their own districts can be resolved with the assistance of Mutual Aids Committees, Owner Corporations, Area Committees and District Boards. The increase in the number of the Legislative Council members elected by the electoral college, which shall be composed of members of the District Boards, the Urban Council and the Regional Council, from six as suggested in the Green Paper to 12 in the White Paper, certainly shows responsiveness to public interests. Take the District Boards for example, the White Paper's proposed grouping of the District Board members into ten geographical constituencies, each representing roughly 500 000 people, is an improvement from the Green Paper's proposal because a more balanced and adequate representation on the various District Boards can now be achieved. In spite of this, I think there is still some room for improvement. For example, the grouping of the 18 District Boards into ten constituencies is based on the population size of each district. However, according to the list of constituencies set out in the White Paper, South Kowloon which has a population of 389 000 and South New Territories which has a population of 726000 can each return a member to the Legislative Council. It seems that such an arrangement is unfair because the population in South New Territories is nearly twice the size of that of South Kowloon. Besides, I find that grouping the three districts—Tsuen Wan, Island and Sai Kung—which have no geographical connection, into 'South New Territories' is an undesirable arrangement. It is suggested that when carrying out the 1987 review, the Government should consider allowing each of the 19 District Boards to return a member to the Legislative Council. The Government should also consider allowing the densely-populated districts, such as Kwun Tong, East Island, Wong Tai Sin, Kowloon City and Sham Shui Po, to each return two members to the Legislative Council. In other words, the District Boards should be allowed to elect 24 members to the Legislative Council. Such an arrangement can help to eliminate the undesirable situation of unfair allocation of seats according to geographical distribution. It is hoped that this suggestion will be taken into careful consideration in the 1987 review.

I fully agree with sections 38-40 in Chapter V of the White Paper on the Further Development of Representative Government in Hong Kong which touch on the important role played by civic education in the development of a representative government. Apart from pointing out the importance of educating the students in civic matters, it stresses that adults should also be given the opportunity to receive more civic education. This is a correct approach. Hong Kong people have hitherto displayed an indifferent attitude to political matters. After the signing of the Sino-British Joint Declaration on the future of Hong Kong, we know for sure that in twelve years' time Hong Kong people will have to take up the responsibility of 'administering Hong Kong'.

Indifference to politics is no longer compatible with the needs of our times. The aim of developing a representative government is to prepare Hong Kong people for self administration in the future. In due course, Hong Kong people will have to understand the goals of a representative system and the way it operates. They must be clear about their duties and their rights. Those elected to represent the people should realise their responsibilities as elected members. The electorate must be aware of how to get to know, select and monitor the performance of the representatives they support. Since the publication of the Green Paper on representative government, there has been much discussion as to when direct elections should be introduced in Hong Kong. In my opinion, direct elections should be introduced only when the political consciousness of our people have reached a certain degree of maturity. At this crucial time in our history, we cannot afford to put the stability of our society at risk by introducing political reforms with undue haste.

Sir, we all know that Rome was not built in a day. Neither can political reforms be achieved within a short time. We have come to an age when the people of Hong Kong should stand on their own feet, take the initiative to understand and strive for the rights due to them, and build a better community with joint efforts. In an age of rapid change, if the people of Hong Kong can face change with confidence and an undaunted spirit, participate actively and work hard, Hong Kong will surely have a bright future. With the efforts of the Government and the active participation of the people, Hong Kong will continue to become a source of admiration to others and this small piece of land we live on will continue to enjoy prosperity and stability.

Sir, with these remarks, I support the motion.

MR. POON:— Sir, the White Paper on the Further Development of Representative Government in Hong Kong is the first major step in the development of Hong Kong's political system. The general consensus is that we should move towards democracy at a pace to which Hong Kong can adapt bearing in mind the realities of the Sino-British Joint Declaration and the aim to cause minimal changes to the livelihood of the people of Hong Kong. The proposals in the White Paper will generally meet such purpose. However, there are several aspects which I would like to comment on.

1. *Electoral college*

The changes to the original suggestion in the Green Paper are in two main respects. First, the number elected by the electoral college is to be increased from six to twelve. This will go a considerable way to meet those who want to see more elected members in the Legislative Council as quickly as possible. The second change is the election of ten members to the Legislative Council by the District Boards on balanced geographical distributions. I would like to suggest that in the review in 1987 consideration be given to one member for each District Board.

2. *Functional constituencies*

The main purpose of having functional constituencies is to ensure representation of the economic and professional sectors of the Hong Kong society. Such representation has been a long-standing feature of Hong Kong Government and is particularly important during the transitional period if Hong Kong is to maintain its stability and prosperity. However I must stress that one profession significantly missing in the named functional constituencies is the accountancy profession. This is highly regrettable as accountants do make considerable contribution to Hong Kong as a leading financial centre. Though it is understood that not every profession can be represented on the nine functional constituencies, such omission is difficult to comprehend. I would urge that in the review in 1987, if it is decided that there will be members of the Legislative Council elected by functional constituencies, the accountancy profession be seriously considered to be a designated functional constituency. Accountants are normally a quiet and reserved lot. Their work is not as altruistic or glamorous as the medical or legal profession or, visible and audible as the engineers. But they also play an important role in serving the Hong Kong community.

3. *Civic education*

This deserves our utmost and urgent attention. The people of Hong Kong must be educated quickly about the basic government political structures and their responsibilities and rights in elections. Though we have about half of the eligible voters registered, it is one thing to have registration, it is quite another thing to get them to vote and to vote intelligently, that is, electing the best candidates to serve the community. I am glad to hear that Government is thinking of compiling a roster of electors itself. This will enable all registrable voters to vote at elections even if they have not registered voluntarily. I am also pleased to see many more people are keen to stand for election to the District Boards. While education at schools and seminars for adults on constitutional and public affairs will undoubtedly be helpful, I really do feel much more should be done by the Government itself, apart from similar efforts by the District Boards, schools or voluntary agencies. By this, I mean an intensive publicity campaign should be launched as soon as possible on the election aspect of civic education by means of simple pamphlets, radio and TV programs and documentaries. The human aspect should be projected. The main areas to be emphasised are (a) basic political system and procedure, (b) the rights of the voters, (c) the responsibilities of the voters and, (d) the effects on their lives by the candidates elected to the District Boards, Urban and Regional Councils and Legislative Council. While I agree that the Government should not be seen to be telling the people what to do, such campaign can be made interesting and educational for the public as other successful documentaries have been, e.g. those on social and corruption problems. Since the

next District Board elections will be in March, 1985, we should act soon. I hope Government will give serious consideration to these suggestions.

4. *The review in 1987*

This review will be extremely crucial. The White Paper gives us no further idea as to how representative government will be developed after 1988. I understand that there are probably good reasons for that and each step should be implemented and tested carefully. But we are left with three years to feel our way into unfathomed waters for Hong Kong's political future, not knowing which ultimate goal should or could be attained in the interests of the people of Hong Kong. Nevertheless, we should strive to develop a Hong Kong type of democracy, which must work to keep Hong Kong not only as a stable, vibrant and prosperous city but also as a just and free society.

Sir, with these remarks, I support the motion.

MR. YEUNG PO-KWAN delivered his speech in Cantonese:—

督憲閣下：一九八四年七月十八日港府發表了本港發展代議政制的綠皮書，隨後在九月二十六日中英協議草簽，更為未來本港政制的發展提供了重要的參考依據。十一月二十一日港府公佈之「代議政制白皮書」正式規劃了代議制度在香港進一步的發展。

綠皮書已清楚顯明代議制政府應採取的正確方向。它是沿着一種開放的制度，使更多人能盡自己力量參予政府事宜。事實上，白皮書可以稱為香港未來政制興革發展的里程碑。它為了準備一九九七年「港人治港」而邁進了確實的一大步。最終目標就是還政於民並致力於維持香港繁榮安定。這份白皮書看似缺乏遠見，未能對一九八五年後的政局發展提出具體的承諾及落實的方案。但以綠皮書制訂時間至白皮書公佈時間作一比較，相距只是僅僅四個月，加上一九八五年區議會選舉籌備工作進行在即，這是一份白皮書只應視作實施政制的第一步或起步點。在長途接力賽中，這只是第一棒，接着而來的還有第二棒、第三棒。白皮書只可視為第一份白皮書，接着在一九八七年檢討後，應有第二份白皮書而又再經過第二個檢討時期後（年份可在一九八七年檢討時決定）再發表第三份白皮書。這樣按步就班的進度，初期政府的態度可算十分審慎，這是必要的。但隨着經驗的累積，市民對政制了解逐漸成熟，政府在制訂第二份甚至第三份白皮書時應採取較開放的方法及長遠的眼光，以能儘早達成綠皮書所釐定之最終目標。

中英聯合聲明於去年十二月十九日正式簽署。根據協議，英國在未來十二年內有義務維持香港安定繁榮。如因政制改革而引致社會不安定及經濟受影響，中國可能認為英國未能盡力遵守協議而在一九九七年後不再給予香港特別行政區的權利。因此政府在制訂這本白皮書時，已留意到必須顧及香港前途協議草案的條文。一九九七年後，中國和香港的關係是中央政府 and 地方政府的關係，而香港並非獨立的政治實體或獨立國家，因此，為了確保未來所推行的政制能在九七年後得以延續，政府必須繼續加強中港合作的重要，並幫助市民多與中國溝通聯繫，以利未來政制發展。我們應該明白本港任何政制改革必須配合未來基本法及「中央聯合聲明」以順利過渡至一九九七年。

有關選舉方面，白皮書所建議的立法局間接選舉進度比綠皮書的建議快三年，間接選舉的議席共二十四個，選舉團體和功能團體各佔一半，比綠皮書多一倍，而官守議員的縮減人數進度亦快三年。這是明智及進步的做法。至於將來選舉議席應增加多少可於一九八七年檢討後作出決定。但面臨的問題將會是功能團體選舉制度可能引致議席分配不公平及技

術性的問題。若功能團體代表只求為本身代表的人士爭取權益而罔顧社會整體利益，只會帶來社會不安，不難導致各功能團體利益相爭，最終影響社會繁榮安定。所以由選舉團體及功能團體產生的立法局議員，必須審慎客觀從事，大公無私，務求政府各項合理政策能夠保持均衡發展，照顧及社會各階層。此外，由於議席急速增加，立法局將出現很多新面孔。政府可因應需要選舉適當活動，務使新議員能有機會清楚了解政制改革的意義，政府部門之運作及議員本身之權利與義務。這種措施將有利於議員執行他們未來的任務。除了間接選舉外，政府應該儘快為立法局的直接選舉作出明確的安排。

推行民主政制，除了直接選舉以外，還要有一群有見識的選民，始能選出賢與能，擔任重責。所以政府應加緊留意培養有真正政治實學的人才和有見識的選民，並要務實施行白皮書所提及的公民教育計劃。「良好公民」的基本質素包括：公德心、責任感、尊重他人、奉公守法、關心社會、貢獻力量等。在施行公民教育方式中，學生除了接受書本教育外，仍須積極參加課外和社會活動。不過，公民教育不應只局限於正規教育團體及學校，並應透過志願機構及社區中心等有效途徑對成年人提供地區性的公民教育。此外，對青少年進行公民教育，要配合九七年後香港回歸中國後成爲一個特別行政區的歷史趨勢，而且要與香港社會現狀結合。

總括這之，推行公民教育的內容必須包括了解香港現行的社會特徵所在，從而研究九七年後中國恢復行使香港主權的意義，更要剖析中英會談協議的主要內容及基本法的草擬。除了培養年青人有良好的社會道德和民族意識外，更要加強其對民主意義及香港政制民主化的意識，繼而培養其獨立思考及分析力，以使他們能順利適應社會不斷變遷，並積極推動社會未來發展。

督憲閣下，本人謹此陳辭支持動議。

(The following is the interpretation of what Mr. YEUNG Po-kwan said.)

Sir, on 18 July 1984 the Green Paper on the Development of Representative Government in Hong Kong was officially released. Thereafter, the Sino-British agreement was initialled on 26 September, thus providing an important basis of reference for the future development of the administrative system in Hong Kong. The White Paper on representative government published on 21 November formally defined the further development of the system.

The Green Paper has clearly illustrated the proper direction that a representative government should follow. It is along the line of an open system which enables more people to participate in the management of government affairs as best as they can. In fact, the White Paper can be regarded as a milestone in the formation and evolution of Hong Kong's future political structure. It has made a great, substantial stride in the preparation for the system of 'Hong Kong people ruling Hong Kong' in 1997, with the return of political power to the people and maintenance of the prosperity and stability of Hong Kong as its ultimate aims. The White Paper may seem to lack farsightedness in that it has failed to provide concrete commitments and solid proposals for political developments after 1985. However, in view of the short span of time—a mere four-month period—between the drafting of the Green Paper and the release of the White Paper as well as the imminent preparations for 1985 District Board elections, the White Paper should be regarded as the first step or the starting point in the development of representative government.

In the long distance relay race, this is but the first baton. There would be the second, the third and so on. This White Paper can only be taken as the first White Paper, to be followed by the second after the review in 1987 and the third after the second review (the exact year to be determined at the review in 1987). It is vital that at the preliminary stage the Government should adopt a cautious approach by progressing step by step but as experience accumulates and a better understanding of the administrative system is acquired, a more open and farsighted approach should be taken in the drafting of the second or even the third White Paper, so as to ensure an early realisation of the ultimate aims of the Green Paper.

On 19 December 1984 the Sino-British Joint Declaration was officially signed. According to the agreement Britain has the obligation of maintaining the stability and prosperity of Hong Kong within the next twelve years. Any social disorder and economic setback caused by reforms in the administrative structure might be interpreted by China as failure on the part of Britain to fulfil the agreement and may result in China not granting to Hong Kong the rights of a Special Administrative Region after 1997. Therefore, in formulating the White Paper, the Government has already taken due notice of the provisions of the draft agreement on the future of Hong Kong. After 1997, the relation between China and Hong Kong will be that between the central and local governments; Hong Kong will be neither an independent political entity nor an independent nation. To ensure that the administrative system to be implemented will extend beyond 1997, the Government must continue to strengthen the cooperation between China and Hong Kong. It should also help the people maintain frequent communication and contacts with China so as to facilitate the development of the future political system. We should appreciate the fact that in order to ensure a smooth transition between now and 1997, all political reforms in Hong Kong must be in keeping with the future Basic Law and the Sino-British Joint Declaration.

As regards election, the progress of indirect election to the Legislative Council proposed in the White Paper is three years ahead of that proposed in the Green Paper. There is a total of 24 seats with the electoral college and the functional constituencies each competing for half of the number which is double than it was in the Green Paper. The speed of reduction in the number of official members is also faster by three years. This is a sensible and progressive way of doing things. As to the amount of increase in the number of elected seats in future, this could be determined after the review to be conducted in 1987. However, the problem to be faced will be the possible inequitable distribution of seats among the functional constituencies and technical problems. If the representatives of the functional constituencies only fight for the rights and interests of those whom they represent, and ignore the interests of the society as a whole, this will only bring social unrest and easily lead to conflicts among different functional constituencies which in the end will adversely affect the prosperity and stability of society. Therefore, members of the Legislative

Council elected by the electoral college and the functional constituencies must be cautious and objective, be perfectly impartial, and must ensure that all the reasonable policies of the government can keep a balanced development with due regard to all levels of society. In addition, many new faces will appear in the Legislative Council Chamber due to the rapid increase of elected seats. Depending on need the Government should organise suitable activities to acquaint the newly elected Councillors with a better understanding of the meaning of the reform to the political system, the operation of the various government departments, and their own rights and duties. This process would benefit the Councillors in carrying out their future task. Apart from indirect election, the Government should make definite arrangements for direct election to the Legislative Council as soon as possible.

The implementation of a democratic system requires not only direct election, but also an educated electorate, as only by then could the virtuous and the able be elected to take up the heavy responsibilities. Thus the Government should intensify the cultivation of an educated electorate with real political convictions and insight. The Government should also implement the civic education scheme as mentioned in the White Paper. The basic qualities of 'a good citizen' include: civic-mindedness, sense of responsibility, respect for others, abiding by law, concern for the community, with a contribution concept etc. In imparting civic education, students have to take an active part in extra-curricular and social activities in addition to textbook education. However, civic education shouldn't just be confined to regular educational bodies and schools, regional civic education should also be provided for adults through effective channels such as voluntary organisations and community centres. In addition, civic education for youths should be geared to the historical trend when Hong Kong will become a Special Administrative Region after it is restored to China after 1997, and to the status quo of the Hong Kong society.

To sum up, the contents of civic education must include: an understanding of the present social characteristics of Hong Kong, a study of the meaning of China resuming sovereignty over Hong Kong after 1997, an analysis of the main contents of the Sino-British agreement and the drafting of the Basic Law. Besides developing among youths good social ethics and national consciousness, we also have to strengthen their knowledge of democracy and an awareness of the democratisation of Hong Kong's political system, thereby cultivating their independent thinking and analytical power, so that they can successfully adapt themselves to the perpetual changes of society and actively propel the society's future developments.

Sir, with these remarks, I support the motion.

4.10 p.m.

HIS EXCELLENCY THE PRESIDENT:—At this point, Council might like a short break.

4.25 p.m.

HIS EXCELLENCY THE PRESIDENT:—Council will resume.

MR. KIM CHAM:—Sir, with the publication of the White Paper on the development of a representative government, Hong Kong will be stepping into a new era of political evolution. This experiment, in the form of cautious reforms, prepares Hong Kong for the novelistic trial of ‘one country-two systems’. Despite vocal critics, the White Paper provides for a legislature with functional participation as well as geographical representation. Given our inexperienced community in elections, a system to enable balanced functional interest will help to ensure that the sectors important in economic contribution should be able to maintain a presence in our future government despite their smaller absolute numbers. Complete isolation of them, or leaving them to the uncertain outcome of elections will be too risky. After all, their departure, whether sudden or gradual, will be detrimental to the continual maintenance of stability and prosperity.

Automatic registration

The introduction of direct elections appears to be the most discussed topic. While I agree with the need to review this in 1987, we should also consider the electoral process to be used for such type of election. Here, two aspects of the electoral process need to be examined in order to determine whether those who turn out to vote in a direct election are representative of the majority opinion. First, not all of the qualified voters will register. In view of this, I suggest that all eligible voters should be automatically registered.

Compulsory voting

Second, it is often the ability of candidates who are capable of mobilising voters to turn out to vote which determine the outcome of the election. Sometimes, merely the presence of a particular segment which cares to vote at the polls may affect the result of the election. Thus, the Government should examine the practicability of compulsory voting in direct elections, that is, to require that all eligible voters to vote on election day, even if they cast a vote of abstention. Experience in Australia seems to justify this in ensuring that the silent majority will exercise their voting rights. Although it can be argued that voters have the right not to participate in choosing their future government, yet we are voting in an election which may affect our future. Given the lack of voting tradition in Hong Kong, compulsory voting may be a step to induce people to take an interest when direct elections are introduced. In our next review on the White Paper, I hope this alternative will be studied to ensure that voting rights will be exercised prior to the introduction of direct elections.

Multi-capacities

Turning now to the elected portion of the Legislative Council, what appears to be missing in the White Paper is a clear indication of the vote entitlement of individual electors with different capacities in the electoral college or functional constituencies, or both. It is conceivable that a medical doctor teaching in a university may be entitled to two votes in two different functional constituencies. Alternatively, under the District Board Ordinance, Urban Councillors are also members of the District Boards. Are they then entitled to vote in both the Urban Council and the District Board? Likewise, a medical doctor may be an Urban Councillor as well as a District Board member. I suggest that these dual-roles or multi-capacities with various permutations should be clarified.

Dual voting process

Elections for the 12 seats in the electoral college may call for a more elaborate election process than the common 'first-past-the-post' type method. Votes may be split between a number of candidates such that the first-past-the-post may not be supported by the majority. This drawback is even more pronounced when there is not a large number of District Board members or Urban Councillors in a geographical or special constituency. Thus, these eligible voters may need a process to focus on fewer candidates for a better direct comparison. Hence, I suggest that the Government should consider my earlier proposal in the Urban Council debate on the Green Paper, to consider a two-stage voting procedure. In a preliminary round of voting, candidates with lower than a percentage of votes are eliminated, leaving candidates with a higher percentage to be available for the secondary round of voting. In the secondary vote, eligible voters of the electoral college and the functional constituencies can focus their assessment on fewer campaigning personalities before a final decision is taken to elect them to the Legislative Council. Admittedly, this process is more costly as there are two rounds of voting instead of one. Yet, given the significance of the election and the importance to generate appropriate and well chosen candidates, this is worth serious consideration. Naturally, for candidates who obtain more than 50 per cent of the total votes in the primary round there should be no need for a secondary stage voting as clearly they have the majority support of their constituency.

Accounting profession

Indeed, the composition of functional constituencies has drawn some criticisms. One of them being that the accounting profession should not be excluded as a functional constituency. Professional accountants are qualified under the Professional Accountants Ordinance, with the comment of this Council. By law, accountants are required to report on the accounts of limited companies. In September 1984, there are a total of 127 715 registered companies in Hong Kong. Hence, accountants serve a very important role of reporting to all shareholders of the financial status and the performance of their companies, thus safeguarding the interest of investors. This is of paramount importance to

maintain the confidence of investors in our free enterprise economy, by keeping shareholders abreast of companies they have invested in. Without such an important professional sector to safeguard public interest, the confidence of investors may be undermined to affect the capital formation process in our economy. Aside from being reporting auditors, professional accountants serve in management positions of different companies. Their expertise towards the operation and management of the company is not restricted to the auditing field but in a wide cross-section of trades and industries. Thus, their knowledge of the business environment and the economic status of Hong Kong is based on a first hand working knowledge and not simply on a theoretical or conceptual level. I must express my regret for their omission and the Government should review this as soon as possible.

Before I vote on the motion, I must state that I regard the electoral process proposed in the White Paper as an experiment, and no more than a first experiment, towards our objective of developing a representative government in Hong Kong. We should maintain an open mind as we await the assessment of the elections in 1985 and 1986 before the 1987 review.

Sir, with these remarks, I support the motion.

MR. KEITH LAM delivered his speech in Cantonese:—

督憲閣下：在未來的十二年內保持香港的穩定和繁榮，及在十二年後將行政權力順利地轉移與港人是英國政府的責任，也是能否兌現中英協議的一項先決條件。如果英國政府不能承擔這個責任和達成這項條件，中國政府就可能以英國首先「背約」而不需遵守協議內容，到時數百萬的香港居民就真的像斷線的風箏一樣。然而，值得鼓舞的是，英國首相戴卓爾夫人最近在北京和香港的發言一再表示英國一定以最大的努力繼續維持香港的穩定和繁榮，一定會充分地照顧到香港人的利益。本人願借此機會向英國政府及戴卓爾夫人，表示由衷的敬意和期待。

當然，九七年後治好香港，主要是靠香港人齊心協力。香港的歷史是香港市民憑着智慧與辛勤創造出來的，過去是這樣，現在及將來亦然。但大家都知道，政制改革絕非一件輕而易舉的事，在這重大的轉捩關頭，我們不能不謹慎行事。「代議政制」應是一個我們自己選擇的政制，是我們自己治理未來香港的模式，是只許成功，不許失敗的。因為政制上的任何失敗，首當其衝的受就是香港市民。

在這裏我想指出三點：第一，本港目前尚缺乏一個廣闊及有着深厚公民意識的民眾基礎；第二，我們需要的是一個配合自己特色的代議政制，而這是無先例可循的；第三，也是非常重要的一環，就是香港將來成爲中國版圖內一個擁有「高度自治權」的「特別行政區」，而不是一個獨立國家，它的「民主」架構須獲得中國政府的首肯。既要符合香港市民的意願，又要爲中國政府所認可，這樣的政制容易建立嗎？所以本人認爲，我們在邁向代議政制的進展中，必須一步一步地穩健前進，並且每一階段都作出回顧及檢討，隨機應變，逐步去達到我們的最終目標。按照本人從大眾傳播媒介及親身搜集市民意見所得印象，本港市民大多讚成「循序漸進」式發展代議政制，他們都明白「遲到好過不到」的道理。任何操之過急的做法都只會帶來「揠苗助長」的可悲效果。

督憲閣下，本人想從六方面陳述對「代議政制白皮書」的意見。

四、立法局議席問題

在不少的要求選活 B 增派代表進入將來立法局的呼聲中，本人希望社會人士仔細考慮大幅度擴充立法局議席的實際後果。本人明白到，如要擴展立法局的功能和權力，現有的議席數目是不足夠的，但從另一方面來看，假若議席無限制地增加，運作起來會不會有機構臃腫運轉不靈的情況出現呢？比方說，單是開會發言時間就會大大延長了。因此，本人贊同「白皮書」所定下立法局在一九八五年的議席數目（共五十六位），並建議在一九八八年不再增減，但分配方案可考慮作以下調整，「地區議席」，即由選舉團選出的議席增至二十一位，其中區議會共選出十九席，市政局、區域議局各一席；功能團體可增加會計師行業一個席位，即十三席；委任議員減至十二席，如設三個直接選舉議席，則減至九席。按照這個分配辦法，非官守議員共四十六位，官守議員十位。

五、間接選出的立法局議員代表性

由於地區性選舉團成員都是區議員、市政局或區域議局議員，他們經常有地區工作的交往，互相認識和瞭解大家的才幹與服務社會的熱忱，因而比較容易選出適當人選成為立法局議員。同時，由於地區性議局的議員是由當地人民直接選出，其權力來自選民，是需向選民交代和接受選民監察的，而這交代和監察，是包括了他們選舉了那位議員進入立法局。同樣地，那位被他們選入了立法局的議員，亦需向他們交代和直接接受他們監察，如此選出的立法局議員，應可權威地代表他們所屬地區。

至於功能團體議員的甄選，則需視乎有關組織和專業團體的結構而應盡快作出安排，根據各自的特點，制定選舉方式。

六、政制改革檢討

政府同意將檢討期提早至一九八七年舉行，是順應民意的一項明智決定。在一九九七年前建立代議政制應是一個目標，而現時只有十二年半的時間，政制改革應在穩健中尋求適當的快速，既可避免輕率行動，又可及時總結經驗，作出改進，不會耽誤時日。

最後，說一下本人關注的一個問題，就是中國政府對「白皮書」的低調反應。當然，從好的一方面看，這是中國政府不干預港政的一種表現，但如從不利的一面去看，可以看作中國政府對「白皮書」的提議未加認可。所以希望中英聯絡小組能夠密切注視代議政制之發展，務使與將來的基本法銜接起來。我要再次強調，一九九七年後，香港只可享有「高度自治」，而不是「獨立」，我們的政制必需真正地、完全地把管治香港的權力交給香港人，同時亦需中國政府的認可及接受，才可保持本港的安定與繁榮。

督憲閣下，本人謹此陳辭，支持動議。

(The following is the interpretation of what Mr. LAM said.)

Sir, it is incumbent upon the British Government to maintain the stability and prosperity of Hong Kong in the next twelve years and to hand over smoothly to the people of Hong Kong the administrative power after these twelve years. This is also a prerequisite for the implementation of the Sino-British agreement. If the British Government cannot fulfil this obligation or adhere to these terms, the Chinese Government could cease to abide by the provisions of the agreement on the ground that Britain has taken the lead in 'breaking' it. The millions of Hong Kong people would then be like a kite with a broken

string. Nonetheless, it is encouraging that the Prime Minister, Mrs. Margaret THATCHER, has reiterated recently in Beijing and Hong Kong that Britain will try her very best to maintain the stability and prosperity of Hong Kong and will fully look after the well-being of the people of Hong Kong with the utmost care. I wish to take this opportunity to express my sincere respect and expectations for the British Government and Mrs. Margaret THATCHER.

Undoubtedly, the proper administration of Hong Kong after 1997 has to depend mainly on the united efforts of the people of Hong Kong. The history of Hong Kong is created by the Hong Kong people through wisdom and hard work. That was the case in the past; it still is and will be the same in future. Nevertheless, we all know that political reform is certainly not an easy job, and at such a critical turning point, we cannot but be cautious. A 'representative government' should be a government of our choice, a pattern of how we are to administer Hong Kong by ourselves in future. This must succeed and no failure can be tolerated, for the first ones to bear the brunt will be the people of Hong Kong should there be any failure in the system of government.

At this juncture, I wish to raise the following three points. Firstly, Hong Kong is at present still lacking in a community at large which is highly civic-minded. Secondly, what we need is a representative government which can correspond with Hong Kong's unique features, and there is no precedent to go by. Thirdly, it is a very important factor that Hong Kong will become a 'Special Administrative Region' with a 'high degree of autonomy' within Chinese territory, but not an independent country, and its 'democratic' government structure must be accepted by the Chinese Government. Can such a system of government, which has to correspond with the views and wishes of the Hong Kong people on the one hand and be accepted by the Chinese Government on the other, be established easily? Therefore, I am of the view that in the process of our move towards representative government, we must go forward steadily step by step, and review developments at each and every stage so as to act according to circumstances and achieve our ultimate goal. According to the public opinion as reflected by the mass media and that obtained by myself, the majority of the people of Hong Kong are in support of the 'progressive' development of a representative government. They can all understand the principle of 'better late than never'. Taking any action with undue haste will result in the tragic effect of 'spoiling things by excessive enthusiasm'.

Sir, I would like to express my views on the White Paper on the Further Development of Representative Government in Hong Kong from the following aspects.

1. *Proposals on changes in the three levels of Government: the Legislative and Executive Councils and the status of the Governor*

Attention must be paid towards the elements of administrative continuity and coordination if the system of representative government is to be

developed at the present stage. A small number of people proposed that the Legislative Council, and the Executive Council as well, should be open for direct elections immediately. There were even suggestions that the Governor should be elected by the people in the near future, thereby hastily changing over personnel at the three levels. Sir, I think such proposals are unrealistic. To administer Hong Kong is by no means a matter of idle theorising. It requires a lot of experience in administration and persons who work for the overall interest of the community. The White Paper states that the experience of the appointed members in the workings of the Legislative Council should not be lost. I fully agree with this point. If the number of appointed members is significantly reduced at one stroke by applying simple arithmetic, there may be difficulties in the continuity of normal operation of the Government. This may even lead to instability in Hong Kong's political situation, endangering stability and prosperity as a result. Therefore, we should not be misled by excessive empty theories on democracy with no regard for the actual situation. Decision should be made with a high degree of caution and responsibility. At the present stage of development, reforms in the Legislative Council should be progressively introduced and changes in the Executive Council should take place at an appropriate time after experience has been obtained. As regards the proposal that the Governor should be elected by the people, I consider this to be inappropriate during the period when Britain is still responsible for the administration of Hong Kong. The issue could be discussed at a later stage.

2. *Cultivating political talents at the basic level*

In order to identify and cultivate a great number of political talents to facilitate the smooth implementation of returning power to the people, I would like to reiterate my previous proposal that all members of the 'geographical councils', including the District Boards, the Urban Council and the Regional Council should be returned by direct elections from 1988 onwards. There are a lot of people with political potential in Hong Kong. I believe that the elections will bring forth a batch of talented persons who are willing to serve the community. Through actual participation in various political activities, they will become more far-sighted and able personnel who will form a strong reserve force for 'Hong Kong people administering Hong Kong' in the future.

As the jurisdiction of the geographical councils is smaller than that of the Executive and Legislative Councils, the impact of problems, if any, on the overall situation will not be too strong. I believe that the Government will have adequate strength to solve such problems as well as obtain experience and draw lessons therefrom in order to further improve the developing system of representative government.

3. *The 'trunk' and 'branches' of the Legislative Council*

The legislatures in many countries practising democracy are constituted by elections on a geographical basis. According to this principle, the 'geographical representatives' should be the 'trunk' of the future Legislative Council. However, concerning the distribution of the various seats in the Legislative Council, it is set out in the White Paper that only ten seats are given to the District Boards and one each for the Urban Council and the Regional Council. It is very inappropriate that the other nine District Boards do not have representatives from their own districts in the Legislative Council. Indeed, the present arrangements may only be expedient measures. But from a long-term point of view, this situation must be improved. I hope that when a review is made in 1987, the Government will give careful consideration to increasing the number of seats formed on the basis of district elections so that all the 19 District Boards can have elected Legislative Councillors representing their own districts.

As for representatives of the functional constituencies, I think they should be regarded as the 'branches' of the Legislative Council and they should not take up too large a portion of seats. In view of Hong Kong's special situation and the crucial functions of organisations and professionals with regard to Hong Kong's prosperity and stability, the election of some Legislative Councillors by functional constituencies is in line with practical needs. However, the limitations of functional constituencies should not be overlooked. Members returned by the functional constituencies, irrespective of their personal stands, will inevitably be restricted by the interests of the organisations which they represent when making resolutions in the debates. We certainly hope and believe that they can coordinate the interests of their organisations with those of the community. However, there is also the possibility of contradiction arising from individual and even major issues. This has to be balanced by another form of constraint which will effectively safeguard the interests of the general public. My view is that it will be a practicable measure to limit the number of seats returned by the functional constituencies to prevent it from becoming too great. The plan set out in the White Paper gives the functional constituencies twelve seats. If 'accountants' are given a seat in 1988, there will be altogether thirteen seats. This number will be very sufficient and should not be further increased. Where necessary, the Government can set up various kinds of ad hoc committees under the Legislative Council in order to obtain and absorb professional advice more frequently, intensively and comprehensively.

The Appointed and directly Elected members should be the branches of the future Legislative Council. As the appointed members are experienced in the workings of the Legislative Council, their functions of supervising, commenting and making proposals on government policies should not be

diminished following the reduction of their seats but should continue to be developed effectively instead. As an experiment on an even more open Legislative Council, I propose that in the 1987 review, consideration can be given, where appropriate, to the setting up of three directly elected seats, one each for Hong Kong Island, Kowloon and the New Territories.

I agree that the Legislative Council should appropriately maintain its present role and jurisdiction in the near future while the question on the ministerial system can be discussed in the 1987 review.

4. *Seats in the Legislative Council*

Amidst the call for more elected and appointed representatives to the future Legislative Council, I hope members of the public would pause and consider carefully the consequences of a large scale expansion of the seats in the Legislative Council. I understand that if we are to enlarge the functions and power of the Legislative Council, the existing number of seats is hardly adequate. On the other hand, if the number of seats is increased without any restraint, will it result in an oversized organisation which is inefficient in operation? For example, the time spent on delivering speeches at meetings will be much lengthened. So I am in favour of the White Paper's proposal on the number of seats (a total of 56) in the Legislative Council in 1985, and suggest that there should be no change in number by 1988. But the composition may be adjusted as follows. 'Geographical seats', that is, seats returned by the electoral college can be increased to 21, with 19 members from the District Boards and one member from the Urban Council and one from the Regional Council. A seat for accountants can be added to the functional constituencies to increase the number to 13. The number of appointed members can then be reduced to 12. If three directly elected seats are provided, then the number may be further reduced to nine. According to this distribution plan, there are 46 unofficial members and ten official members.

5. *Representativeness of indirectly elected members of the Legislative Council*

As members of the electoral college at the district level are members of the District Board, Urban Council and Regional Council, they have frequent contacts with one another on district affairs. They know one another and fully appreciate the others' ability and zeal in serving the community. Therefore it is easier for them to make their choice and there is a greater chance of returning suitable candidates to the Legislative Council. Furthermore, as members of the geographical councils are directly elected by the local people, their authority comes from the voters. They have to be accountable to the voters and are under their supervision. This accountability and supervision include their choice of a candidate to the Legislative Council. In turn, the member returned by them to the Legislative Council is accountable to them and under their supervision. Thus, the

Legislative Councillor elected in this way can authoritatively represent his district.

Arrangements for the election of members from the functional constituencies will have to be made according to the structures of the relevant organisations or professional bodies. They should have election procedures in accordance with their particular characteristics.

6. *Review of our political reform*

The government has agreed to bring forward the review to 1987. This is a wise decision with due regard to public feeling. Our aim is to establish a representative government before 1997. As we have only twelve and a half years, our political reform should progress steadily at an appropriate speed. In this way, we can avoid any rash action, and can also sum up our experience in time for further improvement without delay.

Lastly, I would like to mention a matter of concern to me, that is, the Chinese Government's low-key response to the White Paper. Taking an optimistic view, this is a sign of non-interference on Hong Kong affairs on the part of the Chinese Government. But if viewed unfavourably, it can be seen as China's non-acceptance of the White Paper's proposals. So I hope the Joint Liaison Group would keep in view of the development of representative government in Hong Kong so that it would be in line with the future Basic Law. I would like to stress again that after 1997, Hong Kong can only enjoy 'a high degree of autonomy', but not 'independence'. Our Government should truly and completely vest the authority to administer Hong Kong to the Hong Kong people. At the same time, our structure of government needs the recognition and acceptance of the Chinese Government. Only then can Hong Kong's stability and prosperity be maintained.

With these remarks, Sir, I support the motion.

MR. TONG:—Sir, before I start, I should explain that because my speech was written before yesterday, some of my points which I am about to raise have already been dealt with by the Chief Secretary in his speech in moving the motion before us.

Several months ago, I attended a public forum on the Green Paper on the Further Development of Representative Government in Hong Kong organised by the Central and Western District. In the forum, one of the participants made a comment which I will now repeat, he said—'Like most of my family members and friends, my immediate concern is making a living, and frankly, I do not have the time or the interest in politics or government administration. However, now that I am here, there is one thing that is puzzling me—from what you have just said, it appears that most people in Hong Kong are quite happy with the status quo; if so, it follows that the present system of government cannot be that bad, and if this is true, can somebody explain to me why are we taking all these troubles to make changes?'

The participant did not get a satisfactory answer to his question. In fact, none of the speakers at the public forum knew the answer! This apparently naive question reflected two very fundamental problems to which we ourselves must address. The first is the need for a more effective and comprehensive system of civic education. Everybody in Hong Kong, young or old, poor or rich, must realise that our future depends very much on how 'interested' we are in public affairs in the next 12 years and beyond. I won't dwell further on the importance of civic awareness, as Dr. Ho Kam-fai and my other honourable colleagues have already spoken on it before me.

The second problem is that neither the objective of, nor the rationale behind the Green Paper and how the White Paper on Further Development of Representative Government in Hong Kong has been adequately explained by the Government. In fact, the first and second problem is very much interrelated. One cannot expect the Hong Kong people to react responsibly and sensibly unless the Government explains clearly and candidly its thinking behind its policies. For example, the White Paper states that there will be 12 seats in the Legislative Council for both the electoral college and the functional constituencies. This represents a doubling of the original proposal in the Green Paper. What has brought this about? Also, the White Paper only provides for changes for the next 18 months. What is the Government's plan beyond that?

Turning now to the specific proposals in the White Paper, I agree that in the next three years we should maintain a sensible balance between the appointed and the elected Legislative Council seats. Indeed, I believe that the appointment system still has an important role to play and should be retained. However, I do not believe that the concept of functional constituencies is practicable. I cannot see how the Government can justifiably prefer some functional constituencies to others without criticism. For one, why should accountants be excluded and doctors be included. Of course, in saying this I have to declare an interest in that I am a professional accountant myself under the Professional Accountants Ordinance. Are we saying that doctors have a more important role to play than accountants? I suspect not! I would submit as my honourable friend CHEUNG Yan-lung also submitted accountant's role is crucial in the maintenance of prosperity and stability. However, in the final analysis, the choice is surely entirely subjective. Government could probably argue away any group's complaint, such as the accountants' non-inclusion in the functional constituencies by saying that they will make good the imbalance by the appointment system. After all why don't we simply leave it entirely to the appointment system and not pretend that we have a system which is more democratic than it really is.

My view is that we should abolish the idea of functional constituencies altogether and replace it by increasing the number of electoral college Legislative Council seats from the present 12 to 22. These seats should include 18 District Board seats (one from each district), two Urban Councils seats and

two Regional Council seats. The total number of seats by appointment should remain at 22. This arrangement leaves two seats which could be nominated by the appropriate Chinese authorities. I share my honourable friend Allen LEE'S belief that to ensure a smooth transition of government in 1997, whatever changes we make in the system of government must have the tacit approval of the People's Republic of China (P.R.C.). The proposal to give the P.R.C. the right to nominate two Legislative Council seats can only help the smooth transition. I may well be criticised for suggesting this—my argument will be that we must face up to the reality and accept that we, with the Governments of P.R.C. and the United Kingdom, work together towards this end. In any case, the result of the White Paper proposal is that at least two Legislative Council seats will go to organisations which are either controlled by the P.R.C. or have strong ties with it as a result of their inclusion in the functional constituencies—e.g. the Chinese General Chamber of Commerce and possibly one of the two labour seats.

We must be realistic, work together to achieve the common goal of maintaining prosperity and stability and not be hampered by adversarial politics in the heady stride for democracy. The status quo could only be assured with our continual economic success. We must not lose sight of this!

With these remarks, Sir, I support the motion and hope that the Government will take my comments into consideration in the 1987 review.

MRS. CHOW:—Sir, the motion before Council inspires in me very mixed reactions.

I appreciate the intention and the argument behind the White Paper on the Further Development of Representative Government. The terms 'gradual and progressive' approach seems to deserve our support, if for no other reason than to 'ensure that the prosperity and stability of Hong Kong are not put at risk by introducing too many constitutional changes too rapidly?'

It is true that the Administration has responded to popular request by firstly extending the number of elected seats for both the electoral college and the functional constituencies; and secondly advancing the date of review to 1987.

It is also true that if we are to take a step by step approach, we know at least what the next step is.

But shouldn't we be asking ourselves what the step after the next one is? Are we going at the right pace? Will we reach our goal too early or too late? Will we reach it at all?

Surely what the White Paper fails to do is to give us a complete view of the overall thinking to the progression and destination of our governmental development. It fails to see beyond the next step. The White Paper appears to me to have retrogressed from the Green Paper, for the latter was looking as far

ahead as 1991, whereas the former does not proceed beyond 1987. The only certainty beyond 1987 is what we find in section 1 of Annex I of the Joint Declaration. There is a ten year gap between 1987 and 1997, when, even at this stage, we still do not know what is likely to happen. Key questions have been left unresolved. For instance:

Will there be a ministerial system?

How will its effectiveness be ensured?

How will the Executive Council be changed?

What will happen to the appointment system?

How will the Governor be selected?

How will the ultimate form of election be determined?

In fact all these issues have been touched upon in the White Paper. What is worrying is that no answers are attempted, and worse still, the deliberation of such important and urgent questions, apart from the one regarding the ministerial system which the Chief Secretary referred to yesterday, have not been assigned any specific schedule or form. The repetition of the phrase 'at a later stage' is neither satisfactory nor reassuring. We have no time for procrastination. We need an overall plan. And as we are not relying on experience to be gained with reforms in 1985 to guide us on most of these issues, I do not see the advantage of waiting till 1987 before presenting plans on them for public debate.

It has been argued that to include as little as possible in the White Paper would allow us room to manoeuvre, as we are still experimenting with various ideas in order to find the unique system for Hong Kong. I cannot agree with this line of argument. In fact, I think the very experimental nature of our development calls for very clear and definite thinking so that we do not stray too far from a charted course, the destination of which is already marked by the Joint Declaration. Without the path laid out, how are we to be sure that we will reach our target within the time available?

Many like myself are greatly concerned that the White Paper on the one hand takes a very big step forward in 1985 without projecting and anticipating the future development beyond, while on the other fails to provide an overall plan, or even an instrument to formulate an overall plan. This is no doubt a highly undesirable and unsatisfactory state of affairs, particularly when we have to work within a very limited time frame of 12 years. In view of the great urgency of this matter, I advocate that a standing forum be formed, with both Official and Unofficial Members, to enable more structured discussion and deliberation with the aim to propose the most acceptable and workable system for Hong Kong within the provisions of the Joint Declaration.

Sir, when the White Paper does not even point to a clear way ahead and can at best be described as piecemeal, to vote for the motion would make me feel like charging full steam ahead blindfolded. I will not however vote against it lest it be misunderstood as my objection to the principle of moving towards a more representative government. I am therefore abstaining, while I urge that immediate action be taken to formulate an overall plan. After all in twelve and a half years, we are to administer ourselves. We had better know exactly and in detail how we can best do it. It is only by knowing that we can confidently move ahead in the right direction, at the right pace, with the right timing and most important of all, arrive at the right destination.

SIR ROGERIO LOBO:—Sir, it will be evident from the views expressed in the course of this debate that my Unofficial colleagues generally support the motion and the aims and intentions set out in the White Paper on the Further Development of Representative Government in Hong Kong.

I do not think I can usefully add to the wide variety of views, sometimes divergent, inevitably speculative, but generally supportive, which my colleagues have put forward.

Instead, I make no apology for repeating a theme expressed elsewhere this week which I believe should be on record in this Council in the context of this debate.

As we all know, Annex I to the Sino-British agreement prescribes that the legislature of the Hong Kong Special Administrative Region shall be constituted by elections. My Unofficial colleagues and I, and I am sure the people of Hong Kong, warmly welcome and indeed look forward to this development, and see the plans outlined in the White Paper as a sensible first step in that direction.

It is essential that a Government structure consisting largely of local people is in place and in proper working order well before 1997. To this end it is necessary therefore to move to a more representative form of Government, transferring the powers of the present colonial Government, to the elected representatives of the people of Hong Kong.

But there are fears in the minds of many people that this process of power transfer is very similar to that of decolonisation and that, drastic and radical changes over the next 12 years, may jeopardise the prosperity and stability of Hong Kong.

Annex I to the Sino-British agreement is an elaboration of the Chinese Government of its basic policies regarding Hong Kong. The heart of the agreement is the Joint Declaration, and under Article IV of the Joint Declaration the Government of the United Kingdom and the Government of the People's Republic of China declare that the Government of the United Kingdom will remain responsible for the administration of Hong Kong until

30 June 1997 with the objective of maintaining and preserving its economic prosperity and social stability. The Government of the People's Republic of China has undertaken to give its co-operation to this end.

The British Government has therefore given the Chinese Government an undertaking to return Hong Kong to China on 30 June 1997 in a prosperous and stable condition. Otherwise the British Government could be considered as failing to honour Article IV of the Joint Declaration. In that event, the Chinese Government might then say they were no longer under an obligation to honour Article III and to give Hong Kong the special status of a Special Administrative Region with a high degree of autonomy for 50 years beyond 1997.

Whilst therefore authority and responsibility to run Hong Kong may be delegated to the elected representatives of the people of Hong Kong—and the White Paper before us is about this—the British Government will remain accountable to the Chinese Government for maintaining and preserving Hong Kong's economic prosperity and social stability.

For this reason, the elected representatives of the Hong Kong people who will be coming forward to take their seats in this Council must always bear in mind that their overriding objective and mandate is to preserve Hong Kong's prosperity and stability. Should they fail to appreciate this, and to act accordingly, progress towards a fully elected legislature is bound to be delayed or, indeed, may be frustrated altogether.

Sir, elected representatives of the people of Hong Kong will be joining this Council later in the year. As Dr. FANG has pointed out yesterday, they will have a vital role to play in determining the 1987 review of the White Paper and progress towards representative government beyond 1987. I believe we must give the arrangements proposed in the White Paper a fair trial and no doubt we shall all learn a great deal in the two years to the 1987 review.

May I take this opportunity to call upon all who regard Hong Kong as their home and have the interests of this community at heart to contribute actively to the development of responsible representative government and give true meaning to the promise of Hong Kong people ruling Hong Kong with a high degree of autonomy.

Sir, with these remarks, I support the motion.

THE ATTORNEY GENERAL:—Sir, you may well think this debate by any standard has been a very worthwhile debate. Some wondered beforehand whether there would be enough to say so soon after the full debate in this Council on the Green Paper on 2 August last year. In fact, Members have contributed by their speeches a great deal to the public assessment of the White Paper proposals even they'll not have to listen to 56 speeches. Almost unanimously Members have supported the changes that had been made to the proposals in the Green Paper, many useful ideas have been contributed as Members focussed more closely

upon the immediate plans for the election of members of the next Legislative Council for the first time, and Government has received much useful advice upon the tasks that lie ahead, beyond the review in 1987.

Sir, in general, the approach of the Government to the future constitutional changes has been generally welcomed throughout this Chamber. Members have reiterated in this debate the need for a gradual, step by step advance along the road towards a representative government. Our plan for 1985 to 1988 is now established and related legislation will soon be brought forward for consideration by this Council. But at the same time we are committed to take stock of our progress in 1987—to see to what extent the first steps have been successful, to obtain the reaction of the general public to the indirect electoral process, and to see whether the new-style Legislative Council has lived up to our expectations of it. It would be neither wise nor realistic now to plan beyond 1988. The desire by Mr. Allen LEE and Mrs. Selina CHOW for a clear vision of the shape of the government structure through to 1997 and beyond is understandable but their call for an overall plan now is I suggest premature. It is too soon to decide what would suit the needs of Hong Kong in the 1990s or to chart the course that will take us there.

Let us again remind ourselves of the circumstances that obscure the vision—

- (i) Drawing up new constitutions is never easy. Where there is a revolution, they are hastily imposed. But in the ordinary way, the best way, they evolve. The recent experience of H.M.G. in transplanting western-style constitutions to dependent territories in post-war years has not been altogether successful: the general conclusion to be drawn is that nothing turns out quite as it was intended; so it is wise, I suggest, to proceed cautiously in this field and without preconceived ideas.
- (ii) Furthermore, as Mr. K. C. CHAN pointed out, Asian countries have not readily taken to democratic methods of government. Certainly they have adopted constitutional forms quite different from the Parliamentary style of government that has flourished in Europe. So in Hong Kong, it is all the more necessary to proceed slowly to see whether our community is ready to make use of new opportunities to participate in running their own affairs and whether they will give them their wholehearted support.
- (iii) Looking to the future, there is the special circumstance of history: the significance of 1997. At the same time as the territory is taking these tentative steps towards more representative government, the time is approaching, and approaching quite rapidly, as Mr. CHEUNG Yan-lung reminded us when there will take place a change of sovereignty as agreed in the Joint Declaration signed on the 19 December last. The implication of this is that any railway the Government here may choose to lay down will take us nowhere unless it meets the track that will be laid down by the Basic Law.

In 1997, the train must pass over the points without derailment.

As Mr. P. K. YEUNG reminded us, any plans must be compatible both with the terms of the Joint Declaration and with the style of government that is contemplated by the Basic Law for the Hong Kong Special Administrative Region.

- (iv) Lastly, Sir, the decisions that will have to be taken are far from easy. Many problems need to be settled in planning Hong Kong's future structure of representative government if it is to suit the needs of the community to stand the test of time and to work. It is not just a question of how to elect members directly or indirectly, or how many members of the Legislative Council to elect, or the size of the constituencies they should represent, important, though, those questions may be because many Members have spoken about them. We are considering the exercise of the power of government in all its forms—in whose hands the direction of policy and administration shall lie, the role of the public service and who shall control it. What the relationship shall be between the legislature and the executive authority, how those who have executive and legislative power can be made accountable, who can dismiss whom, and in whose hands the power of government in Hong Kong ultimately lies.

All in Hong Kong, I suggest, need much more time not to procrastinate, but to reflect these difficult questions which include the questions raised by Mrs. Selina CHOW before deciding in what direction the evolution of constitutional government should move and what form it should ultimately take.

There is no general agreement yet upon the right form of government for Hong Kong in the future. I am sure clearer ideas will have emerged in three years' time. We should, then, proceed with caution and many Members have tendered to Government just this advice. It would be unwise to proceed with haste. At the same time, the exercise of caution should not be confused with timidity. There is no-one in this Council who has advocated no change, no-one who wishes to cling on to existing arrangements in order to retain positions of power. The bold first steps in this White Paper have been supported. The risks of change have been recognised, but the need for change has been accepted. Sir, may I now turn to comment on some specific points made by Members.

Mr. Peter WONG mentioned that some people would say the Government is trying to rush through an important package hurriedly put together. He pointed out that the Government is expected to do a good and thorough job and that there is little room for error. It is true that the Government is faced with a very tight time-table and that the drafting of the legislation is a complex task. Nevertheless, the Government is confident that, with the help of Members of this Council, a solid, workable piece of legislation will be produced and serve the purpose of the first step towards representative government. The legislation of course will be subject to review in 1987 and this Council will then have the opportunity to solve practical difficulties of the kind that are inevitably thrown up by any piece of complicated legislation in a novel field.

Dr. Harry FANG urged that, in relation to the medical functional constituency, any person who is a registered medical practitioner should be eligible to stand for election and vote in that constituency. In particular, he said that the electorate should not be limited to members of the Hong Kong Medical Association.

There may be substance in these observations and the Government and this Council should consider them carefully when the detailed contents of the Bill are debated. It may be, as Dr. FANG suggests, that the franchise of the medical functional constituency should be widened.

I would like to take the opportunity of dealing with a point raised by Mr. WONG Lam. He mentioned that a member representing a functional constituency would be elected at an annual general meeting and that the legislation should specify the minimum term of office of such a member. Sir, I do not want to anticipate the final form of the legislation, but I can say that the Bill will make provision for elections by functional constituencies to be controlled by public officers in a way which is usual in electoral legislation. The elections will not be conducted in the form of a meeting of the electorate of a functional constituency. The term of office of a member will also be provided in the legislation.

Mr. WONG Lam also said that the White Paper should have touched on ways to give the Legislative Council more power to supervise and monitor the administration and mentioned the relationship between Members of the Legislative and Executive Councils. He seemed to doubt whether a person should be a Member of both Councils. I note these views but, as I have already said, these are I suggest matters which affect the basic structure of government and demand a great deal of thought before we can plan our way forward on that aspect of the matter.

Dr. Ho Kam-fai said that clear guidelines should be laid down for the eligibility criteria for candidature and voting in the functional constituencies to ensure that Members returned are truly representative. Dr. Henrietta IP also raised questions, which I have been asked outside this Chamber. I am able to assure both of them that the Government is conscious of all the points they made and I hope they will be satisfied with the rules contained in the draft legislation, although they will, of course, be able to urge the case for different rules in the debate upon the Bill.

Dr. Ho expressed the view that the Oath of Allegiance to the Queen should be replaced by an oath to the Government and the people of Hong Kong. Sir, in terms of the Joint Declaration, Hong Kong is to remain under British administration until 1997. In these circumstances, it would be entirely inappropriate to abolish the Oath of Allegiance to the Queen. At the same time, the Government does not wish to discourage people who do not see themselves

as owing any special allegiance to the Crown from becoming Members of this Council and is considering an optional alternative form of oath for Members taking their seats at the end of this year.

Dr. Ho also mentioned his view that members of the C.P.P.C.C. should not be barred from being members of District Boards or this Council. In fact a member of the C.P.P.C.C. has recently submitted a candidature for the forthcoming District Board elections. I understand that his nomination has been accepted by the Returning Officer and the Government sees no bar to that candidature.

Mr. F. K. HU, Mr. CHEUNG Yan-lung and Mr. Kim CHAM spoke of the unsatisfactory situation in which, because there were several candidates for a seat, a first past the post system could result in the election of a candidate with a minority of the votes. This is of course an interesting topic on which there are many different practices found around the world to avoid just that result. The legislative provisions would probably be complicated but the idea merits further consideration along with other methods, including proportional representation, to ensure this Council is properly representative. Mr. HU also proposed that, in the elections, there should be no duplication of voters and nominees; that a person should only vote or stand in one constituency. There may be a case for allowing a person to vote both in an electoral college constituency and a functional constituency. Mr. Kim CHAM would argue for voting in more than one functional constituency if a voter has qualifications in more than one. The Council will, I am sure, consider these points when the Bill comes forward for debate.

Sir, Members will be in no doubt that the Bill to implement the White Paper proposals, which I hope will be ready for consideration by the Executive Council in February, will be the first milestone for Hong Kong in the development of more representative government. When enacted, it will offer to the community new opportunities to influence the development of law and policy in this territory and to call to account those who presently administer it. Sir, I am confident that the community will take full advantage of those opportunities and will enthusiastically participate in the new electoral processes.

Sir, I support the motion.

THE CHIEF SECRETARY:—

Introduction

He said:—Sir, I am heartened by most of the views which have been expressed by Unofficial Members during this debate on the White Paper on the Further Development of Representative Government in Hong Kong; and I am pleased that, all with one exception—and I respect, of course, Mrs. CHOW's standpoint—all have indicated that they intend to support the motion.

Principles

As I said in my opening speech, the plans in the White Paper have been based on four principles. And those four principles have been accepted and reemphasised by many of the speakers in this debate, including for example Dr. Harry FANG, Mr. Peter C. WONG, Dr. Ho Kam-fai, and many others, and indeed as the Attorney General has just said, most Members generally endorsed the step-by-step approach adopted in the White Paper, although I fear that Mrs. CHOW argued that the steps should be built before they had been trodden upon. Miss DUNN has also stressed, and very rightly, the need to ensure that the four determinants, which she perceives to be the four fundamental determinants of Hong Kong's survival and success, are neither forgotten nor undermined in the course of the development of a more representative system of government in Hong Kong. Mr. Stephen CHEONG put in a fervent plea for a continuing emphasis on pragmatism. Mr. Bill BROWN and Mr. CHEUNG Yan-lung, as well as other Members, have underlined the importance of both candidates and voters developing a proper sense of responsibility and accountability to the community. These are all sentiments with which I am sure we all agree.

The agreement on the future of Hong Kong

Attention has been drawn by Mr. P. K. YEUNG, Mr. Peter C. WONG, Dr. Ho Kam-fai, Mr. Allen LEE, Mr. Francis TIEN, and several others, to the need to keep in mind the provisions of the agreement on the future of Hong Kong and not to lose sight of the fact that Hong Kong will ultimately be under the authority of China. These are valid points and the plans in the White Paper on representative government have been framed accordingly. At the same time, we must ensure that as a new system of government at both the legislative and executive levels is developed, we must ensure that it is suited to Hong Kong's prevailing circumstances and we should not allow ourselves to try to think too far ahead and perhaps thereby to be unduly influenced by thoughts of what the position might be after 1997. We must also stay tuned in as it were, to the voice of the people of Hong Kong, as Mr. Bill BROWN has said, and not be caught without a pair of Mr. TIEN's trousers on, securely fastened. (*laughter*)

I also wish to endorse Mr. Bill BROWN's comments on Mr. Edward HEATH's remarks about the White Paper and the attitude of Members of this Council towards the development of representative government in Hong Kong. The tone of the White Paper does *not* imply that we are doing this grudgingly and the speeches made by Unofficial Members in this debate give the lie to any accusation that they do not support wholeheartedly at least the *objectives* of the White Paper. To be cautious and careful in our approach to achieving these objectives is sensible and wise—it is not grudging. We are, after all, making history, constitutional history, and we have to be, therefore, deliberate in our approach. And as Mr. F. K. HU has pointed out, and as Miss Maria TAM

agreed, the role to be played by UMELCO during the next 12 years will continue to be extremely important.

The review and longer term development

Some Members, in particular Mrs. Selina CHOW and Mr. LEE, and Miss TAM and Mr. CHAN Ying-lun to an extent, have expressed disappointment that the White Paper does not take a sufficiently strategic view, that is to say they are none too happy that the White Paper does not contain overall plans for the development of representative government in Hong Kong up to 1997, and that it does not deal with such questions as the possible role of direct elections in the process of assembling the Legislative Council of the future, the possibility of a ministerial system seen as one way of bridge building between the Executive and the Legislature, the future composition of the Executive Council and the future position of the Governor. Other Members understood, particularly Mrs. Rita FAN in her thoughtful speech, and as I explained in my speech yesterday, all these inter-connected questions would be considered, will be considered, in the review in 1987. I am sure Mr. CHAN Ying-lun would agree that it would be wrong for me to attempt to predict the outcome of that review at this time and, as Dr. Ho Kam-fai stressed, we need a phased programme with a flexible time frame. The main purpose of the White Paper we have been debating is to set out the plans for the *first* stage in the process of the constitutional development of Hong Kong between now and 1997 (I would not go quite as far as Dr. Kim CHAM as to describe this first stage as merely an experimental stage; it is more than that). How many more stages there will be and within what time frame we should not seek to anticipate before the 1987 review. Mr. P. K. YEUNG will be pleased to hear that personally I can foresee the possibility of several more Green Papers and White Papers having to be written over the next few years by someone (*laughter*). But at each stage we must be careful not to try to do too much at once. As Mr. Francis TIEN so aptly pointed out, a diet which is too rich causes indigestion, obesity and heart attacks. (*laughter*)

Mr. Allen LEE expressed surprise at what he described as the ‘speeding up’ of the plans for the development of representative government in 1985 set out in the White Paper and suggested that this might be the result of pressure for democratisation from the British Government. He then went on to propose a very rapid development indeed in the composition and method of selection of the Legislative Council in 1988, which would result in the introduction of 20 directly elected Unofficial members and the complete removal of all the appointed Unofficial members. I find Mr. LEE’s suspicions and proposals difficult to reconcile. (*laughter*) Furthermore, I can assure him that the modifications which were made to the original Green Paper proposals were based on the views expressed by the people of Hong Kong during the consultation period and on the practical, one might almost say the arithmetic, realities of the situation.

The functional constituencies and the electoral college

Several Members have commented on the plans for elections by the functional constituencies and the electoral college. Although, judging from various comments (for example, by Mr. P. K. YEUNG) I detected a general consensus, with may be one or two dissenting voices such as Mr. Carl TONG, that the proposed mix of elected, appointed and official members (24:22:10) was about right for the time being. And the value of retaining the experience of appointed members was recognised by, I was very glad to hear, for example, Mr. CHAN Ying-lun and Mr. Keith LAM. The Attorney General has already dealt with a number of the more legalistic points relating to the elections by the electoral college and functional constituencies and I will confine my comments to those of a more general nature. Mr. F. K. HU thought that the numbers of members to be elected by the electoral college and the functional constituencies originally proposed in the Green Paper, i.e. six each, was sufficient. On the other hand, Mr. WONG Lam thought that the increased number of 12 members to be elected by the functional constituencies provided for in the White Paper, was too small. Mr. CHEUNG Yan-lung suggested that an additional functional constituency should be created for the profession of accountancy and an additional constituency should be created in the electoral college for the Heung Yee Kuk. Mr. Peter POON and Mr. Kim CHAM supported the claims of the accountants, so did Mr. Carl TONG, for a functional constituency seat for them. Mr. CHEUNG Yan-lung also enquired why the Kowloon Chamber of Commerce and the New Territories Chamber of Commerce had not been included as representative organisations in the commercial constituency; and he mentioned the tourist trade and nurses as other possible contenders for functional constituency seats. Dr. Ho Kam-fai said that he is not in favour of functional constituencies anyway and suggested that they should be phased out before they have been phased in. (*laughter*) Mr. S. L. CHEN also reminded us, quite rightly, that the underlying philosophy of the functional constituencies is to enable the various groups to contribute to the community rather than to protect their own interests in doing so.

As regards the electoral college for the ‘populist’ members, Dr. Ho Kam-fai and Mr. WONG Lam queried the groupings of the District Boards in the South and East New Territories constituencies; and Mrs. Pauline NG, Mr. Peter POON, and Dr. Ho Kam-fai all suggested that in the future each District Board should elect one or more members of the Legislative Council, and Mr. Keith LAM and Mr. Carl TONG had certain arithmetic ideas of their own as well. Mr. Kim CHAM and Mr. CHAN Kam-chuen, I should just note in passing, suggested that consideration should be given to the possibility of introducing automatic registration of electors and compulsory voting. All these many and varied comments and suggestions either have been, or will be, taken into consideration and Dr. Henrietta IP’s comprehensive blueprint for the Legislative Council of 1988 and beyond will be studied with loving care. (*laughter*)

However, as Mr. F. K. HU said with regard to the number of functional constituencies, it is impossible to satisfy every group, and as I said in my opening speech, there has to be a limit on the number of functional constituencies which can be included in the new Legislative Council to be initially assembled. The review in 1987 will provide an opportunity to consider whether any additional functional constituencies should be established and if so, which groups they should represent. I am sure that the accountants will have a strong claim for inclusion then and that we shall be reminded of that claim. In the meantime, I have no doubt, Sir, with respect, that the profession will continue to be ably represented on this Council by members appointed by you, Sir.

As regards the position of the Heung Yee Kuk, I should like to emphasise that by not providing a separate constituency for the Kuk there is no intention in any way to diminish its role nor to ignore the valuable part it has played in the affairs of the New Territories over the years. On the contrary, special care has been taken in the composition of the new Regional Council to ensure that sufficient weight and special membership has been given to the Kuk so that the important contribution it has to make to public life is fully recognised. The Kuk will have substantial representation in the membership of the Regional Council, which membership will take part in the elections from that body to the Legislative Council. Thus the Kuk will have an opportunity to be represented on the Legislative Council through the Regional Council constituency.

As for the groupings of the District Boards in the electoral college constituencies, these are considered to be the most realistic and practical which can be achieved at the present time but I have noted Mrs. Pauline NG's and Mr Peter POON's views as to numbers later on.

Finally, we shall give consideration in the longer term to the suggestions put forward concerning automatic registration and compulsory voting. However, I should just mention now that the practical problems involved in the implementation of those ideas are likely to be very considerable.

Civic education

In my speech moving this motion, I mentioned the efforts being made to encourage the development of civic education in Hong Kong, with particular reference to schools. Many Members, including Mr. Alex WU, Mrs. Rita FAN, Mr. P. K. YEUNG, and others have also referred to the importance of civic education in their speeches. I note that Mr. Alex WU, Mr. P. K. YEUNG, Mr. Keith LAM by implication and some other Members, while fully endorsing these efforts, have stressed that civic education should also be promoted among the general public at all levels, with particular emphasis on adult education. These are matters which are being taken seriously by the Government and by the Education Commission, which in its first report, published yesterday, has indicated its intention to pursue the matter in the second phase of its

deliberations. The Commission is now consulting the University and Polytechnic Grants Committee and the Vocational Training Council on the promotion of civic education in the institutions within their terms of reference, having already received the Board of Education's endorsement of the civic education plan for schools. This plan is taking into account the Education Department's adult education programmes and those run by subvented voluntary bodies.

As regard civic education and the electoral process and the need for intensive campaigns to prepare the public for the forthcoming district board elections, the Secretary for District Administration, in conjunction with the Director of Information Services and the Director of Broadcasting, has already arranged a full programme during the next eight weeks. District Officers will be providing publicity material and organising forums for candidates to meet members of their constituencies. At the same time, staff of the District Offices will give details of the electoral process to local organisations such as Mutual Aid Committees and Area Committees and urge members of the public to vote. Thereafter, further action will be taken to publicise fully the procedures for the indirect elections to the Legislative Council in September.

Conclusion

In conclusion, Sir, may I reiterate that we shall reflect upon the many useful points Members have made in this debate on the plans and intentions set out in the White Paper and we shall bear them in mind in preparing later on for the 1987 review. I can assure Mrs. CHOW that the review will be conducted one way or another on a structured basis. To the extent that some of the points made in this debate are of more immediate concern, we shall take them into account, as far as possible, when preparing for the elections later this year. There will, of course, be a further opportunity, as the Attorney General has said, for debate on the detailed arrangements for those elections when the Legislative Council (Electoral Provisions) Bill is introduced into this Council.

Sir, I beg to move.

Adjournment and next sitting

HIS EXCELLENCY THE PRESIDENT:—In accordance with Standing Orders I now adjourn the Council until 2.30 p.m. on 23 January 1985.

Adjourned accordingly at a quarter to six o'clock.