

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

**ALL PASSED**

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)—

**ALL PASSED**

**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

**ALL PASSED**

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.”.

ALL PASSED