

立法會
Legislative Council

LC Paper No. CB(2)1753/02-03

(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 Thursday, 13 March 2003 at 8:30 am
in Conference Room A of the Legislative Council Building**

- Members Present** : Hon Andrew WONG Wang-fat, JP (Chairman)
Hon WONG Yung-kan
Dr Hon TANG Siu-tong, JP
Hon Tommy CHEUNG Yu-yan, JP
Hon IP Kwok-him, JP
- Members Absent** : Hon LAU Wong-fat, GBS, JP
Hon Andrew CHENG Kar-foo
Hon TAM Yiu-chung, GBS, JP
Hon Albert CHAN Wai-yip
- Public Officers Attending** : Ms Monica CHEN
Assistant Director of Home Affairs (1)
- Mr Y C CHAN
Principal Assistant Secretary for Home Affairs (Special Duties)
- 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

Mr Sunny CHAN
Senior Government Counsel
Department of Justice

Ms Betty CHEUNG
Senior Government Counsel
Department of Justice

Ms Michelle TSANG
Senior Assistant Law Draftsman
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. Confirmation of minutes

The minutes of the meeting held on 3 March 2003 were confirmed.

II. Meeting with the Administration

[L.Ns. 47 and 49 of 2003 and LC Paper Nos. CB(2)1448/02-03(01) and CB(2)1476/02-03(01)]

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

Electoral Affairs Commission (Registration of Electors) (Village Representative Election) Regulation

Adm

3. The Administration had undertaken to –

- (a) make administrative arrangements to follow up with the Indigenous Villages and Composite Indigenous Villages voter applicants for their principal residential address/postal address to be included in the register for reference if the principal residential address had not been provided on the application forms; and
- (b) amend section 32(7) and (8) to exclude reference to section 24 of the Village Representative Election Ordinance (Cap. 576) from the provisions in the next miscellaneous legislative amendment exercise to be conducted by the Department of Justice.

Adm

4. Members suggested that the Secretary for Home Affairs should consider making a statement on the follow-up action in respect of paragraph 3(a) above. The Administration agreed to consider the suggestion and provide a written response.

(Post-meeting note : The Administration's written response was issued to members on 17 March 2003 vide LC Paper No. CB(2)1524/02-03(01).)

5. The Subcommittee supported the Regulation.

Village Representative Election (Registration of Electors) (Appeals) Regulation

6. The Subcommittee supported the Regulation.

III. Any other business

Legislative timetable

7. Members noted that the Chairman had given notice to move a motion at the Council meeting on 19 March 2003 to extend the scrutiny period of the two Regulations to 9 April and 30 April 2003 respectively. Members agreed that the Subcommittee would make a report to the House Committee on 21 March 2003.

8. There being no other business, the meeting ended at 10:35 am.

Council Business Division 2
Legislative Council Secretariat
15 April 2003

**Proceedings of the meeting of the Subcommittee on subsidiary legislation
relating to Village Representative elections
on Thursday, 13 March 2003 at 8:30 am
in Conference Room A of the Legislative Council Building**

Time marker	Speaker	Subject(s)	Action required
0000 - 0246	Chairman	Confirmation of minutes	
0247 - 1211	Chairman Admin	Admin's response to the issues raised at the meeting on 3 March 2003	
1212 - 3327	Chairman Mr IP Kwok-him Admin ALA4 Mr WONG Yung-kan	Inclusion of principal residential/postal address of applicants for registration in Indigenous Villages and Composite Indigenous Villages registers	
3328 - 3807	Chairman Dr TANG Siu-tong Admin Mr IP Kwok-him	Interpretation of principal residential address of applicants for registration	
3808 - 3911	Chairman Admin	Continuation of scrutiny of the Electoral Affairs Commission (Registration of Electors) (Village Representative Election) Regulation Section 19	
3912 - 4119	Chairman Dr TANG Siu-tong Admin Mr IP Kwok-him ALA4	Section 17 Eligibility of the surviving spouse of an indigenous inhabitant to be registered as an elector if he/she was remarried to a non-indigenous inhabitant	
4120 - 5005	Chairman Admin Mr IP Kwok-him	Section 25 Delivery of notice of claim by a person whose principal residential address was not in Hong Kong	
5006 - 5614	Admin Chairman Mr IP Kwok-him ALA4	Proposed amendment to section 32(7) and (8) in the next miscellaneous legislative amendment exercise to be conducted by the Department of Justice	

5615 - 012301	Chairman ALA4 Admin Mr IP Kwok-him Dr TANG Siu-tong	Section by section examination of the Regulation Sections 1 to 5 Section 5 Inclusion of postal address of applicants for registration in Indigenous Villages and Composite Indigenous Villages registers	Admin (see para. 3(a) of the minutes of meeting)
012302 - 012730	Chairman Mr IP Kwok-him Admin	Sections 6 to 32	
012731 - 012815	Chairman ALA4 Mr IP Kwok-him Admin	Section 32(7) and (8) Proposed amendment to the section in the next miscellaneous legislative amendment exercise	Admin (see para. 3(b) of the minutes of meeting)
012816 - 012916	Chairman Mr IP Kwok-him Admin	Section 30(1)(b)	
012917 - 012944	Chairman	Sections 33 to 34	
012945 - 014255	Chairman Admin Mr IP Kwok-him Dr TANG Siu-tong ALA4	Scrutiny of the Village Representative Election (Registration of Electors) (Appeals) Regulation Section 4 Review of the ruling made by the Revising Officer under section 3(2)	
014256 - 14931	Chairman Admin Dr TANG Siu-tong ALA4	The grounds on which election petitions might be made	
014932 - 015020	Chairman Mr IP Kwok-him ALA4	Section by section examination of the Village Representative Election (Registration of Electors) (Appeals) Regulation	
015021 - 020042	Chairman Mr IP Kwok-him ALA4 Admin	Follow-up actions to be taken by the Administration Report to the House Committee	Admin (see para. 4 of the minutes of meeting)