

**Legislative Council Panel on  
Home Affairs**

**2003 Village Representative Elections – Way Forward**

**Purpose**

This paper briefs Members on the way forward with regard to the implementation of the 2003 Village Representative (VR) Elections.

**Background**

General

2. The Village Representative Election Ordinance (“The Ordinance”), Cap. 576 was gazetted and came into operation on 14 February 2003. The Ordinance provides a legal framework for the conduct of the 2003 Village Representative (VR) elections as well as elections in subsequent years. The elections will be conducted under the supervision of the Electoral Affairs Commission (EAC).

**Implementation of the 2003 VR Elections**

Timeframe for the 2003 VR Elections

3. With the enactment of the Ordinance, we are now preparing for the implementation of the VR Election. Key stages of the elections are set out below-

<b>Date</b>	<b>Key Events</b>
1 – 21 March 2003	Voter registration
April 2003	Publication of Provisional Register

June 2003	Publication of Final Register
June 2003	Candidate Nomination Period
Mid-July to late August 2003 (12 weekends during this period)	VR elections

4. The elections of the Executive Councils of the 27 Rural Committees' and the Heung Yee Kuk will be held after completion of the VR elections.

#### Subsidiary Legislations and Electoral Guidelines

5. To implement the VR elections, five sets of subsidiary legislations will be prepared. The legislations are basically modeled on existing legislations for the District Council and Legislative Council elections. Salient points on the legislations are as follows -

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

This subsidiary legislation is made under the EAC Ordinance (Cap. 541) to provide the procedure for registration of electors for the elections of Indigenous Inhabitant Representative and the Resident Representative. The Electoral Registration Officer (ERO) is required to compile the Provisional Register (PR) for public inspection, as well as the Final Register (FR). The legislation also contains provisions for making objections and claims in respect of entries in the PR and correcting the PR when compiling the FR.

The legislation has been gazetted on 15 February 2003 and tabled in LegCo on 19 February 2003.

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

s. 19(1) of the Ordinance sets out that a person who is dissatisfied with a decision of the ERO may appeal against the decision to a Revising Officer. As provided in s.65(2) of the Ordinance, the Secretary for Home Affairs has made this subsidiary legislation to provide for the functions of a Revising Officer and appeals to a Revising Officer.

The legislation has been gazetted on 21 February 2003 and will be tabled in LegCo on 26 February 2003.

(c) Electoral Procedure (Village Representative Election) Regulation

This subsidiary legislation is made under the EAC Ordinance to provide for the procedures for the VR election and by-election, including candidate nomination, appointment of agents by candidates, polling and counting arrangements, and publishing of election results.

The legislation will be gazetted in March 2003.

(d) Village Representative (Maximum Amount of Election Expenses) Regulation

This subsidiary legislation will be made by the Chief Executive in Council under s. 45 of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554), to prescribe the maximum amount of election expenses for an election, as well as a by-election, to elect a VR. We are currently proposing that the maximum amount to be set at two levels : (i) \$14,000, where there are not more than 1,000 registered electors in that Village, (ii) \$20,000, where there over 1,000 registered electors in that Village. The proposals are put forward with reference to the maximum amount of election expenses that can be incurred by a candidate in the District Council elections. EAC has been consulted and is agreeable to this.

The legislation will be gazetted in March 2003.

(e) Village Representative Election (Election Petition) Rules

Specified grounds are set out under s. 39 of the Ordinance when an election may be questioned by election petition. S. 66 of the Ordinance stipulates that the Chief Justice may make rules to provide for, inter alia, the preparation, lodgment, service, trial and withdrawal of election petitions, costs in respect of election petitions, the practice and procedure concerning the trial of election petitions.

The legislation will be gazetted in April 2003.

6. In addition, the EAC has prepared a set of “Guidelines on Election-related Activities in respect of the VR Elections”, which has been published for public consultation from 14 February to 15 March 2003. The Guidelines will provide reference to ROs, candidates and electors in the conduct of election-related activities in the 2003 VR election.

Publicity Plans

7. Under the Ordinance, various new arrangements will be introduced in the 2003 VR elections. To ensure that eligible voters and candidates are informed of the new arrangements as well as to encourage them to participate in the elections, we have drawn up publicity plan, which will be launched in late February 2003. Key publicity measures include :

- *Bilingual posters and APIs* will be produced to disseminate general information of the VR elections, voter registration, candidate nomination and polling. The posters will be distributed at the village level and the rural community, as well as posted up on public transport (including KMB and KCRC);
- *Bilingual publicity pamphlets* to provide a gist of the New Arrangements in laymen language. These will be distributed at District Offices, Heung Yee Kuk, Rural Committees, Village Offices and overseas economic and trade offices (ETOs) of the Hong Kong SAR Government;

- *Internet* – information and voter registration/candidate nomination forms can be downloaded from the Home Affairs Department website ([www.info.gov.hk/had](http://www.info.gov.hk/had)), with links to the websites of the ETOs and the Registration and Electoral Office;
- *Newspapers advertisements* will be placed in local and overseas newspapers; and
- *A dedicated enquiry hotline* will be set up to handle enquiries relating to the elections.

8. We are mindful of the importance to reach out to overseas Chinese communities to ensure that indigenous villagers residing overseas are able to fully participate in the elections. All our publicity materials will be distributed at the ETOs and press releases will be issued through their networks. APIs will be aired in overseas TV network to promote the elections, voter registration and polling. We have also enlisted the assistance of Heung Yee Kuk to disseminate the information through its overseas advisors and networks. The Secretary for Home Affairs has in fact a visit to London in December 2002 to meet the leaders of the overseas Chinese communities to discuss and publicise the New Arrangements.

Home Affairs Department  
February 2003