

Summary of Written Representations

Suggestion Received Before Commencement of Public Consultation
on 15 July 2003

<i>Item no.</i>	<i>Representations</i>	<i>EAC's Views</i>
1	<p>One suggestion proposes to:</p> <p>(a) give 1 more seat to the Kowloon West constituency (LC 2); and</p> <p>(b) redraw the boundary between New Territories West (LC 4) and New Territories East (LC 5) constituencies so that the two will each have a similar population and 7 seats.</p> <p>The arguments are:</p> <p>(i) <i>unfair and unequal representation of population in LC 2 and Kowloon East (LC 3):</i> Although there is a very small difference (34,600) between the population of LC 2 (999,600) and LC 3 (1,034,200), the former GC will be given 4 seats, each representing a population of 250,000, while the latter will have 5 seats, each representing a population of 200,000;</p> <p>(ii) under the "list system of proportional representation", it will only take 18,000 votes to win the last seat in LC 4, whereas it will take 38,000 votes to win the last seat in LC 2;</p> <p>(iii) the number of votes needed to elect a member to the last seat should be</p>	<p>The suggestion is not accepted because:</p> <p><u>Under (a):</u></p> <p>(i) although the population represented by each proposed seat is different, the deviations from the resulting numbers for LC 2 and LC 3 (+7.75% and -10.81% respectively) are within the $\pm 15\%$ statutory limit;</p> <p>(ii) the options of allowing LC 2 to take in a contiguous district from either LC 4 or LC 5 have been considered, with a view to achieving a better population distribution. The resultant population in both options, however, yields a greater range of deviation (see options 1 and 2);</p> <p>(iii) as the change under (ii) above involves splitting of GCs along district boundaries, this will inevitably cause confusion to the public;</p> <p><u>Under (b):</u></p> <p>(iv) if LC 4 is to be allocated 7 seats (ie one seat less than that under the provisional recommendations), its population will deviate from the resulting number by +23.46%, which far exceeds the statutory limit;</p> <p>(v) the option of allowing LC 5 to take</p>

<i>Item no.</i>	<i>Representations</i>	<i>EAC's Views</i>
	<p>roughly the same for each GC;</p> <p>(iv) resources of political parties will be shifted to LC 4 and electors of LC 2 will not have much choice on candidates;</p> <p>(v) the contest in LC 4 will become overheated while the other constituencies will be neglected by the media; and</p> <p>(vi) the EAC's proposal will favour the "Democratic Alliance for Betterment of Hong Kong" according to past election results.</p>	<p>in a contiguous district from LC 4 has also been considered, but either the resultant population in the options explored yields a greater range of deviation, or the number of seats in one of the LCCAs will exceed the upper permissible limit (see options 5, 9 and 10);</p> <p>(vi) although the population between the two LCCAs in the New Territories can be evened out by splitting the existing districts along the DCCA boundaries, this is considered to be undesirable having regard to the statutory requirement to preserve community identities and local ties in the districts;</p> <p>(vii) as the proposed change involves splitting of GCs along district boundaries, this will inevitably cause confusion to the public;</p> <p><u>Others:</u></p> <p>(viii) issues relating to the list system of proportional representation is outside the jurisdiction of the Commission; and</p> <p>(ix) matters of maintaining political influence or advantage and akin matters such as those raised in paragraphs (v) and (vi) in the second column have not been and will not be considered by the EAC.</p>

Representations Received During Consultation Period

<i>Item no.</i>	<i>Representations</i>	<i>EAC's views</i>
2	<p>One representation proposes to merge the Kowloon West constituency (LC 2) and the Kowloon East constituency (LC 3) to form a single LCCA for the whole Kowloon area.</p> <p>The arguments are:</p> <p>(a) the difference between LCCAs with the largest and the smallest population would be narrowed down; and</p> <p>(b) with a more even distribution of population in each LCCA, all candidates can compete on a fairer basis.</p>	<p>The representation is not accepted because its proposal breaches the statutory requirement on the number of GCs and the limit on the number of seats for each GC:</p> <p>(i) there will only be 4 GCs after merging LC 2 and LC 3, and this will breach the statutory requirement of having 5 GCs; and</p> <p>(ii) the merged constituency has to be allocated 9 seats in order to achieve a population deviation of -2.56% as stated in the representation, but this will exceed the statutory maximum of 8 seats for each GC.</p>
3	<p>One representation proposes to redistribute the number of seats between the Hong Kong Island constituency (LC 1) and the New Territories West constituency (LC 4) as follows:</p> <p>LC 1: from 6 seats to 5 seats LC 4: from 8 seats to 9 seats</p> <p>The arguments are:</p> <p>(a) the allocation of the six additional seats should be evenly distributed among the five GCs according to their population distribution; and</p> <p>(b) an additional seat should be allocated to LC 4 in view of its anticipated population growth in the coming years.</p>	<p>The representation is not accepted because the number of seats of the proposed LC 4 would exceed the statutory maximum of 8 seats for each GC.</p>

<i>Item no.</i>	<i>Representations</i>	<i>EAC's views</i>
4	<p>One representation proposes to delineate the whole territory into 7 GCs as follows-</p> <p>(a) Hong Kong Island - 5 seats (b) Kowloon West - 4 seats (c) Kowloon East - 4 seats (d) New Territories North-west (Tuen Mun + Yuen Long) - 5 seats (e) New Territories South-west (Tsuen Wan + Kwai Tsing + Islands) - 4 seats (f) New Territories North-east (Tai Po + North) - 3 seats (g) New Territories South-east (Sha Tin + Sai Kung) - 5 seats</p> <p>The arguments are:</p> <p>(i) in view of the large area covered, the two GCs in the New Territories should be subdivided into 4 GCs to cater for the rapid population growth in the next four years; and</p> <p>(ii) as compared to EAC's provisional recommendations, the proposal will enhance community identities, facilitate better communication between residents and LegCo Members, and give a wider choice of candidates to the electors.</p>	<p>The representation is not accepted because its proposal breaches the statutory requirement on the number of GCs and the limit on the number of seats for each GC:</p> <p>(i) the proposal suggests a delineation of 7 GCs which exceeds the statutory limit of 5 GCs for the whole territory; and</p> <p>(ii) the proposed New Territories North-east constituency will only be allocated 3 seats, which falls below the statutory minimum of 4 seats for each GC.</p>
5	<p>One representation supports the Commission's provisional recommendations and agrees to its working principles.</p>	<p>The supporting view is noted.</p>

<i>Item no.</i>	<i>Representations</i>	<i>EAC's views</i>
6	<p>One representation proposes to divide the New Territories West constituency (LC 4) into 2 GCs with equal population each.</p> <p>The arguments are:</p> <p>(a) the population in LC 4 is more than double of that in the Kowloon West constituency (LC 2); and</p> <p>(b) it is unfair that the residents of LC 4 can elect and be represented by 8 LegCo Members while those of LC 2 can only elect and be represented by 4.</p>	<p>The representation is not accepted because:</p> <p>(i) there will be 6 GCs after dividing LC 4 into two constituencies. This will breach the statutory requirement of having 5 GCs; and</p> <p>(ii) the average population per seat for LC 4 (ie 250,538) is only slightly higher than that for LC 2 (ie 249,900) under the EAC's provisional recommendations.</p>
7	<p>One representation proposes to:</p> <p>(a) give 2 more seats to Kowloon West constituency (LC 2) by transferring the Kwai Tsing district from New Territories West constituency (LC 4) to LC 2; and</p> <p>(b) reduce the number of seats of LC 4 from 8 to 6 by transferring the Islands district from LC 4 to the Hong Kong Island constituency (LC 1)</p> <p>so as to even out the population and number of seats in each GC.</p> <p>The arguments are:</p> <p>(i) as no additional seat was given to LC 2 under the provisional recommendations, it will discourage new candidates to run in the constituency. New</p>	<p>The representation is not accepted because:</p> <p>(i) as compared to the provisional recommendations, the resultant population of LC 2 under the option proposed will yield a greater range of deviation from the resulting number (from +7.75% to +9.10%). The population per seat for LC 2 would also increase from 249,900 to 253,033;</p> <p>(ii) although the population represented by each proposed seat is different, the deviations from the resulting numbers for LC 2 and LC 3 (+7.75% and -10.81% respectively) are within the $\pm 15\%$ statutory limit;</p> <p>(iii) Hong Kong Island, Kowloon and the New Territories have all along been regarded as separate and distinct from one another. The proposed grouping</p>

<i>Item no.</i>	<i>Representations</i>	<i>EAC's views</i>
	<p>candidates will prefer to run in the New Territories GCs and attention of the media and political parties will be drawn to such GCs. The electors of LC 2 will have little choice on candidates, as in the 2000 LegCo Elections (similar to paragraphs (iv) and (v) of item 1);</p> <p>(ii) <i>unfair and unequal representation of population in LC 2 and Kowloon East (LC 3):</i> Although there is a very small difference (34,600) between the population of LC 2 (999,600) and LC 3 (1,034,200), the former GC will be given 4 seats, each representing a population of 250,000, while the latter will have 5 seats, each representing a population of 200,000 (same as paragraph (i) of item 1);</p> <p>(iii) under the list system of proportional representation, it will only take 16,000 votes to win the last seat in LC 4, whereas it will take 38,000 votes to win the last seat in LC 2. A vote in LC 4 and LC 2 will differ greatly in terms of its influence (similar to paragraph (ii) of item 1);</p> <p>(iv) residents of Kwai Tsing district have closer links with LC 2 than LC 4; and</p> <p>(v) Islands district is better linked to LC 1 than LC 4 in terms of</p>	<p>is undesirable having regard to the statutory requirement to preserve community identities and local ties in the districts. The proposal will also cause confusion to the public;</p> <p>(iv) matters of maintaining political influence or advantage and akin matters such as those raised in paragraph (i) in the second column have not been and will not be considered by the EAC; and</p> <p>(v) issues relating to the list system of proportional representation is outside the jurisdiction of the EAC.</p>

<i>Item no.</i>	<i>Representations</i>	<i>EAC's views</i>
	transportation by sea.	
8	<p>One representation supports the provisional recommendations.</p> <p>The representation also offers views on the list system of proportional representation for the LegCo elections.</p>	<p>The supporting view is noted.</p> <p>Voting system is outside EAC's jurisdiction.</p>
9	<p>One representation proposes to give one more seat to the Kowloon West constituency (LC 2) by taking one seat from the Hong Kong Island constituency (LC 1).</p> <p>The arguments are:</p> <p>(a) although there is only a very small difference (less than 40,000) between the population of LC 2 and the Kowloon East constituency (LC 3), the number of seats allocated to LC 2 is only 4, which is one less than that of LC 3 (similar to paragraph (i) of item 1);</p> <p>(b) population growth of LC 2 in the coming four years would likely to be much faster than that in LC 1 and LC 3; and</p> <p>(c) the delineation of GCs for the 2008 LegCo Elections will probably be based on the present delineation exercise, and the difference in number of seats among various GCs will be enlarged should the total number</p>	<p>The representation is not accepted because:</p> <p>(i) although the number of seats allocated to LC 2 and LC 3 is different, the deviations from the resulting numbers for LC 2 and LC 3 (+7.75% and -10.81% respectively) are within the $\pm 15\%$ statutory limit;</p> <p>(ii) as compared to the provisional recommendations, the resultant population of LC 1 and LC 2 under the option proposed will deviate more from the resulting numbers: LC 1 : from -8.40% to +9.92% LC 2 : from +7.75% to -13.80%</p> <p>(iii) future population trend is not a certain factor. For fairness and consistency, it is necessary to adopt a cut-off date (30 June 2004) for this demarcation exercise in projecting the population figures. It is considered not appropriate to take future population trend into consideration; and</p> <p>(iv) delineation of GCs for the 2008 LegCo Elections in future should not be a consideration factor for the current demarcation exercise.</p>

<i>Item no.</i>	<i>Representations</i>	<i>EAC's views</i>
	of seats be increased.	
10	One representation supports the provisional recommendations.	The supporting view is noted.

**Summary of Oral Representations
made at the Public Forum on 7 August 2003**

<i>Item no.</i>	<i>Representations</i>	<i>EAC's views</i>
11	Four representations support the provisional recommendations.	The supporting views are noted.
12	One representation opines that instead of accepting the requirements stipulated in the LegCo Ordinance, the EAC should strive for greater flexibility regarding the number of GCs to be delineated and the number of seats for each GC, so as to achieve a fairer distribution of seats among various constituencies.	It is necessary for the EAC to adhere to the statutory requirements when making recommendations on the delineation of GCs. It would be inappropriate for the EAC to offer views on the legislation which has been discussed and endorsed by the LegCo, as it would adversely affect the Commission's apolitical role in supervising elections.
13	<p>One representation proposes to modify slightly the boundary between the New Territories West constituency (LC 4) and the Kowloon West constituency (LC 2) by transferring part of Kwai Tsing district (such as Lai King and Kwai Chung) from LC 4 to LC 2 so that the latter will have 5 seats.</p> <p>The arguments are:</p> <p>(a) it is unfair that LC 2 have one seat less than the Kowloon East constituency (LC 3) because of a very small difference (about 30,000) between the population of these two GCs; and</p> <p>(b) the population of LC 4 warrants 8.642 seats, which has already</p>	<p>The representation is not accepted because:</p> <p>(i) the option of allowing LC 2 to take in the contiguous Kwai Tsing district has been considered with a view to achieving a better population distribution. The resultant population, however, yields a greater deviation (see option 1);</p> <p>(ii) transferring part of a district from one GC to another is not desirable having regard to the statutory requirement to preserve community identities and local ties in the districts. Moreover, the proposal will result in confusion to the public; and</p> <p>(iii) if an extra seat is given to LC 2, the total number of seats will exceed the statutory limit of 30.</p>

<i>Item no.</i>	<i>Representations</i>	<i>EAC's views</i>
	<p>exceeded the upper statutory limit of 8 seats. Transferring some population from LC 4 to LC 2 would result in better population distribution.</p> <p>The representation also suggests that it will be fairer to use the number of electors instead of population as the basis for delineation of GCs.</p>	<p>The suggestion is also not accepted because it will contravene the statutory criterion of using the general population, as opposed to the elector population, as the basis for the demarcation exercise.</p>