

**Comparison Between
Electoral Affairs Commission
(Registration of Electors)(Village Representative Election) Regulation
("the Regulation")
and
Electoral Affairs Commission (Registration of Electors) (Legislative
Council Geographical Constituencies)(District Council
Constituencies) Regulation (Cap 541, sub. leg. A) ("GCRR")**

Provision in the Regulation <i>Section/Heading</i>	Similar Provision in the GCRR <i>Section</i>	Comparison
PART 1 – PRELIMINARY		
<i>1 - Interpretation</i>	2	Similar. Having regard to section 2 of the Village Representative Election Ordinance ("the Election Ordinance"), definitions related to village representative elections such as Existing Village and Indigenous Village are proposed to replace those related to the District Council or Legislative Council geographical constituencies elections.
PART 2 - FORM OF REGISTER		
<i>2 and 3 - Structure of (i) Existing Villages Register; and (ii) Indigenous and Composite Indigenous Villages Register</i>	3(1), 3(1A) and 3(1B)	Similar except that :- <ul style="list-style-type: none"> ● there are two separate registers for Existing Villages, and Indigenous Villages (IV) and Composite Indigenous Villages (CIV) respectively; and ● for the IV and CIV register, the register is to be divided into two parts for IV and CIV respectively, which are, in turn, sub-divided into divisions for individual Villages.
<i>4 - Entries in Existing Villages register</i>	3(2) and 3(4)	Similar, save that if the name appears in Chinese or English only, the name is to be recorded in the language in which it appears on the application form.

Provision in the Regulation	Similar Provision in the GCRR	Comparison
<i>Section/Heading</i>	<i>Section</i>	
5 - <i>Entries in Indigenous Villages and Composite Indigenous Villages register</i>	3(2) and 3(4)	Similar, save that the name is to be recorded :- <ul style="list-style-type: none"> ● in the language in which it appears on the application form if it is in Chinese or English only; or ● in accordance with the signature if the principal residential address is not furnished.
6 - <i>How entries are to be arranged in register</i>	3(3)	Similar
7 - <i>ERO to determine residual matters as to form</i>	3(7)	Similar

PART 3 - APPLICATION FOR REGISTRATION

8 - <i>When to apply for registration in first provisional register and application received after deadline</i>	4(2)(ba)	Similar
9 - <i>When to apply for registration in provisional registers compiled after first provisional register</i>	4(2)(c)	Similar
10 - <i>How to apply for registration in provisional register</i>	4(1)	Similar. In line with section 15(5)(d)(ii) of the Election Ordinance, a person seeking registration in the IV & CIV register must furnish a copy of his or her identity document if such document is not an identity card.

PART 2 COMPILATION OF PROVISIONAL REGISTER

Provision in the Regulation	Similar Provision in the GCRR	Comparison
<i>Section/Heading</i>	<i>Section</i>	
11 - ERO to determine whether or not applicant is eligible for registration	5(1), 5(5) and 5(6)	Similar
12 - DRO may require further particulars or proof	5(2), 5(3) and 5(4)	<ul style="list-style-type: none"> • Similar, save that under section 12(4) if a person applying for registration in the IV & CIV register fails to furnish his or her principal residential address, postal address in Hong Kong, electronic mail address or a facsimile number, and as a result the ERO is not able to determine the applicant's eligibility for registration, the ERO may decide not to consider the application further. • The above provision is required since the provision of a principal residential address is not an eligibility criterion for registration in the IV & CIV register.
13 - Registration in Existing Villages register	5(7)	Similar
14 - Registration in Indigenous Villages and Composite Indigenous Village register	5(7)	Similar
15 - ERO to inform applicants of determination and decisions	5(8), 5(9) and 5(10)	Similar
16 - ERO to have power to require information to prepare registers	6	Similar. The deadline for public authority to furnish the required information to the ERO is 14 days, as compared to 30 days in the GCRR.

Provision in the Regulation	Similar Provision in the GCRR	Comparison
<i>Section/Heading</i>	<i>Section</i>	
<i>17 - ERO may make inquiries about persons registered in existing final register</i>	7	Similar
<i>18 - ERO to prepare omissions list</i>	9	Similar
<i>19 - ERO to publish notice that omissions list is available for public inspection</i>	10	Similar
<i>20 - ERO to correct entries in existing final register when compiling next provisional register</i>	11	Similar
<i>21 - What is to be contained in provisional register</i>	12	Similar. For IV and CIV register, since the provision of a “principal residential address is not an eligibility criterion, it will only be entered in the register against the name if it is provided.
<i>22 - ERO to publish a notice that provisional register is available for public inspection</i>	13	Similar
PART 5 – NOTICE OF OBJECTION, NOTICE OF CLAIM AND CORRECTION OF PROVISIONAL REGISTER		
<i>23 - Objection regarding registered person in provisional register</i>	14	Similar
<i>24 - Who may make a claim</i>	15(1) to 15(5)	Similar

Provision in the Regulation	Similar Provision in the GCRR	Comparison
<i>Section/Heading</i>	<i>Section</i>	
25 - <i>How to lodge notice of claim</i>	15(6) to (10)	Similar. But the ERO will accept notice of claim by a claimant whose principal residential address is not in Hong Kong through submission - <ul style="list-style-type: none"> ● in person at the ERO's office; ● in person at the ERO's office by a person authorized in writing by the claimant for the purpose; ● by post; ● by facsimile transmission; or ● as an electronic record authenticated by a digital signature.
26 - <i>ERO to deliver copies of notices of claim and notices of objection to Revising Officer</i>	16	Similar
27 - <i>ERO to correct entries in provisional register in compiling final register</i>	17	Similar
28 - <i>ERO to correct entries in provisional register with approval of Revising Officer</i>	18	Similar
PART 6 – FINAL REGISTER		
29 - <i>What is to be contained in final register</i>	19	Similar

Provision in the Regulation	Similar Provision in the GCRR	Comparison
<i>Section/Heading</i>	<i>Section</i>	
30 - ERO to publish notice of final register and to make final register available for public inspection	20	Similar
PART 7 – MISCELLANEOUS		
31 - ERO may make extracts of register available for purposes of an election	21	Similar
32 - Offences and penalties	22	Similar
33 - ERO to make specified forms available	23	Similar
34 - Communications	24	Similar, with the following new provisions. In relation to the compilation of the IV & CIV register, the ERO is not required to:- <ul style="list-style-type: none"> (i) send any communication to a person seeking registration or registered in the register, if that person has not furnished to the ERO his or her principal residential address or postal address in Hong Kong; or (ii) perform any functions that involve sending a communication to a person seeking registration or registered in the register, if the person has not furnished to the ERO his or her principal residential address, postal address in Hong Kong, facsimile number or an electronic mail address.