

香港灣仔港灣道 25 號
海港中心 10 樓

10/F, Harbour Centre
25 Harbour Road
Wan Chai
Hong Kong

本函檔號 OUR REF.: REO CR/14/5/LC-12

圖文傳真 Fax: 2511 1682

來函檔號 YOUR REF.:

電話 Tel.: 2827 1269

網址 Web Site: <http://www.eac.gov.hk>

23 June 2011

(With Chinese translation)

Message from the Chairman

**Public Consultation on the Provisional Recommendations on
Delineation of Geographical Constituencies for
the 2012 Legislative Council Election**

The 2012 Legislative Council (“LegCo”) Election will be held in the second half of 2012. The Electoral Affairs Commission (“EAC”) is required under section 18 of the EAC Ordinance (Chapter 541 of the Laws of Hong Kong) to make recommendations to the Chief Executive on the boundaries and names of the geographical constituencies (“GCs”).

Provisional recommendations on the boundaries and names of the GCs in respect of the 2012 LegCo Election have now been drawn up by the EAC. In delineating the geographical constituencies, we have followed the statutory criteria stipulated under sections 18 to 19 of the LegCo Ordinance (Chapter 542 of the Laws of Hong Kong), section 20 of the EAC Ordinance and several working principles at the Annex. These working principles were also adopted for the demarcation exercise of the last LegCo Election in 2008.

Before finalising the recommendations, we shall, in accordance with section 19 of the EAC Ordinance, consult the public on the provisional recommendations for a period of 30 days starting from **23 June to 22 July 2011**, both dates inclusive. Maps showing the delineation and names of the proposed GCs and a booklet on the lists of provisional recommended GCs are enclosed.

Please send your written representations on the provisional recommendations to the EAC Secretariat at 10/F, Harbour Centre, 25 Harbour Road, Wan Chai, Hong Kong, by fax (fax no.: 2511 1682) or e-mail (eacenq@reo.gov.hk) the latest by **22 July 2011**. **Late representations will not be considered.** You may also make representations to us orally at the public forum to be held on **4 July 2011 at 3:00 p.m.** at **Community Hall, 3/F, Causeway Bay Community Centre, 7 Fook Yum Road, Causeway Bay, Hong Kong.** For enquiries, please call the EAC Secretariat on 2827 1269.

In view of the limited time available for the making of oral representations at the public forum, it is anticipated that the Commission will not be able to entertain lengthy representations at the forum, and those who wish to make detailed representations are therefore requested to send in written representations.

The EAC is committed to making every endeavour to ensure that all public elections are held in an open, fair and honest manner. The delineation of GCs is an important element for the arrangements of the 2012 LegCo Election. No doubt those who have opposing views and suggestions will make representations to us. However, it is equally important that supporting views should also be made known to us, otherwise it may be said that no one supports or agrees with our provisional recommendations.

Views received may be published in their entirety in future for public information. Please state your request clearly in your submission if you prefer your identity or views to remain confidential. All responses will be treated as public information unless otherwise specified.

Yours faithfully,



(Barnabas W FUNG)

Chairman

Electoral Affairs Commission

(With enclosure)

**Demarcation of Geographical Constituencies
for the 2012 Legislative Council Election**

(I) Statutory Criteria

Criteria stipulated under the Legislative Council Ordinance (Cap. 542)

- (a) there are to be 5 Geographical Constituencies (“GCs”) for the purpose of returning Members at elections for those constituencies;
- (b) at a general election, 35 Members are to be returned for all GCs; and
- (c) the number of Members to be returned for each GC is to be a number, not less than 5 nor greater than 9, specified in the order declaring the area of the constituency.

Criteria stipulated under the Electoral Affairs Commission Ordinance (Cap. 541)

- (a) the Electoral Affairs Commission (“EAC”) shall ensure that the extent of each proposed GC is such that the population in that constituency is as near as practicable to the number which results (i.e. “the resulting number”) when the population quota is multiplied by the number of members to be returned to the Legislative Council by that GC pursuant to any electoral law
(Note: The population quota is defined as the total population of Hong Kong divided by the total number of members to be returned for all the GCs in that election, i.e. $7,180,700 \div 35 = 205,163$. The total population of Hong Kong is projected as at 30 June 2012, which is close to the date of the Election);
- (b) where it is not practicable to comply with (a) above in respect of a proposed GC, the EAC shall ensure that the extent of the constituency is such that the population in that constituency does not exceed or fall short of the resulting number applicable to that constituency, by more than 15%;

- (c) the EAC shall have regard to the community identities, the preservation of local ties and physical features such as size, shape, accessibility and development of the relevant area or any part thereof;
- (d) the EAC may depart from the strict application of (a) and (b) above only where it appears that one or more of the considerations in (c) above renders a departure necessary or desirable;
- (e) the EAC shall ensure that each proposed GC is to be constituted by two or more contiguous whole District Council constituencies; and
- (f) the EAC shall have regard to the existing boundaries of Districts and existing boundaries of GCs.

(II) Working Principles

- (a) the boundaries of the existing 5 GCs should form the basis of consideration in the current demarcation exercise;
- (b) for those existing GCs where the population falls within the permissible range of the population quota requirement, their boundaries would be adopted as far as possible to form new GCs;
- (c) Hong Kong Island, Kowloon and the New Territories are to be treated separately, as these areas have been regarded as distinct from one another;
- (d) splitting of Districts by District Council Constituency Areas should be avoided unless there are very strong reasons. Where splitting is necessary, it should affect the least number of Districts; and
- (e) factors with political implications will not be taken into consideration.