

Our Ref.: CAB C5/7/1, C1/30/5/1,
C1/33/3
Your Ref.: LS/S/1/01-02

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26 October 2001

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Legislative Council Building
8 Jackson Road
Central
Hong Kong

Dear Anita,

**On Chinese texts of Legal Notices No. 196-200 of 2001
Gazetted on 5 October 2001**

Thank you for your letter dated 18 October 2001. After consulting our colleagues in the Department of Justice, we set out in the following paragraphs our responses to your comments.

Election Committee (Registration) (Voters for Subsetors) (Members of Election Committee) (Appeals) Regulation (L.N. 197)

(a) Section 3(2)(c)(iii), (2)(d)(iii) and (6)(a)(iii)

To improve the clarity of these paragraphs, we will amend the English text to “*before the date of the hearing*” so that it will match with the Chinese text as regards the reference to “*在該聆訊日期前*”.

(b) Section 3(3)(a) and (3)(b)

We propose to amend the Chinese translation for the expression “not later than the eighth day before the polling date” and “later than the

“eighth day before the polling date” to “投票日期前的第 8 日或之前” and “投票日期前的第 8 日之後” respectively so that the Chinese and English texts can match with each other.

We also propose to delete the reference to “*in any year*”, which does not appear in the Chinese text, from the English text of these two paragraphs.

For paragraph (3)(a), we propose to change the Chinese translation for the expression “*within a period of 21 days beginning from 25 days before such polling date*” to “自該投票日期前 25 日起計的一段 21 日的期間內”.

(c) Section 3(4)(c)

On the suggestion to replace “*that following year and ending on 11 May in the same year*” to “*that next following year and ending on 11 May in the same year*”, we do not consider that it is necessary to do so. The existing English version does not give rise to any interpretation problem without the word “next”.

Registration of Electors (Appeals) (Amendment) Regulation 2001 (L.N. 199)

(a) Section 3(d)(ii) and (d)(iii)

These two paragraphs will be amended as those proposed for section 3(3)(a) and (3)(b) of the Election Committee (Registration) (Voters for Subsectors) (Members of Election Committee) (Appeals) Regulation (L.N. 197).

Electoral Affairs Committee (Registration) (Electors for Functional Constituencies) (Voters for Subsectors) (Members of Election Committee) (Legislative Council) (Amendment) Regulation 2001 (L.N. 200)

(a) Section 2(a)(ix)(b)

It is clear that the Chinese text of subparagraph (ii), though without the reference to “the provisional register” as appeared in the English text, must be referring to the compilation of the provisional register when read together with paragraph (b). As the Chinese text does

not give rise to any ambiguity, we consider that it is not necessary to make any changes.

As agreed at the Subcommittee meeting held on 23 October 2001, the Administration will move a motion to amend the relevant Regulations as set out above at the Legislative Council sitting scheduled for 14 November 2001 i.e. the last sitting before the expiry of the negative vetting period.

Yours sincerely,

(Ms Doris Ho)
for Secretary for Constitutional Affairs

c.c. CEO/REO (Attn: Mr Stanley TO)
S for J (Attn: Ms Rayne CHAI
Mr Lawrence PENG)
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Mrs Percy MA)

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