

策略發展委員會  
管治及政治發展委員會  
2006年5月26日第四次會議

席上意見摘要

主席歡迎委員出席委員會的第四次會議，並表示今次會議主要就政府草擬有關普選的原則和概念的總結報告進行討論。

續議事項

有關「區議會角色、職能和組成的檢討」諮詢文件的工作坊

2. 上次會議有委員提議秘書處在政府推出有關區議會角色、職能和組成的檢討的公眾諮詢文件後舉辦工作坊。主席表示政府已於4月27日發表了有關諮詢文件，秘書處亦已於同日將諮詢文件發送給各委員參閱。秘書處已安排在6月27日舉辦工作坊，讓委員就諮詢文件的內容發表意見。

就普選原則和概念討論的總結

3. 上次會議同意，在今次會議就普選的原則和概念的討論作出總結。主席表示會於會議稍後部份就有關文件進行討論。

檢討委員會會議日期

4. 上次會議有委員建議檢討委員會會議日期，以避免與立法會內務委員會及財務委員會的開會日期重

疊。主席報告稱，在參考過立法會會議日期與及研究更改會議日期的可行性後，原訂於 2006 年 11 月 24 日舉行的第七次委員會會議改於 11 月 23 日舉行。主席表示秘書處已於 4 月 3 日發信通知各委員有關的改動。

## 有關普選原則和概念討論的總結

5. 委員會大致同意由政制事務局草擬有關普選原則和概念討論的總結報告。

6. 有部分委員就報告提出了以下意見：

- (a) 有委員提出，政制發展應顧及國家對香港的基本方針政策，當中包括「行政主導」這項原則。政制事務局局長回應表示，同意在制定落實普選的模式時，除了須確保符合政制發展的原則外，亦須符合國家對香港的基本方針政策。報告提出的四項政制發展原則，是反映在《基本法》的條文和姬主任的說明中，而「行政主導」這原則，是在《基本法》的條文中體現出來。
- (b) 有委員指出，雖然外國的普選制度通常是一人一票的制度，但也有可能是每人有多於一票。委員認為，香港的普選制度只要符合《基本法》的規定和普及和平等選舉的原則，應可透過「一人一票」或「一人多票」進行。
- (c) 就先探討行政長官普選模式，有委員提議增加一項理由，就是由普選產生的行政長官會有利於體現行政主導的原則。

- (d) 有委員表示，報告已提到在邁向立法會普選的過程中，須確保有利兼顧各階層的利益，因此毋須在報告提及“有委員提出應考慮保障工商界的利益”。
- (e) 委員就功能界別應如何演變，及功能界別在立法會的角色有不同看法。有委員認為應修訂文件，以更能反映委員的意見。
- (f) 有委員提出，報告除了列出委員初步討論過立法會達致普選前的過渡安排外，亦應列出曾討論的最終普選模式，包括取消所有功能界別議席。至於有關讓功能界別成員提名候選人給全港選民進行選舉這模式，有委員認為可以是過渡安排，也有委員提出這亦可以作為達致最終普選時的可能模式。

7. 委員同意因應上述的意見修訂報告。

8. 此外，委員提出了其他相關的意見：

- (a) 有委員提出“有利於資本主義經濟的發展”這項原則與普選的關係。政制事務局局長回應表示，《中英聯合聲明》及《基本法》均訂明了須保持香港原有的資本主義制度，這原則亦在姬主任的說明中反映。因此，在設計選舉制度時須符合這項重要原則。
- (b) 有委員認為「均衡參與」的原則與「全部立法會議員由普選產生」可能有矛盾，而兩院制的建議似乎未能解決這個矛盾。他建議政府就兩院制是否符合《基本法》尋求法律意見。政制事務局局長表示，由於現時未有兩院制的具體

建議，難以諮詢法律意見。不過，無論將來採納何種立法會普選模式，《基本法》訂明的最終普選目標須維持不變。

- (c) 有委員提出，同意先討論行政長官普選模式，但就是否應先落實普選行政長官，須進一步探討。主席同意可就是否先落實普選行政長官作進一步討論。
- (d) 有委員提出，委員會未有就普選時間表作討論。主席回應表示，中央和特區政府都非常清楚市民對普選的訴求，並致力落實《基本法》規定最終普選的目標。政制發展的進程，取決於中央、特區政府、立法會、以至香港社會各界之間能否建立廣泛的共識，而普選時間表應在擬訂了普選路線圖後再討論。當社會就普選制度的設計達成共識，普選路線圖及時間表自然水到渠成。
- (e) 另外，就推動普選行政長官及立法會的過程上，有委員認為行政長官普選模式中有關提名委員會的組成最具爭議性，建議最少以一個會議的時間作出討論。
- (f) 有委員提出面對普選行政長官及立法會目標的落實，政府同時需要注意培養政治人才的重要。有委員認為應就政府現正進行區議會角色、功能和組成的檢討，考慮以區議會為培養人才的平台。另外，有委員提出應檢討容許立法會議員可兼任區議會議員的做法。

9. 主席發表以下意見：

- (a) 委員大致同意由政府所草擬有關普選原則和概念討論的總結報告。政府會因應部分委員提出的意見修訂報告，然後向委員發出經修訂後定稿的總結報告，以作存檔。他鼓勵委員繼續以電郵或郵寄方式，提出書面意見。在收到委員的書面意見後，秘書處會向其他委員發放並上載策發會網頁，使意見可以互動交流。
- (b) 有關普選原則及概念討論總結，將作為下半年度討論有關行政長官和立法會普選制度可能模式的基礎。委員可在下次會議先討論行政長官的普選模式，包括提名委員會的組成和運作。接著，委員會會開展有關立法會普選模式的研究。
- (c) 期望委員會可於明年年初就有關行政長官和立法會普選制度可能模式的討論作總結。
- (d) 秘書處將於 6 月 27 日舉辦工作坊，讓委員就區議會角色、職能及組成的檢討的諮詢文件發表意見。

10. 出席會議人士名單載於附件。

策略發展委員會秘書處  
2006 年 7 月

策略發展委員會  
管治及政治發展委員會第四次會議  
2006年5月26日

Fourth Meeting of  
the Committee on Governance and Political Development  
of the Commission on Strategic Development  
26 May 2006

出席人士

Attendance List

主席 :

Chairman :

The Chief Executive

行政長官

官方委員 :

Official Members :

Head, Central Policy Unit

中央政策組首席顧問

Director, Chief Executive's Office

行政長官辦公室主任

非官方委員 :

Non-Official Members :

Mr CHAN Tak-lam, Norman, S.B.S., J.P.

陳德霖先生, S.B.S., J.P.

Mr CHAU How-chen, S.B.S., J.P.

周厚澄先生, S.B.S., J.P.

Prof CHENG Kwok-hon, Leonard

鄭國漢教授

Mr CHEUNG Chi-kong

張志剛先生

The Hon CHEUNG Hok-ming, S.B.S., J.P.

張學明議員, S.B.S., J.P.

Mr CHOW Yick-hay, B.B.S., J.P.

周奕希先生, B.B.S., J.P.

Mr CHOW Yung, Robert

周融先生

Mr FUNG Daniel R., S.B.S., J.P.

馮華健先生, S.B.S., J.P.

Mr HOO, Alan, S.B.S., J.P.

胡漢清先生, S.B.S., J.P.

Prof KUAN Hsin-chi

關信基教授

Mr LAU Nai-keung

劉迺強先生

Prof LEE Chack-fan, S.B.S., J.P.

李焯芬教授, S.B.S., J.P.

The Hon LEE Cheuk-yan

李卓人議員

The Hon LEE Wing-tat

李永達議員

Dr LEUNG Mei-fun, Priscilla  
Mr LIE-A-CHEONG Tai-chong, David  
Mr LUI Tim-leung, Tim, J.P.  
Mr MOK Hon-fai  
Mr TAM Kwok-kiu, M.H.  
The Hon TIEN Pei-chun, James, G.B.S., J.P.  
Dr WANG Xiao-qiang  
Mr WONG Wai-yin, Zachary  
Dr ZHOU Ba-jun

梁美芬博士  
李大壯先生  
雷添良先生, J.P.  
莫漢輝先生  
譚國僑先生, M.H.  
田北俊議員, G.B.S., J.P.  
王小強博士  
黃偉賢先生  
周八駿博士

## 列席

### In Attendance

Secretary for Constitutional Affairs  
Deputy Secretary for Constitutional Affairs (1)

政制事務局局長  
政制事務局副秘書長(1)

## 因事未能出席

### Apologies

Mr CHAN Chung-bun, Bunny, B.B.S., J.P.  
Prof CHEN Hung-ye, Albert, J.P.  
Mr CHEN Nan-lok, Philip, S.B.S., J.P.  
Mr CHOW Charn-ki, Kenneth  
Ms CHOW, Wendy  
Ms FONG, Janie  
Ms KO Po-ling, M.H.  
Dr LO Chi-kin, J.P.  
The Hon MA Lik, G.B.S., J.P.  
Mr NG Sze-fuk, George, B.B.S., J.P.  
The Hon SHEK Lai-him, Abraham, J.P.  
Mr SZE Chin-hung, Jerome, J.P.  
Miss TAM Wai-chu, Maria, G.B.S., J.P.  
Mr WONG Kong-hon, S.B.S., J.P.  
Mr WONG Ying-ho, Kennedy, B.B.S., J.P.  
Mr YU Kwok-chun, S.B.S., J.P.

陳振彬先生, B.B.S., J.P.  
陳弘毅教授, J.P.  
陳南祿先生, S.B.S., J.P.  
鄒燦基先生  
周君倩女士  
方文靜女士  
高寶齡女士, M.H.  
盧子健博士, J.P.  
馬力議員, G.B.S., J.P.  
吳仕福先生, B.B.S., J.P.  
石禮謙議員, J.P.  
施展熊先生, J.P.  
譚惠珠女士, G.B.S., J.P.  
黃光漢先生, S.B.S., J.P.  
黃英豪先生, B.B.S., J.P.  
余國春先生, S.B.S., J.P.

**Summary of the views expressed at  
the Fourth Meeting of  
the Committee on Governance and Political Development  
of the Commission on Strategic Development  
held on 26 May 2006**

**(Translation)**

The Chairman welcomed members to the fourth meeting of the Committee and indicated that the Committee would focus its discussion on the report prepared by the Government on the conclusions on discussions on the concepts and principles relating to universal suffrage.

**Matters arising from the last meeting**

Workshop on the “Review on the Role, Functions and Composition of District Councils” Consultation Document

2. In respect of the suggestion made at the last meeting that the Secretariat should organise a workshop after the release of the consultation document on the review on the role, functions and composition of District Councils, the Chairman reported that the Administration had released the public consultation document on 27 April. The Secretariat had distributed copies of the consultation document to members on the same day. The Secretariat would organize a workshop on 27 June for members to express their views on the consultation document.

Conclusions on discussions on the concepts and principles relating to universal suffrage

3. As agreed at the last meeting, the Committee should conclude its discussions on the concepts and principles relating to universal suffrage at this meeting. The Chairman said that the Committee would discuss the paper at the later part of the meeting.



#### Review of the schedule of meetings

4. A member suggested at the last meeting that the schedule of meetings of the Committee should be reviewed to avoid overlapping with the meeting dates of the House Committee and the Finance Committee of the Legislative Council. Taking into account the meeting dates of the Legislative Council, and having examined the feasibility of revising the schedule of meetings, the date of the 7<sup>th</sup> meeting was changed from 24 November 2006 to 23 November 2006. The Chairman said that the Secretariat had informed members of the change on 3 April 2006.

#### **Conclusions on discussions on the concepts and principles relating to universal suffrage**

5. The Committee generally agreed to the report prepared by the Constitutional Affairs Bureau on the conclusions on discussions on the concepts and principles relating to universal suffrage.

6. Some members put forward the following comments on the report:

- (a) A member opined that constitutional development should have due regard to the basic policies of the State regarding Hong Kong, including the principle of an executive-led system. In response, the Secretary for Constitutional Affairs agreed that apart from the principles governing constitutional development, it was also necessary to adhere to the basic policies of the State regarding Hong Kong in designing the model for the implementation of universal suffrage. The four principles on constitutional development set out in the report were reflected in the provisions of the Basic Law and the Explanations delivered by Director JJ, whereas the principle of an executive-led system was realized through the various provisions of the Basic Law.
- (b) Some members pointed out that although “one-person-one-vote” was commonly adopted in overseas universal suffrage systems, there were also examples of one person having more than one vote. Members considered that our universal suffrage system could be

implemented either on a “one-person-one-vote” or “one-person-multiple-votes” basis as long as it was in accordance with the provisions of the Basic Law and the principle of universal and equal suffrage.

- (c) On the idea of first exploring the model for selecting the Chief Executive by universal suffrage, a member put forward a further justification in support of the proposal, i.e. a Chief Executive elected by universal suffrage would be conducive to realizing the principle of an executive-led system.
  - (d) As the report had already mentioned the need to ensure that the interests of different sectors would be met when moving towards the formation of the Legislative Council by universal suffrage, a member considered it unnecessary to mention in the report that “some members had suggested that consideration should be given to safeguard the interests of the industrial and business sectors”.
  - (e) Members had mixed views on the evolution of the functional constituencies and their role in the Legislative Council. A member opined that the paper should be revised to better reflect members’ views.
  - (f) A member opined that apart from setting out the preliminary discussions of members on the transitional arrangements leading to the formation of the Legislative Council by universal suffrage, the report should also refer to the ultimate models for forming the Legislative Council by universal suffrage that had been discussed before, including the abolition of all functional constituency seats. As regards the option to allow members of functional constituencies to nominate candidates for election by universal suffrage, some members considered it acceptable as a transitional arrangement, whereas others considered it a possible model for universal suffrage ultimately.
7. Members agreed that the report should be revised in the light of the above views.

8. In addition, members raised some other related views:
- (a) A member enquired about the relationship between the principle of “facilitating the development of the capitalist economy” and universal suffrage. The Secretary for Constitutional Affairs explained that both the Sino-British Joint Declaration and the Basic Law had stipulated that the previous capitalist system of Hong Kong should remain unchanged. This principle was also reflected in the Explanation delivered by Director JI. It was therefore necessary to adhere to this important principle in designing the electoral system.
  - (b) A member considered that the principles of “balanced participation” and “electing all members of Legislative Council by universal suffrage” might be contradictory to each other, and that a bicameral system might not be able to resolve this contradiction. He suggested the Government to seek legal advice on whether a bicameral system was consistent with the Basic Law. The Secretary for Constitutional Affairs responded that it was difficult to seek any legal opinion at this stage when there was no specific proposal for a bicameral system. However, irrespective of the model to be adopted in the future, the ultimate aim of forming the Legislative Council by universal suffrage as stipulated in the Basic Law should remain unchanged.
  - (c) While agreeing that the model for selecting the Chief Executive by universal suffrage should be discussed first, a member opined that whether the selection of the Chief Executive by universal suffrage should take place first was a matter to be further explored. The Chairman agreed that the Committee could further discuss whether to first implement universal suffrage for the election of the Chief Executive.
  - (d) A member remarked that the Committee had not discussed the timetable for universal suffrage. The Chairman responded that both the Central Government and the SAR Government fully understood the aspirations of the public for universal suffrage and

were committed to attaining the ultimate aim of universal suffrage prescribed in the Basic Law. The progress of constitutional development hinged on whether a broad consensus could be reached among the Central Government, the SAR Government, the Legislative Council and the different sectors of Hong Kong community. The timetable for universal suffrage should be discussed after the roadmap was developed. Once a consensus on the design of the universal suffrage system was reached by the community, the roadmap and timetable for universal suffrage could be worked out.

- (e) On the process of taking forward the election of the Chief Executive and the Legislative Council by universal suffrage, a member considered that the composition of the nominating committee was the most controversial issue in the design of the universal suffrage system for selecting the Chief Executive, the Committee should devote at least one meeting to discussing this issue.
  - (f) A member opined that the Government should attach importance to the grooming of political talent in the face of the implementation of universal suffrage for the election of the Chief Executive and the formation of the Legislative Council. Another member took the view that the Government should consider using District Councils as a platform for grooming political talent in the context of the review on the role, functions and composition of District Councils. In addition, a member suggested to review the practice of allowing members of the Legislative Council to take up seats at District Councils concurrently.
9. The Chairman made the following comments:
- (a) Members generally agreed to the report prepared by the Government on the conclusions on discussions on the concepts and principles relating to universal suffrage. The Government would revise the report in the light of the comments raised by members and distribute the finalised report to members for retention. He

encouraged members to continue to put forward their views by post or email outside the meetings. Upon receipt of the written submissions, the Secretariat would arrange circulation to other members and uploading to the Commission's website to facilitate exchange of views among members.

- (b) The conclusions on discussions on the concepts and principles relating to universal suffrage would form the basis for the Committee to discuss in the second half of 2006 the possible models for selecting the Chief Executive and forming the Legislative Council by universal suffrage. Members might first discuss at the next meeting the models for selecting the Chief Executive by universal suffrage, including the composition and operation of the nominating committee, to be followed by examining models for forming the Legislative Council by universal suffrage.
- (c) It was expected that the Committee would conclude its discussion on the possible models for selecting the Chief Executive and forming the Legislative Council by universal suffrage by early 2007.
- (d) The Secretariat would organize a workshop on 27 June 2006 for members to express their views on the consultation document on "Review on the Role, Functions and Composition of District Councils".

10. The attendance list is attached.

Secretariat to the Commission on Strategic Development  
July 2006