

Secretariat
Constitutional Development Task Force
Constitutional Affairs Bureau
3/F., Main Wing,
Central Government Offices,
Lower Albert Road,
Central, Hong Kong

27th September 2004

Dear Sirs,

Re: Reform on the election of the Chief Executive

At the invitation of Central Policy Unit, I attended the forum on Constitutional Development held on the 11th of June 2004, during which I expressed my view-point on the election of the Chief Executive in 2007.

Upon much consideration I have decided to put my view in writing to you.

The way by which the Chief Executive is elected has been much criticised as being a 'small circle election'. In an attempt to erase this unpleasant label, various suggestions have been made; for instance, random ballot of 800 persons so that the number of elector will double, making the election no longer 'small circle'. While I appreciate the innovative approach of the above suggestion, with greatest respect, I am of the opinion that it totally misconceives the short-comings of the existing system.

The out-cry for direct election of the Chief Executive is poor governance, for which the election system is to be blamed because it is not doing a good job. This may be due to the fact that some view the election as one by the elite only. The lack of transparency and suspicion of manipulation further impair the confidence of the public in the system.

To remedy the mischief, I propose to change the system in the following manner :-

1. On top of the present four sectors, add a new sector of Voting Agent consisting of 70 voters each of which was elected by universal suffrage. The structure of the electoral college is that:
 - (a) the total number of 70 voters is calculated on the basis of one voter per every one hundred thousand (100,000) people,
 - (b) the electoral district is decided purely by the number of population, and should avoid overlapping, if possible, with that of the District Council or the Legislative Council. The rationale behind is to allow for one voter as long as the threshold of population is met, and
 - (c) a member of a political party may run for the election to be a voter.
2. A candidate running for the Chief Executive shall be nominated by not less than 5% of the voters in each sector. The purpose is to ensure adequate recognition of the nomination.
3. A candidate running for the Chief Executive shall win the election by a simple majority of votes consisting of not less than 40% of the votes in each sector. The idea is to avoid any one sector tilting the balance.

The proposed change to the existing system will have the following attributes :-

- (a) it serves as tactical move to meet the petition for direct election of the Chief Executive;
- (b) to a certain extent the Chief Executive has the mandate of the people thereby giving legitimacy to his using the power of his office;
- (c) it provides a platform from which progress can be made at a comfortable pace to the ultimate goal of election of the Chief Executive by universal suffrage;

- (d) participation of political party may help pave the way for collaboration between the Chief Executive and the political party in the Executive Council or otherwise;
- (e) it calls for the candidate to meet the people at election campaign during which venting of concerns and needs can be done. One may recall that in the election of the first Chief Executive one of the candidates was so aloof from a man in the street that he had never taken the MTR; and
- (f) it may create atmosphere of election which helps promote political awareness, in particular, among the younger generation.

Since political parties have more resources they undoubtedly will have an advantage over independent candidates. However, the newly created sector is not meant to be a play-field for political parties because it is designed for equal participation by different fractions of the community. The Administration therefore should give full support including but not limited to financial support and free air-time on media.

Thank you for your kind attention.

Yours faithfully,

(Signed)

Kenneth Chik

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