

(Translation)

Our Ref.: CAB in C1/1/1
Your Ref. : CB2/PL/CA

Tel No: 2810 2908
Fax No: 2840 1976

10 January 2004

Mrs Percy Ma
Clerk to LegCo Panel on Constitutional Affairs
Legislative Council
Legislative Council Building
8 Jackson Road
Central, Hong Kong

Dear Mrs Ma,

Thank you for your letter of 16 December 2003. Our response to the questions raised by Hon. Mak Kwok-fung on the electorate size of the Health Services functional constituency (FC) is set out below.

The reasons for the decrease in the number of registered electors of the Health Services FC from 31 661 in 2000 to 28 737 in 2003 and the related breakdown are at the **Annex**. A major reason for the decrease is that electors have not informed the Registration and Electoral Office (REO) of their change of address.

Under section 25(1)(b) of the Legislative Council Ordinance (Cap. 542), a person is eligible to be registered as an elector for a functional constituency only if he is a registered elector for a geographical constituency, or has made an application to register and is eligible to be registered as an elector for a geographical constituency. In line with this requirement, section 24(1)(iii) of the Electoral Affairs Commission (Registration) (Electors for Legislative Council Functional Constituencies) (Voters for Election Committee Subsectors) (Members of Election Committee) Regulation (Cap.541B) also provides that any person, who for reasons such as inaccurate record of address, has been included in the omissions list prepared for the purpose of compiling a geographical constituencies register, will be included

automatically in the omissions list prepared for the purpose of compiling a functional constituencies register. If the person does not lodge a notice of claim to the Revising Officer within the statutory period, he will be disqualified from being an elector for both geographical and functional constituencies.

Electors disqualified for the above reason may submit an application to the REO to re-register as an elector for geographical and functional constituencies. If he is eligible to be registered, his particulars will be recorded in the next provisional registers of the relevant constituencies.

Yours sincerely,

Miss May Chan
for Secretary for Constitutional Affairs

Annex

Health Services Functional Constituency

	<u>Changes between 2000 and 2003</u>
<i>No. of Electors in the 2000 Final Register</i>	<i>31 661</i>
<i>Add :</i> (A) New Electors	<u>130</u>
<i>Less :</i> (B) Omissions :	
(i) Electors who have not informed Registration and Electoral Office of their change of address	2 559
(ii) Death Cases	66
(iii) Cessation of relevant professional membership	419
(iv) Objection Cases ^{Note}	3
(v) Self-request Deletions	<u>7</u>
Total No. of Omissions	3 054
(C) Net Increase/Decrease in Electors ((A) – (B) = (C))	<u>(2 924)</u>
<i>No. of Electors in 2003 Final Register</i>	<u><u>28 737</u></u>

^{Note} Under S.14 of the Electoral Affairs Commission (Registration of Electors) (Legislative Council Geographical Constituencies) (District Council Constituencies) Regulation, Cap. 541A, a person who considers that a registered person is not eligible to be registered as an elector may object to the registration of that person in the final register by lodging a notice. A notice was lodged in 2003 in respect of a group of electors for geographical constituencies. The Revising Officer has allowed the objection to certain electors after consideration, three of whom are also registered electors in the Health Services functional constituency.