

**Bills Committee on the
Legislative Council (Amendment) Bill 2007**

**Information Requested
at the Third Meeting on 4 February 2008**

Introduction

This paper provides information as requested by Members at the meeting on 4 February 2008.

Applications from Organizations for Inclusion into Functional Constituencies (“FCs”)

2. Since the enactment of the LegCo (Amendment) Ordinance 2003, 75 organisations have submitted applications for inclusion into individual FCs. These 75 applications do not fall within the scope of the long title of this Bill for the following reasons:

- (a) these applications are not related to the updating of the names of bodies and thus do not fall within the scope of paragraph (a) of the long title;
- (b) these applications are not related to the removal of electors and thus do not fall within the scope of paragraph (b) of the long title;
- (c) these applications are not related to any restructuring of

membership, which requires legislative amendments to maintain the composition of the electorate, and thus do not match the nature of amendments covered by paragraph (c) of the long title; and

- (d) as the applicants did not apply to replace corporate electors or umbrella organisations which have been wound up or dissolved, the applications do not match the nature of amendments covered by paragraphs (d) and (e) of the long title.

3. As we explained earlier, the number and composition of the existing FCs should remain unchanged for the 2008 Legislative Council (“LegCo”) election. We have, therefore, not accepted the above applications. In the course of examining the method of forming the LegCo in 2012, we will consider the views expressed by these 75 organisations along with the views put forth by others at a later stage.

Updating the Electoral Record

4. To ensure that up-to-date information on FC electors can be incorporated into the electoral register, the Registration and Electoral Office (“REO”) will seek updates on electoral records from various sources. The REO will invite umbrella organizations (the members of which are electors) to provide up-to-date membership information (a sample letter is at [Annex A](#)). In the light of information received, the REO will write to invite any new corporate members of the umbrella organizations to register as

electors. It will also remove any corporate electors which are no longer members of the umbrella organizations from the electoral register according to statutory procedures¹. In addition, the REO will invite in writing registered corporate electors to update their records (a sample letter is at Annex B). In addition, relevant bureaux and departments will also provide us with information relevant to their sectors that can facilitate the updating of electoral record, such as the updating of the names of the electors, changes relating to their businesses, or changes relating to organizations which are registered under statutory registration systems or are license holders of statutory licensing systems.

5. The REO will process the updating information received as appropriate, for example, to update the electoral record after verifying relevant information, to allow eligible new members of umbrella organisations to register as electors, and to remove those organizations which are no longer eligible for registration as electors.

Hong Kong Sports Institute Limited

6. Regarding Members' enquiries relating to the Hong Kong Sports Institute Limited ("HKSIL"), the Institute indicated in its email to this bureau on 21 June 2006 that, following the dissolution of the Hong Kong Sports Development Board ("HKSDB"), the

¹ In case any of the corporate electors are no longer members of the concerned umbrella organizations, the REO will, in accordance with section 22 of the Electoral Affairs Commission (Registration) (Electors for Legislative Council Functional Constituencies) (Voters for Election Committee Subsectors) (Members of Election Committee) Regulation (Cap. 541B), issue written inquiries to the concerned corporate electors. If they cannot provide justifications for retaining their electors' status, the REO will include these corporate electors into the omission list. Upon the publication of the omission list, if these organisations do not lodge any claim or the claims are not accepted, they will not be included in the final electoral register.

HKSIL was established on 1 October 2004 to nurture sports elites in Hong Kong. As the former HKSDB was a registered voter under the Sports, Performing Arts, Culture and Publication FC, the HKSIL expressed its intention to re-register under this FC. We replied on 1 August 2006 that the 2008 LegCo election should be held on the basis of the existing electorate base. We also indicated that we noted the request from the HKSIL, and may give the matter further consideration if amendments to the Legislative Council Ordinance (“LCO”) were contemplated later.

The Tobacco Association of Hong Kong Limited

7. Regarding Members’ enquiries on the Tobacco Association of Hong Kong Limited (“TAHKL”), the Association wrote to this bureau on 19 May 2006 and 21 August 2006, indicating that since the deletion of the Tobacco Institute of Hong Kong Limited (“TIHKL”) from Schedule 1C to the LCO in 2006, there is no organization in the Wholesale and Retail FC that represents the tobacco industry. The TAHKL was formed on 18 April 2005 with the intention to replace the TIHKL as the representative of the industry. TAHKL indicated that, as a successor to the TIHKL, its objectives, structure and membership are similar to those of TIHKL. It also indicated that since its establishment in April 2005, it has represented the tobacco industry in expressing views to the LegCo and the Government on legislative issues relating to the tobacco industry. Whilst former members of the TIHKL could register as electors in the Wholesale and Retail FC, the TAHKL understood that most of them could not retain their status as electors in this FC by joining other organizations. The TAHKL

requested the Government to amend the LCO to include it in the electorate of the Wholesale and Retail FC, so that relevant members could retain their voting rights. We replied on 1 August 2006 and 7 September 2006 that for the 2008 LegCo election, there would not be any change to the electorate base. However, when this was reviewed in future, we would take the TAHKL's proposal into consideration.

Constitutional and Mainland Affairs Bureau
February 2008

選 舉 事 務 處

REGISTRATION AND ELECTORAL OFFICE

香港灣仔愛群道 32 號
愛群商業大廈 10 樓

10/F Guardian House
32 Oi Kwan Road
Wan Chai
Hong Kong

本函檔號 Our Ref:
網 址 Web Site: www.reo.gov.hk/

圖文傳真 Fax: 2891 1670
電 話 Tel.:

[date]

r

J

Dear Sir/Madam,

*** _____ Voter Registration for the
Functional Constituency ("FC") and/or _____ Subsector**

In accordance with *the Legislative Council Ordinance (Cap. 542) and/or the Chief Executive Election Ordinance (Cap. 569), * _____ FC and/or _____ subsector is/are composed of *corporate members of _____ entitled to vote at general meetings/ _____ registered under the meaning of the _____ Ordinance (Cap. _____).

In this connection, I should be most grateful if you would provide me with the following information in respect of the above bodies:

- (a) name (both English and Chinese);
- (b) business registration number (if any);
- (c) business address;
- (d) e-mail address (if any);
- (e) name, position and telephone number of responsible person;
- (f) fax number (if any);
- (g) membership/registration number (if any);
- * (h) membership class/membership rank (if any); and
- * (i) date of admission as a member of your body,

_____ and return the attached reply slip (Annex I) to this office on or before _____ | 200 so that we could ascertain their eligibility for registration in the above *FC and/or subsector. To facilitate our processing of your information, it would be much appreciated if you could provide us with the above information to be stored in the format of dBASE files (.dbf). Also, should there be any change in the above information, please kindly provide us with the updated information periodically.

Please note that if the information provided by your body earlier is still valid, you are not required to provide the same information to us again. However, please advise us by checking the appropriate box in Part 1 of the reply slip. If your body cannot provide or can only provide part of the above information, please indicate by checking the relevant box(es) in Part 1 of the reply slip. Besides, please verify the particulars of your body shown on this letter and complete Part 2 of the reply slip if there are any changes or discrepancies. If there is any change in the name of your body, I should be grateful if you would provide us with a copy of documentary proof of the name of your body, e.g. Certificate of Incorporation on Change of Name, etc. for reference.

You may wish to note that this office has been empowered by the statute to require the relevant bodies to furnish information for the purpose of preparing registers of electors and voters.

*Also, I would like to draw your attention that in accordance with the *Legislative Council Ordinance (Cap. 542) and/or the Chief Executive Election Ordinance (Cap. 569), if the constitution of your body is subsequently amended or substituted after *3 October 1997/1 August 2003 and the amendment or substitution relates to the following:

- (a) the objects of your body; or
- (b) the criteria and conditions of membership of your body; or
- (c) the eligibility of members of your body to vote at a general meeting of your body,

the amendment or substitution needs to be approved in writing by the Secretary for Constitutional and Mainland Affairs.

We have received requests from members of the public for providing contact information of organizations that are listed in the Legislative Council Ordinance and/or Chief Executive Election Ordinance. To facilitate the public and enable us to handle similar requests more efficiently in future, we would like to seek your consent on a voluntary basis for us to disclose the contact information of your organization to the public for matters related to voter registration and elections. In this respect, we should be grateful if you would complete and return the attached reply slip (Annex II) to us. Please fill in the contact information of your organization that you agree for disclosure and public access as appropriate. If you had sent a reply to us previously, I should be grateful if you would complete and return the attached reply slip to us for updating the records of your organization.

Should you have any enquiries, please call me at _____ or _____ at _____.

Yours faithfully,

()
for Electoral Registration Officer

*Delete/amend whichever is not applicable

回條 REPLY SLIP

致： 選舉登記主任（經辦人：功能界別組第 分組）
To: Electoral Registration Officer (Attn.: FC Processing Team)
傳真號碼： 2891 1670
Fax No.:

第一部分 會員資料

Part 1 Membership Information

- 本會於__年__月__日所提供的資料至今仍屬正確無誤。
The information that we provided on (DATE) is still valid.
- 本會較早前提供的資料已有改變，現隨函附上有關資料。
There are some changes in the information provided earlier. Details are attached herewith.
- 本會未能提供以下資料 / 只能提供部分以下資料：
We cannot provide the following information/can only provide part of the following information:

- | | 未能
提供
cannot
provide | 只能
部分提供
can partly
provide | | 未能
提供
cannot
provide | 只能
部分提供
can partly
provide | |
|-----|-------------------------------|-------------------------------------|--|-------------------------------|-------------------------------------|---|
| (a) | <input type="checkbox"/> | <input type="checkbox"/> | 中文及英文名稱
name (both English and Chinese) | (e) | <input type="checkbox"/> | 負責人姓名、職位及電話號碼
name, position and telephone number of
responsible person |
| (b) | <input type="checkbox"/> | <input type="checkbox"/> | 商業登記號碼
business registration number | (f) | <input type="checkbox"/> | 傳真號碼
fax number |
| (c) | <input type="checkbox"/> | <input type="checkbox"/> | 業務地址
business address | (g) | <input type="checkbox"/> | 會員編號或登記 / 註冊號碼
membership/registration number |
| (d) | <input type="checkbox"/> | <input type="checkbox"/> | 電郵地址
e-mail address | (h) | <input type="checkbox"/> | 會員類別 / 會員職級
membership class/membership rank |
| | | | | (i) | <input type="checkbox"/> | 成為本會成員或會員日期
date of admission as a member of my body |

第二部分 更改資料

Part 2 Change of Particulars

- 貴處來函上所列本會的資料是正確。
The particulars of my body shown on your letter are correct.
- 貴處來函上所列本會的資料是不正確，請更改本會的資料如下：
The particulars of my body shown on your letter are incorrect. Please amend the particulars of my body as follows:

- (i) 中文名稱：
Name in Chinese: _____
- (ii) 英文名稱：
Name in English: _____
- (iii) 業務地址：
Business address: _____

負責人簽名：
Signature of Responsible Person: _____

負責人姓名：
Name of Responsible Person: _____

團體印鑑：
Stamp of Body: _____

日間聯絡電話號碼：

Day-time Contact Tel. No.: _____

團體名稱：

Name of Body: _____

傳真號碼：

Fax No.: _____

日期：

Date: _____

請在適當的空格內加上✓號。

Please tick the appropriate boxes.

註：請將此回條連同有關資料及證明文件副本（如適用）於 2007 年 _____ 月 _____ 日或之前送回本處。

Note: Please return this reply slip together with the information and documentary proof (if any) to this office on or before _____ 2007 .

Reply Slip 回條

致：選舉登記主任（經辦人：功能界別組第 分組）

To: Electoral Registration Officer (Attn: Team /Functional Constituencies Section)

傳真號碼：

Fax No: 2891 1670

提供聯絡 / 通訊資料 Provision of Contact Information

我們同意貴處提供及公開以下有關本團體的聯絡 / 通訊資料予市民，以作選民登記及選舉有關的用途：

We hereby give our consent for you to provide and disclose the following contact information in respect of our organization to the public for voter registration and election-related purposes:

(a) 聯絡人姓名

Name of Contact Person: _____

(b) 聯絡人在團體內的職位

Position of Contact Person in the Organization: _____

(c) 團體地址

Address of Organization: _____

(d) 電話號碼

Telephone No: _____

(e) 傳真號碼

Fax No: _____

(f) 電郵地址

E-mail Address: _____

(g) 網址

Official Website: _____

(h) 其他（請註明）

Others (please specify): _____

我們不同意提供及公開有關本團體的聯絡 / 通訊資料予市民。

We do not consent to provide and disclose the contact information in respect of our organization to the public.

簽名

Signature : _____

負責人姓名

Name of Responsible Officer : _____

在團體內的職位

Position in Organization : _____

聯絡電話號碼

Contact Telephone No. : _____

團體名稱

Name of Organization : _____

日期

Date : _____

請在適當的空格內填上✓。

Please tick ✓ in the appropriate box.

選 舉 事 務 處

香港灣仔愛群道 32 號
愛群商業大廈10樓

本函檔號 Our Ref.:
網 址 Web Site: <http://www.reo.gov.hk>

REGISTRATION AND ELECTORAL OFFICE

10/F Guardian House
32 Oi Kwan Road
Wan Chai
Hong Kong

圖文傳真 Fax: 2891 1670
電 話 Tel.: 2891 1001

先生 / 女士 :

**功能界別團體選民及 / 或
選舉委員會界別分組團體投票人的登記資料**

在現有的正式選民及 / 或投票人登記冊中，貴團體已登記為功能界別的團體選民及 / 或選舉委員會界別分組的團體投票人。有關登記資料如本通知書背頁所示。

如貴團體的業務地址已更改或其他在通知書背頁所載的登記資料需作任何修改，請盡早填妥背頁的回條，以便通知本處作出更改。

團體選民 / 投票人在有需要時可更換 / 代替其獲授權代表。申請更換 / 代替獲授權代表須填寫表格REO-42R，並且必須在有關功能界別或有關界別分組的投票日期至少14天前把表格送回本處。詳情請參閱隨本通知書附上的功能界別團體選民 / 選舉委員會界別分組團體投票人委任獲授權代表說明書。

如貴團體無需更改登記資料或更換 / 代替獲授權代表，請無需理會本通知書。

如有任何查詢，請致電本處熱線2891 1001。

選舉登記主任

Dear Sir/Madam,

**Registration Particulars of
a Corporate Elector in a Functional Constituency and/or
a Corporate Voter in an Election Committee Subsector**

In the existing final register(s) of electors and/or voters, your body has been registered as a corporate elector in a functional constituency and/or a corporate voter in an Election Committee subsector. The registration particulars of your body are shown overleaf.

Please notify us by completing the reply slip overleaf without delay for amendment if your business address has changed or if other registration particulars shown overleaf require any amendments.

A corporate elector/voter may replace/substitute its appointed authorized representative as and when necessary. To apply for replacement/substitution of authorized representative, please complete form REO-42R and send it to reach this Office not later than 14 days before the polling date for the functional constituency or subsector concerned. For details, please refer to the enclosed guidance notes on Appointment of Authorized Representative for a Corporate Elector in a Functional Constituency/Corporate Voter in an Election Committee Subsector.

Please disregard this notice if you have no amendment on registration particulars or replacement/substitution of authorized representative.

Should you have any enquiries, please call our hotline at 2891 1001.

Electoral Registration Officer

檔號
Reference :

登記資料 Registration Particulars

名稱 :
Name
地址 :
Address

立法會功能界別 :
Legislative Council Functional Constituency

獲授權代表 :
Authorized Representative

姓名 :
Name

選舉委員會界別分組 :
Election Committee Subsector

獲授權代表 :
Authorized Representative

姓名 :
Name

回條 REPLY SLIP

檔號
Reference :

致 選舉登記主任
To: Electoral Registration Officer [傳真號碼 : 2891 1670]

請更改本團體的資料如下
Please amend the particulars of our body as follows :

名稱# _____
Name# _____

地址 (中文或英文) _____
Address (Chinese or English) : _____

電郵地址
E-mail Address : _____

負責人姓名 _____ 負責人簽名
Name of Responsible Person : _____ Signature of Responsible Person : _____

聯絡電話
Contact Telephone Number : _____

傳真號碼 _____ 團體印鑑 _____ 日期
Fax Number : _____ Stamp of Body : _____ Date : _____

請提供有關證明文件 (例如: 公司更改名稱證書)
Please provide the relevant documentary proof (e.g. Certificate of Change of Name)