

LEGISLATIVE COUNCIL BRIEF

Legislative Council Ordinance
(Cap. 542)

District Councils Ordinance
(Cap. 547)

LEGISLATIVE COUNCIL (REGISTRATION OF ELECTORS) (APPEALS) (AMENDMENT) REGULATION 1999

INTRODUCTION

At the meeting of the Executive Council on 16 November 1999, the Council ADVISED and the Chief Executive ORDERED that the Legislative Council (Registration of Electors) (Appeals) (Amendment) Regulation 1999, at Annex A, should be made under section 82 of the Legislative Council Ordinance and section 81 of the District Councils Ordinance.

BACKGROUND AND ARGUMENT

General Background

2. Under section 34 of Legislative Council Ordinance, a person who is dissatisfied with a decision of the Electoral Registration Officer made in respect of the registration of electors for the Legislative Council (“LegCo”) elections and Election Committee subsector elections may appeal against the decision to a Revising Officer. The procedures for handling the appeals are provided for in the Legislative Council (Registration of Electors) (Appeals) Regulation (“the principal regulation”).

Amendment to the timetable for handling appeals

3. The appeal procedures need to tie in with the statutory annual voter registration cycle. Following the enactment of the Legislative Council (Amendment) Ordinance 1999, the voter registration cycle as prescribed in the Legislative Council Ordinance and the

regulations¹ made by the Electoral Affairs Commission has been changed as follows :-

	<u>New Cycle</u>	<u>(Existing Cycle)</u>
(a) Cut-off date for registration of electors	16 March	(16 January)
(b) Deadline for publication of Provisional Register	15 April	(15 February)
(c) Cut-off date for lodging an appeal against the Provisional Register	29 April	(1 March)
(d) Cut-off date for rulings made by the Revising Officer to be given effect in the Final Register	11 May	(13 March)
(e) Deadline for publication of the Final Register	25 May	(31 March)

4. To tie in with the above new cycle, the timetable for the Revising Officer to handle appeals has to be adjusted accordingly. The period for an elector to lodge appeals will be from 15² to 29 April, and the period for the Revising Officer to hear the appeal cases will be from 15 April to 11 May.

¹ The voter registration cycle is prescribed in the Electoral Affairs Commission (Registration of Electors) (Geographical Constituencies) (Legislative Council) Regulation. The Electoral Affairs Commission has recently amended the regulation to revise the cycle starting from 2000. Similar voter registration cycle is also reproduced in the Electoral Affairs Commission (Registration) (Electors for Functional Constituencies) (Voters for Subsectors) (Members of Election Committee) (Legislative Council) Regulation which is being amended by the Electoral Affairs Commission in parallel.

² If a Provisional Register is published before the deadline of 15 April, an elector may start lodging the appeal from the date the Register is published.

Appeals in relation to the allocation of electors to District Council constituencies

5. Starting in 2000, one voter register will be used for both the LegCo geographical constituency (“GC”) elections and the District Council elections. The LegCo GC and the District Council constituency (“DCC”) to which an elector is allocated will be shown in the same register. Since the existing principal regulation deals with, inter alia, appeals relating to the allocation of GC only, it is necessary to expand its scope to cover appeals relating to the allocation of DCC. The procedures for handling the latter appeals will be the same as with any other appeals under the regulation.

THE REGULATION

6. Sections 2 and 7 seek to provide the necessary amendments to enable the Revising Officer to deal with appeals in relation to the allocation of District Council constituencies in accordance with the proposal in paragraph 5 above. Sections 3, 4, 5 and 6 seek to amend the timetable for handling the appeals in accordance with the proposal set out in paragraph 4 above.

7. A copy of the principal regulation is attached at Annex B for Members’ easy reference.

LEGISLATIVE TIMETABLE

8. The Regulation will be published in the Gazette on 19 November 1999 and tabled in the LegCo on 24 November 1999 for negative vetting.

BASIC LAW IMPLICATIONS

9. The Department of Justice advises that the Regulation does not conflict with the provisions of the Basic Law carrying no human rights implications.

HUMAN RIGHTS IMPLICATIONS

10. The Department of Justice advises that the Regulation is consistent with the human rights provisions of the Basic Law.

FINANCIAL AND STAFFING IMPLICATIONS

11. The Regulation has no additional financial or staffing implication.

PUBLIC CONSULTATION

12. No public consultation is considered necessary given the technical nature of the Regulation.

PUBLICITY

13. A press release will be issued before the Regulation is published in the Gazette. A spokesman will be available for answering media enquiries.

Constitutional Affairs Bureau
November 1999

File Ref. : CAB C1/30/5/1

**LEGISLATIVE COUNCIL (REGISTRATION OF ELECTORS)
(APPEALS)(AMENDMENT) REGULATION 1999**

(Made by the Chief Executive in Council under section 82
of the Legislative Council Ordinance (Cap. 542)
and section 81 of the District Councils
Ordinance (Cap. 547))

1. Title amended

The title to the Legislative Council (Registration of Electors) (Appeals) Regulation (Cap. 542 sub. leg.) is amended by repealing “**LEGISLATIVE COUNCIL (REGISTRATION OF ELECTORS)**” and substituting “**REGISTRATION OF ELECTORS**”.

2. Interpretation

Section 1 is amended -

(a) in the definitions of “appellant”, “notice of claim” and “notice of objection”, by repealing “(Geographical Constituencies) (Legislative Council)” and substituting “(Legislative Council Geographical Constituencies) (District Council Constituencies)”;

(b) by adding -

““subsector” (界別分組) means the subsector within the meaning of Part 3 of Schedule 2 to the Legislative Council Ordinance (Cap. 542).”.

3. Fixing of hearing and notifying the appellant thereof

Section 2(3) is amended -

(a) by repealing paragraphs (a) and (b);

(b) by adding -

“(ba) during the period beginning on 4 March 1999 to 2 May 2000, the date fixed under subsection (1)(a) as regards that notice shall be a date between 15 April 2000 and 11 May 2000 (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) in paragraph (c) -

(i) by repealing “4 March” and substituting “3 May”;

(ii) by repealing “1998” and substituting “1999”;

(iii) by repealing “3 March” and substituting “2 May”;

(iv) by repealing “February” and substituting “April”;

(v) by repealing “13 March” and substituting “11 May”.

4. Electoral Registration Officer to be notified of rulings

Section 4 is amended -

- (a) by repealing paragraph (a);
- (b) in paragraph (b) -
 - (i) by repealing “February” and substituting “April”;
 - (ii) by repealing “1998” and substituting “1999”;
 - (iii) by repealing “13 March” and substituting “11 May”;
 - (iv) by repealing “20 March” and substituting “17 May”.

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

Section 5 is amended by repealing “(a),”.

6. Review of rulings by Revising Officer

Section 6(2) is amended -

- (a) by repealing paragraph (a);
- (b) in paragraph (b) -
 - (i) by repealing “February” and substituting “April”;
 - (ii) by repealing “1998” and substituting “1999”;
 - (iii) by repealing “13 March” and substituting “11 May”.

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

Section 7 is amended by repealing “(Geographical Constituencies) (Legislative Council)” and substituting “(Legislative Council Geographical Constituencies) (District Council Constituencies)”.

Clerk to the Executive Council

COUNCIL CHAMBER

1999

Explanatory Note

This Regulation amends the Legislative Council (Registration of Electors) (Appeals) Regulation (Cap. 542 sub. leg.) -

- (a) to enable, by way of amending the title to the Electoral Affairs Commission (Registration of Electors) (Geographical Constituencies) (Legislative Council) Regulation (Cap. 541 sub. leg.) (“GC Electors Regulation”) that appears in it following an amendment to the GC Electors Regulation, a Revising Officer -

- (i) to deal with a notice of claim or a notice of objection; and

- (ii) to approve of an Electoral Registration

Officer's corrective action,

to be made under the GC Electors Regulation so amended, as regards an entry or any registration in a subsection, within a section, of a register of electors for the Legislative Council geographical constituency elections, which subsection is, under the GC Electors Regulation so amended, to be set apart for the purposes of section 29 of the District Councils Ordinance (Cap. 547), within a section of the register, for a District Council constituency within the Legislative Council geographical constituency to which that section relates (sections 2 and 7);

- (b) to revise the dates provided in it for the hearing and ruling on a notice of claim, notice of objection or notice of appeal as regards an entry or registration in a register required to be compiled under section 32 of, and section 10(1) of Schedule 2 to, the Legislative Council Ordinance (Cap. 542), following the amendment to those provisions under the Legislative Council (Amendment) Ordinance 1999 (48 of 1999) regarding the dates by which those registers must be compiled (sections 3, 4 and 6); and
- (c) to remove those provisions that are spent.

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人士(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。

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- (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.