

**立法會**  
**Legislative Council**

Ref : CB2/BC/3/08

LC Paper No. CB(2)2285/08-09  
(These minutes have been seen  
by the Administration)

**Bills Committee on Voting by Imprisoned Persons Bill**

**Minutes of the 5<sup>th</sup> meeting**  
**held on Monday, 15 June 2009, at 5:30 pm**  
**in the Chamber of the Legislative Council Building**

- Members present** :
- Hon IP Kwok-him, GBS, JP (Chairman)
  - Dr Hon Margaret NG
  - Hon James TO Kun-sun
  - Hon Emily LAU Wai-hing, JP
  - Hon Audrey EU Yuet-mee, SC, JP
  - Hon LEUNG Kwok-hung
  - Hon CHEUNG Hok-ming, SBS, JP
  - Hon WONG Ting-kwong, BBS
  - Hon CHIM Pui-chung
  - Dr Hon Priscilla LEUNG Mei-fun
  - Dr Hon PAN Pey-chyou
  - Hon Paul TSE Wai-chun
  - Dr Hon Samson TAM Wai-ho, JP
- Members absent** :
- Hon LEUNG Yiu-chung
  - Hon WONG Yung-kan, SBS, JP
- Public Officers attending** :
- Mr Arthur HO Kin-wah  
Deputy Secretary for Constitutional and Mainland Affairs
  
  - Mr Ivanhoe CHANG Chi-ho  
Principal Assistant Secretary (Constitutional and Mainland Affairs)
  
  - Mr Gary POON Wai-wing  
Principal Assistant Secretary (Constitutional and Mainland Affairs)
  
  - Mr Gilbert MO Sik-keung  
Deputy Law Draftsman (Bilingual Drafting and Administration)
  
  - Miss Dorothy CHENG Tai-ngar  
Senior Government Counsel

Miss Mandy NG Wing-man  
Government Counsel

Mr Hermes CHAN Shun-hee  
Chief Electoral Officer (Acting)

Mr Eddie NG Sik-hay  
Deputy Chief Electoral Officer (Operations)

**Clerk in attendance** : Miss Flora TAI  
Chief Council Secretary (2)3

**Staff in attendance** : Ms Clara TAM  
Assistant Legal Adviser 9

Mrs Eleanor CHOW  
Senior Council Secretary (2)4

Mrs Fanny TSANG  
Legislative Assistant (2)3

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Action

**I. Meeting with the Administration**

[LC Paper Nos. CB(2)1622/08-09(03) and CB(3)548/08-09]

The Bills Committee deliberated (index of proceedings attached at **Annex**).

2. The Bills Committee considered the Committee Stage amendments (CSA) proposed by Dr Margaret NG and Mr James TO to clause 5(1) of the Bill. Members noted that the two CSAs sought to enable the use of the prison as the registered address of a prisoner for the purpose of voter registration as follows -

- (a) the CSAs proposed by Dr Margaret NG would have the effect that the residential address of the person last recorded by the Immigration Department under the Registration of Persons Regulations or the address of the prison in which a prisoner serving a sentence of life imprisonment (lifer) could be used as the residential address for the purpose of voter registration, if no address was established to the satisfaction of the Electoral Registration Officer to be the last dwelling place in Hong Kong at which a lifer resided and which constituted his or her sole or main home; and
- (b) the CSAs proposed by Mr James TO would have the effect of enabling a prisoner to use the prison as his registered address for the purpose of voter registration, if no address was established to the satisfaction of the Electoral Registration Officer to be his last dwelling place in Hong Kong at which he resided and which constituted his sole or main home.

Action

3. The Administration reiterated that it would not be appropriate to use prison address as the registered address (either for all imprisoned persons or for lifers only), on the grounds set out in the Paper CB(2)1827/08-09 (01) to the Bills Committee and explained to members at the meeting on 11 June 2009.

4. Mr James TO expressed support for the CSAs proposed by Dr Margaret NG, having considered their effects. Mr James TO subsequently moved a motion that the CSAs proposed by Dr Margaret NG should be moved in the name of the Bills Committee.

5. As some members did not support the idea of allowing a lifer to use the prison as his registered address for the purpose of voter registration, the Chairman put the motion proposed by Mr James TO to vote. Five members voted for and six members voted against the motion. The Chairman declared that the motion was not carried.

6. The Chairman informed members that the deadline to give notice of amendments to the Bill was 15 June 2009. Dr Margaret NG informed members that she had already given such a notice.

7. The meeting ended at 5:46 pm.

Council Business Division 2  
Legislative Council Secretariat  
24 July 2009

**Proceedings of the 5<sup>th</sup> meeting of the  
Bills Committee on Voting by Imprisoned Persons Bill  
on Monday, 15 June 2009, at 5:30 pm  
in the Chamber of the Legislative Council Building**

<b>Time Marker</b>	<b>Speaker(s)</b>	<b>Subject(s)</b>	<b>Action required</b>
000142 - 000241	Chairman	Opening remarks	
000242 - 000529	Dr Margaret NG	Briefing on the Committee Stage amendments (CSAs) to clause 5(1) of the Bill proposed by Dr Margaret NG (LC Paper No. CB(2)1901/08-09(01))	
000530 - 000638	Mr James TO	Briefing on the CSAs to clause 5(1) of the Bill proposed by Mr James TO (LC Paper No. CB(2)1901/08-09(02))	
000639 - 000752	Chairman Administration	Response of the Administration to the CSAs proposed by Dr Margaret NG and Mr James TO	
000753 - 000935	Chairman Dr Margaret NG Mr James TO Mr LEUNG Kwok-hung	Motion moved by Mr James TO that the CSAs proposed by Dr Margaret NG should be moved in the name of the Bills Committee.	
000936 - 001140	Mr CHEUNG Hok-ming Chairman Ms Audrey EU Dr Margaret NG Mr LEUNG Kwok-hung	Views of Mr CHEUNG Hok-ming on the motion moved by Mr James TO -  (a) the Democratic Alliance for the Betterment and Progress of Hong Kong did not support the idea of allowing a prisoner who served a sentence of life imprisonment to use the prison as his registered address for the purpose of voter registration. It considered that clause 5(1), as presently worded in the Bill, was acceptable; and  (b) it would not object individual members moving CSAs in their own capacity.	
001141 - 001428	Mr James TO Chairman Dr Margaret NG	Casting of votes	