

LEGISLATIVE COUNCIL (AMENDMENT) BILL 2003

COMMITTEE STAGE

Amendments to be moved by the [_____]

<u>Clause</u>	<u>Amendment Proposed</u>
2	<p>(a) In subclause (2) in the proposed definition of “選民” by deleting “投票的” and substituting “的投票”.</p> <p>(b) By adding –</p> <p>“(3) Section 3 is amended by adding –</p> <p>“(2B) For the avoidance of doubt, it is stated that the power of the Secretary for Constitutional Affairs under subsection (2A) to approve an amendment to or substitution of the constitution of a body may be exercised only for the purpose of defining the composition of the relevant functional constituency.”.”.</p>
3(1)	By deleting everything after “repealing” and substituting ““or any 2”.”.
11	<p>By deleting the clause and substituting –</p> <p>“11. Composition of the tourism functional constituency</p> <p>(1) Section 200 is amended by adding –</p>

“(aa) travel industry members of the body known immediately before 1 April 2001 as the Hong Kong Tourist Association, entitled immediately before that date to vote at general meetings of that body;”.

(2) Section 20O(c) is repealed and the following substituted –

“(c) members of the Hong Kong Board of Airline Representatives;”.

12 (a) By deleting subclause (1).

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

“(3) Section 20V(2)(b) is repealed and the following substituted –

“(b) “relevant period” (有關期間), in relation to a statutory body or registered body, means –

(i) subject to subparagraph (ii), the period from 1 April 1994 to the date on which the statutory body or registered body applies for registration as an elector of the sports, performing arts, culture and publication functional constituency; or

- (ii) if the statutory body or registered body applies for such registration on or after [commencement date shortly after the gazettal of the Bill], the period of 6 years immediately preceding the date on which it so applies; and”.”.
- 13
- (a) By adding –
 - “(3A) Section 20W(e)(xviii) is amended by adding “The” before “Hong Kong”.”.
 - (b) In subclause (4) by deleting the semicolon and substituting a full stop.
 - (c) By deleting subclause (5).
- 14
- (a) By adding before subclause (1) –
 - “(1A) Section 20Z is amended by renumbering it as section 20Z(1).”.
 - (b) In subclause (1) by deleting “20Z(f)” and substituting “20Z(1)(f)”.
 - (c) In subclause (2) by deleting “20Z(h)” and substituting “20Z(1)(h)”.
 - (d) In subclause (3) by deleting “20Z(i)” and substituting “20Z(1)(i)”.
 - (e) In subclause (4) by deleting “20Z” and substituting “20Z(1)”.
 - (f) In subclause (5) –
 - (i) by deleting “20Z” and substituting “20Z(1)”;

- (ii) by adding –
 - “(jc) the eligible persons of the following bodies –
 - (i) Hong Kong & Mainland Software Industry Cooperation Association Limited;
 - (ii) Information Systems Audit and Control Association (Hong Kong Chapter) Limited;
 - (iii) Internet Professionals Association Limited;
 - (iv) Professional Information Security Association; and”.
- (g) In subclause (6) by deleting “20Z(k)(i)” and substituting “20Z(1)(k)(i)”.
- (h) In subclause (7) by deleting “20Z(k)(iv)” and substituting “20Z(1)(k)(iv)”.
- (i) In subclause (8) by deleting “20Z(l)” and substituting “20Z(1)(l)”.
- (j) In subclause (9) by deleting “20Z(l)(vi)” and substituting “20Z(1)(l)(vi)”.
- (k) In subclause (10) by deleting “20Z(l)” and substituting “20Z(1)(l)”.
- (l) By adding –
 - “(11) Section 20Z(1)(m) is amended by adding “Part 1 of” after “in”.
 - (12) Section 20Z is amended by adding –

“(2) Any amendment to or substitution of the constitution of a body referred to in subsection (1)(jc), that is made after [commencement date shortly after the gazettal of the Bill] and relates to –

- (a) the objects of the body;
- (b) the criteria for and conditions of membership of the body; or
- (c) the criteria for and conditions of an office or membership status referred to in Part 2 of Schedule 1D in connection with the eligible persons,

is subject to the approval in writing of the Secretary for Constitutional Affairs but only for the purpose of defining the composition of the information technology functional constituency.

(3) In subsections (1)(jc) and (2)(c), “eligible persons” (合資格的人), in relation to a body, means the persons specified in Part 2 of Schedule 1D in respect of that body.

(4) In subsection (2), “constitution” (章程), in relation to a body, includes articles of association and rules.”.”.

“16. Who is eligible to be registered as an elector: functional constituencies

(1) Section 25(4) is amended by repealing “20Z(l)” and substituting “20Z(1)(l)”.

(2) Section 25(5) is amended by repealing “20Z(k)” and substituting “20Z(1)(ia), (ja), (jb), (jc)(i) or (k)”.

(3) Section 25(6) is amended –

(a) by repealing “20I(b),”;

(b) by repealing “20Z(a) to (j)” and substituting “20Z(1)(a) to (j) or (jc)(ii), (iii) or (iv)”.

38 By deleting the clause.

39 (a) In the proposed sections 60D(4) and 60E(4) by adding “equal or” before “exceed”.

(b) In the proposed section 60H(1) by deleting “notice.” and substituting –

“notice,

in accordance with regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541).”.

(c) In the proposed section 60I –

(i) in subsection (1)(a) by deleting “specified” and substituting “or extended period provided for”;

(ii) in subsection (6) by adding “or such other person as specified in regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541)” after “representative”.

44(4) By adding –

- “81. N.T. North District Fishermen’s Association.
- 82. Tai Po Off Shore Fishermen’s Association.
- 83. Aberdeen Fisherwomen Association.”.

45 (a) By adding –

“(7A) Item 43 of Schedule 1A is repealed and the following substituted –

- “43. Hong Kong Commercial Vehicle Driving Instructors Association.”.

(b) In subclause (24) by adding –

- “195. New World Parking Management Limited.
- 196. The Nautical Institute – Hong Kong Branch.
- 197. The Hong Kong Union of Light Van Employees.
- 198. Worldwide Flight Services, Inc.”.

47(10) By adding –

- “94. Hong Kong Poultry Wholesalers Association.
- 95. Diamond Federation of Hong Kong, China Limited.”.

48 By deleting the clause and substituting –

“48. Schedule 1D substituted

Schedule 1D is repealed and the following substituted –

“SCHEDULE 1D [s. 20Z]

COMPOSITION OF THE INFORMATION
TECHNOLOGY FUNCTIONAL

CONSTITUENCY

PART 1

Item	Body
1.	APT Satellite Co. Ltd.
2.	Asia Satellite Telecommunications Company Limited.

PART 2

Item	Body	Eligible persons
1.	Hong Kong & Mainland Software Industry Cooperation Association Limited	Full Members – (a) which are represented on the Council of the Association; or (b) the major business of which has been in the research, development or application of information technology or computer software during the relevant period.
2.	Information Systems Audit and Control Association (Hong Kong Chapter) Limited	(1) Directors. (2) Members who have been holders of the Certified Information Systems Auditor Certification (CISA) during the

relevant period .

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|----|---|--|
| 3. | Internet Professionals Association Limited | <ul style="list-style-type: none"> (1) Council Members. (2) Fellow Members (members who are Fellows). |
| 4. | Professional Information Security Association | <ul style="list-style-type: none"> (1) Members of the Executive Committee. (2) Full Members who have been holders of the Certified Information Systems Security Professional Certification (CISSP) during the relevant period. |

PART 3

1. Definition

In Part 2, “relevant period” (), in relation to a person, means the period of 5 years immediately preceding the date on which that person applies for registration as an elector in the information technology functional constituency.”.”.

53

In the proposed section 7(1)(hb)(v) by deleting everything from “or” to “payment” and substituting –

“, the payment of financial assistance on such a claim, and the taking of any action for those purposes by a legal personal representative of a deceased person or such other person as specified in the regulations”.

- 57
- (a) By adding before subclause (1) –
- “(1A) Item 2 of Table 5 in section 2 of the Schedule to the Chief Executive Election Ordinance (Cap. 569) is amended by adding before paragraph (1) –
- “(1A) Travel industry members of the body known immediately before 1 April 2001 as the Hong Kong Tourist Association, entitled immediately before that date to vote at general meetings of that body.”.
- (b) In subclause (1) by deleting “to the Chief Executive Election Ordinance (Cap. 569)”.
- (c) By adding –
- “(11A) Section 12(6)(a) and (b) of the Schedule is amended by repealing “20O(b)” and substituting “20O(aa), (b)”.
- (d) By adding –
- “(13) Section 12(16) is amended by repealing “20O(b)” and substituting “20O(aa), (b)”.

Schedule,
section 7

- (a) In subsection (2), in the proposed section 7(2)(a), by deleting “be subscribed by at least” and substituting “, subject to paragraph (aa), be subscribed by”.
- (b) By adding –
 - “(2A) Section 7(2)(aa), added by section 3(b)(ii) of the Legislative Council (Subscribers and Election Deposit for Nomination) (Amendment) Regulation 2003 (L.N. 119 of 2003), is amended by repealing “(a)(ii)” and substituting “(a)”.”.
- (c) By adding –
 - “(5A) Section 7(2C), added by section 3(c) of the Legislative Council (Subscribers and Election Deposit for Nomination) (Amendment) Regulation 2003 (L.N. 119 of 2003), is amended by repealing “(2)(a)(ii)” and substituting “(2)(a)”.”.