

Comparison Table for the Election Committee (Subscribers and Election Deposit for Nomination) Regulation (L.N. 205)

| Provision of the Election Committee (Subscribers and Election Deposit for Nomination) Regulation (Section Number and Heading) | Similar Provision in the Legislative Council (Subscribers and Election Deposit for Nomination) Regulation (Cap. 542, sub. leg.) Section Number | Remarks |
|---|---|--|
| 1. Commencement | - | The Election Committee (Subscribers and Election Deposit for Nomination) Regulation (“the Regulation”) will come into operation on 23 November 2001. |
| 2. Interpretation | 1 | New terms adopted in the Regulation include “subsector”, “subsector by-election”, “subsector election”, “subsector ordinary election” and “voter”. For these terms, references are made to their definitions set out in the Schedule to the Chief Executive Election Ordinance (Cap. 569). |
| 3. Amount of deposit | 2(1)(b)(iii) and 2(2) | The amount of deposit required for nomination for Election Committee (“EC”) subsector elections is the same as that was set out in the Legislative Council (Subscribers and Election Deposit for Nomination) Regulation (“the existing Regulation”). |
| 4. Return of deposit on invalid nomination etc. | 3(2A), 3(3) and 3(4) | The main difference is that the deposit lodged by a candidate at an EC subsector election should also be returned under the following conditions- <ul style="list-style-type: none"> • the candidate dies before the date of the subsector election; • the candidate is disqualified from being nominated as a candidate before the date of the subsector election; and • on the date of the subsector election but before the declaration of election result, proof is given to the satisfaction of the Returning Officer that the candidate has died or is disqualified from being elected. |
| 5. Disposal of deposit after publication of subsector election result | 4(2A), 4(3)(d), 4(4), 4(5) and 4(6) | No substantive difference, but we have simplified the presentation of the relevant provisions. |

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| 6. Disposal of deposit in case of death | 5 | Essentially the same. |
| 7. Notifications in specified form | 6 | Essentially the same with the exception that the notification referred to in this section should be in a form specified by the Electoral Affairs Commission. We have proposed to amend section 6 of the existing Regulation as well. |
| 8. Number and qualification of subscribers to nomination paper | 7(2), 7(3)(c) and 7(4) | <p>The number and qualifications of subscriber required for nomination in respect of EC subsector elections are the same as those set out in the existing Regulation. However, the conditions under which a voter who has subscribed a nomination paper of a candidate may subscribe another nomination paper have been expanded to include the following-</p> <ul style="list-style-type: none"> • the concerned candidate dies before the close of nominations; or • the concerned candidate is disqualified from being nominated as a candidate before the close of nominations. |

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