

L.N. 112 of 2006

**ELECTORAL AFFAIRS COMMISSION (REGISTRATION) (ELECTORS
FOR LEGISLATIVE COUNCIL FUNCTIONAL CONSTITUENCIES)
(VOTERS FOR ELECTION COMMITTEE SUBSECTORS)
(MEMBERS OF ELECTION COMMITTEE)
(AMENDMENT) REGULATION 2006**

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**ELECTORAL AFFAIRS COMMISSION (REGISTRATION) (ELECTORS
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(VOTERS FOR ELECTION COMMITTEE SUBSECTORS)
(MEMBERS OF ELECTION COMMITTEE)
(AMENDMENT) REGULATION 2006**

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

1. Commencement

This Regulation shall come into operation on 14 July 2006.

PART 1

**AMENDMENTS RELATING TO ADDITION OF
INTERIM REGISTER OF MEMBERS
OF ELECTION COMMITTEE**

2. Interpretation

(1) Section 2(1) of the Electoral Affairs Commission (Registration) (Electors for Legislative Council Functional Constituencies) (Voters for Election Committee Subsectors) (Members of Election Committee) Regulation (Cap. 541 sub. leg. B) is amended, in the definition of “Election Committee final register”, by repealing “section 40(1), (2) or (3)” and substituting “section 40(2), (3) or (3A)”.

(2) Section 2(1) is amended, in the definition of “Election Committee register”, by adding “, an Election Committee interim register” after “provisional register”.

(3) Section 2(1) is amended by adding—

““Election Committee interim register” (選舉委員會暫行委員登記冊) means the interim register of members of the Election Committee required to be compiled under section 40(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569);”.

3. Part heading amended

Part VII is amended, in the heading, by adding “INTERIM REGISTER AND” before “FINAL REGISTERS”.

4. What is to be contained in an Election Committee final register

(1) Section 37 is amended, in the heading, by adding “**an Election Committee interim register and**” after “**contained in**”.

(2) Section 37(1) is amended by repealing “Election Committee final register required to be compiled under section 40(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569)” and substituting “Election Committee interim register”.

(3) Section 37 is amended by adding—

“(1AA) An Election Committee final register required to be compiled under section 40(3A) of the Schedule to the Chief Executive Election Ordinance (Cap. 569) is to consist of the specified particulars of persons contained in the relevant Election Committee interim register, as amended, where appropriate, under section 41 or 42 of that Schedule.”.

(4) Section 37(2)(a) is amended by adding “an Election Committee interim register or” before “an Election Committee”.

(5) Section 37(2)(b) is amended by adding “an Election Committee interim register or” before “an Election Committee”.

(6) Section 37(3) is amended by adding “an Election Committee interim register or” before “an Election Committee”.

(7) Section 37(4) is amended by adding “an Election Committee interim register or” before “an Election Committee”.

(8) Section 37(5) is amended by adding “an Election Committee interim register or” before “an Election Committee”.

5. Publication of an Election Committee final register

(1) Section 39 is amended, in the heading, by adding “**an Election Committee interim register and**” after “**Publication of**”.

(2) Section 39(1) is amended by adding “an Election Committee interim register or” before “an Election Committee”.

(3) Section 39(2)(a) is amended by repealing “final register” and substituting “interim register or Election Committee final register, as may be appropriate,”.

(4) Section 39(2)(b) is amended by repealing “final”.

(5) Section 39(3) is amended by repealing everything after “inspection,” and substituting “at the place or places specified in the notice during ordinary business hours, a copy of the Election Committee interim register or Election Committee final register.”.

(6) Section 39(4) is amended by repealing everything before “The Electoral Registration Officer may determine” and substituting—

“(4) The Electoral Registration Officer may make available for public inspection, at a place additional to a place specified in a notice published under subsection (1), a copy of a specific part of the Election Committee interim register or Election Committee final register.”.

(7) Section 39(4A) is amended—

(a) by adding “Election Committee interim register or” before “Election Committee”;

(b) by repealing “that register” and substituting “such register”.

(8) Section 39(5) is amended—

(a) by adding “an Election Committee interim register or” before “an Election Committee”;

(b) by repealing “the Election Committee final register for” and substituting “that register for”.

PART 2

AMENDMENTS CONSEQUENTIAL UPON REMOVAL OF THE TERM “RELEVANT DATE” FROM SECTION 4 OF SCHEDULE TO CHIEF EXECUTIVE ELECTION ORDINANCE

6. Electoral Registration Officer to prepare an omissions list

Section 24(3A) is amended by repealing “on the relevant date within the meaning of section 4 of the Schedule to the Chief Executive Election Ordinance (Cap. 569)” and substituting “on the date on which the relevant vacancy declaration within the meaning of section 4(7) of the Schedule to the Chief Executive Election Ordinance (Cap. 569) was made”.

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

(1) Section 26(5)(e)(i) is amended by repealing “the relevant date within the meaning of section 4 of the Schedule to the Chief Executive Election Ordinance (Cap. 569)” and substituting “the date on which the relevant vacancy declaration within the meaning of section 4(7) of the Schedule to the Chief Executive Election Ordinance (Cap. 569) was made”.

(2) Section 26(5)(e)(ii) is amended by repealing “the relevant date within the meaning of section 4 of the Schedule to the Chief Executive Election Ordinance (Cap. 569)” and substituting “the date on which the relevant vacancy declaration within the meaning of section 4(7) of the Schedule to the Chief Executive Election Ordinance (Cap. 569) was made”.

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

(1) Section 33(7)(b) is amended by repealing “the relevant date within the meaning of section 4 of the Schedule to the Chief Executive Election Ordinance (Cap. 569)” and substituting “the date on which the relevant vacancy declaration within the meaning of section 4(7) of the Schedule to the Chief Executive Election Ordinance (Cap. 569) was made”.

(2) Section 33(10)(a)(ii) is amended by repealing “the relevant date within the meaning of section 4 of the Schedule to the Chief Executive Election Ordinance (Cap. 569)” and substituting “the date on which the relevant vacancy declaration within the meaning of section 4(7) of the Schedule to the Chief Executive Election Ordinance (Cap. 569) was made”.

PART 3

**AMENDMENTS REMOVING OBSOLETE PROVISIONS RELATING TO
FUNCTIONAL CONSTITUENCIES PROVISIONAL REGISTER
AND SUBSECTOR PROVISIONAL REGISTER FOR 2003**

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

(1) Section 19(4)(a) is repealed.

(2) Section 19(4)(b) is amended—

(a) by repealing “any year subsequent to 2002, if that subsequent year is a District Council election year,” and substituting “a District Council election year”;

(b) by repealing “year following that subsequent” and substituting “following”.

(3) Section 19(4)(c) is amended—

- (a) by repealing “any year subsequent to 2002, if that subsequent year is not a District Council election year,” and substituting “a year which is not a District Council election year”;
- (b) in subparagraph (i), by repealing “year following that subsequent” and substituting “following”;
- (c) in subparagraph (ii), by repealing “year following that subsequent” and substituting “following”.

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

(1) Section 26(5)(a) is repealed.

(2) Section 26(5)(b) is amended by repealing “subsequent functional constituencies provisional register or any subsequent” and substituting “functional constituencies provisional register or any”.

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

(1) Section 27(c)(i)(A) is repealed.

(2) Section 27(c)(i)(B) is amended by repealing “subsequent”.

(3) Section 27(c)(ii)(A) is repealed.

(4) Section 27(c)(ii)(B) is amended by repealing “subsequent”.

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

(1) Section 28(1)(a)(i)(A) is repealed.

(2) Section 28(1)(a)(i)(B) is amended by repealing “subsequent”.

(3) Section 28(1)(a)(ii)(A) is repealed.

(4) Section 28(1)(a)(ii)(B) is amended by repealing “subsequent”.

Made this 15th day of May 2006.

WOO Kwok-hing, VP
Chairman,
Electoral Affairs Commission

Lawrence LOK Ying-kam
Member,
Electoral Affairs Commission

Andrew CHAN Chi-fai
Member,
Electoral Affairs Commission

Explanatory Note

The purpose of this Regulation is to amend the Electoral Affairs Commission (Registration) (Electors for Legislative Council Functional Constituencies) (Voters for Election Committee Subsectors) (Members of Election Committee) Regulation (Cap. 541 sub. leg. B) (“the principal Regulation”) to provide for the following.

Part 1

2. Under the amendments introduced by the Chief Executive Election and Legislative Council Election (Miscellaneous Amendments) Ordinance 2006 (10 of 2006) (“the Amendment Ordinance”), an interim register, instead of a final register, is to be compiled and published under section 40(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569), for the Election Committee members after the publication of the results of the Election Committee subsector ordinary elections.

3. Part 1 introduces corresponding amendments to the principal Regulation to reflect the change as mentioned in paragraph 2 to provide for the compilation and publication arrangements in relation to the interim register.

Part 2

4. Part 2 introduces amendments to the principal Regulation consequential upon the removal of the term “relevant date” from section 4 of the Schedule to the Chief Executive Election Ordinance (Cap. 569) under the amendments introduced by the Amendment Ordinance.

Part 3

5. Part 3 introduces amendments to remove those obsolete provisions relating to the functional constituencies provisional register and subsector provisional register for 2003.