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# District Councils (Amendment) Ordinance 2013

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**HONG KONG SPECIAL ADMINISTRATIVE REGION**

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**ORDINANCE NO. 3 OF 2013**



C. Y. LEUNG  
Chief Executive  
30 May 2013

An Ordinance to amend the District Councils Ordinance to abolish the system of appointing members to the District Councils with effect from 1 January 2016; and to make consequential amendments to that Ordinance and certain subsidiary legislation.

[1 January 2016]

Enacted by the Legislative Council.

## **Part 1**

### **Preliminary**

#### **1. Short title and commencement**

- (1) This Ordinance may be cited as the District Councils (Amendment) Ordinance 2013.
- (2) This Ordinance comes into operation on 1 January 2016.

#### **2. Enactments amended**

- (1) The District Councils Ordinance (Cap. 547) is amended as set out in Part 2.
- (2) The following subsidiary legislation is amended as set out in Part 3—

- (a) the Electoral Affairs Commission (Registration of Electors) (Legislative Council Geographical Constituencies) (District Council Constituencies) Regulation (Cap. 541 sub. leg. A);
  - (b) the Electoral Affairs Commission (Registration) (Electors for Legislative Council Functional Constituencies) (Voters for Election Committee Subsectors) (Members of Election Committee) Regulation (Cap. 541 sub. leg. B);
  - (c) the Electronic Transactions (Exclusion) Order (Cap. 553 sub. leg. B).
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## Part 2

### Amendments to District Councils Ordinance

**3. Section 2 amended (interpretation)**

(1) Section 2, definition of *member*—

**Repeal**

“, an appointed member”.

(2) Section 2—

**Repeal the definition of *appointed member*.**

**4. Part II heading amended (declaration of districts, establishment of District Councils, declaration of number of elected members and appointed members and declaration of constituencies)**

Part II, heading—

**Repeal**

“AND APPOINTED MEMBERS”.

**5. Section 5 amended (number of members to be elected to a District Council and the number of members to be appointed to it)**

(1) Section 5, heading—

**Repeal**

“and the number of members to be appointed to it”.

(2) Section 5—

**Repeal subsection (2).**

**6. Section 8 amended (Chief Executive in Council may amend Schedule 1, 2 or 3)**

Section 8(2)(d)—

**Repeal**

“and the number of members to be appointed to it”.

**7. Section 9 amended (District Councils to consist of elected members, appointed members and ex officio members)**

(1) Section 9, heading—

**Repeal**

“, appointed members”.

(2) Section 9(1)—

**Repeal paragraph (b).**

**8. Section 10 amended (an elected member or appointed member taken to have resigned on becoming an ex officio member)**

(1) Section 10, heading—

**Repeal**

“or appointed member”.

(2) Section 10—

**Repeal**

“or appointed member”.

**9. Part IV, Division 1 repealed (appointed members)**

Part IV—

**Repeal Division 1.**

**10. Section 72 amended (proceedings of a District Council or a committee not affected by vacancy or defect in membership)**

(1) Section 72(2)(b)—

**Repeal**

“appointment or”.

(2) Section 72(4)(b)—

**Repeal**

“appointed member or”.

**11. Section 83 amended (Designated Officer to give notice of membership)**

(1) Section 83—

**Repeal**

“sections 13 and”

**Substitute**

“section”.

(2) Section 83—

**Repeal**

“appointed members and”.

**12. Section 84 amended (Designated Officer to give notice of vacancy)**

Section 84—

**Repeal**

“appointed member or”.

**13. Schedule 3 amended**

(1) Schedule 3—

**Repeal**

“[ss. 5, 8, 9 & 11]”

**Substitute**

“[ss. 5, 8 & 9]”.

(2) Schedule 3, Part 1, heading—

**Repeal**

“and Appointed Members”.



(3) Schedule 3, Part 1—

**Repeal column 4.**

**14. Schedule 4 amended (forms for acceptance of office)**

(1) Schedule 4—

**Repeal**

“[ss. 13, 17 & 82]”

**Substitute**

“[ss. 17 & 82]”.

(2) Schedule 4—

**Repeal Form 1.**

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## **Part 3**

### **Amendments Consequential to Repeal of Division 1 of Part IV of District Councils Ordinance**

#### **Division 1—Amendments to Electoral Affairs Commission (Registration of Electors) (Legislative Council Geographical Constituencies) (District Council Constituencies) Regulation**

**15. Section 22 amended (offences and penalties)**

(1) Section 22(7)(b)—

**Repeal**

“14,”.

(2) Section 22(8)(b)—

**Repeal**

“14,”.

#### **Division 2—Amendments to Electoral Affairs Commission (Registration) (Electors for Legislative Council Functional Constituencies) (Voters for Election Committee Subsectors) (Members of Election Committee) Regulation**

**16. Section 42 amended (offences and penalties)**

(1) Section 42(9)(b)—

**Repeal**

“14,”.

(2) Section 42(10)(b)—

**Repeal**

“14,”.

**Division 3—Amendments to Electronic Transactions  
(Exclusion) Order**

- 17. Schedule 1 amended (provisions excluded from application of section 5 of Ordinance)**

Schedule 1, item 63—

**Repeal**

“15(1),”.

- 18. Schedule 2 amended (provisions excluded from application of section 6 of Ordinance)**

Schedule 2, item 20—

**Repeal**

“15(2),”.