

L.N. 120 of 2008**MAXIMUM AMOUNT OF ELECTION EXPENSES
(LEGISLATIVE COUNCIL ELECTION) REGULATION**

(Made by the Chief Executive in Council under section 45 of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554))

1. Commencement

This Regulation shall come into operation on 18 July 2008.

2. Interpretation

In this Regulation—

“election” (選舉) has the same meaning as in section 3(1) of the Legislative Council Ordinance (Cap. 542);

“elector” (選民) has the same meaning as in section 3(1) of the Legislative Council Ordinance (Cap. 542);

“functional constituency” (功能界別) has the same meaning as in section 3(1) of the Legislative Council Ordinance (Cap. 542);

“geographical constituency” (地方選區) has the same meaning as in section 3(1) of the Legislative Council Ordinance (Cap. 542);

“registered” (已登記) means registered in the final register compiled and published in accordance with the Legislative Council Ordinance (Cap. 542) and in force on the date of election.

3. Maximum amount of election expenses for geographical constituency

The maximum amount of election expenses that can be incurred at an election by or on behalf of all the candidates on a list within the meaning of section 49 of the Legislative Council Ordinance (Cap. 542) shall be—

(a) in respect of the Kowloon West geographical constituency and the Kowloon East geographical constituency, \$1,575,000 for each constituency;

(b) in respect of the Hong Kong Island geographical constituency, \$2,100,000;

(c) in respect of the New Territories West geographical constituency and the New Territories East geographical constituency, \$2,625,000 for each constituency.

4. Maximum amount of election expenses for functional constituency

The maximum amount of election expenses that can be incurred at an election by or on behalf of a candidate shall be—

- (a) in respect of any functional constituency specified in section 20(1)(a) to (d) of the Legislative Council Ordinance (Cap. 542), \$105,000;
- (b) in respect of any functional constituency specified in section 20(1)(e) to (zb) of that Ordinance—
 - (i) where there are not more than 5 000 electors registered in that constituency, \$168,000;
 - (ii) where there are more than 5 000 but not more than 10 000 electors registered in that constituency, \$336,000;
 - (iii) where there are more than 10 000 electors registered in that constituency, \$504,000.

Consequential and Related Amendments to the Maximum Scale of Election Expenses (Legislative Council) (Election Committee) Order

5. Title amended

The title of the Maximum Scale of Election Expenses (Legislative Council) (Election Committee) Order (Cap. 288 sub. leg. I) is amended by repealing “(LEGISLATIVE COUNCIL)”.

6. Interpretation

Section 1 is amended—

- (a) in the definition of “election”, by repealing paragraph (a);
- (b) by repealing the definitions of “functional constituency” and “geographical constituency”;
- (c) in the definition of “registered”, by repealing paragraph (a).

7. Maximum scale of election expenses

(1) Section 2(1) and (2) is repealed.

(2) Section 2(3) is amended by repealing “section 13(1) of the Ordinance” and substituting “section 45(1) of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554)”.

LAM Chik-ting, Tony
Clerk to the Executive Council

COUNCIL CHAMBER
6 May 2008

Explanatory Note

This Regulation increases the maximum amount of election expenses in a Legislative Council general election or by-election that can be incurred—

- (a) by or on behalf of all the candidates on a list for different geographical constituencies; and
- (b) by or on behalf of a candidate for different functional constituencies,

by 5% and prescribes the new maximum amount of election expenses.

2. As a result of the prescription of the new maximum amount of election expenses by virtue of section 45(1) of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554), the Regulation also—

- (a) amends the title of the Maximum Scale of Election Expenses (Legislative Council) (Election Committee) Order (Cap. 288 sub. leg. I) (the “Order”);
- (b) amends the definitions of “election” and “registered” and repeals the definitions of “functional constituency” and “geographical constituency” under the Order; and
- (c) repeals the existing maximum scale of election expenses for Legislative Council election set under section 2(1) and (2) of the Order,

so that the Order would be applicable to Election Committee subsector election only.

3. The maximum scale of election expenses set under the Order would continue to be applicable to all Legislative Council election candidates until the new maximum amount of election expenses prescribed under the Regulation takes effect from 18 July 2008.