

立法會

*Legislative Council*

LC Paper No. CB(2)2441/02-03

(These minutes have been seen  
by the Administration)

Ref : CB2/SS/12/02

**Subcommittee on subsidiary legislation relating to  
District Councils election gazetted on 16 May 2003**

**Minutes of the meeting  
held on Friday, 30 May 2003 at 8:30 am  
in Conference Room A of the Legislative Council Building**

**Members present** : H Hon IP Kwok-him, JP (Chairman)  
Dr Hon David CHU Yu-lin, JP  
Hon Cyd HO Sau-lan  
Hon HUI Cheung-ching, JP  
Hon Andrew WONG Wang-fat, JP  
Hon WONG Yung-kan  
Hon Howard YOUNG, JP  
Hon LEUNG Fu-wah, MH, JP

**Member absent** : Dr Hon YEUNG Sum

**Public Officers attending** : Mr Joseph LAI Yee-tak  
Acting Permanent Secretary for  
Constitutional Affairs

Ms Eva YAM Ya-ling  
Principal Assistant Secretary  
(Constitutional Affairs) 4

Mr Bassanio SO  
Principal Assistant Secretary  
(Constitutional Affairs) 5

Mr LI Wing  
Chief Electoral Officer

Miss Carmen CHU  
Senior Government Counsel

Ms Grace LEUNG  
Government Counsel

**Clerk in attendance** : Mrs Percy MA  
Chief Assistant Secretary (2)3

**Staff in attendance** : Mr Arthur CHEUNG  
Senior Assistant Legal Adviser 2

Mrs Eleanor CHOW  
Senior Assistant Secretary (2)4

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Action

**I. Election of Chairman**

Mr IP Kwok-him was elected Chairman of the Subcommittee.

2. Mr David CHU apologized for having missed the deadline for joining the Subcommittee due to his oversight. Members agreed to accept Mr CHU's request for late membership in accordance with Rule 23(b) of the House Rules.

**II. Meeting with the Administration**

(LC Paper Nos. CB(2)2261/02-03(01) - (03) and 2265/02-03(02) - (05) )

3. The Subcommittee deliberated (index of proceedings attached at **Annex**).

4. In response to members' concerns, the Administration agreed to -

District Councils (Subscribers and Election Deposit for Nomination)  
(Amendment) Regulation 2003

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(a) discuss with SALA2 the drafting of the Administration's proposed amendments to the principal Regulation as conveyed in its reply dated 23 May 2003 (LC Paper No. CB(2)2265/02-03(04));

(b) provide background information on how the election deposit of \$3,000 was derived at, when was it last reviewed, and whether the amount should be reviewed; and

Action

Electoral Affairs Commission (Electoral Procedure) (District Councils)  
(Amendment) Regulation 2003

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- (c) respond to Hon Andrew WONG's proposal that the decision on the validity of questionable ballot papers under categories (g) to (j) referred to in paragraph 6 of the LegCo Brief should continue to rest with the Returning Officers, not Presiding Officers.

*(Post-meeting note: The Administration response was issued to members vide LC Paper No.CB(2)2298/02-03 on 2 June 2003.)*

**III. Date of next meeting**

5. Members agreed that the next meeting would be held on 2 June 2003 at 12:00 noon.
6. There being no other business, the meeting ended at 10:40 am.

Council Business Division 2  
Legislative Council Secretariat  
12 June 2003

## Annex

**Proceedings of the meeting of the  
Subcommittee on subsidiary legislation relating to  
District Councils election gazetted on 16 May 2003  
on Friday, 30 May 2003 at 8:30 am  
in Conference Room A of the Legislative Council Building**

<b>Time marker</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action Required</b>
000000 – 000114	Mr HUI Cheung-ching	Election of Chairman	
000105 – 000520	Clerk / Chairman / Mr David CHU /	Acceptance of late membership of Mr David CHU by the Subcommittee	
000615 – 001256	Administration	Briefing on the three items of subsidiary legislation	
001257 – 001824	Mr Howard YOUNG / Chairman / Administration	Availability of map showing the delineation of constituency areas of District Councils (DCs) election to members of the public  Availability of electoral register for members of the public	
001825 – 002207	Mr WONG Yung-kan / Administration	Promotion campaigns for voter registration	
002208 – 002746	Mr HUI Cheung-ching / Chairman / Administration	Process of public consultation on demarcation of constituency boundaries for 2003 DCs election  New subscription requirements for nomination  Procedure for verifying subscribers' eligibility on nomination papers  Threshold for forfeiture of election deposit	
002747 – 002840	Mr Andrew WONG / Chairman	Conduct of meeting	

002841 – 003052	Administration / Mr HUI Cheung-ching / Chairman	Process to consult the public on delineation proposals of DC constituency areas	
003053 – 003133	Chairman	Conduct of meeting	
003134 – 003651	Mr LEUNG Fu-wah / Chairman / SALA2	District Council (Subscribers and Election Deposit for Nomination) (Amendment) Regulation 2003  Drafting points raised by SALA2 on the Regulation and the Administration's response (CB2(2) 2265/02-03 (03) & CB(2) 2265/02-03 (04))	Admin to discuss with SALA2 the Administration's proposed amendments to the principal Regulation
003652 – 005314	Mr Andrew WONG / Administration / Chairman	Views on the prescribed threshold for the forfeiture of election deposit i.e. 5%  Design and handling of nomination papers, procedure for handling surplus subscribers	
005315 – 010759	Miss Cyd HO / Administration / Chairman	Basis for setting a 100% buffer for subscribers  Procedure for verifying subscribers' eligibility on nomination papers	
010800 – 011134	Mr WONG Yung-kan	Handling of nomination papers  Election deposit of \$3,000	
011135 – 011701	Mr Andrew WONG / Administration / Chairman	Grace period for submission of nomination papers	
011702 – 012430	Miss Cyd HO / Administration / Chairman	Relaxation of the 100% buffer  Election deposit of \$3,000	Admin to provide background information on how the election deposit was derived at, when it was last reviewed, and whether the amount should be reviewed
012431 – 012457	Chairman	Declaration of Constituencies (District Council) Order 2003	

012458 – 014445	Mr Andrew WONG / Administration / Chairman	Public consultation on provisional recommendations of the Electoral Affairs Commission (EAC) on DC constituency boundaries  Principles for revising EAC's provisional recommendations  The need to inform the public of the reasons for EAC's final recommendation	
014446 – 014530	Miss Cyd HO	Consultation for parties affected by EAC's final recommendations	
014531 – 014552	Chairman	Electoral Affairs Commission (Electoral Procedure) (District Councils) (Amendment) Regulations 2003	
014553 – 015406	Mr Andrew WONG / Administration	Presence of legal advisers to assist Presiding Officers to deal with questionable ballot papers  Guidelines for handling questionable and invalid ballot papers  Qualification and experience of Presiding Officers	
015407 – 020221	Miss Cyd HO / Administration / Chairman	Provision of video camera facilities in polling/counting stations  Mixing of ballot papers of different polling stations to safeguard the confidentiality of voters, especially those in small polling areas	
020222 – 020519	Mr Andrew WONG / Chairman / Administration	Proposal for questionable ballot papers under categories (g) to (j) referred to in paragraph 6 of the LegCo Brief to continue to be determined by Returning Officers	Admin to respond to Mr Andrew WONG's proposal

020520 - 021024	Chairman / Miss Cyd HO / Mr Andrew WONG / Administration	Date of next meeting	
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Council Business Division 2  
Legislative Council Secretariat  
12 June 2003