

L.N. 72 of 2011

Electoral Affairs Commission (Nominations Advisory Committees (Legislative Council)) (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 1 April 2012.

2. Electoral Affairs Commission (Nominations Advisory Committees (Legislative Council)) Regulation amended

The Electoral Affairs Commission (Nominations Advisory Committees (Legislative Council)) Regulation (Cap. 541 sub. leg. C) is amended as set out in section 3.

3. Section 1 amended (Interpretation)

(1) Section 1(1), definition of *candidate*, paragraph (a)—

Repeal

“and”.

(2) Section 1(1), definition of *candidate*, after paragraph (a)—

Add

“(aa) in relation to the District Council (second) functional constituency, a person who is nominated to be returned as a Member for that functional constituency at a general election or by-election, including a person whose name is included as a candidate on a nomination list within the meaning of section 3(1) of the Legislative Council Ordinance (Cap. 542);”.

- (3) Section 1(1), definition of *candidate*, paragraph (b)—

Repeal

“a particular functional constituency”

Substitute

“any other functional constituency”.

- (4) Section 1(1), definition of *nomination form*, after paragraph (a)—

Add

“(aa) in relation to the District Council (second) functional constituency, nominating a candidate or candidates by a nomination list within the meaning of section 3(1) of the Legislative Council Ordinance (Cap. 542) to be returned as a Member for the functional constituency;”.

- (5) Section 1(1), definition of *nomination form*, paragraph (b)—

Repeal

“a functional constituency”

Substitute

“any other functional constituency”.

Made this 9th day of May 2011.

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

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B2779

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Lawrence LOK Ying-kam
Member,
Electoral Affairs Commission

Andrew CHAN Chi-fai
Member,
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Explanatory Note

The purpose of this Regulation is to amend the Electoral Affairs Commission (Nominations Advisory Committees (Legislative Council)) Regulation (Cap. 541 sub. leg. C) (*principal Regulation*) to introduce amendments consequential upon amendments made under the Legislative Council (Amendment) Ordinance 2011 (2 of 2011).

2. Section 1 provides for commencement.
3. The method of election of the 5 members of the new District Council (second) functional constituency is the same as that of the seats assigned to the geographical constituencies. Consequentially, section 3 introduces amendments to the definitions of *candidate* and *nomination form* in section 1(1) of the principal Regulation to reflect the method of election of the 5 members of the new District Council (second) functional constituency.