

LCQ2: Ensuring proper performance of functions by new-term District Councils

â€‹Following is a question by Dr the Hon Tik Chi-yuen and a reply by the Secretary for Home and Youth Affairs, Miss Alice Mak, in the Legislative Council today (January 10):

Question:

The Government has indicated that the 2023 District Council (DC) Ordinary Election (the Election) held last month was a high-quality election. However, it has been reported that the DC geographical constituency election voter turnout rate of the Election was 27.54 per cent, which has been the lowest voter turnout rate since the first DC Election, and was a drop of 43.69 percentage points compared with the voter turnout rate of 71.23 per cent of the last DC Election, and that young people and middle-class people were lukewarm towards the Election. In this connection, will the Government inform this Council:

(1) as there are views that DCs are local councils which have all along been playing an important role in district administration, including assuming the responsibilities of collecting and reflecting public opinions, monitoring the Government's policy implementation, facilitating communication between the Government and the public, mobilising community participation and promoting social reforms, how the new-term DCs continue to perform such functions, with the voter turnout rate of the Election being lower than those of the previous elections;

(2) given that under the new term of DCs, the DC Chairmen of the various Districts are the District Officers of the respective Districts, how DCs account for their work to members of the public and are monitored by members of the public; how the Government or DCs facilitate the latter to account for their work to members of the public and enhance DCs' communication with members of the public; and

(3) how it ensures that the new-term DCs can still accommodate the views and voices of people with different political stances?

Reply:

President,

The District Councils (DCs) have all along been a communication link between the Government and the people. Members of the DCs are expected to uphold the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China (Basic Law) and bear allegiance to the Hong Kong Special Administration Region in carrying out DCs' duties and in serving the

people.

The 2023 DC Ordinary Election held on December 10, 2023, was the first large-scale territory-wide election under the improved district governance and the reformed DCs. The election is of great significance as it enables the DCs to return to the positioning under Article 97 of the Basic Law as advisory and service bodies which are not organs of political power and fully implement the principle of "patriots administering Hong Kong". As the Chief Executive had said, this was a high-quality election that was conducted in a fair, just, clean, safe and orderly manner, fully demonstrating an election culture of excellence and the superiority of the reformed DCs.

For the three parts of the question, having consulted the Constitutional and Mainland Affairs Bureau, our consolidated reply is as follows:

(1) and (3) As we have emphasised once and again, voter turnout is affected by a range of factors, and may not shed particular light on how well the new DCs perform their enhanced advisory and service functions. With our frequent reach-out to the community on the benefits of the improved district governance and the reformed DCs in the past few months, the people expressed general support, and hoped the new term of DCs could actually provide good services in the districts for the people, and reflect their opinions and requests to the Government, so to enhance the efficacy of district governance, and allow people to live and work in contentment.

The positioning of the DCs has been clearly stipulated under Article 97 of the Basic Law: that they are district organisations which are not organs of political power. As they are not executive authorities, they cannot exercise the powers assigned to the executive, legislative and judicial branches of the Government. Aside from that, district organisations are advisory and service bodies, and could be consulted by the Government on issues in specific scope, or assist the Government in providing services in fields such as culture, recreation and environmental sanitation.

Section 4A of the amended District Councils Ordinance stipulates the statutory functions of the DCs, which have been increased from the original two to nine provisions. These enhanced advisory and service functions of the DCs have on one hand retained the original functions of the DCs to be consulted by the Government on district affairs, to apply for funding for projects and activities to improve district environment, promote district sports, culture and arts, district major events. On the other hand, DCs' functions to collect and reflect the people's views have been enhanced, including clearly highlighting that DC members have to establish a regular communication channel with the people, to meet with them and listen to their views regularly, and to proactively collect the views of the people in respect of issues specified by the DC Chairmen, and submit to the Government summaries of the views collected and propose corresponding measures.

The reformed DCs are composed of appointed, District Committees Constituencies (DCC), District Council Geographical Constituencies (DCGC) and ex-officio members, so there will be multiple channels for persons who love the country and Hong Kong and are committed to serving the community to

participate in the work of the DCs. The 179 appointed members represent different social sectors, e.g. industrial and commercial, professional, grassroots and labour sectors, district organisations, etc. In districts where there are bigger ethnic-minority communities, representatives of ethnic minorities are appointed as DC members. For the DCC and DCGC, 264 elected members have diverse backgrounds, including those experienced in district work, young people committed to serving the community, as well as professionals from different fields and sectors, etc. Alongside the 27 ex-officio members, the new DCs are composed of representatives from different sectors, with various expertise and district experiences, and are broadly representative, incorporating various professionals, experienced and capable persons to participate in district administration, which are conducive to reflecting the overall interest of each district.

The Chief Executive, at the oath-taking ceremony for members of the seventh term DCs, clearly requested that DC members should ensure effective communication between the Government and the people by serving as a connection between the two. He also urged all DC members to address people's most imminent concerns in the community, and make every effort to tackle their problems by noticeable and substantive actions in honour of people's trust and support.

All in all, the seventh term DCs will focus on serving the people, and working with the Government to serve the community. The DCs should deliver benefits and satisfactions to the people, so as to achieve good governance.

In order to begin district work in an expedient manner, the 18 DCs have held the first DC meeting in the first week of January 2024. The meetings appointed the committees and working groups under the DCs and their respective Chairmen and Vice-Chairmen, confirmed the DCs' meeting timetable, formulated the arrangements of the "Meet-the-Public Scheme", and determined the issues of concern in the district that required further study for DC members to collect views from the people. DCs have also formulated a series of action plans, including to launch caring and district clean-up campaigns before the Chinese New Year, organise activities that promote the local economy, as well as set up photo-taking spots with district characteristics, so to serve the people in a practical way for the benefits of the community, and continue to enhance the people's sense of achievement and satisfaction.

(2) The work of the DCs has all along been open and transparent. Minutes of meetings are uploaded to the website of DC to facilitate the public in understanding its work and content of discussion. Meetings of DCs are also open to the public including media representatives.

DC Chairmen will lead DC members of respective DCs in fully implementing their work plans. The Government has also promulgated the Performance Monitoring Guidelines for Members of the District Councils to further strengthen the accountability of DC members and increase transparency of their work. The Guidelines set out the standard of performance required of DC members, including implementing the tasks and adhering to the work indicators assigned by the DC Chairman, setting up offices, meeting members of the public, so that the DCs can best undertake their advisory and service

functions. The Guidelines also set out a list of negative behaviours, including obstructing DC members in conducting meetings, insulting other DC members and public officials, preventing others from leaving or attending meetings, failing to declare interests. The Guidelines set out in detail the investigation procedures, appeals mechanism and relevant sanctions for DC members that have performed poorly or committed prohibited acts, to ensure every DC member upholds their duty faithfully and serves the people.

The seventh term DCs shall work hand-in-hand with the Government in promoting district governance work, enhance people's sense of achievement and satisfaction, and build a better and more harmonious community.