

**立法會**  
**Legislative Council**

LC Paper No. CB(2)2665/11-12  
(These minutes have been seen  
by the Administration)

Ref : CB2/BC/5/11

**Bills Committee on  
Electoral Legislation (Miscellaneous Amendments) Bill 2012**

**Minutes of meeting  
held on Friday, 13 April 2012, at 10:45 am  
in Conference Room 2B of the Legislative Council Complex**

**Members present** : Hon IP Kwok-him, GBS, JP (Chairman)  
Hon Mrs Sophie LEUNG LAU Yau-fun, GBS, JP  
Hon LAU Kong-wah, JP  
Hon Emily LAU Wai-hing, JP  
Hon TAM Yiu-chung, GBS, JP  
Hon Ronny TONG Ka-wah, SC  
Hon Cyd HO Sau-lan  
Dr Hon Priscilla LEUNG Mei-fun, JP  
Hon Paul TSE Wai-chun, JP  
Dr Hon Samson TAM Wai-ho, JP

**Members absent** : Dr Hon Philip WONG Yu-hong, GBS  
Hon WONG Yung-kan, SBS, JP  
Hon Miriam LAU Kin-yea, GBS, JP  
Hon Timothy FOK Tsun-ting, GBS, JP  
Hon CHEUNG Hok-ming, GBS, JP  
Hon WONG Ting-kwong, BBS, JP

**Public Officers attending** : Item I

Mr Gordon LEUNG Chung-tai  
Deputy Secretary for Constitutional and Mainland  
Affairs

Mr Freely CHENG Kei  
Principal Assistant Secretary for Constitutional  
and Mainland Affairs (3)

Ms Anne TENG Yu-yan  
Principal Assistant Secretary for Constitutional  
and Mainland Affairs (2)

Mr LI Pak-hong  
Chief Electoral Officer  
Registration and Electoral Office

Mr Anthony CHAN Shiu-lun  
Principal Electoral Officer  
Registration and Electoral Office

Mr Gilbert MO Sik-keung  
Deputy Law Draftsman (Bilingual Drafting and  
Administration)  
Department of Justice

Miss Emma WONG  
Senior Government Counsel  
Department of Justice

**Clerk in  
attendance** : Ms Alice LEUNG  
Chief Council Secretary (2) 1

**Staff in  
attendance** : Ms Wendy KAN  
Assistant Legal Adviser 6

Miss Josephine SO  
Senior Council Secretary (2) 7

Ms Kiwi NG  
Legislative Assistant (2) 1

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Action

**I. Meeting with the Administration**

(LC Paper Nos. CB(2)1662/11-12(01), CB(2)1646/11-12(01), CB(2)1714/11-12(01) and CB(3)403/11-12)

The Bills Committee deliberated (index of proceedings attached at **Annex**).

2. The Bills Committee completed scrutiny of the draft Committee Stage amendments ("CSAs") proposed by the Administration to the Electoral Legislation (Miscellaneous Amendments) Bill 2012 ("the Bill"), and did not raise objection to the proposed CSAs.

3. The Bills Committee noted that the Administration would resume the Second Reading debate on the Bill at the Council meeting of 9 May 2012, and the deadline for giving notice for moving CSAs to the Bill would be 27 April 2012.

4. Members agreed that the Bills Committee would report its deliberations to the House Committee on 20 April 2012, supporting the resumption of the Second Reading debate on the Bill at the Council meeting of 9 May 2012.

5. There being no other business, the meeting ended at 12:44 pm.

Council Business Division 2  
Legislative Council Secretariat  
7 August 2012

**Proceedings of meeting of the  
Electoral Legislation (Miscellaneous Amendments) Bill 2012  
held on Friday, 13 April 2012, at 10:45 am  
in Conference Room 2B of the Legislative Council Complex**

<b>Time marker</b>	<b>Speaker(s)</b>	<b>Subject(s)</b>	<b>Action Required</b>
000000 - 000647	Chairman Mr TAM Yiu-chung	Opening remarks.	
<i>Administration's responses to issues raised by members at previous meetings</i>			
000648 - 001445	Admin	Briefing on the Administration's paper (LC Paper No. CB(2)1662/11-12(01)) which set out the Administration's response to issues raised by members at the meetings held on 19 and 29 March 2012.	
001446 - 002114	Chairman Ms Emily LAU Admin	<p>Ms Emily LAU considered that to facilitate the candidates to conduct electioneering activities, the existing procedural requirement for obtaining permission for the display or affixing of printed election advertisements ("EAs") in private premises/shops should be simplified.</p> <p>The Administration responded that the display of bills and posters was regulated by the Public Health and Municipal Services Ordinance (Cap. 132) ("PHMSO"), which stipulated that no bill or poster could be displayed or affixed in public or private places except with written permission. The existing provisions under the electoral legislation served only to reflect such requirement by requiring a candidate to provide the Returning Officer with a copy of any such written permission obtained for the display or exhibition of an EA. Having regard to members' concern, the Registration and Electoral Office had forwarded members' suggestion to simplify the existing procedural requirement for seeking permission to the Food and Environmental Hygiene Department for consideration.</p>	
002115 - 002555	Chairman Ms Cyd HO Admin	Discussion on the need to obtain permission for the display of EAs in private premises/shops to fulfill the relevant requirements under PHMSO and provide a standard form of "Consent of Support" for use by candidates.	

<b>Time marker</b>	<b>Speaker(s)</b>	<b>Subject(s)</b>	<b>Action Required</b>
002556 - 003627	Chairman Ms Emily LAU Admin	<p>In response to Ms Emily LAU's enquiry, the Administration advised that a service hotline would be set up to provide technical support and advice on the submission of election advertisements onto the Central Platform for candidates starting from 1 June 2012. It was also planned that the trial run of the Central Platform for Legislative Council Members and their assistants would be conducted in May 2012.</p> <p>The Administration's explanation on the arrangement where Geographical Constituency ("GC") ballot papers were misplaced in the ballot boxes of Functional Constituencies ("FCs") including the District Council ("DC") (second) FC at the central counting station, and its response to Ms Emily LAU's views on measures to simplify and streamline the sorting and counting process.</p>	
003628 - 004320	Chairman Mr Paul TSE Admin	<p>Mr Paul TSE's enquiry on whether complaints concerning the consent of support in an EA had been received and whether and what follow-up actions had been taken.</p> <p>The Administration responded that there were not many complaints concerning the consent of support in an EA, and when these were received, investigation would be conducted to ascertain the facts of the case before determining whether the case was substantiated. If the case was substantiated, enforcement actions would be taken, where appropriate.</p>	
004321 - 004803	Chairman Ms Cyd HO Admin	Discussion on improvement measures to expedite the counting of votes for GC and DC (second) FC elections.	
004804 - 005629	Chairman Dr Priscilla LEUNG Admin Ms Cyd HO	Discussion on the proposed requirement that a candidate should post an electronic copy each of the documents providing consent of support (if applicable) within one working day after the publication of an EA onto the Central Platform or his own election platform for public inspection.	

<b>Time marker</b>	<b>Speaker(s)</b>	<b>Subject(s)</b>	<b>Action Required</b>
005630 - 010149	Chairman Mr LAU Kong-wah Admin	Discussion on the counting arrangements in respect of misplaced GC ballot papers found in the FC ballot boxes at the central counting station, and the measures to simplify and streamline the sorting and counting process.	
010150 - 010723	Chairman Ms Emily LAU Admin Ms Cyd HO	Members' views and suggestions about the venue to be used as the central counting station and the preparations for various electoral arrangements for the 2012 LegCo election.	
<i>Draft Committee Stage amendments ("CSAs") proposed by the Administration</i>			
010724 - 011010	Chairman Admin	Briefing on the Administration's proposed CSAs to the Electoral Legislation (Miscellaneous Amendments) Bill 2012 ("the Bill") (LC Paper No. CB(2)1646/11-12(01)).	
011011 - 012117	Chairman Ms Cyd HO Admin Mr LAU Kong-wah Mrs Sophie LEUNG	In response to members' views on the address labels provided to validly nominated candidates for sending EAs to electors, the Administration advised that candidates would be given a choice of using address labels printed on an "individual" basis (i.e one address label for each elector) or a "household" basis (i.e. one address label for each registered address and without bearing the names of individual electors) for the 2012 LegCo Election. In addition to address labels, a computer disc (referred to as "Candidate Mailing Label System") containing mailing information of electors (including the names, addresses and if available email addresses of electors) would continue to be provided to the candidates. The Administration agreed to consider members' suggestion of adding the names of individual electors to the address labels printed on a "household" basis.	
012118 - 013119	Chairman Mr LAU Kong-wah Admin Ms Emily LAU	The Administration's proposed CSAs relating to the numbering of the lists of candidates for DC (second) FC, and its draft CSAs proposed by the Administration as set out in the Annex to LC Paper No. CB(2)1646/11-12(01).	

<b>Time marker</b>	<b>Speaker(s)</b>	<b>Subject(s)</b>	<b>Action Required</b>
013120 - 015600	Chairman Admin Ms Emily LAU Ms Cyd HO Mrs Sophie LEUNG	Scrutiny of the proposed CSAs to the Bill, with the aid of the marked-up copy of the Bill prepared by the Legal Service Division of the LegCo Secretariat on the basis of the draft CSAs to be proposed by the Administration (LC Paper No. CB(2)1714/11-12(01)).	
015601 - 015734	Chairman Ms Emily LAU	Members' views on the address labels provided to candidates for sending EAs to electors.	
015735 - 015944	Chairman Admin Ms Emily LAU	Legislative timetable.  Date of reporting to the House Committee.  Resumption of Second Reading debate on the Bill.	

Council Business Division 2  
Legislative Council Secretariat  
7 August 2012