

L.N. 71 of 2011

**Electoral Affairs Commission (Registration) (Electors
for Legislative Council Functional Constituencies)
(Voters for Election Committee Subsectors) (Members
of Election Committee) (Amendment) Regulation 2011**

Contents

Section	Page
1.	CommencementB2725
2.	Electoral Affairs Commission (Registration) (Electors for Legislative Council Functional Constituencies) (Voters for Election Committee Subsectors) (Members of Election Committee) Regulation amendedB2725
3.	Section 2 amended (Interpretation)B2725
4.	Section 3 amended (Form of the functional constituencies register)B2727
5.	Section 5 amended (Form of the Election Committee register)B2729
6.	Section 13 amended (Electoral Registration Officer may send notifications to members of Heung Yee Kuk to compile functional constituencies register)B2729
7.	Section 13A addedB2731
13A.	Electoral Registration Officer may send notifications to elected DC members to compile functional constituencies registerB2731

Electoral Affairs Commission (Registration) (Electors for Legislative Council
Functional Constituencies) (Voters for Election Committee Subsectors)
(Members of Election Committee) (Amendment) Regulation 2011 B2721

L.N. 71 of 2011

Section	Page
8. Section 14 amended (Electoral Registration Officer may send notifications to natural persons eligible to be registered as electors for functional constituencies)	B2733
9. Section 14A added	B2733
14A. Electoral Registration Officer may send notifications to elected DC members to compile subsector register	B2733
10. Section 15 amended (Electoral Registration Officer may send notifications to natural persons eligible to be registered as voters for subsectors)	B2735
11. Section 16 amended (Electoral Registration Officer to register persons in the functional constituencies provisional register or subsector provisional register in accordance with response to a notification)	B2737
12. Section 18 amended (When Electoral Registration Officer cannot register persons under a notification)	B2739
13. Section 19 amended (How to apply for registration in functional constituencies provisional register and subsector provisional register)	B2739
14. Section 20 amended (A corporate elector or corporate voter to appoint an authorized representative)	B2741
15. Section 22 amended (Electoral Registration Officer may make inquiries regarding persons registered in the existing functional constituencies or subsector final register)	B2741

Electoral Affairs Commission (Registration) (Electors for Legislative Council
Functional Constituencies) (Voters for Election Committee Subsectors)
(Members of Election Committee) (Amendment) Regulation 2011 B2723

L.N. 71 of 2011

Section		Page
16.	Section 24 amended (Electoral Registration Officer to prepare an omissions list)	B2741
17.	Section 27 amended (What is to be contained in a functional constituencies provisional register)	B2747
18.	Section 31 amended (Who may lodge a notice of claim)	B2749
19.	Section 34 amended (Electoral Registration Officer to correct entries in provisional register with approval of Revising Officer)	B2749
20.	Section 35A added	B2749
	35A. First register of electors for District Council (second) functional constituency	B2751
21.	Section 36 amended (What is to be contained in a subsector final register)	B2757
22.	Section 37 amended (What is to be contained in an Election Committee interim register and an Election Committee final register)	B2759
23.	Section 38 amended (Electoral Registration Officer to publish notice of and make available for public inspection functional constituencies final register and subsector final register)	B2761

Electoral Affairs Commission (Registration) (Electors for Legislative Council Functional Constituencies) (Voters for Election Committee Subsectors) (Members of Election Committee) (Amendment) Regulation 2011

(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 8 July 2011.

2. Electoral Affairs Commission (Registration) (Electors for Legislative Council Functional Constituencies) (Voters for Election Committee Subsectors) (Members of Election Committee) Regulation amended

The Electoral Affairs Commission (Registration) (Electors for
Legislative Council Functional Constituencies) (Voters for
Election Committee Subsectors) (Members of Election
Committee) Regulation (Cap. 541 sub. leg. B) is amended as set
out in sections 3 to 23.

3. Section 2 amended (Interpretation)

Section 2(1)—

Add in alphabetical order

“elected DC member (民選區議員) means a person who is
elected to be an elected member under Part V of the
District Councils Ordinance (Cap. 547);

GC Register Regulation (《地方選區登記冊規例》) means the
Electoral Affairs Commission (Registration of Electors)
(Legislative Council Geographical Constituencies) (District
Council Constituencies) Regulation (Cap. 541 sub. leg. A);

geographical constituencies final register (地方選區正式選民登記冊) means a final register of electors for geographical constituencies required to be compiled under section 32(1)(b)(i) or (1A)(b)(i) of the Legislative Council Ordinance (Cap. 542);

geographical constituencies provisional register (地方選區臨時選民登記冊) means a provisional register of electors for geographical constituencies required to be compiled under section 32(1)(a)(i) or (1A)(a)(i) of the Legislative Council Ordinance (Cap. 542);

geographical constituencies register (地方選區選民登記冊) means a geographical constituencies provisional register or a geographical constituencies final register;”.

4. Section 3 amended (Form of the functional constituencies register)

(1) Section 3(1)—

Repeal

“A”

Substitute

“Subject to subsection (1A), a”.

(2) After section 3(1)—

Add

“(1A) To the extent that the electors whose names and personal particulars in a geographical constituencies register are specified, by means of notes or indications, to be registered for the District Council (second) functional constituency, those names, personal particulars and notes or indications constitute the part of a functional constituencies register for that functional constituency.”.

(3) After section 3(2)—

Add

“(2A) Despite subsection (2), an entry in a functional constituencies register relating to an elector for the District Council (second) functional constituency is to be shown in a geographical constituencies register by a note or indication to that effect against the entry relating to the elector.”.

(4) Section 3(4), after “register”—

Add

“(other than a register for the District Council (second) functional constituency)”.

5. Section 5 amended (Form of the Election Committee register)

(1) After section 5(2)—

Add

“(2A) The particulars of a person to whom section 2A(8) of the Schedule to the Chief Executive Election Ordinance (Cap. 569) applies must be recorded under the subsector for which the person is nominated.”.

(2) After section 5(5)—

Add

“(6) Subsection (2A) expires on the date on which the term of office of the fifth term of the Legislative Council commences under the Legislative Council Ordinance (Cap. 542) in 2012.”.

6. Section 13 amended (Electoral Registration Officer may send notifications to members of Heung Yee Kuk to compile functional constituencies register)

Section 13(2A)(c), after “constituency”—

Add

“, but is not eligible to be registered as an elector for the District Council (first) functional constituency”.

7. Section 13A added

After section 13—

Add

“13A. Electoral Registration Officer may send notifications to elected DC members to compile functional constituencies register

- (1) To compile a functional constituencies provisional register, the Electoral Registration Officer may send a notification to an elected DC member who—
 - (a) is registered in the existing geographical constituencies final register;
 - (b) is not registered for the District Council (first) functional constituency in the existing functional constituencies final register; and
 - (c) is eligible to be registered as an elector for the District Council (first) functional constituency.
- (2) A notification sent under subsection (1) must state that the recipient—
 - (a) will be registered as an elector for the District Council (first) functional constituency and a voter for the Hong Kong and Kowloon District Councils subsector or the New Territories District Councils subsector, as appropriate, unless the recipient elects not to be registered; and
 - (b) cannot be registered only as an elector for the District Council (first) functional constituency and not as a voter for the Hong Kong and Kowloon District Councils subsector or the New Territories District Councils subsector, as appropriate.”.

8. Section 14 amended (Electoral Registration Officer may send notifications to natural persons eligible to be registered as electors for functional constituencies)

(1) Section 14(1), after “member of the Heung Yee Kuk”—

Add

“or an elected DC member”.

(2) Section 14(1)(c), after “Heung Yee Kuk functional constituency”—

Add

“and District Council (first) functional constituency”.

(3) After section 14(5)—

Add

“(6) In addition to subsection (5), a notification sent under subsection (1) must state that if the recipient applies under Part V to be registered as an elector for the District Council (second) functional constituency, he or she will not be eligible to be registered as a voter for any subsector (other than an optional subsector).”.

9. Section 14A added

After section 14—

Add

“14A. Electoral Registration Officer may send notifications to elected DC members to compile subsector register

(1) To compile a subsector provisional register, the Electoral Registration Officer may send a notification to an elected DC member who—

(a) is registered in the existing geographical constituencies final register; and

- (b) is eligible to be registered as a voter for the Hong Kong and Kowloon District Councils subsector or the New Territories District Councils subsector, as appropriate.
- (2) A notification sent under subsection (1) must state that the recipient—
 - (a) will be registered as a voter for the Hong Kong and Kowloon District Councils subsector or the New Territories District Councils subsector, as appropriate, and as an elector for the District Council (first) functional constituency, unless the recipient elects not to be registered;
 - (b) cannot be registered only as a voter for the Hong Kong and Kowloon District Councils subsector or the New Territories District Councils subsector, as appropriate, and not as an elector for the District Council (first) functional constituency; and
 - (c) will not be eligible to be registered as a voter for any optional subsector.
- (3) The Electoral Registration Officer may send one notification to a person for the purposes of this section and section 13A.”.

10. Section 15 amended (Electoral Registration Officer may send notifications to natural persons eligible to be registered as voters for subsectors)

After section 15(7)—

Add

- “(8) This section does not apply in relation to a notification to a person who is an elected DC member.”.

11. Section 16 amended (Electoral Registration Officer to register persons in the functional constituencies provisional register or subsector provisional register in accordance with response to a notification)

(1) Section 16(1)—

Repeal

“If a recipient under section 13(5) elects to be registered”

Substitute

“Unless a recipient under section 13(5) elects not to be registered”.

(2) After section 16(1)—

Add

“(1A) Unless a recipient under section 13A(2)(a) elects not to be registered, the Electoral Registration Officer must register the recipient as an elector for the District Council (first) functional constituency.”.

(3) Section 16(2)—

Repeal

“if a recipient under section 14(5) elects to be registered”

Substitute

“unless a recipient under section 14(5) elects not to be registered”.

(4) After section 16(2)—

Add

“(2A) Unless a recipient under section 14A(2)(a) elects not to be registered, the Electoral Registration Officer must register the recipient as a voter for the Hong Kong and Kowloon District Councils subsector or the New Territories District Councils subsector, as appropriate.”.

(5) Section 16(4)—

Repeal

“section 13(5) or section 14(5)”

Substitute

“section 13(5), 13A(2)(a), 14(5) or 14A(2)(a)”.

12. Section 18 amended (When Electoral Registration Officer cannot register persons under a notification)

Section 18(1), after “he or she”—

Add

“has not elected not to be registered (within the meaning of section 11(2)) or”.

13. Section 19 amended (How to apply for registration in functional constituencies provisional register and subsector provisional register)

(1) Section 19(1), after “functional constituencies provisional register”—

Add

“(other than a provisional register for the District Council (second) functional constituency)”.

(2) After section 19(1)—

Add

“(1A) A person applying for registration in a geographical constituencies provisional register under section 4 of the GC Register Regulation is also regarded as having applied for registration as an elector for the District Council (second) functional constituency, unless the

person indicates otherwise in the manner specified by the Electoral Registration Officer.”.

14. Section 20 amended (A corporate elector or corporate voter to appoint an authorized representative)

Section 20(8)(b)—

Repeal

“Electoral Affairs Commission (Registration of Electors) (Legislative Council Geographical Constituencies) (District Council Constituencies) Regulation (Cap. 541 sub. leg. A)”

Substitute

“GC Register Regulation”.

15. Section 22 amended (Electoral Registration Officer may make inquiries regarding persons registered in the existing functional constituencies or subsector final register)

After section 22(3)—

Add

“(3A) A letter of inquiry sent to a person under subsection (3) must state that if the result of the inquiry falls under section 24(1)(i)(A), (D) or (F), the Electoral Registration Officer may, in compiling a functional constituencies provisional register, record the personal particulars of the person under the District Council (second) functional constituency unless the person elects not to be registered as an elector for that constituency.”.

16. Section 24 amended (Electoral Registration Officer to prepare an omissions list)

(1) Section 24(1)—

Repeal

“subsection (5)”

Substitute

“subsections (1A), (1B), (1C) and (5)”.

(2) Section 24(1)(iii)—

Repeal

“(within the meaning of section 2(1) of the Electoral Affairs Commission (Registration of Electors) (Legislative Council Geographical Constituencies) (District Council Constituencies) Regulation (Cap. 541 sub. leg. A))”.

(3) Section 24(1)(iii)—

Repeal

“that Regulation”

Substitute

“the GC Register Regulation”.

(4) After section 24(1)—

Add

“(1A) Subject to subsection (1B), if the Electoral Registration Officer makes an inquiry under section 22(1) and the subject of the inquiry is a person—

- (a) registered in the existing geographical constituencies final register;
- (b) referred to in section 24(1)(i)(A), (D) or (F); and
- (c) whose name and principal residential address are not entered on the omissions list prepared for the current year under section 9 of the GC Register Regulation,

the Electoral Registration Officer must, in compiling a functional constituencies provisional register, record the personal particulars of the person under the District Council (second) functional constituency unless the person elects not to be registered as an elector for that constituency.

(1B) The Electoral Registration Officer must not record the personal particulars of a person under the District Council (second) functional constituency under subsection (1A) if the Electoral Registration Officer is satisfied that the letter of inquiry sent under section 22 has not reached the person.

(1C) If a person is registered in the existing functional constituencies final register as an elector for a functional constituency which has a corresponding subsector and the Electoral Registration Officer, in compiling a functional constituencies provisional register, records the personal particulars of the person under the District Council (second) functional constituency—

(a) under subsection (1A);

(b) under section 35A(10) or (14); or

(c) by virtue of the person's application under Part V, the Electoral Registration Officer must, in compiling a subsector provisional register, enter the personal particulars of the person on the subsector omissions list prepared for the current year.”.

(5) After section 24(7)—

Add

“(8) For the purposes of this section, an entry in an omissions list relating to a person whose personal particulars are proposed by the Electoral Registration Officer to be omitted from the next final register for

the District Council (second) functional constituency is to be shown in a geographical constituencies omissions list by a note or indication to that effect against the entry relating to the person.

(9) In this section—

corresponding subsector (對等界別分組) has the meaning given by section 11(1);

elects not to be registered (選擇不登記) has the meaning given by section 11(2) and—

(a) a reference to “recipient” in section 11(2) is to be construed as a reference to a person in respect of whom an inquiry under section 22(1) is made; and

(b) a reference to “notification” in section 11(2) is to be construed as a reference to a letter of inquiry sent under section 22(3);

principal residential address (主要住址), in relation to a person, means the address of the only or principal residence (within the meaning of section 28(1B) or (3) of the Legislative Council Ordinance (Cap. 542)) of the person.”.

17. Section 27 amended (What is to be contained in a functional constituencies provisional register)

(1) Section 27—

Renumber the section as section 27(1).

(2) After section 27(1)—

Add

“(2) In addition to the particulars referred to in subsection (1), the functional constituencies provisional register to be compiled for 2012 is to also contain the personal particulars recorded in the first register of electors for the District Council (second) functional constituency compiled in accordance with section 35A.”.

18. Section 31 amended (Who may lodge a notice of claim)

After section 31(6)—

Add

“(6A) A person making a claim under section 15(1) or (2) of the GC Register Regulation that he or she is entitled to be registered in the geographical constituencies final register is also regarded as having made a claim that he or she is entitled to be registered as an elector for the District Council (second) functional constituency, unless the person indicates otherwise in the manner specified by the Electoral Registration Officer.”.

19. Section 34 amended (Electoral Registration Officer to correct entries in provisional register with approval of Revising Officer)

(1) After section 34(1)—

Add

“(1A) If the Electoral Registration Officer is satisfied that an additional entry ought to be made in a geographical constituencies final register under section 18 of the GC Register Regulation, the Electoral Registration Officer may, subject to subsection (2), make the additional entry in the final register of electors for the District Council (second) functional constituency.”.

(2) Section 34(2)—

Repeal

“subsection (1)”

Substitute

“subsection (1) or (1A)”.

20. Section 35A added

After section 35—

Add

“35A. First register of electors for District Council (second) functional constituency

- (1) For the purposes of compiling the first register of electors for the District Council (second) functional constituency, the Electoral Registration Officer must inform, in a manner he or she thinks fit, any person—
 - (a) whose name is recorded in the current GC register; and
 - (b) whose name is not recorded in the current FC register,
that the person will be registered as an elector for the District Council (second) functional constituency unless the person elects not to be so registered.
- (2) The person referred to in subsection (1) may, on being informed by the Electoral Registration Officer, give a written notice to the Electoral Registration Officer on or before 29 June 2012 that he or she does not elect to be registered as an elector for the District Council (second) functional constituency.
- (3) On receiving a notice under subsection (2) from a person and on being satisfied that the notice is in order, the Electoral Registration Officer must not, subject to subsections (6) and (7), include the personal particulars of the person in the provisional register of electors for the District Council (second) functional constituency.
- (4) If the Electoral Registration Officer makes a decision under subsection (3), the officer must inform the person concerned in writing.

- (5) If the Electoral Registration Officer decides to include the personal particulars of a person in the provisional register of electors for the District Council (second) functional constituency despite the person's notice under subsection (2), the Officer must notify the person, by registered post, of the decision.
- (6) If the Electoral Registration Officer receives the notice under subsection (2) after the publication of the provisional register of electors for the District Council (second) functional constituency, the Officer may only remove the relevant personal particulars with the approval of the Revising Officer when compiling the final register of electors for the District Council (second) functional constituency.
- (7) If the Electoral Registration Officer receives the notice under subsection (2) after 29 June 2012, the Officer may only remove the relevant personal particulars for the purposes of compiling the next provisional register of electors for the District Council (second) functional constituency.
- (8) The Electoral Registration Officer must inform, in a manner he or she thinks fit, any natural person whose name is recorded in the current FC register (except for the Heung Yee Kuk functional constituency, the agriculture and fisheries functional constituency, the insurance functional constituency, the transport functional constituency and the District Council (first) functional constituency) that the person—
 - (a) will be registered as an elector for the District Council (second) functional constituency; and
 - (b) will not be registered as an elector for the functional constituency for which the person is currently registered as an elector,if the person so elects.

- (9) The person referred to in subsection (8) may, on being informed by the Electoral Registration Officer, give a written notice to the Electoral Registration Officer on or before 29 June 2012 that he or she elects to be registered as an elector for the District Council (second) functional constituency.
- (10) On receiving a notice under subsection (9) from a person and on being satisfied that the notice is in order, the Electoral Registration Officer must, subject to subsection (13), enter the personal particulars of the person in the final register of electors for the District Council (second) functional constituency.
- (11) If the Electoral Registration Officer makes a decision under subsection (10), the Officer must inform the person concerned in writing.
- (12) If the Electoral Registration Officer decides not to enter the personal particulars of a person in the final register of electors for the District Council (second) functional constituency despite the person's notice under subsection (9), the Officer must notify the person, by registered post, of the decision.
- (13) If the Electoral Registration Officer receives the notice under subsection (9) after 29 June 2012, the Officer may only enter the relevant personal particulars for the purposes of compiling the next provisional register of electors for the District Council (second) functional constituency.
- (14) If a person whose name is recorded in the current FC register informs the Electoral Registration Officer in writing on or before 16 May 2012 that he or she does not wish to be registered as an elector for the functional constituency for which the person is currently registered as an elector, the Electoral Registration Officer must record the personal

particulars of the person under the District Council (second) functional constituency unless the person indicates otherwise.

(15) In this section—

current FC register (現有功能界別登記冊) means the record comprising—

- (a) the functional constituencies final register published for 2011; and
- (b) the records of the personal particulars of persons to be registered in the functional constituencies provisional register published for 2012 (other than for the District Council (second) functional constituency);

current GC register (現有地方選區登記冊) means the record comprising—

- (a) the geographical constituencies final register published for 2011; and
- (b) the records of the personal particulars of persons to be registered in the geographical constituencies provisional register published for 2012.”.

21. Section 36 amended (What is to be contained in a subsector final register)

After section 36(5)—

Add

- “(6) Despite subsection (5), the subsector final register to be compiled for 2011 must include any changes made by the Electoral Registration Officer in accordance with section 14(1B) of the Schedule to the Chief Executive Election Ordinance (Cap. 569).”.

22. Section 37 amended (What is to be contained in an Election Committee interim register and an Election Committee final register)

(1) After section 37(1AA)—

Add

“(1AAA) In addition to the particulars referred to in subsection (1), an Election Committee interim register is to also consist of the specified particulars of the persons to whom section 2A(8) of the Schedule to the Chief Executive Election Ordinance (Cap. 569) applies.”.

(2) After section 37(2)—

Add

“(2A) Despite subsection (6), as soon as practicable after the date on which the term of office of the fifth term of the Legislative Council commences under the Legislative Council Ordinance (Cap. 542) in 2012, the Electoral Registration Officer must remove the specified particulars of the persons to whom section 2A(8) of the Schedule to the Chief Executive Election Ordinance (Cap. 569) applies from an Election Committee final register.”.

(3) After section 37(3)—

Add

“(3A) Despite subsection (6), the Electoral Registration Officer must, within 14 days of removing the specified particulars from an Election Committee final register under subsection (2A), publish a notice in the Gazette of the removal under section 2A(12) of the Schedule to the Chief Executive Election Ordinance (Cap. 569).”.

(4) After section 37(5)—

Add

“(6) Subsections (1AAA), (2A) and (3A) expire on the date on which the term of office of the fifth term of the Legislative Council commences under the Legislative Council Ordinance (Cap. 542) in 2012.”.

23. Section 38 amended (Electoral Registration Officer to publish notice of and make available for public inspection functional constituencies final register and subsector final register)

After section 38(2)—

Add

“(2A) The Electoral Registration Officer must, as soon as practicable after complying with section 14(1B) of the Schedule to the Chief Executive Election Ordinance (Cap. 569), publish in the Gazette and in at least one Chinese language daily newspaper and one English language daily newspaper in circulation in Hong Kong, a notice specifying that—

- (a) a copy of the subsector final register is available for public inspection during ordinary business hours; and
- (b) the place or places at which a copy of the subsector final register may be inspected by the public.”.

Made this 9th day of May 2011.

The Hon. Mr. Justice
Barnabas Wah FUNG
Chairman,
Electoral Affairs Commission

Electoral Affairs Commission (Registration) (Electors for Legislative Council
Functional Constituencies) (Voters for Election Committee Subsectors)
(Members of Election Committee) (Amendment) Regulation 2011 B2763

L.N. 71 of 2011

Lawrence LOK Ying-kam
Member,
Electoral Affairs Commission

Andrew CHAN Chi-fai
Member,
Electoral Affairs Commission

Explanatory Note

The main purpose of this Regulation is to amend the Electoral Affairs Commission (Registration) (Electors for Legislative Council Functional Constituencies) (Voters for Election Committee Subsectors) (Members of Election Committee) Regulation (Cap. 541 sub. leg. B) (*principal Regulation*) to introduce amendments consequential upon amendments made under the Chief Executive Election (Amendment) Ordinance 2011 (1 of 2011) and the Legislative Council (Amendment) Ordinance 2011 (2 of 2011).

2. Section 1 provides for commencement.
3. Section 3 adds several new definitions to section 2(1) of the principal Regulation as a result of the proposed amendments to the principal Regulation. The new definitions include *elected DC member*, *GC Register Regulation*, *geographical constituencies final register*, *geographical constituencies provisional register* and *geographical constituencies register*.
4. Section 4 adds new subsections (1A) and (2A) to section 3 of the principal Regulation to provide for the form of the functional constituencies register for the District Council (second) functional constituency.
5. Section 5 adds a new subsection (2A) to section 5 of the principal Regulation to clarify that the particulars of a person to whom section 2A(8) of the Schedule to the Chief Executive Election Ordinance (Cap. 569) (*CE Ordinance*) applies must be recorded in the Election Committee register under the subsector for which the person is nominated. The newly added subsection (2A) is to expire on the date on which the term of the office of the fifth term of the Legislative Council commences under the Legislative Council Ordinance (Cap. 542) (*LegCo Ordinance*) in 2012.

Explanatory Note

Paragraph 6

L.N. 71 of 2011

6. Section 6 amends section 13 of the principal Regulation to provide that the relevant notification will not be sent to a member of the Heung Yee Kuk who is elected as a District Council member.
7. Section 7 adds a new section 13A to the principal Regulation. The new section provides for the Electoral Registration Officer's sending of notifications to certain elected District Council members for the purposes of compiling a functional constituencies provisional register. The new section also provides for the matters that the notification must contain.
8. Section 8(1) and (2) amends section 14 of the principal Regulation to introduce technical amendments consequential upon amendments made to section 13 of, and the addition of the new section 13A to, the principal Regulation. Section 8(3) adds a new subsection (6) to section 14 of the principal Regulation to clarify that the relevant notification must inform the recipient that he or she will not be eligible to be registered as a voter for any subsector (other than an optional subsector) if he or she applies to be registered as an elector for the District Council (second) functional constituency.
9. Section 9 adds a new section 14A to the principal Regulation. The new section provides for the Electoral Registration Officer's sending of notifications to certain elected District Council members for the purposes of compiling a subsector provisional register. The new section also provides for the matters that the notification must contain.
10. Section 10 amends section 15 of the principal Regulation to introduce technical amendments consequential upon the addition of the new section 14A to the principal Regulation.

Explanatory Note

Paragraph 11

L.N. 71 of 2011

11. Section 11 amends section 16 of the principal Regulation to provide that the Electoral Registration Officer must register a person in the functional constituencies provisional register or the subsector provisional register in accordance with the responses given under the proposed sections 13A(2)(a) and 14A(2)(a) of the principal Regulation.
12. Section 12 introduces a technical amendment to section 18 of the principal Regulation.
13. Section 13 adds a new subsection (1A) to section 19 of the principal Regulation to provide that a person applying for registration in a geographical constituencies provisional register is also regarded as having applied for registration as an elector for the District Council (second) functional constituency, unless the person indicates otherwise.
14. Section 14 introduces a textual amendment to section 20 of the principal Regulation.
15. Section 15 adds a new subsection (3A) to section 22 of the principal Regulation to specify the matters that must be stated in a letter of inquiry sent under section 22(3) of the principal Regulation.
16. Section 24 of the principal Regulation provides for the preparation of a functional constituencies omissions list and a subsector omissions list. Section 16 amends section 24 of the principal Regulation to introduce amendments consequential upon the provisions concerning the newly added District Council (second) functional constituency. A new subsection (8) is added to section 24 of the principal Regulation to provide for the form of an omissions list for the District Council (second) functional constituency.

Explanatory Note

Paragraph 17

L.N. 71 of 2011

17. Section 27 of the principal Regulation provides for the matters to be contained in a functional constituencies provisional register. Section 17 amends section 27 of the principal Regulation to introduce amendments consequential upon the provisions concerning the newly added District Council (second) functional constituency.
18. Section 18 adds a new subsection (6A) to section 31 of the principal Regulation to provide that a person making a claim that he or she is entitled to be registered in a geographical constituencies final register is also regarded as having made a claim that he or she is entitled to be registered as an elector for the District Council (second) functional constituency, unless the person indicates otherwise.
19. Section 19 adds a new subsection (1A) to section 34 of the principal Regulation to empower the Electoral Registration Officer to make an additional entry in a final register of electors for the District Council (second) functional constituency if the additional entry ought to be made in a geographical constituencies final register.
20. Section 20 provides for the arrangement for the compilation of the first register of electors for the District Council (second) functional constituency. Registered electors for geographical constituencies will be automatically registered as electors for the District Council (second) functional constituency. They can however elect not to be so registered. Registered electors for other functional constituencies (except for the 4 special functional constituencies and the District Council (first) functional constituency) can elect to be registered instead as electors for the District Council (second) functional constituency.
21. Section 21 amends section 36 of the principal Regulation to introduce technical amendments consequential upon amendments made to section 14(1B) of the Schedule to the CE Ordinance.

Electoral Affairs Commission (Registration) (Electors for Legislative Council
Functional Constituencies) (Voters for Election Committee Subsectors)
(Members of Election Committee) (Amendment) Regulation 2011 B2773

Explanatory Note

Paragraph 22

L.N. 71 of 2011

22. Section 2A of the Schedule to the CE Ordinance provides for transitional arrangements for the filling of 10 vacancies in the Election Committee during the period between the subsector ordinary election in 2011 and the commencement of the term of office of the fifth term of the Legislative Council in 2012. Section 37 of the principal Regulation provides for matters to be contained in an Election Committee register. Section 22 introduces certain consequential amendments to section 37 of the principal Regulation.
23. Section 23 introduces technical amendments to section 38 of the principal Regulation to provide for publication of notice of and making available for public inspection the subsector final register after complying with section 14(1B) of the Schedule to the CE Ordinance.