

INTERPRETATION AND GENERAL CLAUSES ORDINANCE

RESOLUTION

(Under section 34(2) of the Interpretation and General
Clauses Ordinance (Cap. 1))

ELECTORAL PROCEDURE (CHIEF EXECUTIVE ELECTION) REGULATION

RESOLVED that the Electoral Procedure (Chief Executive
Election) Regulation, published in the Gazette as Legal
Notice No. 233 of 2001 and laid on the table of the
Legislative Council on 14 November 2001, be amended -

(a) in section 2(1) -

- (i) in the definition of "election expenses",
by adding ", but the reference to "an
election" in that meaning shall be
construed as a reference to an election
defined in this section" after "(Cap.
554)";
- (ii) in the definition of "identity document",
in paragraph (b), by adding "or" at the
end;
- (iii) in the definition of "ordinary business
hours", by repealing "hour" and
substituting "hours";

(b) in section 4 -

- (i) in subsection (1) -

- (A) in paragraph (c), by repealing "card" where it twice appears and substituting "document";
- (B) in paragraph (d)(ii), by repealing "card" and substituting "document";
- (ii) in subsection (2), by repealing "card" and substituting "document";
- (c) in section 10, by repealing "section 23 of";
- (d) in section 40(2)(b), by adding "in" before "subsection";
- (e) in section 48(2), by repealing "票主" and substituting "舉主";
- (f) in section 60(3), by repealing "Returning" where it secondly appears and substituting "Chief Electoral";
- (g) in section 69 -
 - (i) by repealing subsection (2)(e) and substituting -
 - "(e) a person who enters or stays in the counting station by virtue of section 46(3).";
 - (ii) in subsection (3) -
 - (A) in paragraph (a), by repealing "Commissioner for Oaths" and substituting "commissioner defined in section 2 of the Oaths and Declarations Ordinance (Cap. 11)";
 - (B) in paragraph (b), by repealing everything after subparagraph (i) and substituting -

- "(ii) a member of the
Commission;
- (iii) a justice of the peace;
- (iv) a commissioner referred
to in paragraph (a); or
- (v) the Chief Electoral
Officer.";

(h) in section 81(5) -

- (i) in paragraph (c), by repealing "or" at
the end;
- (ii) in paragraph (d), by repealing the full
stop and substituting "; or";
- (iii) by adding -
 - "(e) of such other class or type as
the Commission may specify by
notice published in the
Gazette."

**Speech by the Secretary for Constitutional Affairs
when moving the motion to amend
Electoral Procedure (Chief Executive election) Regulation
at the Legislative Council meeting on 12 December 2001**

Madam President,

I move that the Electoral Procedure (Chief Executive Election) Regulation be amended as set out in the Agenda.

The Regulation was tabled at the Legislative Council on 14 November 2001. The relevant Subcommittee of the Legislative Council has completed scrutiny of the Regulation. I would like to take this opportunity to express our gratitude to the Chairman, the Honorable IP Kwok-him, and Members of the Subcommittee for their cooperation and hard work.

We have accepted the Subcommittee's suggestion to specify in the Regulation that a declaration of secrecy may be made in the presence of a Justice of the Peace. The remaining amendments are technical in nature, which aim at improving the clarity of certain provision.

Thank you, Madam President.