

Bills Committee on District Councils Bill

**Amendments to be moved by Hon Andrew WONG
(List 1)**

<u>Clause</u>	<u>Amendments proposed</u>
2	In the definition of "by-election", by adding "a Chairman or" before "an elected member"
2	In the definition of "candidate", by adding "a Chairman or" before "an elected member"
2	In the definition of "Chairman", by deleting "the person holding the office of Chairman of that Council under Part VI" and substituting "the person who is elected as the Chairman of that Council under Part V"
2	After the definition of "District", by adding - "District constituency (地方行政區選區) means the entire area of a District declared to be a District constituency under section 6(1A);"
2	In the definition of "elected member", by adding "the Chairman or" before "a member of a District Council"
2	By deleting the definition of "Vice Chairman"
5(1)	By adding "column 3A and" before "column 3"
6	By adding under the heading "Declaration of Constituencies" and before sub-clause (1) - "(1A) The Chief Executive in Council shall, by order published in the Gazette, declare the entire area of a District declared under section 3 to be a District constituency for the

purposes of an election to elect the Chairman of the District Council established for that District."

9 By adding after "is to consist of -" and before "(a)" -

"(aa) a Chairman; or"

10 By adding "a Chairman or" before "an elected member"

20(2) (a) By deleting "A person who holds office" and substituting "Subject to subsection (2A), a person who holds office";

(b) By adding "for a constituency" after "as a candidate";

(c) By adding after (2) -

"(2A) A person who holds office as a member of a District Council is eligible to be nominated in a by-election as a candidate for the District constituency of the District Council which he is a member for the purpose of electing the Chairman of the District Council concerned."

20(4) (a) By deleting "A person is not eligible" and substituting "Subject to subsection (4A), a person is not eligible";

(b) By adding after (4) -

"(4A) A person is eligible to be concurrently nominated as a candidate for a District constituency and as a candidate for a constituency within the District concerned.

(4B) A person is not eligible to be nominated as a candidate for a District constituency if the person is currently nominated as a candidate for another District constituency or as a candidate for a constituency in another District."

21(1) By adding "a Chairman or" before "an elected member"

- 21(3) By adding "a Chairman or" before "an elected member"
- 22(1) By deleting "An elected member" and substituting "A Chairman or an elected member"
- 22(2) By adding -
- (a) "a Chairman's (first elected Chairman)" before "an elected member's";
 - (b) "the first elected Chairman" before "the first elected member";
 - (c) "Chairman or" before "member served the final term"
- 23(1) By adding "a Chairman or" before "a member"
- 24(1) (a) By deleting "An elected member" and substituting "A Chairman or an elected member";
- (b) By adding "Chairman or" before "member"
- 24(3) By deleting "An elected member" and substituting "A Chairman or an elected member"
- 24(5) By deleting "An elected member" and substituting "A Chairman or an elected member"
- 25(1) (a) By deleting "An elected member" and substituting "A Chairman or an elected member";
- (b) By adding "a Chairman or" before "a elected member"
- 25(2) By adding "the Chairman or" before "the member"
- 26 By deleting "An elected member's" and substituting "A Chairman's or an elected member's"

- 30(1)(a) By deleting "a constituency" and substituting "a District constituency and a constituency within the District"
- 30(1)(b) By deleting "the constituency" and substituting "a District constituency and a constituency within the District"
- 31(1) By adding "a Chairman or" before "an elected member"
- 60 By deleting the clause
- 61 By deleting the clause
- 62(1) By deleting "or Vice Chairman" where it appears and by deleting "or Vice Chairman, as the case may be,"
- 62(2) (a) By deleting "or Vice Chairman" and "or Vice Chairman, as the case may be,";
- (b) By deleting "Chairman" and substituting "Temporary Chairman";
- (c) By adding at the end of the sentence "pending a by-election of the office of Chairman"
- 62(3) By deleting the sub-clause and substituting -
- "(3) If the office of Chairman becomes vacant, the District Officer must preside at the meeting held for the purpose of electing the Temporary Chairman."
- 62(4) By deleting the sub-clause
- 63 By deleting the clause
- 64(2) By deleting the sub-clause

64(3) By deleting "If both the Chairman and Vice Chairman are absent" and substituting "If the Chairman is absent"

65 (a) In (1), by deleting "section 64(2) or (3)" and substituting "section 64(3)";
and

(b) By deleting sub-clause (2)

Schedule 3 Between columns 2 and 3, by adding column 3A with "Chairman" as heading and the column to read "1" for each District Council

Schedule 5 By deleting the Schedule

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23 January 1999

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**Amendments to be moved by Hon Andrew WONG
(List 2)**

<u>Clause</u>	<u>Amendments proposed</u>
11(2)	By deleting "subsection (3) and"
11(3)	By deleting the sub-clause
14(1)	By adding after "(d)" - "(da) is or becomes a member of a political body; or (db) in the opinion of the Chief Executive, is or becomes actively engaged in politics; or (dc) 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 previous District Board or the previous Urban Council or Regional Council and failed to be elected; or"
16(3)	By deleting "subsection (4) and"
16(4)	By deleting sub-clause (4)

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Bills Committee on District Councils Bill

Amendments to be moved by Hon Andrew WONG (List 3)

Clause

Amendments proposed

59

By deleting the clause and substituting -

"59. Functions and powers of a District Council

The functions and powers of a District Council are -

- (a) to exercise such powers and perform such duties as are conferred or imposed on it by this or any other Ordinance;
- (b) to undertake such other functions within the District as the Chief Executive may from time to time direct;
- (c) to advise the Government -
 - (i) on matters affecting the well-being of the people in the District; and
 - (ii) on the provision and use of public facilities and services within the District; and
 - (iii) on the adequacy and priorities of Government programmes for the District;
- (d) where funds are made available for the purpose -
 - (i) to undertake local public works and environmental improvements within the District;

- (ii) to establish and maintain 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;

- (iii) to provide, promote, sponsor, assist or collaborate with any other person or group of persons whether incorporated or not in the organizing or providing of recreational, sports and cultural activities whether entirely within the District or jointly within two or more Districts.

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