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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

5 Oct, 2004

Dear Mr. Tsang,

This is the intention to a further submission pertaining to the Consultation paper. It must be pointed out that the 07-08 direct election for the Chief Executive and the 60-seat LECO members is almost impossible. It is said "ALMOST IMPOSSIBLE"; it does not mean you could stop fighting for the majority of HK people expectations for the 07-08 direct election for the Chief Executive and the 60-seat LECO Members. In fact the functional constituencies must be scrapped **before** the 2012 election.

The previous proposals carry if they are not further mentioned here.

If and only if the above mentioned expectation cannot become true in 07-08, the following points (I) and (II) must be enforced. **The (III) of Corresponding Legislation must be enforced no matter what the final decision that may be after the consultation.**

#### **D) Labour Sector:**

The formation of the electors in this group **MUST** be changed to **one union member three votes to elect the 3-seat** of the labour representatives.

#### **To qualify as elector:**

- 1) He/she must be the paid off union full member.
- 2) No retired member and/or associate member of any kinds can be qualified as elector in this sector.
- 3) To qualify as union full member, he/she must be a full time employee working with a "COMPANY" that this union is formed. ONLY the employee of "ABC" Company can be a full member of the "ABC" Company Labour Union. Any other active individuals (paid or un-paid individual) in this union DO NOT qualify as elector. They can be Associate Members.
- 4) Any individuals (member or non-member of union) can step-up to campaign the election of this sector as long as he/she can get 10 signatures from this sector elector to nominate him/her.

#### **Reasons:**

- 1) The present "electors" do not fully represent the best interest of labour. These

- “electors” may not be the union members. They could be a business person.
- 2) There are many unions, which “appointed” a secretary to dominate the activities, views, and policy that do not hold legitimate standing in the union affairs.
  - 3) “Union boss” (many) who dominates the union activities, views, and policy is not the full time employee of the company that the union was formed.
  - 4) To increase the numbers of elector. Let the individual union members have a final say.

## **II) ADD FOUR NEW Functional Constituencies to end up with 30 seats: (Note)**

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 security individual, 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 Health and hygiene services workers, do you feel comfortable to step in dress room and also enjoy walking on street? 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?

**NOTE:** The following 4 sectors to be merged as mentioned to create 4 seats for the new sectors.

a) **Commercial (First) and Commercial (Second)** to be merged and be renamed as **Commercial**. The composition of electors to be remained as it is.

b) **Industrial (First) and Industrial (Second)** to be merged and be renamed as **Industrial**. The composition of electors to be remained as it is.

c) **Financial and Financial Services** to be merged and be renamed as **Financial**. The composition of electors to be remained as it is.

d) **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).

### III) Corresponding Legislation

1) The HK government MUST legislate to enforce each sector employer to hold 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 (under leisure) between manager/staff/workers under FREE expression is acceptable.** The employer/manager can ask their employee to carry out their company working duty, but not any political issues. The Employer can post his/her own pamphlet in his/her company if this employer is a campaigning candidate for the election.






Manager means the senior stuff of a company.




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

**Example:** A group or a political party may offer or organize 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 o ther similar organizations CANNOT use their registration record to call, mail, and/or contact their students/members to vote for an indicated candidate.

Thanks

D Lai

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