

L.N. 120 of 2003

District Councils (Subscribers and Election Deposit
For Nomination) (Amendment) Regulation 2003
(Made by the Chief Executive in Council under section
81 of the District Councils Ordinance (Cap. 547))

1. Commencement

This Regulation shall come into operation on 1 September 2003.

2. Disposal of deposit after publication of
election result or declaration of
failure of election

Section 4 of the District Councils (Subscribers and Election Deposit for
Nomination) Regulation (Cap. 547 sub. leg. A) is amended---

(a) in subsection (1), by repealing "the candidate" and substituting "each
candidate";

(b) in subsection (3), by repealing "of the candidate" and substituting "of each
candidate".

3. Number and qualifications of subscribers
to a nomination paper

Section 7 is amended---

(a) in subsection (1), by repealing "be subscribed by at least" and substituting "
subject to subsection (1A), be subscribed by";

(b) by adding---

"(1A) For the purposes of subsection (1), the number of persons that may subscribe
a nomination paper shall not in any case be more than 20.";

(c) in subsection (2), by repealing "subsection (4)" and substituting "subsections
(4) and (5)";

(d) in subsection (3), by repealing "subsection (4)" and substituting "subsections
(4) and (5)";

(e) in subsection (4)(c)(B), by repealing everything after "than one" and before "so
subscribed" and substituting "other nomination paper in contravention of this
subsection or subsection (5), his signature shall be inoperative on any of those other
nomination papers";

(f) by adding---

"(5) Where the number of persons subscribing a nomination paper for the purposes
of subsection (1), being persons qualified to so subscribe the nomination paper, has
exceeded the number of persons required under that
subsection, any person who has subscribed the nomination paper but his signature is
surplus may subscribe another nomination paper, and---

(a) his signature shall not be inoperative on that other nomination paper only because he has previously subscribed the first-mentioned nomination paper; and
(b) if he subscribes more than one other nomination paper in contravention of this subsection or subsection (4), his signature shall be inoperative on any of the other nomination papers so subscribed other than the first one delivered."

CHENG Mei-sze, Maisie

Clerk to the Executive Council

Council Chamber

13 May 2003

Explanatory Note

This Regulation amends the District Councils (Subscribers and Election Deposit for Nomination) Regulation (Cap. 547 sub. leg. A)("the principal Regulation").

2. Section 2 amends section 4 of the principal Regulation to clarify that the election deposit lodged by or on behalf of each candidate who has received 5% of the total number of valid votes shall be returned.

3. Section 3 amends section 7 of the principal Regulation to provide that a nomination paper in respect of any constituency shall be subscribed by 10 persons but not more than 20 persons in any event. A subscriber whose signature is surplus (i.e. has exceeded the number of 10) on the nomination paper may subscribe one other nomination paper.