Termination of Election Proceedings: A Comparison between the Proposed Arrangements in the Legislative Council (Amendment) Bill 1999 and the Existing Arrangements

(1) Geographical Constituencies Elections If a candidate is Proposed Arrangements **Existing Arrangements** disqualified or dead during the following period Close of nomination The Returning Officer declares that the relevant candidate has died or The Returning Officer declares that the is no longer validly nominated election proceedings are terminated The Electoral Affairs Commission arranges The Returning Officer revises the list of validly nominated candidates for by-election in the constituency. That is :to delete the name of the candidate from the relevant list of if there is any surplus nominee on the original nomination list, add the name of the surplus nominee to the relevant list according to the order of priority in the nomination list to make up the difference The election proceedings continue Polling day (If there is advance polling, begin from the first advance The Returning Officer declares that the The Rturning Officer declares that the polling day) election proceedings are terminated election proceedings are terminated The Electoral Affairs Commission arranges The Electoral Affairs Commission arranges for by-election for by-election Close of polling Counting continues Counting continues s the relevant s the relevant No candidate candidate successful? successful The Clerk to the Legislative Is there any The Returning The Returning Council declares candidate on the No Officer declares Officer declares that a vacancy relevant list who the election the election arises in the ranks below the result as usual result as usual candidate? Legislative Council The seat will be taken The Returning Officer up by a candidate ranked below in The Electoral Affairs declares the other successful candidates as elected, and Commission arranges accordance with the declares the election to have for by-election order of priority of partially failed the relevant list The Returning The Electoral Affairs Officer declares the Commission arranges for by-election to fill the vacancy The Returning Officer declares the election result The Clerk to the Legislative Council declares that The Clerk to the Legislative Council declares that a vacancy arises in the Legislative Council a vacancy arises in the Legislative Council The Electoral Affairs Commission arranges for The Electoral Affairs Commission arranges for by-election by-election

(2) Functional Constituencies Elections and Election by the Election Committee If a candidate is disqualified or dead **Existing Arrangements Proposed Arrangements** during the following period Close of nomination The Returning Officer declares that the The Returning Officer declares that the relevant candidate has died or is no longer validly nominated election proceedings are terminated The Electoral Affairs Commission arranges for by-election The Returning Officer deletes the name of the candidate Polling day The election proceedings continue (If there is advance polling, begin from the first advance The Returning Officer declares that the The Returning Officer declares that the polling day) election proceedings are terminated election proceedings are terminated The Electoral Affairs Commission arranges The Electoral Affairs Commission arranges for by-election for by-election Close of polling Counting continues Counting continues No Yes Is the relevant Yes candidate s the relevant No successful? candidate successful? The Clerk to the Legislative The Returning The Returning Does more than Council declares Officer declares Officer declares one Member need to that a vacancy be returned at the the election the election arises in the election? result as usual result as usual Legislative Council The Returning Officer declares the other The Electoral Affairs The Returning Officer successful candidates as declares that the election Commission arranges elected, and declares the to have failed election to have partially for by-election failed The Electoral Affairs The Electoral Affairs Commission arranges for Commission arranges for by-election to fill the by-election to fill the vacancy vacancy The Returning Officer declares the election result The Clerk to the Legislative Council declares The Clerk to the Legislative Council declares that a vacancy arises in the Legislative Council that a vacancy arises in the Legislative Council The Electoral Affairs Commission arranges for The Electoral Affairs Commission arranges for

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