

LCQ5: Appointed members of District Councils

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Following is a question by the Hon Alan Leong and a reply by the Secretary for Home Affairs, Mr Tsang Tak-sing, in the Legislative Council today (October 31):

Question:

Concerning the appointed seats of District Councils ("DCs"), will the Government inform this Council:

(a) of the following information about each appointed DC member of the current term: the number of other advisory and statutory bodies of which he/she is a member, for how long he/she has been serving as an appointed DC member, and to-date rate of attendance at DC meetings of this term;

(b) given the Government has stipulated that in general, a non-official member of an advisory or statutory body should not serve in that capacity for more than six years, and the same person should not be appointed to be a member of more than six boards or committees at the same time, whether it will stick to these stipulations when appointing DC members of the next term; if it will not, of the reasons for that; and

(c) as the Government had proposed in December 2005 the phased abolition of appointed DC seats, whether it will put forward again a plan to phase out appointed DC seats on this basis; if it will, of the progress and details; if not, the reasons for that?

Reply :

Madam President,

(a) As regards the first part of the question, the relevant information about the appointed members of the District Councils (DCs) of the current term (i.e. 2004 - 2007) is set out at Annex for Members' reference.

I wish to briefly illustrate the information here: Firstly, we learn from the Annex that appointed DC members' rate of attendance at the DC meetings is relatively high. Some of them attained an attendance rate of 100%, while most others reached 80 to 90% or above. Secondly, as regards the tenure of the incumbent DC members, this is four years for each DC term. Some of the incumbent appointed members have served on the DCs for more than three years since the beginning of the current term, i.e. 2004, while some have served on the DCs for more than seven years since their appointment in 2000. Thirdly, we can also see from the Annex the number of advisory and statutory bodies (ASBs) on which all incumbent appointed DC members are serving. There is a member, who apart from serving on the DC, is also serving on six other ASBs. I have looked into the position of this member and noted that the lady was first appointed as a DC member, and was subsequently appointed to other ASBs. Three out of these six ASBs, i.e. the Appeal Board (Bedspace Apartments), Appeal Board (Clubs (Safety of Premises)), and Appeal Board (Hotel and Guesthouse Accommodation), deal with related matters and meet only very sparingly when appeal cases arise. In fact, some other members serving on these ASBs also sit on the three ASBs at the same time. We certainly would not encourage appointed members taking up membership in too many ASBs at the same time to ensure that their performance will not be adversely affected.

(b) In response to the second part of the question raised by Hon Leong, in appointing members to DCs, the Administration will follow the general principles of appointment and avoid, as far as possible, appointing the same person to more than six advisory and statutory bodies (ASBs). The six-year rule will be applied with flexibility. In considering whether a

DC member will be re-appointed, the Administration will take into account the candidate's ability, experience, integrity, as well as his commitment to serve the community to ensure that suitable persons are appointed as DC members.

(c) The third part of Hon Leong's question, to take forward Hong Kong's constitutional development in accordance with the Basic Law, the Government put forth a package of proposals (the Fifth Report of the Constitutional Development Taskforce) in October 2005 regarding the elections of the Chief Executive in 2007 and the Legislative Council (LegCo) in 2008. The proposals included incorporating all DC members in the Election Committee and increasing the number of seats in the LegCo to be returned by the DC functional constituency to six. Recommendations of the Fifth Report had to be endorsed by two-thirds of the LegCo. In view of concerns in the community on the participation of appointed DC members in the two elections, the Government put forward proposals in December 2005 to abolish appointed members in phases. At that time, the Government stated that, if the package was rejected by LegCo, we would not proceed with the changes to the DC appointed seats on its own. As the package of proposals was not endorsed by a two-thirds majority of all members of the LegCo, the proposed changes were not implemented.

In considering whether appointed seats should be abolished in the DCs, we need to consider carefully the role played, and the contribution made by appointed members. In 2006, the Administration conducted a public consultation on the review of the role, functions and composition of DCs. In general, those who tendered views recognized the contribution made by appointed members to DCs.

Those in support of retaining appointed membership were of the view that the appointment system could allow personalities from various backgrounds to take part in the administration of district affairs. Through their expertise and experience, appointed members could complement elected

members and made constructive and important contribution to the work of DCs. Even among those who were against retaining the appointment system, most recognized the calibre of appointed members and their contribution to DCs.

End/Wednesday, October 31, 2007