

民政事務總署
香港灣仔軒尼詩道一百三十號
修頓中心二十九及三十樓



HOME AFFAIRS DEPARTMENT

29th and 30th Floors,
Southorn Centre,
130 Hennessy Road,
Wan Chai, Hong Kong.

本署檔號 Our Ref. HAD HQ CR/17/14/4/(c)

來函檔號 Your Ref.

電話 Tel.: 2835 1423

傳真 Fax: 2834 5605

12 May 2009

By Fax and by Post

Ms Betty Fong
Clerk to Panel
LegCo Panel on Home Affairs
Legislative Council Building
8 Jackson Road, Central
Hong Kong

Dear Ms Fong,

**Panel on Home Affairs
Village Representative Election**

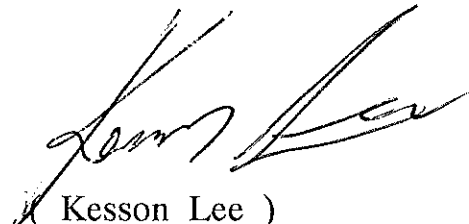
We consulted the Panel on Home Affairs at its meeting on 14 November 2008 on our proposals to amend the legislation relating to village representative (VR) election. While Members had no objection to our proposals in principle, the Hon Paul Tse suggested that, to allow sufficient time for the Revising Officers (ROs) to rule on the claims and objections received in relation to registration of electors, the time limit for the ROs to make rulings after the deadline for lodging claims and objections should be extended from seven days to 28 days, instead of our proposal to extend it from seven days to 14 days.

Separately, the Hon Cheung Kwok-che considered that the proposal to extend the time limit for application for review on the RO's ruling on a claim or objection from two to four days after the day on which the notification of the ruling was sent, could be further extended to allow more time for the person concerned to seek legal advice.

We have carefully considered the suggestions in consultation with the Department of Justice, the Judiciary and the Registration and Electoral Office. The Hon Tse's suggestion would push the timeframe for registration of electors for VR election further ahead, making it very close to the registration of electors for the Legislative Council and District Council elections. This should be avoided in order not to cause confusion to members of the public over the different elector registration exercises. For the Hon Cheung's suggestion, the current proposal to extend the period for application for review from two days to four days should be sufficient to cater for the needs of those who wish to seek reviews. As such, we propose to keep our original proposals.

The Panel on Home Affairs also deliberated at its meeting on 9 January 2009 the case of Yuen Long Kau Hui (YLKH). While noting the written objection from the Shap Pat Heung Rural Committee, Members considered that YLKH had sufficiently proven that it was an indigenous village already in existence in 1898 and had a village representation system before 1999. Members therefore urged the Administration to include YLKH in the Schedules to the Village Representative Election Ordinance ("VREO") (Cap.576).

After further consideration of YLKH's case and noting Members' position, we now propose to include YLKH in the Schedules to the VREO. The Administration will shortly introduce into the Legislative Council a bill to amend the VREO and related subsidiary legislation.



(Kesson Lee)
for Director of Home Affairs