



Package of Proposals for the Methods for Selecting the Chief Executive and for Forming the Legislative Council in 2012

Highlights

April 2010

Foreword

The decision of the Standing Committee of the National People's Congress ("NPCSC") of 2007 has made clear the universal suffrage timetable: Hong Kong may implement universal suffrage for the Chief Executive ("CE") in 2017 and for the Legislative Council ("LegCo") in 2020.

To implement universal suffrage, having considered fully the views of the public, different sectors of the community and the LegCo put forth during the three-month public consultation, the HKSAR Government has formulated a package of proposals for the methods for selecting the CE and for forming the LegCo in 2012.

Methods for Selecting the Chief Executive and for Forming the Legislative Council in 2012 – Package of Proposals

Method for Selecting the Chief Executive

The number of members and composition of the Election Committee

- To increase the number of members of the Election Committee from the current 800 to 1200.
- To increase the number of members of the four sectors by the same proportion, i.e. the number of seats for each sector to be increased by 100.
- To allocate three quarters of the 100 new seats (i.e. 75 seats) of the fourth sector of the Election Committee (i.e. the political sector) to elected District Council members. Together with the existing 42 seats, the District Council subsector will have a total of 117 seats, which will be returned through election from among elected District Council members, i.e. appointed District Council members will not take part in the election.

The electorate base of the Election Committee

- To increase the proportion of elected District Council members, who are elected by more than 3.3 million voters, in the Election Committee, with a view to broadening the electorate base and enhancing the democratic elements of the Election Committee more effectively.

The arrangements for nominating candidates for the office of the Chief Executive

- To maintain the current nomination threshold i.e. at the ratio of one-eighth of the total membership of the Election Committee (i.e. 150 members).
- No upper limit on the number of subscribers should be set at this stage.

Political affiliation of the Chief Executive

- The requirement that the CE should not have any political affiliation should not be changed for the 2012 CE election, but can be reviewed in the longer term.

Method for Forming the Legislative Council

The number of seats in the Legislative Council

- To increase the number of seats from the current 60 to 70. The number of seats to be returned by geographical constituencies ("GCs") through direct elections and those returned by functional constituencies ("FCs") to be increased to 35 respectively.

The electorate base of the functional constituencies

- To have all the five new FC seats and the existing District Council seat returned through election by elected District Council members from among themselves, i.e. appointed District Council members will not take part in the election.

- The six District Council seats should be returned through election from among elected District Council members under the "proportional representation system".

Nationality requirement of Members of the Legislative Council

- To maintain the existing arrangement that Hong Kong permanent residents who are not of Chinese nationality or who have the right of abode in foreign countries may stand in the elections for 12 FC seats.

Injecting New Democratic Elements

The electoral methods for the Chief Executive and the Legislative Council in 2012

The proposed package put forth by the HKSAR Government can inject new democratic elements into the two electoral methods for 2012:

- We propose that only elected District Council members will participate in the election of District Council seats in the Election Committee and the LegCo. This has already responded to the aspiration of those LegCo Members who vetoed the proposed package in 2005, and can further enhance the democratic elements of the elections.
- We have abided by the principle of not creating new "traditional" FCs. In the 2012 LegCo, 41 seats (i.e. close to 60% of all seats) will be returned through geographical direct or indirect elections.
- We propose that the six District Council FC seats should be returned through election from among elected District Council members under the "proportional representation system". The seats can be allocated in a fair manner, where political parties/groups of different sizes and independent candidates will all have a chance to get elected.

District Council appointment system

The HKSAR Government adopts an open and constructive attitude toward abolishing the District Council appointment system. In order to respond to the concerned aspiration within the community, the HKSAR Government will, after the proposed package for the two electoral methods for 2012 has been passed by the LegCo, put forth as soon as possible the respective proposals at the local legislation level for consideration by the public and the LegCo.

Roll Forward Democracy in 2012 to Pave Way for Implementing Universal Suffrage

Public opinion is crystal clear, that is, Hong Kong's constitutional development should be rolled forward in 2012 and no stalemate should be allowed. This can pave the way for implementing universal suffrage in 2017 and 2020.

The proposed package put forth by the HKSAR Government can enhance the democratic elements of the two electoral methods for 2012 through the participation of elected District Council members who have a broad electorate base. This also stands the best possible chance of being accepted by the majority of the public, the LegCo, the CE and the Central Authorities, and can allow Hong Kong's constitutional development to be rolled forward.

If the proposed package for the 2012 elections can be supported by the public and the LegCo, it can roll forward democratic development for Hong Kong and will be conducive to Hong Kong's steady transition to universal suffrage.

Copies of the proposed package are available at the District Offices. The proposed package has also been uploaded onto the website of the proposed package (www.cmab-cd2012.gov.hk).

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