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Secretary for Home Affairs
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Hong Kong

4 April 2003

BY FAX

Fax No. : 2834 5605
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(Attn : Ms Monica Chen
Assistant Director of Home Affairs)

Dear Ms Chen,

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

**Electoral Procedure (Village Representative Election) Regulation
(L.N. 82 of 2003)**

We are scrutinising the legal and drafting aspects of the above Regulation. We have the following queries relating to the Regulation and should be grateful for your clarification.

Sections 4(1)(g) and 6(h)

Can you give examples of the kind of additional information you are in mind?

Section 35(2)(b)

Can you explain the reason for allowing a person to use a sound amplifying system or device in a no canvassing zone with the express permission of the Returning Officer, etc? There is no similar provision in the Electoral Affairs Commission (Electoral Procedure) (Legislative Council) Regulation and Electoral Procedure (Chief Executive Election) Regulation.

Section 35(2)(d)(ii)

As comparing to section 40(16)(ca)(ii) of the Electoral Affairs Commission (Electoral Procedure) (Legislative Council) Regulation, why is there no reference to "a political body in Hong Kong"?

Section 35(3)

In comparing to section 40(17)(b) of the Electoral Affairs Commission (Electoral Procedure) (Legislative Council) Regulation, why is display of propaganda material not allowed?

Section 45(7)

Is it the intention that a person will be allowed to vote even though he is unable to produce his identity document?

Section 46(5)(c)(ii)

What will be the case if the Presiding Officer is unaware that the elector has so left the ballot paper behind before leaving the polling station?

Sections 72(1)(d) &(2)(d) and 73(1)(b) & (2)(b)

Can you give examples of "other occurrence of public danger"?

It is appreciated that your reply, in both languages, could reach us by 10 April 2003.

Yours sincerely,

(Stephen Lam)
Assistant Legal Adviser

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