# Legislative Council Panel on Constitutional Affairs

## Election Expense Limits For
## 2000 Legislative Council Election

### Purpose

This paper sets out the Administration's preliminary proposals on the election expense limits for the elections of the second term Legislative Council ("LegCo") and its Election Committee ("EC") to be held in the year 2000. A summary of the proposals is at Annex A.

### Background

2. Under section 13(1) of the Corrupt and Illegal Practices Ordinance (Cap. 288), the Chief Executive in Council is empowered to prescribe the limits of election expenses which may be incurred by or on behalf of a candidate running for elections of the LegCo and the EC[1]. The relevant subsidiary legislation is subject to negative vetting by LegCo.

3. The setting of election expense limits is to allow candidates to compete on a level playing field in an election. The limits do not restrict the way in which a candidate runs his campaign. Candidates are free to spend as much or as little as they like, provided their election expenses stay within the prescribed limits. The election expense limits for the 1998 LegCo election are set out at Annex B.

### Preliminary Proposals

### (A) Geographical Constituency Elections

4. Similar to the arrangement in the 1998 elections, an election expense limit needs to be set for all the lists of candidates in a constituency for the 2000 elections. In setting the limit, the following

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[1] The Elections (Corrupt and Illegal Conduct) Bill is being scrutinized by a Bills Committee. When it is passed, it will replace the Corrupt and Illegal Practices Ordinance. We will introduce an amendment to save the subsidiary legislation made under the Corrupt and Illegal Practices Ordinance.

considerations are relevant :-

(a)    The delineation of the GC boundaries for the 2000 LegCo election will be the same as that for the 1998 election. The geographical sizes of the five constituencies will therefore remain the same.

(b)    The total population of Hong Kong is estimated to have increased by only 3.2% by 2000 since the 1998 LegCo election.

(c)    The election expense limits worked well in the 1998 LegCo election.

5.      Taking into account the unchanged geographical size, the slight increase in population and the experience in the 1998 LegCo election, we propose that the same election expense limit for each of the constituencies as in the 1998 GC elections be adopted for the 2000 elections.

**(B)  Functional Constituency Elections**

6.      In view of the fact that the electorate remains largely unchanged and that the election expense limits worked well in the 1998 LegCo election, we consider that there is no need to adjust the election expense limits for the 2000 LegCo functional constituency ("FC") elections. Based on the number of registered electors the constituency has, the same four tier election expense limits in 1998 should be used for all the FCs, including the new Catering and District Council FCs.

**(C)  Election by the Election Committee**

7.      In the 2000 LegCo election, the EC will return six members to LegCo. Similar to the 1998 LegCo election, we propose to peg the election expense limit for the election by this Committee at the second tier of the FC election expense limits, given the same Committee's size of 800, i.e. $160,000.

**(D)  Election of the Election Committee**

8.      There will be EC subsector elections to return members to the EC. We propose that similar to the 1998 elections, the same four tier election expense limits as with the FC elections be adopted in the

2000 EC subsector elections.

**Conclusion**

9.         The Administration welcomes views from Members.

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**Proposed Election Expense Limits
for the 2000 Legislative Council Election and the Election Committee Subsector Elections**

| Constituency | Election Expense Limits ($) |
|---|---|
| **Geographical Constituency** | Limit for each list |
| (i)    Kowloon East and Kowloon West | 1,500,000 |
| (ii)    Hong Kong Island | 2,000,000 |
| (iii)    New Territories East and New Territories West | 2,500,000 |
| **Functional Constituency** | |
| (i)    "designated" functional constituencies# | 100,000 |
| (ii)    not more than 5,000 registered electors (excluding (i)) | 160,000 |
| (iii)    between 5,001 and 10,000 registered electors | 320,000 |
| (iv)    over 10,000 registered electors | 480,000 |
| **Election Committee** | 160,000 |
| **Election Committee subsectors** | |
| (i)    "designated" subsectors* | 100,000 |
| (ii)    not more than 5,000 registered voters (excluding (i)) | 160,000 |
| (iii)    between 5,001 and 10,000 registered voters | 320,000 |
| (iv)    over 10,000 registered voters | 480,000 |

\#    They are the Heung Yee Kuk, Agriculture and Fisheries, Insurance, and Transport Functional Constituencies.

\*    They are the Agriculture and Fisheries, Insurance, Transport, Hotel, CPPCC, Heung Yee Kuk, Hong Kong and Kowloon District Councils and New Territories District Councils subsectors.

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**Election Expense Limits
for the 1998 Legislative Council Election and the Election Committee Subsector Elections**

| Constituency | Election Expense Limits ($) |
|---|---|
| **Geographical Constituency** | Limit for each list |
| (i)   3-seat constituencies (Kowloon East and Kowloon West) | 1,500,000 |
| (ii)   4-seat constituencies (Hong Kong Island) | 2,000,000 |
| (iii)   5-seat constituencies (New Territories East and New Territories West) | 2,500,000 |
| **Functional Constituency** | |
| (i)   "designated" functional constituencies# | 100,000 |
| (ii)   not more than 5,000 registered electors (excluding (i)) | 160,000 |
| (iii)   between 5,001 and 10,000 registered electors | 320,000 |
| (iv)   over 10,000 registered electors | 480,000 |
| **Election Committee** | 160,000 |
| **Election Committee subsectors** | |
| (i)   "designated" subsectors* | 100,000 |
| (ii)   not more than 5,000 registered voters (excluding (i)) | 160,000 |
| (iii)   between 5,001 and 10,000 registered voters | 320,000 |
| (iv)   over 10,000 registered voters | 480,000 |

#   They were the Urban Council, Regional Council, Heung Yee Kuk, Agriculture and Fisheries, Insurance, and Transport Functional Constituencies.

*   They were the Agriculture and Fisheries, Insurance, Transport, Hotel, CPPCC, Heung Yee Kuk, Hong Kong and Kowloon Provisional District Boards and New Territories Provisional District Boards subsectors.

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