

The Hong Kong Institute of Surveyors

Questionnaire on Arrangements for Filling Vacancies in the Legislative Council

Background

In July 2011, the Government issued the Consultation Paper on Arrangements for Filling Vacancies in the Legislative Council (LegCo) for a two-month public consultation. In order to provide members' views to consider suggestions of our LegCo representative Hon Patrick Lau, Legislative Council Member of Architectural, Surveying and Planning Functional Constituency, HKIS would like to collect views through the questionnaire during the public consultation and will consolidate members' views to him for consideration.

The four main options include:

- Option 1: Restricting resigning Members from participating in any by-election in the same term
- Option 2: A replacement mechanism using the same candidate list followed by a precedence list system (the Administration's revised proposal)
- Option 3: A replacement mechanism which does not cover casual vacancies arising from death, serious illness or other involuntary circumstances
- Option 4: A replacement mechanism using the same candidate list, followed by leaving the seat vacant when the list is exhausted

This questionnaire aims to collect members' view on the proposed amendments to Legislative Council Ordinance (LCO) regarding the arrangements for filling vacancies in the Legislative Council proposed by the HKSAR. You may either fill in the questionnaire and return to the HKIS Office on or before **9 September 2011** for consolidation or submit your views directly to the Government.

Part 1: Member's Views (all questions must be completed)

1. Whether the phenomenon of Members resigning at will, triggering by-elections in which they seek to stand and involving a considerable amount of public funds, is a loophole that **needs to be plugged?**

- Yes
- No
- No comment
- Others _____

2. In addressing the mischief arising from the resignations of five Legislative Council Members in January 2010, **do you agree** that it is necessary to amend the current by-election (補選) arrangement under LCO in order to avoid the occurrence of similar incident of resignation of January 2010?

- Agree
- Not agree and maintain status quo
- No comment
- Others _____

3. **Do you agree** to the reasons given by the Government that the loophole needs to be plugged such that amendments on LCO are required?

- Yes
- No
- No comment
- Others _____

4. If it is considered that the loophole should be plugged, **which of the following options** as proposed by the Government would you prefer:

- Option 1: restricting resigning Members from participating in any by-election in the same term;
- Option 2: a replacement mechanism using the same candidate list followed by a precedence list system as proposed by the Administration;
- Option 3: a replacement mechanism which does not cover casual vacancies arising from death, serious illness or other involuntary circumstances;
- Option 4: a replacement mechanism using the same candidate list, followed by leaving the seat vacant when the list is exhausted;
- Others _____

5. Do you think that the proposed replacement arrangement would affect your election right?

Yes

No

No comment

Others _____

6. What other feasible options to plug the loophole or other relevant suggestions?

7. Other opinion(s)

Part II: Member's information*

(Note: Completion of members' details is mandatory for verification purpose otherwise the survey will be invalid. Any personal data collected through this form will only be used for internal reference and for the purpose of analysis of members' response):

Name: _____ M'ship No.: _____

Contact tel no: _____ Email address: _____

Division: BSD GPD LSD PDD PFMD QSD

Grade: F M TA P TT S

Thank you for your participation in the questionnaire. Kindly return the completed questionnaire to the HKIS Office by fax, email or post on or before **9 September 2011**.

By Fax: (852) 2868 4612

By Email: survey@hkis.org.hk

By Post: Suite 801, 8/F, Jardine House, One Connaught Place, Central, Hong Kong

Questionnaire: Filling vacancies in LegCo(29Aug11)