

L.N. 130 of 2017

**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;

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- (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 19th day of June 2017.

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

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

L.N. 130 of 2017
B3931

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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.