

附件II

1998年電影檢查（修訂）條例草案

全體委員會審議階段

由資訊科技及廣播局局長動議的修正案

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建議修正案

4 刪去建議的第8A(3)條而代以 —

“ (3) 儘管有第(1)款的規定，監督可藉用面交或掛號郵遞方式向任何憑藉第(2)款上映或擬憑藉第(2)款上映該款所述種類的定畫影片的人送達的書面通知，規定該人在自送達當日起計的5個工作天之內，或在任何個別個案中監督所准許的較長期間內，向監督送呈該定畫影片。”。

5 (a) 在(b)段中，在建議的第9(3)(b)條中，在“規限”之前加入“有”。

(b) 加入 —

“(ba) 在第(3A)款中，在“錄影帶”之後加入“或雷射碟”。”。

7 刪去該條而代以 —

“7. 核准證明書、拒絕核准通知書
及有關刪剪的通知書

第13條現予修訂 —

(a) 在第(1)(a)及(4)(b)(iii)(A)款中，廢除“訂明”而代以“監督所決定”；

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- (b) 在第(4C)款中，在“錄影帶”之後加入
“或雷射碟”。

8(c) 刪去建議的第15B(4)(b)(iii)條而代以 —

“(iii) 在一項規定已根據(a)段作出的情況下，須批署有該
項規定。”。

新條文 加入 —

“12A. 監督須維持儲存庫

第29A(1)(a)條現予修訂，在“錄影帶”之後加
入“或雷射碟”。

Annex II

FILM CENSORSHIP (AMENDMENT) BILL 1998

COMMITTEE STAGE

Amendments to be moved by the Secretary for
Information Technology and Broadcasting

- | <u>Clause</u> | <u>Amendment Proposed</u> |
|---------------|---|
| 4 | <p>In the Chinese text, by deleting the proposed section 8A(3) and substituting -</p> <p style="padding-left: 40px;">"(3) 儘管有第(1)款的規定，監督可藉用面交或掛號郵遞方式向任何憑藉第(2)款上映或擬憑藉第(2)款上映該款所述種類的定畫影片的人送達的書面通知，規定該人在自送達當日起計的 5 個工作天之內，或在任何個別個案中監督所准許的較長期間內，向監督送呈該定畫影片。".</p> |
| 5 | <p>(a) In paragraph (b), in the proposed section 9(3)(b), by adding "有" before "規限".</p> <p>(b) By adding -</p> <p style="padding-left: 40px;">"(ba) in subsection (3A), by adding "or a laserdisc" after "videotape".".</p> |
| 7 | <p>By deleting the clause and substituting -</p> <p style="padding-left: 40px;">"7. Certificate of approval, notice of refusal to approve and notice concerning excision</p> <p style="padding-left: 40px;">Section 13 is amended -</p> |

<u>Clause</u>	<u>Amendment Proposed</u>
	(a) in subsections (1)(a) and (4)(b)(iii)(A), by repealing "the prescribed form" and substituting "such form as the Authority may determine";
	(b) in subsection (4C), by adding "or a laserdisc" after "videotape".
8(c)	In the Chinese text, by deleting the proposed section 15B(4)(b)(iii) and substituting - "(iii) 在一項規定已根據 (a)段作出的情況下，須批署有該項規定。".
New	By adding - "12A. Authority to maintain repository Section 29A(1)(a) is amended by adding "or laserdiscs" after "videotapes".

區議會條例草案

全體委員會審議階段

由政制事務局局長動議的修正案

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- 2 (a) 在“當然議員”的定義中，刪去“9(c)”而代以“9(1)(c)”。
- (b) 刪去“一般選舉”的定義而代以 —
““一般選舉”(ordinary election) —
(a) 就任何區議會而言，指為選出該區議會的民選議員而舉行的首次選舉；或
(b) 指為填補因區議會民選議員任期屆滿而出現的空缺而舉行的選舉；”。
- (c) 在“訂明公職人員”的定義中，加入 —
“(ea) 個人資料私隱專員及其根據《個人資料(私隱)條例》(第486章)僱用或聘用的人；或
(eb) 平等機會委員會的主席及由該委員會根據《性別歧視條例》(第480章)僱用或聘用的人；或”。
- 8(1) 在“會議”之後加入“如經立法會批准，”。

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- 9 (a) 將其重編為草案第9(1)條。
- (b) 在第(1)(c)款中，在“抵觸”之後加入“第(2)款及”。
- (c) 加入 —

“(2)如任何在附表3第II部第5欄所指明的鄉事委員會的負責區域橫跨多於一個地方行政區，則就第(1)(c)款而言，該鄉事委員會即視為處於該部第2欄與其相對之處所指明的地方行政區內。

(3) 在附表3第II部第5欄所指明的每個鄉事委員會的主席，均有資格根據第(1)(c)款成為該部第3欄與有關鄉事委員會相對之處所指明的區議會的當然議員。

(4) 第(2)及(3)款及附表3第II部均不損害任何其他規管鄉事委員會的法律。”。

- 11 (a) 在第(2)款中，刪去“第(3)款及”。
- (b) 刪去第(3)款。

- 14 刪去第(4)款而代以 —

“(4)在不抵觸第(6)款的規定下，任何委任議員如連續4個月(“喪失資格限期”)沒有出席有關區議會的會議而又沒有在該限期完結前取得該區議會的同意，則該議員亦即喪失在其餘下的任期中擔任議員的資格。

(5) 第(4)款所指的喪失資格限期自有關議員首次在沒有取得同意下沒有出席的區議會會議的日期的翌日起計。

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(6) 如在喪失資格限期內沒有舉行會議或只舉行了一次會議，則該限期即延展至緊接有關議員連續沒有出席的第三個會議之後完結。”。

16 (a) 在第(3)款中，刪去“第(4)款及”。

(b) 刪去第(4)款。

17 (a) 將其重編為草案第17(1)條。

(b) 加入 —

“(2) 身為鄉事委員會主席的人不能同時接受多於一個區議會的當然議員席位。”。

19 (a) 刪去第(4)款而代以 —

“(4) 在不抵觸第(6)款的規定下，任何當然議員如連續4個月（“喪失資格限期”）沒有出席有關區議會的會議而又沒有在該限期完結前取得該區議會的同意，則該議員亦即喪失擔任議員的資格，直至在下屆的一般選舉選出的議員的任期開始為止。

(5) 第(4)款所指的喪失資格限期自有關議員首次在沒有取得同意下沒有出席的區議會會議的日期的翌日起計。

(6) 如在喪失資格限期內沒有舉行會議或只舉行了一次會議，則該限期即延展至緊接有關議員連續沒有出席的第三個會議之後完結。”。

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24 刪去第(5)款而代以 —

“(5)在不抵觸第(7)款的規定下，任何民選議員如連續4個月（“喪失資格限期”）沒有出席有關區議會的會議而又沒有在該限期完結前取得該區議會的同意，則該議員亦即喪失在其餘下的任期中擔任議員的資格。

(6) 第(5)款所指的喪失資格限期，自有關議員首次在沒有取得同意下沒有出席的區議會會議的日期的翌日起計。

(7) 如在喪失資格限期內沒有舉行會議或只舉行了一次會議，則該限期即延展至緊接有關議員連續沒有出席的第三個會議之後完結。”。

27 刪去第(3)款而代以 —

“(3)行政長官必須決定根據本條舉行一般選舉的日期，並在憲報刊登關於該日期的公告。”。

新條文 在第V部第1分部中，加入 —

**“27A. 暫停區議會的運作讓一般選舉
得以舉行**

(1) 行政長官根據第27(3)條決定舉行一般選舉的日期並刊登公告後，指定人員可為利便該選舉的舉行而決定一個各區議會在該選舉中選出的議員的任期開始之前暫停運作的開始暫停運作日期。

(2) 指定人員必須在憲報刊登關於他根據第(1)款決定的日期的公告。

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(3) 在不抵觸第(4)款的規定下，自指定人員根據第(1)款決定的日期起，所有區議會及其轄下的委員會均暫停運作。

(4) 指定人員如認為按情況有足夠理由准許或要求某區議會或某委員會在暫停運作期間舉行一次或多於一次會議，即可如此准許或要求。

(5) 當某區議會的運作根據本條暫停，本條不得解釋為影響該區議會議員的任期。”。

32(1) (a) 在(b)段中，刪去“37”而代以“38A(1)”。

(b) 在(c)段中 —

(i) 刪去句號而代以“；及”；

(ii) 刪去“無法進行”而代以“未能完成”。

(c) 加入 —

“(d) 在選舉主任根據第38A(3)條宣布某選區的選舉因在該項選舉中勝出的候選人去世或喪失資格而未能完成時。”。

新條文 加入 —

“34A. 獲有效提名的候選人

(1) 選舉主任在收到符合根據《選舉管理委員會條例》(第541章)訂立並正有效的規例的提名表格後，必須在切實可行的範圍內，盡快按照該等規例決定有關的

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人是否獲有效提名為候選人。

(2) 選舉主任在根據第(1)款作出決定指某候選人是獲有效提名參加某選區的選舉之後，如在指明舉行選舉的日期前，選舉主任得悉該候選人已去世，則選舉主任必須按照根據《選舉管理委員會條例》(第541章)訂立並正有效的規例 —

- (a) 公開宣布該候選人已去世；及
- (b) 進一步宣布哪名候選人或哪些候選人獲有效提名參加該選區的選舉。

(3) 如選舉主任已根據第38(1)條公開宣布有關候選人為妥為選出的民選議員，則第(2)款不適用。

(4) 選舉主任在根據第(1)款作出決定指某候選人是獲有效提名參加某選區的選舉之後，如在指明舉行選舉的日期前，選舉主任得悉該候選人喪失獲提名為候選人的資格，則選舉主任必須按照根據《選舉管理委員會條例》(第541章)訂立並正有效的規例更改該項決定，示明該候選人並非獲有效提名。如選舉主任如此更改該項決定，則他必須按照該等規例 —

- (a) 公開宣布該項決定已被更改；及
- (b) 進一步宣布哪名候選人或哪些候選人獲有效提名參加該選區的選舉。

(5) 如選舉主任已根據第38(1)條公開宣布有關候選人為妥為選出的民選議員，則第(4)款不適用。”。

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38(2) 刪去“無法進行”而代以“未能完成”。

新條文 加入 —

“38A. 選舉程序終止或未能完成的情況

(1) 如在指明舉行選舉之日但在選舉投票結束前，選舉主任得悉獲有效提名參加某選區的選舉的候選人已去世或喪失當選資格，則選舉主任必須按照根據《選舉管理委員會條例》（第541章）訂立並正有效的規例公開宣布該選區的選舉程序終止。

(2) 如在選舉投票結束後但在宣布選舉結果前，選舉主任得悉參加某選區的選舉的任何候選人已去世或喪失當選資格，則該選區的選舉程序不得在該階段終止。如就該選舉進行的點票仍未開始或正在進行，則須開始進行或繼續進行點票，猶如該候選人去世或喪失當選資格一事並無發生一樣。

(3) 如在點票結束後，發覺第(2)款所提述的候選人在選舉中勝出，則選舉主任必須按照根據《選舉管理委員會條例》（第541章）訂立並正有效的規例公開宣布該項選舉未能完成。”。

39 加入 —

“(5) 儘管有第(4)款的規定，如在宣布某選區的選舉結果前，選舉主任得悉在選舉中勝出的候選人已去世或喪失當選資格，則該選舉主任 —

(a) 不得宣布該候選人當選；及

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- (b) 必須根據第38A(3)條公開宣布該項選舉未能完成。”。
- 59 (a) 在(a)(i)段中，刪去“，包括與食物及環境衛生服務有關的事宜”。
- (b) 在(b)段中 —
- (i) 在第(i)節中，刪去“及”；
- (ii) 在第(ii)節中，刪去句號而代以“；及”；
- (iii) 加入 —
- “(iii) 有關的地方行政區內的社區活動。”。
- 68 在標題中，在“法定人數”之前加入“區議會會議的”。
- 69(2) 刪去“20”而代以“20(1)”。
- 70 (a) 在標題中，在“區議會”之後加入“或委員會”。
- (b) 加入 —
- “(2A) 委員會程序的有效性不受任何人在委任為委員會成員方面或擔任委員會成員的資格方面有欠妥之處所影響。”。
- 77 在標題中，刪去“議員”而代以“某人”。
- 83(1) 刪去“區議會後，可就該區議會履行其職能方面發出”而代以

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“有關區議會後，可就影響公眾利益的事宜向該區議會發出關乎該區議會履行其職能方面的”。

新條文 加入 —

“84A. 過渡性條文：第27A條對首屆
一般選舉的適用情況

第27A條就根據本條例舉行的首屆一般選舉具有效力，猶如“區議會”已由“臨時區議會”代入一樣。”。

86(3) (a) 在“4、”之後加入“8、”。

(b) 刪去“18”而代以“13A、17A、18、19A”。

附表3 (a) 在開首處的方括號內，在“8”之後加入“、9”。

(b) 將其重編為附表3第I部。

(c) 加入 —

“第II部

地方 項 行政區	區議會	鄉事委 員會 數目	鄉事委員會 名稱
1. 離島區	離島區 議會	8	長洲鄉事委員會 南丫島北段鄉事 委員會 南丫島南段鄉事 委員會

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				梅窩鄉事委員會
				坪洲鄉事委員會
				大嶼山南區鄉事 委員會
				大澳鄉事委員會
				東涌鄉事委員會
2.	葵青區	葵青區 議會	1	青衣鄉事委員會
3.	北區	北區區 議會	4	粉嶺區鄉事委員 會
				沙頭角區鄉事委 員會
				上水區鄉事委員 會
				打鼓嶺區鄉事委 員會
4.	西貢區	西貢區 議會	2	坑口鄉事委員會
				西貢鄉事委員會
5.	沙田區	沙田區	1	沙田鄉事委員會

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議會

6.	大埔區	大埔區 議會	2	西貢北鄉事委員會 大埔鄉事委員會
7.	荃灣區	荃灣區 議會	2	馬灣鄉事委員會 荃灣鄉事委員會
8.	屯門區	屯門區 議會	1	屯門鄉事委員會
9.	元朗區	元朗區 議會	6	厦村鄉鄉事委員會 錦田鄉事委員會 八鄉鄉事委員會 屏山鄉鄉事委員會 新田鄉鄉事委員會 十八鄉鄉事委員會”。

附表4 (a) 在表格1中 —

(i) 在(b)段中，刪去“及”；

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(ii) 在(c)段中，刪去句號而代以“；及”；

(iii) 加入 —

“(d) 盡本人所知所言，本人並沒有根據《區議會條例》第14條喪失獲委任為委任議員及擔任委任議員的資格。”。

(b) 在表格2中 —

(i) 在(b)段中，刪去“及”；

(ii) 在(c)段中，刪去句號而代以“；及”；

(iii) 加入 —

“(d) 盡本人所知所言，本人並沒有根據《區議會條例》第19條喪失擔任當然議員的資格。”。

附表6
第11條

刪去(a)段而代以 —

“(a) 在“指定人員”的定義中，廢除“市政局轄區內的地區或區域市政局轄區內的地區”而代以“區議會”；”。

附表6

在“《保障投資者條例》”的標題之前加入 —

“《職工會條例》

13A. 選舉經費

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《職工會條例》(第332章)第33A(1)條現予修訂，廢除所有“District Board”而代以“District Council”。

附表6 在“《選舉管理委員會條例》”的標題下，加入 —

“17A. 修訂詳題

《選舉管理委員會條例》(第541章)的詳題現予修訂，在“地方選區”之後加入“及區議會選區”。

附表6 刪去“《選舉管理委員會條例》(1997年第129號)”。

第18條

附表6 加入 —

“19A. 選管會的職能

第4(a)條現予修訂，在“地方選區”之後加入“或區議會選區(視屬何情況而定)”。

附表6 (a) 刪去(b)(ii)段而代以 —

第20條

“(ii) 在(b)段中 —

(A) 廢除第(ii)節；

(B) 廢除“or bodies”；

(ia) 加入 —

“(ba) 一項一般選舉押後；或”；”。

條次建議修正案

(b) 刪去(b)(iii)段而代以 —

“(iii) 在(c)段中，在“換屆選舉”之後加入“、一般選舉”；”。

(c) 刪去(c)(i)段而代以 —

“(i) 在(b)段中，在兩度出現的“換屆選舉”之後加入“、一般選舉”；”。

附表6
第22條 刪去(b)(ii)、(iii)及(iv)段而代以 —

“(ii) 廢除(C)分節而代以 —

“(C) 區議會議員的資格；”。“”。

附表6
第24條 (a) 加入 —

“(aa) 在第(2)(a)款中，在“地方選區”之後加入“或區議會選區（視屬何情況而定）”；”。

(b) 刪去(b)段而代以 —

“(b) 廢除第(3)(b)款而代以 —

“(b) (i) 就根據《區議會條例》（1998年 號）舉行的首屆一般選舉而言，在1999年5月31日或之前；及

(ii) 就其後的一般選舉而言，與上一屆一般選舉相隔不多於36個月。”；”。

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附表6
第25條

刪去(b)段而代以 —

“(b) 在第(9)款中，廢除“在本條生效日期後作出的第一次”而代以“就根據《區議會條例》(1998年第號)舉行的首屆一般選舉所作出的”。”。

附表6
第26條

加入 —

“(ea) 在第(6)(b)款中，刪去“或地方選區的人口”而代以“、地方選區的人口或區議會選區的人口”；”。

區議會條例草案

全體委員會審議階段

由何秀蘭議員動議的修正案條次建議修正案

新條文 加入 —

“70A. 審計

(1) 在每一財政年度終結後，各個區議會主席須於4個月內，或行政長官決定的較長期限內，將以下文件送交審計署署長 —

- (a) 各個區議會在該財政年度的開支賬目表；及
- (b) 庫務署署長可不時指明的其他報表。

(2) 審計署署長有權隨時取用各個區議會的所有帳目簿冊、憑單及其他財務紀錄，並要求提供他認為適當的有關上述文件的資料及解釋。

(3) 審計署署長在接獲第(1)款所提述的報表後，須 —

- (a) 審查及審計該等報表；及
- (b) 在有關財政年度終結後6個月內，或行政長官決定的較長期限內，擬備一份有關其審查及審計該等報表的報告，連同經他妥為核證的開支賬目表一份呈交各個區議會。

(4) 各個區議會主席須將經審計報表的副本及審計署署長報告的副本送交行政長官。”。

區議會條例草案

全體委員會審議階段

由李永達議員動議的修正案

條次

建議修正案

- 2 (a) 刪去“鄉事委員會”及“當然議員”的定義。
(b) 在“議員”的定義中，刪去“或當然議員”。
- 9 在標題中，刪去“及當然議員”。
- 9(b) 刪去“；及”而代以“。”。
- 9 刪去(c)段。
- 10 刪去該條。
- 第IV部 刪去第2分部。
- 20 刪去第(3)款。
- 26(b) 刪去“10或”。
- 70(3)(b) 刪去“或當然議員”。

條次建議修正案

- 81 (a) 刪去“及17”。
- (b) 刪去“及當然議員”。
- 82 刪去“或當然議員”。
- 附表4 (a) 在開首處的方括號內，刪去“、17”。
- (b) 刪去表格2。

區議會條例草案

全體委員會審議階段

由李永達議員動議的修正案

條次

建議修正案

- 2 (a) 刪去“委任議員”的定義。
- (b) 在“議員”的定義中，刪去“、委任議員”。
- 第II部 在標題中，刪去“及委任議員”。
- 5 (a) 在標題中，刪去“及通過委任產生的議員人數”。
- (b) 刪去第(2)款。
- 8(2) 刪去(d)段而代以 —
- “(d) 指明某區議會須通過選舉產生的議員人數；及”。
- 9 (a) 在標題中，刪去“、委任議員”。
- (b) 刪去(b)段。
- 10 (a) 在標題中，刪去兩度出現的“或委任議員”。
- (b) 刪去“或委任議員”。
- 第IV部 刪去第1分部。

條次建議修正案

- 70(2)(b) 刪去“委任或”。
- 70(3)(b) 刪去“委任議員或”。
- 81 (a) 刪去“13及”。
- (b) 刪去“委任議員及”。
- 82 刪去“委任議員或”。
- 附表3 (a) 刪去“【第5、8及11條】”而代以“【第5及8條】”。
- (b) 在標題中，刪去“及委任議員”。
- (c) 刪去第4欄。
- 附表4 (a) 在開首處的方括號內，刪去“13、”。
- (b) 刪去表格1。

區議會條例草案

全體委員會審議階段

由李華明議員動議的修正案

條次

建議修正案

69 刪去第(2)款而代以 —

“(2) 區議會可委任非議員的人為委員會成員。”。

區議會條例草案

全體委員會審議階段

由李華明議員動議的修正案條次建議修正案

附表6 刪去該條而代以 —
第12條

“12. 本條例的適用範圍

第3(1)(e)條現予修訂，廢除所有“Board”而代以
“Council”。

區議會條例草案

全體委員會審議階段

由夏佳理議員動議的修正案

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建議修正案

14 加入 —

“(7) 任何委任議員如未能符合第12條所列出之可委任為區議會議員的條件，該議員亦即喪失擔任議員的資格。”。

24 加入 —

“(8) 任何民選議員如未能符合第20條所列出之可獲提名為候選人的條件，該議員亦即喪失擔任議員的資格。”。

69 加入 —

“(2A) 若根據第(2)款獲委任為委員會成員的不是該區議會的議員，則該委員會必須有多於二分之一的成員為該區議會的議員。”。

區議會條例草案

全體委員會審議階段

由張文光議員動議的修正案條次建議修正案

20(1)(e) 刪去“3”而代以“1”。

21(1)(e)(i) 刪去“任何罪行（不論是在香港或是在任何其他地方被定罪）”而代以“任何在香港被定罪的罪行”。

24(1)(d)(i) 刪去“任何罪行（不論是在香港或是在任何其他地方被定罪）”而代以“任何在香港被定罪的罪行”。

33(1) (a) 在(b)段中 —

(i) 刪去“會擁護《基本法》和”

(ii) 刪去句號而代以“；及”。

(b) 加入 —

“(c) 提名表格載有或附有一項示明該人在自其提名前當日起計的5年內（包括當日），是否在香港以外地方曾被裁定犯下任何罪行，並就該罪行被判處為期超逾3個月而又不得選擇以罰款代替的監禁（不論是否獲得緩刑）。”。

區議會條例草案

全體委員會審議階段

由陸恭蕙議員動議的修正案

條次

建議修正案

- 59 (a) 在(a)段之前加入 —
- “**(aa)** 行使本條例或任何其他條例授予區議會的權力，和執行本條例或任何其他條例委予區議會的職責；及
- (ab)** 依照行政長官不時發出的指示：負責在地方行政區內的其他職能；”。
- (b) 在(a)(iii)段中，刪去末處的“及”。
- (c) 刪去(a)(iv)段。
- (d) 在(b)段中，刪去“，承擔”。
- (e) 在(b)(i)段中，刪去“有關的地方行政區內的”而代以“承擔進行在有關的地方行政區內的地區公共工程及”。
- (f) 刪去(b)(ii)段而代以 —
- “**(ii)** 不論是完全在有關的地方行政區內或是聯同另1個或多於1個區議會而在2個或多於2個地方行政區內，提供、推廣、贊助、協助、或聯同任何其他人或組織（不論是否已成立為法團）籌辦或舉辦康樂、體育及文化活動；”。
- (g) 在(b)段中，加入 —
- “**(iv)** 在有關的地方行政區內，設立和維持各種場地及設施，以供康樂、休憩、進行各種體育活動、以及舉辦各種文學、藝術、音樂或其他文化活動。”。

區議會條例草案

全體委員會審議階段

由單仲偕議員動議的修正案條次建議修正案

67(1) 刪去“一名公職人員”而代以“任何人”。

區議會條例草案

全體委員會審議階段

由黃宏發議員動議的修正案

條次

建議修正案

14 加入 —

“(1A) 任何人如有以下情況，亦即喪失獲委任為委任議員及擔任為委任議員的資格 —

- (a) 在緊接獲委任（如他獲委任的話）的日期之前的6年內，曾在為任何區議會或任何臨時區議會或臨時市政局或臨時區域市政局的前身團體舉行的選舉中，獲提名為候選人而不獲當選；或
- (b) 是任何政治性團體的成員；或
- (c) 行政長官認為該人是或成為積極地從事政治活動的人。

(1B) 就第(1A)(b)款而言，“政治性團體”(political body)指 —

- (a) 政黨或宣稱是政黨的組織；或
- (b) 其主要功能或宗旨是為參加選舉的候選人宣傳或作準備的組織。”。

附表3 在第4欄中，在“委任議員的數目”的標題下刪去所有數目字而就每一項代以“4”。

區議會條例草案

全體委員會審議階段

由劉千石議員動議的修正案條次建議修正案

6(2) 刪去“在根據第(1)款作出命令時，行政長官會同行政會議必須顧及”而代以“根據第(1)款作出的命令，須根據”。

79 刪去該條而代以 —

“79. 行政長官會同行政會議可訂立規例

(1) 行政長官會同行政會議可訂立規例就所有或任何以下事項作出規定 —

- (a) 須為任何候選人填寫提名書的簽署人數目或資格；及
- (b) 任何候選人在選舉中須繳存的按金款額；及
- (c) 在該候選人於選舉中不能取得訂明比例數目的票數的情況下沒收按金，以及在該候選人於選舉中取得該比例數目的票數的情況下發還該按金。

(2) 規例的條文可訂明任何人違反該規例的條文，即屬犯罪，可處不超逾第2級的罰款。

(3) 規例 —

- (a) 可就不同情況訂立不同條文，並可就特定個案或某特定類別個案作出規定；及

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- (b) 的訂立情況可使其僅適用於指明的情況；及
 - (c) 可就規例的施行而訂明費用。
- (4) 現聲明：本條下的規例是附屬法例。”。

83 刪去該條。

區議會條例草案

全體委員會審議階段

由鄭家富議員動議的修正案條次建議修正案

新條文 加入 —

“69A. 區議會可委任代表成為地區管理委員會的成員

(1) 為執行區議會職能的目的，區議會可按照本條委出其議員出任地區管理委員會的成員。

(2) 區議會主席可成為地區管理委員會的當然成員。

(3) 區議會可委任根據第69(3)條選出的委員會主席成為地區管理委員會的成員。

(4) 就本條而言，“地區管理委員會”(District Management Committee)指在每個地方行政區內，由政務專員擔任主席，成員包括該地方行政區內各政府部門的代表，並為各政府部門提供一個討論及解決該地方行政區內的問題的機會的委員會。該委員會須在每次的區議會會議中，就該會的工作包括回應區議會要求的跟進行動的進度，提交一份詳盡的書面報告。”。

Annex III

DISTRICT COUNCILS BILL

COMMITTEE STAGE

Amendments to be moved by the Secretary for Constitutional Affairs

<u>Clause</u>	<u>Amendment Proposed</u>
2	<p>(a) In the definition of "ex officio member" by deleting "9(c)" and substituting "9(1)(c)".</p> <p>(b) In the definition of "ordinary election" by deleting paragraph (a) and substituting -</p> <p style="padding-left: 40px;">"(a) in relation to a District Council, the first election to elect persons to be the elected members of the District Council; or".</p> <p>(c) In the definition of "prescribed public officer" by adding -</p> <p style="padding-left: 40px;">"(ea) the Privacy Commissioner for Personal Data and any person employed or engaged by him or her under the Personal Data (Privacy) Ordinance (Cap. 486); or</p> <p style="padding-left: 40px;">(eb) the Chairperson of the Equal Opportunities Commission and any person employed or whose services are engaged by the Commission under the Sex Discrimination Ordinance (Cap. 480); or".</p>
8(1)	By adding "subject to the approval of the Legislative Council" after "may".

<u>Clause</u>	<u>Amendment Proposed</u>
9	<p>(a) By renumbering it as clause 9(1).</p> <p>(b) In subclause (1)(c) by adding "subsection (2) and" after "subject to".</p> <p>(c) By adding -</p> <p style="padding-left: 40px;">"(2) If a Rural Committee specified in column 5 of Part II of Schedule 3 is a Rural Committee that falls within more than one District, for the purposes of subsection (1)(c), it is taken to be in the District specified opposite to it in column 2.</p> <p style="padding-left: 40px;">(3) The Chairman of each Rural Committee specified in column 5 of Part II of Schedule 3 is eligible under subsection (1)(c) to become ex officio member of the District Council specified opposite to it in column 3.</p> <p style="padding-left: 40px;">(4) Subsections (2) and (3) and Part II of Schedule 3 are without prejudice to any other law governing Rural Committees."</p>
11	<p>(a) In subclause (2) by deleting "subsection (3) and".</p> <p>(b) By deleting subclause (3).</p>
14	<p>By deleting subclause (4) and substituting -</p> <p style="padding-left: 40px;">"(4) Subject to subsection (6), an appointed member is also disqualified from holding office for the remainder of that member's term of office if the member does not attend meetings of the District Council for 4 consecutive months ("disqualifying period") without obtaining the consent of the</p>

Clause

Amendment Proposed

Council before the end of that period.

(5) The disqualifying period under subsection (4) begins on the day next following the date of the meeting of the Council at which the member is first absent without consent.

(6) If during the disqualifying period no meetings are held or only one meeting is held, that period is extended to end immediately after the 3rd consecutive meeting from which the member is absent."

16 (a) In subclause (3) by deleting "subsection (4) and".

(b) By deleting subclause (4).

17 (a) By renumbering it as clause 17(1).

(b) By adding -

"(2) A person who is a Chairman of a Rural Committee cannot accept office as an ex officio member in more than one District Council concurrently."

19 By deleting subclause (4) and substituting -

"(4) Subject to subsection (6), an ex officio member is also disqualified from holding office until the members elected at the next ordinary election commence their term of office if the member does not attend meetings of the District Council for 4 consecutive months ("disqualifying period") without obtaining the consent of the Council before the end of that period.

ClauseAmendment Proposed

(5) The disqualifying period under subsection (4) begins on the day next following the date of the meeting of the Council at which the member is first absent without consent.

(6) If during the disqualifying period no meetings are held or only one meeting is held, that period is extended to end immediately after the 3rd consecutive meeting from which the member is absent."

24 By deleting subclause (5) and substituting -

"(5) Subject to subsection (7), an elected member is also disqualified from holding office for the remainder of that member's term of office if the member does not attend meetings of the District Council for 4 consecutive months ("disqualifying period") without obtaining the consent of the Council before the end of that period.

(6) The disqualifying period under subsection (5) begins on the day next following the date of the meeting of the Council at which the member is first absent without consent.

(7) If during the disqualifying period no meetings are held or only one meeting is held, that period is extended to end immediately after the 3rd consecutive meeting from which the member is absent."

27 By deleting subclause (3) and substituting -

Clause

Amendment Proposed

"(3) The Chief Executive must determine a date for holding an ordinary election under this section and give notice of that date in the Gazette."

New By adding in Part V, in Division 1 -

**"27A. Suspension of operation of District Councils
to enable ordinary election to be held**

(1) After the Chief Executive determines a date for holding an ordinary election and gives notice under section 27(3), the Designated Officer may, to facilitate the holding of such election, determine a date with effect from which the operation of the District Councils is to be suspended until the commencement of the term of office of the members elected at that ordinary election.

(2) The Designated Officer must give notice in the Gazette of the date determined by that Officer under subsection (1).

(3) Subject to subsection (4), the operation of all District Councils and their committees stand suspended with effect from the date determined by the Designated officer under subsection (1).

(4) If the Designated Officer is of the opinion that circumstances so warrant, that Officer may permit or request a District Council or a committee to hold one or more meetings during the period of suspension.

(5) Nothing in this section is to be construed as affecting the term of office of a person who is a member of a District Council when the operation of that District Council is suspended under this section."

<u>Clause</u>	<u>Amendment Proposed</u>
32(1)	<p>(a) In paragraph (b) by deleting "37" and substituting "38A(1)".</p> <p>(b) In paragraph (c) -</p> <p style="padding-left: 40px;">(i) by deleting the full stop and substituting "; and";</p> <p style="padding-left: 40px;">(ii) by deleting "無法進行" and substituting "未能完成".</p> <p>(c) By adding -</p> <p style="padding-left: 40px;">"(d) on the making of a declaration under section 38A(3) that an election for a constituency has failed because of the death or disqualification of the successful candidate at the election."</p>

New By adding -

"34A. Who are validly nominated candidates

(1) The Returning Officer must, as soon as practicable after receiving a nomination form that complies with regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541), decide in accordance with those regulations whether or not a person is validly nominated as a candidate.

(2) If, after the Returning Officer has made a decision under subsection (1) that a candidate is validly nominated for election for a constituency but before the date specified for holding the election, it comes to the knowledge of the Returning Officer that the candidate has died, that Officer must, in accordance with regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541) -

Clause

Amendment Proposed

(a) publicly declare that the candidate has died; and

(b) further declare which candidate or candidates are validly nominated for election for that constituency.

(3) Subsection (2) does not apply if the Returning Officer has publicly declared under section 38(1) that the candidate was duly elected as an elected member.

(4) If, after the Returning Officer has made a decision under subsection (1) that a candidate is validly nominated for election for a constituency but before the date specified for holding the election, it comes to the knowledge of the Returning Officer that the candidate is disqualified from being nominated as a candidate, the Returning Officer must, in accordance with regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541), vary the decision to the effect that the candidate is not validly nominated. If the Returning Officer so varies the decision, that Officer must, in accordance with those regulations -

(a) publicly declare that the decision has been varied; and

(b) further declare which candidate or candidates are validly nominated for election for that constituency.

(5) Subsection (4) does not apply if the Returning Officer has publicly declared under section 38(1) that the candidate was duly elected as an elected member."

ClauseAmendment Proposed

37 By deleting the clause.

38(2) By deleting "無法進行" and substituting "未能完成".

New By adding -

"38A. When election proceedings are terminated or when an election fails

(1) If, on the day specified for the holding of an election but before the close of polling for the election, it comes to the knowledge of the Returning Officer that a validly nominated candidate for election for a constituency has died or is disqualified from being elected, that Officer must, in accordance with regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541), publicly declare that the proceedings for the election for the constituency are terminated.

(2) If, after the close of polling for an election but before declaring the result of the election, it comes to the knowledge of the Returning Officer that a candidate for election for a constituency has died or is disqualified from being elected, the proceedings for the election for the constituency are not to be terminated at that stage. If the counting of votes in respect of the election has not begun or is being conducted, the counting of votes is to begin or to continue as if the death or disqualification had not occurred.

(3) If, after the counting of votes is finished, the candidate referred to in subsection (2) is found to be successful at the election, the Returning Officer must, in accordance with regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541), publicly declare the election to have failed."

Clause

Amendment Proposed

39 By adding -

"(5) Despite subsection (4), if, before declaring the result of an election for a constituency, it comes to the knowledge of the Returning Officer that the candidate who was successful at the election has died or is disqualified from being elected, that Officer -

(a) must not declare that candidates as elected; and

(b) must publicly declare, under section 38A(3), that the election has failed."

59 (a) In paragraph (a)(i) by deleting "including matters relating to food and environmental hygiene services".

(b) In paragraph (b) -

(i) in subparagraph (i) by deleting "and";

(ii) in subparagraph (ii) by deleting the full stop and substituting "; and";

(iii) by adding -

"(iii) community activities within the District."

<u>Clause</u>	<u>Amendment Proposed</u>
68	In the heading by adding " of a District Council " after " Quorum ".
69(2)	By deleting "20" and substituting "20(1)".
70	(a) In the heading by adding " or a committee " after " Council ". (b) By adding - <div style="text-align: center;"> <p>"(2A) The validity of proceedings of a committee are not affected by a defect in the appointment of or eligibility of a person to be a member of the committee."</p> </div>
77	In the heading by deleting " members " and substituting " persons ".
83(1)	By deleting "in relation to the performance of its functions" and substituting ", in the performance of its functions, in relation to matters which affect the public interest".
New	By adding - <div style="text-align: center;"> <p>"84A. Transitional: application of section 27A to first ordinary election</p> <p>In relation to the first ordinary election to be held under this Ordinance, section 27A is to have effect as if "Provisional District Board" and "Provisional District Boards" were substituted for "District Council" and "District Councils" respectively."</p> </div>
86(3)	(a) By adding "8," after "4,".

Clause Amendment Proposed

(b) By deleting "18" and substituting "13A, 17A, 18, 19A".

Schedule 3 (a) Within the square brackets at the beginning, by adding ", 9" after "8".

(b) By renumbering it as Part I of Schedule 3.

(c) By adding -

"Part II

Item	District	District Council	Number of Rural Committees	Names of Rural Committees
1.	Islands District	Islands District Council	8	Cheung Chau Rural Committee Lamma Island (North) Rural Committee Lamma Island (South) Rural Committee Mui Wo Rural Committee Peng Chau Rural Committee South Lantao Rural Committee

ClauseAmendment Proposed

				Tai O Rural Committee
				Tung Chung Rural Committee
2.	Kwai Tsing District	Kwai Tsing District Council	1	Tsing Yi Rural Committee
3.	North District	North District Council	4	Fanling District Rural Committee
				Sha Tau Kok District Rural Committee
				Sheung Shui District Rural Committee
				Ta Kwu Ling District Rural Committee
4.	Sai Kung District	Sai Kung District Council	2	Hang Hau Rural Committee
				Sai Kung Rural Committee
5.	Sha Tin District	Sha Tin District Council	1	Sha Tin Rural Committee

<u>Clause</u>	<u>Amendment Proposed</u>			
6.	Tai Po District	Tai Po District Council	2	Sai Kung North Rural Committee Tai Po Rural Committee
7.	Tsuen Wan District	Tsuen Wan District Council	2	Ma Wan Rural Committee Tsuen Wan Rural Committee
8.	Tuen Mun District	Tuen Mun District Council	1	Tuen Mun Rural Committee
9.	Yuen Long District	Yuen Long District Council	6	Ha Tsuen Rural Committee Kam Tin Rural Committee Pat Heung Rural Committee Ping Shan Rural Committee San Tin Rural Committee Shap Pat Heung Rural Committee".

ClauseAmendment Proposed

Schedule 4 (a) In Form 1 -

- (i) in paragraph (b) by deleting "and";
- (ii) in paragraph (c) by deleting the full stop and substituting "; and";
- (iii) by adding -
 - "(d) to the best of my knowledge and belief I am not disqualified for appointment and from holding office as an appointed member by virtue of section 14 of the District Councils Ordinance."

(b) In Form 2 -

- (i) in paragraph (b) by deleting "and";
- (ii) in paragraph (c) by deleting the full stop and substituting "; and";
- (iii) by adding -
 - "(d) to the best of my knowledge and belief I am not disqualified from holding office as an ex officio member by virtue of section 19 of the District Councils Ordinance."

Schedule 6, By deleting paragraph (a) and substituting -

Clause

Amendment Proposed

section 11

"(a) in the definition of "Designated Officer" in paragraph (b) by repealing "in a District in the Urban Council area or a District in the Regional Council area" and substituting "to a District Council";".

Schedule 6 By adding before the heading "**Protection of Investors Ordinance**" -

"Trade Unions Ordinance

13A. Electoral fund

Section 33A(1) of the Trade Unions Ordinance (Cap. 332) is amended by repealing "District Board" wherever it appears and substituting "District Council".

Schedule 6 By adding under the heading "**Electoral Affairs Commission Ordinance**" -

"17A. Long title amended

In the long title to the Electoral Affairs Commission Ordinance (Cap. 541) is amended by adding "and District Council constituencies" after "constituencies".

Schedule 6, By deleting "of the Electoral Affairs Commission Ordinance (129 section 18 of 1997)".

Schedule 6 By adding -

"19A. Functions of Commission

ClauseAmendment Proposed

Section 4(a) is amended by adding "or District Council constituencies, as the case may be," after "constituencies".

Schedule 6, (a) By deleting paragraph (b)(ii) and substituting -
section 20

"(ii) in paragraph (b) -

(A) by repealing subparagraph (ii);

(B) by repealing "or bodies";

(ia) by adding -

"(ba) an ordinary election; or";

(b) By deleting paragraph (b)(iii) and substituting -

"(iii) in paragraph (c) by repealing "General election" and substituting "general election or an ordinary election";

(c) By deleting paragraph (c)(i) and substituting -

"(i) in paragraph (b) by repealing "General election" where it twice appears and substituting "general election or an ordinary election";

Schedule 6, By deleting paragraph (b)(ii), (iii) and (iv) and substituting -
section 22

"(ii) by repealing sub-subparagraph (C) and substituting -

"(C) a District Council;".

Clause

Amendment Proposed

Schedule 6, (a) By adding -
section 24

"(aa) in subsection (2)(a) by adding "or District Council constituency, as the case may be" after "constituency";".

(b) By deleting paragraph (b) and substituting -

"(b) by repealing subsection (3)(b) and substituting -

"(b) in respect of -

(i) the first ordinary election to be held under the District Councils Ordinance (of 1998), not later than 31 May 1999; and

(ii) subsequent ordinary elections, at intervals of not more than 36 months from the preceding ordinary election.";".

Schedule 6, By deleting paragraph (b) and substituting -
section 25

"(b) in subsection (9) by repealing "first provisional recommendations made after the commencement of this section" and substituting "provisional recommendations made for the first ordinary election to be held under the District Councils Ordinance

Clause

Amendment Proposed

(3) On receipt of the statements referred to in subsection (1), the Director of Audit -

(a) shall examine and audit the statements; and

(b) shall within a period of 6 months after the close of the financial year, or such longer period as the Chief Executive may determine, prepare and submit to each Council a report in respect of his examination and audit of the statements together with a copy of the statement of expenses duly certified by him.

(4) The Chairman of each Council shall send copies of the audited statements and of the report of the Director of Audit to the Chief Executive."

DISTRICT COUNCILS BILL

COMMITTEE STAGEAmendments to be moved by the Honourable LEE Wing-tat

<u>Clause</u>	<u>Amendment Proposed</u>
2	(a) By deleting the definitions of "ex officio member" and "Rural Committee". (b) In the definition of "member", by deleting "or an ex officio member".
9	In the heading, by deleting " and ex officio members ".
9(b)	By deleting "; and" and substituting ".".
9	By deleting paragraph (c).
10	By deleting the clause.
Part IV	By deleting Division 2.
20	By deleting subclause (3).
26(b)	By deleting "10 or".
70(3)(b)	By deleting "or ex officio member".

<u>Clause</u>	<u>Amendment Proposed</u>
81	(a) By deleting "and 17". (b) By deleting "an ex officio members".
82	By deleting "or ex officio member".
Schedule 4	(a) Within the square brackets at the beginning, by deleting ", 17". (b) By deleting Form 2.

DISTRICT COUNCILS BILL

COMMITTEE STAGEAmendments to be moved by the Honourable LEE Wing-tat

<u>Clause</u>	<u>Amendment Proposed</u>
2	(a) By deleting the definition of "appointed member". (b) In the definition of "member", by deleting ", an appointed member".
Part II	In the heading, by deleting " AND APPOINTED MEMBERS ".
5	(a) In the heading, by deleting " and the number of members to be appointed to it ". (b) By deleting subclause (2).
8(2)	By deleting paragraph (d) and substituting - "(d) to specify the number of members to be elected to a District Council; and".
9	(a) In the heading, by deleting ", appointed members ". (b) By deleting paragraph (b).
10	(a) In the heading, by deleting " or appointed member ". (b) By deleting "or appointed member".

<u>Clause</u>	<u>Amendment Proposed</u>
Part IV	By deleting Division 1.
70(2)(b)	By deleting "appointment or".
70(3)(b)	By deleting "appointed member or".
81	(a) By deleting "13 and". (b) By deleting "appointed members and".
82	By deleting "appointed member or".
Schedule 3	(a) By deleting " 【ss. 5, 8 & 11】 " and substituting " 【ss. 5 & 8】 ". (b) In the heading, by deleting " AND APPOINTED MEMBERS ". (c) By deleting column 4.
Schedule 4	(a) Within the square brackets at the beginning, by deleting "13,". (b) By deleting Form 1.

DISTRICT COUNCILS BILL

COMMITTEE STAGEAmendments to be moved by the Honourable Fred LI Wah-mingClauseAmendment Proposed

69

By deleting subclause (2) and substituting -

"(2) A District Council may appoint to a committee any person who is not a member."

DISTRICT COUNCILS BILL

COMMITTEE STAGE

Amendments to be moved by the Honourable Fred LI Wah-ming

Clause

Amendment Proposed

Schedule 6, By deleting the section and substituting -
Section 12

"12. Application of the Ordinance

Section 3(1)(e) is amended by repealing "Board"
wherever it appears and substituting
"Council".

DISTRICT COUNCILS BILL

COMMITTEE STAGEAmendments to be moved by the Honourable Ronald ARCULLI

<u>Clause</u>	<u>Amendment Proposed</u>
14	By adding - "(7) An appointed member is also disqualified from holding office if the person was not eligible for appointment as a member under section 12."
24	By adding - "(8) An elected member is also disqualified from holding office if the person was not eligible to be nominated as a candidate under section 20."
69	By adding - "(2A) If a person who is appointed to a committee under subsection (2) and such person is not a member of that Council then more than one-half of the members of such committee shall be members of that Council."

DISTRICT COUNCILS BILL

COMMITTEE STAGE

Amendments to be moved by the Honourable CHEUNG Man-kwong

<u>Clause</u>	<u>Amendment Proposed</u>
20(1)(e)	By deleting "3 years" and substituting "1 year".
21(1)(e)(i)	By deleting "or any other place".
24(1)(d)(i)	By deleting "or any other place".
33(1)	(a) In paragraph (b) - (i) By deleting "uphold the Basic Law and"; (ii) By deleting the full stop and substituting "; and". (b) By adding - " (c) the nomination form includes or is accompanied by a declaration whether or not, within 5 years up to the date of nomination, the person has been convicted of any offence in any place outside of Hong Kong, in respect of which the person has been sentenced to imprisonment, whether suspended or not, for a term exceeding 3 months without the option of a fine. "

DISTRICT COUNCILS BILL

COMMITTEE STAGEAmendments to be moved by the Honourable Christine LOH

<u>Clause</u>	<u>Amendment Proposed</u>
59	<p>(a) By adding before paragraph (a) -</p> <p>"(aa) to exercise such powers and perform such duties as are conferred or imposed on it by this or any other Ordinance; and</p> <p>(ab) to undertake such other functions within the District as the Chief Executive may from time to time direct; and".</p> <p>(b) In paragraph (a)(iii), by deleting "and" at the end.</p> <p>(c) By deleting paragraph (a)(iv).</p> <p>(d) In paragraph (b), deleting ", to undertake".</p> <p>(e) In paragraph (b)(i), by adding "to undertake local public works and" before "environmental improvement".</p> <p>(f) By deleting paragraph (b)(ii) and substituting -</p> <p>"(ii) to provide, promote, sponsor, assist or collaborate with any other person or group of persons whether incorporated or not in the organizing or presenting of recreational, sports and cultural activities whether entirely within the District or jointly with 1 or more other District Councils within 2 or more District;".</p>

Clause

Amendment Proposed

(g) In paragraph (b), by adding -

"(iv) to establish and maintain within the District places and facilities for recreation, relaxation, the performance of sports of any kind and the conduct of literary, artistic, musical or other cultural activities of any kind."

DISTRICT COUNCILS BILL

COMMITTEE STAGEAmendments to be moved by the Honourable SIN Chung-kaiClauseAmendment Proposed

67(1) By deleting "a public officer" and substituting "any person".

DISTRICT COUNCILS BILL

COMMITTEE STAGE

Amendments to be moved by the Honourable Andrew WONG Wang-fat

Clause

Amendment Proposed

14

By adding -

"(1A) A person is also disqualified for appointment and from holding office as an appointed member, if the person -

- (a) within the 6 years before the date of appointment (were he to be appointed), has been nominated as a candidate in an election of any District Council or any of those bodies which are predecessors of the Provisional District Boards or the Provisional Urban Council or the Provisional Regional Council and failed to be elected; or
- (b) is or becomes a member of a political body; or
- (c) in the opinion of the Chief Executive, is or becomes actively engaged in politics.

(1B) For the purposes of subsection (1A)(b), "political body" (政治性團體) means -

- (a) a political party or an organization that purports to be a political party; or
- (b) an organization whose principal function or main object is to promote or prepare a candidate for an election."

ClauseAmendment Proposed

Schedule 3 In column 4, under the heading "Number of appointed members", by deleting all the numbers and substituting "4" for each item.

DISTRICT COUNCILS BILL

COMMITTEE STAGE

Amendments to be moved by the Honourable LAU Chin-shek

<u>Clause</u>	<u>Amendment Proposed</u>
6(2)	By deleting "When making an order under subsection (1), the Chief Executive in Council must have regard to" and substituting "An order under subsection (1) must be made on".
79	By deleting the clause and substituting - "79. Chief Executive in Council may make regulations (1) The Chief Executive in Council may make regulations providing for all or any of the following - (a) the number or qualifications of subscribers required to complete a nomination paper for a candidate; and (b) the amount that a candidate is required to lodge as a deposit at an election; and (c) the forfeiture of the deposit if the candidate fails to obtain a prescribed proportion of the votes cast at the election and for the return of the deposit if the candidate obtains that proportion of votes at the election. (2) A provision of a regulation may make it an offence, punishable by a fine not exceeding level 2, for a person to contravene a provision of the regulation.

ClauseAmendment Proposed

- (3) A regulation may -
- (a) make different provisions for different circumstances and provide for a particular case or class of cases; and
 - (b) be made so as to apply only in specified circumstances; and
 - (c) prescribe fees for the purposes of the regulation.

(4) It is hereby declared that a regulation under this section is subsidiary legislation."

83 By deleting the clause.

DISTRICT COUNCILS BILL

COMMITTEE STAGE

Amendments to be moved by the Honourable Andrew CHENG Kar-foo

Clause

Amendment Proposed

New By adding -

"69A. A District Council may appoint representatives to be members of the District Management Committee

(1) For the purpose of carrying out its functions, a District Council may appoint any member of the District Council to be a member of the District Management Committee in accordance with this section.

(2) The Chairman of a District Council will be an ex officio member of the District Management Committee.

(3) A District Council may appoint the chairman of a committee elected under section 69(3) to be a member of the District Management Committee.

(4) For the purposes of this section, "District Management Committee" (地區管理委員會) means, in every District, the committee chaired by the District Officer, the members of which include representatives from Government departments within the District and which provides a forum for departments to discuss and resolve problems in the District. The committee shall submit a comprehensive written report to each meeting of the District Council on its work with a detailed account of the progress of follow up actions requested by the Council."