

LEGISLATIVE COUNCIL BRIEF

Electoral Affairs Commission Ordinance (Cap. 541)

ELECTORAL AFFAIRS COMMISSION (REGISTRATION) (ELECTORS FOR FUNCTIONAL CONSTITUENCIES) (VOTERS FOR SUBSECTORS) (MEMBERS OF ELECTION COMMITTEE) (LEGISLATIVE COUNCIL) (AMENDMENT) REGULATION 2001

INTRODUCTION

On 27 September 2001, the Electoral Affairs Commission (“EAC”) made the EAC (Registration) (Electors for Functional Constituencies) (Voters for Subsectors) (Members of Election Committee) (Legislative Council) (Amendment) Regulation 2001 (“the Amendment Regulation”) which seeks to amend the EAC (Registration) (Electors for Functional Constituencies) (Voters for Subsectors) (Members of Election Committee) (Legislative Council) Regulation (“the principal Regulation”) to provide for the detailed arrangements for the registration of voters for the subsectors (“SSs”) and members of the Election Committee (“EC”), and for the publication of the registers and omissions lists for the SS and EC to tie in with the provisions of the Chief Executive Election Ordinance (Cap. 569) (“the Ordinance”). The Amendment Regulation is at Annex A.

BACKGROUND

2. The principal Regulation provides for the procedural arrangements for the registration of electors for the functional constituencies (“FCs”). It also provides for the registration of members for the EC and voters for its SS for the second Legislative Council (“LegCo”) general election held in 2000 in accordance with the requirements laid down in the LegCo Ordinance (Cap. 542) (“LCO”). The provisions in the principal Regulation include -

- (a) the format of the electoral registers for FCs, SSs and the EC;
- (b) procedures for registration by applications or by notification;
- (c) procedures for the compilation of the provisional registers (“PRs”) and final registers (“FRs”) and omissions lists;
- (d) procedures for appeal; and
- (e) offences and penalties.

3. Pursuant to the Ordinance, the current EC constituted on 14 July 2000 will return the second term Chief Executive (“CE”) in addition to being responsible to electing a LegCo Member in a by-election should a vacancy arise among the 6 Members elected by the EC during the second term of the LegCo. The provisions relating to the constitution of the EC, the registration of EC members and voters for its SS, have been transplanted, with revisions, from Schedule 2 to the LCO to the Schedule of the Ordinance.

4. The Ordinance has introduced a number of changes to the existing arrangements on registration. For example, the Electoral Registration Officer (“ERO”) must compile and publish an EC PR, an omissions list and an FR in respect of the EC under certain circumstances. Appeals to the Revising Officer may be made against the decisions of the ERO.

5. The major amendments made to the principal Regulation as a result of the enactment of the Ordinance, and certain improvements to the existing registration procedures are set out in the following paragraphs. Section numbers in those paragraphs, unless otherwise stated, are those of the principal Regulation.

THE AMENDMENT REGULATION

(A) Amendments consequent upon changes introduced by the Ordinance

Title of the Regulation

6. The title of the principal Regulation is revised to read “***EAC (Registration) (Electors for LegCo FCs) (Voters for EC Subsectors) (Members of EC) Regulation***”. The new title reflects more accurately the expanded scope of the principal Regulation relating to SS voters and EC members for the purpose of the CE election.

Constitution of EC under the Ordinance

[Sections 2(1), 4(1) and (2), 9(2)(c) and (d), 11(1)(d) and (6), 16(6), 20(7), 22(1)(a)(ii)(B), 31(2), 34(3), 37(1), (2) and (3), 38(6), 39(5), 41(5), and 42(9) and (10)]

7. All references to provisions of the LCO in the principal Regulation regarding the constitution of the EC are replaced by relevant provisions of the Ordinance.

Compilation and publication of SS PR, omissions list and FR

[Sections 15(1)(e), 18(1) and (2), 21(7A), 22(1), (2) and (5), 23(1) and (3), 24(1)(b), (4)(b) and (6), 25(1)(a) and (2)(aa) and (a), 26(2), (3) and (5), 28, 29(1)(c), (3)(ab) and (b) and (6), 33(4)(a)(iv) and (b), (6), (7)(a), 34(1)(a), (b) and (c), (2)(a), 38(1) and (6)]

8. The principal Regulation provides for the procedures for the ERO to compile and publish the SS PR, omissions list and FR only for 2000 but not subsequent years. Under section 14 of the Schedule to the Ordinance, the ERO must compile and publish an SS PR and FR not later than 30 November 2001 and 14 December 2001 respectively. An omissions list will be published together with a PR. After 2001, an SS PR and its omissions list will be compiled and published on a yearly basis following the existing registration cycle for FCs. The principal Regulation is amended to reflect these arrangements beyond 2000. The statutory deadlines concerned are shown under columns (F) to (H) of items 10 and 16 of the table in Annex B.

9. Section 49 of the Schedule to the Ordinance contains the savings and transitional provisions to roll over the electoral roll of the 2001 FC FR and/or the 2000 SS FR to form the basis of an SS PR for 2001. After 2001, compilation of subsequent SS PRs will be based on the existing SS FR as provided for in section 14(3) of the Schedule to the Ordinance.

10. Sections 15(1)(e) and 18(2) of the principal Regulation have provided for the ERO to register in the 2000 SS register, by means of notification, those FC electors who were yet to be so registered. This was to comply with the requirement of section 8(7) of Schedule 2 to the LCO that a person who was registered as an FC elector **must** also be registered as a SS voter. This requirement is now provided under section 12(10) of the Schedule to the Ordinance. With the roll-over arrangements mentioned in paragraph 9 above and the yearly compilation of SS register that follows the existing registration cycle for FCs thereafter, these two provisions become spent and can be repealed. However, in order to deal with a person who has applied for registration as an FC elector but not as a SS voter, a new section 21(7A) is made to enable the ERO to register such a person in the corresponding SS if the person is eligible for the registration under application.

11. In order to compile an omissions list for SSs not later than 30 November 2001, an inquiry procedure that is to be carried out in the same manner as that for FCs is provided for. The statutory deadlines concerned are shown under columns (F) to (H) of items 5 and 6 of the table in Annex B.

Compilation and publication of EC PR, omissions list and FR

[Sections 24(3A), (4)(c), 25(1)(a) and (2)(aa), 28A, 29(1)(d), (2), (3)(ab), (4) and (7), 37 and 39(1)]

12. Under section 4 of the Schedule to the Ordinance, the ERO is required to compile and publish an EC PR not later than 30 November 2001, and thereafter, within 14 days after the making of a declaration as to the existence of a vacancy in the office of the Chief Executive or among the six Members of the LegCo returned by the EC. Under subsection (4) of that section, the EC PR is to be compiled by striking out the names and other relevant particulars of the persons whom the ERO is satisfied, on the relevant date, on reasonable grounds as being dead, having resigned, or being deemed to have resigned from the EC, or having ceased to be registered or eligible to be registered as an elector for a geographical constituency. The name and other relevant particulars of these persons will be entered into an omissions list to be published together with the PR.

13. Provisions to give effect to the above requirements are added to part V of the principal Regulation. The detailed arrangements for the compilation, publication and public inspection of the register and omissions list follow the existing practice for the geographical constituency and FC registers.

ERO may accept applications and notices of appointment of ARs for registration in subsectors

[Sections 19(1)(a) and (6), and 20(2)]

14. Under section 14(4)(c) of the Schedule to the Ordinance, the ERO may add to the SS PR the names and relevant particulars of those persons who have applied for registration since a date to be specified in the EAC Regulation.

15. Since the existing provisions in the principal Regulation only deal with applications or notices of appointment of ARs for registration in a SS which were received on or before 16 March 2000, the principal Regulation is amended to deal with applications and notices of appointments of ARs received after that date. In order to allow sufficient time for compiling a SS PR for 2001, **16 October 2001** is made to be the closing date for receiving applications. In subsequent years, the deadlines regarding registration of voters for SSs would be the same as that for FCs. The arrangement for processing these applications would be the same as that prescribed in the existing regulation. The statutory deadlines concerned are shown under columns (F) to (H) of items 2 to 6, 8 and 9 of the table in Annex B.

Appeal procedure for SS PR, EC PR and Omissions lists

[Sections 30(1)(b), (2)(ib) and (5), 31(3), (4), (8)(ab) and (b), (9) and (10), 32(2) and 36(5), and 37(1A), (1B), (4) and (5)]

16. The appeal procedure stipulated in the principal Regulation is applicable to the SS PR and omissions list for 2000 only. In the light of section 48 of the Schedule to the Ordinance under which a person is given a right to appeal to the Revising Officer against the decisions of the ERO, the principal Regulation is amended to provide appeal procedures in respect of registration in the SS and EC registers to be published beyond 2000. The statutory deadlines concerned are shown under columns (K) and (L) of items 11, 12, 14 and 15 of the table in Annex B.

(B) Amendments for general improvements and streamlining procedures

ERO to correct entries in EC registers

[Sections 26(2), (3) and (5), 33(1), (4)(a)(v), (6), (7)(b), and 34(1)(a), (b) and (c) and (2)(a)]

17. Particulars contained in an EC register may become outdated since its publication. The principal Regulation is amended to provide that a member of the EC may make a written request to alter his/her entries in an EC register in the same manner as that for SSs or FCs provided in sections 26, 33 and 34 of the principal Regulation respectively. The statutory deadlines concerned are shown under columns (K) to (L) of items 8 and 13 of the table in Annex B.

Form of notifications

[Sections 12(3) and (4)]

18. Under section 12(3) of the principal Regulation, a notification must contain the name and identity document number, and also specify the sex of the person to whom it is to be sent. We consider that the information regarding the identity document number and sex of a person are not essential for the purpose of notification, as it is extremely rare that two persons bearing the same name reside at the same registered address. In order to better protect the personal data of electors in the process of sending notifications by mail, section 12 is amended to dispense with the requirement to include the identity document number and sex of the recipient of the notification.

Deadline for corporate electors to respond to inquiries

[Sections 24(1)(i), (ii) and (iii), (3), (5)(a) and (7)]

19. Under section 24(1)(i)(A) of the principal Regulation, the deadline for a natural person to respond to an inquiry is 16 March. The ERO has been making inquiries to both natural persons and bodies by using the same deadline, though no particular deadline is specified in the regulation for a body to respond to an inquiry sent to it. For the sake of clarity, section 24 is amended to stipulate the same deadline of 16 March for bodies.

Handling of Notices of Appeal

[Sections 2, 20(10), 31A, 32, 35(1)(b) and (2)(ba), 36(1)(b) and (2)(ba), and 42(1)(i)]

20. A corporate elector or voter may lodge a notice of appeal against the decision of the ERO not to register its AR appointed as a replacement or substitute. The detailed procedure for handling the notices is currently provided by the Registration of Electors (Appeal) Regulation (Cap. 542, sub. leg.). Unlike the notices of claim or objection, an appellant has to lodge a notice of appeal to the Revising Officer instead of the ERO. In accordance with that regulation, any notices of appeal received not later than 11 days before the polling date for the FC or the SS concerned will be heard and settled before the election.

21. A new section 31A is introduced to provide for the notices of appeal to be handled in the same manner as that for the notices of claim and objection. Since a notice of appeal may be made by a body throughout the year under the existing regulation, and no Revising Officers will be specially appointed after the appeal period in May, it will be more logical and reasonable for the notices of appeal, if any, to be submitted to the ERO first. The ERO will then notify the Revising Officer of any appeal received. The deadline for lodging an appeal remains the same.

ERO may require a person to produce identity document for inspection of registers

[Sections 38(4A) and 39(4A)]

22. To tally with the inspection arrangement for a provisional register prescribed in section 29(5) of the principal Regulation, the ERO is empowered to require a person to produce his identity document and complete a form before he is allowed to inspect a copy of FRs for FCs, SSs and the EC.

Clarification of the term of “incapacity” in respect of replacement of Authorized Representatives (“AR”)

[Section 20(6)]

23. Under section 20(6) of the principal Regulation, a corporate elector/voter may replace its AR by giving a notice to reach the ERO not later than 3 working days before the polling date if its AR has died or has suffered a serious illness or incapacity.

24. For the sake of clarity, the term “incapacity” in this subsection is limited to mean physical or mental incapacity only.

(C) Other Amendments

Repeal the provisions that are spent

[Sections 15(1)(e), 18(2), 19(1)(ii), 21(6)(b), 23(1)(a), 24(2), 26(5)(ba), 27(a)(i), (c)(i)(AA) and (ii)(AA), 30(2)(c)(ia), 31(8)(aa), 32(2)(aa), 33(4)(a)(iii), 34(2)(a)(iii), 38(1)(aa) and 40A]

25. Some of the provisions and terms used in the principal Regulation are spent and no longer be applicable to the future SS elections. They are repealed in the Amendment Regulation, and where necessary, replaced by appropriate new provisions.

Offences and penalties

[Section 42(1), (9) and (10)]

26. To ensure integrity of an election and to guard against misuse of information contained in an electoral register, the principal Regulation makes it an offence for any person who –

- (a) knowingly makes a false statement or provides false information relating to voter registration;
- (b) conspires with, incites, compels, induces, coerces, intimidates or persuades another person to make such a false statement or provide such false information;
- (c) misuses information contained in the electoral register for a purpose not related to an election.

These offences are prescribed offences under the LCO and District Councils Ordinance (Cap. 547) for disqualifying a person from candidature and from being elected as a member, and where applicable from being registered as an elector or voter at an election. The amendment is to make these offences prescribed offences for similar purposes under the Ordinance.

PUBLIC CONSULTATION

27. There is no need for public consultation since the proposals in the amendment regulation are largely made to tie in with the changes in the primary legislation.

BASIC LAW IMPLICATIONS

28. The Department of Justice advises that the Amendment Regulation does not conflict with those provisions of the Basic Law carrying no human rights implications.

HUMAN RIGHTS IMPLICATIONS

29. The Department of Justice advises that the Amendment Regulation is consistent with the human rights provisions of the Basic Law.

FINANCIAL AND STAFFING IMPLICATIONS

30. There will be no significant financial and staffing implications. The additional expenses in connection with the registration of voters and publication of electoral registers will be met by existing resources of the Office.

LEGISLATIVE TIMETABLE

31. The Amendment Regulation will be published in the Gazette on 5 October 2001 and tabled in the LegCo on 10 October 2001.

PUBLICITY

32. A press release will be issued to announce the publication of the amendment regulation in the Gazette. A spokesman will be available for answering enquiries from the media.

Statutory Deadlines regarding Voter Registration

Item	Procedure	Dates for functional constituencies registers			Dates for subsector registers					Dates for Election Committee registers			
		Section number of the Regulation as amended (A)	Existing dates (B)	for year 2002 and subsequent years (C)	Section number of the Regulation as amended (D)	Existing dates (E)	for year 2001 (F)	for year 2002 (G)	for subsequent years (H)	Section number of the Regulation as amended (I)	Existing dates (J)	for year 2001 (K)	for subsequent years (L)
1	Deadline for Electoral Registration Officer ("ERO") to send notifications	12(2)	at least 14 days before 16 March	(same as existing dates)	12(2)	at least 14 days before 16 March	--	at least 14 days before 16 March	(same as year 2002)	--	--	--	--
2	Deadline for applications for voter registration and appointment of authorized representative ("AR")	19(1)(a)(i)	16 March	(same as existing dates)	19(1)(a)	16 March 2000	16 October	16 March	(same as year 2002)	--	--	--	--
3	Deadline for appointment of AR	20(2)(b)	16 March	(same as existing dates)	20(2)	16 March	16 October	16 March	(same as year 2002)	--	--	--	--
4	Deadline for applicant to submit additional information	21(12)(b)(ii)	not later than 25 March	(same as existing dates)	21(12)(b)	not later than 25 March	not later than 25 October	not later than 25 March	(same as year 2002)	--	--	--	--
5	Deadline for ERO to make inquiries on persons who may cease to be eligible to be registered	22(5)(b)	on or before 28 February	(same as existing dates)	22(5)	on or before 28 February	5 October	on or before 28 February	(same as year 2002)	--	--	--	--
6	Deadline for persons being inquired to submit information to ERO	24(7)(b)	16 March	(same as existing dates)	24(7)	16 March	16 October	16 March	(same as year 2002)	--	--	--	--
7	Deadline for inspection of omissions list	25(2)(a)	29 April	(same as existing dates)	25(2)(aa) & (a)	29 April	P+7	29 April	(same as year 2002)	25(2)(aa)	--	P+7	P+7
8	ERO may enter corrected particulars in compiling provisional register ("PR") regarding information received during specified period	26(5)(c)	after 29 April of preceding year to 16 March	(same as existing dates)	26(5)(d)	after 21 February 1998 to 16 March 2000	after 29 April 2000 to 16 October 2001	after [P+7] regarding publication in 2001 to 16 March 2002	after 29 April of preceding year to 16 March	26(5)(e)	--	after 29 April 2000 to 1 November 2001	after [P+7] regarding the last publication to the relevant date with the meaning of s 4(7) of the Schedule to the CEEO
9	ERO may accept applications received during specified period for registration in a provisional register	27(c)(ii)(B)	17 March of preceding year to 16 March	(same as existing dates)	28(1)(a)(ii)	17 January 1998 to 16 March 2000	17 March 2000 to 16 October 2001	17 October 2001 to 16 March 2002	17 March of preceding year to 16 March	--	--	--	--
10	Deadline for publication of PR	29(1)(a)	not later than 15 April	(same as existing dates)	29(1)(c)	not later than 15 April 2000	not later than 30 November [P]	not later than 15 April	(same as year 2002)	29(1)(d)	--	not later than 30 November 2001 (as stipulated in s4(1)(a) of the Schedule to the CEEO) [P]	within 14 days after the making of a vacancy declaration (as stipulated in s4(1)(b) of the Schedule to the CEEO) [P]
11	Deadline for inspection of PR and lodging of objections and claims	29(3)(b), 30(2)(c)(ii) & 31(8)(b)	29 April	(same as existing dates)	29(3)(ab) & (b), 30(2)(ib) & (ii) & 31(8)(ab)(i) & (b)	29 April 2000	P+7	29 April	(same as year 2002)	29(3)(ab), 30(2)(ib) & 31(8)(ab)(ii)	--	P+7	P+7
12	Deadline for ERO to deliver copies of objections and claims to the Revising Officer	32(2)(b)	not later than 2 May	(same as existing dates)	32(2)(ab) & (b)	not later than 2 May 2000	not later than [P+10]	not later than 2 May	(same as year 2002)	32(2)(ac)	--	not later than [P+10]	not later than [P+10]
13	ERO may enter corrected particulars in compiling final register ("FR") regarding information received during specified period	33(4)(a)(ii)	after 16 March to 29 April	(same as existing dates)	33(4)(a)(iv)	after 16 March 2000 to 29 April 2000	after 16 October to [P+7]	after 16 March to 29 April	(same as year 2002)	33(4)(a)(v)	--	after 1 November 2001 to [P+7]	after the relevant date with the meaning of s 4(7) of the Schedule to the CEEO to [P+7]
14	Deadline for ERO to correct, add or remove entries in PR when compiling FR with approval of Revising Officer	34(2)(a)(ii)	11 May	(same as existing dates)	34(2)(a)(ia) & (ii)	11 May 2000	P+20	11 May	(same as year 2002)	34(2)(a)(ia)	--	P+20	P+20
15	Revising Officer's rulings on claims and objections to be reflected in compiling a FR	35(5)(a)	after 15 April and not later than 11 May	(same as existing dates)	36(5)	after 15 April 2000 and not later than 11 May 2000	after [P] and not later than [P+20]	after 15 April and not later than 11 May	(same as year 2002)	37(1E)	--	after [P] and not later than [P+20]	after [P] and not later than [P+20]
16	Deadline for publication of the FR	38(1)(b)	not later than 25 May	(same as existing dates)	38(1)(ab) & (b)	not later than 25 May 2000	not later than 14 December	not later than 25 May	(same as year 2002)	39(1)	within 7 days after the results of the EC SS elections are published	Conditions as stipulated in s 40 of the Schedule to CEEO	Conditions as stipulated in s 40 of the Schedule to CEEO
17	Deadline for death, resignation and loss of GC status to be reflected in EC PR	--	--	--	--	--	--	--	--	24(3A)	--	1 November	date of making the declaration (stipulated in s4(1)(b) of the Schedule to the CEEO)

Drafter: L PENG
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DRAFTING HISTORY TABLE

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6 th working draft	23.8.2001	#41811 v5
7 th working draft	7.9.2001	#41811 v6
1 st draft	21.9.2001	#41811 v7

**ELECTORAL AFFAIRS COMMISSION (REGISTRATION)(ELECTORS FOR
FUNCTIONAL CONSTITUENCIES)(VOTERS FOR SUBSECTORS)
(MEMBERS OF ELECTION COMMITTEE)(LEGISLATIVE
COUNCIL)(AMENDMENT) REGULATION 2001**

**ELECTORAL AFFAIRS COMMISSION (REGISTRATION)(ELECTORS FOR
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(MEMBERS OF ELECTION COMMITTEE)(LEGISLATIVE
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Consequential Amendments

Electoral Affairs Commission (Electoral Procedure) (Legislative Council) Regulation

42.	Interpretation	65
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**ELECTORAL AFFAIRS COMMISSION (REGISTRATION)(ELECTORS FOR
FUNCTIONAL CONSTITUENCIES)(VOTERS FOR SUBSECTORS)
(MEMBERS OF ELECTION COMMITTEE)(LEGISLATIVE
COUNCIL)(AMENDMENT) REGULATION 2001**

(Made by the Electoral Affairs Commission under section 7 of the
Electoral Affairs Commission Ordinance (Cap. 541))

1. Title amended

The title to the Electoral Affairs Commission (Registration)(Electors for Functional Constituencies)(Voters for Subsectors)(Members of Election Committee)(Legislative Council) Regulation (Cap. 541 sub. leg.) is amended –

- (a) by adding "**LEGISLATIVE COUNCIL**" before "**FUNCTIONAL CONSTITUENCIES**";
- (b) by adding "**ELECTION COMMITTEE**" before "**SUBSECTORS**";
- (c) by repealing "**(LEGISLATIVE COUNCIL)**".

2. Interpretation

Section 2 is amended –

- (a) in subsection (1) –
 - (i) by repealing the definition of "body" and substituting –

""body" (團體) means an incorporated or unincorporated
body, and includes a firm or a group of persons
(which may include incorporated or
unincorporated bodies) who are associated with
each other through a shared relevant interest;"

- (ii) in the definition of "corporate voter", by repealing "7(1) of Schedule 2 to the Legislative Council Ordinance (Cap. 542)" and substituting "11(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569)";
- (iii) in the definition of "current year", by repealing everything after "to" and substituting "the compilation of a functional constituencies provisional register or a subsector provisional register, means the year for which the relevant provisional register is being compiled";
- (iv) by repealing the definition of "Election Committee";
- (v) in the definition of "Election Committee final register", by repealing "32(2) of the Legislative Council Ordinance (Cap. 542)" and substituting "40(1), (2) or (3) of the Schedule to the Chief Executive Election Ordinance (Cap. 569) or published under section 40(4) of that Schedule";
- (vi) by repealing the definition of "Election Committee subsector election" and substituting –

""Election Committee subsector election" (選舉委員會

界別分組選舉) means a subsector election within the meaning of section 1 of the Schedule to the Chief Executive Election Ordinance (Cap. 569);"

(vii) by repealing the definition of "Electoral Registration Officer" and substituting –

""Electoral Registration Officer" (選舉登記主任), in relation to –

- (a) a functional constituencies register or a functional constituencies omissions list, has the meaning assigned to it by section 3(1) of the Legislative Council Ordinance (Cap. 542);
- (b) a subsector register, a subsector omissions list, an Election Committee register or an Election Committee omissions list, has the meaning assigned to it by section 1(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569);";

(viii) in the definition of "existing functional constituencies final register", by repealing everything after "relation to" and substituting –

"the compilation of a functional constituencies provisional register, means the functional constituencies final register –

- (a) published in the preceding year; and
- (b) which is in effect by virtue of section 33 of the Legislative Council Ordinance (Cap. 542) at the time the provisional register is being compiled;"

(ix) by repealing the definition of "existing subsector final register" and substituting –

""existing subsector final register" (現有的界別分組正式投票人登記冊), in relation to –

- (a) the compilation of the subsector provisional register for the year 2001, means the registers on which that provisional register is based in accordance with section 49 of the Schedule to the Chief Executive Election Ordinance (Cap. 569);
- (b) the compilation of any subsequent subsector

provisional register, means the
subsector final register –

(i) published in the preceding
year; and

(ii) which is in effect by virtue
of section 15 of the
Schedule to the Chief
Executive Election
Ordinance (Cap. 569) at
the time the provisional
register is being
compiled;"

(x) in the definition of "ex-officio member", by repealing "3(1) of
the Legislative Council Ordinance (Cap. 542)" and substituting
"1(1) of the Schedule to the Chief Executive Election Ordinance
(Cap. 569)";

(xi) by repealing the definition of "identity document" and
substituting –

"identity document" (身分證明文件) means –

(a) an identity card issued to a
person under the Registration of
Persons Ordinance (Cap. 177);

- (b) a document issued to a person under regulations in force under that Ordinance certifying that the person is exempt from being required to register under that Ordinance; or
 - (c) any other document issued to a person that is acceptable to the Electoral Registration Officer as proof of the person's identity;"
 - (xii) in the definition of "omissions list" –
 - (A) in paragraph (b), by repealing "the subsector" where it twice appears and substituting "a subsector";
 - (B) by adding –
 - "(c) the compilation of an Election Committee provisional register, means an Election Committee omissions list;"
 - (xiii) in the definition of "preceding year", by repealing everything after "to" and substituting "the compilation of a functional constituencies provisional register or a subsector provisional register, means the year immediately preceding the year for which the relevant provisional register is being compiled;"

- (xiv) in the definition of "principal residential address", by repealing everything after "address of" and substituting "a dwelling place in Hong Kong at which the person resides and which constitutes the person's sole or main home;"
- (xv) by repealing the definition of "Revising Officer" and substituting –
 - ""Revising Officer" (審裁官), in relation to –
 - (a) a functional constituencies register or a functional constituencies omissions list, has the meaning assigned to it by section 3(1) of the Legislative Council Ordinance (Cap. 542);
 - (b) a subsector register, a subsector omissions list, an Election Committee register or an Election Committee omissions list, has the meaning assigned to it by section 1(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569);"
- (xvi) in the definition of "sector", by repealing "1 of Schedule 2 to the Legislative Council Ordinance (Cap. 542)" and substituting "2

- of the Schedule to the Chief Executive Election Ordinance (Cap. 569)";
- (xvii) in the definition of "specified form", by adding "or under section 45 of the Schedule to the Chief Executive Election Ordinance (Cap. 569)" after "(Cap. 542)";
- (xviii) in the definition of "sub-subsector", by repealing "1(13)(a) of Schedule 2 to the Legislative Council Ordinance (Cap. 542)" and substituting "2(9) of the Schedule to the Chief Executive Election Ordinance (Cap. 569)";
- (xix) in the definition of "subsector final register" –
- (A) by repealing "the register of voters" and substituting "a final register of voters for subsectors";
- (B) by repealing ", not later than 25 May 2000, under section 10(1)(b) of Schedule 2 to the Legislative Council Ordinance (Cap. 542)" and substituting "under section 14(1)(b) of the Schedule to the Chief Executive Election Ordinance (Cap. 569)";
- (xx) in the definition of "subsector provisional register" –
- (A) by repealing "the register of voters" and substituting "a provisional register of voters for subsectors";
- (B) by repealing ", not later than 15 April 2000, under section 10(1)(a) of Schedule 2 to the Legislative Council Ordinance (Cap. 542)" and substituting "under

section 14(1)(a) of the Schedule to the Chief Executive Election Ordinance (Cap. 569)";

- (xxi) in the definition of "subsector register", by repealing "the" where it twice appears and substituting "a";
- (xxii) in the definition of "Table", by repealing "under section 1(4) of Schedule 2 to the Legislative Council Ordinance (Cap. 542)" and substituting "in section 2 of the Schedule to the Chief Executive Election Ordinance (Cap. 569)";
- (xxiii) in the definition of "voter" –
 - (A) by repealing "voter within the meaning of section 7(1) of Schedule 2 to the Legislative Council Ordinance (Cap. 542)" and substituting "person who is registered in a subsector final register";
 - (B) by repealing "the subsector" and substituting "a subsector";
- (xxiv) by adding –
 - ""appeal" (上訴) means an appeal made under section 31A;
 - "Election Committee omissions list" (選舉委員會遭剔除者名單) means the omissions list referred to in section 24(3A);

"Election Committee provisional register" (選舉委員會臨時委員登記冊) means the provisional register of members of the Election Committee required to be compiled under section 4 of the Schedule to the Chief Executive Election Ordinance (Cap. 569);

"Election Committee register" (選舉委員會委員登記冊) means an Election Committee provisional register or an Election Committee final register;

"existing Election Committee final register" (現有的選舉委員會正式委員登記冊) means the existing final register of members of the Election Committee within the meaning of section 4(7) of the Schedule to the Chief Executive Election Ordinance (Cap. 569);

"next Election Committee provisional register" (下一份選舉委員會臨時委員登記冊) means the next provisional register of members of the Election Committee required to be compiled, not later than a date that falls within the term of office of that Committee, under section 4 of the Schedule

to the Chief Executive Election Ordinance
(Cap. 569);

"notice of appeal" (上訴通知書) means a notice of
appeal within the meaning of section 31A(1);

"specified particulars" (指明詳情) means the particulars
of a member of the Election Committee specified
in section 5(4);";

(b) in subsection (2) –

(i) by repealing "(現有的正式選民登記冊)";

(ii) in paragraph (c) –

(A) by repealing "the subsector" and substituting "a
subsector";

(B) by repealing the full stop and substituting a
semicolon;

(iii) by adding –

"(d) in relation to the compilation of an Election
Committee provisional register, as a reference to
the existing Election Committee final register.";

(c) by adding –

"(3) In this Regulation, a reference to the compilation of
an Election Committee final register is to be construed, in relation
to the Election Committee final register required to be published
under section 40(4) of the Schedule to the Chief Executive

Election Ordinance (Cap. 569), as a reference to the publication of the relevant Election Committee provisional register as that Election Committee final register."

3. Form of the subsector register

Section 4 is amended –

- (a) in subsection (1), by repealing "1 of Schedule 2 to the Legislative Council Ordinance (Cap. 542)" and substituting "2 of the Schedule to the Chief Executive Election Ordinance (Cap. 569)";
- (b) in subsection (2), by repealing "Schedule 2 to the Legislative Council Ordinance (Cap. 542)" and substituting "the Schedule to the Chief Executive Election Ordinance (Cap. 569)";
- (c) in subsection (3) –
 - (i) by adding "The particulars specified in section 3(2) or (3), as the case may require, must be recorded in respect of each voter." before "In";
 - (ii) by repealing "particulars recorded" and substituting "name and address recorded";
 - (iii) by repealing "For other subsectors, the particulars specified in section 3(2) or (3), as the case may require, must be recorded in respect of each voter."

4. Form of the Election Committee register

Section 5 is amended –

- (a) in subsection (1), by repealing "The Election Committee final register must" and substituting "An Election Committee register is to";
- (b) in subsection (4) –
 - (i) by repealing "the Election Committee final" and substituting "an Election Committee";
 - (ii) by adding –
 - "(da) if a member has resigned, or is deemed to have resigned, from the Election Committee under section 3 of the Schedule to the Chief Executive Election Ordinance (Cap. 569), a note or other indication to that effect against the entry relating to that member;"
 - (iii) in paragraph (f) –
 - (A) by repealing "the member" and substituting "a member";
 - (B) by adding "at an election" after "vote".

5. Entries in an Election Committee register to be in Chinese or English

Section 7 is amended by repealing "the Election Committee final" and substituting "an Election Committee".

6. Electoral Registration Officer's power to determine the form of the register

Section 8(1) is amended by repealing "the Election Committee final" and substituting "an Election Committee".

7. Electoral Registration Officer to have power to require information from persons to prepare registers

Section 9 is amended –

(a) in subsection (2) –

- (i) in paragraph (c), by repealing "within the meaning of section 3(2A) of the Legislative Council Ordinance (Cap. 542)";
- (ii) in paragraph (d), by repealing "Schedule 2 to that Ordinance" and substituting "the Schedule to the Chief Executive Election Ordinance (Cap. 569)";

(b) by adding –

"(6A) In this section, the reference to the constitution of a body is a reference to the constitution either –

- (a) as in force on 3 October 1997; or
- (b) as subsequently amended or substituted, but only if the amendment or substitution, in so far as it relates to –
 - (i) the objects of the body;
 - (ii) the criteria and conditions of membership of the body; or

(iii) the eligibility of members of the body to vote at a general meeting of the body, has been approved in writing by the Secretary for Constitutional Affairs.";

(c) in subsection (7), by adding –

""constitution" (章程), in relation to a body, includes articles of association and rules;" .

8. Electoral Registration Officer may require personal particulars of persons to be registered as ex-officio members of Election Committee

Section 10 is amended –

- (a) in subsection (1), by repealing "compiling the Election Committee final" and substituting "preparing an Election Committee";
- (b) by repealing subsection (4) and substituting –

"(4) For the avoidance of doubt, it is declared that the Electoral Registration Officer may make a requirement under this section only for the purpose of preparing an Election Committee register.

(5) A person may use information obtained under this section only for the purpose of preparing an Election Committee

register or in connection with an investigation or proceedings relating to an offence under this Regulation.

(6) In this section, "prepare" (擬備) means compile, revise, correct or publish."

9. Interpretation of Part IV

Section 11 is amended –

- (a) in subsection (1) –
 - (i) in the definition of "corresponding subsector", in paragraph (d), by repealing "8(2) of Schedule 2 to the Legislative Council Ordinance (Cap. 542)" and substituting "12(2) of the Schedule to the Chief Executive Election Ordinance (Cap. 569)";
 - (ii) in the definition of "existing geographical constituencies final register", by repealing "and the" and substituting "or a";
- (b) in subsection (3), by repealing everything after "送抵" and substituting "選舉登記主任。";
- (c) in subsection (6) –
 - (i) by repealing "section 19" and substituting "Part V";
 - (ii) in paragraph (a), by repealing "8(4A)(a) or (b) of Schedule 2 to the Legislative Council Ordinance (Cap. 542)" and substituting "12(5)(a) or (b) of the Schedule to the Chief Executive Election Ordinance (Cap. 569)";
 - (iii) in paragraph (b), by repealing "8(4A)" and substituting "12(5)".

10. Electoral Registration Officer may send notifications

Section 12 is amended –

- (a) in subsection (3) –
 - (i) by repealing ", if sent to a natural person, must";
 - (ii) by repealing "and the identity document number and specify the sex";
 - (iii) by adding "natural" before "person";
- (b) by repealing subsection (4).

11. Electoral Registration Officer may send notifications to natural persons eligible to be registered as voters for subsectors

Section 15(1) is amended –

- (a) by repealing "the subsector" and substituting "a subsector";
- (b) in paragraph (b), by adding "and" at the end;
- (c) in paragraph (c), by repealing "; and" and substituting a full stop;
- (d) by repealing paragraph (e).

12. Electoral Registration Officer to register persons in the functional constituencies provisional register or subsector provisional register in accordance with response to a notification

Section 16(6) is amended by repealing "8(7) of Schedule 2 to the Legislative Council Ordinance (Cap. 542)" and substituting "12(10) of the Schedule to the Chief Executive Election Ordinance (Cap. 569)".

13. When Electoral Registration Officer cannot register persons under a notification

Section 18 is amended –

- (a) in subsection (1), by repealing "Subject to subsection (2), if" and substituting "If";
- (b) by repealing subsection (2).

14. How to apply for registration in functional constituencies provisional register and subsector provisional register

Section 19 is amended –

- (a) in subsection (1)(a) –
 - (i) by adding before subparagraph (i) –
 - "(ia) in the case of an application for registration in the subsector provisional register to be compiled for the year 2001, not later than 16 October 2001;"
 - (ii) in subparagraph (i) –
 - (A) by adding "any subsequent subsector provisional register or" after "registration in";

- (B) by repealing "functional constituencies" where it secondly appears and substituting "relevant";
- (iii) by repealing subparagraph (ii);
- (b) in subsection (2), by adding "(within the meaning of section 11)" after "corresponding subsector";
- (c) in subsection (4), by repealing everything after "constituency" and substituting "after 16 March in a particular year, must be treated by that Officer as an application received on or before 16 March in the year following that year for registration in the functional constituencies provisional register to be compiled for that following year.";
- (d) by repealing subsection (5);
- (e) by adding –
 - "(6) An application received by the Electoral Registration Officer for registration as a voter for a subsector –
 - (a) after 16 March 2000, but not later than 16 October 2001, must be treated by that Officer as an application received on or before 16 October 2001 for registration in the subsector provisional register to be compiled for the year 2001;
 - (b) after 16 October 2001, but not later than 16 March 2002, must be treated by that Officer as an application received on or before 16

March 2002 for registration in the subsector provisional register to be compiled for the year 2002; and

- (c) after 16 March in any year subsequent to the year 2001, must be treated by that Officer as an application received on or before 16 March in the year following that subsequent year for registration in the subsector provisional register to be compiled for that following year."

15. A corporate elector or corporate voter to appoint an authorized representative

Section 20 is amended –

- (a) in subsection (1), by repealing everything after "Part IV" and substituting –

" –

- (a) as a corporate elector in a functional constituencies provisional register must appoint a natural person as its authorized representative; or

- (b) as a corporate voter in a subsector provisional register must appoint a natural person as its authorized representative.";
- (b) in subsection (2), by repealing "not later than 16 March in the current year." and substituting –
 - " –
 - (a) in the case of a form for registration in the subsector provisional register to be compiled for the year 2001, not later than 16 October 2001; and
 - (b) in any other case, not later than 16 March in the current year.";
- (c) in subsection (6), by adding "has suffered physical or mental" before "incapacity";
- (d) in subsection (7)(a), by adding "or section 13(7) of the Schedule to the Chief Executive Election Ordinance (Cap. 569)" after "(Cap. 542)";
- (e) in subsection (10), by repealing "and the Revising Officer, of the decision," and substituting "of the decision".

16. Electoral Registration Officer to determine whether or not applicant is eligible for registration and may ask for additional information

Section 21 is amended –

- (a) in subsection (2), by repealing "a period, ending not later than 25 March following the making of the requirement, specified by that Officer" and substituting "the specified period";
- (b) by repealing subsection (6)(b);
- (c) by adding –

"(7A) If an applicant who is determined under this section to be eligible to be registered as an elector for a functional constituency has not applied for registration as a voter for a subsector, the Electoral Registration Officer –

- (a) must also determine whether the applicant is eligible to be registered as a voter for the corresponding subsector (within the meaning of section 11); and
- (b) must record under that corresponding subsector the personal particulars or relevant particulars of the applicant who is determined to be so eligible.";
- (d) in subsection (11), by repealing "request" and substituting "requirement";
- (e) in subsection (12), by repealing everything after "section" and substituting –

" –

- (a) a reference to "registered" is to be construed as a reference to recording the personal particulars or relevant particulars of the applicant for a functional constituency or a subsector, as the case may be;
- (b) "specified period" (指明期間), in relation to a requirement made under subsection (2), means a period, ending not later than –
 - (i) in the case of an application for registration in the subsector provisional register to be compiled for the year 2001, 25 October 2001; and
 - (ii) in any other case, 25 March following the making of the requirement,specified by the Electoral Registration Officer."

17. Electoral Registration Officer may make inquiries regarding persons registered in the existing functional constituencies or subsector final register

Section 22 is amended –

- (a) in subsection (1) –
 - (i) by repealing "the subsector" where it twice appears and substituting "a subsector";
 - (ii) in paragraph (a)(ii) –
 - (A) in sub-subparagraph (A), in the Chinese text, by adding "或" at the end;
 - (B) in sub-subparagraph (B), by repealing "8 of Schedule 2 to the Legislative Council Ordinance (Cap. 542)" and substituting "12 of the Schedule to the Chief Executive Election Ordinance (Cap. 569)";
 - (iii) in paragraph (b), by repealing "選民";
- (b) in subsection (2) –
 - (i) by repealing "the" where it first appears and substituting "a";
 - (ii) by repealing "正式選民" and substituting "正式";
- (c) in subsection (5), by repealing "28 February in the current year." and substituting –
 - " –
 - (a) in the case of compiling the subsector provisional register for the year 2001, 5 October 2001; and
 - (b) in any other case, 28 February in the current year."

18. Electoral Registration Officer to determine whether persons registered in the existing functional constituencies or subsector final register are registered in the appropriate part

Section 23 is amended –

- (a) in subsection (1) –
 - (i) by repealing "the" where it first appears and substituting "a";
 - (ii) by repealing "to –" and substituting "to any information obtained under section 9 or 22,";
 - (iii) by repealing paragraphs (a) and (b);
 - (iv) by repealing "正式選民" where it twice appears and substituting "正式";
- (b) in subsection (3), by repealing "the subsector" and substituting "a subsector".

19. Electoral Registration Officer to prepare an omissions list

Section 24 is amended –

- (a) in subsection (1) –
 - (i) in paragraph (b), by repealing "the" where it twice appears and substituting "a";
 - (ii) in paragraph (i) –

- (A) by repealing "28 February in the current year" and substituting "the relevant date specified in subsection (6)";
 - (B) in subparagraph (A), by repealing "16 March in the current year" and substituting "the relevant date specified in subsection (7)";
 - (C) in subparagraph (B), by repealing "選民";
- (iii) in paragraph (ii) –
- (A) by repealing "16 March in the current year" and substituting "the relevant date specified in subsection (7)";
 - (B) by repealing "選民";
- (iv) in paragraph (iii), by repealing "正式選民" and substituting "正式";
- (b) by repealing subsection (2);
- (c) in subsection (3) –
- (i) by adding "on or before the relevant date specified in subsection (6)" after "22(2)";
 - (ii) by repealing everything from "is satisfied" to "enter –" and substituting –
" –

(i) the information asked for was not received by that Officer on or before the relevant date specified in subsection (7); or

(ii) that Officer is satisfied on reasonable grounds, based on information received in response to the inquiry or otherwise or notwithstanding any information to the contrary received in response to the inquiry, that the body is no longer eligible to be registered as an elector or a voter,

that Officer must, subject to subsection (5), enter –";

(iii) in paragraph (b), by repealing "the subsector" and substituting "a subsector";

(d) by adding –

"(3A) The Electoral Registration Officer must, in compiling an Election Committee provisional register, enter on an Election Committee omissions list the personal particulars of any person (other than an ex-officio member) whom that Officer is satisfied on reasonable grounds, on the relevant date within the meaning of section 4 of the Schedule to the Chief Executive Election Ordinance (Cap. 569), as –

- (a) being dead;
 - (b) having resigned, or being deemed to have resigned, from the Election Committee under section 3 of the Schedule to the Chief Executive Election Ordinance (Cap. 569); or
 - (c) having ceased to be registered, or eligible to be registered, or having been disqualified from being registered, under the Legislative Council Ordinance (Cap. 542) as an elector for a geographical constituency.";
- (e) in subsection (4) –
 - (i) in paragraph (b) –
 - (A) by repealing "the subsector" where it first appears and substituting "a subsector";
 - (B) by repealing "subsector" where it secondly appears and substituting "next subsector";
 - (C) by repealing the full stop and substituting a semicolon;
 - (ii) by adding –
 - "(c) in the case of an Election Committee omissions list, the next Election Committee final register.";
- (f) in subsection (5) –

- (i) by repealing "an" and substituting "a functional constituencies omissions list or a subsector";
- (ii) by adding "or relevant particulars" after "personal particulars";
- (iii) in paragraph (a) –
 - (A) by adding "or (3)(i)" after "(1)(i)(A)";
 - (B) by repealing "subsector" and substituting "next subsector";
 - (C) by repealing "next 16 March" and substituting "the relevant date specified in subsection (7)";
 - (D) in subparagraph (ii), by repealing "選民";
- (g) by adding –
 - "(6) For the purposes of subsections (1)(i) and (3), the relevant date is, in relation to the compilation of –
 - (a) the subsector provisional register for the year 2001, 5 October 2001;
 - (b) any other provisional register, 28 February in the current year.
 - (7) For the purposes of subsections (1)(i)(A) and (ii), (3)(i) and (5)(a), the relevant date is, in relation to the compilation of –
 - (a) the subsector provisional register for the year 2001, 16 October 2001;

- (b) any other provisional register, 16 March in the current year."

20. Electoral Registration Officer to publish a notice that omissions list is available for public inspection

Section 25 is amended –

- (a) in subsection (1)(a), by repealing "or the subsector" and substituting ", subsector register or Election Committee";

- (b) in subsection (2) –

- (i) by adding before paragraph (a) –

- "(aa) in the case of the omissions list prepared in compiling the subsector provisional register for the year 2001 or an Election Committee provisional register, the period beginning on the date the notice is published under subsection (1)(a) and ending on the seventh day after that date;"

- (ii) in paragraph (a) –

- (A) by repealing "the case of a functional constituencies omissions list" and substituting "any other case";

- (B) by repealing the semicolon and substituting a full stop;

- (iii) by repealing paragraph (b).

21. Electoral Registration Officer to correct entries in existing final register in compiling next provisional register

Section 26 is amended –

- (a) in subsection (1), by repealing "選民";
- (b) in subsection (2) –
 - (i) by repealing "or the" and substituting ", the next";
 - (ii) by adding "or the next Election Committee provisional register" before "(as the case may be)";
- (c) in subsection (3) –
 - (i) by repealing "or the" and substituting ", the next";
 - (ii) by adding "or the next Election Committee provisional register" before "(as the case may be)";
 - (iii) by repealing "正式選民" and substituting "正式";
- (d) in subsection (5) –
 - (i) by repealing paragraph (ba);
 - (ii) in paragraph (c) –
 - (A) by repealing "any subsequent" and substituting "a";
 - (B) by repealing the full stop and substituting a semicolon;
 - (iii) by adding –
 - "(d) (i) the subsector provisional register for the year 2001, after 29 April 2000 but not later than 16 October 2001;

- (ii) the subsector provisional register for the year 2002, after the seventh day after the date of publication of the subsector provisional register to be compiled for the year 2001 but not later than 16 March 2002;
 - (iii) any subsequent subsector provisional register, after 29 April in the preceding year but not later than 16 March in the current year; and
- (e)
 - (i) the Election Committee provisional register to be compiled not later than 30 November 2001, after 29 April 2000 but not later than 1 November 2001;
 - (ii) any subsequent Election Committee provisional register –
 - (A) if an Election Committee provisional register has been published during the term of office of the Election Committee, after the seventh day after the date on which such a provisional register was last published but not later

than the relevant date within the meaning of section 4 of the Schedule to the Chief Executive Election Ordinance (Cap. 569) in relation to the compilation of that subsequent Election Committee provisional register;

- (B) if no Election Committee provisional register has been published during the term of office of the Election Committee, not later than the relevant date within the meaning of section 4 of the Schedule to the Chief Executive Election Ordinance (Cap. 569) in relation to the compilation of that subsequent Election Committee provisional register."

22. What is to be contained in a functional constituencies provisional register

Section 27 is amended –

- (a) by repealing "The" and substituting "A";

- (b) in paragraph (a), by repealing everything after "recorded in" and substituting "the existing functional constituencies final register";
- (c) in paragraph (b), by adding "(如有改正的話)" after "有關詳情";
- (d) in paragraph (c) –
 - (i) in subparagraph (i), by repealing everything after "Part IV" and substituting "during the period beginning on 17 March in the preceding year and ending on 16 March in the current year; and";
 - (ii) in subparagraph (ii), by repealing everything after "that Officer" and substituting "during the period beginning on 17 March in the preceding year and ending on 16 March in the current year; and".

23. What is to be contained in a subsector provisional register

Section 28 is amended –

- (a) in subsection (1) –
 - (i) by repealing "The" and substituting "A";
 - (ii) by adding –
 - "(ab) if the personal particulars or relevant particulars of a person are corrected under section 31(9)(a), those particulars as corrected;"
 - (iii) in paragraph (a) –

- (A) in subparagraph (i), by repealing everything after "Part IV" and substituting –

"–

- (A) in the case of the subsector provisional register to be compiled for the year 2002, during the period beginning on 17 October 2001 and ending on 16 March 2002;
- (B) in the case of any subsequent subsector provisional register, during the period beginning on 17 March in the preceding year and ending on 16 March in the current year; and";

- (B) in subparagraph (ii), by repealing everything after "that Officer" and substituting –

"–

- (A) in the case of the subsector provisional register to be compiled for the year 2001, during the period beginning on 17 March 2000 and ending on 16 October 2001;
- (B) in the case of the subsector provisional register to be compiled for the year 2002, during the period beginning on 17 October 2001 and ending on 16 March 2002;

- (C) in the case of any subsequent subsector provisional register, during the period beginning on 17 March in the preceding year and ending on 16 March in the current year; and";
- (b) in subsection (2) –
 - (i) by repealing "The" and substituting "Subject to subsection (2A), the";
 - (ii) by repealing "the subsector" where it first appears and substituting "a subsector";
- (c) by adding –

"(2A) The Electoral Registration Officer may include in the subsector provisional register to be compiled for the year 2001 the personal particulars or relevant particulars of a person referred to in subsection (2)(a) or (b) if that Officer has determined under Part V that person to be eligible to be registered in that provisional register, on application received by that Officer during the period beginning on 17 March 2001 and ending on 16 October 2001."

24. Section added

The following is added –

"28A. What is to be contained in an Election Committee provisional register

Subject to sections 24 and 26, an Election Committee provisional register is to consist of the specified particulars recorded in the existing Election Committee final register."

25. Electoral Registration Officer to publish a notice that provisional register is available for public inspection

Section 29 is amended –

(a) in subsection (1) –

(i) in paragraph (a), by repealing "and";

(ii) by repealing paragraph (b);

(iii) by adding –

"(c) in the case of –

(i) the subsector provisional register to be compiled for the year 2001, not later than 30 November 2001;

(ii) any subsequent subsector provisional register, not later than 15 April in every year after 2001; and

(d) in the case of an Election Committee provisional register, not later than the date by which the provisional register is required to be compiled

under section 4 of the Schedule to the Chief Executive Election Ordinance (Cap. 569),";

- (b) in subsection (2) –
 - (i) in paragraph (a) –
 - (A) by repealing "or where applicable,";
 - (B) by repealing the comma before "is" and substituting "or a copy of the Election Committee provisional register (as the case may be)";
 - (ii) in paragraph (b) –
 - (A) by repealing "or" where it secondly appears and substituting a comma;
 - (B) by adding "or a copy of the Election Committee provisional register" before "may";
- (c) in subsection (3) –
 - (i) by adding –
 - "(ab) in the case of the subsector provisional register to be compiled for the year 2001 or an Election Committee provisional register, during the period beginning on the date the notice under subsection (1) is published and ending on the seventh day after that date; and";
 - (ii) in paragraph (b) –

- (A) by adding "any subsequent subsector provisional register or" after "of";
 - (B) by repealing "; and" and substituting a comma;
 - (C) by repealing "並" and substituting "而";
- (iii) by repealing paragraph (c);
- (d) in subsection (4), by repealing "or the subsector" and substituting ", the subsector provisional register or the Election Committee";
- (e) in subsection (5) –
- (i) by repealing "or the subsector provisional register" and substituting ", the subsector provisional register or the Election Committee provisional register,";
 - (ii) by adding a comma after "registers";
- (f) by adding –
- "(6) Publication of a notice under subsection (1), relating to a subsector provisional register, is to be treated as the publication of the subsector provisional register for the purposes of section 14(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569).
- (7) Publication of a notice under subsection (1), relating to an Election Committee provisional register, is to be treated as the publication of the Election Committee provisional register for the purposes of section 4(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569)."

26. Part heading amended

The heading to Part VI is amended by adding ", NOTICE OF APPEAL" after "CLAIM".

27. Person may object to registration of registered person in the register

Section 30 is amended –

(a) in subsection (1) –

(i) in paragraph (a)(i), by adding "a" before "voter";

(ii) in paragraph (b), by adding "as a member of the Election Committee or" before "as";

(b) in subsection (2)(c) –

(i) by repealing subparagraph (ia);

(ii) by adding –

"(ib) in the case of a person registered in the subsector provisional register to be compiled for the year 2001 or an Election Committee provisional register, not later than the seventh day after the date of publication of the relevant provisional register; and";

(iii) in subparagraph (ii) –

- (A) by adding "any subsequent subsector provisional register or" after "registered in";
- (B) by repealing "正式選民" and substituting "正式";
- (c) in subsection (5), by repealing "the" and substituting "a".

28. Who may lodge a notice of claim

Section 31 is amended –

- (a) in subsection (2), by adding "or section 13(7) of the Schedule to the Chief Executive Election Ordinance (Cap. 569)" after "(Cap. 542)";
- (b) in subsection (3), by repealing "or the subsector" and substituting ", subsector final register or Election Committee";
- (c) in subsection (4) –
 - (i) by repealing "or relevant" where it twice appears and substituting ", relevant particulars or specified";
 - (ii) by repealing "or the subsector" and substituting ", a subsector provisional register or an Election Committee";
- (d) in subsection (8) –
 - (i) by repealing paragraph (aa);
 - (ii) by adding –
 - "(ab) not later than the seventh day after the date of publication of the relevant provisional register, if the claim relates to –

- (i) the subsector register to be compiled for the year 2001 or the subsector omissions list prepared in compiling the subsector provisional register for the year 2001; or
 - (ii) an Election Committee register or an Election Committee omissions list; and";
- (iii) in paragraph (b) –
 - (A) by adding "relevant" before "functional";
 - (B) by adding "or subsector final register" after "register";
- (e) in subsection (9) –
 - (i) by repealing "date" and substituting "deadline";
 - (ii) by adding "(ab)(i) or" after "(8)";
 - (iii) in paragraph (a), by adding "or the next subsector provisional register (as the case may be)" after "register";
 - (iv) in paragraph (b), by adding "or the subsector final register (as the case may be)" after "register";
- (f) in subsection (10), by adding "and (d)" after "(c)".

29. Section added

The following is added –

"31A. A corporate elector or corporate voter may appeal against decision not to register replacement or substitute

(1) A corporate elector or corporate voter who is dissatisfied with the decision of the Electoral Registration Officer not to register as an authorized representative a person appointed by it as a replacement under section 20(5) or as a substitute under section 20(7) may appeal against the decision by lodging a notice ("notice of appeal") in accordance with subsection (2).

(2) A notice of appeal must be –

- (a) in the specified form;
- (b) addressed to the Electoral Registration Officer;
- (c) signed on behalf of the corporate elector or corporate voter by a responsible person; and
- (d) delivered by the responsible person in person at the office of the Electoral Registration Officer not later than 11 days before the polling date for the functional constituency or subsector concerned.

(3) If the Electoral Registration Officer receives an appeal after the deadline referred to in subsection (2)(d), that Officer must comply with section 32(3)(b) in relation to the appeal.

(4) The Electoral Registration Officer may require any person who delivers a notice of appeal to identify himself or herself by such means as that Officer considers appropriate."

30. Electoral Registration Officer to deliver copies of notices of objection, notices of claim and notices of appeal to Revising Officer

Section 32 is amended –

- (a) in subsection (1) –
 - (i) by repealing "Every year, the" and substituting "The";
 - (ii) by repealing "or notice of claim" and substituting ", notice of claim or notice of appeal";
 - (iii) by adding "The copies of those notices may be delivered in one or more batches as the Electoral Registration Officer considers appropriate." at the end;
- (b) in subsection (2) –
 - (i) by repealing "copies of those notices may be delivered in one or more batches as the Electoral Registration Officer considers appropriate. But all of them" and substituting "copy of a notice of objection and notice of claim";
 - (ii) by repealing paragraph (aa);
 - (iii) by adding –
 - "(ab) in the case of a notice received in respect of the subsector register to be compiled for the year 2001 or the subsector omissions list prepared in compiling the subsector provisional register for the year 2001, not later than the tenth day after

the date of publication of that provisional register;

- (ac) in the case of a notice received in respect of the Election Committee register or the Election Committee omissions list, not later than the tenth day after the date of publication of the relevant Election Committee provisional register; and";
- (iv) in paragraph (b), by adding "relevant functional constituencies final register or subsector final" before "register";

(c) by adding –

"(3) The copy of a notice of appeal must be delivered –

- (a) in the case of a notice received by the Electoral Registration Officer not later than 11 days before the polling date for the functional constituency or subsector concerned, not later than 8 days before that polling date; and
- (b) in the case of a notice received by the Electoral Registration Officer after the deadline referred to in section 31A(2)(d), not later than 2 May that immediately follows the date of expiry of a period of 2 days after the day on which the notice is received by the Electoral Registration Officer."

31. Electoral Registration Officer to correct entries in provisional register in compiling final register

Section 33 is amended –

- (a) in subsection (1), by repealing "or the subsector" and substituting ", a subsector provisional register or an Election Committee";
- (b) in subsection (3) –
 - (i) by repealing "the subsector" where it first appears and substituting "a subsector";
 - (ii) by repealing "subsector" where it secondly appears and substituting "next subsector";
- (c) in subsection (4) –
 - (i) in paragraph (a) –
 - (A) by adding ", (6)" after "(2)";
 - (B) in subparagraph (ii) –
 - (I) by repealing "and" where it first appears and substituting "but";
 - (II) by repealing "and" where it secondly appears;
 - (C) by repealing subparagraph (iii);
 - (D) by adding –
 - "(iv) (A) the subsector final register for the year 2001, after 16 October 2001 but not later than the seventh day after the date of publication of the

subsector provisional register to be compiled for the year 2001;

(B) any subsequent subsector final register, after 16 March in the year for which the final register is being compiled but not later than 29 April in the same year; and

(v) an Election Committee final register, after the relevant date within the meaning of section 4 of the Schedule to the Chief Executive Election Ordinance (Cap. 569) in relation to the compilation of the relevant Election Committee provisional register but not later than the seventh day after the date of publication of that provisional register;"

(ii) in paragraph (b) –

(A) by repealing "subsections (3) and (6)" and substituting "subsection (3)";

(B) by adding –

"(ia) the subsector final register for the year 2001, the seventh day after the date of publication of the subsector provisional

register to be compiled for the year 2001;

and";

(C) in subparagraph (ii) –

(I) by adding "any subsequent subsector final register or" before "a";

(II) by adding "relevant" after "the" where it secondly appears;

(III) by repealing "; and" and substituting a full stop;

(D) by repealing subparagraph (iii);

(d) in subsection (6) –

(i) by adding ", a subsector register or an Election Committee register" after "constituencies register";

(ii) by repealing "relevant date specified in subsection (4)(b)(ii)" and substituting "last date of the relevant period specified in subsection (4)(a)";

(iii) by adding ", the next subsector provisional register or the next Election Committee provisional register (as the case may be)" after "provisional register";

(e) in subsection (7), by repealing "on or before 16 March in the year following the year in which the request was made in relation to the existing final register for that following year." and substituting –

" –

- (a) in relation to the compilation of a subsector provisional register or a functional constituencies provisional register, on or before 16 March in the year following the year in which the request was made in relation to the existing final register for that following year;
 - (b) in relation to the compilation of an Election Committee provisional register, on or before the relevant date within the meaning of section 4 of the Schedule to the Chief Executive Election Ordinance (Cap. 569) in relation to such compilation.";
- (f) in subsection (8), by repealing "該提出" and substituting "提出".

32. Electoral Registration Officer to correct entries in provisional register with approval of Revising Officer

Section 34 is amended –

- (a) in subsection (1) –
 - (i) in paragraph (a), by repealing "or the subsector" and substituting ", a subsector provisional register or an Election Committee";
 - (ii) in paragraph (b), by repealing "or the subsector" and substituting ", a subsector final register or an Election Committee";

- (iii) in paragraph (c) –
 - (A) by repealing "or relevant" and substituting ", relevant particulars or specified";
 - (B) by repealing "or a subsector" and substituting ", a subsector provisional register or an Election Committee";
- (b) in subsection (2)(a) –
 - (i) by adding –
 - "(ia) in relation to the subsector final register to be compiled for the year 2001 or an Election Committee final register, not later than the twentieth day after the date of publication of the relevant provisional register; and";
 - (ii) in subparagraph (ii) –
 - (A) by adding "any subsequent subsector final register or" after "to";
 - (B) by adding "relevant" after "which the";
 - (C) by repealing "; 及" and substituting a comma;
 - (iii) by repealing subparagraph (iii);
- (c) in subsection (3), by adding "or section 14(2) or 42(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569)" after "(Cap. 542)".

33. What is to be contained in a functional constituencies final register

Section 35 is amended –

- (a) in subsection (1)(b), by repealing "(including a claim under section 31(9)(b))" and substituting "or an appeal made by the corporate elector concerned";
- (b) in subsection (2) –
 - (i) in paragraph (b), by repealing "and ";
 - (ii) by adding –
 - "(ba) any person in respect of whose registration an appeal has been made and the Revising Officer has not allowed the appeal; and";
- (c) in subsection (3), by repealing "or subsector" where it twice appears.

34. What is to be contained in a subsector final register

Section 36 is amended –

- (a) in subsection (1) –
 - (i) by repealing "The" and substituting "A";
 - (ii) in paragraph (a), by adding "for the year for which the final register is being compiled" after "register";
 - (iii) in paragraph (b), by adding "or an appeal made by the corporate voter concerned" after "that person";
- (b) in subsection (2) –
 - (i) by repealing "the subsector" and substituting "a subsector";

(ii) in paragraph (b), by repealing "and";

(iii) by adding –

"(ba) any person in respect of whose registration an appeal has been made and the Revising Officer has not allowed the appeal; and";

(c) by repealing subsection (5) and substituting –

"(5) In relation to the subsector final register to be compiled –

(a) for the year 2001, only decisions made by the Revising Officer after the date of publication of the subsector provisional register to be compiled for the year 2001 but not later than the twentieth day after that date are to be taken into account for the purposes of subsections (1)(b), (2), (3) and (4); and

(b) for any subsequent year, only decisions made by the Revising Officer after 15 April but not later than 11 May of that year are to be taken into account for the purposes of subsections (1)(b), (2), (3) and (4).".

35. What is to be contained in an Election

Committee final register

Section 37 is amended –

- (a) in subsection (1) –
 - (i) by repealing "The Election Committee final register" and substituting "An Election Committee final register required to be compiled under section 40(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569)";
 - (ii) in paragraph (a), by repealing "particulars specified in section 5(4) of persons declared under section 3(6) of Schedule 2 to the Legislative Council Ordinance (Cap. 542)" and substituting "specified particulars of persons who have been declared under section 7(8) of the Schedule to the Chief Executive Election Ordinance (Cap. 569)";
 - (iii) in paragraph (b) –
 - (A) by repealing "particulars specified in section 5(4)" and substituting "specified particulars";
 - (B) by repealing "Schedule 2 to the Legislative Council Ordinance (Cap. 542)" and substituting "the Schedule to the Chief Executive Election Ordinance (Cap. 569)";
 - (iv) in paragraph (c) –
 - (A) by adding "specified" before "particulars";
 - (B) by repealing "section 1(8) and (10) of Schedule 2 to the Legislative Council Ordinance (Cap. 542)" and

substituting "sections 2(8) and 41(3) of the Schedule to the Chief Executive Election Ordinance (Cap. 569)";

(C) by repealing "1(9)" and substituting "41(2)";

(b) by adding –

"(1A) An Election Committee final register required to be compiled under section 40(2) or (3) of the Schedule to the Chief Executive Election Ordinance (Cap. 569) is to consist of the following –

- (a) subject to subsections (1C) and (1D)(a), the specified particulars contained in the relevant Election Committee provisional register, as corrected, where appropriate, under section 33 or 34;
- (b) the specified particulars of any person whom the Revising Officer has ruled to be entitled to be registered, on a claim made by that person;
- (c) the additions, if any, under section 34(1)(b);
and
- (d) the specified particulars of the following persons, as may be applicable –
 - (i) persons who are nominees under section 7(2) of the Schedule to the

Chief Executive Election Ordinance (Cap. 569) and who have been declared under section 7(8) of that Schedule to be members of the Election Committee;

- (ii) persons who have been declared to be duly elected as members of the Election Committee at the subsector by-election within the meaning of section 1 of that Schedule.

(1B) An Election Committee final register required to be published under section 40(4) of the Schedule to the Chief Executive Election Ordinance (Cap. 569) is to consist of the following –

- (a) subject to subsection (1D)(a), the specified particulars contained in the relevant Election Committee provisional register, as corrected, where appropriate, under section 33 or 34;
- (b) the specified particulars of any person whom the Revising Officer has ruled to be entitled to be registered, on a claim made by that person; and

(c) the additions, if any, under section 34(1)(b).

(1C) In compiling an Election Committee final register required under section 40(2) or (3) of the Schedule to the Chief Executive Election Ordinance (Cap. 569), the Electoral Registration Officer must not include in the register the specified particulars of the following persons –

(a) any person in respect of whose registration an objection has been made and the Revising Officer has allowed the objection; and

(b) any person whose personal particulars have been included in an Election Committee omissions list and who has not made a claim in respect of it or who has made a claim but the claim has not been allowed by the Revising Officer.

(1D) In compiling an Election Committee final register required under section 40(2), (3) or (4) of the Schedule to the Chief Executive Election Ordinance (Cap. 569), the Electoral Registration Officer must ensure that if, on an objection or a claim made by a person, the Revising Officer has made a ruling –

(a) as to the part or subsector in which the person is to be registered, the person's

specified particulars are recorded in that part or subsector; or

- (b) on the specified particulars of a person, those particulars are corrected and recorded in accordance with the ruling.

(1E) For the purposes of subsections (1C) and (1D), only decisions made by the Revising Officer after the date of publication of the relevant Election Committee provisional register but not later than the twentieth day after that date are to be taken into account.";

(c) in subsection (2) –

(i) in paragraph (a) –

(A) by repealing "1(9) of Schedule 2 to the Legislative Council Ordinance (Cap. 542)" and substituting "41(2) of the Schedule to the Chief Executive Election Ordinance (Cap. 569)";

(B) by repealing "the Election" and substituting "an Election";

(ii) in paragraph (b) –

(A) by repealing "1(10) of Schedule 2 to the Legislative Council Ordinance (Cap. 542)" and substituting "41(3) of the Schedule to the Chief Executive Election Ordinance (Cap. 569)";

- (B) by repealing "the Election" and substituting "an Election";
- (d) in subsection (3) –
 - (i) by repealing "the Election" and substituting "an Election";
 - (ii) by repealing "1(9) or (10) of Schedule 2 to the Legislative Council Ordinance (Cap. 542)" and substituting "41(2) or (3) of the Schedule to the Chief Executive Election Ordinance (Cap. 569)";
 - (iii) by repealing "1(11)" and substituting "41(4)";
- (e) by adding –

"(4) If the Electoral Registration Officer is to amend an Election Committee final register under section 42(2) of the Schedule to the Chief Executive Election Ordinance (Cap. 569) to effect a direction of a Revising Officer, that Officer must do so as soon as practicable after being notified of the direction.

(5) The Electoral Registration Officer must, within 14 days of amending an Election Committee final register under section 42(2) of the Schedule to the Chief Executive Election Ordinance (Cap. 569), publish under section 42(3) of that Schedule a notice in the Gazette of the amendment."

36. Electoral Registration Officer to publish notice of and make available for public inspection functional constituencies

**final register and subsector
final register**

Section 38 is amended –

- (a) in subsection (1) –
 - (i) by repealing paragraph (aa);
 - (ii) by adding –
 - "(ab) in the case of the subsector final register to be compiled for the year 2001, not later than 14 December 2001; and";
 - (iii) in paragraph (b) –
 - (A) by adding "any subsequent subsector final register or" after "of";
 - (B) by repealing "1月1日至5月25日的期間內" and substituting "5月25日或之前";
- (b) by adding –
 - "(4A) The Electoral Registration Officer may require a person who wishes to inspect a copy of the functional constituencies final register or the subsector final register, or a copy of a part of those registers, to produce his or her identity document to that Officer and complete a form furnished by the Officer.";
- (c) in subsection (5) –
 - (i) by repealing "the functional" and substituting "a functional";

- (ii) by repealing "final register for the relevant year" and substituting "functional constituencies final register";
- (iii) by repealing "31" and substituting "32";
- (d) in subsection (6) –
 - (i) by repealing "the" where it first appears and substituting "a";
 - (ii) by adding a comma before "is to";
 - (iii) by repealing "10(1) of Schedule 2 to the Legislative Council Ordinance (Cap. 542)" and substituting "14(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569)".

37. Publication of an Election Committee final register

Section 39 is amended –

- (a) in subsection (1), by repealing "within 7 days after the results of the Election Committee subsector elections are published" and substituting "not later than the date on which an Election Committee final register is published under section 40 of the Schedule to the Chief Executive Election Ordinance (Cap. 569)";
- (b) by adding –

"(4A) The Electoral Registration Officer may require a person who wishes to inspect a copy of the Election Committee final register or a copy of a part of that register to produce his or

her identity document to that Officer and complete a form furnished by the Officer.";

- (c) in subsection (5) –
 - (i) by adding ", relating to an Election Committee final register," after "subsection (1)";
 - (ii) by repealing "32(2) of the Legislative Council Ordinance (Cap. 542)" and substituting "40 of the Schedule to the Chief Executive Election Ordinance (Cap. 569)".

38. Ex-officio member registered as elector for functional constituency to make choice

Section 40A is repealed.

39. Electoral Registration Officer may make available extracts of registers for purposes of an election

Section 41 is amended –

- (a) in subsection (1), by repealing "final";
- (b) in subsection (5), by repealing "or an Election Committee subsector election within the meaning of section 7(1) of Schedule 2 to that Ordinance" and substituting ", an election within the meaning of section 2(1) of the Chief Executive Election Ordinance (Cap. 569) or an Election Committee subsector election".

40. Offences and penalties

Section 42 is amended –

- (a) in subsection (1) –
 - (i) in paragraph (g), by repealing "or";
 - (ii) in paragraph (h), by repealing the comma and substituting "; or";
 - (iii) by adding –
 - "(i) notice of appeal,";
- (b) in subsection (3)(a), by repealing "final";
- (c) in subsection (9) –
 - (i) in paragraph (a), by repealing "and sections 5, 14 and 23 of Schedule 2 to that Ordinance; and" and substituting a semicolon;
 - (ii) in paragraph (b), by repealing the full stop and substituting "; and";
 - (iii) by adding –
 - "(c) sections 14 and 26 of the Chief Executive Election Ordinance (Cap. 569) and sections 9, 18 and 30 of the Schedule to that Ordinance.";
- (d) in subsection (10) –
 - (i) in paragraph (a), by repealing "and sections 5 and 14 of Schedule 2 to that Ordinance; and" and substituting a semicolon;

- (ii) in paragraph (b), by repealing the full stop and substituting "; and";
- (iii) by adding –
 - "(c) section 14 of the Chief Executive Election Ordinance (Cap. 569) and sections 9 and 18 of the Schedule to that Ordinance."

41. Electoral Registration Officer to make specified forms available

Section 43(1) is amended by repealing "and 31(7)" and substituting ", 31(7) and 31A(2)".

Consequential Amendments

**Electoral Affairs Commission (Electoral Procedure)
(Legislative Council) Regulation**

42. Interpretation

Section 2(1) of the Electoral Affairs Commission (Electoral Procedure) (Legislative Council) Regulation (Cap. 541 sub. leg.) is amended, in the definitions of "Election Committee final register" and "functional constituencies final register", by repealing "Functional Constituencies) (Voters for Subsectors) (Members of Election Committee) (Legislative Council)" and substituting "Legislative Council Functional Constituencies) (Voters for Election Committee Subsectors) (Members of Election Committee)".

Made this 27th day of September 2001.

WOO Kwok-hing, J.A.
Chairman,
Electoral Affairs Commission

Norman LEUNG Nai-pang
Member,
Electoral Affairs Commission

Elizabeth S. C. SHING
Member,
Electoral Affairs Commission

Explanatory Note

The Electoral Affairs Commission (Registration)(Electors for Functional Constituencies)(Voters for Subsectors)(Members of Election Committee)(Legislative Council) Regulation (Cap. 541 sub. leg.) (the "principal Regulation") provides for the procedures for compiling –

- (a) a provisional register and a final register of voters for the subsectors represented on the Election Committee; and
- (b) a final register of members of the Election Committee.

2. Before the Chief Executive Election Ordinance (Cap. 569) came into operation, those registers were required by the Legislative Council Ordinance (Cap. 542) to be prepared by the Electoral Registration Officer appointed under the Legislative Council Ordinance (Cap. 542). The requirements have been changed by the Chief Executive Election Ordinance (Cap. 569). The provisions relating to the Election Committee and the subsectors represented on it were transplanted, with revisions, from Schedule 2 to the Legislative Council Ordinance (Cap. 542) to the Schedule to the Chief Executive Election Ordinance (Cap. 569). According to the revised arrangements under the Schedule to the Chief Executive Election Ordinance (Cap. 569), the Electoral Registration Officer appointed under that Schedule is required –

- (a) to compile a provisional register of voters for those subsectors not later than 30 November 2001 and not later than 15 April in each subsequent year;
- (b) to compile a final register of voters for those subsectors not later than 14 December 2001 and not later than 25 May in each subsequent year;
- (c) to compile a provisional register of members of the Election Committee not later than 30 November 2001 and thereafter within 14 days after the making of a declaration –
 - (i) of a vacancy of the office of the Chief Executive; or
 - (ii) of a vacancy among the Members of the Legislative Council returned by the Election Committee;

- (d) to compile a final register of members of the Election Committee after –
 - (i) the subsector ordinary election; or
 - (ii) the publication of a provisional register of members of the Election Committee (whether a supplementary nomination for the religious subsector or a subsector by-election has been held);and
- (e) to prepare omissions lists for compiling the registers referred to in subparagraphs (a) and (c).

3. This Regulation amends the principal Regulation so as –

- (a) to enable the compilation procedures to tie in with the revised arrangements;
- (b) to introduce measures to improve and streamline those procedures; and
- (c) to revise the references to the relevant statutory provisions.

4. In particular, the amendment is to –

- (a) provide for the compilation and preparation of the registers and omissions lists referred to in paragraph 2, and the related matters;
- (b) provide for the procedures for objection and claim in relation to those registers and omissions lists;
- (c) enable the Electoral Registration Officer to register a person –
 - (i) whom that Officer has determined to be eligible to be registered as an elector for a functional constituency; and
 - (ii) who has not applied for registration as a voter for a subsector,

in the corresponding subsector so as to implement section 12(10) of the Schedule to the Chief Executive Election Ordinance (Cap. 569);

- (d) enable a corporate elector or corporate voter to lodge an appeal against the Electoral Registration Officer's decision not to register as an authorized representative a person appointed by it as a replacement or a substitute;
- (e) provide that a corporate elector or corporate voter may replace its authorized representative 3 working days before the polling date if the authorized representative has suffered physical or mental incapacity (but not any other incapacity);
- (f) provide, in line with the provision regarding entry of the particulars of a natural person on an omissions list, that if the Electoral Registration Officer does not receive from a body by a certain date a response to an inquiry, that Officer must enter the particulars of that body on an omissions list;
- (g) remove from a notification the identity document number and sex of the person to whom the notification is sent;
- (h) empower the Electoral Registration Officer to require, in line with the provision regarding inspection a copy of a provisional register, a person who wishes to inspect a copy of a final register to produce his or her identity document and complete a form;
- (i) remove those provisions that are spent and where necessary, replace them with appropriate new provisions; and

- (j) make –
 - (i) an offence under section 42(1) or (2) of the principal Regulation also a prescribed offence for the purposes of sections 14 and 26 of, and sections 9, 18 and 30 of the Schedule to, the Chief Executive Election Ordinance (Cap. 569); and
 - (ii) an offence under section 42(3) or (5) of the principal Regulation also a prescribed offence for the purposes of section 14 of, and sections 9 and 18 of the Schedule to, that Ordinance.