

## 立法會參考資料摘要

《立法會條例》  
(第 542 章)

《區議會條例》  
(第 547 章)

### 1999 年立法會(選民登記)(上訴)(修訂)規例

#### 引言

在一九九九年十一月十六日的會議上，行政會議建議，行政長官指令應根據《立法會條例》第 82 條及《區議會條例》第 81 條，制定載於附件甲的《1999 年立法會(選民登記)(上訴)(修訂)規例》。

#### 背景和論據

##### 一般背景

2. 根據《立法會條例》第 34 條，對選舉登記主任就立法會選舉和選舉委員會界別分組選舉選民登記所作的決定感到不滿的人，可就該決定向審裁官提出上訴。《立法會(選民登記)(上訴)規例》(“主體規例”)載有處理上訴程序的條文。

## 處理上訴期限的修訂建議

3. 上訴程序須與法定的每年選民登記周期互相配合。《1999年立法會(修訂)條例》通過以後，《立法會條例》和選舉管理委員會制定的規例<sup>1</sup>內訂明的選民登記周期，已作出如下更改：

	<u>新周期</u>	<u>(現行周期)</u>
(a) 選民登記的截止日期	三月十六日	(一月十六日)
(b) 公布臨時選民登記冊的最後限期	四月十五日	(二月十五日)
(c) 就臨時選民登記冊提出上訴的截止日期	四月二十九日	(三月一日)
(d) 把審裁官所作判定納入正式選民登記冊的截止日期	五月十一日	(三月十三日)
(e) 公布正式選民登記冊的最後限期	五月二十五日	(三月三十一日)

4. 為配合上述新周期，審裁官處理上訴的期限必須作出相應修改。因此，選民提出上訴的期限會改為四月十五<sup>2</sup>至二十九日，而審裁官聆訊上訴的期限會改為四月十五日至五月十一日。

## 有關把選民編配予區議會選區而提出的上訴

5. 由二零零零年起，立法會地方選區選舉和區議會選舉會使用同一選民登記冊。登記冊上會同時列明選民所屬的立法會地方選區和

<sup>1</sup> 《選舉管理委員會(選民登記)(地方選區)(立法會)規例》訂明選民登記周期。選舉管理委員會最近修訂上述規例，以便由二零零零年起調整該周期。《選舉管理委員會(登記)(功能界別選民)(界別分組投票人)(選舉委員會委員)(立法會)規例》亦載有類似的選民登記周期，而選舉管理委員會現正修訂該規例。

<sup>2</sup> 如某臨時選民登記冊在四月十五日的最後限期前已公布，則選民可在有關的選民登記冊公布當天即開始提出上訴。

區議會選區。由於在現行的主體規例各項規定中，相關的規定只處理有關把選民編配予立法會地方選區的上訴，因此有必要擴大規例的適用範圍，以涵蓋有關把選民編配予區議會選區的上訴。處理後一類上訴的程序將與處理規例中其他上訴的程序相同。

## 規例

6. 第 2 及 7 條旨在作出所需修訂，使審裁官可按上文第 5 段的建議，處理有關把選民編配予區議會選區的上訴。第 3、4、5 及 6 條則是按照上文第 4 段載述的建議，修訂處理上訴的期限。

7. 主體規例載於附件乙，以供議員參閱。

## 立法程序時間表

8. 規例會於一九九九年十一月十九日刊登憲報，並會在一九九九年十一月二十四日提交立法會進行被動式審議的議決程序。

## 與基本法的關係

9. 根據律政司的意見，規例與《基本法》中與人權無關的規定並無抵觸。

## 對人權的影響

10. 根據律政司的意見，規例符合《基本法》中有關人權的規定。

## 對財政和人手的影響

11. 規例不會對財政或人手造成任何額外影響。

## 公眾諮詢

12. 由於規例只涉及技術性問題，因此無須諮詢公眾意見。

## 宣傳安排

13. 當局會於規例刊登憲報前發出新聞稿，並安排一名發言人回答傳媒的查詢。

政制事務局

一九九九年十一月

檔號：CAB C1/30/5/1

## 《1999年立法會（選民登記）（上訴）（修訂）規例》

（由行政長官會同行政會議根據《立法會條例》（第542章）  
第82條及《區議會條例》（第547章）第81條訂立）

### 1. 修訂名稱

《立法會（選民登記）（上訴）規例》（第542章，附屬法例）的名稱現予修訂，廢除“立法會（選民登記）”而代以“選民登記”。

### 2. 釋義

第1條現予修訂 —

(a) 在“上訴人”、“反對通知書”及“申索通知書”的定義中，廢除“（地方選區）（立法會）”而代以“（立法會地方選區）（區議會選區）”；

(b) 加入 —

““界別分組” (subsector)指《立法會條例》（第542章）附表2第3部所指的界別分組；”。

### 3. 安排聆訊並就聆訊事宜通知上訴人

第2(3)條現予修訂 —

(a) 廢除(a)及(b)段；

(b) 加入 —

“(ba) 審裁官在 1999 年 3 月 4 日至 2000 年 5 月 2 日（該兩日亦包括在內）期間內接獲申索通知書或反對通知書的文本，則根據第(1)(a)款就該通知書訂定的日期須在 2000 年 4 月 15 日至 2000 年 5 月 11 日（該兩日亦包括在內）期間內，而該日期必須在審裁官接獲該通知書文本當日之後的第 3 日或以後；及”；

(c) 在(c)段中 —

(i) 廢除 “3 月 4 日” 而代以 “5 月 3 日” ；

(ii) 廢除 “1998” 而代以 “1999” ；

(iii) 廢除 “3 月 3 日” 而代以 “5 月 2 日” ；

(iv) 廢除 “2 月” 而代以 “4 月” ；

(v) 廢除 “3 月 13 日” 而代以 “5 月 11 日” 。

#### 4. 須將判定通知選舉登記主任

第 4 條現予修訂 —

(a) 廢除(a)段；

(b) 在(b)段中 —

(i) 廢除 “2 月” 而代以 “4 月” ；

(ii) 廢除 “1998” 而代以 “1999” ；

(iii) 廢除 “3 月 13 日” 而代以 “5 月 11 日” ；

(iv) 廢除 “3 月 20 日” 而代以 “5 月 17 日” 。

**5. 事宜的裁定及押後的權力等**

第 5 條現予修訂，廢除“(a)、”。

**6. 覆核審裁官的判定**

第 6(2)條現予修訂 —

(a) 廢除(a)段；

(b) 在(b)段中 —

(i) 廢除“2 月”而代以“4 月”；

(ii) 廢除“1998”而代以“1999”；

(iii) 廢除“3 月 13 日”而代以“5 月 11 日”。

**7. 審裁官就選舉登記主任的建議作出批准**

第 7 條現予修訂，廢除“(地方選區)(立法會)”而代以“(立法會地方選區)(區議會選區)”。

行政會議秘書

行政會議廳

1999 年 月 日

## 摘要說明

本規例旨在修訂《立法會（選民登記）（上訴）規例》（第 542 章，附屬法例）（“有關規例”） —

(a) 通過修訂在有關規例中出現的《選舉管理委員會（選民登記）（地方選區）（立法會）規例》（第 541 章，附屬法例）（“《地方選區選民規例》”）的名稱（而此項修訂是因應對《地方選區選民規例》作出的修訂而作出的），使審裁官可 —

(i) 處理有關申索通知書或反對通知書；及

(ii) 批准選舉登記主任的有關糾正行動，

該等申索通知書、反對通知書或糾正行動是根據經如此修訂的《地方選區選民規例》作出、並關乎為立法會地方選區選舉而編製的選民登記冊的某一部之下的某分部的記項或登記的，而根據經如此修訂的《地方選區選民規例》，該分部是為施行《區議會條例》（第 547 章）第 29 條而在選民登記冊的某一部之下撥予該部所關乎的立法會地方選區內的某區議會選區的（第 2 及 7 條）；

(b) 由於《1999 年立法會（修訂）條例》（1999 年第 48 號）對《立法會條例》（第 542 章）第 32 條及附表 2 第 10(1) 條作出修訂，修改該等條文規定編製的選民登記冊須予編製的最後日期，因此，修改有關規例所訂的、須就關乎上述選民登記冊內的記項或登記發出的申索通知書、反對通知書或上訴通知書進行聆訊及作出判定的日期（第 3、4 及 6 條）；及

(c) 刪除已失時效的條文。



立法會(選民登記)(上訴)規例

(第 542 章第 82 條)

[1997 年 11 月 21 日]

1. 釋義

在本規例中，除文意另有所指外—

“上訴人”(appellant)指—

- (a) 已根據《選舉管理委員會(登記)(功能界別選民)(界別分組投票人)(選舉委員會委員)(立法會)規例》(第 541 章, 附屬法例)或《選舉管理委員會(選民登記)(地方選區)(立法會)規例》(第 541 章, 附屬法例)藉申索通知書或反對通知書而提出申索或反對的人; 或
- (b) 獲團體選民或團體投票人授權代其遞交上訴通知書的人;

“上訴通知書”(notice of appeal)指任何團體選民或團體投票人針對選舉登記主任就《選舉管理委員會(登記)(功能界別選民)(界別分組投票人)(選舉委員會委員)(立法會)規例》(第 541 章, 附屬法例)第 20 條所提述的獲授權代表的更換或代替的有關決定, 向審裁官提出上訴所作出的書面申述;

“反對通知書”(notice of objection)指任何人為根據《選舉管理委員會(登記)(功能界別選民)(界別分組投票人)(選舉委員會委員)(立法會)規例》(第 541 章, 附屬法例)或《選舉管理委員會(選民登記)(地方選區)(立法會)規例》(第 541 章, 附屬法例)就有關登記冊內某一記項或就在有關登記冊上登記提出反對而根據該等規例遞交的通知書;

“申索通知書”(notice of claim)指任何人為根據《選舉管理委員會(登記)(功能界別選民)(界別分組投票人)(選舉委員會委員)(立法會)規例》(第 541 章, 附屬法例)或《選舉管理委員會(選民登記)(地方選區)(立法會)規例》(第 541 章, 附屬法例)就有關登記冊內某一記項或就在有關登記冊上登記提出申索而根據該等規例遞交的通知書;

LEGISLATIVE COUNCIL (REGISTRATION OF ELECTORS)(APPEALS) REGULATION

(Cap. 542, section 82)

[21 November 1997]

1. Interpretation

In this Regulation, unless the context otherwise requires—

“appellant”(上訴人) means a person who—

- (a) has made a claim or an objection under the Electoral Affairs Commission (Registration) (Electors for Functional Constituencies) (Voters for Subsectors) (Members of Election Committee) (Legislative Council) Regulation (Cap. 541 sub. leg.) or the Electoral Affairs Commission (Registration of Electors) (Geographical Constituencies) (Legislative Council) Regulation (Cap. 541 sub. leg.) by means of a notice of claim or a notice of objection; or
- (b) is authorized by a corporate elector or a corporate voter to lodge a notice of appeal on its behalf.

“corporate elector”(團體選民) has the meaning assigned to it by section 3(1) of the Legislative Council Ordinance (Cap. 542);

“corporate voter”(團體投票人) has the meaning assigned to it by section 7 of Schedule 2 to the Legislative Council Ordinance (Cap. 542);

“notice of appeal”(上訴通知書) means a written representation made by a corporate elector or a corporate voter to the Revising Officer to appeal against the decision of the Electoral Registration Officer in relation to a replacement or a substitute referred to in section 20 of the Electoral Affairs Commission (Registration) (Electors for Functional Constituencies) (Voters for Subsectors) (Members of Election Committee) (Legislative Council) Regulation (Cap. 541 sub. leg.);

“notice of claim”(申索通知書) means a notice lodged by a person under the Electoral Affairs Commission (Registration) (Electors for Functional Constituencies) (Voters for Subsectors) (Members of Election Committee) (Legislative Council) Regulation (Cap. 541 sub. leg.) or the Electoral Affairs Commission (Registration of Electors) (Geographical Constituencies) (Legislative Council) Regulation (Cap. 541 sub. leg.) for

## [附屬法例]

- “團體選民”(corporate elector)具有《立法會條例》(第 542 章)第 3(1)條給予該詞的涵義；
- “團體投票人”(corporate voter)具有《立法會條例》(第 542 章)附表 2 第 7 條給予該詞的涵義。

## 2. 安排聆訊並就聆訊事宜通知上訴人

(1) 凡審裁官從選舉登記主任處接獲申索通知書或反對通知書的文本，或審裁官接獲團體選民或團體投票人的上訴通知書，審裁官須在切實可行的範圍內盡快——

- (a) 在符合第(3)款的規定下，訂定日期、時間及地點，以就該通知書所關乎的申索、反對或上訴舉行聆訊；及
  - (b) 以郵遞方式將符合第(2)款的通知書——
    - (i) 按該申索通知書、反對通知書或上訴通知書(視屬何情況而定)所提供的有關上訴人地址送交該上訴人；及
    - (ii) (如屬反對通知書)除送交有關上訴人外，亦送交有關反對所針對的人。
- (2) 根據第(1)(b)款送交的通知書——
- (a) 須述明將會就有關申索通知書、反對通知書或上訴通知書(視屬何情況而定)舉行聆訊；
  - (b) 須指明根據第(1)(a)款為該聆訊訂定的日期、時間及地點；
  - (c) 須述明上訴人或有關反對所針對的人(視屬何情況而定)
    - (i) 可親自出席聆訊，並可就有關申索、反對或上訴(視屬何情況而定)向審裁官作出申述；
    - (ii) 可由一名法律執業者或任何其他(獲該上訴人或該受針對的人(視何者適用而定)以書面授權者)在聆訊中作為其代表，而該代表可代該上訴人或該受針對的人作出申述；或

## [Subsidiary]

the purpose of making a claim under those Regulations as regards an entry in a register or registration in a register;

“notice of objection”(反對通知書) means a notice lodged by a person under the Electoral Affairs Commission (Registration) (Electors for Functional Constituencies) (Voters for Subsectors) (Members of Election Committee) (Legislative Council) Regulation (Cap. 541 sub. leg.) or the Electoral Affairs Commission (Registration of Electors) (Geographical Constituencies) (Legislative Council) Regulation (Cap. 541 sub. leg.) for the purpose of making an objection under those Regulations as regards an entry in a register or registration in a register.

## 2. Fixing of hearing and notifying the appellant thereof

(1) Where the Revising Officer receives a copy of a notice of claim or a notice of objection from the Electoral Registration Officer or a notice of appeal from a corporate elector or a corporate voter, he shall, as soon as practicable—

- (a) subject to subsection (3), fix a date, time and place for holding a hearing as regards the claim or the objection or the appeal to which the notice relates; and
  - (b) send by post, a notice under subsection (2)—
    - (i) to the appellant concerned to the address furnished as his address in the notice of claim or the notice of objection or the notice of appeal, as the case may be; and
    - (ii) in the case of a notice of objection, in addition to the appellant, to the person in respect of whom the objection is made.
- (2) A notice for the purposes of subsection (1)(b) shall—
- (a) state that a hearing is to be held as regards the notice of claim or the notice of objection or the notice of appeal, as the case may be;
  - (b) specify the date, time and place fixed under subsection (1)(a) for such hearing;
  - (c) state that the appellant or the person in respect of whom the objection is made, as the case may be—
    - (i) may appear in person at the hearing and make representations to the Revising Officer regarding his claim or objection or appeal;
    - (ii) may be represented at such hearing by a legal practitioner or any other person (authorized in writing by the appellant or the person in respect of whom the objection is made, as may be appropriate) who may make representations on his behalf; or

**[附屬法例]**

- (iii) 不論是否親自出席或由他人代表出席，均可就有關申索、反對或上訴作出書面申述，並可以郵遞或專人送遞方式將該書面申述在聆訊日期前 1 日或之前交往某地址(須在該通知書中指明)以送抵審裁官；及
- (d) 在將通知書送交上訴人的情況下，須述明如選舉登記主任不在聆訊中向審裁官作出申述，以及如上訴人——
- (i) 不出席該項申索、反對或上訴(視屬何情況而定)的聆訊；
- (ii) 並無法律執業者或任何其他人士(獲上訴人以書面授權者)代表他出席該聆訊；及
- (iii) 亦無在該聆訊日期前 1 日或之前將他就其申索、反對或上訴作出的書面申述送抵審裁官，
- 則該申索通知書、反對通知書或上訴通知書所關乎的選舉登記主任的決定須維持有效。
- (3) 凡——
- (a) 審裁官在 1998 年 2 月 23 日或之前接獲申索通知書或反對通知書的文本，則根據第(1)(a)款就該通知書訂定的日期須在該年的 2 月 15 日至 2 月 28 日(該兩日亦包括在內)期間內，而該日期必須在審裁官接獲該通知書文本當日之後的第 3 日或以後；
- (b) 審裁官在 1998 年 2 月 24 日至 1999 年 3 月 3 日(該兩日亦包括在內)期間內，接獲申索通知書或反對通知書的文本，則根據第(1)(a)款就該通知書訂定的日期須在 1999 年 2 月 15 日至 1999 年 3 月 13 日(該兩日亦包括在內)期間內，而該日期必須在審裁官接獲該通知書文本當日之後的第 3 日或以後；及
- (c) 審裁官在 1998 年其後任何一年的 3 月 4 日至該其後一年的翌年的 3 月 3 日(該兩日亦包括在內)期間內，接獲申索通知書或反對通知書的文本，則根據第(1)(a)款就該通知書訂定的日期須在該其後一年的翌年的 2 月 15 日至 3 月 13 日(該兩日亦包括在內)期間內，而該日期必須在審裁官接獲該通知書文本當日之後的第 3 日或以後。

**[Subsidiary]**

- (iii) whether or not he appears or is represented, may make representations in writing regarding his claim or objection or appeal and submit them, by post or by hand, at an address (which shall be specified in the notice) to reach the Revising Officer on a date not later than 1 day before the date fixed for the hearing; and
- (d) in the case of a notice sent to an appellant, state that if the Electoral Registration Officer does not make representations to the Revising Officer at the hearing and if the appellant—
- (i) does not appear at the hearing;
- (ii) is not represented by a legal practitioner or any other person (authorized in writing by the appellant) at the hearing; and
- (iii) does not make representations in writing regarding his claim or objection or appeal to be received by the Revising Officer on a date not later than 1 day before the date of the hearing,
- the decision of the Electoral Registration Officer to which the notice of claim or the notice of objection or the notice of appeal relates, shall stand.
- (3) Where a copy of a notice of claim or a notice of objection is received by the Revising Officer—
- (a) on or before 23 February 1998, the date fixed under subsection (1)(a) as regards that notice shall be a date between 15 February and 28 February (both dates inclusive) in that year which date shall not be earlier than the date of expiry of a period of 3 days after the day on which the notice is received;
- (b) during the period beginning on 24 February 1998 and ending on 3 March 1999, the date fixed under subsection (1)(a) as regards that notice shall be a date between 15 February 1999 and 13 March 1999 (both dates inclusive) which date shall not be earlier than the date of expiry of a period of 3 days after the day on which the notice is received; and
- (c) during the period beginning on 4 March in any year after the year 1998 and ending on 3 March in the next following year, the date fixed under subsection (1)(a) as regards that notice shall be a date between 15 February and 13 March (both dates inclusive) in that following year which date shall not be earlier than the date of expiry of a period of 3 days after the day on which the notice is received.

## [附屬法例]

- (4) 凡——
- (a) 審裁官在有關的功能界別或界別分組投票日期前 11 日或之前接獲上訴通知書，則根據第(1)(a)款就該通知書訂定的日期須在該投票日期前 25 日至該投票日期前 5 日的 21 日期間內；或
  - (b) 審裁官所接獲的上訴通知書並非是在有關的功能界別或界別分組投票日期前 11 日或之前接獲的，則根據第(1)(a)款就該通知書訂定的日期須在隨後下一個有關的功能界別或界別分組投票日期前 25 日至該投票日期前 5 日的 21 日期間內。
- (5) 就任何申索通知書、反對通知書或上訴通知書而言——
- (a) 如選舉登記主任不在聆訊中向審裁官作出申述，而上訴人亦——
    - (i) 不出席有關申索、反對或上訴（視屬何情況而定）的聆訊；
    - (ii) 並無法律執業者或任何其他人士（獲上訴人以書面授權者）代表他出席該聆訊；及
    - (iii) 並無在該聆訊日期前 1 日或之前將他就其申索、反對或上訴（視屬何情況而定）作出的書面申述送抵審裁官，
 則該申索通知書、反對通知書或上訴通知書（視屬何情況而定）所關乎的選舉登記主任的決定須維持有效；或
  - (b) 在任何其他情況下，審裁官須作出判定，接納或駁回該通知書所關乎的申索、反對或上訴（視屬何情況而定）。

## 3. 須將判定通知上訴人

凡——

- (a) 選舉登記主任的決定依據第 2(5)(a)條維持有效；或
- (b) 審裁官根據第 2(5)(b)條作出判定，

審裁官須將該項決定維持有效一事或將他所作出的判定（視何者適用而定），以郵遞方式按第 2(1)(b)條所提述的地址通知上訴人，而在適當情況下，亦須將該等事項以郵遞方式通知有關反對所針對的人。

## [Subsidiary]

- (4) Where a notice of appeal is received by the Revising Officer—
- (a) on a date not later than 11 days before the polling date for the functional constituency or the subsector concerned in any year, the date fixed under subsection (1)(a) as regards that notice shall be a date within a period of 21 days beginning from 25 days before such polling date; or
  - (b) on a date later than 11 days before the polling date for the functional constituency or the subsector concerned in any year, the date fixed under subsection (1)(a) as regards that notice shall be a date within a period of 21 days beginning from 25 days before the next following polling date for the functional constituency or the subsector concerned.
- (5) As regards any notice of claim or notice of objection or notice of appeal—
- (a) in the case where the Electoral Registration Officer does not make representations to the Revising Officer at the hearing and the appellant —
    - (i) does not appear at the hearing thereof;
    - (ii) is not represented by a legal practitioner or any other person (authorized in writing by the appellant) at that hearing; and
    - (iii) does not make representations in writing regarding his claim or objection or appeal to be received by the Revising Officer on a date not later than 1 day before the date of that hearing,
 the decision of the Electoral Registration Officer to which the notice of claim or the notice of objection or the notice of appeal relates, shall stand; or
  - (b) in any other case, the Revising Officer shall make a ruling either allowing or dismissing the claim or the objection or the appeal, as the case may be, to which that notice relates.

## 3. Appellant to be notified of ruling

Where—

- (a) the decision of the Electoral Registration Officer stands pursuant to section 2(5)(a); or
- (b) the Revising Officer makes a ruling under section 2(5)(b), the Revising Officer shall notify the appellant at the address referred to in section 2(1)(b) and where appropriate, the person in respect of whom the objection is made, by post, that such decision shall stand or of his ruling, as may be appropriate.

**4. 須將判定通知選舉登記主任**

依據第 2 條舉行的聆訊如——

- (a) 在 1998 年 2 月 15 日至 1998 年 2 月 28 日（該兩日亦包括在內）期間內完結，則審裁官須在 1998 年 3 月 7 日或之前；
- (b) 在 1998 年其後任何一年的 2 月 15 日至該其後一年的 3 月 13 日（該兩日亦包括在內）期間內完結，則審裁官須在該其後一年的 3 月 20 日或之前；
- (c) 在第 2(4)(a)條所提述的 21 日期間內完結，則審裁官須在第 2(4)(a)條所提述的投票日期前 3 個工作日或之前；及
- (d) 在第 2(4)(b)條所提述的 21 日期間內完結，則審裁官須在第 2(4)(b)條所提述的下一個投票日期前 3 個工作日或之前，

就每份有關的申索通知書、反對通知書或上訴通知書，將選舉登記主任的決定依據第 2(5)(a)條維持有效一事或將審裁官根據第 2(5)(b)條作出的判定（視何者適用而定）通知選舉登記主任。

**5. 事宜的裁定及押後的權力等**

審裁官須在切實可行的範圍內盡快裁定根據本規例須由他裁定的每宗事宜，而任何該等事宜的聆訊，則須於在顧及公正原則後屬在切實可行的範圍內日復一日地（公眾假日除外）接續進行，直至聆訊完結為止；但在符合上述規定下，任何該等事宜的聆訊及裁定可在任何時間予以押後至第 6(2)(a)、(b)、(c)或(d)條（視屬何情況而定）所提述期間的最後 1 日或之前。

**6. 覆核審裁官的判定**

(1) 在符合第(2)款的規定下，審裁官可主動或基於選舉登記主任、上訴人或有關反對所針對的人所提出的充分因由，覆核該審裁官根據第 2(5)(b)條作出的判定，並可為此目的重新聆訊該事宜的全部或部分，並推翻或確認其先前的判定。

**4. Electoral Registration Officer to be notified of rulings**

The Revising Officer shall, as regards those hearings held pursuant to section 2 and concluded—

- (a) during the period beginning on 15 February 1998 and ending on 28 February 1998, notify the Electoral Registration Officer, on or before 7 March 1998;
- (b) during the period beginning on 15 February in any year after the year 1998 and ending on 13 March in that year, notify the Electoral Registration Officer, on or before 20 March in that year;
- (c) during the period of 21 days as referred to in section 2(4)(a), notify the Electoral Registration Officer, on a date not later than 3 working days before the polling date as referred to in section 2(4)(a); and
- (d) during the period of 21 days as referred to in section 2(4)(b), notify the Electoral Registration Officer, on a date not later than 3 working days before the next following polling date as referred to in section 2(4)(b),

in relation to each notice of claim or notice of objection or notice of appeal concerned, that the decision of the Electoral Registration Officer shall stand pursuant to section 2(5)(a) or of the ruling of the Revising Officer under section 2(5)(b), as may be appropriate.

**5. Determination of matters and powers of adjournment, etc.**

The Revising Officer shall determine every matter to be determined by him under this Regulation as soon as practicable, and the hearing of any such matter shall, as far as is practicable having regard to the interests of justice, be continued from day to day (excluding general holidays) until its conclusion, but subject to the foregoing, the hearing and determination of any such matter may be adjourned at any time to a date not later than the last day of the period referred to in section 6(2)(a), (b), (c) or (d), as the case may be.

**6. Review of rulings by Revising Officer**

(1) The Revising Officer may, subject to subsection (2), and on his own initiative or for good cause shown by the Electoral Registration Officer or the appellant or the person in respect of whom the objection is made, review any ruling made under section 2(5)(b), and for that purpose may rehear the matter wholly or in part and reverse or confirm his previous ruling.

- (2) 根據第 2(5)(b)條作出的判定——
- (a) 如在 1998 年 2 月 15 日至 1998 年 2 月 28 日（該兩日亦包括在內）期間內作出，則只可在該期間內予以覆核；
  - (b) 如在 1998 年其後任何一年的 2 月 15 日至該其後一年的 3 月 13 日（該兩日亦包括在內）期間內作出，則只可在該期間內予以覆核；
  - (c) 如在第 2(4)(a)條所提述的 21 日的期間內作出，則只可在該期間內予以覆核；
  - (d) 如在第 2(4)(b)條所提述的 21 日的期間內作出，則只可在該期間內予以覆核。
- (3) 如審裁官決定覆核任何根據第 2(5)(b)條所作出的判定，他須決定該覆核的程序。

**7. 審裁官就選舉登記主任的建議作出批准**

如選舉登記主任已尋求《選舉管理委員會（登記）（功能界別選民）（界別分組投票人）（選舉委員會委員）（立法會）規例》（第 541 章，附屬法例）第 34 條或《選舉管理委員會（選民登記）（地方選區）（立法會）規例》（第 541 章，附屬法例）第 18 條提述的審裁官的批准，則審裁官須在切實可行的範圍內盡快作出裁定，並將他的裁定通知選舉登記主任。

**8. 審裁官可要求選舉登記主任提供資料**

審裁官可要求選舉登記主任提供任何審裁官認為為根據本規例作出裁定而需要的資料。

- (2) A ruling under section 2(5)(b) made—
- (a) during the period beginning on 15 February 1998 and ending on 28 February 1998 may only be reviewed during that period;
  - (b) during the period beginning on 15 February in any year after the year 1998 and ending on 13 March in that year may only be reviewed during that period;
  - (c) during the period of 21 days as referred to in section 2(4)(a) may only be reviewed during that period;
  - (d) during the period of 21 days as referred to in section 2(4)(b) may only be reviewed during that period.
- (3) In the case where the Revising Officer decides to review any ruling made under section 2(5)(b), he shall determine the procedure for such review.

**7. Approval of Revising Officer in relation to Electoral Registration Officer's proposal**

In the case where the Electoral Registration Officer has sought the Revising Officer's approval as referred to in section 34 of the Electoral Affairs Commission (Registration) (Electors for Functional Constituencies) (Voters for Subsectors) (Members of Election Committee) (Legislative Council) Regulation (Cap. 541 sub. leg.) or section 18 of the Electoral Affairs Commission (Registration of Electors) (Geographical Constituencies) (Legislative Council) Regulation (Cap. 541 sub. leg.), the Revising Officer shall, as soon as practicable, make a determination and notify the Electoral Registration Officer of his determination.

**8. Revising Officer may require Electoral Registration Officer to provide information**

The Revising Officer may require the Electoral Registration Officer to provide any information which the Revising Officer considers necessary for him to make a determination under this Regulation.