

## Brief for the New Governor

### Constitutional Development I : Developments of LegCo

#### Background

Up until 1985, elections were confined to the two Municipal Councils (MCs) and the District Boards (DBs). LegCo was composed entirely of appointed members and government officials. Following a comprehensive review in 1984, 24 elected seats were added to LegCo: 12 for functional constituencies (FCs), 10 from an electoral college comprising all members of DBs, and a further two from the two MCs.

2. After a further review in 1987, it was decided to add in 1988 two more functional constituency seats to LegCo, with a corresponding reduction in the number of appointed seats, but to introduce in 1991 10 directly elected seats.

[REDACTED]  
[REDACTED]  
[REDACTED], with the OMELCO (Office of Members of the Executive and Legislative Councils) suggesting that 50% of LegCo seats (i.e. 30) should become directly elected in 1995. Following intense negotiation with the Chinese, it was eventually decided to introduce 18 directly elected LegCo seats in 1991.

3. This was widely seen as a very modest increase. Indeed, it was announced shortly before promulgation of the Basic Law (BL) which provided for 20 directly elected seats for the first LegCo after 1997. The Foreign Secretary then pledged that HMG would take up the question of increasing directly elected LegCo members before 1997 with the Chinese Government. This commitment was re-affirmed by the Prime Minister in September 1991 following the signing of the Memorandum of Understanding on the new airport.

4. Other major changes to the 1991 LegCo included: abolition of the DB electoral college; increase in the number of functional constituency seats to 21; reduction in the number of appointed members from 20 to 18 (with one of them appointed as Deputy President, currently John Swaine); withdrawal of all official members except the three ex-officio members (CS, FS, AG). For the first time in history, LegCo now has an elected majority (39 out of 60 i.e. 65%).

#### 1991 Direct Elections

5. The first direct elections to LegCo took place last September, with nine double-seat constituencies and each elector having two votes. Over 750,000 electors cast their votes, representing over 39% of the total number of

registered electors (1.9 million), or about 20% of those eligible for registration (3.7 million). It very much fell short of our original expectation although it still set new records for Hong Kong in terms of turnout rate and actual number of persons going to the polls.

6. A total of 54 candidates competed for 18 directly elected seats in 9 double-seat geographical constituencies. It was a landslide victory for liberal candidates who won 16 seats (12 for UDHK). The three strong pro-China candidates were narrowly defeated. The liberals picked up one more seat in a subsequent by-election. Together with seats won through FC elections, the liberals and their allies won a total of 21 seats.

[REDACTED]

8. A table showing the status of the LegCo members and their political affiliations is at the Annex.

Committee Structure

9. LegCo has three standing committees (i.e. the Finance Committee, Public Accounts Committee and Committee on Members' Interest). LegCo Ad Hoc groups are formed to examine bills, and there are currently 17 OMELCO panels to discuss policy and other issues with the Administration.

10. In mid-1991 Allen Lee suggested that to enhance efficiency, the informal system of ad hoc groups and panels should be reviewed. One idea was to replace them with standing committees both to discuss policies and to scrutinize bills falling within their purview. This idea attracted a very considerable measure of support within LegCo especially among the liberals.

[REDACTED]

[REDACTED]

Independent LegCo Secretariat

13. The function of OMELCO is to provide support services to non-official members of ExCo and LegCo. (It is staffed largely by civil servants and funded by Government.) In effect, it has served as a forum whereby members from both Councils can maintain a dialogue with the Administration on policies and related issues. It also provides a channel for Council members to receive public complaints and petitions on policy matters.

14. There is now broad agreement between the CRC and the UDHK that a separate LegCo secretariat should be established in order to give LegCo a separate identity from ExCo. Discussions with the Administration are on going.

Constitutional Affairs Branch

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Composition and Political Affiliation  
of Non-Official LegCo Members

<u>Name</u>	<u>Political Affiliation</u>	<u>Elected/ Appointed</u>
LEE Chu-ming, Martin	UDHK	Directly Elected
MAN Sai-cheong	UDHK	Directly Elected
YEUNG Sum	UDHK	Directly Elected
HUANG Chen-ya	UDHK	Directly Elected
SZETO Wah	UDHK	Directly Elected
LI Wah-ming, Fred	MP	Directly Elected
LAU Chin-shek	UDHK	Directly Elected
LAM Kui-shing, Conrad	UDHK	Directly Elected
FUNG Kin-kee, Frederick	ADPL	Directly Elected
TO Kun-sun, James	UDHK	Directly Elected
LAU Wai-hing, Emily	Independent (Liberal)	Directly Elected
*WONG Wang-fat, Andrew	Independent	Directly Elected
LEE Wing-tat	UDHK	Directly Elected
CHAN Wai-yip, Albert	UDHK	Directly Elected
NG Ming-yum, Stephen	UDHK	Directly Elected
WONG Wai-yin, Zachary	MP	Directly Elected
FUNG Chi-wood	UDHK	Directly Elected
TIK Chi-yuen	MP	Directly Elected
Jimmy McGregor	HKDF	FC-Elected
WONG Yu-hong, Philip	NHKA	FC-Elected
CHEONG Kam-chuen, Stephen	CRC	FC-Elected

<u>Name</u>	<u>Political Affiliation</u>	<u>Elected/ Appointed</u>
NGAI Shiu-kit	CRC	FC-Elected
CHIM Pui-chung	Independent	FC-Elected
LI Kwok-po, David	Pro-China	FC-Elected
CHEUNG Man-kwong	UDHK	FC-Elected
IP Sik-on Simon	Independent	FC-Elected
WONG Ping-wai, Samuel	Independent	FC-Elected
*HO Sing-tin, Edward	CRC	FC-Elected
Howard Young	CRC/NHKA	FC-Elected
LEUNG Kam-ho, Gilbert	CRC	FC-Elected
Elsie Tu	Independent	FC-Elected
PANG Chun-hoi	Pro-Taiwan	FC-Elected
TAM Yiu-chung	Pro-China	FC-Elected
*HUI Yin-fat	Independent	FC-Elected
Ronald Arculli	CRC	FC-Elected
LEONG Che-hung	HKDF	FC-Elected
HO Mun-ka, Michael	UDHK	FC-Elected
WONG Hong-yuen, Peter	CRC	FC-Elected
LAU Wong-fat	CRC	FC-Elected
*LEE Peng-fei, Allen	CRC	Appointed
*CHOW LIANG Shuk-yea, Selina	CRC	Appointed
*FAN HSU Lai-tai, Rita	CRC	Appointed
Martin Barrow	Independent	Appointed
Peggy LAM	CRC	Appointed

<u>Name</u>	<u>Political Affiliation</u>	<u>Elected/ Appointed</u>
LAU Kin-ye, Miriam	CRC	Appointed
LAU Wah-sum	CRC	Appointed
CHEN Kwan-yiu, Edward	Independent	Appointed
CHENG Hoi-chuen, Vincent	CRC	Appointed
CHENG Mo-chi, Moses	CRC	Appointed
CHEUNG Kin-tung, Marvin	Independent	Appointed
HA Wing-ho, Timothy	Independent	Appointed
LAM Kui-chun	CRC	Appointed
LI Ka-cheung, Eric	Independent	Appointed
Felice LIEH MAK	CRC	Appointed
POON Kwok-lim, Steven	CRC	Appointed
TANG Ying-yen, Henry	CRC	Appointed
#John Swaine	Independent	Appointed

Summary:

Liberal:	21	(UDHK : 14
		MP : 3
		HKDF : 2
		ADPL : 1
		Independent: 1)
Conservative :	20	(CRC: 20 - one dual membership with NHKA)
Moderate :	12	(Independent: 12)
Pro-China :	4	(NHKA: 2 - one dual membership with CRC)
Pro-Taiwan :	1	



Note on Abbreviations

UDHK:	United Democrats of Hong Kong
MP :	Meeting Point
ADPL :	Association for Democracy and People's Livelihood
CRC :	Co-operative Resources Centre
HKDF:	Hong Kong Democratic Foundation
NHKA:	New Hong Kong Alliance
*	Executive Councillor
#	Deputy President to Legislative Council