



**Report on the Public Consultation
on the Methods for Selecting
the Chief Executive in 2017 and for
Forming the Legislative Council in 2016**

July 2014

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* The above appendices have been uploaded to the website of the Public Consultation on the Methods for Selecting the Chief Executive in 2017 and for Forming the Legislative Council in 2016 (www.2017.gov.hk). Members of the public may visit the website to browse the contents of the appendices.

Chapter One: Introduction

- 1.01 The Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China ("Basic Law") prescribes the methods for selecting the Chief Executive ("CE") and for forming the Legislative Council ("LegCo"). Articles 45 and 68 of the Basic Law provide for the attainment of the ultimate aims of selecting the CE by universal suffrage upon nomination by a broadly representative nominating committee in accordance with democratic procedures, and of electing all the Members of the LegCo by universal suffrage, in the light of the actual situation in the Hong Kong Special Administrative Region ("HKSAR") and in accordance with the principle of gradual and orderly progress.
- 1.02 According to the Interpretation by the Standing Committee of the National People's Congress of Article 7 of Annex I and Article III of Annex II to the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China ("Interpretation") adopted on 6 April 2004, the CE shall make a report to the Standing Committee of the National People's Congress ("NPCSC") as to whether or not there is a need to amend the methods for selecting the CE and for forming the LegCo in Annexes I and II to the Basic Law, and the NPCSC shall, in accordance with the provisions of Articles 45 and 68 of the Basic Law, make a determination in the light of the actual situation in the HKSAR and in accordance with the principle of gradual and orderly progress.
- 1.03 To take forward democracy in accordance with the law and in an orderly manner has all along been the policy of the Central Authorities towards constitutional development in the HKSAR. Since the establishment of the HKSAR, the political structure of the HKSAR has been developing towards the ultimate aim of universal suffrage in a gradual and orderly manner in accordance with the Basic Law. After extensive consultations, in 2005, the second-term HKSAR Government put forth a package of proposals to amend the methods for selecting the CE in 2007 and for forming the LegCo in 2008. Although the proposals obtained support from more than half of the community, it did not obtain a two-thirds majority support of all the Members of the LegCo, resulting in a standstill in the two electoral methods in 2007 and 2008.

- 1.04 The third-term HKSAR Government published the Green Paper on Constitutional Development (“Green Paper”) in July 2007 to consult the public on the options, roadmap and timetable for implementing universal suffrage for the CE and the LegCo. In December of the same year, the CE submitted a report to the NPCSC, duly reflecting the views expressed by different sectors of the community regarding universal suffrage which were collected during the consultation. After considering the report made by the CE, the NPCSC adopted the Decision of the Standing Committee of the National People’s Congress on Issues Relating to the Methods for Selecting the Chief Executive of the Hong Kong Special Administrative Region and for Forming the Legislative Council of the Hong Kong Special Administrative Region in the Year 2012 and on Issues Relating to Universal Suffrage (“Decision”), thereby setting the timetable for universal suffrage. According to the Decision, the election of the fifth CE of the HKSAR in the year 2017 may be implemented by the method of universal suffrage; and after the CE is selected by universal suffrage, the election of the LegCo of the HKSAR may be implemented by the method of electing all the Members by universal suffrage.
- 1.05 Subsequently, the package of proposals in respect of the methods for selecting the CE and for forming the LegCo in 2012 (“2012 package of proposals”) put forth by the HKSAR Government was passed by a two-thirds majority of all the Members of the LegCo, received the consent of the CE and was approved and recorded by the NPCSC in the summer of 2010. The successful implementation of the 2012 package of proposals had greatly enhanced the democratic element of the two electoral methods. In respect of the CE election, the number of members of the Election Committee (“EC”) had increased from 800 to 1 200, while the number of seats for elected District Council (“DC”) members in the fourth sector had substantially increased to 117, thereby enhancing the democratic element. In respect of the LegCo election, the number of Members returned by the Geographical Constituencies (“GC”) elections and that returned by Functional Constituencies (“FC”) elections had both increased from 30 to 35, whereas the five new FC seats returned Members through election, on the basis of “one person, one vote”, by some 3.2 million registered voters who previously did not have a vote in the traditional FCs. Thus, nearly 60% of the LegCo seats had an electorate base of more than 3 million voters.

- 1.06 Different sectors of the community are in general eagerly looking forward to attaining the aim of universal suffrage in accordance with the Basic Law. It is the common aspiration of the Central Authorities, the HKSAR Government and the Hong Kong general public to implement universal suffrage for the CE election in 2017 and to properly handle the work relating to the method for forming the LegCo in 2016, strictly in accordance with the Basic Law and the relevant Interpretation and Decisions of the NPCSC.
- 1.07 To take forward this important task, the HKSAR Government announced on 17 October 2013 the establishment of the Task Force on Constitutional Development (“Task Force”), which is headed by the Chief Secretary for Administration and with the Secretary for Justice and the Secretary for Constitutional and Mainland Affairs as members, to take charge of the public consultation on the methods for selecting the CE in 2017 and for forming the LegCo in 2016.
- 1.08 The Task Force thereafter published the Consultation Document on the Methods for Selecting the Chief Executive in 2017 and for Forming the Legislative Council in 2016 (“Consultation Document”) on 4 December 2013 to collect views widely from various sectors of the community on the related issues regarding the methods for selecting the CE in 2017 and for forming the LegCo in 2016, in order to prepare for the “First Step” of the “Five-step Process” of constitutional development, i.e., to facilitate the CE to make a report to the NPCSC. The five-month consultation period ended on 3 May 2014.
- 1.09 To facilitate discussions on the relevant issues on the basis of the Basic Law and the relevant Interpretation and Decisions of the NPCSC, the Consultation Document set out respectively the constitutional basis of constitutional development and the principles for designing the political structure of the HKSAR, as well as the issues and related questions to be considered relating to the methods for selecting the CE in 2017 and for forming the LegCo in 2016.
- 1.10 As mentioned in the Consultation Document, according to the Basic Law and the Interpretation of the NPCSC in 2004, amendments to the methods for selecting the CE in 2017 and for forming the LegCo in 2016 have to go through the “Five-step Process” :

- First Step: the CE to make a report to the NPCSC, so as to invite the NPCSC to decide whether it is necessary to amend the method of selection / formation;
- Second Step: the NPCSC to make a determination on whether any amendment to the method of selection / formation may be made;
- Third Step: if the NPCSC determines that amendments to the method of selection / formation may be made, the HKSAR Government to introduce to the LegCo a resolution on the amendments to the method for selecting the CE / method for forming the LegCo, to be passed by a two-thirds majority of all the Members of the LegCo;
- Fourth Step: the CE to consent to the resolution as passed by the LegCo; and
- Fifth Step: the CE to lodge the relevant bill to the NPCSC for approval or for the record.

1.11 It was also mentioned in the Consultation Document that the design of the political structure of the HKSAR relates to the exercise of sovereignty by the State over Hong Kong as well as the full implementation of “One Country, Two Systems” and the basic policies of the Central Authorities towards Hong Kong. In the process of attaining the ultimate aim of universal suffrage and in devising a model for implementing universal suffrage, and in implementing the methods for selecting the CE in 2017 and for forming the LegCo in 2016, we must act strictly in accordance with the Basic Law, the relevant Interpretation and Decisions of the NPCSC, and to have regard to the following:

- (i) the unique constitutional and legal status of the HKSAR;
- (ii) the constitutional powers of the Central Authorities over the development of the political structure of the HKSAR;

- (iii) the four major principles on the design of the political structure of the HKSAR, namely, meeting the interests of different sectors of the society, facilitating the development of the capitalist economy, gradual and orderly progress, and being appropriate to the actual situation in the HKSAR; and
- (iv) the legal procedures that shall be followed in amending the methods for selecting the CE in 2017 and for forming the LegCo in 2016.

1.12 We have also stressed in the Consultation Document that, in dealing with the methods for selecting the CE in 2017 and for forming the LegCo in 2016, we have to have due regard to the following three aspects:

- (i) the proposal should be strictly in accordance with the Basic Law and the relevant Interpretation and Decisions of the NPCSC;
- (ii) the proposal should stand a reasonable chance of gaining majority support of the Hong Kong community, securing passage by a two-thirds majority of all the Members of the LegCo, and receiving the approval or record by the NPCSC; and
- (iii) in terms of actual operation, the electoral procedures put forward under the proposal should be practical and practicable, simple and easy to understand, convenient to voters when exercising their voting rights, and conducive to maintaining an open, fair and impartial electoral system.

1.13 Therefore, the HKSAR Government has repeatedly emphasised during the consultation period that various sectors of the community should, in a rational and pragmatic manner, seek common grounds and accommodate differences to forge a consensus on the basis of the Basic Law and the relevant Interpretation and Decisions of the NPCSC, and when putting forth their suggestions, consider thoroughly the feasibility of different suggestions or proposals from the legal, political and operational perspectives, in order to attain the aim of implementing universal suffrage for the CE election in 2017 as scheduled, and properly handle the method for forming the LegCo in 2016.

- 1.14 During the five-month consultation period, we consulted the community widely through different channels to collect views on the issues set out in the Consultation Document from the LegCo, DCs, organisations and individuals of different sectors of the community, as well as members of the public.
- 1.15 Chapter Two of this Report covers the work relating to the public consultation exercise. Chapters Three and Four summarise the submissions put forth by the LegCo, DCs, different organisations and individuals and provide an analysis on the issues relating to the methods for selecting the CE in 2017 and for forming the LegCo in 2016.
- 1.16 Chapters Three and Four of this Report contain references to the views and suggestions on the methods for selecting the CE in 2017 and for forming the LegCo in 2016 raised by certain groups and individuals. The views and suggestions so mentioned do not represent the position of the HKSAR Government, nor does the HKSAR Government necessarily agree with such views and suggestions, nor should it be taken that the HKSAR Government agrees that such views or suggestions are in conformity with the Basic Law and the relevant Interpretation and Decisions of the NPCSC. Due to limited space, this Report could not exhaustively set out all the views and suggestions which have been raised by groups and individuals on relevant issues. However, the full set of all written submissions received are included in Appendices I, II and III to this Report. Should there be any discrepancy, the written submissions included in the Appendices shall prevail.

Chapter Two: The Public Consultation on the Methods for Selecting the Chief Executive in 2017 and for Forming the Legislative Council in 2016

- 2.01 Immediately following the publication of the Consultation Document on 4 December last year, the HKSAR Government launched a five-month public consultation exercise. The consultation period ended on 3 May this year.
- 2.02 During the consultation period, the HKSAR Government encouraged different sectors of the community and the public to submit, by post, facsimile or e-mail, views on the issues related to the methods for selecting the CE in 2017 and for forming the LegCo in 2016. We have also approached groups and individuals from different sectors and the public through different channels to listen to their views on the two electoral methods.
- 2.03 Besides, members of the Task Force attended various relevant meetings of the LegCo and participated in various consultation events during the consultation period. These included the Chief Secretary for Administration making a statement at the LegCo meeting on the day the consultation was launched; members of the Task Force attending special meetings of the LegCo Panel on Constitutional Affairs (including meeting a total of 277 groups and individuals at two special meetings); participating in seminars hosted by individual political parties, etc. The Chief Secretary for Administration also hosted a round of dinners and a round of breakfast meetings at two different junctures for all the Members of the LegCo to discuss issues related to the two electoral methods. At the four breakfast meetings held in late March, officials from Department of Law of the Central People's Government Liaison Office were also invited to attend to foster exchange and discussion. Details of the related activities are at Annex I.
- 2.04 To promote further discussion on the issues related to the two electoral methods among various sectors of the community, the Task Force also listened to the views of the public and district personalities direct. We attended related meetings of all 18 DCs to listen to the views of DC members on the relevant issues. We were also invited to attend meetings with individuals from a majority of LegCo FCs and EC subsectors, as well as attending

forums and meetings organised by different organisations, to listen to their views on the two electoral methods.

- 2.05 Members of the Task Force also visited the Southern District, Sha Tin District, Central and Western District, Eastern District and Wan Chai District respectively, as well as visiting Lunar New Year Fairs during the Chinese New Year, to approach members of the public directly and to introduce the consultation exercise to them and to listen to their views.
- 2.06 During the five-month consultation period, the Task Force and relevant Politically Appointed Officials attended a total of 226 consultation and district events. A list of such activities is at Annex II.
- 2.07 As for written submissions, a total of about 124 700 submissions from different groups and individuals, sent through post, facsimile or e-mail and submitted directly at various consultation events, were received during the consultation period, including about 83 000 questionnaire-type submissions in various forms, and about 34 100 pro-forma submissions in various forms expressing mostly the same views and suggestions.
- 2.08 We are also aware of various opinion polls conducted and published by different academic, non-governmental and media organisations during the consultation period on issues relating to the two electoral methods. Due to limited space, the main text of this Report cannot exhaustively set out the full contents of such opinion polls. However, the full text and results of the opinion polls published by respective organisations are included in Appendix IV to this Report for reference. Should there be any discrepancy, the final version published by the relevant organisations shall prevail.
- 2.09 The full texts of the views received on the methods for selecting the CE in 2017 and for forming the LegCo in 2016 and opinion polls conducted by various academic, non-governmental and media organisations on issues related to the two electoral methods during the consultation period are included in the following Appendices:

- Appendix I Written submissions put forth by political parties/groups and Members of the Legislative Council and extracts of notes of meeting of the 18 District Councils
- Appendix II Written submissions put forth by organisations from various sectors and by groups and individuals who met with members of the Task Force on Constitutional Development during the consultation period
- Appendix III Public Views
- Appendix IV Opinion polls conducted by various academic, non-governmental and media organisations on the methods for selecting the Chief Executive in 2017 and for forming the Legislative Council in 2016

The above Appendices have been uploaded to the “Methods for Selecting the Chief Executive in 2017 and for Forming the Legislative Council in 2016” website (www.2017.gov.hk). Members of the public may browse the relevant appendices at the above website.

Chapter Three: Analysis of Views Received on the Method for Selecting the Chief Executive in 2017

Background

3.01 A number of provisions in the Basic Law are related to universal suffrage for the CE election. Among them, Article 45 of the Basic Law, which is of the utmost importance, provides:

“The Chief Executive of the Hong Kong Special Administrative Region shall be selected by election or through consultations held locally and be appointed by the Central People’s Government.

The method for selecting the Chief Executive shall be specified in the light of the actual situation in the Hong Kong Special Administrative Region and in accordance with the principle of gradual and orderly progress. The ultimate aim is the selection of the Chief Executive by universal suffrage upon nomination by a broadly representative nominating committee in accordance with democratic procedures.

The specific method for selecting the Chief Executive is prescribed in Annex I: ‘Method for the Selection of the Chief Executive of the Hong Kong Special Administrative Region’.”

3.02 According to the Decision of the NPCSC in 2007, the election of the fifth CE of the HKSAR in the year 2017 may be implemented by the method of universal suffrage; and after the CE is selected by universal suffrage, the election of the LegCo of the HKSAR may be implemented by the method of electing all the members by universal suffrage.

3.03 According to Article 45 of the Basic Law, the process for selecting the CE by universal suffrage involves three main steps, namely “nomination”, “election by universal suffrage” and “appointment”. Subject to conformity with the Basic Law and the Decision of the NPCSC in 2007, the Consultation Document set out the following key issues for consideration in discussing the method for selecting the CE in 2017:

(I) Size and Composition of the Nominating Committee;

- (II) Electorate Base of the Nominating Committee;
- (III) Method for Forming the Nominating Committee;
- (IV) Procedures for the Nominating Committee to Nominate CE Candidates;
- (V) Voting Arrangements for Electing the CE by Universal Suffrage;
- (VI) Procedures for Appointing the CE and the Linkage with Local Legislation; and
- (VII) Political Affiliation of the CE.

Summary of Views

3.04 The ensuing paragraphs summarise the written proposals put forth by different political parties or groups in and the Members of the LegCo, organisations from various sectors, and groups and individuals the Task Force met during the consultation period, written submissions put forth by members of the public and individual groups, as well as findings of the relevant opinion polls.

General Views

3.05 During the consultation period, views from different political parties or groups in and the Members of the LegCo, written submissions from organisations from different sectors or individual groups and persons, as well as relevant opinion polls, show that different sectors of the community generally look forward to the implementation of universal suffrage for the CE election in 2017 in Hong Kong as scheduled and in accordance with the law. Any proposal on universal suffrage for the CE election should be in accordance with the Basic Law and the relevant Interpretation and Decisions of the NPCSC, and the community generally agrees that the successful implementation of universal suffrage for the CE election in 2017 will bring about positive impact on the policy implementation, economy, and livelihood matters in Hong Kong in the future, and hence sustained development and long-term prosperity and stability for

Hong Kong. The mainstream opinion is that the CE should be a person who “loves the country and loves Hong Kong”, and that constitutional development must meet the interests of different sectors of the community, facilitate the development of the capitalist economy, as well as being in accordance with the principles of gradual and orderly progress and appropriate to the actual situation in Hong Kong.

LegCo Members

3.06 Views of different political parties or groups in and the Members of the LegCo are set out below:

- (i) The Democratic Alliance for the Betterment and Progress of Hong Kong (“DAB”) considers that it is the aspiration of the community at large to strive for the implementation of universal suffrage for the CE in 2017; it also considers that in Hong Kong where the rule of law is upheld, everyone must act in accordance with the law, and thus any arrangements for electing the CE by universal suffrage in 2017 must be in strict compliance with the Basic Law and the Decision of the NPCSC in 2007 on the issues relating to universal suffrage; it also considers that the implementation of universal suffrage for the CE election in 2017 will be an important move forward in constitutional development in Hong Kong, and the electoral arrangements may be further improved in the future in accordance with the actual situation of Hong Kong.
- (ii) The Business and Professionals Alliance for Hong Kong (“BPA”) considers that achieving universal suffrage for the CE election through “one person, one vote” in 2017 is the earnest wish of Hong Kong people. Any proposals for universal suffrage should be thoroughly examined within the legal framework based on the Basic Law and the relevant Interpretation and Decisions of the NPCSC. To take a step forward towards constitutional reform, the community should, under the principle of meeting the interests of different sectors of the community, strive to forge the broadest possible consensus. People from different strata of the Hong Kong economy have different ideas on and understanding of the circumstances and conditions necessary for sustaining economic development,

and so a proposal for universal suffrage which ensures their balanced participation is conducive to selecting a CE who would promote sustainable economic development. Hon Abraham SHEK Lai-him has put forth a separate submission in which he considers that Hong Kong's political system is a system which is founded on the art of balance. To maintain prosperity and stability of a city with multiple interests and varied aspirations like Hong Kong, it is necessary to balance different or even opposing views and aspirations. The post of CE must be taken up by a person who "loves the country and loves Hong Kong" and "does not confront the Central Authorities". Hon Christopher CHEUNG Wah-fung has put forth a separate submission in which he considers that the electoral arrangements for selecting the CE by universal suffrage should meet the interests of different sectors of the community, facilitate the development of the capitalist economy, progress in a gradual and orderly manner and appropriate to the actual situation in Hong Kong.

- (iii) The Democratic Party ("DP") considers that implementing universal suffrage for the CE election in 2017 is not only honouring the solemn undertaking to Hong Kong on the part of the Central Authorities, but also responding to 30 years' demand of the Hong Kong community for democracy. If the people of Hong Kong see their hope for democracy dashed again this time, Hong Kong will become ungovernable and the situation would be unthinkable. The principles of any reform proposals should conform to Articles 25, 26, 39 and 45 of the Basic Law and consistent with the principles of universality and equality as enshrined in Article 25 of the International Covenant on Civil and Political Rights ("ICCPR").
- (iv) The Hong Kong Federation of Trade Unions ("FTU") considers that universal suffrage for the CE in 2017 must be implemented in accordance with the Basic Law and the relevant Decisions of the NPCSC; it should conform with Hong Kong's constitutional status as a part of China, ensuring that the functions of CE are discharged by a person who "loves the country and loves Hong Kong"; as for the details of the proposal, a "highest common factor" agreed by all should be adopted to arrive at a consensus, so

that constitutional development in Hong Kong can be taken forward in a positive and proper manner, and universal suffrage for the CE election can be implemented in 2017.

- (v) The Civic Party (“CP”) considers that Article 45 of the Basic Law stipulates that the ultimate aim of the selection of the CE is “by universal suffrage upon nomination by a broadly representative nominating committee in accordance with democratic procedures”. The method for selecting the CE by universal suffrage should comply with relevant legal principles (including Articles 25, 26, and 39 of the Basic Law, Article 25 of the ICCPR and Article 21 of the Hong Kong Bill of Rights), the principles of universality and equality, and there should be no unreasonable restrictions to the right to vote and right to be elected. Universal suffrage is deserved and a real choice in the CE and LegCo elections should be insisted. It is part of civil right to have the right to nominate candidates, to vote and to run in elections, and international standards of universal suffrage must be complied. Hon Ronny TONG Ka-wah has put forth a separate submission in which he remarks that the proposed package for universal suffrage for the CE election must be consistent with the Basic Law and the Decisions of the NPCSC, and meet international standards with a low nomination threshold and no screening of candidates, etc.
- (vi) The Liberal Party (“LP”) considers that the methods for selecting the CE in 2017 and for forming the LegCo in 2016 are of vital importance to the democratisation process and social development of Hong Kong in future, and therefore, the matter should be handled in a careful and responsible manner. Any proposal must comply with two important principles: first, it must be in accordance with the Basic Law and the relevant Decisions of the NPCSC, overseas experiences that are beyond the Basic Law and the relevant Decisions of the NPCSC should not be copied mechanically. Besides, the proposals on electoral arrangements must follow a gradual and orderly approach with which universal suffrage is to be pursued step by step. Trying to achieve everything in one go is a risky approach; putting the well-being of all people and the

whole community of Hong Kong to risk should be avoided. 2017 is not the endgame. We should first implement universal suffrage for the CE election through “one person, one vote”, then keep improving the electoral arrangements in the light of the actual situation in Hong Kong. This would be the responsible way to take for our future generations.

- (vii) The Labour Party considers that specific proposal on universal suffrage for the CE election should, apart from Article 45 of the Basic Law, be consistent with Articles 25, 26 and 39 of the Basic Law and Article 25(b) of the ICCPR. Hon Cyd HO Sau-lan has put forth a separate submission in which she considers that gaining public trust, implementing accountability and improving governance should be the objectives for taking forward constitutional reform. Trust and accountability are founded on a system which establishes the right of the people to participate in selecting the government.
- (viii) The New People’s Party (“NPP”)¹ considers that in the process of attaining the ultimate aim of universal suffrage and in designing the model for implementing universal suffrage, it must be ensured that the basic policies of the State regarding Hong Kong and the four main principles for constitutional development under the Basic Law, namely meeting the interests of different sectors of the community; facilitating the development of the capitalist economy; gradual and orderly progress; and appropriate to the actual situation in the HKSAR, are complied with. The electoral system should aim at returning a CE who “loves the country and loves Hong Kong” and is acceptable to the Central Authorities, minimising the risks of political confrontation, constitutional crisis and populism.
- (ix) The People Power considers that civic nomination is an indispensable approach to enter the race and become

¹ Six key members of the NPP, together with two independent Members of the LegCo and five professionals, made a submission under the name of New People’s Party Study Group on Constitutional Development; for details, please refer to Appendix I.

candidates; the composition of the NC must comply with democratic principles, and formed through universal and equal methods.

- (x) The Professional Commons (“PC”) considers that it is unacceptable for Hong Kong, a developed and open society as well as an international financial and business centre, to put in place a mechanism for screening candidates of the CE election. As an important step in the process of democratisation, the Government should draw up a detailed reform proposal to enhance the representativeness of the nominating committee (“NC”).
- (xi) Neighbour and Worker’s Service Centre (“NWSC”) considers that to relieve the hardship of people’s livelihood, it is imperative to reform the political system. Under the principles of “Hong Kong people ruling Hong Kong” and “a high degree of autonomy”, the people of Hong Kong should have the rights to make nomination, to be elected and to vote, and the livelihood of people could be improved under a democratic system.
- (xii) The Hong Kong Association for Democracy and People’s Livelihood (“ADPL”) considers that a genuine universal suffrage is one without screening of candidates. It strongly demands implementation of genuine universal suffrage as soon as possible, so as to enable constitutional development and various livelihood issues in Hong Kong to move forward. Constitutional reform will determine the fate of democracy in Hong Kong. It declines to accept any proposed package for universal suffrage which does not meet the standards, and supports the “three-track nomination proposal” put forth by the Alliance for True Democracy².
- (xiii) The League of Social Democrats (“LSD”) considers that “no screening of candidates” is a crucial element of the proposed packages for constitutional reform and this fundamental principle should be adopted as the bottom line of any reform proposals. Besides, there should be no

² For details of the proposal put forth by the Alliance for True Democracy, please refer to Appendix II.

unreasonable restriction for Hong Kong people to have the right and opportunity to enjoy universal and equal right to make nomination, to vote and to stand for election.

- (xiv) The Neo Democrats objects to screening of candidates and demands universal suffrage.
- (xv) The New Century Forum (“NCF”) considers that Hong Kong being a special administrative region of China, its political development must implement the principle of “One Country, Two Systems”, the electoral methods must comply with the Basic Law, and the electoral system must prevent the occurrence of constitutional crisis that may arise from the refusal of the Central Authorities to appoint the CE returned by universal suffrage. Universal suffrage proposals should ensure competitiveness in the election, allow voters to have a genuine choice, and be acceptable to the people of Hong Kong.
- (xvi) The Federation of Hong Kong and Kowloon Labour Unions (“FLU”) considers that achieving universal suffrage in 2017 is the aspiration of most of the people. The proposed package for universal suffrage for the CE election in 2017 should be designed on the basis of the principles of gradual and orderly progress as well as balanced participation in accordance with the provisions of and consensus in the Basic Law.
- (xvii) Dr Hon LAM Tai-fai considers that achieving universal suffrage is the common aspiration of the Central Authorities, the SAR Government and the community at large. Constitutional reform should be taken forward in accordance with the Central Authorities’ four stances on universal suffrage, i.e., the objective is to implement universal suffrage as scheduled; the Basic Law provides the basis for implementing universal suffrage; the consensus is that the electoral system should be conducive to electing a CE who “loves the country and loves Hong Kong”; and it is the responsibility of all sectors to take forward universal suffrage. In addition, the proposal for selecting the CE by universal suffrage should be drawn up in three directions, namely increasing democratic elements,

ensuring balanced participation, and enhancing broad representativeness.

- (xviii) Hon Paul TSE Wai-chun considers that for any particular place, it must take into account the history, background and actual situation of that place in formulating the most appropriate and practicable system at the time.
- (xix) Hon NG Leung-sing considers that the Basic Law specifically provides for the ultimate aim of selection of the CE by universal suffrage, while the NPCSC Decision in 2007 clearly provides for the selection of the CE by the method of universal suffrage. He supports the implementation of universal suffrage for the CE election in accordance with the provisions of the Basic Law and the relevant Decisions of the NPCSC.
- (xx) Hon YIU Si-wing considers that Hong Kong is a special administrative region of the People's Republic of China, its system of universal suffrage must comply with the Basic Law and the relevant Decisions of the NPCSC. The system should be designed on the premise that the CE will not confront the Central Authorities and the SAR Government. It is basic political ethics that the CE must "love the country and love Hong Kong".
- (xxi) Hon Tony TSE Wai-chuen considers that proposals on methods for selecting the CE in 2017 and for forming the LegCo in 2016 must be consistent with the provisions of the Basic Law and the relevant Interpretation and Decisions of the NPCSC. If Hong Kong fails to seize the opportunity of implementing universal suffrage in 2017, the process of implementing universal suffrage for the LegCo in 2020 would be directly affected. Therefore, the top priority is to focus discussion on the method for selecting the CE in 2017.

District Councils

3.07 During the consultation period, all the 18 DCs respectively discussed the content of the Consultation Document and passed motions, and considered that Hong Kong should implement

universal suffrage for the CE election in 2017 as scheduled and in accordance with the Basic Law, and that constitutional development should not come to a standstill. Individual DCs also passed motions that considered the CE should naturally be a person who “loves the country and loves Hong Kong”, that the society should discuss in a peaceful, rational and pragmatic manner to forge consensus, and that unlawful activities should be objected to. Full text of the relevant motions passed by the 18 DCs is at Annex III.

Organisations from various sectors, and groups and individuals the Task Force met during the consultation period

3.08 The majority of groups support the implementation of universal suffrage for the CE election in 2017 on the basis of the Basic Law and relevant Interpretation and Decisions of the NPCSC. Some groups also gave their opinions on the principles of constitutional development and the political structure of Hong Kong, including that the political system of Hong Kong should comply with the constitutional status of Hong Kong under “One Country, Two Systems”³; constitutional development should progress in a gradual and orderly manner and in accordance with the principle of “balanced participation”, as well as maintaining a sustainable business environment⁴; and that constitutional development should not come to a standstill⁵. There are also some groups suggesting that the method for universal suffrage should reflect the wish of Hong Kong people⁶; it should provide a genuine choice for the people⁷; there should not be unreasonable restrictions imposed on any person who is interested in

³ For example, the Chinese Academic Link, the Chinese Manufacturers’ Association of Hong Kong, and the Federation of Hong Kong Industries submitted similar views; for details, please refer to Appendix II.

⁴ For example, the Hong Kong General Chamber of Commerce submitted relevant views; for details, please refer to Appendix II.

⁵ For example, Mr Henry TANG Ying-yen, etc. submitted relevant views; for details, please refer to Appendix II.

⁶ For example, members of the Legal Subsector of the Election Committee submitted relevant views; for details, please refer to Appendix II.

⁷ For example, the Hong Kong 2020 submitted relevant views; for details, please refer to Appendix II.

participating in the elections⁸; and that the electoral methods should comply with the ICCPR⁹, etc.

Written submissions put forth by individual groups and members of the public

3.09 Among the relevant written submissions collected during the consultation period, a majority support the implementation of universal suffrage for the CE election through “one person, one vote” in 2017 as scheduled and in accordance with the Basic Law and relevant Interpretation and Decisions of the NPCSC. The mainstream opinion is also that the post of the CE should be held by a person who “loves the country and loves Hong Kong” and that he should not confront the Central Authorities. At the same time, there are some opinions which consider that “loves the country and loves Hong Kong” should not be a requirement to “screen” candidates for the CE election.

Relevant opinion polls

3.10 Among the opinion polls conducted during the consultation period, the polls conducted respectively by the Hong Kong Research Association (“HKRA”)¹⁰ and the Hong Kong Chinese People’s Political Consultative Conference (Provincial) Members

⁸ For example, the Hong Kong Council of Social Service submitted relevant views; for details, please refer to Appendix II.

⁹ For example, the Hong Kong Professional Teachers’ Union submitted relevant views; for details, please refer to Appendix II.

¹⁰ According to the poll conducted by the HKRA between 27 February and 4 March 2014:

- (a) about 72% of the respondents agree that Hong Kong should implement universal suffrage for the CE election in 2017, constitutional development should not come to a standstill;
- (b) about 20% have no strong view/have no comment;
- (c) about 12% disagree.

Besides,

- (a) about 62% of the respondents consider that the implementation of “one person, one vote” universal suffrage for the CE election in 2017 is important;
- (b) about 26% hold moderate views;
- (c) about 8% consider it unimportant;
- (d) about 4% have no strong view/have no comment.

Association (“HKCPPCC”)¹¹ found that the majority of the public considered that universal suffrage for the CE election should be implemented in 2017, and generally agreed that the successful implementation of universal suffrage for the CE election in 2017 would bring about positive impact on the policy implementation, economy, and livelihood matters in Hong Kong in the future, and hence sustained development and long-term prosperity and stability for Hong Kong.

3.11 Besides, according to the polls conducted respectively by the Hong Kong Public Opinion Research Centre (“HKPORC”)¹², the HKRA¹³, the HKCPPCC¹⁴ and the Hong Kong Institute of

¹¹ According to the poll conducted by the HKCPPCC between 20 February and 1 March 2014:

- (a) about 53% of the respondents look forward to the passage of the constitutional reform proposal, so as to implement universal suffrage for the CE election in 2017;
- (b) about 7% do not;
- (c) about 40% have no comment.

¹² DAB commissioned the HKPORC to conduct two rounds of opinion polls: from 19 to 20 February and from 23 to 24 February 2014, as well as from 23 to 26 March 2014 respectively. According to the two polls:

- (a) about 69% and 72% of the respondents consider that the method for universal suffrage for the CE election in 2017 should be formulated according to the provisions of the Basic Law relating to universal suffrage;
- (b) about 17% and 14% do not;
- (c) about 14% do not know/are undecided/have no comments.

Besides,

- (a) about 50% and 54% of the respondents consider that the method for universal suffrage for the CE election in 2017 should be formulated in accordance with the principles set out in the Decision of the NPCSC in 2007;
- (b) about 31% and 30% do not;
- (c) about 18% and 15% do not know/are undecided/have no comments.

¹³ According to the poll conducted by the HKRA between 27 February and 4 March 2014:

- (a) about 69% of the respondents consider that universal suffrage for the CE election should be in accordance with the Basic Law and Decisions of the NPCSC;
- (b) about 16% consider it unnecessary;
- (c) about 16% have no strong view/have no comment.

Asia-Pacific Studies of the Chinese University of Hong Kong (“HKIAPS”)¹⁵, the mainstream opinion is that universal suffrage for the CE election should be taken forward in accordance with the Basic Law and the Decisions of the NPCSC. Besides, there are more people who consider that CE candidates should not confront the Central Authorities^{16,17}, and that the post of the CE should be held by a person who “loves the country and loves

¹⁴ According to the poll conducted by the HKCPPCC between 20 February and 1 March 2014:

- (a) about 47% of the respondents consider that universal suffrage for the CE election should be taken forward in accordance with the Basic Law and Decisions of the NPCSC;
- (b) about 33% do not agree;
- (c) about 20% have no comment.

¹⁵ According to the poll conducted by the HKIAPS between 11 to 20 March 2014:

- (a) about 77% of the respondents consider that the Government should formulate the method for selecting the CE in 2017 by universal suffrage according to relevant provisions in the Basic Law;
- (b) about 15% do not agree;
- (c) about 8% do not know.

Besides,

- (a) about 57% of the respondents consider that the Government should formulate the constitutional reform proposal according to Decisions of the NPCSC;
- (b) about 32% do not agree;
- (c) about 11% do not know.

¹⁶ Ming Pao commissioned the Public Opinion Programme, The University of Hong Kong (“HKUPOP”) to conduct an opinion poll between 21 to 24 January 2014. According to the poll:

- (a) about 49% of the respondents support the proposal that “candidates should be selected by the NC to ensure that all candidates would not confront the Central People’s Government, before letting the people elect the CE through one person, one vote”;
- (b) about 32% oppose;
- (c) about 12% indicate “half-half”;
- (d) about 6% do not know/hard to say.

¹⁷ According to the poll conducted by the HKIAPS between 11 to 20 March 2014:

- (a) about 54% of the respondents do not accept a person who confront the Central People’s Government to become a candidate for the CE election;
- (b) about 34% accept;
- (c) about 11% do not know;
- (d) about 1% give other responses.

Hong Kong”^{18,19,20}.

(I) Size and Composition of the Nominating Committee

3.12 According to the Decision of the NPCSC in 2007, “in selecting the Chief Executive of the Hong Kong Special Administrative Region by the method of universal suffrage, a broadly representative nominating committee shall be formed. The nominating committee may be formed with reference to the current provisions regarding the Election Committee in Annex I to the Hong Kong Basic Law.”

¹⁸ DAB commissioned the HKPORC to conduct two rounds of opinion polls: from 19 to 20 February and from 23 to 24 February 2014, as well as from 23 to 26 March 2014 respectively. According to the two polls:

- (a) about 58% and 61% of the respondents consider that a person who confronts the Central People’s Government (Beijing) should not be allowed to be a candidate of the CE election;
- (b) about 27% and 26% consider that it should be allowed;
- (c) about 14% and 13% do not know/are undecided/have no comments.

Besides,

- (a) about 65% and 66% of the respondents do not support a person who confronts the Central People’s Government (Beijing) to hold the post of the CE;
- (b) about 19% and 21% support;
- (c) about 16% and 12% do not know/are undecided/have no comments.

¹⁹ According to the poll conducted by the HKCPPCC between 20 February and 1 March 2014:

- (a) about 48% of the respondents consider that if the CE confronts the Central Authorities, it would not be conducive to the overall development of Hong Kong;
- (b) about 29% do not agree;
- (c) about 23% have no comment.

Besides,

- (a) about 56% consider that it is reasonable for the CE to be held by a person who “loves the country and loves Hong Kong”;
- (b) about 25% do not agree;
- (c) about 19% have no comment.

²⁰ The Alliance for True Democracy commissioned the HKUPOP to conduct an opinion poll between 23 and 29 January 2014. According to the poll:

- (a) around 38% of the respondents agree that “the NC should sieve CE candidates according to political standards such as ‘love the country and love Hong Kong’, ‘not confronting the Central Authorities’, etc.”;
- (b) around 36% do not agree;
- (c) around 19% consider “half-half”;
- (d) around 8% do not know/hard to say.

3.13 The Election Committee (“EC”) in 2012 was composed of 1 200 members from the following four sectors:

Industrial, commercial and financial sectors 300

The professions 300

Labour, social services, religious and other sectors 300

Members of the Legislative Council, 300
representatives of members of the District Councils,
representatives of the Heung Yee Kuk New
Territories, Hong Kong deputies to the National
People’s Congress, and representatives of Hong
Kong members of the National Committee of the
Chinese People’s Political Consultative Conference

3.14 The Decision of the NPCSC in 2007 stipulates that in selecting the CE by the method of universal suffrage, the NC may be formed with reference to the current provisions regarding the EC.

3.15 As regards the size and composition of the NC, the Consultation Document set out five key issues as follows:

(i) should the existing composition framework of the four sectors in the EC be followed when designing the composition of the NC?

(ii) should the total number of NC members remain at 1 200, the same as the current EC, or should it be increased / decreased?

(iii) should the NC be composed of the 38 subsectors of the existing EC, or should there be an increase or decrease of the number of subsectors?

(iv) if the total number of NC members is to be increased, how should the newly added seats be distributed among the four sectors?

(v) if the total number of NC members is not to be increased, should the distribution of seats among the four sectors remain unchanged?

LegCo Members

3.16 Views of different political parties or groups in and the Members of the LegCo on the composition and size of the NC are set out below:

- (i) DAB considers that the composition of the NC should be in accordance with Article 45 of the Basic Law and the Decision of the NPCSC in 2007, taking into account the principle of broadly representative and balanced participation and make reference to the composition of the existing EC, i.e., composes of four sectors with the same number of members for each sector, and the number of NC members could be from 1 200 to 1 600. For the composition of the four sectors of the NC, consideration may be given to appropriately increasing the number of subsectors or adjusting the subsectors, such as adding the “Associate professionals”, “Women and Youth” and “Small and Medium-sized Enterprises” subsectors; the number of members for individual subsectors may also be appropriately increased or adjusted, e.g., increasing the number of members for the DCs subsectors.
- (ii) BPA considers that the specific composition of the NC may make reference to the existing composition framework of four sectors in the EC and appropriately increasing the number of NC members to 1 600 with the number of seats for each of the four sector to be increased by 100 according to the principle of “balanced participation”. Hon Abraham SHEK Lai-him has put forth a separate submission requesting to break up the current “Real Estate and Construction” subsector to “Real Estate” subsector and “Construction” subsector, each with 18 members; the number of members from the DCs subsectors in the Fourth Sector should remain unchanged, and objects to adding all DC members to the NC. Hon Christopher CHEUNG Wah-fung has put forth a separate submission in which he considers that the NC should maintain the four sectors as in the EC to realise the principle of balanced participation, but he agrees to increase the membership size to 1 600. Seats for individual trades should be increased pro rata according to their gross domestic product as far as possible to reflect the roles played by these trades and their importance in the local economy.

- (iii) DP considers that the composition of the NC should be democratised as far as possible. All members of the NC may be elected by the public through “one person, one vote”; if reference has to be made to the composition framework of the four sectors in the EC, consideration may be given to dividing the Fourth Sector into 18 districts and directly electing district NC members through “proportional representation system”.
- (iv) FTU considers that the composition of the NC should make reference to the existing composition framework of the four sectors in the EC and should be in line with the principle of balanced participation. On size of the NC, it considers that it should be based on the existing size of 1 200, and not exceeding 1 600 at most. If the membership size of the NC is to be increased to 1 600, the number of seats for each sector should be increased by 100 accordingly in order to fulfil the principle of “balanced participation”; the 100 new seats for the Third Sector (i.e., “Labour, social services, religious and other sectors”) should be used to enhance the proportion of labour representation; all 100 new seats for the Fourth Sector should be allocated to members of the DCs.
- (v) CP considers that new subsectors representing those who are not included in the existing subsectors (such as housewives and retirees) should be added to the NC. Hon Ronny TONG Ka-wah has put forth a separate submission suggesting to abolish the existing 117 DCs representatives seats, but to add all the elected DC members as ex-officio members to increase the size of NC to 1 514 members.
- (vi) LP considers that the number of NC members should be increased in accordance with the principle of balanced participation, and the newly added members should be sufficiently representative in their respective sectors, should have made substantive contribution to the economy, and should be able to give full play to their roles. Specifically, the total number of members is proposed to be 1 600 with 100 new seats for each of the four sectors. All 100 new seats for the Fourth Sector should be allocated to members of the DCs. The number and proportion of members for each sector can be slightly adjusted in the light of the actual situation.

- (vii) The Labour Party considers that it will not be consistent with the Basic Law if the composition of the NC leads to a disparity in or unreasonable restrictions on the rights of permanent residents to be elected owing to factors such as wealth, status, political opinions, etc.
- (viii) NPP considers that when designing the composition of the NC, the existing composition framework of the four sectors in the EC should be followed. According to the principles of balanced participation and gradual and orderly progress, the number of NC members can be increased up to 1 600, and it would also be acceptable if the number of members is to be increased to 1 400 or remain at 1 200. The existing 38 subsectors should be maintained while consideration may be given to adding five new subsectors, namely small and medium-sized enterprises; elderly care and rehabilitation services; women and youth; and ethnic minorities.
- (ix) The People Power considers that the composition of the NC should be consistent with democratic principles, the formation of which is through universal and equal means; it also proposes that the NC should be formed by all incumbent elected DC members and LegCo Members.
- (x) The PC considers that the representativeness of the NC should be enhanced as an important step in the process of democratisation; it supports direct election of NC members from 18 districts by adopting the proportional representation system; it opines that consideration may also be given to adding a “Home-makers, retirees and others” subsector to the Third Sector (Labour, social services, religious and other sectors) and expanding the size of the NC. It also proposes to reduce the number of representatives of Agriculture and Fisheries subsector in the NC from 60 to 20, and to allocate the relevant 40 seats to representative trades which have made greater contribution to the gross domestic product or those which are conducive to the long-term development of Hong Kong, such as financial services, information and technology, education, etc.; generally speaking, it does not support adding seats to subsectors or adding new subsectors.

- (xi) NWSC proposes to classify all eligible voters in Hong Kong into four main sectors on the basis of their employment condition in accordance with the principles of universality and equality with each sector returning 300 to 500 NC members through “one person, one vote”, bringing the total number of NC members to 1 200 to 2 000. The definition of employment condition and the classification methods are open to further discussion.
- (xii) NCF proposes to make reference to the composition and subsectors of the EC, and on this basis, increasing the number of NC members by 300 to 1 500, the new seats would be returned by random selection among all voters in Hong Kong.
- (xiii) FLU considers that the number of NC members should be increased from 1 200 as in the present EC to not more than 1 600. The NC should continue to be composed of four sectors, and each with equal number of members. As for the subsectors, the number of members can be appropriately adjusted. For example, as the Labour sector is the largest component of the Hong Kong society, the number of members in the Labour subsector should be appropriately increased.
- (xiv) Dr Hon LAM Tai-fai considers that in order to enhance the democratic elements and broad representativeness, the membership size of the NC should be increased by one-fold from 1 200 as in the present EC to 2 400; as for its composition, while the four sectors should be maintained, the size and proportion of the existing 38 subsectors should be reviewed, and consideration should be given to adding new subsectors such as small and medium-size enterprises, women, youth, etc.
- (xv) Hon Paul TSE Wai-chun proposes that the NC should comprise of 1 907 members; while the number of seats for the First, Second and Third Sectors should remain at 300 each, the size of the Fourth Sector should be increased to include all elected DC members (a total of 412 seats) and new elected NC members by districts (a total of 412 seats) who are elected through “one person, one vote” by registered electors who do not have the right to vote for members of the First, Second and Third Sectors.

- (xvi) Hon NG Leung-sing considers that the NC should be composed of four sectors each with the same ratio, making reference to Annex I to the Basic Law regarding the composition of the current EC. The number of members should remain at 1 200. As to the number of members in different subsectors under the four sectors, it could be appropriately adjusted in accordance with the actual situation.
- (xvii) Hon YIU Si-wing considers that the NC should be formed according to the four sectors of the current EC. The number of members could maintain at 1 200, or can appropriately be increased to 1 600 on a pro rata basis.
- (xviii) Hon Tony TSE Wai-chuen considers that in designing the composition of the NC, the existing composition framework of the four sectors in the EC should be the basis; and on the basis of the four sectors, consideration may be given to appropriately adjusting the existing subsectors and their membership size or adding new subsectors and more seats in the light of Hong Kong's overall economic and social development as well as foreseeable changes in future, for example whether the "small and medium-size enterprises" and "youth" subsectors could be added. While the membership size of the NC could remain at 1 200 as in the current EC, consideration may also be given to appropriately increasing the number of members to up to 1 600. All new seats should be evenly distributed among the four sectors. If seats of the NC are to be increased finally, the number of members of the Architectural, Surveying and Planning subsector should be increased accordingly.

Organisations from various sectors, and groups and individuals the Task Force met during the consultation period

3.17 Among organisations from various sectors, and groups and individuals the Task Force met during the consultation period, there are more views which consider that the NC could be formed with reference to the framework of four sectors of the current

EC²¹, each with equal number of members²². There are also individual organisations and groups that hold different views²³. Regarding the existing 38 subsectors of the EC, some groups suggest the inclusion of new subsectors, such as the “small and medium-size enterprises”²⁴, “women” and “youth”²⁵ subsectors; however there are also quite a number of organisations and groups which consider that the number of subsectors could remain at the existing level of 38 with no need to increase²⁶. As for the number of members of NC, there are quite a number of views which consider that it should remain at 1 200²⁷, while there are

²¹ For example, the Hong Kong General Chamber of Commerce suggested that the composition of the NC could make reference to the EC (with the four sectors); the Chinese General Chamber of Commerce, the Chinese Manufacturers’ Association of Hong Kong, the Hong Kong Chinese Importers’ and Exporters’ Association, Hong Kong 2020, the “Scholar Proposal” proposed by 18 academics, the HKCPPCC, the Kowloon Federation of Societies, the Chinese Academic Link, etc. put forth similar proposals; for details, please refer to Appendix II.

²² For example, the Hong Kong General Chamber of Commerce considered that the proportionality of the four sectors should be more or less maintained; the Savantas, the Chinese Academic Link and the Business and Professionals Federation of Hong Kong, etc. put forth similar proposals; for details please refer to Appendix II.

²³ For example, the Hong Kong Bar Association considered that it was possible to constitute a nominating committee in a way otherwise than “by reference to the sectorial makeup of the current election committee”; for details, please refer to Appendix II.

²⁴ For example, the Hong Kong General Chamber of Small and Medium Business and the Business and Professionals Federation of Hong Kong put forth relevant suggestions; for details, please refer to Appendix II.

²⁵ For example, the Business and Professionals Federation of Hong Kong, the Hong Kong Federation of Women, the Basic Law Institute and Dr Philemon CHOI Yuen-wan put forth relevant suggestions; for details, please refer to Appendix II.

²⁶ For example, the Hong Kong Professionals and Senior Executives Association put forth relevant suggestions; for details, please refer to Appendix II.

²⁷ For example, the Chinese Manufacturers’ Association of Hong Kong, the Hong Kong Chinese Importers’ and Exporters’ Association, the “Scholar Proposal” proposed by 18 academics, the Kowloon Federation of Societies, the Real Estate Developers Association of Hong Kong, the All-China Women’s Federation Hong Kong Delegates Association, etc. put forth relevant suggestions; for details, please refer to Appendix II.

also views that it could appropriately be increased to 1 600²⁸ to provide room for new subsectors or increase the number of seats in the existing subsectors. Besides, there are also individual groups and people putting forth other suggestions²⁹.

Written submissions put forth by individual groups and members of the public

3.18 Among about 124 700 written submissions put forth by individual groups and members of the public during the consultation period, a majority consider that the NC should be composed according to the four sectors of the current EC, each with equal number of members; there are also views suggesting that the NC should be composed of all eligible voters of Hong Kong. Regarding the size of the NC, among the submissions with relevant views, quite a number of them suggest it to remain at 1 200; for those suggesting to increase the number of seats in the NC, there are more views suggesting a ceiling of 1 600 members.

Relevant opinion polls

3.19 Regarding the size and composition of the NC, different opinion polls found that the community has different views on the subject.

3.20 Among the opinion polls conducted during the consultation period, the polls conducted respectively by the HKPORC³⁰, the Public

²⁸ For example, the Heung Yee Kuk New Territories, the Hong Kong Council of Social Service, the Hong Kong Young Industrialists Council, etc. put forth relevant suggestions; for details, please refer to Appendix II.

²⁹ For example, the One Country Two Systems Research Institute and the Hong Kong 2020 suggested that the number of seats of the NC to increase to 1 400; the “G-13 Proposal” proposed by a group of 13 academics suggested that the number of seats of the NC could be at maximum 2 400; the Hong Kong Federation of Students and Scholarism suggested the NC to be composed of LegCo Members returned from direct elections; the Hong Kong Confederation of Trade Unions suggested that the NC to be composed of LegCo and District Council members returned from direct elections; for details, please refer to Appendix II.

³⁰ DAB commissioned the HKPORC to conduct two rounds of opinion polls: from 19 to 20 February and from 23 to 24 February 2014, as well as from 23 to 26 March 2014 respectively. According to the two polls:

- (a) about 54% and 52% of the respondents agree that the NC should be composed with reference to the four sectors of the EC;
- (b) about 30% and 31% do not;
- (c) about 16% and 17% do not know/are undecided/have no comments.

Opinion Programme, The University of Hong Kong (“HKUPOP”)³¹ and the HKIAPS³² found that some respondents support the NC to be composed with reference to the existing four sectors of the EC, but there are also some respondents against. The opinion poll conducted by the HKCPPCC³³ found that there is no apparent preference for the size of the NC.

(II) Electorate Base of the Nominating Committee

3.21 As mentioned in the Consultation Document, if the composition of the NC makes reference to the composition of the current EC, we may consider whether the electorate base of the existing subsectors should be maintained without the need for major changes. If it is considered that the electorate base of the current EC should be further enlarged, we may consider how to enlarge the electorate base of the NC.

³¹ The Alliance for True Democracy commissioned the HKUPOP to conduct an opinion poll between 23 and 29 January 2014. According to the poll:

- (a) around 42% of the respondents disagree with the NC being formed with the same model of four sectors as the last EC;
- (b) around 21% agree;
- (c) around 24% consider “half-half”;
- (d) around 13% do not know/hard to say.

³² According to the poll conducted by the HKIAPS between 11 to 20 March 2014:

- (a) about 47% of the respondents accept the NC to be composed with reference to the existing EC;
- (b) about 45% do not accept;
- (c) about 8% do not know.

Besides, among those who *do not accept* the NC to be formed with reference to the existing EC,

- (a) about 81% support the NC to be elected by all voters of Hong Kong by universal suffrage;
- (b) about 11% support the NC to be composed of all elected councilors;
- (c) about 6% suggest other methods;
- (d) about 1% do not know.

³³ According to the poll conducted by the HKCPPCC between 20 February and 1 March 2014:

- (a) about 46% of the respondents consider that the size of the NC could be between 1 800 and 2 200;
- (b) about 20% suggest 1 600 to 1 800;
- (c) about 15% suggest 1 200;
- (d) about 19% suggest less than 1 200.

LegCo Members

- 3.22 Different political parties or groups in and the Members of the LegCo who have submitted written submissions put forth a variety of views regarding the electorate base for the NC. Some consider that the NC of 2017 should be composed with reference to the composition of the current EC, without making substantial changes. There are also views suggesting that the electorate base of the NC could be appropriately enlarged; but views differ as to how such could be implemented.
- 3.23 Views of different political parties or groups in and the Members of the LegCo on electorate base of the NC are as follows:
- (i) DAB suggests that the NC to be composed with reference to the composition of the current EC, under the principles of “broadly representative” and “balanced participation”.
 - (ii) BPA considers that the NC could be composed with reference to the framework of the four sectors of the current EC. Hon Abraham SHEK Lai-him has put forth a separate submission in which he considers that while the electorate base of the NC can be broadened, not every subsector in the NC should have the electorate base expanded. For example, for the LegCo, National People’s Congress (“NPC”), Chinese People’s Political Consultative Conference, DCs, Heung Yee Kuk New Territories subsectors, electors are returned by an established system and the existing method should remain unchanged; the electorate base of subsectors of the Second Sector (The professionals) and the Third Sector (Labour, social services, religious and other sectors) can be broadened, as for the ways in which the electorate base is to be broadened, it should be subject to deliberations of the trades in the subsectors. Regarding the First Sector (Industrial, commercial and financial sectors), corporate/organisation’s votes should be maintained to prevent the representativeness of the trades from being distorted and to make it more in line with the principles of “meeting the interests of different sectors” and “facilitating the development of the capitalist economy” which are the principles adopted in designing the political structure of the HKSAR. Hon Christopher CHEUNG Wah-fung has

put forth a separate submission in which he considers that the electorate size of the NC can be appropriately increased to enhance the representativeness and legitimacy of the NC, and most importantly, to reflect the roles played by the trades in the local economy. Most of the financial services trades consider that the electorate base of corporate votes should be maintained while there are some organisations which opine that returning all members of this subsector through “one person, one vote” should be the ultimate aim.

- (iii) DP considers that the composition of the NC should be democratised to the greatest possible extent with the electorate base substantially broadened to reflect the will of voters. If reference has to be made to the composition framework of four sectors in the EC, the corporate/organisation’s votes in the sectors should be abolished and replaced by individual votes.
- (iv) FTU considers that the design of the NC could follow the four sectors of the EC, so as to ensure that the NC could comply with the principles of “broadly representative” and “balanced participation”.
- (v) CP considers that the electorate base of the NC must be broadened and all corporate/organisation’s votes must be replaced by individual votes while most of the NC members should be returned through election by a broadly representative electorate. Hon Ronny TONG Ka-wah has put forth a separate submission in which he considers that if the NC is to be composed with reference to the four sectors in the EC, the representativeness of the NC has to be enhanced through simple procedures which are open, fair and just, allowing members of individual sectors to take part in the nomination and election of NC members. He also proposes introducing changes to the electorate base of some sectors³⁴.

³⁴ For example, replacing existing voters in some sectors with practitioners of the sectors and abolishing corporate/organisation’s votes; for details, please refer to Appendix I.

- (vi) LP considers that the electorate base of the NC has to be broadened. While the electorate size has to be expanded, it is necessary not to just make up the number, but to ensure that voters are sufficiently representative in the sectors they belong, have made substantive contribution to the economy and can give full play to their roles.
- (vii) NPP considers that the electorate base of the NC should be broadened where possible, for example for sectors such as Catering, Finance, Hotel, Import and Export, Insurance, Real Estate and Construction, Textile and Garment, Tourism, Transport and Wholesale and Retail, consideration may be given to replacing corporate votes with director's votes; for the Financial Services subsector, given that there are currently ten regulated activities specified by the Securities and Future Ordinance, NPP suggests that the eligibility criteria for registration as electors should be expanded from the existing two types of financial activities to include the other eight, licensed bodies should also be included; organisations within the Agriculture and Fisheries subsector which are active but not eligible to vote should be included as electors, and in the long run, consideration may be given to including the licence as an eligibility requirement; the Hong Kong Hair and Beauty Merchants Association should be included in the Wholesale and Retail subsector; health workers should be included in the Social Welfare subsector, etc. The practicability of the above proposals depends on the views of various sectors and whether the conditions are ripe.
- (viii) The PC suggests expanding the electorate base of the First Sector (Industrial, commercial and financial sector) to include full-time employees of all industrial, commercial and financial institutions; the Second Sector (The professions) may include more qualified persons and quasi-professionals of different trades; it also suggests early abolition of corporate votes.
- (ix) Dr Hon LAM Tai-fai considers that the electorate base of the NC should be improved, in addition to corporate/organisation's votes, individual's votes can be introduced.

Organisations from various sectors, and groups and individuals the Task Force met during the consultation period

3.24 Among organisations from various sectors, and groups and individuals the Task Force met during the consultation period, there are different views regarding the electorate base of the NC. Some groups and persons consider that the composition of the NC could follow that of the current EC; while some groups and persons consider that the electorate base of the NC could be expanded. Some even put forth specific proposals, such as replacing corporate/organisation's votes and in some subsectors by individual's votes³⁵.

Written submissions put forth by individual groups and members of the public

3.25 Among about 124 700 written submissions collected during the consultation period with specific views on the electorate base of the NC, there are quite many views which consider that the composition of the NC should follow that of the current EC without changes. There are also a number of views which consider that the electorate base should be expanded appropriately and in an orderly manner provided there is consensus, but only a few putting forth specific ways of expanding the electorate base, and such views are very different.

Relevant opinion polls

3.26 Among the opinion polls conducted during the consultation period, the polls conducted by HKUPOP³⁶ found that there were more respondents agreeing to the expansion of electorate base of the NC.

³⁵ For example, the Hong Kong 2020, the "Scholar Proposal" proposed by 18 academics, Mr Anthony WU Ting-yuk, Mr Henry TANG Ying-yen, etc. submitted relevant views; for details, please refer to Appendix II.

³⁶ The Alliance for True Democracy commissioned the HKUPOP to conduct an opinion poll between 23 and 29 January 2014. According to the poll:

- (a) around 60% of the respondents agree that the electorate base of the NC should be expanded substantially;
- (b) around 16% consider "half-half";
- (c) around 11% do not agree;
- (d) around 13% do not know/hard to say.

(III) Method for Forming the Nominating Committee

- 3.27 Among the existing 38 subsectors, members of 35 subsectors are returned by the “first-past-the-post” voting method, whereas for the remaining three subsectors, members of the Religious subsector are returned through nomination, and the Hong Kong deputies to the NPC and the LegCo Members are ex-officio members.
- 3.28 As regards the method for forming the NC, the Consultation Document set out two key issues as follows:
- (i) should the existing voting, nomination and ex-officio arrangements of the subsectors be maintained?
 - (ii) if new sub-sector(s) is / are to be added, what kind of system should be adopted by the subsector(s) to return its / their members?

LegCo Members

- 3.29 Among the written submissions put forth by different political parties or groups in and the Members of the LegCo, there are relatively less with specific suggestions regarding the method for forming the NC. Even though different views are expressed, there are more views which consider that the NC members could be returned using the current method of EC Subsectors elections.
- 3.30 Views of different political parties or groups in and the Members of the LegCo on the method for forming the NC are as follows:
- (i) DAB suggests that the NC be composed with reference to the composition of the current EC, under the principles of “broadly representative” and “balanced participation”.
 - (ii) BPA considers that the NC could be composed with reference to the framework of the four sectors of the current EC. Hon Abraham SHEK Lai-him has put forth a separate submission in which he considers that the existing method adopted by the EC can be followed to return NC members. Hon Christopher CHEUNG Wah-fung has put forth a separate submission in which he considers that the NC should adopt the same voting system as the present EC.

Even if new subsectors are added or the numbers of seats for individual subsectors are increased, it would still be appropriate to maintain the previous electoral method of the EC.

- (iii) DP considers that all members of the NC can be returned by the public through “one person, one vote”; if the composition framework of the four sectors in the EC is to be followed, consideration may be given to dividing the Fourth Sector (Political sector) into 18 districts, and directly electing district NC members using the “proportional representation system”.
- (iv) FTU considers that the design of the NC could follow the four sectors of the EC, so as to ensure that the NC could comply with the principles of “broadly representative” and “balanced participation”.
- (v) NPP suggests maintaining the existing “first-past-the-post system” to ensure that members of the NC are able to reflect accurately the wishes of the subsectors; it also agrees that the Religious subsector should continue to return members to the NC by way of nomination.
- (vi) NCF proposes to make reference to the composition and subsectors of the EC, and on this basis, increasing the number of NC members by 300 to 1 500, the new seats would be returned by random selection among all voters in Hong Kong.
- (vii) Dr Hon LAM Tai-fai suggests that the NC should follow the existing method for forming the EC by which members of the 35 subsectors and newly added subsectors are to be returned through the “first-past-the-post system”; the Religious subsector returns members by way of nomination; and Hong Kong deputies to the NPC and the Members of the LegCo are ex-officio members.
- (viii) Hon Paul TSE Wai-chun suggests adding members returned by direct elections in electoral districts to the NC. The delineation of the electoral districts should follow that of the DCs. Members of the electoral districts are to be

returned through “one person, one vote” by all registered voters of GC elections except those who have the right to vote for NC members of the First, Second and Third Sectors. Election of electoral district members should be conducted at the same time with the DC elections.

Organisations from various sectors, and groups and individuals the Task Force met during the consultation period

3.31 Among organisations from various sectors, and groups and individuals the Task Force met during the consultation period, there are relatively fewer specific suggestions regarding the method for forming the NC. For those putting forth suggestions, there are more which consider that the method for forming the NC could follow the method for forming the current EC. There are also individual groups and persons putting forth other suggestions³⁷.

Written submissions put forth by individual groups and members of the public

3.32 Among about 124 700 written submissions put forth by individual groups and members of the public during the consultation period, there are less that give specific views or suggestions regarding the method for forming the NC.

Relevant opinion polls

3.33 Relevant opinion polls conducted during the consultation period did not collect views on the subject.

³⁷ For example, Hong Kong 2020 proposed to introduce 317 District NC members, to be distributed to and returned through direct elections by the 18 districts according to the number of residents in each district. The “G-13 Proposal” proposed by a group of 13 academics suggested to introduce “co-opted members according to sectors”, whom shall be recommended by 1/300 of all electors of a certain sector and elected by over 2 500 eligible voters, the number of co-opted members of each sector should not exceed 300. The Chinese Academic Link proposed to add 36 “integrated sector” members, to be elected by electors who are not eligible in other sectors; for details, please refer to Appendix II.

(IV) Procedures for the Nominating Committee to Nominate CE Candidates

- 3.34 Article 45 of the Basic Law stipulates that “the method for selecting the Chief Executive shall be specified in the light of the actual situation in the Hong Kong Special Administrative Region and in accordance with the principle of gradual and orderly progress. The ultimate aim is the selection of the Chief Executive by universal suffrage upon nomination by a broadly representative nominating committee in accordance with democratic procedures”. The Decision of the NPCSC in 2007 further provides that “the nominating committee shall in accordance with democratic procedures nominate a certain number of candidates for the office of the Chief Executive”.
- 3.35 The Consultation Document also set out three issues for discussion regarding the procedures for nominating the CE candidates, which include:
- (i) how should the NC nominate CE candidates in accordance with “democratic procedures”?
 - (ii) how could the “democratic procedures” reflect the requirement of “organisational nomination”³⁸?
- 3.36 The Consultation Document also pointed out that according to Article 45 of the Basic Law, the power to nominate CE candidates is vested in the NC only, and that the power is a substantive one. Any proposal which bypasses the nomination procedures of the NC, or undermines the substantive power of the NC to nominate candidates, might be considered not conforming with Article 45 of the Basic Law.
- 3.37 During the consultation period, there were wide-ranging discussions among various sectors of the community about the procedures for nominating CE Candidates. Different

³⁸ As mentioned in paragraph 3.20 of the Consultation Document, Article 45 of the Basic Law and the Decision of the NPCSC in 2007 provide for CE candidates to be nominated by the NC in accordance with democratic procedures (i.e., the so-called “organisational nomination”, or “collective nomination”), as distinct from the current model of election by the EC whereby individual EC members may jointly nominate candidates.

organisations and individuals have put forth proposals and suggestions. Some of the proposals have also aroused controversy on whether some suggestions are consistent with the provisions of the Basic Law in respect of the substantive power of the NC to nominate candidates. On this issue, the Secretary for Justice published an article on 29 January 2014, seeking to provide to the community certain thoughts for reference.

LegCo Members

3.38 Different political parties or groups in and the Members of the LegCo who have made written submissions put forth a wide variety of views regarding the procedures for the NC to nominate CE candidates. There are more views which consider that Article 45 of the Basic Law has already provided clearly that the power to nominate CE candidates is vested in the NC only; and the NC has a substantive power which cannot be undermined or bypassed. However, there are also views which consider that apart from the NC, “civic nomination”, “party nomination”, etc. should also be accepted as other pathways to nominate CE candidates (e.g. the “three-track nomination”). Different parties and the Members of the LegCo have different views and suggestions regarding the “democratic procedures” the NC adopts to nominate CE candidates. Some suggest that the candidates should obtain support from at least a certain proportion of members of the NC to ensure that the CE candidates could meet the interests of different sectors of the community, obtain cross-sector support, and to reflect the “collective will” of the NC and the principle of “the majority rule”. Meanwhile, there are also views which consider that support from only one-eighth of NC members should be adequate to become formal candidates. Besides, there are also quite a number of views suggesting that the nomination procedure be divided into two stages, for example, firstly, to come up with a number of persons contending for nomination through a particular threshold; and formal candidates to be elected from the persons so recommended by some form of election. On the other hand, considering that the actual number of candidates in the CE elections in the past was around two to three, there are more views suggesting that the number of candidates the NC should nominate should be set at two to three. However, there are also views suggesting that there should be no restrictions on the number of candidates. As to the actual nominating procedures and how to implement the “democratic

procedures” of the NC in the above premise, views remain diverse.

3.39 Views of different political parties or groups in and the Members of the LegCo on procedures for the NC to nominate candidates are as follows:

- (i) DAB considers that those who intend to run in the CE election must secure support from not less than one-tenth but not more than one-eighth of the NC members in order to be recommended as “potential candidates”; as regards the “democratic procedures” in nominating candidates, the NC, being an institution, should adopt a “majority support” approach to realise “the majority rule” principle and reflect the “collective will” of the NC. It suggests that each NC member can elect up to four “potential candidates”. The top two to four “potential candidates” who obtain more than half of the valid votes will become the candidates. If less than two contenders obtain more than half of the valid votes, another round of voting will be conducted for those “potential candidates” who fail to secure support from over half of NC members until two to four candidates are returned.
- (ii) BPA considers that aspirants who secure support from 100 or 120 NC members (i.e., requiring support from one-tenth of NC members at most) can become contenders for nomination; it would be appropriate to fix the number of CE candidates at two to four. This would not only reflect the substantive nomination power of the NC, but also provide adequate choices for electors, making the election a truly contested one, and at the same time avoid rendering the election procedures complicated and costly. Hon Abraham SHEK Lai-him has put forth a separate submission, suggesting that a person should secure support from not less than one-eighth of the 1 600 committee members (i.e., 200 members) in order to be qualified as a “potential candidate”. Each committee member can vote for one to four “potential candidates”. The top three persons who secure support from more than half of the NC members will become CE candidates. If less than two persons contending for nomination obtain majority support, the NC has to conduct another round of voting for the unsuccessful persons until two to three candidates are

returned. Hon Christopher CHEUNG Wah-fung has put forth a separate submission, advising that the financial services sector generally sees that CE candidates can be returned by adopting a two-stage approach. In the first stage, persons contending for nominations are only required to secure support from one-eighth of the NC members to be qualified as “potential candidates”. The NC will then collectively decide on the nomination of up to three to four persons as CE candidates.

- (iii) DP considers that anyone who intends to stand for the CE election can seek nomination from political parties (political parties or groups which have received a total of 5% or more of all valid votes in Hong Kong in the 2016 LegCo election can nominate one candidate individually or jointly), the public (the threshold set at one-hundredth of all registered voters of Hong Kong) or the NC, and the candidacy should be endorsed by the NC. The NC’s nomination threshold should be lowered as far as possible. Anyone securing nomination from no less than one-tenth but not more than one-eighth of all of the NC members, irrespective of which sectors they belong to, can become CE candidates.
- (iv) FTU considers that the NC should have substantive nomination power; the NC should make organisational nomination in accordance with democratic procedures. Persons contending for nomination should be recommended by NC members in their personal capacity and those who get support from 5% of the NC members can submit applications for nomination as candidates. All applications should be accompanied by the applicants’ statement, pledging to uphold the Constitution of the People’s Republic of China and the Basic Law, and swear allegiance to the HKSAR to provide a legal and political basis for the discharge of duties of the CE. In the nomination stage, each NC member will vote for the contenders for nomination by secret ballot and the number of votes that each member can cast must not exceed the maximum number of candidates; each candidate must secure support from more than half of the NC members and the number of candidates should be fixed at two to three.

- (v) CP considers that a person contending for nomination may become a candidate through civic nomination (obtain joint endorsement from one-hundredth of the registered voters); nomination by political parties (political parties or groups which have received a total of 5% or more of all valid votes in Hong Kong in the last LegCo election can nominate one candidate individually or jointly), or nomination by the NC. Candidates put forth via civic nomination and nomination by political parties must be endorsed by the NC. Hon Ronny TONG Ka-wah has put forth a separate submission in which he suggests that the nomination threshold be maintained at 150 members (about one-tenth of the NC members) while a nomination ceiling of 200 members be imposed, so that the number of persons contending for nomination for the CE election will be limited to seven to ten.

- (vi) LP considers that the CE nomination procedures may involve two stages. In the first stage, a person is only required to secure nomination from only one-eighth of the NC members (i.e., 200 members) to be qualified to enter the race; the number of nominations required will be capped at 300 to ensure that more candidates are allowed to join the race. In the second stage, not more than three candidates are allowed to stand for the election, the electoral arrangements can follow those for the existing EC subsector elections in which the “first-past-the-post system” is adopted; requirement should only be imposed on the maximum number of votes that the voters can cast but not the minimum number, i.e., each NC member can cast zero to up to three votes.

- (vii) The Labour Party considers that a three-track nomination mechanism, i.e., civic nomination (obtaining joint endorsement from 30 000 voters), nomination by political parties (political parties or political alliance groups which have received a total of more than 5% of any GC votes in the last LegCo election are entitled to nominate one eligible permanent resident as candidate), and nomination by the NC, should be adopted. It objects to adopting the “block vote system” under which a person contending for nomination is required to secure more than half of the total number of votes, or requiring the candidates to secure

nomination from a certain proportion of members in each sector, and opposes to capping the number of candidates.

- (viii) NPP considers that the NC should have absolute and substantive nomination power. Any person who satisfies the requirement in Article 44 of the Basic Law can seek nomination from the NC, and there should not be any other prerequisites. It suggests that the nomination procedures can comprise of two stages: in the first stage, any person who obtains support from one-eighth of the NC members may seek NC's recommendation as CE candidates. The recommendation should be made public and each NC member can only recommend one person; in the second stage, the NC will vote for candidates through "one person, one vote" by secret ballot, and the number of candidates is proposed to be three to four.
- (ix) The People Power suggests that the NC must endorse one as a CE candidate if he/she satisfies the basic criteria as provided in Article 44 of the Basic Law, and within a nomination period of not less than four weeks obtained joint endorsement from one-hundredth of the registered GC voters (approximately 35 000 voters) or joint endorsement from 5% of the incumbent elected LegCo Members, or joint endorsement from 5% of the incumbent elected DC members.
- (x) The PC proposes that any one-tenth of the NC members can put forth a "potential candidate" for the CE election; any one-eighth of the NC members can be said to be the "collective will" of the NC and can nominate a CE candidate.
- (xi) NWSC suggests that nomination of CE candidates can be made via three approaches, namely civic nomination (with a threshold of joint endorsement from not more than one-hundredth of the eligible voters in Hong Kong), nomination by political parties (political parties or groups which have received a total of more than 5% of any GC votes in the last LegCo election can nominate one person contending for nomination individually or jointly) and nomination by the NC (with support from not less than

one-tenth of the NC members). NC must endorse persons contending for nomination returned via civic nomination and political party.

- (xii) LSD suggests adopting the methods of civic nomination (with the threshold of not more than 1.5% of all voters in Hong Kong and a nomination period not less than two months), political party nomination (political parties or joint lists which have received a total of 5% or more of all votes in GC direct elections in the last LegCo election), or nomination by elected members (joint endorsement from about four LegCo Members or about 25 DC members) for nomination of CE candidates.
- (xiii) The Neo Democrats considers that civic nomination should be adopted.
- (xiv) NCF suggests setting the nomination threshold at one-tenth of the NC members (i.e., 150 members), each NC member can only nominate one person. It also suggests capping the number of nominations for each person contending for nomination (say should not be more than 200 members) to avoid any such persons solely obtaining too many nominations. The NC should conduct a vote of confidence in respect of each eligible person and those who obtain a certain number of votes can automatically be qualified as CE candidates. The threshold for votes of confidence should conform to the principle and logic of “democratic procedures”. There can be a cap on the number of candidates for the sake of focus but there should also be a reasonable degree of competition. In addition, NCF suggests requesting each person contending for nomination to swear allegiance beforehand to uphold the Constitution of the People’s Republic of China and the Basic Law.
- (xv) FLU considers that CE candidates should be put forth by the NC through organisation nomination, and suggests fixing the number of candidates at three to four.

- (xvi) Dr Hon LAM Tai-fai suggests that the incumbent CE and the five LegCo Members returned from DC (Second) Functional Constituency can become ex-officio “potential candidates” while those persons who obtain support from one-eighth of the NC members can become “potential candidates”. The NC members may then vote for zero to three candidates from among the “potential candidates” and the top two to three persons who have obtained more than half of the votes will become formal CE candidates.
- (xvii) Dr Hon LEUNG Ka-lau considers that the “block vote system” is impracticable and the “one person, one vote” system is the only viable option; currently under the Basic Law, up to eight candidates are allowed to stand for the CE election, and according to the principle of “gradual and orderly progress”, the threshold can be further relaxed. “Organisational nomination”, “collective will” etc. are open to wide interpretations and may not necessarily require “more than half” of the NC members.
- (xviii) Hon Paul TSE Wai-chun suggests introducing a two-stage procedure for nominating the CE candidates, namely the “entry stage” and the “exit stage”. For the “entry stage”, the nomination threshold is to be set at one-tenth of the NC members, i.e., the 190 committee members can each nominate only one person contending for nomination, and the upper limit on the number of nomination is to be set at 380. A maximum of ten persons can be nominated. As for the “exit stage”, each NC member can only vote for one person by secret ballot. Those persons contending for nomination (tentatively fixed at three to four) who have received the greatest number of votes can stand for election by universal suffrage.
- (xix) Hon NG Leung-sing suggests following the method adopted by the present EC by which a person is required to obtain support from one-eighth of the NC members in order to get nominated and then all NC members will each cast three votes, and the first three ranking persons will become the CE candidates.

- (xx) Hon YIU Si-wing suggests that those who receive nomination from one-eighth of the NC members can be recommended as contenders for nomination, and each NC member may choose one to four such persons whom they favoured. The top two to four persons contending for nomination who have obtained more than half of the votes will become CE candidates. If less than two persons contending for nomination obtain more than half of the valid votes, a fresh round of voting will be conducted for the first three ranking persons who fail to secure support from more than half of the members. The NC members may select up to three persons until two to four CE candidates are returned.
- (xxi) Hon Tony TSE Wai-chuen considers that in order to realise collective nomination of the NC and democratic procedures, persons contending for nomination have to obtain more than half of the valid votes from the NC to become CE candidates. In the light of experience of previous CE elections, it will be more appropriate to cap the number of CE candidates to be nominated by the NC to three; the NC members may nominate up to three persons and among them, those who obtain more than half of the valid nominations may become CE candidates.

Organisations from various sectors, and groups and individuals the Task Force met during the consultation period

3.40 Among organisations from various sectors, and groups and individuals the Task Force met during the consultation period, there are a number of different views regarding the procedures for nominating CE candidates. There are more views which consider that it is clear from Article 45 of the Basic Law that the power to nominate CE candidates is vested in the NC only. The power is substantive and cannot be undermined or bypassed. There are views proposing “civic nomination”, “party nomination”, etc.,³⁹ while some consider these suggestions

³⁹ For example, the Alliance for True Democracy, the Hong Kong Confederation of Trade Unions, the Scholarism and the Hong Kong Federation of Students submitted relevant views; for details, please refer to Appendix II.

unlikely to comply with the Basic Law⁴⁰. On the other hand, there are views suggesting that “civic recommendation” may be introduced as part of the nominating procedure⁴¹.

- 3.41 As regards how the NC should nominate CE candidates in accordance with “democratic procedures”, there are different views. Some consider that the nominating procedures may be divided into two stages: in the first stage, the persons contending for nomination shall be recommended by a certain number of NC members; and in the second stage, the NC shall select a number of candidates amongst the persons so recommended through some democratic procedures⁴². There are views that the NC should go through some kind of voting procedure to select CE candidates⁴³; some consider that a person contending for nomination has to obtain support from at least a certain proportion of NC members in order to formally become a candidate, so as to demonstrate that such a person has cross-sector support in the NC. Among these views, some consider that persons contending for nomination have to obtain support from more than half of the members of the NC⁴⁴. Some however consider that the nomination threshold should remain at one-eighth of the membership, like the existing

⁴⁰ For example, the Hong Kong Bar Association considers that the Basic Law does not envisage nomination otherwise than by the nominating committee; the explicit language rules out a nominating committee consisting of the whole of the electorate or each and every registered voter. The Law Society of Hong Kong holds similar views; for details, please refer to Appendix II.

⁴¹ For example, the Hong Kong Bar Association, the “Scholar Proposal” proposed by 18 academics, the Hong Kong 2020, the Society for Community Organization and Dr Ray YEP Kin-man hold similar views; for details, please refer to Appendix II.

⁴² For example, the Heung Yee Kuk New Territories, the Chinese Academic Link, the “G-13 Proposal” proposed by 13 academics, the Hong Kong Professionals and Senior Executives Association, the Business and Professionals Federation of Hong Kong, the Hong Kong Council of Social Service, etc. submitted relevant views; for details, please refer to Appendix II.

⁴³ For example, the “Scholar Proposal” proposed by 18 academics, Savantas, the Hong Kong Federation of Education Workers, etc. submitted relevant views; for details, please refer to Appendix II.

⁴⁴ For example, the Kowloon Federation of Societies, the Business and Professionals Federation of Hong Kong and the Small and Medium Law Firms Association of Hong Kong submitted relevant views; for details, please refer to Appendix II.

EC⁴⁵. There are also individual organisations and people suggesting other proposals on nomination thresholds and nominating procedures^{46,47}, as well as other views related to the nominating procedures⁴⁸.

3.42 Regarding the number of candidates for the CE election, among organisations from various sectors, and groups and individuals the Task Force met during the consultation period, there are two major views. One of the views is that there is a need to ensure the solemnity of the election and allow voters to have sufficient understanding of the candidates' manifestoes and missions, and hence it is necessary to fix the number of candidates, and suggest to set the number of candidates at two to three, or other numbers⁴⁹; while the other view is that there is no need to restrict the number of candidates.⁵⁰

⁴⁵ For example, the "Scholar Proposal" proposed by 18 academics, the Hong Kong Council of Social Service, etc. submitted relevant views; for details, please refer to Appendix II.

⁴⁶ For example, the Hong Kong 2020, the Federation of Hong Kong Industries propose the nomination threshold to be one-tenth of the membership of the NC; for details, please refer to Appendix II.

⁴⁷ For example, Mr Anthony WU Ting-yuk suggested that if 30% of the membership of the NC put forth an objection against a certain candidate for running the election, and was passed by 60% of the members, that candidate had to withdraw; for details, please refer to Appendix II.

⁴⁸ For example, the Hong Kong Bar Association considers that the NC's deliberation and decision-making should be public and open, and there should not be any secret balloting in the NC's decision-making. Besides, the Hong Kong Bar Association also put forth views relating to the nomination threshold and the free choice of voters, etc.; for details, please refer to Appendix II.

⁴⁹ For example, the Chinese Academic Link proposes to set the number of candidates at no more than four to avoid too many candidates distracting the public's attention and lower the quality of the election; the Hong Kong Federation of Education Workers considers the number of candidates should be set to two to three and in any case not exceeding four; the Kowloon Federation of Associations, the Federation of Hong Kong Industries, etc., suggest the number of candidates to be two to four; the Basic Law Institute, the Business and Professionals Federation of Hong Kong, the Hong Kong Professionals and Senior Executives Association, and the Hong Kong Chinese Importers' and Exporters' Association consider that the number of candidates should be no more than three; for details, please refer to Appendix II.

⁵⁰ For example, the Hong Kong 2020, the Hong Kong Bar Association, etc. submitted relevant views; for details, please refer to Appendix II.

Written submissions put forth by individual groups and members of the public

- 3.43 Among about 124 700 written submissions collected during the consultation period, the mainstream view is that CE candidates should be nominated by the NC. There are some views which consider that “civic nomination” and “party nomination” should be adopted, or introducing the procedure of “civic recommendation” in nominating CE candidates.
- 3.44 Regarding the “democratic procedures” to nominate CE candidates, there are quite a number of views which consider that a person contending for nomination has to obtain support from at least a certain proportion of members of the NC in order to become a candidate, so as to demonstrate that such a person has cross-sector support in the NC; among these views, some consider that persons contending for nomination have to obtain support from more than half of the members of the NC to reflect the democratic principle of “the majority rule”, and meet the requirement of the NC to nominate as an organisation; there are also individual views suggesting other proposals on nomination thresholds, as well as other views related to the nominating procedures.
- 3.45 As to the number of CE candidates, there are some views that the number of CE candidates should be between two and three. There are also views that the number of CE candidates can be set at other numbers or no restriction should be imposed on the number.

Relevant opinion polls

- 3.46 Opinion polls conducted during the consultation period found that the community has different kinds of views on the nominating procedures of the NC. As to the number of CE candidates, different opinion polls found that quite a number of respondents agreed that the number of CE candidates should be between three and five.

- 3.47 Among the opinion polls conducted during the consultation period, the polls conducted respectively by the HKRA⁵¹, the HKUPOP⁵² and the HKPORC⁵³ found that the community has different kinds of views on the nominating procedures of the NC.
- 3.48 Regarding the number of CE candidates, different opinion polls found different results. The opinion poll conducted by HKPORC⁵⁴ shows that there are more respondents agreeing that

⁵¹ According to the poll conducted by the HKRA between 27 February and 4 March 2014:

- (a) about 50% of the respondents agree that the universal suffrage for the CE election should be in accordance with the provisions of the Basic Law, that the CE candidates should be nominated by the NC;
- (b) about 31% disagree;
- (c) about 19% has no strong view/have no comment.

⁵² The Alliance for True Democracy commissioned the HKUPOP to conduct an opinion poll between 23 and 29 January 2014. According to the poll:

- (a) around 27% of the respondents agree that the CE should be nominated through “organisational nomination”, i.e., by the NC with “collective will”;
- (b) around 22% consider “half-half”;
- (c) around 36% do not agree;
- (d) around 15% do not know/hard to say.

Besides,

- (a) around 50% of the respondents agree that after the “civic nomination” process, the NC must endorse the nominations; around 18% do not agree;
 - (b) around 37% of the respondents agree that after the “party nomination” process, the NC must endorse the nominations; around 25% do not agree;
- for details, please refer to Appendix IV.

Separately, the Alliance for True Democracy also commissioned the HKUPOP to conduct an opinion poll between 14 and 17 April 2014 on the proposal put forth by the Alliance for True Democracy; for details, please refer to Appendix IV.

⁵³ DAB commissioned the HKPORC to conduct two rounds of opinion polls from 19 to 20 February and from 23 to 24 February 2014, as well as from 23 to 26 March 2014 respectively. According to the two polls:

- (a) about 58% and 56% of the respondents agree that CE candidates should obtain more than half of the members of the NC to become official CE candidates;
- (b) about 29% and 33% do not agree;
- (c) about 13% and 11% do not know/are undecided/have no comments.

⁵⁴ DAB commissioned the HKPORC to conduct an opinion poll between 19 and 20 February and between 23 and 24 February 2014. According to the poll:

- (a) about 27% of the respondents consider it most appropriate for the number of CE candidates to be 3 to 4;
- (b) about 14% consider it most appropriate to be 2 to 3;

the number of CE candidates should be between three and five; the opinion poll conducted by HKCPPCC⁵⁵ found that there are more respondents who consider that the number of CE candidates should be more than five, while a number of them consider that it should be three. The opinion poll conducted by HKUPOP⁵⁶ found that some respondents consider that there should be no restrictions on the number of candidates, while some hold opposite views.

(V) Voting Arrangements for Electing the CE by Universal Suffrage

3.49 At present, under the Basic Law, the CE is elected by an EC composed of 1 200 members. Under the Chief Executive Election Ordinance (Cap. 569) (“CEEEO”):

- (i) where there is only one candidate, election is still required to be held. The candidate has to obtain more than 600 support votes to be elected as the CE;

-
- (c) about 19% consider it most appropriate to be 4 to 5;
 - (d) about 14% consider it most appropriate to be above 7.

Besides, DAB commissioned the HKPORC to conduct an opinion poll between 23 and 26 March 2014. According to the poll:

- (a) about 28% of the respondents consider it most appropriate for the number of CE candidates to be 3;
- (b) about 26% consider it most appropriate to be 5;
- (c) about 18% consider it most appropriate to be 4.

⁵⁵ According to the poll conducted by the HKCPPCC between 20 February and 1 March 2014:

- (a) about 48% of the respondents consider it reasonable for the number of CE candidates to be above 5;
- (b) about 11% consider it reasonable to be 4;
- (c) about 21% consider it reasonable to be 3;
- (d) about 11% consider it reasonable to be 2;
- (e) about 10% consider it reasonable to be 1.

⁵⁶ The Alliance for True Democracy commissioned the HKUPOP to conduct an opinion poll between 23 and 29 January 2014. According to the poll:

- (a) around 40% of the respondents agree with the suggestion of “no restriction at all to be imposed on the number of CE candidates”;
- (b) around 33% do not agree;
- (c) around 20% consider “half-half”;
- (d) around 7% do not know/hard to say.

- (ii) if it is a contested election (with two or more validly nominated candidates), a candidate must obtain more than 600 valid votes to be elected as the CE; and
- (iii) if it is a contested election, and in case no candidate is returned after the first round of polling, only the two candidates obtaining the highest number of votes can enter into the second round polling. Other candidates will be eliminated. If at the end of the second round of polling no candidate obtains more than 600 votes, the election would be terminated.

3.50 If the CE Election in 2017 is in the form of universal suffrage, the electorate base would be expanded to all eligible voters in Hong Kong. The Consultation Document therefore set out four key issues for discussion as follows:

- (i) should only one round of election be held (for example, the candidate with the highest number of votes is to be elected, without having to obtain more than half of the total number of valid votes)?
- (ii) should we require a candidate to obtain more than half of the total number of valid votes in order to be elected (for example, if no candidate could obtain more than half of the total number of valid votes in the first round election, two candidates with the highest number of votes would proceed to the second round election, and the candidate with the highest number of votes in the second round would be elected)?
- (iii) should other voting methods be considered?
- (iv) should an election be required to be held if there is only one candidate?

LegCo Members

3.51 Among different political parties or groups in and the Members of the LegCo who have submitted written submissions, there are quite a number of views suggesting to adopt a two-round voting system, i.e., to require a candidate to obtain more than half of the

total number of votes in order to be elected, if no candidate could obtain more than half of the total number of votes in the first round voting, the two candidates with the highest number of votes would proceed to the second round voting, and the candidate with the highest number of votes in the second round would be elected.

3.52 Views of different political parties or groups in and the Members of the LegCo on the voting arrangements for universal suffrage for the CE election are as follows:

- (i) DAB considers that to ensure that the CE candidate receives majority support from voters, he/she should obtain more than half of the valid votes to be elected; it therefore suggests adopting a two-round voting system. In case where none of the candidates obtains more than half of the valid votes in the first round of voting, the two candidates with the highest number of votes shall enter into the second round election in which the candidate with the greater number of votes shall be deemed to have been elected.
- (ii) BPA considers that no matter which voting system is adopted, there should be transparency in the election procedures to allow the CE-elect to enjoy legitimacy and receive wide public support. It also hopes that the Government would put forward more concrete proposals in the next stage of the consultation exercise to allow the community to have in-depth discussions. Hon Christopher CHEUNG Wah-fung has put forth a separate submission in which he remarks that the Financial Services Sector keeps an open mind on whether the candidate elected has to obtain support from more than half of the voters, and that in order to enhance the legitimacy of the CE-elect, the possibility of holding an election even if there is only one candidate shall not be ruled out.
- (iii) DP considers that the winning CE candidate must obtain support from more than half of the members of the public who cast their votes to ensure legitimate governance which is conducive to political stability. It therefore suggests adopting a two-round voting system under which a candidate who obtains more than half of the votes in the first round of voting shall be returned as the CE-elect;

otherwise, the two candidates with the highest number of votes shall enter into the second round election in which the candidate with the greater number votes shall be returned as the CE-elect.

- (iv) FTU considers that a candidate must obtain more than half of the votes to be elected. If none of the candidates obtains more than half of the votes in the first round of voting, the two candidates with the highest number of votes shall enter into the second round of voting.
- (v) CP considers that a “Two-round System” should be adopted. A candidate who wins more than 50% of the valid votes shall be returned as the CE-elect; otherwise, the two candidates with the highest number of votes shall enter into the second round of voting in which the candidate with the greatest number of votes shall be returned as the CE-elect. Hon Ronny TONG Ka-wah has put forth a separate submission in which he suggests adopting the “instant-runoff voting system” under which voters should rank the candidates in order of preference on their ballots. Ballots are initially distributed based on each voter’s first preference. The candidate with the fewest number of votes is eliminated. Ballots assigned to the eliminated candidate are re-assigned to other candidates who rank next in order of preference on each ballot. This process continues until one candidate wins by obtaining more than half of the votes.
- (vi) The LP considers that a CE candidate must obtain more than half of the votes to be elected to ensure his/her credibility and legitimacy. It also suggests that reference should be made to the practices of some countries to introduce compulsory voting to encourage the community to assume civic responsibility, thereby enhancing the legitimacy and credibility of the election.
- (vii) The Labour Party considers that the “Two-round System” should be adopted. A candidate who wins more than half of the valid votes in the first round of voting shall be returned as the CE-elect; otherwise the two candidates with the highest votes in the first round of voting shall enter into the second round. This is to ensure that the CE-elect will have sufficient legitimacy.

- (viii) NPP considers that the CE candidate should be required to obtain support from more than half of the voters to be elected. If none of the candidates obtains more than half of the votes in the first round of voting, the two candidates with the highest number of votes shall enter into the second round election.
- (ix) The People Power considers that the “Two-round System” should be adopted. A candidate who wins more than half of the valid votes shall be returned as the CE-elect; otherwise the two candidates with the highest number of votes shall enter into the second round of voting in which the candidate with the greater number of votes shall be returned as the CE-elect.
- (x) LSD considers that the “Two-round System” should be adopted. A candidate who wins more than 50% of the votes shall be returned as the CE-elect; otherwise the two candidates with the highest number of votes shall enter into the second round election in which the candidate with more than 50% of the votes shall be returned as the CE-elect. If there is still no candidate obtaining more than 50% of the votes, a fresh round of election shall be conducted within six months to return the CE-elect by using the simple majority voting method.
- (xi) NCF considers that the candidate should be elected by all voters in Hong Kong through “one person, one vote”, and the candidate with more than half of the votes shall be returned. If none of the candidates obtains more than half of the votes in the first round of voting, the two candidates with the highest number of votes shall enter into the second round of voting in which the candidate with the greater number of votes shall be returned.
- (xii) FLU suggests adopting a two-round voting system. If all candidates fail to obtain more than half of the votes, the two candidates with the highest number of votes shall enter into the second round election in which the candidate who obtains more than half of the votes shall be returned.

- (xiii) Dr Hon LAM Tai-fai considers that the CE-elect should obtain more than half of the votes cast.
- (xiv) Hon Paul TSE Wai-chun considers that universal suffrage for the CE election shall adopt the two-round voting system. If none of the candidates obtains more than half of the votes in the first round, a second round of voting shall be held within 14 days for the two candidates with the highest number of votes in the first round of voting.
- (xv) Hon NG Leung-sing considers that the CE shall be elected by all people in Hong Kong through “one person, one vote”, a candidate shall obtain more than half of the votes to be returned.
- (xvi) Hon YIU Si-wing considers that consideration may be given to adopting the two-round voting system to return the CE by universal suffrage, in which the candidate who obtains half of the votes and at the same time the highest number of votes shall be returned; if none of the candidates obtains more than half of the votes in the first round of voting, the two candidates with the highest number of votes shall enter into the second round election in which the candidate who obtains the greater number of votes shall be returned.
- (xvii) Hon Tony TSE Wai-chuen considers that the candidate should obtain more than half of the valid votes to be returned. If none of the candidates obtains more than half of the votes in the first round of voting, the two candidates with the highest number of votes shall enter into the second round of voting in which the candidate who obtains more than half of the valid votes shall be returned, or else this election shall be deemed to be invalid. In such case, the CE election procedures shall be conducted again, and those who have participated in that election may participate in the election again. To reflect the democratic procedures for universal suffrage of the CE election through “one person, one vote” and to ensure the legitimacy of the CE thus returned, voting should be conducted even if there is only one candidate.

Organisations from various sectors, and groups and individuals the Task Force met during the consultation period

3.53 Among organisations from various sectors, and groups and individuals the Task Force met during the consultation period, there are more views which consider that there should be two rounds of voting (if no candidate could obtain more than half of the total number of votes in the first round voting, two candidates with the highest number of votes would proceed to the second round voting, and the candidate with the highest number of votes in the second round would be returned)⁵⁷; while some consider that only one round of voting should be held (using the “first-past-the-post system”, without requiring the candidate to obtain more than half of the valid votes)⁵⁸. There are only a very small number of views suggesting other voting systems. Besides, there are views which consider that an election is still required to be held if there is only one candidate⁵⁹.

Written submissions put forth by individual groups and members of the public

3.54 Among some 124 700 written submissions put forth by individual groups and members of the public during the consultation period, on the method of universal suffrage after the nomination, there are relatively more views which consider that two rounds of voting should be held so as to enhance the legitimacy of the candidate returned; while some consider that only one round of voting using

⁵⁷ For example, Heung Yee Kuk New Territories, the Alliance for True Democracy, the Hong Kong Confederation of Trade Unions, the “Scholar Proposal” proposed by 18 academics, the “G-13 Proposal” proposed by 13 academics, the Hong Kong Democratic Foundation, Scholarism and the Hong Kong Federation of Students submitted relevant views; for details, please refer to Appendix II.

⁵⁸ For example, the Hong Kong Professionals and Senior Executives Association and the Real Estate Developers Association submitted relevant views; for details, please refer to Appendix II.

⁵⁹ For example, the Hong Kong Bar Association considers that if the NC nominates only one candidate, there must still be voting on such candidate by the electorate; and in such a vote, the single candidate must obtain more than 50% of the valid votes of all voters who voted, provided that the number of voters who voted passes a minimum threshold in terms of the proportion of the electorate, say 40%; for details, please refer to Appendix II.

the simple majority method should be held to return the CE-elect. Only a very small number of views suggest adopting the “instant runoff system” or other voting systems. As to whether an election is still required to be held if there is only one candidate, there are not many views from the public and individual organisations.

Relevant opinion polls

3.55 Relevant opinion polls conducted during the consultation period did not collect views on the subject.

(VI) Procedures for Appointing the CE and the Linkage with Local Legislation

3.56 Article 15 of the Basic Law stipulates that:

“The Central People’s Government shall appoint the Chief Executive and the principal officials of the executive authorities of the Hong Kong Special Administrative Region in accordance with the provisions of Chapter IV of this Law.”

3.57 Article 45 of the Basic Law stipulates that:

“The Chief Executive of the Hong Kong Special Administrative Region shall be selected by election or through consultations held locally and be appointed by the Central People’s Government.”

3.58 Section 4 of the CEEO provides that the office of the CE becomes vacant in the following circumstances:

- (i) on the expiry of the term of office of the Chief Executive;
- (ii) if the Chief Executive dies; or
- (iii) if the Central People’s Government removes the Chief Executive from office in accordance with the Basic Law.

3.59 According to Article 53(2) of the Basic Law, in the event that the office of CE becomes vacant, a new CE shall be selected within six months in accordance with the provisions of Article 45 of this Law. At present, Section 11 of the CEEO provides that a new

polling date shall be fixed for a by-election of the CE to be held in certain circumstances. Section 11(3) of the CEEO only provides for a by-election to be held on the 120th day after the expiry of the term of office of the serving CE (or the Sunday immediately following that day) where a CE candidate returned at an election cannot assume the office of the CE on 1 July. However, the current CEEO does not have any provision to deal with the situation to arrange for a re-election when the CE-elect is not appointed by the CPG before 1 July.

- 3.60 The Consultation Document therefore raised the issue as to whether the existing CEEO should be amended to provide for a re-election if such situation were to take place.
- 3.61 There were fewer discussions on this issue among different political parties or groups in and the Members of the LegCo, organisations from various sectors and groups and individuals the Task Force met, written submissions put forth by individual groups and members of the public, as well as opinion polls conducted during the consultation period.

(VII) Political Affiliation of the CE

- 3.62 At present, the CEEO allows members of political parties to run for the office of CE. However, candidates have to declare that they are running for the election in a personal capacity. If a member of a political party is elected, the person is required to publicly make a statutory declaration within seven working days after being elected to the effect that he / she is not a member of any political party, and provide a written undertaking to the effect that he / she will not become a member of any political party or be subject to the discipline of any political party during his / her term of office.
- 3.63 During the consultation period, there was not much discussion focusing on the issue. Among the submissions received, there are roughly as much views supporting relaxation of such a requirement as views against⁶⁰.

⁶⁰ For example, DP, CP, the PC and LSD support relaxing such requirement; while FTU, NPP, etc. hold opposite views. The Business and Professionals Federation of Hong Kong considers that the CE should be allowed to have political affiliation, however there should first be a party law in place; for details, please refer to Appendix II.

Conclusion

- 3.64 We have collated the views of different political parties or groups in and the Members of the LegCo, organisations from various sectors and groups and individuals the Task Force met during the consultation period, views from the 18 DCs, written submissions put forth by individual groups and members of the public, as well as opinion polls conducted during the consultation period. On the whole, the community of Hong Kong is generally eager to see the implementation of universal suffrage for the CE election in 2017, and generally agree that successful implementation of universal suffrage for the CE election in 2017 will bring about positive impact on the policy implementation, economy, and livelihood matters in Hong Kong in the future, and hence sustained development and long-term prosperity and stability for Hong Kong.
- 3.65 As regards the method for selecting the CE in 2017, the mainstream view is that universal suffrage for the CE election must be strictly in accordance with the Basic Law and the relevant Interpretation and Decisions of the NPCSC, otherwise it would be difficult to forge consensus and implement universal suffrage for the CE election in 2017 as scheduled. The community generally agrees that the requirement for the CE to be a person who “loves the country and loves Hong Kong” is a natural one. Relevant provisions in the Basic Law, including those regarding the CE’s role, duties and his relationship with the Central Authorities, etc., have already adequately reflected such requirement.
- 3.66 Of all the related issues, the nominating procedures for the CE candidates were more extensively discussed with a large number of different kinds of views. The mainstream view is that Article 45 of the Basic Law has clearly provided that the power to nominate CE candidates is vested in the NC only, the power is a substantive one and cannot be undermined or bypassed directly or indirectly, but there are views proposing “civic nomination”, “party nomination”, etc. as part of the nominating procedures, and that the NC “must endorse” such persons nominated through “civic nomination” and “party nomination”. A number of organisations and individuals, including the Hong Kong Bar Association and the Law Society of Hong Kong, have pointed out that proposals containing elements of “civic nomination” are

unlikely to be able to meet the requirements of Article 45 of the Basic Law. Meanwhile, although there are views suggesting introducing “civic recommendation” as part of the nominating process, there are also views questioning its practicability.

- 3.67 Quite a number of organisations from different sectors and a majority of political parties consider that to be pragmatic, CE candidates should be nominated by the NC in accordance with democratic procedures, as provided for in Article 45 of the Basic Law. A broadly representative NC should be formed with reference to the framework of four sectors of the EC, each with an equal number of members.
- 3.68 There are a number of views which consider that the size of the NC could increase proportionally and appropriately to provide room for new subsectors or enhance the representativeness of existing subsectors. There are a number of views which suggest the number of members of the NC to maintain at 1 200, while there are also some suggesting increasing the number appropriately to no more than 1 600.
- 3.69 Regarding how the NC should nominate CE candidates in accordance with “democratic procedures”, there are many different views. Some consider that the nominating procedures may be divided into two stages: in the first stage, the persons contending for nomination shall be recommended by a certain number of NC members; and in the second stage, the NC shall nominate a number of candidates amongst the persons so recommended. There are quite a number of views which consider that a person contending for nomination has to obtain support from at least a certain proportion of NC members in order to become a candidate, so as to demonstrate that such a person has cross-sector support in the NC; to reflect the democratic principle of “the majority rule”, and to meet the requirement of the NC to nominate as an organisation. Some however consider that the nomination threshold should remain at one-eighth of the membership, like the existing EC. There are also other individual organisations and people suggesting other proposals on nomination thresholds and nominating procedures, and other views relating to nominating procedures.

- 3.70 Regarding the number of CE candidates, there are two major views. One of the views is that there is a need to ensure the solemnity of the election and allow voters to have sufficient understanding of the candidates' manifestoes and missions, and hence it is necessary to fix the number of candidates. The other view is that there is no need to restrict the number of candidates. Of those who consider that there is a need to set the number of candidates, some suggest to set the number of candidates at two to three since the number of candidates in the past CE elections was around two to three; while some put forward other numbers.
- 3.71 Regarding the specific method for forming the NC, the mainstream view is that it may follow the method for forming the existing EC. As to the actual voting arrangement for electing the CE by universal suffrage, there are relatively more views that there should be two rounds of voting so as to enhance the legitimacy of the candidate returned by election; while some consider that only one round of voting using the simple majority method should be held to elect the CE-elect.

Chapter Four: Analysis of Views Received on the Method for Forming the Legislative Council in 2016

Background

4.01 Article 68 of the Basic Law stipulates that:

“The Legislative Council of the Hong Kong Special Administrative Region shall be constituted by election.

The method for forming the Legislative Council shall be specified in the light of the actual situation in the Hong Kong Special Administrative Region and in accordance with the principle of gradual and orderly process. The ultimate aim is the election of all the members of the Legislative Council by universal suffrage.”

4.02 According to the Decision of the NPCSC in 2007, after the CE is selected by universal suffrage, the election of the LegCo may be implemented by the method of electing all the Members by universal suffrage. Therefore, election of all Members by universal suffrage would not be implemented in the 2016 LegCo election. On the other hand, effective from the new term of the LegCo in 2012, the number of Members each returned by the GC and FC elections has increased from 30 to 35 respectively. Five new FC seats have been created and return members through “one person, one vote” by some 3.2 million registered voters who previously did not have a vote in the traditional FCs, and thus nearly 60% of the LegCo seats have an electorate base of more than 3 million voters.

4.03 It was mentioned in the Consultation Document that, subject to conformity with the Basic Law and the relevant Interpretation and Decisions of the NPCSC, the implementation of universal suffrage for the LegCo would be taken forward by the CE returned by universal suffrage in 2017 and the Administration under his leadership. When discussing the method for forming the LegCo in 2016, we may consider the following key issues:

- (I) Number of Seats and Composition of the LegCo;
- (II) Composition and Electorate Base of Functional Constituencies; and

(III) Number of Geographical Constituencies and Number of Seats in Each Geographical Constituency.

Summary of Views

4.04 The ensuing paragraphs summarise the written proposals put forth by different political parties or groups in and the Members of the LegCo, organisations from various sectors, and groups and individuals the Task Force met during the consultation period, written submissions put forth by individual groups and members of the public, as well as findings of the relevant opinion polls.

General Views

4.05 During the consultation period, different political parties or groups in and the Members of the LegCo, organisations from various sectors and groups and individuals the Task Force met during the consultation period, written submissions put forth by individual groups and members of the public, as well as opinion polls conducted during the consultation period mainly focused on views and suggestions relating to the method for selecting the CE in 2017; only a small number of them gave views on the method for forming the LegCo in 2016. Among the views relating to the method for forming the LegCo in 2016, there are more views which consider that efforts should be focused on the proper handling of universal suffrage for the CE election in 2017, there could be no change to the method for forming the LegCo in 2016. After the implementation of universal suffrage for the CE election in 2017, the community may focus on discussing how to attain the ultimate aim of electing all Members of the LegCo by universal suffrage as stipulated in Article 68 of the Basic Law.

LegCo Members

4.06 Different political parties or groups in and the Members of the LegCo have put forward the following views:

- (i) DAB considers that the arrangements of the LegCo election in 2016 should remain basically the same. After the implementation of the 2017 universal suffrage for the CE election, the LegCo election method should undergo full review.

- (ii) BPA considers that universal suffrage for LegCo elections in 2020 is conditional on the successful implementation of universal suffrage in the election of the CE in 2017. Besides, given that substantial changes had been introduced to the LegCo election in 2012 where the number of seats has been significantly increased to 70 and the impacts of such change are still under observation, no drastic changes should be introduced for the 2016 LegCo election. Different sectors of the community should focus discussions on proposals for universal suffrage for the CE election in 2017. Hon Christopher CHEUNG Wah-fung has put forth a separate submission in which he remarks that according to the decision of the NPCSC, election of LegCo by universal suffrage should only be implemented after the implementation of universal suffrage for the CE election, and thus the LegCo to be formed in 2016 will be transitional in nature; it is therefore appropriate to maintain the status quo and introduce as little changes as possible.
- (iii) CP and DP call for early implementation of direct election of all LegCo Members, while forming the LegCo by universal suffrage in 2016 should not be ruled out, it should be implemented no later than 2020.
- (iv) FTU considers that as the Decision adopted by the NPCSC in 2007 provided the “CE before LegCo” timetable for universal suffrage, in view of the uncertainties regarding the method for selecting the CE in 2017, the method for forming the LegCo in 2016 is proposed to remain unchanged.
- (v) The Labour Party considers that it will be most favourable to Hong Kong if all seats in the LegCo are returned by universal suffrage in 2016; but consideration may be given to introducing legislation on the method for forming the LegCo in 2016 and 2020 in one go to attain the aim of electing all Members of the LegCo by universal suffrage in two stages.
- (vi) LSD insists on forming the LegCo in 2016 by universal suffrage.

- (vii) Dr Hon LAM Tai-fai considers that before the implementation of universal suffrage for the CE election, it will only be appropriate to improve the method for forming the LegCo without drastic changes.
- (viii) Hon NG Leung-sing considers that the addition of five GC seats and five “super seats” for the fourth term of LegCo in 2012 has greatly enhanced the democratic element and degree of balanced participation in the LegCo election; the method for forming the LegCo in 2016 should follow that adopted in 2012 without any changes for the sake of social stability and development; the subject should be further dealt with in the light of the situation of the CE election in 2017.
- (ix) Hon YIU Si-wing considers that introducing great changes to the method for forming the LegCo in 2016 is not advisable. At the present stage, efforts should be concentrated on the method for selecting the CE by universal suffrage. As the method for forming the LegCo had just been amended in 2010, he proposes maintaining the status quo without introducing any changes, and conducting a review after universal suffrage for the CE election is implemented.

Organisations from various sectors, and groups and individuals the Task Force met during the consultation period

4.07 Among organisations from various sectors and groups and individuals the Task Force met during the consultation period, there are more views which consider that the most important task at present is to implement universal suffrage for the CE election in 2017, otherwise all Members of the LegCo could not be returned by universal suffrage in 2020; therefore the community should focus on universal suffrage for the CE election in 2017, the method for forming the LegCo in 2016 does not need to be changed⁶¹. There are also some views suggesting increasing the democratic elements of the method for forming the LegCo in

⁶¹ For example, the Chinese Manufacturers’ Association of Hong Kong, members of the Catering Subsector of the EC, Savantas, etc. submitted relevant views; for details, please refer to Appendix II.

2016 to pave way for electing all Members of the LegCo by universal suffrage in 2020⁶².

Written submissions put forth by individual groups and members of the public

4.08 Among about 124 700 written submissions put forth by individual groups and members of the public during the consultation period, there are more focusing on giving views regarding the method for selecting the CE in 2017. Among those that provide views on the method for forming the LegCo in 2016, there are clearly more views which suggest that the method for forming the LegCo in 2016 could remain unchanged.

Relevant opinion polls

4.09 Findings of the opinion polls conducted during the consultation period reveal that views solicited from polls conducted by different organisations are diverse. Among these polls, the poll conducted by the HKRA⁶³ found that about 70% of the respondents consider that the method for selecting the CE by universal suffrage should be dealt with first; while the opinion survey conducted by the HKUPOP found that some respondents agree to abolish all FC seats in 2016⁶⁴.

⁶² For example, the Law Society of Hong Kong suggested, in the transitional period of the 2016 elections, there should be an increase in the number of geographical seats, in an orderly fashion in accordance with the stated aim of universal suffrage in Article 68 of the Basic Law; for details, please refer to Appendix II.

⁶³ According to the poll conducted by the HKRA between 27 February and 4 March 2014:

- (a) about 74% of the respondents agree to deal with the method for selecting the CE by universal suffrage first, to be followed by method for forming the LegCo by universal suffrage;
- (b) about 11% have no strong view/have no comment;
- (c) about 14% disagree.

⁶⁴ The Alliance for True Democracy commissioned the HKUPOP to conduct opinion surveys between 23 to 29 January and 14 to 17 April 2014. According to the two surveys:

- (a) about 47% and 46% of the respondents agree to abolish all FC seats in 2016;
- (b) about 23% and 22% have indicated half-half;
- (c) about 15% and 18% disagree.

(I) Number of Seats and Composition of the LegCo

4.10 During the public consultation held by the third term HKSAR Government from the end of 2009 to early 2010 on the method for forming the LegCo in 2012, the majority of views received supported the increase of the number of LegCo seats from 60 to 70, but there were also views that the number should be maintained at 60, or increased to 80. Subsequently, the third term HKSAR Government suggested increasing the number of seats of the fifth term LegCo commencing 2012 from 60 to 70, and the proposal was eventually passed. The composition of the LegCo was enlarged, with the democratic element in the LegCo enhanced.

4.11 With regard to the number of seats and composition of the LegCo, the Consultation Document raised the following key issues:

- (i) should the number of LegCo seats be capped at 70 without major changes or, subject to conformity with the principles of the Basic Law, should the number of LegCo seats be further increased?
- (ii) if the number of LegCo seats is to remain at 70 without any change, should the half-and-half ratio between Members returned by FCs and Members returned by GCs remain unchanged; if the ratio is to be adjusted, what level should it be adjusted to?
- (iii) if the number of LegCo seats is to be increased, what should be the total number of seats, and how should the new seats be distributed, including should the half-and-half ratio of Members from GCs and FCs be maintained and the new seats be distributed evenly, or if the half-and-half ratio of Members from GCs and FCs is not maintained, should more of the new seats be allocated to FCs (such as the DC (Second) FC) or GCs?

LegCo Members

4.12 Among different political parties or groups in and the Members of the LegCo who have submitted written submissions, the majority considers that there is no need to introduce significant changes to

the number of seats and composition of the LegCo; while there are also views which consider that the FCs should be abolished in one go.

4.13 Views of different political parties or groups in and the Members of the LegCo on composition of and number of seats in the LegCo are as follows:

- (i) DAB considers that the number of LegCo seats in 2016 should be maintained at 70, and the 50-50 ratio between Members returned by FCs and Members returned by GCs through direct elections should remain unchanged.
- (ii) BPA considers that given that substantial changes were introduced to the LegCo election in 2012 where the number of seats has been significantly increased to 70 and the impact of such a change is still under observation, it is not advisable to introduce major changes to the LegCo election in 2016. Hon Abraham SHEK Lai-him and Hon Christopher CHEUNG Wah-fung put forth separate submissions in which they remark that in respect of the number of LegCo seats and the composition of the LegCo in 2016, status quo should be maintained, i.e., the ratio between Members returned by the FCs and Members returned by GCs through direct elections should remain unchanged (35 GC seats and 35 FC seats).
- (iii) DP considers that the number of LegCo seats in 2016 can be maintained at 70, of which 50 are to be returned by universal suffrage, including 35 seats returned by GCs through proportional representation system, and 15 newly added seats to be elected by proportional representation with the whole of Hong Kong as a single constituency, using the d'Hondt formula in vote counting. A voter may cast one vote in each of the GC election and the single constituency election. The FC seats are to be reduced to 20 and to be distributed among three sectors, namely professional (six seats), commercial and economic (ten seats) and social and political (four seats). Electors or corporate electors of each sector can only cast one vote.

- (iv) FTU considers that as the Decision adopted by the NPCSC in 2007 provided the “CE before LegCo” timetable for universal suffrage, in view of the uncertainties regarding the method for selecting the CE in 2017, the method for forming the LegCo in 2016 is proposed to remain unchanged.
- (v) CP suggests that the total number of seats in the LegCo should remain 70, and the current 50:50 ratio should be amended to provide for directly elected GC seats to be in the majority. The DC (Second) FC seats should be abolished in order to reduce the number of FC seats.
- (vi) NWSC considers that the FCs should be abolished in 2016 to allow motions which are conducive to people’s livelihood to be passed.
- (vii) LSD considers that the FCs should be abolished in 2016, the original FC seats to be replaced by seats returned by proportional representation with the whole of Hong Kong as a single constituency, and candidates should be allowed to stand for election in personal capacity or in the form of lists, and those individuals or lists have to obtain more than 5% of the votes to be assigned with seats; the existing “proportional representation system” adopted for GC elections should remain unchanged.
- (viii) FLU considers that with an increasing population in Hong Kong, the number of LegCo seats could be appropriately increased to nurture more political talents who are dedicated to serving the community, thereby enhancing civic awareness and encouraging the community to show more interest in social affairs.
- (ix) Hon NG Leung-sing and Hon YIU Si-wing consider that the method for forming the LegCo in 2016 should follow that adopted for forming the LegCo in 2012. For details, please refer to paragraph 4.06 (viii) and (ix) above.

Organisations from various sectors, and groups and individuals the Task Force met during the consultation period

4.14 Among organisations from various sectors, and groups and individuals the Task Force met during the consultation period, the mainstream view is that the number of seats for the LegCo in 2016 should be maintained at 70, and the current composition need not be changed⁶⁵. However, there are also some groups putting forth other views⁶⁶.

Written submissions put forth by individual groups and members of the public

4.15 Among about 124 700 written submissions put forth by individual groups and members of the public during the consultation period, the majority of related views is that the number of seats and composition of the LegCo in 2016 could remain the same as the number of seats and composition of the LegCo in 2012 without the need to change. There are also views which suggest abolishing the FCs in one go.

Relevant opinion polls

4.16 Very few relevant opinion polls conducted during the consultation period collected views on the number of seats and composition of the LegCo⁶⁷.

⁶⁵ For example, Heung Yee Kuk New Territories, the Hong Kong Professionals and Senior Executives Association, the Federation of Hong Kong Industries, the Chinese Manufacturers' Association of Hong Kong, Savantas, the Federation of Hong Kong Chiu Chow Community Organizations, etc. submitted relevant views; for details, please refer to Appendix II.

⁶⁶ For example, the Hong Kong 2020 proposes to increase the number of seats in the GCs to 40; the Alliance for True Democracy proposes to increase the number of seats returned from direct elections to 50; the Hong Kong Council of Social Service suggests increasing the ratio of GC seats in the LegCo; the Hong Kong Confederation of Trade Unions suggests abolishing the "super District Council" FC seats, reducing the ratio of FC seats and increasing the ratio of seats returned from direct elections; for details, please refer to Appendix II.

⁶⁷ The Alliance for True Democracy commissioned the HKUPOP to conduct an opinion poll between 14 and 17 April 2014 on the proposals on method for forming the LegCo in 2016 put forth by the Alliance for True Democracy; for details, please refer to Appendix IV.

(II) Composition and Electorate Base of Functional Consistencies

- 4.17 According to the 2013 Final Register, there are about 238 000 registered electors for the 28 traditional FCs, including 16 000 corporate bodies and some 222 000 individuals.
- 4.18 For the sixth term LegCo in 2016, the Consultation Document raised for consideration whether to enlarge the electoral base of the FCs.

LegCo Members

- 4.19 Among different political parties or groups in and the Members of the LegCo who have submitted written submissions, apart from a number of views which consider that the composition and method for forming the LegCo in 2016 could follow that of 2012 without introducing any changes, there is not much extensive and in-depth discussion regarding the composition and electorate base of the FCs. Views put forth are diverse.
- 4.20 Views of different political parties or groups in and the Members of the LegCo on the composition and electorate base of the FCs are as follows:
- (i) DAB considers that the arrangements of the LegCo election in 2016 should remain basically the same. After the implementation of the 2017 universal suffrage for the CE election, the LegCo election method should undergo full review.
 - (ii) BPA considers that no drastic change should be introduced for the 2016 LegCo election. It considers that the FCs have their value for existence, but is open to the opinions and views of other stakeholders on expanding the FCs' electorate base. Hon Abraham SHEK Lai-him has put forth a separate submission in which he considers that the composition of FCs should remain unchanged; the electorate base of FCs could follow that of the NC for the CE election in 2017. If the proposal on the method for selecting the CE in 2017 could not be passed, the electorate base for FCs in LegCo in 2016 should remain unchanged. Hon Christopher CHEUNG Wah-fung has put forth a separate submission in which he considers that

minimal changes to the method for forming the next-term LegCo should be the principle; while the electorate base for FCs could be appropriately adjusted according to the actual situation of each sector, with increasing the representativeness as the primary consideration. As for the Financial Services Sector, the electorate base may be expanded on the basis of “one corporate, one vote” to other licensed organisations registered with the Securities and Futures Commission, including asset management companies and foreign exchange management companies to increase the representativeness of the sector.

- (iii) CP considers that the electorate base should be expanded by abolishing corporate votes with individual votes, or certain FCs should be combined to broaden the electorate base of FCs with the ultimate goal of abolishing all FC seats.
- (iv) LP considers that FCs have their own contribution to the community and have their value for existence. With FCs, the principle of balanced participation can be realised, allowing policies to be drawn up in a more objective and comprehensive manner. However, the current mode of operation has to be improved, the electorate base of FCs has to be broadened and the electorate size expanded. In spite of this, it is necessary not to just make up the number, but to ensure that voters are sufficiently representative in their respective sectors, have made substantive contribution to the economy and can give full play to their roles. The specific number of voters to be increased is to be decided by individual sectors.
- (v) FLU considers that members returned by FCs had reflected the views of their respective sectors in the LegCo in the past, balancing the interests of various strata of the society, the roles they played should not be denied, and that the community at large should be allowed some time to discuss the long-term development of FCs. It also considers that broadening the electorate base of FCs can enhance representativeness, and the Government should communicate with various sectors as soon as possible to study carefully the feasibility of broadening their electorate

base. Moreover, it proposes that the existing arrangement of allowing voters to have one vote each in the FC and their respective GCs should be maintained.

- (vi) Hon LAM Tai-fai considers that the DC (First) and DC (Second) FCs should be merged, and that the Industrial (First) and (Second), the Commercial (First) and (Second), the Textiles and Garment and the Import and Export FCs should be merged to form a “Super Industrial and Commercial FC” to broaden the electorate base and enhance the representativeness and legitimacy of the sector. He also suggests that for some sectors, individual votes can be added on top of corporate/organisation votes.
- (vii) Hon Tony TSE Wai-chuen considers that upon examining the actual situation of relevant sectors and after comprehensive consultation, consideration may be given to converting the existing corporate/organisation votes of FCs to director’s votes or even individual votes to expand the electorate base.
- (viii) Hon NG Leung-sing and Hon YIU Si-wing hold that the method for forming the LegCo in 2016 should follow that adopted in 2012. For details, please refer to paragraph 4.06 (viii) and (ix) above.

Organisations from various sectors, and groups and individuals the Task Force met during the consultation period

4.21 Among organisations from various sectors, and groups and individuals the Task Force met during the consultation period, the mainstream view is that the composition of FCs of the LegCo in 2016 does not need to be amended in general⁶⁸. There are some individual views which consider that the electorate base of FCs could be expanded⁶⁹, and there are also other suggestions, such as

⁶⁸ For example, the New Territories Association of Societies considers that the method for forming the LegCo in 2016 should remain unchanged; the Real Estate Developers Association of Hong Kong, the Hong Kong Chinese Importers’ and Exporters’ Association, the Federation of Hong Kong Industries submitted relevant views; for details, please refer to Appendix II.

⁶⁹ For example, the Hong Kong General Chamber of Commerce, the Chinese Manufacturers’ Association of Hong Kong, and the Hong Kong Council of Social Service submitted relevant views; for details, please refer to Appendix II.

abolishing the DC (Second) FC (the so-called “Super DC”) seats⁷⁰.

Written submissions put forth by individual groups and members of the public

4.22 Among about 124 700 written submissions put forth by individual groups and members of the public during the consultation period, there are not much specific comments or proposals on the composition and electorate base of FCs. Most of the related submissions are of the view that the number of seats and composition of the LegCo in 2016 could follow that of the LegCo in 2012 without any changes; while some consider that FCs should be abolished in one go. Adjustments to the electorate base for individual sectors could be handled at the local legislation level without amending Annex II to the Basic Law.

Relevant opinion polls

4.23 Relevant opinion polls conducted during the consultation period did not collect views on the subject.

(III) Number of Geographical Constituencies and Number of Seats in Each Geographical Constituency

4.24 Currently, there are five GCs in the LegCo direct election, returning a total of 35 Members. Details are as follows –

Geographical Consistency	Number of Seats
Hong Kong Island	7
Kowloon East	5
Kowloon West	5
New Territories East	9
New Territories West	9

⁷⁰ For example, the Alliance for True Democracy and Hong Kong 2020 submitted relevant views; for details, please refer to Appendix II.

4.25 With regard to the number of GCs and the number of seats in each GC, the Consultation Document raised the following two key issues:

- (i) should the existing number of GCs be adjusted; and
- (ii) should the upper and lower limits of seats returned by each GC be adjusted.

LegCo Members

4.26 Most of the political parties or groups and Members of the LegCo who have made written submissions did not give any specific views on the number of GCs and number of seats in each GC⁷¹.

Organisations from various sectors, and groups and individuals the Task Force met during the consultation period

4.27 Among organisations from various sectors and groups and individuals the Task Force met during the consultation period, there are more views suggesting that the method for forming the LegCo in 2016 could remain unchanged, very few put forth specific views or proposals regarding the number of GCs in the 2016 LegCo election. Among the relevant views put forth by the organisations, views are diverse⁷².

⁷¹ DP suggests reviewing the existing arrangement of five large GCs, increasing the number of GCs and adjusting the number of seats in each GC, thus reducing the size and population of each GC; Hon Christopher CHEUNG Wah-fung considers that the delineation of GCs could be improved to avoid the percentage of votes obtained by each seat in different GCs differ too greatly; for details, please refer to Appendix I.

⁷² For example, the Business and Professionals Federation of Hong Kong proposes that Hong Kong be divided into GCs each of approximately 200 000 voters. The Hong Kong Democratic Foundation suggests dividing each existing GC into two, making a total of ten GCs. The Hong Kong 2020 proposes to reduce the size of very large GCs; the Hong Kong Island, NT East and NT West GCs should be split into two; for details, please refer to Appendix II.

Written submissions put forth by individual groups and members of the public

- 4.28 Among about 124 700 written submissions put forth by individual groups and members of the public during the consultation period, there are very few putting forth specific views or proposals on the number of GCs and number of seats in each GC.

Relevant opinion polls

- 4.29 Relevant opinion polls conducted during the consultation period did not collect views on the subject.

Procedures for Voting on Bills and Motions in the LegCo

- 4.30 Pursuant to Annex II to the Basic Law, the LegCo of the HKSAR is to adopt the following procedures for voting on bills and motions:

“The passage of bills introduced by the government shall require at least a simple majority vote of the members of the Legislative Council present.

The passage of motions, bills or amendments to government bills introduced by individual members of the Legislative Council shall require a simple majority vote of each of the two groups of members present: members returned by functional constituencies and those returned by geographical constituencies through direct elections and by the Election Committee.”

- 4.31 In submitting the Basic Law (Draft) and related documents to the Third Session of the Seventh NPC on 28 March 1990, Mr Ji Pengfei, Chairman of the Drafting Committee for the Basic Law of the Hong Kong Special Administrative Region of the People’s Republic of China made the following explanation in respect of the voting procedures of the LegCo in the Annex II to the Basic Law:

“Annex II also stipulates that different voting procedures shall be adopted by the Legislative Council in handling bills introduced by the government and motions and bills introduced by individual members of the Legislative Council. The passage of bills

introduced by the government requires a simple majority vote of the members of the Legislative Council present. The passage of motions, bills or amendments to government bills introduced by individual members of the Legislative Council requires at least a simple majority vote by each of the two groups of members present, i.e., members returned by functional constituencies and those returned by geographical constituencies through direct elections and by the Election Committee. Such provisions take into consideration the interests of all social strata and will prevent endless debates over government bills, thus helping the government work with efficiency.”

- 4.32 In accordance with the Decisions of the NPCSC in 2004 and 2007, the elections of the LegCo in the fourth and fifth terms in the years 2008 and 2012 were not implemented by the method of electing all Members by universal suffrage. The ratio between Members returned by FCs and Members returned by GCs through direct elections remained unchanged. The procedures for voting on bills and motions in the LegCo were to remain unchanged. At an appropriate time prior to the election of all the Members of the LegCo by universal suffrage, the CE shall make a report to the NPCSC as regards the issue of amending the method for forming the LegCo and the issue of whether any corresponding amendment should be made to the procedures for voting on bills and motions in the LegCo in accordance with the relevant provisions of the Basic Law and the Interpretation of the NPCSC in 2004, and a determination thereon shall be made by the NPCSC.
- 4.33 During the consultation period, there were fewer discussions on this topic among political parties or groups and the Members of the LegCo, organisations from various sectors, and groups and individuals the Task Force met during the consultation period, written submissions put forth by members of the public, as well as relevant opinion polls conducted. As mentioned in paragraph 4.07 above, there are more views which consider that the most important task at present is to implement universal suffrage for the CE election in 2017, the method for forming the LegCo in 2016 does not need to be changed. Some consider that the split voting procedure of the LegCo should be changed⁷³; while there

⁷³ For example, DP, CP, the Labour Party, the Hong Kong Bar Association, etc. consider that the split voting system should be abolished; for details, please refer to Appendix I and Appendix II.

are also a number of views which consider that the current procedures for voting on bills and motions in the LegCo (e.g. the split voting system) should remain unchanged⁷⁴.

Conclusion

- 4.34 We have collated the views of different political parties or groups in and the Members of the LegCo, organisations from various sectors, and groups and individuals the Task Force met during the consultation period, written submissions put forth by individual groups and members of the public, as well as findings of the relevant opinion polls. On the whole, the public generally agrees that since the successful implementation of universal suffrage for the CE election in 2017 is a pre-condition for the election of all Members of the LegCo by universal suffrage, so efforts should now be focused on the proper handling of universal suffrage for the CE election. Moreover, as relatively substantial amendments had been made to the method for forming the LegCo in 2012, it is generally agreed that there is no need to amend Annex II to the Basic Law regarding the method of forming the LegCo in 2016.
- 4.35 The Hong Kong community is generally looking forward to implementing universal suffrage for the CE election in 2017. After the universal suffrage for the CE election is implemented in 2017, the community could focus again on discussing how to attain the ultimate aim of the election of all Members of the LegCo by universal suffrage as stipulated in Article 68 of the Basic Law.

⁷⁴ For example, DAB, Savantas, etc. submitted relevant views; for details, please refer to Appendix I and Appendix II.

Chapter Five: Conclusion, Recommendations and Way Forward

- 5.01 According to the Basic Law and the Interpretation of the NPCSC in 2004, the “Five-step Process” must be followed in amending the methods for selecting the CE and for forming the LegCo, i.e., the CE to make a report to the NPCSC; the NPCSC to determine whether to make amendments to the electoral methods; all the Members of the LegCo to decide whether to pass by a two-thirds majority the Government’s resolution to amend the electoral methods; the CE to consent to the resolution as passed by the LegCo; and the NPCSC to approve or record the relevant bill.
- 5.02 In establishing the Task Force, publishing the Consultation Document, and listening to views and suggestions from different sectors of the community in an open, inclusive and pragmatic manner; as well as not commenting on specific proposals during the consultation period, but providing timely information and analysis from different angles, the objective of the HKSAR Government is to assist the society to discuss in a rational manner so as to forge consensus for attaining the aim of universal suffrage for the CE election as provided for in the Basic Law as scheduled.
- 5.03 The outcome of this public consultation indicates that on the whole, the people of Hong Kong adopt a rational and pragmatic attitude towards the discussion of issues related to the methods for selecting the CE in 2017 and for forming the LegCo in 2016. Although views remain divergent on certain issues, there is general expectation in the society that there could be further democratisation of the electoral systems of the HKSAR, and that the proper handling of the work relating to the method for forming the LegCo in 2016 and the aim of implementing universal suffrage for the CE election in 2017 as scheduled could be attained in accordance with the Basic Law and relevant Interpretation and Decisions of the NPCSC.
- 5.04 The Hong Kong community is generally looking forward to the implementation of universal suffrage for the CE election in 2017, and generally agrees that the successful implementation of universal suffrage for the CE election in 2017 will bring about positive impact on the policy implementation, economy, and livelihood matters in Hong Kong in the future, and hence sustained development and long-term prosperity and stability for Hong Kong.

- 5.05 The Hong Kong community generally agrees that universal suffrage for the CE election should be taken forward strictly in accordance with the Basic Law and relevant Interpretation and Decisions of the NPCSC.
- 5.06 The mainstream opinion is that the CE should be a person who “loves the Country and loves Hong Kong”, and relevant provisions in the Basic Law have already adequately reflect such requirement.
- 5.07 The mainstream opinion is that Article 45 of the Basic Law has already made clear that the power to nominate CE candidates is vested in the NC only, and that the NC has a substantive power to nominate. Such power of nomination must not be undermined or bypassed directly or indirectly. There are relatively more views that the composition of the NC should be decided by reference to the existing four sectors of the EC in equal proportions, in order to meet the requirement for being “broadly representative”.
- 5.08 There are considerable views that the number of seats of the NC could be suitably increased pro rata to accommodate new subsectors or to enhance the representativeness of existing subsectors. However, there are also quite a number of views that the size of the NC should remain at 1 200 members; while some suggest increasing suitably to no more than 1 600 members.
- 5.09 There are many different views on how the NC should nominate CE candidates in accordance with “democratic procedures”. Some consider that the nominating procedures may be divided into two stages: in the first stage, the persons contending for nomination shall be recommended by a certain number of NC members; and in the second stage, the NC shall nominate a number of candidates amongst the persons so recommended. There are quite a number of views that a person contending for nomination has to obtain support from at least a certain proportion of members of the NC in order to formally become a candidate, so as to demonstrate that such a person has cross-sector support in the NC; to reflect the democratic principle of “the majority rule”, and to fulfil the requirement of the NC to nominate as an organisation. Some however consider that the nomination threshold should remain at one-eighth of the membership, like the

existing EC. There are also some organisations and people suggesting other proposals on nomination thresholds and nominating procedures, including introducing “civic nomination”, “party nomination”, etc., outside of the NC.

- 5.10 Regarding the number of CE candidates, there are two major views. One of the views is that there is a need to ensure the solemnity of the election and allow voters to have sufficient understanding of the candidates’ manifestoes and missions, and hence it is necessary to fix the number of candidates. The other view is that there is no need to restrict the number of candidates. Of those who consider that there is a need to set the number of candidates, some suggest to set the number of candidates at two to three since the number of candidates in the past CE elections was around two to three; while some put forward other numbers.
- 5.11 Regarding the voting arrangements for electing the CE by universal suffrage, there are relatively more views that there should be two rounds of voting so as to increase the legitimacy of the CE-elect returned by election; while some consider that only one round of voting using the simple majority method should be held to return the CE-elect.
- 5.12 Regarding the method for forming the LegCo, the public generally agrees that since the successful implementation of universal suffrage for the CE election in 2017 is a pre-condition for the election of all Members of the LegCo by universal suffrage, efforts should now be focused on the proper handling of universal suffrage for the CE election. Moreover, as relatively substantial amendments had been made to the method for forming the LegCo in 2012, it is generally agreed that there is no need to amend Annex II to the Basic Law regarding the method for forming the LegCo in 2016.
- 5.13 The Task Force recommends the CE to make a report to the NPCSC pursuant to the Basic Law and the Interpretation of the NPCSC in 2004, and to suggest that Annex I to the Basic Law regarding the method for selecting the fifth CE in 2017 could be amended in order to attain the aim of universal suffrage, while there may not be a need to amend the method for forming the LegCo in 2016 in so far as Annex II to the Basic Law is concerned.

5.14 After the CE has made a report to the NPCSC pursuant to the Basic Law and the Interpretation of the NPCSC in 2004, and the NPCSC has made a determination on whether amendments to the methods for selecting the CE in 2017 and for forming the LegCo in 2016 may be made, the HKSAR Government would launch a second round public consultation, and seek to submit a resolution on the specific amendments to the relevant Annexes to the Basic Law to the LegCo for scrutiny around early 2015.

Annex I

List of Relevant Meetings and Consultation Sessions with the Legislative Council Attended by Members of the Task Force on Constitutional Development

Date	Relevant Legislative Council Meetings/ Consultation Activities
2013	
4 December	Legislative Council Meeting
9 December	Special Meeting of the Constitutional Affairs Panel
2014	
2 January	Meeting with the Hong Kong Federation of Trade Unions
3 January	Meeting with the Democratic Alliance for the Betterment and Progress of Hong Kong
6 January	Dinner with Members of the Legislative Council (1 st session)
7 January	Dinner with Members of the Legislative Council (2 nd session)
9 January	Dinner with Members of the Legislative Council (3 rd session)
11 January	Special Meeting of the Constitutional Affairs Panel
13 January	Meeting with the New People's Party Study Group on Constitutional Development
14 January	Meeting with the Business and Professionals Alliance for Hong Kong
	Dinner with Members of the Legislative Council (4 th session)
17 January	Meeting with the Democratic Party
18 January	Special Meeting of the Constitutional Affairs Panel
21 January	Meeting with the Civic Party
27 January	Meeting with the Hon Dennis KWOK and members of the Legal Subsector of the Election Committee
17 February	Meeting with the Labour Party
20 February	Meeting with the Hong Kong Association for Democracy and People's Livelihood
22 February	Meeting with the Federation of Hong Kong and Kowloon Labour Unions

Date	Relevant Legislative Council Meetings/ Consultation Activities
25 February	Meeting with the Hon Christopher CHEUNG Wah-fung and the Financial Services Sector
11 March	Meeting with Prof the Hon Joseph LEE Kok-long and the Association of Hong Kong Nursing Staff
18 March	Breakfast meeting with Members of the Legislative Council (1 st session)
19 March	Breakfast meeting with Members of the Legislative Council (2 nd session)
21 March	Breakfast meeting with Members of the Legislative Council (3 rd session)
	Meeting with the Hon Tony TSE Wai-chuen, the Hong Kong Institute of Architects, the Hong Kong Institute of Planners, the Hong Kong Institute of Surveyors and the Hong Kong Institute of Landscape Architects
26 March	Breakfast meeting with Members of the Legislative Council (4 th session)
2 April	Meeting with the Neighbour and Worker's Service Centre
3 April	Meeting with Ir Dr the Hon LO Wai-kwok and a concern group on development of Hong Kong
7 April	Meeting with the Hon MA Fung-kwok
8 April	Meeting with the Hon Kenneth LEUNG and the Hong Kong Institute of Certified Public Accountants
	Meeting with the New People's Party Study Group on Constitutional Development
10 April	Meeting with the New Century Forum and local personalities
11 April	Meeting with the Hon Frankie YICK Chi-ming
	Meeting with the People Power
14 April	Meeting with the Hon CHAN Kin-por and the Hong Kong Federation of Insurers
	Meeting with the Liberal Party
23 April	Meeting with the Hon Steven HO Chun-yin, the Hong Kong Fishermen Consortium and Federation of Hong Kong Agricultural Associations
24 April	Meeting with the Hon YIU Si-wing, the Board of Airline Representatives, Hong Kong, the Federation of Hong Kong Hotel Owners, and the Travel Industry Council of Hong Kong

Date	Relevant Legislative Council Meetings/ Consultation Activities
	Meeting with the Democratic Alliance for the Betterment and Progress of Hong Kong
26 April	Meeting with the Hon Charles Peter MOK and the IT Voice
29 April	Meeting with the Democratic Party
30 April	Meeting with Dr the Hon LAM Tai-fai
	Meeting with the New People's Party
	Meeting with the Hon Tommy CHEUNG Yu-yan and representatives of the catering sector
2 May	Meeting with the Civic Party
	Meeting with the Business and Professionals Alliance for Hong Kong

Annex II

List of Consultation Activities with Different Sectors of the Community (Except Relevant Meetings of the Legislative Council and Sessions with Members and Political Parties of the Legislative Council) Attended by Members of the Task Force on Constitutional Development and Relevant Politically Appointed Officials

Date	Organiser / Relevant Sector
2013	
6 December	Chairmen and Vice-chairmen of 18 District Councils
	Federation Of Hong Kong Guangdong Community Organizations
11 December	Wisdom Hong Kong, 港澳發展戰略研究中心 and Hong Kong Federation of Overseas Chinese Associations
17 December	Hong Kong Sage United, Hong Kong Strategy
18 December	The Hong Kong Federation of Youth Groups
19 December	Hong Kong CPPCC (Provincial) Members Association
	Kowloon Federation of Associations
21 December	Kowloon East Chaoren Association
2014	
5 January	Visiting the Southern District to publicise the public consultation on constitutional development
7 January	Sai Kung District Council
	The Hong Kong General Chamber of Commerce, The Chinese General Chamber of Commerce, The Federation of Hong Kong Industries, The Chinese Manufacturers' Association of Hong Kong, and The Hong Kong Chinese Importers' & Exporters' Association
9 January	New Territories Chiu Chow Federation
	Kwai Tsing District Council
	New Territories Association of Societies
	Central and Western District Council
11 January	Visiting the Sha Tin District to publicise the public consultation on constitutional development
13 January	Hong Kong Professionals and Senior Executives Association

Date	Organiser / Relevant Sector
14 January	Sham Shui Po District Council
15 January	Democratic Alliance for the Betterment and Progress of Hong Kong - Sai Kung & Tseung Kwan O Branch
17 January	Heung Yee Kuk New Territories
18 January	All-China Women's Federation Hong Kong Delegates Association
19 January	Northern District Committee of New Territories Association of Societies
20 January	Chinese Entrepreneurs Organization
21 January	南區社團聯席會議
22 January	Visiting the Central & Western District to publicise the public consultation on constitutional development New Territories Association of Societies
23 January	Sha Tin District Council Hong Kong Industrial & Commercial Association Limited
24 January	International Business Committee
25 January	Visiting the Mong Kok Fa Hui Park Lunar New Year Fair to publicise the public consultation on constitutional development
26 January	Visiting the Victoria Park Lunar New Year Fair to publicise the public consultation on constitutional development Hong Kong Student Development Committee Visiting the Mong Kok Fa Hui Park Lunar New Year Fair to publicise the public consultation on constitutional development
27 January	Democratic Alliance for the Betterment and Progress of Hong Kong – Sha Tin Branch
28 January	Tsuen Wan District Council
4 February	The Hong Kong Medical Association
10 February	The Hong Kong General Chamber of Commerce
11 February	Representatives of the banking sector
13 February	North District Council Eastern District Council
15 February	The Federation of Hong Kong Property Management Industry and Kowloon West New Dynamic
16 February	The Working Group on Ethnic Affairs of Yau Tsim Mong District Council and Yau Tsim Mong South Area Committee
18 February	Small and Medium Enterprises Committee

Date	Organiser / Relevant Sector
	Hong Kong Federation of Students
19 February	Hong Kong deputies to the National People's Congress
21 February	Hong Kong members of the Chinese People's Political Consultative Conference
22 February	Hong Kong Federation of Education Workers
	The Federation of Hong Kong and Kowloon Labour Unions
	Hong Kong Hakka Associations
24 February	The Hong Kong Association of Property Management Companies
	Islands District Council
	United Zhejiang Residents Associations (Hong Kong)
	The Business and Professionals Federation of Hong Kong
25 February	District activities of the Yau Tsim Mong District
	Yuen Long District Council
	Communities of the Eastern District
26 February	District activities of the Yau Tsim Mong District
	New Territories School Heads Association
27 February	The Better Hong Kong Foundation
	Yau Tsim Mong District Council
	Tsuen Wan District Council member and the local community
	Hong Kong United Youth Association, The Y. Elites Association Limited and Hua Jing Society ⁷⁵
1 March	The Council of Hong Kong Professional Associations

⁷⁵ Co-organising organisations include: China Hong Kong Digital Audiovisual Association, Young Executive Council of Federation of Hong Kong Industries, Young Executives Committee of the Hong Kong General Chamber of Small and Medium Business, Youth Division of the Hong Kong Chinese Importers & Exporters' Association, Youth Committee of the Chinese Manufacturers' Association of Hong Kong, Young Executives Committee of the Chinese General Chamber of Commerce, Hong Kong WuYi Youth Association, Hong Kong Youth Exchange Promotion United Association, Hong Kong Youths Unified Association, The Hong Kong Federation of Youth Groups, Hong Kong Youth Association, Hong Kong Hubei Fraternity, 香港福建社團聯會青年委員會, 香港廣東社團總會青年委員會, The Young Executive Committee Hong Kong Chiu Chow Chamber of Commerce, Hong Kong Student Development Committee, Junior Chamber International Hong Kong, Dynamic Youth of Huizhou, Hong Kong Hunan Youth Exchange Promotion, Hong Kong-Yunnan-Taiwan Youth Exchange Association, Federation of New Territories Youth and Youth-Online Association.

Date	Organiser / Relevant Sector
	Rotary International District 3450 Interacts Club of Hong Kong 南區社團聯席會議
3 March	The Hong Kong Island Federation
4 March	Tuen Mun District Council
	Wong Tai Sin District Council
	Hong Kong Island School Heads Association and Kowloon Region School Heads Association
5 March	Hong Kong Federation of Women
6 March	Tai Po District Council
	CW Power, The Association of the Hong Kong Central and Western District Limited and Hong Kong Central and Western District Woman Association
7 March	Hong Kong Small and Medium Enterprises Association
13 March	Kowloon City District Council
14 March	Hong Kong Federation of Fujian Associations Limited
15 March	Commission on Strategic Development
	Public Affairs Forum
	The Federation of Alumni Associations of Chinese Colleges and Universities in Hong Kong
17 March	The Hong Kong Council of Social Service
	The Hong Kong Association for the Advancement of Science & Technology and Guangdong-Hong Kong Association for the Promotion of Technology Enterprise (HK) Limited
18 March	The Hong Kong Council of Social Service
	Kwun Tong District Council
	油尖旺各界領袖聯席
	The Hong Kong Chi Tung Association Limited Junior Chamber International Hong Kong
20 March	S.W.C.S. Chan Pak Sha School
	Southern District Council
22 March	Basic Law Promotion Steering Committee
24 March	Federation of Hong Kong Shenzhen Associations
25 March	Hong Kong Chiu Chow Chamber of Commerce
29 March	Hong Kong Liberal Studies Organization, Hong Kong New Generation Cultural Association and Hong Kong New Pulse
	Owners' committee cum management office of the Luk Yeung Sun Chuen

Date	Organiser / Relevant Sector
30 March	Hong Kong Integrated Nepalese Society Limited
31 March	Business Environment Council
1 April	Zonta Club of the New Territories
2 April	Employers' Federation of Hong Kong
	Rotary Club of Kowloon West
	Hong Kong Island Chaoren Association, Hong Kong Swatow Merchants Association Limited, Chiu Yang Residents' Association of Hong Kong, Hong Kong Chiu Chow Merchants Mutual Assistance Society, Chiu On Association HK, Hong Kong Wai Loi Natives Association Limited, Hong Kong Ching Hoi Clansmen's Association Limited, Chiu Chow Overseas Food Trade Merchants Association and Or Tow Residents Associations of Hong Kong Limited
3 April	Hong Kong Institute of Real Estate Administrators
	Professor Paul Yip Siu Fai and Ms Sarah Choy
	Hong Kong Industrial & Commercial Association Limited
	Hong Kong Construction Association and Hong Kong Federation of Electrical and Mechanical Contractors
	Tsuen Wan District Committee of New Territories Association of Societies
4 April	Kowloon City, Wong Tai Sin, and Kwun Tong Residents Association Company Limited
	Eastern District Council
7 April	Federation of Hong Kong Industries
	Council of Hong Kong Indian Associations
8 April	Chinese Academy of Governance (HK) Industrial and Commercial Professionals Alumni Association Limited
	The six major religions (The Hong Kong Buddhist Association, Hong Kong Christian Council, The Confucian Academy, The Chinese Muslim Cultural and Fraternal Association, Catholic Diocese of Hong Kong, Hong Kong Taoist Association)
	Hong Kong Institute of Engineers and Engineering Forum
9 April	Hong Kong General Chamber of Small and Medium Business
	Centre for Comparative and Public Law, Faculty of Law, The University of Hong Kong

Date	Organiser / Relevant Sector
	Sham Shui Po Residents Association
	Hong Kong News Executives' Association
10 April	Hong Kong Federation of Overseas Chinese Associations
	New Century Forum and the local community
	Hong Kong Institute of Architects
12 April	Wong Tai Sin District School Liaison Committee, East Kowloon Youth Society, 青藝, Youth Pulse, Hong Kong Association of Youth Development - Wong Tai Sin Branch, Wong Tai Sin Youth Development Association, Kowloon Region Outstanding Students' Association
	Pakistan Association of Hong Kong
14 April	The Hong Kong Association of Property Management Companies
	Dr Philemon CHOI Yuen-wan and other individuals of the community
	Hong Kong Computer Society
15 April	Hong Kong Young Industrialists Council
	Kowloon Federation of Associations
	The Hong Kong Island Federation
	The Chinese Manufacturers' Association of Hong Kong
	Academics and commentators
	Lions Clubs International District 303, Hong Kong and Macau, China
16 April	Yaumati Kaifong Association School
17 April	Hong Kong Federation of Restaurants & Related Trades
22 April	Federation of Hong Kong Guangxi Community Organisations
	Voice of Loving Hong Kong
	關注香港事務社團聯席
23 April	Hong Kong SME Forum
	Chai Wan Area Kai-fong Welfare Association
24 April	Tuen Mun District Women's Association and Grateful Heart Charitable Foundation Limited
	Federation of Hong Kong Industries
	Hong Kong Association for the Promotion of Peaceful Reunification of China

Date	Organiser / Relevant Sector
	Internet Professional Association, Hong Kong Information Technology Joint Council Limited, The Chamber of Hong Kong Computer Industry, Hong Kong Software Industry Association, Hong Kong United Youth Science and Technology Association, Hong Kong Innovative Technology Preferred
25 April	The Small and Medium Law Firms Association of Hong Kong
	The Hong Kong Medical Association
	The Chinese Banks' Association Limited
26 April	New Territories General Chamber of Commerce
	Hong Kong Social Workers Association
	The Hong Kong Chinese Women's Club
27 April	Tuen Mun District Committee of New Territories Association of Societies
28 April	The New Territories Fishermen Fraternity Association Limited, 香港惠陽蘇徐李鍾石宗親聯會, Federation of Hong Kong Aquaculture Associations and the Federation of Fishermen's Co-operative Societies of Tai Po District, N.T., Limited
	The Chinese General Chamber of Commerce, Hong Kong Hakka Association, Hong Kong Federation of Huichow Associations Limited and the General Association of Hong Kong Heyuan Societies Limited
	Rotary International District 3450
	North District Council, North District Office and North District Secondary School Principals' Association
	Federation of Hong Kong Guangdong Community Organisations
	Seminar with secondary school teachers
	港島工商團體聯盟
29 April	Hong Kong Electronic Industries Association
	All-China Women's Federation Hong Kong Delegates Association
	Dr Philemon CHOI Yuen-wan and other individuals of the community
	New Territories Association of Societies
	North District Council, North District Office and North District Secondary School Principals' Association

Date	Organiser / Relevant Sector
	The Hong Kong Chinese Importers' & Exporters' Association
30 April	Heung Yee Kuk New Territories
	Hong Kong Federation of Overseas Chinese Associations
	Federation of Hong Kong Chiu Chow Community Organizations
	The Elderly Services Association of Hong Kong
	Academics who gave the "G-13 Proposal" ⁷⁶
	Hong Kong Business Community Joint Conference
	Yau Tsim Mong District Organising Committee on Promotion of Civic Education under the Yau Tsim Mong District Council and The Association of Industries and Commerce of Yaumatei Tsimshatsui Mongkok Limited
	Roundtable Institute and Its Network
1 May	The Tai Po Federation of All Circles
2 May	The Council of Hong Kong & Kowloon Kai-fong Associations
	Federation of Hong Kong Shenzhen Associations
	The Yuen Long Merchants Association
	Hong Kong Professionals and Senior Executives Association
	Wisdom Hong Kong
	Sham Shui Po District Committee on Promotion of Civic Education
	Hong Kong Young Industrialists Council
	Christian representatives of the Election Committee
	The Business and Professionals Federation of Hong Kong
	Hong Kong Federation of Women
	Hong Kong CPPCC (Provincial) Members Association
Mr Anthony WU Ting-yuk	
The Association of Hong Kong Professionals	
3 May	New Territories Association of Societies

⁷⁶ The academics are WONG Yue-chim, Richard; SUNG Yun-wing; HO Lok-sang; KWOK Kwok-chuen; FAN Yiu-kwan; Michael LUK; HUANG Yin, Hanson; YEUNG Yue-man; LUI Ting-ming, Francis; LIU Pak-wai; LAU Pui-king; KWAN Pun-fong, Vincent; and LAW Cheung-kwok.

**Motions Moved by the 18 District Councils Relating to the
Methods for Selecting the Chief Executive in 2017
and for Forming the Legislative Council in 2016
During the Consultation Period**

District Councils and Date of Meeting	Wording of Motions (translation)
Kwai Tsing DC (9 January 2014)	“Kwai Tsing District Council believes it is the general expectation of the public that selection of the Chief Executive (CE) by way of universal suffrage can be implemented in 2017, and appeals to different sectors of the community to proactively put forward constitutional reform proposals on the basis of the Basic Law and the Decisions of the Standing Committee of the National People’s Congress to take forward implementation of universal suffrage for the CE election in a pragmatic and rational manner.”
Sham Shui Po DC (14 January 2014)	“Sham Shui Po District Council welcomes the Government launching a comprehensive consultation on constitutional reform, shares the democratic aspirations of the public who hold a generally keen view to look forward to universal suffrage for the Chief Executive (CE) election through ‘one person, one vote’ can be implemented in 2017, and calls on different sectors of the community to proactively put forward constitutional reform proposals on the basis of the Basic Law and the Decisions of the Standing Committee of the National People’s Congress. The Council will serve as a communication channel and fully engage in consultation work to take forward universal suffrage for the CE election in a pragmatic and rational manner on the basis of sincere communication, mutual trust and mutual understanding, and by seeking common ground while accommodating differences, so as to roll forward Hong Kong’s constitutional development

and to avoid a standstill, and at the same time, ensure Hong Kong's long-term prosperity and stability.”

Sha Tin DC
(23 January 2014)

“Sha Tin District Council requests the Government to widely listen to the views of people from different strata of society in conducting consultation on constitutional reform, and to implement universal suffrage for the Chief Executive election in 2017 in accordance with the Basic Law and the Decisions of the Standing Committee of the National People's Congress.”

North DC
(13 February 2014)

“North District Council considers it is the general expectation of the public that universal suffrage for the Chief Executive (CE) election through ‘one person, one vote’ can be implemented in 2017, and calls on different sectors of the community to proactively put forward constitutional reform proposals on the basis of the Basic Law and the Decisions of the Standing Committee of the National People's Congress to take forward implementation of universal suffrage for the CE election in a pragmatic and rational manner.”

Yuen Long DC
(25 February 2014)

“Yuen Long District Council supports forging a consensus through rational and pragmatic discussions so as to implement universal suffrage for the Chief Executive election through ‘one person, one vote’ in 2017 as scheduled on the basis of the Basic Law and the relevant Decisions of the Standing Committee of the National People's Congress. Yuen Long District Council objects to all kinds of violence and unlawful acts that disrupt social order.”

Yau Tsim Mong DC
(27 February 2014)

“The Council considers it is the general expectation of the public that universal suffrage for the Chief Executive (CE) election through ‘one person, one vote’ can be implemented in 2017, and calls on different sectors of the community to proactively put forward constitutional reform proposals on the basis of the Basic Law and the

Decisions of the Standing Committee of the National People's Congress so as to take forward implementation of universal suffrage for the CE election in a pragmatic and rational manner.”

Sai Kung DC
(4 March 2014)

“It is the common aspiration of Hong Kong people to see the implementation of universal suffrage for the Chief Executive (CE) election in 2017. Sai Kung District Council (SKDC) supports the Government in launching the work to take forward constitutional development, seeking common grounds while accommodating differences and implementing universal suffrage for the CE election strictly in accordance with the Basic Law and Decisions of the Standing Committee of the National People's Congress, and does not want to see a standstill in constitutional development. SKDC also objects to all kinds of violence and unlawful acts that disrupt social order.”

Tuen Mun DC
(4 March 2014)

“To avoid a standstill in constitutional development, Tuen Mun District Council (TMDC) strongly requests the Government to formulate method for selecting the Chief Executive (CE) by way of universal suffrage in 2017 in accordance with the Basic Law and the relevant Decisions of the Standing Committee of the National People's Congress. The CE so elected must be someone who loves the country and loves Hong Kong and must not act against the Central Authorities. Moreover, TMDC objects to civic nomination as well as all kinds of violence and unlawful acts that disrupt social order.”

Wong Tai Sin DC
(4 March 2014)

“The Council considers that it is the general expectation of the public that universal suffrage for the Chief Executive (CE) election through ‘one person, one vote’ can be implemented in 2017, and calls on various sectors of the community to proactively put forward constitutional reform proposals on the basis of the Basic Law and the Decisions of the Standing Committee of the National People's Congress so as to take forward

the implementation of universal suffrage for the CE election in a pragmatic and rational manner.”

Tai Po DC
(6 March 2014)

“The Council warmly welcomes publication of the ‘Consultation Document on the Methods for Selecting the Chief Executive in 2017 and for Forming the Legislative Council in 2016’ by the Government, and considers that the five-month consultation period allows sufficient time for different sectors of the community to give their views.

The Tai Po District Council is of the view that the method for selection of the Chief Executive (CE) should involve three main processes namely “nomination”, “election by universal suffrage” and “appointment” in accordance with Article 45 of the Basic Law, i.e., upon nomination by a broadly representative nominating committee in accordance with democratic procedures, the CE is to be selected by way of universal suffrage through ‘one person, one vote’ and finally be appointed by the Central People’s Government.

The Council reaffirms that discussions on constitutional development during the consultation period should be conducted in a rational and pragmatic manner and in accordance with the provisions of the Basic Law and relevant Interpretation and Decisions of the Standing Committee of the National People’s Congress so as to implement universal suffrage for the CE election in 2017 as scheduled. We object to all kinds of violence and unlawful acts that disrupt social order.”

Wan Chai DC
(11 March 2014)

“Wan Chai District Council supports the implementation of universal suffrage for the Chief Executive (CE) election in accordance with the Basic Law to elect a person who loves both the country and Hong Kong as the CE in 2017 to spearhead the development of Hong Kong. The Council calls on Wan Chai District and the people

of Hong Kong to actively discuss the constitutional development and provide pragmatic and practicable views so that Hong Kong's constitutional development can be taken forward. The Council is against making proposals which do not comply with the Basic Law, such as civic nomination, etc. The Council also objects to all acts that are violent, breach the law, or cause damage to the society.”

Kowloon City DC
(13 March 2014)

“The Council considers that it is the general expectation of the public that universal suffrage for the Chief Executive (CE) election through ‘one person, one vote’ can be implemented in 2017 and that the public do not want to see a standstill in constitutional development. The Council calls on different sectors of the community to proactively put forward constitutional reform proposals on the basis of the Basic Law and the Decisions of the Standing Committee of the National People’s Congress so as to take forward implementation of universal suffrage for the CE election in a pragmatic, rational, law-abiding and non-violent manner.”

Kwun Tong DC
(18 March 2014)

“Kwun Tong District Council (KTDC) considers that universal suffrage for the Chief Executive (CE) election in 2017 should be implemented strictly in accordance with the Basic Law and the relevant Interpretation and Decisions of the Standing Committee of the National People’s Congress, and there should be no standstill. KTDC also calls on all sectors of the community to put forward rational and pragmatic proposals to take forward implementation of universal suffrage for the CE election.”

Southern DC
(20 March 2014)

“Southern District Council supports that implementation of universal suffrage for the Chief Executive election in 2017 should comply with the Basic Law and relevant Decisions of the Standing Committee of the National People’s Congress. Rational and pragmatic discussions should be held

to forge consensus so that universal suffrage for the Chief Executive election through ‘one person, one vote’ can be implemented in 2017 as scheduled.”

Central and Western
DC
(20 March 2014)

“This Council considers that it is the general expectation of the public that universal suffrage for the Chief Executive (CE) election through ‘one person, one vote’ can be implemented in 2017, and that the public do not want to see a standstill in Hong Kong’s constitutional reform. This Council also calls on various sectors of the community to proactively put forward constitutional reform proposals on the basis of the Basic Law and the Decisions of the Standing Committee of the National People’s Congress so as to take forward implementation of universal suffrage for the CE election in a practical, rational, law-abiding and non-violent manner.”

Tsuen Wan DC
(25 March 2014)

“Tsuen Wan District Council (TWDC) supports the implementation of universal suffrage for the Chief Executive (CE) election through ‘one person, one vote’ in 2017 as scheduled and does not want to see a standstill in Hong Kong’s constitutional development. TWDC calls on various sectors of the community to proactively put forward constitutional reform proposals on the basis of the Basic Law and the relevant Decisions of the Standing Committee of the National People’s Congress so as to take forward implementation of universal suffrage for the CE election in a pragmatic, rational, law-abiding and non-violent manner.”

Eastern DC
(24 April 2014)

“Eastern District Council supports that implementation of universal suffrage for the Chief Executive (CE) election in 2017 must comply with the Basic Law and the relevant Decisions of the Standing Committee of the National People’s Congress (NPCSC); the so-called civic nomination and any other ways of nomination are against the Basic Law and the Decisions of the NPCSC. The

selection of the CE who loves the country and loves Hong Kong by way of universal suffrage, and no standstill in constitutional development are the consensus of the people of Hong Kong, and it should be taken forward in accordance in the law. All kinds of violence and unlawful acts that disrupt social order should be objected to.”

Islands DC
(28 April 2014)

“Islands District Council agrees that Hong Kong’s constitutional arrangements should roll forward and supports the selection of the Chief Executive (CE) of the Hong Kong Special Administrative Region by way of universal suffrage through ‘one person, one vote’ in 2017 as scheduled. The Council agrees that the CE candidates should be nominated by a nominating committee in accordance with democratic procedures as provided in the Basic Law and the relevant Decisions of the Standing Committee of the National People’s Congress. The Council calls on different sectors of the community to jointly uphold the core value of governing Hong Kong according to the law, to proactively put forward proposals on constitutional reform in a rational and pragmatic manner. The Council hopes that various sectors of the community will bear the overall well-being of all people of Hong Kong in mind, foster consensus through discussions, and take forward implementation of universal suffrage for the CE election in a law-abiding and non-violent manner.”

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