

Ref.: REO 14-32/7 (Con)

LEGISLATIVE COUNCIL BRIEF

Electoral Affairs Commission Ordinance (Cap. 541)

ELECTORAL AFFAIRS COMMISSION (ELECTORAL PROCEDURE) (LEGISLATIVE COUNCIL) (AMENDMENT) REGULATION 2017

ELECTORAL AFFAIRS COMMISSION (ELECTORAL PROCEDURE) (DISTRICT COUNCILS) (AMENDMENT) REGULATION 2017

ELECTORAL AFFAIRS COMMISSION (ELECTORAL PROCEDURE) (ELECTION COMMITTEE) (AMENDMENT) REGULATION 2017

ELECTORAL PROCEDURE (CHIEF EXECUTIVE ELECTION) (AMENDMENT) REGULATION 2017

ELECTORAL PROCEDURE (RURAL REPRESENTATIVE ELECTION) (AMENDMENT) REGULATION 2017

INTRODUCTION

On 19 June 2017, the Electoral Affairs Commission (“EAC”) made five Amendment Regulations at **Annexes A to E** to amend five regulations under the Electoral Affairs Commission Ordinance (Cap. 541) (“EAC Regulations”). The amendments aim to implement the EAC’s recommendation in its report on the 2016 Legislative Council (“LegCo”) General Election that an elector must produce the original of his/her Hong Kong Permanent Identity Card (“HKID”) before ballot paper(s) can be issued to him/her, and to provide for alternative measures in case such an original cannot be produced and arrangements for dedicated polling stations (“DPSs”) situated in prisons.

JUSTIFICATIONS

Existing requirement and EAC's recommendation

2. At present, section 50(1) of the Electoral Affairs Commission (Electoral Procedure) (Legislative Council) Regulation (Cap. 541D) stipulates that the Presiding Officer (“PRO”) in a LegCo election must not give a ballot paper to a person unless the PRO is satisfied, after inspection of the person’s identity document¹ or any other document showing that person’s name and photograph, that he/she is the person registered in the Final Register (“FR”) as claimed.

3. On its face, the ambit of “any other document showing that person’s name and photograph” in section 50(1) of Cap. 541D is wide. To safeguard the integrity of a public election, the current practice is that if an elector produces the original of his/her HKID or the Hong Kong Special Administrative Region (“HKSAR”) Passport, the PRO will issue a ballot paper to him/her. However, if an elector could only produce other government documents carrying his/her name and photograph, the PRO will typically ask the elector to also produce a photocopy of his/her HKID at the same time, before the PRO is satisfied that he/she is the elector registered in the FR and issues a ballot paper to the elector.

4. In the 2016 LegCo General Election, there were media reports that two electors were able to collect ballot papers by only producing photocopies of their HKIDs. In response, the EAC issued a press release pointing out that an elector is required to produce an identity document when applying for his/her ballot paper(s), but that document is not necessarily an HKID. If the PRO is satisfied of the identity of an elector based on any other document produced by the elector, a ballot paper can be issued to the elector under the law. Furthermore, the EAC

¹ Section 2 of Cap. 541D stipulates that “identity document” has the meaning assigned to it by section 3(1) of the Legislative Council Ordinance (Cap. 542) (“LCO”); and section 3(1) of the LCO stipulates that “identity document” means –

- (a) an identity card issued to a person under the Registration of Persons Ordinance (Cap. 177); or
- (b) a document issued to a person under regulations in force under that Ordinance certifying that the person is exempt from being required to register under that Ordinance; or
- (c) any other document issued to a person that is acceptable to the Electoral Registration Officer as proof of the person’s identity.

A reference to “identity document” in this LegCo Brief means the “identity document” as defined under the EAC Regulation.

also clarified that a ballot paper will not be issued to an elector who merely produces a photocopy of an HKID.

5. In view of the above incidents, the EAC stated in the EAC report on the 2016 LegCo General Election that as a matter of principle, sections 27 to 30 of the Legislative Council Ordinance (Cap. 542) stipulate that only a permanent resident of Hong Kong who ordinarily resides in Hong Kong, holds an identity document and has reached 18 years of age is eligible to be registered as an elector. Moreover, persons listed in the FR may have the same names, while their identity card numbers are unique for identification purpose. The EAC therefore reckons that, in order to avoid unnecessary queries, the relevant authority should consider amending the related legislation, setting out expressly that an elector must produce the original of his/her HKID before a ballot paper can be issued.

6. The existing legislation does not specify precisely the specific forms or types of documents that the PRO may accept for the purpose of being satisfied as to whether a person is the elector registered in the FR as claimed. Different practices among different PROs as to what “any other document showing that person’s name and photograph” is considered acceptable would create inconsistency and lead to possible disputes. The incidents in the 2016 LegCo General Election have also highlighted public concern on the possibility of persons using counterfeit documents or impersonating electors to apply for ballot papers. In order to prevent impersonation of electors and to maintain public confidence in the integrity of the electoral system, there is merit in adopting a more prudent approach in ascertaining the identity of an elector before issuance of ballot paper(s).

Revised requirement

7. Section 50(1) of Cap. 541D is amended to the effect that the PRO must not give a ballot paper to a person unless the PRO is satisfied, by inspecting the document(s) set out below, that he/she is the person registered in the FR whom he/she claims to be –

- (a) the original of that person’s identity document, typically an HKID (in other words, the existing statutory requirement for inspection of an identity document would be maintained, but the alternative of “any other document showing that person’s name and

photograph” would be replaced by specific documents set out in paragraph 7(b) below); or

- (b) in order to preserve the voting right of a registered elector, as alternative measures, –
 - (i) the original of an acknowledgement of application for the HKID issued by the Immigration Department (“ImmD”) when the person has applied for, but is awaiting, the issuance of an HKID; or
 - (ii) the original of the person’s valid HKSAR Passport; or
 - (iii) the original of the person’s valid seaman’s identity book (“SIB”)² issued by the ImmD; or
 - (iv) the original of the person’s valid document of identity for visa purposes (“Doc/I”)³ issued by the ImmD; or
 - (v) a document evidencing a report to a police officer of the loss or destruction of the person’s identity document, together with the original of a valid passport or similar travel document (e.g., a passport (other than the HKSAR Passport) or the Home Return Permit showing his/her name and photograph, and a copy of his/her identity document in paper form showing his/her name, photograph and identity document number; or
- (c) for an elector at a DPS situated in a prison, a document issued by the Commissioner of Correctional Services (“CCS”) showing that person’s name, photograph and prisoner registration number (i.e. his/her identity tag) (in other words, the existing

² SIB is a seafarer’s travel document issued by the ImmD for providing the holder with identity papers in lieu of a national passport.

³ Hong Kong residents who are not eligible for the HKSAR Passport may apply for the Doc/I which can serve as their travel documents.

arrangements would be maintained and expressly provided for).

8. The amendment in paragraph 7(a) above to require the production of the original of an identity document (typically an HKID) would serve to implement the EAC's recommendation. At present, every person who has attained the age of 15 years and is the holder of an identity card issued under the Registration of Persons Ordinance (Cap. 177) shall have with him/her at all times proof of his/her identity in accordance with section 17C of the Immigration Ordinance (Cap. 115). Therefore, there should not be any difficulty for an elector to produce the original of his/her HKID when applying for ballot paper(s) at the polling station. In fact, most electors were able to produce their HKIDs in the past.

Alternative measures

9. We are mindful that the amendment should not impose any unreasonable restrictions on an eligible elector's right to vote. We have therefore put in place alternative measures (as detailed in paragraph 7(b) above) to cater for realistic situations where an elector has genuine and justifiable difficulty in producing the original of his/her identity document (e.g., loss of HKID on or some days before the polling day). We consider that the PRO may still issue ballot paper(s) to an elector if the PRO is satisfied of the elector's identity upon inspecting the document listed in paragraph 7(b)(i), (ii), (iii) or (iv) above. All these documents are issued by the HKSAR Government, bear the holder's name, photograph and HKID number, and are commonly accepted as proof of identity. We also introduce another alternative measure as detailed in paragraph 7(b)(v) above to cater for situations where a valid passport or similar travel document (e.g., a passport (other than the HKSAR Passport) or the Home Return Permit) showing the holder's name and photograph could be produced.

10. We consider that the alternative measures as set out above strike a good balance between the need to adopt a more prudent approach in ascertaining the identity of an elector before issuance of ballot paper(s) and the need to avoid imposing any unreasonable restrictions on an eligible elector's right to vote.

Arrangements for dedicated polling stations situated in prisons

11. For DPSs situated in prisons, an elector cannot produce his/her HKID under the present arrangement since it is kept by the Correctional Services Department (“CSD”). Instead, such an elector produces his/her identity tag issued by the CCS bearing his/her name, prisoner registration number, photograph and other personal particulars (not including the HKID number). On the polling day, pursuant to section 30(6) of Cap. 541D, the CSD issues a memorandum to each PRO of DPSs situated in prisons providing the names, prisoner registration numbers and HKID numbers of all electors who may vote at that DPS. When an elector produces his/her identity tag to the PRO, the PRO would check his/her name, photograph and prisoner registration number on the identity tag and the information (including HKID number) on the CSD’s memorandum against the corresponding entries in the FR before issuing a ballot paper to the elector. As PROs will no longer accept “any other document showing that person’s name and photograph” under the amended provision, we need to expressly provide for the acceptance of the identity tag issued by the CCS under the law (i.e. paragraph 7(c) above).

Other public elections

12. In addition to Cap. 541D for LegCo election, similar amendments are made to the EAC Regulations in respect of District Council election, Election Committee subsector elections, Chief Executive election and Rural Representative election respectively, with necessary modifications.

THE AMENDMENT REGULATIONS

13. The Amendment Regulations seek to amend the following EAC Regulations –

- (a) Electoral Affairs Commission (Electoral Procedure) (Legislative Council) Regulation (Cap. 541D);
- (b) Electoral Affairs Commission (Electoral Procedure) (District Councils) Regulation (Cap. 541F);
- (c) Electoral Affairs Commission (Electoral Procedure) (Election Committee) Regulation (Cap. 541I);

(d) Electoral Procedure (Chief Executive Election) Regulation (Cap. 541J); and

(e) Electoral Procedure (Rural Representative Election) Regulation (Cap. 541L),

to provide for the documents to be inspected by the PRO or polling officer, as appropriate, for satisfying himself/herself of a person's identity before giving a ballot paper to that person.

LEGISLATIVE TIMETABLE

14. The Amendment Regulations will be published in the Gazette on 23 June 2017 and tabled in the LegCo on 28 June 2017 for negative vetting. Subject to negative vetting by the LegCo, the Amendment Regulations will come into operation on 1 December 2017.

IMPLICATIONS OF THE AMENDMENT REGULATIONS

15. The Amendment Regulations are in conformity with the Basic Law, including the provisions concerning human rights. They have no civil service, economic, environmental, family, financial, gender, productivity or sustainability implications. The amendments will not affect the current binding effect of the respective Regulations.

PUBLIC CONSULTATION

16. We consulted the LegCo Panel on Constitutional Affairs on 25 January 2017 on the EAC report on the 2016 LegCo General Election, including the EAC's recommendations in the report. A Member asked the Government to consider introducing legislative amendments to stipulate that a ballot paper would be issued to an elector only when he/she produced his/her HKID. Another Member asked the Government to review relevant workflow in issuing ballot papers to prevent recurrence of similar incidents mentioned in paragraph 4 above. Other Members did not make any comments on the EAC's recommendation regarding production of HKID to apply for ballot papers as detailed in paragraph 5 above at the meeting.

PUBLICITY

17. A press release will be issued and a spokesman will be made available to answer public enquiries.

ENQUIRIES

18. For enquiries about the Amendment Regulations, please contact Mr. Michael TONG Wai-ching, Deputy Chief Electoral Officer (Elections)¹ of the Registration and Electoral Office, at 2827 7139.

Registration and Electoral Office
June 2017

**Electoral Affairs Commission (Electoral Procedure)
(Legislative Council) (Amendment) Regulation 2017**

(Made by the Electoral Affairs Commission under section 7 of the Electoral Affairs Commission Ordinance (Cap. 541))

1. Commencement

This Regulation comes into operation on 1 December 2017.

**2. Electoral Affairs Commission (Electoral Procedure)
(Legislative Council) Regulation amended**

The Electoral Affairs Commission (Electoral Procedure) (Legislative Council) Regulation (Cap. 541 sub. leg. D) is amended as set out in section 3.

**3. Section 50 amended (ballot paper to be given to person only if
Presiding Officer is satisfied of person's identity)**

(1) Section 50(1)—

Repeal

“by inspecting that person's identity document or any other document showing the person's name and photograph”

Substitute

“, by inspecting the document or documents set out in subsection (1A) or (1B),”.

(2) After section 50(1)—

Add

“(1A) For a person applying for a ballot paper at a polling station (other than a dedicated polling station situated in

a prison), the document or documents referred to in subsection (1) are any of the following—

- (a) the person's identity document;
- (b) a document issued by the Commissioner of Registration acknowledging that the person has applied—
 - (i) to be registered under the Registration of Persons Ordinance (Cap. 177); or
 - (ii) for a new identity card under regulation 13 or 14 of the Registration of Persons Regulations (Cap. 177 sub. leg. A);
- (c) a valid Hong Kong Special Administrative Region Passport issued to the person under the Hong Kong Special Administrative Region Passports Ordinance (Cap. 539);
- (d) a valid identity book for a seaman issued to the person under regulation 3 of the Immigration Regulations (Cap. 115 sub. leg. A);
- (e) a valid document of identity issued to the person under regulation 3 of the Immigration Regulations (Cap. 115 sub. leg. A);
- (f) all of the following documents—
 - (i) a document evidencing a report to a police officer of the loss or destruction of the person's identity document;
 - (ii) a valid passport or similar travel document (not being one referred to in another paragraph in this subsection) issued to the person showing the person's name and photograph;

- (iii) a copy of the person's identity document in paper form showing the person's name, photograph and identity document number.
- (1B) For a person applying for a ballot paper at a dedicated polling station situated in a prison, the document referred to in subsection (1) is a document issued by the Commissioner of Correctional Services showing—
- (a) the person's name;
 - (b) the person's photograph; and
 - (c) the prisoner registration number allocated by that Commissioner to the person for identification purposes.”.

Made this day of June 2017.

The Hon. Mr. Justice
Barnabas Wah FUNG
Chairman,
Electoral Affairs Commission

Arthur Yee-shun LUK
Member,
Electoral Affairs Commission

Fanny M. C. CHEUNG
Member,
Electoral Affairs Commission

Explanatory Note

This Regulation amends the Electoral Affairs Commission (Electoral Procedure) (Legislative Council) Regulation (Cap. 541 sub. leg. D) to provide for the documents to be inspected by the Presiding Officer for satisfying himself or herself of the identity of an elector or authorized representative before giving a ballot paper to the elector or authorized representative.

**Electoral Affairs Commission (Electoral Procedure)
(District Councils) (Amendment) Regulation 2017**

(Made by the Electoral Affairs Commission under section 7 of the Electoral
Affairs Commission Ordinance (Cap. 541))

1. Commencement

This Regulation comes into operation on 1 December 2017.

**2. Electoral Affairs Commission (Electoral Procedure) (District
Councils) Regulation amended**

The Electoral Affairs Commission (Electoral Procedure) (District
Councils) Regulation (Cap. 541 sub. leg. F) is amended as set out in
section 3.

**3. Section 53 amended (ballot paper to be given to a person only if
Presiding Officer is satisfied of the person's identity)**

(1) Section 53(1)—

Repeal

“by inspecting that person's identity document or any other
document showing the person's name and photograph”

Substitute

“, by inspecting the document or documents set out in
subsection (1A) or (1B),”.

(2) After section 53(1)—

Add

“(1A) For a person applying for a ballot paper at a polling
station (other than a dedicated polling station situated in

a prison), the document or documents referred to in
subsection (1) are any of the following—

- (a) the person's identity document;
- (b) a document issued by the Commissioner of
Registration acknowledging that the person has
applied—
 - (i) to be registered under the Registration of
Persons Ordinance (Cap. 177); or
 - (ii) for a new identity card under regulation 13 or
14 of the Registration of Persons Regulations
(Cap. 177 sub. leg. A);
- (c) a valid Hong Kong Special Administrative Region
Passport issued to the person under the Hong Kong
Special Administrative Region Passports
Ordinance (Cap. 539);
- (d) a valid identity book for a seaman issued to the
person under regulation 3 of the Immigration
Regulations (Cap. 115 sub. leg. A);
- (e) a valid document of identity issued to the person
under regulation 3 of the Immigration Regulations
(Cap. 115 sub. leg. A);
- (f) all of the following documents—
 - (i) a document evidencing a report to a police
officer of the loss or destruction of the
person's identity document;
 - (ii) a valid passport or similar travel document
(not being one referred to in another
paragraph in this subsection) issued to the
person showing the person's name and
photograph;

(iii) a copy of the person's identity document in paper form showing the person's name, photograph and identity document number.

(1B) For a person applying for a ballot paper at a dedicated polling station situated in a prison, the document referred to in subsection (1) is a document issued by the Commissioner of Correctional Services showing—

- (a) the person's name;
- (b) the person's photograph; and
- (c) the prisoner registration number allocated by that Commissioner to the person for identification purposes.”.

Made this day of June 2017.

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Member,
Electoral Affairs Commission

Explanatory Note

This Regulation amends the Electoral Affairs Commission (Electoral Procedure) (District Councils) Regulation (Cap. 541 sub. leg. F) to provide for the documents to be inspected by the Presiding Officer for satisfying himself or herself of an elector's identity before giving a ballot paper to the elector.

**Electoral Affairs Commission (Electoral Procedure)
(Election Committee) (Amendment) Regulation 2017**

(Made by the Electoral Affairs Commission under section 7 of the Electoral
Affairs Commission Ordinance (Cap. 541))

1. Commencement

This Regulation comes into operation on 1 December 2017.

**2. Electoral Affairs Commission (Electoral Procedure) (Election
Committee) Regulation amended**

The Electoral Affairs Commission (Electoral Procedure) (Election
Committee) Regulation (Cap. 541 sub. leg. I) is amended as set out
in section 3.

**3. Section 50 amended (ballot paper to be issued to person only if
Presiding Officer is satisfied of person's identity)**

(1) Section 50(1)—

Repeal

“by inspecting that person's identity document or any other
document showing the person's name and photograph”

Substitute

“, by inspecting the document or documents set out in
subsection (1A) or (1B).”

(2) After section 50(1)—

Add

“(1A) For a person applying for a ballot paper at a polling
station (other than a dedicated polling station situated in

a prison), the document or documents referred to in
subsection (1) are any of the following—

- (a) the person's identity document;
- (b) a document issued by the Commissioner of
Registration acknowledging that the person has
applied—
 - (i) to be registered under the Registration of
Persons Ordinance (Cap. 177); or
 - (ii) for a new identity card under regulation 13 or
14 of the Registration of Persons Regulations
(Cap. 177 sub. leg. A);
- (c) a valid Hong Kong Special Administrative Region
Passport issued to the person under the Hong Kong
Special Administrative Region Passports
Ordinance (Cap. 539);
- (d) a valid identity book for a seaman issued to the
person under regulation 3 of the Immigration
Regulations (Cap. 115 sub. leg. A);
- (e) a valid document of identity issued to the person
under regulation 3 of the Immigration Regulations
(Cap. 115 sub. leg. A);
- (f) all of the following documents—
 - (i) a document evidencing a report to a police
officer of the loss or destruction of the
person's identity document;
 - (ii) a valid passport or similar travel document
(not being one referred to in another
paragraph in this subsection) issued to the
person showing the person's name and
photograph;

- (iii) a copy of the person's identity document in paper form showing the person's name, photograph and identity document number.
- (1B) For a person applying for a ballot paper at a dedicated polling station situated in a prison, the document referred to in subsection (1) is a document issued by the Commissioner of Correctional Services showing—
- (a) the person's name;
 - (b) the person's photograph; and
 - (c) the prisoner registration number allocated by that Commissioner to the person for identification purposes.”.

Made this day of June 2017.

The Hon. Mr. Justice
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Arthur Yee-shun LUK
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Electoral Affairs Commission

Fanny M. C. CHEUNG
Member,
Electoral Affairs Commission

Explanatory Note

This Regulation amends the Electoral Affairs Commission (Electoral Procedure) (Election Committee) Regulation (Cap. 541 sub. leg. D) to provide for the documents to be inspected by the Presiding Officer for satisfying himself or herself of the identity of a voter or authorized representative before issuing a ballot paper to the voter or authorized representative.

Electoral Procedure (Chief Executive Election) (Amendment) Regulation 2017

(Made by the Electoral Affairs Commission under section 7 of the Electoral Affairs Commission Ordinance (Cap. 541))

1. Commencement

This Regulation comes into operation on 1 December 2017.

2. Electoral Procedure (Chief Executive Election) Regulation amended

The Electoral Procedure (Chief Executive Election) Regulation (Cap. 541 sub. leg. J) is amended as set out in section 3.

3. Section 34 amended (issue of ballot paper)

(1) Section 34(1)(a)—

Repeal

“by inspecting the person’s identity document”

Substitute

“, by inspecting the document or documents set out in subsection (1A) or (1B),”.

(2) After section 34(1)—

Add

“(1A) For a person applying for a ballot paper at a polling station (other than a dedicated polling station situated in a prison), the document or documents referred to in subsection (1)(a) are any of the following—

(a) the person’s identity document;

- (b) a document issued by the Commissioner of Registration acknowledging that the person has applied—
 - (i) to be registered under the Registration of Persons Ordinance (Cap. 177); or
 - (ii) for a new identity card under regulation 13 or 14 of the Registration of Persons Regulations (Cap. 177 sub. leg. A);
- (c) a valid Hong Kong Special Administrative Region Passport issued to the person under the Hong Kong Special Administrative Region Passports Ordinance (Cap. 539);
- (d) a valid identity book for a seaman issued to the person under regulation 3 of the Immigration Regulations (Cap. 115 sub. leg. A);
- (e) a valid document of identity issued to the person under regulation 3 of the Immigration Regulations (Cap. 115 sub. leg. A);
- (f) all of the following documents—
 - (i) a document evidencing a report to a police officer of the loss or destruction of the person’s identity document;
 - (ii) a valid passport or similar travel document (not being one referred to in another paragraph in this subsection) issued to the person showing the person’s name and photograph;
 - (iii) a copy of the person’s identity document in paper form showing the person’s name, photograph and identity document number.

(1B) For a person applying for a ballot paper at a dedicated polling station situated in a prison, the document referred to in subsection (1)(a) is a document issued by the Commissioner of Correctional Services showing—

- (a) the person's name;
- (b) the person's photograph; and
- (c) the prisoner registration number allocated by that Commissioner to the person for identification purposes.”.

Made this day of June 2017.

The Hon. Mr. Justice
Barnabas Wah FUNG
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Arthur Yee-shun LUK
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Fanny M. C. CHEUNG
Member,
Electoral Affairs Commission

Explanatory Note

This Regulation amends the Electoral Procedure (Chief Executive Election) Regulation (Cap. 541 sub. leg. J) to provide for the documents to be inspected by the polling officer for satisfying himself or herself of an elector's identity before issuing a ballot paper to the elector.

Electoral Procedure (Rural Representative Election) (Amendment) Regulation 2017

(Made by the Electoral Affairs Commission under section 7 of the Electoral Affairs Commission Ordinance (Cap. 541))

1. Commencement

This Regulation comes into operation on 1 December 2017.

2. Electoral Procedure (Rural Representative Election) Regulation amended

The Electoral Procedure (Rural Representative Election) Regulation (Cap. 541 sub. leg. L) is amended as set out in section 3.

3. Section 45 amended (issue of ballot paper)

(1) Section 45(1)—

Repeal

“by inspecting the person’s identity document”

Substitute

“, by inspecting the document or documents set out in subsection (2A) or (2B),”.

(2) Section 45(2)—

Repeal

“by inspecting the person’s identity document”

Substitute

“, by inspecting the document or documents set out in subsection (2A) or (2B),”.

(3) After section 45(2)—

Add

- “(2A) For a person applying for a ballot paper at a polling station (other than a dedicated polling station situated in a prison), the document or documents referred to in subsections (1) and (2) are any of the following—
- (a) the person’s identity document;
 - (b) a document issued by the Commissioner of Registration acknowledging that the person has applied—
 - (i) to be registered under the Registration of Persons Ordinance (Cap. 177); or
 - (ii) for a new identity card under regulation 13 or 14 of the Registration of Persons Regulations (Cap. 177 sub. leg. A);
 - (c) a valid Hong Kong Special Administrative Region Passport issued to the person under the Hong Kong Special Administrative Region Passports Ordinance (Cap. 539);
 - (d) a valid identity book for a seaman issued to the person under regulation 3 of the Immigration Regulations (Cap. 115 sub. leg. A);
 - (e) a valid document of identity issued to the person under regulation 3 of the Immigration Regulations (Cap. 115 sub. leg. A);
 - (f) all of the following documents—
 - (i) a document evidencing a report to a police officer of the loss or destruction of the person’s identity document;
 - (ii) a valid passport or similar travel document (not being one referred to in another

paragraph in this subsection) issued to the person showing the person's name and photograph;

- (iii) a copy of the person's identity document in paper form showing the person's name, photograph and identity document number.

(2B) For a person applying for a ballot paper at a dedicated polling station situated in a prison, the document referred to in subsections (1) and (2) is a document issued by the Commissioner of Correctional Services showing—

- (a) the person's name;
- (b) the person's photograph; and
- (c) the prisoner registration number allocated by that Commissioner to the person for identification purposes.”.

Made this day of June 2017.

The Hon. Mr. Justice
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Member,
Electoral Affairs Commission

Explanatory Note

This Regulation amends the Electoral Procedure (Rural Representative Election) Regulation (Cap. 541 sub. leg. L) to provide for the documents to be inspected by the polling officer for satisfying himself or herself of an elector's identity before issuing a ballot paper to the elector.