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Central
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(Attn : Mr Bassanio So
Principal Assistant Secretary)

Dear Mr So,

Chief Executive Election Bill

Further to our letter of 29 March 2001, we have the following points about the English version of the Bill for your clarification—

Clause 20(1)

Could the candidate, who has been declared to be disqualified from being elected, still be voted for at the election? If he could, would the existing arrangement cause unnecessary embarrassment if the disqualified candidate has received the highest number of valid votes cast amongst the candidates?

Clause 31

For the avoidance of doubt, should the word "written" be added before "notice of resignation" to mirror the requirement in section 14 of the LegCo Ordinance (Cap. 542) that a Member is required to give a written notice of resignation to the Clerk to LegCo?

Clause 34(1)(b)(iii)

Would it be more precise to substitute "a person who was validly nominated" by "a person who was determined under section 17 to be validly nominated"? Without the proposed amendment, the meaning of the provision would be that a person who was validly nominated but was disqualified because he was not

validly nominated (all the grounds of disqualification under clause 20(1) relate to validity of nomination).

Section 30 of the Schedule

In the light of the recent amendment to section 10(2) of the Mental Health Ordinance (Cap. 136), should the provision be redrafted along the lines of clause 14(g)?

We have also marked up our comments on the Chinese version of the Bill for your consideration.

We look forward to receiving your reply, in both languages, soon.

Yours sincerely,

(Stephen Lam)
Assistant Legal Adviser

Encl

c.c. Ms Percy MA, CAS(2)3
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