

LN200e

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.