

L.N. 158 of 2009**ELECTORAL AFFAIRS COMMISSION (REGISTRATION OF ELECTORS) (VILLAGE REPRESENTATIVE ELECTION) (AMENDMENT) REGULATION 2009**

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

1. Commencement

This Regulation comes into operation on a day to be appointed by the Chairman of the Electoral Affairs Commission by notice published in the Gazette.

2. Objection regarding registered person in provisional register

Section 23 of the Electoral Affairs Commission (Registration of Electors) (Village Representative Election) Regulation (Cap. 541 sub. leg. K) is amended by adding—

“(2A) If the objector is in custody within the meaning of section 2(1) of the Electoral Procedure (Village Representative Election) Regulation (Cap. 541 sub. leg. L), a notice sent by post by the objector is deemed, for the purposes of subsection (2)(c), to be a notice delivered by the objector in person.”.

3. How to lodge notice of claim

Section 25 is amended by adding—

“(3A) If the claimant is in custody within the meaning of section 2(1) of the Electoral Procedure (Village Representative Election) Regulation (Cap. 541 sub. leg. L), a notice sent by post by the claimant is deemed, for the purposes of subsection (3)(a), to be a notice delivered by the claimant in person.”.

Made this 26th day of June 2009.

The Hon. Mr. Justice
PANG Kin-kee
Chairman,
Electoral Affairs Commission

Lawrence LOK Ying-kam
Member,
Electoral Affairs Commission

Andrew CHAN Chi-fai
Member,
Electoral Affairs Commission

Explanatory Note

The object of this Regulation is to introduce two amendments that are consequential upon the enactment of the Voting by Imprisoned Persons Ordinance (7 of 2009). Under section 1, this Regulation comes into operation on a day to be appointed by the Chairman of the Electoral Affairs Commission.

2. Section 23 of the Electoral Affairs Commission (Registration of Electors) (Village Representative Election) Regulation (Cap. 541 sub. leg. K) (“the principal Regulation”) allows a person to make, under certain circumstances, an objection to another person’s registration in the final register of electors by means of lodging a notice of objection in person. Section 2 amends that section to provide that an imprisoned person or a person detained under any lawful authority may send a notice of objection by post.

3. Section 25 of the principal Regulation allows a person to object to certain decisions of the Electoral Registration Officer by making a claim by means of lodging a notice of claim in person. Section 3 amends that section to provide that an imprisoned person or a person detained under any lawful authority may send a notice of claim by post.