

本署檔號 Our Ref.: CAB C1/30/11 & C2/10
來函檔號 Your Ref.: CB2/SS/12/02

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6 June 2003

Clerk to Subcommittee
(Attn : Mrs Percy MA)
Legislative Council
Legislative Council Building
8 Jackson Road
Central
Hong Kong

Dear Mrs MA,

**Subcommittee on Legislative Council (Subscribers and Election Deposit
for Nomination) (Amendment) Regulation 2003
District Councils (Subscribers and Election Deposit for Nomination)
(Amendment) Regulation 2003**

I refer to point (a) of your letter dated 30 May 2003 and another one dated 5 June 2003 from the Senior Assistant Legal Adviser of the Legislative Council.

Having discussed with the Senior Assistant Legal Adviser on the drafting of the proposed section 7(5) of the District Councils (Subscribers and Election Deposit for Nomination) (Amendment) Regulation 2003, we propose to amend the provision along the line of wording as per the draft resolution at **Annex A**. Similar amendments will also be made to the proposed section 7(3A) of the Legislative Council (Subscribers and Election Deposit for Nomination) (Amendment) Regulation 2003. The proposed amendments are set out in the draft resolution at **Annex B**.

Notwithstanding that the draft resolutions attached are still subject to further refinement, the proposed amendments in gist are in line with the suggestions raised by the Senior Assistant Legal Adviser in his letter of 5 June 2003.

Subject to the views of the Subcommittee, the Secretary for Constitutional Affairs will move a motion on 18 June 2003 to amend the two Amendment Regulations as set out above.

Yours sincerely,

(Bassanio SO)
for Secretary for Constitutional Affairs

c.c. Law Draftsman	(Attn : Miss Carmen CHU)	2845 2215
Legal Service Division	(Attn : Mr Arthur CHEUNG)	2877 5029

INTERPRETATION AND GENERAL CLAUSES ORDINANCE

RESOLUTION OF THE LEGISLATIVE COUNCIL

DISTRICT COUNCILS (SUBSCRIBERS AND ELECTION DEPOSIT FOR
NOMINATION) (AMENDMENT) REGULATION 2003

Resolution made and passed by the Legislative Council under section 34(2) of the Interpretation and General Clauses Ordinance (Cap. 1) on 2003.

RESOLVED that the District Councils (Subscribers and Election Deposit for Nomination) (Amendment) Regulation 2003, published in the Gazette as Legal Notice No. 120 of 2003 and laid on the table of the Legislative Council on 21 May 2003, be amended in section 3, by repealing paragraphs (c), (d), (e) and (f) and substituting -

"(c) by adding -

"(3A) A person whose signature as a subscriber to a nomination paper is in surplus having regard to the required number of subscribers for the purposes of subsection (1) shall be regarded as not having subscribed the nomination paper."

Clerk to the Legislative Council

June 2003

INTERPRETATION AND GENERAL CLAUSES ORDINANCE

RESOLUTION OF THE LEGISLATIVE COUNCIL

LEGISLATIVE COUNCIL (SUBSCRIBERS AND ELECTION DEPOSIT FOR
NOMINATION) (AMENDMENT) REGULATION 2003

Resolution made and passed by the Legislative Council under section 34(2) of the Interpretation and General Clauses Ordinance (Cap. 1) on 2003.

RESOLVED that the Legislative Council (Subscribers and Election Deposit for Nomination) (Amendment) Regulation 2003, published in the Gazette as Legal Notice No. 119 of 2003 and laid on the table of the Legislative Council on 21 May 2003, be amended in section 3 -

- (a) by repealing paragraphs (a)(iii) and (b)(iii);
- (b) by repealing paragraphs (c) and (d) and substituting -

"(c) by adding -

"(2C) A person whose signature as a subscriber to a nomination paper is in surplus having regard to the required number of subscribers for the purposes of subsection (1)(a) or (2)(a)(ii), as

the case may be, shall be regarded as not having subscribed the nomination paper." .

Clerk to the Legislative Council

June 2003