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27 April 2021

Ms Clara WONG
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1 Legislative Council Road
Central, Hong Kong

Dear Ms Wong,

Improving Electoral System (Consolidated Amendments) Bill 2021

In response to the law drafting issues concerning the Chinese text of the Bill raised in your letter dated 23 April 2021, our reply is set out below.

Clause	Response
Part 3	
1. Clause 18	● The use of “(包括該兩日)” in the relevant clause is the current standard Chinese equivalent of “(both dates inclusive)”. It is clear that the expression covers both dates of “16 April 2021” and “1 August 2021”. We consider that no amendment is needed.

Clause	Response
2. Clauses 19 & 29	<ul style="list-style-type: none"> “户” is the standard Chinese character currently adopted in our legislation. Reference on the standard form of Chinese characters may be made to 《常用字字形表》 published by the Education Bureau.
3. Clauses 102, 161 and 202	<ul style="list-style-type: none"> We do not consider it appropriate to add “在” before “該土地”. The word “在” unnecessarily suggests a physical connotation. The Chinese rendition used in the Bill is consistent with other existing legislation, for example, the definition of “owner” in section 2(1) of the Land Titles Ordinance (Cap. 585).
4. Clause 185	<ul style="list-style-type: none"> We agree with the proposal and will move a committee stage amendment to replace “一份” with “1 份”.
Part 4	
5. Clause 271	<ul style="list-style-type: none"> We agree with the observation and will move a committee stage amendment to add “成員” after “校董會”.
6. Clause 284	<ul style="list-style-type: none"> In clause 284(2) of the Bill, section 20X(b)(xii) of the Legislative Council Ordinance (Cap. 542) is proposed to be amended by repealing “及” in consequence of the proposed repeal of paragraphs (c), (d) and (e) of that section. We do not consider it necessary to add “及” in section 20X(b)(x).
7. Clause 312	<ul style="list-style-type: none"> We agree with the observation and will move a committee stage amendment to replace “一名” with “1 名”.
Section 7	
8. Clause 401	<ul style="list-style-type: none"> Regarding (a), we confirm that “principal official” referred to in section 5L(3)(a) of the Schedule to the Chief Executive Election Ordinance (Cap. 569) (“CEEEO”) is the same as that referred to in Article 48(5) of the Basic Law.

	<ul style="list-style-type: none">● Regarding (b), the wording of “在提交登記表格當日前的 5 年內被裁定或曾被裁定犯以下罪行...” follows the wording of existing provisions, i.e. sections 9(1)(c) and 18(1)(e) of the Schedule to CEEO for consistency. This provision does not cover any conviction subsequently overturned.
9. Clause 405	<ul style="list-style-type: none">● We confirm that the existing Chinese and English names are correct.
10. Clause 402(3)	<ul style="list-style-type: none">● The expression “提名為” in the Chinese context clearly connotes passive in nature. We consider that no amendment is needed.
11. Clause 427	<ul style="list-style-type: none">● We confirm that “香港中國企業協會會董會” is the correct representation of “Board of the Hong Kong Chinese Enterprises Association”. We will move a committee stage amendment accordingly.
12. Clause 434	<ul style="list-style-type: none">● Regarding (a), the existing wording used in the Bill is the registered name of the company. We consider that no amendment is needed.● Regarding (b) and (c), we agree with the proposals and will move committee stage amendments in this respect.● Regarding (d), the Chinese name of the association is “香港中律協” (registration no.: 0047142) according to the List of All Societies and Branches Registered or Exempted from Registration¹ maintained by the Hong Kong Police Force. No amendment is needed.

Yours sincerely,



(Ms Cherie YEUNG)
for Secretary for Constitutional and
Mainland Affairs

¹ See <https://www.police.gov.hk/info/doc/srr012n.pdf>.

c.c.

Legislative Council Secretariat

Clerk to Bills Committee on

Ms Joanne MAK

Improving Electoral System

(Consolidated Amendments)

Bill 2021

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