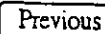
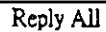
 Read Message Previous NextBack to: [Inbox](#)

From:

Date: 2004/09/19 Sun PM 08:49:47 CST

To: views@cab-review.gov.hk

Subject: 07-08 Election Consultation

 Reply Reply All Forward Delete

Move To: (Choose Folder)



Mr. Donald Tsang  
Chief Secretary for Administration,  
Constitutional Development Task Force Secretariat  
Constitutional Affairs Bureau  
3/F, main Wing  
Central Government Offices  
Lower Albert Road, Central  
Hong Kong

Dear Mr. Tsang,

In response to your web-site asking the general public to input views regarding the process and method of the 2007/2008 Chief Executive and the LECO Members election, I have submitted few proposals that hopefully you will take a serious look and consider each and every single point.

HK needs an open-minded and considerate administrator to lead HK residents to a better future. Similarly important, the basic human right and the world wide acceptable democracy should be fully enforced without hesitation. It is understood that it is almost impossible to have one person one vote to elect Chief Executive and the direct election of the 60-seat LECO Member in 2007 and 2008 respectively.

It does not mean the government cannot make changes to enlarge the base elector for both elections. The suggestions in the attached file of 7 pages are considered appropriated and should be under the government's jurisdiction. It is also considered mild and acceptable by the majority of HK residents. It is understood that there are large amount of work to meet and satisfy the suggestions. For the good sake of HK residents, the government must have obligation to implement them.

The government should keep in mind that both the pro and con government LECO Members are serving the best interest to HK residents. They could have different philosophy behind, but their purpose is to serve the best interest for HK residents.

You may post the suggestions to the general public with my name, but my address and email CANNOT be disclosed. Hope you do understand this point. Thanks!

Yours Sincerely,

Signed

D. Lai

Download Attachment: [07-08 Election Consultation.doc](#)

Download Attachment: [07-08 election-covering letter.doc](#)

(Editor's Note: This attachment is not reproduced because its content is the same as the email.)

Reply

Reply All

Forward

Delete

Move To: (Choose Folder)

Search Messages

Previous

Next

Back to: [Inbox](#)

[Help](#)

## **(I) Ref: Proposed Amendments in respect of the Method for the Chief Executive in 2007**

### **(i) and (ii) The Election Committee and the Composition of the Election Committee**

It is the expectation of the general public that the Chief Executive can represent the majority of HK people. It is unwise and discrimination to those who are not within the Election Committee. More importantly, it is also discrimination to those HK people who cannot be electors. It is understood it is almost impossible to have one person one vote to elect HK Chief Executive in 2007. It does not mean that HK cannot make changes to embrace more Election Committee Members and/or Electors from all walks of HK people. In this regard, it is suggested the 2007 Election Committee Members and Electors for HK Chief Executive to be composed as followings:

- 1) The existing members/electors
- 2) District Council Members, PLUS
- 3) Members of professional institutions: These include Social Workers, Medical Doctors, Engineers, Lawyers, Accountants, Registered Nurses, and etc.
- 4) The suggestion to have maximum 1600 Election Committee Members is unacceptable.

### **(iii) Ref: The Number of Members of the Election Committee for Nominating Candidates for the Office of Chief Executive**

If and only if the above 3 groups can form the composition of the election committee, then it is suggested 100 to 200 Members are required to nominate candidates for the office of Chief Executive. In most cases, 10 or less Members should be enough to nominate candidates for the election of Chief Executive. It is a common sense to encourage more than fewer candidates to campaign the election.

### **(iv) Ref: The Delineation and size of the electorate of the Election Committee.**

This is NOT the election. It looks like a joke. Would suggest including all the members of these sub-sectors together with those above mentioned (ii) 1, 2, & 3 groups.

### **(v) Others**

Overall speaking and most importantly, HK Chief Executive must be acceptable by the majority of HK people. Say a person who is looking for a wife/husband, this person would normally NOT accept his/her parents' choices though the choice is the best (more pretty/handsome, sexy, financially healthy, good personal character). This person would rather pick his/her own though the person that he/she may pick would not be any better than the parents' choice. This person would rather run away by not accepting the parents' "offer". This concept would similarly apply to the election of Chief Executive. Don't forget this is age of 2007, NOT 1950.

## **(II) Ref: Proposed Amendments in Respect of the Method for Forming the Legislative Council in 2008.**

### **(i) Ref: The Number of Seats in the Legislative Council.**

60 seats are the best composition to form the Legislative Council. To be fair and get in line with the global beat, the 60-seat member should be elected by one person one vote from HK people (Direct Election by people). It is again understood that it is almost impossible to get the one-person-one vote becoming effective by 2008 LECO election, So 30 seats come from the direct election and 30 seats come from the functional election is fairly acceptable. DO NOT INCREASE THE TOTAL NUMBERS. This 30-seat Functional election MUST be scrapped by NOT later than 2012.

Keep in mind that the contributions from LECO members are valuable. It does not matter the LECO member is Pro- or Con-Government, they are equally servicing HK as a whole. As long as they get points, no matter he/she agree or disagree the government proposal, they are still good LECO members. Some LECO members may choose to serve the best interest of those weak, poor, old, or the minority. HK as a whole should appreciate these members' contributions and should not single them out or isolate them. The elected Chief Executive must have an obligation to accept this concept.

### **(ii) Ref: The Number of Seats Returning by Geographical Constitutions through Direct Elections.**

The existing election method by geographical Constituencies MUST be overhauled. It is suggested HK to be divided into 30 geographical Constituencies. Each of these geographical Constituencies has one seat. Under this sub-division, electors can only target to one candidate that they consider he/she (the candidate) would be the best.

The alternative way is to divide HK into 15 geographical Constituencies. Each Geographical Constituency has TWO seats. During the election, each person can cast two votes for two different candidates. In short, one person can cast two votes for two candidates. This alternative arrangement would provide voters with more flexibility to cast their ballots. A voter may cast a) two votes to two candidates with similar political belief, platform, and social issues, OR b) two votes to two candidates with different political belief, platform, and social issues.

In case, the government decides to have more seats in LECO, the concept of the above two alternatives/methods MUST be enforced.

**(iii) Ref: The Number of Seats Returned by Functional Constituencies.**

On Top, it is totally disagreed to have these unwise and discrimination so called Functional Constituencies. By the same reasons as mentioned above, there is no alternative but to agree the maximum numbers of this election group to be 30 seats.

Which group in HK society does NOT have functions/contribution?? Who can tell?? Most if not all of any HK groups/sectors should/would have contribution to HK as a whole.

**(iv) Ref: The Delineation and size of the Electorate of Legislative Council Functional Constituencies**

The existing election process cannot truly reflect real function/interest in each of these "functional institutions". The way to elect the LECO Members in these functional constituencies MUST be overhauled. It is NOT only the elected Candidate cannot truly represent the sector members, it also blocks many potential candidates to step up to campaign the election. The eleven candidates (more than 35%) were automatically so called "elected" to become LECO Members is the good example. This election method/system is nothing more than a joke. It is strongly suggested that the base of electors of each sector MUST be increased.

Moreover, it is not difficult to find out that there are many functional constituencies are being seriously overlapped.

What is the meaning of Commercial??

The Commercial (First); Commercial (Second); Import and Export; Whole sale and Retail; Tourism; AND Catering can be grouped to Commercial sector.

What is the meaning of Industrial??

The Industrial (First); Industrial (Second); Real Estate and Construction; AND Textile and Garment; can be grouped into Industrial Sector.

What is the meaning of Finance??

Finance AND Financial Services can be grouped into Financial Services.

**Detail and more exact suggestion in the 30 Seats of Functional Constituencies electors are listed here below:**

- 1) Commercial (First) and Commercial (Second) to be merged and be renamed as Commercial. The composition of electors to be remained as it is.
- 2) Industrial (First) and Industrial (Second) to be merged and be renamed as Industrial. The composition of electors to be remained as it is.
- 3) Financial and Financial Services to be merged and be renamed as Financial. The composition of electors to be remained as it is.

4) **Engineering AND Architectural, Surveying and Planning** to be merged as **Professional Technical Affairs**. The composition of electors to be remained as it is (The corresponding full Members of each Institution).

5) **Sports, Performing Arts, Culture and Publication**: Publication sector to be phased out from this sector and be redefined as paper media\*. The electors MUST be composed by individuals who are employee working full time in a company of this sector, NOT only by organization or owner of a company. Art Performers\*\* under a valid contract for 3 or over 3 months are acceptable to register as electors.

\* see below the new **Reporter** sector.

\*\* need to show document/paper of last year income tax return. The Tax Return paper over two years cannot be accepted as he/she is not a current Art Performer. Once they are registered, their names as electors will be valid for 4 years maximum, unless they re-register with latest approved document. It does not matter these Art Performer would fall into the bracket to pay income tax or not. The purpose of this is to show he/she is truly a Contract Art Performer.

6) **Transport**: The electors MUST be composed by each transportation firm's full time employees. NOT only by the owner or firm.

7) **Insurance**: The electors MUST be composed by full time professional insurance individuals working under an insurance firm, NOT only by firm or owner of a company. Considering there are self-employed professionals, these individuals MUST be registered under government registration to becoming qualified as electors.

8) **Real Estate and Construction**: The electors MUST be composed by the full time real estate professionals and full time construction employees working under a firm/company, NOT by firm and owner of a company. Considering there are self-employed Real Estate Agency, these individuals MUST be a professional under government registration, in order to be qualified as elector in this sector.

9) **Tourism**: The electors MUST be composed by the full time employee working in this sector, NOT by firm or the owner of a company.

10) **Agriculture and Fisheries**: The electors MUST be composed by each of the corresponding Full (Paid Up) Members, NOT by the individual organization or institution. Retired Members cannot be qualified.

11) **Import and Export**: The electors MUST be composed by the full time employee of this sector, NOT only by firm or owner of a company.

12) **Textiles and Garment**: The electors MUST be composed by the full time employee in the sector, NOT only by firm or owner of a company.

13) **Wholesale and Retail**: Considering this sector could end up with much small retail and wholesale firms, the number of constituent electors could be considerable and the constituent

electors will cover different walks of HK people, then it is suggested the composition of electors to be remained as it is.

14) **Catering**: Considering this sector could end up with much large, medium and small size restaurants or similar, the **number of constituent electors** could be considerable and the constituent electors will cover different walks of HK people, then it is suggested the composition of electors to be remained as it is.

15) **Labour**: The existing electors of this sector are totally unacceptable. They do not really represent labour's best interest. Many of them are NOT workers but a "boss" of a firm or others. Many of them do not even the workers of the related trade union. It is strongly suggested that the electors **MUST** be composed by the registered paid off full members of the registered trade union. The retired members do NOT qualify to register as electors in this Labour sector. The paid secretary and/or supervisor as well as those who are not employee of the related company but are active individuals in a union are NOT qualified as elector in this Labour sector. (eg. A full membership of the Union of China Light and Power Company must be a full time employee of CLP. Any other members in this union do not qualify as full member of this union and do not qualify to register as elector in this sector)  
The teacher union can be phased out in this sector as they have their own representative under Education.

16) **Heung Yee Kuk**: Electors to be remained as it is.

17) **District Council**: Electors to be remained as it is.

18) **Education**: Electors to be remained as it is.

19) **Legal**: Electors to be remained as it is.

20) **Accountant**: Electors to be remained as it is.

21) **Social Welfare**: Electors to be remained as it is.

22) **Medical**: Electors to be remained as it is.

23) **Health Services**: Electors to be remained as it is.

24) **Information Technology**: Electors to be remained as it is.

#### **PULS FOUR (4) NEW Functional Constituencies to end up with 30 seats:**

1) **Public Drivers**: The electors to be composed by the drivers of public bus, mini-bus, and taxi. This sector is important. Considering the lack of public driver services, what HK will/may be?

2) **Security Services:** The electors to be composed by securities in all sectors of residential, commercial, industrial, and private security firm. The government security force (police, custom, etc) to be excluded because:

- a) They are civil services employee;
- b) They are under the Labour Sector.
- c) This government security force may dominate the election, which may not be appropriate.

This sector is important. Considering the lack of these workers, do you feel secure in your living area??

3) **Health and hygiene Services/Workers:** Electors to be composed by washroom attendees, clean services personal from private firm and similar employee. To registered as elector in this sector, individual must show proof of tax return paper (does not matter they are under the bracket to pay taxes or not) and the job title should be cleaner or similar.

This sector is important. Considering the lack of these workers, do you feel comfortable to step in dress room? Do you worry about SARS or other disease infection?

4) **Reporter:** The electors must be composed by those paper and/or electronic reporters. If the owner of the institution is also a reporter, he/she is also qualified to register as elector in this sector.

This sector is important. Considering the lack of reporters, do you still know what has/was/are happened? Can you still access all useful information to do research/study? Can you still enjoy the entertainment news?

#### **(v) Ref: Provisions Regarding Nationality of Legislative Council Members**

The Legislative Council Ordinance allows HK permanent residents who are not of Chinese nationality or who have the right of abode in foreign countries to participate in the Legislative Council through 12 functional constituencies. This clause to be remained as it is.

The HK government should consider the possibility in providing HK permanent residents who is currently living outside HK to have an opportunity to exercise their right to vote in their respective living area. If the case is positive, the government may consider the geographical area where there are more than 5000 HK permanent residents, or to focus those big cities where 5000 or more HK permanent residents are living in the city. This may help and make it easier in certain degree in administration.

#### **(vi) Others:**

1) The HK government MUST legislate to enforce each sector employer to have obligation to allow their full time employees to register as elector in the Voters Registration Office. Employer CANNOT use any means directly or indirectly to delay, block and/or stop any sector employees to register as elector. Government should initialize standard form for the sector employees to have the employer to endorse their working capacity. The employee can also make use of their latest tax return file to determine their worker capacity.



2) The HK government MUST legislate to ban any employer and/or Manager to use their influence and/or capacity to affect their employee's view in choosing any campaigning candidate and/or political parties/groups. Social discussion between staff/workers under FREE expression is acceptable. The owner/manager can ask their employee to carry out their company working duty, but not any political issues.

Manager means the senior staff of a company.

3) The HK government MUST legislate to ban political party/group to use other sources or links to call these electors to vote a particular party and/or candidate. This is the violation of privacy and personal confidentiality Act.

**Example:** A group or a political party may offer or organize certain study courses and/or entertaining activities. During these activities, the group or party may have a record of the participants' personal information; such as address, phone number, profession, and other information. This party or group CANNOT use this information to call, mail, or contact these program participants to vote for a campaigning political party, group, and/or candidate at least two weeks before the voting date. Say, schools, institutions unions, universities, and other similar organizations CANNOT use their registration record to call, mail, and/or contact their students/members to vote for an indicated candidate.