

Urgent by hand

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SECRETARIAT

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11 November 1999

Clerk to Bills Committee
(Attn: Mrs Percy MA)
Legislative Council
Legislative Council Building
8 Jackson Road
Central
Hong Kong

Dear Mrs MA,

Bills Committee on Elections (Corrupt and Illegal Conduct) Bill

At the meeting on 9 November, the Committee suggested that an attempt offence should be provided in clause 42 of the Bill. This suggestion is now reflected in the attached revised version of the Administration's proposed CSAs to the Bill. As a result of our earlier proposal to include the Chief Executive election and the Village Representative election in the Bill in response to the Committee's suggestion, it is also necessary to propose amendments to define various terms in the Bill in the context of these elections.

I should be grateful if you would distribute our revised CSAs to members of the Bills Committee for discussion at the meeting on 12 November.

Yours sincerely,

(Tony W P CHENG)
for Secretary for Constitutional Affairs

REVISED DRAFT

ELECTIONS (CORRUPT AND ILLEGAL CONDUCT) BILL

COMMITTEE STAGE

Amendments to be moved by the Secretary for Constitutional Affairs

Clause

Amendment Proposed

- 2 (a) In the definition of “advantage” -
- (i) in paragraph (d), by adding “of” after “exercise”;
 - (ii) in paragraph (e), by adding “of” after “performance”;
 - (iii) by deleting paragraph (g) and substituting -
 - “(g) any other service, other than -
 - (i) the provision of entertainment; or
 - (ii) the provision of service free of charge,
voluntarily and personally -
 - (A) by a natural person whose occupation
does not involve the

provision of that kind of service; or

(B) by a natural person whose occupation

involves the provision of that kind of

service, outside the working hours

during which such service is normally

provided for remuneration or

profits.”.

(b) In the definition of “appropriate authority” -

(i) by adding before paragraph (a) -

“(aa) in the case of an election to elect the Chief Executive,

the person designated to be the appropriate authority

under any law in force providing for the election of

the Chief Executive; and”,

(ii) in paragraph (a), by adding”, the

Election Committee” after “Legislative Council”;

(iii) in paragraph (b), by adding “and” at the end;

(iv) by adding -

“(c) in the case of an election to elect a village representative,
the person designated to be the appropriate authority under
any law in force providing for the election of village
representatives;”.

(c) In the definition of “election advertisement”, by deleting “that has the effect”
and substituting “published for the purpose”.

(d) In paragraph (c) of the definition of “election donation”, by deleting
everything after “group” and substituting “(other than the service referred to
in paragraph (g) (ii) of the definition of “advantage”);”.

(e) In the definition of “elector” -

(i) by adding before paragraph (a) -

“(aa) in relation to an election to elect the Chief Executive,
means a person who is an elector under any law in force
providing for the election of the Chief Executive; and”;

(ii) in paragraph (e), by adding “and” at the end;

(iii) by adding -

“(f) in relation to an election to elect a village representative,
means a person who is an elector under any law in force
providing for the election of village representatives;”.

(f) In the definition of “electoral law” -

(i) in paragraph (c), by adding “or” at the end;

(ii) by adding -

“(d) the Heung Yee Kuk Ordinance (Cap. 1097); or

(e) any law in force providing for the election of -

(i) the Chief Executive; or

(ii) village representatives;”.

(g) In the definition of “returning officer” -

(i) by adding before paragraph (a) -

“(aa) in relation to an election to elect the Chief Executive,
means the person appointed to be the Returning Officer
under any law in force providing for

the election of the Chief Executive; and”;

(ii) by adding before paragraph (b) -

“(ab) in relation to an election for an Election Committee subsector, means a Returning Officer appointed for the subsector under section 78 of the Legislative Council Ordinance (Cap. 542); and”;

(iii) in paragraph (b), by deleting “73” and substituting “75”;

(iv) in paragraph (d), by adding “and” at the end;

(v) by adding -

“(e) in relation to an election to elect a village representative, means the person appointed to be the Returning Officer under any law in force providing for the election of village representatives;”.

(h) by adding -

““Chief Executive” (行政長官) means the Chief Executive of the Hong Kong Special Administrative Region;

“village representative”(村代表) means a person elected to be a village representative

under any law in force providing for the election of village representatives.”.

3(a) (a) By adding “the Chief Executive and” before “persons to membership”.

(b) By adding “and to be village representatives” after “public bodies”.

4 (a) By adding before paragraph (a) -

“(aa) an election to elect the Chief Executive;”.

(b) In paragraph (g), by deleting the full stop and substituting a semicolon.

(c) By adding -

“(h) an election to elect a village representative.”.

6(3) (a) By deleting “election”.

7(1) (a) In paragraph (a), by adding -

“(iii) if the other person has been nominated as a candidate at the election, not to use the other person’s best endeavours to promote the election of the other person; or”.

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

“(iii) if the other person was or has been nominated as a candidate at the election,

for not having used the other person's best endeavours to promote the election of the other person; or".

(c) In paragraph (c) -

(i) by deleting "to the" and substituting "for the other";

(ii) by adding -

"(iii) if the third person has been nominated as a candidate at the election, not to use the third person's best endeavours to promote the election of the third person; or".

(d) In paragraph (d), by adding -

"(iii) if the third person was or has been nominated as a candidate at the election, not to use the third person's best endeavours to promote the election of the third person; or".

(e) In paragraph (e) -

(i) in subparagraph (ii), by deleting "having been" and substituting "if the person has been";

(ii) by adding -

"(iii) if the person has been nominated as a candidate at the election, not to use the person's best endeavours to

promote the election of the person; or”.

(f) In paragraph (f), by adding -

“(iii) if the person was or has been nominated as a candidate at the election, for not having used the person’s best endeavours to promote the election of the person; or”.

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

“(iii) if the other person has been nominated as a candidate at the election, not to use the other person’s best endeavours to promote the election of the other person; or”.

(h) In paragraph (h) -

(i) in subparagraph (ii), by deleting the full stop and substituting”;
or”;

(ii) by adding -

“(iii) if the other person was or has been nominated as a candidate at the election, not to use the other person’s best endeavours to promote the election of the other person.”.

12(5) By deleting “會議” and substituting “聚會” .

17(1) By deleting paragraph (d) and substituting -

- “(d) without lawful authority, destroys, defaces, takes or otherwise interferes with ballot papers in use, or that have been used, at the election; or
- (e) without lawful authority, destroys, removes, opens or otherwise interferes with a ballot box in use at the election.”.

18 By deleting “從事” and substituting “作出” .

19 (a) In subclause (1) -

- (i) by deleting “\$500 or more” where it twice occurs and substituting “more than \$1,000”;
- (ii) by adding “as supplied by the donor” after “address of the donor”.

(b) In subclause (2) -

- (i) by deleting “\$500 or more” where it twice occurs and substituting “more than \$1,000”;
- (ii) by deleting everything after “does not know the” and substituting “name and address of the donor, the candidate must ensure that the donation is not used for the purpose of meeting the candidate’s election expenses.”.

(c) In subclause (3) -

- (i) in paragraph (a), by deleting everything

after “a candidate” and substituting”; and”;

(ii) in paragraph (b), by adding “or is not used in the case referred to in subsection (2)” after “election expenses”;

(iii) by deleting everything after “the candidate must” and substituting “ensure that the donation is given to a charitable institution or trust of a public character chosen by the candidate.”.

(d) By deleting subclauses (4) and (5).

(e) In subclause (6), by deleting everything after “the group must” and substituting “ensure that the excess is given to a charitable institution or trust of a public character chosen by the candidate or those candidates.”.

(f) By deleting subclause (7).

(g) In subclause (8) (a), by deleting “(2)(a)” and substituting “(2)”.

21 (a) In subclause (3), by adding “an advantage as” before “a reward”.

(b) In subclause (4), by deleting “a reward to another person” where it twice occurs and substituting “an advantage to another person as a reward”.

(c) In subclause (5), by deleting “or reward” wherever it occurs.

- 27
- (a) In subclause (1), by adding “unless, before the publication of the election advertisement, the person or organization consented in writing to the inclusion of the name, logo or pictorial representation” before the full stop.
 - (b) In subclause (2), by adding “unless, before the publication of the election advertisement, the other person or organization consented in writing to the inclusion of the name, logo or pictorial representation” before the full stop.
 - (c) By deleting subclause (3).
 - (d) In subclause (4) -
 - (i) by deleting “subsection (3), it is sufficient for the defendant to prove that” and substituting “subsections (1) and (2), the consent of an organization is taken to have been obtained if”;
 - (ii) in paragraph (a), by deleting “affected”;
 - (iii) in paragraph (b), by deleting “defendant” and substituting “candidate or person who publishes, or authorizes the publication of, the election advertisement”.
 - (e) By deleting subclause (8).
 - (f) In subclause (9) -
 - (i) by deleting “person or an organization” and substituting “candidate”;
 - (ii) by deleting “person or organization.” and

substituting “candidate.”.

28 By adding -

“(5A) Despite subsection (5), an application for an injunction under this section can be made by -

- (a) if the election is to elect the Chief Executive, a person specified for this purpose under any law in force providing for the election of the Chief Executive; or
- (b) if the election is to elect a village representative, a person specified for this purpose under any law in force providing for the election of village representatives.”.

29(2) (a) By deleting paragraphs (a) and (b) and substituting -

- “(a) the candidate was not aware of the conduct; or
- (b) the candidate, if aware of the conduct, did not consent to or connive at it.”.

(b) By deleting “下述各項” and substituting “有以下情況” .

(c) By deleting “從事” and substituting “作出” .

30(1) (a) In paragraph (a), by deleting everything after “engage in the conduct” and substituting”; and”.

- (b) In paragraph (b), by deleting “was of a trivial nature” and substituting “did not materially affect the result of the election”.
- (c) In paragraph (c), by deleting “all”.
- (d) In paragraph (d), by deleting “in connection with” and substituting “at”.

31 (a) In subclause (2) -

- (i) by adding a comma before “an electoral law”;
- (ii) in paragraph (a) (i), by deleting “some other” and substituting “any”.

(b) By deleting subclause (3) and substituting -

“(3) If an application is made under subsection (1), no prosecution against the applicant for having done or omitted to do an act that, but for this section, would be illegal conduct at an election may be instituted or carried on until the application is disposed of by the Court.

(4) An applicant is not liable to be convicted of an offence of having engaged in illegal conduct at an election if the act or omission of the applicant that, but for this section, would be illegal conduct at the election is the subject of an order made under subsection (2).”.

33 (a) In the definition of “incumbent candidate” -

(i) by deleting everything before paragraph

(a) and substituting -

““incumbent candidate” (在任的候選人) means -

(aa) the person holding office as, or for the time

being assuming the duties of, the Chief

Executive; or”;

(ii) in paragraph (b), by deleting “or a Provisional District Board”;

(iii) in paragraph (d), by deleting the comma at the end and substituting”; or”;

(iv) by adding -

“(e) a serving village representative,”;

(v) by adding “office or” before “body” where it twice occurs.

(b) In the definition of “performance report” -

(i) by adding before paragraph (a) -

“(aa) the Chief Executive; or”;

(ii) in paragraph (b), by deleting “or a Provisional District Board”;

(iii) in paragraph (d), by adding “or” at the end;

(iv) by adding -

“(e) a serving village

representative;”.

(c) In the definition of “printer”, by deleting “of” and substituting “in relation to”.

34 (a) In subclause (3), by deleting “before” and substituting “not later than 7 days after”.

(b) By deleting subclause (4) and substituting -

“(4) A person must, not later than 7 days after publishing a printed election advertisement, furnish 2 copies of the advertisement to the appropriate returning officer.

(4A) If a printed election advertisement is published in a registered local newspaper, the duty to comply with subsection (4) is on the person who seeks to place the advertisement in the newspaper.”.

(c) In subclause (7), by deleting “Any” and substituting “Subject to subsection (4A), any”.

(d) In subclause (8), by deleting “現任議員” and substituting “在任的” .

New By adding in Part 5 –

“34A. Court may grant relief in certain circumstances if election advertisements do not meet requirements

(1) A person who publishes a printed election advertisement without complying with section 34(1) or (4) may apply to the Court for an order under

subsection (2).

(2) On the hearing of an application made under subsection (1), the Court may make an order allowing the publication which would, but for this section, constitute an offence under section 34, be excepted from the relevant requirements under that section and relieving the applicant from the penalties imposed by that section, but only if the Court -

(a) is satisfied that -

(i) the non-compliance was due to inadvertence, an accidental miscalculation or any reasonable cause and was not due to bad faith; and

(ii) where the Court requires notice of the application to be given in Hong Kong, the notice has been given; and

(b) believes it to be just that the applicant should not be subject to those penalties.

(3) If an application is made under subsection (1), no prosecution against the applicant for not having complied with section 34(1) or (4) may be instituted or carried on until the application is disposed of by the Court.

(4) An applicant is not liable to be

convicted of an offence under section 34 if the non-compliance by the applicant with section 34(1) or (4) is the subject of an order made under subsection (2).”.

35 (a) By adding before paragraph (a) -

“(aa) in the case of an election to elect the Chief Executive, the date specified for this purpose under any law in force providing for the election of the Chief Executive; and”.

(b) In paragraph (a), by adding”, the Election Committee” after “Legislative Council”.

(c) In paragraph (b), by deleting the full stop and substituting”; and”.

(d) By adding -

“(c) in the case of an election to elect a village representative, the date specified for this purpose under any law in force providing for the election of village representatives.”.

36(2) (a) In paragraph (a), by deleting “within 30 days” and substituting “not later than 30 days”.

(b) In paragraph (b) -

(i) in subparagraph (ii), by deleting “\$500 or more” where it twice occurs and substituting “more than \$1,000”;

(ii) in subparagraph (iv) -

(A) by deleting “such a” and substituting “an election”;

(B) by deleting “19” and substituting “19(3)”.

37 By adding -

“(1A) If a candidate has made an application under section 39, no prosecution against the candidate for failing to have lodged an election return as required by section 36 may be instituted or carried on until the application is disposed of by the Court.”.

38 (a) In the heading, by adding “**act in office or**” before “**participate**”.

(b) In subclause (1), by deleting everything after “having been elected to” and substituting “an office or membership of a body at an election to which this Ordinance applies, the person acts in the office or participates in the affairs of the body as a member without having complied with section 36.”.

(c) In subclause (2), by deleting “participates as a member of the Legislative Council or body without having lodged an election return as required by” and substituting “acts in the office or participates in the affairs of the body as a member without having complied with”.

(d) By adding -

“(3) A person is not liable to be convicted of an offence under this section for acting in the office or participating in the affairs of the body as a member without having complied with section 36 if -

- (a) the non-compliance is the subject of an order made under section 39; and
- (b) the further period specified in the order has not yet expired.

(4) A person who acts in the office or participates in the affairs of the body as a member without having complied with section 36, if -

- (a) the person’s application for an order under section 39 is refused; or
- (b) the person has not complied with section 36 within the further period specified in the order made under section 39,

may be convicted of an offence under this section and is liable on conviction to the daily fine referred to in subsection (2) counting from the day on which the person began to act in the office or participate in the affairs of the body as a member without

having complied with section 36.”.

- 39 (a) In subclause (1) -
- (i) by adding “is unable or” before “has failed”;
 - (ii) by deleting “within the” and substituting “before the end of the”.
- (b) In subclause (2) -
- (i) by adding “inability or” before “failure”;
 - (ii) in paragraph (d), by deleting “some other” and substituting “any”.
- (c) In subclause (4)(c), by deleting “some other” and substituting “any”.
- (d) By adding -
- “(4A) A candidate who has not complied with section 36(2) (b) (i), (ii) or (iii) can also apply to the Court for an order excepting the candidate from the requirement to send an invoice or a receipt, or a copy of a receipt, as required by that section.
- (4B) On the hearing of an application made under subsection (4A), the Court may make the order sought, but only if it is satisfied that the non-compliance was due to -
- (a) misconduct of an agent or employee of the applicant;
 - or
 - (b) inadvertence, or an accidental loss or destruction of
- the

invoice or receipt or copy of the receipt, by the applicant or any other person; or

(c) any reasonable cause,

and was not due to the applicant's bad faith.".

42 (a) By renumbering the clause as clause 42(1).

(b) In subclause (1), by deleting "taken to have committed" and substituting "guilty of attempting to commit".

(c) By adding -

"(2) A person who is convicted of an attempt to commit an offence against this Ordinance is subject to the same penalties and disqualifications imposed by any law to which the person would have been subject on conviction of the offence attempted.".

New By adding -

"47. Transitional provision

Any subsidiary legislation made under the Corrupt and Illegal Practices Ordinance (Cap. 288) before its repeal and in force at the commencement of this Ordinance is, so far as it is not inconsistent with this Ordinance, to continue in force and have the like effect for all purposes as if made under this Ordinance.

48. Saving provision

Without derogating from section 23 of the Interpretation and General Clauses Ordinance (Cap. 1) -

- (a) the repeal of the Corrupt and Illegal Practices Ordinance (Cap. 288) does not affect any obligation or liability incurred, or any penalty or disqualification imposed, or any investigation or legal proceedings instituted, under that repealed Ordinance; and
- (b) any such penalty or disqualification may be imposed, and any such investigation or legal proceedings may be instituted or carried on, as if this Ordinance had not been passed.”.

Schedule (a) By adding -

“1A. Medical Practitioners (Electoral Provisions) (Procedure) Regulation (Cap. 161 sub. leg.)	Repeal section 4(2) (e) and substitute – “(e) he has been convicted of having engaged in corrupt or illegal conduct in contravention of the Elections (Corrupt and Illegal Conduct) Ordinance (of 1999); or”.
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1B. Crimes
Ordinance (Cap.
200)

In section 46(1), add “or corrupt conduct”
after “corrupt practice”.

(b) By adding -

“5A.Electoral
Affairs Commission
(Electoral
Procedure)
(Legislative
Council) Regulation
(Cap. 541 sub. leg.)

(a) In section 2(1), in the definition of
“election expenses”, repeal “Corrupt
and Illegal Practices Ordinance (Cap.
288)” and substitute “Elections
(Corrupt and Illegal Conduct)
Ordinance (of 1999)”.

(b) In section 26, repeal “return and
declaration of election expenses of
the candidate is to be open for
inspection under section 29A of the
Corrupt and Illegal Practices
Ordinance (Cap. 288)” and substitute
“copy of the election return lodged by
the candidate is available for
inspection under section 40 of the
Elections (Corrupt and Illegal
Conduct) Ordinance (of 1999)”.

(c) In section 52 -

(i) in subsection (1), repeal

“committed the offence of
personation” and substitute

“engaged in corrupt conduct
by impersonation”;

(ii) in subsection (2), repeal

“committed the offence of
personation” and substitute

“engaged in corrupt conduct
by impersonation”;

(iii) repeal subsection (4)

and substitute -

“(4) In this section, the reference to corrupt conduct by impersonation is to be construed as the corrupt conduct referred to in section 15 of the Elections (Corrupt and Illegal Conduct) Ordinance (of 1999).”.

- (d) In section 96(2), repeal “Corrupt and Illegal Practices Ordinance (Cap.

288)” and substitute “Elections (Corrupt and Illegal Conduct) Ordinance (of 1999)”.

- (e) In section 102(11), repeal “returns and declarations of election expenses of candidates are open for inspection under section 29A of the Corrupt and Illegal Practices Ordinance (Cap. 288)” and substitute “copies of election returns lodged by candidates are available for inspection under section 40 of the Elections (Corrupt and Illegal Conduct) Ordinance (of 1999)”.
- (f) In section 1(1) of Schedule 1, in the definition of “election expenses”, repeal “Corrupt and Illegal Practices Ordinance (Cap. 288)” and substitute “Elections (Corrupt and Illegal

Conduct) Ordinance (of 1999)".

- (g) In section 22 of Schedule 1, repeal “return and declaration of election expenses of the subsector candidate is to be open for inspection under section 29A of the Corrupt and Illegal Practices Ordinance (Cap. 288)” and substitute “copy of the election return lodged by the subsector candidate is available for inspection under section 40 of the Elections (Corrupt and Illegal Conduct) Ordinance (of 1999)".

- (h) In section 48 of Schedule 1 -

- (i) in subsection (1), repeal “committed the offence of personation” and substitute “engaged in

corrupt conduct by
impersonation”;

(ii) in subsection (2), repeal

“committed the offence of
personation” and substitute

“engaged in corrupt conduct
by impersonation”;

(iii) repeal subsection (4) and

substitute -

“(4) In this

section, the reference

to corrupt conduct by

impersonation is to be

construed as the

corrupt conduct
referred to in section
15 of the Elections
(Corrupt and Illegal
Conduct) Ordinance (of 1999).”.

- (i) In section 86(2) of Schedule 1, repeal “Corrupt and Illegal Practices Ordinance (Cap. 288)” and substitute “Elections (Corrupt and Illegal Conduct) Ordinance (of 1999)”.
- (j) In section 92(11) of Schedule 1, repeal “returns and declarations of election expenses of candidates are available for inspection under section 29A(1) of the Corrupt and Illegal

Practices Ordinance (Cap. 288)” and substitute “copies of election returns lodged by subsector candidates are available for inspection under section 40 of the Elections (Corrupt and Illegal Conduct) Ordinance (of 1999)”.

- 5B. Electoral Affairs Commission (Electoral Procedure) (District Councils) Regulation (Cap. 541 sub. leg.)
- (a) In section 2(1), in the definition of “election expenses”, repeal “Corrupt and Illegal Practices Ordinance (Cap. 288)” and substitute “Elections (Corrupt and Illegal Conduct) Ordinance (of 1999)”.
- (b) In section 29, repeal “return and declaration of election expenses of the candidate is to be open for inspection under section 29A of the Corrupt and Illegal Practices Ordinance (Cap. 288)” and

substitute, “copy of the election return lodged by the candidate is available for inspection under section 40 of the Elections (Corrupt and Illegal Conduct) Ordinance (of 1999)”.

(c) In section 55 -

(i) in subsection (1), repeal

“committed the offence of personation” and substitute

“engaged in corrupt conduct by impersonation”;

(ii) in subsection (2), repeal

“committed the offence of personation” and substitute

“engaged in corrupt conduct by

impersonation”;

(iii) repeal subsection (4) and

substitute -

“(4) In this section, the reference to corrupt conduct by impersonation is to be construed as the corrupt conduct referred to in section 15 of the Elections (Corrupt and Illegal Conduct) Ordinance (of 1999).”.

- (d) In section 94(2), repeal “Corrupt and Illegal Practices Ordinance (Cap. 288)” and substitute “Elections (Corrupt and Illegal Conduct) Ordinance (of 1999)”.
- (e) In section 103(10), repeal “returns and declarations of election expenses of candidates are open for inspection under section 29A of the Corrupt and Illegal Practices Ordinance (Cap. 288)” and substitute “copies of election returns lodged by candidates are available for inspection under section 40 of the Elections (Corrupt and Illegal Conduct) Ordinance (of 1999)”.

(c) In item 6(i) -

(i) by deleting “during” and substituting “at the end of”;

(ii) by deleting “in relation to” and substituting “at or in connection with”.

(d) By adding -

“6A.Legislative

(a) In rule 11(3) -

Council

(i) repeal “a corrupt or illegal

(Election

practice” and substitute “corrupt

Petition) Rules

or illegal conduct”;

(Cap. 542 sub.

(ii) repeal “practice.” and substitute

leg.)

“conduct.”.

(b) In rule 21(3) -

(i) in paragraph (a), repeal “a

corrupt practice has not been

proved to have been committed”

and substitute “corrupt conduct

has not been proved to have been

engaged in”;

(ii) in paragraph (b), repeal “corrupt practices being committed” and substitute “corrupt conduct being engaged in”;

(iii) in paragraph (c), repeal “practices” where it twice occurs and substitute “conduct”.

(e) In item 7 -

(i) in paragraph (c), by deleting “擬任期” and substituting “任期
擬” ;

(ii) in paragraph (f), by deleting “29(d)” and substituting “30(d)”;

(iii) in paragraph (g), by deleting “47(1)(a)(ii)” and substituting
“49(1)(a)(ii)”;

(iv) in paragraph (h), by deleting “47(3)” and substituting “49(3)”;

(v) in paragraph (i) -

(A) by deleting “53” and substituting “55”;

(B) by deleting “during” and substituting “at the end of”;

(C) by deleting “in relation to” and substituting “at or in
connection with”.

(f) By adding -

“8. District Councils (a) In rule 11(3) -

(Election (i) repeal “a corrupt practice or an

Petition) Rules illegal practice” and substitute

(Cap. 547 sub. “corrupt or illegal conduct”;

leg.)

(ii) repeal “the corrupt practice or the illegal practice” and substitute “the corrupt or illegal conduct”.

(b) In rule 21(3) -

(i) in paragraph (a), repeal “a corrupt practice has not been proved to have been committed” and substitute “corrupt conduct has not been proved to have been engaged in”;

(ii) in paragraph (b), repeal “corrupt practices being committed” and substitute “corrupt conduct

being engaged in”;

(iii) in paragraph (c), repeal

“practices” where it twice

occurs and substitute

“conduct”.”.