

**Bills Committee on  
Electoral Legislation (Miscellaneous Amendments) Bill 2019**

**Follow up on issues raised at the meetings  
on 26 April 2019 and 3 May 2019**

At the meetings of the Bills Committee on Electoral Legislation (Miscellaneous Amendments) (“EL(MA)”) Bill 2019 on 26 April and 3 May 2019, Members enquired whether in the past there were cases where new umbrella organisations (“UOs”) were added to functional constituencies (“FCs”), and the criteria adopted by the Government for processing such cases; and the number of invoices and receipts submitted by each candidate in the election return in the Chief Executive (“CE”) elections. This paper provides Members with the relevant information for reference.

**Addition of new UOs in FCs**

2. Following the established practice, before each Legislative Council (“LegCo”) general election, the Constitutional and Mainland Affairs Bureau would conduct a review on the delineation of the electorate of all FCs under the Legislative Council Ordinance (Cap. 542) in consultation with relevant bureaux/departments. The present review was also conducted on the basis of the existing electorate and all relevant requests received since the last review in 2015, including requests for inclusion as UOs into FCs. When considering the requests from individual bodies for inclusion into FCs, we will consult the relevant bureaux/departments with reference to various applicable factors, including whether the bodies are representative in the sector, the contributions of the bodies to the sector, their degree of activeness, etc. On the basis of maintaining the original delineation of the electorate of the FCs, new UOs have in the past been added in the light of the prevailing situation of the FCs concerned.

**Number of invoices and receipts submitted by candidates in CE elections**

3. In accordance with Section 37(2)(b) of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554) (“ECICO”), candidates must ensure that their election returns are accompanied by an invoice and a receipt in the

case of each election expenses of \$100 or more, and a copy of the receipt issued to the donor in the case of each election donation of more than \$1,000. On the other hand, according to Section 37(1A) and 37(1B) of the ECICO, candidates must submit the election returns for CE elections within 30 days after the result of the election is published in the Gazette. As mentioned in paragraph 9(c) of the LegCo Brief, since CE elections involve a considerable amount of election expenses, we appreciate that candidates would need more time to properly prepare and verify their election returns. We therefore propose in the EL(MA)Bill 2019 to extend the deadline for submitting election returns for CE elections from 30 days to 60 days, in line with that for the LegCo elections.

4. In accordance with the established procedures, the Registration and Electoral Office (“REO”) will conduct checking of all election returns upon receipt of the returns from candidates, and record the total election expenses of each candidate and any irregularities found in the election returns in the process. According to REO’s records, in relation to the 2017 CE Election, the number of invoices and receipts submitted by each validly nominated candidate ranged from 430 to 1,714. Based on past experience, we consider that candidates should have sufficient time to handle the necessary work after extending the deadline for submitting election returns from 30 days to 60 days.

**Constitutional and Mainland Affairs Bureau**  
**Registration and Electoral Office**  
**May 2019**