

立法會
Legislative Council

LC Paper No. CB(2)1456/02-03

(These minutes have been
seen by the Administration)

Ref : CB2/SS/7/02

**Subcommittee on subsidiary legislation relating to
Village Representative elections**

**Minutes of meeting
held on Monday, 3 March 2003 at 8:30 am
in Conference Room B of the Legislative Council Building**

Members Present : Hon Andrew WONG Wang-fat, JP (Chairman)
Hon Andrew CHENG Kar-foo
Dr Hon TANG Siu-tong, JP
Hon Tommy CHEUNG Yu-yan, JP
Hon Albert CHAN Wai-yip

Members Absent : Hon WONG Yung-kan
Hon LAU Wong-fat, GBS, JP
Hon TAM Yiu-chung, GBS, JP
Hon IP Kwok-him, JP

Public Officers Attending : Mr Stephen FISHER
Deputy Secretary for Home Affairs (2)

Ms Monica CHEN
Assistant Director of Home Affairs (1)

Mr Allan CHOW
District Officer (Kwai Tsing)
Home Affairs Department

Ms Michelle LI
District Officer (Sham Shui Po)
Home Affairs Department

Mr Philip LAM
Principal Liaison Officer (1)2
Home Affairs Department

Ms Michelle TSANG
Senior Assistant Law Draftsman
Department of Justice

Mr Sunny CHAN
Senior Government Counsel
Department of Justice

Ms Betty Y W CHEUNG
Senior Government Counsel
Department of Justice

Clerk in Attendance : Miss Flora TAI
Chief Assistant Secretary (2)2

Staff in Attendance : Mr Stephen LAM Ping-man
Assistant Legal Adviser 4

Miss Lolita SHEK
Senior Assistant Secretary (2)7

I. Election of Chairman

Mr Andrew WONG was elected Chairman of the Subcommittee.

II. Meeting with the Administration

[L.Ns. 47 and 49 of 2003, Legislative Council Briefs issued on 12 and 18 February 2003 by the Home Affairs Department, LC Paper Nos. LS62/02-03, LS65/02-03, CB(2)1326/02-03(01), and CB(2)1346/02-03(02) to (03)]

2. The Subcommittee deliberated the Electoral Affairs Commission (Registration of Electors) (Village Representative Election) Regulation (the Regulation) (index of proceedings attached at **Annex**).

Adm 3. Members requested the Administration to –

Sections 4 to 7

- (a) compare the sections with relevant provisions in Electoral Affairs Commission (Registration of Electors) (Legislative Council Geographical Constituencies) (District Council Constituencies) Regulation (Cap. 541 sub.leg. A) and advise whether there were differences in recording the particulars of applicants for registration in a provisional register and the arrangement of entries in a register, and whether the different arrangements, if any, adopted in Village Representative (VR) elections would be applicable to future Legislative Council (LegCo) and District Council (DC) elections;
- (b) review the sections in the light of members' view that as long as an elector was willing to provide his/her Chinese name, it should be included in a register;
- (c) consider to revise the application forms for registration in future to facilitate completion of the forms in Chinese;

Section 9

- (d) consider aligning the deadline for application for registration in subsequent provisional registers for VR elections with those for LegCo and DC elections;

Section 10(1)(b)

- (e) consider to revise the section so that some parts of an application form for registration might be completed in Chinese while other parts in English;

Section 15

- (f) remind staff of the District Offices in the New Territories involved in the voter registration exercise of the importance in protecting the confidentiality of the data of applicants and maintaining neutrality in the process;
- (g) confirm that the Electoral Registration Officer (ERO) would inform applicants of his/her determinations and decisions regarding the latter's applications for registration before the publication of the provisional registers on 22 April 2003; and

Section 16

- (h) advise whether the requirement for public authorities to furnish the required information to EROs within fourteen days would be applicable to future LegCo and DC elections, or to the current round of VR elections only.

III. Any other business

Date of next meeting

4. Members agreed that the next meeting of the Subcommittee would be held on Thursday, 13 March 2003 at 8:30 am to discuss the Electoral Affairs Commission (Registration of Electors) (Village Representative Election) Regulation and the Village Representative Election (Registration of Electors) (Appeals) Regulation.

Way forward

5. Members noted that the scrutiny period of the two Regulations would expire at the Council meeting on 19 March 2003. In order to allow adequate time for the Subcommittee to scrutinise the two Regulations, members agreed that the Chairman should move a motion on 19 March 2003 to extend the scrutiny period of the Regulations to 9 April 2003 and 30 April 2003 respectively.

6. There being no other business, the meeting ended at 10:40 am.

Council Business Division 2
Legislative Council Secretariat
12 March 2003

**Proceedings of the meeting of the Subcommittee on subsidiary legislation
relating to Village Representative elections
on Monday, 3 March 2003 at 8:30 am
in Conference Room B of the Legislative Council Building**

Time marker	Speaker	Subject(s)	Action required
0000 - 0315	Mr Andrew WONG Mr Albert CHAN Dr TANG Siu-tong	Election of Chairman	
0316 - 0617	Chairman Admin	Brief introduction of the Electoral Affairs Commission (Registration of Electors) (Village Representative Election) Regulation and Village Representative Election (Registration of Electors) (Appeals) Regulation	
0618 - 2356	Chairman Mr Albert CHAN Admin Dr TANG Siu-tong	Effective date and legislative procedure for subsidiary legislation	
2357 - 2548	Chairman Admin	Scrutiny of the Electoral Affairs Commission (Registration of Electors) (Village Representative Election) Regulation Sections 2 and 3	
2549 - 010127	Admin Chairman Mr Albert CHAN Dr TANG Siu-tong ALA4	Sections 4 to 7 Recording of name and principal residential address of applicants for registration and arrangements of entries in registers	Adm (see para. 4(a) to (c) and (e) of minutes of meeting)

010128 - 010225	Chairman Admin	Section 8	
010226 - 010740	Chairman Admin	Section 9 Deadline for application for registration in provisional registers compiled after first provisional registers	Adm (see para. 4(d) of minutes of meeting)
010741 - 011616	Chairman Admin Dr TANG Siu-tong	Section 10 Identity documents to be furnished by applicants for registration	
011617 - 011711	Chairman Admin	Section 11	
011712 - 013344	Chairman Admin Mr Albert CHAN Dr TANG Siu-tong	Section 12 Requirement of applicants to furnish further particulars or proofs made by Electoral Registration Officers (EROs)	
013345 - 013432	Chairman Admin	Sections 13 and 14	
013433 - 014432	Chairman Admin Mr Albert CHAN Dr TANG Siu-tong	Section 15 Protection of confidentiality of data of applicants for registration and neutrality of staff of District Offices in their work of electors' registration Notification to applicants of the determinations and decisions of ERO.	Adm (see para. 4(f) and (g) of minutes of meeting)
014433 - 015319	Chairman Admin Dr TANG Siu-tong Mr Tommy CHEUNG	Section 16 Deadline for public authorities to furnish the required information to EROs	Adm (see para. 4(h) of minutes of meeting)

015320 - 015533	Chairman Admin	Section 17	
015534 - 015642	Chairman Admin	Section 18	
015643 - 020530	Chairman Admin Mr Tommy CHEUNG ALA4 Clerk Dr TANG Siu-tong	Extension of scrutiny period of the two Regulations Date of next meeting	

Council Business Division 2
Legislative Council Secretariat
12 March 2003