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From:  
 Date: 2004/10/14 Thu PM 06:35:04 CST  
 To: <views@cab-review.gov.hk>  
 Subject: Areas which may be Considered for Amendment in respect of the Methods for Selecting the Chief Executive in 2007 and for Forming the Legislative Council in 2008

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

Dear Sir,

Attached please find my Views and Specific Proposals for the above subject.

Rgds,  
 Wu chung ki

Download Attachment: [Appendix 5.doc](#)

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**Appendix 5 Amendments in respect of the Methods for Selecting the Chief Executive in 2007 and for forming the Legislative Council in 2008**

**(I) Proposed Amendments in respect of the Method for Selecting the Chief Executive in 2007**

Areas which may be considered for Amendment	Existing Provisions	Proposed Amendments	Rationale/Factors for Consideration of the Amendments
(i) The Number of Members of the Election Committee	The Election Committee shall be composed of 800 members.	The Election Committee shall be composed of all HK citizens.	Unfair
(ii) The Composition of the Election Committee	<p>The Election Committee shall be composed of members from the following four sectors :</p> <ul style="list-style-type: none"> <li>• 200 members from the industrial, commercial and financial sectors</li> <li>• 200 members from the professions</li> <li>• 200 members from the labour, social services, religious and other sectors</li> <li>• 200 members from members of the Legislative Council, representatives of district-based</li> </ul>	<p>The Election Committee shall be composed of all HK citizens.</p> <p>The Election Committee shall be composed of all HK citizens.</p> <p>The Election Committee shall be composed of all HK citizens.</p> <p>The Election Committee shall be composed of all HK citizens.</p> <p>The Election Committee shall be composed of all HK citizens.</p> <p>The Election Committee shall be composed of all HK citizens.</p>	<p>Unfair</p> <p>Unfair</p> <p>Unfair</p> <p>Unfair</p> <p>Unfair</p> <p>Unfair</p>

Areas which may be considered for Amendment	Existing Provisions	Proposed Amendments	Rationale/Factors for Consideration of the Amendments
	<p>organizations, 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</p> <p>The above four sectors are in turn constituted by a total of 38 subsectors.</p>		
<p>(iii) The Number of Members of the Election Committee Required for Nominating Candidates for the Office of Chief Executive</p>	<p>Candidates for the office of Chief Executive may be nominated jointly by not less than 100 members of the Election Committee. Each member may nominate only one candidate.</p>	<p>Candidates for the office of Chief Executive may be nominated jointly by not less than 1000 HK citizens</p>	<p>Unfair</p>

Areas which may be considered for Amendment	Existing Provisions	Proposed Amendments	Rationale/Factors for Consideration of the Amendments
(iv) The Delineation and Size of the Electorate of the Election Committee	<p>The four sectors of the Election Committee are constituted by a total of 38 subsectors. The relevant compositions are specified in the Chief Executive Election Ordinance.</p> <p>At present, the Election Committee is constituted by election by around 163 500 voters.</p>	The Election Committee should be abolish immediately	Unfair
(v) Others			

**(II) Proposed Amendments in respect of the Method for Forming the Legislative Council in 2008**

Areas which may be considered for Amendment	Existing Provisions	Proposed Amendments	Rationale/Factors for Consideration of the Amendments
(i) The Number of Seats in the Legislative Council	The Legislative Council shall be composed of 60 members in each term.	All 60 members in each term should be elected by one man one vote direct election by all HK citizens without geographical and functional restrictions.	Geographical Constituencies and Functional Constituencies are unfair
(ii) The Number of Seats Returned by Geographical Constituencies through Direct Elections	For the third term Legislative Council, 30 seats are to be returned by geographical constituencies through direct elections, and there are to be five geographical constituencies. In general, the 30 seats are distributed among the constituencies in accordance with their population distribution. Details are as follows : (a) the Hong Kong Island geographical constituency to return 6 members; (b) the Kowloon East geographical constituency to return 5 members; (c) the Kowloon West geographical constituency to return 4 members; (d) the New Territories East geographical constituency to return 7 members; and	The Geographical Constituencies through Direct Elections should be abolished	Unfair

Areas which may be considered for Amendment	Existing Provisions	Proposed Amendments	Rationale/Factors for Consideration of the Amendments
	<p>(e) the New Territories West geographical constituency to return 8 members.</p> <p>(If the number of seats returned by geographical constituencies through direct elections is changed, the number of functional constituency seats must also be changed at the same time, so as to meet the requirement that these two categories of seat shall be equal in number.)</p>		
(iii) The Number of Seats Returned by Functional Constituencies	<p>For the third term Legislative Council, 30 seats are to be returned through functional constituency elections.</p> <p>(If the number of functional constituency seats is changed, the number of seats returned by geographical constituencies through direct elections must also be changed at the same time, so as to meet the requirement that these two categories of seat shall be equal in number.)</p>	The Functional Constituencies should be abolished immediately	Unfair

Areas which may be considered for Amendment	Existing Provisions	Proposed Amendments	Rationale/Factors for Consideration of the Amendments
(iv) The Delineation and Size of the Electorate of Legislative Council Functional Constituencies	<p>The Legislative Council Ordinance provides for the establishment of the following 28 functional constituencies :</p> <ul style="list-style-type: none"> <li>(1) Heung Yee Kuk</li> <li>(2) Agriculture and fisheries</li> <li>(3) Insurance</li> <li>(4) Transport</li> <li>(5) Education</li> <li>(6) Legal</li> <li>(7) Accountancy</li> <li>(8) Medical</li> <li>(9) Health services</li> <li>(10) Engineering</li> <li>(11) Architectural, surveying and planning</li> <li>(12) Labour</li> <li>(13) Social welfare</li> <li>(14) Real estate and construction</li> <li>(15) Tourism</li> <li>(16) Commercial (first)</li> </ul>	The Electorate of Legislative Council Functional Constituencies should be abolished immediately	Unfair

Areas which may be considered for Amendment	Existing Provisions	Proposed Amendments	Rationale/Factors for Consideration of the Amendments
	<p>(17) Commercial (second)</p> <p>(18) Industrial (first)</p> <p>(19) Industrial (second)</p> <p>(20) Finance</p> <p>(21) Financial services</p> <p>(22) Sports, performing arts, culture and publication</p> <p>(23) Import and export</p> <p>(24) Textiles and garment</p> <p>(25) Wholesale and retail</p> <p>(26) Information technology</p> <p>(27) Catering</p> <p>(28) District Council</p> <p>Except for the labour functional constituency which returns three members, all functional constituencies return one Legislative Council Member each.</p> <p>At present, there are around 160,000 electors for functional constituencies.</p>		



Areas which may be considered for Amendment	Existing Provisions	Proposed Amendments	Rationale/Factors for Consideration of the Amendments
(v) Provisions regarding Nationality of Legislative Council Members	<p>In connection with the provisions of the Basic Law, the Legislative Council Ordinance allows Hong Kong permanent residents who are not of Chinese nationality or who have the right of abode in foreign countries to participate in the Legislative Council elections through the following 12 functional constituencies (which constitute 20 percent of the Legislative Council seats) :</p> <ol style="list-style-type: none"> <li>(1) the legal functional constituency;</li> <li>(2) the accountancy functional constituency;</li> <li>(3) the engineering functional constituency;</li> <li>(4) the architectural, surveying and planning functional constituency;</li> <li>(5) the real estate and construction functional constituency;</li> <li>(6) the tourism functional constituency;</li> </ol>	<p>Legislative Council should allow Hong Kong permanent residents who are not of Chinese nationality or who have the right of abode in foreign countries to participate in the Legislative Council elections</p>	<p>Unfair</p>

Areas which may be considered for Amendment	Existing Provisions	Proposed Amendments	Rationale/Factors for Consideration of the Amendments
	<p>(7) the commercial (first) functional constituency;</p> <p>(8) the industrial (first) functional constituency;</p> <p>(9) the finance functional constituency;</p> <p>(10) the financial services functional constituency;</p> <p>(11) the import and export functional constituency;</p> <p>(12) the insurance functional constituency.</p>		
<p>(vi) Others</p> <p>The Delineation and Size of the Electorate of Legislative Council</p>	<p>The Legislative Council shall be composed of 60 members formed by Geographical Constituencies and Functional Constituencies, 30 each.</p>	<p>All 60 members in each term should be elected by one man one vote direct election by all HK citizens without geographical and functional restrictions.</p>	<p>Geographical Constituencies and Functional Constituencies are unfair</p>