

**立法會**  
**Legislative Council**

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Tel : 2869 9206

Date : 24 February 2011

From : Clerk to the Legislative Council

To : All Members of the Legislative Council

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**Council meeting of 2 March 2011**

**Chief Executive Election (Amendment) Bill 2010**

**Committee stage amendments**

The Second Reading debate on the above Bill will be resumed at the Council meeting of 2 March 2011. Subject to the Bill receiving a Second Reading, the President has given permission for the Secretary for Constitutional and Mainland Affairs to move amendments to the Bill at its Committee stage.

2. As directed by the President, the amendments are attached for Members' consideration.



(Desmond LAM)  
for Clerk to the Legislative Council

Encl.

Chief Executive Election (Amendment) Bill 2010

**Committee Stage**

Amendments to be moved by the Secretary for Constitutional and Mainland Affairs

<u>Clause</u>	<u>Amendment Proposed</u>
1(2)	By deleting “7,” and substituting “7(1), (2), (3) and (4),”.
1(3)	By deleting “7,” and substituting “7(1), (2), (3) and (4),”.
New	By adding immediately before clause 3— <b>“2A. Section 11 amended (Fixing new polling date under certain circumstances)</b> Section 11(2)(b)— <b>Repeal</b> “or (1)” <b>Substitute</b> “, (1) or (3)”.
New	By adding— <b>“3A. Section 22 amended (Termination of election proceedings)</b> After section 22(2)— <b>Add</b> “(3) If— (a) at the close of nominations 2 or more candidates are validly nominated; and (b) a poll is conducted under section 24

and, under section 27(2A), no candidate is returned at the election,

the Returning Officer must—

- (c) publicly declare that no candidate is returned at the election;
- (d) publish the declaration and the result of the poll in the Gazette; and
- (e) by a public declaration, terminate the proceedings for the election.”.

**3B. Section 26A amended (System of voting: only one candidate)**

- (1) Section 26A(3)—

**Repeal**

“half of the total number of valid votes cast in the poll, he shall be”

**Substitute**

“600, the candidate is”.

- (2) Section 26A(4)—

**Repeal**

“half of the total number of valid votes cast in the poll, he shall not be”

**Substitute**

“600, the candidate is not”.

**3C. Section 27 amended (System of voting: contested election)**

- (1) Before section 27(1)—

**Add**

“(1A) This section applies to an election in which at the close of nominations 2 or more candidates are validly nominated.”.

- (2) Section 27(1)—

**Repeal**

“half of the total number of valid votes cast in any round of voting, he shall be”

**Substitute**

“600 votes in any round of voting, the candidate is”.

- (3) Section 27(2)—

**Repeal**

everything after paragraph (b)

**Substitute**

“a single round of voting must be conducted for the 2 candidates.”.

- (4) After section 27(2)—

**Add**

“(2A) If in a round of voting conducted under subsection (2), no candidate obtains more than 600 votes, no candidate is returned at the election and section 22(3) applies.”.

- (5) Section 27(3)(b)(ii)(A)—

**Repeal**

“he does not obtain more than half of the total number of valid votes cast”

**Substitute**

“the candidate does not obtain more than 600 votes”.

- (6) Section 27(4)(b)(ii)(A)—

**Repeal**

“he does not obtain more than half of the total number of valid votes cast”

**Substitute**

“the candidate does not obtain more than 600 votes”.

- 5(42) In the proposed paragraph (1)(j), by deleting “Hong Kong Chinese

Overseas Physician Association” and substituting “Hong Kong Chinese Medicine Practitioners Association Limited”.

- 7(3) (a) In the proposed section 12(11)(g), by deleting “registered or applies” and substituting “eligible”.
- (b) In the proposed section 12(11)(h), by deleting “registered or applies” and substituting “eligible”.

7 By adding—

“(5) The Schedule, after section 12(20)—

**Add**

- “(21) A consular post to which any privilege or immunity is accorded under the Consular Relations Ordinance (Cap. 557) is not eligible to be registered as a voter for any subsector.
- (22) An organization to which section 2 of the International Organizations and Diplomatic Privileges Ordinance (Cap. 190) applies or an international organization defined in section 2 of the International Organizations (Privileges and Immunities) Ordinance (Cap. 558) is not eligible to be registered as a voter for any subsector.”.