

# Government responds to judgment of judicial review application on legality of District Council election

In relation to the judgment of the judicial review application on the legality of the District Council election (HCAL 1978/2023), the spokesman of the Government has the following responses on December 1:

The Court of First Instance on December 1 dismissed the relevant judicial review application, holding that the "Three District Committees" nomination requirement is consistent with the Basic Law, which provides robust legal basis for the legality of the District Council election.

The Court accepted the viewpoints of the Government including, confirming that members of the "Three District Committees" come from various walks of life in society and are important stakeholders of district affairs, and that currently there are no other entities or individuals which are more suitable than members of the "Three District Committees" to exercise the nomination rights.

Further, the Court expressly accepted the legitimate aims of the "Three District Committees" nomination requirement, namely: (1) to fully implement the guiding principle of "patriots administering Hong Kong" in the system; (2) to ensure that the candidates are recognised by persons who are familiar with district affairs and the relevant district electors; and (3) to enhance stability across the political spectrum and better reflect the opinions of the majority of people. The Court also held that the "Three District Committees" nomination requirement is a proportionate restriction to the rights to vote and agreed that members of the "Three District Committees" will not exercise the nomination rights arbitrarily.

The Government reiterates that the District Council election for the 7th Term District Council is lawful and reasonable, and is an important election which fully takes into account the interest of people of each district, which was passed by the Legislative Council unanimously and is popularly supported by people. The District Council election date on December 10 is highly meaningful which will return passionate, capable and responsible District Council members who are loving our country and Hong Kong and will fully serve people in the district, handle issues of public concern such as district hygiene, transportation, cultural and leisure issues. We urge people to actively cast their votes to build a beautiful home together.