政制及內地事務局
政府總部
香港添馬添美道2號
政府總部東翼

CONSTITUTIONAL AND MAINLAND AFFAIRS BUREAU
GOVERNMENT SECRETARIAT
EAST WING
CENTRAL GOVERNMENT OFFICES
2 TIM MEI AVENUE, TAMAR
HONG KONG

Our Ref.: CMAB C2/23
Your Ref.: CB2/SS/9/12

Tel: 2810 2908
Fax: 2840 1976

By Fax and By Post

11 October 2013

Clerk to Subcommittee on
District Councils Ordinance (Amendment of Schedule 3) Order 2013
(Attn : Ms Joanne MAK)
Legislative Council Complex
1 Legislative Council Road
Central
Hong Kong
(Fax No. : 2509 9055)

Dear Ms Mak,

Thank you for your letter of 8 October 2013. Our reply is as follows-

a. According to the population projection in mid-2015 provided by the Planning Department, the projected population for the Islands District will be 148 700. According to the methodology adopted in reviewing the number of District Council (DC) elected seats whereby there will be one DC elected seat for every 17 282 residents, the number of elected seats of the Islands DC shall be 8.6. However, taking into consideration that the operations of the DCs will be affected after the abolition of the DC appointed seats and the more important role that the DCs are expected to assume in district administration, etc., the Administration has decided to maintain the existing number of elected seats of the Islands DC at 10 seats. In response to the requests by some Members of the Legislative Council and Islands DC members to increase the number of elected seats of the Islands DC, the Administration has re-examined the population projection of the concerned DC constituency areas and considered that the current proposal is put forward on the basis of objective data and reasonable considerations, and concluded that the

number of elected seats of the Islands DC should remain unchanged. As for the projected increase in population brought about by the completion of new residential developments in Tung Chung, they will be dealt with in the context of the next review exercise for the DC ordinary election because the completion and in-take period for most of the developments will be beyond mid-2015. At the Sub-committee meeting held on 4 October 2013, Hon TANG Ka-piu presented a proposal put up by Mr Wong Fuk-kan, member of the Islands DC, to divide the DC constituency area T01 (Lantau) into two. We recommend Mr Wong to send his proposal to the Electoral Affairs Commission (EAC) direct for its consideration.

b. In making recommendations for the purposes of the delineation of the DC constituencies, the EAC shall follow the criteria set out in section 20 of the Electoral Affairs Commission Ordinance and ensure that the population in that constituency is as near the population quota as practicable and that if it is not practicable to do so, the EAC shall ensure that the population in that constituency does not exceed or fall short of the population quota by more than 25%. At the same time, in making such recommendations, the EAC shall have regard to the community identities and the preservation of local ties and physical features (such as size, shape, accessibility and development of the relevant area or any part thereof). In addition, the EAC adopts working principles in making the recommendations. The set of working principles and statutory criteria mentioned by the EAC in the Report on the Recommended Constituency Boundaries for the 2011 DC Election is reproduced at Annex 1. As an example, in 2011, the EAC allowed 26 DC constituency areas to exceed the permissible limits of the population quota. The names of these DC constituency areas, percentages of deviation (including the DC constituency areas with positive or negative deviation) and reasons for allowing the permissible limits to be exceeded are set out in the EAC report. The relevant section of the EAC report is extracted at Annex 2.

Yours sincerely,

(Ms Anne TENG)
for Secretary for Constitutional and Mainland Affairs

CHAPTER 2

THE DEMARCATION EXERCISE

Before Public Consultation

Section 1 : Statutory Criteria for Demarcation

2.1 The Commission adopted a set of criteria, as stipulated under section 20 of the EACO, as the basis for making its recommendations. These criteria are:

(a) The EAC shall ensure that the population in each proposed DCCA is as near the population quota as practicable. "Population quota" means the figure arrived at by dividing the total population of Hong Kong by the total number of elected members to be returned in the DC ordinary election.

(b) Where it is not practicable to comply with (a) in a certain proposed DCCA, the EAC shall ensure that the population in that DCCA does not exceed or fall short of the population quota by more than 25%.

(c) The EAC shall have regard to the community identities, preservation of local ties, and the physical features (such as the size, shape, accessibility and development) of the area.

(d) The EAC must follow the existing boundaries of the districts and the number of elected members to be returned to a DC as specified in Schedules 1 and 3 of the DCO.

(e) The EAC may depart from strict application of (a) and (b) above only where it appears that one or more of the considerations in (c) above renders such a departure necessary or desirable.

2.2 For this demarcation exercise, the population quota was 17,282 (7,120,229, being the projected population of Hong Kong as at 30 June 2011 provided by the Administration (see paragraph 2.5 below), divided by 412 (the total number of elected members to be returned to DCs in the 2011 ordinary election after the addition of seven elected seats), i.e. 7,120,229 ÷ 412 = 17,282). Consequently, the permissible range of deviation (referred to in paragraph 2.1 (b) above) of the population of a DCCA from the population quota is 12,962 to 21,603.

Section 2 : Working Principles

2.3 The Commission also adopted a set of working principles for the demarcation exercise:

(a) For existing DCCAs where the population falls within the permissible range of 12,962 to 21,603, their boundaries will be maintained as far as possible.

(b) For existing DCCAs where the population falls outside the permissible range, but the situation was allowed for the 2007 DC election and the justifications have remained valid, their boundaries will be maintained as far as possible.

(c) Other than (b) above, for existing DCCAs where the population falls outside the permissible range, adjustments will be made to their boundaries (unless there are justifications for maintaining their boundaries on grounds of community identities, preservation of local ties and/or physical features) and also those of adjacent DCCAs to form new DCCAs. Where there is more than one way to adjust the boundaries of the DCCAs concerned, the one which affects the least number of existing DCCAs will be adopted, otherwise the one with the least departure from the population quota will be used.

(d) Factors with political implications will not be taken into consideration.

(e) The names of the new DCCAs to be formed are proposed by reference to major features, roads or residential settlements in the DCCAs after consultation with the relevant District Officers ("DOs") of the Home Affairs Department ("HAD").

(f) The Commission's provisional recommendations on the code references of districts and constituency areas were that the districts should be given the alphabetical reference from "A" onwards, with the omission of "I" and "O" to prevent confusion, starting from Central and Western district and other districts on Hong Kong Island, followed by the districts in Kowloon and the New Territories. The numbering of constituency areas in a district was to be prefixed by the alphabet reference for the district and started from the first numeral. "01" should be allocated to the most densely populated area, or the area traditionally considered most important or prominent or the centre of the district, and the number be proceeded consecutively in a clockwise direction so that as far as possible, two consecutive numbers should be found in two areas contiguous to each other. The Commission hoped that by adopting this system, any one who consults the maps would find it easier to understand them and locate the constituency areas. These methods have been adopted since 1994 and the public should be generally familiar with them.

(g) Where constituency boundaries have to continue into the sea, the DCCA boundary lines are, as far as possible, drawn perpendicular to the district boundary lines on the sea.

(h) Suggestions and comments from members of the public received since the last demarcation exercise will be taken into consideration and, where appropriate, accepted.

Section 3 : Working Partners

2.4 The EAC Secretariat, manned by designated staff of the Registration and Electoral Office ("REO"), assisted the Commission in carrying out the exercise.

2.5 As in the past, an Ad Hoc Subgroup ("AHSG"), formed under the Working Group on Population Distribution Projections set up in the Planning Department ("PlanD"), took up the primary task of providing the Commission with the necessary population forecasts, the most essential information required for the conduct of the exercise. The AHSG was chaired by an Assistant Director of the PlanD and comprised representatives from Constitutional and Mainland Affairs Bureau ("CMAB"), Census and Statistics Department, Housing Department ("HD"), Lands Department ("LandsD"), Rating and Valuation Department, the HAD and REO. To enhance the accuracy of the result produced, the AHSG was requested to project the population distribution figures as at a date as close to the election date as practicable. The AHSG provided a population forecast as at 30 June 2011, assuming that the DC ordinary election would be held in late 2011.

2.6 The LandsD rendered assistance in producing maps for the Commission, including the base maps (maps with street blocks, population figure in each block, existing DCCA boundaries and district boundaries), maps with the proposed DCCA boundaries, and boundary descriptions.

2.7 The DOs provided strong support in the demarcation exercise. Using their local knowledge about community identities, local ties, and physical features and developments in the DCCAs of their districts, the DOs provided valuable advice to the EAC on the delineation work.

2.8 The Information Services Department ("ISD") gave expert advice for mapping out the publicity strategy and ideas for designing the publicity programmes and materials for the consultation exercise.

Section 4 : The Work Process

Start of work

2.9 The AHSG held its first meeting in September 2009 to work out the method to be adopted for compiling the data and the work schedule. In late March 2010 the forecast population figures were made available, on the basis of which the LandsD prepared the base maps. When these base maps were ready, the EAC Secretariat proceeded to work on the preliminary proposed delineation of the boundaries.

Site visits

2.10 Since physical features such as the size, shape, accessibility and development of an area were important considerations in the delineation work, in order to gain first-hand information on areas where the geographical situations might impact on the delineation of constituency boundaries, the staff of the EAC Secretariat conducted site visits to identify the unique physical features, transport facilities and accessibility in the DCCAs concerned. Relevant information and topographical facts so gathered were analysed and taken into account in drawing up the preliminary proposals.

EAC meetings with the DOs

2.11 When the staff of the EAC Secretariat finalised their preliminary recommendations on the boundaries and names of the DCCAs, the proposals were presented to the Commission for consideration with the aid of maps and photographs to facilitate better understanding of the local features and the environment of the DCCAs concerned. The Commission also invited various DOs to attend meetings to discuss the proposals relating to their districts.

Provisional proposal

2.12 In the EAC's provisional recommendations, the boundaries of 113 DCCAs had to be changed and 16 DCCAs were renamed. The EAC allowed 26 DCCAs to exceed the permissible limits of the population quota for one reason or the other. The names of these DCCAs, the percentages of deviation and the reasons for allowing the permissible limits to be exceeded, are shown in **Appendix II**.

2.13 After the EAC had come up with the provisional recommendations on the boundaries of the DCCAs, the EAC Secretariat started to prepare for the launch of public consultation exercise on the EAC's provisional proposal for the period from 3 December 2010 to 3 January 2011. Details of the provisional recommendations were contained in two volumes published for the public consultation exercise.

DCCAs with Population Exceeding the Permissible Limits of the Population Quota
(Final Recommendations)

District	DCCA exceeding permissible limits	Population and deviation percentage	Reason
Southern	D05 Lei Tung II	12,548 (-27.39%)	Because of geographical features and the need to preserve local ties
	D09 Wah Fu I	12,473 (-27.83%) *(same as in the provisional recommendations)*	Because of the need to preserve local ties
	D17 Stanley & Shek O	22,258 (+28.79%) *(same as in the provisional recommendations)*	Because of the need to preserve community identity and local ties
Wong Tai Sin	H22 Choi Wan South	12,807 (-25.89%) *(same as in the provisional recommendations)*	Because of the need to preserve community integrity
	H23 Choi Wan West	11,385 (-31.52%) *(same as in the provisional recommendations)*	

District	DCCA exceeding permissible limits	Population and deviation percentage	Reason
Kwun Tong	J11 Po Tat	24,761 (+43.28%) *(same as in the provisional recommendations)*	Because of the need to preserve community integrity
	J24 Laguna City	23,457 (+35.73%) *(same as in the provisional recommendations)*	Because of the need to preserve community integrity
Tuen Mun	L29 Tuen Mun Rural	22,958 (+32.84%) *(same as in the provisional recommendations)*	Because of the need to preserve community identity and local ties
Yuen Long	M08 Shap Pat Heung South	22,673 (+31.19%) *(same as in the provisional recommendations)*	Because of the need to preserve community identity and local ties
	M10 Ping Shan North	22,258 (+28.79%) *(same as in the provisional recommendations)*	Because of the need to preserve community identity and local ties
	M12 Tin Shing	22,771 (+31.76%) *(same as in the provisional recommendations)*	Because of the need to preserve community integrity

District	DCCA exceeding permissible limits	Population and deviation percentage	Reason
	M19 Tin Heng	22,228 (+28.62%) *(same as in the provisional recommendations)*	Because of the need to preserve community integrity
	M22 Kingswood North	22,901 (+32.51%) *(same as in the provisional recommendations)*	Because of the need to preserve community integrity
	M29 Kam Tin	10,324 (-40.26%)	Because of the need to preserve integrity and homogeneity of the community
	M30 Pat Heung North	12,072 (-30.15%)	Because of the large area covered by this DCCA and the need to preserve community identity and local ties
Tai Po	P19 Sai Kung North	12,681 (-26.62%) *(same as in the provisional recommendations)*	Because of the large area covered by this DCCA and the need to preserve community identity and local ties
Sai Kung	Q01 Sai Kung Central	12,944 (-25.10%) *(same as in the provisional recommendations)*	Because of the need to preserve community identity and local ties

District	DCCA exceeding permissible limits	Population and deviation percentage	Reason
	Q03 Sai Kung Islands	11,689 (-32.36%) *(same as in the provisional recommendations)*	Because of the large area covered by this DCCA (over 70 islands), accessibility, and the need to preserve community identity and local ties
	Q07 Wai Do	22,862 (+32.29%) *(same as in the provisional recommendations)*	Because of the need to preserve integrity and homogeneity of the community
	Q12 Nam On	22,872 (+32.35%) *(same as in the provisional recommendations)*	Because of the need to preserve community identity and local ties
Sha Tin	R35 Kwong Hong	12,950 (-25.07%) *(same as in the provisional recommendations)*	Because of the need to preserve community integrity and local ties
Islands	T04 Tung Chung North	22,048 (+27.58%) *(same as in the provisional recommendations)*	Because of the geographical location and the need to preserve community identity

District	DCCA exceeding permissible limits	Population and deviation percentage	Reason
	T07 Peng Chau & Hei Ling Chau	7,748 (-55.17%) *(same as in the provisional recommendations)*	Because of the large area covered by these DCCAs and the need to preserve community identity and local ties
	T08 Lamma & Po Toi	6,095 (-64.73%) *(same as in the provisional recommendations)*	
	T09 Cheung Chau South	12,870 (-25.53%) *(same as in the provisional recommendations)*	
	T10 Cheung Chau North	12,769 (-26.11%) *(same as in the provisional recommendations)*	

Total number of DCCAs exceeding the permissible limits of the population quota = 26