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| Chapter: | 542 | Title: | Legislative Council Ordinance | Gazette Number: | 2 of 2011; G.N. 5176 of 2012 |
| Section: | 37 | Heading: | Who is eligible to be nominated as a candidate | Version Date: | 01/10/2012 |

(1) A person is eligible to be nominated as a candidate at an election for a geographical constituency only if the person-
(Amended 25 of 2003 s. 20)

- (a) has reached 21 years of age; and
- (b) is both registered and eligible to be registered as an elector for a geographical constituency; and
- (c) is not disqualified from being elected as a Member by virtue of section 39 or any other law; and
- (d) has ordinarily resided in Hong Kong for the 3 years immediately preceding the nomination; and
- (e) is a Chinese citizen who is a permanent resident of Hong Kong with no right of abode in any country other than the People's Republic of China.

(2) A person is eligible to be nominated as a candidate at an election for a functional constituency only if the person-

- (a) has reached 21 years of age; and
- (b) either-
 - (i) in the case of a functional constituency other than the District Council (second) functional constituency, is both registered and eligible to be registered as an elector for the constituency; or (Amended 11 of 2012 s. 61)
 - (ii) in the case of a functional constituency other than the District Council (first) functional constituency and the District Council (second) functional constituency, satisfies the Returning Officer for the constituency that the person has a substantial connection with the constituency; and (Replaced 48 of 1999 s. 22. Amended 2 of 2011 s. 15)
- (c) is both registered and eligible to be registered as an elector for a geographical constituency; and
- (d) is not disqualified from being elected as a Member by virtue of section 39 or any other law; and
- (e) has ordinarily resided in Hong Kong for the 3 years immediately preceding the nomination; and
- (f) except in the case of the 12 functional constituencies specified in subsection (3), is a Chinese citizen who is a permanent resident of Hong Kong with no right of abode in any country other than the People's Republic of China; and (Amended 2 of 2011 s. 15)
- (g) in the case of the District Council (first) functional constituency and the District Council (second) functional constituency, is a member of any District Council established under the District Councils Ordinance (Cap 547) who is elected under Part V of that Ordinance. (Added 2 of 2011 s. 15)

(3) The following 12 functional constituencies are specified for the purposes of subsection (2)-

- (a) the legal functional constituency;
- (b) the accountancy functional constituency;
- (c) the engineering functional constituency;
- (d) the architectural, surveying and planning functional constituency;
- (e) the real estate and construction functional constituency;
- (f) the tourism functional constituency;
- (g) the commercial (first) functional constituency;
- (h) the industrial (first) functional constituency;
- (i) the finance functional constituency;
- (j) the financial services functional constituency;
- (k) the import and export functional constituency;
- (l) the insurance functional constituency.

(4) A Member is not eligible to be nominated as a candidate at a by-election.

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