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LEGISLATIVE COUNCIL BRIEF

IMPROVING ELECTORAL SYSTEM (CONSOLIDATED AMENDMENTS) BILL 2021

INTRODUCTION

At the meeting of the Executive Council ("ExCo") on 13 April 2021, the Council ADVISED and the Chief Executive ORDERED that the Improving Electoral System (Consolidated Amendments) Bill 2021 ("the Bill"), at **Annex A**, should be introduced into the Legislative Council ("LegCo").

A

2. The Bill mainly comprises the following areas of amendments:

(a) amending the election date for the 2021 LegCo General Election ("LCGE") stipulated in the Emergency (Date of General Election) (Seventh Term of the Legislative Council) Regulation (Cap. 241L);
(b) reconstituting the Election Committee ("EC"), introduction of oath-taking requirement and related matters;
(c) providing for the method for selecting the Chief Executive ("CE") and related matters;
(d) updating the composition and formation of the LegCo[1];
(e) revising the arrangements of voter registration ("VR");
(f) updating the eligibility of becoming candidates in CE elections, EC Subsector ("ECSS") elections, and LegCo elections;
(g) setting the election expenses limits ("EELs") for Geographical Constituencies ("GCs"), Functional Constituencies ("FCs"), and the Election Committee Constituency ("ECC") starting from the 2021 LCGE;
(h) providing for the electoral arrangements for the LegCo ECC;
(i) making consequential amendments to the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554) ("ECICO") and its subsidiary legislation in light of the matters in (b) and (d) above;
(j) introducing a new offence under the ECICO to prohibit any person from inciting another person not to vote, to cast a blank or invalid vote by way of public activity during an election period, and

H

[1] The approved map mentioned in Part 4 of the Bill is at **Annex H**.

providing that any person who wilfully obstructs or prevents another person from voting at an election commits a corrupt conduct;

(k) implementing electronic poll register ("EPR") on the polling day of public elections[2];

(l) enhancing the inspection and compilation of the registers of electors;

(m) empowering the Presiding Officers ("PROs") to set up a special queue for electors in need in public elections;

(n) empowering the Chief Electoral Officer ("CEO") to require schools and non-government organisations ("NGOs") receiving grants from the Government to make available their premises for use as polling station(s) and/or counting station(s) in public elections; and

(o) lifting the requirement of withholding financial assistance ("FA") payable until disposal of election petitions ("EPs") arising from LegCo and District Council ("DC") elections.

JUSTIFICATIONS

3. In recent years, Hong Kong has faced circumstances that are not conducive to the thorough and accurate implementation of "One Country, Two Systems". This is particularly so since the onset of the disturbances arising from the opposition to the proposed legislative amendments to the Fugitive Offenders Ordinance in June 2019, and henceforth the year-long social unrest had thrown citizens into great fear. Groups advocating "Hong Kong independence", organising resistance against the governance of the Central Authorities, and even colluding with external elements to interfere with Hong Kong's affairs had emerged. These opposition forces and radicals entered the political structure of the Hong Kong Special Administrative Region ("HKSAR") through elections. They paralysed the operation of the LegCo and obstructed governance by HKSAR Government in accordance with the law; supported and glorified violence outside the Council; and orchestrated plans to gain dominance in the LegCo in order to achieve "mutual destruction", all of which seriously jeopardised Hong Kong's constitutional order and challenged national sovereignty. These chaos have exposed the loopholes and deficiencies of Hong Kong's electoral system, which if not rectified in time, will go directly against the principle of "patriots administering Hong Kong"; make it difficult to ensure the faithful implementation of "One Country, Two Systems"; and seriously impair Hong Kong's prosperity and stability.

[2] The elections concerned are CE elections, the ECSS elections, LegCo elections and DC elections.

4. The National People's Congress ("NPC") made the Decision on Improving the Electoral System of the Hong Kong Special Administrative Region ("the Decision") on 11 March 2021 and laid down the fundamental principles for amending Annexes I and II to the Basic Law: (i) fully and accurately upholding and implementing the principles of "One Country, Two Systems", "Hong Kong people administering Hong Kong" and a high degree of autonomy; (ii) firmly safeguarding the constitutional order of the HKSAR as enshrined under the Constitution and the Basic Law; (iii) ensuring "patriots administering Hong Kong"; (iv) effectively enhancing the governance capability of the HKSAR; and (v) upholding HKSAR permanent residents' right to vote and the right to stand for election in accordance with law.

5. The Decision authorised the Standing Committee of the National People's Congress ("NPCSC") to amend Annexes I and II to the Basic Law in accordance with the above fundamental principles. The NPCSC on 30 March adopted the amended Annexes I and II to the Basic law. According to Article 7 of the Decision, the HKSAR Government shall, according to the Decision and the amended Annexes I and II to the Basic Law, amend the relevant local legislation and organise and regulate the relevant electoral activities in accordance with law. According to the amended Annexes I and II to the Basic Law, the specific election or formation methods of the CE, the EC and the LegCo, including matters such as the delineation of eligible corporate electors of the relevant ECSSs or FCs, the delineation of GCs, the nomination method and the voting method, shall be prescribed by the HKSAR by means of electoral law. It is therefore incumbent upon the HKSAR Government to implement the new electoral system that accords with the actual situation in Hong Kong by way of local legislation.

6. Besides, amid the severe COVID-19 epidemic situation, the 2020 LCGE originally scheduled for 6 September 2020 was postponed for a year, and the NPCSC decided that the sixth term LegCo is to continue to discharge duties for not less than one year until the seventh term of office of the LegCo begins. There were various calls in the society requesting the Electoral Affairs Commission ("EAC") to modify and enhance the existing electoral arrangements. The EAC submitted to the CE on 9 October 2020 a report on the discontinued 2020 LCGE and made a number of recommendations. At the same time, the Constitutional and Mainland Affairs Bureau, together with the Registration and Electoral Office ("REO") and the Department of Justice ("DoJ"), have further examined the relevant electoral legislation which regulate various electoral arrangements. With reference to the recommendations as set out in the EAC's report and public opinion, the Government needs to amend the relevant electoral legislation to implement a host of measures to enhance the electoral arrangements (i.e. items (k) to (o) in paragraph 2 above).

(A) Amending the election date for the 2021 LCGE stipulated in the Emergency (Date of General Election)(Seventh Term of the Legislative Council) Regulation

7. Amidst the severe epidemic situation in Hong Kong, the CE announced on 31 July last year that the 2020 LCGE, originally scheduled for September, would be postponed for a year to 5 September 2021, in order to protect public safety and public health as well as ensure that the election would be conducted openly and fairly. To implement this decision, the CE in Council had invoked the Emergency Regulations Ordinance (Cap. 241) to make the Emergency (Date of General Election) (Seventh Term of the Legislative Council) Regulation. The Regulation specifies the new election date and has brought the original electoral process to an end.

8. The amended Annex II to the Basic Law has revised the method for the formation of the LegCo and its voting procedures. Among others, the LegCo composition will include the ECC to be returned by the EC members. Considering that the LegCo ECC will be returned by the EC formed in accordance with the amended Annex I to the Basic Law (details at paragraphs 9 to 10 below), and all candidates in LegCo elections must be subscribed by 2 to 4 members from each sector of the EC, there is a need for the 2021 Election Committee Subsector Ordinary Elections ("ECSSOE") to be held prior to the LCGE. In this regard, we recommend that the ECSSOE be held on 19 September 2021, whilst the general election for the seventh term of LegCo ("seventh term LCGE") will be held on 19 December this year, which is after the formation of the EC. We therefore recommend to amend the date of the 2021 LCGE set out in the Emergency (Date of General Election) (Seventh Term of the Legislative Council) Regulation from 5 September 2021 to 19 December 2021.

(B) Reconstituting the EC, introduction of oath-taking requirement and related matters

<u>Size and Composition of the EC</u>

9. According to the Decision, the EC should be broadly representative, suited to HKSAR's actual situation, and representative of the overall interests of society. It is composed of 1 500 members from the following five sectors:

Sectors	Seats
First Sector: Industrial, commercial and financial sectors	300

Sectors	Seats
Second Sector: The professions	300
Third Sector: Grassroots, labour, religious and other sectors	300
Fourth Sector: Members of the Legislative Council, representatives of district organisations and other organisations	300
Fifth Sector: HKSAR deputies to the NPC, HKSAR members of the National Committee of the Chinese People's Political Consultative Conference ("CPPCC"), and representatives of Hong Kong members of relevant national organisations	300

B

10. The five sectors are composed of 40 subsectors and the detailed distribution of seats is at **Annex B**. As compared to the current composition of the EC, major amendments are as follows:

(a) The First Sector will have 18 subsectors with 15 to 17 seats each:

(i) the existing "Hong Kong Chinese Enterprises Association" subsector would be renamed as "Commercial (third)" subsector, and be assigned 17 seats;
(ii) a new subsector, viz. "small and medium enterprises" ("SME") subsector would be created with 15 seats; and
(iii) the seats assigned to the remaining 16 subsectors would be reduced by one seat each.

(b) The Second Sector will have ten subsectors with 30 seats each:

(i) the existing "Education" and "Higher Education" subsectors (each with 30 seats originally) would be merged and become the "Education" subsector;
(ii) the "Medical" and "Health Services" subsectors (each with 30 seats originally) would be merged and become the "Medical and Health Services" subsector with 30 seats;
(iii) a new subsector, viz. the "Technology and Innovation" subsector would be added to replace the "Information Technology" subsector;
(iv) the "Social Welfare" subsector, originally under the Third Sector (with 60 seats originally), would be added to this Sector; and
(v) the "Sports, Performing Arts, Culture and Publication" subsector, originally under the Third Sector (with 60 seats originally), would be added to this Sector. There will no longer be sub-subsectors under this subsector.

(c) The Third Sector will have five subsectors with 60 seats each:

(i) the "Social Welfare" and "Sports, Performing Arts, Culture and Publication" would be moved to the Second Sector; and
(ii) two new subsectors, i.e. "Grassroots associations" and "Associations of Chinese fellow townsmen" subsectors would be created.

(d) The Fourth Sector will have five subsectors:

(i) the "National People's Congress" and "Chinese People's Political Consultative Conference" subsectors would be moved to the Fifth Sector;
(ii) two subsectors, viz. "Representatives of members of Area Committees, District Fight Crime Committees, and District Fire Safety Committees of Hong Kong Island and Kowloon" and "Representatives of members of Area Committees, District Fight Crime Committees, and District Fire Safety Committees of the New Territories" subsectors would be created and assigned with 76 and 80 seats respectively, while the "Hong Kong and Kowloon District Councils" and "New Territories District Councils" subsectors would be abolished;
(iii) the number of seats assigned to "Heung Yee Kuk" ("HYK") subsector would be increased by one seat to 27 seats;
(iv) the original "Members of the LegCo" subsector would be assigned with 90 seats; and
(v) a new subsector, viz. "Representatives of associations of Hong Kong residents in the Mainland" subsector would be created with 27 seats.

(e) A new Fifth Sector will be created with two subsectors, viz. "HKSAR deputies to the NPC and HKSAR members of the CPPCC National Committee" subsector ("NPC and CPPCC subsector") and "Representatives of Hong Kong members of relevant national organisations" subsector with 190 and 110 seats respectively.

Constitution of the EC

11. EC members will be returned by the following three methods:

(a) ex-officio members;
(b) nominated by the designated bodies of the subsectors; and
(c) elected by eligible voters in the subsectors.

Ex-officio members

12. There will be ex-officio members in the following subsectors:

(a) Engineering (15 seats);
(b) Architectural, surveying, planning and landscape (15 seats);
(c) Legal (6 seats);
(d) Education (16 seats);
(e) Medical and health services (15 seats);
(f) Social welfare (15 seats);
(g) Members of the LegCo (90 seats); and
(h) NPC and CPPCC (190 seats).

C

The holders of the specified offices in each subsector could be registered as the ex-officio members of the corresponding subsector. Please see **Annex C** for details.

Registration of HKSAR deputies to the NPC ("NPC deputies") and HKSAR members of the CPPCC National Committee ("CPPCC members")

13. All NPC deputies and CPPCC members are the ex-officio members of the EC. Their registration will be coordinated by a relevant organisation. The registration arrangement is as follows:

(a) If an NPC deputy or CPPCC member is also a holder of specified office in another subsector ("specified subsectors") (i.e. subsectors that are not the NPC and CPPCC subsector), he may only register as the ex-officio member of that specified subsector; if he holds more than one specified office in a non-NPC-and- CPPCC subsector, then he may choose to be the ex-officio member of one of the specified subsectors, and designate a person to be the ex-officio member of the remaining subsector (if applicable[3]) in accordance with the requirements; and

(b) if the total number of NPC deputies and CPPCC members who are eligible to be registered as ex-officio members after deducting the number of members registered in specified subsectors per subparagraph (a) above exceeds the total 190 seats assigned to the NPC and CPPCC subsector, then those NPC deputies and CPPCC members may choose to register as ex-officio members in other

[3] This arrangement to designate a person to be the ex-officio member does not apply to the ex-officio seats in the Legal subsector nor the Members of the LegCo subsector.

subsectors that they have substantial connection with. If there are NPC deputies or CPPCC members who choose to register in other subsectors as described in this paragraph, then the number of ex-officio seats of that subsector will increase and the number of elected seats of that subsector will decrease accordingly. After the NPC deputies and CPPCC members are registered as the EC members of the relevant subsectors, the number of ex-officio EC member, and EC members to be returned by nomination or election for each subsector should remain unchanged during that term of the EC.

Registration of ex-officio members

14. All ex-officio members are required to submit registration forms to the Electoral Registration Officer ("ERO") and the validity of their registration will be determined by the Candidate Eligibility Review Committee ("CERC"). Generally speaking, the holders of the specified offices in each of the subsector (i.e. specified persons) may register as the ex-officio members of that subsector. However, under the following circumstances, the specified persons may designate another person (i.e. designated person) who is holding an office in a relevant body to be registered as the ex-officio member of that subsector:

(a) the specified person is ineligible to be registered as ex-officio member, including:

  (i) he is not registered as an elector (or has not made an application to be so registered) under the Legislative Council Ordinance (Cap. 542) ("LCO") in the existing GCs final register ("FR") or is disqualified from being registered as an elector for a GC; or
  (ii) he is a Principal Official or specified officers[4]; or any other civil servant who is holding a specified office in his or her official capacity; or

(b) the specified person is holding more than one specified office, except for the subsector the substitution arrangement of which is already specified[5] in the law or non-applicable subsectors[6].

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[4] They are Principal Officials, directorate officers, administrative officers, information officers, police officers or any other civil servant who is holding a specified office in his official capacity.

[5] That is the Education subsector.

[6] That is the Legal subsector, Members of the LegCo subsector and the NPC and CPPCC subsector.

15. An ex-officio member or a holder of the specified office may not become an EC member through nomination or election. A specified person would be deemed to have resigned from the EC if he / she no longer holds the relevant specified office. Each person may only be registered as the ex-officio member of one subsector.

EC members to be returned by nomination

16. There will be members to be returned by nomination in the following subsectors:

(a) Technology and innovation (15 seats);
(b) Accountancy (15 seats);
(c) Legal (9 seats);
(d) Sports, performing arts, culture and publication (15 seats);
(e) Chinese medicine (15 seats);
(f) Religious (60 seats); and
(g) Representatives of associations of Hong Kong residents in the Mainland (27 seats).

D

Please refer to **Annex D** for the number of members to be returned by nomination and the relevant designated bodies for each subsector.

17. The method for returning EC members through nomination will be as follows:

(a) each relevant designated body should nominate a number of persons selected by it to become its representatives in the EC. The nominee should meet the following requirements:

(i) he is both registered and eligible to be registered under the LCO as an elector for a GC and is not disqualified from being so registered; and
(ii) the person has a substantial connection with the relevant subsector.

(b) If the number of nominees is in excess of the number of seat assigned to the designated body, the designated body should indicate which of the nominees are to be given preference in making up the assigned number or in filling the vacancy; and rank the excess nominees, if more than one, in the order of priority; if the designated body does not indicate which nominees are to be given preference, then the Returning Officer ("RO") should determine the order of priority of those nominees by drawing lots;

(c) the CERC is to determine the validity of the nomination of nominees in accordance with the order of priority indicated in the nomination form or as determined by the RO until the number of seats assigned to the designated body is all filled; and

(d) the RO should announce, in accordance with the regulations, the nominees the nomination of which are determined to be valid by the CERC as the members of the EC.

EC members to be returned by election

Electorate

18. Apart from the EC seats as mentioned in paragraphs 12 and 16 above, other EC members will be returned by election by the registered voters in each subsector. The specified entities which are eligible to be registered as voters for each subsectors are at **Annex E**.

E

19. Except for certain subsectors, all EC subsectors will be elected by corporate voters. Unless specified in the electoral law, an association or enterprise may become a corporate voter for a subsector only if it has been operating for not less than three years after acquiring relevant qualifications for that subsector.

20. In addition, the following subsectors comprise individual voters. To ensure the size of electorate in each subsector, we will require persons who are eligible to register in a subsector with smaller electorate to register in that subsector as per established principle. The priority of registration is as follows:

(a) HYK;

(b) Representatives of Hong Kong members of relevant national organisations; and

(c) Representatives of members of Area Committees, District Fight Crime Committees, and District Fire Safety Committees of Hong Kong Island and Kowloon; or representatives of members of Area Committees, District Fight Crime Committees, and District Fire Safety Committees of the New Territories.

21. In light of the reconstitution of the EC, all existing voters on the 2020 FR for subsectors would not be included on the 2021 FR for subsectors but would be included in the subsector omissions lists ("OL")[7] (except the voters registered in subsectors that are removed[8]). They will be required to submit registration form and/or relevant information to confirm that they remain to be eligible voters after the legislative amendment exercise so as to be included on the 2021 provisional register ("PR") for subsectors. As regards the specified entities that have newly become eligible to register as voters, they are also required to submit registration form before the specified deadlines. For the deadlines for VR, please refer to Part (E) below.

Electoral arrangement of subsector elections

22. The 2021 ECSSOE will be held on 19 September 2021. The number of seats to be returned by election in each subsector will be announced by the CEO, after deducting the number of NPC deputies and CPPCC members registered as ex-officio members in other subsectors as per paragraph 13(b) above.

Nomination and Voting Arrangement

23. Each candidate of the EC shall be nominated by five voters in the respective subsector. Each voter may only nominate a number of candidates not exceeding the number of seats to be elected in the respective subsector in that election.

24. As with existing arrangement, EC members of each subsector will be elected by secret ballot in the subsector election. A voter might vote for as many candidates as the number of EC members to be elected by that subsector and no more.

<u>Appeals</u>

25. To ensure the soundness and transparency of the electoral system, the existing Election Committee (Appeals) Regulation (Cap. 569A) has provided for appeal mechanisms against the election results of EC subsector elections or the registration of a nominee. The current legislative amendment exercise has expanded the scope of ex-officio members and provided for the registration eligibility and procedures. As disputes may arise during the process, we consider it necessary to provide for an appeal mechanism for the

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[7] The registration of these voters in FCs and GCs (if applicable) are not affected. If they remain eligible, their registrations in the FC and GC registers of electors will be retained.

[8] These subsectors are Information Technology, DC(first) and DC(second).

registration of ex-officio members. Appeals would need to be submitted within seven days after the publication of the interim register (or after the relevant determination regarding the registration), and the Revising Officer should make a ruling within 20 days after the relevant publication or determination.

Oath-taking requirement for EC member to uphold Basic Law and bear allegiance to the HKSAR

26. The amendment exercise will also introduce the oath-taking requirement for EC members to uphold the Basic Law and bear allegiance to the HKSAR. When the ex-officio members submit the registration forms, or the nominees (for subsectors returning EC members by nomination) / candidates (for subsectors returning members by election) submit nomination forms, there should be a declaration to the effect that the person will uphold the Basic Law and pledge allegiance to the HKSAR for the relevant form to be considered valid. After the members-elect are registered on the interim register, they would also need to sign a written oath on upholding the Basic Law and bearing allegiance to the HKSAR. Any person who does not make the oath in accordance with the requirement should not be included on the EC FR.

27. We also suggest to introduce a mechanism to deal with scenarios where an EC member breaches an oath. With reference to the existing mechanism under section 73 of the LCO or section 79 of the District Councils Ordinance (Cap. 547) ("DCO"), the Secretary for Justice ("SJ") may commence legal proceedings in the Court of First Instance ("CFI") on the ground that a person has been disqualified from being an EC member. Once SJ has commenced the relevant legal proceedings on the grounds of breach of oath or failure to fulfil the legal requirements and conditions on upholding the Basic Law and bearing allegiance to the HKSAR, the functions of the EC members will be immediately suspended. The member's name should not be added to the EC Final Register or should be removed from the register until the decision of the Court becomes final. The member concerned is, however, entitled to apply to the Court to lift such suspension.

28. With reference to the existing election petition mechanism in various public elections[9] (including LegCo elections and DC elections), we recommend that a leap-frog appeal mechanism should be introduced. A party

[9] The leap-frog appeal mechanism is adopted for the EPs in various public elections, including CE (section 34 of the CEEO), LegCo (section 65(2) of the LCO), DC (section 53(2) of the DCO) and Rural Representatives (section 43(2) of the Rural Representative Election Ordinance (Cap. 576)) elections.

who is not satisfied with a decision made by the CFI may lodge an appeal to the Court of Final Appeal ("CFA") direct (instead of lodging an intermediate appeal to the Court of Appeal of the High Court), subject to leave being granted by the Appeal Committee of the CFA.

29. In addition, a person is disqualified from being registered, nominated or elected as an EC member if the date of registration / nomination or polling date is within five years after the person has:

(a) vacated an office or disqualified from entering on an office for declining or neglecting to take an oath; or

(b) breached the oath or failed to fulfil the legal requirements and conditions on upholding the Basic Law and bearing allegiance to the HKSAR.

The Term of the EC and the Final Register

30. According to the amended Annex I to the Basic Law, upon the commencement of term of office of the EC constituted under that Method, the term of office of the EC constituted under the Method previously in force shall terminate. The term of office of the EC shall be five years. To tie in with the preparation for the 2021 LCGE, the new term of EC will be constituted on 22 October 2021 and the term will end on 21 October 2026 as per current stipulation.

31. According to the law, an interim register of EC members should be published within seven days after the results of the subsectors elections are published. On this basis, a FR should be published on the date when the EC is constituted after incorporating the relevant amendment. For 2021, the FR of EC members will be published on the date when the EC is constituted (i.e. 22 October 2021).

32. According to section 41 of the Schedule to the Chief Executive Election Ordinance (Cap. 569) ("CEEO"), the ERO should amend the FR from time to time to reflect changes in ex-officio membership. As such, after the new term of LegCo is elected, the FR of the EC members should be updated to include the new LegCo members as ex-officio members of the EC. If any of the new members are the EC members of other subsectors returned by nomination or election, the person should be deemed to have resigned from the relevant seat.

(C) Providing for the method for selecting the CE and related matters

33. A CE candidate shall be nominated by not less than 188 EC members with at least 15 members from each of the five subsectors. Each EC member may only nominate one candidate. The CE will be elected by secret ballot on a one-person-one-vote basis. A candidate shall obtain over 750 votes in the poll to be elected and the CE-elect shall be appointed by the Central People's Government.

34. In addition, we will also amend the Maximum Amount of Election Expenses (Chief Executive Election) Regulation (Cap. 554A) to increase the maximum amount of election expenses at a CE election from the existing $15,700,000 to $17,600,000 to reflect changes in the price level[10].

(D) Updating the composition and formation of LegCo

35. Pursuant to the amended Annex II to the Basic Law, the LegCo shall be composed of 90 members, including 40 members returned by the ECC, 30 members returned by FCs, and the remaining 20 members returned by GCs through direct elections. The new composition of the LegCo is at
F **Annex F**. Details are elaborated in paragraphs 36 to 42 below.

ECC

36. The electorate of the LegCo ECC shall be composed of 1 500 EC members who shall return 40 members of the ECC in LegCo. The FR of EC members will be published on 22 October 2021.

37. In accordance with the amended Annex II to the Basic law, the ECC will adopt the Block Vote system, i.e. each EC member shall vote for no more or no less than 40 candidates on the ballot paper. Ballot papers comprising more than or less than 40 choices will be considered invalid, and the 40 candidates who obtain the greatest number of votes shall be returned in the election.

FCs

38. The 30 seats of FCs will be returned by 28 FCs in LegCo[11]. The
G composition and electorate of some FCs will be revamped (see **Annex G** for

[10] The expected cumulative underlying inflation rate is 10.28% over the period from 2017 to 2022.
[11] The Labour FC shall continue to return 3 Members.

details). Among others, three new FCs will be created to return one seat each, with details as follows:

(a) Hong Kong Special Administrative Region Deputies to the National People's Congress, Hong Kong Special Administrative Region Members of the National Committee of the Chinese People's Political Consultative Conference and representatives of relevant national organisations;

(b) Commercial (third): this constituency shall be composed of corporate members of the Hong Kong Chinese Enterprises Association entitled to vote at general meetings of the Association; and

(c) Technology and Innovation: to reflect the importance of innovation and technology to Hong Kong, we will establish the Technology and Innovation FC in replacement of the current Information Technology FC. The electorate of the FC shall be composed of national research platforms, public organisations that are closely related to the innovation and technology development, as well as academic organisations and professional bodies that participate in the consultative process of the Government in the field of innovation and technology development.

Meanwhile, the existing DC (first)FC and District Council (second) FC ("DC(second)FC") will be abolished, and the existing Medical FC and Health Services FC will be combined to form the Medical and Health Services FC. In view of the importance of the Chinese Medicine sector to Hong Kong, the electorate of this FC shall include representatives of the Chinese Medicine sector.

39. Besides, we recommend that the electorate of the following FCs shall be composed of corporate electors only:

(a) Real estate and construction;
(b) Commercial (second);
(c) Industrial (first);
(d) Financial services;
(e) Sports, performing arts, culture and publication;
(f) Import and export;
(g) Textile and garment;
(h) Wholesale and retail; and
(i) Catering.

At the same time, we have reviewed the composition of different FCs, and we recommend revising the composition of FCs in items (e) to (i) above, and that of the Agriculture and fisheries FC, Transport FC and Tourism FC[12]. Details are at **Annex G**.

G

40. As regards the voting system, the existing voting system for the FCs largely remains unchanged:

(a) 23 ordinary FCs (including the new FCs and the combined FC) will continue to adopt the "first past the post" voting system to select a candidate with the single-seat, single-vote method;

(b) the Labour FC will continue to adopt the "first past the post" voting system to return three seats. Each elector may choose up to three candidates at most; and

(c) in view of the small number of electors, four special FCs (i.e. HYK, Agriculture and fisheries, Insurance, and Transport) adopted the preferential elimination system to ensure that the elected candidate would be acceptable to at least half of the voters. In light of the experience in elections over the years, we suggest to simplify the voting method by adopting the "first past the post" voting system, so as to align the voting system with other ordinary FCs.

GCs

41. According the amended Annex II to the Basic Law, the number of GCs would be increased from five to ten (the name, delineation of boundaries and the approved map mentioned in part 4 of the Bill are at **Annex H**), and two Members will be returned for each GC. GCs will adopt the simple or relative majority system (otherwise known as the "first past the post" voting system) for returning a total of 20 Members. Each voter may vote for one candidate on the ballot paper. The two candidates who obtained the greatest numbers of votes will be returned as Members of the respective GC.

H

42. In view of the change in the number of GCs and the urgency of holding the 2021 LCGE, as far as the seventh term LCGE is concerned, we need to specify that the requirement, under section 18 of the LCO, that the relevant report of the EAC for that election must be taken into account when the CE makes an order for declaration and naming of GCs, is not applicable to

[12] We have also taken the opportunity of this exercise to remove corporates which have ceased operation since the last updating exercise, and update the names of corporates that have had their names changed since the last updating exercise.

the seventh term of LegCo. In fact, the EAC has made provisional recommendations for public consultation in accordance with the statutory requirements before delineating the boundaries of the 452 constituencies for the 2019 District Council Ordinary Election ("DCOE"), and then submitted the formal recommendations for endorsement by the CE in Council. The proposed boundaries of the ten LegCo GCs are based on the constituency boundaries for the 2019 DCOE as recommended by the EAC and approved by the CE in Council. The boundaries also follow the established criteria to ensure that each GC comprises a number of contiguous whole DC constituencies and that the projected population of each GC does not deviate from the resulting number (i.e. multiplying the population quota by the number of members to be returned by that GC) by more than 15%.

43. For the avoidance of doubt, with effect from the general election for the eighth term of LegCo (i.e. starting from the 2025 LCGE), the EAC will continue to perform its statutory function of reviewing the LegCo GC boundaries in accordance with the existing requirements of the Electoral Affairs Commission Ordinance (Cap. 541) ("EACO").

Restrictions on VR in FCs and ECSSs

44. Under the existing VR arrangements, no person/body may be registered as an elector in more than 1 FCs/ECSSs. If a person/body is eligible to be registered in 2 or more FCs/ECSSs, he/she/it may choose to be registered in any one of the FCs/ECSSs unless otherwise specified. The established principle for FCs is that an elector who is eligible to be registered in a constituency with a relatively smaller electorate must so register in that constituency in order to ensure that the number of electors in each constituency can reach a certain level. In view of the new FCs and ECSSs, we recommend that the following priority of registration be adopted:

(a) **Individuals**: if an elector is eligible to be registered in the HKSAR deputies to the NPC, HKSAR member of the National Committee of CPPCC and representatives of relevant national organisations FC and any other FC at the same time (with the exception of HYK), the elector can only be registered in the HKSAR deputies to the NPC, HKSAR member of the National Committee of CPPCC and representatives of relevant national organisations FC but not in any other FC; and

(b) **Corporates**: if a body is eligible to be registered in the (i) Agriculture and fisheries FC, (ii) Insurance FC; (iii) Transport FC; (iv) Finance FC; (v) Sports, Performing arts, Culture and

Publication FC; and (vi) Technology and Innovation FC and any other FC at the same time, the body can only be registered in the six aforesaid FCs but not in any other FC.

45. According to the amended Annex II to the Basic Law, eligible corporate voters for functional constituencies shall be composed of institutions, organisations, associations or enterprises which are representative and specified by law. Unless specified in the electoral law of the HKSAR, an association or enterprise may become a corporate voter for a FC only if it has been operating for not less than three years after acquiring relevant qualifications for that FC.

Multiple voting rights

46. Most registered electors can cast up to two votes[13]. All electors have one vote in GCs, and eligible electors have another vote in FCs. For the 1 500 EC members, if they are eligible to vote in both the ECC and a FC, that elector can vote in both the ECC and the FC. In other words, a EC member may cast up to three votes based on their different capacities[14].

47. We suggest to amend the EACO, the LCO, and relevant electoral legislation in order to implement the aforesaid arrangements.

48. Pursuant to the amended Annex II to the Basic Law, the LegCo adopts the following procedures for voting on motions, bills or amendments: The passage of bills and motions introduced by the government shall require a simple majority vote of the Members of the LegCo present. The passage of motions, bills or amendments to government bills introduced by individual Members shall require a simple majority vote of each of the two groups of Members present:

(a) Members returned by the ECC; and
(b) Members returned by FCs and GCs.

[13] If the individual is appointed as an authorised representative by a corporate elector of a FC, he may cast a third vote.

[14] If an EC member is an authorised representative of a FC corporate elector, he can cast a fourth vote.

(E) Revising the arrangements of VR

VR procedures in 2021 and subsequent VR cycles

Overview of amendments to VR procedures

49. To implement the revised composition of the ECSSs and FCs, we need to conduct a VR exercise and compile the registers of electors for use in the several upcoming public elections. As the 2021 VR cycle (which started on 3 May 2020) is now in progress, we need to formulate special arrangements for the 2021 VR cycle such as to specify a special VR deadline, revise the arrangements for claims and objections, and specify the publication dates of the different registers of electors. In view of the scheduled dates of the public elections in the future, we also need to make revisions to the regular VR process.

VR deadlines	Existing VR deadlines (non-DC election year)	Regular deadlines from 2022 and onwards
(1) Change of Particulars	2 April	2 June
(2) New Registration	2 May	2 June
(3) Electors to reply to inquiry letters to maintain their VR status	2 May	2 June
(4) Publication of Provisional Register and Omission List	1 June	1 August
(5) Claims and Objection Period	1 to 25 June	1 to 25 August
(6) Publication of Final Register	25 July	25 September

Special VR arrangements for 2021

50. Due to the major changes in composition of ECSSs and FCs, we need to make special arrangements to allow newly eligible and affected voters/electors to handle their VR matters. We will specify 5 July 2021 as a special VR deadline, allowing individuals and bodies who are eligible to register in the ECSSs and FCs which are newly created or whose registration eligibilities have been revised, as well as the voters/electors who are no longer eligible to register in and omitted from their original ECSSs/FCs, but eligible to register in other ECSSs/FCs, to submit VR applications.

51. The individuals and bodies who are eligible to submit VR applications by the special VR deadline of 5 July 2021 are set out in the table below:

Category	Individuals and bodies eligible to submit VR applications by the special VR deadline
(a) EC ex-officio members	All individuals who are eligible to register as EC ex-officio members should submit application forms.
(b) ECSS	Since the composition of the EC will be re-constituted, individuals and bodies who meet the registration eligibilities for ECSS (whether they are existing voters or not) should submit VR applications, and/or relevant documentation and proof, before they will be included in the 2021 ECSS PR.
(c) FC	(i) All existing electors who are no longer eligible to register in and omitted from their original FCs may apply to register in other FCs they are eligible for (if applicable); (ii) All individuals and bodies who are eligible to register in the three newly created FCs[15] (whether they are existing electors or not); and (iii) All individuals and bodies eligible to register in six FCs with revised registration eligibilities[16] (whether they are existing electors or not).
(d) GC	In general, the special VR deadline does not apply to VR applications for GC, except for the following who may submit such VR applications: (i) Individuals eligible to register as EC ex-officio

[15] The three newly created FCs are –
(i) Commercial (third) FC *(Body electors only)*;
(ii) Technology and Innovation FC *(Body electors only)*; and
(iii) HKSAR deputies to the NPC, HKSAR members of the National Committee of the CPPCC, and representatives of relevant national organisations FC *(Individual electors only)*.

[16] The six FCs are –
(i) Agriculture and fisheries FC *(Body electors only)*;
(ii) Transport FC *(Body electors only)*;
(iii) Tourism FC *(Body electors only)*;
(iv) Catering FC *(Body electors only)*;
(v) Sports, Performing Arts, Culture and Publication FC *(Body electors only)*; and
(vi) Medical and Health Services FC *(Individual electors only)*.

Category	Individuals and bodies eligible to submit VR applications by the special VR deadline
	members; (ii) Individuals eligible to register as ECSS voters[17]; (iii) Individuals eligible to register in FCs which are newly created or whose registration eligibilities have been revised (see items (c)(ii) and (iii) above); and (iv) Individuals appointed by eligible body voters/electors as their authorized representatives.

Arrangement to omit existing electors who are no longer eligible in 2021

52. Apart from including the voters and electors who meet the new registration eligibilities, we also need to make special arrangements to omit the existing electors and voters who are no longer eligible, so as to compile the registers of electors afresh. The said arrangements are summarised below:

Category	Arrangement in 2021
(a) Existing FC electors who are no longer eligible *[Except those in category (c) below]*	As per established procedures, these FC electors would be included in the inquiry process. If they meet other registration eligibilities, these electors may submit VR applications and/or relevant documentation and proof. Otherwise, they will be included in the OL.
(b) All existing ECSS voters *[Except those in category (c) below]*	As the ECSS has been reconstituted, individuals and bodies who are eligible to register as ECSS voters should submit VR applications and/or relevant documentation and proof. As a special arrangement, all of the existing voters will be included directly into the OL without going through the process of issuing inquiry letters.
(c) Existing	Since the ECSSs/FCs concerned will be deleted, as

[17] Four ECSSs will comprise individual voters:
(i) HYK subsector in the Fourth Sector;
(ii) Representatives of members of Area Committees, District Fight Crime Committees, and District Fire Safety Committees of Hong Kong Island and Kowloon subsector in the Fourth Sector;
(iii) Representatives of members of Area Committees, District Fight Crime Committees, and District Fire Safety Committees of the New Territories subsector in the Fourth Sector; and
(iv) Representatives of Hong Kong members of relevant national organisations subsector in the Fifth Sector.

Category	Arrangement in 2021
voters/electors registered in ECSSs/FCs to be deleted[18]	a special arrangement, the relevant existing electors and voters will be directly removed from the registers of electors without going through the process of issuing inquiry letters. They will be included into neither the OL nor the PR.

Timing of publication of the registers of electors in 2021

53. Given the heavy workload and time constraints in conducting the VR work, taking into account the operational concerns, the ECSS and GC/FC registers of electors will be published separately. The ECSS PR, OL and FR will be published in July to August 2021, while the relevant registers of electors for GC/FC will be published in September to October 2021.

Arrangement for claims and objections

54. After compiling the PR and OL, in accordance with established procedures, we will provide for a claims and objections period so that electors may lodge claims and objections with regard to the PR, which would then be reflected in the FR after being considered and approved by the Revising Officer. Similar to the other items above, special arrangements would also be made for the claims and objections period. In addition, all claims and objections relating to the ECSS, FC and GC in 2021 will be considered by the Revising Officer on the basis of written submissions only. No hearings will be arranged.

The regular VR cycle from 2022 and onwards

55. At present, two sets of VR procedures and deadlines applicable to DC election years and non-DC election years are prescribed in the electoral laws. The relevant arrangements were originally intended to ensure that the registers of electors in the years concerned were published closer to the DC Ordinary Election usually held in November and the LCGE usually held in September, such that the relevant VR particulars would be more accurate and up-to-date.

56. After the improvements to the electoral system are implemented, the three public elections, namely the ECSS, LegCo and DC elections, will all

[18] The three ECSSs to be deleted are (i) HK & Kowloon DCs, (ii) NT DCs and (iii) Information Technology, while the three FCs to be deleted are (i) DC(first), (ii) DC(second), and (ii) Information Technology.

be held in the vicinity of November and December. As such, there is no need to specify two sets of VR procedures and deadline. Instead, we may adopt the existing arrangement for DC election years as the regular VR procedures and deadlines to be implemented from 2022 and onwards. It is worth noting that, instead of the existing arrangement in specifying two different deadlines for new registration and change of particulars applications, in the newly specified regular VR procedures, the two will come under the same deadline. See Part (L) for further elaboration on the reason.

The three-year operation requirement for relevant body electors

57. To ensure that the relevant body voters/electors possess bona fide and substantial connections with the relevant trades of their ECSS and FC, and to prevent acts of vote-rigging, in accordance with the amended Annexes I and II to the Basic Law, unless specified in the electoral law of the HKSAR, an association or enterprise may become a corporate voter for a ECSS / corporate elector for a FC only if it has been operating for not less than three years after acquiring relevant qualifications for that ECSS/FC. In other words, body applicants must both be in possession of the relevant registration eligibilities and be operating for three years, or both be a member of the umbrella organisation concerned and be operating for three years, before the body is eligible to register as a ECSS voter or a FC elector.

58. The said requirement will apply to both applications for new registration and existing ECSS voters and FC electors already registered in the 2020 FR (if such bodies still meet the revised registration eligibilities). To determine whether a body complies with the three-year operation requirement, the special VR deadline in 2021 (i.e. 5 July 2021) will be used as a basis of assessment and calculation. To implement this requirement, we will amend the relevant provisions in section 25 of the LCO and section 12 of the Schedule to the CEEO.

(F) Updating the eligibility of becoming candidates in CE elections, ECSS elections, and LegCo elections

59. Based on the existing arrangements in LegCo elections, a person is eligible for nomination as a candidate at an election if he/she satisfies the following: be aged 21 or above, be a registered GC elector, has ordinarily resided in Hong Kong for the three years immediately preceding the date of the nomination, be a Chinese citizen who is a Hong Kong permanent resident with no right of abode in a foreign country. As regards FCs, a candidate must be a registered GC elector, and must be a registered elector for, or have a

substantial connection with, the relevant FC. In addition, section 37(3) of the LCO provides that with the exception of 12 FCs[19], a FC candidate must be a Chinese citizen who is a Hong Kong permanent resident with no right of abode in a foreign country. For the newly established ECC, persons nominated as candidates must be registered GC electors, and other requirements in relation to eligibility are largely the same as those in GC elections.

60. At present, the RO is required to determine whether a candidate is validly nominated in accordance with the law. The RO would take into account all relevant information in considering the validity of nomination, and the RO must endorse on the nomination form the decision and the reasons for it. Pursuant to the amended Annexes I and II to the Basic Law, the eligibility of candidates standing for CE elections, ECSS elections and LegCo elections will be reviewed and confirmed by the newly established CERC. The chairman and members of the CERC will be appointed by the CE by notice in the gazette. Only principal officials appointed pursuant to a nomination under Article 48(5) of the Basic Law are eligible for appointment.

61. In accordance with the amended Annexes I and II to the Basic Law, no legal proceedings may be instituted in respect of a decision made by the CERC on the eligibility of a candidate pursuant to the opinion of the Committee for Safeguarding National Security of the HKSAR ("CSNS").

62. In light of the aforesaid amendments, we shall rationalise the relevant administrative arrangements while it is unnecessary to mention in local legislation the workflow of the CERC. Specifically, the CERC shall take into account the opinions of the ROs and the CSNS in determining whether the nomination of a candidate is valid. Among them, the RO is responsible for deciding whether a candidate has satisfied the general requirements of standing for elections (such as nationality, age, Hong Kong permanent resident status, criminal and bankruptcy records, etc.), and the CSNS will, on the basis of the review of the National Security Department of the Police Force of the HKSAR, determine whether a candidate meets the

[19] Article 67 of the Basic Law provides that the LegCo shall be composed of Chinese citizens who are permanent residents of the Region with no right of abode in any foreign country. However, permanent residents of the Region who are not of Chinese nationality or who have the right of abode in foreign countries may also be elected members of the LegCo of the Region, provided that the proportion of such members does not exceed 20% of the total membership of the Council. Currently, section 37(3) of the LCO sets out that the candidature of 12 FCs is open to Hong Kong permanent residents who are not Chinese nationals or who have the right of abode in a foreign country, i.e. legal; accountancy; engineering; architectural, surveying, planning and landscape; real estate and construction; tourism; commercial (first); industrial (first); finance; financial services; import and export; and insurance.

legal requirement and conditions of "upholding the Basic Law and swearing allegiance to the HKSAR", and issue an opinion to the CERC in respect of a candidate who fails to meet such legal requirements and conditions. The procedure for determining the validity of nominations is at **Annex I**.

I

63. Besides, pursuant to the amended Annex II to the Basic Law, the requirement on the number of valid subscriptions for the LegCo ECC, FCs and GCs are as follows:

(a) ECC: each candidate shall be nominated by no less than 10, but no more than 20, members of the EC, including no less than 2 but no more than 4 members from each of the five sectors of the EC;
(b) FCs: each candidate shall be nominated by no less than 10, but no more than 20 electors of the respective FC, and no less than 2 but no more than 4 members from each of the five sectors of the EC; and
(c) GCs: each candidate shall be nominated by at least 100 but no more than 200 electors of the respective GC, and no less than 2 but no more than 4 members from each of the five sectors of the EC.

Each EC member can nominate one candidate each for the LegCo ECC, FCs and GCs.

64. We suggest to amend the CEEO, the LCO, and relevant electoral legislation in order to implement the aforesaid arrangements.

(G) Setting the EELs for GCs, FCs, and the ECC starting from the 2021 LCGE

65. In view of the new composition of LegCo, we need to determine the EELs for the ECC, FCs and GCs elections in the seventh term LCGE. In relation to the ECC and new FCs, the level of EELs will be based on the prevailing principle, i.e. having regard to the number of registered electors in the FR of the relevant constituency. As for GCs, we recommend that the level of EELs be set with reference to the number of District Council Constituency Areas ("DCCAs") in the GC. On this, we recommend that the corresponding EEL for each DCCA should be set at $69,000[20]. Our detailed proposal for the EELs is set out at **Annex J**. We recommend revising the Maximum Amount of Election Expenses (Legislative Council Election) Regulation (Cap. 554D) ("MAEE(LCE)Reg") to implement the aforesaid recommendations.

J

[20] The EELs for each DCCA in the 2019 DCOE is $68,800. Taking into account the inflation level in 2020 (0.3%), we propose that the EEL for each DCCA be set at $69,000.

(H) Providing for the electoral arrangements for the LegCo ECC

66. 40 seats in LegCo are to be returned by the EC. We need to provide for the relevant electoral arrangements. We recommend that electors must use the pen provided to fill the ovals next to the names of the candidates of the elector's choice, and must vote for no more or no less than 40 candidates. As we envisage that there will be a much larger number of candidates in the ECC as compared to FCs and GCs, only the names of candidates will be displayed on the ballot papers.

67. Considering that the EAC and REO will need to map out the practical arrangements for the ECC elections after the passage of the Bill, we recommend to provide flexibility with regard to the detailed polling and counting procedures in the Bill, e.g. arranging ECC voters to vote in one polling station, the votes of the ECC can be counted by computer or manually, etc..

68. We suggest amending the LCO and related electoral legislation in order to implement the above proposals.

(I) Making consequential amendments to the ECICO and its subsidiary legislation in light of the matters mentioned in parts (B) and (D)

69. Following the amendments to the Annex II to the Basic Law, the DC(second)FC of the LegCo would be abolished and the ECC would be introduced. We need to amend the ECICO accordingly to remove the elements relating to the DC(second)FC and to add those relating to the ECC. In addition, we need to amend the MAEE(LCE)Reg in accordance with the new GC boundaries and to remove the part relating to the DC(second)FC. On the other hand, we also need to amend the Maximum Scale of Election Expenses (Election Committee) Order (Cap. 554I) to reflect the changes to the ECSS.

(J) Introducing a new offence under the ECICO to prohibit any person from inciting another person not to vote, to cast a blank or invalid vote by way of public activity during an election period, and providing that any person who wilfully obstructs or prevents another person from voting at an election commits a corrupt conduct

70. The Decision stipulated that the HKSAR should effectively organise and regulate relevant electoral activities in accordance with law, with a view to implementing a new electoral system that accords with the actual situation in Hong Kong. The amended Annexes I and II to the Basic Law also provided that the HKSAR should take measures in accordance with the law to regulate acts that manipulate or sabotage elections. In recent years, anti-China forces and radical local separatists openly advocated ideas such as "Hong Kong independence", carried out anti-China activities through various election platforms, planned and implemented actions interfering with the normal operation of the Government which included affecting the normal and orderly conduct of elections. Voting is not only a right but a civic duty. Although Hong Kong does not have a compulsory voting system as in some jurisdictions, the HKSAR Government has a responsibility to take measures to encourage eligible voters to exercise their right to vote and to combat improper conduct that may affect the exercise of the right to vote by voters. If someone openly incites voters not to vote, to cast blank or invalid votes during an election period, it may create undue pressure on voters and affect their freedom to choose whether to exercise their right to vote. Such a conduct is one of the acts that can sabotage an election, and the HKSAR Government is therefore obliged to regulate it in accordance with the Decision and the amended Annexes I and II to the Basic Law. It may also constitute other offences if it is done for the purpose of overthrowing the administrative organs of the HKSAR or interfering with, obstructing or undermining the performance of the functions of the administrative organs of the HKSAR. In view of this, it is necessary to amend the legislation to prevent and mitigate the relevant risks. We recommend adding a provision to the ECICO to introduce a new illegal conduct so as to prohibit any person from inciting others not to vote, to cast blank or invalid votes by means of public activity during an election period[21]. The new offence does not prevent a person from appealing to electors not to vote for a particular candidate, subject to compliance with the requirements of other electoral legislation, in particular those relating to election advertisements and election expenses.

[21] According to the definition under the ECICO, in relation to an election, election period means the period beginning with the nomination day for the election and ending with the polling day for the election.

71. In addition, prior to the polling day of the 2019 DCOE, there was an online appeal to take away the identity cards of elderly voters to prevent them from voting on the polling day. Although this act involved obstructing or preventing electors from voting at the election, there was insufficient evidence to prove that the person concerned had committed an offence under section 14 of the ECICO, i.e. a corrupt conduct to engage in certain deceptive behaviour in relation to electors. This is because the act of calling on others to engage in certain conduct through social media posts does not necessarily involve an element of "deception" and therefore may not be an offence under section 14 of the ECICO. In view of the community's grave concern about irresponsible conduct on the Internet inciting others to prejudice the conduct of the 2019 DCOE, we recommend, after consultation with the EAC, the REO and the DoJ, introducing a new offence under section 14 of the ECICO to prevent any person from wilfully obstructing or preventing another person to vote at an election. Any person who incites another person or commits in conspiracy the new offence under section 14, including calling on others to take away the identity cards of elderly electors to prevent them from voting, has also committed the offence.

(K) Implementing EPR on the polling day of public elections

72. In accordance with the current electoral laws, the FR in printed form is used for verifying the identity of electors in the ballot paper issuing desks in polling stations, and for recording that the elector has been issued with the ballot papers he is entitled to. To enhance efficiency and accuracy in the ballot paper issuance process, we have sought the approval of the ExCo to introduce the EPR in public elections (including CE, ECSS, LegCo and DC elections) starting from 2021.

73. To provide the legal basis for implementing the EPR in public elections, we propose to amend four pieces of subsidiary legislation[22] under the EACO to cater for the LegCo, DC, ECSS, and CE elections respectively. The relevant amendments are as follows:

[22] These four pieces of subsidiary legislation are:
(i) Electoral Affairs Commission (Electoral Procedure) (Legislative Council) Regulation (Cap. 541D) ("EAC(EP)(LegCo)Reg");
(ii) Electoral Affairs Commission (Electoral Procedure) (District Councils) Regulation (Cap. 541F) ("EAC(EP)(DC)Reg");
(iii) Electoral Affairs Commission (Electoral Procedure) (Election Committee) Regulation (Cap. 541I) ("EAC(EP)(EC)Reg"); and
(iv) Electoral Procedure (Chief Executive Election) Regulation (Cap. 541J).

(a) specify the manner of making a record on the EFR upon issuance of ballot paper(s) to an elector so as to accommodate the use of EPR;

(b) require that the FR in printed form (if used) should be sealed in packets at the close of the poll, and that the FR (whether in printed or electronic form) should be retained for six months after a poll before destruction; and

(c) create new provisions to enable the implementation of the EPR for the purpose of the relevant ballot paper issuance process, stipulate the permitted use of the EPR, grant the EAC with the authority to allow access to the EPR for specific purpose (such as for technical maintenance and for use in the ballot paper issuance process), and provide for the offence and penalty of accessing the EPR without legal authority, damaging the information and data contained in the EPR, or tampering with the EPR, the penalty for which will be up to two years' imprisonment without a corresponding fine.

(L) Enhancing the inspection and compilation of the registers of electors

74. In the judgment of the judicial review case lodged by the Junior Police Officers' Association[23], the Court of Appeal ("CA") held that an unrestricted public access to the full names and principal residential addresses of registered electors ("the Linked Information") on the registers of electors constituted a disproportionate interference with the electors' rights to privacy, family and home (Article 14 of the Hong Kong Bill of Rights) and their right to vote (Article 26 of the Basic Law). Currently, we have put in place interim measures to make the registers of electors available for inspection only by the press, political parties and candidates, so as to protect the personal data of electors. We have also conducted a full review of the inspection and compilation arrangement for the registers of electors, and propose the following enhancements.

75. In formulating the relevant enhancement proposals, our fundamental principle is to strike a balance between the two aims of ensuring a transparent mechanism for inspecting the registers of electors to detect vote-rigging and irregularities in VR ("the Transparent Election Aim"), and protecting the personal particulars of electors from being misused for

[23] *Junior Police Officers' Association of the Hong Kong Police Force and Another v Electoral Affairs Commission and Others* [2020] HKCA 352

malicious purpose via inspection ("the Privacy Protection Aim"). The proposed enhancement measures and their corresponding justifications are as follows:

(a) ***Limiting inspection to the press, candidates and political parties only*** – We propose limiting inspection of Registers with Linked Information to the press subscribed to the Government News and Media Information System maintained by the Director of Information Services, validly nominated candidates and political parties only, while parts of the Registers containing only body electors will be unaffected and still be made available for public inspection. Such limited inspection will help prevent mala fide persons from misusing the electors' particulars on the Registers, thus advancing the Privacy Protection Aim. It is also in accordance with the CA's Judgment, which specifically noted the roles played by the press and the political parties in advancing the Transparent Election Aim.

(b) ***Partially redact all electors' particulars on the registers of electors*** – To better achieve the Privacy Protection Aim, we also propose to partially redact all of the individual electors' particulars on the registers of electors to be provided for inspection by specified persons. We have carefully balanced the manner of redaction[24] to ensure that the Transparent Election Aim could still be advanced by the inspection of the registers of electors by the three specified parties.

(c) ***Extending the address proof to all new VR applications*** - To counter-balance against the limitations arising from the measures in (a) and (b) above, we propose to extend the requirement to submit address proof from currently applicable to change of particulars applications to covering all new VR applications. This measure would enable REO to reliably verify all of the electors' addresses before entering them into the register of electors, thereby effectively contributing to the Transparent Election Aim. Making reference to the previous arrangement made when introducing the address proof requirement for change of registered address in 1 February 2018, after the current proposal is implemented, the

[24] We propose to show only the first character/word of an elector's name (whether in Chinese or English) and his registered residential address in full. This would still allow persons scrutinising the registers of electors to use the common method of identifying suspicious VR cases by spotting multiple surnames / large number of electors in the same address, thereby contributing to the Transparent Election Aim.

statutory deadline for new VR applications will be advanced by one month, such that REO would have sufficient time to vet the address proofs in new VR applications received for compiling the PR. In other words, save for the special VR arrangement in 2021, from the 2022 VR cycle and onwards, the statutory deadline for new VR applications and change of particulars will be aligned on the same date of 2 June.

76. The enhanced arrangement of inspection and compilation of the registers of electors as set out at (a) to (c) above will be implemented in the 2022 VR cycle and onwards.

(M) Empowering the PROs to set up a special queue for electors in need in public elections

77. Under the current arrangement, all electors must cast their vote on a first come, first served basis, but PROs at individual polling stations can exercise discretion to allow people waiting in line to sit down inside the venue while waiting for their turn to vote. The arrangement is undesirable amid the Coronavirus Disease 2019 ("COVID-19") as we would expose a large number of electors who are more vulnerable to the disease, namely more than 600 000 electors who are 70-year-old or above as well as pregnant women, to higher risks if they need to queue up for a long period of time to cast their vote.

78. With the ExCo's agreement on 6 October 2020 to the proposal of setting up a special queue for electors in need in LegCo and DC elections, we propose that a new provision be added in the EAC(EP)(LegCo)Reg to empower PRO to set up a special queue for electors in need, namely electors whose age is 70 or above, pregnant women, and persons who are likely to suffer from severe physical pain or suffering when queuing to vote due to illness, injury or disability. In actual operation, these electors will be assigned to a priority queue for receiving the ballot papers. We also propose that the new provision be added in the EAC(EP)(DC)Reg and the EAC(EP)(EC)Reg to align the arrangements across different public elections. For the avoidance of doubt, as an administrative measure, electoral staff (i.e. the ones working in polling stations) who are going to cast their vote could also join the priority queue upon presentation of a staff badge. In so doing, they would be able to vote as soon as possible and return to the station where they are assigned to discharge electoral duties thereafter.

(N) Empowering the CEO to require schools and NGOs receiving grants from the Government to make available their premises for use as polling station(s) and/or counting station(s) in public elections

79. Owing to the rising trend in VR and voter turnout, more than 600 polling stations were/would be set up for LCGEs and DCOEs. Securing sufficient polling stations for these two public elections has been a long-standing problem. To ensure that we can secure the use of venues that are most convenient to electors, we recommended and the ExCo agreed to empower CEO to require schools and NGOs receiving grants from the Government to make available their premises for use as polling station(s) and/or counting station(s) in public elections. Specifically, we propose to introduce legislative amendments to the EACO, the EAC(EP)(LegCo)Reg, the EAC(EP)(DC)Reg and the EAC(EP)(EC)Reg so as to:

(a) enable CEO to require the owner or occupier of schools and buildings occupied by NGOs receiving grants from the Government to make available their premises as a polling station and/or a counting station in LegCo, DC and ECSS elections. As a matter of administrative arrangement, exceptions will be made of hospitals, clinics and places of worship;
(b) allow persons authorised by CEO to conduct site visits, carry out preparatory work and store materials in the premises;
(c) require CEO to pay the relevant owner or occupier a user fee for the period during which the premises are used as a polling station and/or a counting station; and
(d) impose a financial penalty of $10,000 (which will be recoverable as a civil debt due to the Government) against non-compliance.

80. The EAC had suggested directly acquiring the premises for use as polling and/or counting stations. However, having regard to the fact that the requisition of private properties is not a common practice and may be considered to be detrimental to private property rights, and also considering that very few schools were unable to make available their premises for use as polling and/or counting stations for the discontinued 2020 LGCE after the Education Bureau's designation of the day following the polling day as a school holiday, we are of the view that the above proposal would suffice to help the REO identify a sufficient number of polling and/or counting stations, as well as to strike a balance between the property rights of the schools or NGOs concerned.

(O) Lifting the requirement of withholding FA payable until disposal of EPs arising from LegCo and DC elections

81. We proposed and the ExCo agreed to strike a balance between the prudent use of public money and the policy intent of the FA scheme which is to encourage public-spirited candidates to take part in LegCo and DC elections and cultivate an environment to facilitate the development of potential talents in Hong Kong for both LegCo and DC elections, to lift the requirement to withhold FA payable until disposal of EPs. We therefore propose to amend the LCO and the DCO to give effect to this proposal.

OTHER OPTIONS

82. The proposed improvements have to be effected by legislative means. There is no alternative option.

THE BILL

83. The main provisions of the Bill are summarised as follows:

(a) **Division 1 of Part 4** amends the LCO to:

(i) revise the constitution of the LegCo starting from the seventh term of LegCo, including to establish the ECC as a third type of constituency in addition to the existing two types (i.e. GCs and FCs);
(ii) revise the electorates and eligibilities for registration as an elector for some existing FCs, and provide for these matters for the ECC, starting from the seventh term of LegCo;
(iii) revise the procedures for determining the validity of the nomination of a person as a candidate for any constituency at a LegCo election, which will apply to the ECC as well, and provide for the eligibility for being nominated as a candidate for the ECC, starting from the seventh term of LegCo;
(iv) revise the systems of voting for the GCs and some FCs, and provide for the system of voting for the ECC, starting from the seventh term of LegCo;
(v) provide for the boundaries of the GCs for the seventh term of LegCo; and
(vi) make miscellaneous amendments, including to remove the requirement to withhold the FA payable to a candidate at a

LegCo election until all EPs in relation to the election are disposed of.

(b) **Division 1 of Part 6** amends the ECICO to introduce offences for the following conduct:

(i) wilfully obstructing or preventing another person from voting at an election; or
(ii) inciting by any public activity another person not to vote, or to cast an invalid vote, at an election.

(c) **Division 1 of Part 7** amends the CEEO to:

(i) provide for the establishment of a CERC;
(ii) revise the method of selecting the CE;
(iii) revise the constitution and method of forming the EC, including:
  (A) to provide that the holder of specified offices may register as ex-officio members of the EC;
  (B) to provide that designated bodies may nominate members of the EC; and
  (C) to specify the entities entitled to vote at a subsector election;
(iv) revise the procedures for determining the validity of:
  (A) the registration of a person as an ex-officio member of the EC;
  (B) the nomination of a person as a nominee;
  (C) the nomination of a person as a candidate at a subsector election; or
  (D) the nomination of a person as a candidate at a CE election;
(v) introduce the requirement for persons applying to be registered as ex-officio members of the EC, nominated as nominees and nominated as candidates at a subsector election to sign a statutory declaration to the effect that the person upholds the Basic Law and pledges allegiance to the HKSAR;
(vi) introduce the requirement for a member-elect to sign a written oath before the member-elect may be registered as a member of the EC; and
(vii) provide that proceedings may be brought by the SJ against a person on the ground of disqualification from being a member of the EC and provide for suspension of functions of such a member.

(d) the other parts of the Bill make related amendments to the relevant legislation, including the EACO and its subsidiary legislation, and subsidiary legislation under the LCO, the ECICO and the CEEO, to provide for the above matters.

K 84. The existing provisions being amended are at **Annex K**.

LEGISLATIVE TIMETABLE

85. The legislative timetable is as follows –

Gazettal of the Bill	13 April 2021
First Reading and commencement of Second Reading debate	14 April 2021
Resumption of Second Reading debate, Committee Stage and Third Reading	Late May 2021; to be notified

IMPLICATIONS OF THE PROPOSAL

86. The proposal is in conformity with the Basic Law, including the provisions concerning human rights. The proposal has no economic, productivity, environmental, sustainability or family implications. Implementation of the relevant proposal will not affect the current binding effect of the Ordinances and subsidiary legislation.

87. Additional manpower resources have been earmarked for organising the various elections in 2021 and 2022, as well as for taking forward the various new improvement measures. Funding has been sought and secured through established mechanism, and the relevant provisions will be included in the draft Estimates of the REO in the relevant financial years.

GENDER IMPLICATION

88. The United Nations Convention on the Elimination of All Forms of Discrimination against Women's Article 7 requires that "State Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and in particular, shall ensure to women, on equal terms with men, the right: a) To vote in all elections and

public referenda and to be eligible for election to all publicly elected bodies...". In the electoral system of Hong Kong, as protected by the Basic Law, women have equal rights as men to vote and to stand for election in accordance with law. In this context, the proposal does not have gender implication.

PUBLIC CONSULTATION

89. Following the NPC's passage of the Decision on 11 March, the Legislative Affairs Committee of the NPCSC, together with the Hong Kong and Macao Affairs Office of the State Council and the Liaison Office of the Central People's Government in the HKSAR, organised more than 60 seminars and conducted visits and interviews in Hong Kong on the implementation of the NPC's Decision on the improvement of the electoral system of the HKSAR between 15 and 17 March. They have gauged extensively the views of the HKSAR Government and representatives from various sectors of the Hong Kong society.

90. Following the NPCSC's endorsement of the amended Annexes I and II to the Basic Law at its 27th session, the HKSAR Government launched a comprehensive public explanation campaign. Principal Officials of the HKSAR Government hosted over 100 seminars to explain to stakeholders from different sectors the importance, necessity and legality of the decision of improving the electoral system of the HKSAR, and to solicit full support from the trades and the public. Among them, the Secretary for Constitutional and Mainland Affairs met with the EAC on 1 April. The EAC expressed its support and respect for the NPCSC's adoption of the amended Annexes I and II to the Basic Law so as to improve the electoral system of Hong Kong. The EAC indicated its full support to the HKSAR Government in the preparations for the upcoming three elections. In addition, the HKSAR Government will conduct explanatory work in the LegCo Bills Committee and listen to the views of LegCo Members.

PUBLICITY

91. We issued a press release on 13 April 2021. A spokesperson will be made available to address enquiries.

92. The HKSAR Government will spare no effort in explaining to the society the necessity and urgency of improving the electoral system, as well as the solid constitutional basis of the Decision. Since 15 March, the

Government has been conveying to the community through different publicity means the message that improving the electoral system can ensure Hong Kong stay true to the original aspiration in implementing the principle of "One Country, Two Systems" and get Hong Kong back on the right track. It is only by putting in place institutional safeguards to ensure "patriots administering Hong Kong" that the principle of "One Country, Two Systems" can be fully and faithfully applied in the HKSAR which is conducive to the long term prosperity and stability of the city. In addition to the publication of a large number of booklets explaining the background and justifications of improving the electoral system, and the content of the Annexes I and II to the Basic Law, the HKSAR Government has launched a website on improving the electoral system, which will be updated on an ongoing basis to keep the society informed of the progress of this very important task. Other publicity measures include television Announcement of Public Interests, banners and various media advertisements. Principal Officials of the HKSAR Government have also been explaining to the public through interviews in various media.

ENQUIRY

93. Any enquiry on this brief can be addressed to Ms Cherie Yeung, Principal Assistant Secretary for Constitutional and Mainland Affairs, at 2810 2908, or Ms Carmen Kong, Principal Assistant Secretary for Constitutional and Mainland Affairs, at 2810 2852.

Constitutional and Mainland Affairs Bureau
13 April 2021

Improving Electoral System (Consolidated Amendments) Bill 2021

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346. Section 2A amended (Revising Officer to determine certain claims or objections based on written submissions) 399

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348. Section 4 amended (Electoral Registration Officer to be notified of rulings made under section 2(5) and (5A) etc.) 400

349. Section 4A amended (Electoral Registration Officer to be notified of rulings made under section 2A(5)) 401

350. Section 5 amended (determination of matters and powers of adjournment, etc.) 401

351. Section 6 amended (review of rulings by Revising Officer) 401

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370. Section 45 amended (Chief Executive in Council may make regulations) 424

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373. Section 2 amended (interpretation) 425

374. Section 3 substituted 427

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375. Section 3A repealed (maximum amount of election expenses for District Council (second) functional constituency) 428

376. Section 4 substituted 428

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377. Section 4A added 429

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378. Section 1 amended (interpretation) 429

379. Section 2 amended (maximum scale of election expenses) 430

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381. Section 2 amended (interpretation) 431

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383. Part 3A added 432

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9A. Establishment of the Candidate Eligibility Review Committee 432

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387. Section 22 amended (termination of election proceedings) 435

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388. Section 26 amended (disqualification from voting) 436

389. Section 26A amended (system of voting: only one candidate) 437

390. Section 27 amended (system of voting: contested election) 437

391. Section 32 amended (election may be questioned only by election petition made on specified grounds) 438

392. Section 33 amended (who may lodge election petition) 438

393. Section 35 substituted 438

35. Respondent to election petition 438

394. Section 41 amended (appointment of Returning Officers and assistants) 439

395. Section 42 substituted 439

42. Offence to obstruct or hinder electoral officers or Candidate Eligibility Review Committee 439

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397. Schedule, section 2 amended (how Election Committee is to be constituted) 442

398. Schedule, section 3 amended (resignation of member of Election Committee) 451

399. Schedule, section 4 amended (Electoral Registration Officer to compile and publish provisional register) 455

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400. Schedule, section 5 amended (supplementary nomination or subsector by-election to be held to fill vacancy in membership of Election Committee) 456

401. Schedule, Part 2A added 456

402. Schedule, Part 3 heading amended (religious subsector) 470

403. Schedule, Part 3, Division 1 added 470

404. Schedule, section 6 substituted 472

405. Schedule, section 6A added 472

406. Schedule, Part 3, Division 2 heading added 474

407. Schedule, section 7 amended (nomination of members by the religious subsector) 474

408. Schedule, section 7A added 477

409. Schedule, section 8 amended (who is qualified for selection as a nominee) 478

410. Schedule, section 9 amended (when a person is disqualified from being a nominee) 479

411. Schedule, section 9A added 480

412. Schedule, section 10 amended (application of the Elections (Corrupt and Illegal Conduct) Ordinance) 480

413. Schedule, section 11 amended (interpretation) 481

414. Schedule, section 11A added 482

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417. Schedule, section 14 amended (Electoral Registration Officer to compile and publish a register of voters) 490

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420. Schedule, section 18 amended (when a person is disqualified from being a subsector candidate) 492

421. Schedule, section 18A amended (when a person is disqualified from being a candidate for 4 subsectors in the Fourth Sector) 493

422. Schedule, sections 18B and 18C repealed 494

423. Schedule, section 22 amended (who are validly nominated candidates for subsector election) 494

424. Schedule, section 23 amended (death or disqualification of a validly nominated candidate before date of subsector election) 495

425. Schedule, section 26 amended (death or disqualification of a validly nominated candidate before declaration of election result) 496

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426. Schedule, section 39 amended (subsector election may be questioned only by appeal to Revising Officer) 496

427. Schedule, Part 4, Division 5 added 497

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429. Schedule, section 41 amended (Electoral Registration Officer to amend interim register or final register to give effect to change in ex-officio membership) 513

430. Schedule, section 42A added 513

431. Schedule, section 43A added 515

432. Schedule, section 47 amended (appointment of Returning Officers and assistants) 520

433. Schedule, section 48 amended (right of appeal to Revising Officer against decisions of Electoral Registration Officer) 520

434. Schedule, Annexes 1 to 13 added 521

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435. Section 2 amended (interpretation) 580

436. Section 3 amended (appeal against result of subsector election to Revising Officer) 581

437. Section 4 amended (appeals in relation to registration of nominees declared by Returning Officer as members of Election Committee) 582

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438. Section 4A added 583

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440. Section 6 amended (ruling of Revising Officer) 587

441. Section 7 amended (appellant and other persons concerned to be notified of ruling) 588

442. Section 8 amended (Electoral Registration Officer to be notified of ruling) 588

443. Section 10 amended (review of rulings by Revising Officer) 589

444. Section 11 amended (Revising Officer may require Electoral Registration Officer and Returning Officer to provide information) 590

445. Schedule amended (appeal notice) 590

Division 3—Election Committee (Registration) (Voters for Subsectors) (Members of Election Committee) (Appeals) Regulation (Cap. 569 sub. leg. B)

446. Section 2 amended (interpretation) 591

447. Section 2A amended (effect of inclement weather warning on date and period) 591

448. Section 3 amended (fixing of hearing and notifying appellant thereof) 593

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449. Section 3A amended (Revising Officer to determine certain claims or objections based on written submissions) 594

450. Section 4 amended (appellant and person in respect of whom objection is made to be notified of rulings etc.) 595

451. Section 5 amended (Electoral Registration Officer to be notified of rulings made under section 3(6) and (6A) etc.) 595

452. Section 5A amended (Electoral Registration Officer to be notified of rulings made under section 3A(5)) 596

453. Section 6 amended (determination of matters and powers of adjournment, etc.) 597

454. Section 7 amended (review of rulings by Revising Officer) 597

Division 4—Election Committee (Subscribers and Election Deposit for Nomination) Regulation (Cap. 569 sub. leg. C)

455. Section 2 amended (interpretation) 599

456. Section 4 amended (return of deposit on invalid nomination etc.) 599

457. Section 8 amended (number and qualifications of subscribers to nomination paper) 600

Division 5—Distribution of Number of Members Among Designated Bodies (Election Committee) Order 2001 (Cap. 569 sub. leg. D)

458. Distribution of Number of Members Among Designated Bodies (Election Committee) Order 2001 repealed 601

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Division 6—Chief Executive Election (Election Petition) Rules (Cap. 569 sub. leg. E)

459. Schedule amended (election petition) 601

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Division 1—High Court Ordinance (Cap. 4)

460. Section 14 amended (appeals in civil matters) 603

Division 2—Hong Kong Court of Final Appeal Ordinance (Cap. 484)

461. Part II, Division 2 heading amended (appeal from Court of Appeal to Court; appeal relating to election) 603

462. Section 22 amended (civil appeals) 603

Division 3—Electronic Transactions (Exclusion) Order (Cap. 553 sub. leg. B)

463. Schedule 1 amended (provisions excluded from application of section 5 of Ordinance) 604

Division 4—Travel Industry Ordinance (Cap. 634)

464. Schedule 11 amended (related amendments) 604

A BILL

To

Amend certain electoral legislation to improve the electoral system by revising the methods of forming the Election Committee, selecting the Chief Executive and forming the Legislative Council in accordance with Annexes I and II to the Basic Law; to specify the date of the general election for the seventh term of office of the Legislative Council; to introduce certain measures to facilitate the conduct of Legislative Council elections, District Council elections, Election Committee subsector elections and Chief Executive elections; to introduce the requirements of signing a statutory declaration and written oath as prerequisites for being a member of the Election Committee; to introduce offences for certain conduct obstructing another person from voting, or inciting another person not to vote, or to cast an invalid vote, at an election; to make minor technical amendments; and to provide for related matters.

Enacted by the Legislative Council.

Part 1

Preliminary

1. Short title and commencement

(1) This Ordinance may be cited as the Improving Electoral System (Consolidated Amendments) Ordinance 2021.

(2) Subject to subsections (3), (5), (6) and (7), this Ordinance comes into operation on the day on which it is published in the Gazette.

(3) The provisions specified in subsection (4)—

(a) come into operation on the day on which this Ordinance is published in the Gazette for the purpose only of enabling arrangements to be made for the constitution of the new term of office of the Election Committee in 2021; and

(b) in so far as they have not come into operation under paragraph (a), come into operation on 22 October 2021.

(4) The provisions specified for the purposes of subsection (3) are—

(a) Division 7 of Part 3;

(b) Division 8 of Part 3 (except sections 182(9), 202 to 205, 207, 208, 209, 212, 213, 214, 216, 219, 220 and 221(7));

(c) Division 1 of Part 7 (except sections 380, 382, 384 to 395, 398, 399, 417 and 431); and

(d) Divisions 2, 4 and 5 of Part 7.

(5) Division 1 of Part 4 (except sections 266(2) and (3), 294(20), 296, 299, 326, 333(3) and 342)—

(a) comes into operation on the day on which this Ordinance is published in the Gazette for the purpose only of enabling arrangements to be made for the holding of the general election for the seventh term of office of the Legislative Council; and

(b) in so far as it has not come into operation under paragraph (a), comes into operation on the day on which the seventh term of office of the Legislative Council begins.

(6) The following provisions come into operation on 22 October 2021—

(a) Division 9 of Part 3 (except sections 231, 232 and 233);

(b) sections 384 to 395;

(c) section 398;

(d) section 431;

(e) Division 6 of Part 7;

(f) Divisions 1 and 2 of Part 8.

(7) The following provisions come into operation on 1 May 2022—

(a) section 12(2);

(b) section 14(2);

(c) section 19(1) and (3) to (6);

(d) section 23(1), (3), (4), (5), (7) to (13) and (15);

(e) section 29(1), (3) to (11) and (13);

(f) section 30;

(g) section 34(2);

(h) section 52(6);

(i) section 58(1), (2) and (4) to (9);

(j) section 64(1), (3), (4), (5), (7) to (11) and (14);

(k) section 72(1), (3), (5), (6), (8), (10), (11), (12) and (15);

(l) section 73;

(m) section 74;

(n) section 299(3), (4) and (5);

(o) section 344(2);

(p) section 399;

(q) section 417(3), (5) and (6);

(r) section 447(2).

2. Enactments amended

The enactments specified in Parts 2 to 8 are amended as set out in those Parts.

Part 2

Amendments to Emergency (Date of General Election) (Seventh Term of the Legislative Council) Regulation (Cap. 241 sub. leg. L)

3. Section 2 amended (interpretation)

(1) Section 2—

Renumber the section as section 2(1).

(2) Section 2(1), definition of ***2021 election***—

Repeal

"5 September"

Substitute

"19 December".

(3) After section 2(1)—

Add

"(2) In this Regulation (except section 6), a reference to another enactment (including a reference that forms part of a reference to a particular provision of the enactment) is to be construed as a reference to that enactment as in force immediately before the discontinuation date.".

4. Section 6 amended (new date of general election and application of electoral law to 2021 election)

(1) Section 6(1)—

Repeal

"5 September"

Substitute

"19 December".

(2) Section 6(2)—

Repeal

"5 September"

Substitute

"19 December".

Part 3

Amendments to Electoral Affairs Commission Ordinance and its Subsidiary Legislation

Division 1—Electoral Affairs Commission Ordinance (Cap. 541)

5. Section 2 amended (interpretation)

Section 2(1)—

Repeal the definitions of *Provisional District Board* and *Provisional Legislative Council*.

6. Section 3 amended (establishment and membership)

(1) Section 3(5)(d)—

Repeal subparagraph (iv)

Substitute

"(iv) a member of a District Council; or".

(2) Section 3(5)(k)—

Repeal subparagraphs (v), (viii) and (x).

7. Section 7 amended (regulations)

(1) Section 7(1)(hb)(iv)—

Repeal

"or in respect of a list of candidates".

(2) After section 7(6)—

Add

"(6A) Regulations under this section may provide for—

(a) the imposition of a financial penalty not exceeding $10,000 for any contravention of a requirement in or made under the regulations; and

(b) the enforcement of such financial penalties in court.".

8. Section 8 amended (report on elections)

(1) Section 8(1), after "(6)"—

Add

", (6AA)".

(2) After section 8(6)—

Add

"(6AA) For a subsector election that precedes an election of the Chief Executive, the period within which the report in relation to the subsector election is to be made under subsection (1) begins only on the conclusion of the election of the Chief Executive.".

(3) Section 8(7), English text, definition of ***subsector by-election***—

Repeal the full stop

Substitute a semicolon.

(4) Section 8(7)—

Add in alphabetical order

"***subsector election*** (界別分組選舉) has the meaning given by section 1(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569).".

9. Section 18 amended (report on boundaries)

After section 18(4)—

Add

"(5) Despite subsection (1)(a), the Commission is not required to submit a report under that subsection in relation to the general election for the seventh term of office of the Legislative Council.".

Division 2—Electoral Affairs Commission (Registration of Electors) (Legislative Council Geographical Constituencies) (District Council Constituencies) Regulation (Cap. 541 sub. leg. A)

10. Section 2 amended (interpretation)

(1) Section 2(1), definition of ***District Council constituency***—

Repeal

"or (1A), as the case may be,".

(2) Section 2(1), definition of ***final register***—

Repeal

"or (1A)(b)(i)".

(3) Section 2(1)—

Repeal the definition of *Legislative Council constituency*—

Substitute

"***Legislative Council constituency*** (立法會選區) means—

(a) in relation to the compilation of a register for 2021 or any subsequent year before the specified year mentioned in paragraph (b)—an area that is specified to be a geographical constituency in Schedule 6 to the Legislative Council Ordinance (Cap. 542); or

(b) in relation to the compilation of a register for the year in which the first order made under section 18(2)(a) of the Legislative Council Ordinance (Cap. 542) after 2021 comes into operation (***specified year***) or any subsequent year—an area that is declared to be a geographical constituency in the last order made under that section immediately before the date by which the register must be compiled under section 32(1) of that Ordinance for that year;".

(4) Section 2(1), definition of ***provisional register***—

Repeal

"or (1A)(a)(i)".

(5) Section 2(1), definition of ***register***—

(a) paragraph (a)—

Repeal

"or (1A)(a)(i)";

(b) paragraph (b)—

Repeal

"or (1A)(b)(i)".

(6) Section 2(1)—

Repeal the definition of *District Council election year*.

(7) Section 2(1)—

Add in alphabetical order

"***eligible person*** (合資格人士) means an eligible person for the provisional register to be compiled for 2021 within the meaning of section 2AA;

specified form (指明表格), in relation to a particular purpose under this Regulation, means the form specified pursuant to section 7(1)(i) of the Ordinance or under section 76 of

the Legislative Council Ordinance (Cap. 542), for that purpose;".

11. Section 2AA added

After section 2—

Add

"**2AA. Meaning of *eligible person***

(1) A person is an eligible person for the provisional register to be compiled for 2021 if the person—

(a) is eligible under section 25 of Cap. 542 to be registered as an elector for the following functional constituency in the functional constituencies provisional register to be compiled for 2021—

(i) the medical and health services functional constituency; or

(ii) the Hong Kong Special Administrative Region deputies to the National People's Congress, Hong Kong Special Administrative Region members of the National Committee of the Chinese People's Political Consultative Conference and representatives of relevant national organisations functional constituency;

(b) has applied under section 19 of Cap. 541B to be registered as such an elector; and

(c) is not disqualified under section 31 of Cap. 542 from being registered as such an elector.

(2) A person is also an eligible person for the provisional register to be compiled for 2021 if the person—

(a) is eligible under section 12 of the Schedule to Cap. 569 to be registered as a voter for a subsector in the

subsector provisional register to be compiled for 2021; and

(b) has applied under section 19 of Cap. 541B to be registered as such a voter.

(3) A person is also an eligible person for the provisional register to be compiled for 2021 if the person—

(a) is eligible under section 5L of the Schedule to Cap. 569 to be registered as an ex-officio member for the purpose of constituting the Election Committee to be constituted on 22 October 2021;

(b) has applied under section 5I or 5J of that Schedule to be registered as such a member; and

(c) is not disqualified under section 5M of that Schedule from being registered as such a member.

(4) A person is also an eligible person for the provisional register to be compiled for 2021 if—

(a) a body who is an eligible person described in section 2AA(1) or (2) of Cap. 541B has applied under section 19 of Cap. 541B for registration as a corporate elector;

(b) the person is appointed by the body under section 20 of Cap. 541B as the authorized representative of the body; and

(c) the person is eligible under section 26 of Cap. 542 to be an authorized representative of the body.

(5) A person is also an eligible person for the provisional register to be compiled for 2021 if—

(a) a body who is an eligible person described in section 2AA(3) of Cap. 541B has applied under section 19 of Cap. 541B for registration as a corporate voter;

(b) the person is appointed by the body under section 20 of Cap. 541B as the authorized representative of the body; and

(c) the person is eligible under section 13 of the Schedule to Cap. 569 to be an authorized representative of the body.

(6) In this section—

body (團體) has the meaning given by section 2(1) of Cap. 541B;

Cap. 541B (《第 541B 章》) means 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);

Cap. 542 (《第 542 章》) means the Legislative Council Ordinance (Cap. 542);

Cap. 569 (《第 569 章》) means the Chief Executive Election Ordinance (Cap. 569);

corporate elector (團體選民) has the meaning given by section 3(1) of Cap. 542;

corporate voter (團體投票人) has the meaning given by section 11(1) of the Schedule to Cap. 569;

Election Committee (選舉委員會) has the meaning given by section 2(1) of Cap. 569;

functional constituencies provisional register (功能界別臨時選民登記冊) has the meaning given by section 2(1) of Cap. 541B;

functional constituency (功能界別) has the meaning given by section 3(1) of Cap. 542;

subsector (界別分組) has the meaning given by section 11(1) of the Schedule to Cap. 569;

subsector provisional register (界別分組臨時投票人登記冊) has the meaning given by section 2(1) of Cap. 541B.".

12. Section 2A amended (effect of inclement weather warning on date and period)

(1) Section 2A(4)—

Repeal Table 1

Substitute

"Table 1

Column 1	Column 2
section 4(1)(a)	section 4(2)(a) and (b)
section 4(3)(a)(i)	section 4(3)(a)(ii)
section 4(3)(b)(i)	section 4(3)(b)(ii)
section 10A(12)(a)(ii)	section 10A(12)(b)(i)
section 10A(12)(b)(ii)	section 10A(12)(c)(i)
section 10A(12)(c)(ii)	section 10A(12)(c)(i)
section 13(1A)(b)(i)	section 19(5)(a)
section 13(1A)(b)(ii)	section 19(5)(b)".

(2) Section 2A(4), Table 1—

Repeal

"section 13(1A)(b)(i)	section 19(5)(a)
section 13(1A)(b)(ii)	section 19(5)(b)"

Substitute

"section 13(1A)(b)	section 19(5)(b)".

(3) Section 2A(5)—

Repeal Table 2

Substitute

"Table 2

Column 1	Column 2
section 4(1)(a)	section 12(c)(iii)
section 4(3)(a)(i)	section 12(c)(ii)(A)
section 4(3)(b)(i)	section 12(c)(ii)(B)".

13. Section 3 amended (form of register)

(1) Section 3(5)(a)(ii)—

Repeal

"or a sub-subsector".

(2) Section 3(5)(b)—

Repeal

everything after "constituency"

Substitute

"for which a person is registered as an elector;".

(3) After section 3(5)(b)—

Add

"(c) the subsector for which a person is registered as a voter; and

(d) the subsector represented by a person as a member of the Election Committee.".

(4) Section 3(8)—

Repeal the definition of *subsector*

Substitute

"***subsector*** (界別分組) has the meaning given by section 11(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569);".

(5) Section 3(8)—

Repeal the definition of *sub-subsector*.

14. Section 4 amended (how to apply for registration in provisional register)

(1) Section 4(1)—

Repeal paragraph (a)

Substitute

"(a) subject to subsection (3)(a)(i) or (b)(i), the application must be made to the Electoral Registration Officer to be received by that Officer on or before 2 June in the year for which the provisional register is to be compiled;".

(2) After section 4(1)—

Add

"(1A) The Electoral Registration Officer may require the applicant to submit together with the application documentary evidence that proves that the address stated in the application is the principal residential address of the applicant.".

(3) Section 4—

Repeal subsection (2)

Substitute

"(2) Subject to subsection (3)(a)(ii) or (b)(ii), an application received by the Electoral Registration Officer must be treated as—

(a) if the application is received on or before 2 June in a year—an application for registration in the provisional register to be compiled for that year; or

(b) if the application is received after 2 June in a year—an application for registration in the provisional register to be compiled for the following year.

(3) In relation to the provisional register to be compiled for 2021—

(a) if a person is not an eligible person—

(i) an application made under subsection (1) by the person must be received by the Electoral Registration Officer on or before 2 May 2021; and

(ii) any such application received by the Officer after 2 May 2021, and on or before 2 June 2022, must be treated as an application for registration in the provisional register to be compiled for 2022; or

(b) if a person is an eligible person—

(i) an application made under subsection (1) by the person must be received by the Electoral Registration Officer on or before 14 June 2021; and

(ii) any such application received by the Officer after 14 June 2021, and on or before 2 June 2022, must be treated as an application for registration in the provisional register to be compiled for 2022.".

15. Section 5 amended (Electoral Registration Officer to determine whether or not applicant is eligible for registration and may ask for additional information)

Section 5(11)—

Repeal

everything after "means—"

Substitute

"(a) if the requirement is made in relation to an application for registration in the provisional register to be compiled for 2021—a period specified by the Electoral Registration Officer ending on or before—

(i) if the person is not an eligible person—11 May 2021; or

(ii) if the person is an eligible person—14 August 2021; or

(b) if the requirement is made in relation to an application for registration in the provisional register to be compiled for any year subsequent to 2021—a period specified by the Electoral Registration Officer ending on or before 11 July in that year.".

16. Section 7 amended (Electoral Registration Officer may make inquiries regarding persons registered in the existing final register)

Section 7(3)—

Repeal

everything after "existing final register"

Substitute

"only on or before—

(a) if the inquiry is made in compiling the provisional register for 2021—1 August 2021; or

(b) if the inquiry is made in compiling the provisional register for any year subsequent to 2021—16 May in that year.".

17. Section 8 amended (Electoral Registration Officer to determine whether persons registered in the existing final register are registered in the appropriate section and subsection)

Section 8(1)(c), after "(Cap. 542)"—

Add

"or Schedule 6 to that Ordinance".

18. Section 9 amended (Electoral Registration Officer to prepare an omissions list)

Section 9(5)—

Repeal

everything after "of—"

Substitute

"(a) the provisional register for 2021—

(i) for subsections (1)(a)(i) and (4)(a)—

(A) if the inquiry is made before 16 April 2021—2 May 2021; or

(B) if the inquiry is made between 16 April 2021 and 1 August 2021 (both dates inclusive)—a date specified by the Electoral Registration Officer in the inquiry that is not later than 14 August 2021;

(ii) for subsection (1)(ab)(ii)—2 May 2021; or

(iii) for subsection (1)(b)—14 August 2021; or

(b) the provisional register for any year subsequent to 2021—2 June in that year.".

19. Section 10 amended (Electoral Registration Officer to publish a notice that omissions list is available for public inspection)

(1) Section 10, heading—

Repeal

"public inspection"

Substitute

"inspection by specified persons".

(2) Section 10(2)—

Repeal

everything after ", is"

Substitute

"the period beginning on the date on which the notice relating to that list is published under subsection (1) and ending on—

(a) if the list is prepared in compiling the provisional register for 2021—25 September 2021; or

(b) if the list is prepared in compiling the provisional register for any year subsequent to 2021—25 August in that year.".

(3) Section 10—

Repeal subsection (2)

Substitute

"(2) For the purposes of section 32(6) of the Legislative Council Ordinance (Cap. 542)—

(a) a copy of an omissions list is to be made available for inspection at the Electoral Registration Officer's

office during its ordinary business hours in accordance with this section by specified persons only; and

(b) the period for which the copy of the list is to be made available for such inspection is the period beginning on the publication date and ending on 25 August in the same year.".

(4) Section 10(3)—

Repeal

"public inspection"

Substitute

"inspection in accordance with this section by specified persons".

(5) After section 10(3)—

Add

"(3A) The Electoral Registration Officer must, in a copy of an omissions list, or a copy of any part of an omissions list, that is made available for inspection by specified persons under this section, show the name of each person entered on the list in a way that—

(a) if the person's name is entered in Chinese—only the first Chinese character of the name is identifiable; or

(b) if the person's name is entered in English—only the first word of the name is identifiable.

(3B) Subsection (3A) does not affect the way in which any other particulars of a person entered on an omissions list may be shown.

(3C) The Electoral Registration Officer must also, in a way the Officer considers appropriate, make available for inspection by a person entered on an omissions list an

extract from the list showing only the entry relating to that person in full.".

(6) Section 10—

Repeal subsection (4)

Substitute

"(4) The Electoral Registration Officer may require a person who wishes to inspect under this section a copy of, or an extract from, the omissions list, or a copy of any part of an omissions list, to—

(a) produce to the Officer the identity document of the person; and

(b) complete a form furnished by the Officer.

(5) In this section—

coming election (下一個選舉), in relation to an omissions list, means any of the following elections that is held within 1 year after the publication date—

(a) a Legislative Council general election;

(b) a Legislative Council by-election for a geographical constituency;

(c) a District Council ordinary election;

(d) a District Council by-election;

District Council by-election (區議會補選) means a by-election as defined by section 2 of the District Councils Ordinance (Cap. 547);

District Council ordinary election (區議會一般選舉) means an ordinary election as defined by section 2 of the District Councils Ordinance (Cap. 547);

Legislative Council by-election (立法會補選) means a by-election as defined by section 3(1) of the Legislative Council Ordinance (Cap. 542);

Legislative Council general election (立法會換屆選舉) means a general election as defined by section 3(1) of the Legislative Council Ordinance (Cap. 542);

previous election (先前的選舉), in relation to an omissions list, means—

(a) the last Legislative Council general election that was held before the publication date;

(b) any Legislative Council by-election for a geographical constituency that was held after the election mentioned in paragraph (a) and before the publication date;

(c) the last District Council ordinary election that was held before the publication date; or

(d) any District Council by-election that was held after the election mentioned in paragraph (c) and before the publication date;

publication date (刊登日期), in relation to an omissions list, means the date on which a notice relating to the list is published under subsection (1);

specified person (指明的人), in relation to an omissions list, means—

(a) a person who is a subscriber to the Government News and Media Information System maintained by the Director of Information Services; or

(b) a body or organization that is incorporated, or is registered or exempt from registration, under any law of Hong Kong and—

(i) was provided an extract under section 21(1) for a purpose related to a previous election;

(ii) was represented by a validly nominated candidate at a previous election; or

(iii) has publicly declared an intention to arrange for any person (including a person yet to be specified) to stand as a candidate at a coming election.".

20. Section 10A amended (application for change of particulars in existing final register)

(1) Section 10A(3)—

Repeal

", in the application,".

(2) Section 10A—

Repeal subsection (5)

Substitute

"(5) The period is a period specified by the Electoral Registration Officer ending on or before—

(a) if the application is made within the period specified in subsection (12)(a)—11 May 2021;

(b) if the application is made within the period specified in subsection (12)(b)—11 July 2022; or

(c) if the application is made within a period specified in subsection (12)(c)—the first 11 July that follows the period.".

(3) Section 10A(12)—

Repeal

everything after "of—"

Substitute

"(a) the provisional register for 2021—

(i) after 2 April 2020; but

(ii) not later than 2 April 2021;

(b) the provisional register for 2022—

(i) after 2 April 2021; but

(ii) not later than 2 June 2022; or

(c) the provisional register for any year subsequent to 2022—

(i) after 2 June in the preceding year; but

(ii) not later than 2 June in the current year.".

21. Section 11 amended (Electoral Registration Officer to correct entries in existing final register in compiling provisional register)

Section 11(5)—

Repeal

everything after "of—"

Substitute

"(a) the provisional register for 2021—

(i) if the entry relates to a person who is not an eligible person—

(A) after 2 May 2020; but

(B) not later than 2 May 2021; or

(ii) if the entry relates to a person who is an eligible person—

(A) after 2 May 2020; but

(B) not later than 14 August 2021;

(b) the provisional register for 2022—

(i) if the entry relates to a person who is not an eligible person—

(A) after 2 May 2021; but

(B) not later than 2 June 2022; or

(ii) if the entry relates to a person who is an eligible person—

(A) after 14 August 2021; but

(B) not later than 2 June 2022; or

(c) the provisional register for any year subsequent to 2022—

(i) after 2 June in the preceding year; but

(ii) not later than 2 June in the current year.".

22. Section 12 amended (what is to be contained in provisional register)

Section 12(c)—

Repeal

everything after "section 4(1)—"

Substitute

"(i) for the provisional register for 2021—

(A) for applications made by persons who are not eligible persons—during the period beginning on 3 May 2020 and ending on 2 May 2021; or

(B) for applications made by persons who are eligible persons—during the period beginning on 3 May 2020 and ending on 14 June 2021;

(ii) for the provisional register for 2022—

(A) for applications made by persons who are not eligible persons—during the period beginning on 3 May 2021 and ending on 2 June 2022; or

(B) for applications made by persons who are eligible persons—during the period beginning on 15 June 2021 and ending on 2 June 2022; or

(iii) for the provisional register for any year subsequent to 2022—during the period beginning on 3 June in the preceding year and ending on 2 June in the current year.".

23. Section 13 amended (Electoral Registration Officer to publish a notice that provisional register is available for public inspection)

(1) Section 13, heading—

Repeal

"public inspection"

Substitute

"inspection by specified persons".

(2) Section 13—

Repeal subsection (1)

Substitute

"(1) After a provisional register is compiled, the Electoral Registration Officer must publish in accordance with subsections (1A) and (2) a notice for the provisional register.

(1A) A notice under subsection (1) must be published—

(a) in the Gazette and at least one Chinese language daily newspaper and one English language daily newspaper in circulation in Hong Kong; and

(b) not later than—

(i) for the provisional register compiled for 2021—13 September 2021; or

(ii) for the provisional register compiled for any year subsequent to 2021—1 August in that year.".

(3) Section 13(1A)(b)—

Repeal

everything after "not later than"

Substitute

"1 August in the year for which the provisional register is compiled.".

(4) Section 13(2)(a)—

Repeal

"public inspection"

Substitute

"inspection by specified persons".

(5) Section 13(2)(b)—

Repeal

"by the public".

(6) Section 13—

Repeal subsection (3)

Substitute

"(3) The Electoral Registration Officer must make available for public inspection, at the place or places specified in the notice under subsection (1) during ordinary business hours, a copy of the provisional register during the period beginning on the date on which the notice is published and ending on—

(a) for the provisional register compiled for 2021—25 September 2021; or

(b) for the provisional register compiled for any year subsequent to 2021—25 August in that year.".

(7) Section 13(3)—

Repeal

"public inspection"

Substitute

"inspection in accordance with this section by specified persons".

(8) Section 13(3)—

Repeal

everything after "ending on"

Substitute

"25 August in the same year.".

(9) Section 13(4)—

Repeal

"public inspection"

Substitute

"inspection in accordance with this section by specified persons".

(10) Section 13(4A)—

Repeal

"public inspection an"

Substitute

"inspection in accordance with this section by specified persons an".

(11) Section 13(4A)—

Repeal

"public inspection."

Substitute

"such inspection.".

(12) After section 13(4A)—

Add

"(4B) The Electoral Registration Officer must, in a copy of a provisional register, or a copy of any section or subsection of a provisional register, that is made available for inspection by specified persons under this section, show the name of each person registered in a way that—

(a) if the person's name is recorded in Chinese—only the first Chinese character of the name is identifiable; or

(b) if the person's name is recorded in English—only the first word of the name is identifiable.

(4C) Subsection (4B) does not affect the way in which any other particulars of a person registered in a provisional register may be shown.

(4D) The Electoral Registration Officer must also, in a way the Officer considers appropriate, make available for inspection by a person registered in a provisional register an extract from the register showing only the entry relating to that person in full.".

(13) Section 13—

Repeal subsection (5)

Substitute

"(5) The Electoral Registration Officer may require a person who wishes to inspect under this section a copy of, or an extract from, a provisional register, or a copy of any section or subsection of a provisional register, to—

(a) produce to the Officer the identity document of the person; and

(b) complete a form furnished by the Officer.".

(14) Section 13(6)—

Repeal

"or (1A)(a)(i), as the case may be,".

(15) After section 13(6)—

Add

"(7) In this section—

specified person (指明的人), in relation to a provisional register, means a person who is entitled to inspect under section 10 a copy of the omissions list prepared in compiling the register.".

24. Section 14 amended (person may object to registration of registered person in the provisional register)

Section 14(2)(c)—

Repeal

everything after "Officer—"

Substitute

"(i) if the objection relates to a person registered in the provisional register compiled for 2021—not later than 25 September 2021; or

(ii) if the objection relates to a person registered in the provisional register compiled for any year subsequent to 2021—not later than 25 August in that year.".

25. Section 15 amended (who may lodge a notice of claim)

Section 15(7)—

Repeal

everything after "Officer—"

Substitute

"(a) if the claim relates to a register compiled, or the omissions list prepared in compiling the provisional register, for 2021—not later than 25 September 2021; or

(b) if the claim relates to a register compiled, or the omissions list prepared in compiling the provisional register, for any year subsequent to 2021—not later than 25 August in that year.".

26. Section 16 amended (Electoral Registration Officer to deliver copies of notices of objection and notices of claim to Revising Officer)

Section 16(3)—

Repeal

everything after "delivered—"

Substitute

"(a) if the notice relates to a register compiled, or the omissions list prepared in compiling the provisional register, for 2021—not later than 29 September 2021; or

(b) if the notice relates to a register compiled, or the omissions list prepared in compiling the provisional register, for any year subsequent to 2021—not later than 29 August in that year.".

27. Section 18 amended (Electoral Registration Officer to correct entries in provisional register with approval of Revising Officer)

Section 18(2)(a)—

Repeal

everything after "removal—"

Substitute

"(i) in relation to the final register to be compiled for 2021—not later than 11 October 2021; or

(ii) in relation to the final register to be compiled for any year subsequent to 2021—11 September in that year; and".

28. Section 19 amended (what is to be contained in final register)

Section 19—

Repeal subsection (5)

Substitute

"(5) Only decisions made by the Revising Officer during the following period are to be taken into account for the purposes of subsection (1)(b), (2), (3) or (4)—

(a) in relation to the final register to be compiled for 2021—the period beginning on 13 September 2021 and ending on 11 October 2021; or

(b) in relation to the final register to be compiled for any year subsequent to 2021—the period beginning on 1 August and ending on 11 September in that year.".

29. Section 20 amended (Electoral Registration Officer to publish notice of final register and to make final register available for public inspection)

(1) Section 20, heading—

Repeal

"public inspection"

Substitute

"inspection by specified persons".

(2) Section 20—

Repeal subsection (1)

Substitute

"(1) After a final register is compiled, the Electoral Registration Officer must publish in accordance with subsections (1A) and (2) a notice for the final register.

(1A) A notice under subsection (1) must be published—

(a) in the Gazette and at least one Chinese language daily newspaper and one English language daily newspaper in circulation in Hong Kong; and

(b) not later than—

(i) for the final register compiled for 2021—25 October 2021; or

(ii) for the final register compiled for any year subsequent to 2021—25 September in that year.".

(3) Section 20(1A)(b)—

Repeal

everything after "not later than"

Substitute

"25 September in the year for which the final register is compiled.".

(4) Section 20(2)(a)—

Repeal

"public inspection"

Substitute

"inspection by specified persons".

(5) Section 20(2)(b)—

Repeal

"inspected by the public"

Substitute

"so inspected".

(6) Section 20(3)—

Repeal

"public inspection"

Substitute

"inspection in accordance with this section by specified persons".

(7) Section 20(4)—

Repeal

"public inspection"

Substitute

"inspection in accordance with this section by specified persons".

(8) Section 20(4A)—

Repeal

"public inspection an"

Substitute

"inspection in accordance with this section by specified persons an".

(9) Section 20(4A)—

Repeal

"public inspection."

Substitute

"such inspection.".

(10) After section 20(4A)—

Add

"(4B) The Electoral Registration Officer must, in a copy of a final register, or a copy of any section or subsection of a final register, that is made available for inspection by specified persons under this section, show the name of each person registered in a way that—

(a) if the person's name is recorded in Chinese—only the first Chinese character of the name is identifiable; or

(b) if the person's name is recorded in English—only the first word of the name is identifiable.

(4C) Subsection (4B) does not affect the way in which any other particulars of a person registered in a final register may be shown.

(4D) A person falling within paragraph (c) of the definition of ***specified person*** in subsection (7) may, in that capacity, inspect under this section only—

(a) for a person being a validly nominated candidate for a Legislative Council constituency—a copy of the section of the final register that relates to that Legislative Council constituency; or

(b) for a person being a validly nominated candidate for a District Council constituency—a copy of the subsection of the final register that relates to that District Council constituency.

(4E) The Electoral Registration Officer must also, in a way the Officer considers appropriate, make available for inspection by a person registered in a final register an extract from the register showing only the entry relating to that person in full.".

(11) Section 20—

Repeal subsection (5)

Substitute

"(5) The Electoral Registration Officer may require a person who wishes to inspect under this section a copy of, or an extract from, a final register, or a copy of any section or subsection of a final register, to—

(a) produce to the Officer the identity document of the person; and

(b) complete a form furnished by the Officer.".

(12) Section 20(6)—

Repeal

"or (1A)(b)(i), as the case may be,".

(13) After section 20(6)—

Add

"(7) In this section—

coming election (下一個選舉), in relation to a final register, means any of the following elections that is held within 1 year after the publication date—

(a) a Legislative Council general election;

(b) a Legislative Council by-election for a geographical constituency;

(c) a District Council ordinary election;

(d) a District Council by-election;

District Council by-election (區議會補選) means a by-election as defined by section 2 of the District Councils Ordinance (Cap. 547);

District Council ordinary election (區議會一般選舉) means an ordinary election as defined by section 2 of the District Councils Ordinance (Cap. 547);

Legislative Council by-election (立法會補選) means a by-election as defined by section 3(1) of the Legislative Council Ordinance (Cap. 542);

Legislative Council general election (立法會換屆選舉) means a general election as defined by section 3(1) of the Legislative Council Ordinance (Cap. 542);

previous election (先前的選舉), in relation to a final register, means—

(a) the last Legislative Council general election that was held before the publication date;

(b) any Legislative Council by-election for a geographical constituency that was held after the election mentioned in paragraph (a) and before the publication date;

(c) the last District Council ordinary election that was held before the publication date; or

(d) any District Council by-election that was held after the election mentioned in paragraph (c) and before the publication date;

publication date (刊登日期), in relation to a final register, means the date on which a notice relating to the register is published under subsection (1);

specified person (指明的人), in relation to a final register, means—

(a) a person who is a subscriber to the Government News and Media Information System maintained by the Director of Information Services;

(b) a body or organization that is incorporated, or is registered or exempt from registration, under any law of Hong Kong and—

(i) was provided an extract under section 21(1) for a purpose related to a previous election;

(ii) was represented by a validly nominated candidate at a previous election; or

(iii) has publicly declared an intention to arrange for any person (including a person yet to be specified) to stand as a candidate at a coming election; or

(c) a person who is—

(i) a validly nominated candidate for a Legislative Council constituency at a coming election; or

(ii) a validly nominated candidate for a District Council constituency at a coming election.".

30. Section 21 amended (Electoral Registration Officer may make available extracts of register for purposes of an election)

(1) Section 21, heading, after "**register**"—

Add

"**to specified persons**".

(2) Section 21(1)—

Repeal

"any person that Officer considers appropriate"

Substitute

"a specified person".

(3) Section 21—

Repeal subsection (5)

Substitute

"(5) In this section—

election (選舉) means—

(a) an election as defined by section 3(1) of the Legislative Council Ordinance (Cap. 542); or

(b) an election as defined by section 2 of the District Councils Ordinance (Cap. 547);

specified person (指明的人) means—

(a) in relation to a provisional register—a person who is entitled to inspect under section 10 a copy of the omissions list prepared in compiling the register by virtue of being a person falling within paragraph (b) of the definition of ***specified person*** in section 10(5); or

(b) in relation to a final register—a person falling within paragraph (b) or (c) of the definition of ***specified person*** in section 20(7).".

31. Section 22 amended (offences and penalties)

Section 22(7)(c)—

Repeal

", 18 and 30"

Substitute

"and 18".

Division 3—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)

32. Section 2 amended (interpretation)

(1) Section 2(1), definition of ***functional constituencies final register***—

Repeal

"or (1A)(b)(ii)".

(2) Section 2(1), definition of ***functional constituencies provisional register***—

Repeal

"or (1A)(a)(ii)".

(3) Section 2(1), definition of ***geographical constituencies final register***—

Repeal

"or (1A)(b)(i)".

(4) Section 2(1), definition of ***geographical constituencies provisional register***—

Repeal

"or (1A)(a)(i)".

(5) Section 2(1), definition of ***geographical constituency***, after "(Cap. 542)"—

Add

"or specified to be a geographical constituency in Schedule 6 to that Ordinance".

(6) Section 2(1), definition of ***subsector final register***—

Repeal

"or (1A)(b)".

(7) Section 2(1), definition of ***subsector provisional register***—

Repeal

"or (1A)(a)".

(8) Section 2(1)—

(a) definition of ***District Council election year***;

(b) definition of ***elected DC member***;

(c) definition of ***sub-subsector***—

Repeal the definitions.

(9) Section 2(1)—

Add in alphabetical order

"***eligible person*** (合資格人士) means—

(a) in relation to a functional constituencies provisional register—an eligible person for the functional constituencies provisional register to be compiled for 2021 within the meaning of section 2AA(1) or (2); or

(b) in relation to a subsector provisional register—an eligible person for the subsector provisional register to be compiled for 2021 within the meaning of section 2AA(3);

Hong Kong and Kowloon District Committees subsector (港九地區委員會界別分組) means the representatives of members of Area Committees, District Fight Crime Committees, and District Fire Safety Committees of Hong Kong and Kowloon subsector;

member of District Committee (地區委員會的委員) means a person who is a member of any of the Area Committees, District Fight Crime Committees and District Fire Safety Committees specified in section 39ZH or 39ZI of the

Schedule to the Chief Executive Election Ordinance (Cap. 569);

New Territories District Committees subsector (新界地區委員會界別分組) means the representatives of members of Area Committees, District Fight Crime Committees, and District Fire Safety Committees of the New Territories subsector;

NPC, CPPCC and relevant national organisations functional constituency (全國人大、全國政協及有關全國性團體功能界別) means the Hong Kong Special Administrative Region deputies to the National People's Congress, Hong Kong Special Administrative Region members of the National Committee of the Chinese People's Political Consultative Conference and representatives of relevant national organisations functional constituency;

NPC deputy, CPPCC member or representative of relevant national organisation (全國人大代表、全國政協委員或有關全國性團體代表) means a person specified in section 20ZD of the Legislative Council Ordinance (Cap. 542);

representative of relevant national organisation (有關全國性團體代表) means a person specified in section 20ZD(c), (d), (e), (f) or (g) of the Legislative Council Ordinance (Cap. 542);".

33. Section 2AA added

After section 2—

Add

"**2AA. Meaning of *eligible person***

(1) A person is an eligible person for the functional constituencies provisional register to be compiled for 2021 if the person—

(a) is eligible under section 25 of Cap. 542 to be registered as an elector for the following functional constituency in that provisional register—

(i) the agriculture and fisheries functional constituency;

(ii) the commercial (third) functional constituency;

(iii) the transport functional constituency;

(iv) the tourism functional constituency;

(v) the catering functional constituency;

(vi) the technology and innovation functional constituency;

(vii) the sports, performing arts, culture and publication functional constituency;

(viii) the medical and health services functional constituency; or

(ix) the NPC, CPPCC and relevant national organisations functional constituency;

(b) applies under section 19 to be registered as such an elector; and

(c) is not disqualified under section 31 of Cap. 542 from being registered as such an elector.

(2) A person is also an eligible person for the functional constituencies provisional register to be compiled for 2021 if—

(a) the person is registered in the functional constituencies final register published in 2020 as an elector for a functional constituency in a particular capacity (***former capacity***);

(b) the person is no longer eligible to be registered as an elector for any functional constituency by virtue of the former capacity; and

(c) the person—

(i) is eligible under section 25 of Cap. 542 to be registered as an elector for any functional constituency in another capacity in that provisional register;

(ii) applies under section 19 to be registered as such an elector; and

(iii) is not disqualified under section 31 of Cap. 542 from being registered as such an elector.

(3) A person is an eligible person for the subsector provisional register to be compiled for 2021 if the person—

(a) is eligible under section 12 of the Schedule to Cap. 569 to be registered as a voter for a subsector in that provisional register; and

(b) applies under section 19 to be registered as such a voter.

(4) In this section—

Cap. 542 (《第 542 章》) means the Legislative Council Ordinance (Cap. 542);

Cap. 569 (《第 569 章》) means the Chief Executive Election Ordinance (Cap. 569).".

34. Section 2A amended (effect of inclement weather warning on date and period)

(1) Section 2A(4)—

Repeal Table 1

Substitute

"Table 1

Column 1	Column 2
section 19(1)(a)	section 19(4)(a) and (b)
section 19(4A)(a)(i)	section 19(4A)(a)(ii)
section 19(4A)(b)(i)	section 19(4A)(b)(ii)
section 26(4A)(a)(i)(B)	section 26(4A)(b)(i)(A)
section 26(4A)(a)(ii)(B)	section 26(4A)(b)(ii)(A)
section 26(4A)(b)(i)(B)	section 26(4A)(c)(i)
section 26(4A)(b)(ii)(B)	section 26(4A)(c)(i)
section 26(4A)(c)(ii)	section 26(4A)(c)(i)
section 26A(12)(a)(ii)	section 26A(12)(b)(i)
section 26A(12)(b)(ii)	section 26A(12)(c)(i)
section 26A(12)(c)(ii)	section 26A(12)(c)(i)
section 29(1A)(b)(i)	section 35(5)(a)
section 29(1A)(b)(ii)	section 36(5)(a)
section 29(1A)(b)(iii)	sections 35(5)(b) and 36(5)(b)".

(2) Section 2A(4), Table 1—

Repeal

"section 29(1A)(b)(i)	section 35(5)(a)
section 29(1A)(b)(ii)	section 36(5)(a)

section 29(1A)(b)(iii)	sections 35(5)(b) and 36(5)(b)"

Substitute

"section 29(1A)(b)(i)	sections 35(5)(b) and 36(5)(b)".

(3) Section 2A(5)—

Repeal Table 2

Substitute

"Table 2

Column 1	Column 2
section 19(1)(a)	sections 27(1)(c)(i)(C) and (ii)(C) and 28(1)(a)(i)(C) and (ii)(C)
section 19(4A)(a)(i)	sections 27(1)(c)(ii)(B)(I) and 28(1)(a)(ii)(B)(I)
section 19(4A)(b)(i)	sections 27(1)(c)(ii)(B)(II) and 28(1)(a)(ii)(B)(II)".

35. Section 3 amended (form of the functional constituencies register)

(1) Section 3(1)—

Repeal

"Subject to subsection (1A), a"

Substitute

"A".

(2) Section 3—

Repeal subsections (1A) and (2A).

(3) Section 3(4)—

Repeal

"(other than a register for the District Council (second) functional constituency)".

36. Section 4 amended (form of the subsector register)

(1) Section 4(1)—

Repeal

"4"

Substitute

"5".

(2) Section 4(1)—

Repeal

"and the Fourth"

Substitute

", the Fourth Sector and the Fifth".

(3) Section 4(2)—

Repeal

everything after "Table.".

(4) Section 4(3)—

Repeal

everything after "voter.".

(5) Section 4(5) and (6)—

Repeal

"or sub-subsector" (wherever appearing).

(6) Section 4(7)—

Repeal

"or a sub-subsector".

37. Section 5 amended (form of the Election Committee register)

(1) Section 5(1)—

Repeal

"4"

Substitute

"5".

(2) Section 5(2)—

Repeal

"or sub-subsector".

(3) Section 5(4)—

Repeal paragraph (e).

(4) Section 5(5)—

Repeal

"or sub-subsector".

38. Section 7 amended (entries in an Election Committee register to be in Chinese or English)

Section 7(a)(iii)(A)—

Repeal

"the religious"

Substitute

"a".

39. Section 9 amended (Electoral Registration Officer to have power to require information from persons to prepare registers)

(1) Section 9(2)(d)—

Repeal

"20ZB"

Substitute

"20ZD".

(2) Section 9(2)(f)—

Repeal the semicolon

Substitute

"; and".

(3) Section 9(2)—

Repeal paragraph (g).

(4) Section 9—

Repeal subsection (6A)

Substitute

"(6A) In subsection (2)(c), the reference to the constitution of a body is a reference to—

(a) in relation to a body concerned with a functional constituencies register—the constitution of the body within the meaning of section 3AA(2) of the Legislative Council Ordinance (Cap. 542); or

(b) in relation to a body concerned with a subsector register—the constitution of the body within the meaning of section 11A(2) of the Schedule to the Chief Executive Election Ordinance (Cap. 569).".

(5) Section 9(7)—

Repeal the definition of *constitution*.

40. Section 10 amended (Electoral Registration Officer may require personal particulars of persons to be registered as ex-officio members of Election Committee)

(1) Section 10—

Repeal subsection (1)

Substitute

"(1) For the purpose of preparing an Election Committee register, the Electoral Registration Officer may require any of the following persons to furnish information as to the personal particulars of any person who holds, or appears to the Officer to hold, an office specified in Division 1 of Part 2A of the Schedule to the Chief Executive Election Ordinance (Cap. 569)—

(a) a body;

(b) a public authority;

(c) any other person.".

(2) Section 10—

Repeal subsection (6)

Substitute

"(6) In this section—

prepare (擬備) means compile, revise, correct or publish;

public authority (公共主管當局) includes a public officer or a member of a public body within the meaning of the Interpretation and General Clauses Ordinance (Cap. 1).".

41. Section 11 amended (interpretation of Part IV)

(1) Section 11(1), definition of ***due date***—

Repeal

everything after "means"

Substitute

"the first 2 June that follows the sending of the notification or, if a date is specified in the notification under section 12(5), that date;".

(2) Section 11(1), definition of ***existing geographical constituencies final register***—

Repeal

"or (1A)(b)(i)".

(3) Section 11(1)—

(a) definition of ***corresponding subsector***;

(b) definition of ***listed subsector***;

(c) definition of ***optional subsector***—

Repeal the definitions.

(4) Section 11(3)—

Repeal

"Subject to subsection (4), for"

Substitute

"For".

(5) Section 11—

Repeal subsections (4) and (6).

42. Section 12 amended (Electoral Registration Officer may send notifications)

(1) Section 12(2)—

Repeal

everything after "post—"

Substitute

"(a) if the notification is sent for compiling—

(i) the functional constituencies provisional register for 2021—at least 14 days before 14 August 2021; or

(ii) the subsector provisional register for 2021—at least 7 days before 14 June 2021; or

(b) if the notification is sent for compiling the functional constituencies provisional register or subsector provisional register for any year subsequent to 2021—at least 14 days before 2 June in that year.".

(2) At the end of section 12—

Add

"(5) A notification sent for compiling the functional constituencies provisional register or subsector provisional register for 2021 must specify a date as the due date for the notification.

(6) The date specified under subsection (5) must be—

(a) at least 7 days after the date on which the notification is sent; and

(b) not later than—

(i) for a notification sent for compiling the functional constituencies provisional register for 2021—14 August 2021; or

(ii) for a notification sent for compiling the subsector provisional register for 2021—14 June 2021.

(7) The Electoral Registration Officer may send 1 notification under this section to a person both for compiling a functional constituencies provisional register and for compiling a subsector provisional register.".

43. Section 13 amended (Electoral Registration Officer may send notifications to members of Heung Yee Kuk to compile functional constituencies register)

Section 13(2A)(c)—

Repeal

", but is not eligible to be registered as an elector for the District Council (first) functional constituency".

44. Section 13A repealed (Electoral Registration Officer may send notifications to elected DC members to compile functional constituencies register)

Section 13A—

Repeal the section.

45. Section 13B added

Before section 14—

Add

"13B. Electoral Registration Officer may send notifications to NPC deputy, CPPCC member or representative of relevant national organisation to compile functional constituencies register

(1) To compile a functional constituencies provisional register, the Electoral Registration Officer may send a notification to an NPC deputy, CPPCC member or representative of relevant national organisation who—

(a) is registered in the existing geographical constituencies final register;

(b) is not registered for the NPC, CPPCC and relevant national organisations functional constituency in the existing functional constituencies final register;

(c) is eligible to be registered as an elector for the NPC, CPPCC and relevant national organisations functional constituency; and

(d) is not eligible to be registered as an elector for the Heung Yee Kuk functional constituency.

(2) Subsection (1)(b) does not apply in relation to the compilation of the functional constituencies provisional register for 2021.

(3) A notification sent under subsection (1) must state that unless the recipient elects not to be registered, the recipient will be registered as an elector for the NPC, CPPCC and relevant national organisations functional constituency.".

46. Section 14 amended (Electoral Registration Officer may send notifications to natural persons eligible to be registered as electors for functional constituencies)

(1) Section 14(1)—

Repeal

"an elected DC member"

Substitute

"an NPC deputy, CPPCC member or representative of relevant national organisation".

(2) Section 14(1)(c)—

Repeal

"District Council (first)"

Substitute

"the NPC, CPPCC and relevant national organisations".

(3) After section 14(1)—

Add

"(1A) For compiling the functional constituencies provisional register for 2021, the Electoral Registration Officer may also send a notification to a natural person (not being a member of the Heung Yee Kuk or an NPC deputy, CPPCC member or representative of relevant national organisation) who—

(a) is registered in the functional constituencies final register published in 2020 as an elector for a functional constituency in a particular capacity (***former capacity***);

(b) is no longer eligible to be registered as an elector for any functional constituency by virtue of the former capacity; and

(c) appears to the Officer to be eligible to be registered as an elector for a functional constituency (excluding the Heung Yee Kuk functional constituency and the NPC, CPPCC and relevant national organisations functional constituency).".

(4) Section 14(5), after "(1)"—

Add

"or (1A)".

(5) Section 14—

Repeal subsection (6).

47. Section 14A repealed (Electoral Registration Officer may send notifications to elected DC members to compile subsector register)

Section 14A—

Repeal the section.

48. Sections 14B, 14C and 14D added

Before section 15—

Add

"14B. Electoral Registration Officer may send notifications to members of Heung Yee Kuk to compile subsector register

(1) To compile a subsector provisional register, the Electoral Registration Officer may send a notification to a member of the Heung Yee Kuk who—

(a) is registered in the existing geographical constituencies final register;

(b) is not registered for the Heung Yee Kuk subsector in the existing subsector final register; and

(c) is eligible to be registered as a voter for the Heung Yee Kuk subsector.

(2) A notification sent under subsection (1) must state that unless the recipient elects not to be registered, the recipient will be registered as a voter for the Heung Yee Kuk subsector.

14C. Electoral Registration Officer may send notifications to representatives of relevant national organisations to compile subsector register

(1) To compile a subsector provisional register, the Electoral Registration Officer may send a notification to a representative of relevant national organisation who—

(a) is registered in the existing geographical constituencies final register;

(b) is not registered for the representatives of Hong Kong members of relevant national organisations subsector in the existing subsector final register;

(c) is eligible to be registered as a voter for the representatives of Hong Kong members of relevant national organisations subsector; and

(d) is not eligible to be registered as a voter for the Heung Yee Kuk subsector.

(2) Subsection (1)(b) does not apply in relation to the compilation of the subsector provisional register for 2021.

(3) A notification sent under subsection (1) must state that unless the recipient elects not to be registered, the recipient will be registered as a voter for the representatives of Hong Kong members of relevant national organisations subsector.

14D. Electoral Registration Officer may send notifications to members of District Committees to compile subsector register

(1) To compile a subsector provisional register, the Electoral Registration Officer may send a notification to a member of District Committee who—

(a) is registered in the existing geographical constituencies final register;

(b) is not registered for the Hong Kong and Kowloon District Committees subsector or the New Territories District Committees subsector in the existing subsector final register;

(c) is eligible to be registered as a voter for the Hong Kong and Kowloon District Committees subsector or the New Territories District Committees subsector; and

(d) is neither eligible to be registered as a voter for the Heung Yee Kuk subsector nor the representatives of

Hong Kong members of relevant national organisations subsector.

(2) Subsection (1)(b) does not apply in relation to the compilation of the subsector provisional register for 2021.

(3) A notification sent under subsection (1) must state that unless the recipient elects not to be registered, the recipient will be registered as a voter for the Hong Kong and Kowloon District Committees subsector or the New Territories District Committees subsector, as the case may be.".

49. Section 15 repealed (Electoral Registration Officer may send notifications to natural persons eligible to be registered as voters for subsectors)

Section 15—

Repeal the section.

50. Section 16 amended (Electoral Registration Officer to register persons in the functional constituencies provisional register or subsector provisional register in accordance with response to a notification)

(1) Section 16—

Repeal subsection (1A).

(2) Before section 16(2)—

Add

"(1B) Unless a recipient under section 13B(3) elects not to be registered, the Electoral Registration Officer must register the recipient as an elector for the NPC, CPPCC and relevant national organisations functional constituency.".

(3) Section 16(2)—

Repeal

", and, subject to section 15, as a voter for the corresponding subsector".

(4) Section 16—

Repeal subsection (2A).

(5) Before section 16(3)—

Add

"(2B) Unless a recipient under section 14B(2) elects not to be registered, the Electoral Registration Officer must register the recipient as a voter for the Heung Yee Kuk subsector.

(2C) Unless a recipient under section 14C(3) elects not to be registered, the Electoral Registration Officer must register the recipient as a voter for the representatives of Hong Kong members of relevant national organisations subsector.

(2D) Unless a recipient under section 14D(3) elects not to be registered, the Electoral Registration Officer must register the recipient as a voter for the Hong Kong and Kowloon District Committees subsector or the New Territories District Committees subsector, as specified in the notification.".

(6) Section 16—

Repeal subsection (3).

(7) Section 16(4)—

Repeal

"13A(2)(a), 14(5) or 14A(2)(a)"

Substitute

"13B(3), 14(5), 14B(2), 14C(3) or 14D(3)".

(8) Section 16—

Repeal subsection (5).

(9) Section 16(6)—

Repeal

"Subject to section 12(10) of the Schedule to the Chief Executive Election Ordinance (Cap. 569), if"

Substitute

"If".

51. Section 18 amended (when Electoral Registration Officer cannot register persons under a notification)

Section 18(1)—

Repeal paragraphs (a) and (b)

Substitute

"(a) in compiling—

(i) the functional constituencies provisional register for 2021—not later than 14 August 2021; or

(ii) the subsector provisional register for 2021—not later than 14 June 2021; or

(b) in compiling the functional constituencies provisional register or subsector provisional register for any year subsequent to 2021—not later than 2 June in that year,".

52. Section 19 amended (how to apply for registration in functional constituencies provisional register and subsector provisional register)

(1) Section 19(1)—

Repeal paragraph (a)

Substitute

"(a) subject to subsection (4A)(a)(i) or (b)(i), the application must be made to the Electoral Registration Officer to be

received by that Officer on or before 2 June in the year for which the relevant provisional register is to be compiled;".

(2) Section 19—

Repeal subsection (1A).

(3) Section 19(1B)(a)—

Repeal subparagraph (ii).

(4) Section 19(1B)(a)—

Repeal subparagraph (iii)

Substitute

"(iii) is registered as a voter for a subsector and makes an application for registration as an elector for a functional constituency; or

(iv) is registered as an elector for a functional constituency and makes an application for registration as a voter for a subsector; and".

(5) Section 19(1B)(b)—

Repeal

"(ii) or (iii)"

Substitute

"(iii) or (iv)".

(6) After section 19(1C)—

Add

"(1D) For an application made by a natural person, the Electoral Registration Officer may require the applicant to submit together with the application documentary evidence that proves that the address stated in the application is the principal residential address of the applicant.".

(7) Section 19—

Repeal subsections (2) and (3).

(8) Section 19—

Repeal subsection (4)

Substitute

"(4) Subject to subsection (4A)(a)(ii) or (b)(ii), an application for registration as an elector for a functional constituency, or as a voter for a subsector, received by the Electoral Registration Officer must be treated as—

(a) if the application is received on or before 2 June in a year—an application for registration in the relevant provisional register to be compiled for that year; or

(b) if the application is received after 2 June in a year—an application for registration in the relevant provisional register to be compiled for the following year.

(4A) In relation to the functional constituencies provisional register or subsector provisional register to be compiled for 2021—

(a) if a person is not an eligible person—

(i) an application made under subsection (1) by the person must be received by the Electoral Registration Officer on or before 2 May 2021; and

(ii) any such application received by the Officer after 2 May 2021, and on or before 2 June 2022, must be treated as an application for registration in the relevant provisional register to be compiled for 2022; or

(b) if a person is an eligible person—

(i) an application made under subsection (1) by the person must be received by the Electoral Registration Officer on or before 14 June 2021; and

(ii) any such application received by the Officer after 14 June 2021, and on or before 2 June 2022, must be treated as an application for registration in the relevant provisional register to be compiled for 2022.".

(9) Section 19—

Repeal subsection (7)

Substitute

"(7) In this section—

existing geographical constituencies final register (現有的地方選區正式選民登記冊) has the meaning given by section 11(1).".

53. Section 20 amended (a corporate elector or corporate voter to appoint an authorized representative)

(1) Section 20(2)—

Repeal

everything after "Officer—"

Substitute

"(a) if the form relates to registration in the functional constituencies provisional register or subsector provisional register to be compiled for 2021—see subsection (2A); or

(b) if the form relates to registration in the functional constituencies provisional register or subsector

provisional register to be compiled for any year subsequent to 2021—on or before 2 June in that year.".

(2) After section 20(2)—

Add

"(2A) In relation to the functional constituencies provisional register or subsector provisional register to be compiled for 2021, a specified form sent by a person under subsection (2)—

(a) if the person is not an eligible person—must reach the Electoral Registration Officer not later than 2 May 2021; or

(b) if the person is an eligible person—must reach the Electoral Registration Officer not later than 14 June 2021.".

54. Section 21 amended (Electoral Registration Officer to determine whether or not applicant is eligible for registration and may ask for additional information)

(1) Section 21—

Repeal subsection (7A).

(2) Section 21(12)(b)—

Repeal

everything after "means"

Substitute

"a period specified by the Electoral Registration Officer ending on or before—

(i) if the requirement is made in relation to an application for registration in the functional constituencies provisional register to be compiled for 2021—

(A) if the person is not an eligible person—11 May 2021; or

(B) if the person is an eligible person—14 August 2021;

(ii) if the requirement is made in relation to an application for registration in the subsector provisional register to be compiled for 2021—

(A) if the person is not an eligible person—11 May 2021; or

(B) if the person is an eligible person—27 June 2021; or

(iii) if the requirement is made in relation to an application for registration in the functional constituencies provisional register or subsector provisional register to be compiled for any year subsequent to 2021—11 July in that year.".

55. Section 22 amended (Electoral Registration Officer may make inquiries regarding persons registered in the existing functional constituencies or subsector final register)

(1) Section 22—

Repeal subsection (3A).

(2) After section 22(4)—

Add

"(4A) In compiling the functional constituencies provisional register for 2021—

(a) the Electoral Registration Officer may make an inquiry collectively regarding any category of persons whose names are recorded in the functional constituencies final register published in 2020; and

(b) such an inquiry may, despite subsections (3) and (4)—

(i) refer to the persons covered generally by any description the Officer considers appropriate; and

(ii) be made in any way the Officer considers appropriate.

(4B) Despite subsection (1), no inquiry is to be made in compiling the subsector provisional register for 2021.".

(3) Section 22(5)—

Repeal

everything after "final register"

Substitute

"only on or before—

(a) if the inquiry is made in compiling the functional constituencies provisional register for 2021—1 August 2021; or

(b) if the inquiry is made in compiling the functional constituencies provisional register or subsector provisional register for any year subsequent to 2021—16 May in that year.".

56. Section 23 amended (Electoral Registration Officer to determine whether persons registered in the existing functional constituencies or subsector final register are registered in the appropriate part)

After section 23(3)—

Add

"(4) In compiling the functional constituencies provisional register for 2021, if an inquiry mentioned in section 22(4A) was made in respect of any category of persons—

(a) the Electoral Registration Officer may inform all or any of those persons collectively of the Officer's determinations under subsection (1); and

(b) such an information may, despite subsections (2) and (3)—

(i) refer to the persons covered generally by any description the Officer considers appropriate; and

(ii) be made in any way the Officer considers appropriate.".

57. Section 24 amended (Electoral Registration Officer to prepare an omissions list)

(1) Section 24(1)—

Repeal

"subsections (1A), (1B), (1C) and"

Substitute

"subsection".

(2) Section 24—

Repeal subsections (1A), (1B) and (1C).

(3) After section 24(3AA)—

Add

"(3AAB) For the omissions list prepared in compiling the subsector provisional register for 2021 (***2021 subsector omissions list***)—

(a) subsections (1), (3) and (3AA) do not apply; and

(b) the Electoral Registration Officer must, subject to subsection (3AAC) and section 28AA(2), enter on the list the personal particulars or relevant particulars of all persons whose names are recorded in the subsector final register published in 2020.

(3AAC) The Electoral Registration Officer may decide not to enter on the 2021 subsector omissions list the personal particulars or relevant particulars of a person if the Officer is satisfied on reasonable grounds, based on any information received under section 9 or Part IV or V, or otherwise, that the person is eligible to be registered as a voter for any subsector.".

(4) Section 24(5)—

Repeal

"The"

Substitute

"Subject to subsection (5A), the".

(5) After section 24(5)—

Add

"(5A) In compiling the functional constituencies provisional register for 2021, subsection (5)(a) does not apply in relation to a person if an inquiry mentioned in section 22(4A) covering that person was made.".

(6) Section 24(7)—

Repeal

everything after "date is"

Substitute

"—

(a) in relation to the compilation of the functional constituencies provisional register for 2021—

(i) for subsections (1)(i)(A), (3)(i) and (5)(a)—a date specified by the Electoral Registration Officer in the inquiry that is not later than 14 August 2021;

(ii) for subsections (1)(ia)(B) and (3AA)(b)—2 May 2021; or

(iii) for subsection (1)(ii)—14 August 2021; or

(b) in relation to the compilation of the functional constituencies provisional register or subsector provisional register for any year subsequent to 2021—2 June in that year.".

(7) Section 24—

Repeal subsection (8).

(8) Section 24(9)—

Repeal the definition of *corresponding subsector*.

58. Section 25 amended (Electoral Registration Officer to publish a notice that omissions list is available for public inspection)

(1) Section 25, heading—

Repeal

"public inspection"

Substitute

"inspection by specified persons".

(2) Section 25—

Repeal subsection (1)

Substitute

"(1) As soon as practicable after an omissions list is prepared, the Electoral Registration Officer must publish a notice that complies with section 32(5) of the Legislative Council Ordinance (Cap. 542) or section 4(5) or 14(5) of the Schedule to the Chief Executive Election Ordinance (Cap. 569) (as the case requires)—

(a) in the Gazette; and

(b) in at least one Chinese language daily newspaper and one English language daily newspaper in circulation in Hong Kong.".

(3) Section 25(2)—

Repeal

everything after "relevant period"

Substitute

"is the period beginning on the date on which the notice relating to the omissions list is published under subsection (1)(a) (***date of notice***) and ending on—

(a) for an omissions list prepared in compiling a functional constituencies provisional register—

(i) if the list is prepared in compiling the functional constituencies provisional register for 2021—25 September 2021; or

(ii) if the list is prepared in compiling the functional constituencies provisional register for any year subsequent to 2021—25 August in that year;

(b) for an omissions list prepared in compiling a subsector provisional register—

(i) if the list is prepared in compiling the subsector provisional register for 2021—1 July 2021; or

(ii) if the list is prepared in compiling the subsector provisional register for any year subsequent to 2021—25 August in that year; or

(c) for an Election Committee omissions list—the seventh day after the date of notice.".

(4) Section 25—

Repeal subsection (2)

Substitute

"(2) For the purposes of section 32(6) of the Legislative Council Ordinance (Cap. 542) and sections 4(6) and 14(6) of the Schedule to the Chief Executive Election Ordinance (Cap. 569)—

(a) a copy of an omissions list is to be made available for inspection at the Electoral Registration Officer's office during its ordinary business hours in accordance with this section by specified persons only; and

(b) the period for which the copy of the list is to be made available for such inspection is the period beginning on the publication date and ending on—

(i) for a copy of a functional constituencies omissions list or subsector omissions list—25 August in the same year; or

(ii) for a copy of an Election Committee omissions list—the seventh day after the publication date.".

(5) Section 25—

Repeal subsection (3).

(6) Section 25(4)—

Repeal

"Without affecting subsection (1), the"

Substitute

"The".

(7) Section 25(4)—

Repeal

"by members of the public, free of charge"

Substitute

"in accordance with this section by specified persons".

(8) After section 25(4)—

Add

"(4A) The Electoral Registration Officer must, in a copy of an omissions list, or a copy of any part of an omissions list, that is made available for inspection by specified persons (other than the general public) under this section—

(a) in relation to each natural person entered on the list—show the name of the person in a way that—

(i) if the person's name is entered in Chinese—only the first Chinese character of the name is identifiable; or

(ii) if the person's name is entered in English—only the first word of the name is identifiable; and

(b) in relation to each body entered on the list—

(i) show the name of the body in full; and

(ii) show the name of the authorized representative of the body in full.

(4B) Subsection (4A) does not affect the way in which any other particulars of a person entered on an omissions list may be shown.

(4C) The Electoral Registration Officer must, in a copy of an omissions list, or a copy of any part of an omissions list, that is made available for inspection by the general public under this section, show only the entries relating to the bodies, but not the entries relating to the natural persons, entered on the list.

(4D) The Electoral Registration Officer must also, in a way the Officer considers appropriate, make available for inspection by a person entered on a functional constituencies omissions list, subsector omissions list or Election Committee omissions list an extract from the list showing only the entry relating to that person in full.".

(9) Section 25—

Repeal subsection (6)

Substitute

"(6) The Electoral Registration Officer may require a person who wishes to inspect under this section a copy of, or an extract from, an omissions list, or a copy of any part of an omissions list, to—

(a) produce to the Officer the identity document of the person; and

(b) complete a form furnished by the Officer.

(7) In this section—

Chief Executive election (行政長官選舉) means an election as defined by section 2(1) of the Chief Executive Election Ordinance (Cap. 569);

coming election (下一個選舉), in relation to an omissions list, means—

(a) for a functional constituencies omissions list—any of the following elections that is held within 1 year after the publication date—

(i) a Legislative Council general election;

(ii) a Legislative Council by-election for a functional constituency;

(b) for a subsector omissions list—any of the following elections that is held within 1 year after the publication date—

(i) a subsector ordinary election;

(ii) a subsector by-election; or

(c) for an Election Committee omissions list—

(i) the first Chief Executive election that is held after the publication date; or

(ii) any of the following elections that is held within the term of office of the Election Committee to which the list relates—

(A) a Legislative Council general election;

(B) a Legislative Council by-election for the Election Committee constituency;

general public (一般人士) means a person who falls within paragraph (b) of the definition of ***specified person***;

Legislative Council by-election (立法會補選) means a by-election as defined by section 3(1) of the Legislative Council Ordinance (Cap. 542);

Legislative Council general election (立法會換屆選舉) means a general election as defined by section 3(1) of the Legislative Council Ordinance (Cap. 542);

previous election (先前的選舉), in relation to an omissions list, means—

(a) for a functional constituencies omissions list—

(i) the last Legislative Council general election that was held before the publication date; or

(ii) any Legislative Council by-election for a functional constituency that was held after the election mentioned in subparagraph (i) and before the publication date;

(b) for a subsector omissions list—

(i) the last subsector ordinary election that was held before the publication date; or

(ii) any subsector by-election that was held after the election mentioned in subparagraph (i) and before the publication date; or

(c) for an Election Committee omissions list—

(i) the last Chief Executive election that was held before the publication date;

(ii) the last Legislative Council general election that was held before the publication date; or

(iii) the last Legislative Council by-election for the Election Committee constituency that was held after the election mentioned in subparagraph (ii) and before the publication date;

publication date (刊登日期), in relation to an omissions list, means the date on which a notice relating to the list is published under subsection (1);

specified person (指明的人)—

(a) in relation to a functional constituencies omissions list, subsector omissions list or Election Committee omissions list—means—

(i) a person who is a subscriber to the Government News and Media Information System maintained by the Director of Information Services; or

(ii) a body or organization that is incorporated, or is registered or exempt from registration, under any law of Hong Kong and—

(A) was provided an extract under section 41(1) for a purpose related to a previous election;

(B) was represented by a validly nominated candidate at a previous election; or

(C) has publicly declared an intention to arrange for any person (including a person yet to be specified) to stand as a candidate at a coming election; and

(b) in relation to a functional constituencies omissions list or subsector omissions list—includes any member of the public who does not fall within paragraph (a)(i) and (ii);

subsector by-election (界別分組補選) has the meaning given by section 1(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569);

subsector ordinary election (界別分組一般選舉) has the meaning given by section 1(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569).".

59. Section 26 amended (request for change of certain particulars in existing final register and correction of entries in it)

(1) Section 26(4A)—

Repeal

everything after "of—"

Substitute

"(a) the functional constituencies provisional register or subsector provisional register for 2021—

(i) if the entry relates to a person who is not an eligible person—

(A) after 2 April 2020; but

(B) not later than 2 April 2021; or

(ii) if the entry relates to a person who is an eligible person—

(A) after 2 April 2020; but

(B) not later than 14 June 2021;

(b) the functional constituencies provisional register or subsector provisional register for 2022—

(i) if the entry relates to a person who is not an eligible person—

(A) after 2 April 2021; but

(B) not later than 2 June 2022; or

(ii) if the entry relates to a person who is an eligible person—

(A) after 14 June 2021; but

(B) not later than 2 June 2022;

(c) the functional constituencies provisional register or subsector provisional register for any year subsequent to 2022—

(i) after 2 June in the preceding year; but

(ii) not later than 2 June in the current year; or

(d) an Election Committee provisional register—

(i) if another Election Committee provisional register has been published during the term of office of the Election Committee—

(A) after the seventh day after the date on which that other register was last published; but

(B) not later than the date on which a specified declaration was made; or

(ii) if no Election Committee provisional register has been published during the term of office of the Election Committee—not later than the date on which a specified declaration was made.".

(2) Section 26(5)—

Repeal

everything after "of—"

Substitute

"(a) the functional constituencies provisional register or subsector provisional register for 2021—

(i) if the entry relates to a person who is not an eligible person—

(A) after 2 May 2020; but

(B) not later than 2 May 2021; or

(ii) if the entry relates to a person who is an eligible person—

(A) after 2 May 2020; but

(B) not later than 14 June 2021;

(b) the functional constituencies provisional register or subsector provisional register for 2022—

(i) if the entry relates to a person who is not an eligible person—

(A) after 2 May 2021; but

(B) not later than 2 June 2022; or

(ii) if the entry relates to a person who is an eligible person—

(A) after 14 June 2021; but

(B) not later than 2 June 2022;

(c) the functional constituencies provisional register or subsector provisional register for any year subsequent to 2022—

(i) after 2 June in the preceding year; but

(ii) not later than 2 June in the current year; or

(d) an Election Committee provisional register—

(i) if another Election Committee provisional register has been published during the term of office of the Election Committee—

(A) after the seventh day after the date on which that other register was last published; but

(B) not later than the date on which a specified declaration was made; or

(ii) if no Election Committee provisional register has been published during the term of office of the Election Committee—not later than the date on which a specified declaration was made.".

(3) Section 26(8), definition of ***specified period***—

Repeal

everything after "means"

Substitute

"a period specified by the Electoral Registration Officer ending on or before—

(a) if the requirement is made in relation to a request made by a person who is not an eligible person—

(i) within the period specified in subsection (4A)(a)(i)—11 May 2021; or

(ii) within the period specified in subsection (4A)(b)(i)—11 July 2022;

(b) if the requirement is made in relation to a request made by a person who is an eligible person—

(i) within the period specified in subsection (4A)(a)(ii)—

(A) in the case of a functional constituencies provisional register—14 August 2021; or

(B) in the case of a subsector provisional register—27 June 2021; or

(ii) within the period specified in subsection (4A)(b)(ii)—11 July 2022; or

(c) if the requirement is made in relation to a request made by any person within a period specified in subsection (4A)(c)—the first 11 July that follows the period.".

60. Section 26A amended (application for change of personal particulars in existing final register)

(1) Section 26A(3)—

Repeal

", in the application,".

(2) Section 26A—

Repeal subsection (5)

Substitute

"(5) The period is a period specified by the Electoral Registration Officer ending on or before—

(a) if the application is made within the period specified in subsection (12)(a)—11 May 2021;

(b) if the application is made within the period specified in subsection (12)(b)—11 July 2022; or

(c) if the application is made within a period specified in subsection (12)(c)—the first 11 July that follows the period.".

(3) Section 26A(12)—

Repeal

everything after "of—"

Substitute

"(a) the functional constituencies provisional register or subsector provisional register for 2021—

(i) after 2 April 2020; but

(ii) not later than 2 April 2021;

(b) the functional constituencies provisional register or subsector provisional register for 2022—

(i) after 2 April 2021; but

(ii) not later than 2 June 2022;

(c) the functional constituencies provisional register or subsector provisional register for any year subsequent to 2022—

(i) after 2 June in the preceding year; but

(ii) not later than 2 June in the current year; or

(d) an Election Committee provisional register—

(i) if another Election Committee provisional register has been published during the term of office of the Election Committee—

(A) after the seventh day after the date on which that other register was last published; but

(B) not later than the date on which a specified declaration was made; or

(ii) if no Election Committee provisional register has been published during the term of office of the Election Committee—not later than the date on which a specified declaration was made.".

61. Section 27 amended (what is to be contained in a functional constituencies provisional register)

(1) Section 27(1)(a)—

Repeal

"and 26A"

Substitute

", 26A and 28AA".

(2) Section 27(1)(c)(i)—

Repeal

everything after "Part IV—"

Substitute

"(A) for the functional constituencies provisional register to be compiled for 2021—during the period beginning on 3 May 2020 and ending on 14 August 2021;

(B) for the functional constituencies provisional register to be compiled for 2022—during the period beginning on 15 August 2021 and ending on 2 June 2022; or

(C) for the functional constituencies provisional register to be compiled for any year subsequent to 2022—during the period beginning on 3 June in the preceding year and ending on 2 June in the current year; and".

(3) Section 27(1)(c)(ii)—

Repeal

everything after "Officer—"

Substitute

"(A) for the functional constituencies provisional register to be compiled for 2021—during the period beginning on 3 May 2020 and ending on—

(I) for persons who are not eligible persons—2 May 2021; or

(II) for persons who are eligible persons—14 June 2021;

(B) for the functional constituencies provisional register to be compiled for 2022—during the period beginning on the following date and ending on 2 June 2022—

(I) for persons who are not eligible persons—3 May 2021; or

(II) for persons who are eligible persons—15 June 2021; or

(C) for the functional constituencies provisional register to be compiled for any year subsequent to 2022—during the

period beginning on 3 June in the preceding year and ending on 2 June in the current year; and".

62. Section 28 amended (what is to be contained in a subsector provisional register)

(1) Section 28(1)(aa)—

Repeal

"and 26A"

Substitute

", 26A and 28AA".

(2) Section 28(1)(a)(i)—

Repeal

everything after "Part IV—"

Substitute

"(A) for the subsector provisional register to be compiled for 2021—during the period beginning on 3 May 2020 and ending on 14 June 2021;

(B) for the subsector provisional register to be compiled for 2022—during the period beginning on 15 June 2021 and ending on 2 June 2022; or

(C) for the subsector provisional register to be compiled for any year subsequent to 2022—during the period beginning on 3 June in the preceding year and ending on 2 June in the current year; and".

(3) Section 28(1)(a)(ii)—

Repeal

everything after "Officer—"

Substitute

"(A) for the subsector provisional register to be compiled for 2021—during the period beginning on 3 May 2020 and ending on—

(I) for persons who are not eligible persons—2 May 2021; or

(II) for persons who are eligible persons—14 June 2021;

(B) for the subsector provisional register to be compiled for 2022—during the period beginning on the following date and ending on 2 June 2022—

(I) for persons who are not eligible persons—3 May 2021; or

(II) for persons who are eligible persons—15 June 2021; or

(C) for the subsector provisional register to be compiled for any year subsequent to 2022—during the period beginning on 3 June in the preceding year and ending on 2 June in the current year; and".

(4) Section 28—

Repeal subsections (2) and (3).

63. Section 28AA added

After section 28—

Add

"**28AA. Treatment of particulars recorded in existing final registers for certain functional constituencies and subsectors in compiling functional constituencies provisional register and subsector provisional register for 2021**

(1) In compiling the functional constituencies provisional register for 2021, the Electoral Registration Officer is not required to include in that register, or the omissions list

prepared in compiling that register, the personal particulars or relevant particulars of the persons whose names are recorded in the functional constituencies final register published in 2020 under the part for—

(a) the District Council (first) functional constituency;

(b) the District Council (second) functional constituency; or

(c) the information technology functional constituency.

(2) In compiling the subsector provisional register for 2021, the Electoral Registration Officer is not required to include in that register, or the omissions list prepared in compiling that register, the personal particulars or relevant particulars of the persons whose names are recorded in the subsector final register published in 2020 under the section for—

(a) the information technology subsector;

(b) the Hong Kong and Kowloon District Councils subsector; or

(c) the New Territories District Councils subsector.

(3) To avoid doubt, the Electoral Registration Officer is not, for the purposes of section 31(1)(a), regarded as having determined a person to be not eligible to be registered as an elector or voter only by reason of not having included the personal particulars or relevant particulars of that person in a provisional register or omissions list under subsection (1) or (2).".

64. Section 29 amended (Electoral Registration Officer to publish a notice that provisional register is available for public inspection)

(1) Section 29, heading—

Repeal

"public inspection"

Substitute

"inspection by specified persons".

(2) Section 29—

Repeal subsection (1)

Substitute

"(1) After a functional constituencies provisional register, subsector provisional register or Election Committee provisional register is compiled, the Electoral Registration Officer must publish in accordance with subsections (1A) and (2) a notice for the provisional register.

(1A) A notice under subsection (1) must be published—

(a) in the Gazette and at least one Chinese language daily newspaper and one English language daily newspaper in circulation in Hong Kong; and

(b) not later than—

(i) for the functional constituencies provisional register compiled for 2021—13 September 2021;

(ii) for the subsector provisional register compiled for 2021—27 June 2021;

(iii) for the functional constituencies provisional register or subsector provisional register compiled for any year subsequent to 2021—1 August in that year; or

(iv) for an Election Committee provisional register—the date by which the provisional register is required to be compiled under

section 4 of the Schedule to the Chief Executive Election Ordinance (Cap. 569).".

(3) Section 29(1A)(b)—

Repeal

everything after "not later than—"

Substitute

"(i) for a functional constituencies provisional register or subsector provisional register—1 August in the year for which the provisional register is compiled; or

(ii) for an Election Committee provisional register—the date by which the provisional register is required to be compiled under section 4 of the Schedule to the Chief Executive Election Ordinance (Cap. 569).".

(4) Section 29(2)(a)—

Repeal

"public inspection"

Substitute

"inspection by specified persons".

(5) Section 29(2)(b)—

Repeal

"by the public".

(6) Section 29—

Repeal subsection (3)

Substitute

"(3) The Electoral Registration Officer must make available for public inspection, at the place or places specified in the notice under subsection (1) during ordinary business hours, a copy of the relevant provisional register during

the period beginning on the date on which the notice is published (***date of notice***) and ending on—

(a) for the functional constituencies provisional register compiled for 2021—25 September 2021;

(b) for the subsector provisional register compiled for 2021—1 July 2021;

(c) for the functional constituencies provisional register or subsector provisional register compiled for any year subsequent to 2021—25 August in that year; or

(d) for an Election Committee provisional register—the seventh day after the date of notice.".

(7) Section 29(3)—

Repeal

"public inspection"

Substitute

"inspection in accordance with this section by specified persons".

(8) Section 29(3)—

Repeal

everything after "on—"

Substitute

"(a) for a functional constituencies provisional register or subsector provisional register—25 August in the same year; or

(b) for an Election Committee provisional register—the seventh day after the date of notice.".

(9) Section 29(4)—

Repeal

"public inspection"

Substitute

"inspection in accordance with this section by specified persons".

(10) After section 29(4)—

Add

"(4A) The Electoral Registration Officer must, in a copy of a provisional register, or a copy of any part or section of a provisional register, that is made available for inspection by specified persons (other than the general public) under this section—

(a) in relation to each natural person registered—show the name of the person in a way that—

(i) if the person's name is recorded in Chinese—only the first Chinese character of the name is identifiable; or

(ii) if the person's name is recorded in English—only the first word of the name is identifiable; and

(b) in relation to each body registered—

(i) show the name of the body in full; and

(ii) show the name of the authorized representative of the body in full.

(4B) Subsection (4A) does not affect the way in which any other particulars of a person registered in a provisional register may be shown.

(4C) The Electoral Registration Officer must, in a copy of a provisional register, or a copy of any part or section of a provisional register, that is made available for inspection by the general public under this section, show only the

entries relating to the bodies, but not the entries relating to the natural persons, registered.

(4D) The Electoral Registration Officer must also, in a way the Officer considers appropriate, make available for inspection by a person registered in a functional constituencies provisional register, subsector provisional register or Election Committee provisional register an extract from the register showing only the entry relating to that person in full.".

(11) Section 29—

Repeal subsection (5)

Substitute

"(5) The Electoral Registration Officer may require a person who wishes to inspect under this section a copy of, or an extract from, a functional constituencies provisional register, subsector provisional register or Election Committee provisional register, or a copy of a part or section of those registers, to—

(a) produce to the Officer the identity document of the person; and

(b) complete a form furnished by the Officer.".

(12) Section 29(5A)—

Repeal

"or (1A)(a)(ii), as the case may be,".

(13) Section 29(6)—

Repeal

"or (1A)(a), as the case may be,".

(14) After section 29(7)—

Add

"(8) In this section—

general public (一般人士) has the meaning given by section 25(7);

specified person (指明的人), in relation to a functional constituencies provisional register, subsector provisional register or Election Committee provisional register, means a person who is entitled to inspect under section 25 a copy of the omissions list prepared in compiling the register.".

65. Section 30 amended (person may object to registration of registered person in the register)

Section 30(2)(c)—

Repeal

everything after "Officer—"

Substitute

"(i) if the objection relates to a person registered in the functional constituencies provisional register compiled for 2021—not later than 25 September 2021;

(ii) if the objection relates to a person registered in the subsector provisional register compiled for 2021—not later than 1 July 2021;

(iii) if the objection relates to a person registered in the functional constituencies provisional register or subsector provisional register compiled for any year subsequent to 2021—not later than 25 August in that year; or

(iv) if the objection relates to a person registered in an Election Committee provisional register—not later than the seventh day after the date of publication of the relevant Election Committee provisional register.".

66. Section 31 amended (who may lodge a notice of claim)

(1) Section 31—

Repeal subsection (6A).

(2) Section 31(8)—

Repeal

everything after "Officer—"

Substitute

"(a) if the claim relates to a functional constituencies register compiled, or the omissions list prepared in compiling the functional constituencies provisional register, for 2021—not later than 25 September 2021;

(b) if the claim relates to a subsector register compiled, or the omissions list prepared in compiling the subsector provisional register, for 2021—not later than 1 July 2021;

(c) if the claim relates to a functional constituencies register or subsector register compiled, or the omissions list prepared in compiling the functional constituencies provisional register or subsector provisional register, for any year subsequent to 2021—not later than 25 August in that year; or

(d) if the claim relates to an Election Committee register or Election Committee omissions list—not later than the seventh day after the date of publication of the relevant Election Committee provisional register.".

(3) Section 31(9) and (9A)—

Repeal

"(8)(a)(i) or (ii)"

Substitute

"(8)(a), (b) or (c)".

67. Section 32 amended (Electoral Registration Officer to deliver copies of notices of objection, notices of claim and notices of appeal to Revising Officer)

(1) Section 32(2)—

Repeal

everything after "delivered—"

Substitute

"(a) if the notice relates to a functional constituencies register compiled, or the omissions list prepared in compiling the functional constituencies provisional register, for 2021—not later than 29 September 2021;

(b) if the notice relates to a subsector register compiled, or the omissions list prepared in compiling the subsector provisional register, for 2021—not later than 2 July 2021;

(c) if the notice relates to a functional constituencies register or subsector register compiled, or the omissions list prepared in compiling the functional constituencies provisional register or subsector provisional register, for any year subsequent to 2021—not later than 29 August in that year; or

(d) if the notice relates to an Election Committee register or Election Committee omissions list—not later than the tenth day after the date of publication of the relevant Election Committee provisional register.".

(2) Section 32(3)(b)—

Repeal

everything after "31A(2)(d)—"

Substitute

"(i) if the notice is received on or before 26 August in a year—not later than 29 August in that year; or

(ii) if the notice is received after 26 August in a year—not later than 29 August in the following year.".

(3) Before section 32(6)(a)—

Add

"(aa) the notice of objection is made in relation to the functional constituencies provisional register or subsector provisional register compiled for 2021;".

(4) Before section 32(7)(a)—

Add

"(aa) the notice of claim is made in relation to the functional constituencies provisional register or subsector provisional register compiled for 2021;".

68. Section 34 amended (Electoral Registration Officer to correct entries in provisional register with approval of Revising Officer)

(1) Section 34—

Repeal subsection (1A).

(2) Section 34(2)—

Repeal

"or (1A)".

(3) Section 34(2)(a)—

Repeal

everything after "removal—"

Substitute

"(i) in relation to the functional constituencies final register to be compiled for 2021—not later than 11 October 2021;

(ii) in relation to the subsector final register to be compiled for 2021—not later than 11 July 2021;

(iii) in relation to the functional constituencies final register or subsector final register to be compiled for any year subsequent to 2021—not later than 11 September in that year; or

(iv) in relation to an Election Committee final register—not later than the twentieth day after the date of publication of the relevant Election Committee provisional register; and".

69. Section 35 amended (what is to be contained in a functional constituencies final register)

Section 35—

Repeal subsection (5)

Substitute

"(5) Only decisions made by the Revising Officer during the following period are to be taken into account for the purposes of subsection (1)(b), (2), (3) or (4)—

(a) in relation to the functional constituencies final register to be compiled for 2021—the period beginning on 13 September 2021 and ending on 11 October 2021; or

(b) in relation to the functional constituencies final register to be compiled for any year subsequent to 2021—the period beginning on 1 August and ending on 11 September in that year.".

70. Section 36 amended (what is to be contained in a subsector final register)

(1) Section 36—

Repeal subsection (5)

Substitute

"(5) Only decisions made by the Revising Officer during the following period are to be taken into account for the purposes of subsection (1)(b), (2), (3) or (4)—

(a) in relation to the subsector final register to be compiled for 2021—the period beginning on 27 June 2021 and ending on 11 July 2021; or

(b) in relation to the subsector final register to be compiled for any year subsequent to 2021—the period beginning on 1 August and ending on 11 September in that year.".

(2) Section 36—

Repeal subsection (6).

71. Section 37 amended (what is to be contained in an Election Committee interim register and an Election Committee final register)

Section 37(1)(c)—

Repeal

"2(8)"

Substitute

"5I, 5J".

72. Section 38 amended (Electoral Registration Officer to publish notice of and make available for public inspection functional constituencies final register and subsector final register)

(1) Section 38, heading—

Repeal

"public inspection"

Substitute

"inspection by specified persons".

(2) Section 38—

Repeal subsection (1)

Substitute

"(1) After a functional constituencies final register or subsector final register is compiled, the Electoral Registration Officer must publish in accordance with subsections (1A) and (2) a notice for the final register.

(1A) A notice under subsection (1) must be published—

(a) in the Gazette and at least one Chinese language daily newspaper and one English language daily newspaper in circulation in Hong Kong; and

(b) not later than—

(i) for the functional constituencies final register compiled for 2021—25 October 2021;

(ii) for the subsector final register compiled for 2021—25 July 2021; or

(iii) for the functional constituencies final register or subsector final register compiled for any year subsequent to 2021—25 September in that year.".

(3) Section 38(1A)(b)—

Repeal

everything after "not later than"

Substitute

"25 September in the year for which the final register is compiled.".

(4) Section 38(2)(a)—

Repeal

"and where applicable, the subsector final register,"

Substitute

"or a copy of the subsector final register (as the case may be)".

(5) Section 38(2)(a)—

Repeal

"public inspection"

Substitute

"inspection by specified persons".

(6) Section 38(2)(b)—

Repeal

"inspected by the public"

Substitute

"so inspected".

(7) Section 38—

Repeal subsection (2A).

(8) Section 38(3)—

Repeal

"public inspection"

Substitute

"inspection in accordance with this section by specified persons".

(9) Section 38(3)—

Repeal

"and where applicable, the subsector final register,"

Substitute

"or a copy of the subsector final register (as the case may be)".

(10) Section 38(4)—

Repeal

"public inspection"

Substitute

"inspection in accordance with this section by specified persons".

(11) After section 38(4)—

Add

"(4AA) The Electoral Registration Officer must, in a copy of a final register, or a copy of any part or section of a final register, that is made available for inspection by specified persons (other than the general public) under this section—

(a) in relation to each natural person registered—show the name of the person in a way that—

(i) if the person's name is recorded in Chinese—only the first Chinese character of the name is identifiable; or

(ii) if the person's name is recorded in English—only the first word of the name is identifiable; and

(b) in relation to each body registered—

(i) show the name of the body in full; and

(ii) show the name of the authorized representative of the body in full.

(4AAB) Subsection (4AA) does not affect the way in which any other particulars of a person registered in a final register may be shown.

(4AAC) A person falling within paragraph (c) of the definition of ***specified person*** in subsection (7) may, in that capacity, inspect under this section only—

(a) for a person being a validly nominated candidate for a functional constituency—a copy of the part of the functional constituencies final register that relates to that functional constituency; or

(b) for a person being a validly nominated candidate for a subsector—a copy of the section of the subsector final register that relates to that subsector.

(4AAD) The Electoral Registration Officer must, in a copy of a final register, or a copy of any part or section of a final register, that is made available for inspection by the general public under this section, show only the entries relating to the bodies, but not the entries relating to the natural persons, registered.

(4AAE) The Electoral Registration Officer must also, in a way the Officer considers appropriate, make available for inspection by a person registered in a functional constituencies final register or subsector final register an extract from the register showing only the entry relating to that person in full.".

(12) Section 38—

Repeal subsection (4A)

Substitute

"(4A) The Electoral Registration Officer may require a person who wishes to inspect under this section a copy of, or an extract from, a functional constituencies final register or subsector final register, or a copy of a part or section of those registers, to—

(a) produce to the Officer the identity document of the person; and

(b) complete a form furnished by the Officer.".

(13) Section 38(5)—

Repeal

"or (1A)(b)(ii), as the case may be,".

(14) Section 38(6)—

Repeal

"or (1A)(b), as the case may be,".

(15) After section 38(6)—

Add

"(7) In this section—

coming election (下一個選舉) means—

(a) in relation to a functional constituencies final register—any of the following elections that is held within 1 year after the publication date—

(i) a Legislative Council general election;

(ii) a Legislative Council by-election for a functional constituency; or

(b) in relation to a subsector final register—any of the following elections that is held within 1 year after the publication date—

(i) a subsector ordinary election;

(ii) a subsector by-election;

general public (一般人士) means a person who falls within paragraph (d) of the definition of ***specified person***;

Legislative Council by-election (立法會補選) means a by-election as defined by section 3(1) of the Legislative Council Ordinance (Cap. 542);

Legislative Council general election (立法會換屆選舉) means a general election as defined by section 3(1) of the Legislative Council Ordinance (Cap. 542);

previous election (先前的選舉) means—

(a) in relation to a functional constituencies final register—

(i) the last Legislative Council general election that was held before the publication date; or

(ii) any Legislative Council by-election for a functional constituency that was held after the election mentioned in subparagraph (i) and before the publication date; or

(b) in relation to a subsector final register—

(i) the last subsector ordinary election that was held before the publication date; or

(ii) any subsector by-election that was held after the election mentioned in subparagraph (i) and before the publication date;

publication date (刊登日期) means—

(a) in relation to a functional constituencies final register—the date on which a notice relating to the register is published under subsection (1); or

(b) in relation to a subsector final register—the date on which a notice relating to the register is published under subsection (1);

specified person (指明的人), in relation to a functional constituencies final register or subsector final register, means—

(a) a person who is a subscriber to the Government News and Media Information System maintained by the Director of Information Services;

(b) a body or organization that is incorporated, or is registered or exempt from registration, under any law of Hong Kong and—

(i) was provided an extract under section 41(1) for a purpose related to a previous election;

(ii) was represented by a validly nominated candidate at a previous election; or

(iii) has publicly declared an intention to arrange for any person (including a person yet to be specified) to stand as a candidate at a coming election;

(c) a person who is—

(i) for a functional constituencies final register—a validly nominated candidate for a functional constituency at a coming election; or

(ii) for a subsector final register—a validly nominated candidate for a subsector at a coming election; or

(d) any member of the public who does not fall within paragraphs (a), (b) and (c);

subsector by-election (界別分組補選) has the meaning given by section 1(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569);

subsector ordinary election (界別分組一般選舉) has the meaning given by section 1(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569).".

73. Section 39 amended (publication of an Election Committee interim register and an Election Committee final register)

(1) Section 39(2)(a)—

Repeal

"public inspection"

Substitute

"inspection by specified persons".

(2) Section 39(2)(b)—

Repeal

"inspected by the public"

Substitute

"so inspected".

(3) Section 39(3)—

Repeal

"public inspection"

Substitute

"inspection in accordance with this section by specified persons".

(4) Section 39(4)—

Repeal

"public inspection"

Substitute

"inspection in accordance with this section by specified persons".

(5) After section 39(4)—

Add

"(4AA) The Electoral Registration Officer must, in a copy of an Election Committee interim register or Election Committee final register, or a copy of any part of an Election Committee interim register or Election Committee final register, that is made available for

inspection by specified persons under this section, show the name of each person registered in a way that—

(a) if the person's name is recorded in Chinese—only the first Chinese character of the name is identifiable; or

(b) if the person's name is recorded in English—only the first word of the name is identifiable.

(4AAB) Subsection (4AA) does not affect the way in which any other particulars of a person registered in an Election Committee interim register or Election Committee final register may be shown.

(4AAC) The Electoral Registration Officer must also, in a way the Officer considers appropriate, make available for inspection by a person registered in an Election Committee interim register or Election Committee final register an extract from the register showing only the entry relating to that person in full.".

(6) Section 39—

Repeal subsection (4A)

Substitute

"(4A) The Electoral Registration Officer may require a person who wishes to inspect under this section a copy of, or an extract from, an Election Committee interim register or Election Committee final register, or a copy of a part of such register, to—

(a) produce to the Officer the identity document of the person; and

(b) complete a form furnished by the Officer.".

(7) After section 39(5)—

Add

"(6) In this section—

Chief Executive election (行政長官選舉) means an election as defined by section 2(1) of the Chief Executive Election Ordinance (Cap. 569);

coming election (下一個選舉), in relation to an Election Committee interim register or Election Committee final register, means—

(a) the first Chief Executive election that is held after the publication date; or

(b) any of the following elections that is held within the term of office of the Election Committee to which the register relates—

(i) a Legislative Council general election;

(ii) a Legislative Council by-election for the Election Committee constituency;

Legislative Council by-election (立法會補選) means a by-election as defined by section 3(1) of the Legislative Council Ordinance (Cap. 542);

Legislative Council general election (立法會換屆選舉) means a general election as defined by section 3(1) of the Legislative Council Ordinance (Cap. 542);

previous election (先前的選舉), in relation to an Election Committee interim register or Election Committee final register, means—

(a) the last Chief Executive election that was held before the publication date;

(b) the last Legislative Council general election that was held before the publication date; or

(c) the last Legislative Council by-election for the Election Committee constituency that was held after

the election mentioned in paragraph (b) and before the publication date;

publication date (刊登日期), in relation to an Election Committee interim register or Election Committee final register, means the date on which a notice relating to the register is published under subsection (1);

specified person (指明的人), in relation to an Election Committee interim register or Election Committee final register, means—

(a) a person who is a subscriber to the Government News and Media Information System maintained by the Director of Information Services;

(b) a body or organization that is incorporated, or is registered or exempt from registration, under any law of Hong Kong and—

(i) was provided an extract under section 41(1) for a purpose related to a previous election;

(ii) was represented by a validly nominated candidate at a previous election; or

(iii) has publicly declared an intention to arrange for any person (including a person yet to be specified) to stand as a candidate at a coming election; or

(c) a person who is a validly nominated candidate for a coming election.".

74. Section 41 amended (Electoral Registration Officer may make available extracts of registers for purposes of an election)

(1) Section 41, heading, after "**registers**"—

Add

"**to specified persons**".

(2) Section 41(1)—

Repeal

", to any person that Officer considers appropriate"

Substitute

"to a specified person".

(3) Section 41—

Repeal subsection (5)

Substitute

"(5) In this section—

election (選舉) means—

(a) an election as defined by section 3(1) of the Legislative Council Ordinance (Cap. 542);

(b) an election as defined by section 2(1) of the Chief Executive Election Ordinance (Cap. 569); or

(c) an Election Committee subsector election;

specified person (指明的人) means—

(a) in relation to a functional constituencies provisional register, subsector provisional register or Election Committee provisional register—a person who is entitled to inspect under section 25 a copy of the omissions list prepared in compiling the register by virtue of being a person falling within paragraph (a)(ii) of the definition of ***specified person*** in section 25(7);

(b) in relation to a functional constituencies final register or subsector final register—a person falling within paragraph (b) or (c) of the definition of ***specified person*** in section 38(7); or

(c) in relation to an Election Committee interim register or Election Committee final register—a person falling within paragraph (b) or (c) of the definition of ***specified person*** in section 39(6).".

75. Section 42 amended (offences and penalties)

Section 42(9)(c)—

Repeal

", 18 and 30"

Substitute

"and 18".

Division 4—Electoral Affairs Commission (Nominations Advisory Committees (Legislative Council)) Regulation (Cap. 541 sub. leg. C)

76. Section 1 amended (interpretation)

(1) Section 1(1), definition of ***candidate***—

Repeal

everything after "means—"

Substitute

"(a) in relation to a geographical constituency—a person who is nominated to be returned as a Member for that geographical constituency at a general election or by-election;

(b) in relation to a functional constituency—a person who is nominated to be returned as a Member for that functional constituency at a general election or by-election; or

(c) in relation to the Election Committee constituency—a person who is nominated to be returned as a Member for the Election Committee constituency at a general election or by-election;".

(2) Section 1(1), definition of ***geographical constituency***, after "of"—

Add

", or Schedule 6 to,".

(3) Section 1(1), definition of ***nomination form***—

Repeal

everything after "for the purposes of—"

Substitute

"(a) in relation to a geographical constituency—nominating a candidate to be returned as a Member for that geographical constituency;

(b) in relation to a functional constituency—nominating a candidate to be returned as a Member for that functional constituency; or

(c) in relation to the Election Committee constituency—nominating a candidate to be returned as a Member for the Election Committee constituency;".

(4) Section 1(1)—

Add in alphabetical order

"***Election Committee constituency*** (選舉委員會界別) has the meaning given by section 3(1) of the Legislative Council Ordinance (Cap. 542);".

77. Section 3 amended (functions)

(1) Section 3(1)(a)(i)—

Repeal

"or a functional"

Substitute

", a functional constituency or the Election Committee".

(2) Section 3(1)(b)(i)—

Repeal

"or a functional"

Substitute

", a functional constituency or the Election Committee".

78. Section 5 amended (procedure relating to applications by prospective candidates)

(1) Section 5(1)—

Repeal

everything after "nominated as a candidate"

Substitute

"in respect of—

(a) a geographical constituency;

(b) a functional constituency; or

(c) the Election Committee constituency.".

(2) Section 5(6)—

Repeal

everything after "may"

Substitute

", under subsection (1), make—

(a) only 1 application in respect of the geographical constituencies;

(b) only 1 application in respect of each functional constituency; and

(c) only 1 application in respect of the Election Committee constituency.".

(3) Section 5(9)—

Repeal

everything after "may"

Substitute

", under subsection (1)(b), but subject to subsection (6)(b), apply for advice in respect of more than one functional constituency.".

(4) Section 5(11)(a)—

Repeal

"geographical constituency or the functional constituency, as the case may be"

Substitute

"constituency to which the application relates".

79. Section 6 amended (procedure relating to applications by Returning Officers)

(1) Section 6(1)—

Repeal

everything after "a geographical constituency"

Substitute

", a functional constituency or the Election Committee constituency (***relevant constituency***) is eligible to be, or is disqualified from being, nominated as a candidate in respect of the relevant constituency.".

(2) Section 6(4)—

Repeal

"that geographical constituency or functional"

Substitute

"the relevant".

(3) Section 6(5)—

Repeal

"making a decision"

Substitute

"forming an opinion".

(4) Section 6(5)—

Repeal

"validly nominated"

Substitute

"eligible to be, or is disqualified from being, nominated as a candidate".

(5) Section 6(5)—

Repeal

"or a functional"

Substitute

", a functional constituency or the Election Committee".

(6) Section 6(6)—

Repeal

everything after "appointed for the"

Substitute

"relevant constituency.".

Division 5—Electoral Affairs Commission (Electoral Procedure) (Legislative Council) Regulation (Cap. 541 sub. leg. D)

80. Section 2 amended (interpretation)

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

Repeal

everything after "subsection (2)"

Substitute

"—

(a) in relation to a particular geographical constituency—a candidate who is validly nominated to be returned as a Member for that geographical constituency at a general election or by-election;

(b) in relation to a particular functional constituency—a candidate who is validly nominated to be returned as a Member for that functional constituency at a general election or by-election; and

(c) in relation to the Election Committee constituency—a candidate who is validly nominated to be returned as a Member for the Election Committee constituency at a general election or by-election;".

(2) Section 2(1), definition of ***central counting station***, after "constituencies"—

Add

"and the Election Committee constituency".

(3) Section 2(1), definition of ***constituency***—

Repeal

"or a functional"

Substitute

", a functional constituency or the Election Committee".

(4) Section 2(1), definition of ***election notice***—

Repeal

everything after "means"

Substitute

"—

(a) in relation to a geographical constituency—a notice published under section 4;

(b) in relation to a functional constituency—a notice published under section 5; and

(c) in relation to the Election Committee constituency—a notice published under section 6A;".

(5) Section 2(1), definition of ***FC ballot paper***—

Repeal

everything after "vote for"

Substitute

"a candidate standing for election for a functional constituency;".

(6) Section 2(1), definition of ***final register***—

Repeal

everything after "means—"

Substitute

"(a) the geographical constituencies final register;

(b) the functional constituencies final register; or

(c) the Election Committee final register;".

(7) Section 2(1), definition of ***geographical constituency*** or ***GC***, after "of"—

Add

", or Schedule 6 to,".

(8) Section 2(1), definition of ***nomination form***—

Repeal

"or 11(1)"

Substitute

", 11(1) or 12A(1)".

(9) Section 2(1), definition of ***nomination period***—

Repeal

everything after "means"

Substitute

"—

(a) in relation to nominations for a geographical constituency—the period specified under section 4(2)(b);

(b) in relation to nominations for a functional constituency—the period specified under section 5(2)(b);

(c) in relation to nominations for the Election Committee constituency—the period specified under section 6A(2)(b); and

(d) for a by-election for a constituency—the relevant period specified under section 8(7)(a);".

(10) Section 2(1), definition of ***notice appointing the election day***—

Repeal

everything after "return—"

Substitute

"(a) the Members to be returned for geographical constituencies;

(b) the Members to be returned for functional constituencies; or

(c) the Members to be returned for the Election Committee constituency;".

(11) Section 2(1), definition of ***notice of nominations***—

Repeal

everything after "under"

Substitute

"section 21;".

(12) Section 2(1), definition of ***ordinary business hours***, paragraph (b)(i), after "5(1)"—

Add

", 6A(1)".

(13) Section 2(1), definition of ***specified address***—

Repeal

"or a functional"

Substitute

", a functional constituency or the Election Committee".

(14) Section 2(1), definition of ***validly nominated candidate***, paragraph (a)—

Repeal

"Returning Officer"

Substitute

"Candidate Eligibility Review Committee".

(15) Section 2(1)—

(a) definition of ***list of candidates***;

(b) definition of ***multiple candidates list***;

(c) definition of ***multiple nominees list***;

(d) definition of ***nomination list***;

(e) definition of ***ordinary functional constituencies***;

(f) definition of ***single candidate list***;

(g) definition of ***single nominee list***;

(h) definition of ***special functional constituencies***;

(i) definition of ***verification of the ballot paper account***—

Repeal the definitions.

(16) Section 2(1)—

Add in alphabetical order

"***Candidate Eligibility Review Committee*** (候選人資格審查委員會) has the meaning given by section 3(1) of the Legislative Council Ordinance (Cap. 542);

ECC ballot paper (選委會界別選票) means a ballot paper to vote for a candidate standing for election for the Election Committee constituency;

Election Committee constituency (選舉委員會界別) has the meaning given by section 3(1) of the Legislative Council Ordinance (Cap. 542);

Election Committee final register (選舉委員會正式委員登記冊) means the final register of members of the Election Committee compiled under 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) and which is in effect;

verification of number of ballot papers (選票數目核實書) means a statement prepared under section 73B(1)(d), 73C(1)(c), 73D(1)(b) or (2)(a)(iii) or 73E(1)(d).".

(17) Section 2(2)(a)—

Repeal

"(including a person whose name appears on a nomination list as a nominee)".

(18) Section 2(2)(b)—

Repeal

everything after "at the election"

Substitute a full stop.

(19) Section 2(3)—

Repeal

everything after "construed"

Substitute

"—

(a) in relation to a geographical constituency—as the Returning Officer appointed for that geographical constituency;

(b) in relation to a functional constituency—as the Returning Officer appointed for that functional constituency; and

(c) in relation to the Election Committee constituency—as the Returning Officer appointed for the Election Committee constituency.".

(20) Section 2—

Repeal subsection (4).

81. Section 2A amended (effect of inclement weather warning on date and period)

Section 2A(1), definition of ***working day***, paragraph (b)(i), after "5(1)"—

Add

", 6A(1)".

82. Section 6A added

Before section 7—

Add

"**6A. Chief Electoral Officer to publish notice specifying period and place for submitting nomination forms for Election Committee constituency**

(1) As soon as practicable after the publication of the notice appointing the election day, the Chief Electoral Officer must publish in the Gazette, for the Election Committee constituency, a notice that complies with subsection (2).

(2) A notice mentioned in subsection (1) must state—

(a) the number of Members to be returned for the Election Committee constituency;

(b) the period within which nomination forms for the Election Committee constituency are to be submitted to the Returning Officer;

(c) the address at which the nomination forms are to be submitted;

(d) that nomination forms must be submitted during ordinary business hours;

(e) the date on which the election for the Election Committee constituency is to be held; and

(f) that a poll will be held on the date referred to in paragraph (e) for the Election Committee constituency, if the number of validly nominated candidates standing for that constituency exceeds the number of Members to be returned for that constituency.".

83. Section 8 amended (Chief Electoral Officer to publish by-election notice if a by-election is to be held under section 36 of the Legislative Council Ordinance)

(1) Before section 8(5)—

Add

"(4A) If a by-election is to be held for the Election Committee constituency, the by-election notice must state the number of Members to be returned for that constituency at the by-election.".

(2) Section 8(5)—

Repeal

"and (3)"

Substitute

", (3) and (4A)".

(3) Section 8(6)—

Repeal

everything after "the geographical constituency"

Substitute

", functional constituency or Election Committee constituency exceeds the number of Members to be returned for that constituency at the by-election.".

84. Section 10 amended (how to nominate a candidate for a geographical constituency or District Council (second) functional constituency)

(1) Section 10, heading—

Repeal

"**or District Council (second) functional constituency**".

(2) Section 10(1)—

Repeal

everything after "geographical constituency"

Substitute

"by submitting to the Returning Officer a nomination form that complies with this section.".

(3) Section 10(2)—

Repeal

"for the purposes of subsection (1)".

(4) Section 10(4)—

Repeal

"Each candidate on a nomination list"

Substitute

"The candidate".

(5) Section 10—

Repeal subsections (5) and (6)

Substitute

"(5) The nomination form must contain a declaration by the candidate to the effect that the candidate—

(a) is eligible to be nominated as a candidate for a geographical constituency;

(b) is not disqualified from being so nominated; and

(c) consents to being so nominated.

(6) The nomination form—

(a) must contain—

(i) the name of the candidate as shown on the candidate's identity document (being the identity document on the basis of which the particulars of the candidate are recorded in the geographical constituencies final register); and

(ii) the identity document number and address of the candidate; and

(b) if the Returning Officer is satisfied that the candidate is usually known by a name different from that shown on the identity document mentioned in paragraph (a)(i)—may also include that different name.".

(6) Section 10(7)—

Repeal

"each candidate"

Substitute

"the candidate".

(7) Section 10(10)—

Repeal

everything after "considers appropriate"

Substitute

"for enabling the Candidate Eligibility Review Committee to be satisfied—

(a) that the candidate is eligible to be nominated as a candidate for a geographical constituency; or

(b) otherwise as to the validity of the nomination.".

(8) After section 10(10)—

Add

"(10A) Only 1 person can be nominated by each nomination form.".

(9) Section 10(12)—

Repeal

", or one of the candidates, on the nomination list".

85. Section 11 amended (how to nominate a candidate for a functional constituency (other than District Council (second) functional constituency))

(1) Section 11, heading—

Repeal

"(other than District Council (second) functional constituency)".

(2) Section 11(1)—

Repeal

everything after "a functional constituency"

Substitute

"by submitting to the Returning Officer a nomination form that complies with this section.".

(3) Section 11—

Repeal subsection (6)

Substitute

"(6) The nomination form—

(a) must contain—

(i) the name of the candidate as shown on the candidate's identity document (being the identity document on the basis of which the particulars of the candidate are recorded in the geographical constituencies final register); and

(ii) the identity document number and address of the candidate; and

(b) if the Returning Officer is satisfied that the candidate is usually known by a name different from that shown on the identity document mentioned in paragraph (a)(i)—may also include that different name.".

(4) Section 11(11)—

Repeal

everything after "considers appropriate"

Substitute

"for enabling the Candidate Eligibility Review Committee to be satisfied—

(a) that the candidate is eligible to be nominated as a candidate for the functional constituency concerned; or

(b) otherwise as to the validity of the nomination.".

(5) Section 11—

Repeal subsection (12)

Substitute

"(12) Only 1 person can be nominated by each nomination form.".

(6) Section 11(14)—

Repeal

everything after "candidate"

Substitute

"—

(a) in person; or

(b) in a way authorized by the Chief Electoral Officer.".

86. Section 12A added

Before section 13—

Add

"12A. How to nominate candidate for Election Committee constituency

(1) A person is to be nominated as a candidate for the Election Committee constituency by submitting to the Returning Officer a nomination form that complies with this section.

(2) The nomination form must be submitted in accordance with this section.

(3) The nomination form must be—

(a) in the specified form; and

(b) subscribed in accordance with the Legislative Council (Subscribers and Election Deposit for Nomination) Regulation (Cap. 542 sub. leg. C).

(4) The candidate must make the declarations and promissory oath required by section 40(1)(b) of the Legislative Council Ordinance (Cap. 542) in the appropriate place on the nomination form.

(5) The nomination form must contain a declaration by the candidate to the effect that the candidate—

(a) is eligible to be nominated as a candidate for the Election Committee constituency;

(b) is not disqualified from being so nominated; and

(c) consents to being so nominated.

(6) The nomination form—

(a) must contain—

(i) the name of the candidate as shown on the candidate's identity document (being the identity document on the basis of which the particulars of the candidate are recorded in the geographical constituencies final register); and

(ii) the identity document number and address of the candidate; and

(b) if the Returning Officer is satisfied that the candidate is usually known by a name different from that shown on the identity document mentioned in paragraph (a)(i)—may also include that different name.

(7) The nomination form must be signed by the candidate in each place the candidate's signature is required on that form.

(8) The nomination form must—

(a) be signed by each subscriber; and

(b) contain the name and identity document number of each subscriber.

(9) The nomination form must contain other particulars (if any) required to be furnished on that form.

(10) The Returning Officer may require a candidate to furnish any other information that Officer considers appropriate for enabling the Candidate Eligibility Review Committee to be satisfied—

(a) that the candidate is eligible to be nominated as a candidate for the Election Committee constituency; or

(b) otherwise as to the validity of the nomination.

(11) Only 1 person can be nominated by each nomination form.

(12) The nomination form must be submitted to the Returning Officer within the nomination period at the specified address.

(13) The nomination form must be submitted by the candidate—

(a) in person; or

(b) in a way authorized by the Chief Electoral Officer.".

87. Section 15 amended (Returning Officer not to accept nomination form without deposit and to issue receipt for deposit)

Section 15(3), Chinese text—

Repeal

"地方選區或功能"

Substitute

"選區或".

88. Section 16 amended (Returning Officer to decide whether candidates are validly nominated)

(1) Section 16, heading—

Repeal

"Returning Officer"

Substitute

"Candidate Eligibility Review Committee".

(2) Section 16—

Repeal subsection (1)

Substitute

"(1) The Returning Officer must, as soon as practicable after receiving a nomination form, forward the form to the Candidate Eligibility Review Committee.

(1A) The Candidate Eligibility Review Committee must, as soon as practicable after receiving a nomination form forwarded by the Returning Officer, decide whether a candidate is validly nominated.".

(3) Section 16(2)—

Repeal

"or 11 (as may be applicable) and sections 37, 39 and 40 of the Legislative Council Ordinance (Cap. 542) are complied with"

Substitute

", 11 or 12A (as may be applicable), and sections 37, 39 and 40 of the Legislative Council Ordinance (Cap. 542), are complied with in relation to a candidate".

(4) Section 16(2)(a)—

Repeal

"Returning Officer"

Substitute

"Candidate Eligibility Review Committee".

(5) Section 16(3)—

Repeal

"Returning Officer may"

Substitute

"Candidate Eligibility Review Committee may".

(6) Section 16(3)(c)—

Repeal

"Returning Officer"

Substitute

"Candidate Eligibility Review Committee".

(7) Section 16(3)—

Repeal paragraph (d)

Substitute

"(d) the nomination form relates to a constituency but—

(i) the candidate has been nominated for another constituency in the same election; and

(ii) the Candidate Eligibility Review Committee is satisfied that the other candidature has not been withdrawn;".

(8) After section 16(3)—

Add

"(3A) In deciding whether a candidate is validly nominated for a constituency, the Candidate Eligibility Review Committee—

(a) may require the Returning Officer to advise the Committee, and have regard to such advice of the Returning Officer, as to any of the matters specified in subsection (3B); and

(b) may require the candidate to furnish any other information that Committee considers appropriate to be satisfied—

(i) that the candidate is eligible to be nominated as a candidate for the constituency concerned; or

(ii) otherwise as to the validity of the nomination.

(3B) The matters specified for subsection (3A)(a) are—

(a) whether, in the opinion of the Returning Officer, section 10, 11 or 12A (as may be applicable) are complied with in relation to the candidate;

(b) subject to subsection (3C), whether, in the opinion of the Returning Officer, sections 37, 39 and 40 of the Legislative Council Ordinance (Cap. 542) are complied with in relation to the candidate;

(c) whether, in the opinion of the Returning Officer, the nomination form of the candidate is valid;

(d) whether the candidate has withdrawn candidature for that constituency;

(e) whether the nomination form of the candidate has been signed by the prescribed number of subscribers qualified to subscribe to the nomination form under the Legislative Council (Subscribers and Election Deposit for Nomination) Regulation (Cap. 542 sub. leg. C);

(f) whether the nomination form of the candidate has been completed or signed as required under this Regulation;

(g) in the opinion of the Returning Officer—

(i) whether the candidate is eligible to be nominated as a candidate under the Legislative Council Ordinance (Cap. 542); and

(ii) whether the candidate is disqualified from being nominated as a candidate under that Ordinance;

(h) whether the candidate has been nominated for another constituency in the same election and, if so, whether the other candidature has been withdrawn;

(i) whether the candidate has lodged the appropriate deposit; and

(j) whether, according to the information available to the Returning Officer, the candidate is dead.

(3C) For the purposes of subsection (3B)(b), the Returning Officer is not to advise on whether a candidate has complied with section 40(1)(b)(i) of the Legislative Council Ordinance (Cap. 542).".

(9) Section 16(4), after "number of subscribers"—

Add

"(including how such subscribers are to be composed of)".

(10) After section 16(4)—

Add

"(5) In this section, a reference to section 37, 39 or 40 of the Legislative Council Ordinance (Cap. 542) being complied with in relation to a candidate for constituency is to be construed as follows—

(a) for section 37 of that Ordinance—that the candidate is eligible to be nominated as a candidate at an election for that constituency under that section;

(b) for section 39 of that Ordinance—that the candidate is not disqualified from being nominated as a candidate at an election for that constituency under that section; and

(c) for section 40 of that Ordinance—that the candidate has complied with that section.".

89. Section 17 amended (Returning Officer to have regard to advice of Nominations Advisory Committee)

Section 17—

Repeal

"deciding under section 16"

Substitute

"forming an opinion for the purposes of section 16(3A)(a) and (3B)(g) as to".

90. Section 18 amended (Returning Officer may give opportunity to rectify a nomination form)

(1) Section 18(1)—

Repeal

"making a decision under section 16"

Substitute

"forming an opinion for the purposes of section 16(3A)(a) and (3B)(c) as to whether the nomination form is valid".

(2) Section 18—

Repeal subsection (2).

91. Section 19 amended (Returning Officer to endorse invalid nomination forms)

(1) Section 19, heading—

Repeal

"Returning Officer to endorse invalid nomination forms"

Substitute

"Candidate Eligibility Review Committee to endorse invalid nomination forms and Returning Officer to notify candidates of decision as to validity of nomination".

(2) Section 19—

Repeal subsection (1)

Substitute

"(1) If the Candidate Eligibility Review Committee decides that the nomination of a candidate is invalid, the Committee must endorse on the nomination form the decision and the reasons for it.".

(3) Section 19(2)—

Repeal

"Returning Officer"

Substitute

"Candidate Eligibility Review Committee".

(4) After section 19(2)—

Add

"(2A) The Candidate Eligibility Review Committee must, after deciding whether a person is validly nominated—

(a) inform the Returning Officer of the decision; and

(b) return the nomination form to the Returning Officer for retention.".

(5) Section 19(3)—

Repeal

"a decision that a person is validly nominated or is not validly nominated"

Substitute

"the Candidate Eligibility Review Committee's decision mentioned in subsection (1)".

92. Section 21 amended (Returning Officer to publish a notice of particulars of validly nominated candidates)

(1) Section 21—

Repeal subsections (2) and (3)

Substitute

"(2) A notice under subsection (1) must be published for—

(a) all geographical constituencies and functional constituencies; and

(b) the Election Committee constituency.

(3) For the purposes of subsection (2)(a)—

(a) separate notices may be published for each geographical constituency and each functional constituency; or

(b) 1 notice may be published for all the geographical constituencies and 1 notice may be published for all the functional constituencies.

(3A) For the purposes of subsection (2)(b), a separate notice must be published for the Election Committee constituency.".

(2) Section 21—

Repeal subsection (4)

Substitute

"(4) A notice published for a geographical constituency must state—

(a) the name and address of each validly nominated candidate for that geographical constituency; and

(b) the number allocated to each candidate under section 49(6A).".

(3) Section 21—

Repeal subsection (4A).

(4) Section 21(5)—

Repeal

"(other than the District Council (second) functional constituency)".

(5) Section 21(5)—

Repeal paragraph (b)

Substitute

"(b) the code assigned to that functional constituency under section 49(8) followed by the number allocated to each candidate under section 49(8A).".

(6) Before section 21(7)—

Add

"(6A) A notice published for the Election Committee constituency must state—

(a) the name and address of each validly nominated candidate for the Election Committee constituency; and

(b) the number allocated to each candidate under section 49(10B).".

93. Section 22 amended (Returning Officer to publish a notice for the purposes of section 46(1) of the Legislative Council Ordinance)

(1) Before section 22(4)—

Add

"(3A) If, for the Election Committee constituency, no more candidates have been validly nominated than the number of Members to be returned for that constituency, the

Returning Officer must, in the notice published for that constituency under section 21 or in a separate notice, declare, for the purposes of section 46(1) of the Legislative Council Ordinance (Cap. 542), the candidate or candidates as being duly elected as a Member or Members for that constituency.".

(2) Section 22(4)—

Repeal

"or (2)"

Substitute

", (2) or (3A)".

94. Section 22A amended (Returning Officer to notify and declare if a validly nominated candidate for a geographical constituency or District Council (second) functional constituency is proved to have died)

(1) Section 22A, heading—

Repeal

"a geographical constituency or District Council (second) functional"

Substitute

"Election Committee".

(2) Section 22A(1)(b)—

Repeal

"constituency concerned"

Substitute

"Election Committee constituency".

(3) Section 22A—

Repeal subsection (2)

Substitute

"(2) The Returning Officer under subsection (1) must—

(a) endorse on the nomination form of the deceased candidate that the candidate has died; and

(b) sign the endorsement.".

(4) Section 22A(4)—

Repeal

"(2)(b) or".

(5) Section 22A(4)—

Repeal paragraph (b)

Substitute

"(b) that the deceased candidate was nominated for the Election Committee constituency; and".

(6) Section 22A(4)(c)—

Repeal

"constituency concerned"

Substitute

"Election Committee constituency".

(7) Section 22A(5)—

Repeal paragraph (b)

Substitute

"(b) that the deceased candidate was nominated for the Election Committee constituency; and".

(8) Section 22A(5)(c)—

Repeal

"constituency concerned"

Substitute

"Election Committee constituency".

(9) Section 22A—

Repeal subsection (6).

95. Section 22B amended (Returning Officer to notify and declare if a validly nominated candidate for a geographical constituency or District Council (second) functional constituency is proved to be disqualified)

(1) Section 22B, heading—

Repeal

"a geographical constituency or District Council (second) functional"

Substitute

"Election Committee".

(2) Section 22B(1)—

Repeal

"that Officer"

Substitute

"the Candidate Eligibility Review Committee".

(3) Section 22B(1)(b)—

Repeal

"constituency concerned"

Substitute

"Election Committee constituency".

(4) Section 22B—

Repeal subsection (2)

Substitute

"(2) The Candidate Eligibility Review Committee must—

(a) endorse on the nomination form of the disqualified candidate that the Committee's decision made under section 42A(1) of the Legislative Council Ordinance (Cap. 542) in relation to that candidate is varied and the reason for the variation of decision; and

(b) sign the endorsement.".

(5) Section 22B(3)—

Repeal

"that Officer"

Substitute

"the Candidate Eligibility Review Committee".

(6) Section 22B(4)—

Repeal

"(2)(b) or".

(7) Section 22B(4)—

Repeal paragraph (b)

Substitute

"(b) that the disqualified candidate was nominated for the Election Committee constituency;".

(8) Section 22B(4)(c)—

Repeal

"Returning Officer"

Substitute

"Candidate Eligibility Review Committee".

(9) Section 22B(4)(d)—

Repeal

"constituency concerned"

Substitute

"Election Committee constituency".

(10) Section 22B(5)—

Repeal paragraph (b)

Substitute

"(b) that the disqualified candidate was nominated for the Election Committee constituency; and".

(11) Section 22B(5)(c)—

Repeal

"constituency concerned"

Substitute

"Election Committee constituency".

(12) Section 22B—

Repeal subsection (6).

96. Section 22C amended (no poll upon death or disqualification of candidate for a geographical constituency or District Council (second) functional constituency under certain circumstances)

(1) Section 22C, heading—

Repeal

"a geographical constituency or District Council (second) functional"

Substitute

"Election Committee".

(2) Section 22C(1)(a), (b) and (c)—

Repeal

"constituency concerned"

Substitute

"Election Committee constituency".

(3) Section 22C(1), Chinese text—

Repeal

"該選區或選舉界別" (wherever appearing)

Substitute

"該界別".

(4) Section 22C—

Repeal subsection (5).

97. Section 23 amended (a candidate or a list of candidates may appoint election agent)

(1) Section 23, heading—

Repeal

"or a list of candidates".

(2) Section 23—

Repeal subsections (1) and (2).

(3) Section 23—

Repeal subsection (3)

Substitute

"(3) Each candidate for a constituency may appoint 1 person as the candidate's election agent.".

(4) Section 23—

Repeal subsection (6)

Substitute

"(6) A candidate must give notice of appointment of the candidate's election agent to the Returning Officer.".

(5) Section 23(9)—

Repeal

everything after "the candidate"

Substitute a full stop.

(6) Section 23(10)—

Repeal

"or a nomination list or a list of candidates".

(7) Section 23(11)—

Repeal

everything after "the revocation.".

(8) Section 23(12)—

Repeal

everything after "the candidate"

Substitute a full stop.

(9) Section 23(14)—

Repeal

"or, in the case of a multiple nominees list or a multiple candidates list, all the candidates on the relevant list jointly,".

(10) Section 23(17)—

Repeal

"or the candidates on a nomination list or a list of candidates".

(11) Section 23(17)—

Repeal

"or by the candidates on a nomination list or a list of candidates, as the case may be".

(12) Section 23(18)(a)—

Repeal

"or 11"

Substitute

", 11 or 12A".

(13) Section 23(19)—

Repeal

"or list of candidates".

(14) Section 23(19), Chinese text—

Repeal

"或同一份候選人名單上的候選人".

(15) Section 23(21)—

Repeal

", any candidate on the list of candidates".

98. Section 24 amended (Returning Officer to send to other candidates a notice of particulars of election agent)

(1) Section 24—

Repeal subsection (1).

(2) Section 24(2)—

Repeal

"functional constituency (other than the District Council (second) functional constituency),"

Substitute

"constituency".

(3) Section 24(4)—

Repeal

"subsections (1) and (2)"

Substitute

"subsection (2)".

(4) Section 24(5)—

Repeal

"(1) or".

(5) Section 24(9)—

Repeal

"(1) or".

99. Section 25 amended (authorization of election expense agent to incur election expenses at or in connection with an election)

(1) Section 25(8)—

Repeal

", or each of the candidates,".

(2) Section 25(15)—

Repeal

", or each of the candidates,".

100. Section 27 amended (appointment and notification of polling hours)

Section 27(4)—

Repeal

everything after "specifying"

Substitute

"—

(a) the polling hours for the geographical constituencies, functional constituencies and Election Committee constituency; and

(b) if appropriate, the polling hours for each polling station.".

101. Section 28 amended (designation of polling stations, counting stations and ballot paper sorting stations)

Section 28(9)(a)(ii), after "constituencies"—

Add

"and the Election Committee constituency".

102. Section 28A added

After section 28—

Add

"**28A. Chief Electoral Officer may require certain premises for use as polling stations or counting stations**

(1) For the purposes of section 28(1)(a), (b) or (c), the Chief Electoral Officer may, by written notice, require an owner or occupier of any target premises to—

(a) allow an authorized person to carry out a site visit at the premises for enabling the Officer to determine whether the premises are suitable for use as a polling station or counting station in an election; and

(b) if the Officer considers the premises suitable—take the steps specified in subsection (2).

(2) The steps specified for the purposes of subsection (1)(b) are—

(a) to make available the premises for use as a polling station or counting station in the election; and

(b) to allow an authorized person to carry out preparatory work and store materials at the premises for a purpose relating to such use.

(3) If any target premises are used as a polling station or counting station as a result of a person's compliance with a requirement made under subsection (1), the Chief Electoral Officer must pay to the person a user fee for the period during which the premises are so used.

(4) The amount of the user fee payable under subsection (3) is to be—

(a) agreed between the person and the Chief Electoral Officer; or

(b) if no agreement can be reached—determined by the court by reference to the loss suffered by the person for making available the premises.

(5) A person who fails to comply with a requirement made under subsection (1) is liable to pay a financial penalty of $10,000.

(6) For the purposes of this section—

(a) a user fee payable under subsection (3) is recoverable as a civil debt due from the Government; and

(b) a financial penalty payable under subsection (5) is recoverable as a civil debt due to the Government.

(7) In this section—

authorized person (獲授權人) means a person authorized in writing by the Chief Electoral Officer for the purposes of this section;

occupier (佔用人), in relation to any target premises—

(a) means a tenant, subtenant or any other person in lawful occupation of the premises; but

(b) does not include an owner of the premises;

owner (業主), in relation to any target premises, means—

(a) a person who appears from the records at the Land Registry to be the owner of—

(i) the land on which the premises situate; or

(ii) if the land is divided into shares—an undivided share in the land that relates to the premises; and

(b) a registered mortgagee in possession of such land or share;

target premises (目標處所) means a school or building described in section 28(2)(c) or (d) or any part of it.".

103. Section 30 amended (Chief Electoral Officer to assign polling stations for constituencies and to allocate polling stations to electors and authorized representatives)

(1) Section 30(2)—

Repeal

everything after "voting for"

Substitute

"any combination of the following constituencies to take place at a GC polling station—

(a) one or more geographical constituencies;

(b) one or more functional constituencies;

(c) the Election Committee constituency.".

(2) Section 30(4)(a)—

Repeal

"paragraph (aa)"

Substitute

"paragraphs (aa) and (ab)".

(3) After section 30(4)(aa)—

Add

"(ab) may allocate to a GC elector who is also entitled to vote for the Election Committee constituency a GC polling station that is also assigned for conducting the poll for the Election Committee constituency to cast the vote for the geographical constituency; and".

(4) Section 30(4)—

Repeal paragraph (b)

Substitute

"(b) may allocate to a GC elector the GC polling station of the GC elector for any or all of the following purposes—

(i) if the GC elector is also entitled to vote for a functional constituency as an elector—to cast the vote for that functional constituency as an elector;

(ii) if the GC elector is also entitled to vote for a functional constituency as an authorized representative—to cast the vote for that functional constituency as an authorized representative;

(iii) if the GC elector is also entitled to vote for the Election Committee constituency—to cast the vote for the Election Committee constituency.".

(5) Section 30(4)—

Repeal paragraphs (c), (ca) and (cb).

(6) Section 30(5)—

Repeal

"or (aa)"

Substitute

", (aa) or (ab)".

104. Section 33 amended (Chief Electoral Officer may allocate special polling stations)

Section 33(7)—

Repeal

"geographical constituency, and the functional constituency, if any,"

Substitute

"constituency or constituencies".

105. Section 35 amended (Chief Electoral Officer to supply candidates with copy of final register)

(1) Section 35—

Repeal subsection (1)

Substitute

"(1) The Chief Electoral Officer must supply to each candidate for a geographical constituency a copy of the part of the final register which relates to the constituency for which that candidate is nominated.".

(2) Section 35(2)—

Repeal

"(other than the District Council (second) functional constituency),".

(3) Before section 35(4)—

Add

"(3A) The Chief Electoral Officer must supply to each candidate for the Election Committee constituency a copy of the Election Committee final register.".

106. Section 36 amended (Chief Electoral Officer to supply Returning Officer with copy of final register)

(1) Section 36(1)—

Repeal the comma

Substitute

"for a geographical constituency or functional constituency".

(2) Before section 36(3)—

Add

"(2A) The Chief Electoral Officer must supply to the Returning Officer for the Election Committee constituency a copy of the Election Committee final register.".

107. Section 37 amended (Chief Electoral Officer to carry out other duties relating to polling stations)

(1) Section 37(3), Chinese text—

Repeal

"或(如適用的話)選舉委員會正式委員登記冊的文本".

(2) Section 37(6)(b)—

Repeal

"ordinary functional constituency,"

Substitute

"functional constituency, or for conducting the poll for a by-election for the Election Committee constituency in relation to which the Commission has made a direction under section 58A(2)—".

108. Section 40 amended (Returning Officer to determine no canvassing zones and no staying zones)

(1) Section 40—

Repeal subsection (3).

(2) Section 40(4)—

Repeal

"functional constituency (other than the District Council (second) functional constituency), the Returning Officer for the functional"

Substitute

"constituency, the Returning Officer for that".

(3) Section 40(7) and (9)—

Repeal

"(3),".

109. Section 42 amended (candidates may appoint polling agents)

(1) Section 42(2)—

Repeal

"or the candidate as on a list of candidates".

(2) Section 42—

Repeal subsection (3)

Substitute

"(3) A candidate may appoint a maximum of 2 polling agents for each polling station.".

(3) Section 42—

Repeal subsections (4) and (5).

(4) Section 42(8A)—

Repeal

", (4), (5)".

(5) Section 42(8A)(a)—

Repeal

"or a list of candidates".

(6) Section 42(8A)(b)—

Repeal

"or a list of candidates".

(7) Section 42(8A)(b)—

Repeal

"or list of candidates".

(8) Section 42(8C)—

Repeal

", any candidate on the list of candidates".

(9) Section 42(8C)—

Repeal

"or list of candidates".

(10) Section 42(9)(a)—

Repeal

", or in the case of a multiple candidates list, by any candidate on the list in person".

(11) Section 42(9)(b)—

Repeal

"or of the list,".

(12) Section 42—

Repeal subsection (11)

Substitute

"(11) A notice of appointment must—

(a) be in writing;

(b) be in the specified form;

(c) state the name, identity card number and residential address of the polling agent; and

(d) be signed by the candidate.".

(13) Section 42—

Repeal subsection (13)

Substitute

"(13) A notice of revocation must be—

(a) in writing;

(b) in the specified form; and

(c) signed by the candidate.".

(14) Section 42(14A)(a)(i)—

Repeal

", or in the case of a multiple candidates list, by any candidate on the list in person".

(15) Section 42(14A)(a)(ii)—

Repeal

"or of the list,".

110. Section 44 amended (who may enter or be present at a polling station)

(1) Section 44(4)(i)—

Repeal

"or".

(2) Section 44(4)(j)—

Repeal the full stop

Substitute

"; or".

(3) After section 44(4)(j)—

Add

"(k) an individual who provides the assistance mentioned in section 111(2)(c) pursuant to an authorization under that section.".

(4) Section 44(6)—

Repeal

"or list of candidates".

(5) Section 44(6)—

Repeal

"or list may"

Substitute

"may".

(6) Section 44(7)—

Repeal

"or one of the candidates on a multiple candidates list".

(7) Section 44(7)—

Repeal

"or list".

(8) Section 44(8)—

Repeal

"or a list of candidates".

(9) Section 44(8)—

Repeal

"or list".

(10) Section 44(12)—

Repeal

"or a list of candidates".

111. Section 49 amended (form of ballot papers and order of appearance of lists or names of candidates on ballot papers)

(1) Section 49, heading—

Repeal

"lists or".

(2) Section 49—

Repeal subsections (2) and (2A).

(3) Section 49(3)—

Repeal

"any other"

Substitute

"a".

(4) After section 49(3)—

Add

"(3A) Subject to subsection (3B), a ballot paper to be used to vote for the Election Committee constituency is to be in Form 5(a) in Schedule 3.

(3B) If the Commission has made a direction under section 58A(2) in relation to a by-election for the Election Committee constituency, a ballot paper to be used to vote at that by-election is to be in Form 5(b) in Schedule 3.".

(5) Section 49(4), after "Schedule 3"—

Add

"(except Forms 5(a) and 5(b) in that Schedule)".

(6) Section 49—

Repeal subsections (6) and (6A)

Substitute

"(6) The order in which the names of candidates appear on a GC ballot paper is to be determined by the Returning Officer by drawing lots.

(6A) A number is to be allocated to each candidate for a geographical constituency according to the result of the draw, and the number is to be printed on the ballot paper against the name of the candidate.".

(7) Section 49—

Repeal subsection (6B).

(8) Section 49(7)—

Repeal

"for a functional constituency (other than the District Council (second) functional constituency)".

(9) Section 49(8)—

Repeal

"ordinary".

(10) Section 49(8A)—

Repeal

"an ordinary functional constituency (other than the District Council (second) functional constituency)"

Substitute

"a functional constituency".

(11) Section 49—

Repeal subsection (9).

(12) Before section 49(11)—

Add

"(10A) The order in which the names of candidates appear on an ECC ballot paper is to be determined by the Returning Officer by drawing lots.

(10B) A number is to be allocated to each candidate for the Election Committee constituency according to the result of the draw, and the number is to be printed on the ballot paper against the name of the candidate.".

(13) Section 49(12)—

Repeal

everything after "section.".

(14) Section 49(13)(c)—

Repeal

"or the list of candidates".

112. Section 49A added

After section 49—

Add

"**49A. Arrangement for giving ballot papers to elderly persons, pregnant women, etc.**

(1) The Presiding Officer may designate an area in the polling station for giving a ballot paper to a person—

(a) who is not less than 70 years of age;

(b) whose document specified in section 50(1A)(a), (ab), (b), (c), (d), (e) or (f) shows the year of birth,

without the month and day of birth, of the person which is 70 years earlier than the year within which the polling day falls;

(c) whose document specified in section 50(1A)(a), (ab), (b), (c), (d), (e) or (f) shows, without the day of birth—

(i) the year of birth of the person which is 70 years earlier than the year within which the polling day falls; and

(ii) the month of birth of the person which is the same as the month within which the polling day falls;

(d) who is pregnant; or

(e) who, because of illness, injury, disability or dependence on mobility aids—

(i) is not able to queue for a long time; or

(ii) has difficulty in queuing.

(2) If the Presiding Officer is satisfied that a person who arrives at, or is present in, the polling station to vote falls within the description in subsection (1)(a), (b), (c), (d) or (e), the Officer may direct the person to immediately proceed to the following location to apply for a ballot paper—

(a) the area designated under subsection (1); or

(b) if there is a queue extending from that area—the end of the queue.".

113. Section 51 amended (questions to be asked from persons applying for a ballot paper)

(1) Section 51(2)—

Repeal

"or an FC"

Substitute

", an FC ballot paper or an ECC".

(2) Before section 51(3)(d)—

Add

"(ca) "Are you the person registered in the Election Committee final register, as follows (the Presiding Officer to read the whole entry as it is recorded in the register)?" or "你是否已登記在選舉委員會正式委員登記冊上，並且有關登記記項一如以下所述 (the Presiding Officer to read the whole entry as it is recorded in the register)?";".

(3) Section 51(3)(e)—

Repeal the full stop

Substitute a semicolon.

(4) At the end of section 51(3)—

Add

"(g) "Have you already voted for the Election Committee constituency in this election?" or "在這次選舉中，你是否已經就選舉委員會界別投票?".".

114. Section 53 amended (Presiding Officer to issue one or more ballot papers depending on the entitlement to vote)

(1) Before section 53(4)—

Add

"(3A) At a polling station used only for polling for the Election Committee constituency, the Presiding Officer is to issue only one ballot paper to an elector who applies for a ballot paper.".

(2) Section 53—

Repeal subsection (4)

Substitute

"(4) At a GC polling station that is also used for polling for one or more functional constituencies or the Election Committee constituency, or both—

(a) if an elector is entitled to vote for the relevant geographical constituency (***GC elector***)—the Presiding Officer must issue a GC ballot paper to the elector;

(b) if the GC elector is also entitled to vote for a functional constituency as an elector and the polling station is used for polling for that constituency—the Presiding Officer must also issue the FC ballot paper for that constituency to the elector;

(c) if the GC elector is also entitled to vote for a functional constituency as an authorized representative and the polling station is used for polling for that constituency—the Presiding Officer must also issue the FC ballot paper for that constituency to the elector; and

(d) if the GC elector is also entitled to vote for the Election Committee constituency and the polling station is used for polling for that constituency—the Presiding Officer must also issue an ECC ballot paper to the elector.".

(3) Section 53(7)—

Repeal

everything after "Officer"

Substitute

"must—

(a) if a printed copy of the relevant final register is used to record the issue—mark the copy by placing a line across the name and identity document number of the elector or authorized representative; or

(b) if an FR electronic copy (as defined by section 109) of the relevant final register is used to record the issue—make, by using an electronic device, a record in the entry relating to the elector or authorized representative in the FR electronic copy,

to denote that the ballot paper or ballot papers the elector or authorized representative is entitled to have issued to him or her at the relevant polling station has been or have been so issued.".

115. Section 53A amended (elector who has not cast vote may not return to cast vote unless permitted)

Section 53A(7)—

Repeal

"or (2)"

Substitute

", (2), (3A) or (4)".

116. Section 54 amended (procedure for voting)

(1) Section 54(1), after "or (3A)"—

Add

", or as directed by the Commission under subsection (3B),".

(2) Section 54(3)—

Repeal

"or the District Council (second) functional constituency".

(3) Section 54(3A)—

Repeal

"(other than the District Council (second) functional constituency)".

(4) After section 54(3A)—

Add

"(3B) The Commission may direct, in a way it thinks fit, an elector voting for the Election Committee constituency—

(a) to put the ballot paper, unfolded, into the ballot box with the marked side facing down;

(b) to—

(i) fold the ballot paper so that the marked side is inside; and

(ii) put the folded ballot paper into the ballot box;

(c) to—

(i) put the ballot paper, unfolded, into an envelope provided at the polling station; and

(ii) put the ballot paper contained in the envelope into the ballot box; or

(d) to—

(i) fold the ballot paper so that the marked side is inside;

(ii) put the folded ballot paper into an envelope provided at the polling station; and

(iii) put the ballot paper contained in the envelope into the ballot box.".

(5) Section 54(5)—

Repeal

"and (3A)"

Substitute

", (3A) and (3B)".

117. Section 55 amended (how geographical constituency and District Council (second) functional constituency ballot papers are to be marked)

(1) Section 55, heading—

Repeal

"and District Council (second) functional constituency".

(2) Section 55(1)—

Repeal

"or the District Council (second) functional constituency (as applicable)".

(3) Section 55(2)—

Repeal

"list of candidates"

Substitute

"candidate".

118. Section 56 repealed (how special functional constituency ballot papers are to be marked)

Section 56—

Repeal the section.

119. Section 57 amended (how ordinary functional constituency (other than District Council (second) functional constituency) ballot papers are to be marked)

(1) Section 57, heading—

Repeal

"ordinary functional constituency (other than District Council (second) functional constituency)"

Substitute

"functional constituency".

(2) Section 57(1)—

Repeal

"an ordinary functional constituency (other than the District Council (second) functional constituency)"

Substitute

"a functional constituency".

(3) Section 57(1)—

Repeal

"that ordinary"

Substitute

"that".

120. Section 58A added

Before section 59—

Add

"58A. How ECC ballot papers are to be marked

(1) Subject to subsection (2), an elector voting for the Election Committee constituency must mark the ballot paper by filling in black the ovals on it opposite the names of the candidates of the elector's choice.

(2) The Commission may, in relation to a by-election for the Election Committee constituency, direct that the ballot paper must be marked with a chop provided for that

purpose by the Chief Electoral Officer at the polling station and bearing the mark "✓", with or without any design.

(3) If the Commission makes a direction under subsection (2) in relation to a by-election—

(a) an elector voting at the by-election must mark the ballot paper with the chop provided under section 37(6) for the purpose; and

(b) the chop is to be affixed to give a single "✓" in each of the circles on the ballot paper opposite the names of the candidates of the elector's choice.

(4) An elector voting for the Election Committee constituency must vote for a number of candidates that is equal to the number of Members to be returned for the Election Committee constituency at the election.".

121. Section 59 amended (marking of ballot papers for or by incapacitated person)

Section 59(2)—

Repeal

"56 or 57"

Substitute

"57 or 58A".

122. Section 63 amended (steps to be taken at the close of the poll: a polling station which is also a counting station)

Section 63(2)(e)—

Repeal subparagraph (iv)

Substitute

"(iv) if the copy of the relevant final register or registers has been marked under section 53(7)(a)—the marked copy.".

123. Section 63A amended (steps to be taken at the close of the poll: a polling station which is not a counting station)

Section 63A(1)(e)—

Repeal subparagraph (iv)

Substitute

"(iv) if the copy of the relevant final register or registers has been marked under section 53(7)(a)—the marked copy.".

124. Part 4, Division 1 heading added

Before section 65—

Add

"Division 1—Matters relating to Counting Stations".

125. Section 65 amended (Returning Officer and Presiding Officer to give notice of time and place of counting of votes to candidates)

(1) Section 65(8)—

Repeal

"or a list of candidates".

(2) Section 65—

Repeal subsection (8A).

126. Section 66 amended (candidates may appoint counting agents)

(1) Section 66(1)—

Repeal

"or a list of candidates".

(2) Section 66(1)—

Repeal

"or the list,".

(3) Section 66(2)—

Repeal

"or a list of candidates".

(4) Section 66—

Repeal subsection (3).

(5) Section 66(6)(a)—

Repeal

", or in the case of a multiple candidates list, by any candidate on the list in person".

(6) Section 66(6)(b)—

Repeal

"or of the list,".

(7) Section 66—

Repeal subsection (7)

Substitute

"(7) A notice of appointment must—

(a) be in writing;

(b) be in the specified form;

(c) state the name, identity card number and residential address of the counting agent; and

(d) be signed by the candidate.".

(8) Section 66—

Repeal subsection (10)

Substitute

"(10) A notice of revocation must be—

(a) in writing;

(b) in the specified form; and

(c) signed by the candidate.".

(9) Section 66(11)(a)—

Repeal

", or in the case of a multiple candidates list, by any candidate on the list in person".

(10) Section 66(11)(b)—

Repeal

"or of the list,".

127. Part 4, Division 2 heading and section 69A added

After section 69—

Add

"Division 2—Procedures for Counting of Votes

69A. Interpretation (Division 2 of Part 4)

(1) In this Division—

ECC ballot box (選委會界別票箱) means a ballot box for the receipt of ECC ballot papers;

FC ballot box (功能界別票箱) means a ballot box for the receipt of FC ballot papers;

GC ballot box (地方選區票箱) means a ballot box for the receipt of GC ballot papers.

(2) In this Division—

(a) a reference to the handing over of any item (including a ballot box or receptacle) to a person includes the giving of the item into the charge of that person; and

(b) a reference to any ECC ballot paper (except in section 78A) includes an envelope that contains, or appears to contain, any ECC ballot paper.

(3) Without limiting section 3(2), for the purposes of a by-election for a functional constituency or the Election Committee constituency, a reference in this Division to the central counting station is to be construed as a reference to the counting station for counting the votes cast for that constituency.".

128. Section 70 substituted

Section 70—

Repeal the section

Substitute

"**70. FC ballot boxes and ECC ballot boxes to be delivered to central counting station**

(1) The Presiding Officer of a polling station that is also designated as a counting station (other than a main counting station) must deliver, or arrange to be delivered, to the central counting station—

(a) the FC ballot boxes and ECC ballot boxes from that polling station;

(b) the sealed packets made by the Officer under section 63(2)(e)(i), (ii) and (iii) for functional constituencies and the Election Committee constituency; and

(c) the ballot paper accounts prepared by the Officer under section 64 for functional constituencies and the Election Committee constituency.

(2) The Presiding Officer of a polling station that is also designated as a main counting station must deliver, or arrange to be delivered, to the central counting station—

(a) the FC ballot boxes and ECC ballot boxes from that polling station;

(b) the sealed packets made by the Officer under section 63(2)(e)(i), (ii) and (iii) for functional constituencies and the Election Committee constituency;

(c) the ballot paper accounts prepared by the Officer under section 64 for functional constituencies and the Election Committee constituency; and

(d) the following items that were delivered to the Officer under section 63A(3) from a small polling station or under section 63A(4) from a dedicated polling station—

(i) FC ballot boxes and ECC ballot boxes;

(ii) sealed packets made under section 63A(1)(e)(i), (ii) and (iii) for functional constituencies and the Election Committee constituency; and

(iii) ballot paper accounts prepared under section 64 for functional constituencies and the Election Committee constituency.

(3) The Presiding Officer of a ballot paper sorting station must deliver, or arrange to be delivered, to the central counting station the following items that were delivered to the Officer under section 63A(4) from a dedicated polling station—

(a) FC ballot boxes and ECC ballot boxes;

(b) sealed packets made under section 63A(1)(e)(i), (ii) and (iii) for functional constituencies and the Election Committee constituency; and

(c) ballot paper accounts prepared under section 64 for functional constituencies and the Election Committee constituency.

(4) Subsection (1) applies to a by-election for a functional constituency or the Election Committee constituency as if—

(a) the reference to "a polling station that is also designated as a counting station (other than a main counting station)" in that subsection were a reference to a polling station for that constituency; and

(b) the references to ballot boxes, sealed packets and ballot paper accounts in that subsection were references to ballot boxes, sealed packets and ballot paper accounts for that constituency.".

129. Section 71 amended (arrangements for the supervision of counting station and counting zone)

Section 71—

Repeal subsection (1)

Substitute

"(1) The Chief Returning Officer is to supervise the central counting station, in which—

(a) the Returning Officer for a functional constituency is to be in charge of the counting zone for that constituency; and

(b) the Returning Officer for the Election Committee constituency is to be in charge of the counting zone for that constituency.".

130. Sections 72, 73 and 73A substituted

Sections 72, 73 and 73A—

Repeal the sections

Substitute

"**72. FC ballot boxes, ECC ballot boxes, etc. delivered to central counting station to be handed over to Returning Officer**

(1) After the FC ballot boxes, and the sealed packets and ballot paper accounts for functional constituencies, from a polling station are delivered to the central counting station under section 70, they are to be handed over to the Returning Officer for a functional constituency.

(2) After the ECC ballot boxes, and the sealed packets and ballot paper accounts for the Election Committee constituency, from a polling station are delivered to the central counting station under section 70, they are to be handed over to the Returning Officer for the Election Committee constituency.

(3) If the Chief Returning Officer considers that the arrangement described in subsection (1) or (2) is not practicable, the Officer may—

(a) modify that arrangement; and

(b) modify any other arrangement described in this Division that becomes not practicable because of the modification under paragraph (a).

73. Returning Officer at central counting station to open FC ballot boxes, ECC ballot boxes, etc.

(1) After an FC ballot box or ECC ballot box, or a receptacle containing FC ballot papers or ECC ballot papers, is handed over to a Returning Officer at the central counting station, the Officer must open it by breaking the seal in the presence of the candidates, or their election agents or counting agents, who are present at the counting zone.

(2) The Returning Officer must permit a candidate, or the election agent or counting agent of a candidate, to inspect any paper, other than a ballot paper, taken from the ballot box or receptacle, if so requested by the candidate or agent, before that paper is disposed of.

(3) No person may be permitted under subsection (2) to inspect a ballot paper.

73A. Presiding Officer of counting station to open GC ballot boxes etc.

(1) The Presiding Officer of a counting station must open a GC ballot box in that Officer's charge, or a receptacle containing GC ballot papers handed over to the Officer, by breaking the seal in the presence of the candidates, or their election agents or counting agents, who are present at the counting zone.

(2) The Presiding Officer must permit a candidate, or the election agent or counting agent of a candidate, to inspect any paper, other than a ballot paper, taken from the ballot box or receptacle, if so requested by the candidate or agent, before that paper is disposed of.

(3) No person may be permitted under subsection (2) to inspect a ballot paper.".

131. Sections 73B to 73E added

After section 73A—

Add

"73B. Arrangements for sorting of and verifying number of FC ballot papers at central counting station

(1) At the central counting station, the Returning Officer for a functional constituency must, at the counting zone for that constituency, take the following steps in relation to the FC ballot papers from each polling station before counting the votes recorded on those ballot papers in accordance with section 77—

(a) sort the FC ballot papers according to each functional constituency;

(b) count and record the number of the FC ballot papers for each functional constituency;

(c) verify the number recorded for each functional constituency under paragraph (b) by comparing it with the ballot paper account for that constituency from that polling station;

(d) prepare a statement in writing as to the result of the verification for each functional constituency under paragraph (c);

(e) retain the FC ballot papers for the functional constituency for which the Officer is appointed together with the relevant statement prepared under paragraph (d);

(f) make into separate bundles the sorted FC ballot papers for each other functional constituency together with the relevant statement prepared under paragraph (d); and

(g) place each bundle in a separate receptacle and seal each receptacle in the presence of those present at the counting zone.

(2) In subsection (1), the reference to the FC ballot papers from each polling station is a reference to—

(a) the FC ballot papers in the FC ballot boxes from a polling station that are handed over to the Returning Officer under section 72(1); and

(b) the FC ballot papers found in the GC ballot boxes or ECC ballot boxes from that polling station, if any, that are placed in a receptacle handed over to the Returning Officer under section 73C(7)(b), 73D(7)(b) or 73E(5)(b).

(3) If any GC ballot paper is found in the FC ballot boxes, the Returning Officer must, in relation to such GC ballot papers from each polling station—

(a) sort the GC ballot papers according to each geographical constituency;

(b) count and record the number of the GC ballot papers for each geographical constituency;

(c) prepare a statement in writing as to the number recorded for each geographical constituency under paragraph (b);

(d) make into separate bundles the sorted GC ballot papers for each geographical constituency together with the relevant statement prepared under paragraph (c); and

(e) place each bundle in a separate receptacle and seal each receptacle in the presence of those present at the counting zone.

(4) If any ECC ballot paper is found in the FC ballot boxes, the Returning Officer must, in relation to such ECC ballot papers from each polling station—

(a) count and record the number of the ECC ballot papers;

(b) prepare a statement in writing as to the number recorded under paragraph (a);

(c) make into a bundle the ECC ballot papers together with the statement prepared under paragraph (b); and

(d) place the bundle in a receptacle and seal the receptacle in the presence of those present at the counting zone.

(5) If the Returning Officer considers it necessary or if required by a candidate, an election agent or a counting agent who is present at the counting zone, the Officer must, in preparing a verification of number of ballot papers under this section, compare the relevant ballot paper account with—

(a) the number of ballot papers recorded by the Officer;

(b) the spoilt ballot papers;

(c) the unused ballot papers; and

(d) the counterfoils or un-issued ballot papers.

(6) The Returning Officer must hand over the receptacles mentioned in subsection (1)(g), (3)(e) or (4)(d) to an Assistant Returning Officer or a counting officer in attendance at the relevant counting zone.

(7) An Assistant Returning Officer or a counting officer to whom receptacles are handed over under subsection (6) must—

(a) hand over each receptacle containing a bundle of FC ballot papers for a functional constituency to the Returning Officer for the relevant functional constituency;

(b) hand over each receptacle containing a bundle of GC ballot papers to the Returning Officer for the relevant geographical constituency; and

(c) hand over each receptacle containing a bundle of ECC ballot papers to the Returning Officer for the Election Committee constituency.

(8) A candidate, an election agent or a counting agent may copy what is recorded on a ballot paper account or a verification of number of ballot papers.

73C. Arrangements for verifying number of ECC ballot papers at central counting station

(1) At the central counting station, the Returning Officer for the Election Committee constituency must, at the counting zone for that constituency, take the following steps in relation to the ECC ballot papers from each polling station before counting the votes recorded on those ballot papers in accordance with section 78A—

(a) count and record the number of the ECC ballot papers;

(b) verify the number recorded under paragraph (a) by comparing it with the ballot paper account for the Election Committee constituency from that polling station; and

(c) prepare a statement in writing as to the result of the verification under paragraph (b).

(2) In subsection (1), the reference to the ECC ballot papers from each polling station is a reference to—

(a) the ECC ballot papers in the ECC ballot boxes from a polling station that are handed over to the Returning Officer under section 72(2); and

(b) the ECC ballot papers found in the GC ballot boxes or FC ballot boxes from that polling station, if any, that are placed in a receptacle handed over to the Returning Officer under sections 73B(7)(c), 73D(7)(c) or 73E(5)(c).

(3) If any GC ballot paper is found in the ECC ballot boxes, the Returning Officer must, in relation to such GC ballot papers from each polling station—

(a) sort the GC ballot papers according to each geographical constituency;

(b) count and record the number of the GC ballot papers for each geographical constituency;

(c) prepare a statement in writing as to the number recorded for each geographical constituency under paragraph (b);

(d) make into separate bundles the sorted GC ballot papers for each geographical constituency together with the relevant statement prepared under paragraph (c); and

(e) place each bundle in a separate receptacle and seal each receptacle in the presence of those present at the counting zone.

(4) If any FC ballot paper is found in the ECC ballot boxes, the Returning Officer must, in relation to such FC ballot papers from each polling station—

(a) sort the FC ballot papers according to each functional constituency;

(b) count and record the number of the FC ballot papers for each functional constituency;

(c) prepare a statement in writing as to the number recorded for each functional constituency under paragraph (b);

(d) make into separate bundles the sorted FC ballot papers for each functional constituency together with the relevant statement prepared under paragraph (c); and

(e) place each bundle in a separate receptacle and seal each receptacle in the presence of those present at the counting zone.

(5) If the Returning Officer considers it necessary or if required by a candidate, an election agent or a counting agent who is present at the counting zone, the Officer must, in preparing a verification of number of ballot papers under this section, compare the relevant ballot paper account with—

(a) the number of ballot papers recorded by the Officer;

(b) the spoilt ballot papers;

(c) the unused ballot papers; and

(d) the counterfoils or un-issued ballot papers.

(6) The Returning Officer must hand over the receptacles mentioned in subsection (3)(e) or (4)(e) to an Assistant Returning Officer or a counting officer in attendance at the counting zone.

(7) An Assistant Returning Officer or a counting officer to whom receptacles are handed over under subsection (6) must—

(a) hand over each receptacle containing a bundle of GC ballot papers to the Returning Officer for the relevant geographical constituency; and

(b) hand over the receptacles containing FC ballot papers from each polling station to the Returning Officer to whom the FC ballot boxes from that polling station are handed over under section 72(1).

(8) A candidate, an election agent or a counting agent may copy what is recorded on a ballot paper account or a verification of number of ballot papers.

73D. Arrangements for verifying number of GC ballot papers at GC counting station

(1) The Presiding Officer of a GC counting station must, at the counting zone, in relation to the GC ballot papers in the GC ballot boxes from the polling station that is in the same place as the counting station, after counting the votes recorded on those ballot papers in accordance with section 75—

(a) verify the number of the GC ballot papers counted by comparing it with the ballot paper account for the relevant geographical constituency from that polling station; and

(b) prepare a statement in writing as to the result of the verification under paragraph (a).

(2) The Presiding Officer of a GC counting station that is a main counting station must also, at the counting zone—

(a) in relation to the GC ballot papers in the GC ballot boxes received from a small polling station or dedicated polling station—before counting the votes recorded on those ballot papers in accordance with section 75—

(i) count and record the number of the GC ballot papers;

(ii) verify the number recorded under subparagraph (i) by comparing it with the ballot paper account for the relevant geographical constituency from that polling station; and

(iii) prepare a statement in writing as to the result of the verification under subparagraph (ii);

(b) in relation to the GC ballot papers in the receptacles received from a ballot paper sorting station—before counting the votes recorded on those ballot papers in accordance with section 75—

(i) count and record the number of the GC ballot papers;

(ii) verify the number recorded under subparagraph (i) by comparing it with the statement prepared under section 73E(1)(e) from that ballot paper sorting station; and

(iii) prepare a statement in writing as to the result of the verification under subparagraph (ii).

(3) If any FC ballot paper is found in the GC ballot boxes that are opened at a GC counting station, the Presiding Officer of the GC counting station must, in relation to such FC ballot papers from each polling station—

(a) sort the FC ballot papers according to each functional constituency;

(b) count and record the number of the FC ballot papers for each functional constituency;

(c) prepare a statement in writing as to the number recorded for each functional constituency under paragraph (b);

(d) make into separate bundles the sorted FC ballot papers for each functional constituency together with the relevant statement prepared under paragraph (c); and

(e) place each bundle in a separate receptacle and seal each receptacle in the presence of those present at the counting zone.

(4) If any ECC ballot paper is found in the GC ballot boxes that are opened at a GC counting station, the Presiding Officer of the GC counting station must, in relation to such ECC ballot papers from each polling station—

(a) count and record the number of the ECC ballot papers;

(b) prepare a statement in writing as to the number recorded under paragraph (a);

(c) make into a bundle the ECC ballot papers together with the statement prepared under paragraph (b); and

(d) place the bundle in a receptacle and seal the receptacle in the presence of those present at the counting zone.

(5) If the Presiding Officer considers it necessary or if required by a candidate, an election agent or a counting agent who is present at the counting zone, the Officer

must, in preparing a verification of number of ballot papers under this section, compare the relevant ballot paper account with—

(a) the number of ballot papers recorded by the Officer;

(b) the spoilt ballot papers;

(c) the unused ballot papers; and

(d) the counterfoils or un-issued ballot papers.

(6) The Presiding Officer must hand over the receptacles mentioned in subsection (3)(e) or (4)(d) to an Assistant Presiding Officer or a counting officer in attendance at the counting zone.

(7) An Assistant Presiding Officer or a counting officer to whom receptacles are handed over under subsection (6) must—

(a) deliver the receptacles to the central counting station;

(b) hand over the receptacles containing FC ballot papers from each polling station to the Returning Officer to whom the FC ballot boxes from that polling station are handed over under section 72(1); and

(c) hand over the receptacles containing ECC ballot papers to the Returning Officer for the Election Committee constituency.

(8) A candidate, an election agent or a counting agent may copy what is recorded on a ballot paper account or a verification of number of ballot papers.

73E. Arrangements for sorting of and counting number of ballot papers in ballot paper sorting station

(1) The Presiding Officer of a ballot paper sorting station must, in relation to the GC ballot papers in the GC ballot boxes from each dedicated polling station—

(a) sort the GC ballot papers according to each geographical constituency;

(b) count and record the number of the GC ballot papers for each geographical constituency;

(c) verify the number recorded for each geographical constituency under paragraph (b) by comparing it with the ballot paper account for that constituency from that polling station;

(d) prepare a statement in writing as to the result of the verification for each geographical constituency under paragraph (c);

(e) prepare a statement in writing as to the number of the GC ballot papers recorded for each geographical constituency after the verification under paragraph (c);

(f) make into separate bundles the sorted GC ballot papers for each geographical constituency together with the relevant statement prepared under paragraph (e);

(g) place each bundle in a separate receptacle and seal each receptacle in the presence of those present at the counting zone;

(h) arrange the receptacles to be delivered to the Presiding Officers of the respective main counting stations for the relevant geographical constituencies; and

(i) send to the Chief Electoral Officer—

(i) the ballot paper accounts for the relevant geographical constituencies from that polling station;

(ii) the verifications of number of ballot papers prepared under paragraph (d); and

(iii) the sealed packets made under section 63A for the relevant geographical constituencies from that polling station.

(2) If any FC ballot paper is found in the GC ballot boxes that are opened at a ballot paper sorting station, the Presiding Officer of the ballot paper sorting station must, in relation to such FC ballot papers from each dedicated polling station—

(a) sort the FC ballot papers according to each functional constituency;

(b) count and record the number of the FC ballot papers for each functional constituency;

(c) prepare a statement in writing as to the number recorded for each functional constituency under paragraph (b);

(d) make into separate bundles the sorted FC ballot papers for each functional constituency together with the relevant statement prepared under paragraph (c); and

(e) place each bundle in a separate receptacle and seal each receptacle in the presence of those present at the counting zone.

(3) If any ECC ballot paper is found in the GC ballot boxes that are opened at a ballot paper sorting station, the Presiding Officer of the ballot paper sorting station must,

in relation to such ECC ballot papers from each dedicated polling station—

(a) count and record the number of the ECC ballot papers;

(b) prepare a statement in writing as to the number recorded under paragraph (a);

(c) make into a bundle the ECC ballot papers together with the statement prepared under paragraph (b); and

(d) place the bundle in a receptacle and seal the receptacle in the presence of those present at the counting zone.

(4) The Presiding Officer must hand over the receptacles mentioned in subsection (2)(e) or (3)(d) to an Assistant Presiding Officer or a counting officer in attendance at the counting zone.

(5) An Assistant Presiding Officer or a counting officer to whom receptacles are handed over under subsection (4) must—

(a) deliver the receptacles to the central counting station;

(b) hand over the receptacles containing FC ballot papers from each dedicated polling station to the Returning Officer to whom the FC ballot boxes from that polling station are handed over under section 72(1); and

(c) hand over the receptacles containing ECC ballot papers to the Returning Officer for the Election Committee constituency.".

132. Sections 74, 74AAA, 74A, 74AA, 74AB and 74B repealed

Sections 74, 74AAA, 74A, 74AA, 74AB and 74B—

Repeal the sections.

133. Section 75 amended (counting of votes for geographical constituencies)

(1) Section 75—

Repeal subsection (1)

Substitute

"(1) The Presiding Officer of a GC counting station must, at the counting zone, count in accordance with this section the GC ballot papers mentioned in—

(a) if that counting station is not a main counting station—section 73D(1); or

(b) if that counting station is a main counting station—section 73D(1) and (2).

(1A) The Returning Officer for a geographical constituency must, at the counting zone for that constituency, count in accordance with this section the votes recorded on the GC ballot papers handed over to the Officer under section 73B(7)(b) and 73C(7)(a).".

(2) Section 75(5)—

Repeal

"list of candidates for which"

Substitute

"candidate for whom".

(3) Section 75(6)—

Repeal

", including those recorded on the GC ballot papers handed over to a Returning Officer under section 74(8)(c) or 74AAA(4)(c),".

(4) Section 75(7)(b)—

Repeal

", (i) and (ia)"

Substitute

"and (i)".

134. Section 75A amended (special arrangements for counting of votes for geographical constituencies)

Section 75A(3)—

Repeal

"a ballot paper account or re-verification of a ballot paper account,"

Substitute

"number of ballot papers".

135. Section 76 repealed (counting of votes for special functional constituencies)

Section 76—

Repeal the section.

136. Section 77 amended (counting of votes for ordinary functional constituencies other than District Council (second) functional constituency)

(1) Section 77, heading—

Repeal

"ordinary functional constituencies other than District Council (second) functional constituency"

Substitute

"functional constituencies".

(2) Section 77—

Repeal subsection (1A).

(3) Section 77—

Repeal subsection (1)

Substitute

"(1) The Returning Officer for a functional constituency must, at the counting zone for that constituency, count in accordance with this section the votes recorded on the following ballot papers for that constituency—

(a) the FC ballot papers retained by the Officer under section 73B(1)(e); and

(b) the FC ballot papers handed over to the Officer under section 73B(7)(a).".

137. Sections 77A and 77B repealed

Sections 77A and 77B—

Repeal the sections.

138. Section 78A added

Before section 79—

Add

"78A. Counting of votes for Election Committee constituency

(1) The Returning Officer for the Election Committee constituency must, at the counting zone for that

constituency, count in accordance with this section the votes recorded on the ECC ballot papers (whether contained in envelopes or not) mentioned in section 73C(1).

(2) Envelopes that contain, or appear to contain, ECC ballot papers from 2 or more polling stations must be mixed.

(3) All ECC ballot papers contained in envelopes must be taken out of the envelopes after the envelopes are mixed under subsection (2).

(4) If ECC ballot papers (not contained in envelopes) from 2 or more polling stations are received, the ECC ballot papers must be mixed.

(5) The votes recorded on the ECC ballot papers are to be counted according to the system of counting described in section 52A of the Legislative Council Ordinance (Cap. 542).

(6) The votes cast for the candidates for the Election Committee constituency may be counted by using an approved programme and a computer.

(7) In the course of counting in accordance with subsection (5)—

(a) any ballot paper that—

(i) appears to have any writing or mark by which the elector can possibly be identified;

(ii) appears to be not marked in accordance with section 58A(1) or (3)(b);

(iii) appears to be substantially mutilated; or

(iv) appears to be void for uncertainty,

is questionable and must be separated and forwarded to the Returning Officer to decide whether the vote is to be counted in accordance with section 81; and

(b) any ballot paper described in section 80(1)(b), (c), (d), (f), (hd) and (ib) must be separated and the vote is not to be counted pursuant to section 80.

(8) In this section—

approved programme (認可程式) means any computer software that the Commission is satisfied is programmed to count the votes for the Election Committee constituency so as to give an accurate result.".

139. Section 79 amended (result of the counting of votes and re-count for functional constituencies)

(1) Section 79, heading, after "**constituencies**"—

Add

"**or Election Committee constituency**".

(2) Section 79(1)—

Repeal

"76, 77 or 77A"

Substitute

"77 or 78A".

140. Section 79A amended (result of the counting of votes and re-count for geographical constituencies)

(1) Section 79A(1)—

Repeal

"74(8)(c) or 74AAA(4)(c)"

Substitute

"73B(7)(b) or 73C(7)(a)".

(2) Section 79A(5), after "votes"—

Add

"and re-count (if any)".

(3) Section 79A(6), after "of votes"—

Add

"and re-count (if any)".

(4) Section 79A(7) and (8)(b)—

Repeal

"74(8)(c) or 74AAA(4)(c)" (wherever appearing)

Substitute

"73B(7)(b) or 73C(7)(a)".

(5) After section 79A(8)—

Add

"(8A) For the purposes of subsection (8)(a), if the Returning Officer has made known the result of any re-count of a counting station for the geographical constituency under subsection (6), the result of the last re-count of that station is to be used in the calculation.".

(6) Section 79A(12)(b), (13)(b) and (14)(a)—

Repeal

"74(8)(c) or 74AAA(4)(c)"

Substitute

"73B(7)(b) or 73C(7)(a)".

(7) Section 79A(14)(b)—

Repeal

"74(8)(c) or 74AAA(4)(c)"

Substitute

"73B(7)(b) or 73C(7)(a)".

(8) Section 79A(14)(b)—

Repeal

"lists of".

141. Part 4, Division 3 heading added

After section 79A—

Add

"**Division 3—Decision on Ballot Papers**".

142. Section 80 amended (votes recorded on invalid ballot papers not to be counted)

(1) Section 80(1)—

Repeal paragraph (g)

Substitute

"(g) subject to subsection (2)—

(i) a GC ballot paper that is not marked in accordance with section 55(2);

(ii) an FC ballot paper that is not marked in accordance with section 57(2); or

(iii) an ECC ballot paper that is not marked in accordance with section 58A(1) or (3)(b);".

(2) Section 80(1)—

Repeal paragraphs (ga) and (h).

(3) Section 80(1)(ha)—

Repeal

"or an FC ballot paper for the District Council (second) functional constituency, which"

Substitute

"that".

(4) Section 80(1)(hb)—

Repeal

"for an ordinary functional constituency (other than the District Council (second) functional constituency) which"

Substitute

"that".

(5) Section 80(1)—

Repeal paragraph (hc).

(6) Before section 80(1)(i)—

Add

"(hd) an ECC ballot paper that is not marked in accordance with section 58A(3)(a) or (4);".

(7) Section 80(1)—

Repeal paragraph (i)

Substitute

"(i) a GC ballot paper on which votes for more than one candidate are recorded;".

(8) Section 80(1)—

Repeal paragraph (ia).

(9) Before section 80(1)(j)—

Add

"(ib) an ECC ballot paper on which a vote for a candidate whose name and other information are crossed out under section 37(2) is recorded;".

(10) Section 80(2)—

Repeal

"or (ii) or (h)"

Substitute

", (ii) or (iii)".

(11) Section 80(2)—

Repeal

"56(2A) or 57(2)"

Substitute

"57(2) or 58A(1) or (3)(b)".

(12) Section 80(3)—

Repeal

"(1)(ia)"

Substitute

"(1)(ib)".

(13) Section 80(4)(a)—

Repeal

"(ga), (ha), (hb), (hc), (i) or (ia)"

Substitute

"(ha), (hb), (hd), (i) or (ib)".

143. Section 81 amended (Returning Officer or Presiding Officer to make decisions on questionable ballot papers)

(1) Section 81(1)—

Repeal

"76(6)(a), 77(7)(a) or 77A(4)(a)"

Substitute

"77(7)(a) or 78A(7)(a)".

(2) Section 81(2)(b)(ii)—

Repeal

"56(2A) or 57(2)"

Substitute

"57(2) or 58A(1) or (3)(b)".

(3) Section 81(3)—

Repeal

"56(2A) or 57(2)" (wherever appearing)

Substitute

"57(2) or 58A(1) or (3)(b)".

(4) Section 81(6)(g)—

Repeal

"56 or 57"

Substitute

"57 or 58A".

(5) Section 81(6)—

Repeal paragraph (i)

Substitute

"(i) a GC ballot paper on which votes for more than one candidate are recorded;".

(6) Section 81(6)—

Repeal paragraph (j).

(7) At the end of section 81(6)—

Add

"(k) an ECC ballot paper on which a vote for a candidate whose name and other information are crossed out under section 37(2) is recorded.".

(8) Section 81—

Repeal subsection (7)

Substitute

"(7) Under this section, a candidate, or the election agent or counting agent of a candidate, may inspect a ballot paper, make representations or object to the decision of the Returning Officer or the Presiding Officer only in the name of that candidate but no other, regardless of to which candidate the ballot paper, representations or decision relates.".

144. Part 4, Division 4 heading added

After section 82—

Add

"**Division 4—Declaration of Election Results**".

145. Section 83 amended (Returning Officer to declare election result)

(1) Section 83(1)—

Repeal

"49(13), 50(7) and 51(7)"

Substitute

"49(5), 51(7) and 52A(8)".

(2) Section 83—

Repeal subsection (2)

Substitute

"(2) Subsection (3) applies if, before the Returning Officer declares a candidate to be elected—

(a) proof is given to the satisfaction of the Officer that the candidate has died; or

(b) proof is given to the satisfaction of the Candidate Eligibility Review Committee that the candidate is disqualified from being elected.

(3) In the circumstances mentioned in subsection (2)(a) or (b), the Returning Officer—

(a) must not declare that candidate to be elected; and

(b) must declare the election—

(i) to have failed as provided in section 46A(3)(a) of the Legislative Council Ordinance (Cap. 542); or

(ii) to have failed to the extent as provided in section 46A(3)(b) of that Ordinance.".

146. Section 84 amended (the form in which Returning Officer is to publish result of election)

(1) Section 84(2)—

Repeal

"or Form 4 in Schedule 4, as appropriate"

Substitute

"in Schedule 4".

(2) Before section 84(4)—

Add

"(3A) The notice to be published under section 58(3A) of the Legislative Council Ordinance (Cap. 542) for the Election Committee constituency is to be in Form 5 in Schedule 4.".

(3) Section 84(4)—

Repeal

"or (2)"

Substitute

", (2) or (3A)".

(4) Section 84(5)—

Repeal

"or the functional"

Substitute

", the functional constituency or the Election Committee".

147. Section 86 amended (Returning Officer or Presiding Officer to send ballot papers, accounts, packets, etc. to Chief Electoral Officer)

(1) Section 86(1)(a)—

Repeal

", verification of the ballot paper accounts and the re-verification of the ballot paper accounts"

Substitute

"and verification of number of ballot papers".

(2) Section 86(1)(g)—

Repeal

"; and"

Substitute a semicolon.

(3) After section 86(1)(g)—

Add

"(ga) if the copy of the relevant final register or registers has been marked under section 53(7)(a)—the marked copy; and".

148. Section 88 amended (Chief Electoral Officer to retain election documents for at least 6 months)

Section 88, after "section 86"—

Add

"and the copies of the relevant final registers in which records have been made under section 53(7)(b)".

149. Section 92 amended (Returning Officer may delegate certain functions)

(1) Section 92(3)—

Repeal paragraphs (a) and (b).

(2) Section 92—

Repeal subsection (4).

150. Section 96 amended (enforcement of provisions as to secrecy)

(1) Section 96(5)—

Repeal

"final register marked under section 53(7)"

Substitute

"relevant final register in printed form marked under section 53(7)(a)".

(2) Section 96(6)—

Repeal

"or re-verifications of such accounts"

Substitute

"of number of ballot papers".

(3) Section 96—

Repeal subsection (11)

Substitute

"(11) In this section—

elector (選民) includes an authorized representative.".

151. Section 97 amended (procedure after election proceedings are terminated)

Section 97(1)—

Repeal

"42C or 46A(1)"

Substitute

"42C(2) or 46A(2)".

152. Section 97A amended (procedure in case of death or disqualification of candidate after close of poll)

Section 97A—

Repeal subsection (1)

Substitute

"(1) Subsection (1A) applies if, after the close of polling for a constituency but before the declaration of the result of the election—

(a) proof is given to the satisfaction of the Returning Officer that a candidate has died; or

(b) proof is given to the satisfaction of the Candidate Eligibility Review Committee that a candidate is disqualified from being elected.

(1A) In the circumstances mentioned in subsection (1)(a) or (b), the Returning Officer must direct that the counting of the votes for the constituency is to begin or continue, as the case may be, as if the death or disqualification had not occurred.".

153. Section 98 amended (publication and display of notices, etc.)

(1) Section 98(2)(aa)—

Repeal

"Returning Officer"

Substitute

"Candidate Eligibility Review Committee".

(2) Section 98(2)(e)—

Repeal

"lists of candidates or".

154. Section 101A amended (letters that may be sent free of postage by candidates)

(1) Section 101A(1)—

Repeal

"list of candidates under section 43(1) of the Legislative Council Ordinance (Cap. 542), or a candidate under section 43(2) of that Ordinance,"

Substitute

"candidate under section 43(1), (2) or (3A) of the Legislative Council Ordinance (Cap. 542)".

(2) Section 101A(1)(b)—

Repeal

"or candidates on the list, or of the candidate,".

(3) Section 101A—

Repeal subsections (2) and (3)

Substitute

"(2) If letters are sent, in a bulk mailing, free of postage by or on behalf of a candidate under section 43(1), (2) or (3A) of the Legislative Council Ordinance (Cap. 542), the candidate, or any person authorized by that candidate, must provide the Postmaster General with—

(a) a specimen of the materials contained in that bulk mailing; and

(b) a declaration—

(i) in the specified form;

(ii) signed by that candidate or the person; and

(iii) stating that the materials contained in that bulk mailing are identical with the specimen provided to the Postmaster General.

(3) If the following applies in relation to any letters sent, in a bulk mailing, free of postage by or on behalf of a candidate under section 43(1), (2) or (3A) of the Legislative Council Ordinance (Cap. 542), the candidate is liable for payment of postage for all the letters in that bulk mailing—

(a) any letter in that bulk mailing does not comply with subsection (1); or

(b) a declaration under subsection (2)(b) is false in any particular.".

155. Section 104 amended (interpretation (Part 7))

Section 104(1), definition of ***election period***, paragraph (b)(i)—

Repeal

"42C"

Substitute

"42C(2)".

156. Part 8 added

After Part 7—

Add

"Part 8

Electronic Copy of Final Register for Purposes of Section 53(7)(b)

109. Interpretation (Part 8)

In this Part—

FR electronic copy (正式登記冊電子文本) means an electronic copy of the final register, or of part of the final register, created and maintained under section 110;

obtain access (取覽), in relation to an FR electronic copy, includes causing an electronic device to perform a function so as to obtain access to the data or information contained in the FR electronic copy.

110. FR electronic copy

(1) The Commission may, for the purposes of section 53(7)(b), create and maintain an electronic copy of the final register, or of part of the final register—

(a) to be stored on an electronic platform; and

(b) access to which can be obtained through the Internet by using an electronic device.

(2) An FR electronic copy is to contain the identity document numbers of the electors and authorized representatives and such additional particulars or information that the Chief Electoral Officer thinks fit to include.

111. Protection of FR electronic copy

(1) A person commits an offence if the person obtains access to an FR electronic copy without legal authority to do so.

(2) For the purposes of subsection (1), an individual has legal authority to obtain access to an FR electronic copy if—

(a) the individual is authorized by the Commission to assist in the creation or maintenance of the FR electronic copy and the individual acts in compliance with the terms of the authorization;

(b) the individual is a Presiding Officer or polling officer who is authorized by the Commission to use the FR electronic copy for the purposes of section 53(7)(b) and the individual so uses the FR electronic copy in compliance with the terms of the authorization; or

(c) the individual is authorized by the Commission to assist in making the FR electronic copy available for the use mentioned in paragraph (b) and the individual acts in compliance with the terms of the authorization.

(3) A person commits an offence if the person, without lawful excuse—

(a) damages any data or information contained in an FR electronic copy; or

(b) otherwise tampers with an FR electronic copy to make its operation defective.

(4) A person who commits an offence under subsection (1) or (3) is liable on conviction on indictment to imprisonment for 2 years.

112. Commission may authorize access to FR electronic copy

(1) A member of the Commission may, for the purposes of section 111(2)—

(a) grant an authorization to an individual; and

(b) determine the terms of the authorization.

(2) An authorization granted to an individual under subsection (1) must—

(a) be in writing;

(b) specify the name and appropriate identification details of the individual; and

(c) set out the terms of the authorization.".

157. Schedule 2 amended (postponement and adjournment of general election and by-election)

(1) Schedule 2, section 5(2)—

Repeal

"marked copies of the final register"

Substitute

"copy of the relevant final register or registers that has been marked under section 53(7)(a) of this Regulation".

(2) Schedule 2, section 6(2)—

Repeal

"a ballot paper account or re-verification of a ballot paper account"

Substitute

"number of ballot papers".

158. Schedule 3 amended (forms of ballot papers for a general election/by-election)

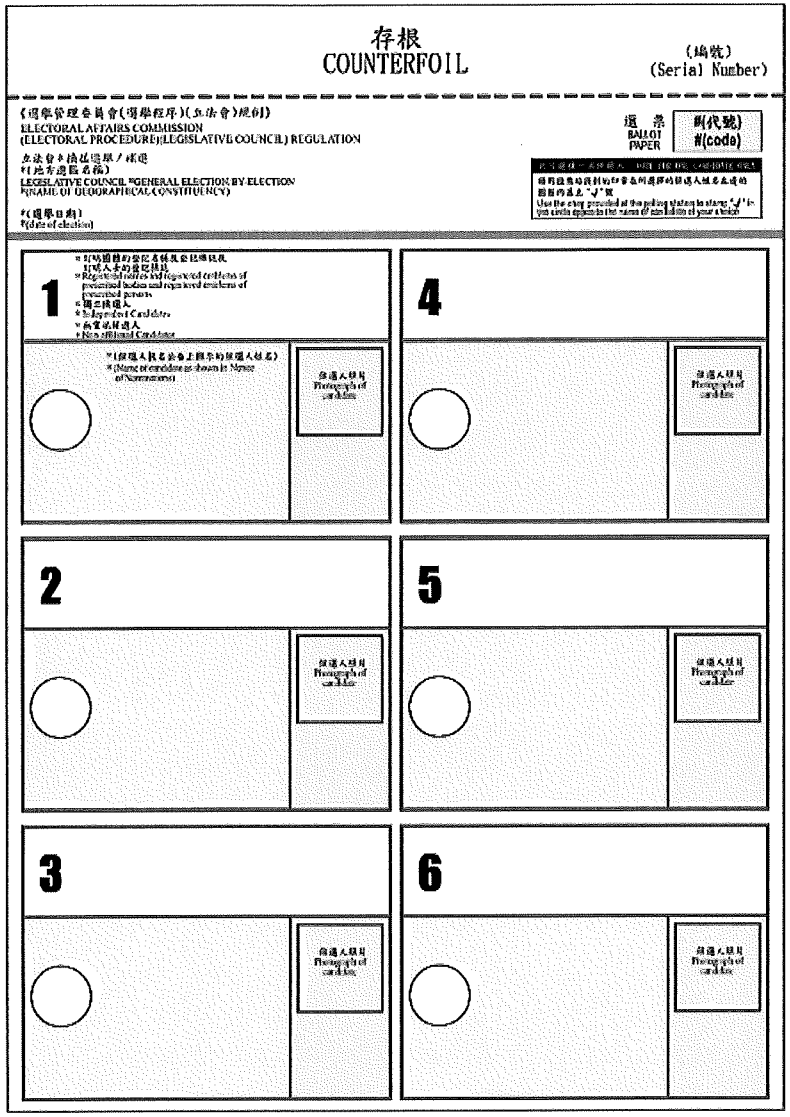
(1) Schedule 3—

Repeal Form 1

Substitute

"Form 1

Ballot Paper for Geographical Constituency



\# A code will be assigned to each of the geographical constituencies. Only the appropriate code will be printed.

* Only the appropriate information will be printed.".

(2) Schedule 3—

Repeal Forms 2 and 2A.

(3) Schedule 3, Form 3(a), heading—

Repeal

"an Ordinary Functional Constituency (other than the District Council (Second) Functional Constituency)"

Substitute

"Functional Constituency".

(4) Schedule 3, Form 3(a)—

Repeal

"ordinary" (wherever appearing).

(5) Schedule 3, Form 3(b), heading—

Repeal

"an Ordinary Functional Constituency (other than the District Council (Second) Functional Constituency)"

Substitute

"Functional Constituency".

(6) Schedule 3, Form 3(b)—

Repeal

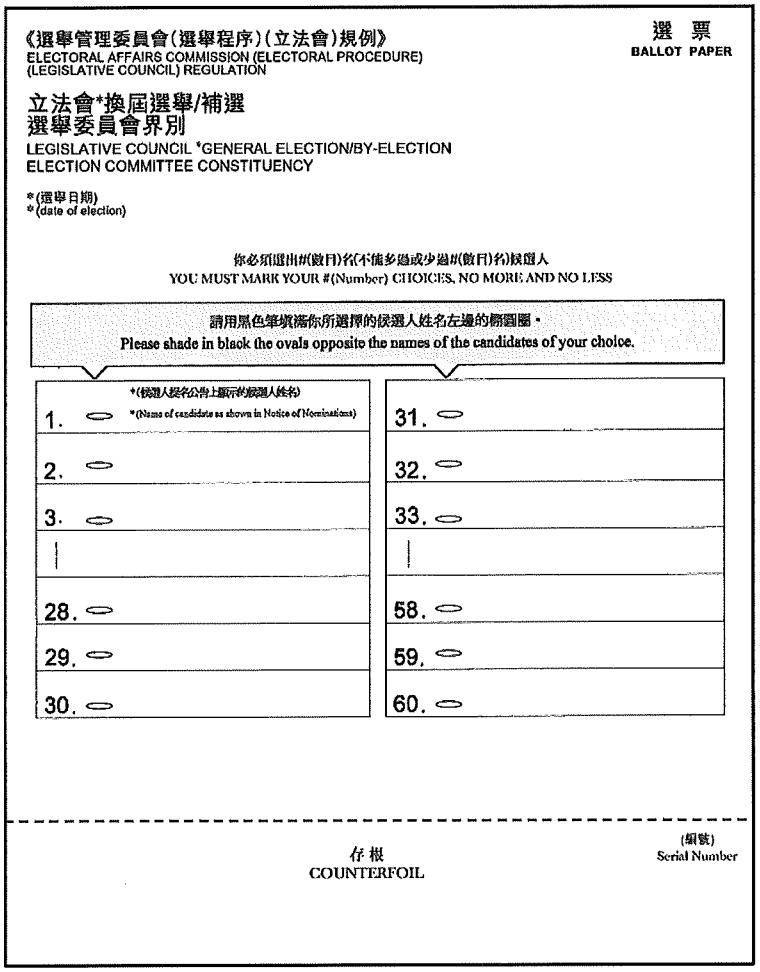
"ordinary" (wherever appearing).

(7) At the end of Schedule 3—

Add

"Form 5(a)

Ballot Paper for Election Committee Constituency (General Election or By-election)


《選舉管理委員會(選舉程序)(立法會)規例》
ELECTORAL AFFAIRS COMMISSION (ELECTORAL PROCEDURE) (LEGISLATIVE COUNCIL) REGULATION

選 票
BALLOT PAPER

立法會*換屆選舉/補選
選舉委員會界別
LEGISLATIVE COUNCIL *GENERAL ELECTION/BY-ELECTION
ELECTION COMMITTEE CONSTITUENCY

*(選舉日期)
*(date of election)

你必須選出#(數目)名(不能多過或少過#(數目)名)候選人
YOU MUST MARK YOUR #(Number) CHOICES, NO MORE AND NO LESS

請用黑色筆填滿你所選擇的候選人姓名左邊的橢圓圈。
Please shade in black the ovals opposite the names of the candidates of your choice.

*(候選人提名公告上顯示的候選人姓名) *(Name of candidate as shown in Notice of Nominations)	
1. ⬭	31. ⬭
2. ⬭	32. ⬭
3. ⬭	33. ⬭
|	|
28. ⬭	58. ⬭
29. ⬭	59. ⬭
30. ⬭	60. ⬭

存根
COUNTERFOIL

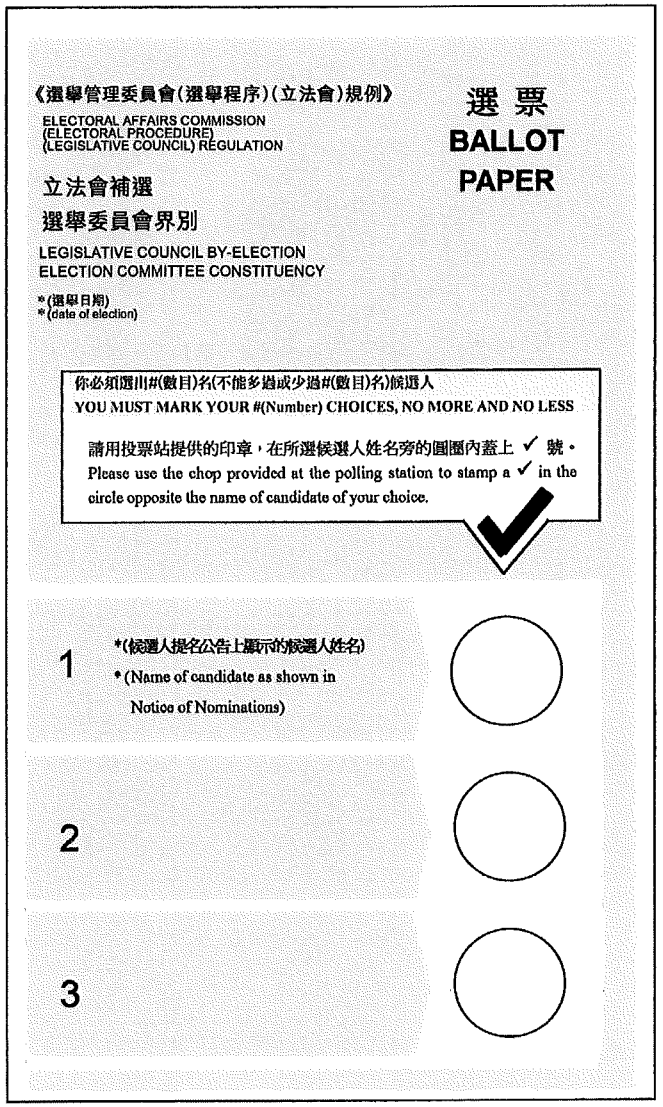
(編號)
Serial Number

* Only the appropriate information will be printed.

\# The relevant number will be printed.

Form 5(b)

Ballot Paper for Election Committee Constituency (By-election in relation to which Commission has Made Direction under Section 58A(2))


《選舉管理委員會(選舉程序)(立法會)規例》
ELECTORAL AFFAIRS COMMISSION
(ELECTORAL PROCEDURE)
(LEGISLATIVE COUNCIL) REGULATION

選 票
BALLOT
PAPER

立法會補選
選舉委員會界別
LEGISLATIVE COUNCIL BY-ELECTION
ELECTION COMMITTEE CONSTITUENCY

*(選舉日期)
*(date of election)

你必須選出#(數目)名(不能多過或少過#(數目)名)候選人
YOU MUST MARK YOUR #(Number) CHOICES, NO MORE AND NO LESS

請用投票站提供的印章，在所選候選人姓名旁的圓圈內蓋上 ✓ 號。
Please use the chop provided at the polling station to stamp a ✓ in the circle opposite the name of candidate of your choice.

1 *(候選人提名公告上顯示的候選人姓名)
*(Name of candidate as shown in Notice of Nominations)

2

3

* Only the appropriate information will be printed.

\# The relevant number will be printed.".

159. Schedule 4 amended (forms for the notice of election result under section 58 of the Legislative Council Ordinance (Cap. 542))

(1) Schedule 4—

Repeal Forms 1 and 2

Substitute

"Form 1

Notice of Result of Election for Geographical Constituency

《選舉管理委員會(選舉程序)(立法會)規例》
ELECTORAL AFFAIRS COMMISSION
(ELECTORAL PROCEDURE) (LEGISLATIVE COUNCIL) REGULATION

選舉結果公告
NOTICE OF RESULT OF ELECTION

立法會*換屆選舉/補選
*(地方選區名稱)
LEGISLATIVE COUNCIL *GENERAL ELECTION/BY-ELECTION
*(Name of Geographical Constituency)

1. 於*(年 月 日)舉行的上述選舉的結果公布如下——

The following is a statement of the result of the above election held on *(date)—

候選人姓名 Name of Candidate	候選人所得票數 Number of Votes Given to the Candidate

2. 特此公布下列候選人*依據以抽籤方式決定的選舉結果而在上述地方選區當選——

It is hereby notified that the following candidate(s) *is/are declared to be elected for the above-mentioned geographical constituency *pursuant to a result determined by drawing lots—

(當選的候選人姓名)

(Name(s) of Candidate(s) Elected)

日期：.....　　上述地方選區的選舉主任

Date: .....　　Returning Officer
for the above-mentioned geographical constituency

* Only the appropriate information will be printed.

Form 2

Notice of Result of Election for Functional Constituency

《選舉管理委員會(選舉程序)(立法會)規例》

ELECTORAL AFFAIRS COMMISSION

(ELECTORAL PROCEDURE) (LEGISLATIVE COUNCIL) REGULATION

選舉結果公告

NOTICE OF RESULT OF ELECTION

立法會*換屆選舉/補選

**(功能界別名稱)*

LEGISLATIVE COUNCIL *GENERAL ELECTION/BY-ELECTION

**(Name of Functional Constituency)*

1. 於*(年 月 日)舉行的上述選舉的結果公布如下——

The following is a statement of the result of the above election held on *(date)—

候選人姓名 Name of Candidate	候選人所得票數 Number of Votes Given to the Candidate

2. 特此公布下列候選人*依據以抽籤方式決定的選舉結果而在上述功能界別當選——

It is hereby notified that the following candidate(s) *is/are declared to be elected for the above-mentioned functional constituency *pursuant to a result determined by drawing lots—

(當選的候選人姓名)

(Name(s) of Candidate(s) Elected)

日期：..... 上述功能界別的選舉主任

Date: ..... Returning Officer
for the above-mentioned functional constituency

* Only the appropriate information will be printed.".

(2) Schedule 4—

Repeal Form 4.

(3) At the end of Schedule 4—

Add

"Form 5

Notice of Result of Election for Election Committee Constituency

《選舉管理委員會(選舉程序)(立法會)規例》

ELECTORAL AFFAIRS COMMISSION

(ELECTORAL PROCEDURE) (LEGISLATIVE COUNCIL) REGULATION

選舉結果公告

NOTICE OF RESULT OF ELECTION

立法會*換屆選舉/補選

選舉委員會界別

LEGISLATIVE COUNCIL *GENERAL ELECTION/BY-ELECTION

Election Committee Constituency

1. 於*(年 月 日)舉行的上述選舉的結果公布如下——

The following is a statement of the result of the above election held on *(date)—

候選人姓名 Name of Candidate	候選人所得票數 Number of Votes Given to the Candidate

2. 特此公布下列候選人*依據以抽籤方式決定的選舉結果而在選舉委員會界別當選——

It is hereby notified that the following candidate(s) *is/are declared to be elected for the Election Committee constituency *pursuant to a result determined by drawing lots—

(當選的候選人姓名)

(Name(s) of Candidate(s) Elected)

日期：.....　　選舉委員會界別的選舉主任

Date: .....　　Returning Officer
for the Election Committee constituency

* Only the appropriate information will be printed.".

Division 6—Electoral Affairs Commission (Electoral Procedure) (District Councils) Regulation (Cap. 541 sub. leg. F)

160. Section 2 amended (interpretation)

Section 2(1)—

(a) **Repeal the definition of *verification of the ballot paper account***;

(b) **Add in alphabetical order**

"***verification of number of ballot papers*** (選票數目核實書) means a statement prepared under section 75 or 75A(d).".

161. Section 31A added

After section 31—

Add

"31A. Chief Electoral Officer may require certain premises for use as polling stations or counting stations

(1) For the purposes of section 31(1)(a), (b) or (c), the Chief Electoral Officer may, by written notice, require an owner or occupier of any target premises to—

(a) allow an authorized person to carry out a site visit at the premises for enabling the Officer to determine whether the premises are suitable for use as a polling station or counting station in an election; and

(b) if the Officer considers the premises suitable—take the steps specified in subsection (2).

(2) The steps specified for the purposes of subsection (1)(b) are—

(a) to make available the premises for use as a polling station or counting station in the election; and

(b) to allow an authorized person to carry out preparatory work and store materials at the premises for a purpose relating to such use.

(3) If any target premises are used as a polling station or counting station as a result of a person's compliance with a requirement made under subsection (1), the Chief Electoral Officer must pay to the person a user fee for the period during which the premises are so used.

(4) The amount of the user fee payable under subsection (3) is to be—

(a) agreed between the person and the Chief Electoral Officer; or

(b) if no agreement can be reached—determined by the court by reference to the loss suffered by the person for making available the premises.

(5) A person who fails to comply with a requirement made under subsection (1) is liable to pay a financial penalty of $10,000.

(6) For the purposes of this section—

(a) a user fee payable under subsection (3) is recoverable as a civil debt due from the Government; and

(b) a financial penalty payable under subsection (5) is recoverable as a civil debt due to the Government.

(7) In this section—

authorized person (獲授權人) means a person authorized in writing by the Chief Electoral Officer for the purposes of this section;

occupier (佔用人), in relation to any target premises—

(a) means a tenant, sub-tenant or any other person in lawful occupation of the premises; but

(b) does not include an owner of the premises;

owner (業主), in relation to any target premises, means—

(a) a person who appears from the records at the Land Registry to be the owner of—

(i) the land on which the premises situate; or

(ii) if the land is divided into shares—an undivided share in the land that relates to the premises; and

(b) a registered mortgagee in possession of such land or share;

target premises (目標處所) means a school or building described in section 31(2)(c) or (d) or any part of it.".

162. Section 47 amended (who may enter or be present at a polling station)

(1) Section 47(4)(h)—

Repeal

"or".

(2) Section 47(4)(i)—

Repeal the full stop

Substitute

"; or".

(3) After section 47(4)(i)—

Add

"(j) an individual who provides the assistance mentioned in section 112(2)(c) pursuant to an authorization under that section.".

163. Section 52A added

After section 52—

Add

"**52A. Arrangement for giving ballot papers to elderly persons, pregnant women, etc.**

(1) The Presiding Officer may designate an area in the polling station for giving a ballot paper to a person—

(a) who is not less than 70 years of age;

(b) whose document specified in section 53(1A)(a), (ab), (b), (c), (d), (e) or (f) shows the year of birth,

without the month and day of birth, of the person which is 70 years earlier than the year within which the polling day falls;

(c) whose document specified in section 53(1A)(a), (ab), (b), (c), (d), (e) or (f) shows, without the day of birth—

(i) the year of birth of the person which is 70 years earlier than the year within which the polling day falls; and

(ii) the month of birth of the person which is the same as the month within which the polling day falls;

(d) who is pregnant; or

(e) who, because of illness, injury, disability or dependence on mobility aids—

(i) is not able to queue for a long time; or

(ii) has difficulty in queuing.

(2) If the Presiding Officer is satisfied that a person who arrives at, or is present in, the polling station to vote falls within the description in subsection (1)(a), (b), (c), (d) or (e), the Officer may direct the person to immediately proceed to the following location to apply for a ballot paper—

(a) the area designated under subsection (1); or

(b) if there is a queue extending from that area—the end of the queue.".

164. Section 56 amended (Presiding Officer to issue only one ballot paper to an elector)

Section 56(3)—

Repeal

everything after "Officer"

Substitute

"must—

(a) if a printed copy or extract of the relevant final register is used to record the issue—mark the copy or extract by placing a line across the name and identity document number of the elector; or

(b) if an FR electronic copy or extract (as defined by section 110) of the relevant final register is used to record the issue—make, by using an electronic device, a record in the entry relating to the elector in the FR electronic copy or extract,

to denote that the ballot paper the elector is entitled to have issued to him or her at the relevant polling station has been so issued.".

165. Section 63 amended (steps to be taken at the close of the poll: a polling station which is also a counting station)

Section 63(2)(e)—

Repeal subparagraph (iv)

Substitute

"(iv) if the copy or extract of the relevant final register has been marked under section 56(3)(a)—the marked copy or extract.".

166. Section 63A amended (steps to be taken at the close of the poll: a polling station which is not a counting station)

Section 63A(1)(e)—

Repeal subparagraph (iv)

Substitute

"(iv) if the copy or extract of the relevant final register has been marked under section 56(3)(a)—the marked copy or extract.".

167. Section 75 amended (Presiding Officer to verify ballot paper account)

(1) Section 75, heading—

Repeal

"ballot paper account"

Substitute

"number of ballot papers".

(2) Section 75(1A)(a)(i)—

Repeal

"the ballot paper account prepared under section 64 by comparing it with the number"

Substitute

"the number by comparing it with the ballot paper account prepared under section 64".

(3) Section 75(1A)(a)(ii)—

Repeal

"the statement prepared under section 75A(e) by comparing it with the number"

Substitute

"the number by comparing it with the statement prepared under section 75A(e)".

(4) Section 75(2) and (3)—

Repeal

"verification of the ballot paper account"

Substitute

"verification of number of ballot papers".

168. Section 75A amended (arrangements for sorting in ballot paper sorting stations)

(1) Section 75A—

Repeal paragraph (c)

Substitute

"(c) verify the number of envelopes recorded for each constituency under paragraph (b) by comparing it with the ballot paper account for that constituency;".

(2) Section 75A(i)—

Repeal

"verification of the ballot paper accounts"

Substitute

"verifications of number of ballot papers".

169. Section 84 amended (Chief Electoral Officer to receive ballot papers, accounts, packets, etc.)

(1) Section 84(1)(a)—

Repeal

"verification of the ballot paper account"

Substitute

"verification of number of ballot papers".

(2) Section 84(2)(e)—

Repeal

"; and"

Substitute a semicolon.

(3) After section 84(2)(e)—

Add

"(ea) if the copy or extract of the relevant final register has been marked under section 56(3)(a)—the marked copy or extract; and".

170. Section 86 amended (Chief Electoral Officer to retain election documents for at least 6 months)

Section 86, after "section 84"—

Add

"and the copies or extracts of the relevant final register in which records have been made under section 56(3)(b)".

171. Section 94 amended (enforcement of provisions as to secrecy)

(1) Section 94(5)—

Repeal

"final register marked under section 56(3)"

Substitute

"relevant final register in printed form marked under section 56(3)(a)".

(2) Section 94(6)—

Repeal

"or re-verifications of such accounts"

Substitute

"of number of ballot papers".

172. Section 95 amended (procedure after election proceedings are terminated)

Section 95(3)(b)—

Repeal subparagraph (iv)

Substitute

"(iv) if the copy or extract of the relevant final register has been marked under section 56(3)(a)—the marked copy or extract.".

173. Part 8 added

After Part 7—

Add

"Part 8

Electronic Copy or Extract of Final Register for Purposes of Section 56(3)(b)

110. Interpretation (Part 8)

In this Part—

FR electronic copy or extract (正式登記冊電子文本或摘錄) means an electronic copy or extract of the final register, or of part of the final register, created and maintained under section 111;

obtain access (取覽), in relation to an FR electronic copy or extract, includes causing an electronic device to perform a function so as to obtain access to the data or information contained in the FR electronic copy or extract.

111. FR electronic copy or extract

(1) The Commission may, for the purposes of section 56(3)(b), create and maintain an electronic copy or extract of the final register, or of part of the final register—

(a) to be stored on an electronic platform; and

(b) access to which can be obtained through the Internet by using an electronic device.

(2) An FR electronic copy or extract is to contain the identity document numbers of the electors and such additional particulars or information that the Chief Electoral Officer thinks fit to include.

112. Protection of FR electronic copy or extract

(1) A person commits an offence if the person obtains access to an FR electronic copy or extract without legal authority to do so.

(2) For the purposes of subsection (1), an individual has legal authority to obtain access to an FR electronic copy or extract if—

(a) the individual is authorized by the Commission to assist in the creation or maintenance of the FR electronic copy or extract and the individual acts in compliance with the terms of the authorization;

(b) the individual is a Presiding Officer or polling officer who is authorized by the Commission to use the FR electronic copy or extract for the purposes of section 56(3)(b) and the individual so uses the FR electronic copy or extract in compliance with the terms of the authorization; or

(c) the individual is authorized by the Commission to assist in making the FR electronic copy or extract

available for the use mentioned in paragraph (b) and the individual acts in compliance with the terms of the authorization.

(3) A person commits an offence if the person, without lawful excuse—

(a) damages any data or information contained in an FR electronic copy or extract; or

(b) otherwise tampers with an FR electronic copy or extract to make its operation defective.

(4) A person who commits an offence under subsection (1) or (3) is liable on conviction on indictment to imprisonment for 2 years.

113. Commission may authorize access to FR electronic copy or extract

(1) A member of the Commission may, for the purposes of section 112(2)—

(a) grant an authorization to an individual; and

(b) determine the terms of the authorization.

(2) An authorization granted to an individual under subsection (1) must—

(a) be in writing;

(b) specify the name and appropriate identification details of the individual; and

(c) set out the terms of the authorization.".

174. Schedule 1 amended (postponement and adjournment of ordinary election and by-elections)

(1) Schedule 1, section 5(2)—

Repeal

"marked copies of the final register"

Substitute

"copy or extract of the relevant final register that has been marked under section 56(3)(a) of this Regulation".

(2) Schedule 1, section 6(2)—

Repeal

"a ballot paper account or re-verification of a ballot paper account"

Substitute

"number of ballot papers".

Division 7—Electoral Affairs Commission (Nominations Advisory Committees (Election Committee)) Regulation (Cap. 541 sub. leg. H)

175. Section 2 amended (interpretation)

(1) Section 2(1)—

Repeal the definition of *by-election*

Substitute

"***by-election*** (補選) means a subsector by-election as defined by section 1(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569);".

(2) Section 2(1)—

Repeal the definition of *candidate*

Substitute

"***candidate*** (候選人), in relation to a particular subsector, means a person who is nominated to be returned as a member of the Election Committee assigned to that subsector at an ordinary election or by-election;".

(3) Section 2(1)—

Repeal the definition of *designated body*

Substitute

"***designated body*** (指定團體) has the meaning given by section 1(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569);".

(4) Section 2(1)—

Repeal the definition of *nomination form*

Substitute

"***nomination form*** (提名表格), in relation to a subsector, means a form specified by the Commission under section 7(1)(i) of the Ordinance submitted for the purpose of—

(a) nominating a candidate for the ordinary election or by-election of the subsector, as the case may be;

(b) a designated nomination by setting out the nominees to represent the subsector on the Election Committee; or

(c) a supplementary designated nomination by setting out the nominee or nominees, as the case may be, to represent the subsector on the Election Committee;".

(5) Section 2(1)—

Repeal the definition of *nomination period*

Substitute

"***nomination period*** (提名期), in relation to a particular ordinary election, by-election, designated nomination or supplementary designated nomination, means the period specified under any regulation providing for the procedure for that ordinary election, by-election, designated nomination or supplementary designated

nomination, as the case may be, as the period for submitting to the Returning Officer nomination forms relating to that ordinary election, by-election, designated nomination or supplementary designated nomination, as the case may be;".

(6) Section 2(1)—

Repeal the definition of *nominee*

Substitute

"***nominee*** (獲提名人) means a person nominated by a designated body to be a member on the Election Committee;".

(7) Section 2(1)—

Repeal the definition of *ordinary election*

Substitute

"***ordinary election*** (一般選舉) means a subsector ordinary election as defined by section 1(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569);".

(8) Section 2(1)—

Repeal the definition of *subsector*

Substitute

"***subsector*** (界別分組) has the meaning given by section 1(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569), but does not include the Members of the Legislative Council subsector and the Hong Kong Special Administrative Region deputies to the National People's Congress and Hong Kong Special Administrative Region members of the National Committee of the Chinese People's Political Consultative Conference subsector;".

(9) Section 2(1)—

(a) definition of ***nomination for the religious subsector***;

(b) definition of ***religious subsector***;

(c) definition of ***subsector by-election***;

(d) definition of ***subsector ordinary election***;

(e) definition of ***sub-subsector***;

(f) definition of ***sub-subsector by-election***;

(g) definition of ***sub-subsector ordinary election***;

(h) definition of ***supplementary nomination for the religious subsector***—

Repeal the definitions.

(10) Section 2(1)—

Add in alphabetical order

"***designated nomination*** (指定提名) means the nomination of a person or persons by a designated body to be a member or members on the Election Committee under section 7(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569);

supplementary designated nomination (補充指定提名) means the nomination of a person or persons by a designated body to fill a vacancy or vacancies among the members on the Election Committee under section 7(2) of the Schedule to the Chief Executive Election Ordinance (Cap. 569).".

(11) Section 2(2)(a)—

Repeal

"19"

Substitute

"17A or 19".

(12) Section 2(2)(b)—

Repeal

"nomination for the religious subsector or supplementary nomination for the religious subsector"

Substitute

"designated nomination or supplementary designated nomination".

(13) Section 2(2)(b), after "that Ordinance"—

Add

", but nothing in this Regulation is to be construed as empowering or requiring a Committee to advise on any matter relating to any requirements under section 7A of that Schedule".

176. Section 3 amended (appointment of the Committee)

(1) Section 3(4)—

Repeal

"nomination for the religious subsector or supplementary nomination for the religious subsector"

Substitute

"designated nomination or supplementary designated nomination".

(2) Section 3(5)(b)—

Repeal

"nomination for the religious subsector"

Substitute

"designated nomination".

(3) Section 3(5)(c)—

Repeal

"supplementary nomination for the religious subsector"

Substitute

"supplementary designated nomination".

(4) Section 3(5)(c), Chinese text—

Repeal

"該項補充提名"

Substitute

"該項補充指定提名".

177. Section 4 amended (functions)

(1) Section 4(1)(a)(i)—

Repeal

"or a sub-subsector, as the case may be".

(2) Section 4(1)(a)(ii) and (iii)—

Repeal

"nomination for the religious subsector"

Substitute

"designated nomination".

(3) Section 4(1)(a)(iii)—

Repeal

"religious subsector"

Substitute

"subsector concerned".

(4) Section 4(1)(b)(i)—

Repeal

"or a sub-subsector, as the case may be".

(5) Section 4(1)(b)(ii)—

Repeal

"nomination for the religious subsector"

Substitute

"designated nomination".

(6) Section 4(1)(b)(iii)—

Repeal

"supplementary nomination for the religious subsector"

Substitute

"supplementary designated nomination".

(7) Section 4(2)—

Repeal

"nomination for the religious subsector or supplementary nomination for the religious subsector"

Substitute

"designated nomination or supplementary designated nomination".

(8) Section 4(3) and (4)—

Repeal

"nomination for the religious subsector" (wherever appearing)

Substitute

"designated nomination".

(9) Section 4(4)—

Repeal

"supplementary nomination for the religious subsector"

Substitute

"supplementary designated nomination".

178. Section 6 amended (procedure relating to applications by prospective candidates, prospective nominees or designated bodies)

(1) Section 6—

Repeal subsection (1)

Substitute

"(1) A prospective candidate for an ordinary election may apply in accordance with subsection (4) for the advice of a Committee as to whether he or she is eligible to be, or is disqualified from being, nominated as a candidate in respect of a particular subsector.".

(2) Section 6(2) and (3)—

Repeal

"nomination for the religious subsector"

Substitute

"designated nomination".

(3) Section 6(3)—

Repeal

"religious subsector"

Substitute

"subsector concerned".

(4) Section 6—

Repeal subsection (6)

Substitute

"(6) A prospective candidate may make only 1 application in respect of a particular subsector.".

(5) Section 6(7)—

Repeal

"nomination for the religious subsector"

Substitute

"designated nomination".

(6) Section 6(8)—

Repeal

"religious subsector"

Substitute

"subsector concerned".

(7) Section 6—

Repeal subsection (9)

Substitute

"(9) To avoid doubt, it is declared that a prospective candidate may, subject to subsection (6), apply for advice in respect of more than one subsector.".

(8) Section 6(10)—

Repeal

"nomination for the religious subsector"

Substitute

"designated nomination".

(9) Section 6(11)(a)—

Repeal

"or the sub-subsector, as the case may be".

(10) Section 6(11)(c)—

Repeal

"religious subsector"

Substitute

"subsector concerned".

(11) Section 6(12)(a)(i)—

Repeal

"nomination for the religious subsector"

Substitute

"designated nomination".

(12) Section 6(13)—

Repeal

"nomination for the religious subsector"

Substitute

"designated nomination".

179. Section 7 amended (procedure relating to applications by Returning Officers)

(1) Section 7—

Repeal subsection (1)

Substitute

"(1) A Returning Officer may, as regards an ordinary election or by-election in relation to which a Committee is appointed, apply in accordance with subsection (3) to that Committee for advice as to whether a particular candidate who has submitted a nomination form to that Officer under any relevant regulation made under the Ordinance in respect of a subsector is eligible to be, or is disqualified from being, nominated as a candidate in respect of that subsector.".

(2) Section 7(2)—

Repeal

"nomination for the religious subsector, or a supplementary nomination for the religious subsector"

Substitute

"designated nomination or supplementary designated nomination".

(3) Section 7(4)(a)—

Repeal

"or the sub-subsector, as the case may be".

(4) Section 7(5)—

Repeal

everything before "the Returning Officer"

Substitute

"(5) In forming an opinion under the relevant regulations made under the Ordinance as to whether—

(a) a particular candidate is eligible to be, or is disqualified from being, nominated as a candidate in respect of a subsector; or

(b) a particular nominee is eligible to be, or is disqualified from being, nominated by a designated body to be a member representing the subsector concerned on the Election Committee,".

(5) Section 7(6)(a)—

Repeal

"or the sub-subsector, as the case may be".

(6) Section 7(6)(b)—

Repeal

"nomination for the religious subsector or supplementary nomination for the religious subsector" (wherever appearing)

Substitute

"designated nomination or supplementary designated nomination".

180. Section 9 amended (Committee to attend and give advice at the meeting called by the Commission)

Section 9(1)(a) and (b)—

Repeal

"nomination for the religious subsector or supplementary nomination for the religious subsector"

Substitute

"designated nomination or supplementary designated nomination".

181. Section 10 amended (advice not to preclude seeking of nomination, etc.)

(1) Section 10(1)(b)—

Repeal

"nomination for the religious subsector or a supplementary nomination for the religious subsector"

Substitute

"designated nomination or supplementary designated nomination".

(2) Section 10(2), definition of ***final register***, after "(3)"—

Add

", (3A)".

Division 8—Electoral Affairs Commission (Electoral Procedure) (Election Committee) Regulation (Cap. 541 sub. leg. I)

182. Section 1 amended (interpretation)

(1) Section 1(1)—

Repeal the definition of *designated body*

Substitute

"***designated body*** (指定團體) has the meaning given by section 1(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569);".

(2) Section 1(1), definition of ***ordinary business hours***, paragraph (b)—

Repeal

"for the religious subsector"

Substitute

"under section 7 of the Schedule to the Chief Executive Election Ordinance (Cap. 569)".

(3) Section 1(1), definition of ***specified address***, paragraph (a)—

Repeal

"for the religious subsector".

(4) Section 1(1), definition of ***specified address***, paragraph (a)—

Repeal

"religious subsector nomination"

Substitute

"designated nomination".

(5) Section 1(1), definition of ***subsector***—

Repeal

", subject to subsection (3), the meaning assigned to it by section 1"

Substitute

"the meaning given by section 1(1)".

(6) Section 1(1), definition of ***subsector by-election***—

Repeal

"2(7)(b)"

Substitute

"2(7)(c)".

(7) Section 1(1), definition of ***subsector ordinary election***—

Repeal

"2(7)(b)"

Substitute

"2(7)(c)".

(8) Section 1(1), definition of ***validly nominated candidate***, paragraph (a)—

Repeal

"Returning Officer"

Substitute

"Candidate Eligibility Review Committee".

(9) Section 1(1)—

(a) **Repeal the definition of *verification of the ballot paper account***;

(b) **Add in alphabetical order**

"***verification of number of ballot papers*** (選票數目核實書) means a statement prepared under section 73(2)(a)(iv) or (3)(c) or 74(4)(c);".

(10) Section 1(1)—

(a) definition of ***religious subsector nomination form***;

(b) definition of ***sub-subsector***;

(c) definition of ***sub-subsector by-election***;

(d) definition of ***sub-subsector ordinary election***—

Repeal the definitions.

(11) Section 1(1)—

Add in alphabetical order

"***Candidate Eligibility Review Committee*** (候選人資格審查委員會) means the Candidate Eligibility Review Committee established under section 9A of the Chief Executive Election Ordinance (Cap. 569);

CPPCC member (全國政協委員) has the meaning given by section 1(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569);

designated nomination form (指定提名表格) means the specified form submitted under section 7 setting out the nominees to represent a subsector on the Election Committee;

NPC deputy (全國人大代表) has the meaning given by section 1(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569);".

(12) Section 1(3)(a), after "subsector;"—

Add

"and".

(13) Section 1(3)—

Repeal paragraph (b).

183. Section 1A amended (effect of inclement weather warning on date and period)

Section 1A(1), definition of ***working day***, paragraph (b)—

Repeal

"for the religious subsector"

Substitute

"under section 7 of the Schedule to the Chief Executive Election Ordinance (Cap. 569)".

184. Section 2 amended (application)

(1) Section 2(a)—

Repeal

"for the religious subsector".

(2) Section 2(a)—

Repeal

"for that subsector".

185. Part 1A added

After Part 1—

Add

"Part 1A

Registration as Ex-Officio Members

2A. Interpretation (Part 1A)

In this Part—

Association (協進會) means the Friends of Hong Kong Association Limited;

designated person (指定人士) has the meaning given by section 1(1) of the Schedule to Cap. 569;

Electoral Registration Officer (選舉登記主任) has the meaning given by section 1(1) of the Schedule to Cap. 569;

relevant body (相關團體) has the meaning given by section 5J(6) of the Schedule to Cap. 569;

Schedule to Cap. 569 (《第 569 章》附表) means the Schedule to the Chief Executive Election Ordinance (Cap. 569);

specified office (指明職位) has the meaning given by section 1(1) of the Schedule to Cap. 569;

specified period (指明期間), in relation to a new term of office of the Election Committee, means the period—

(a) beginning on the date immediately following the date mentioned in section 2B(11)(a) or (b) or 2C(10)(a) or (b) (as the case may be); and

(b) ending on 7 days after—

(i) the date on which the subsector ordinary election is to be held for that term of office; or

(ii) if different subsector ordinary elections are to be held on different dates for that term of office—the last of those dates;

specified person (指明人士) has the meaning given by section 1(1) of the Schedule to Cap. 569.

2B. How NPC deputies and CPPCC members are to be registered as ex-officio members

(1) An NPC deputy or a CPPCC member is to be registered as an ex-officio member under section 5I of the Schedule

to Cap. 569 by a registration form that complies with this section and sections 5I and 5K of that Schedule.

(2) The registration form must be in the specified form.

(3) The registration form must be submitted by the Association to the Electoral Registration Officer on behalf of the NPC deputy or CPPCC member.

(4) For the purpose of constituting a new term of office of the Election Committee, the Association must submit 1 registration form to the Electoral Registration Officer on behalf of all NPC deputies and CPPCC members who intend to be registered as ex-officio members.

(5) The registration form must contain a declaration by each NPC deputy or CPPCC member to the effect that the deputy or member—

(a) is eligible to be registered as an ex-officio member; and

(b) is not disqualified from being so registered.

(6) The registration form must also contain a declaration by each NPC deputy or CPPCC member as required by section 5K of the Schedule to Cap. 569.

(7) The Association must indicate on the registration form the subsector in which each NPC deputy or CPPCC member intends to be registered in accordance with section 5I of the Schedule to Cap. 569.

(8) The registration form must be—

(a) signed by each NPC deputy or CPPCC member whose name is on the registration form; and

(b) signed on behalf of the Association by a person authorized by the Association for that purpose.

(9) The registration form must contain other particulars, if any, required to be furnished on that form.

(10) The Electoral Registration Officer may require the Association, or an NPC deputy or a CPPCC member to be registered under this section, to furnish any other information that the Officer considers appropriate for enabling the Candidate Eligibility Review Committee to be satisfied—

(a) that the deputy or member is eligible to be registered as an ex-officio member; or

(b) otherwise as to the validity of the registration.

(11) The registration form must be submitted to the Electoral Registration Officer at the address specified by the Officer—

(a) for the purpose of constituting a new term of office of the Election Committee in 2021—by 14 June 2021;

(b) for the purpose of constituting a new term of office of the Election Committee in any year subsequent to 2021—by 2 June of the relevant year; or

(c) in any other case—as soon as possible after—

(i) a person becomes an NPC deputy or a CPPCC member; or

(ii) an NPC deputy or a CPPCC member becomes a holder of a specified office other than the office of NPC deputy or CPPCC member.

(12) Despite subsections (4) and (11), if, during the specified period—

(a) a person becomes an NPC deputy or a CPPCC member; or

(b) an NPC deputy or a CPPCC member becomes a holder of a specified office other than the office of NPC deputy or CPPCC member,

the Association may submit another registration form to the Electoral Registration Officer in relation to the deputy or member by the end of the specified period.

2C. How other persons are to be registered as ex-officio members

(1) A person other than an NPC deputy or a CPPCC member is to be registered as an ex-officio member under section 5J of the Schedule to Cap. 569 by submitting a registration form that complies with this section and sections 5J and 5K of that Schedule.

(2) The registration form must be in the specified form.

(3) Subject to subsections (4) and (5), the registration form must—

(a) contain a declaration by the specified person concerned to the effect that the person—

(i) is holding the specified office concerned;

(ii) is eligible to be registered as an ex-officio member; and

(iii) is not disqualified from being so registered; and

(b) if section 5J(2) of the Schedule to Cap. 569 applies to the specified person—contain an indication to the effect that the person chooses to be registered as an ex-officio member as the holder of one of the specified offices.

(4) If a specified person is exercising the power under section 5J(3) of the Schedule to Cap. 569, the registration form must—

(a) contain a declaration by the designated person of the specified person to the effect that the designated person—

(i) is holding an office in a relevant body in relation to the specified office concerned;

(ii) is eligible to be registered as an ex-officio member; and

(iii) is not disqualified from being so registered; and

(b) be accompanied by a declaration by the specified person that he or she is not eligible to be registered as an ex-officio member, or is a holder of more than one specified offices (excluding the office of NPC deputy or CPPCC member) (as the case may be).

(5) If section 5J(4) of the Schedule to Cap. 569 applies, the registration form must—

(a) contain a declaration by the Council Chairman or the Chairman of the Board of Governors concerned (as the case may be) to the effect that he or she—

(i) is holding that office;

(ii) is eligible to be registered as an ex-officio member; and

(iii) is not disqualified from being so registered; and

(b) be accompanied by a declaration by the holder of the specified office concerned as set out in section 5B(a), (b), (c), (d), (e), (f), (g), (h), (i), (j) or (k) of

that Schedule that the holder is not eligible to be registered as an ex-officio member.

(6) The registration form must also contain a declaration by the specified person or designated person (as the case may be) as required by section 5K of the Schedule to Cap. 569.

(7) The registration form must be signed by—

(a) the specified person; and

(b) if the specified person is exercising the power under section 5J(3) of the Schedule to Cap. 569—the designated person.

(8) The registration form must contain other particulars, if any, required to be furnished on that form.

(9) The Electoral Registration Officer may require a specified person or designated person to be registered under this section to furnish any other information that the Officer considers appropriate for enabling the Candidate Eligibility Review Committee to be satisfied—

(a) that the person is eligible to be registered as an ex-officio member; or

(b) otherwise as to the validity of the registration.

(10) The registration form must be submitted to the Electoral Registration Officer at the address specified by the Officer—

(a) for the purpose of constituting a new term of office of the Election Committee in 2021—by 14 June 2021;

(b) for the purpose of constituting a new term of office of the Election Committee in any year subsequent to 2021—by 2 June of the relevant year; or

(c) in any other case—as soon as possible after a person becomes a holder of a specified office.

(11) Despite subsection (10), if, during the specified period—

(a) a person becomes a specified person (other than an NPC deputy or a CPPCC member)—the specified person or the designated person of the specified person may submit a registration form to the Electoral Registration Officer by the end of the specified period;

(b) the registration of a designated person of a specified person is determined as invalid by the Candidate Eligibility Review Committee under section 5N of the Schedule to Cap. 569—the specified person may designate another person under section 5J(3) of that Schedule by submitting another registration form to the Electoral Registration Officer by the end of the specified period; or

(c) the registration of a specified person is determined as invalid by the Candidate Eligibility Review Committee under section 5N of the Schedule to Cap. 569 by reason of the specified person being ineligible under section 5L of that Schedule—the specified person may designate another person under section 5J(3) of that Schedule by submitting another registration form to the Electoral Registration Officer by the end of the specified period (if applicable).

2D. Candidate Eligibility Review Committee to determine whether person is validly registered

(1) The Electoral Registration Officer must, as soon as practicable after receiving a registration form, forward the form to the Candidate Eligibility Review Committee.

(2) The Candidate Eligibility Review Committee must, as soon as practicable after receiving a registration form forwarded by the Electoral Registration Officer, determine the validity of the registration of the persons concerned.

(3) Without prejudice to sections 5K, 5L and 5M of the Schedule to Cap. 569, the Candidate Eligibility Review Committee may determine a registration form or a registration of a person on the form to be invalid if and only if—

(a) the registration form or the registration of a person on the form has not been completed or signed as required under this Regulation;

(b) the Candidate Eligibility Review Committee is satisfied that the person is not eligible to be, or is disqualified from being, registered as an ex-officio member under that Schedule; or

(c) the Candidate Eligibility Review Committee is satisfied that the person is dead.

(4) In determining whether a registration form or a registration of a person is valid, the Candidate Eligibility Review Committee—

(a) may require the Electoral Registration Officer to advise the Committee, and have regard to such advice of the Electoral Registration Officer, as to any of the matters specified in subsection (5); and

(b) may require a relevant body or the person to furnish any other information that the Committee considers appropriate to be satisfied as to the validity of the registration form or the registration.

(5) The matters specified for subsection (4)(a) are—

(a) whether, in the opinion of the Electoral Registration Officer, section 5I, 5J, 5L or 5M of the Schedule to Cap. 569 are complied with in relation to the person;

(b) whether, in the opinion of the Electoral Registration Officer, the registration form or the registration of the person on the form is valid;

(c) whether the registration form has been completed or signed as required under this Regulation;

(d) in the opinion of the Electoral Registration Officer—

(i) whether the person is eligible to be registered as an ex-officio member under the Schedule to Cap. 569; and

(ii) whether the person is disqualified from being so registered under that Schedule; and

(e) whether, according to the information available to the Electoral Registration Officer, the person is dead.

(6) For the purposes of subsection (5)(a), the Electoral Registration Officer is not to advise on whether a person has complied with section 5I(4)(b) or (7) of the Schedule to Cap. 569.

(7) If the Candidate Eligibility Review Committee determines that a registration form or a registration of a person is invalid, the Committee must endorse on the

relevant registration form the determination and the reasons for it.

(8) After the Candidate Eligibility Review Committee has made a determination on the validity of a registration form or a registration of a person, the Electoral Registration Officer must, as soon as practicable—

(a) inform the Association or the person (as the case may be) of the determination in writing; and

(b) if the registration of the person is determined as valid—

(i) publish in the Gazette a notice declaring the registration as valid; and

(ii) register the person as an ex-officio member under section 40(1A) or 41 of the Schedule to Cap. 569.

(9) In this section, a reference to section 5L or 5M of the Schedule to Cap. 569 being complied with in relation to a person is to be construed as follows—

(a) for section 5L of that Schedule—that the person is eligible to be registered as an ex-officio member under that section; and

(b) for section 5M of that Schedule—that the person is not disqualified from being so registered under that section.".

186. Part 2 heading amended (nominations and supplementary nominations for religious subsector and nominations for other subsectors and other stages of subsector election before poll)

Part 2, heading—

Repeal

"for Religious Subsector and Nominations for Other Subsectors".

187. Section 3 amended (Chief Electoral Officer to publish notice calling for nominations or supplementary nominations for religious subsector)

(1) Section 3, heading—

Repeal

"for religious subsector"

Substitute

"under section 7 of Schedule to Chief Executive Election Ordinance".

(2) Section 3(1)—

Repeal

", for the religious subsector,".

(3) Section 3(2)—

Repeal

"the religious"

Substitute

"a".

(4) Section 3(3)(a)—

Repeal subparagraph (i)

Substitute

"(i) in subsection (1), the name of each designated body and the assigned number (as defined by section 7(9) of the Schedule to the Chief Executive Election Ordinance (Cap. 569)) in relation to each designated body;".

188. Section 4 amended (Chief Electoral Officer to publish notice specifying period and address for submitting subsector nomination forms)

(1) Section 4(3)(a)—

Repeal subparagraph (i)

Substitute

"(i) in subsection (1)—

(A) the names of all the subsectors (as defined by section 11(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569));

(B) the number of NPC deputies and CPPCC members whose registration is declared as valid under section 2D(8)(b)(i) for each subsector for the term of office of the Election Committee concerned; and

(C) the number of EC members to be elected by each of the subsectors for the term of office of the Election Committee concerned;".

(2) Section 4(3)(f)(i)—

Repeal

"allocated to"

Substitute

"to be elected by".

189. Section 6 amended (notices under sections 3 and 4 to be in specified form)

Section 6—

Repeal

"for the religious subsector".

190. Section 7 amended (how to nominate EC members for religious subsector)

(1) Section 7, heading—

Repeal

"for religious subsector"

Substitute

"under section 7 of Schedule to Chief Executive Election Ordinance".

(2) Section 7—

Repeal subsection (1)

Substitute

"(1) A person is to be nominated as an EC member under section 7 of the Schedule to the Chief Executive Election Ordinance (Cap. 569) by the submission by a designated body of a nomination form in the specified form that complies with this section and sections 7 and 7A of that Schedule.".

(3) Section 7(2)—

Repeal

"religious subsector nomination form"

Substitute

"designated nomination form".

(4) Section 7(2)(a)—

Repeal

everything after "as"

Substitute

"an EC member;".

(5) Section 7(2)(d)—

Repeal

"religious subsector nomination form"

Substitute

"designated nomination form".

(6) After section 7(2)—

Add

"(2A) The designated nomination form must also contain a declaration by each nominee as required by section 7A of the Schedule to the Chief Executive Election Ordinance (Cap. 569).".

(7) Section 7(3), (4) and (5)—

Repeal

"religious subsector nomination form"

Substitute

"designated nomination form".

(8) Section 7—

Repeal subsection (6)

Substitute

"(6) The Returning Officer may require a designated body or a person who is being nominated under this section to furnish any other information that the Officer considers appropriate for enabling the Candidate Eligibility Review Committee to be satisfied—

(a) that the person is eligible to be nominated as an EC member; or

(b) otherwise as to the validity of the nomination.".

(9) Section 7(7)—

Repeal

"religious subsector nomination form"

Substitute

"designated nomination form".

191. Section 8 amended (how to nominate candidates for other subsectors)

(1) Section 8, heading—

Repeal

"other subsectors"

Substitute

"subsector election".

(2) After section 8(4)—

Add

"(4A) The subsector nomination form must also contain a declaration by the person being nominated as the candidate as required by section 17A of the Schedule to the Chief Executive Election Ordinance (Cap. 569).".

(3) Section 8—

Repeal subsection (10)

Substitute

"(10) The Returning Officer may require a person who is being nominated as a candidate to furnish any other information that the Officer considers appropriate for enabling the Candidate Eligibility Review Committee to be satisfied—

(a) that the candidate is eligible to be nominated as a candidate; or

(b) otherwise as to the validity of the nomination.".

192. Section 9 amended (Returning Officer may assist in preparation of nomination forms)

Section 9(1)—

Repeal

"religious subsector nomination form"

Substitute

"designated nomination form".

193. Section 10 amended (Returning Officer to make available copies of nomination forms for public inspection)

(1) Section 10—

Repeal

"religious subsector nomination forms" (wherever appearing)

Substitute

"designated nomination forms".

(2) Section 10—

Repeal

"become"

Substitute

"are validly nominated as".

194. Section 12 substituted

Section 12—

Repeal the section

Substitute

"**12. Candidate Eligibility Review Committee to determine whether nominee is validly nominated**

(1) The Returning Officer must, as soon as practicable after receiving a designated nomination form—

(a) forward the form to the Candidate Eligibility Review Committee; and

(b) if section 7(6) of the Schedule to the Chief Executive Election Ordinance (Cap. 569) (***Schedule to Cap. 569***) applies—determine the order of priority under that section.

(2) The Candidate Eligibility Review Committee must, as soon as practicable after receiving a designated nomination form or the order of priority (if applicable) forwarded by the Returning Officer, determine the validity of nomination of those nominees the number of whom are necessary for the purpose of making up the assigned number, or filling the vacancy, mentioned in section 7 of the Schedule to Cap. 569 for the designated body concerned.

(3) To avoid doubt, the Candidate Eligibility Review Committee is not required to determine the validity of nomination of the nominees who are not necessary for the purpose mentioned in subsection (2).

(4) The Candidate Eligibility Review Committee must decide whether it is necessary to determine the validity of nomination of a nominee for the purpose mentioned in subsection (2) according to—

(a) if section 7(4) of the Schedule to Cap. 569 applies—the preference and ranking mentioned in that section; or

(b) if section 7(6) of the Schedule to Cap. 569 applies—the order of priority determined under that section.

(5) Without prejudice to section 7 and sections 7A, 8, 9 and 9A of the Schedule to Cap. 569, the Candidate Eligibility Review Committee may determine a designated nomination form or a nomination of a nominee on the form to be invalid if and only if—

(a) the designated nomination form or the nomination of a nominee on the form has not been completed or signed as required under this Regulation;

(b) the Candidate Eligibility Review Committee is satisfied that the nominee is not eligible to be, or is disqualified from being, nominated as an EC member under that Schedule; or

(c) the Candidate Eligibility Review Committee is satisfied that the nominee is dead.

(6) In determining whether a designated nomination form or a nomination of a nominee is valid, the Candidate Eligibility Review Committee—

(a) may require the Returning Officer to advise the Committee, and have regard to such advice of the Returning Officer, as to any of the matters specified in subsection (7); and

(b) may require a designated body or the nominee to furnish any other information that the Committee considers appropriate to be satisfied as to the validity of the designated nomination form or the nomination.

(7) The matters specified for subsection (6)(a) are—

(a) whether, in the opinion of the Returning Officer, section 8, 9 or 9A of the Schedule to Cap. 569 are complied with in relation to the nominee;

(b) whether, in the opinion of the Returning Officer, the designated nomination form or the nomination of the nominee on the form is valid;

(c) whether the designated nomination form has been completed or signed as required under this Regulation;

(d) in the opinion of the Returning Officer—

(i) whether the nominee is eligible to be nominated as an EC member of the subsector concerned under the Schedule to Cap. 569; and

(ii) whether the nominee is disqualified from being so nominated under that Schedule; and

(e) whether, according to the information available to the Returning Officer, the nominee is dead.

(8) In this section, a reference to section 8, 9 or 9A of the Schedule to Cap. 569 being complied with in relation to a nominee for a subsector is to be construed as follows—

(a) for section 8 of that Schedule—that the nominee is eligible to be selected for that subsector under that section; and

(b) for section 9 or 9A of that Schedule—that the nominee is not disqualified from being a nominee for that subsector under that section.".

195. Section 13 amended (Returning Officer to decide whether candidates are validly nominated)

(1) Section 13, heading—

Repeal

"**Returning Officer**"

Substitute

"**Candidate Eligibility Review Committee**".

(2) Section 13—

Repeal subsection (1)

Substitute

"(1) The Returning Officer must, as soon as practicable after receiving a subsector nomination form, forward the form to the Candidate Eligibility Review Committee.

(1A) The Candidate Eligibility Review Committee must, as soon as practicable after receiving a subsector nomination form forwarded by the Returning Officer, decide whether a candidate is validly nominated.".

(3) Section 13(2)—

Repeal

"18, 18A, 18B and 18C"

Substitute

"17A, 18 and 18A".

(4) Section 13(2)(a)—

Repeal

"Returning Officer"

Substitute

"Candidate Eligibility Review Committee".

(5) Section 13(3)—

Repeal

"18, 18A, 18B and 18C"

Substitute

"17A, 18 and 18A".

(6) Section 13(3)—

Repeal

"Returning Officer" (wherever appearing)

Substitute

"Candidate Eligibility Review Committee".

(7) After section 13(3)—

Add

"(3A) In deciding whether a candidate is validly nominated for a subsector, the Candidate Eligibility Review Committee—

(a) may require the Returning Officer to advise the Committee, and have regard to such advice of the Returning Officer, as to any of the matters specified in subsection (3B); and

(b) may require the candidate to furnish any other information that the Committee considers appropriate to be satisfied as to the validity of the nomination.

(3B) The matters specified for subsection (3A)(a) are—

(a) whether, in the opinion of the Returning Officer, section 17, 18 or 18A of the Schedule to the Chief Executive Election Ordinance (Cap. 569) are complied with in relation to the candidate;

(b) whether, in the opinion of the Returning Officer, the subsector nomination form is valid;

(c) whether the candidate has withdrawn the candidature for the subsector concerned;

(d) whether the subsector nomination form has been signed by the prescribed number of subscribers qualified to subscribe to the subsector nomination form as required under the Election Committee (Subscribers and Election Deposit for Nomination) Regulation (Cap. 569 sub. leg. C);

(e) whether the subsector nomination form has been completed or signed as required under this Regulation;

(f) in the opinion of the Returning Officer—

(i) whether the candidate is eligible to be nominated as a candidate of the subsector concerned under the Schedule to the Chief Executive Election Ordinance (Cap. 569); and

(ii) whether the candidate is disqualified from being so nominated under that Schedule;

(g) whether the candidate has lodged the appropriate deposit; and

(h) whether, according to the information available to the Returning Officer, the candidate is dead.".

(8) After section 13(4)—

Add

"(5) In this section, a reference to section 17, 18 or 18A of the Schedule to the Chief Executive Election Ordinance (Cap. 569) being complied with in relation to a candidate for a subsector is to be construed as follows—

(a) for section 17 of that Schedule—that the candidate is eligible to be nominated as a candidate at an election for that subsector under that section; and

(b) for section 18 or 18A of that Schedule—that the candidate is not disqualified from being nominated as a candidate at an election for that subsector under that section.".

196. Section 14 amended (Returning Officer to have regard to advice of Nominations Advisory Committee)

Section 14—

Repeal

everything before "or as a candidate"

Substitute

"In forming an opinion for the purposes of section 12(6)(a) and (7)(d) or 13(3A)(a) and (3B)(f) as to whether a person is eligible to be, or is disqualified from being, nominated as an EC member".

197. Section 15 amended (Returning Officer may give opportunity to rectify nomination form)

(1) Section 15(1)—

Repeal

"religious subsector nomination form"

Substitute

"designated nomination form".

(2) Section 15(1)—

Repeal

everything after "that Officer may,"

Substitute

"before forming an opinion for the purposes of section 12(6)(a) and (7)(b) or 13(3A)(a) and (3B)(b), as to whether the

designated nomination form or subsector nomination form is valid, as may be appropriate, give the nominee, the designated body or the candidate a reasonable opportunity to rectify it.".

(3) Section 15(2)—

Repeal

"religious subsector nomination form"

Substitute

"designated nomination form".

198. Section 16 amended (Returning Officer to endorse that nomination form is invalid)

(1) Section 16, heading—

Repeal

"Returning Officer to endorse that nomination form is invalid"

Substitute

"Candidate Eligibility Review Committee to endorse invalid nomination form".

(2) Section 16—

Repeal subsection (1)

Substitute

"(1) If the Candidate Eligibility Review Committee decides that a designated nomination form or a subsector nomination form is invalid, or that the nomination of a nominee or of a candidate is invalid, the Committee must endorse on the relevant nomination form the decision and the reasons for it.".

(3) Section 16(2)—

Repeal

"Returning Officer"

Substitute

"Candidate Eligibility Review Committee".

(4) After section 16(2)—

Add

"(2A) The Candidate Eligibility Review Committee must, after deciding whether a person is validly nominated—

(a) inform the Returning Officer of the decision; and

(b) return the designated nomination form or subsector nomination form to the Returning Officer for retention.".

(5) Section 16(3)—

Repeal

everything before "must"

Substitute

"(3) A determination under section 12(2) or a decision under section 12(4) made in relation to a nominee".

(6) Section 16(4)—

Repeal

"a decision"

Substitute

"the decision of the Candidate Eligibility Review Committee".

199. Section 19 amended (Returning Officer to publish notice for purposes of sections 7(8) and 25(1) of Schedule to Chief Executive Election Ordinance)

(1) Section 19(1)—

Repeal

everything after "nominees"

Substitute

"is or are validly nominated as an EC member or EC members.".

(2) Section 19(2)(a)—

Repeal

"allocated to"

Substitute

"to be elected by".

200. Section 21 amended (Returning Officer to notify and declare if validly nominated candidate is disqualified)

(1) Section 21(1)—

Repeal

"that Officer"

Substitute

"the Candidate Eligibility Review Committee".

(2) Section 21(2)—

Repeal

"Returning Officer under subsection (1)"

Substitute

"Candidate Eligibility Review Committee".

(3) Section 21(2)(a)(i)—

Repeal

"that Officer's"

Substitute

"the Committee's".

(4) Section 21(2)(b)—

Repeal

"that Officer considers it appropriate to do so,"

Substitute

"the Committee considers it appropriate to do so, instruct the Returning Officer concerned to".

(5) Section 21(3)—

Repeal

"that Officer"

Substitute

"the Candidate Eligibility Review Committee".

(6) Section 21(4)(c)—

Repeal

"Returning Officer"

Substitute

"Candidate Eligibility Review Committee".

201. Section 22 amended (no poll upon death or disqualification of candidate under certain circumstances)

Section 22(1)(a)(i) and (c)(i)—

Repeal

"allocated to"

Substitute

"to be elected by".

202. Section 28A added

After section 28—

Add

"28A. Chief Electoral Officer may require certain premises for use as polling stations or counting stations

(1) For the purposes of section 28(1)(a) or (b), the Chief Electoral Officer may, by written notice, require an owner or occupier of any target premises to—

(a) allow an authorized person to carry out a site visit at the premises for enabling the Officer to determine whether the premises are suitable for use as a polling station or counting station in a subsector election; and

(b) if the Officer considers the premises suitable—take the steps specified in subsection (2).

(2) The steps specified for the purposes of subsection (1)(b) are—

(a) to make available the premises for use as a polling station or counting station in the subsector election; and

(b) to allow an authorized person to carry out preparatory work and store materials at the premises for a purpose relating to such use.

(3) If any target premises are used as a polling station or counting station as a result of a person's compliance with a requirement made under subsection (1), the Chief Electoral Officer must pay to the person a user fee for the period during which the premises are so used.

(4) The amount of the user fee payable under subsection (3) is to be—

(a) agreed between the person and the Chief Electoral Officer; or

(b) if no agreement can be reached—determined by the court by reference to the loss suffered by the person for making available the premises.

(5) A person who fails to comply with a requirement made under subsection (1) is liable to pay a financial penalty of $10,000.

(6) For the purposes of this section—

(a) a user fee payable under subsection (3) is recoverable as a civil debt due from the Government; and

(b) a financial penalty payable under subsection (5) is recoverable as a civil debt due to the Government.

(7) In this section—

authorized person (獲授權人) means a person authorized in writing by the Chief Electoral Officer for the purposes of this section;

occupier (佔用人), in relation to any target premises—

(a) means a tenant, subtenant or any other person in lawful occupation of the premises; but

(b) does not include an owner of the premises;

owner (業主), in relation to any target premises, means—

(a) a person who appears from the records at the Land Registry to be the owner of—

(i) the land on which the premises situate; or

(ii) if the land is divided into shares—an undivided share in the land that relates to the premises; and

(b) a registered mortgagee in possession of such land or share;

target premises (目標處所) means a school or building described in section 28(2)(c) or (d) or any part of it.".

203. Section 44 amended (who may enter or be present at polling station)

(1) Section 44(4)(i)—

Repeal

"or".

(2) Section 44(4)(j)—

Repeal the full stop

Substitute

"; or".

(3) After section 44(4)(j)—

Add

"(k) an individual who provides the assistance mentioned in section 114(2)(c) pursuant to an authorization under that section.".

204. Section 49A added

After section 49—

Add

"**49A. Arrangement for giving ballot papers to elderly persons, pregnant women, etc.**

(1) The Presiding Officer may designate an area in the polling station for giving a ballot paper to a person—

(a) who is not less than 70 years of age;

(b) whose document specified in section 50(1A)(a), (ab), (b), (c), (d), (e) or (f) shows the year of birth,

without the month and day of birth, of the person which is 70 years earlier than the year within which the polling day falls;

(c) whose document specified in section 50(1A)(a), (ab), (b), (c), (d), (e) or (f) shows, without the day of birth—

(i) the year of birth of the person which is 70 years earlier than the year within which the polling day falls; and

(ii) the month of birth of the person which is the same as the month within which the polling day falls;

(d) who is pregnant; or

(e) who, because of illness, injury, disability or dependence on mobility aids—

(i) is not able to queue for a long time; or

(ii) has difficulty in queuing.

(2) If the Presiding Officer is satisfied that a person who arrives at, or is present in, the polling station to vote falls within the description in subsection (1)(a), (b), (c), (d) or (e), the Officer may direct the person to immediately proceed to the following location to apply for a ballot paper—

(a) the area designated under subsection (1); or

(b) if there is a queue extending from that area—the end of the queue.".

205. Section 53 amended (Presiding Officer to issue ballot papers to voter or authorized representative)

Section 53(5)—

Repeal

everything after "Officer"

Substitute

"must—

(a) if a printed copy of the subsector final register is used to record the issue—mark the copy by placing a line across the name and identity document number of the voter or authorized representative; or

(b) if an FR electronic copy (as defined by section 112) of the subsector final register is used to record the issue—make, by using an electronic device, a record in the entry relating to the voter or authorized representative in the FR electronic copy,

to denote that the ballot paper or ballot papers the voter or authorized representative is entitled to have issued to him or her at the relevant polling station has been so issued.".

206. Section 56 amended (how ballot papers are to be marked)

Section 56(3)—

Repeal

"allocated to"

Substitute

"to be elected by".

207. Section 61 amended (steps to be taken at polling station after close of poll)

Section 61(1)(b)—

Repeal subparagraph (iv)

Substitute

"(iv) if the copy of the subsector final register has been marked under section 53(5)(a)—the marked copy.".

208. Section 73 amended (arrangements for counting of votes and verification of the ballot paper account in manual counting)

(1) Section 73, heading—

Repeal

"verification of the ballot paper account"

Substitute

"verification of number of ballot papers".

(2) Section 73(2)(a)—

Repeal subparagraph (iii)

Substitute

"(iii) verify the number recorded for each subsector under subparagraph (ii) by comparing it with the ballot paper account for that subsector;".

(3) Section 73(2)(a)(v) and (vi)—

Repeal

"verification of the ballot paper account"

Substitute

"verification of number of ballot papers".

(4) Section 73(3)—

Repeal paragraph (b)

Substitute

"(b) verify the number recorded under paragraph (a) by comparing it with the ballot paper account;".

(5) Section 73(4) and (5)—

Repeal

"verification of the ballot paper account"

Substitute

"verification of number of ballot papers".

209. Section 74 amended (arrangements for counting of votes and verification of the ballot paper account in computer counting)

(1) Section 74, heading—

Repeal

"verification of the ballot paper account"

Substitute

"verification of number of ballot papers".

(2) Section 74(4)—

Repeal paragraph (b)

Substitute

"(b) verify the number ascertained for the subsector under paragraph (a) by comparing it with the ballot paper accounts for that subsector; and".

(3) Section 74(5) and (6)—

Repeal

"verification of the ballot paper account"

Substitute

"verification of number of ballot papers".

210. Section 77 amended (votes recorded on invalid ballot papers not to be counted)

Section 77(1)(ga)(i)—

Repeal

"allocated to"

Substitute

"to be elected by".

211. Section 78A amended (Returning Officer to prepare ballot paper statement)

Section 78A(2)(h)(i)—

Repeal

"allocated to"

Substitute

"to be elected by".

212. Section 81 amended (form in which Returning Officer is to publish result of subsector election)

(1) Section 81—

Repeal subsection (1A).

(2) Section 81(2)—

Repeal

"subsections (1) and (1A)"

Substitute

"subsection (1)".

213. Section 83 amended (Returning Officer to send ballot papers, accounts, packets, etc. to Chief Electoral Officer)

(1) Section 83(1)(a)—

Repeal

", verification of the ballot paper account and the re-verification of the ballot paper account"

Substitute

"and verification of number of ballot papers".

(2) Section 83(1)(g)—

Repeal

"; and"

Substitute a semicolon.

(3) After section 83(1)(g)—

Add

"(ga) if the copy of the subsector final register has been marked under section 53(5)(a)—the marked copy; and".

214. Section 85 amended (Chief Electoral Officer to retain subsector election documents for at least 6 months)

Section 85, after "section 83"—

Add

"and the copies of the subsector final register in which records have been made under section 53(5)(b)".

215. Section 89 amended (Returning Officer may perform functions through Assistant Returning Officers)

Section 89(2)—

Repeal paragraph (a).

216. Section 93 amended (enforcement of provisions as to secrecy)

(1) Section 93(5)—

Repeal

"marked under section 53(5)"

Substitute

"in printed form marked under section 53(5)(a)".

(2) Section 93(6)—

Repeal

"or re-verifications of such accounts"

Substitute

"of number of ballot papers".

217. Section 94 amended (procedure in case of death or disqualification of candidate on polling day but before declaration of result)

Section 94—

Repeal subsection (1)

Substitute

"(1) If, on or after the date of a subsector election but before the declaration of the result of the subsector election—

(a) proof is given to the satisfaction of the Returning Officer that a candidate for the subsector election has died; or

(b) proof is given to the satisfaction of the Candidate Eligibility Review Committee that a candidate for the subsector election is disqualified from being elected,

the Returning Officer must direct that the proceedings for the subsector election are to begin or to continue, as the case may be, as if the death or disqualification had not occurred.".

218. Section 95 amended (publication and display of notices, etc.)

Section 95(2)(a) and (b)—

Repeal

"Returning Officer"

Substitute

"Candidate Eligibility Review Committee".

219. Part 8 added

After Part 7—

Add

"**Part 8**

Electronic Copy of Subsector Final Register for Purposes of Section 53(5)(b)

112. Interpretation (Part 8)

In this Part—

FR electronic copy (正式登記冊電子文本) means an electronic copy of the subsector final register, or of part of the subsector final register, created and maintained under section 113;

obtain access (取覽), in relation to an FR electronic copy, includes causing an electronic device to perform a function so as to obtain access to the data or information contained in the FR electronic copy.

113. FR electronic copy

(1) The Commission may, for the purposes of section 53(5)(b), create and maintain an electronic copy of the subsector final register, or of part of the subsector final register—

(a) to be stored on an electronic platform; and

(b) access to which can be obtained through the Internet by using an electronic device.

(2) An FR electronic copy is to contain the identity document numbers of the voters and authorized representatives and

such additional particulars or information that the Chief Electoral Officer thinks fit to include.

114. Protection of FR electronic copy

(1) A person commits an offence if the person obtains access to an FR electronic copy without legal authority to do so.

(2) For the purposes of subsection (1), an individual has legal authority to obtain access to an FR electronic copy if—

(a) the individual is authorized by the Commission to assist in the creation or maintenance of the FR electronic copy and the individual acts in compliance with the terms of the authorization;

(b) the individual is a Presiding Officer or polling officer who is authorized by the Commission to use the FR electronic copy for the purposes of section 53(5)(b) and the individual so uses the FR electronic copy in compliance with the terms of the authorization; or

(c) the individual is authorized by the Commission to assist in making the FR electronic copy available for the use mentioned in paragraph (b) and the individual acts in compliance with the terms of the authorization.

(3) A person commits an offence if the person, without lawful excuse—

(a) damages any data or information contained in an FR electronic copy; or

(b) otherwise tampers with an FR electronic copy to make its operation defective.

(4) A person who commits an offence under subsection (1) or (3) is liable on conviction on indictment to imprisonment for 2 years.

115. Commission may authorize access to FR electronic copy

(1) A member of the Commission may, for the purposes of section 114(2)—

(a) grant an authorization to an individual; and

(b) determine the terms of the authorization.

(2) An authorization granted to an individual under subsection (1) must—

(a) be in writing;

(b) specify the name and appropriate identification details of the individual; and

(c) set out the terms of the authorization.".

220. Schedule 1 amended (postponement and adjournment of subsector elections)

(1) Schedule 1, section 4(2)—

Repeal

"marked copies of the subsector final register"

Substitute

"copy of the subsector final register that has been marked under section 53(5)(a) of this Regulation".

(2) Schedule 1, section 5(2)—

Repeal

"the ballot paper account or re-verification of the ballot paper account"

Substitute

"number of ballot papers".

221. Schedule 2 amended (form of ballot paper and form of notice of result of subsector election)

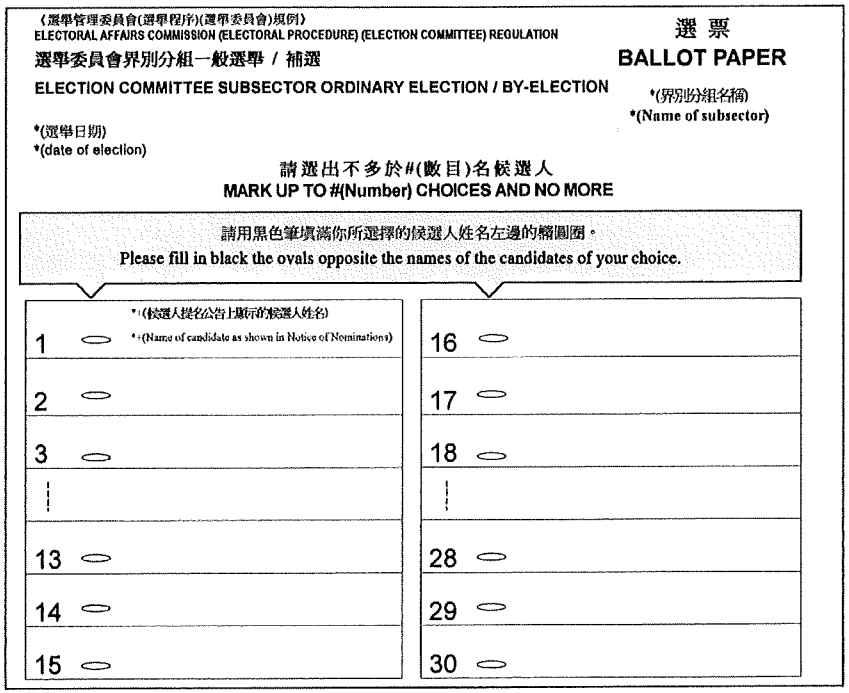
(1) Schedule 2—

Repeal Form 1

Substitute

"Form 1

Ballot Paper for Subsector Election



* Only the appropriate information will be printed.

\+ Address of the candidate to be included if required under section 49(7)(b).

\# The relevant number will be printed.".

(2) Schedule 2—

Repeal Form 2

Substitute

"Form 2

Ballot Paper for Subsector By-Election in relation to which Commission has Made Direction under Section 56(2)



* Only the appropriate information will be printed.

\+ Address of the candidate to be included if required under section 49(7)(b).

\# The relevant number will be printed.".

(3) Schedule 2, Form 3—

Repeal

"*(界別分組/小組名稱)"

Substitute

"*(界別分組名稱)".

(4) Schedule 2, Form 3—

Repeal

"***(Name of subsector/sub-subsector)**"

Substitute

"***(Name of subsector)**".

(5) Schedule 2, Form 3—

Repeal

"*界別分組/小組" (wherever appearing)

Substitute

"界別分組".

(6) Schedule 2, Form 3—

Repeal

"*subsector/sub-subsector" (wherever appearing)

Substitute

"subsector".

(7) Schedule 2—

Repeal Form 4.

Division 9—Electoral Procedure (Chief Executive Election) Regulation (Cap. 541 sub. leg. J)

222. Section 2 amended (interpretation)

Section 2(1)—

Add in alphabetical order

"***Candidate Eligibility Review Committee*** (候選人資格審查委員會) means the Candidate Eligibility Review Committee established under section 9A of the Election Ordinance;

member of the Election Committee (選舉委員) has the meaning given by section 2(1) of the Election Ordinance;".

223. Section 4 amended (how to nominate a candidate)

Section 4—

Repeal subsection (3)

Substitute

"(3) The Returning Officer may require a person who is nominated as a candidate to furnish any other information that the Officer considers appropriate for enabling the Candidate Eligibility Review Committee to be satisfied—

(a) that the person is eligible to be nominated as a candidate; or

(b) otherwise as to the validity of the nomination.".

224. Section 4A added

After section 4—

Add

"**4A. Candidate Eligibility Review Committee to decide whether candidates are validly nominated**

(1) The Returning Officer must, as soon as practicable after receiving a nomination form, forward the form to the Candidate Eligibility Review Committee.

(2) The Candidate Eligibility Review Committee must, as soon as practicable after receiving a nomination form forwarded by the Returning Officer, decide whether a candidate is validly nominated.

(3) If sections 13, 14 and 16 of the Election Ordinance are complied with in relation to a candidate, the candidate stands validly nominated unless—

(a) the Candidate Eligibility Review Committee decides that the nomination form is invalid; or

(b) the candidate withdraws his or her candidature.

(4) Without prejudice to sections 13, 14 and 16 of the Election Ordinance, the Candidate Eligibility Review Committee may decide that a nomination is invalid if and only if—

(a) the nomination form has not been signed by the number of members of the Election Committee qualified to make the nomination as required under section 16(2)(a) of the Election Ordinance;

(b) the nomination form has not been completed or signed as required under this Regulation;

(c) the Candidate Eligibility Review Committee is satisfied that the candidate is not eligible to be, or is disqualified from being, nominated as a candidate under the Election Ordinance; or

(d) the Returning Officer is satisfied that the candidate is dead.

(5) In deciding whether a candidate is validly nominated, the Candidate Eligibility Review Committee—

(a) may require the Returning Officer to advise the Committee, and have regard to such advice of the Returning Officer, as to any of the matters specified in subsection (6); and

(b) may require the candidate to furnish any other information that the Committee considers appropriate to be satisfied as to the validity of the nomination.

(6) The matters specified for subsection (5)(a) are—

(a) subject to subsection (7), whether, in the opinion of the Returning Officer, sections 13, 14 and 16 of the Election Ordinance are complied with in relation to the candidate;

(b) whether, in the opinion of the Returning Officer, the nomination form of the candidate is valid;

(c) whether the candidate has withdrawn candidature;

(d) whether the nomination form of the candidate has been signed by the number of members of the Election Committee qualified to make the nomination as required under section 16(2)(a) of the Election Ordinance;

(e) whether the nomination form of the candidate has been completed or signed as required under this Regulation;

(f) in the opinion of the Returning Officer—

(i) whether the candidate is eligible to be nominated as a candidate under the Election Ordinance; and

(ii) whether the candidate is disqualified from being nominated as a candidate under that Ordinance; and

(g) whether, according to the information available to the Returning Officer, the candidate is dead.

(7) For the purposes of subsection (6)(a), the Returning Officer is not to advise on whether a candidate has complied with section 16(7)(a)(ii) of the Election Ordinance.

(8) In this section, a reference to section 13, 14 or 16 of the Election Ordinance being complied with in relation to a candidate is to be construed as follows—

(a) for section 13 of that Ordinance—that the candidate is eligible to be nominated as a candidate at an election under that section;

(b) for section 14 of that Ordinance—that the candidate is not disqualified from being nominated as a candidate at an election under that section; and

(c) for section 16 of that Ordinance—that the candidate has complied with that section.".

225. Section 5 amended (Returning Officer may give opportunity to rectify a nomination form)

Section 5(1)—

Repeal

everything after "may,"

Substitute

"before forming an opinion for the purposes of section 4A(5)(a) and (6)(b) as to whether the nomination form is valid, give the candidate a reasonable opportunity to rectify it.".

226. Section 6 amended (Returning Officer to endorse invalid nomination forms)

(1) Section 6, heading—

Repeal

"Returning Officer"

Substitute

"Candidate Eligibility Review Committee".

(2) Section 6(1)—

Repeal

"Returning Officer determines that a nomination form or the nomination of a candidate is invalid, he shall"

Substitute

"Candidate Eligibility Review Committee determines that a nomination form or the nomination of a candidate is invalid, the Committee must".

(3) Section 6(2)—

Repeal

"Returning Officer shall"

Substitute

"Candidate Eligibility Review Committee must".

(4) After section 6(2)—

Add

"(3) The Candidate Eligibility Review Committee must, after deciding whether a person is validly nominated—

(a) inform the Returning Officer of the decision; and

(b) return the nomination form to the Returning Officer for retention.".

227. Section 7 amended (Returning Officer to notify determination of validity of nomination)

Section 7(1)—

Repeal

"determining"

Substitute

"the Candidate Eligibility Review Committee has determined".

228. Section 26 amended (admission to polling station)

(1) Section 26(1)(m)—

Repeal

"or".

(2) Section 26(1)(n)—

Repeal the comma

Substitute

"; or".

(3) After section 26(1)(n)—

Add

"(o) an individual who provides the assistance mentioned in section 93(2)(c) pursuant to an authorization under that section,".

229. Section 34 amended (issue of ballot paper)

Section 34(3)—

Repeal paragraphs (a) and (b)

Substitute

"(a) if a printed copy of the final register is used to record the issue—marking the copy in the polling officer's possession—

(i) by placing a line across the name and identity document number of the elector; or

(ii) in such other manner that the Chief Electoral Officer may direct;

(b) if an FR electronic copy (as defined by section 91) is used to record the issue—making, by using an electronic device, a record in the entry relating to the elector in the FR electronic copy.".

230. Section 41 amended (steps to be taken at a polling station after the close of the poll)

Section 41(1)(b)—

Repeal subparagraph (v)

Substitute

"(v) if the copy of the final register has been marked under section 34(3)(a)—the marked copy,".

231. Section 49 amended (counting of votes)

Section 49(1A)(a)—

Repeal subparagraph (ii)

Substitute

"(ii) verify the number of DPS ballot papers recorded under subparagraph (i) by comparing it with the ballot paper account of the dedicated polling station; and".

232. Section 52 amended (verification of ballot paper account)

(1) Section 52, heading—

Repeal

"ballot paper account"

Substitute

"number of ballot papers".

(2) Section 52(1)—

Repeal paragraph (c)

Substitute

"(c) verify the numbers recorded under paragraphs (a) and (b) by comparing them with the ballot paper account of the main polling station; and".

233. Section 53 amended (result of counting and re-count)

Section 53(1)—

Repeal

"ballot paper accounts"

Substitute

"number of ballot papers".

234. Section 54 amended (notice of further round of voting)

Section 54(1)(b)(i)—

Repeal

"600"

Substitute

"750".

235. Section 57 amended (ballot papers, accounts, packets, etc. to be sent to Chief Electoral Officer)

(1) Section 57(i)—

Repeal

"and".

(2) After section 57(i)—

Add

"(ia) if the copy of the final register has been marked under section 34(3)(a)—the marked copy; and".

236. Section 59 amended (retention of election documents)

Section 59(a), after "section 57"—

Add

"and the copies of the final register in which records have been made under section 34(3)(b)".

237. Section 63 amended (procedure after adjournment of polling)

Section 63(1)—

Repeal paragraph (e)

Substitute

"(e) if the copy of the final register has been marked under section 34(3)(a)—the marked copy,".

238. Section 70 amended (secrecy)

Section 70(1)(d), after "final register"—

Add

"in printed form".

239. Section 76 amended (limit on the Returning Officer's power to delegate)

Section 76—

Repeal paragraph (a).

240. Part 11 added

After Part 10—

Add

"Part 11

Electronic Copy of Final Register for Purposes of Section 34(3)(b)

91. Interpretation (Part 11)

In this Part—

FR electronic copy (正式登記冊電子文本) means an electronic copy of the final register, or of part of the final register, created and maintained under section 92;

obtain access (取覽), in relation to an FR electronic copy, includes causing an electronic device to perform a function so as to obtain access to the data or information contained in the FR electronic copy.

92. FR electronic copy

(1) The Commission may, for the purposes of section 34(3)(b), create and maintain an electronic copy of the final register, or of part of the final register—

(a) to be stored on an electronic platform; and

(b) access to which can be obtained through the Internet by using an electronic device.

(2) An FR electronic copy is to contain the identity document numbers of the electors and such additional particulars or information that the Chief Electoral Officer thinks fit to include.

93. Protection of FR electronic copy

(1) A person commits an offence if the person obtains access to an FR electronic copy without legal authority to do so.

(2) For the purposes of subsection (1), an individual has legal authority to obtain access to an FR electronic copy if—

(a) the individual is authorized by the Commission to assist in the creation or maintenance of the FR electronic copy and the individual acts in compliance with the terms of the authorization;

(b) the individual is a Presiding Officer or polling officer who is authorized by the Commission to use the FR electronic copy for the purposes of section 34(3)(b) and the individual so uses the FR electronic copy in compliance with the terms of the authorization; or

(c) the individual is authorized by the Commission to assist in making the FR electronic copy available for the use mentioned in paragraph (b) and the individual acts in compliance with the terms of the authorization.

(3) A person commits an offence if the person, without lawful excuse—

(a) damages any data or information contained in an FR electronic copy; or

(b) otherwise tampers with an FR electronic copy to make its operation defective.

(4) A person who commits an offence under subsection (1) or (3) is liable on conviction on indictment to imprisonment for 2 years.

94. Commission may authorize access to FR electronic copy

(1) A member of the Commission may, for the purposes of section 93(2)—

(a) grant an authorization to an individual; and

(b) determine the terms of the authorization.

(2) An authorization granted to an individual under subsection (1) must—

(a) be in writing;

(b) specify the name and appropriate identification details of the individual; and

(c) set out the terms of the authorization.".

Division 10—Particulars Relating to Candidates on Ballot Papers (Legislative Council and District Councils) Regulation (Cap. 541 sub. leg. M)

241. Section 2 amended (interpretation)

(1) Section 2(1)—

Repeal the definition of *relevant cut-off date*

Substitute

"***relevant cut-off date*** (有關截止日期)—

(a) in relation to the annual registration cycle ending on 31 December 2021—means 15 July 2021; or

(b) in relation to any subsequent annual registration cycle—means 15 June in that annual registration cycle;".

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

Repeal

"or 4(2)".

(3) Section 2(1)—

Repeal the definition of *subject of request*

Substitute

"***subject of request*** (請求標的), in relation to a request made under section 3(2), means any of the particulars specified in section 3(2)(a) and (b) that are sought to be printed on a ballot paper.".

(4) Section 2(1)—

Repeal the definition of *LC nomination list.*

(5) Section 2(1)—

Add in alphabetical order

"***LC Election Committee constituency*** (立法會選舉委員會界別) means the Election Committee constituency as defined by section 3(1) of the Legislative Council Ordinance (Cap. 542);".

242. Section 2A added

Part 1, after section 2—

Add

"**2A. Application**

This Regulation does not apply—

(a) in relation to a general election in so far as the election of LC members for the LC Election Committee constituency is concerned; and

(b) in relation to a by-election held for electing LC members for the LC Election Committee constituency.".

243. Section 3 amended (request by candidate for LC functional constituency or sole candidate on LC nomination list or by candidate for DC constituency)

(1) Section 3, heading—

Repeal

"LC functional constituency or sole candidate on LC nomination list or by candidate for"

Substitute

"LC geographical constituency, LC functional constituency or".

(2) Section 3(1)(a)—

Repeal subparagraphs (i) and (ii)

Substitute

"(i) to a candidate for an LC geographical constituency; or

(ii) to a candidate for an LC functional constituency; or".

244. Section 4 repealed (request by candidate on LC nomination list with more than one candidate)

Section 4—

Repeal the section.

245. Section 5 amended (consent of prescribed body in relation to request)

(1) Section 5(1)—

Repeal

"or 4(5)(e)".

(2) Section 5(1)(c)—

Repeal

everything after "given to"

Substitute

"the requestor concerned; and".

(3) Section 5(1)(d)—

Repeal

everything after "ballot paper"

Substitute

"as particulars relating to the requestor concerned.".

(4) Section 5(2)—

Repeal

"or 4(2)".

(5) Section 5(3)—

Repeal

"or 4(2)".

246. Section 6 amended (Commission may refuse to accept request)

(1) Section 6(1)—

Repeal

"or 4(2)".

(2) Section 6(1)(a)—

Repeal

"or 4(5)".

247. Section 7 amended (size and position of printing)

Section 7—

Repeal

"or 4(2)".

248. Part 3 heading amended (application for registration of name and emblem as particulars to be included as subject of request made under section 3 or 4)

Part 3, heading—

Repeal

"**or 4**".

249. Section 13 amended (applicant may vary application, etc.)

Section 13(1)—

Repeal paragraphs (a) and (b)

Substitute

"(a) if the application is made on or before the relevant cut-off date of an annual registration cycle—within 21 days after that cut-off date; or

(b) if the application is made after the relevant cut-off date of an annual registration cycle—within 21 days after the relevant cut-off date of the next following annual registration cycle.".

250. Section 21 amended (Commission may de-register name and emblem)

(1) Section 21(1)(a)—

Repeal

"or 4(2)".

(2) Section 21(2)(a)—

Repeal

"or 4(2)".

251. Section 32 amended (signature of document)

Section 32(2)—

Repeal

everything after "the notice"

Substitute a full stop.

252. Schedule amended (particulars relating to candidates)

The Schedule—

Repeal

"[ss. 3 & 4]"

Substitute

"[s. 3]".

Division 11—Electoral Affairs Commission (Financial Assistance for Legislative Council Elections and District Council Elections) (Application and Payment Procedure) Regulation (Cap. 541 sub. leg. N)

253. Section 2 amended (interpretation)

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

Repeal paragraph (a).

(2) Section 2(1), definition of ***declared election expenses***—

Repeal paragraph (a).

(3) Section 2(1), definition of ***eligible LC candidate***—

Repeal

"60C(2)(a) or (b)"

Substitute

"60C(a) or (b)".

(4) Section 2(1), definition of ***LC candidate***—

Repeal

everything after "election for a"

Substitute

"constituency as defined by section 3(1) of the Legislative Council Ordinance (Cap. 542);".

(5) Section 2(1)—

(a) definition of ***eligible list of LC candidates***;

(b) definition of ***list of LC candidates***—

Repeal the definitions.

(6) Section 2—

Repeal subsection (2).

254. Section 3 amended (requirements to be complied with when making claims)

(1) Section 3(2)—

Repeal

"If the claim is made by an LC candidate or a DC candidate, the"

Substitute

"The".

(2) Section 3—

Repeal subsections (3) and (3A).

(3) Section 3(4)(a)—

Repeal

"or made in respect of a list of LC candidates".

(4) Section 3(6)(a)—

Repeal the semicolon

Substitute

"; or".

(5) Section 3(6)—

Repeal paragraph (b).

255. Section 4 amended (presentation of claims)

Section 4(1)—

Repeal

everything after "in person"

Substitute

"by—

(a) the candidate who makes the claim and has signed the claim form; or

(b) the candidate's agent.".

256. Section 5 amended (verification of claims (eligibility, further information, etc.))

(1) Section 5(1)(a)—

Repeal

"60C(2)"

Substitute

"60C".

(2) Section 5(1)(a)—

Repeal the semicolon

Substitute

"; or".

(3) Section 5(1)—

Repeal paragraph (b).

(4) Section 5(3)—

Repeal

"or any candidate on the list of LC candidates in respect of which the claim is made to provide further information as he"

Substitute

"to provide further information as the Officer".

(5) Section 5(4)—

Repeal

everything after "must be"

Substitute

"—

(a) in writing; and

(b) sent by registered post to the address of the candidate as stated on the claim form.".

257. Section 7 amended (withdrawal of claims)

(1) Section 7(2)—

Repeal

everything after "signed"

Substitute

"by the candidate who made the claim.".

(2) Section 7(4)—

Repeal

everything after "in person"

Substitute

"by—

(a) the candidate who made the claim and has signed the notice; or

(b) the candidate's agent.".

258. Section 8 amended (payment of claims after verification)

(1) Section 8—

Repeal subsection (1).

(2) Section 8(2)—

Repeal

"verifying the claim"

Substitute

"verifying a claim made by an eligible LC candidate or eligible DC candidate".

(3) Section 8—

Repeal subsection (4)

Substitute

"(4) The payment is to be made to the candidate who has signed the claim form.".

259. Section 9 amended (payment in cases of death of candidate (single candidate))

(1) Section 9, heading—

Repeal

"**(single candidate)**".

(2) Section 9(1)—

Repeal

"8(4)(a)"

Substitute

"8(4)".

260. Section 10 repealed (payment in cases of death of candidate (multi-candidate list))

Section 10—

Repeal the section.

261. Section 13 amended (making claims on behalf of deceased candidates)

Section 13(1)—

Repeal

"or a candidate on an eligible list of LC candidates".

Part 4

Amendments to Legislative Council Ordinance and its Subsidiary Legislation

Division 1—Legislative Council Ordinance (Cap. 542)

262. Section 3 amended (interpretation)

(1) Section 3(1), definition of ***constituency***—

Repeal

everything after "means—"

Substitute

"(a) a geographical constituency;

(b) a functional constituency; or

(c) the Election Committee constituency;".

(2) Section 3(1), definition of ***corporate member***—

Repeal

"20A to 20ZB"

Substitute

"20B, 20N, 20O, 20P, 20Q, 20QA, 20R, 20S, 20U, 20V, 20W, 20X and 20Y".

(3) Section 3(1), definition of ***elector***—

Repeal

everything after "means"

Substitute

"—

(a) in relation to an election for a geographical constituency or functional constituency—a person who is registered in accordance with this Ordinance in a final register and who is not disqualified from being registered or from voting at the election; or

(b) in relation to an election for the Election Committee constituency—a person who is a member of the Election Committee and who is not disqualified from being registered as such a member or from voting at the election;".

(4) Section 3(1)—

Repeal the definitions of *District Council ordinary election* and *nomination list*.

(5) Section 3(1)—

Add in alphabetical order

"***Candidate Eligibility Review Committee*** (候選人資格審查委員會) means the Candidate Eligibility Review Committee established under section 23A;

Election Committee (選舉委員會) means the Election Committee constituted under section 8(1) of the Chief Executive Election Ordinance (Cap. 569);

Election Committee constituency (選舉委員會界別) means the Election Committee constituency established under section 21A;

member of the Election Committee (選舉委員) has the meaning given by section 2(1) of the Chief Executive Election Ordinance (Cap. 569);".

(6) Section 3—

Repeal subsections (2A) and (2B).

263. Section 3AA added

After section 3—

Add

"3AA. References to entitlement to vote at general meeting of or specified authority within body

(1) For the purposes of this Ordinance—

(a) a reference to an entitlement to vote at a general meeting of a body is a reference to an entitlement to vote at the general meeting as provided by the body's constitution; and

(b) a reference to an entitlement to vote at the specified authority within a body is a reference to an entitlement to vote at that authority as provided by the body's constitution.

(2) In subsection (1), the reference to the constitution of a body is a reference to the constitution either—

(a) as in force at the commencement for any purpose of the provision (including a former provision) in this Ordinance that first specifies the body for the purpose of the composition of any functional constituency (including a functional constituency provided under such a former provision); or

(b) as subsequently amended or substituted, but only if the amendment or substitution, in so far as it relates to any of the following matters, has been approved in writing by the Secretary for Constitutional and Mainland Affairs—

(i) the objects of the body;

(ii) the criteria and conditions of—

(A) membership of the body; or

(B) membership of the specified authority within the body;

(iii) the eligibility of—

(A) members of the body to vote at a general meeting of the body; or

(B) members of the specified authority within the body to vote at that authority.

(3) For the purposes of subsection (1)(b)—

(a) a body (***first-mentioned body***) is also regarded as being entitled to vote at the specified authority within another body if a natural person who is entitled to vote at that authority—

(i) specifies in writing to the Electoral Registration Officer that the natural person represents the first-mentioned body at that authority; and

(ii) has substantial connection with the first-mentioned body; and

(b) if more than one body is specified by the same natural person under paragraph (a)(i) in respect of the specified authority within any other body, only the body last so specified is regarded as being entitled to vote at that authority.

(4) To avoid doubt, nothing in subsection (2) is to be construed as—

(a) creating any restriction on a body regarding any amendment to, or substitution of, the constitution of the body; or

(b) conferring on the Secretary for Constitutional and Mainland Affairs a power to approve such an amendment or substitution,

for a purpose other than to define the composition of the relevant functional constituency.

(5) In this section—

constitution (章程), in relation to a body, includes any articles of association or rules of the body;

former provision (原有條文) means a provision that is no longer in force;

specified authority (指明單位), in relation to a body, means any authority within the body (other than a general meeting) the entitlement to vote at which is mentioned in a provision in Division 2 of Part 3 that provides for the composition of a functional constituency.".

264. Section 8 amended (different dates may be specified for different classes of elections)

(1) Section 8—

Renumber the section as section 8(1).

(2) Section 8(1)—

Repeal

everything after "classes of Members—"

Substitute

"(a) the Members to be returned for geographical constituencies;

(b) the Members to be returned for functional constituencies; and

(c) the Members to be returned for the Election Committee constituency.".

(3) After section 8(1)—

Add

"(2) The dates specified under subsection (1) must not be more than 7 days apart.".

265. Part 3, Division 1 heading added

Part 3, before section 18—

Add

"**Division 1—Geographical Constituencies**".

266. Section 18 amended (establishment of geographical constituencies)

(1) Section 18(1)—

Repeal

"5"

Substitute

"10".

(2) After section 18(3)—

Add

"(3A) For the seventh term of office of the Legislative Council—

(a) the areas of Hong Kong that form the geographical constituencies and the names of those constituencies are specified in Schedule 6; and

(b) no order is to be made under subsection (2).".

(3) Section 18(4), after "this section"—

Add

", or Schedule 6,".

267. Section 19 amended (number of Members to be returned for geographical constituency)

(1) Section 19(1)—

Repeal

"35"

Substitute

"20".

(2) Section 19(2)—

Repeal

everything after "is"

Substitute

"2".

268. Part 3, Division 2 heading added

Before section 20—

Add

"**Division 2—Functional Constituencies**".

269. Section 20 amended (establishment of functional constituencies)

(1) Section 20(1)—

Repeal paragraphs (h) and (i).

(2) Before section 20(1)(j)—

Add

"(ia) the medical and health services functional constituency;".

(3) After section 20(1)(q)—

Add

"(qa) the commercial (third) functional constituency;".

(4) Section 20(1)(z)—

Repeal

"information technology"

Substitute

"technology and innovation".

(5) Section 20(1)—

Repeal paragraphs (zb) and (zc).

(6) At the end of section 20(1)—

Add

"(zd) the Hong Kong Special Administrative Region deputies to the National People's Congress, Hong Kong Special Administrative Region members of the National Committee of the Chinese People's Political Consultative Conference and representatives of relevant national organisations functional constituency.".

(7) Section 20(2)—

Repeal

"20ZC"

Substitute

"20ZD".

270. Section 20B amended (composition of the agriculture and fisheries functional constituency)

(1) Section 20B(a)(viii)—

Repeal

"and".

(2) After section 20B(a)(viii)—

Add

"(ix) Hong Kong Fishermen Consortium;

(x) Federation of Hong Kong Agricultural Associations; and".

271. Section 20E amended (composition of the education functional constituency)

(1) Section 20E(b)—

Repeal subparagraphs (xii), (xiii), (xiv), (xv), (xvi), (xvii), (xviii), (xix), (xx) and (xxi).

(2) At the end of section 20E(b)—

Add

"(xxii) Board of Governors of post secondary colleges registered under the Post Secondary Colleges Ordinance (Cap. 320); and".

272. Sections 20H and 20I repealed

Sections 20H and 20I—

Repeal the sections.

273. Section 20IA added

Before section 20J—

Add

"20IA. Composition of the medical and health services functional constituency

The medical and health services functional constituency is composed of—

(a) medical practitioners registered or deemed to be registered under the Medical Registration Ordinance (Cap. 161); and

(b) dentists registered, deemed to be registered or exempt from registration under the Dentists Registration Ordinance (Cap. 156); and

(c) chiropractors registered under the Chiropractors Registration Ordinance (Cap. 428); and

(d) nurses registered or enrolled or deemed to be registered or enrolled under the Nurses Registration Ordinance (Cap. 164); and

(e) midwives registered or deemed to be registered under the Midwives Registration Ordinance (Cap. 162); and

(f) pharmacists registered under the Pharmacy and Poisons Ordinance (Cap. 138); and

(g) medical laboratory technologists registered under the Medical Laboratory Technologists (Registration and Disciplinary Procedure) Regulations (Cap. 359 sub. leg. A); and

(h) radiographers registered under the Radiographers (Registration and Disciplinary Procedure) Regulation (Cap. 359 sub. leg. H); and

(i) physiotherapists registered under the Physiotherapists (Registration and Disciplinary Procedure) Regulation (Cap. 359 sub. leg. J); and

(j) occupational therapists registered under the Occupational Therapists (Registration and Disciplinary Procedure) Regulations (Cap. 359 sub. leg. B); and

(k) optometrists registered under the Optometrists (Registration and Disciplinary Procedure) Regulation (Cap. 359 sub. leg. F); and

(l) dental hygienists enrolled under the Ancillary Dental Workers (Dental Hygienists) Regulations (Cap. 156 sub. leg. B); and

(m) audiologists, audiology technicians, chiropodists (also known as "podiatrists"), dental surgery assistants, dental technicians, dental technologists, dental therapists, dietitians, dispensers, mould laboratory technicians, orthoptists, clinical psychologists, educational psychologists, prosthetists, speech therapists and scientific officers (medical) who are in the service under the Government, or are employed in Hong Kong, at the following institutions—

(i) public hospitals within the meaning of the Hospital Authority Ordinance (Cap. 113);

(ii) hospitals within the meaning of the Private Healthcare Facilities Ordinance (Cap. 633) for each of which a licence under that Ordinance is in force;

(iii) clinics maintained or controlled by the Government or The Chinese University of Hong Kong or by the University of Hong Kong;

(iv) services subvented by the Government; and

(n) Chinese medicine practitioners who are members of any of the following bodies and entitled to vote at general meetings of the respective bodies—

(i) The Hong Kong Association of Traditional Chinese Medicine Limited;

(ii) International General Chinese Herbalists and Medicine Professionals Association Limited;

(iii) Sin-Hua Herbalists' and Herb Dealers' Promotion Society Limited;

(iv) Society of Practitioners of Chinese Herbal Medicine Limited;

(v) The Hong Kong T.C.M. Orthopaedic and Traumatic Association Limited;

(vi) The Hong Kong Federation of China of Traditional Chinese Medicine;

(vii) Hong Kong Acupuncturists Association;

(viii) Hong Kong Chinese Herbalists Association Limited;

(ix) Association of Hong Kong & Kowloon Practitioners of Chinese Medicine, Limited;

(x) Hong Kong Chinese Medicine Practitioners Association Limited; and

(o) registered Chinese medicine practitioners registered under the Chinese Medicine Ordinance (Cap. 549).".

274. Section 20N amended (composition of the real estate and construction functional constituency)

Section 20N, before "members" (wherever appearing)—

Add

"corporate".

275. Section 20O amended (composition of the tourism functional constituency)

Section 20O—

Repeal

everything after "bodies—"

Substitute

"(a) bodies that are—

(i) travel agents holding licences as defined by section 2 of the Travel Agents Ordinance (Cap. 218); and

(ii) any of the following—

(A) corporate members of the Travel Industry Council of Hong Kong entitled to vote at the Board of Directors of the Council;

(B) corporate members of Hong Kong Association of China Travel Organisers Limited entitled to vote at the Executive Committee of the company;

(C) corporate members of International Chinese Tourist Association Limited entitled to vote at the Executive Committee of the company;

(D) corporate members of The Federation of Hong Kong Chinese Travel Agents Limited entitled to vote at the Executive Committee of the company;

(E) corporate members of Hong Kong Outbound Tour Operators' Association Limited entitled to vote at the Executive Committee of the company;

(F) corporate members of Hong Kong Association of Travel Agents Limited entitled to vote at the Executive Committee of the company;

(G) corporate members of Hongkong Taiwan Tourist Operators Association entitled to vote at the Executive Committee of the Association;

(H) corporate members of Hongkong Japanese Tour Operators Association Limited entitled to vote at the Executive Committee of the company;

(I) corporate members of Society of IATA Passenger Agents Limited entitled to vote at the Executive Committee of the company; and

(b) bodies that are corporate members of The Board of Airline Representatives in Hong Kong entitled to vote at the Executive Committee of the Board; and

(c) bodies that are—

(i) licence holders as defined by section 2(1) of the Hotel and Guesthouse Accommodation Ordinance (Cap. 349); and

(ii) corporate members of the Federation of Hong Kong Hotel Owners Limited entitled to vote at general meetings of the company.".

276. Section 20P amended (composition of the commercial (first) functional constituency)

Section 20P—

Repeal

"bodies that are"

Substitute

"corporate".

277. Section 20Q amended (composition of the commercial (second) functional constituency)

Section 20Q, before "members"—

Add

"corporate".

278. Section 20QA added

After section 20Q—

Add

"20QA. Composition of the commercial (third) functional constituency

The commercial (third) functional constituency is composed of corporate members of the Hong Kong Chinese Enterprises Association entitled to vote at general meetings of the Association.".

279. Section 20R amended (composition of the industrial (first) functional constituency)

Section 20R, before "members"—

Add

"corporate".

280. Section 20S amended (composition of the industrial (second) functional constituency)

Section 20S—

Repeal

"bodies that are"

Substitute

"corporate".

281. Section 20U amended (composition of the financial services functional constituency)

Section 20U(1)(c), before "members"—

Add

"corporate".

282. Section 20V substituted

Section 20V—

Repeal the section

Substitute

"20V. Composition of the sports, performing arts, culture and publication functional constituency

The sports, performing arts, culture and publication functional constituency is composed of—

(a) corporate members of the Sports Federation & Olympic Committee of Hong Kong, China; and

(b) Hong Kong Sports Institute Limited; and

(c) corporate members of the Hong Kong Publishing Federation Limited entitled to vote at general meetings of the company; and

(d) the bodies named in Schedule 1B.".

283. Section 20W substituted

Section 20W—

Repeal the section

Substitute

"20W. Composition of the import and export functional constituency

The import and export functional constituency is composed of corporate members of The Hong Kong Chinese Importers' and

Exporters' Association entitled to vote at general meetings of the Association.".

284. Section 20X amended (composition of the textiles and garment functional constituency)

(1) Section 20X(a), Chinese text—

Repeal

"會員" (wherever appearing)

Substitute

"成員".

(2) Section 20X(b)(xii)—

Repeal

"; and"

Substitute a full stop.

(3) Section 20X—

Repeal paragraphs (c), (d) and (e).

285. Section 20Y amended (composition of the wholesale and retail functional constituency)

Section 20Y, before "members"—

Add

"corporate".

286. Section 20Z substituted

Section 20Z—

Repeal the section

Substitute

"**20Z. Composition of the technology and innovation functional constituency**

The technology and innovation functional constituency is composed of the bodies named in Schedule 1D.".

287. Section 20ZA amended (composition of the catering functional constituency)

Section 20ZA—

Repeal

everything after "composed of"

Substitute

"bodies that are holders of food business licences under the Public Health and Municipal Services Ordinance (Cap. 132) and—

(a) are entitled to vote at the Board of The Association for Hong Kong Catering Services Management Limited;

(b) are entitled to vote at the Board of The Association of Restaurant Managers Limited; or

(c) are entitled to vote at the Board of Hong Kong Catering Industry Association Limited.".

288. Sections 20ZB and 20ZC repealed

Sections 20ZB and 20ZC—

Repeal the sections.

289. Section 20ZD added

Before section 21—

Add

"20ZD. **Composition of the Hong Kong Special Administrative Region deputies to the National People's Congress, Hong Kong Special Administrative Region members of the National Committee of the Chinese People's Political Consultative Conference and representatives of relevant national organisations functional constituency**

The Hong Kong Special Administrative Region deputies to the National People's Congress, Hong Kong Special Administrative Region members of the National Committee of the Chinese People's Political Consultative Conference and representatives of relevant national organisations functional constituency is composed of—

(a) Hong Kong Special Administrative Region deputies to the National People's Congress; and

(b) Hong Kong Special Administrative Region members of the National Committee of the Chinese People's Political Consultative Conference; and

(c) Hong Kong Special Administrative Region delegates of the All-China Women's Federation; and

(d) Hong Kong Special Administrative Region executive members of the All-China Federation of Industry and Commerce; and

(e) Hong Kong Special Administrative Region committee members of the All-China Federation of Returned Overseas Chinese; and

(f) Hong Kong Special Administrative Region committee members of the All-China Youth Federation; and

(g) Hong Kong Special Administrative Region directors of the China Overseas Friendship Association.".

290. Section 21 amended (number of Members to be returned for functional constituency)

(1) Section 21(a)—

Repeal

"and the District Council (second) functional constituency".

(2) Section 21(b)—

Repeal

"; and"

Substitute a full stop.

(3) Section 21—

Repeal paragraph (c).

291. Part 3, Division 3 added

Part 3, after section 21—

Add

"Division 3—Election Committee Constituency

21A. Establishment of Election Committee constituency

(1) The Election Committee constituency is established for the purpose of returning Members at elections for that constituency.

(2) The Election Committee constituency is composed of all members of the Election Committee.

21B. Number of Members to be returned for Election Committee constituency

At a general election, 40 Members are to be returned for the Election Committee constituency.".

292. Part 4A added

Before Part 5—

Add

"Part 4A

Candidate Eligibility Review Committee

23A. Establishment of Candidate Eligibility Review Committee

(1) A Candidate Eligibility Review Committee is established for the purposes of Annex II to the Basic Law and this Ordinance.

(2) The Candidate Eligibility Review Committee is to consist of the following members—

(a) the chairperson; and

(b) at least 2 but not more than 4 other members.

(3) Each member of the Candidate Eligibility Review Committee is to be appointed by the Chief Executive by notice published in the Gazette.

(4) Only a principal official appointed pursuant to a nomination under Article 48(5) of the Basic Law is eligible for appointment under subsection (3).".

293. Part 5 heading amended (registration of electors)

Part 5, heading, after "**Electors**"—

Add

"**for Geographical Constituencies and Functional Constituencies**".

294. Section 25 amended (who is eligible to be registered as an elector: functional constituencies)

(1) Section 25(1)(a)—

Repeal subparagraphs (viii) and (ix).

(2) Before section 25(1)(a)(x)—

Add

"(ixa) for the medical and health services functional constituency, in section 20IA; or".

(3) After section 25(1)(a)(xvii)—

Add

"(xviia) for the commercial (third) functional constituency, in section 20QA; or".

(4) Section 25(1)(a)(xxvi)—

Repeal

"information technology"

Substitute

"technology and innovation".

(5) Section 25(1)(a)—

Repeal subparagraphs (xxviii) and (xxix).

(6) At the end of section 25(1)(a)—

Add

"(xxx) for the Hong Kong Special Administrative Region deputies to the National People's Congress, Hong Kong Special Administrative Region members of the National Committee of the Chinese People's Political Consultative Conference and representatives of relevant national organisations functional constituency, in section 20ZD; and".

(7) Section 25—

Repeal subsection (2A).

(8) Section 25(3)—

Repeal paragraph (ca).

(9) Section 25(3)(c)—

Repeal

", subject to paragraph (ca),".

(10) Section 25(3)(c)—

Repeal

"; and"

Substitute a semicolon.

(11) After section 25(3)(c)—

Add

"(cb) subject to paragraph (c), a person eligible to be registered as an elector for the Hong Kong Special Administrative Region deputies to the National People's Congress, Hong Kong Special Administrative Region members of the National Committee of the Chinese People's Political Consultative Conference and representatives of relevant national organisations functional constituency and who would, but for this paragraph, be eligible to be registered in another functional constituency of that person's choice may be registered only for the Hong Kong Special Administrative Region deputies to the National People's Congress, Hong Kong Special Administrative Region members of the National Committee of the Chinese People's Political Consultative Conference and representatives of relevant national organisations functional constituency and not for that other functional constituency; and".

(12) Section 25(3)(d)—

Repeal

"(ca) and (c)"

Substitute

"(c) and (cb)".

(13) Section 25(3)(d)—

Repeal

"or the transport"

Substitute

", the transport, the finance, the technology and innovation or the sports, performing arts, culture and publication".

(14) Section 25(4)—

Repeal

", 20V(1)(b), (d), (e), (j) or (k), 20W(a) to (c), 20X(d) or (e), 20Z(1)(l) or 20ZA(a)"

Substitute

"or 20ZA".

(15) Section 25(4)—

Repeal

"12 months"

Substitute

"3 years".

(16) Section 25(5)—

Repeal

"to 20S, 20U(1)(c), 20V(1)(a) or (g) to (i), 20W(e), 20X(a) or (b) or 20Z(1)(ia), (ja)(i) or (k) or Schedule 1C"

Substitute

", 20O, 20P, 20Q, 20QA, 20R, 20S, 20U(1)(c), 20V(a) or (c), 20W, 20X(a) or (b) or 20Y".

(17) Section 25(5)—

Repeal

"12 months"

Substitute

"3 years".

(18) Section 25—

Repeal subsection (6).

(19) Section 25—

Repeal subsection (7)

Substitute

"(7) In computing the period for which a body to which subsection (4) or (5) applies has been operating—

(a) it does not matter whether the period has begun before the day on which the Improving Electoral System (Consolidated Amendments) Ordinance 2021 (of 2021) is published in the Gazette; but

(b) any period for which the body has been operating before it becomes the body mentioned in subsection (4), or the corporate member mentioned in subsection (5), as the case may be, is not to be taken into account.".

(20) After section 25(7)—

Add

"(8) For the purposes of the provisional and final registers of functional constituencies to be compiled for 2021—

(a) paragraph (b) applies if—

(i) a corporate elector is registered in the final register of functional constituencies published for 2020 by virtue of being a body mentioned in subsection (4), or being a corporate member mentioned in subsection (5); and

(ii) the corporate elector would, but for this subsection, remain eligible to be registered as such by virtue of being a body mentioned in subsection (4), or being a corporate member mentioned in subsection (5), of the amended section 25;

(b) in the circumstances mentioned in paragraph (a), the amended section 25 applies to the corporate elector as if the reference to "making its application for registration as an elector" in its subsection (4) or (5) (as the case may be) were a reference to "14 June 2021"; and

(c) in this subsection—

amended section 25 (經修訂的第 25 條) means this section as amended by section 294 of the Improving Electoral System (Consolidated Amendments) Ordinance 2021 (of 2021) on the day on which that Ordinance is published in the Gazette.".

295. Section 27 amended (elector to be permanent resident of Hong Kong)

Section 27, before "constituency"—

Add

"geographical constituency or functional".

296. Section 29 substituted

Section 29—

Repeal the section

Substitute

"**29. Elector to be 18 years of age**

(1) A natural person is not eligible to be registered as an elector for a geographical constituency or functional constituency unless—

(a) the person has reached 18 years of age; or

(b) the person's eighteenth birthday falls on or before 25 September next following the person's application for registration.

(2) Despite subsection (1)(b), if a person's eighteenth birthday falls on or before 25 September 2021 but after 25 July 2021, the person is not eligible to be registered as an elector for a geographical constituency or functional constituency until the person has reached 18 years of age.".

297. Section 30 amended (applicant for registration as elector to be in possession of identity document)

Section 30(1) and (2), after "an elector"—

Add

"for a geographical constituency or functional constituency".

298. Section 31 amended (when person is disqualified from being registered as an elector)

Section 31(1), before "constituency"—

Add

"geographical constituency or functional".

299. Section 32 amended (Electoral Registration Officer to compile and publish electoral registers)

(1) Section 32—

Repeal subsections (1) and (1A)

Substitute

"(1) The Electoral Registration Officer must—

(a) not later than 1 August in each year, compile and publish in accordance with regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541)—

(i) a provisional register of geographical constituencies; and

(ii) a provisional register of functional constituencies; and

(b) not later than 25 September in each year, compile and publish in accordance with regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541)—

(i) a final register of geographical constituencies; and

(ii) a final register of functional constituencies.

(1A) Despite subsection (1)—

(a) a provisional register required to be compiled and published under subsection (1)(a)(i) or (ii) in 2021 may be compiled and published not later than 13 September 2021; and

(b) a final register required to be compiled and published under subsection (1)(b)(i) or (ii) in 2021 may be compiled and published not later than 25 October 2021.".

(2) After section 32(5)—

Add

"(5AA) Despite subsections (4) and (5), in compiling the provisional register of functional constituencies for 2021, the Electoral Registration Officer is not required to comply with those subsections in relation to the names and other relevant particulars of persons registered in the final register of functional constituencies published in 2020 as electors of the following functional constituencies—

(a) the information technology functional constituency;

(b) the District Council (first) functional constituency; and

(c) the District Council (second) functional constituency.".

(3) Section 32(5A)(a), after "at which"—

Add

"a copy of".

(4) Section 32(6)(a), after "keep"—

Add

"a copy of".

(5) Section 32(6)(b)—

Repeal

"list available for inspection by members of the public"

Substitute

"copy available for inspection in accordance with regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541)".

300. Section 36 amended (by-election to be held to fill vacancy in membership of Legislative Council)

(1) Section 36(1)(b)—

Repeal

"42C"

Substitute

"42C(2)".

(2) Section 36(1)(b), after "election for a"—

Add

"geographical constituency or".

(3) Section 36(1)(ca)—

Repeal

"46A(1)"

Substitute

"46A(2)".

301. Section 37 amended (who is eligible to be nominated as a candidate)

(1) Section 37(2)(b)(i)—

Repeal

"in the case of a functional constituency other than the District Council (second) functional constituency,".

(2) Section 37(2)(b)(ii)—

Repeal

"in the case of a functional constituency other than the District Council (first) functional constituency and the District Council (second) functional constituency,".

(3) Section 37(2)(f)—

Repeal

"; and"

Substitute a full stop.

(4) Section 37(2)—

Repeal paragraph (g).

(5) After section 37(3)—

Add

"(3A) A person is eligible to be nominated as a candidate at an election for the Election Committee constituency only if the person—

(a) has reached 21 years of age; and

(b) is both registered and eligible to be registered as an elector for a geographical constituency; and

(c) is not disqualified from being elected as a Member by virtue of section 39 or any other law; and

(d) has ordinarily resided in Hong Kong for the 3 years immediately preceding the nomination; and

(e) is a Chinese citizen who is a permanent resident of Hong Kong with no right of abode in any country other than the People's Republic of China.".

302. Section 38 repealed (nomination lists for geographical constituencies and District Council (second) functional constituency)

Section 38—

Repeal the section.

303. Section 39 amended (when person is disqualified from being nominated as a candidate and from being elected as a Member)

Section 39(4)—

Repeal

"(other than the District Council (first) functional constituency and the District Council (second) functional constituency)".

304. Section 40 amended (what requirements are to be complied with by persons nominated as candidates)

Section 40(1)(b)(iii)(I)—

Repeal

"(other than the District Council (first) functional constituency and the District Council (second) functional constituency)".

305. Section 41 substituted

Section 41—

Repeal the section

Substitute

"**41. Person not to be nominated for more than one constituency**

A person is not eligible to be nominated as a candidate for a constituency if the person is currently nominated as a candidate for another constituency.".

306. Section 42A amended (who are validly nominated candidates)

Section 42A—

Repeal subsection (1)

Substitute

"(1) The Candidate Eligibility Review Committee must, as soon as practicable after a nomination form that complies

with regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541) is submitted in accordance with those regulations, decide in accordance with Annex II to the Basic Law and those regulations whether or not the person to whom the form relates is validly nominated as a candidate.".

307. Section 42B amended (death or disqualification of a validly nominated candidate for geographical constituency or District Council (second) functional constituency before date of election)

(1) Section 42B, heading—

Repeal

"geographical constituency or District Council (second) functional"

Substitute

"Election Committee".

(2) Section 42B(1)—

Repeal

"after the Returning Officer"

Substitute

"after the Candidate Eligibility Review Committee".

(3) Section 42B(1)—

Repeal

"a geographical constituency or the District Council (second) functional"

Substitute

"the Election Committee".

(4) Section 42B(2)(b), Chinese text—

Repeal

"選區或選舉".

(5) Section 42B—

Repeal subsection (4)

Substitute

"(4) If, after the Candidate Eligibility Review Committee has made a decision under section 42A(1) that a candidate is validly nominated for election for the Election Committee constituency, but before the date of the election, proof is given to the satisfaction of the Candidate Eligibility Review Committee that the candidate is disqualified from being nominated as a candidate—

(a) the Candidate Eligibility Review Committee must, in accordance with regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541), vary the decision to the effect that the candidate is not validly nominated; and

(b) after the Candidate Eligibility Review Committee so varies the decision, the Returning Officer must, in accordance with those regulations, give notice of the variation of the decision.".

(6) Section 42B(5)(b), Chinese text—

Repeal

"選區或選舉".

308. Section 42C substituted

Section 42C—

Repeal the section

Substitute

"**42C. Death or disqualification of a validly nominated candidate for geographical constituency or functional constituency before date of election**

(1) Subsection (2) applies if, after the close of nominations for an election for a geographical constituency or functional constituency, but before the date of the election—

(a) proof is given to the satisfaction of the Returning Officer that a candidate who is validly nominated for election for the constituency has died; or

(b) proof is given to the satisfaction of the Candidate Eligibility Review Committee that a candidate who is validly nominated for election for the constituency is disqualified from being nominated as a candidate for the constituency.

(2) In the circumstances mentioned in subsection (1)(a) or (b), the Returning Officer must, in accordance with regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541), publicly declare that the proceedings for the election for the constituency are terminated.".

309. Section 43 amended (candidates entitled to send letter to electors free of postage)

(1) Section 43(1)—

Repeal

"or the District Council (second) functional constituency".

(2) Section 43(1)—

Repeal

"list of candidates" (wherever appearing)

Substitute

"candidate".

(3) Section 43(1), Chinese text—

Repeal

"或由他人代為如此寄出(以每份名單計)"

Substitute

"(或由他人代為如此寄出)".

(4) Section 43(2)—

Repeal

"person who is an elector for the functional constituency (other than the District Council (second) functional constituency)"

Substitute

"elector for the functional constituency".

(5) Before section 43(4)—

Add

"(3A) One letter, addressed to each member of the Election Committee, may be sent free of postage by or on behalf of each candidate validly nominated for the Election Committee constituency.".

(6) Section 43—

Repeal subsections (4A), (4B) and (4C)

Substitute

"(4A) A letter sent under subsection (1) by or on behalf of a candidate who is validly nominated for a geographical constituency may contain information on another candidate who is also validly nominated for that constituency.

(4B) A letter sent under subsection (2) by or on behalf of a candidate who is validly nominated for the labour

functional constituency may contain information on any other candidate who is also validly nominated for that constituency.

(4C) A letter sent under subsection (3A) by or on behalf of a candidate who is validly nominated for the Election Committee constituency may contain information on any other candidate who is also validly nominated for that constituency.".

(7) Section 43(4D)—

Repeal

"or list of candidates" (wherever appearing).

(8) Section 43(4D)—

Repeal

"and (2)"

Substitute

", (2) and (3A)".

(9) Section 43(5)—

Repeal

"or a list of candidates".

310. Section 46A amended (death or disqualification of a validly nominated candidate before declaration of election result)

(1) Section 46A—

Repeal subsections (1) and (2)

Substitute

"(1) Subsection (2) applies if, on the date of an election but before the close of polling for the election—

(a) proof is given to the satisfaction of the Returning Officer that a validly nominated candidate for election for a constituency has died; or

(b) proof is given to the satisfaction of the Candidate Eligibility Review Committee that a validly nominated candidate for election for a constituency is disqualified from being elected.

(2) In the circumstances mentioned in subsection (1)(a) or (b), the Returning Officer must, in accordance with regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541), publicly declare that the proceedings for the election for the constituency are terminated.

(2A) Subsections (2B) and (3) apply if, after the close of polling for an election but before declaring the result of the election—

(a) proof is given to the satisfaction of the Returning Officer that a validly nominated candidate for election for a constituency has died; or

(b) proof is given to the satisfaction of the Candidate Eligibility Review Committee that a validly nominated candidate for election for a constituency is disqualified from being elected.

(2B) In the circumstances mentioned in subsection (2A)(a) or (b)—

(a) the proceedings for the election for the constituency are not to be terminated at that stage; and

(b) if the counting of votes in respect of the election has not begun or is being conducted, the counting of votes is to begin or to continue as if the death or disqualification had not occurred.".

(2) Section 46A(3)—

Repeal

"subsection (2)"

Substitute

"subsection (2A)".

(3) Section 46A—

Repeal subsection (4).

311. Section 48 amended (who is entitled to vote at an election)

(1) Section 48(1)—

Repeal

"to return a Member for a"

Substitute

"for a geographical constituency or functional".

(2) Before section 48(4)—

Add

"(3D) A person is entitled to vote at an election for the Election Committee constituency only if the person is a member of the Election Committee.".

(3) Section 48(5)—

Repeal

"constituency may not be prevented from voting at an election"

Substitute

"geographical constituency or functional constituency may not be prevented from voting at an election for the constituency".

312. Section 49 substituted

Section 49—

Repeal the section

Substitute

"**49. System of voting and counting of votes: geographical constituencies**

(1) Voting and counting of votes at a poll for the return of Members for a geographical constituency is to be conducted in accordance with the simple or relative majority system of election (otherwise known as the "first past the post" voting system) whereby an elector may vote for 1 candidate.

(2) The candidates to be returned as Members for a geographical constituency at a general election are the 2 candidates who obtain the greatest and next greatest numbers of votes.

(3) Subsection (2) applies with any necessary modifications to a by-election to fill vacancies among the Members to be returned for a geographical constituency.

(4) If, after the counting is finished at an election for a geographical constituency, a Member or 2 Members are still to be returned for the constituency and the most successful candidates remaining have an equal number of votes—

(a) the Returning Officer must determine the result of the election for the purpose of returning the Member or Members still to be returned by drawing lots; and

(b) the candidate or candidates on whom the lot falls is or are to be returned at the election.

(5) Subject to subsection (7), as soon as practicable after determining the result of an election for a geographical constituency, the Returning Officer must publicly declare

as elected the candidate or candidates who were successful at the election.

(6) Subsection (7) applies if, before declaring the result of an election for a geographical constituency—

(a) proof is given to the satisfaction of the Returning Officer that the candidate or a candidate who was successful at the election (***successful candidate***) has died; or

(b) proof is given to the satisfaction of the Candidate Eligibility Review Committee that a successful candidate is disqualified from being elected.

(7) In the circumstances mentioned in subsection (6)(a) or (b), the Returning Officer—

(a) must not declare that candidate as elected; and

(b) must publicly declare, under section 46A(3), that the election—

(i) has failed; or

(ii) (where more than one Member is to be returned at the election for the geographical constituency concerned and there is another candidate returned for the constituency) has failed to the extent that the number of candidate returned at the election for the constituency was less than the number of Members to be returned for the constituency.".

313. Section 50 repealed (system of voting and counting of votes: the Heung Yee Kuk, the agriculture and fisheries, the insurance and the transport functional constituencies)

Section 50—

Repeal the section.

314. Section 51 amended (system of voting and counting of votes: other functional constituencies)

(1) Section 51, heading—

Repeal

"**other**".

(2) Section 51—

Repeal subsection (1).

(3) Section 51(2) and (6)—

Repeal

"to which this section applies".

(4) Section 51(7)—

Repeal

"As"

Substitute

"Subject to subsection (9), as".

(5) Section 51(7)—

Repeal

"to which this section applies".

(6) Section 51—

Repeal subsection (8)

Substitute

"(8) Subsection (9) applies if, before declaring the result of an election for a functional constituency—

(a) proof is given to the satisfaction of the Returning Officer that the candidate or a candidate who was successful at the election (***successful candidate***) has died; or

(b) proof is given to the satisfaction of the Candidate Eligibility Review Committee that a successful candidate is disqualified from being elected.

(9) In the circumstances mentioned in subsection (8)(a) or (b), the Returning Officer—

(a) must not declare that candidate as elected; and

(b) must publicly declare, under section 46A(3), that the election—

(i) has failed; or

(ii) (where more than one Member is to be returned at the election for the functional constituency concerned and there is another candidate or there are other candidates returned for the constituency) has failed to the extent that the number of candidates returned at the election for the constituency was less than the number of Members to be returned for the constituency.".

315. Section 52A added

Before section 53—

Add

"52A. System of voting and counting of votes: Election Committee constituency

(1) Voting and counting of votes at a poll for the return of Members for the Election Committee constituency is to be conducted in accordance with the simple or relative majority system of election (otherwise known as the "first past the post" voting system) whereby an elector may vote for a number of candidates that is equal to the number of vacancies.

(2) At a general election, a member of the Election Committee is entitled to cast 40 votes for the candidates validly nominated for election for the Election Committee constituency.

(3) At a by-election to fill a vacancy among the Members to be returned for the Election Committee constituency, a member of the Election Committee is entitled to cast the same number of votes as the number of Members to be returned at the by-election.

(4) The votes cast by a member of the Election Committee at a general election or at a by-election are valid only if the member has cast all the votes under the member's entitlement for that general election or by-election as specified in subsection (2) or (3) and no more.

(5) The candidates to be returned as Members for the Election Committee constituency at a general election are the 40 candidates who obtain the greatest and next 39 greatest numbers of votes.

(6) Subsection (5) applies with any necessary modifications to a by-election to fill vacancies among the Members to be returned for the Election Committee constituency.

(7) If, after the counting is finished at an election for the Election Committee constituency, a Member or Members are still to be returned for the constituency and the most successful candidates remaining have an equal number of votes—

(a) the Returning Officer must determine the result of the election for the purpose of returning the Member or Members still to be returned by drawing lots; and

(b) the candidate or candidates on whom the lot falls is or are to be returned at the election.

(8) Subject to subsection (10), as soon as practicable after determining the result of an election for the Election Committee constituency, the Returning Officer must publicly declare as elected the candidate or candidates who were successful at the election.

(9) Subsection (10) applies if, before declaring the result of an election for the Election Committee constituency—

(a) proof is given to the satisfaction of the Returning Officer that the candidate or a candidate who was successful at the election (***successful candidate***) has died; or

(b) proof is given to the satisfaction of the Candidate Eligibility Review Committee that a successful candidate is disqualified from being elected.

(10) In the circumstances mentioned in subsection (9)(a) or (b), the Returning Officer—

(a) must not declare that candidate as elected; and

(b) must publicly declare, under section 46A(3), that the election—

(i) has failed; or

(ii) (where more than one Member is to be returned at the election for the Election Committee constituency and there is another candidate or there are other candidates returned for the constituency) has failed to the extent that the number of candidates returned at the election for the constituency was less than the number of Members to be returned for the constituency.".

316. Section 53 amended (when an elector is disqualified from voting at an election)

(1) Section 53(1)—

Repeal

"is disqualified from voting at an election"

Substitute

"for a geographical constituency or functional constituency is disqualified from voting at an election for that constituency".

(2) Before section 53(4)—

Add

"(3A) A member of the Election Committee is disqualified from voting at an election for the Election Committee constituency if the member falls within any paragraph of section 26 of the Chief Executive Election Ordinance (Cap. 569).".

317. Section 58 amended (Returning Officer to publish result of election)

Before section 58(4)—

Add

"(3A) The Returning Officer for an election to return Members for the Election Committee constituency must publish in the Gazette a notice declaring that the candidates returned at the election are the Members duly elected for the constituency.".

318. Part 6A heading amended (financial assistance for candidates and lists of candidates in respect of election expenses)

Part 6A, heading—

Repeal

"and Lists of Candidates".

319. Section 60A amended (interpretation: Part 6A)

(1) Section 60A(1)—

Repeal the definition of *declared election expenses*

Substitute

"***declared election expenses*** (申報選舉開支), in relation to a candidate, means the amount set out as election expenses incurred by the candidate in the election return lodged for the relevant election;".

(2) Section 60A(1), definition of ***disqualified candidate***—

Repeal

"Returning Officer under section 46A(2)"

Substitute

"Candidate Eligibility Review Committee under section 46A(2A)(b)".

(3) Section 60A(1), definition of ***elected as a Member***, paragraph (b)—

Repeal

"Returning Officer under section 46A(2)"

Substitute

"Candidate Eligibility Review Committee under section 46A(2A)(b)".

(4) Section 60A(1), definition of ***eligible candidate***—

Repeal

"60C(2)(a) or (b)"

Substitute

"60C(a) or (b)".

(5) Section 60A(1)—

Repeal the definition of *eligible list of candidates*.

(6) Section 60A—

Repeal subsection (2).

(7) Section 60A(4)—

Repeal

everything after "Part—"

Substitute

"(a) the total number of valid votes cast in a constituency is the total number of ballot papers containing valid votes received in that constituency; and

(b) the total number of valid votes cast for a candidate for a constituency is the total number of ballot papers containing valid votes cast for the candidate.".

(8) Section 60A—

Repeal subsection (5)

Substitute

"(5) For the purposes of section 60E(2)(a)—

(a) the number of registered electors for a geographical constituency or functional constituency is the number of electors registered for that constituency in the final register of that constituency in force at the time the election is held; and

(b) the number of members of the Election Committee is the number of members in the final register of members of the Election Committee as defined by section 2(1) of the Chief Executive Election Ordinance (Cap. 569).".

320. Section 60B amended (financial assistance payable to list of candidates and candidates)

(1) Section 60B, heading—

Repeal

"list of candidates and".

(2) Section 60B—

Repeal subsections (1) and (2)

Substitute

"(1) An eligible candidate for a constituency is entitled to financial assistance in the form of a monetary payment, in accordance with this Part, in respect of the declared election expenses of the candidate.

(2) Subject to this Part, financial assistance is payable to an eligible candidate whether or not the candidate represents a political party or an organization that is not a political party or is an independent candidate.".

321. Section 60C substituted

Section 60C—

Repeal the section

Substitute

"**60C. Eligibility for financial assistance**

Only the following candidates for a constituency are eligible for financial assistance—

(a) a candidate who is elected as a Member; or

(b) a candidate who is not elected as a Member but who—

(i) is not a disqualified candidate; and

(ii) obtains at least 5% of the total number of valid votes cast in the constituency concerned.".

322. Section 60D repealed (amount payable as financial assistance: list of candidates)

Section 60D—

Repeal the section.

323. Section 60E amended (amount payable as financial assistance: candidates for functional constituencies other than District Council (second) functional constituency)

(1) Section 60E, heading—

Repeal

": candidates for functional constituencies other than District Council (second) functional constituency".

(2) Section 60E(1)—

Repeal

"functional constituency (other than the District Council (second) functional constituency)"

Substitute

"constituency".

(3) Section 60E(2)—

Repeal

"functional constituency (other than the District Council (second) functional constituency)"

Substitute

"constituency".

(4) Section 60E(2)—

Repeal paragraph (a)

Substitute

"(a) the amount obtained by—

(i) for a geographical constituency or functional constituency—multiplying 50% of the number of registered electors for the constituency by the specified rate; or

(ii) for the Election Committee constituency—multiplying 50% of the number of members of the Election Committee by the specified rate;".

324. Section 60F amended (entitlement to financial assistance not affected by failure of election, but financial assistance not payable if election proceedings are terminated)

Section 60F(2)—

Repeal

"46A(1)"

Substitute

"46A(2)".

325. Section 60H amended (recovery of payment of financial assistance)

(1) Section 60H(1)—

Repeal

"(whether a list of candidates or a candidate)".

(2) Section 60H—

Repeal subsection (3).

(3) Section 60H(4)—

Repeal

"(including a candidate on a list of candidates)".

326. Section 60J repealed (financial assistance not to be paid until disposal of election petition)

Section 60J—

Repeal the section.

327. Section 61 amended (election may be questioned only by election petition made on specified grounds)

Section 61(3)—

Repeal the definition of *election*

Substitute

"***election*** (選舉)—

(a) is to be construed subject to Annex II to the Basic Law; and

(b) subject to paragraph (a), includes nomination proceedings and the decisions of the Candidate Eligibility Review Committee, the Returning Officer or any Assistant Returning Officer.".

328. Section 62 amended (who may lodge election petition)

(1) Section 62(1), before "constituency"—

Add

"geographical constituency or functional".

(2) At the end of section 62—

Add

"(3) An election petition may be lodged, in the case of an election for the Election Committee constituency—

(a) by 10 or more members of the Election Committee entitled to vote at the election; or

(b) by a person claiming to have been a candidate in the election.".

329. Section 63 amended (who may be made respondent to election petition)

Section 63—

Repeal subsection (1)

Substitute

"(1) The following persons may be made a respondent to an election petition—

(a) a person whose election is questioned by the petition;

(b) the Returning Officer; and

(c) if grounds for the petition relate to a decision of the Candidate Eligibility Review Committee—the Candidate Eligibility Review Committee.".

330. Section 67 amended (Court to determine election petition)

(1) Section 67(1)—

Repeal

"Returning Officer"

Substitute

"Candidate Eligibility Review Committee".

(2) Section 67(1), English text—

Repeal

"that Officer"

Substitute

"the Returning Officer".

331. Section 70B amended (Court of Final Appeal's determination)

Section 70B(a)(i)(A)—

Repeal

"Returning Officer"

Substitute

"Candidate Eligibility Review Committee".

332. Section 78 amended (appointment of Returning Officers and assistants)

(1) Section 78—

Repeal subsection (1)

Substitute

"(1) The Electoral Affairs Commission must appoint for each constituency a number of Returning Officers and Assistant Returning Officers that the Commission considers to be necessary to enable an election to be held in the constituency, but only 1 Returning Officer may be appointed for each geographical constituency or functional constituency.".

(2) After section 78(3)—

Add

"(3A) If more than one Returning Officer is appointed for the Election Committee constituency, a function or duty of the Returning Officer for that constituency may be exercised or performed by any one of the Returning Officers appointed.".

(3) Section 78(7)—

Repeal

"in the exercise or performance of that Officer's"

Substitute

"or the Candidate Eligibility Review Committee in exercising or performing the Officer's or Committee's".

333. Section 79 amended (offence to obstruct or hinder electoral officers)

(1) Section 79, heading, after "**officers**"—

Add

"**or Candidate Eligibility Review Committee**".

(2) Section 79, after "electoral officer"—

Add

"or the Candidate Eligibility Review Committee".

(3) Section 79—

Repeal

"2"

Substitute

"5".

334. Section 82 amended (Chief Executive in Council may make regulations)

(1) Section 82(2)(a)—

Repeal

"or a list of candidates".

(2) Section 82(2)(b)—

Repeal

"or a list of candidates".

(3) Section 82(2)(c)—

(a) **Repeal**

"or list of candidates fail"

Substitute

"fails";

(b) **Repeal**

"or list of candidates obtain"

Substitute

"obtains".

335. Section 83 amended (Chief Executive in Council may amend Schedules 1, 1A, 1B, 1C, 1D and 1E)

(1) Section 83, heading—

Repeal

"**, 1D and 1E**"

Substitute

"**and 1D**".

(2) Section 83(1)—

Repeal

", 1D and 1E"

Substitute

"and 1D".

336. Schedule 1 amended (composition of the agriculture and fisheries functional constituency)

(1) Schedule 1—

Repeal

"[s. 20B]"

Substitute

"[ss. 20B & 83]".

(2) Schedule 1, column 2, heading, after "Body"—

Add

"composing the constituency".

337. Schedule 1A amended (composition of the transport functional constituency)

(1) Schedule 1A—

Repeal

"[s. 20D]"

Substitute

"[ss. 20D & 83]".

(2) Schedule 1A, column 2, heading, after "Body"—

Add

"composing the constituency".

(3) Schedule 1A, item 11—

Repeal

"Ltd."

Substitute

"Limited".

(4) Schedule 1A, item 20—

Repeal

"Co."

Substitute

"Company Limited".

(5) Schedule 1A, English text, item 53—

Repeal

"Hong Kong Motor Car Driving Instructors Association Ltd."

Substitute

"H.K. Motor Car Driving Instructors' Association Limited".

(6) Schedule 1A—

Repeal items 99, 103, 105, 125, 136 and 140.

(7) Schedule 1A, item 150—

Repeal

"H.K. & Kowloon and New Territories"

Substitute

"Hong Kong & Kowloon & NT".

(8) Schedule 1A—

Repeal item 163

Substitute

"163. Sun Ferry Services Company Limited".

(9) Schedule 1A, Chinese text, item 213—

Repeal

"Cathay Pacific Services Limited"

Substitute

"國泰航空服務有限公司".

(10) Schedule 1A, Chinese text, item 214—

Repeal

"Cathay Pacific Catering Services (H.K.) Limited"

Substitute

"國泰航空飲食服務(香港)有限公司".

(11) Schedule 1A, Chinese text, item 218—

Repeal

"Hong Kong Aircraft Engineering Company Limited"

Substitute

"香港飛機工程有限公司".

(12) Schedule 1A, after item 233—

Add

"234. Yiu Lian Dockyards Limited

235. China Merchants Port Holdings Company Limited

236. China Merchants Container Services Limited

237. China Merchants Logistics Holding Hong Kong Company Limited

238. China Merchants Energy Shipping (Hong Kong) Company Limited

239. COSCO SHIPPING (Hong Kong) Co., Limited

240. Cosco (H.K.) Shipping Co., Limited

241. COSCO SHIPPING Container Line Agencies Limited

242. COSCO SHIPPING International (Hong Kong) Co., Ltd.

243. China Travel Tours Transportation Services Hong Kong Limited

244. Sky Shuttle Helicopters Limited

245. Hong Kong-Zhuhai-Macao Bridge Shuttle Bus Company Limited

246. Hong Kong & Macao International Airport Transportation Service Co. Limited

247. Hong Kong International Airport Ferry Terminal Services Limited

248. Ocean Shipbuilding & Engineering Limited

249. China Ferry Terminal Services Limited

250. Turbojet Shipyard Limited

251. Hong Kong Association of Aircargo Truckers Limited

252. Hong Kong Auto (Parts & Machinery) Association Limited

253. China Aviation Express (Hong Kong) Limited

254. Chu Kong Godown Wharf & Transportation Company Limited

255. Chu Kong Transhipment & Logistics Company Limited

256. Chu Kong Transportation (H.K.) Limited

257. Chu Kong Agency Company Limited

258. Cotai Chu Kong Shipping Management Services Company Limited

259. Yuet Hing Marine Supplies Company Limited

260. Chu Kong Group Shipyard Company Limited

261. Dong An Marine Safety Equipment Trading Limited

262. Fortune Ferry Company Limited

263. Hong Kong Wing Hing Marine Engineering Company Limited

264. China National Aviation Leasing Limited

265. Yuantong Marine Service Co. Limited

266. Wang Tak Engineering & Shipbuilding Company Limited

267. The Motor Transport Company of Guangdong and Hong Kong Limited

268. Weisheng Transportation & Enterprises Company Limited".

338. Schedule 1B substituted

Schedule 1B—

Repeal the Schedule

Substitute

"Schedule 1B

[ss. 20V & 83]

Composition of the Sports, Performing Arts, Culture and Publication Functional Constituency

Part 1

Performing Arts Industry Associations and Local Licensed Broadcasting Institutions

Item	Body composing the constituency
1.	Hong Kong Motion Picture Industry Association Limited
2.	Hong Kong Film Awards Association Ltd.
3.	Association for Betterment of Hong Kong's Entertainment Industry in Mainland China Limited
4.	Federation of Hong Kong Filmmakers Limited
5.	Movie Producers and Distributors Association of Hong Kong Ltd.
6.	Hong Kong Chamber of Films Limited
7.	Hong Kong Theatres Association Ltd.
8.	華南電影工作者聯合會

Item	Body composing the constituency
9.	International Federation of the Phonographic Industry (Hong Kong Group) Limited
10.	Music Publishers Association of Hong Kong Limited
11.	Hong Kong Recording Industry Alliance Limited
12.	Television Broadcasts Limited
13.	HK Television Entertainment Company Limited
14.	Fantastic Television Limited
15.	Hong Kong Commercial Broadcasting Company Limited
16.	Metro Broadcast Corporation Limited
17.	The Hong Kong Film Development Council
18.	The Hong Kong International Film Festival Society Limited
19.	Hong Kong Film & Television Association Limited

Part 2

Cultural Public Institutions, Associations and Bodies

Item	Body composing the constituency
1.	Hong Kong Arts Development Council
2.	The Hong Kong Academy for Performing Arts
3.	West Kowloon Cultural District Authority
4.	The Hong Kong Philharmonic Society Limited
5.	Hong Kong Chinese Orchestra Limited
6.	Hong Kong Repertory Theatre Limited
7.	Chung Ying Theatre Company (HK) Limited

Item	Body composing the constituency
8.	Hong Kong Dance Company Limited
9.	The Hong Kong Ballet Limited
10.	Hong Kong Sinfonietta Limited
11.	City Contemporary Dance Company Limited
12.	Zuni Icosahedron
13.	Hong Kong Arts Festival Society Limited
14.	China Federation of Literary and Art Circles Hong Kong Member Association Limited
15.	China Theatre Association Hong Kong Member Branch
16.	China Film Hong Kong Association Limited
17.	Chinese Musicians Association—Hong Kong Members Branch
18.	China Artists Association Hong Kong Chapter
19.	China Opera Performing Artists Hong Kong Association
20.	Chinese Dancres Association Hong Kong Member Branch
21.	China Photographers Association Hong Kong Member Branch
22.	China Calligraphers Association Hong Kong Member Branch
23.	China Literature and Art Critics Association Hong Kong Member Branch
24.	The Association of Chinese Culture of Hong Kong
25.	Hong Kong Culture Association Limited
26.	The Chinese Artists Association of Hong Kong
27.	Hong Kong Chinese Opera Promotion Association Limited

Item	Body composing the constituency
28.	Cantonese Opera Musician and Vocalist Association Limited
29.	HK Chinese Opera and Performing Arts Group Association
30.	Hong Kong Cantonese Opera Artists Club Limited
31.	Hong Kong Association of Cantonese Opera Scholars Limited
32.	Hong Kong Federation of Drama Societies
33.	Actors' Family Limited
34.	The Nonsensemakers Limited
35.	Tang Shu-Wing Theatre Studio Limited
36.	Shakespeare4All Company Limited
37.	Spring-Time Experimental Theatre Limited
38.	Perry Chiu Experimental Theatre Limited
39.	Performing Arts Asia Limited
40.	Composers and Authors Society of Hong Kong Limited
41.	Hong Kong Composers' Guild Limited
42.	Hong Kong Chinese Instrumental Music Association
43.	Hong Kong Association of Choral Societies
44.	Hong Kong Music Tutors Union
45.	Opera Hong Kong Limited
46.	Hong Kong String Orchestra Limited
47.	Global Symphony Orchestra Society Limited
48.	The Hong Kong Children's Choir
49.	Yip's Children's Choir Limited
50.	Allegro Singers

Item	Body composing the constituency
51.	Hong Kong City Chinese Orchestra
52.	Hong Kong Dance Federation Limited
53.	Association of Hong Kong Dance Organizations
54.	Hong Kong Dance Alliance Limited
55.	The Hong Kong Ballet Group Limited
56.	Hong Kong Dance Sector Joint Conference
57.	The Association of Hong Kong Youth Dancers
58.	Miranda Chin Dance (Mirandance) Company Limited
59.	Budlet Folk Dance Club
60.	Starwave Production
61.	Xiang Gang Mei Xie
62.	Chinese Ink Painting Institute Hong Kong
63.	Hong Kong Water Colour Research Society
64.	Hong Kong Lan Ting Society
65.	Hong Kong Culture and Art Promotion Association
66.	Hong Kong Art Researching Association
67.	Hong Kong Modern Ink Painting Society Co. Limited
68.	Hong Kong Oil Painting Research Society
69.	Hong Kong Artists Society
70.	The Hong Kong Art Club
71.	Chung Fung Art Club
72.	To-day's Chinese Art Association
73.	Ling Ngai Art Association
74.	Hong Kong Graphics Society
75.	中國書協香港分會

Item	Body composing the constituency
76.	Hong Kong Chinese Calligraphy and Art Association
77.	China Hong Kong Institute of Calligraphy
78.	Calligraphy and Painting Study Association of Hong Kong Fukienese
79.	Hong Kong Association of Amateur Calligraphers
80.	Hong Kong Calligraphers' Association
81.	Hong Kong International Calligraphy and Seal Cutting Society
82.	Hong Kong Hard Pen Calligraphists' Association
83.	Friends of Shizhai
84.	The Jiazi Society of Calligraphy
85.	The Photographic Society of Hong Kong
86.	The Chinese Photographic Association of Hong Kong
87.	Sea Gull Photographic Association Limited
88.	The Photographic Salon Exhibitors Association
89.	Grace Photographic Club
90.	Hong Kong Camera Club, Limited
91.	United Artist Photographic Association Limited
92.	The Society of Worldwide Ethnic Chinese Photographers Limited
93.	The Hong Kong 35mm Photography Society, Limited
94.	The Hong Kong Miniature Cameras Photography Society
95.	Hong Kong CreArt Photographic Association Limited
96.	Overseas Chinese Photographers Association of Hong Kong
97.	The Art of Photography Association Limited

Item	Body composing the constituency
98.	The Federation of Hong Kong Writers
99.	The House of Hong Kong Literature Limited
100.	Hong Kong Writers Association Company Limited
101.	Hong Kong Society for Study of Poetry, Calligraphy and Couplet
102.	Hong Kong Literature Promoted Association
103.	國際華文詩人協會
104.	Magicians' Association of Hong Kong
105.	Hong Kong & Macau Intangible Cultural Heritage Research Centre Limited
106.	Wing Lung Art
107.	Hong Kong Book Reviewers Association
108.	Hong Kong Film Critics Association Limited
109.	Hong Kong Literary Criticism Society Company Limited
110.	Oriental Education Alliance Limited
111.	Hong Kong International Music Festival Limited
112.	The Association of Zhuangzi Culture & Research of Hong Kong
113.	Hong Kong Cantonese Opera Chamber of Commerce Limited
114.	Jingkun Theatre Limited".

339. Schedule 1C amended (composition of the wholesale and retail functional constituency)

(1) Schedule 1C—

Repeal

"[s. 20Y]"

Substitute

"[ss. 20Y & 83]".

(2) Schedule 1C, column 2, heading, after "Body"—

Add

"the corporate members of which compose the constituency".

(3) Schedule 1C—

Repeal items 1 and 3.

(4) Schedule 1C, Chinese text, item 7—

Repeal

"妝"

Substitute

"粧".

(5) Schedule 1C—

Repeal items 15, 16, 18, 20, 24, 28, 36 and 40.

(6) Schedule 1C, Chinese text, item 42, after "委員"—

Add

"會".

(7) Schedule 1C—

Repeal items 53, 54, 72, 73, 79 and 87.

340. Schedule 1D substituted

Schedule 1D—

Repeal the Schedule

Substitute

"Schedule 1D

[ss. 20Z & 83]

Composition of the Technology and Innovation Functional Constituency

Part 1

National Level Research Platforms

Item	Body composing the constituency
1.	State Key Laboratory of Emerging Infectious Diseases (The University of Hong Kong)
2.	State Key Laboratory of Brain and Cognitive Science (The University of Hong Kong)
3.	State Key Laboratory of Translational Oncology (The Chinese University of Hong Kong)
4.	State Key Laboratory of Terahertz and Millimeter Waves (City University of Hong Kong)
5.	State Key Laboratory of Agrobiotechnology (The Chinese University of Hong Kong)
6.	State Key Laboratory of Ultraprecision Machining Technology (The Hong Kong Polytechnic University)
7.	State Key Laboratory of Molecular Neuroscience (The Hong Kong University of Science and Technology)
8.	State Key Laboratory of Marine Pollution (City University of Hong Kong)

Item	Body composing the constituency
9.	State Key Laboratory of Research on Bioactivities and Clinical Applications of Medicinal Plants (The Chinese University of Hong Kong)
10.	State Key Laboratory of Liver Research (The University of Hong Kong)
11.	State Key Laboratory of Synthetic Chemistry (The University of Hong Kong)
12.	State Key Laboratory of Chemical Biology and Drug Discovery (The Hong Kong Polytechnic University)
13.	State Key Laboratory of Environmental and Biological Analysis (Hong Kong Baptist University)
14.	State Key Laboratory of Pharmaceutical Biotechnology (The University of Hong Kong)
15.	State Key Laboratory of Digestive Disease (The Chinese University of Hong Kong)
16.	State Key Laboratory of Advanced Displays and Optoelectronics Technologies (The Hong Kong University of Science and Technology)
17.	Hong Kong Branch of National Engineering Research Center for Application Specific Integrated Circuit System
18.	Hong Kong Branch of National Engineering Research Center for Steel Construction
19.	Hong Kong Branch of National Rail Transit Electrification and Automation Engineering Technology Research Center
20.	Hong Kong Branch of National Precious Metals Material Engineering Research Center
21.	Hong Kong Branch of National Engineering Research Center for Tissue Restoration & Reconstruction

Item	Body composing the constituency
22.	Hong Kong Branch of Chinese National Engineering Research Center for Control & Treatment of Heavy Metal Pollution
23.	Hong Kong Institute of Science & Innovation, Chinese Academy of Sciences Limited
24.	Centre for Regenerative Medicine and Health, Hong Kong Institute of Science & Innovation, Chinese Academy of Sciences Limited
25.	Centre for Artificial Intelligence and Robotics, Hong Kong Institute of Science & Innovation, Chinese Academy of Sciences Limited

Part 2

Public Organizations Highly Relevant to Development of Innovation and Technology

Item	Body composing the constituency
1.	Hong Kong Applied Science And Technology Research Institute Company Limited
2.	Logistics and Supply Chain MultiTech R&D Centre Limited
3.	The Hong Kong Research Institute of Textiles and Apparel Limited
4.	Nano and Advanced Materials Institute Limited
5.	Hong Kong Cyberport Management Company Limited
6.	Hong Kong Science and Technology Parks Corporation
7.	The Hong Kong Institute of Biotechnology Limited

Item	Body composing the constituency
8.	Hong Kong Productivity Council
9.	Hong Kong Internet Registration Corporation Limited
10.	Hong Kong-Shenzhen Innovation and Technology Park Limited
11.	Automotive Platforms and Application Systems R&D Centre

Part 3

Academic Organizations and Professional Bodies Participating in Government's Consultation related to Development of Innovation and Technology

Item	Body composing the constituency
1.	The Hong Kong Academy of Sciences
2.	Hong Kong Academy of Engineering Sciences
3.	The Hong Kong Young Academy of Sciences
4.	The Society of Hong Kong Scholars
5.	Internet Professional Association Limited
6.	Hong Kong Information Technology Joint Council Limited
7.	Hong Kong Computer Society
8.	Hong Kong Software Industry Association Limited
9.	Communications Association of Hong Kong Limited
10.	Hong Kong Society of Artificial Intelligence and Robotics Limited

Item	Body composing the constituency
11.	Hong Kong Biotechnology Organization
12.	HK Bio-Med Innotech Association Limited
13.	Hong Kong Data Centre Association Limited
14.	Hong Kong Federation of Innovative Technologies and Manufacturing Industries Limited
15.	Smart City Consortium Limited
16.	E-Commerce Association of Hong Kong Limited
17.	The Hong Kong Association for the Advancement of Science and Technology Limited
18.	Hong Kong Digital Entertainment Association Limited
19.	Esports Association of Hong Kong Limited
20.	The Hong Kong Electronic Industries Association Limited
21.	The Hong Kong Association for Computer Education
22.	eHealth Consortium Limited
23.	The Institution of Engineering and Technology Hong Kong
24.	Information Systems Audit and Control Association China Hong Kong Chapter Limited
25.	The Association for Computing Machinery, Hong Kong Chapter
26.	Cyberport Startup Alumni Association
27.	Hong Kong O2O E-Commerce Federation Limited
28.	Hong Kong Innovative Technology Development Association Limited
29.	The Chamber of Hong Kong Computer Industry Limited
30.	Hong Kong Electronic Sports Federation Limited

Item	Body composing the constituency
31.	The Hong Kong Institution of Engineers, Information Technology Division
32.	Hong Kong Public Key Infrastructure Forum Limited
33.	Hong Kong Internet Service Providers Association Limited
34.	Hong Kong Life Sciences Society Limited
35.	Hong Kong Netrepreneurs Association Limited
36.	Hong Kong Wireless Technology Industry Association Limited
37.	Hong Kong Information Technology Federation Limited
38.	British Computer Society (Hong Kong Section) Limited
39.	Professional Information Security Association Limited
40.	Information Security and Forensics Society
41.	Hong Kong Retail Technology Industry Association Limited".

341. Schedule 1E repealed (composition of the catering functional constituency)

Schedule 1E—

Repeal the Schedule.

342. Schedule 6 added

After Schedule 5—

Add

"Schedule 6

[s. 18]

Geographical Constituencies for Seventh Term of Office of Legislative Council

1. Interpretation

In this Schedule—

approved map (獲批准地圖) means a map approved by the Chief Executive in Council on 13 April 2021;

constituency boundary (選區分界), in relation to a geographical constituency specified in this Schedule, means the boundary delineating the constituency represented on the relevant approved map by a red line described in the map legend as—

(a) where it coincides with a green line described in the map legend as "District Boundary"—"2021 Legislative Council Geographical Constituency Boundary (coincides with District Boundary)"; and

(b) where it does not coincide with a green line mentioned in paragraph (a)—"2021 Legislative Council Geographical Constituency Boundary";

constituency code (選區代號), in relation to a geographical constituency specified in this Schedule, means the code specified in brackets below the name of the constituency in column 3 of the Table in section 2 of this Schedule.

2. Specification of Legislative Council geographical constituencies

(1) Each area delineated and marked on an approved map as described in column 2 of the Table is specified to be a geographical constituency for an election to elect Members for the seventh term of office of the Legislative Council.

(2) The name of a geographical constituency specified under subsection (1) is specified in column 3 of the Table opposite the relevant area.

Table

Geographical Constituencies

Column 1	Column 2	Column 3
Item	Delineation of Area	Name of Geographical Constituency (Constituency Code)
1.	The area delineated by the constituency boundary on the approved map identified as Plan No. LCCA/R/2021/HK-E and marked with the names Eastern District and Wan Chai District.	Hong Kong Island East (LC1)
2.	The area delineated by the constituency boundary on the approved map identified as Plan No. LCCA/R/2021/HK-W and marked with the names Central & Western	Hong Kong Island West (LC2)

Column 1	Column 2	Column 3
Item	Delineation of Area	Name of Geographical Constituency (Constituency Code)
	District, Southern District and Islands District.	
3.	The area delineated by the constituency boundary on the approved map identified as Plan No. LCCA/R/2021/KLN-E and marked with the names Kwun Tong District and South-eastern part of Wong Tai Sin District.	Kowloon East (LC3)
4.	The area delineated by the constituency boundary on the approved map identified as Plan No. LCCA/R/2021/KLN-W and marked with the names Yau Tsim Mong District and Sham Shui Po District.	Kowloon West (LC4)

Column 1	Column 2	Column 3
Item	Delineation of Area	Name of Geographical Constituency (Constituency Code)
5.	The area delineated by the constituency boundary on the approved map identified as Plan No. LCCA/R/2021/KLN-C and marked with the names Kowloon City District and North-western part of Wong Tai Sin District.	Kowloon Central (LC5)
6.	The area delineated by the constituency boundary on the approved map identified as Plan No. LCCA/R/2021/NT-SE and marked with the names Sai Kung District and Eastern part of Sha Tin District.	New Territories South East (LC6)
7.	The area delineated by the constituency boundary on the approved map identified as Plan No.	New Territories North (LC7)

Column 1	Column 2	Column 3
Item	Delineation of Area	Name of Geographical Constituency (Constituency Code)
	LCCA/R/2021/NT-N and marked with the names North District and North-western part of Yuen Long District.	
8.	The area delineated by the constituency boundary on the approved map identified as Plan No. LCCA/R/2021/NT-NW and marked with the names Tuen Mun District and South-eastern part of Yuen Long District.	New Territories North West (LC8)
9.	The area delineated by the constituency boundary on the approved map identified as Plan No. LCCA/R/2021/NT-SW and marked with the names Kwai Tsing District and Tsuen Wan District.	New Territories South West (LC9)

Column 1	Column 2	Column 3
Item	Delineation of Area	Name of Geographical Constituency (Constituency Code)
10.	The area delineated by the constituency boundary on the approved map identified as Plan No. LCCA/R/2021/NT-NE and marked with the names Tai Po District and Western part of Sha Tin District.	New Territories North East (LC10)".

Division 2—Registration of Electors (Appeals) Regulation (Cap. 542 sub. leg. B)

343. Section 1 amended (interpretation)

(1) Section 1, definition of ***functional constituencies register***—

(a) paragraph (a)—

Repeal

"or (1A)(a)(ii)";

(b) paragraph (b)—

Repeal

"or (1A)(b)(ii)".

(2) Section 1, definition of ***geographical constituencies register***—

(a) paragraph (a)—

Repeal

"or (1A)(a)(i)";

(b) paragraph (b)—

Repeal

"or (1A)(b)(i)".

(3) Section 1, definition of ***provisional register***—

(a) paragraph (a)—

Repeal

"or (1A)(a)(i)";

(b) paragraph (b)—

Repeal

"or (1A)(a)(ii)".

(4) Section 1—

Repeal the definition of *District Council election year*.

344. Section 1A amended (effect of inclement weather warning on date and period)

(1) Section 1A(4)—

Repeal Table 1

Substitute

"Table 1

Column 1	Column 2
section 13(1A)(b)(i) of Cap. 541A and section 29(1A)(b)(i) of Cap. 541B	section 6(2AA)(a)

Column 1	Column 2
section 13(1A)(b)(ii) of Cap. 541A and section 29(1A)(b)(iii) of Cap. 541B	sections 2(3)(b) and 6(2)(a) and (2AA)(b)
section 16(3)(b) of Cap. 541A and section 32(2)(c) of Cap. 541B	section 2(3)(b)(i) and (ii)

In this Table—

Cap. 541A stands for the Electoral Affairs Commission (Registration of Electors) (Legislative Council Geographical Constituencies) (District Council Constituencies) Regulation (Cap. 541 sub. leg. A);

Cap. 541B stands for 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).".

(2) Section 1A(4), Table 1—

Repeal

"section 13(1A)(b)(i) of Cap. 541A and section 29(1A)(b)(i) of Cap. 541B	section 6(2AA)(a)
section 13(1A)(b)(ii) of Cap. 541A and section 29(1A)(b)(iii) of Cap. 541B	sections 2(3)(b) and 6(2)(a) and (2AA)(b)"

Substitute

"section 13(1A)(b) of Cap. 541A and section 29(1A)(b)(i) of Cap. 541B	sections 2(3)(b) and 6(2)(a) and (2AA)(b)".

(3) Section 1A—

Repeal subsections (5), (6) and (7).

(4) Section 1A(8)—

Repeal Table 3

Substitute

"Table 3

Column 1	Column 2
the eighth day before the polling date	section 2(4)(a) and (b)
8 September	section 2(4)(b)(i) and (ii)
11 September	section 6(2)(a) and (2AA)(b)
11 October	section 6(2AA)(a)".

345. Section 2 amended (fixing of hearing and notifying the appellant thereof)

(1) After section 2(1A)—

Add

"(1B) This section also does not apply to a claim or an objection made in relation to a geographical constituencies register or functional constituencies register compiled for 2021.".

(2) Section 2—

Repeal subsections (3) and (4)

Substitute

"(3) If a copy of a notice of claim or a notice of objection is received by the Revising Officer, the date fixed under subsection (1)(a) as regards the claim or objection to which the notice relates must be—

(a) on or after the third day after the day on which the copy of the notice is received; and

(b) a date within the period beginning on 1 August and ending on 11 September in—

(i) if the date of receipt falls on or before 29 August in a year—that year; or

(ii) if the date of receipt falls after 29 August in a year—the next year.

(4) If a copy of a notice of appeal is received by the Revising Officer, the date fixed under subsection (1)(a) as regards the appeal to which the notice relates must be—

(a) if the copy of the notice is received on or before the eighth day before the polling date for the functional constituency concerned—a date within a period of 21 days beginning from 25 days before the polling date; or

(b) if the copy of the notice is received after the eighth day before the polling date for the functional constituency concerned—

(i) if the date of receipt falls on or before 8 September in a year—a date within a period of 28 days ending on 11 September in that year; or

(ii) if the date of receipt falls after 8 September in a year—a date within a period of 27 days ending on 11 September in the next year.".

(3) Section 2(4A)(a)(i)—

Repeal

"(3)(a), (b) or (c)(i) or (ii) or (4)(a) or (b)(i), (ii), (iii) or (iv)(A) or (B)"

Substitute

"(3)(b)(i) or (ii) or (4)(a) or (b)(i) or (ii)".

346. Section 2A amended (Revising Officer to determine certain claims or objections based on written submissions)

(1) After section 2A(1)—

Add

"(1A) This section also applies to a claim or an objection made in relation to a geographical constituencies register or functional constituencies register compiled for 2021.".

(2) Section 2A—

Repeal subsection (3)

Substitute

"(3) The Revising Officer must send by post a notice specified in subsection (4) to the party to whom the claim or objection relates—

(a) if the claim or objection relates to a geographical constituencies register or functional constituencies register compiled for 2021—not later than 29 September 2021; or

(b) if the claim or objection relates to a geographical constituencies register or functional constituencies register compiled for any year subsequent to 2021—not later than 29 August in that year.".

347. Section 3 amended (appellant and person in respect of whom objection is made to be notified of rulings etc.)

Section 3—

Repeal subsection (4)

Substitute

"(4) A notification in relation to a ruling made under section 2A(5) must be sent—

(a) if the claim or objection concerned relates to a geographical constituencies register or functional constituencies register compiled for 2021—not later than 7 October 2021; or

(b) if the claim or objection concerned relates to a geographical constituencies register or functional constituencies register compiled for any year subsequent to 2021—not later than 7 September in that year.".

348. Section 4 amended (Electoral Registration Officer to be notified of rulings made under section 2(5) and (5A) etc.)

Section 4—

Repeal subsection (3)

Substitute

"(3) The Revising Officer must give the notice to the Electoral Registration Officer—

(a) after a hearing in connection with a claim or an objection is concluded—not later than 17 September in the year in which the hearing is concluded; or

(b) after a hearing in connection with an appeal is concluded—

(i) during the period specified in section 2(4)(a)—on a date at least 3 working days before the polling date mentioned in that section; or

(ii) during the period specified in section 2(4)(b)(i) or (ii)—not later than 17 September in the year in which the hearing is concluded.".

349. Section 4A amended (Electoral Registration Officer to be notified of rulings made under section 2A(5))

Section 4A—

Repeal paragraphs (a) and (b)

Substitute

"(a) if the ruling relates to a geographical constituencies register or functional constituencies register compiled for 2021—not later than 7 October 2021; or

(b) if the ruling relates to a geographical constituencies register or functional constituencies register compiled for any year subsequent to 2021—not later than 7 September in that year.".

350. Section 5 amended (determination of matters and powers of adjournment, etc.)

Section 5—

Repeal

", (b), (c), (d)(i), (ii) or (iii) or (e)(i) or (ii)"

Substitute

"or (b)".

351. Section 6 amended (review of rulings by Revising Officer)

(1) After section 6(1)—

Add

"(1A) Despite subsection (1)(b), if the ruling being reviewed relates to a geographical constituencies register or functional constituencies register compiled for 2021, the Revising Officer must determine whether to reverse or confirm the ruling without a hearing on the basis of written submissions only.".

(2) Section 6—

Repeal subsections (2) and (2AA)

Substitute

"(2) A ruling under section 2(5)(b) or (5A) made—

(a) during the period beginning on 1 August and ending on 11 September in a year may only be reviewed during that period; or

(b) during the period specified in section 2(4)(a) or (b)(i) or (ii) may only be reviewed during that period.

(2AA) A ruling under section 2A(5) may only be reviewed during the following period—

(a) if the ruling relates to a geographical constituencies register or functional constituencies register compiled for 2021—the period beginning on 13 September 2021 and ending on 11 October 2021; or

(b) if the ruling relates to a geographical constituencies register or functional constituencies register compiled for any year subsequent to 2021—the period beginning on 1 August and ending on 11 September in that year.".

(3) Section 6(2B)—

Repeal

"District Council election".

(4) Section 6(2B)(a)—

Repeal

"19(5)(a)"

Substitute

"19(5)(b)".

(5) Section 6(2B)(b)—

Repeal

"35(5)(a) and 36(5)(a)"

Substitute

"35(5)(b) and 36(5)(b)".

(6) Section 6—

Repeal subsection (2C).

Division 3—Legislative Council (Subscribers and Election Deposit for Nomination) Regulation (Cap. 542 sub. leg. C)

352. Section 1 amended (interpretation)

(1) Section 1(1), definition of ***deposit***—

Repeal the semicolon

Substitute a full stop.

(2) Section 1(1)—

(a) definition of ***election***;

(b) definition of ***list of candidates***;

(c) definition of ***nomination list***;

(d) definition of ***nominee***—

Repeal the definitions.

(3) Section 1—

Repeal subsection (3)

Substitute

"(3) For the purposes of sections 3(2), 4(3) and (5) and 5(1), a reference to the Returning Officer, in relation to a constituency, includes—

(a) an Assistant Returning Officer for that constituency; and

(b) the Chief Electoral Officer appointed under section 9 of the Electoral Affairs Commission Ordinance (Cap. 541).".

353. Section 2 amended (amount of deposit)

Section 2—

Repeal subsection (1)

Substitute

"(1) The amount of deposit to be lodged by or on behalf of a person in respect of the person's nomination as a candidate for a constituency at an election is—

(a) for a geographical constituency—$50,000;

(b) for a functional constituency—$25,000; or

(c) for the Election Committee constituency—$25,000.".

354. Sections 3 and 4 substituted

Sections 3 and 4—

Repeal the sections

Substitute

"**3. Return of deposit on invalid nomination etc.**

(1) The deposit lodged by or on behalf of a person in respect of the person's nomination as a candidate for a constituency at an election must be returned in accordance with this section if—

(a) a decision is made under section 42A(1) of the Ordinance that the person is not validly nominated as a candidate for that constituency;

(b) the person withdraws the person's nomination as a candidate for election in respect of that constituency under section 42 of the Ordinance;

(c) for a person nominated in respect of the Election Committee constituency—a decision has been made under section 42A(1) of the Ordinance that the person is validly nominated as a candidate for that constituency, and subsequently—

(i) a notice of death of that person is given under section 42B(1) of the Ordinance; or

(ii) the decision under section 42A(1) of the Ordinance is varied under section 42B(4)(a) of the Ordinance to the effect that the person is not validly nominated; or

(d) the proceedings for the election for that constituency are terminated under section 42C(2) or 46A(2) of the Ordinance.

(2) The Returning Officer for the constituency concerned must, as soon as practicable after the following event, notify the Director of Accounting Services in writing that the deposit lodged by or on behalf of the candidate concerned is returnable to that candidate, or to the person who lodged the deposit on behalf of that candidate, as the case may be—

(a) for a case mentioned in subsection (1)(a) or (b)—the publication under the appropriate regulations of a notice containing particulars of the candidates validly nominated in respect of that constituency;

(b) for a case mentioned in subsection (1)(c)—

(i) if no declarations mentioned in section 42B(2) or (5) of the Ordinance are to be made in accordance with the appropriate regulations in relation to the death or variation of decision—the publication under the appropriate regulations of a notice containing particulars of the candidates validly nominated in respect of the Election Committee constituency; or

(ii) if declarations mentioned in section 42B(2) or (5) of the Ordinance are to be made in accordance with the appropriate regulations in relation to the death or variation of decision—the making of those declarations; or

(c) for a case mentioned in subsection (1)(d)—the publication under the appropriate regulations of a notice declaring that the proceedings for the election for that constituency are terminated.

(3) The Director of Accounting Services must, as soon as practicable after receiving a notification under subsection (2), return the amount of the deposit to the candidate, or to the person who lodged the deposit on behalf of that candidate, as specified in the notification.

4. Disposal of deposit after publication of election result or declaration of failure of election

(1) Subject to subsection (2), the deposit lodged by or on behalf of each candidate for a constituency at an election must, unless it is to be returned in accordance with section 3, be returned in accordance with this section after the following declaration is made—

(a) a declaration under section 46(1) of the Ordinance that a candidate is duly elected as a Member in respect of that constituency;

(b) a declaration under section 49(5), 50(7), 51(7) or 52A(8) of the Ordinance that a candidate is elected as a Member in respect of that constituency; or

(c) a declaration under section 46A(3)(a) of the Ordinance that the election for that constituency has failed.

(2) The deposit lodged in respect of an unsuccessful candidate's nomination must be forfeited to the general revenue in accordance with this section if, as determined by a counting of the votes and any re-count, the total number of ballot papers containing valid votes in favour of the candidate is less than 3% of the total number of ballot papers containing valid votes received in the constituency concerned.

(3) Subject to subsection (5), the Returning Officer for the constituency concerned must, as soon as practicable after the following event, notify the Director of Accounting Services in writing that the deposit lodged by or on behalf of the candidate concerned is returnable to that candidate, or to the person who lodged the deposit on behalf of that candidate, as the case may be—

(a) for a case mentioned in subsection (1)(a)—the publication under the appropriate regulations of a notice declaring that the candidate is duly elected in respect of that constituency;

(b) for a case mentioned in subsection (1)(b)—the publication under the appropriate regulations of a notice of the result of the election for that constituency; or

(c) for a case mentioned in subsection (1)(c)—the publication under the appropriate regulations of a notice declaring that the election for that constituency has failed.

(4) The Director of Accounting Services must, as soon as practicable after receiving a notification under subsection (3), return the amount of the deposit to the candidate, or to the person who lodged the deposit on behalf of that candidate, as specified in the notification.

(5) The Returning Officer for the constituency concerned must, as soon as practicable after the publication of the notice mentioned in subsection (3)(b) or (c), notify the Director of Accounting Services in writing that, in relation to any unsuccessful candidate mentioned in subsection (2), the deposit lodged in respect of the candidate's nomination for the constituency concerned at the relevant election is to be forfeited to the general revenue.".

355. Section 5 amended (disposal of deposit in case of death)

(1) Section 5(1)(a)—

Repeal

"or by a person on behalf of the nominees on a nomination list".

(2) Section 5(1)—

Repeal

"geographical constituency or functional".

356. Section 7 substituted

Section 7—

Repeal the section

Substitute

"**7. Number and qualifications of subscribers to nomination form**

(1) The nomination form of a person seeking nomination in respect of a geographical constituency—

(a) must be subscribed by electors for the geographical constituency as follows—

(i) the number of electors subscribing must be not less than 100 but not more than 200; and

(ii) the electors must not be the person seeking the nomination; and

(b) must be subscribed by members of the Election Committee as follows—

(i) the number of members subscribing must be not less than 10 but not more than 20;

(ii) the members must not be the person seeking the nomination; and

(iii) there must be not less than 2 but not more than 4 members representing each of the 5 sectors of the Election Committee.

(2) The nomination form of a person seeking nomination in respect of a functional constituency—

(a) must be subscribed by electors for the functional constituency as follows—

(i) the number of electors subscribing must be not less than 10 but not more than 20; and

(ii) the electors must not be the person seeking the nomination; and

(b) must be subscribed by members of the Election Committee as follows—

(i) the number of members subscribing must be not less than 10 but not more than 20;

(ii) the members must not be the person seeking the nomination; and

(iii) there must be not less than 2 but not more than 4 members representing each of the 5 sectors of the Election Committee.

(3) The nomination form of a person seeking nomination in respect of the Election Committee constituency must be subscribed by members of the Election Committee as follows—

(a) the number of members subscribing must be not less than 10 but not more than 20;

(b) the members must not be the person seeking the nomination; and

(c) there must be not less than 2 but not more than 4 members representing each of the 5 sectors of the Election Committee.

(4) A person whose signature as a subscriber to a nomination form is in surplus having regard to the required number of subscribers for the purposes of subsection (1)(a)(i) or (b)(i) or (iii), (2)(a)(i) or (b)(i) or (iii) or (3)(a) or (c) must be regarded as not having subscribed the nomination form.

(5) A person is entitled to subscribe at an election—

(a) if the person is subscribing as an elector for a geographical constituency for the purposes of subsection (1)(a)—1 nomination form in respect of the geographical constituency;

(b) if the person is subscribing as an elector for a functional constituency for the purposes of

subsection (2)(a)—a number of nomination forms in respect of the functional constituency up to the number of Members to be returned for the functional constituency at the election; and

(c) if the person is subscribing as a member of the Election Committee—

(i) for the purposes of subsection (1)(b)—1 nomination form in respect of all geographical constituencies;

(ii) for the purposes of subsection (2)(b)—1 nomination form in respect of all functional constituencies; and

(iii) for the purposes of subsection (3)—1 nomination form in respect of the Election Committee constituency.

(6) If a person subscribes more nomination forms than the number the person is entitled to subscribe under subsection (5)(a), (b) or (c)(i), (ii) or (iii) in a particular capacity (***specified number***), the person's signature is inoperative on any nomination form subscribed in that capacity delivered after the delivery of the specified number of nomination form so subscribed by that person.

(7) Subsection (8) applies if a person subscribes in both of the following capacities in respect of a geographical constituency—

(a) as an elector for the geographical constituency for the purposes of subsection (1)(a);

(b) as a member of the Election Committee for the purposes of subsection (1)(b).

(8) In the circumstances mentioned in subsection (7)—

(a) the person's signatures in both capacities in respect of the geographical constituency are operative only if the person is subscribing the same nomination form; or

(b) if the person is subscribing in one capacity one nomination form and in another capacity another nomination form in respect of the geographical constituency—

(i) the person's signature as an elector for the geographical constituency for the purposes of subsection (1)(a) is inoperative; and

(ii) the person's signature as a member of the Election Committee for the purposes of subsection (1)(b) is operative.

(9) Subsection (10) applies if a person subscribes in both of the following capacities in respect of a functional constituency—

(a) as an elector for the functional constituency for the purposes of subsection (2)(a);

(b) as a member of the Election Committee for the purposes of subsection (2)(b).

(10) In the circumstances mentioned in subsection (9)—

(a) the person's signatures in both capacities in respect of the functional constituency are operative only if the person is subscribing the same nomination form; or

(b) if the person is subscribing in one capacity one nomination form and in another capacity another nomination form in respect of the functional constituency—

(i) the person's signature as an elector for the functional constituency for the purposes of subsection (2)(a) is inoperative; and

(ii) the person's signature as a member of the Election Committee for the purposes of subsection (2)(b) is operative.

(11) Despite subsections (6), (8)(b) and (10)(b)—

(a) a person who has subscribed the nomination form of another person (***nominee***) as a candidate for a constituency (***previous nomination form***) in a particular capacity may subscribe in accordance with this section another nomination form (***next nomination form***) in that capacity if—

(i) a decision is made under section 42A(1) of the Ordinance that the nominee is not validly nominated as a candidate for that constituency; or

(ii) the nominee withdraws the nomination under section 42 of the Ordinance; and

(b) for the purposes of paragraph (a)—

(i) the person's signature is not to be inoperative on the next nomination form only because the person has subscribed the previous nomination form; and

(ii) if the person subscribes more than one nomination form as the next nomination form, the person's signature is inoperative on any nomination form so subscribed other than the first one delivered.

(12) A person is disqualified from subscribing a nomination form as an elector for a geographical constituency or

functional constituency if the person is disqualified from being registered as such an elector or from voting at an election for that constituency.

(13) A person is disqualified from subscribing a nomination form as a member of the Election Committee if the person is—

(a) disqualified from being registered as such a member or from voting at an election for the Election Committee constituency; or

(b) disqualified from making a nomination at an election under section 6 of the Chief Executive Election Ordinance (Cap. 569).

(14) To avoid doubt, even if the number of nomination forms subscribed by a person in a particular capacity has reached the number the person is entitled to subscribe under subsection (5)(a), (b) or (c)(i), (ii) or (iii), the person is not prevented from subscribing in accordance with this section other nomination forms in another capacity.".

Division 4—Legislative Council (Election Petition) Rules (Cap. 542 sub. leg. F)

357. Rule 12 amended (lists of objections in recriminatory case)

Rule 12—

Repeal subrule (2)

Substitute

"(2) If the petition claims the office for a person who is an unsuccessful candidate on the ground that the person had the number of valid votes that entitled the person to claim the office, every party must, not less than 7 days before the date fixed for the trial—

(a) file a list of the votes that the party contends were wrongly admitted or wrongly rejected, stating in respect of each such vote the grounds for the contention; and

(b) serve a copy of the list on every other party and the Secretary for Justice.".

358. Schedule amended (election petition)

(1) The Schedule, after "Functional Constituency"—

Add

"/Election Committee Constituency".

(2) The Schedule—

Repeal

"decision of the Returning Officer for the above-mentioned Constituency as to the validity of any nomination in the notice of nominations"

Substitute

"decision of the Candidate Eligibility Review Committee as to the validity of any nomination in the notice of nominations (as read with the definition of ***election*** in section 61(3) of the Legislative Council Ordinance (Cap. 542))".

(3) The Schedule—

Repeal

"the decision of the Returning Officer"

Substitute

"the decision of the Candidate Eligibility Review Committee".

Division 5—Declaration of Geographical Constituencies (Legislative Council) Order 2019 (Cap. 542 sub. leg. M)

359. Declaration of Geographical Constituencies (Legislative Council) Order 2019 repealed

The Declaration of Geographical Constituencies (Legislative Council) Order 2019 (Cap. 542 sub. leg. M)—

Repeal the Order.

Part 5

Amendment to District Councils Ordinance (Cap. 547)

360. Section 60I repealed (financial assistance not to be paid until disposal of election petition)

Section 60I—

Repeal the section.

Part 6

Amendments to Elections (Corrupt and Illegal Conduct) Ordinance and its Subsidiary Legislation

Division 1—Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554)

361. Section 2 amended (interpretation)

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

Repeal

everything after "at the election"

Substitute a semicolon.

(2) Section 2(1), definition of ***constituency***, paragraph (a)—

Repeal

"or functional constituency"

Substitute

"constituency, a functional constituency or the Election Committee constituency,".

(3) Section 2(1), definition of ***election expense agent***—

Repeal

"or group of candidates".

(4) Section 2(1), definition of ***election expense agent***—

Repeal

"or candidates".

(5) Section 2(1), definition of ***election expenses***—

Repeal

"or group of candidates".

(6) Section 2(1), definition of ***election expenses***—

Repeal

"or group" (wherever appearing).

(7) Section 2(1), Chinese text, definition of *選舉開支*—

Repeal

"或另一候選人組合".

(8) Section 2(1)—

Repeal the definition of *group of candidates*.

(9) After section 2(3)(a)—

Add

"(ab) a member of the Election Committee;".

362. Section 14 amended (corrupt conduct to engage in certain deceptive behaviour in relation to electors)

(1) Section 14, heading, after "**deceptive**"—

Add

"**or obstructive**".

(2) Section 14(1)(d)—

Repeal

"; or"

Substitute a full stop.

(3) Section 14(1)—

Repeal paragraphs (e) and (f).

(4) After section 14(1)—

Add

"(1A) A person engages in corrupt conduct at an election if the person wilfully—

(a) obstructs or prevents another person from voting at the election; or

(b) gets another person to obstruct or prevent a third person from voting at the election.

(1B) It is a defence for a person charged with an offence under section 6(1) for having engaged in the corrupt conduct under subsection (1A) to prove that, at the time of the alleged offence, the person had lawful authority or reasonable excuse for doing the act to which the charge relates.".

(5) Section 14(2), after "(1)"—

Add

"or (1A)".

363. Section 19 amended (how candidate must dispose of certain election donations)

(1) Section 19(4)—

Repeal

"or a particular group of candidates".

(2) Section 19(4)—

Repeal

"or the candidates belonging to the group".

(3) Section 19(4)—

Repeal

"or those candidates".

364. Section 23 amended (illegal conduct for persons other than candidates and election expense agents to incur election expenses)

(1) Section 23—

Repeal subsection (2).

(2) Section 23(5)—

Repeal

"(other than a candidate who is a member of a group of 2 or more candidates)".

(3) Section 23(5)(a), Chinese text—

Repeal

"獲該"

Substitute

"獲某".

(4) Section 23—

Repeal subsection (6).

(5) Section 23(7)—

Repeal

"or (6)".

365. Section 24 amended (illegal conduct for candidate to incur election expenses exceeding prescribed amount)

Section 24—

Repeal subsection (2).

366. Section 27A added

After section 27—

Add

"27A. Illegal conduct to incite another person not to vote, or to cast invalid vote, by activity in public during election period

(1) A person engages in illegal conduct at an election if the person carries out any activity in public that—

(a) incites another person not to vote at the election; or

(b) incites another person voting at the election to deal with a ballot paper issued to the person in any way that would render the ballot paper invalid at the election under any electoral law.

(2) Subsection (1) applies only to an activity in public carried out during the election period of the election concerned.

(3) In determining whether any activity in public incites another person as described in subsection (1), regard may be had to all circumstances of the case, including—

(a) the contents of the activity;

(b) the intended audience of the activity; and

(c) the circumstances in which the activity is carried out.

(4) It is a defence for a person charged with an offence under section 22(1) for having engaged in the illegal conduct under subsection (1) to prove that, at the time of the alleged offence, the person had lawful authority or reasonable excuse for doing the act to which the charge relates.

(5) In this section—

activity in public (公開活動) includes any of the following activities, whether or not the person carrying out the activity is in a public place while carrying out the activity—

(a) any form of communication to the public, including speaking, writing, printing, displaying notices, broadcasting, screening and playing of tapes or other recorded material;

(b) any conduct (not being a form of communication referred to in paragraph (a)) observable by the public, including actions and gestures and the wearing or display of clothing, signs, flags, emblems and insignia;

(c) the distribution or dissemination of any matter to the public.".

367. Section 28 amended (court empowered to restrain person from repeating certain illegal conduct)

(1) Section 28(1)—

Repeal

"or 27"

Substitute

", 27 or 27A".

(2) Section 28(5)(e)—

Repeal

"or natural person referred to in section 25(5) or (6)"

Substitute

"mentioned in section 25(4) or (5)".

368. Section 37 amended (candidate to lodge election return with appropriate authority)

Section 37(4), definition of ***subsector election***—

Repeal

"(as read together with section 1(2)(b) of that Schedule)".

369. Section 37A amended (relief for minor errors etc. in election return)

Section 37A(9)—

Repeal

"A group of candidates or a candidate who is not one of a group of candidates"

Substitute

"A candidate".

370. Section 45 amended (Chief Executive in Council may make regulations)

Section 45(1)—

Repeal

everything after "incurred"

Substitute

"by or on behalf of a candidate at an election.".

371. Schedule amended (limit prescribed for election concerned for purposes of section 37A)

(1) The Schedule—

Repeal item 2.

(2) The Schedule, item 4—

Repeal

"other than the District Council (second) functional constituency".

(3) The Schedule, after item 4—

Add

"4A.	An election to elect a Member or Members of the Legislative Council for the Election Committee constituency within the meaning of the Legislative Council Ordinance (Cap. 542)	$5,000".

Division 2—Maximum Amount of Election Expenses (Chief Executive Election) Regulation (Cap. 554 sub. leg. A)

372. Section 2 amended (maximum amount of election expenses)

(1) Section 2(a)—

Repeal

"26 March 2017—$13,000,000"

Substitute

"27 March 2022—$15,700,000".

(2) Section 2(b)—

Repeal

"26 March 2017—$15,700,000"

Substitute

"27 March 2022—$17,600,000".

Division 3—Maximum Amount of Election Expenses (Legislative Council Election) Regulation (Cap. 554 sub. leg. D)

373. Section 2 amended (interpretation)

(1) Section 2—

Renumber the section as section 2(1).

(2) Section 2(1)—

Repeal the definition of *registered*

Substitute

"***registered*** (已登記)—

(a) in relation to an election for a geographical constituency or functional constituency—means registered in the final register compiled and published in accordance with the Legislative Council Ordinance (Cap. 542) and in force on the date of election; and

(b) in relation to an election for the Election Committee constituency—means registered in the final register of members of the Election Committee compiled and published in accordance with the Schedule to the Chief Executive Election Ordinance (Cap. 569) and in force on the date of election.".

(3) Section 2(1), Chinese text, definition of ***選舉***—

Repeal the full stop

Substitute a semicolon.

(4) Section 2(1)—

Add in alphabetical order

"***Election Committee constituency*** (選舉委員會界別) has the meaning given by section 3(1) of the Legislative Council Ordinance (Cap. 542);".

(5) After section 2(1)—

Add

"(2) In this Regulation, a reference to an election for the seventh term of office of the Legislative Council does not include the discontinued election as defined by section 2(1) of the Emergency (Date of General Election)

(Seventh Term of the Legislative Council) Regulation (Cap. 241 sub. leg. L).".

374. Section 3 substituted

Section 3—

Repeal the section

Substitute

"**3. Maximum amount of election expenses for geographical constituency**

The maximum amount of election expenses that can be incurred at an election for a geographical constituency by or on behalf of a candidate for an election for the seventh term of office or any subsequent term of office of the Legislative Council is—

(a) for the Hong Kong Island East geographical constituency—$3,310,000;

(b) for the Hong Kong Island West geographical constituency—$2,900,000;

(c) for the Kowloon East geographical constituency—$3,110,000;

(d) for the Kowloon West geographical constituency—$3,110,000;

(e) for the Kowloon Central geographical constituency—$3,110,000;

(f) for the New Territories South East geographical constituency—$3,040,000;

(g) for the New Territories North geographical constituency—$2,760,000;

(h) for the New Territories North West geographical constituency—$3,310,000;

(i) for the New Territories South West geographical constituency—$3,450,000; or

(j) for the New Territories North East geographical constituency—$3,110,000.".

375. Section 3A repealed (maximum amount of election expenses for District Council (second) functional constituency)

Section 3A—

Repeal the section.

376. Section 4 substituted

Section 4—

Repeal the section

Substitute

"**4. Maximum amount of election expenses for functional constituency**

The maximum amount of election expenses that can be incurred at an election for a functional constituency by or on behalf of a candidate for an election for the seventh term of office or any subsequent term of office of the Legislative Council is—

(a) for a functional constituency specified in section 20(1)(a), (b), (c), (d), (t), (v) and (z) of the Legislative Council Ordinance (Cap. 542)—$133,000; or

(b) for a functional constituency specified in section 20(1)(e), (f), (g), (ia), (j), (k), (l), (m), (n), (o), (p), (q), (qa), (r), (s), (u), (w), (x), (y), (za) and (zd) of that Ordinance—

(i) if there are not more than 5 000 electors registered for that constituency—$213,000;

(ii) if there are more than 5 000 but not more than 10 000 electors registered for that constituency—$425,000; or

(iii) if there are more than 10 000 electors registered for that constituency—$639,000.".

377. Section 4A added

After section 4—

Add

"**4A. Maximum amount of election expenses for Election Committee constituency**

The maximum amount of election expenses that can be incurred at an election for the Election Committee constituency by or on behalf of a candidate for an election for the seventh term of office or any subsequent term of office of the Legislative Council is $213,000.".

Division 4—Maximum Scale of Election Expenses (Election Committee) Order (Cap. 554 sub. leg. I)

378. Section 1 amended (interpretation)

(1) Section 1, definition of ***subsector***—

Repeal

"1(1)"

Substitute

"11(1)".

(2) Section 1, English text, definition of ***subsector***—

Repeal the semicolon

Substitute a full stop.

(3) Section 1—

Repeal the definition of *sub-subsectors*.

379. Section 2 amended (maximum scale of election expenses)

Section 2—

Repeal subsection (3)

Substitute

"(3) For the purposes of section 45(1) of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554), the maximum scale of election expenses that may be incurred by or on behalf of a candidate for an election to the Election Committee in respect of a subsector is—

(a) if there are not more than 500 registered voters in the subsector—$100,000;

(b) if there are more than 500 but not more than 5 000 registered voters in the subsector—$160,000;

(c) if there are more than 5 000 but not more than 10 000 registered voters in the subsector—$320,000; or

(d) if there are more than 10 000 registered voters in the subsector—$480,000.".

Part 7

Amendments to Chief Executive Election Ordinance and its Subsidiary Legislation

Division 1—Chief Executive Election Ordinance (Cap. 569)

380. Long title substituted

The long title—

Repeal the long title

Substitute

"An Ordinance to provide for the election of the Chief Executive, and the constitution of the Election Committee, in accordance with Annex I to the Basic Law of the Hong Kong Special Administrative Region; and to provide for related matters.".

381. Section 2 amended (interpretation)

Section 2(1)—

Add in alphabetical order

"***Candidate Eligibility Review Committee*** (候選人資格審查委員會) means the Candidate Eligibility Review Committee established under section 9A;".

382. Section 9 amended (term of office of Election Committee)

(1) Section 9—

Repeal subsection (1)

Substitute

"(1) The term of office of the Election Committee is as prescribed by Annex I to the Basic Law.".

(2) After section 9(2)—

Add

"(3) Despite subsection (2), for the year of 2021, the Election Committee is to be constituted on 22 October 2021.

(4) The term of office of the Election Committee constituted on 22 October 2021 ends on 21 October 2026.".

383. Part 3A added

After Part 3—

Add

"Part 3A

Candidate Eligibility Review Committee

9A. Establishment of the Candidate Eligibility Review Committee

(1) A Candidate Eligibility Review Committee is established for the purposes of Annex I to the Basic Law and this Ordinance.

(2) The Candidate Eligibility Review Committee is to consist of the following members—

(a) the chairperson; and

(b) at least 2 but not more than 4 other members.

(3) Each member of the Candidate Eligibility Review Committee is to be appointed by the Chief Executive by notice published in the Gazette.

(4) Only a principal official appointed pursuant to a nomination under Article 48(5) of the Basic Law is eligible for appointment under subsection (3).".

384. Section 16 amended (manner of nomination)

(1) Section 16(2)—

Repeal paragraph (a)

Substitute

"(a) subject to subsections (4) and (5), by not less than 188 members of the Election Committee (with not less than 15 members of the Election Committee in each of the 5 sectors referred to in section 2(3) and (4) of the Schedule); and".

(2) Section 16(5)(c)—

Repeal

"section 18 of the Schedule; or"

Substitute

"section 18(1) of the Schedule;".

(3) Section 16(5)(d)—

Repeal

"3"

Substitute

"5".

(4) Section 16(5)(d)—

Repeal

"section 18(e) of the Schedule,"

Substitute

"section 18(1)(e) of the Schedule;".

(5) After section 16(5)(d)—

Add

"(e) is in breach of an oath taken under section 42A of the Schedule; or

(f) fails, or is declared or decided in accordance with any law to have failed, to fulfil the legal requirements and conditions on upholding the Basic Law and bearing allegiance to the Hong Kong Special Administrative Region of the People's Republic of China,".

(6) After section 16(5)—

Add

"(5A) To avoid doubt, if a person's functions as a member of the Election Committee are suspended under section 43A(2) of the Schedule, the person is disqualified from making nomination at the election.".

385. Section 17 substituted

Section 17—

Repeal the section

Substitute

"**17. Determination of validity of nomination**

The Candidate Eligibility Review Committee must, as soon as practicable after a nomination form that complies with the EAC Regulations is submitted in accordance with those Regulations, determine whether or not the person nominated by virtue of the nomination form is validly nominated in accordance with Annex I to the Basic Law, this Ordinance and those Regulations as a candidate at the election.".

386. Section 20 amended (disqualification from being elected)

(1) Section 20(1)—

Repeal

"Returning Officer" (wherever appearing)

Substitute

"Candidate Eligibility Review Committee".

(2) Section 20(1)—

Repeal

"shall, by a public declaration,"

Substitute

"must".

(3) Section 20—

Repeal subsection (2)

Substitute

"(2) After the Candidate Eligibility Review Committee disqualifies a candidate under subsection (1), the Returning Officer must publish a public declaration and a notice in the Gazette as soon as practicable.".

387. Section 22 amended (termination of election proceedings)

(1) Section 22(1AA)—

Repeal paragraph (b)

Substitute

"(b) at any time after the close of nominations but before the declaration of the result of the election—

(i) proof is given to the satisfaction of the Returning Officer that the candidate dies; or

(ii) proof is given to the satisfaction of the Candidate Eligibility Review Committee that the candidate is disqualified under section 20(1) from being elected,".

(2) Section 22(1)—

Repeal paragraph (b)

Substitute

"(b) at any time after the close of nominations but before the declaration of the result of the election—

(i) proof is given to the satisfaction of the Returning Officer that any candidate dies; or

(ii) proof is given to the satisfaction of the Candidate Eligibility Review Committee that any candidate is disqualified under section 20(1) from being elected,".

388. Section 26 amended (disqualification from voting)

(1) Section 26—

Renumber the section as section 26(1).

(2) Section 26(1)(a)—

Repeal

"or".

(3) Section 26(1)(c)—

Repeal

"section 18 of the Schedule,"

Substitute

"section 18(1) of the Schedule;".

(4) Section 26(1)—

Add

"(e) is in breach of an oath taken under section 42A of the Schedule; or

(f) fails, or is declared or decided in accordance with any law to have failed, to fulfil the legal requirements and conditions on upholding the Basic Law and bearing allegiance to the Hong Kong Special Administrative Region of the People's Republic of China,".

(5) After section 26(1)—

Add

"(2) To avoid doubt, if a person's functions as a member of the Election Committee are suspended under section 43A(2) of the Schedule, the person is disqualified from voting at the poll.".

389. Section 26A amended (system of voting: only one candidate)

Section 26A—

Repeal

"600" (wherever appearing)

Substitute

"750".

390. Section 27 amended (system of voting: contested election)

Section 27—

Repeal

"600" (wherever appearing)

Substitute

"750".

391. Section 32 amended (election may be questioned only by election petition made on specified grounds)

Section 32(2)—

Repeal the definition of *election*

Substitute

"***election*** (選舉)—

(a) is to be construed subject to Annex I to the Basic Law; and

(b) subject to paragraph (a), includes nomination proceedings and the decisions of the Candidate Eligibility Review Committee, the Returning Officer or any Assistant Returning Officer;".

392. Section 33 amended (who may lodge election petition)

(1) Section 33(1)(b)(i), after the semicolon—

Add

"or".

(2) Section 33(1)(b)—

Repeal subparagraph (ii).

393. Section 35 substituted

Section 35—

Repeal the section

Substitute

"**35. Respondent to election petition**

The following persons may be made a respondent to an election petition—

(a) a person whose election is questioned by the petition;

(b) the Returning Officer; and

(c) if grounds for the petition relate to a decision of the Candidate Eligibility Review Committee—the Candidate Eligibility Review Committee.".

394. Section 41 amended (appointment of Returning Officers and assistants)

Section 41—

Repeal subsection (6)

Substitute

"(6) Expenses properly incurred by—

(a) the Returning Officer in the performance of the Officer's functions under this Ordinance; or

(b) the Candidate Eligibility Review Committee in the performance of its functions under this Ordinance,

are to be a charge on and payable from the general revenue.".

395. Section 42 substituted

Section 42—

Repeal the section

Substitute

"**42. Offence to obstruct or hinder electoral officers or Candidate Eligibility Review Committee**

A person who, without reasonable excuse, obstructs or hinders, or interferes with, an electoral officer or the Candidate Eligibility Review Committee in the performance of a function

conferred or imposed on the officer or the Committee respectively by or under this Ordinance commits an offence and is liable on conviction to a fine at level 5.".

396. Schedule, section 1 amended (interpretation)

(1) The Schedule, section 1(1), definition of ***subsector by-election***—

Repeal

"2(7)(b)"

Substitute

"2(7)(c)".

(2) The Schedule, section 1(1), definition of ***subsector ordinary election***—

Repeal

"2(7)(b)"

Substitute

"2(7)(c)".

(3) The Schedule, section 1(1)—

(a) definition of ***ex-officio member***;

(b) definition of ***sub-subsector***;

(c) definition of ***sub-subsector by-election***;

(d) definition of ***sub-subsector ordinary election***—

Repeal the definitions.

(4) The Schedule, section 1(1)—

Add in alphabetical order

"***CPPCC member*** (全國政協委員) means a Hong Kong Special Administrative Region member of the National

Committee of the Chinese People's Political Consultative Conference;

designated body (指定團體), in relation to a subsector, means a body designated for the subsector in Division 1 of Part 3 for the purposes of section 2(5)(b);

designated person (指定人士), in relation to a specified person, means a person designated by the specified person under section 5J(3);

ex-officio member (當然委員), in relation to the Election Committee, means a person who is registered as an ex-officio member of the Election Committee in, and whose name has not been removed from, the final register of members of the Election Committee;

Hong Kong and Kowloon District Committees subsector (港九地區委員會界別分組) means the representatives of members of Area Committees, District Fight Crime Committees, and District Fire Safety Committees of Hong Kong and Kowloon subsector;

New Territories District Committees subsector (新界地區委員會界別分組) means the representatives of members of Area Committees, District Fight Crime Committees, and District Fire Safety Committees of the New Territories subsector;

NPC and CPPCC subsector (人大政協界界別分組) means the Hong Kong Special Administrative Region deputies to the National People's Congress and Hong Kong Special Administrative Region members of the National Committee of the Chinese People's Political Consultative Conference subsector;

NPC deputy (全國人大代表) means a Hong Kong Special Administrative Region deputy to the National People's Congress;

specified entity (指明實體), in relation to a subsector, means a person or body specified for the subsector in Division 5 of Part 4 for the purposes of section 2(5)(c);

specified office (指明職位), in relation to a subsector, means an office specified for the subsector in Division 1 of Part 2A for the purposes of section 2(5)(a);

specified person (指明人士), in relation to a subsector, means a person holding a specified office of the subsector;".

(5) The Schedule, section 1—

Repeal subsection (2).

(6) The Schedule, section 1—

Repeal subsection (4)

Substitute

"(4) In this Schedule, unless otherwise stated, a reference to a Part or section is a reference to a Part or section of this Schedule.".

(7) The Schedule, section 1—

Repeal subsections (5) and (6).

397. Schedule, section 2 amended (how Election Committee is to be constituted)

(1) The Schedule, section 2(1)—

Repeal

"1 200"

Substitute

"1 500".

(2) The Schedule, section 2(2)—

Repeal

"(other than ex-officio members)".

(3) The Schedule, section 2(3)—

Repeal

"4"

Substitute

"5".

(4) The Schedule, section 2(4)—

Repeal

"and 4"

Substitute

", 4 and 5".

(5) The Schedule, section 2—

Repeal subsection (5)

Substitute

"(5) Each subsector is to be composed of—

(a) if the number specified in column 3 of the relevant Table opposite to that subsector is not 0—the specified persons of that subsector;

(b) if the number specified in column 4 of the relevant Table opposite to that subsector is not 0—the designated bodies of that subsector; and

(c) if the number specified in column 5 of the relevant Table opposite to that subsector is not 0—the specified entities of that subsector.".

(6) The Schedule, section 2(6), after "specified in"—

Add

"columns 3, 4 and 5 of".

(7) The Schedule, section 2—

Repeal subsections (7), (8) and (9)

Substitute

"(7) The Election Committee is constituted in the following manner—

(a) subject to subsection (8), in relation to a subsector specified in column 2 of a Table, the number specified in column 3 of the Table opposite to the subsector is the number of members to be filled by the persons registered in accordance with Part 2A as ex-officio members of the subsector;

(b) in relation to a subsector specified in column 2 of a Table, the number specified in column 4 of the Table opposite to the subsector is the number of members to be nominated by the designated bodies of the subsector in accordance with Part 3;

(c) subject to subsection (8), in relation to a subsector specified in column 2 of a Table, the number specified in column 5 of the Table opposite to the subsector is the number of members to be elected by the specified entities of the subsector in accordance with Part 4.

(8) Despite subsection (7), for the purpose of constituting a new term of office of the Election Committee, if 1 NPC deputy or CPPCC member chooses, in accordance with section 5I(4), to be registered as a member of a subsector (***relevant subsector***) other than the NPC and CPPCC subsector, and the registration is determined as valid under section 5N—

(a) the number of members to be filled in relation to the relevant subsector under subsection (7)(a) is to be increased by 1 for that term of office; and

(b) the number of members to be elected by the relevant subsector under subsection (7)(c) is to be decreased by 1 for that term of office.

(9) For the purpose of constituting a new term of office of the Election Committee, the Chief Electoral Officer must publish a notice in the Gazette in accordance with the EAC Regulations declaring—

(a) the number of NPC deputies or CPPCC members whose registrations are determined as valid in each subsector for that term of office; and

(b) the number of members to be elected by each subsector in accordance with Part 4 for that term of office.

(10) To avoid doubt, the numbers declared under subsection (9) must remain unchanged for that term of office of the Election Committee.".

(8) The Schedule, section 2—

Repeal Tables 1, 2, 3, 4 and 5

Substitute

"Table 1

First Sector

Column 1	Column 2	Column 3	Column 4	Column 5
Item	Subsector	Number of ex-officio members	Number of members to be nominated	Number of members to be elected
1.	Catering	0	0	16
2.	Commercial (first)	0	0	17
3.	Commercial (second)	0	0	17
4.	Commercial (third)	0	0	17
5.	Employers' Federation of Hong Kong	0	0	15
6.	Finance	0	0	17
7.	Financial services	0	0	17
8.	Hotel	0	0	16
9.	Import and export	0	0	17
10.	Industrial (first)	0	0	17
11.	Industrial (second)	0	0	17
12.	Insurance	0	0	17
13.	Real estate and construction	0	0	17
14.	Small and medium enterprises	0	0	15
15.	Textiles and garment	0	0	17
16.	Tourism	0	0	17

Column 1	Column 2	Column 3	Column 4	Column 5
Item	Subsector	Number of ex-officio members	Number of members to be nominated	Number of members to be elected
17.	Transport	0	0	17
18.	Wholesale and retail	0	0	17

Table 2

Second Sector

Column 1	Column 2	Column 3	Column 4	Column 5
Item	Subsector	Number of ex-officio members	Number of members to be nominated	Number of members to be elected
1.	Accountancy	0	15	15
2.	Architectural, surveying, planning and landscape	15	0	15
3.	Chinese medicine	0	15	15
4.	Education	16	0	14
5.	Engineering	15	0	15
6.	Legal	6	9	15
7.	Medical and health services	15	0	15
8.	Social welfare	15	0	15

Column 1	Column 2	Column 3	Column 4	Column 5
Item	Subsector	Number of ex-officio members	Number of members to be nominated	Number of members to be elected
9.	Sports, performing arts, culture and publication	0	15	15
10.	Technology and innovation	0	15	15

Table 3

Third Sector

Column 1	Column 2	Column 3	Column 4	Column 5
Item	Subsector	Number of ex-officio members	Number of members to be nominated	Number of members to be elected
1.	Agriculture and fisheries	0	0	60
2.	Associations of Chinese fellow townsmen	0	0	60
3.	Grassroots associations	0	0	60
4.	Labour	0	0	60
5.	Religious	0	60	0

Table 4

Fourth Sector

Column 1	Column 2	Column 3	Column 4	Column 5
Item	Subsector	Number of ex-officio members	Number of members to be nominated	Number of members to be elected
1.	Members of the Legislative Council	90	0	0
2.	Heung Yee Kuk	0	0	27
3.	Representatives of associations of Hong Kong residents in the Mainland	0	27	0
4.	Representatives of members of Area Committees, District Fight Crime Committees, and District Fire Safety Committees of Hong Kong and Kowloon	0	0	76
5.	Representatives of members of Area Committees,	0	0	80

Column 1	Column 2	Column 3	Column 4	Column 5
Item	Subsector	Number of ex-officio members	Number of members to be nominated	Number of members to be elected
	District Fight Crime Committees, and District Fire Safety Committees of the New Territories			

Table 5

Fifth Sector

Column 1	Column 2	Column 3	Column 4	Column 5
Item	Subsector	Number of ex-officio members	Number of members to be nominated	Number of members to be elected
1.	Hong Kong Special Administrative Region deputies to the National People's Congress and Hong Kong Special Administrative	190	0	0

Column 1	Column 2	Column 3	Column 4	Column 5
Item	Subsector	Number of ex-officio members	Number of members to be nominated	Number of members to be elected
	Region members of the National Committee of the Chinese People's Political Consultative Conference			
2.	Representatives of Hong Kong members of relevant national organisations	0	0	110".

398. Schedule, section 3 amended (resignation of member of Election Committee)

(1) The Schedule, section 3—

Repeal subsection (1)

Substitute

"(1) If a person is registered as an ex-officio member of the Election Committee by virtue of holding a specified office, and the person ceases to hold the specified office, the person is regarded as having resigned from the membership of the Election Committee, unless—

(a) the cessation is due to the expiry of the person's term of office as the holder of the specified office; and

(b) the person holds the specified office immediately after the cessation.

(1AA) If a designated person of a specified person is registered as an ex-officio member of the Election Committee, and the specified person ceases to hold a specified office, the designated person is regarded as having resigned from the membership of the Election Committee, unless—

(a) the cessation is due to the expiry of the specified person's term of office as the holder of the specified office; and

(b) the specified person holds the specified office immediately after the cessation.

(1AAB) If a person (***registered member***) is registered as an ex-officio member of the Election Committee under section 5J(4) because a specified person is not eligible to be so registered, and the specified person ceases to hold the specified office concerned, the registered member is regarded as having resigned from the membership of the Election Committee, unless—

(a) the cessation is due to the expiry of the specified person's term of office as the holder of the specified office; and

(b) the specified person holds the specified office immediately after the cessation.

(1AAC) If a person is registered as an ex-officio member of the Election Committee under section 5J(3) or (4), and the person ceases to hold an office in, or the office of Council Chairman or the office of Chairman of the Board of Governors (as the case may be) in, the relevant body (as defined by section 5J(6)) concerned, the person is regarded as having resigned from the membership of the Election Committee, unless—

(a) the cessation is due to the expiry of the person's term of office as the holder of the office concerned; and

(b) the person holds the office immediately after the cessation.

(1AAD) If a person is nominated as a member of the Election Committee representing the accountancy subsector under section 7, and the person ceases to be a Hong Kong Accounting Advisor appointed by the Ministry of Finance of the People's Republic of China, the person is regarded as having resigned from the membership of the Election Committee, unless—

(a) the cessation is due to the expiry of the person's term of office as a Hong Kong Accounting Advisor; and

(b) the person is a Hong Kong Accounting Advisor immediately after the cessation.

(1AAE) If a person is nominated as a member of the Election Committee representing the Chinese medicine subsector under section 7, and the person ceases to be a Hong Kong member of the Council of the World Federation of Chinese Medicine Societies, the person is regarded as having resigned from the membership of the Election Committee, unless—

(a) the cessation is due to the expiry of the person's term of office as the member of the Council of the Federation; and

(b) the person is a member of the Council of the Federation immediately after the cessation.

(1AAF) If a person is nominated as a member of the Election Committee representing the legal subsector under section 7, and the person ceases to be a Hong Kong member of the Council of the China Law Society, the person is

regarded as having resigned from the membership of the Election Committee, unless—

(a) the cessation is due to the expiry of the person's term of office as the member of the Council of the Society; and

(b) the person is a member of the Council of the Society immediately after the cessation.

(1AAG) If a person is nominated as a member of the Election Committee representing the technology and innovation subsector under section 7, and the person ceases to be a Hong Kong academician of the Chinese Academy of Sciences or the Chinese Academy of Engineering, the person is regarded as having resigned from the membership of the Election Committee.".

(2) The Schedule, section 3(1A)—

Repeal

"subsector specified in item 4 of Table 4 in section 2"

Substitute

"Heung Yee Kuk subsector".

(3) The Schedule, section 3—

Repeal subsections (1B) and (1C)

Substitute

"(1B) If a member of the Election Committee representing the Hong Kong and Kowloon District Committees subsector ceases to be a member of an Area Committee, District Fight Crime Committee or District Fire Safety Committee in a District mentioned in section 39ZH (***specified Committee***), the member is regarded as having resigned from the membership of the Election Committee, unless—

(a) the cessation is due to the expiry of the member's term of office as a member of the specified Committee; and

(b) the member is a member of the specified Committee immediately after the cessation.

(1C) If a member of the Election Committee representing the New Territories District Committees subsector ceases to be a member of an Area Committee, District Fight Crime Committee or District Fire Safety Committee in a District mentioned in section 39ZI (***specified Committee***), the member is regarded as having resigned from the membership of the Election Committee, unless—

(a) the cessation is due to the expiry of the member's term of office as a member of the specified Committee; and

(b) the member is a member of the specified Committee immediately after the cessation.".

399. Schedule, section 4 amended (Electoral Registration Officer to compile and publish provisional register)

(1) The Schedule, section 4(5), before "the omissions list"—

Add

"a copy of".

(2) The Schedule, section 4(6)(a), before "the omissions list"—

Add

"a copy of".

(3) The Schedule, section 4(6)(b)—

Repeal

everything after "make that"

Substitute

"copy available for inspection in accordance with the EAC Regulations.".

400. Schedule, section 5 amended (supplementary nomination or subsector by-election to be held to fill vacancy in membership of Election Committee)

The Schedule, section 5(1)—

Repeal paragraphs (a) and (b)

Substitute

"(a) must ascertain the number of members nominated in accordance with Part 3 or elected in accordance with Part 4 for each subsector on the Election Committee; and

(b) if the number of members so ascertained as representing a subsector is less than the number of members allocated to the subsector in accordance with section 2(7)(b) or (c), must, in accordance with the EAC Regulations, arrange for a supplementary nomination or a subsector by-election (as the case may be) to be held to fill the vacancy among the members representing the subsector on the Election Committee.".

401. Schedule, Part 2A added

The Schedule, after Part 2—

Add

"Part 2A

Ex-Officio Members

Division 1—Specified Offices

5A. Specified offices of the architectural, surveying, planning and landscape subsector

The specified offices of the architectural, surveying, planning and landscape subsector are—

(a) the President of The Hong Kong Institute of Architects;

(b) the President of The Hong Kong Institute of Surveyors;

(c) the President of The Hong Kong Institute of Planners;

(d) the President of The Hong Kong Institute of Landscape Architects;

(e) the Chairman of the Hong Kong Housing Authority;

(f) the Chairman of the Town Planning Board;

(g) the Chairman of the Board of the Urban Renewal Authority;

(h) the Chairman of the Hong Kong Housing Society;

(i) the Chairman of the Antiquities Advisory Board;

(j) the Chairperson of the Property Management Services Authority;

(k) the Chairman of the Community Involvement Committee on Greening;

(l) the Chairman of the Advisory Committee for the Fire Safety (Buildings) Ordinance and the Fire Safety (Commercial Premises) Ordinance;

(m) the Chairman of the Harbourfront Commission;

(n) the Chairman of the Land and Development Advisory Committee; and

(o) the Chairman of the Lantau Development Advisory Committee.

5B. Specified offices of the education subsector

The specified offices of the education subsector are—

(a) the Vice-Chancellor of The University of Hong Kong;

(b) the Vice-Chancellor of The Chinese University of Hong Kong;

(c) the President of The Hong Kong University of Science and Technology;

(d) the President of the City University of Hong Kong;

(e) the President of The Hong Kong Polytechnic University;

(f) the President of The Education University of Hong Kong;

(g) the President and Vice-Chancellor of the Hong Kong Baptist University;

(h) the President of Lingnan University;

(i) the President of The Open University of Hong Kong;

(j) the President of the Hong Kong Shue Yan University;

(k) the President of The Hang Seng University of Hong Kong;

(l) the office specified by Roman Catholic Diocese of Hong Kong;

(m) the office specified by the Po Leung Kuk;

(n) the office specified by the Hong Kong Sheng Kung Hui;

(o) the office specified by the Tung Wah Group of Hospitals; and

(p) the office specified by The Hong Kong Council of the Church of Christ in China.

5C. Specified offices of the engineering subsector

The specified offices of the engineering subsector are—

(a) the President of The Hong Kong Institution of Engineers;

(b) the Chairman of the Board of the Airport Authority;

(c) the Chairman of the Consulting Engineers' Committee;

(d) the Chairperson of the Construction Industry Council;

(e) the Chairman of the Building Contractors Committee;

(f) the Chairman of the Advisory Committee on Water Supplies;

(g) the Chairman of the Transport Advisory Committee;

(h) the Chairman of the Advisory Council on the Environment;

(i) the Chairman of the Electrical Safety Advisory Committee;

(j) the Chairman of the Gas Safety Advisory Committee;

(k) the Chairman of the Energy Advisory Committee;

(l) the Chairman of the Advisory Committee on the Appearance of Bridges and Associated Structures;

(m) the Chairman of the Lift and Escalator Safety Advisory Committee;

(n) the Chairman of the Board of MTR Corporation Limited; and

(o) the Chairperson of the Drinking Water Safety Advisory Committee.

5D. Specified offices of the legal subsector

The specified offices of the legal subsector are the Hong Kong members of the Committee for the Basic Law of the Hong Kong Special Administrative Region under the Standing Committee of the National People's Congress.

5E. Specified offices of the medical and health services subsector

The specified offices of the medical and health services subsector are—

(a) the Chairman of the Hospital Authority;

(b) the Chairman of the Board of Governors of The Prince Philip Dental Hospital;

(c) the Chairman of the Medical Council of Hong Kong;

(d) the Chairman of the Dental Council of Hong Kong;

(e) the President of the Hong Kong Academy of Medicine;

(f) the Chairman of the Nursing Council of Hong Kong;

(g) the Chairman of the Midwives Council of Hong Kong;

(h) the Chairman of the Supplementary Medical Professions Council;

(i) the Chairman of the Pharmacy and Poisons Board;

(j) the Chairman of the Chiropractors Council;

(k) the Dean of Li Ka Shing Faculty of Medicine of The University of Hong Kong;

(l) the Dean of Faculty of Medicine of The Chinese University of Hong Kong;

(m) the Secretary General of the Hong Kong Red Cross;

(n) the Council Chairman of the Hong Kong St. John Ambulance; and

(o) the Commissioner of the Auxiliary Medical Service.

5F. Specified offices of the social welfare subsector

The specified offices of the social welfare subsector are—

(a) the Chairperson of the Executive Committee of the Hong Kong Council of Social Service;

(b) the Chairperson of the Social Workers Registration Board;

(c) the Chairman of the Council of the Institute of Social Service Development;

(d) the Chairman of the Board of Directors of the Tung Wah Group of Hospitals;

(e) the Chairman of the Board of Directors of the Po Leung Kuk;

(f) the Chairman of the Board of Directors of the Yan Chai Hospital;

(g) the Chairman of the Board of Directors of Pok Oi Hospital;

(h) the Chairperson of the Board of Directors of Yan Oi Tong Limited;

(i) the Chairman of the Executive Committee of The Lok Sin Tong Benevolent Society Kowloon;

(j) the Chairman of the Board of Directors of New Home Association Limited;

(k) the Chairperson of the Board of Directors of Social Workers Across Borders Limited;

(l) the Chairperson of the Board of Directors of The Hong Kong Volunteers Federation Company Limited;

(m) the Chairperson of the Council of The Hong Kong Federation of Trade Unions Hong Ling Society;

(n) the Chairperson of the Executive Committee of The United Labour Chi Hong Association Limited; and

(o) the Chairman of the Board of Directors of The Hong Kong Island Social Services Charitable Foundation Limited.

5G. Specified offices of the Members of the Legislative Council subsector

The specified offices of the Members of the Legislative Council subsector are Members of the Legislative Council.

5H. Specified offices of the NPC and CPPCC subsector

The specified offices of the NPC and CPPCC subsector are—

(a) NPC deputies; and

(b) CPPCC members.

Division 2—Procedural Matters

5I. Registration of NPC deputies and CPPCC members as ex-officio members

(1) An NPC deputy or a CPPCC member may be registered as an ex-officio member, but only if the deputy or member is registered in accordance with this section and the EAC Regulations.

(2) If an NPC deputy or a CPPCC member is holding a specified office of a subsector (***specified subsector***) other than the NPC and CPPCC subsector, the deputy or member may only be registered as an ex-officio member of the specified subsector.

(3) To avoid doubt, if the NPC deputy or CPPCC member holds 2 or more specified offices of one or more specified subsectors—

(a) the deputy or member may only choose to be registered as an ex-officio member as the holder of one of the specified offices; and

(b) section 5J(3) or (4) (as appropriate) applies in relation to the other specified office or offices for the purpose of making a designation or registration.

(4) Subject to subsection (2), an NPC deputy or a CPPCC member may choose to be registered as an ex-officio member of a subsector as defined by section 11(1) (***relevant subsector***) if—

(a) the total number of NPC deputies and CPPCC members who—

(i) are eligible to be registered as ex-officio members under section 5L;

(ii) are not disqualified from being registered as ex-officio members under section 5M; and

(iii) do not fall within subsection (2),

exceeds the specified number; and

(b) the deputy or member has substantial connection with the relevant subsector.

(5) For subsection (4)—

(a) the number of NPC deputy or CPPCC member who chooses to be registered as an ex-officio member of a relevant subsector must not exceed the number specified in column 5 of the Table concerned in section 2 opposite to the relevant subsector; and

(b) the total number of NPC deputies and CPPCC members who chooses to be registered as an ex-officio member of the relevant subsectors must not exceed the difference between the specified number and the total number referred to in subsection (4)(a).

(6) If, after the publication of the final register of members of the Election Committee for a term of office of the Election Committee under section 40(3A), an NPC deputy or a CPPCC member registered as an ex-officio member of a subsector resigns or is regarded as having resigned under section 3, a subsequently appointed NPC deputy or CPPCC member may only be registered as an ex-officio member of that subsector for that term of office of the Election Committee.

(7) An NPC deputy or a CPPCC member may only be registered as an ex-officio member of a subsector under subsection (6) if the deputy or member has substantial connection with the subsector.

(8) In this section—

specified number (指明數目) means the number specified in column 3 of Table 5 in section 2 opposite to the NPC and CPPCC subsector.

5J. Registration of other specified persons and designated persons as ex-officio members

(1) Subject to section 5I, a specified person or a designated person of the specified person may be registered as an ex-officio member, but only if the specified person submits a registration form to the Electoral Registration Officer in accordance with this section and the EAC Regulations.

(2) If a specified person holds more than one specified office, the person may only choose to be registered as an ex-officio member as the holder of one of the specified offices.

(3) A specified person holding a specified office of an applicable subsector may designate another person who is holding an office in a relevant body in relation to the specified office to be registered as an ex-officio member if—

(a) the specified person is not eligible to be registered as an ex-officio member under section 5L; or

(b) the specified person is a holder of more than one specified office (excluding the office of NPC deputy or CPPCC member).

(4) If a holder of a specified office set out in section 5B(a), (b), (c), (d), (e), (f), (g), (h), (i), (j) or (k) is not eligible to be registered as an ex-officio member under section 5L—

(a) in relation to a specified office set out in section 5B(a)—the Council Chairman of the relevant body in relation to the specified office;

(b) in relation to a specified office set out in section 5B(b), (c), (d), (e), (f), (g), (h) or (i)—the Council Chairman of a relevant body in relation to the specified office; or

(c) in relation to a specified office set out in section 5B(j) or (k)—the Chairman of the Board of Governors of a relevant body in relation to the specified office,

is to be regarded as a specified office of the relevant body.

(5) To avoid doubt, for the purposes of subsection (3)—

(a) if the specified person holds more than 2 specified offices of one or more applicable subsectors, the person may designate different persons to be registered as ex-officio members for different specified offices; and

(b) a designated person may only be registered as an ex-officio member for 1 specified office.

(6) In this section—

applicable subsector (適用界別分組) means—

(a) the architectural, surveying, planning and landscape subsector;

(b) the engineering subsector;

(c) the medical and health services subsector; or

(d) the social welfare subsector;

relevant body (相關團體), in relation to a specified office set out in a paragraph of a section in Division 1, means the body described in the paragraph.

5K. Validity of registration contingent on declaration

A registration of a person as an ex-officio member under section 5I or 5J is not valid unless—

(a) the registration form contains a declaration to the effect that the person will uphold the Basic Law and pledge allegiance to the Hong Kong Special Administrative Region of the People's Republic of China; and

(b) the declaration is signed by the person.

5L. Who is eligible to be registered as an ex-officio member

(1) Subject to subsection (2), a person is eligible to be registered as an ex-officio member of a subsector under section 5I or 5J if the person—

(a) is eligible to be registered as an elector under Part 5 of the Legislative Council Ordinance (Cap. 542) for a geographical constituency and has made an application to be so registered, or is registered in the existing geographical constituencies final register (as defined by section 11(1)) and is eligible to be, and is not disqualified from being, registered as an elector for a geographical constituency; and

(b) is holding a specified office of the subsector.

(2) Subsection (1)(b) does not apply to a person to be registered as an ex-officio member under section 5J(3) or (4).

(3) However, a person is not eligible to be registered as an ex-officio member if the person—

(a) is a principal official of the Government;

(b) is a directorate officer of the Government;

(c) is an Administrative Officer of the Government;

(d) is an Information Officer of the Government;

(e) is a police officer; or

(f) is any other civil servant who is holding an office specified in Division 1 in his or her official capacity.

5M. When a person is disqualified from being registered as an ex-officio member

(1) A person is disqualified from being registered as an ex-officio member if the person—

(a) has in Hong Kong or in any other place been sentenced to death or imprisonment (by whatever name called) and has not either—

(i) served the sentence or undergone such other punishment as a competent authority may have substituted for the sentence; or

(ii) received a free pardon;

(b) on the date of submission of the registration form, is serving a sentence of imprisonment;

(c) without limiting paragraph (a), where the registration form is submitted within 5 years after the date of the person's conviction, is or has been convicted—

(i) of having engaged in corrupt conduct or illegal conduct in contravention of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554);

(ii) of an offence against Part II of the Prevention of Bribery Ordinance (Cap. 201); or

(iii) of any offence prescribed by the EAC Regulations;

(d) is found for the time being under the Mental Health Ordinance (Cap. 136) to be incapable, by reason of mental incapacity, of managing and administering his or her property and affairs; or

(e) is a member of the armed forces of the People's Republic of China or any other country or territory.

(2) Without prejudice to section 13(1)(c) of the Electoral Affairs Commission Ordinance (Cap. 541), a person is also disqualified from being registered as an ex-officio member if, within the 5 years before the date of submission of the registration form—

(a) the person has vacated an office, or has been disqualified from entering on an office, under the law, for declining or neglecting to take a specified oath; or

(b) the person has been declared or decided in accordance with any law—

(i) to be in breach of a specified oath; or

(ii) to have failed to fulfil the legal requirements and conditions on upholding the Basic Law and bearing allegiance to the Hong Kong Special Administrative Region of the People's Republic of China.

(3) In this section—

specified oath (指明誓言) means an oath taken under the law that the oath-taker will uphold the Basic Law and bear allegiance to the Hong Kong Special Administrative Region of the People's Republic of China.

5N. Determination of validity of registration

The Candidate Eligibility Review Committee must, as soon as practicable after a registration form that complies with this Part and the EAC Regulations is submitted in accordance with those Regulations, determine whether or not the proposed registration is valid in accordance with Annex I to the Basic Law and this Ordinance.

5O. Application of the Elections (Corrupt and Illegal Conduct) Ordinance

The Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554) applies, with any necessary modifications, to and in relation to the registration and designation of persons to be ex-officio members of the Election Committee under section 5I or 5J in the same way as it applies to and in relation to a subsector election and so applies as if the persons to be registered were candidates at a subsector election.".

402. Schedule, Part 3 heading amended (religious subsector)

The Schedule, Part 3, heading—

Repeal

"Religious Subsector"

Substitute

"Nomination".

403. Schedule, Part 3, Division 1 added

The Schedule, Part 3, before section 6—

Add

"Division 1—Designated Bodies

5P. Designated body of the accountancy subsector

The designated body of the accountancy subsector is Association of Hong Kong Accounting Advisors Limited.

5Q. Designated body of the Chinese medicine subsector

The designated body of the Chinese medicine subsector is WFCMS (Hong Kong) Council Members Association Limited.

5R. Designated body of the legal subsector

The designated body of the legal subsector is China Law Society's HK Council Members Association.

5S. Designated bodies of the sports, performing arts, culture and publication subsector

The designated bodies of the sports, performing arts, culture and publication subsector are—

(a) Sports Federation & Olympic Committee of Hong Kong, China;

(b) China Federation of Literary and Art Circles Hong Kong Member Association Limited; and

(c) Hong Kong Publishing Federation Limited.

5T. Designated body of the technology and innovation subsector

The designated body of the technology and innovation subsector is The Greater Bay Area Association of Academicians.".

404. Schedule, section 6 substituted

The Schedule—

Repeal section 6

Substitute

"**6. Designated bodies of the religious subsector**

The designated bodies of the religious subsector are—

(a) Catholic Diocese of Hong Kong;

(b) Chinese Muslim Cultural and Fraternal Association;

(c) Hong Kong Christian Council;

(d) The Hong Kong Taoist Association;

(e) The Confucian Academy; and

(f) The Hong Kong Buddhist Association.".

405. Schedule, section 6A added

The Schedule, after section 6—

Add

"**6A. Designated bodies of the representatives of associations of Hong Kong residents in the Mainland subsector**

The designated bodies of the representatives of associations of Hong Kong residents in the Mainland subsector are—

(a) Mainland China (Shenzhen) Consultant Services Centre, The Hong Kong Federation of Trade Unions;

(b) Mainland China (Guangzhou) Consultant Services Centre, The Hong Kong Federation of Trade Unions;

(c) Mainland China (Dongguan) Consultant Services Centre, The Hong Kong Federation of Trade Unions;

(d) Mainland China (Zhongshan) Consultant Services Centre, The Hong Kong Federation of Trade Unions;

(e) Mainland China (Huizhou) Consultant Services Centre, The Hong Kong Federation of Trade Unions;

(f) Mainland China (Fujian, Xiamen) Consultant Services Centre, The Hong Kong Federation of Trade Unions;

(g) Hong Kong Chamber of Commerce in China;

(h) Hong Kong Chamber of Commerce in China—Tianjin;

(i) Hong Kong Chamber of Commerce in China—Shanghai;

(j) Hong Kong Chamber of Commerce in China—Zhejiang;

(k) Hong Kong Chamber of Commerce in China—Guangdong;

(l) Hong Kong Chamber of Commerce in China—Fujian;

(m) Hong Kong Chamber of Commerce in China—Guangxi;

(n) Hong Kong Chamber of Commerce in China—Sichuan;

(o) Hong Kong Chamber of Commerce in China—Wuhan;

(p) Hong Kong Chamber of Commerce in China—Liaoning;

(q) Hong Kong Chamber of Commerce in China—Shandong;

(r) Hong Kong Professionals (Beijing) Association;

(s) Shanghai Hong Kong Association;

(t) Guangzhou Tianhe Hong Kong and Macau Youth Association;

(u) Hong Kong Association of China Business;

(v) Hong Kong Chamber of Commerce, Qianhai, Shenzhen;

(w) Hong Kong and Macau Entrepreneurs Branch, Chongqing Overseas Association;

(x) Fujian Federation of Overseas Chinese Entrepreneurs;

(y) Hong Kong and Macao Youth Innovation and Entrepreneurship Federation in Zhongkai Huizhou;

(z) The Hong Kong Fellowship in Huadu Guangzhou; and

(za) The Hong Kong Fellowship in Chancheng Foshan.".

406. Schedule, Part 3, Division 2 heading added

The Schedule, before section 7—

Add

"Division 2—Procedural Matters".

407. Schedule, section 7 amended (nomination of members by the religious subsector)

(1) The Schedule, section 7, heading—

Repeal

"by the religious subsector".

(2) The Schedule, section 7(1), after "designated body"—

Add

"of a subsector".

(3) The Schedule, section 7(1)—

Repeal

"religious".

(4) The Schedule, section 7(2)(a)—

Repeal

"the religious"

Substitute

"a".

(5) The Schedule, section 7(2)(b)—

Repeal

"religious".

(6) The Schedule, after section 7(4)—

Add

"(4A) Subject to subsections (6) and (6A), the Candidate Eligibility Review Committee must, as soon as practicable after a nomination form that complies with the EAC Regulations is submitted in accordance with those Regulations, determine whether or not the nominees are validly nominated in accordance with Annex I to the Basic Law, this Ordinance and those Regulations.".

(7) The Schedule, section 7(5)—

Repeal

"Returning Officer"

Substitute

"Candidate Eligibility Review Committee".

(8) The Schedule, section 7(6)—

Repeal

everything after "Officer"

Substitute

"must determine, by drawing lots, the order of priority in which the nominees of that body are to make up the assigned number or to fill the vacancy.".

(9) The Schedule, after section 7(6)—

Add

"(6A) The Candidate Eligibility Review Committee must, as soon as practicable after the order of priority is determined under subsection (6), determine in that order of priority whether or not a nominee to whom that subsection applies is validly nominated in accordance with Annex I to the Basic Law, this Ordinance and the EAC Regulations, until the number of validly nominated nominees is equal to the assigned number for the designated body concerned or the number of vacancies to be filled.".

(10) The Schedule, section 7—

Repeal subsections (8) and (9)

Substitute

"(8) The Returning Officer must declare the nominees who are validly nominated as members of the Election Committee in accordance with the EAC Regulations.

(9) In this section—

assigned number (獲配席位數目)—

(a) in relation to the designated body mentioned in section 5S(a) or (c)—means 3;

(b) in relation to the designated body mentioned in section 5S(b)—means 9;

(c) in relation to a designated body of the religious subsector—means 10;

(d) in relation to a designated body of the representatives of associations of Hong Kong residents in the Mainland subsector—means 1; or

(e) in relation to the designated body of any other subsector—means the number specified in column 4 of the relevant Table in section 2 opposite to the subsector.".

408. Schedule, section 7A added

The Schedule, after section 7—

Add

"**7A. Validity of nomination contingent on declaration**

A nomination of a person under section 7(1) or (2) is not valid unless—

(a) the nomination form contains a declaration to the effect that the person will uphold the Basic Law and pledge allegiance to the Hong Kong Special Administrative Region of the People's Republic of China; and

(b) the declaration is signed by the person.".

409. Schedule, section 8 amended (who is qualified for selection as a nominee)

(1) The Schedule, English text, section 8, heading—

Repeal

"**qualified**"

Substitute

"**eligible**".

(2) The Schedule, section 8(1), after "nominee"—

Add

"for a subsector".

(3) The Schedule, section 8(1)(b)—

Repeal

"religious".

(4) The Schedule, section 8(2)—

Repeal paragraph (a)

Substitute

"(a) is a specified person (whether or not the person is an ex-officio member of the Election Committee);

(ab) is a designated person (whether or not the person is an ex-officio member of the Election Committee); or".

(5) The Schedule, section 8(4)—

Repeal

"representing the religious subsector on"

Substitute

"of".

410. Schedule, section 9 amended (when a person is disqualified from being a nominee)

(1) The Schedule—

Renumber section 9 as section 9(1).

(2) The Schedule, section 9(1)(c)—

Repeal

"3"

Substitute

"5".

(3) The Schedule, after section 9(1)—

Add

"(2) Without prejudice to section 13(1)(c) of the Electoral Affairs Commission Ordinance (Cap. 541), a person is also disqualified from being a nominee if, within the 5 years before the date of nomination—

(a) the person has vacated an office, or has been disqualified from entering on an office, under the law, for declining or neglecting to take a specified oath; or

(b) the person has been declared or decided in accordance with any law—

(i) to be in breach of a specified oath; or

(ii) to have failed to fulfil the legal requirements and conditions on upholding the Basic Law and bearing allegiance to the Hong Kong Special Administrative Region of the People's Republic of China.

(3) In this section—

specified oath (指明誓言) means an oath taken under the law that the oath-taker will uphold the Basic Law and bear allegiance to the Hong Kong Special Administrative Region of the People's Republic of China.".

411. Schedule, section 9A added

The Schedule, after section 9—

Add

"**9A. When a person is disqualified from being a nominee for certain subsectors**

(1) This section is without prejudice to section 9.

(2) A person is disqualified from being a nominee for the accountancy subsector if the person is not a Hong Kong Accounting Advisor appointed by the Ministry of Finance of the People's Republic of China.

(3) A person is disqualified from being a nominee for the Chinese medicine subsector if the person is not a Hong Kong member of the Council of the World Federation of Chinese Medicine Societies.

(4) A person is disqualified from being a nominee for the legal subsector if the person is not a Hong Kong member of the Council of the China Law Society.

(5) A person is disqualified from being a nominee for the technology and innovation subsector if the person is not a Hong Kong academician of the Chinese Academy of Sciences or the Chinese Academy of Engineering.".

412. Schedule, section 10 amended (application of the Elections (Corrupt and Illegal Conduct) Ordinance)

The Schedule, Chinese text, section 10—

Repeal

"為選舉委員的人"

Substitute

"某人為選舉委員".

413. Schedule, section 11 amended (interpretation)

(1) The Schedule, section 11(1)—

(a) definition of ***District Council ordinary election***;

(b) definition of ***existing subsector final register***;

(c) definition of ***subsector***—

Repeal the definitions.

(2) The Schedule, section 11(1)—

Add in alphabetical order

"***existing subsector final register*** (現有界別分組正式投票人登記冊), in relation to the compilation of a subsector provisional register, means the subsector final register that is in effect under section 15 at the time the subsector provisional register is compiled;

subsector (界別分組) means a subsector other than—

(a) the religious subsector;

(b) the Members of the Legislative Council subsector;

(c) the representatives of associations of Hong Kong residents in the Mainland subsector; and

(d) the NPC and CPPCC subsector;".

(3) The Schedule, after section 11(2)—

Add

"(3) In this Part, the number of members allocated to a subsector is the number of members declared in a notice published under section 2(9) to be elected by the subsector in accordance with this Part for the term of office of the Election Committee concerned.".

414. Schedule, section 11A added

The Schedule, Part 4, Division 1, after section 11—

Add

"**11A. References to entitlement to vote at general meeting of or specified authority within body**

(1) For the purposes of this Part—

(a) a reference to an entitlement to vote at a general meeting of a body is a reference to an entitlement to vote at the general meeting as provided by the body's constitution; and

(b) a reference to an entitlement to vote at the specified authority within a body is a reference to an entitlement to vote at that authority as provided by the body's constitution.

(2) In subsection (1), the reference to the constitution of a body is a reference to the constitution either—

(a) as in force at the commencement for any purpose of the provision (including a former provision) in this Ordinance or the Legislative Council Ordinance (Cap. 542) that first specifies the body for the purpose of the composition of any subsector or functional constituency (including a subsector or functional constituency provided under a former provision in this Ordinance or the Legislative Council Ordinance (Cap. 542)); or

(b) as subsequently amended or substituted, but only if the amendment or substitution, in so far as it relates to any of the following matters, has been approved in writing by the Secretary for Constitutional and Mainland Affairs—

(i) the objects of the body;

(ii) the criteria and conditions of—

(A) membership of the body; or

(B) membership of the specified authority within the body;

(iii) the eligibility of—

(A) members of the body to vote at a general meeting of the body; or

(B) members of the specified authority within the body to vote at that authority;

(iv) the limit on—

(A) the number of members of the body; or

(B) the number of members of the specified authority within the body.

(3) For the purposes of subsection (1)(b)—

(a) a body (***first-mentioned body***) is also regarded as being entitled to vote at the specified authority within another body if a natural person who is entitled to vote at that authority—

(i) specifies in writing to the Electoral Registration Officer that the natural person represents the first-mentioned body at that authority; and

(ii) has substantial connection with the first-mentioned body; and

(b) if more than one body is specified by the same natural person under paragraph (a)(i) in respect of the specified authority within any other body, only the body last so specified is regarded as being entitled to vote at that authority.

(4) To avoid doubt, nothing in subsection (2) is to be construed as—

(a) creating any restriction on a body regarding any amendment to, or substitution of, the constitution of the body; or

(b) conferring on the Secretary for Constitutional and Mainland Affairs a power to approve such an amendment or substitution,

for a purpose other than to define the specified entities of the relevant subsector.

(5) In this section—

constitution (章程), in relation to a body, includes any articles of association or rules of the body;

former provision (原有條文) means a provision that is no longer in force;

specified authority (指明單位), in relation to a body, means any authority within the body (other than a general meeting) the entitlement to vote at which is mentioned in a provision in Division 5 that provides for the specified entities of a subsector.".

415. Schedule, section 12 amended (who is eligible to be registered as a voter)

(1) The Schedule, section 12(1)—

Repeal paragraph (a).

(2) The Schedule, section 12(1)(b)—

Repeal

everything after "a subsector" and before "if".

(3) The Schedule, section 12(1)(b)(i)—

Repeal sub-subparagraph (A)

Substitute

"(A) is a specified entity of that subsector; and".

(4) The Schedule, section 12—

Repeal subsections (2), (3), (4), (5), (6), (7), (8), (9) and (10).

(5) The Schedule, section 12—

Repeal subsection (11)

Substitute

"(11) Subject to this section—

(a) a person who—

(i) is eligible to be registered as a voter for the Heung Yee Kuk subsector; and

(ii) would, but for this paragraph, be eligible to be registered as a voter for any other subsector,

may be registered only as a voter for the Heung Yee Kuk subsector;

(b) a person who—

(i) is eligible to be registered as a voter for the representatives of Hong Kong members of relevant national organisations subsector; and

(ii) would, but for this paragraph, be eligible to be registered as a voter for any subsector other than the Heung Yee Kuk subsector,

may be registered only as a voter for the representatives of Hong Kong members of relevant national organisations subsector; and

(c) a person who—

(i) is eligible to be registered as a voter for the Hong Kong and Kowloon District Committees subsector or the New Territories District Committees subsector; and

(ii) would, but for this paragraph, be eligible to be registered as a voter for any subsector other than the 2 subsectors referred to in paragraph (a)(i) and (b)(i),

may be registered only as a voter for the Hong Kong and Kowloon District Committees subsector or the

New Territories District Committees subsector, as the case may be.".

(6) The Schedule, section 12(12)—

Repeal

"(other than the Hong Kong and Kowloon District Councils subsector and the New Territories District Councils subsector) may, subject to subsection (10),"

Substitute

"(other than the Heung Yee Kuk subsector, the representatives of Hong Kong members of relevant national organisations subsector, the Hong Kong and Kowloon District Committees subsector and the New Territories District Committees subsector) may".

(7) The Schedule, section 12—

Repeal subsections (13), (14), (15), (16), (17), (18) and (19).

(8) The Schedule, before section 12(20)—

Add

"(19A) A body specified in section 39A, 39F, 39G, 39L, 39S, 39V(b), (h) or (i), 39Y(a) or (b), 39Z(a) or 39ZF as the specified entity of the subsector concerned is eligible to be registered as a corporate voter for that subsector only if it has been operating for the 3 years immediately before making its application for registration as a voter.

(19B) However, for the purposes of subsection (19A), for an application for registration as a corporate voter for the accountancy subsector made before 1 October 2022, a body specified in section 39S as the specified entity of that subsector is not required to have been operating, as a practice unit falling within section 39S(b), for the 3 years immediately before making the application.".

(9) The Schedule, section 12—

Repeal subsection (20)

Substitute

"(20) A corporate member of a body specified in section 39B, 39C, 39D, 39E, 39H, 39I, 39J, 39K, 39M, 39N, 39O, 39P, 39U(b), 39ZA(a) or (c), 39ZC(a), 39ZD(b) or 39ZE(d) is eligible to be registered as a voter for the subsector concerned only if it has been a corporate member of that body and has been operating for the 3 years immediately before making its application for registration as a voter.".

(10) The Schedule, after section 12(22)—

Add

"(23) In computing the period for which a body to which subsection (19A) or (20) applies has been operating—

(a) it does not matter whether the period has begun before the day on which the Improving Electoral System (Consolidated Amendments) Ordinance 2021 (of 2021) is published in the Gazette; but

(b) any period for which the body has been operating before it becomes the body mentioned in subsection (19A), or the corporate member mentioned in subsection (20), as the case may be, is not to be taken into account.

(24) For the purposes of the subsector provisional register and subsector final register to be compiled for 2021—

(a) paragraph (b) applies if—

(i) a corporate voter is registered in the subsector final register published for 2020 by virtue of being a body mentioned in subsection (19A),

or being a corporate member mentioned in subsection (20); and

(ii) the corporate voter would, but for this subsection, remain eligible to be registered as such by virtue of being a body mentioned in subsection (19A), or being a corporate member mentioned in subsection (20), of the amended section 12;

(b) in the circumstances mentioned in paragraph (a), the amended section 12 applies to the corporate voter as if the reference to "making its application for registration as a voter" in its subsection (19A) or (20) (as the case may be) were a reference to "14 June 2021"; and

(c) in this subsection—

amended section 12 (經修訂的第 12 條) means this section as amended by section 415 of the Improving Electoral System (Consolidated Amendments) Ordinance 2021 (of 2021) on the day on which that Ordinance is published in the Gazette.".

416. Schedule, section 13 amended (corporate voter to have authorized representative)

(1) The Schedule, section 13(2)(b), after the semicolon—

Add

"and".

(2) The Schedule, section 13(2)—

Repeal paragraph (c).

417. Schedule, section 14 amended (Electoral Registration Officer to compile and publish a register of voters)

(1) The Schedule, section 14—

Repeal subsections (1) and (1A)

Substitute

"(1) The Electoral Registration Officer must compile and publish in accordance with the EAC Regulations—

(a) not later than 1 August in each year, a provisional register of voters for subsectors; and

(b) not later than 25 September in each year, a final register of voters for subsectors.

(1A) Despite subsection (1)—

(a) a provisional register required to be compiled and published under subsection (1)(a) for 2021 must be compiled and published not later than 27 June 2021; and

(b) a final register required to be compiled and published under subsection (1)(b) for 2021 must be compiled and published not later than 25 July 2021.".

(2) The Schedule, section 14—

Repeal subsections (1B) and (1C).

(3) The Schedule, section 14(5), before "the omissions list"—

Add

"a copy of".

(4) The Schedule, after section 14(5)—

Add

"(5A) Despite subsections (4) and (5), in compiling the subsector provisional register for 2021, the Electoral

Registration Officer is not required to comply with those subsections in relation to the names and other relevant particulars of persons registered in the subsector final register published for 2020.".

(5) The Schedule, section 14(6)(a), before "the omissions list"—

Add

"a copy of".

(6) The Schedule, section 14(6)(b)—

Repeal

everything after "make that"

Substitute

"copy available for inspection in accordance with those Regulations.".

418. Schedule, section 17 amended (who is eligible to be nominated as a candidate at a subsector election)

(1) The Schedule, section 17(2)(a)—

Repeal

"or".

(2) The Schedule, section 17(2)—

Repeal paragraph (b)

Substitute

"(b) a specified person (whether or not the person is an ex-officio member of the Election Committee); or

(c) a designated person (whether or not the person is an ex-officio member of the Election Committee).".

419. Schedule, section 17A added

The Schedule, after section 17—

Add

"17A. Validity of nomination contingent on declaration

A nomination of a person as a candidate at a subsector election under section 17 is not valid unless—

(a) the nomination form contains a declaration to the effect that the person will uphold the Basic Law and pledge allegiance to the Hong Kong Special Administrative Region of the People's Republic of China; and

(b) the declaration is signed by the person.".

420. Schedule, section 18 amended (when a person is disqualified from being a subsector candidate)

(1) The Schedule—

Renumber section 18 as section 18(1).

(2) The Schedule, section 18(1)(e)—

Repeal

"3"

Substitute

"5".

(3) The Schedule, after section 18(1)—

Add

"(2) Without prejudice to section 13(1)(c) of the Electoral Affairs Commission Ordinance (Cap. 541), a person is also disqualified from being nominated as a candidate at a subsector election and from being elected as a member of the Election Committee if, within the 5 years before the date of nomination—

(a) the person has vacated an office, or has been disqualified from entering on an office, under the law, for declining or neglecting to take a specified oath; or

(b) the person has been declared or decided in accordance with any law—

(i) to be in breach of a specified oath; or

(ii) to have failed to fulfil the legal requirements and conditions on upholding the Basic Law and bearing allegiance to the Hong Kong Special Administrative Region of the People's Republic of China.

(3) In this section—

specified oath (指明誓言) means an oath taken under the law that the oath-taker will uphold the Basic Law and bear allegiance to the Hong Kong Special Administrative Region of the People's Republic of China.".

421. Schedule, section 18A amended (when a person is disqualified from being a candidate for 4 subsectors in the Fourth Sector)

(1) The Schedule, section 18A, heading—

Repeal

"4 subsectors in the Fourth Sector"

Substitute

"certain subsectors".

(2) The Schedule, after section 18A(1)—

Add

"(1A) This section applies to the following subsectors—

(a) the Heung Yee Kuk subsector;

(b) the Hong Kong and Kowloon District Committees subsector; and

(c) the New Territories District Committees subsector.".

(3) The Schedule, section 18A—

Repeal subsection (2)

Substitute

"(2) A person is disqualified from—

(a) being nominated as a candidate at a subsector election for a subsector; or

(b) being elected as a member of the Election Committee representing the subsector,

if the person is not a specified entity of the subsector.".

(4) The Schedule, section 18A—

Repeal subsections (3), (4) and (5).

422. Schedule, sections 18B and 18C repealed

The Schedule—

Repeal sections 18B and 18C.

423. Schedule, section 22 amended (who are validly nominated candidates for subsector election)

The Schedule, section 22—

Repeal subsection (1)

Substitute

"(1) The Candidate Eligibility Review Committee must, as soon as practicable after a nomination form that complies with the EAC Regulations is submitted in accordance with those Regulations, decide in accordance with Annex

I to the Basic Law and those Regulations whether or not a person is validly nominated as a candidate at a subsector election.".

424. Schedule, section 23 amended (death or disqualification of a validly nominated candidate before date of subsector election)

(1) The Schedule, section 23(1)—

Repeal

"Returning Officer has"

Substitute

"Candidate Eligibility Review Committee has".

(2) The Schedule, section 23—

Repeal subsection (4)

Substitute

"(4) If, after the Candidate Eligibility Review Committee has made a decision under section 22(1) that a candidate is validly nominated for a subsector election, but before the date of the subsector election, proof is given to the satisfaction of the Committee that the candidate is disqualified from being nominated as a candidate for a subsector election—

(a) the Committee must, in accordance with Annex I to the Basic Law and the EAC Regulations, vary the decision to the effect that the candidate is not validly nominated; and

(b) if the Committee so varies the decision, the Returning Officer must, in accordance with those Regulations, give notice of the variation of the decision.".

425. Schedule, section 26 amended (death or disqualification of a validly nominated candidate before declaration of election result)

The Schedule, section 26—

Repeal subsection (1)

Substitute

"(1) If, on or after the date of a subsector election but before declaring the result of the subsector election—

(a) proof is given to the satisfaction of the Returning Officer concerned that a validly nominated candidate for the subsector election has died; or

(b) proof is given to the satisfaction of the Candidate Eligibility Review Committee that a validly nominated candidate for the subsector election is disqualified from being elected,

the proceedings for the subsector election are to begin (if they have not begun) or to continue (if they have begun) as if the death or disqualification had not occurred.".

426. Schedule, section 39 amended (subsector election may be questioned only by appeal to Revising Officer)

(1) The Schedule, section 39(1), after "result"—

Add

"(including the decision of the Candidate Eligibility Review Committee)".

(2) The Schedule, section 39(3)—

Repeal

"and"

Substitute a comma.

(3) The Schedule, section 39(3), after "concerned"—

Add

"and the Candidate Eligibility Review Committee".

427. Schedule, Part 4, Division 5 added

The Schedule, Part 4, after Division 4—

Add

"Division 5—Specified Entities

Subdivision 1—First Sector

39A. Specified entities of the catering subsector

The specified entities of the catering subsector are any body that is a holder of a food business licence under the Public Health and Municipal Services Ordinance (Cap. 132) and—

(a) is entitled to vote at the Board of The Association for Hong Kong Catering Services Management Limited;

(b) is entitled to vote at the Board of The Association of Restaurant Managers Limited; or

(c) is entitled to vote at the Board of Hong Kong Catering Industry Association Limited.

39B. Specified entities of the commercial (first) subsector

The specified entities of the commercial (first) subsector are any body that—

(a) is a corporate member of The Hong Kong General Chamber of Commerce; and

(b) is entitled to vote at the General Committee of the Chamber.

39C. Specified entities of the commercial (second) subsector

The specified entities of the commercial (second) subsector are any body that—

(a) is a corporate member of The Chinese General Chamber of Commerce; and

(b) is entitled to vote at the Committee of the Chamber.

39D. Specified entities of the commercial (third) subsector

The specified entities of the commercial (third) subsector are any body that—

(a) is a corporate member of the Hong Kong Chinese Enterprises Association; and

(b) is entitled to vote at the Board of the Association.

39E. Specified entities of the Employers' Federation of Hong Kong subsector

The specified entities of the Employers' Federation of Hong Kong subsector are any body that—

(a) is a corporate member of the Employers' Federation of Hong Kong; and

(b) is entitled to vote at the Council or the General Committee of the Federation.

39F. Specified entities of the finance subsector

The specified entities of the finance subsector are—

(a) banks within the meaning of the Banking Ordinance (Cap. 155);

(b) restricted licence banks within the meaning of the Banking Ordinance (Cap. 155); and

(c) deposit-taking companies within the meaning of the Banking Ordinance (Cap. 155).

39G. Specified entities of the financial services subsector

(1) The specified entities of the financial services subsector are—

(a) any body that is licensed under the Securities and Futures Ordinance (Cap. 571), and—

(i) is entitled to vote at the specified authority of The Chinese Securities Association of Hong Kong Company Limited;

(ii) is entitled to vote at the Board of Hong Kong Securities Professionals Association Limited;

(iii) is entitled to vote at the Committee of The Institute of Securities Dealers Limited;

(iv) is entitled to vote at the Board of Hong Kong Securities Association Limited;

(v) is entitled to vote at the Executive Committee of The Hong Kong Association of Online Brokers Limited;

(vi) is entitled to vote at the Executive Committee of The Hong Kong Institute of Financial Analysts and Professional Commentators Limited;

(vii) is entitled to vote at the Council of Hong Kong Securities and Futures Professional Association; or

(viii) is entitled to vote at the Board of Chinese Futures Association of Hong Kong Company Limited; and

(b) any body that is entitled to vote at the Executive and Supervisory Committee of the Chinese Gold and Silver Exchange.

(2) In subsection (1)(a)(i)—

specified authority (指明單位) means either the Council or Board of Directors as specified by the President of the company mentioned in subsection (1)(a)(i).

39H. Specified entities of the hotel subsector

The specified entities of the hotel subsector are any body that—

(a) is a licence holder as defined by section 2(1) of the Hotel and Guesthouse Accommodation Ordinance (Cap. 349);

(b) is a corporate member of the Federation of Hong Kong Hotel Owners Limited; and

(c) is entitled to vote at general meetings of the company.

39I. Specified entities of the import and export subsector

The specified entities of the import and export subsector are any body that—

(a) is a corporate member of The Hong Kong Chinese Importers' and Exporters' Association; and

(b) is entitled to vote at the Council of the Association.

39J. Specified entities of the industrial (first) subsector

The specified entities of the industrial (first) subsector are any body that—

(a) is a corporate member of the Federation of Hong Kong Industries; and

(b) is entitled to vote at the General Committee of the Federation.

39K. Specified entities of the industrial (second) subsector

The specified entities of the industrial (second) subsector are any body that—

(a) is a corporate member of The Chinese Manufacturers' Association of Hong Kong; and

(b) is entitled to vote at the General Committee of the Association.

39L. Specified entities of the insurance subsector

The specified entities of the insurance subsector are insurers authorized or deemed to be authorized under the Insurance Ordinance (Cap. 41).

39M. Specified entities of the real estate and construction subsector

The specified entities of the real estate and construction subsector are—

(a) any body that—

(i) is a corporate member of The Real Estate Developers Association of Hong Kong Limited; and

(ii) is entitled to vote at the general committee or executive committee of the company;

(b) any body that—

(i) is a corporate member of The Hong Kong Construction Association, Limited; and

(ii) is entitled to vote at the Council of the company; and

(c) any body that—

(i) is a corporate member of The Hong Kong E&M Contractors' Association Limited; and

(ii) is entitled to vote at the Council of the company.

39N. Specified entities of the small and medium enterprises subsector

The specified entities of the small and medium enterprises subsector are—

(a) any body that—

(i) is a corporate member of Hong Kong Commerce and Industry Associations Limited; and

(ii) is entitled to vote at the Board of the company;

(b) any body that—

(i) is a corporate member of The Hong Kong General Chamber of Small and Medium Business Limited; and

(ii) is entitled to vote at the General Committee of the company; and

(c) any body that—

(i) is a corporate member of Hong Kong Small and Medium Enterprises Association Limited; and

(ii) is entitled to vote at the Council of the company.

39O. Specified entities of the textiles and garment subsector

The specified entities of the textiles and garment subsector are—

(a) any body that—

(i) is a corporate member of the Textile Council of Hong Kong Limited; and

(ii) is entitled to vote at the General Committee of the company; and

(b) any body that—

(i) is a corporate member of The Hong Kong General Chamber of Textiles Limited; and

(ii) is entitled to vote at the Board of Directors of the company.

39P. Specified entities of the tourism subsector

The specified entities of the tourism subsector are—

(a) any body that—

(i) is a travel agent holding a licence as defined by section 2 of the Travel Agents Ordinance (Cap. 218); and

(ii) is—

(A) a corporate member of the Travel Industry Council of Hong Kong entitled to vote at the Board of Directors of the Council;

(B) a corporate member of Hong Kong Association of China Travel Organisers

Limited entitled to vote at the Executive Committee of the company;

(C) a corporate member of International Chinese Tourist Association Limited entitled to vote at the Executive Committee of the company;

(D) a corporate member of The Federation of Hong Kong Chinese Travel Agents Limited entitled to vote at the Executive Committee of the company;

(E) a corporate member of Hong Kong Outbound Tour Operators' Association Limited entitled to vote at the Executive Committee of the company;

(F) a corporate member of Hong Kong Association of Travel Agents Limited entitled to vote at the Executive Committee of the company;

(G) a corporate member of Hongkong Taiwan Tourist Operators Association entitled to vote at the Executive Committee of the Association;

(H) a corporate member of Hongkong Japanese Tour Operators Association Limited entitled to vote at the Executive Committee of the company; or

(I) a corporate member of Society of IATA Passenger Agents Limited entitled to vote at the Executive Committee of the company; and

(b) any body that—

(i) is a corporate member of The Board of Airline Representatives in Hong Kong; and

(ii) is entitled to vote at the Executive Committee of the Board.

39Q. Specified entities of the transport subsector

The specified entities of the transport subsector are the bodies set out in Annex 1 to this Schedule.

39R. Specified entities of the wholesale and retail subsector

The specified entities of the wholesale and retail subsector are the bodies set out in Annex 2 to this Schedule.

Subdivision 2—Second Sector

39S. Specified entities of the accountancy subsector

The specified entities of the accountancy subsector are any practice unit (as defined by section 2(1) of the Professional Accountants Ordinance (Cap. 50)) that—

(a) is registered under the Professional Accountants Ordinance (Cap. 50); and

(b) is a registered PIE auditor as defined by section 3A(1) of the Financial Reporting Council Ordinance (Cap. 588).

39T. Specified entities of the architectural, surveying, planning and landscape subsector

The specified entities of the architectural, surveying, planning and landscape subsector are the bodies set out in Annex 3 to this Schedule.

39U. Specified entities of the Chinese medicine subsector

The specified entities of the Chinese medicine subsector are—

(a) Federation of the Hong Kong Chinese Medicine Practitioners and Chinese Medicines Traders Association;

(b) the corporate members of the Federation; and

(c) the bodies set out in Annex 4 to this Schedule.

39V. Specified entities of the education subsector

The specified entities of the education subsector are—

(a) institutions of higher education funded through the University Grants Committee;

(b) post secondary colleges registered under the Post Secondary Colleges Ordinance (Cap. 320);

(c) The Open University of Hong Kong;

(d) The Hong Kong Academy for Performing Arts;

(e) the Vocational Training Council;

(f) The Hong Kong Examinations and Assessment Authority;

(g) the Hong Kong Council for Accreditation of Academic and Vocational Qualifications;

(h) schools registered under section 13 of the Education Ordinance (Cap. 279) or under either of the repealed Ordinances (as defined by section 3(1) of that Ordinance), other than an exempted school (as defined by section 2 of the Education (Exemption) (Private Schools Offering Non-Formal Curriculum) Order (Cap. 279 sub. leg. F)); and

(i) schools entirely maintained and controlled by the Government.

39W. Specified entities of the engineering subsector

The specified entities of the engineering subsector are the bodies set out in Annex 5 to this Schedule.

39X. Specified entities of the legal subsector

The specified entities of the legal subsector are the bodies set out in Annex 6 to this Schedule.

39Y. Specified entities of the medical and health services subsector

The specified entities of the medical and health services subsector are—

(a) any prescribed hospital (as defined by section 2(1) of the Hospital Authority Ordinance (Cap. 113));

(b) any hospital licensed under the Private Healthcare Facilities Ordinance (Cap. 633); and

(c) the bodies set out in Annex 7 to this Schedule.

39Z. Specified entities of the social welfare subsector

The specified entities of the social welfare subsector are—

(a) any social welfare organizations receiving regular subsidies from the Social Welfare Department; and

(b) the bodies set out in Annex 8 to this Schedule.

39ZA. Specified entities of the sports, performing arts, culture and publication subsector

The specified entities of the sports, performing arts, culture and publication subsector are—

(a) the corporate members of the Sports Federation & Olympic Committee of Hong Kong, China;

(b) Hong Kong Sports Institute Limited;

(c) any body that—

(i) is a corporate member of the Hong Kong Publishing Federation Limited; and

(ii) is entitled to vote at general meetings of the company; and

(d) the bodies set out in Annex 9 to this Schedule.

39ZB. Specified entities of the technology and innovation subsector

The specified entities of the technology and innovation subsector are the bodies set out in Annex 10 to this Schedule.

Subdivision 3—Third Sector

39ZC. Specified entities of the agriculture and fisheries subsector

The specified entities of the agriculture and fisheries subsector are—

(a) the corporate members of each of the following bodies—

(i) The Federation of Vegetable Marketing Co-operative Societies, Limited;

(ii) The Federation of Pig Raising Co-operative Societies of Hong Kong, Kowloon and New Territories, Limited;

(iii) The Joint Association of Hong Kong Fishermen;

(iv) Federation of Hong Kong Aquaculture Associations;

(v) The Federation of Fishermen's Co-operative Societies of Shau Kei Wan District, Limited;

(vi) The Federation of Fishermen's Co-operative Societies of Tai Po District, N.T., Limited;

(vii) The Federation of Fishermen's Co-operative Societies of Sai Kung District, Limited;

(viii) The Federation of Fishermen's Co-operative Societies of Southern District, Limited;

(ix) Hong Kong Fishermen Consortium;

(x) Federation of Hong Kong Agricultural Associations; and

(b) the bodies set out in Annex 11 to this Schedule.

39ZD. Specified entities of the associations of Chinese fellow townsmen subsector

The specified entities of the associations of Chinese fellow townsmen subsector are—

(a) the bodies set out in Annex 12 to this Schedule; and

(b) the associations of Chinese fellow townsmen that are recognized by those bodies and at county level or above.

39ZE. Specified entities of the grassroots associations subsector

The specified entities of the grassroots associations subsector are—

(a) Hong Kong Island Federation;

(b) Kowloon Federation of Associations;

(c) New Territories Association of Societies; and

(d) any body that—

(i) is a corporate member of any of the federation or association mentioned in paragraph (a), (b) or (c); and

(ii) is entitled to vote at general meetings of the federation or association.

39ZF. Specified entities of the labour subsector

The specified entities of the labour subsector are the trade unions registered under the Trade Unions Ordinance (Cap. 332) of which all the voting members are employees.

Subdivision 4—Fourth Sector

39ZG. Specified entities of the Heung Yee Kuk subsector

The specified entities of the Heung Yee Kuk subsector are the Chairman and Vice-Chairmen of the Heung Yee Kuk and the Ex Officio, Special and Co-opted Councillors of the Full Council of the Kuk.

39ZH. Specified entities of the Hong Kong and Kowloon District Committees subsector

The specified entities of the Hong Kong and Kowloon District Committees subsector are the members of the Area Committees, District Fight Crime Committees and District Fire Safety Committees established in any of the following Districts—

(a) Central & Western District;

(b) Eastern District;

(c) Southern District;

(d) Wan Chai District;

(e) Kowloon City District;

(f) Kwun Tong District;

(g) Sham Shui Po District;

(h) Wong Tai Sin District;

(i) Yau Tsim Mong District.

39ZI. Specified entities of the New Territories District Committees subsector

The specified entities of the New Territories District Committees subsector are the members of the Area Committees, District Fight Crime Committees and District Fire Safety Committees established in any of the following Districts—

(a) Islands District;

(b) Kwai Tsing District;

(c) Sai Kung District;

(d) Sha Tin District;

(e) Tsuen Wan District;

(f) Tuen Mun District;

(g) Yuen Long District;

(h) North District;

(i) Tai Po District.

Subdivision 5—Fifth Sector

39ZJ. Specified entities of the representatives of Hong Kong members of relevant national organisations subsector

The specified entities of the representatives of Hong Kong members of relevant national organisations subsector are—

(a) Hong Kong Special Administrative Region delegates of the All-China Women's Federation;

(b) Hong Kong Special Administrative Region executive members of the All-China Federation of Industry and Commerce;

(c) Hong Kong Special Administrative Region committee members of the All-China Federation of Returned Overseas Chinese;

(d) Hong Kong Special Administrative Region committee members of the All-China Youth Federation; and

(e) Hong Kong Special Administrative Region directors of the China Overseas Friendship Association.".

428. Schedule, section 40 amended (Electoral Registration Officer to compile and publish interim register and final register)

(1) The Schedule, after section 40(1)—

Add

"(1A) Subject to section 41, in compiling an interim register of members of the Election Committee under subsection (1) after the publication of results of the subsector ordinary elections, the Electoral Registration Officer must register the persons whose registrations are determined under section 5N as valid on the date of those subsector ordinary elections (or the last of those dates, if different dates are specified for those subsector ordinary elections) as ex-officio members of the Election Committee, in accordance with the EAC Regulations.".

(2) The Schedule, section 40(4)—

Repeal paragraph (b)

Substitute

"(b) the Electoral Affairs Commission has ascertained under section 5(1)(a) the number of members nominated in accordance with Part 3 or elected in accordance with Part 4 for each subsector on the Election Committee; and".

(3) The Schedule, section 40(4)(c)—

Repeal

"2(6)"

Substitute

"2(7)(b) or (c) (as the case may be)".

429. Schedule, section 41 amended (Electoral Registration Officer to amend interim register or final register to give effect to change in ex-officio membership)

The Schedule, section 41—

Repeal subsections (2) and (3)

Substitute

"(2) If an ex-officio member of the Election Committee resigns from the membership of the Election Committee or is regarded as having resigned from such membership under section 3, the Electoral Registration Officer must remove the member's name from the interim register of members of the Election Committee or final register of members of the Election Committee.

(3) Subject to section 2, the Electoral Registration Officer must register persons whose registrations are determined under section 5N as valid as ex-officio members of the Election Committee from time to time in accordance with the EAC Regulations.".

430. Schedule, section 42A added

The Schedule, after section 42—

Add

"42A. Written oath of members of the Election Committee

(1) Despite sections 40, 41 and 42, the Electoral Registration Officer must not include the name of a member-elect of a term of office in the final register of members of the Election Committee for that term of office unless the Officer has received the written Election Committee Oath signed by the member-elect under subsection (2).

(2) A member-elect of a term of office must sign the written Election Committee Oath in the form prescribed in Annex 13 to this Schedule—

(a) if the member-elect falls within paragraph (a) of the definition of ***member-elect*** in subsection (3)—within the period between—

(i) the date of publication of the interim register of members of the Election Committee under section 40(1) for that term of office; and

(ii) 7 days before the date of publication of the final register of members of the Election Committee under section 40(3A)(b) for that term of office;

(b) if the member-elect falls within paragraph (b) of the definition of ***member-elect*** in subsection (3)—as soon as practicable after the member-elect's registration is determined as valid for that term of office under section 5N;

(c) if the member-elect falls within paragraph (c) of the definition of ***member-elect*** in subsection (3)—within 3 days after the member-elect is declared as a member of the Election Committee for that term of office under section 7(8); or

(d) if the member-elect falls within paragraph (d) of the definition of ***member-elect*** in subsection (3)—within 3 days after the day on which the subsector by-election concerned is held for that term of office.

(3) In this section—

member-elect (候任委員), in relation to a term of office, means a person—

(a) whose name appears in the interim register of members of the Election Committee published under section 40(1) for that term of office;

(b) whose registration is determined as valid under section 5N after the publication of the final register of members of the Election Committee under section 40(3A)(b) for that term of office;

(c) who is declared as a member of the Election Committee under section 7(8) after the publication of the final register of members of the Election Committee under section 40(3A)(b) for that term of office; or

(d) whose name appears in a notice published under section 35 in respect of a subsector by-election for that term of office;

term of office (任期) means a term of office of the Election Committee.".

431. Schedule, section 43A added

The Schedule, Part 6, before section 44—

Add

"43A. Proceedings against persons on grounds of disqualification

(1) The Secretary for Justice may bring proceedings in the Court against any member of the Election Committee or any person who claims to be entitled to be a member of the Election Committee on the ground that the member or person is disqualified from being a member of the Election Committee.

(2) Immediately after proceedings are brought by the Secretary for Justice under this section against a person on the ground that the person is disqualified from being a member of the Election Committee—

(a) for breach of an oath taken under section 42A; or

(b) for failure to fulfil the legal requirements and conditions on upholding the Basic Law and bearing allegiance to the Hong Kong Special Administrative Region of the People's Republic of China,

the person's functions as a member of the Election Committee are suspended until the decision of the Court in the proceedings becomes final.

(3) If a person's functions as a member of the Election Committee are suspended under subsection (2)—

(a) before the publication of the final register of members of the Election Committee for the term of office of the Election Committee concerned—the Electoral Registration Officer must not include the person's name in the final register of members of the Election Committee; or

(b) after the publication of the final register of members of the Election Committee for the term of office of the Election Committee concerned—the Electoral Registration Officer must, as soon as practicable

after the suspension, remove the person's name from the final register of members of the Election Committee.

(4) For the purposes of this section, a decision of the Court becomes final—

(a) if no motion for the purpose of an application for leave to appeal to the Court of Final Appeal under section 22(1)(d) of the Hong Kong Court of Final Appeal Ordinance (Cap. 484) is filed by the end of the period specified under subsection (9)—when that period expires; or

(b) if, before the end of that period, motion for the purpose of such an application is filed—

(i) when the application is abandoned or otherwise ceases to have effect;

(ii) when the application is refused; or

(iii) if the application is granted—

(A) when the appeal is abandoned or otherwise ceases to have effect; or

(B) when the appeal is determined.

(5) If a person's functions as a member of the Election Committee are suspended under subsection (2), the person—

(a) must not exercise any function of a member of the Election Committee; and

(b) must not act as a member of the Election Committee.

(6) The Court may, on the application of a person whose functions as a member of the Election Committee are suspended under subsection (2), lift the suspension.

(7) If, in proceedings brought under this section, it is proved that the defendant acted as a member of the Election Committee while disqualified from so acting, the Court may—

(a) make a declaration to that effect;

(b) grant an injunction restraining the defendant from so acting; and

(c) order the defendant to pay to the Government such sum as the Court thinks appropriate, not exceeding $5,000 for each occasion on which the person so acted while disqualified.

(8) If, in proceedings brought under this section, it is proved that the defendant claimed to be entitled to act as a member of the Election Committee while disqualified from so acting, the Court may—

(a) make a declaration to that effect; and

(b) grant an injunction restraining the defendant from so acting.

(9) Despite section 24 of the Hong Kong Court of Final Appeal Ordinance (Cap. 484), notice of a motion for the purpose of an application for leave to appeal to the Court of Final Appeal under section 22(1)(d) of that Ordinance must be filed within 14 working days after the date on which the written judgment of the Court to be appealed from is handed down, and the applicant must give the opposite party 3 days' notice of his or her intended application at any time during the period of 14 working days.

(10) Proceedings against a person on the ground that the person has, while disqualified from so acting, acted or claimed to have been entitled to act, as a member of the

Election Committee may be brought only in accordance with this section.

(11) For the purposes of this section, a person is disqualified from acting as a member of the Election Committee if the person is not qualified to be, or is disqualified from being, a member of the Election Committee.

(12) The Electoral Registration Officer must add a person's name to the final register of members of the Election Committee as soon as practicable after—

(a) the Court has lifted the suspension of the person's functions as a member of the Election Committee under subsection (6); or

(b) the Court has decided that the person is not disqualified from acting as a member of the Election Committee and the decision of the Court becomes final.

(13) If the Electoral Registration Officer adds or removes a name from the final register of members of the Election Committee under this section, that Officer must, as soon as practicable after adding or removing the name, publish, in accordance with the EAC Regulations, a notice to the effect that the name has been so added or removed.

(14) In subsection (9)—

working day (工作日) means any day other than—

(a) a general holiday;

(b) a black rainstorm warning day as defined by section 71(2) of the Interpretation and General Clauses Ordinance (Cap. 1); or

(c) a gale warning day as defined by that section.".

432. Schedule, section 47 amended (appointment of Returning Officers and assistants)

The Schedule, section 47—

Repeal subsection (6)

Substitute

"(6) Expenses properly incurred by—

(a) a Returning Officer in the performance of that Officer's functions under this Schedule or the Electoral Affairs Commission Ordinance (Cap. 541); or

(b) the Candidate Eligibility Review Committee in the performance of its functions under this Schedule or that Ordinance,

are a charge on, and are payable from, the general revenue.".

433. Schedule, section 48 amended (right of appeal to Revising Officer against decisions of Electoral Registration Officer)

(1) The Schedule, section 48, heading—

Repeal

"against decisions of Electoral Registration Officer".

(2) The Schedule, after section 48(1)—

Add

"(1A) Subject to Annex I to the Basic Law, a person who is dissatisfied with a decision of the Candidate Eligibility Review Committee made for the purposes of this Schedule may appeal against the decision to a Revising Officer.".

(3) The Schedule, section 48—

Repeal subsection (2B).

(4) The Schedule, section 48—

Repeal subsection (3)

Substitute

"(3) The Electoral Registration Officer or the Returning Officer for the relevant subsector may be made a respondent to the appeal.

(3A) The Candidate Eligibility Review Committee may also be made a respondent to the appeal if the appeal is made under subsection (1A).".

(5) The Schedule, section 48(4)—

Repeal

"At the hearing of the appeal,"

Substitute

"If a hearing is held for an appeal,".

434. Schedule, Annexes 1 to 13 added

At the end of the Schedule—

Add

"Annex 1

Bodies Specified for the Transport Subsector

Item	Body
1.	Parking Management and Consultancy Services Limited
2.	Airport Authority

Item	Body
3.	Hong Kong Driver's Training Association
4.	The Association of N.T. Radio Taxicabs Ltd.
5.	Autotoll Limited
6.	The Chartered Institute of Logistics and Transport in Hong Kong
7.	China Merchants Shipping & Enterprises Co. Ltd.
8.	Chu Kong Shipping Enterprises (Holdings) Co. Ltd.
9.	Chuen Kee Ferry Limited
10.	Chuen Lee Radio Taxis Association Ltd.
11.	Citybus Ltd.
12.	Coral Sea Ferry Service Co., Ltd.
13.	COSCO-HIT Terminals (Hong Kong) Limited
14.	CTOD Association Company Ltd.
15.	Turbojet Ferry Services (Guangzhou) Limited
16.	Discovery Bay Transportation Services Ltd.
17.	Driving Instructors Merchants Association, Limited
18.	Eastern Ferry Company Limited
19.	Expert Fortune Ltd.

Item	Body
20.	Far East Hydrofoil Co. Ltd.
21.	Fat Kee Stevedores Ltd.
22.	The Fraternity Association of N.T. Taxi Merchants
23.	Fraternity Taxi Owners Association
24.	G.M.B. Maxicab Operators General Association Ltd.
25.	The Goods Vehicle Fleet Owners Association Ltd.
26.	Happy Taxi Operator's Association Ltd.
27.	Hoi Kong Container Services Co. Ltd.
28.	Hon Wah Public Light Bus Association Ltd.
29.	Hong Kong Air Cargo Terminals Limited
30.	Hong Kong & Kowloon Ferry Ltd.
31.	Hong Kong Kowloon Goods Vehicles, Omnibuses and Minibuses Instructors Association Limited
32.	Hong Kong & Kowloon Motor Boats & Tug Boats Association Limited
33.	Hong Kong & Kowloon Radio Car Owners Association Ltd.
34.	Hong Kong and Kowloon Rich Radio Car Service Centre Association Ltd.

Item	Body
35.	HongKong Association of Freight Forwarding and Logistics Limited
36.	Hong Kong Automobile Association
37.	The Hong Kong Cargo-Vessel Traders' Association Ltd.
38.	Hong Kong Commercial Vehicle Driving Instructors Association
39.	Hong Kong CFS and Logistics Association Limited
40.	Hong Kong Container Tractor Owner Association Ltd.
41.	Hong Kong Driving Instructors' Association
42.	Hong Kong Guangdong Transportation Association Ltd.
43.	The Hong Kong Institute of Marine Technology
44.	Hong Kong, Kowloon & NT Public & Maxicab Light Bus Merchants' United Association
45.	Hong Kong Taxi Owners' Association Limited
46.	The Hong Kong Liner Shipping Association
47.	H.K. Motor Car Driving Instructors' Association Limited
48.	Hong Kong Pilots Association Ltd.
49.	Hong Kong Public & Maxicab Light Bus United Associations

Item	Body
50.	Hong Kong Public Cargo Working Areas Traders Association Ltd.
51.	Hong Kong Scheduled (GMB) Licensee Association
52.	The Hong Kong School of Motoring Ltd.
53.	Hong Kong Sea Transport and Logistics Association Limited
54.	The Hong Kong Shipowners Association Ltd.
55.	Hong Kong Shipping Circles Association Ltd.
56.	Hong Kong Shipping Industry Institute
57.	Hong Kong Logistics Management Staff Association
58.	The Hong Kong Stevedores Employers' Association
59.	Hong Kong Tele-call Taxi Association
60.	Hong Kong Tramways, Limited
61.	Hong Kong Transportation Warehouse Wharf Club
62.	The Hongkong & Yaumati Ferry Co., Ltd.
63.	Hongkong International Terminals Ltd.
64.	Institute of Advanced Motorists (Hong Kong) Limited
65.	Institute of Seatransport

Item	Body
66.	Institute of Transport Administration (Hong Kong, China)
67.	Kowloon Fung Wong Public Light Bus Merchants & Workers' Association Ltd.
68.	The Kowloon Motor Bus Company (1933) Limited
69.	Kowloon Motor Driving Instructors' Association Ltd.
70.	The Kowloon PLB Chiu Chow Traders & Workers Friendly Association
71.	The Kowloon Taxi Owners Association Ltd.
72.	Kowloon Truck Merchants Association Ltd.
73.	Kwik Park Limited
74.	Lam Tin Wai Hoi Public Light Bus Association
75.	Lantau Taxi Association
76.	Lei Yue Mun Ko Chiu Road Public Light Bus Merchants Association Ltd.
77.	Lok Ma Chau China—Hong Kong Freight Association
78.	Long Win Bus Company Limited
79.	Mack & Co. Carpark Management Limited
80.	Marine Excursion Association Limited

Item	Body
81.	Maritime Affairs Research Association Ltd.
82.	MTR Corporation Limited
83.	Merchant Navy Officers' Guild—Hong Kong
84.	Metropark Limited
85.	Mid-stream Holdings (HK) Limited
86.	Mixer Truck Drivers Association
87.	Modern Terminals Ltd.
88.	N.T. San Tin PLB (17) Owners Association
89.	N.T. Taxi Merchants Association Ltd.
90.	N.T. Taxi Owners & Drivers Fraternal Association
91.	N.W. Area Taxi Drivers & Operators Association
92.	New Lantao Bus Co., (1973) Ltd.
93.	New Territories Cargo Transport Association Ltd.
94.	New World First Bus Services Limited
95.	North District Taxi Merchants Association
96.	Organisation of Hong Kong Drivers
97.	Public and Private Light Buses Driving Instructors' Society

Item	Body
98.	The Public Cargo Area Trade Association
99.	Public Light Bus General Association
100.	The Public Omnibus Operators Association Ltd.
101.	Public Vehicle Merchants Fraternity Association
102.	River Trade Terminal Co. Ltd.
103.	Route 3 (CPS) Company Limited
104.	Sai Kung Taxi Operators Association Ltd.
105.	CSX World Terminals Hong Kong Limited
106.	Serco Group (HK) Limited
107.	The "Star" Ferry Co., Ltd.
108.	Sun Hing Taxi Radio Association
109.	Taxi Association Limited
110.	Taxi Dealers & Owners Association Ltd.
111.	The Taxi Operators Association Ltd.
112.	Transport Infrastructure Management Limited
113.	Tuen Mun Public Light Bus Association
114.	Tung Yee Shipbuilding and Repairing Merchants General Association Limited

Item	Body
115.	United Friendship Taxi Owners & Drivers Association Ltd.
116.	Wai Fat Taxi Owners Association Ltd.
117.	Wai Yik Hong Kong & Kowloon & NT Taxi Owners Association
118.	West Coast International (Parking) Limited
119.	Western Harbour Tunnel Co. Ltd.
120.	Wilson Parking (Hong Kong) Limited
121.	Wing Lee Radio Car Traders Association Ltd.
122.	Wing Tai Car Owners & Drivers Association Ltd.
123.	Wu Gang Shipping Co. Ltd.
124.	Xiamen United Enterprises (H.K.) Ltd.
125.	School Buses Operators Association Limited
126.	Sun Ferry Services Company
127.	Shun Tak-China Travel Macau Ferries Limited
128.	Hong Kong Container Drayage Services Association Limited
129.	Hong Kong Kowloon & N.T. Grab-Mounted Lorries Association Limited

Item	Body
130.	Hong Kong Waste Disposal Industry Association
131.	HK Public-light Bus Owner & Driver Association
132.	Logistics Industry & Container Truck Drivers Union
133.	The Concrete Producers Association of Hong Kong Limited
134.	Hongkong Guangdong Boundary Crossing Bus Association Limited
135.	Tsui Wah Ferry Service Company Limited
136.	Quality Driver Training Centre Limited
137.	Public and Private Commercial Driving Instructors' Society
138.	Shun Tak-China Travel Ship Management Limited
139.	Cruise Ferries (HK) Limited
140.	Asia Airfreight Terminal Company Limited
141.	The Hong Kong Joint Branch of The Royal Institution of Naval Architects and The Institute of Marine Engineering, Science and Technology
142.	The Hongkong Salvage & Towage Company Limited
143.	The Institute of Chartered Shipbrokers, Hong Kong Branch

Item	Body
144.	Hongkong United Dockyards Limited
145.	Guangdong and Hong Kong Feeder Association Limited
146.	Hong Kong Right Hand Drive Motors Association Limited
147.	The Institute of the Motor Industry Hong Kong
148.	Hong Kong Vehicle Repair Merchants Association Limited
149.	Environmental Vehicle Repairers Association Limited
150.	The Hong Kong Taxi and Public Light Bus Association Limited
151.	Park Island Transport Company Limited
152.	Discovery Bay Road Tunnel Company Limited
153.	International Association of Transport Officers
154.	Hong Kong Express Airways Limited
155.	Hong Kong (Cross Border) Transportation Drivers' Association
156.	Hong Kong Logistics Association Limited
157.	Hong Kong Container Depot and Repairer Association Limited
158.	New World Parking Management Limited

Item	Body
159.	The Nautical Institute—Hong Kong Branch
160.	Worldwide Flight Services, Inc.
161.	NT Taxi Operations Union
162.	Sun Star Taxi Operators Association
163.	Taxi & P.L.B. Concern Group
164.	Tai Wo Motors Limited
165	Tuen Mun District Tourists and Passengers Omnibus Operators Association Limited
166.	Tsuen Wan District Tourists and Passengers Omnibus Operators Association Limited
167.	Yuen Long District Tourists and Passengers Omnibus Operators Association Limited
168.	Kowloon District Tourists and Passengers Omnibus Operators Association Limited
169.	Hong Kong District Tourists and Passengers Omnibus Operators Association Limited
170.	Sino Parking Services Limited
171.	Urban Parking Limited
172.	Greater Lucky (HK) Company Limited

Item	Body
173.	China Hongkong and Macau Boundary Crossing Bus Association Limited
174.	Ground Support Engineering Limited
175.	Cathay Pacific Services Limited
176.	Cathay Pacific Catering Services (H.K.) Limited
177.	LSG Lufthansa Service Hong Kong Limited
178.	Gate Gourmet Hong Kong, Limited
179.	ECO Aviation Fuel Services Limited
180.	Hong Kong Aircraft Engineering Company Limited
181.	China Aircraft Services Limited
182.	Dah Chong Hong – Dragonair Airport GSE Service Limited
183.	Jardine Air Terminal Services Limited
184.	Service Managers Association
185.	Driving Instructors Association
186.	The Chamber of Hong Kong Logistics Industry Limited
187.	New Horizon School of Motoring Limited
188.	Leinam School of Motoring Limited

Item	Body
189.	TIML MOM Limited
190.	Hong Kong Taxi Association
191.	Chung Shing Taxi Limited
192.	Hong Kong Air Cargo Carrier Limited
193.	Hong Kong Dumper Truck Drivers Association
194.	Shun Fung Motors Investment Management Company Limited
195.	Taxi Drivers and Operators Association
196.	Yiu Lian Dockyards Limited
197.	China Merchants Port Holdings Company Limited
198.	China Merchants Container Services Limited
199.	China Merchants Logistics Holding Hong Kong Company Limited
200.	China Merchants Energy Shipping (Hong Kong) Company Limited
201.	COSCO SHIPPING (Hong Kong) Co., Limited
202.	COSCO (H.K.) SHIPPING CO., LIMITED
203.	COSCO SHIPPING Container Line Agencies Limited

Item	Body
204.	COSCO SHIPPING International (Hong Kong) Co., Ltd.
205.	China Travel Tours Transportation Services Hong Kong Limited
206.	Sky Shuttle Helicopters Limited
207.	Hong Kong-Zhuhai-Macao Bridge Shuttle Bus Company Limited
208.	Hong Kong & Macao International Airport Transportation Service Co. Limited
209.	Hong Kong International Airport Ferry Terminal Services Limited
210.	Ocean Shipbuilding & Engineering Limited
211.	China Ferry Terminal Services Limited
212.	Turbojet Shipyard Limited
213.	Hong Kong Association of Aircargo Truckers Limited
214.	Hong Kong Auto (Parts & Machinery) Association Limited
215.	China Aviation Express (Hong Kong) Limited
216.	Chu Kong Godown Wharf & Transportation Company Limited
217.	Chu Kong Transhipment & Logistics Company Limited

Item	Body
218.	Chu Kong Transportation (H.K.) Limited
219.	Chu Kong Agency Company Limited
220.	Cotai Chu Kong Shipping Management Services Company Limited
221.	Yuet Hing Marine Supplies Company Limited
222.	Chu Kong Group Shipyard Company Limited
223.	Dong An Marine Safety Equipment Trading Limited
224.	Fortune Ferry Company Limited
225.	Hong Kong Wing Hing Marine Engineering Company Limited
226.	China National Aviation Leasing Limited
227.	Yuantong Marine Service Co. Limited
228.	Wang Tak Engineering & Shipbuilding Company Limited
229.	The Motor Transport Company of Guangdong and Hong Kong Limited
230.	Weisheng Transportation & Enterprises Company Limited

Annex 2

Bodies Specified for the Wholesale and Retail Subsector

Item	Body
1.	Association of Better Business & Tourism Services
2.	Chinese Medicine Merchants Association Ltd.
3.	Chinese Merchants (H.K.) Association Limited
4.	Chinese Paper Merchants Association Limited
5.	The Cosmetic & Perfumery Association of Hong Kong Ltd.
6.	Eastern District Fresh Fish Merchants' Society
7.	Federation of Hong Kong Kowloon New Territories Hawker Associations
8.	The Federation of Hong Kong Watch Trades and Industries Ltd.
9.	HK Vegetable Wholesaler Community
10.	Hong Kong and Kowloon Bamboo Goods Merchants Association Limited
11.	Hong Kong and Kowloon Electrical Appliances Merchants Association Ltd.
12.	Hong Kong Electro-Plating Merchants Association Limited
13.	Hong Kong & Kowloon Fruit & Vegetable Employees & Employers Guild

Item	Body
14.	Hong Kong & Kowloon General Association of Liquor Dealers and Distillers
15.	Hong Kong and Kowloon Machinery and Instrument Merchants Association Ltd.
16.	Hong Kong & Kowloon Marine Products Merchants Association Ltd.
17.	Hong Kong & Kowloon Plastic Products Merchants United Association Limited
18.	The Hong Kong & Kowloon Provisions, Wine & Spirit Dealers' Association Limited
19.	Hong Kong and Kowloon Rattan Ware Merchants Association (Wing-Hing-Tong)
20.	Hong Kong & Kowloon Sauce & Preserved-Fruit Amalgamated Employers Association
21.	Hong Kong & Kowloon Tea Trade Merchants Association Ltd.
22.	Hong Kong & Kowloon Timber Merchants Association Limited
23.	Hong Kong & Kowloon Vermicelli & Noodle Manufacturing Industry Merchants' General Association Limited
24.	Hong Kong Art Craft Merchants Association, Ltd.
25.	Hong Kong Dried Seafood and Grocery Merchants Association Limited

Item	Body
26.	Hong Kong Egg Merchants Association (Fung-Kwai-Tong)
27.	Hong Kong Embroidery Merchants Association Limited
28.	Hong Kong Flower Retailers Association
29.	The Hong Kong Food Council Limited
30.	Hong Kong Fresh Fish Merchants Association
31.	Hong Kong Fur Federation
32.	Hong Kong Furniture & Decoration Trade Association Limited
33.	Hong Kong General Chamber of Pharmacy Limited
34.	Hong Kong Glass and Mirror Merchants and Manufacturers Association Company Limited
35.	Hong Kong Jewellers' & Goldsmiths' Association Limited
36.	The Federation of Hong Kong Footwear Limited
37.	The Hong Kong Medicine Dealers' Guild
38.	Hong Kong Metal Merchants Association
39.	Hong Kong Petroleum, Chemicals and Pharmaceutical Materials Merchants Association Ltd.
40.	Hong Kong Photo Marketing Association Limited
41.	Hong Kong Piece Goods Merchants' Association
42.	Hong Kong Plastic Material Suppliers Association Ltd.

Item	Body
43.	Hong Kong Plumbing and Sanitary Ware Trade Association Ltd.
44.	Hong Kong Provision & Grocery General Commercial Chamber
45.	Hong Kong Record Merchants Association Ltd.
46.	Hong Kong Rice Suppliers' Association Limited
47.	Hong Kong Retail Management Association Limited
48.	Hong Kong Yee Yee Tong Chinese Medicine Merchants Association Ltd.
49.	The Hong Kong & Kowloon General Merchandise Merchants' Association Limited
50.	Kowloon Cheung Sha Wan Wholesale Vegetable Market (Importers) Recreation Club Limited
51.	Kowloon Fresh Fish Merchants Association Limited
52.	The Kowloon Pearls, Precious Stones, Jade, Gold & Silver Ornament Merchants Association
53.	The Merchants Association of First Wholesalers/Jobbery of Imported Fresh Fruits & Vegetables Limited
54.	Mongkok Vegetable Wholesale Merchants Association Company Limited
55.	The Motor Traders Association of Hong Kong
56.	Nam Pak Hong Association

Item	Body
57.	Po Sau Tong Ginseng & Antler Association Hong Kong Ltd.
58.	The Rice Merchants' Association of Hong Kong Limited
59.	Kowloon Fruit & Vegetable Merchants Association Limited
60.	The Hong Kong And Kowloon Electric Trade Association
61.	Hong Kong Poultry Wholesalers Association
62.	Diamond Federation of Hong Kong, China Limited
63.	Tobacco Association of Hong Kong Limited
64.	Hong Kong Chinese Prepared Medicine Traders Association Limited
65.	Hong Kong Chinese Medicine Industry Association Limited
66.	Hong Kong Chinese Patent Medicine Manufacturers' Association Ltd.

Annex 3

Bodies Specified for the Architectural, Surveying, Planning and Landscape Subsector

Item	Body
1.	The Hong Kong Institute of Architects
2.	The Hong Kong Institute of Surveyors
3.	The Hong Kong Institute of Planners
4.	The Hong Kong Institute of Landscape Architects
5.	Hong Kong Housing Authority
6.	Hong Kong Housing Society
7.	Urban Renewal Authority
8.	Authorized Persons Registration Committee
9.	Inspectors Registration Committee
10.	Property Management Services Authority
11.	Hong Kong Green Building Council Limited
12.	BEAM Society Limited
13.	The Lands Department Estate Surveyors Association
14.	Housing Department Quantity Surveyors' Association
15.	Hong Kong Housing Department Architects Association
16.	Housing Department Estate Surveyors Association
17.	Planners Association of Hong Kong Housing Department
18.	Housing Department Landscape Architects Association
19.	Buildings Department Local Building Surveyors' Association

Item	Body
20.	Architectural Services Department Quantity Surveyors' Association
21.	Architectural Services Department Maintenance Surveyors' Association
22.	Architectural Services Department Architects' Association
23.	Association of Government Local Land Surveyors
24.	The Hong Kong Housing Department Maintenance Surveyors Association
25.	Hong Kong Government Local Town Planners Association
26.	Hong Kong Government Landscape Architects Association
27.	Aedas Limited
28.	AGC Design Limited
29.	Andrew Lee King Fun & Associates Architects Limited
30.	DLN Architects Limited
31.	Leigh & Orange Limited
32.	LWK & Partners (HK) Limited
33.	P&T Architects and Engineers Limited
34.	Ronald Lu & Partners (Hong Kong) Limited
35.	Wong & Ouyang (HK) Limited

Item	Body
36.	Wong Tung & Partners Limited
37.	Ho & Partners Architects Engineers & Development Consultants Limited
38.	Rocco Design Architects Limited
39.	Simon Kwan & Associates Limited
40.	TFP Farrells Limited
41.	Freevision Limited
42.	Fruit Design & Build Limited
43.	Prudential Surveyors International Limited
44.	Knight Frank Petty Limited
45.	Vigers Building Consultancy Limited
46.	KC Surveyors Limited
47.	Savills Project Consultancy Limited
48.	CBRE Limited
49.	Rider Levett Bucknall Limited
50.	Arcadis Hong Kong Limited
51.	Currie & Brown (China) Limited
52.	Urbis Limited
53.	Townland Consultants Limited
54.	Llewelyn-Davies Hong Kong Limited

Item	Body
55.	Earthasia Limited
56.	ACLA Limited

Annex 4

Bodies Specified for the Chinese Medicine Subsector

Part 1—Statutory Regulatory and Consultative Bodies

Item	Body
1.	Chinese Medicine Council of Hong Kong
2.	Chinese Medicine Development Committee

Part 2—Administrative and Training Institutions

Item	Body
1.	Hong Kong Registered Chinese Medicine Practitioners Association Limited
2.	China Society of Practitioners of Chinese Medicine Limited
3.	The Kowloon Chinese Herbalists Association Limited

Item	Body
4.	Buddhist Vassar Chinese Medical College Limited
5.	Hong Kong Wah Ha Medicine Association
6.	School of Chinese Medicine, The University of Hong Kong
7.	Hong Kong Acupuncture and Moxibustion Association
8.	School of Chinese Medicine, The Chinese University of Hong Kong
9.	Society for Research on Traditional Chinese Medicine Limited
10.	Wahhar College Hong Kong Limited
11.	School of Continuing and Professional Studies, The Chinese University of Hong Kong
12.	School of Chinese Medicine, Hong Kong Baptist University
13.	Hong Kong & Kowloon Chinese Medicine Merchants Association Limited
14.	Hong Kong Academy of Chinese Medicine Company Limited
15.	Hong Kong Association for Integration of Chinese-Western Medicine
16.	HKU School of Professional and Continuing Education
17.	Hospital Authority
18.	Tung Wah Group of Hospitals

Item	Body
19.	Modern Institute of Chinese Medicine
20.	College of Traditional Medicine
21.	The Hong Kong Association of Traditional Chinese Medicine Limited
22.	International General Chinese Herbalists and Medicine Professionals Association Limited
23.	Sin-Hua Herbalists' and Herb Dealers' Promotion Society Limited
24.	Society of Practitioners of Chinese Herbal Medicine Limited
25.	The Hong Kong T.C.M. Orthopaedic & Traumatic Association Limited
26.	Hong Kong Chinese Herbalists Association Limited
27.	Association of Hong Kong & Kowloon Practitioners of Chinese Medicine, Limited
28.	Hong Kong Chinese Medicine Practitioners Association Limited

Part 3—Other Relevant Bodies

Item	Body
1.	The Hong Kong Federation of China of Traditional Chinese Medicine

Item	Body
2.	Hong Kong Acupuncturists Association Limited
3.	Society for the Promotion of Chinese Traditional Medical Science Limited
4.	The Society of Hong Kong Professional Registered Chinese Medicine Practitioners Limited
5.	Hong Kong College of Traditional Chinese Medicine Limited
6.	Hong Kong Listed Chinese Medicine Practitioners Association
7.	International General Chinese Medicated Meal of Self Recovery Association Limited
8.	International Chinese Medicine and Integrative Manual Therapy Association Limited
9.	香港中華經筋醫學研究會
10.	HK Scalp Acupuncture Association
11.	Hong Kong Chinese Medicine Practitioners' Rights General Union
12.	Hong Kong Chinese Spinal Orthopaedic Medicine Association Limited
13.	國際自然療能研究學會
14.	Hong Kong Jingluo Medical Association
15.	The Hong Kong Professional Institute of Chinese Medicine Medicated Meal and Food Limited

Item	Body
16.	International Association of Medicinal Food Therapy Limited
17.	Modernized Chinese Medicine International Association Limited
18.	Association of Ancient & Contemporary Chinese Medicine Limited
19.	Hong Kong Shanwei Chinese Medicine Association
20.	中華國際傳統醫藥學會
21.	Hong Kong Chinese Medicine and Herbs Association Limited
22.	Meridian Activation System Therapy-Chinese Medicine Association Limited
23.	International Chinese Medical Acupuncture & Anatomy Association Limited
24.	Hong Kong Medicinal Herbs Society
25.	Hong Kong Association for Integration of Chinese-Western Medicine

Annex 5

Bodies Specified for the Engineering Subsector

Item	Body
1.	The Hong Kong Institution of Engineers
2.	CLP Power Hong Kong Limited
3.	The Hong Kong and China Gas Company Limited
4.	The Hongkong Electric Company, Limited
5.	MTR Corporation Limited
6.	Airport Authority
7.	Kowloon-Canton Railway Corporation
8.	Structural Engineers Registration Committee
9.	Contractors Registration Committee
10.	Geotechnical Engineers Registration Committee
11.	Construction Industry Council
12.	Construction Industry Training Board
13.	Minor Works Contractors Registration Committee
14.	HKSAR Government Civil Engineers Association
15.	Buildings Department Structural Engineers' Association
16.	Hong Kong Housing Department Structural Engineers Association
17.	Association of Building Services Engineers of Housing Department
18.	Civil Engineering and Development Department Geotechnical Engineers' Association

Item	Body
19.	Association of Professional Engineers of Electrical & Mechanical Services Department
20.	Architectural Services Department Structural Engineers' Association
21.	Government Waterworks Professionals Association
22.	Hong Kong Housing Department Civil Engineers Association
23.	Hong Kong Institute of Environmental Protection Officers
24.	AECOM Asia Company Limited
25.	Arcadis Design & Engineering Limited
26.	Ove Arup & Partners Hong Kong Limited
27.	Atkins China Limited
28.	Meinhardt Infrastructure and Environment Limited
29.	Mott MacDonald Hong Kong Limited
30.	Mannings (Asia) Consultants Limited
31.	WSP (Asia) Limited
32.	Binnies Hong Kong Limited
33.	C. M. Wong & Associates Limited
34.	David S. K. Au and Associates Limited
35.	MVA Hong Kong Limited

Item	Body
36.	Aurecon Hong Kong Limited
37.	Fugro (Hong Kong) Limited
38.	Halcrow China Limited
39.	J. Roger Preston Limited
40.	Jacobs China Limited
41.	SMEC Asia Limited
42.	Golder Associates (HK) Limited
43.	Siu Yin Wai & Associates Limited
44.	Gammon Construction Limited
45.	Chun Wo Construction and Engineering Company Limited
46.	China State Construction Engineering (Hong Kong) Limited
47.	China Road and Bridge Corporation
48.	Hip Hing Engineering Company Limited
49.	China Harbour Engineering Company Limited
50.	Dragages Hong Kong Limited
51.	Yau Lee Construction Company Limited
52.	Leighton Contractors (Asia) Limited
53.	The Jardine Engineering Corporation, Limited
54.	Kum Shing (K.F.) Construction Company Limited

Item	Body
55.	Paul Y. Construction Company, Limited
56.	ATAL Engineering Limited
57.	CPC Construction Hong Kong Limited
58.	Sun Fook Kong (Civil) Limited
59.	Build King Construction Limited
60.	Penta-Ocean Construction Co., Ltd.
61.	Shui On Building Contractors Limited
62.	China Geo-Engineering Corporation
63.	China International Water & Electric Corporation

Annex 6

Bodies Specified for the Legal Subsector

Item	Body
1.	The Law Society of Hong Kong
2.	Hong Kong Bar Association
3.	Hong Kong Society of Notaries
4.	Association of China-Appointed Attesting Officers Limited
5.	Hong Kong International Arbitration Centre

Item	Body
6.	The Small and Medium Law Firms Association of Hong Kong
7.	Hong Kong Federation of Women Lawyers Limited
8.	Hong Kong Young Legal Professionals Association Limited
9.	Hong Kong Legal Exchange Foundation Limited
10.	International Youth Legal Exchange Federation Limited
11.	Global Chinese Speaking Lawyers' Association Limited
12.	China International Economic and Trade Arbitration Commission Hong Kong Arbitration Center
13.	China Maritime Arbitration Commission Hong Kong Arbitration Center
14.	Hong Kong Maritime Arbitration Group
15.	eBRAM International Online Dispute Resolution Centre Limited
16.	Financial Dispute Resolution Centre
17.	Hong Kong Institute of Arbitrators
18.	Hong Kong Mediation Accreditation Association Limited
19.	Hong Kong Mediation Centre Limited
20.	Asian Academy of International Law Limited
21.	Legal Affairs Steering Committee of the Hong Kong Chinese Enterprises Association

Item	Body
22.	The Legal Education Fund Limited
23.	Basic Law Institute Limited
24.	Asia Pacific Law Association Limited
25.	Hong Kong Basic Law Education Association
26.	Basic Law Foundation Limited
27.	South China International Arbitration Center (HK) Limited
28.	Legal Profession Advancement Association Limited
29.	The Hong Kong and Mainland Legal Profession Association Limited
30.	International Probono Legal Services Association Limited

Annex 7

Bodies Specified for the Medical and Health Services Subsector

Item	Body
1.	Hospital Authority
2.	Board of Governors of The Prince Philip Dental Hospital
3.	Medical Council of Hong Kong

Item	Body
4.	Dental Council of Hong Kong
5.	Hong Kong Academy of Medicine
6.	Nursing Council of Hong Kong
7.	Midwives Council of Hong Kong
8.	Supplementary Medical Professions Council
9.	Pharmacy and Poisons Board
10.	Chiropractors Council
11.	Li Ka Shing Faculty of Medicine of The University of Hong Kong
12.	Faculty of Medicine of The Chinese University of Hong Kong
13.	Hong Kong Red Cross
14.	Hong Kong St. John Ambulance
15.	Auxiliary Medical Service
16.	Medical Laboratory Technologists Board
17.	Occupational Therapists Board
18.	Optometrists Board
19.	Physiotherapists Board
20.	Radiographers Board
21.	Hong Kong Association of Speech Therapists
22.	Hong Kong Institute of Audiologists

Item	Body
23.	The Hong Kong Academy of Accredited Dietitians
24.	The Hong Kong Association of Educational Psychologists
25.	Hong Kong Institute of Clinical Psychologists
26.	The Hong Kong Medical Association
27.	Hong Kong Dental Association Limited
28.	The Association of Licentiates of Medical Council of Hong Kong (A.L.M.C.H.K.)
29.	Association of Hong Kong Nursing Staff
30.	The College of Nursing, Hong Kong
31.	The Hong Kong Academy of Nursing Limited
32.	Hong Kong Women Doctors Association Limited
33.	Hong Kong Doctors Union

Annex 8

Bodies Specified for the Social Welfare Subsector

Item	Body
1.	Hong Kong Council of Social Service
2.	Social Workers Registration Board
3.	Institute of Social Service Development

Item	Body
4.	Tung Wah Group of Hospitals
5.	Po Leung Kuk
6.	Yan Chai Hospital
7.	Pok Oi Hospital
8.	Yan Oi Tong Limited
9.	The Lok Sin Tong Benevolent Society Kowloon
10.	New Home Association Limited
11.	Social Workers Across Borders Limited
12.	The Hong Kong Volunteers Federation Company Limited
13.	The Hong Kong Federation of Trade Unions Hong Ling Society
14.	The United Labour Chi Hong Association Limited
15.	The Hong Kong Island Social Services Charitable Foundation Limited

Annex 9

Bodies Specified for the Sports, Performing Arts, Culture and Publication Subsector

Part 1—Performing Arts Industry Associations and Local Licensed Broadcasting Institutions

Item	Body
1.	Hong Kong Motion Picture Industry Association Limited
2.	Hong Kong Film Awards Association Ltd.
3.	Association for Betterment of Hong Kong's Entertainment Industry in Mainland China Limited
4.	Federation of Hong Kong Filmmakers Limited
5.	Movie Producers and Distributors Association of Hong Kong Ltd.
6.	Hong Kong Chamber of Films Limited
7.	Hong Kong Theatres Association Ltd.
8.	華南電影工作者聯合會
9.	International Federation of the Phonographic Industry (Hong Kong Group) Limited
10.	Music Publishers Association of Hong Kong Limited
11.	Hong Kong Recording Industry Alliance Limited
12.	Television Broadcasts Limited
13.	HK Television Entertainment Company Limited
14.	Fantastic Television Limited
15.	Hong Kong Commercial Broadcasting Company Limited
16.	Metro Broadcast Corporation Limited

Item	Body
17.	The Hong Kong Film Development Council
18.	The Hong Kong International Film Festival Society Limited
19.	Hong Kong Film & Television Association Limited

Part 2—Cultural Public Institutions, Associations and Bodies

Item	Body
1.	Hong Kong Arts Development Council
2.	The Hong Kong Academy for Performing Arts
3.	West Kowloon Cultural District Authority
4.	The Hong Kong Philharmonic Society Limited
5.	Hong Kong Chinese Orchestra Limited
6.	Hong Kong Repertory Theatre Limited
7.	Chung Ying Theatre Company (HK) Limited
8.	Hong Kong Dance Company Limited
9.	The Hong Kong Ballet Limited
10.	Hong Kong Sinfonietta Limited
11.	City Contemporary Dance Company Limited

Item	Body
12.	Zuni Icosahedron
13.	Hong Kong Arts Festival Society Limited
14.	China Federation of Literary and Art Circles Hong Kong Member Association Limited
15.	China Theatre Association Hong Kong Member Branch
16.	China Film Hong Kong Association Limited
17.	Chinese Musicians Association—Hong Kong Members Branch
18.	China Artists Association Hong Kong Chapter
19.	China Opera Performing Artists Hong Kong Association
20.	Chinese Dancres Association Hong Kong Member Branch
21.	China Photographers Association Hong Kong Member Branch
22.	China Calligraphers Association Hong Kong Member Branch
23.	China Literature and Art Critics Association Hong Kong Member Branch
24.	The Association of Chinese Culture of Hong Kong
25.	Hong Kong Culture Association Limited
26.	The Chinese Artists Association of Hong Kong

Item	Body
27.	Hong Kong Chinese Opera Promotion Association Limited
28.	Cantonese Opera Musician and Vocalist Association Limited
29.	HK Chinese Opera and Performing Arts Group Association
30.	Hong Kong Cantonese Opera Artists Club Limited
31.	Hong Kong Association of Cantonese Opera Scholars Limited
32.	Hong Kong Federation of Drama Societies
33.	Actors' Family Limited
34.	The Nonsensemakers Limited
35.	Tang Shu-Wing Theatre Studio Limited
36.	Shakespeare4All Company Limited
37.	Spring-Time Experimental Theatre Limited
38.	Perry Chiu Experimental Theatre Limited
39.	Performing Arts Asia Limited
40.	Composers and Authors Society of Hong Kong Limited
41.	Hong Kong Composers' Guild Limited
42.	Hong Kong Chinese Instrumental Music Association
43.	Hong Kong Association of Choral Societies

Item	Body
44.	Hong Kong Music Tutors Union
45.	Opera Hong Kong Limited
46.	Hong Kong String Orchestra Limited
47.	Global Symphony Orchestra Society Limited
48.	The Hong Kong Children's Choir
49.	Yip's Children's Choir Limited
50.	Allegro Singers
51.	Hong Kong City Chinese Orchestra
52.	Hong Kong Dance Federation Limited
53.	Association of Hong Kong Dance Organizations
54.	Hong Kong Dance Alliance Limited
55.	The Hong Kong Ballet Group Limited
56.	Hong Kong Dance Sector Joint Conference
57.	The Association of Hong Kong Youth Dancers
58.	Miranda Chin Dance (Mirandance) Company Limited
59.	Budlet Folk Dance Club
60.	Starwave Production
61.	Xiang Gang Mei Xie
62.	Chinese Ink Painting Institute Hong Kong
63.	Hong Kong Water Colour Research Society

Item	Body
64.	Hong Kong Lan Ting Society
65.	Hong Kong Culture and Art Promotion Association
66.	Hong Kong Art Researching Association
67.	Hong Kong Modern Ink Painting Society Co. Limited
68.	Hong Kong Oil Painting Research Society
69.	Hong Kong Artists Society
70.	The Hong Kong Art Club
71.	Chung Fung Art Club
72.	To-day's Chinese Art Association
73.	Ling Ngai Art Association
74.	Hong Kong Graphics Society
75.	中國書協香港分會
76.	Hong Kong Chinese Calligraphy and Art Association
77.	China Hong Kong Institute of Calligraphy
78.	Calligraphy and Painting Study Association of Hong Kong Fukienese
79.	Hong Kong Association of Amateur Calligraphers
80.	Hong Kong Calligraphers' Association
81.	Hong Kong International Calligraphy and Seal Cutting Society
82.	Hong Kong Hard Pen Calligraphists' Association

Item	Body
83.	Friends of Shizhai
84.	The Jiazi Society of Calligraphy
85.	The Photographic Society of Hong Kong
86.	The Chinese Photographic Association of Hong Kong
87.	Sea Gull Photographic Association Limited
88.	The Photographic Salon Exhibitors Association
89.	Grace Photographic Club
90.	Hong Kong Camera Club, Limited
91.	United Artist Photographic Association Limited
92.	The Society of Worldwide Ethnic Chinese Photographers Limited
93.	The Hong Kong 35mm Photography Society, Limited
94.	The Hong Kong Miniature Cameras Photography Society
95.	Hong Kong CreArt Photographic Association Limited
96.	Overseas Chinese Photographers Association of Hong Kong
97.	The Art of Photography Association Limited
98.	The Federation of Hong Kong Writers
99.	The House of Hong Kong Literature Limited
100.	Hong Kong Writers Association Company Limited

Item	Body
101.	Hong Kong Society for Study of Poetry, Calligraphy and Couplet
102.	Hong Kong Literature Promoted Association
103.	國際華文詩人協會
104.	Magicians' Association of Hong Kong
105.	Hong Kong & Macau Intangible Cultural Heritage Research Centre Limited
106.	Wing Lung Art
107.	Hong Kong Book Reviewers Association
108.	Hong Kong Film Critics Association Limited
109.	Hong Kong Literary Criticism Society Company Limited
110.	Oriental Education Alliance Limited
111.	Hong Kong International Music Festival Limited
112.	The Association of Zhuangzi Culture & Research of Hong Kong
113.	Hong Kong Cantonese Opera Chamber of Commerce Limited
114.	Jingkun Theatre Limited

Annex 10

Bodies Specified for the Technology and Innovation Subsector

Part 1—National Level Research Platforms

Item	Body
1.	State Key Laboratory of Emerging Infectious Diseases (The University of Hong Kong)
2.	State Key Laboratory of Brain and Cognitive Science (The University of Hong Kong)
3.	State Key Laboratory of Translational Oncology (The Chinese University of Hong Kong)
4.	State Key Laboratory of Terahertz and Millimeter Waves (City University of Hong Kong)
5.	State Key Laboratory of Agrobiotechnology (The Chinese University of Hong Kong)
6.	State Key Laboratory of Ultraprecision Machining Technology (The Hong Kong Polytechnic University)
7.	State Key Laboratory of Molecular Neuroscience (The Hong Kong University of Science and Technology)
8.	State Key Laboratory of Marine Pollution (City University of Hong Kong)
9.	State Key Laboratory of Research on Bioactivities and Clinical Applications of Medicinal Plants (The Chinese University of Hong Kong)

Item	Body
10.	State Key Laboratory of Liver Research (The University of Hong Kong)
11.	State Key Laboratory of Synthetic Chemistry (The University of Hong Kong)
12.	State Key Laboratory of Chemical Biology and Drug Discovery (The Hong Kong Polytechnic University)
13.	State Key Laboratory of Environmental and Biological Analysis (Hong Kong Baptist University)
14.	State Key Laboratory of Pharmaceutical Biotechnology (The University of Hong Kong)
15.	State Key Laboratory of Digestive Disease (The Chinese University of Hong Kong)
16.	State Key Laboratory of Advanced Displays and Optoelectronics Technologies (The Hong Kong University of Science and Technology)
17.	Hong Kong Branch of National Engineering Research Center for Application Specific Integrated Circuit System
18.	Hong Kong Branch of National Engineering Research Center for Steel Construction
19.	Hong Kong Branch of National Rail Transit Electrification and Automation Engineering Technology Research Center
20.	Hong Kong Branch of National Precious Metals Material Engineering Research Center

Item	Body
21.	Hong Kong Branch of National Engineering Research Center for Tissue Restoration & Reconstruction
22.	Hong Kong Branch of Chinese National Engineering Research Center for Control & Treatment of Heavy Metal Pollution
23.	Hong Kong Institute of Science & Innovation, Chinese Academy of Sciences Limited
24.	Centre for Regenerative Medicine and Health, Hong Kong Institute of Science & Innovation, Chinese Academy of Sciences Limited
25.	Centre for Artificial Intelligence and Robotics, Hong Kong Institute of Science & Innovation, Chinese Academy of Sciences Limited

Part 2—Public Organizations Highly Relevant to Development of Innovation and Technology

Item	Body
1.	Hong Kong Applied Science And Technology Research Institute Company Limited
2.	Logistics and Supply Chain MultiTech R&D Centre Limited
3.	The Hong Kong Research Institute of Textiles and Apparel Limited
4.	Nano and Advanced Materials Institute Limited

Item	Body
5.	Hong Kong Cyberport Management Company Limited
6.	Hong Kong Science and Technology Parks Corporation
7.	The Hong Kong Institute of Biotechnology Limited
8.	Hong Kong Productivity Council
9.	Hong Kong Internet Registration Corporation Limited
10.	Hong Kong-Shenzhen Innovation and Technology Park Limited
11.	Automotive Platforms and Application Systems R&D Centre

Part 3—Academic Organizations and Professional Bodies Participating in Government's Consultation related to Development of Innovation and Technology

Item	Body
1.	The Hong Kong Academy of Sciences
2.	Hong Kong Academy of Engineering Sciences
3.	The Hong Kong Young Academy of Sciences
4.	The Society of Hong Kong Scholars
5.	Internet Professional Association Limited

Item	Body
6.	Hong Kong Information Technology Joint Council Limited
7.	Hong Kong Computer Society
8.	Hong Kong Software Industry Association Limited
9.	Communications Association of Hong Kong Limited
10.	Hong Kong Society of Artificial Intelligence and Robotics Limited
11.	Hong Kong Biotechnology Organization
12.	HK Bio-Med Innotech Association Limited
13.	Hong Kong Data Centre Association Limited
14.	Hong Kong Federation of Innovative Technologies and Manufacturing Industries Limited
15.	Smart City Consortium Limited
16.	E-Commerce Association of Hong Kong Limited
17.	Esports Association of Hong Kong Limited
18.	The Hong Kong Electronic Industries Association Limited

Annex 11

Bodies Specified for the Agriculture and Fisheries Subsector

Item	Body
1.	Aberdeen Fishermen Friendship Association
2.	The Ap Lei Chau Fishermen's Credit Co-operative Society, Unlimited
3.	The Castle Peak Fishermen's Credit Co-operative Society, Unlimited
4.	The Castle Peak Mechanized Trawler Fishermen's Credit Co-operative Society, Unlimited
5.	Cheung Chau Fisheries Joint Association
6.	Cheung Chau Fishermen's Welfare Promotion Association
7.	The Fanling Kwun Ti Village Farmers' Irrigation Co-operative Society, Ltd.
8.	Fish Farming and Stuff Association
9.	Fisherman's Association of Po Toi Island
10.	Fishery Development Association (Hong Kong) Limited
11.	Fraternal Association of The Floating Population of Hong Kong
12.	The Guild of Graziers
13.	Hang Hau Grazier Association
14.	Hong Kong and Kowloon Fishermen Association Ltd.
15.	Hong Kong & Kowloon Floating Fishermen Welfare Promotion Association

Item	Body
16.	Hong Kong Fisheries Development Association
17.	Hong Kong Fishermen's Association
18.	Hong Kong Fishing Vessel Owners Association, Ltd.
19.	Hong Kong Florists Association
20.	Hong Kong Graziers Union
21.	Hong Kong Liner & Gill Netting Fisherman Association
22.	Hong Kong Livestock Industry Association
23.	Hong Kong N.T. Fish Culture Association
24.	Hong Kong N.T. Poultry (Geese & Ducks) Mutual Association
25.	Hong Kong Netting, Cultivation and Fisherman Association
26.	Hong Kong Off-shore Fishermen's Association
27.	The Lam Ti Agricultural Credit Co-operative Society, Limited
28.	Lamma Island Lo Dik Wan Aquaculture Association
29.	Lau Fau Shan Oyster Industry Association, New Territories
30.	Ma Wan Fisheries Rights Association Ltd.
31.	The Mui Wo Agricultural Products Marketing & Credit Co-operative Society, Ltd.
32.	Mui Wo Fishermen Fraternity Society

Item	Body
33.	N.T. Oyster and Aquatic Products United Association
34.	The New Territories Chicken Breeders Association, Ltd.
35.	The New Territories Fishermen Fraternity Association Ltd.
36.	New Territories Florist Association, Ltd.
37.	North District Florists Association
38.	Outlying Islands Mariculture Association (Cheung Chau)
39.	Peng Chau Fishermen Association Ltd.
40.	Quality Broiler Development Association
41.	Sai Kung (North) Sham Wan Marine Fish Culture Business Association
42.	Sai Kung Po Toi O Fish Culture Business Association
43.	Sai Kung Tai Tau Chau Fish Culture Business Association
44.	Sai Kung Tai Wu Kok Fishermen's Association
45.	The Sha Tau Kok Marine Fish Culture Association
46.	The Sha Tau Kok Small Long Liner and Gill Net Fishermen's Credit Co-operative Society, Unlimited
47.	The Shan Tong Vegetable Marketing Co-operative Society, Ltd.
48.	Shatin Ah Kung Kok Fishermen Welfare Association
49.	Shatin Florists Association

Item	Body
50.	Shau Kei Wan Deep Sea Capture Fishermen's Credit Co-operative Society, Unlimited
51.	Shau Kei Wan Fishermen Friendship Association
52.	Shau Kei Wan Pair Trawler Fishermen's Credit Co-operative Society, Unlimited
53.	The Shau Kei Wan Trawler Fishermen's Credit Co-operative Society, Unlimited
54.	Tai O Fishermen (Coastal Fishery) Association
55.	The Tai O Sha Chai Min Fishermen's Credit Co-operative Society, Unlimited
56.	The Tai Po Fishermen's Credit Co-operative Society, Unlimited
57.	Tai Po Florists and Horticulturists Association
58.	The Tai Po Purse Seiner and Small Long Liner Fishermen's Credit Co-operative Society, Unlimited
59.	The Tsuen Wan Fishermen's Credit Co-operative Society, Unlimited
60.	The Tuen Mun Mechanized Fishing Boat Fishermen's Credit Co-operative Society, Unlimited
61.	Tuen Mun Agricultural Association
62.	Tung Lung Chau Mariculture Association
63.	The Hong Kong Branch of the World's Poultry Science Association

Item	Body
64.	Yuen Long Agriculture Productivity Association
65.	Yung Shue Au Marine Fish Culture Business Association
66.	Tsing Yi Residents Association
67.	荃灣葵青居民聯會(漁民組)
68.	荃灣葵青漁民會
69.	The Shau Kei Wan Stern Trawler Fishermen's Credit Co-operative Society, Unlimited
70.	Sustainable Ecological Ethical Development Foundation Limited
71.	N.T. North District Fishermen's Association
72.	Tai Po Off Shore Fishermen's Association
73.	Aberdeen Fisherwomen Association
74.	香港新界本地農協會
75.	The Hong Kong Veterinary Association Limited

Annex 12

Bodies Specified for the Associations of Chinese Fellow Townsmen Subsector

Item	Body
1.	Federation of Hong Kong Guangdong Community Organisations Limited
2.	Hong Kong Federation of Fujian Associations Limited
3.	Federation of HK Guangxi Community Organisations Limited
4.	Hong Kong Federation of Hainan Community Organisations Limited
5.	The United Zhejiang Residents Associations (Hong Kong) Limited
6.	Federation of HK Jiangsu Community Organisations Limited
7.	Hong Kong Beijing Association Limited
8.	Hong Kong-Shanghai Economic Development Association Limited
9.	Federation of Hong Kong Hubei Associations Limited
10.	Hunan Fraternal Association of Hong Kong Limited
11.	Hong Kong Federation of Jiang Xi Associations Limited
12.	Federation of HK Shandong Community Organisations Limited
13.	Federation of HK Sichuan Community Organisations Limited
14.	The Hong Kong Tianjin Friendship Association Limited
15.	Hong Kong Chongqing Friendship Federation Limited

Item	Body
16.	Hong Kong Federation of Gan Su Limited
17.	Hong Kong Shaanxi Friendship Association Limited
18.	Hong Kong Hebei Friendship Association Limited
19.	The Anhui Fraternity Association (Hong Kong) Limited
20.	Hong Kong Shanxi Chamber of Commerce Limited
21.	Hong Kong Ningxia Federation of Associations Limited
22.	The Association of Hong Kong Yunnan Fellow Provincials Limited
23.	The Hong Kong Friendship Association of Guizhou Province
24.	Qinghai Hong Kong & Macau Association Limited

Annex 13

Election Committee Oath

I, * .....,
of *.....
**affirm/swear that—

(a) I will duly and faithfully fulfill the duties of the Election Committee according to the best of my ability;

(b) I will uphold the Basic Law;

(c) my allegiance is to the Hong Kong Special Administrative Region of the People's Republic of China; and

(d) to the best of my knowledge and belief I am not disqualified from being a member of the Election Committee by virtue of—

**(i) for persons to be registered as ex-officio members in accordance with Part 2A of the Schedule to the Chief Executive Election Ordinance (Cap. 569)—section 5M of that Schedule/

**(ii) for persons nominated in accordance with Part 3 of the Schedule to the Chief Executive Election Ordinance (Cap. 569)—section 9 or 9A of that Schedule/

**(iii) for persons elected in accordance with Part 4 of the Schedule to the Chief Executive Election Ordinance (Cap. 569)—section 18 or 18A of that Schedule.

**Affirmed/sworn this *..... day of *.....

(Signature) .....

This acceptance was **affirmed/sworn and signed before me, a **Magistrate/Commissioner for Oaths.

(Signature) .....

* Complete as appropriate.

** Delete whichever is inapplicable.".

Division 2—Election Committee (Appeals) Regulation (Cap. 569 sub. leg. A)

435. Section 2 amended (interpretation)

(1) Section 2(1), definition of ***appellant***, paragraph (a)—

Repeal

"or".

(2) Section 2(1), definition of ***appellant***, paragraph (b)—

Repeal

"in the final register".

(3) Section 2(1), definition of ***appellant***, after paragraph (b)—

Add

"(c) submits a written representation to a Revising Officer to object to the registration of an ex-officio member as a member of the Election Committee under section 4A(1); or

(d) submits a written representation to a Revising Officer to claim that the person is eligible to be, and is not disqualified from being, registered as an ex-officio member under section 4A(2);".

(4) Section 2(1), definition of ***designated body***—

Repeal

"means a designated body referred to in section 6"

Substitute

"has the meaning given by section 1(1)".

(5) Section 2(1), definition of ***written representation***, after "section 4"—

Add

"or 4A".

(6) Section 2(1)—

(a) definition of ***sub-subsector by-election***;

(b) definition of ***sub-subsector ordinary election***—

Repeal the definitions.

(7) Section 2(1)—

Add in alphabetical order

"***ex-officio member*** (當然委員) has the meaning given by section 1(1) of the Schedule to the Ordinance;".

(8) Section 2—

Repeal subsection (2).

436. Section 3 amended (appeal against result of subsector election to Revising Officer)

(1) After section 3(5)—

Add

"(5A) If the grounds of the appeal relate to a decision of the Candidate Eligibility Review Committee, the Committee may also be made a respondent to the appeal.".

(2) Section 3—

Repeal subsection (7)

Substitute

"(7) In subsection (3)—

subsector election (界別分組選舉)—

(a) is to be construed subject to Annex I to the Basic Law; and

(b) subject to paragraph (a), includes nomination proceedings and the determinations or decisions of

the Candidate Eligibility Review Committee, the Returning Officer or any Assistant Returning Officer.".

437. Section 4 amended (appeals in relation to registration of nominees declared by Returning Officer as members of Election Committee)

(1) Section 4, heading—

Repeal

"registration of nominees declared by Returning Officer"

Substitute

"declaration and registration of nominees".

(2) Section 4(1)—

Repeal

"A person"

Substitute

"Subject to Annex I to the Basic Law, a person".

(3) Section 4(1), after "eligible to be"—

Add

"declared and".

(4) Section 4(1)(c)—

Repeal

"Returning Officer"

Substitute

"Candidate Eligibility Review Committee".

(5) Section 4(1), after "object to the"—

Add

"declaration and".

(6) Section 4(1)—

Repeal

everything after "final register"

Substitute a full stop.

(7) Section 4—

Repeal subsection (3)

Substitute

"(3) The Electoral Registration Officer or the Returning Officer for the relevant subsector may be made a respondent to the appeal.

(3A) The Candidate Eligibility Review Committee may also be made a respondent to the appeal if the ground mentioned in subsection (1)(a) or (c) is relied on as the ground of appeal.".

438. Section 4A added

After section 4—

Add

"4A. Appeals in relation to registration of ex-officio members as members of Election Committee

(1) Subject to Annex I to the Basic Law, a person who considers that an ex-officio member is not eligible to be registered as a member of the Election Committee on the ground that—

(a) the ex-officio member was ineligible to be registered as, or was disqualified from being, a member of the Election Committee;

(b) material irregularity occurred in relation to the process of registration; or

(c) material irregularity occurred in relation to the determination of the Candidate Eligibility Review Committee as to the validity of the registration of the ex-officio member,

may, by submitting a written representation, object to the registration of the ex-officio member as a member of the Election Committee in the interim register or final register.

(2) A person whose registration has been determined by the Candidate Eligibility Review Committee to be invalid under section 5N of the Schedule to the Ordinance may, subject to Annex I to the Basic Law, claim that he or she is eligible to be, and is not disqualified from being, registered as an ex-officio member by submitting a written representation.

(3) A written representation under subsection (1) or (2)—

(a) may be submitted to the Revising Officer only after—

(i) the date of publication of the interim register concerned; or

(ii) if the relevant determination of the Candidate Eligibility Review Committee is made after the date of publication of the interim register concerned, and—

(A) the determination is that the registration is valid—the date of publication of the relevant notice under section 41(4) of the Schedule to the Ordinance; or

(B) the determination is that the registration is invalid—the date of issuance of the notice informing the relevant person of the determination,

as the case may be; and

(b) must reach the Revising Officer not later than 7 days after the relevant date.

(4) The Electoral Registration Officer may be made a respondent to the appeal.

(5) The Candidate Eligibility Review Committee may also be made a respondent to the appeal if the ground mentioned in subsection (1)(a) or (c) or (2) is relied on as the ground of appeal.

(6) The written representation referred to in subsection (1) must state—

(a) the name, address and identity document number (if any) of the appellant;

(b) the name and address of the ex-officio member concerned;

(c) the date on which the ex-officio member concerned was registered as a member of the Election Committee by the Electoral Registration Officer;

(d) the ground of appeal; and

(e) any other relevant information.

(7) The written representation referred to in subsection (2) must state—

(a) the name, address and identity document number (if any) of the appellant;

(b) the date on which the appellant received the notice from the Electoral Registration Officer informing

the appellant the determination of the Candidate Eligibility Review Committee that the registration of the appellant was invalid;

(c) the ground of appeal; and

(d) any other relevant information.".

439. Section 5 amended (fixing of hearing and notifying appellant thereof)

(1) Section 5(1)(b)(ii)(B), after "concerned"—

Add

"or the ex-officio member concerned".

(2) Section 5(2)(c)—

Repeal

"or the person whose election is questioned or the declared member concerned" (wherever appearing)

Substitute

", the person whose election is questioned, the declared member concerned or the ex-officio member concerned".

(3) Section 5(2)(d)(ii)—

Repeal

"Electoral Registration Officer does"

Substitute

"Candidate Eligibility Review Committee, the Electoral Registration Officer and the Returning Officer concerned do".

(4) Section 5(2)(d)(ii)—

Repeal

"the decision of the Electoral Registration Officer in relation to the registration"

Substitute

"the determination or decision of the Candidate Eligibility Review Committee, the Electoral Registration Officer or the Returning Officer concerned (as the case may be) in relation to the registration or declaration".

440. Section 6 amended (ruling of Revising Officer)

(1) Section 6(2)(a)—

Repeal

"Electoral Registration Officer does"

Substitute

"Candidate Eligibility Review Committee, the Electoral Registration Officer and the Returning Officer concerned do".

(2) Section 6(2)(a)—

Repeal

"the decision of the Electoral Registration Officer in relation to the registration"

Substitute

"the determination or decision of the Candidate Eligibility Review Committee, the Electoral Registration Officer or the Returning Officer concerned (as the case may be) in relation to the registration or declaration".

(3) Section 6(2)(b)—

Repeal

everything after "declared member concerned"

Substitute

"or the ex-officio member concerned should have been registered as a member of the Election Committee.".

441. Section 7 amended (appellant and other persons concerned to be notified of ruling)

(1) Section 7(b)—

Repeal

"the decision of the Electoral Registration Officer"

Substitute

"the determination or decision of the Candidate Eligibility Review Committee, the Electoral Registration Officer or the Returning Officer concerned (as the case may be)".

(2) Section 7—

Repeal

"or the declared member concerned, by post, that the result"

Substitute

", the declared member concerned or the ex-officio member concerned (as the case may be), by post, that the result, determination".

442. Section 8 amended (Electoral Registration Officer to be notified of ruling)

(1) Section 8(1)(b)—

Repeal

"the decision of the Electoral Registration Officer"

Substitute

"the determination or decision of the Candidate Eligibility Review Committee, the Electoral Registration Officer or the Returning Officer concerned (as the case may be)".

(2) Section 8(1)—

Repeal

"that the result"

Substitute

"that the result, determination".

(3) Section 8(2)—

Repeal paragraph (b)

Substitute

"(b) makes a ruling under section 6(2)(b) and determines that—

(i) the declared member concerned or the ex-officio member concerned should not have been registered as a member of the Election Committee; or

(ii) the appellant concerned should have been registered as an ex-officio member,".

(4) After section 8(2)—

Add

"(3) In this section—

final register (正式委員登記冊) means the final register of members of the Election Committee having effect under section 43 of the Schedule to the Ordinance.".

443. Section 10 amended (review of rulings by Revising Officer)

(1) Section 10(1), before "Electoral"—

Add

"Candidate Eligibility Review Committee, the".

(2) Section 10(1)—

Repeal

"or the declared member concerned"

Substitute

", the declared member concerned or the ex-officio member concerned".

(3) Section 10(1), after "rehear"—

Add

"or redetermine (as the case may be)".

444. Section 11 amended (Revising Officer may require Electoral Registration Officer and Returning Officer to provide information)

(1) Section 11, heading, after "**require**"—

Add

"**Candidate Eligibility Review Committee,**".

(2) Section 11, after "require"—

Add

"the Candidate Eligibility Review Committee,".

445. Schedule amended (appeal notice)

(1) The Schedule—

Repeal

"*In the Matter of a *subsector"

Substitute

"In the Matter of a *subsector".

(2) The Schedule—

Repeal

"(or)*".

(3) The Schedule—

Repeal

"In the Matter of a *sub-subsector ordinary election/sub-subsector by-election for the *sports/performing arts/culture/publication sub-subsector held on (*date of election*).".

(4) The Schedule—

Repeal

"*subsector/sub-subsector" (wherever appearing)

Substitute

"subsector".

Division 3—Election Committee (Registration) (Voters for Subsectors) (Members of Election Committee) (Appeals) Regulation (Cap. 569 sub. leg. B)

446. Section 2 amended (interpretation)

Section 2—

Repeal the definition of *District Council election year*.

447. Section 2A amended (effect of inclement weather warning on date and period)

(1) Section 2A(4)—

Repeal Table 1

Substitute

"Table 1

Column 1	Column 2
section 29(1A)(b)(ii) of Cap. 541B	section 7(2AA)(a)(i)

Column 1	Column 2
section 29(1A)(b)(iii) of Cap. 541B	sections 3(4)(b) and 7(2)(aa) and (2AA)(b)(i)
section 32(2)(c) of Cap. 541B	section 3(4)(b)(i) and (ii)

In this Table—

Cap. 541B stands for 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).".

(2) Section 2A(4), Table 1—

Repeal

"section 29(1A)(b)(ii) of Cap. 541B	section 7(2AA)(a)(i)
section 29(1A)(b)(iii) of Cap. 541B	sections 3(4)(b) and 7(2)(aa) and (2AA)(b)(i)"

Substitute

"section 29(1A)(b)(i) of Cap. 541B	sections 3(4)(b) and 7(2)(aa) and (2AA)(b)(i)".

(3) Section 2A—

Repeal subsections (5), (6) and (7).

(4) Section 2A(8)—

Repeal Table 3

Substitute

"Table 3

Column 1	Column 2
the eighth day before the polling date	section 3(3)(a) and (b)
8 September	section 3(3)(b)(i) and (ii)
11 September	section 7(2)(aa) and (2AA)(b)(ii)
11 July	section 7(2AA)(a)".

448. Section 3 amended (fixing of hearing and notifying appellant thereof)

(1) After section 3(1A)—

Add

"(1AA) This section also does not apply to a claim or an objection made in relation to a subsector register compiled for 2021.".

(2) Section 3—

Repeal subsections (3) and (4)

Substitute

"(3) If a copy of a notice of appeal is received by the Revising Officer, the date fixed under subsection (1)(a) as regards the appeal to which the notice relates must be—

(a) if the copy of the notice is received on or before the eighth day before the polling date for the subsector concerned—a date within a period of 21 days beginning from 25 days before the polling date; or

(b) if the copy of the notice is received after the eighth day before the polling date for the subsector concerned in a year and—

(i) if the date of receipt falls on or before 8 September in a year—a date within a period of 28 days ending on 11 September in that year; or

(ii) if the date of receipt falls after 8 September in a year—a date within a period of 27 days ending on 11 September in the next year.

(4) If a copy of a notice of claim or a notice of objection as regards an entry, or registration, in a subsector register, is received by the Revising Officer, the date fixed under subsection (1)(a) as regards the claim or objection to which the notice relates must be—

(a) on or after the third day after the day on which the copy of the notice is received; and

(b) a date within the period beginning on 1 August and ending on 11 September in—

(i) if the date of receipt falls on or before 29 August in a year—that year; or

(ii) if the date of receipt falls after 29 August in a year—the next year.".

(3) Section 3(5A)(a)—

Repeal subparagraph (i)

Substitute

"(i) is the last day of the period specified in subsection (3)(a) or (b)(i) or (ii), (4)(b) or (5); or".

449. Section 3A amended (Revising Officer to determine certain claims or objections based on written submissions)

(1) After section 3A(1)—

Add

"(1A) This section also applies to a claim or an objection made in relation to a subsector register compiled for 2021.".

(2) Section 3A(3)—

Repeal paragraphs (a) and (b)

Substitute

"(a) if the claim or objection relates to a subsector provisional register compiled for 2021—not later than 2 July 2021; or

(b) if the claim or objection relates to a subsector provisional register compiled for any year subsequent to 2021—not later than 29 August in that year.".

450. Section 4 amended (appellant and person in respect of whom objection is made to be notified of rulings etc.)

Section 4—

Repeal the subsection (4)

Substitute

"(4) A notification in relation to a ruling made under section 3A(5) must be sent—

(a) if the ruling relates to a subsector provisional register compiled for 2021—not later than 7 July 2021; or

(b) if the ruling relates to a subsector provisional register compiled for any year subsequent to 2021—not later than 7 September in that year.".

451. Section 5 amended (Electoral Registration Officer to be notified of rulings made under section 3(6) and (6A) etc.)

(1) Section 5(3)—

Repeal paragraph (a)

Substitute

"(a) after a hearing in connection with a claim or an objection in respect of a subsector provisional register is concluded—not later than 17 September in the year in which the hearing is concluded;".

(2) Section 5(3)(b)(i), after the semicolon—

Add

"or".

(3) Section 5(3)(b)—

Repeal subparagraph (ii)

Substitute

"(ii) during the period referred to in section 3(3)(b)(i) or (ii)—not later than 17 September in the year in which the hearing is concluded; or".

(4) Section 5(3)(b)—

Repeal subparagraph (iii).

452. Section 5A amended (Electoral Registration Officer to be notified of rulings made under section 3A(5))

Section 5A—

Repeal paragraphs (a) and (b)

Substitute

"(a) if the ruling relates to a subsector provisional register compiled for 2021—not later than 7 July 2021; or

(b) if the ruling relates to a subsector provisional register compiled for any year subsequent to 2021—not later than 7 September in that year.".

453. Section 6 amended (determination of matters and powers of adjournment, etc.)

Section 6—

Repeal

"7(2)(aa), (ab), (a), (b)(i), (ii) or (iii), (c)(i) or (ii) or (f)"

Substitute

"7(2)(aa), (a) or (f)".

454. Section 7 amended (review of rulings by Revising Officer)

(1) After section 7(1)—

Add

"(1A) Despite subsection (1)(b), if the ruling being reviewed relates to a subsector register compiled for 2021, the Revising Officer must determine whether to reverse or confirm the ruling without a hearing on the basis of written submissions only.".

(2) Section 7(2)—

Repeal paragraph (aa)

Substitute

"(aa) during the period beginning on 1 August and ending on 11 September in a year may only be reviewed during that period;".

(3) Section 7(2)—

Repeal paragraph (ab).

(4) Section 7(2)—

Repeal paragraph (a)

Substitute

"(a) during the period referred to in section 3(3)(a) or (b)(i) or (ii) may only be reviewed during that period; or".

(5) Section 7(2)—

Repeal paragraphs (b) and (c).

(6) Section 7—

Repeal subsection (2AA)

Substitute

"(2AA) A ruling under section 3A(5) may only be reviewed during the following period—

(a) if the ruling relates to a subsector register compiled for 2021—the period—

(i) beginning on 27 June 2021; and

(ii) ending on 11 July 2021; or

(b) if the ruling relates to a subsector register compiled for any year subsequent to 2021—the period—

(i) beginning on 1 August; and

(ii) ending on 11 September in that year.".

(7) Section 7(2B)—

Repeal

"District Council election".

(8) Section 7(2B)—

Repeal

"sections 35(5)(a) and 36(5)(a)"

Substitute

"sections 35(5)(b) and 36(5)(b)".

(9) Section 7—

Repeal subsection (2C).

Division 4—Election Committee (Subscribers and Election Deposit for Nomination) Regulation (Cap. 569 sub. leg. C)

455. Section 2 amended (interpretation)

(1) Section 2(2)—

Repeal

"or sub-subsector (within the meaning of section 1(1) of the Schedule to the Ordinance)".

(2) Section 2(2)(a)—

Repeal

"or sub-subsector".

456. Section 4 amended (return of deposit on invalid nomination etc.)

(1) Section 4(1)(b)—

Repeal

"Returning Officer"

Substitute

"Candidate Eligibility Review Committee".

(2) Section 4(1)(d)—

Repeal

"or".

(3) Section 4(1)—

Repeal paragraph (e)

Substitute

"(e) proof is given to the satisfaction of the Returning Officer that the candidate has died as referred to in section 26(1)(a) of the Schedule to the Ordinance; or

(f) proof is given to the satisfaction of the Candidate Eligibility Review Committee that the candidate is disqualified from being elected as referred to in section 26(1)(b) of the Schedule to the Ordinance.".

(4) Section 4(2)(d), after "(1)(e)"—

Add

"or (f)".

457. Section 8 amended (number and qualifications of subscribers to nomination paper)

(1) Section 8(2)(a)—

Repeal

"allocated to"

Substitute

"to be elected by".

(2) Section 8(4)(b)—

Repeal

"Returning Officer"

Substitute

"Candidate Eligibility Review Committee".

(3) Section 8(4)(c)—

Repeal

"Returning Officer has"

Substitute

"Candidate Eligibility Review Committee has".

(4) Section 8(4)(c)(i), Chinese text—

Repeal

"該選舉"

Substitute

"有關的選舉".

(5) Section 8(4)(c)(ii)—

Repeal

"Returning Officer"

Substitute

"Candidate Eligibility Review Committee".

(6) Section 8(4)(c)(ii), after "nominated and"—

Add

"the Returning Officer".

Division 5—Distribution of Number of Members Among Designated Bodies (Election Committee) Order 2001 (Cap. 569 sub. leg. D)

458. Distribution of Number of Members Among Designated Bodies (Election Committee) Order 2001 repealed

The Distribution of Number of Members Among Designated Bodies (Election Committee) Order 2001 (Cap. 569 sub. leg. D)—

Repeal the Order.

Division 6—Chief Executive Election (Election Petition) Rules (Cap. 569 sub. leg. E)

459. Schedule amended (election petition)

The Schedule—

Repeal

"a person the nomination of whom was not accepted by the Returning Officer/".

Part 8

Consequential Amendments

Division 1—High Court Ordinance (Cap. 4)

460. Section 14 amended (appeals in civil matters)

Section 14(3)(g)—

Repeal

"or order of the Court of First Instance referred to in section 22(1)(c)"

Substitute

", order or decision of the Court of First Instance referred to in section 22(1)(c) or (d)".

Division 2—Hong Kong Court of Final Appeal Ordinance (Cap. 484)

461. Part II, Division 2 heading amended (appeal from Court of Appeal to Court; appeal relating to election)

Part II, Division 2, heading, after "**Election**"—

Add

"**; Appeal relating to Certain Proceedings**".

462. Section 22 amended (civil appeals)

(1) Section 22(1)(b)—

Repeal

"and".

(2) Section 22(1)(c)(viii)—

Repeal

"concerned."

Substitute

"concerned; and".

(3) After section 22(1)(c)—

Add

"(d) at the discretion of the Court, from a decision of the Court of First Instance in proceedings brought under section 43A of the Schedule to the Chief Executive Election Ordinance (Cap. 569) (including a decision for the purpose of an application under section 43A(6) of that Schedule).".

Division 3—Electronic Transactions (Exclusion) Order (Cap. 553 sub. leg. B)

463. Schedule 1 amended (provisions excluded from application of section 5 of Ordinance)

Schedule 1, item 60—

Repeal

"38(3),".

Division 4—Travel Industry Ordinance (Cap. 634)

464. Schedule 11 amended (related amendments)

(1) Schedule 11—

Repeal section 7

Substitute

"7. **Section 20O amended (composition of the tourism functional constituency)**

Section 20O(a)—

Repeal subparagraph (i)

Substitute

"(i) licensed travel agents as defined by section 2(1) of the Travel Industry Ordinance (Cap. 634); and".".

(2) Schedule 11—

Repeal section 8

Substitute

"8. **Schedule, section 39P amended (specified entities of the tourism subsector)**

The Schedule, section 39P(a)—

Repeal subparagraph (i)

Substitute

"(i) is a licensed travel agent as defined by section 2(1) of the Travel Industry Ordinance (Cap. 634); and".".

Explanatory Memorandum

This Bill introduces amendments to various items of electoral legislation for the purposes set out in the long title of the Bill and is divided into 8 Parts.

Part 1—Preliminary

2. Part 1 sets out the short title and provides for commencement.

Part 2—Amendments to Emergency (Date of General Election) (Seventh Term of the Legislative Council) Regulation (Cap. 241 sub. leg. L) (*Cap. 241L*)

3. Part 2 amends Cap. 241L to specify 19 December 2021 as the date for the general election for the seventh term of office of the Legislative Council (***7th term of LegCo***).

Part 3—Amendments to Electoral Affairs Commission Ordinance and its Subsidiary Legislation

4. Part 3 is divided into 11 Divisions.

Division 1—Electoral Affairs Commission Ordinance (Cap. 541) ***(Cap. 541)***

5. Division 1 of Part 3 amends Cap. 541 to—

(a) repeal historical references to bodies that are no longer existent such as the Provisional District Board and the Provisional Legislative Council;

(b) enable regulations made under Cap. 541 to provide for the imposition and enforcement in court of a financial penalty for any contravention of a requirement in or made under the regulations; and

(c) in view of the revised constitution of the Legislative Council (***LegCo***) (see paragraph 19(a))—

(i) revise the provisions that relate to the making of reports on subsector elections by the Electoral Affairs Commission (***EAC***); and

(ii) provide that the EAC is not required to make reports on the delineation of geographical constituencies for the general election for the 7th term of LegCo.

Division 2—Electoral Affairs Commission (Registration of Electors) (Legislative Council Geographical Constituencies) (District Council Constituencies) Regulation (Cap. 541 sub. leg. A) ***(Cap. 541A)***

6. Division 2 of Part 3 amends Cap. 541A to—

(a) simplify the annual registration cycles for the registration of electors for geographical constituencies (***GC electors***) by specifying 1 set of deadlines for the registration procedures regardless of whether a District Council ordinary election is to be held in the year concerned;

(b) make special arrangements relating to the registration of GC electors in the 2021 registration cycle for persons affected by the revisions concerning—

(i) electors for functional constituencies (***FC electors***);

(ii) voters for subsectors of the Election Committee (***subsector voters***); and

(iii) ex-officio members of the Election Committee; and

(c) enhance the arrangements for the compilation and inspection of the omissions lists, provisional registers and final registers relating to GC electors (***GC electors registration records***).

7. For paragraph 6(c), the following arrangements will apply starting from 1 May 2022—

(a) the Electoral Registration Officer may require a person who applies for registration as a GC elector to provide proof of residential address;

(b) copies of GC electors registration records will be made available for inspection at specified places only by specified persons (i.e. the press, political parties and candidates at a relevant election); and

(c) the names of the natural persons recorded on such copies will be shown only partially.

Division 3—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) ***(Cap. 541B)***

8. Division 3 of Part 3 amends Cap. 541B to—

(a) simplify the annual registration cycles for the registration of FC electors and subsector voters by specifying 1 set of deadlines for the respective registration procedures regardless of whether a District Council ordinary election is to be held in the year concerned;

(b) make special arrangements—

(i) relating to the omission of existing FC electors who are no longer eligible and the registration of certain eligible FC electors in the 2021 registration cycle arising from the revised electorates and eligibilities for registration for some functional constituencies (see paragraph 19(b)); and

(ii) relating to the omission of existing subsector voters who are no longer eligible and the registration of certain eligible subsector voters in the 2021 registration cycle arising from the revised constitution of the Election Committee concerning

the entities entitled to vote at a subsector election (see paragraph 41(c)(iii)); and

(c) enhance the arrangements for the compilation and inspection of—

(i) the omissions lists, provisional registers and final registers relating to FC electors (***FC electors registration records***);

(ii) the omissions lists, provisional registers and final registers relating to subsector voters (***subsector voters registration records***); and

(iii) the omissions lists, provisional registers, interim registers and final registers relating to members of the Election Committee (***EC members registration records***).

9. For paragraph 8(c)—

(a) arrangements similar to those described in paragraph 7 will, starting from 1 May 2022, apply to—

(i) FC electors registration records;

(ii) subsector voters registration records; and

(iii) EC members registration records; and

(b) such arrangements will not affect the arrangements for public inspection of—

(i) entries relating to corporate electors on FC electors registration records; and

(ii) entries relating to corporate voters on subsector voters registration records.

*Division 4—Electoral Affairs Commission (Nominations Advisory Committees (Legislative Council)) Regulation (Cap. 541 sub. leg. C) **(Cap. 541C)***

10. Division 4 of Part 3 amends Cap. 541C to—

(a) in view of the revised constitution of the LegCo (see paragraph 19(a)), revise the provisions that relate to the giving of advice by a nomination advisory committee to cover a person nominated as a candidate for the Election Committee constituency; and

(b) in view of the revised procedures for determining the validity of the nomination of a person as a candidate at a LegCo election (see paragraph 19(c)), revise the provisions that incidentally refer to the role of the Returning Officer in such procedures.

*Division 5—Electoral Affairs Commission (Electoral Procedure) (Legislative Council) Regulation (Cap. 541 sub. leg. D) **(Cap. 541D)***

11. Division 5 of Part 3 amends Cap. 541D to—

(a) in view of the revised constitution of the LegCo (see paragraph 19(a)), revise the provisions that relate to the procedures for LegCo elections (including nomination of candidates, voting and counting of votes); and

(b) introduce the following measures to facilitate the conduct of LegCo elections—

(i) to empower the Chief Electoral Officer to require certain premises for use as polling stations or counting stations;

(ii) to empower Presiding Officers of polling stations to make special arrangement for elderly persons, pregnant women and ill, injured or disabled persons to apply for ballot papers; and

(iii) to implement the use of electronic copy of final registers.

Division 6—Electoral Affairs Commission (Electoral Procedure) (District Councils) Regulation (Cap. 541 sub. leg. F) ***(Cap. 541F)***

12. Division 6 of Part 3 amends Cap. 541F to introduce measures similar to those mentioned in paragraph 11(b) to facilitate the conduct of District Council elections.

Division 7—Electoral Affairs Commission (Nominations Advisory Committees (Election Committee)) Regulation (Cap. 541 sub. leg. H) ***(Cap. 541H)***

13. Division 7 of Part 3 amends Cap. 541H to—

(a) in view of the revised constitution and method of forming the Election Committee (see paragraph 41(c)), revise the provisions that relate to the nomination for the religious subsector to cover nomination by designated bodies for other subsectors; and

(b) in view of the revised procedures for determining the validity of the nomination of a person as a nominee or candidate at a subsector election (see paragraph 41(d)(ii) and (iii)), revise the provisions that incidentally refer to the role of the Returning Officer in such procedures.

Division 8—Electoral Affairs Commission (Electoral Procedure) (Election Committee) Regulation (Cap. 541 sub. leg. I) ***(Cap. 541I)***

14. Division 8 of Part 3 amends Cap. 541I to—

(a) in view of the revised constitution and method of forming the Election Committee (see paragraph 41(c))—

(i) provide for the procedures for registration as ex-officio members of the Election Committee; and

(ii) revise the provisions that relate to the nomination for the religious subsector to cover nomination by designated bodies for other subsectors;

(b) in view of the revised procedures for determining the validity of the nomination of a person as a nominee or candidate at a subsector election (see paragraph 41(d)(ii) and (iii)), revise the provisions that incidentally refer to the role of the Returning Officer in such procedures; and

(c) introduce measures similar to those mentioned in paragraph 11(b) to facilitate the conduct of subsector elections.

Division 9—Electoral Procedure (Chief Executive Election) Regulation (Cap. 541 sub. leg. J) ***(Cap. 541J)***

15. Division 9 of Part 3 amends Cap. 541J to—

(a) in view of the revised procedures for determining the validity of the nomination of a person as a candidate at a Chief Executive election (see paragraph 41(d)(iv)), revise the provisions that incidentally refer to the role of the Returning Officer in such procedures; and

(b) implement the use of electronic copy of the final register.

Division 10—Particulars Relating to Candidates on Ballot Papers (Legislative Council and District Councils) Regulation (Cap. 541 sub. leg. M) ***(Cap. 541M)***

16. Division 10 of Part 3 amends Cap. 541M to, in view of the revised constitution of the LegCo (see paragraph 19(a))—

(a) revise the provisions that relate to requests by candidates for geographical constituencies and functional constituencies to print particulars relating to them on ballot papers; and

(b) provide that Cap. 541M does not apply in relation to the Election Committee constituency.

Division 11—Electoral Affairs Commission (Financial Assistance for Legislative Council Elections and District Council Elections) (Application and Payment Procedure) Regulation (Cap. 541 sub. leg. N) ***(Cap. 541N)***

17. Division 11 of Part 3 amends Cap. 541N to—

(a) in view of the revised constitution of the LegCo (see paragraph 19(a)), revise the provisions that relate to the application and payment of financial assistance to candidates at LegCo elections, including to cover a candidate for the Election Committee constituency; and

(b) make consequential amendments in view of the removal of the requirements mentioned in paragraphs 19(f) and 34.

Part 4—Amendments to Legislative Council Ordinance and its Subsidiary Legislation

18. Part 4 is divided into 5 Divisions.

Division 1—Legislative Council Ordinance (Cap. 542) ***(Cap. 542)***

19. Division 1 of Part 4 amends Cap. 542 to—

(a) revise the constitution of the LegCo starting from the 7th term of LegCo, including to establish the Election Committee constituency as a third type of constituency in addition to the existing 2 types (i.e. geographical constituencies and functional constituencies);

(b) revise the electorates and eligibilities for registration as an elector for some existing functional constituencies, and provide for these matters for the Election Committee constituency, starting from the 7th term of LegCo;

(c) revise the procedures for determining the validity of the nomination of a person as a candidate for any constituency at a LegCo election, which will apply to the Election Committee constituency as well, and provide for the eligibility for being nominated as a candidate for the Election Committee constituency, starting from the 7th term of LegCo;

(d) revise the system of voting for the geographical constituencies and some functional constituencies, and provide for the system of voting for the Election Committee constituency, starting from the 7th term of LegCo;

(e) provide for the boundaries of the geographical constituencies for the 7th term of LegCo; and

(f) make miscellaneous amendments, including to remove the requirement to withhold the financial assistance payable to a candidate at a LegCo election until all election petitions in relation to the election are disposed of.

20. For paragraph 19(a), in terms of the overall constitution of the LegCo—

(a) the number of members of the LegCo is increased from 70 to 90; and

(b) the LegCo is to be constituted by the following 3 types of constituencies—

(i) geographical constituencies;

(ii) functional constituencies; and

(iii) the Election Committee constituency.

21. As regards the geographical constituencies—

(a) the number of members to be returned is decreased from 35 to 20;

(b) the number of geographical constituencies is increased from 5 to 10; and

(c) each geographical constituency is to return 2 members.

22. As regards the functional constituencies—

(a) the number of members to be returned is decreased from 35 to 30;

(b) the following changes are made in relation to particular functional constituencies—

(i) the medical functional constituency and the health services functional constituency are merged as the medical and health services functional constituency;

(ii) the information technology functional constituency is replaced by a new functional consistency named the technology and innovation functional constituency;

(iii) the following functional constituencies are abolished—

(A) the District Council (first) functional constituency; and

(B) the District Council (second) functional constituency; and

(iv) the following new functional constituencies are added—

(A) the commercial (third) functional constituency; and

(B) the Hong Kong Special Administrative Region deputies to the National People's Congress, Hong Kong Special Administrative Region

members of the National Committee of the Chinese People's Political Consultative Conference and representatives of relevant national organisations functional constituency; and

(c) each functional constituency (except the labour constituency) is to return 1 member, while the labour constituency is to return 3 members.

23. As regards the Election Committee constituency—

(a) the number of members to be returned is 40; and

(b) the constituency is to be composed of all members of the Election Committee.

24. For paragraph 19(b), in so far as the electorates of functional constituencies are concerned—

(a) the electorate of the medical and health services functional constituency is identical to that of the existing 2 functional constituencies from which it is merged, except that Chinese medicine practitioners are also included;

(b) the electorates of the following functional constituencies are revised so that they are to be composed of corporate electors only—

(i) the real estate and construction functional constituency;

(ii) the commercial (second) functional constituency;

(iii) the industrial (first) functional constituency;

(iv) the sports, performing arts, culture and publication functional constituency;

(v) the import and export functional constituency;

(vi) the textiles and garment functional constituency;

(vii) the wholesale and retail functional constituency; and

(viii) the catering functional constituency;

(c) the electorates of the following functional constituencies are revised—

(i) the agriculture and fisheries functional constituency;

(ii) the transport functional constituency;

(iii) the tourism functional constituency;

(iv) the sports, performing arts, culture and publication functional constituency;

(v) the import and export functional constituency;

(vi) the textiles and garment functional constituency;

(vii) the wholesale and retail functional constituency; and

(viii) the catering functional constituency; and

(d) the electorates of the 3 new functional constituencies are also provided.

25. Moreover, for those functional constituencies with corporate electors—

(a) the existing requirement for a body to have been operating for the 12 months before its application for registration as an elector is extended to 3 years; and

(b) an existing corporate elector registered in the 2020 final register for functional constituencies is required to have met the 3-year operating requirement by 14 June 2021 in order for it to remain registered.

26. The following priorities will apply to the registration of electors for functional constituencies—

(a) for a natural person—

(i) registration as an elector for the Heung Yee Kuk functional constituency is to prevail over registration as an elector for other functional constituencies; and

(ii) registration as an elector for the Hong Kong Special Administrative Region deputies to the National People's Congress, Hong Kong Special Administrative Region members of the National Committee of the Chinese People's Political Consultative Conference and representatives of relevant national organisations functional constituency is to prevail over registration as an elector for other functional constituencies except the Heung Yee Kuk functional constituency; and

(b) for a body—registration as an elector in any of the following 6 functional constituencies is to prevail over registration in other functional constituencies—

(i) the agriculture and fisheries functional constituency;

(ii) the insurance functional constituency;

(iii) the transport functional constituency;

(iv) the finance functional constituency;

(v) the technology and innovation functional constituency;

(vi) the sports, performing arts, culture and publication functional constituency.

27. For paragraph 19(c)—

(a) a Candidate Eligibility Review Committee is established for the purposes of Annex II to the Basic Law and Cap. 542 to determine the validity of the nomination of a person as a candidate for any constituency at a LegCo election; and

(b) the eligibility for being nominated as a candidate for the Election Committee constituency is the same as that for a geographical constituency.

28. For paragraph 19(d), all constituencies (including the Election Committee constituency) are to adopt the simple or relative majority system of election (otherwise known as the "first past the post" voting system). In other words, the following current voting systems are replaced—

(a) the list system of proportional representation for geographical constituencies; and

(b) the preferential elimination system of voting for the following functional constituencies—

(i) the Heung Yee Kuk functional constituency;

(ii) the agricultural and fisheries functional constituency;

(iii) the insurance functional constituency; and

(iv) the transport functional constituency.

Division 2—Registration of Electors (Appeals) Regulation (Cap. 542 sub. leg. B) ***(Cap. 542B)***

29. Division 2 of Part 4 amends Cap. 542B to—

(a) simplify the annual cycles for claims, objections and appeals relating to registration of electors at LegCo elections by specifying 1 set of deadlines for the relevant procedures regardless of whether a District Council ordinary election is to be held in the year concerned; and

(b) as part of the special arrangements relating to registration of GC electors and FC electors in the 2021 registration cycles (see paragraphs 6(b) and 8(b)(i)), provide that any claim and objection made during the 2021 registration

cycles are to be determined based on written submissions only.

Division 3—Legislative Council (Subscribers and Election Deposit for Nomination) Regulation (Cap. 542 sub. leg. C) ***(Cap. 542C)***

30. Division 3 of Part 4 amends Cap. 542C to—

(a) in view of the revised constitution of the LegCo (see paragraph 19(a)), revise the provisions that relate to the deposits required to be lodged by a person nominated as a candidate at a LegCo election, including to cover the Election Committee constituency; and

(b) revise the provisions that relate to the number and qualifications of subscribers required for being nominated as a candidate at a LegCo election, including to cover the Election Committee constituency.

31. For paragraph 30(b)—

(a) the nomination of a person as a candidate for any constituency must be subscribed by members of the Election Committee representing all of the 5 sectors; and

(b) the subscriptions by members of the Election Committee are, in the case of a candidate for a geographical constituency or functional constituency, required in addition to the currently required subscriptions by electors of the constituency concerned.

Division 4—Legislative Council (Election Petition) Rules (Cap. 542 sub. leg. F) ***(Cap. 542F)***

32. Division 4 of Part 4 amends Cap. 542F to make minor textual amendments in view of the revised constitution of the LegCo (see paragraph 19(a)) and the revised procedures for determining the

validity of the nomination of a person as a candidate at a LegCo election (see paragraph 19(c)).

Division 5—Declaration of Geographical Constituencies (Legislative Council) Order 2019 (Cap. 542 sub. leg. M) ***(Cap. 542M)***

33. Division 5 of Part 4 repeals Cap. 542M in view of the revised geographical constituencies for the 7th term of LegCo (see paragraph 19(e)).

Part 5—Amendment to District Councils Ordinance (Cap. 547) (*Cap. 547*)

34. Part 5 amends Cap. 547 to remove the requirement to withhold the financial assistance payable to a candidate at a District Council election until all election petitions in relation to the election are disposed of.

Part 6—Amendments to Elections (Corrupt and Illegal Conduct) Ordinance and its Subsidiary Legislation

35. Part 6 is divided into 4 Divisions.

Division 1—Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554) ***(Cap. 554)***

36. Division 1 of Part 6 amends Cap. 554 to—

(a) make minor textual amendments in view of the revised constitution of the LegCo (see paragraph 19(a)); and

(b) introduce offences for the following conduct—

(i) wilfully obstructing or preventing another person from voting at an election; or

(ii) inciting by any public activity another person not to vote, or to cast an invalid vote, at an election.

Division 2—Maximum Amount of Election Expenses (Chief Executive Election) Regulation (Cap. 554 sub. leg. A) ***(Cap. 554A)***

37. Division 2 of Part 6 amends Cap. 554A to increase the maximum amount of election expenses that can be incurred by or on behalf of a candidate at a Chief Executive election.

Division 3—Maximum Amount of Election Expenses (Legislative Council Election) Regulation (Cap. 554 sub. leg. D) ***(Cap. 554D)***

38. Division 3 of Part 6 amends Cap. 554D to revise the provisions that relate to the maximum amounts of election expenses for the constituencies of the LegCo, including to cover the Election Committee constituency.

Division 4—Maximum Scale of Election Expenses (Election Committee) Order (Cap. 554 sub. leg. I) ***(Cap. 554I)***

39. Division 4 of Part 6 amends Cap. 554I to revise the maximum scale of election expenses that may be incurred by or on behalf of a candidate at a subsector election in view of the revised constitution of the Election Committee (see paragraph 41(c)).

Part 7—Amendments to Chief Executive Election Ordinance and its Subsidiary Legislation

40. Part 7 is divided into 6 Divisions.

Division 1—Chief Executive Election Ordinance (Cap. 569) ***(Cap. 569)***

41. Division 1 of Part 7 amends Cap. 569 to—

(a) provide for the establishment of a Candidate Eligibility Review Committee;

(b) revise the method of selecting the Chief Executive;

(c) revise the constitution and method of forming the Election Committee, including—

(i) to provide that the holder of specified offices may register as ex-officio members of the Election Committee;

(ii) to provide that designated bodies may nominate members of the Election Committee; and

(iii) to specify the entities entitled to vote at a subsector election;

(d) revise the procedures for determining the validity of—

(i) the registration of a person as an ex-officio member of the Election Committee;

(ii) the nomination of a person as a nominee;

(iii) the nomination of a person as a candidate at a subsector election; and

(iv) the nomination of a person as a candidate at a Chief Executive election;

(e) introduce the requirement for persons applying to be registered as ex-officio members of the Election Committee, nominated as nominees and nominated as candidates at a subsector election to sign a statutory declaration to the effect that the person upholds the Basic Law and pledges allegiance to the Hong Kong Special Administrative Region of the People's Republic of China;

(f) introduce the requirement for a member-elect to sign a written oath before the member-elect may be registered as a member of the Election Committee; and

(g) provide that proceedings may be brought by the Secretary for Justice against a person on the ground of disqualification from being a member of the Election Committee and provide for suspension of functions of such a member.

42. For paragraph 41(b)—

(a) the number of members of the Election Committee required for nomination of a candidate at a Chief Executive election is increased from 150 to 188, which needs to include at least 15 members in each of the 5 sectors of the Election Committee; and

(b) the number of votes required for a candidate to be returned at a Chief Executive election is increased from 600 to 750.

43. For paragraph 41(c)—

(a) the number of members of the Election Committee is increased from 1 200 to 1 500;

(b) the number of sectors of the Election Committee is increased from 4 to 5;

(c) for the first sector—

(i) the Hong Kong Chinese Enterprises Association subsector is renamed as the commercial (third) subsector;

(ii) the small and medium enterprises subsector is added; and

(iii) the number of members to be elected by the other subsectors is adjusted accordingly;

(d) for the second sector—

(i) the medical subsector and the health services subsector are merged as the medical and health services subsector;

(ii) the education subsector and the higher education subsector are merged as the education subsector;

(iii) the information technology subsector is replaced by the technology and innovation subsector;

(iv) the social welfare subsector and the sports, performing arts, culture and publication subsector are moved from the third sector to the second sector; and

(v) certain members of the subsectors under the second sector are to be ex-officio members or to be nominated instead of being elected;

(e) for the third sector—the associations of Chinese fellow townsmen subsector and the grassroots associations subsector are added;

(f) for the fourth sector—

(i) the National People's Congress subsector and the Chinese People's Political Consultative Conference subsector are moved to the fifth sector;

(ii) the Hong Kong and Kowloon District Councils subsector is replaced by the representatives of members of Area Committees, District Fight Crime Committees, and District Fire Safety Committees of Hong Kong and Kowloon subsector;

(iii) the New Territories District Councils subsector is replaced by the representatives of members of Area Committees, District Fight Crime Committees, and District Fire Safety Committees of the New Territories subsector;

(iv) the representatives of associations of Hong Kong residents in the Mainland subsector is added; and

(v) the number of members for each subsector is adjusted accordingly; and

(g) for the fifth sector—

(i) the National People's Congress subsector and the Chinese People's Political Consultative Conference

subsector, originally under the fourth sector, are merged as the Hong Kong Special Administrative Region deputies to the National People's Congress and Hong Kong Special Administrative Region members of the National Committee of the Chinese People's Political Consultative Conference subsector; and

(ii) the representatives of Hong Kong members of relevant national organisations subsector is added.

44. Moreover, for corporate voters—

(a) the existing requirement for a body to have been operating for the 12 months before its application for registration as a voter is extended to 3 years; and

(b) an existing corporate voter registered in the 2020 final subsector register is required to have met the 3-year operating requirement by 14 June 2021 in order for it to remain registered.

*Division 2—Election Committee (Appeals) Regulation (Cap. 569 sub. leg. A) **(Cap. 569A)***

45. Division 2 of Part 7 amends Cap. 569A to—

(a) provide for an appeal mechanism for ex-officio members of the Election Committee; and

(b) in view of the revised procedures for determining the validity of the nomination of a person as a nominee or candidate at a subsector election (see paragraph 41(d)(ii) and (iii)), revise the provisions that incidentally refer to the role of the Returning Officer in such procedures.

Division 3—Election Committee (Registration) (Voters for Subsectors) (Members of Election Committee) (Appeals) Regulation (Cap. 569 sub. leg. B) ***(Cap. 569B)***

46. Division 3 of Part 7 amends Cap. 569B to—

(a) simplify the annual cycles for claims, objections and appeals relating to registration of voters at subsector elections by specifying 1 set of deadlines for the relevant procedures regardless of whether a District Council ordinary election is to be held in the year concerned; and

(b) as part of the special arrangements relating to registration of subsector voters in the 2021 registration cycle (see paragraph 8(b)(ii)), provide that any claim and objection made during the 2021 registration cycle are to be determined based on written submissions only.

Division 4—Election Committee (Subscribers and Election Deposit for Nomination) Regulation (Cap. 569 sub. leg. C) ***(Cap. 569C)***

47. Division 4 of Part 7 amends Cap. 569C to, in view of the revised procedures for determining the validity of the nomination of a person as a candidate at a subsector election (see paragraph 41(d)(iii)), revise the provisions that incidentally refer to the role of the Returning Officer in such procedures.

Division 5—Distribution of Number of Members Among Designated Bodies (Election Committee) Order 2001 (Cap. 569 sub. leg. D) ***(Cap. 569D)***

48. Division 5 of Part 7 repeals Cap. 569D as the relevant numbers are specified in the Schedule to Cap. 569 instead.

Division 6—Chief Executive Election (Election Petition) Rules (Cap. 569 sub. leg. E) ***(Cap. 569E)***

49. Division 6 of Part 7 amends Cap. 569E to, in view of the revised procedures for determining the validity of the nomination of a candidate at a Chief Executive election (see paragraph 41(d)(iv)), revise the form that incidentally refers to the role of the Returning Officer in such procedures.

Part 8—Consequential Amendments

50. Part 8 consequentially amends the High Court Ordinance (Cap. 4), the Hong Kong Court of Final Appeal Ordinance (Cap. 484), the Electronic Transactions (Exclusion) Order (Cap. 553 sub. leg. B) and the Travel Industry Ordinance (Cap. 634) in view of the amendments made to Cap. 542 and Cap. 569.

Annex B

Election Committee (EC) Subsectors
Allocation of seats and methods to return members

(According to Annex I to the Basic Law as adopted by the Standing Committee of the National People's Congress on 30 March 2021)

Legend:
- Elect.: EC members to be returned by election
- Nom: EC members to be returned by nomination
- Ex-officio: ex-officio members
- Ind: Individual
- new: new subsector

No.	Subsectors	Seats	Methods	Composition		Remarks/Changes as compared to the 2016 EC
				Ind	Body	
First Sector						
1	Industrial (first)	17	Elect		✓	Each subsector reduced by 1 seat
2	Industrial (second)	17	Elect		✓	
3	Textiles and garment	17	Elect		✓	
4	Commercial (first)	17	Elect		✓	
5	Commercial (second)	17	Elect		✓	
6	Commercial (third) *(former Hong Kong Chinese Enterprises Association renamed)*	17	Elect		✓	Increased by 1 seat
7	Finance	17	Elect		✓	Each subsector reduced by 1 seat
8	Financial services	17	Elect		✓	
9	Insurance	17	Elect		✓	
10	Real estate and construction	17	Elect		✓	
11	Transport	17	Elect		✓	
12	Import and export	17	Elect		✓	
13	Tourism	17	Elect		✓	
14	Hotel	16	Elect		✓	
15	Catering	16	Elect		✓	
16	Wholesale and retail	17	Elect		✓	
17	Employers' Federation of Hong Kong	15	Elect		✓	
18	Small and medium enterprises *(new)*	15	Elect		✓	

No.	Subsectors	Seats	Methods		Composition		Remarks/Changes as compared to the 2016 EC
					Ind	Body	
Second Sector							
19	Technology and innovation *(new)* *(Information technology subsector replaced)*	30	Nom	15	✓		Nominated from among Hong Kong academicians of the Chinese Academy of Sciences and the Chinese Academy of Engineering
			Elect	15		✓	
20	Engineering	30	Ex-officio	15	✓		Responsible persons of statutory bodies, advisory bodies and relevant associations
			Elect	15		✓	
21	Architectural, surveying, planning and landscape	30	Ex-officio	15	✓		Responsible persons of statutory bodies, advisory bodies and relevant associations
			Elect	15		✓	
22	Accountancy	30	Nom	15	✓		Nominated from among Hong Kong Accounting Advisors appointed by the Ministry of Finance
			Elect	15		✓	
23	Legal	30	Ex-officio	6	✓		Hong Kong members of the Committee for the Basic Law of the HKSAR under the NPC Standing Committee
			Nom	9	✓		Nominated from among Hong Kong members of the Council of the China Law Society
			Elect	15		✓	
24	Education *(Education and Higher education subsectors merged)*	30	Ex-officio	16	✓		University presidents or chairpersons of the board of governors or the council of universities; and responsible persons of statutory bodies, advisory bodies and relevant associations
			Elect	14		✓	
25	Sports, performing arts, culture and publication *(originally under the Third Sector)*	30	Nom	15	✓		Nominated respectively by the Sports Federation and Olympic Committee of Hong Kong, China, China Federation of Literary and Art Circles Hong Kong Member Association and Hong Kong Publishing Federation
			Elect	15		✓	
26	Medical and health services *(merged)*	30	Ex-officio	15	✓		Responsible persons of statutory bodies, advisory bodies and relevant associations
			Elect	15		✓	

No.	Subsectors	Seats	Methods		Composition		Remarks/Changes as compared to the 2016 EC
					Ind	Body	
27	Chinese medicine	30	Nom	15	✓		Nominated from among Hong Kong members of the Council of the World Federation of Chinese Medicine Societies
			Elect	15		✓	
28	Social welfare *(originally under the Third Sector)*	30	Ex-officio	15	✓		Responsible persons of statutory bodies, advisory bodies and relevant associations
			Elect	15		✓	
Third Sector							
29	Agriculture and fisheries	60	Elect	60		✓	
30	Labour	60	Elect	60		✓	
31	Grassroots associations *(new)*	60	Elect	60		✓	
32	Associations of Chinese fellow townsmen *(new)*	60	Elect	60		✓	
33	Religious	60	Nom	60		✓	
Fourth Sector							
34	Members of the Legislative Council	90	Ex-officio		✓		Originally 70 seats
35	Heung Yee Kuk	27	Elect		✓		Increased by 1 seat
36	Representatives of members of Area Committees, District Fight Crime Committees, and District Fire Safety Committees of Hong Kong Island and Kowloon *(new)*	76	Elect		✓		Hong Kong and Kowloon District Councils subsector removed
37	Representatives of members of Area Committees, District Fight Crime Committees, and District Fight Crime Committees of the New Territories *(new)*	80	Elect		✓		New Territories District Councils subsector removed
38	Representatives of associations of Hong Kong residents in the Mainland *(new)*	27	Nom			✓	Nominated by associations of Hong Kong residents in the Mainland
Fifth Sector							
39	HKSAR deputies to the NPC and HKSAR members of the CPPCC National Committee *(originally from the Fourth Sector, two subsectors are combined)*	190	Ex-officio		✓		All HKSAR members of the CPPCC National Committee are ex-officio
40	Representatives of Hong Kong members of relevant national organisations *(new)*	110	Elect		✓		
Total:		**1 500**					

Remarks:

(i) An HKSAR deputy to the NPC or an HKSAR member of the CPPCC National Committee may choose to register as an Election Committee member in a subsector other than one in the Fifth Sector with which he or she has a substantial connection. In these cases, the number of ex-officio member will be increased and the number of seats to be returned by the subsector by election will be reduced accordingly. Within the term of office of the Election Committee, the number of ex-officio members, and members to be returned by nomination or election shall remain unchanged.

(ii) Eligible corporate voters for subsectors shall be composed of institutions, organisations, associations or enterprises which are representative and specified by law. Unless specified in the electoral law of the HKSAR, an association or enterprise may become a corporate voter for a subsector only if it has been operating for not less than three years after acquiring relevant qualifications for that subsector.

Annex C

Ex-officio members of the Election Committee

(with reference to the Schedule of the Chief Executive Election Ordinance (Cap. 569)[1])

Subsector	Seat	Specified Office
Architectural, surveying, planning and landscape * (section 5A)	15	1. the President of The Hong Kong Institute of Architects 2. the President of The Hong Kong Institute of Surveyors 3. the President of The Hong Kong Institute of Planners 4. the President of The Hong Kong Institute of Landscape Architects 5. the Chairman of the Hong Kong Housing Authority 6. the Chairman of the Town Planning Board 7. the Chairman of the Board of the Urban Renewal Authority 8. the Chairman of the Hong Kong Housing Society 9. the Chairman of the Antiquities Advisory Board 10. the Chairperson of the Property Management Services Authority 11. the Chairman of the Community Involvement Committee on Greening 12. the Chairman of the Advisory Committee for the Fire Safety (Buildings) Ordinance and the Fire Safety (Commercial Premises) Ordinance 13. the Chairman of the Harbourfront Commission 14. the Chairman of the Land and Development Advisory Committee 15. the Chairman of the Lantau Development Advisory Committee
Education^ (section 5B)	16	<u>Vice-Chancellor / Presidents of Universities</u>: 1. the Vice-Chancellor of The University of Hong Kong 2. the Vice-Chancellor of The Chinese University of Hong Kong 3. the President of The Hong Kong University of Science and Technology 4. the President of the City University of Hong Kong 5. the President of The Hong Kong Polytechnic University 6. the President of The Education University of Hong Kong 7. the President and Vice-Chancellor of the Hong Kong Baptist University 8. the President of Lingnan University

[1] The list on this Annex is extracted from the Improving Electoral System (Consolidated Amendments) Bill 2021 (the Bill). In case of discrepancy, the content of the Bill should prevail.

Subsector	Seat	Specified Office
		9. the President of The Open University of Hong Kong 10. the President of the Hong Kong Shue Yan University 11. the President of The Hang Seng University of Hong Kong Sponsoring bodies which operate secondary schools, primary schools and kindergarten that receive recurrent funding from the Government, and the total number of schools managed by the school sponsoring bodies are among the top five of all school sponsoring bodies: 12. the office specified by Roman Catholic Diocese of Hong Kong 13. the office specified by the Po Leung Kuk 14. the office specified by the Hong Kong Sheng Kung Hui 15. the office specified by the Tung Wah Group of Hospitals 16. the office specified by The Hong Kong Council of the Church of Christ in China
Engineering* (section 5C)	15	1. the President of The Hong Kong Institution of Engineers 2. the Chairman of the Board of the Airport Authority 3. the Chairman of the Consulting Engineers' Committee 4. the Chairperson of the Construction Industry Council 5. the Chairman of the Building Contractors Committee 6. the Chairman of the Advisory Committee on Water Supplies 7. the Chairman of the Transport Advisory Committee 8. the Chairman of the Advisory Council on the Environment 9. the Chairman of the Electrical Safety Advisory Committee 10. the Chairman of the Gas Safety Advisory Committee 11. the Chairman of the Energy Advisory Committee 12. the Chairman of the Advisory Committee on the Appearance of Bridges and Associated Structures 13. the Chairman of the Lift and Escalator Safety Advisory Committee 14. the Chairman of the Board of MTR Corporation Limited 15. the Chairperson of the Drinking Water Safety Advisory Committee
Legal^{+} (section 5D)	6	Hong Kong members of the Committee for the Basic Law of the Hong Kong Special Administrative Region under the Standing Committee of the National People's Congress

Subsector	Seat	Specified Office
Medical and Health Services* (section 5E)	15	1. the Chairman of the Hospital Authority 2. the Chairman of the Board of Governors of The Prince Philip Dental Hospital 3. the Chairman of the Medical Council of Hong Kong 4. the Chairman of the Dental Council of Hong Kong 5. the President of the Hong Kong Academy of Medicine 6. the Chairman of the Nursing Council of Hong Kong 7. the Chairman of the Midwives Council of Hong Kong 8. the Chairman of the Supplementary Medical Professions Council 9. the Chairman of the Pharmacy and Poisons Board 10. the Chairman of the Chiropractors Council 11. the Dean of Li Ka Shing Faculty of Medicine of The University of Hong Kong 12. the Dean of Faculty of Medicine of The Chinese University of Hong Kong 13. the Secretary General of the Hong Kong Red Cross 14. the Council Chairman of the Hong Kong St. John Ambulance 15. the Commissioner of the Auxiliary Medical Service
Social Welfare* (section 5F)	15	1. the Chairperson of the Executive Committee of the Hong Kong Council of Social Service 2. the Chairperson of the Social Workers Registration Board 3. the Chairman of the Council of the Institute of Social Service Development 4. the Chairman of the Board of Directors of the Tung Wah Group of Hospitals 5. the Chairman of the Board of Directors of the Po Leung Kuk 6. the Chairman of the Board of Directors of the Yan Chai Hospital 7. the Chairman of the Board of Directors of Pok Oi Hospital 8. the Chairperson of the Board of Directors of Yan Oi Tong Limited 9. the Chairman of the Executive Committee of The Lok Sin Tong Benevolent Society Kowloon 10. the Chairman of the Board of Directors of New Home Association Limited 11. the Chairperson of the Board of Directors of Social Workers Across Borders Limited 12. the Chairperson of the Board of Directors of The Hong Kong Volunteers Federation Company Limited 13. the Chairperson of the Council of The Hong Kong Federation of Trade Unions Hong Ling Society

Subsector	Seat	Specified Office
		14. the Chairperson of the Executive Committee of The United Labour Chi Hong Association Limited 15. the Chairman of the Board of Directors of The Hong Kong Island Social Services Charitable Foundation Limited
Members of the Legislative Council [+] (section 5G)	90	Members of the Legislative Council
Hong Kong Special Administrative Region deputies to the National People's Congress and Hong Kong Special Administrative Region members of the National Committee of the Chinese People's Political Consultative Conference[+#] (Section 5H)	190	Hong Kong Special Administrative Region deputies to the National People's Congress (NPC deputies) and HKSAR members of the National Committee of the Chinese People's Political Consultative Conference (CPPCC members)
Total:	**362**	

Remarks:

(*) For the ex-officio seats in these subsectors, if the specified person is not eligible to be registered (that he is disqualified from being registered as an elector of Legislative Council Geographical Constituency or he is a specified public officer) or if he has already registered as an ex-officio member through another specified office, he may designate another person who is holding an office in a relevant body in relation to the specified office as an ex-officio member.

(^) If the Vice-chancellor / president of the university is not eligible to be registered, the Council Chairman / the Chairman of the Board of Governors of a relevant body in relation to the specified office is to be regarded as a specified office of the relevant body.

(+) In case a specified person could not be registered as the ex-officio member of these subsectors, he may not designate another person to be registered as the ex-officio member of this subsector.

(#) The registration of NPC deputies or CPPCC members must be submitted by the Friends of Kong Association Limited. If he is also the holder of a specified office in another subsector, he must be registered in that other subsector.

Annex D

Election Committee Members to be returned by nomination in each subsector and the related designated bodies

(with reference to the Schedule of the Chief Executive Election Ordinance (Cap. 569)[1])

Subsector	Seat	Method
Accountancy (section 5P)	15	● To be nominated from among the Hong Kong Accounting Advisors appointed by the Ministry of Finance of the People's Republic of China. ● The nomination form should be submitted by the Association of Hong Kong Accounting Advisors Limited which is composed of the advisors.
Chinese medicine (section 5Q)	15	● To be nominated from among the Hong Kong members of the Council of the World Federation of Chinese Medicine Societies. ● The nomination form should be submitted by the WFCMS (Hong Kong) Council Members Association Limited which is composed of the members.
Legal (section 5R)	9	● To be nominated from among the Hong Kong members of the Council of the China Law Society. ● The nomination form should be submitted by the China Law Society's HK Council Members Association which is composed of the members.
Sports, performing arts, culture and publication (section 5S)	15	● To be nominated by the following bodies: 1. Sports Federation & Olympic Committee of Hong Kong, China (3 seats) 2. China Federation of Literary and Art Circles Hong Kong Member Association Limited (9 seats) 3. Hong Kong Publishing Federation Limited (3 seats)
Technology and innovation *(new)* (section 5T)	15	● To be nominated from among the Hong Kong academicians of the Chinese Academy of Sciences or the Chinese Academy of Engineering. ● The nomination form should be submitted by The Greater Bay Area Association of Academicians which is composed of the academicians.
Religious (section 6)	60	● Each of the following body should nominate 10 EC members *(same as current arrangement):* 1. Catholic Diocese of Hong Kong 2. Chinese Muslim Cultural and Fraternal Association 3. Hong Kong Christian Council 4. The Hong Kong Taoist Association 5. The Confucian Academy 6. The Hong Kong Buddhist Association

[1] The list on this Annex is extracted from the Improving Electoral System (Consolidated Amendments) Bill 2021 (the Bill). In case of discrepancy, the content of the Bill should prevail.

Subsector	Seat	Method
Representatives of associations of Hong Kong residents in the Mainland *(new)* (section 6A)	27	● Each of the following body should nominate 1 EC member: 1. Mainland China (Shenzhen) Consultant Services Centre, The Hong Kong Federation of Trade Unions; 2. Mainland China (Guangzhou) Consultant Services Centre, The Hong Kong Federation of Trade Unions; 3. Mainland China (Dongguan) Consultant Services Centre, The Hong Kong Federation of Trade Unions; 4. Mainland China (Zhongshan) Consultant Services Centre, The Hong Kong Federation of Trade Unions; 5. Mainland China (Huizhou) Consultant Services Centre, The Hong Kong Federation of Trade Unions; 6. Mainland China (Fujian, Xiamen) Consultant Services Centre, The Hong Kong Federation of Trade Unions; 7. Hong Kong Chamber of Commerce in China; 8. Hong Kong Chamber of Commerce in China—Tianjin; 9. Hong Kong Chamber of Commerce in China—Shanghai; 10. Hong Kong Chamber of Commerce in China—Zhejiang; 11. Hong Kong Chamber of Commerce in China—Guangdong; 12. Hong Kong Chamber of Commerce in China—Fujian; 13. Hong Kong Chamber of Commerce in China—Guangxi; 14. Hong Kong Chamber of Commerce in China—Sichuan; 15. Hong Kong Chamber of Commerce in China—Wuhan; 16. Hong Kong Chamber of Commerce in China—Liaoning; 17. Hong Kong Chamber of Commerce in China—Shandong; 18. Hong Kong Professionals (Beijing) Association; 19. Shanghai Hong Kong Association; 20. Guangzhou Tianhe Hong Kong and Macau Youth Association; 21. Hong Kong Association of China Business; 22. Hong Kong Chamber of Commerce, Qianhai, Shenzhen; 23. Hong Kong and Macau Entrepreneurs Branch, Chongqing Overseas Association; 24. Fujian Federation of Overseas Chinese Entrepreneurs; 25. Hong Kong and Macao Youth Innovation and Entrepreneurship Federation in Zhongkai Huizhou; 26. The Hong Kong Fellowship in Huadu Guangzhou; and 27. The Hong Kong Fellowship in Chancheng Foshan.
Total:	**156**	

Annex E

Specified entities eligible to be registered as voters in each subsector of the Election Committee

(with reference to the Schedule of the Chief Executive Election Ordinance (Cap. 569)[1])

First Sector: Industrial, commercial and financial sector

Subsector	Seat	Specified Entities
Catering^ (Section 39A)	16	(a) is a holder of a food business licence under the Public Health and Municipal Services Ordinance (Cap. 132) and — (i) is entitled to vote at the Board of The Association for Hong Kong Catering Services Management Limited[#]; (ii) is entitled to vote at the Board of The Association of Restaurant Managers Limited[#]; or (iii) is entitled to vote at the Board of Hong Kong Catering Industry Association Limited[#]
Commercial (first)* (Section 39B)	17	(a) is a corporate member of The Hong Kong General Chamber of Commerce and is entitled to vote at the General Committee of the Chamber[#]
Commercial (second)* (Section 39C)	17	(a) is a corporate member of The Chinese General Chamber of Commerce and is entitled to vote at the Committee of the Chamber[#]
Commercial (third)* (Section 39D)	17	(a) is a corporate member of the Hong Kong Chinese Enterprises Association and is entitled to vote at the Board of the Association[#]
Employers' Federation of Hong Kong* (Section 39E)	15	(a) is a corporate member of the Employers' Federation of Hong Kong and is entitled to vote at the Council or the General Committee of the Federation[#]
Finance^ (Section 39F)	17	(a) banks within the meaning of the Banking Ordinance (Cap. 155); (b) restricted licence banks within the meaning of the Banking Ordinance (Cap. 155); or (c) deposit-taking companies within the meaning of the Banking Ordinance (Cap. 155)
Financial services^ (Section 39G)	17	(a) any body that is licensed under the Securities and Futures Ordinance (Cap. 571), and— (i) is entitled to vote at the specified authority (i.e. either the Council or Board of Directors as specified by the President of the company) of The Chinese Securities Association of Hong Kong Company Limited[#];

[1] The list on this Annex is extracted from the Improving Electoral System (Consolidated Amendments) Bill 2021 (the Bill). In case of discrepancy, the content of the Bill should prevail.

Subsector	Seat	Specified Entities
		(ii) is entitled to vote at the Board of Hong Kong Securities Professionals Association Limited [#]; (iii) is entitled to vote at the Committee of The Institute of Securities Dealers Limited [#]; (iv) is entitled to vote at the Board of Hong Kong Securities Association Limited [#]; (v) is entitled to vote at the Executive Committee of The Hong Kong Association of Online Brokers Limited [#]; (vi) is entitled to vote at the Executive Committee of The Hong Kong Institute of Financial Analysts and Professional Commentators Limited [#]; (vii) is entitled to vote at the Council of Hong Kong Securities and Futures Professional Association [#]; or (viii) is entitled to vote at the Board of Chinese Futures Association of Hong Kong Company Limited [#]; or (b) any body that is entitled to vote at the Executive and Supervisory Committee of the Chinese Gold and Silver Exchange [#]
Hotel* (Section 39H)	16	(a) is a licence holder as defined by section 2(1) of the Hotel and Guesthouse Accommodation Ordinance (Cap. 349); (b) is a corporate member of the Federation of Hong Kong Hotel Owners Limited; and (c) is entitled to vote at general meetings of the company [#]
Import and export* (Section 39I)	17	(a) is a corporate member of The Hong Kong Chinese Importers' and Exporters' Association and is entitled to vote at the Council of the Association [#]
Industrial (First)* (Section 39J)	17	(a) is a corporate member of the Federation of Hong Kong Industries and is entitled to vote at the General Committee of the Federation[#]
Industrial (Second)* (Section 39K)	17	(a) is a corporate member of The Chinese Manufacturers' Association of Hong Kong and is entitled to vote at the General Committee of the Association [#]
Insurance^ (Section 39L)	17	(a) insurers authorized or deemed to be authorized under the Insurance Ordinance (Cap. 41)
Real estate and construction* (Section 39M)	17	(a) a corporate member of The Real Estate Developers Association of Hong Kong Limited and is entitled to vote at the general committee or executive committee of the company [#]; (b) a corporate member of The Hong Kong Construction Association, Limited and is entitled to vote at the Council of the company [#];or (c) a corporate member of The Hong Kong E&M Contractors' Association Limited and is entitled to vote at the Council of the company [#]
Small and medium	15	(a) a corporate member of Hong Kong Commerce and Industry Associations Limited and is entitled to vote at the Board of the company[#];

Subsector	Seat	Specified Entities
enterprises* *(new)* (Section 39N)		(b) a corporate member of The Hong Kong General Chamber of Small and Medium Business Limited and is entitled to vote at the General Committee of the company [#]; or (c) a corporate member of Hong Kong Small and Medium Enterprises Association Limited and is entitled to vote at the Council of the company [#]
Textiles and garment* (Section 39O)	17	(a) a corporate member of the Textile Council of Hong Kong Limited and is entitled to vote at the General Committee of the company [#]; or (b) a corporate member of The Hong Kong General Chamber of Textiles Limited and is entitled to vote at the Board of Directors of the company [#]
Tourism* (Section 39P)	17	(a) any body that — (i) is a travel agent holding a licence as defined by section 2 of the Travel Agents Ordinance (Cap. 218); and (ii) is — (A) a corporate member of the Travel Industry Council of Hong Kong entitled to vote at the Board of Directors of the Council[#]; (B) a corporate member of Hong Kong Association of China Travel Organisers Limited entitled to vote at the Executive Committee of the company[#]; (C) a corporate member of International Chinese Tourist Association Limited entitled to vote at the Executive Committee of the company[#]; (D) a corporate member of The Federation of Hong Kong Chinese Travel Agents Limited entitled to vote at the Executive Committee of the company[#]; (E) a corporate member of Hong Kong Outbound Tour Operators' Association Limited entitled to vote at the Executive Committee of the company[#]; (F) a corporate member of Hong Kong Association of Travel Agents Limited entitled to vote at the Executive Committee of the company[#]; (G) a corporate member of Hongkong Taiwan Tourist Operators Association entitled to vote at the Executive Committee of the Association[#]; (H) a corporate member of Hongkong Japanese Tour Operators Association Limited entitled to vote at the Executive Committee of the company[#]; (I) a corporate member of Society of IATA Passenger Agents Limited entitled to vote at the Executive Committee of the company[#]; or (b) is a corporate member of The Board of Airline Representatives in Hong Kong and is entitled to vote at the Executive Committee of the Board [#]
Transport (Section 39Q)	17	(a) The following listed bodies: 1. Parking Management and Consultancy Services Limited

Subsector	Seat	Specified Entities
		2. Airport Authority 3. Hong Kong Driver's Training Association 4. The Association of N.T. Radio Taxicabs Ltd. 5. Autotoll Limited 6. The Chartered Institute of Logistics and Transport in Hong Kong 7. China Merchants Shipping & Enterprises Co. Ltd. 8. Chu Kong Shipping Enterprises (Holdings) Co. Ltd. 9. Chuen Kee Ferry Limited 10. Chuen Lee Radio Taxis Association Ltd. 11. Citybus Ltd. 12. Coral Sea Ferry Service Co., Ltd. 13. COSCO-HIT Terminals (Hong Kong) Limited 14. CTOD Association Company Ltd. 15. Turbojet Ferry Services (Guangzhou) Limited 16. Discovery Bay Transportation Services Ltd. 17. Driving Instructors Merchants Association, Limited 18. Eastern Ferry Company Limited 19. Expert Fortune Ltd. 20. Far East Hydrofoil Co. Ltd. 21. Fat Kee Stevedores Ltd. 22. The Fraternity Association of N.T. Taxi Merchants 23. Fraternity Taxi Owners Association 24. G.M.B. Maxicab Operators General Association Ltd. 25. The Goods Vehicle Fleet Owners Association Ltd. 26. Happy Taxi Operator's Association Ltd. 27. Hoi Kong Container Services Co. Ltd. 28. Hon Wah Public Light Bus Association Ltd. 29. Hong Kong Air Cargo Terminals Limited 30. Hong Kong & Kowloon Ferry Ltd. 31. Hong Kong Kowloon Goods Vehicles, Omnibuses and Minibuses Instructors Association Limited 32. Hong Kong & Kowloon Motor Boats & Tug Boats Association Limited 33. Hong Kong & Kowloon Radio Car Owners Association Ltd. 34. Hong Kong and Kowloon Rich Radio Car Service Centre Association Ltd. 35. HongKong Association of Freight Forwarding and Logistics Limited 36. Hong Kong Automobile Association 37. The Hong Kong Cargo-Vessel Traders' Association Ltd. 38. Hong Kong Commercial Vehicle Driving Instructors Association 39. Hong Kong CFS and Logistics Association Limited 40. Hong Kong Container Tractor Owner Association Ltd. 41. Hong Kong Driving Instructors' Association 42. Hong Kong Guangdong Transportation Association Ltd. 43. The Hong Kong Institute of Marine Technology 44. Hong Kong, Kowloon & NT Public & Maxicab Light Bus Merchants' United Association

Subsector	Seat	Specified Entities
		45. Hong Kong Taxi Owners' Association Limited 46. The Hong Kong Liner Shipping Association 47. H.K. Motor Car Driving Instructors' Association Limited 48. Hong Kong Pilots Association Ltd. 49. Hong Kong Public & Maxicab Light Bus United Associations 50. Hong Kong Public Cargo Working Areas Traders Association Ltd. 51. Hong Kong Scheduled (GMB) Licensee Association 52. The Hong Kong School of Motoring Ltd. 53. Hong Kong Sea Transport and Logistics Association Limited 54. The Hong Kong Shipowners Association Ltd. 55. Hong Kong Shipping Circles Association Ltd. 56. Hong Kong Shipping Industry Institute 57. Hong Kong Logistics Management Staff Association 58. The Hong Kong Stevedores Employers' Association 59. Hong Kong Tele-call Taxi Association 60. Hong Kong Tramways, Limited 61. Hong Kong Transportation Warehouse Wharf Club 62. The Hongkong & Yaumati Ferry Co., Ltd. 63. Hongkong International Terminals Ltd. 64. Institute of Advanced Motorists (Hong Kong) Limited 65. Institute of Seatransport 66. Institute of Transport Administration (Hong Kong, China) 67. Kowloon Fung Wong Public Light Bus Merchants & Workers' Association Ltd. 68. The Kowloon Motor Bus Company (1933) Limited 69. Kowloon Motor Driving Instructors' Association Ltd. 70. The Kowloon PLB Chiu Chow Traders & Workers Friendly Association 71. The Kowloon Taxi Owners Association Ltd. 72. Kowloon Truck Merchants Association Ltd. 73. Kwik Park Limited 74. Lam Tin Wai Hoi Public Light Bus Association 75. Lantau Taxi Association 76. Lei Yue Mun Ko Chiu Road Public Light Bus Merchants Association Ltd. 77. Lok Ma Chau China—Hong Kong Freight Association 78. Long Win Bus Company Limited 79. Mack & Co. Carpark Management Limited 80. Marine Excursion Association Limited 81. Maritime Affairs Research Association Ltd. 82. MTR Corporation Limited 83. Merchant Navy Officers' Guild—Hong Kong 84. Metropark Limited 85. Mid-stream Holdings (HK) Limited 86. Mixer Truck Drivers Association 87. Modern Terminals Ltd. 88. N.T. San Tin PLB (17) Owners Association

Subsector	Seat	Specified Entities
		89. N.T. Taxi Merchants Association Ltd. 90. N.T. Taxi Owners & Drivers Fraternal Association 91. N.W. Area Taxi Drivers & Operators Association 92. New Lantao Bus Co., (1973) Ltd. 93. New Territories Cargo Transport Association Ltd. 94. New World First Bus Services Limited 95. North District Taxi Merchants Association 96. Organisation of Hong Kong Drivers 97. Public and Private Light Buses Driving Instructors' Society 98. The Public Cargo Area Trade Association 99. Public Light Bus General Association 100. The Public Omnibus Operators Association Ltd. 101. Public Vehicle Merchants Fraternity Association 102. River Trade Terminal Co. Ltd. 103. Route 3 (CPS) Company Limited 104. Sai Kung Taxi Operators Association Ltd. 105. CSX World Terminals Hong Kong Limited 106. Serco Group (HK) Limited 107. The "Star" Ferry Co., Ltd. 108. Sun Hing Taxi Radio Association 109. Taxi Association Limited 110. Taxi Dealers & Owners Association Ltd. 111. The Taxi Operators Association Ltd. 112. Transport Infrastructure Management Limited 113. Tuen Mun Public Light Bus Association 114. Tung Yee Shipbuilding and Repairing Merchants General Association Limited 115. United Friendship Taxi Owners & Drivers Association Ltd. 116. Wai Fat Taxi Owners Association Ltd. 117. Wai Yik Hong Kong & Kowloon & NT Taxi Owners Association 118. West Coast International (Parking) Limited 119. Western Harbour Tunnel Co. Ltd. 120. Wilson Parking (Hong Kong) Limited 121. Wing Lee Radio Car Traders Association Ltd. 122. Wing Tai Car Owners & Drivers Association Ltd. 123. Wu Gang Shipping Co. Ltd. 124. Xiamen United Enterprises (H.K.) Ltd. 125. School Buses Operators Association Limited 126. Sun Ferry Services Company 127. Shun Tak-China Travel Macau Ferries Limited 128. Hong Kong Container Drayage Services Association Limited 129. Hong Kong Kowloon & N.T. Grab-Mounted Lorries Association Limited 130. Hong Kong Waste Disposal Industry Association 131. HK Public-light Bus Owner & Driver Association 132. Logistics Industry & Container Truck Drivers Union

Subsector	Seat	Specified Entities
		133. The Concrete Producers Association of Hong Kong Limited 134. Hongkong Guangdong Boundary Crossing Bus Association Limited 135. Tsui Wah Ferry Service Company Limited 136. Quality Driver Training Centre Limited 137. Public and Private Commercial Driving Instructors' Society 138. Shun Tak-China Travel Ship Management Limited 139. Cruise Ferries (HK) Limited 140. Asia Airfreight Terminal Company Limited 141. The Hong Kong Joint Branch of The Royal Institution of Naval Architects and The Institute of Marine Engineering, Science and Technology 142. The Hongkong Salvage & Towage Company Limited 143. The Institute of Chartered Shipbrokers, Hong Kong Branch 144. Hongkong United Dockyards Limited 145. Guangdong and Hong Kong Feeder Association Limited 146. Hong Kong Right Hand Drive Motors Association Limited 147. The Institute of the Motor Industry Hong Kong 148. Hong Kong Vehicle Repair Merchants Association Limited 149. Environmental Vehicle Repairers Association Limited 150. The Hong Kong Taxi and Public Light Bus Association Limited 151. Park Island Transport Company Limited 152. Discovery Bay Road Tunnel Company Limited 153. International Association of Transport Officers 154. Hong Kong Express Airways Limited 155. Hong Kong (Cross Border) Transportation Drivers' Association 156. Hong Kong Logistics Association Limited 157. Hong Kong Container Depot and Repairer Association Limited 158. New World Parking Management Limited 159. The Nautical Institute—Hong Kong Branch 160. Worldwide Flight Services, Inc. 161. NT Taxi Operations Union 162. Sun Star Taxi Operators Association 163. Taxi & P.L.B. Concern Group 164. Tai Wo Motors Limited 165 Tuen Mun District Tourists and Passengers Omnibus Operators Association Limited 166. Tsuen Wan District Tourists and Passengers Omnibus Operators Association Limited 167. Yuen Long District Tourists and Passengers Omnibus Operators Association Limited 168. Kowloon District Tourists and Passengers Omnibus Operators Association Limited

Subsector	Seat	Specified Entities
		169. Hong Kong District Tourists and Passengers Omnibus Operators Association Limited 170. Sino Parking Services Limited 171. Urban Parking Limited 172. Greater Lucky (HK) Company Limited 173. China Hongkong and Macau Boundary Crossing Bus Association Limited 174. Ground Support Engineering Limited 175. Cathay Pacific Services Limited 176. Cathay Pacific Catering Services (H.K.) Limited 177. LSG Lufthansa Service Hong Kong Limited 178. Gate Gourmet Hong Kong, Limited 179. ECO Aviation Fuel Services Limited 180. Hong Kong Aircraft Engineering Company Limited 181. China Aircraft Services Limited 182. Dah Chong Hong – Dragonair Airport GSE Service Limited 183. Jardine Air Terminal Services Limited 184. Service Managers Association 185. Driving Instructors Association 186. The Chamber of Hong Kong Logistics Industry Limited 187. New Horizon School of Motoring Limited 188. Leinam School of Motoring Limited 189. TIML MOM Limited 190. Hong Kong Taxi Association 191. Chung Shing Taxi Limited 192. Hong Kong Air Cargo Carrier Limited 193. Hong Kong Dumper Truck Drivers Association 194. Shun Fung Motors Investment Management Company Limited 195. Taxi Drivers and Operators Association 196. Yiu Lian Dockyards Limited 197. China Merchants Port Holdings Company Limited 198. China Merchants Container Services Limited 199. China Merchants Logistics Holding Hong Kong Company Limited 200. China Merchants Energy Shipping (Hong Kong) Company Limited 201. COSCO SHIPPING (Hong Kong) Co., Limited 202. COSCO (H.K.) SHIPPING CO., LIMITED 203. COSCO SHIPPING Container Line Agencies Limited 204. COSCO SHIPPING International (Hong Kong) Co., Ltd. 205. China Travel Tours Transportation Services Hong Kong Limited 206. Sky Shuttle Helicopters Limited 207. Hong Kong-Zhuhai-Macao Bridge Shuttle Bus Company Limited 208. Hong Kong & Macao International Airport Transportation Service Co. Limited 209. Hong Kong International Airport Ferry Terminal Services Limited

Subsector	Seat	Specified Entities
		210. Ocean Shipbuilding & Engineering Limited 211. China Ferry Terminal Services Limited 212. Turbojet Shipyard Limited 213. Hong Kong Association of Aircargo Truckers Limited 214. Hong Kong Auto (Parts & Machinery) Association Limited 215. China Aviation Express (Hong Kong) Limited 216. Chu Kong Godown Wharf & Transportation Company Limited 217. Chu Kong Transhipment & Logistics Company Limited 218. Chu Kong Transportation (H.K.) Limited 219. Chu Kong Agency Company Limited 220. Cotai Chu Kong Shipping Management Services Company Limited 221. Yuet Hing Marine Supplies Company Limited 222. Chu Kong Group Shipyard Company Limited 223. Dong An Marine Safety Equipment Trading Limited 224. Fortune Ferry Company Limited 225. Hong Kong Wing Hing Marine Engineering Company Limited 226. China National Aviation Leasing Limited 227. Yuantong Marine Service Co. Limited 228. Wang Tak Engineering & Shipbuilding Company Limited 229. The Motor Transport Company of Guangdong and Hong Kong Limited 230. Weisheng Transportation & Enterprises Company Limited
Wholesale and retail (Section 39R)	17	(a) The following listed bodies: 1. Association of Better Business & Tourism Services 2. Chinese Medicine Merchants Association Ltd. 3. Chinese Merchants (H.K.) Association Limited 4. Chinese Paper Merchants Association Limited 5. The Cosmetic & Perfumery Association of Hong Kong Ltd. 6. Eastern District Fresh Fish Merchants' Society 7. Federation of Hong Kong Kowloon New Territories Hawker Associations 8. The Federation of Hong Kong Watch Trades and Industries Ltd. 9. HK Vegetable Wholesaler Community 10. Hong Kong and Kowloon Bamboo Goods Merchants Association Limited 11. Hong Kong and Kowloon Electrical Appliances Merchants Association Ltd. 12. Hong Kong Electro-Plating Merchants Association Limited 13. Hong Kong & Kowloon Fruit & Vegetable Employees & Employers Guild 14. Hong Kong & Kowloon General Association of Liquor Dealers and Distillers

Subsector	Seat	Specified Entities
		15. Hong Kong and Kowloon Machinery and Instrument Merchants Association Ltd. 16. Hong Kong & Kowloon Marine Products Merchants Association Ltd. 17. Hong Kong & Kowloon Plastic Products Merchants United Association Limited 18. The Hong Kong & Kowloon Provisions, Wine & Spirit Dealers' Association Limited 19. Hong Kong and Kowloon Rattan Ware Merchants Association (Wing-Hing-Tong) 20. Hong Kong & Kowloon Sauce & Preserved-Fruit Amalgamated Employers Association 21. Hong Kong & Kowloon Tea Trade Merchants Association Ltd. 22. Hong Kong & Kowloon Timber Merchants Association Limited 23. Hong Kong & Kowloon Vermicelli & Noodle Manufacturing Industry Merchants' General Association Limited 24. Hong Kong Art Craft Merchants Association, Ltd. 25. Hong Kong Dried Seafood and Grocery Merchants Association Limited 26. Hong Kong Egg Merchants Association (Fung-Kwai-Tong) 27. Hong Kong Embroidery Merchants Association Limited 28. Hong Kong Flower Retailers Association 29. The Hong Kong Food Council Limited 30. Hong Kong Fresh Fish Merchants Association 31. Hong Kong Fur Federation 32. Hong Kong Furniture & Decoration Trade Association Limited 33. Hong Kong General Chamber of Pharmacy Limited 34. Hong Kong Glass and Mirror Merchants and Manufacturers Association Company Limited 35. Hong Kong Jewellers' & Goldsmiths' Association Limited 36. The Federation of Hong Kong Footwear Limited 37. The Hong Kong Medicine Dealers' Guild 38. Hong Kong Metal Merchants Association 39. Hong Kong Petroleum, Chemicals and Pharmaceutical Materials Merchants Association Ltd. 40. Hong Kong Photo Marketing Association Limited 41. Hong Kong Piece Goods Merchants' Association 42. Hong Kong Plastic Material Suppliers Association Ltd. 43. Hong Kong Plumbing and Sanitary Ware Trade Association Ltd. 44. Hong Kong Provision & Grocery General Commercial Chamber 45. Hong Kong Record Merchants Association Ltd. 46. Hong Kong Rice Suppliers' Association Limited 47. Hong Kong Retail Management Association Limited

Subsector	Seat	Specified Entities
		48. Hong Kong Yee Yee Tong Chinese Medicine Merchants Association Ltd. 49. The Hong Kong & Kowloon General Merchandise Merchants' Association Limited 50. Kowloon Cheung Sha Wan Wholesale Vegetable Market (Importers) Recreation Club Limited 51. Kowloon Fresh Fish Merchants Association Limited 52. The Kowloon Pearls, Precious Stones, Jade, Gold & Silver Ornament Merchants Association 53. The Merchants Association of First Wholesalers/Jobbery of Imported Fresh Fruits & Vegetables Limited 54. Mongkok Vegetable Wholesale Merchants Association Company Limited 55. The Motor Traders Association of Hong Kong 56. Nam Pak Hong Association 57. Po Sau Tong Ginseng & Antler Association Hong Kong Ltd. 58. The Rice Merchants' Association of Hong Kong Limited 59. Kowloon Fruit & Vegetable Merchants Association Limited 60. The Hong Kong And Kowloon Electric Trade Association 61. Hong Kong Poultry Wholesalers Association 62. Diamond Federation of Hong Kong, China Limited 63. Tobacco Association of Hong Kong Limited 64. Hong Kong Chinese Prepared Medicine Traders Association Limited 65. Hong Kong Chinese Medicine Industry Association Limited 66. Hong Kong Chinese Patent Medicine Manufacturers' Association Ltd.

Remarks:

(*) According to section 12(20) of the Schedule to the Chief Executive Election Ordinance (Cap. 569) (CEEO) as amended in the Bill, a corporate member of these bodies is eligible to be registered as a voter for the subsector concerned only if it has been a corporate member of that body and has been operating for the 3 years immediately before making its application for registration as a voter.

(^) According to section 12(19A) of the Schedule to the CEEO as amended in the Bill, the specified entity of the subsector concerned is eligible to be registered as a corporate voter for that subsector only if it has been operating for the 3 years immediately before making its application for registration as a voter.

(#) According to section 11A of the Schedule to the CEEO as amended in the Bill,

(1) a reference to an entitlement to vote at a general meeting / specified authority of a body is a reference to an entitlement to vote at the general meeting / specified authority as provided by the body's constitution;

(2) In relation to a subsector, a body (***first-mentioned body***) is also regarded as being entitled to vote at the specified authority within another body if—

(i) a natural person who is entitled to vote at that authority specifies in writing to the Electoral Registration Officer that the natural person represents the first-mentioned body at that authority; and

(ii) that natural person has substantial connection with the first-mentioned body;

(3) if more than one body is specified by the same natural person, only the body last so specified is regarded as being entitled to vote at that authority.

Second Sector: The Professions

Subsector	Seat	Specified Entities
Accountancy^ (Section 39S)	15	Any practice unit (as defined by section 2(1) of the Professional Accountants Ordinance (Cap. 50)) that— (a) is registered under the Professional Accountants Ordinance (Cap. 50); and (b) is a registered PIE auditor as defined by section 3A(1) of the Financial Reporting Council Ordinance (Cap. 588). [note: for an application for registration as a corporate voter for the accountancy subsector made before 1 October 2022, a body specified in section 39S as the specified entity of that subsector is not required to have been operating, as a practice unit falling within section 39S(b), for the 3 years immediately before making the application.]
Architectural, surveying, planning and landscape (Section 39T)	15	(a) The following listed bodies: 1. The Hong Kong Institute of Architects 2. The Hong Kong Institute of Surveyors 3. The Hong Kong Institute of Planners 4. The Hong Kong Institute of Landscape Architects 5. Hong Kong Housing Authority 6. Hong Kong Housing Society 7. Urban Renewal Authority 8. Authorized Persons Registration Committee 9. Inspectors Registration Committee 10. Property Management Services Authority 11. Hong Kong Green Building Council Limited 12. BEAM Society Limited 13. The Lands Department Estate Surveyors Association 14. Housing Department Quantity Surveyors' Association 15. Hong Kong Housing Department Architects Association 16. Housing Department Estate Surveyors Association 17. Planners Association of Hong Kong Housing Department 18. Housing Department Landscape Architects Association 19. Buildings Department Local Building Surveyors' Association 20. Architectural Services Department Quantity Surveyors' Association 21. Architectural Services Department Maintenance Surveyors' Association 22. Architectural Services Department Architects' Association 23. Association of Government Local Land Surveyors 24. The Hong Kong Housing Department Maintenance Surveyors Association 25. Hong Kong Government Local Town Planners Association 26. Hong Kong Government Landscape Architects Association 27. Aedas Limited 28. AGC Design Limited

Subsector	Seat	Specified Entities
		29. Andrew Lee King Fun & Associates Architects Limited 30. DLN Architects Limited 31. Leigh & Orange Limited 32. LWK & Partners (HK) Limited 33. P&T Architects and Engineers Limited 34. Ronald Lu & Partners (Hong Kong) Limited 35. Wong & Ouyang (HK) Limited 36. Wong Tung & Partners Limited 37. Ho & Partners Architects Engineers & Development Consultants Limited 38. Rocco Design Architects Limited 39. Simon Kwan & Associates Limited 40. TFP Farrells Limited 41. Freevision Limited 42. Fruit Design & Build Limited 43. Prudential Surveyors International Limited 44. Knight Frank Petty Limited 45. Vigers Building Consultancy Limited 46. KC Surveyors Limited 47. Savills Project Consultancy Limited 48. CBRE Limited 49. Rider Levett Bucknall Limited 50. Arcadis Hong Kong Limited 51. Currie & Brown (China) Limited 52. Urbis Limited 53. Townland Consultants Limited 54. Llewelyn-Davies Hong Kong Limited 55. Earthasia Limited 56. ACLA Limited
Chinese medicine (Section 39U)	15	(a) Federation of the Hong Kong Chinese Medicine Practitioners and Chinese Medicines Traders Association; (b) the corporate members of the Federation*; or (c) the following listed bodies: **Part 1—Statutory Regulatory and Consultative Bodies** 1. Chinese Medicine Council of Hong Kong 2. Chinese Medicine Development Committee **Part 2—Administrative and Training Institutions** 1. Hong Kong Registered Chinese Medicine Practitioners Association Limited 2. China Society of Practitioners of Chinese Medicine Limited 3. The Kowloon Chinese Herbalists Association Limited 4. Buddhist Vassar Chinese Medical College Limited 5. Hong Kong Wah Ha Medicine Association 6. School of Chinese Medicine, The University of Hong Kong 7. Hong Kong Acupuncture and Moxibustion Association 8. School of Chinese Medicine, The Chinese University of Hong Kong

Subsector	Seat	Specified Entities
		9. Society for Research on Traditional Chinese Medicine Limited 10. Wahhar College Hong Kong Limited 11. School of Continuing and Professional Studies, The Chinese University of Hong Kong 12. School of Chinese Medicine, Hong Kong Baptist University 13. Hong Kong & Kowloon Chinese Medicine Merchants Association Limited 14. Hong Kong Academy of Chinese Medicine Company Limited 15. Hong Kong Association for Integration of Chinese-Western Medicine 16. HKU School of Professional and Continuing Education 17. Hospital Authority 18. Tung Wah Group of Hospitals 19. Modern Institute of Chinese Medicine 20. College of Traditional Medicine 21. The Hong Kong Association of Traditional Chinese Medicine Limited 22. International General Chinese Herbalists and Medicine Professionals Association Limited 23. Sin-Hua Herbalists' and Herb Dealers' Promotion Society Limited 24. Society of Practitioners of Chinese Herbal Medicine Limited 25. The Hong Kong T.C.M. Orthopaedic & Traumatic Association Limited 26. Hong Kong Chinese Herbalists Association Limited 27. Association of Hong Kong & Kowloon Practitioners of Chinese Medicine, Limited 28. Hong Kong Chinese Medicine Practitioners Association Limited **Part 3—Other Relevant Bodies** 1. The Hong Kong Federation of China of Traditional Chinese Medicine 2. Hong Kong Acupuncturists Association Limited 3. Society for the Promotion of Chinese Traditional Medical Science Limited 4. The Society of Hong Kong Professional Registered Chinese Medicine Practitioners Limited 5. Hong Kong College of Traditional Chinese Medicine Limited 6. Hong Kong Listed Chinese Medicine Practitioners Association 7. International General Chinese Medicated Meal of Self Recovery Association Limited 8. International Chinese Medicine and Integrative Manual Therapy Association Limited 9. 香港中華經筋醫學研究會 10. HK Scalp Acupuncture Association

Subsector	Seat	Specified Entities
		11. Hong Kong Chinese Medicine Practitioners' Rights General Union 12. Hong Kong Chinese Spinal Orthopaedic Medicine Association Limited 13. 國際自然療能研究學會 14. Hong Kong Jingluo Medical Association 15. The Hong Kong Professional Institute of Chinese Medicine Medicated Meal and Food Limited 16. International Association of Medicinal Food Therapy Limited 17. Modernized Chinese Medicine International Association Limited 18. Association of Ancient & Contemporary Chinese Medicine Limited 19. Hong Kong Shanwei Chinese Medicine Association 20. 中華國際傳統醫藥學會 21. Hong Kong Chinese Medicine and Herbs Association Limited 22. Meridian Activation System Therapy-Chinese Medicine Association Limited 23. International Chinese Medical Acupuncture & Anatomy Association Limited 24. Hong Kong Medicinal Herbs Society 25. Hong Kong Association for Integration of Chinese-Western Medicine
Education (Section 39V)	14	(a) institutions of higher education funded through the University Grants Committee; (b) post secondary colleges registered under the Post Secondary Colleges Ordinance (Cap. 320)^; (c) The Open University of Hong Kong; (d) The Hong Kong Academy for Performing Arts; (e) the Vocational Training Council; (f) The Hong Kong Examinations and Assessment Authority; (g) the Hong Kong Council for Accreditation of Academic and Vocational Qualifications; (h) schools registered under section 13 of the Education Ordinance (Cap. 279) or under either of the repealed Ordinances (as defined by section 3(1) of that Ordinance), other than an exempted school (as defined by section 2 of the Education (Exemption) (Private Schools Offering Non-Formal Curriculum) Order (Cap. 279 sub. leg. F))^; or (i) schools entirely maintained and controlled by the Government ^
Engineering (Section 39W)	15	(a) The following listed bodies: 1. The Hong Kong Institution of Engineers 2. CLP Power Hong Kong Limited 3. The Hong Kong and China Gas Company Limited 4. The Hongkong Electric Company, Limited 5. MTR Corporation Limited 6. Airport Authority

Subsector	Seat	Specified Entities
		7. Kowloon-Canton Railway Corporation 8. Structural Engineers Registration Committee 9. Contractors Registration Committee 10. Geotechnical Engineers Registration Committee 11. Construction Industry Council 12. Construction Industry Training Board 13. Minor Works Contractors Registration Committee 14. HKSAR Government Civil Engineers Association 15. Buildings Department Structural Engineers' Association 16. Hong Kong Housing Department Structural Engineers Association 17. Association of Building Services Engineers of Housing Department 18. Civil Engineering and Development Department Geotechnical Engineers' Association 19. Association of Professional Engineers of Electrical & Mechanical Services Department 20. Architectural Services Department Structural Engineers' Association 21. Government Waterworks Professionals Association 22. Hong Kong Housing Department Civil Engineers Association 23. Hong Kong Institute of Environmental Protection Officers 24. AECOM Asia Company Limited 25. Arcadis Design & Engineering Limited 26. Ove Arup & Partners Hong Kong Limited 27. Atkins China Limited 28. Meinhardt Infrastructure and Environment Limited 29. Mott MacDonald Hong Kong Limited 30. Mannings (Asia) Consultants Limited 31. WSP (Asia) Limited 32. Binnies Hong Kong Limited 33. C. M. Wong & Associates Limited 34. David S. K. Au and Associates Limited 35. MVA Hong Kong Limited 36. Aurecon Hong Kong Limited 37. Fugro (Hong Kong) Limited 38. Halcrow China Limited 39. J. Roger Preston Limited 40. Jacobs China Limited 41. SMEC Asia Limited 42. Golder Associates (HK) Limited 43. Siu Yin Wai & Associates Limited 44. Gammon Construction Limited 45. Chun Wo Construction and Engineering Company Limited 46. China State Construction Engineering (Hong Kong) Limited 47. China Road and Bridge Corporation 48. Hip Hing Engineering Company Limited

Subsector	Seat	Specified Entities
		49. China Harbour Engineering Company Limited 50. Dragages Hong Kong Limited 51. Yau Lee Construction Company Limited 52. Leighton Contractors (Asia) Limited 53. The Jardine Engineering Corporation, Limited 54. Kum Shing (K.F.) Construction Company Limited 55. Paul Y. Construction Company, Limited 56. ATAL Engineering Limited 57. CPC Construction Hong Kong Limited 58. Sun Fook Kong (Civil) Limited 59. Build King Construction Limited 60. Penta-Ocean Construction Co., Ltd. 61. Shui On Building Contractors Limited 62. China Geo-Engineering Corporation 63. China International Water & Electric Corporation
Legal (Section 39X)	15	(a) The following listed bodies: 1. The Law Society of Hong Kong 2. Hong Kong Bar Association 3. Hong Kong Society of Notaries 4. Association of China-Appointed Attesting Officers Limited 5. Hong Kong International Arbitration Centre 6. The Small and Medium Law Firms Association of Hong Kong 7. Hong Kong Federation of Women Lawyers Limited 8. Hong Kong Young Legal Professionals Association Limited 9. Hong Kong Legal Exchange Foundation Limited 10. International Youth Legal Exchange Federation Limited 11. Global Chinese Speaking Lawyers' Association Limited 12. China International Economic and Trade Arbitration Commission Hong Kong Arbitration Center 13. China Maritime Arbitration Commission Hong Kong Arbitration Center 14. Hong Kong Maritime Arbitration Group 15. eBRAM International Online Dispute Resolution Centre Limited 16. Financial Dispute Resolution Centre 17. Hong Kong Institute of Arbitrators 18. Hong Kong Mediation Accreditation Association Limited 19. Hong Kong Mediation Centre Limited 20. Asian Academy of International Law Limited 21. Legal Affairs Steering Committee of the Hong Kong Chinese Enterprises Association 22. The Legal Education Fund Limited 23. Basic Law Institute Limited 24. Asia Pacific Law Association Limited 25. Hong Kong Basic Law Education Association 26. Basic Law Foundation Limited

Subsector	Seat	Specified Entities
		27. South China International Arbitration Center (HK) Limited 28. Legal Profession Advancement Association Limited 29. The Hong Kong and Mainland Legal Profession Association Limited 30. International Probono Legal Services Association Limited
Medical and health services (Section 39Y)	15	(a) any prescribed hospital (as defined by section 2(1) of the Hospital Authority Ordinance (Cap. 113))^; (b) any hospital licensed under the Private Healthcare Facilities Ordinance (Cap. 633)^; or (c) The following listed bodies: 1. Hospital Authority 2. Board of Governors of The Prince Philip Dental Hospital 3. Medical Council of Hong Kong 4. Dental Council of Hong Kong 5. Hong Kong Academy of Medicine 6. Nursing Council of Hong Kong 7. Midwives Council of Hong Kong 8. Supplementary Medical Professions Council 9. Pharmacy and Poisons Board 10. Chiropractors Council 11. Li Ka Shing Faculty of Medicine of The University of Hong Kong 12. Faculty of Medicine of The Chinese University of Hong Kong 13. Hong Kong Red Cross 14. Hong Kong St. John Ambulance 15. Auxiliary Medical Service 16. Medical Laboratory Technologists Board 17. Occupational Therapists Board 18. Optometrists Board 19. Physiotherapists Board 20. Radiographers Board 21. Hong Kong Association of Speech Therapists 22. Hong Kong Institute of Audiologists 23. The Hong Kong Academy of Accredited Dietitians 24. The Hong Kong Association of Educational Psychologists 25. Hong Kong Institute of Clinical Psychologists 26. The Hong Kong Medical Association 27. Hong Kong Dental Association Limited 28. The Association of Licentiates of Medical Council of Hong Kong (A.L.M.C.H.K.) 29. Association of Hong Kong Nursing Staff 30. The College of Nursing, Hong Kong 31. The Hong Kong Academy of Nursing Limited 32. Hong Kong Women Doctors Association Limited 33. Hong Kong Doctors Union

Subsector	Seat	Specified Entities
Social welfare (Section 39Z)	15	(a) any social welfare organizations receiving regular subsidies from the Social Welfare Department ^; or (b) The following listed bodies: 1. Hong Kong Council of Social Service 2. Social Workers Registration Board 3. Institute of Social Service Development 4. Tung Wah Group of Hospitals 5. Po Leung Kuk 6. Yan Chai Hospital 7. Pok Oi Hospital 8. Yan Oi Tong Limited 9. The Lok Sin Tong Benevolent Society Kowloon 10. New Home Association Limited 11. Social Workers Across Borders Limited 12. The Hong Kong Volunteers Federation Company Limited 13. The Hong Kong Federation of Trade Unions Hong Ling Society 14. The United Labour Chi Hong Association Limited 15. The Hong Kong Island Social Services Charitable Foundation Limited
Sports, performing arts, culture and publication (Section 39ZA)	15	(a) the corporate members of the Sports Federation & Olympic Committee of Hong Kong, China*; (b) Hong Kong Sports Institute Limited; (c) any body* that— (i) is a corporate member of the Hong Kong Publishing Federation Limited; and (ii) is entitled to vote at general meetings of the company; or (d) The following listed bodies: **Part 1—Performing Arts Industry Associations and Local Licensed Broadcasting Institutions** 1. Hong Kong Motion Picture Industry Association Limited 2. Hong Kong Film Awards Association Ltd. 3. Association for Betterment of Hong Kong's Entertainment Industry in Mainland China Limited 4. Federation of Hong Kong Filmmakers Limited 5. Movie Producers and Distributors Association of Hong Kong Ltd. 6. Hong Kong Chamber of Films Limited 7. Hong Kong Theatres Association Ltd. 8. 華南電影工作者聯合會 9. International Federation of the Phonographic Industry (Hong Kong Group) Limited 10. Music Publishers Association of Hong Kong Limited 11. Hong Kong Recording Industry Alliance Limited 12. Television Broadcasts Limited 13. HK Television Entertainment Company Limited 14. Fantastic Television Limited 15. Hong Kong Commercial Broadcasting Company Limited 16. Metro Broadcast Corporation Limited

Subsector	Seat	Specified Entities
		17. The Hong Kong Film Development Council 18. The Hong Kong International Film Festival Society Limited 19. Hong Kong Film & Television Association Limited **Part 2—Cultural Public Institutions, Associations and Bodies** 1. Hong Kong Arts Development Council 2. The Hong Kong Academy for Performing Arts 3. West Kowloon Cultural District Authority 4. The Hong Kong Philharmonic Society Limited 5. Hong Kong Chinese Orchestra Limited 6. Hong Kong Repertory Theatre Limited 7. Chung Ying Theatre Company (HK) Limited 8. Hong Kong Dance Company Limited 9. The Hong Kong Ballet Limited 10. Hong Kong Sinfonietta Limited 11. City Contemporary Dance Company Limited 12. Zuni Icosahedron 13. Hong Kong Arts Festival Society Limited 14. China Federation of Literary and Art Circles Hong Kong Member Association Limited 15. China Theatre Association Hong Kong Member Branch 16. China Film Hong Kong Association Limited 17. Chinese Musicians Association—Hong Kong Members Branch 18. China Artists Association Hong Kong Chapter 19. China Opera Performing Artists Hong Kong Association 20. Chinese Dancres Association Hong Kong Member Branch 21. China Photographers Association Hong Kong Member Branch 22. China Calligraphers Association Hong Kong Member Branch 23. China Literature and Art Critics Association Hong Kong Member Branch 24. The Association of Chinese Culture of Hong Kong 25. Hong Kong Culture Association Limited 26. The Chinese Artists Association of Hong Kong 27. Hong Kong Chinese Opera Promotion Association Limited 28. Cantonese Opera Musician and Vocalist Association Limited 29. HK Chinese Opera and Performing Arts Group Association 30. Hong Kong Cantonese Opera Artists Club Limited 31. Hong Kong Association of Cantonese Opera Scholars Limited 32. Hong Kong Federation of Drama Societies 33. Actors' Family Limited 34. The Nonsensemakers Limited 35. Tang Shu-Wing Theatre Studio Limited 36. Shakespeare4All Company Limited

Subsector	Seat	Specified Entities
		37. Spring-Time Experimental Theatre Limited 38. Perry Chiu Experimental Theatre Limited 39. Performing Arts Asia Limited 40. Composers and Authors Society of Hong Kong Limited 41. Hong Kong Composers' Guild Limited 42. Hong Kong Chinese Instrumental Music Association 43. Hong Kong Association of Choral Societies 44. Hong Kong Music Tutors Union 45. Opera Hong Kong Limited 46. Hong Kong String Orchestra Limited 47. Global Symphony Orchestra Society Limited 48. The Hong Kong Children's Choir 49. Yip's Children's Choir Limited 50. Allegro Singers 51. Hong Kong City Chinese Orchestra 52. Hong Kong Dance Federation Limited 53. Association of Hong Kong Dance Organizations 54. Hong Kong Dance Alliance Limited 55. The Hong Kong Ballet Group Limited 56. Hong Kong Dance Sector Joint Conference 57. The Association of Hong Kong Youth Dancers 58. Miranda Chin Dance (Mirandance) Company Limited 59. Budlet Folk Dance Club 60. Starwave Production 61. Xiang Gang Mei Xie 62. Chinese Ink Painting Institute Hong Kong 63. Hong Kong Water Colour Research Society 64. Hong Kong Lan Ting Society 65. Hong Kong Culture and Art Promotion Association 66. Hong Kong Art Researching Association 67. Hong Kong Modern Ink Painting Society Co. Limited 68. Hong Kong Oil Painting Research Society 69. Hong Kong Artists Society 70. The Hong Kong Art Club 71. Chung Fung Art Club 72. To-day's Chinese Art Association 73. Ling Ngai Art Association 74. Hong Kong Graphics Society 75. 中國書協香港分會 76. Hong Kong Chinese Calligraphy and Art Association 77. China Hong Kong Institute of Calligraphy 78. Calligraphy and Painting Study Association of Hong Kong Fukienese 79. Hong Kong Association of Amateur Calligraphers 80. Hong Kong Calligraphers' Association 81. Hong Kong International Calligraphy and Seal Cutting Society 82. Hong Kong Hard Pen Calligraphists' Association 83. Friends of Shizhai 84. The Jiazi Society of Calligraphy 85. The Photographic Society of Hong Kong

Subsector	Seat	Specified Entities
		86. The Chinese Photographic Association of Hong Kong 87. Sea Gull Photographic Association Limited 88. The Photographic Salon Exhibitors Association 89. Grace Photographic Club 90. Hong Kong Camera Club, Limited 91. United Artist Photographic Association Limited 92. The Society of Worldwide Ethnic Chinese Photographers Limited 93. The Hong Kong 35mm Photography Society, Limited 94. The Hong Kong Miniature Cameras Photography Society 95. Hong Kong CreArt Photographic Association Limited 96. Overseas Chinese Photographers Association of Hong Kong 97. The Art of Photography Association Limited 98. The Federation of Hong Kong Writers 99. The House of Hong Kong Literature Limited 100. Hong Kong Writers Association Company Limited 101. Hong Kong Society for Study of Poetry, Calligraphy and Couplet 102. Hong Kong Literature Promoted Association 103. 國際華文詩人協會 104. Magicians' Association of Hong Kong 105. Hong Kong & Macau Intangible Cultural Heritage Research Centre Limited 106. Wing Lung Art 107. Hong Kong Book Reviewers Association 108. Hong Kong Film Critics Association Limited 109. Hong Kong Literary Criticism Society Company Limited 110. Oriental Education Alliance Limited 111. Hong Kong International Music Festival Limited 112. The Association of Zhuangzi Culture & Research of Hong Kong 113. Hong Kong Cantonese Opera Chamber of Commerce Limited 114. Jingkun Theatre Limited
Technology and innovation *(new)* (Section 39ZB)	15	(a) The following listed bodies: **Part 1—National Level Research Platforms** 1. State Key Laboratory of Emerging Infectious Diseases (The University of Hong Kong) 2. State Key Laboratory of Brain and Cognitive Science (The University of Hong Kong) 3. State Key Laboratory of Translational Oncology (The Chinese University of Hong Kong) 4. State Key Laboratory of Terahertz and Millimeter Waves (City University of Hong Kong) 5. State Key Laboratory of Agrobiotechnology (The Chinese University of Hong Kong) 6. State Key Laboratory of Ultraprecision Machining Technology (The Hong Kong Polytechnic University)

Subsector	Seat	Specified Entities
		7. State Key Laboratory of Molecular Neuroscience (The Hong Kong University of Science and Technology) 8. State Key Laboratory of Marine Pollution (City University of Hong Kong) 9. State Key Laboratory of Research on Bioactivities and Clinical Applications of Medicinal Plants (The Chinese University of Hong Kong) 10. State Key Laboratory of Liver Research (The University of Hong Kong) 11. State Key Laboratory of Synthetic Chemistry (The University of Hong Kong) 12. State Key Laboratory of Chemical Biology and Drug Discovery (The Hong Kong Polytechnic University) 13. State Key Laboratory of Environmental and Biological Analysis (Hong Kong Baptist University) 14. State Key Laboratory of Pharmaceutical Biotechnology (The University of Hong Kong) 15. State Key Laboratory of Digestive Disease (The Chinese University of Hong Kong) 16. State Key Laboratory of Advanced Displays and Optoelectronics Technologies (The Hong Kong University of Science and Technology) 17. Hong Kong Branch of National Engineering Research Center for Application Specific Integrated Circuit System 18. Hong Kong Branch of National Engineering Research Center for Steel Construction 19. Hong Kong Branch of National Rail Transit Electrification and Automation Engineering Technology Research Center 20. Hong Kong Branch of National Precious Metals Material Engineering Research Center 21. Hong Kong Branch of National Engineering Research Center for Tissue Restoration & Reconstruction 22. Hong Kong Branch of Chinese National Engineering Research Center for Control & Treatment of Heavy Metal Pollution 23. Hong Kong Institute of Science & Innovation, Chinese Academy of Sciences Limited 24. Centre for Regenerative Medicine and Health, Hong Kong Institute of Science & Innovation, Chinese Academy of Sciences Limited 25. Centre for Artificial Intelligence and Robotics, Hong Kong Institute of Science & Innovation, Chinese Academy of Sciences Limited **Part 2—Public Organizations Highly Relevant to Development of Innovation and Technology** 1. Hong Kong Applied Science And Technology Research Institute Company Limited 2. Logistics and Supply Chain MultiTech R&D Centre Limited

Subsector	Seat	Specified Entities
		3. The Hong Kong Research Institute of Textiles and Apparel Limited 4. Nano and Advanced Materials Institute Limited 5. Hong Kong Cyberport Management Company Limited 6. Hong Kong Science and Technology Parks Corporation 7. The Hong Kong Institute of Biotechnology Limited 8. Hong Kong Productivity Council 9. Hong Kong Internet Registration Corporation Limited 10. Hong Kong-Shenzhen Innovation and Technology Park Limited 11. Automotive Platforms and Application Systems R&D Centre **Part 3—Academic Organizations and Professional Bodies Participating in Government's Consultation related to Development of Innovation and Technology** 1. The Hong Kong Academy of Sciences 2. Hong Kong Academy of Engineering Sciences 3. The Hong Kong Young Academy of Sciences 4. The Society of Hong Kong Scholars 5. Internet Professional Association Limited 6. Hong Kong Information Technology Joint Council Limited 7. Hong Kong Computer Society 8. Hong Kong Software Industry Association Limited 9. Communications Association of Hong Kong Limited 10. Hong Kong Society of Artificial Intelligence and Robotics Limited 11. Hong Kong Biotechnology Organization 12. HK Bio-Med Innotech Association Limited 13. Hong Kong Data Centre Association Limited 14. Hong Kong Federation of Innovative Technologies and Manufacturing Industries Limited 15. Smart City Consortium Limited 16. E-Commerce Association of Hong Kong Limited 17. Esports Association of Hong Kong Limited 18. The Hong Kong Electronic Industries Association Limited

Remarks:

(*) According to section 12(20) of the Schedule to the CEEO as amended in the Bill, a corporate member of these bodies is eligible to be registered as a voter for the subsector concerned only if it has been a corporate member of that body and has been operating for the 3 years immediately before making its application for registration as a voter.

(^) According to section 12(19A) of the Schedule to the CEEO as amended in the Bill, the specified entity of the subsector concerned is eligible to be registered as a corporate voter for that subsector only if it has been operating for the 3 years immediately before making its application for registration as a voter.

(#) According to section 11A of the Schedule to the CEEO as amended in the Bill,

(1) a reference to an entitlement to vote at a general meeting / specified authority of a body is a reference to an entitlement to vote at the general meeting / specified authority as provided by the body's constitution;

(2) In relation to a subsector, a body (***first-mentioned body***) is also regarded as being entitled to vote at the specified authority within another body if—
   (i) a natural person who is entitled to vote at that authority specifies in writing to the Electoral Registration Officer that the natural person represents the first-mentioned body at that authority; and
   (ii) that natural person has substantial connection with the first-mentioned body;

(3) if more than one body is specified by the same natural person, only the body last so specified is regarded as being entitled to vote at that authority.

Third Sector: Grassroots, labour, religious and other sectors

Subsector	Seat	Specified Entities
Agriculture and fisheries (Section 39ZC)	60	(a) The corporate members of each of the following bodies*— (i) The Federation of Vegetable Marketing Co-operative Societies, Limited (ii) The Federation of Pig Raising Co-operative Societies of Hong Kong, Kowloon and New Territories, Limited (iii) The Joint Association of Hong Kong Fishermen (iv) Federation of Hong Kong Aquaculture Associations (v) The Federation of Fishermen's Co-operative Societies of Shau Kei Wan District, Limited (vi) The Federation of Fishermen's Co-operative Societies of Tai Po District, N.T., Limited (vii) The Federation of Fishermen's Co-operative Societies of Sai Kung District, Limited (viii) The Federation of Fishermen's Co-operative Societies of Southern District, Limited (ix) Hong Kong Fishermen Consortium (x) Federation of Hong Kong Agricultural Associations (b) The following listed bodies: 1. Aberdeen Fishermen Friendship Association 2. The Ap Lei Chau Fishermen's Credit Co-operative Society, Unlimited 3. The Castle Peak Fishermen's Credit Co-operative Society, Unlimited 4. The Castle Peak Mechanized Trawler Fishermen's Credit Co-operative Society, Unlimited 5. Cheung Chau Fisheries Joint Association 6. Cheung Chau Fishermen's Welfare Promotion Association 7. The Fanling Kwun Ti Village Farmers' Irrigation Co-operative Society, Ltd. 8. Fish Farming and Stuff Association 9. Fisherman's Association of Po Toi Island 10. Fishery Development Association (Hong Kong) Limited 11. Fraternal Association of The Floating Population of Hong Kong 12. The Guild of Graziers 13. Hang Hau Grazier Association 14. Hong Kong and Kowloon Fishermen Association Ltd. 15. Hong Kong & Kowloon Floating Fishermen Welfare Promotion Association 16. Hong Kong Fisheries Development Association 17. Hong Kong Fishermen's Association 18. Hong Kong Fishing Vessel Owners Association, Ltd. 19. Hong Kong Florists Association 20. Hong Kong Graziers Union 21. Hong Kong Liner & Gill Netting Fisherman Association 22. Hong Kong Livestock Industry Association 23. Hong Kong N.T. Fish Culture Association

Subsector	Seat	Specified Entities
		24. Hong Kong N.T. Poultry (Geese & Ducks) Mutual Association 25. Hong Kong Netting, Cultivation and Fisherman Association 26. Hong Kong Off-shore Fishermen's Association 27. The Lam Ti Agricultural Credit Co-operative Society, Limited 28. Lamma Island Lo Dik Wan Aquaculture Association 29. Lau Fau Shan Oyster Industry Association, New Territories 30. Ma Wan Fisheries Rights Association Ltd. 31. The Mui Wo Agricultural Products Marketing & Credit Co-operative Society, Ltd. 32. Mui Wo Fishermen Fraternity Society 33. N.T. Oyster and Aquatic Products United Association 34. The New Territories Chicken Breeders Association, Ltd. 35. The New Territories Fishermen Fraternity Association Ltd. 36. New Territories Florist Association, Ltd. 37. North District Florists Association 38. Outlying Islands Mariculture Association (Cheung Chau) 39. Peng Chau Fishermen Association Ltd. 40. Quality Broiler Development Association 41. Sai Kung (North) Sham Wan Marine Fish Culture Business Association 42. Sai Kung Po Toi O Fish Culture Business Association 43. Sai Kung Tai Tau Chau Fish Culture Business Association 44. Sai Kung Tai Wu Kok Fishermen's Association 45. The Sha Tau Kok Marine Fish Culture Association 46. The Sha Tau Kok Small Long Liner and Gill Net Fishermen's Credit Co-operative Society, Unlimited 47. The Shan Tong Vegetable Marketing Co-operative Society, Ltd. 48. Shatin Ah Kung Kok Fishermen Welfare Association 49. Shatin Florists Association 50. Shau Kei Wan Deep Sea Capture Fishermen's Credit Co-operative Society, Unlimited 51. Shau Kei Wan Fishermen Friendship Association 52. Shau Kei Wan Pair Trawler Fishermen's Credit Co-operative Society, Unlimited 53. The Shau Kei Wan Trawler Fishermen's Credit Co-operative Society, Unlimited 54. Tai O Fishermen (Coastal Fishery) Association 55. The Tai O Sha Chai Min Fishermen's Credit Co-operative Society, Unlimited 56. The Tai Po Fishermen's Credit Co-operative Society, Unlimited 57. Tai Po Florists and Horticulturists Association 58. The Tai Po Purse Seiner and Small Long Liner Fishermen's Credit Co-operative Society, Unlimited

Subsector	Seat	Specified Entities
		59. The Tsuen Wan Fishermen's Credit Co-operative Society, Unlimited 60. The Tuen Mun Mechanized Fishing Boat Fishermen's Credit Co-operative Society, Unlimited 61. Tuen Mun Agricultural Association 62. Tung Lung Chau Mariculture Association 63. The Hong Kong Branch of the World's Poultry Science Association 64. Yuen Long Agriculture Productivity Association 65. Yung Shue Au Marine Fish Culture Business Association 66. Tsing Yi Residents Association 67. 荃灣葵青居民聯會(漁民組) 68. 荃灣葵青漁民會 69. The Shau Kei Wan Stern Trawler Fishermen's Credit Co-operative Society, Unlimited 70. Sustainable Ecological Ethical Development Foundation Limited 71. N.T. North District Fishermen's Association 72. Tai Po Off Shore Fishermen's Association 73. Aberdeen Fisherwomen Association 74. 香港新界本地農協會 75. The Hong Kong Veterinary Association Limited
Associations of Chinese fellow townsmen *(new)* (section 39ZD)	60	(a) The following listed bodies: 1. Federation of Hong Kong Guangdong Community Organisations Limited 2. Hong Kong Federation of Fujian Associations Limited 3. Federation of HK Guangxi Community Organisations Limited 4. Hong Kong Federation of Hainan Community Organisations Limited 5. The United Zhejiang Residents Associations (Hong Kong) Limited 6. Federation of HK Jiangsu Community Organisations Limited 7. Hong Kong Beijing Association Limited 8. Hong Kong-Shanghai Economic Development Association Limited 9. Federation of Hong Kong Hubei Associations Limited 10. Hunan Fraternal Association of Hong Kong Limited 11. Hong Kong Federation of Jiang Xi Associations Limited 12. Federation of HK Shandong Community Organisations Limited 13. Federation of HK Sichuan Community Organisations Limited 14. The Hong Kong Tianjin Friendship Association Limited 15. Hong Kong Chongqing Friendship Federation Limited 16. Hong Kong Federation of Gan Su Limited 17. Hong Kong Shaanxi Friendship Association Limited 18. Hong Kong Hebei Friendship Association Limited 19. The Anhui Fraternity Association (Hong Kong) Limited

Subsector	Seat	Specified Entities
		20. Hong Kong Shanxi Chamber of Commerce Limited 21. Hong Kong Ningxia Federation of Associations Limited 22. The Association of Hong Kong Yunnan Fellow Provincials Limited 23. The Hong Kong Friendship Association of Guizhou Province 24. Qinghai Hong Kong & Macau Association Limited (b) the associations of Chinese fellow townsmen that are recognized by those bodies mentioned in (a) and at county level or above*
Grassroots associations *(new)* (Section 39ZE)	60	(a) Hong Kong Island Federation; (b) Kowloon Federation of Associations; (c) New Territories Association of Societies; or (d) a corporate member* of any of the federation or association mentioned in paragraph (a), (b) or (c) and is entitled to vote at general meetings of the federation or association[#]
Labour (Section 39ZF)	60	Trade unions registered under the Trade Unions Ordinance (Cap. 332) of which all the voting members are employees^

Remarks:

(*) According to section 12(20) of the Schedule to the CEEO as amended in the Bill, a corporate member of these bodies is eligible to be registered as a voter for the subsector concerned only if it has been a corporate member of that body and has been operating for the 3 years immediately before making its application for registration as a voter.

(^) According to section 12(19A) of the Schedule to the CEEO as amended in the Bill, the specified entity of the subsector concerned is eligible to be registered as a corporate voter for that subsector only if it has been operating for the 3 years immediately before making its application for registration as a voter.

(#) According to section 11A of the Schedule to the CEEO as amended in the Bill,

(1) a reference to an entitlement to vote at a general meeting / specified authority of a body is a reference to an entitlement to vote at the general meeting / specified authority as provided by the body's constitution;

(2) In relation to a subsector, a body (***first-mentioned body***) is also regarded as being entitled to vote at the specified authority within another body if—
   (i) a natural person who is entitled to vote at that authority specifies in writing to the Electoral Registration Officer that the natural person represents the first-mentioned body at that authority; and
   (ii) that natural person has substantial connection with the first-mentioned body;

(3) if more than one body is specified by the same natural person, only the body last so specified is regarded as being entitled to vote at that authority.

Fourth Sector: Members of the Legislative Council, representatives of district organisations and other organisations

Subsector	Seat	Specified entities
Heung Yee Kuk (Section 39ZG)	27	The Chairman and Vice-Chairmen of the Heung Yee Kuk and the Ex Officio, Special and Co-opted Councillors of the Full Council of the Kuk
Representatives of members of Area Committees, District Fight Crime Committees, and District Fire Safety Committees of Hong Kong Island and Kowloon *(new)* (Section 39ZH)	76	Members of the Area Committees, District Fight Crime Committees and District Fire Safety Committees established in any of the following Districts— (a) Central & Western District (b) Eastern District (c) Southern District (d) Wan Chai District (e) Kowloon City District (f) Kwun Tong District (g) Sham Shui Po District (h) Wong Tai Sin District (i) Yau Tsim Mong District
Representatives of members of Area Committees, District Fight Crime Committees, and District Fire Safety Committees of the New Territories *(new)* (Section 39ZI)	80	Members of the Area Committees, District Fight Crime Committees and District Fire Safety Committees established in any of the following Districts— (a) Islands District (b) Kwai Tsing District (c) Sai Kung District (d) Sha Tin District (e) Tsuen Wan District (f) Tuen Mun District (g) Yuen Long District (h) North District (i) Tai Po District

Fifth Sector: HKSAR deputies to the National People's Congress, HKSAR members of the National Committee of the Chinese People's Political Consultative Conference, and representatives of Hong Kong members of relevant national organisations

Subsector	Seat	Specified entities
Representatives of Hong Kong members of relevant national organisations *(new)* (Section 39ZJ)	110	(a) Hong Kong Special Administrative Region delegates of the All-China Women's Federation (b) Hong Kong Special Administrative Region executive members of the All-China Federation of Industry and Commerce (c) Hong Kong Special Administrative Region committee members of the All-China Federation of Returned Overseas Chinese (d) Hong Kong Special Administrative Region committee members of the All-China Youth Federation (e) Hong Kong Special Administrative Region directors of the China Overseas Friendship Association

Annex F

The Composition of the Legislative Council

The number of Legislative Council Members will be increased to 90, of which 40 seats to be returned by the Election Committee Constituency election, 30 seats to be returned by Functional Constituency elections, and 20 seats to be returned by Geographical Constituency elections.

Election Committee Constituency Election

- The Election Committee shall, on the basis of the list of nominees, cast their votes by secret ballot. A ballot paper is only valid if the number of votes contained in the ballot paper is equal to the number of Members to be returned.
- The 40 candidates who obtain the greatest number of votes shall be returned in the election.

Composition and Method for the Formation of Functional Constituencies

Item	Functional constituencies	No. of members	Composition	
			Individuals	Corporates
1	Agriculture and Fisheries	1		✓
2	Heung Yee Kuk	1	✓	
3	Industrial (first)	1		✓
4	Industrial (second)	1		✓
5	Textiles and Garment	1		✓
6	Commercial (first)	1		✓
7	Commercial (second)	1		✓
8	Commercial (third) *(new)*	1		✓
9	Finance	1		✓
10	Financial Services	1		✓
11	Insurance	1		✓
12	Real Estate and Construction	1		✓
13	Transport	1		✓
14	Import and Export	1		✓
15	Tourism	1		✓
16	Catering	1		✓
17	Wholesale and Retail	1		✓
18	Technology and Innovation *(new) (replacing Information Technology)*	1		✓
19	Engineering	1	✓	
20	Architectural, Surveying, Planning and Landscape	1	✓	
21	Accountancy	1	✓	
22	Legal	1	✓	
23	Education	1	✓	
24	Sports, Performing Arts, Culture and Publication	1		✓
25	Medical and Health Services *(new) (Medical and Health Services combined)*	1	✓	
26	Social Welfare	1	✓	
27	Labour	3		✓

Item	Functional constituencies	No. of members	Composition	
			Individuals	Corporates
28	The Hong Kong Special Administrative Region Deputies to the National People's Congress, Hong Kong Special Administrative Region Members of the National Committee of the Chinese People's Political Consultative Conference and representatives of relevant national organisations *(new)*	1	✓	
Total :		**30**		

Remarks:

(i) (new): new functional constituencies

(ii) Eligible corporate voters for functional constituencies shall be composed of institutions, organisations, associations or enterprises which are representative and specified by law. Unless specified in the electoral law of Hong Kong, an association or enterprise may become a corporate voter for a functional constituency only if it has been operating for not less than three years after acquiring relevant qualifications for that functional constituency.

<u>Geographical Constituency Elections</u>

- 10 constituencies will be established. Each constituency shall return two Members.
- Electors may select one candidate by secret ballot, and the 2 candidates who obtain the greatest number of votes shall be returned in the election.

Annex G

Electorate for the Functional Constituencies for the Legislative Council Election

(With reference to the Legislative Council Ordinance (Cap.542)[1]))

The revisions made to the proposed electorate for each of the 28 Functional Constituencies (FCs) are detailed in the ensuing paragraphs.

A. New or combined FCs

Hong Kong Special Administrative Region Deputies to the National People's Congress, Hong Kong Special Administrative Region Members of the National Committee of the Chinese People's Political Consultative Conference and representatives of relevant national organisations

2. The proposed electorate for the new FC is to be composed of Hong Kong deputies to the National People's Congress, Hong Kong members of the National Committee of the Chinese People's Political Consultative Conference and Hong Kong representatives to relevant national organisations.

Medical and Health Services

3. The proposed electorate for the combined FC includes the existing electorate for Medical FC, Health Services FC under Legislative Council Ordinance (Cap 542), and electors from Chinese medicine industry. It covers –

(a) Medical
    (i) medical practitioners registered or deemed to be registered under the Medical Registration Ordinance (Cap. 161); and
    (ii) dentists registered, deemed to be registered or exempt from registration under the Dentists Registration Ordinance (Cap. 156).

(b) Health services
    (i) chiropractors registered under the Chiropractors Registration Ordinance (Cap. 428);
    (ii) nurses registered or enrolled or deemed to be registered or enrolled under the Nurses Registration Ordinance (Cap. 164);

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[1] The composition in this annex is extracted from the Improving Electoral System (Consolidated Amendments) Bill 2021. In case of discrepancy, the content of the Bill should prevail.

(iii) midwives registered or deemed to be registered under the Midwives Registration Ordinance (Cap. 162);

(iv) pharmacists registered under the Pharmacy and Poisons Ordinance (Cap. 138);

(v) medical laboratory technologists registered under the Medical Laboratory Technologists (Registration and Disciplinary Procedure) Regulations (Cap. 359 sub. leg. A);

(vi) radiographers registered under the Radiographers (Registration and Disciplinary Procedure) Regulation (Cap. 359 sub. leg. H);

(vii) physiotherapists registered under the Physiotherapists (Registration and Disciplinary Procedure) Regulation (Cap. 359 sub. leg. J);

(viii) occupational therapists registered under the Occupational Therapists (Registration and Disciplinary Procedure) Regulations (Cap. 359 sub. leg. B);

(ix) optometrists registered under the Optometrists (Registration and Disciplinary Procedure) Regulation (Cap. 359 sub. leg. F);

(x) dental hygienists enrolled under the Ancillary Dental Workers (Dental Hygienists) Regulations (Cap. 156 sub. leg. B); and

(xi) audiologists, audiology technicians, chiropodists (also known as "podiatrists"), dental surgery assistants, dental technicians, dental technologists, dental therapists, dietitians, dispensers, mould laboratory technicians, orthoptists, clinical psychologists, educational psychologists, prosthetists, speech therapists and scientific officers (medical) who are in the service under the Government, or are employed in Hong Kong, at public hospitals, private hospitals, clinics maintained or controlled by the Government or The Chinese University of Hong Kong or by the University of Hong Kong, or services subvented by the Government.

(c) Chinese medicine

Chinese medicine practitioners registered under the Chinese Medicine Ordinance (Cap. 549) and Chinese medicine practitioners who are members of any of the following bodies and entitled to vote at general meetings of the respective bodies –

(i) The Hong Kong Association of Traditional Chinese Medicine Limited;

(ii) International General Chinese Herbalists and Medicine Professionals Association Limited;

(iii) Sin-Hua Herbalists' and Herb Dealers' Promotion Society Limited;

(iv) Society of Practitioners of Chinese Herbal Medicine Limited;

(v) The Hong Kong T.C.M. Orthopaedic and Traumatic Association Limited;

(vi) The Hong Kong Federation of China of Traditional Chinese Medicine;

(vii) Hong Kong Acupuncturists Association;

(viii) Hong Kong Chinese Herbalists Association Limited;
(ix) Association of Hong Kong & Kowloon Practitioners of Chinese Medicine, Limited; and
(x) Hong Kong Chinese Medicine Practitioners Association Limited.

Commercial (third)

4. The proposed electorate for the new FC is to be composed of corporate members of the Hong Kong Chinese Enterprises Association entitled to vote at general meetings of the Association..

Technology and Innovation

5. To reflect the importance of technology and innovation in Hong Kong, the proposed electorate of the FC is to be composed of –

(a) The national level research platforms below –
1. State Key Laboratory of Emerging Infectious Diseases (The University of Hong Kong)
2. State Key Laboratory of Brain and Cognitive Science (The University of Hong Kong)
3. State Key Laboratory of Translational Oncology (The Chinese University of Hong Kong)
4. State Key Laboratory of Terahertz and Millimeter Waves (City University of Hong Kong)
5. State Key Laboratory of Agrobiotechnology (The Chinese University of Hong Kong)
6. State Key Laboratory of Ultraprecision Machining Technology (The Hong Kong Polytechnic University)
7. State Key Laboratory of Molecular Neuroscience (The Hong Kong University of Science and Technology)
8. State Key Laboratory of Marine Pollution (City University of Hong Kong)
9. State Key Laboratory of Research on Bioactivities and Clinical Applications of Medicinal Plants (The Chinese University of Hong Kong)
10. State Key Laboratory of Liver Research (The University of Hong Kong)
11. State Key Laboratory of Synthetic Chemistry (The University of Hong Kong)
12. State Key Laboratory of Chemical Biology and Drug Discovery (The Hong Kong Polytechnic University)
13. State Key Laboratory of Environmental and Biological Analysis (Hong Kong Baptist University)
14. State Key Laboratory of Pharmaceutical Biotechnology (The University

of Hong Kong)

15. State Key Laboratory of Digestive Disease (The Chinese University of Hong Kong)
16. State Key Laboratory of Advanced Displays and Optoelectronics Technologies (The Hong Kong University of Science and Technology)
17. Hong Kong Branch of National System Engineering Research Center for Application Specific Integrated Circuit System
18. Hong Kong Branch of National Engineering Research Center for Steel Construction
19. Hong Kong Branch of National Rail Transit Electrification and Automation Engineering Technology Research Center
20. Hong Kong Branch of National Precious Metals Material Engineering Research Center
21. Hong Kong Branch of National Engineering Research Center for Tissue Restoration & Reconstruction
22. Hong Kong Branch of Chinese National Engineering Research Center for Control & Treatment of Heavy Metal Pollution
23. Hong Kong Institute of Science & Innovation, Chinese Academy of Sciences Limited
24. Centre for Regenerative Medicine and Health, Hong Kong Institute of Science & Innovation, Chinese Academy of Sciences Limited
25. Centre for Artificial Intelligence and Robotics, Hong Kong Institute of Science & Innovation, Chinese Academy of Sciences Limited

(b) The public organizations highly relevant to development of innovation and technology below –

1. Hong Kong Applied Science And Technology Research Institute Company Limited
2. Logistics and Supply Chain MultiTech R&D Centre Limited
3. The Hong Kong Research Institute of Textiles and Apparel Limited
4. Nano and Advanced Materials Institute Limited
5. Hong Kong Cyberport Management Company Limited
6. Hong Kong Science and Technology Parks Corporation
7. The Hong Kong Institute of Biotechnology Limited
8. Hong Kong Productivity Council
9. Hong Kong Internet Registration Corporation Limited
10. Hong Kong-Shenzhen Innovation and Technology Park Limited
11. Automotive Platforms and Application Systems R&D Centre

(c) The academic organizations and professional bodies participating in government's consultation related to development of innovation and technology below –

1. The Hong Kong Academy of Sciences
2. Hong Kong Academy of Engineering Sciences
3. The Hong Kong Young Academy of Sciences
4. The Society of Hong Kong Scholars
5. Internet Professional Association Limited
6. Hong Kong Information Technology Joint Council Limited
7. Hong Kong Computer Society
8. Hong Kong Software Industry Association Limited
9. Communications Association of Hong Kong Limited
10. Hong Kong Society of Artificial Intelligence and Robotics Limited
11. Hong Kong Biotechnology Organization
12. HK Bio-Med Innotech Association Limited
13. Hong Kong Data Centre Association Limited
14. Hong Kong Federation of Innovative Technologies and Manufacturing Industries Limited
15. Smart City Consortium Limited
16. E-Commerce Association of Hong Kong Limited
17. The Hong Kong Association for the Advancement of Science and Technology Limited
18. Hong Kong Digital Entertainment Association Limited
19. Esports Association of Hong Kong Limited
20. The Hong Kong Electronic Industries Association Limited
21. The Hong Kong Association for Computer Education
22. eHealth Consortium Limited
23. The Institution of Engineering and Technology Hong Kong
24. Information Systems Audit and Control Association China Hong Kong Chapter Limited
25. The Association for Computing Machinery, Hong Kong Chapter
26. Cyberport Startup Alumni Association
27. Hong Kong O2O E-Commerce Federation Limited
28. Hong Kong Innovative Technology Development Association Limited
29. The Chamber of Hong Kong Computer Industry Limited
30. Hong Kong Electronic Sports Federation Limited
31. The Hong Kong Institution of Engineers, Information Technology Division
32. Hong Kong Public Key Infrastructure Forum Limited
33. Hong Kong Internet Service Providers Association Limited
34. Hong Kong Life Sciences Society Limited
35. Hong Kong Netrepreneurs Association Limited
36. Hong Kong Wireless Technology Industry Association Limited

37. Hong Kong Information Technology Federation Limited
38. British Computer Society (Hong Kong Section) Limited
39. Professional Information Security Association Limited
40. Information Security and Forensics Society
41. Hong Kong Retail Technology Industry Association Limited

B. Existing FCs

Heung Yee Kuk

6. No change.

Agriculture and Fisheries

7. To add corporate members of the following bodies –
   (a) Hong Kong Fishermen Consortium; and
   (b) Federation of Hong Kong Agricultural Associations.

Insurance

8. No change.

Transport

9. The revised electorate for this FC is as follows –
   1. Parking Management and Consultancy Services Limited
   2. Airport Authority Hong Kong
   3. Hong Kong Driver's Training Association
   4. The Association of N.T. Radio Taxicabs Ltd.
   5. Autotoll Limited
   6. The Chartered Institute of Logistics and Transport in Hong Kong
   7. China Merchants Shipping & Enterprises Co. Ltd.
   8. Chu Kong Shipping Enterprises (Holdings) Co. Ltd.
   9. Chuen Kee Ferry Limited
   10. Chuen Lee Radio Taxis Association Ltd.
   11. Citybus Ltd.
   12. Coral Sea Ferry Service Co., Ltd.
   13. COSCO-HIT Terminals (Hong Kong) Limited
   14. CTOD Association Company Ltd.
   15. Turbojet Ferry Services (Guangzhou) Limited
   16. Discovery Bay Transportation Services Ltd.

17. Driving Instructors Merchants Association, Limited
18. Eastern Ferry Company Limited
19. Expert Fortune Ltd.
20. Far East Hydrofoil Co. Ltd.
21. Fat Kee Stevedores Ltd.
22. The Fraternity Association of N.T. Taxi Merchants
23. Fraternity Taxi Owners Association
24. G.M.B. Maxicab Operators General Association Ltd.
25. The Goods Vehicle Fleet Owners Association Ltd.
26. Happy Taxi Operator's Association Ltd.
27. Hoi Kong Container Services Co. Ltd.
28. Hon Wah Public Light Bus Association Ltd.
29. Hong Kong Air Cargo Terminals Limited
30. Hong Kong & Kowloon Ferry Ltd.
31. Hong Kong Kowloon Goods Vehicles, Omnibuses and Minibuses Instructors Association Limited
32. Hong Kong & Kowloon Motor Boats & Tug Boats Association Limited
33. Hong Kong & Kowloon Radio Car Owners Association Ltd.
34. Hong Kong and Kowloon Rich Radio Car Service Centre Association Ltd.
35. HongKong Association of Freight Forwarding and Logistics Limited
36. Hong Kong Automobile Association
37. The Hong Kong Cargo-Vessel Traders' Association Ltd.
38. Hong Kong Commercial Vehicle Driving Instructors Association
39. Hong Kong CFS and Logistics Association Limited
40. Hong Kong Container Tractor Owner Association Ltd.
41. Hong Kong Driving Instructors' Association
42. Hong Kong Guangdong Transportation Association Ltd.
43. The Hong Kong Institute of Marine Technology
44. Hong Kong, Kowloon & NT Public & Maxicab Light Bus Merchants' United Association
45. Hong Kong Taxi Owners' Association Limited
46. The Hong Kong Liner Shipping Association
47. H.K. Motor Car Driving Instructors' Association Limited
48. Hong Kong Pilots Association Ltd.
49. Hong Kong Public & Maxicab Light Bus United Associations
50. Hong Kong Public Cargo Working Areas Traders Association Ltd.
51. Hong Kong Scheduled (GMB) Licensee Association
52. The Hong Kong School of Motoring Ltd.
53. Hong Kong Sea Transport and Logistics Association Limited

54. The Hong Kong Shipowners Association Ltd.
55. Hong Kong Shipping Circles Association Ltd.
56. Hong Kong Shipping Industry Institute
57. Hong Kong Logistics Management Staff Association
58. The Hong Kong Stevedores Employers' Association
59. Hong Kong Tele-call Taxi Association
60. Hong Kong Tramways, Limited
61. Hong Kong Transportation Warehouse Wharf Club
62. The Hongkong & Yaumati Ferry Co., Ltd.
63. Hongkong International Terminals Ltd.
64. Institute of Advanced Motorists (Hong Kong) Limited
65. Institute of Seatransport
66. Institute of Transport Administration (Hong Kong, China)
67. Kowloon Fung Wong Public Light Bus Merchants & Workers' Association Ltd.
68. The Kowloon Motor Bus Company (1933) Limited
69. Kowloon Motor Driving Instructors' Association Ltd.
70. The Kowloon PLB Chiu Chow Traders & Workers Friendly Association
71. The Kowloon Taxi Owners Association Ltd.
72. Kowloon Truck Merchants Association Ltd.
73. Kwik Park Limited
74. Lam Tin Wai Hoi Public Light Bus Association
75. Lantau Taxi Association
76. Lei Yue Mun Ko Chiu Road Public Light Bus Merchants Association Ltd.
77. Lok Ma Chau China - Hong Kong Freight Association
78. Long Win Bus Company Limited
79. Mack & Co. Carpark Management Limited
80. Marine Excursion Association Limited
81. Maritime Affairs Research Association Ltd.
82. MTR Corporation Limited
83. Merchant Navy Officers' Guild - Hong Kong
84. Metropark Limited
85. Mid-stream Holdings (HK) Limited
86. Mixer Truck Drivers Association
87. Modern Terminals Ltd.
88. N.T. San Tin PLB (17) Owners Association
89. N.T. Taxi Merchants Association Ltd.
90. N.T. Taxi Owners & Drivers Fraternal Association
91. N.W. Area Taxi Drivers & Operators Association
92. New Lantao Bus Co., (1973) Ltd.

93. New Territories Cargo Transport Association Ltd.
94. New World First Bus Services Limited
95. North District Taxi Merchants Association
96. Organisation of Hong Kong Drivers
97. Public and Private Light Buses Driving Instructors' Society
98. The Public Cargo Area Trade Association
99. Public Light Bus General Association
100. The Public Omnibus Operators Association Ltd.
101. Public Vehicle Merchants Fraternity Association
102. River Trade Terminal Co. Ltd.
103. Route 3 (CPS) Company Limited
104. Sai Kung Taxi Operators Association Ltd.
105. CSX World Terminals Hong Kong Limited
106. Serco Group (HK) Limited
107. The "Star" Ferry Co., Ltd.
108. Sun Hing Taxi Radio Association
109. Taxi Association Limited
110. Taxi Dealers & Owners Association Ltd.
111. The Taxi Operators Association Ltd.
112. Transport Infrastructure Management Limited
113. Tuen Mun Public Light Bus Association
114. Tung Yee Shipbuilding and Repairing Merchants General Association Limited
115. United Friendship Taxi Owners & Drivers Association Ltd.
116. Wai Fat Taxi Owners Association Ltd.
117. Wai Yik Hong Kong & Kowloon & NT Taxi Owners Association
118. West Coast International (Parking) Limited
119. Western Harbour Tunnel Co. Ltd.
120. Wilson Parking (Hong Kong) Limited
121. Wing Lee Radio Car Traders Association Ltd.
122. Wing Tai Car Owners & Drivers Association Ltd.
123. Wu Gang Shipping Co. Ltd.
124. Xiamen United Enterprises (H.K.) Ltd.
125. School Buses Operators Association Limited
126. Sun Ferry Services Company Limited
127. Shun Tak-China Travel Macau Ferries Limited
128. Hong Kong Container Drayage Services Association Limited
129. Hong Kong Kowloon & N.T. Grab-Mounted Lorries Association Limited
130. Hong Kong Waste Disposal Industry Association
131. HK Public-light Bus Owner & Driver Association

132. Logistics Industry & Container Truck Drivers Union
133. The Concrete Producers Association of Hong Kong Limited
134. Hongkong Guangdong Boundary Crossing Bus Association Limited
135. Tsui Wah Ferry Service Company Limited
136. Quality Driver Training Centre Limited
137. Public and Private Commercial Driving Instructors' Society
138. Shun Tak-China Travel Ship Management Limited
139. Cruise Ferries (HK) Limited
140. Asia Airfreight Terminal Company Limited
141. The Hong Kong Joint Branch of The Royal Institution of Naval Architects and The Institute of Marine Engineering, Science and Technology
142. The Hongkong Salvage & Towage Company Limited
143. The Institute of Chartered Shipbrokers, Hong Kong Branch
144. Hongkong United Dockyards Limited
145. Guangdong and Hong Kong Feeder Association Limited
146. Hong Kong Right Hand Drive Motors Association Limited
147. The Institute of the Motor Industry Hong Kong
148. Hong Kong Vehicle Repair Merchants Association Limited
149. Environmental Vehicle Repairers Association Limited
150. The Hong Kong Taxi and Public Light Bus Association Limited
151. Park Island Transport Company Limited
152. Discovery Bay Road Tunnel Company Limited
153. International Association of Transport Officers
154. Hong Kong Express Airways Limited
155. Hong Kong (Cross Border) Transportation Drivers' Association
156. Hong Kong Logistics Association Limited
157. Hong Kong Container Depot and Repairer Association Limited
158. New World Parking Management Limited
159. The Nautical Institute - Hong Kong Branch
160. Worldwide Flight Services, Inc.
161. NT Taxi Operations Union
162. Sun Star Taxi Operators Association
163. Taxi & P.L.B. Concern Group
164. Tai Wo Motors Limited
165. Tuen Mun District Tourists and Passengers Omnibus Operators Association Limited
166. Tsuen Wan District Tourists and Passengers Omnibus Operators Association Limited
167. Yuen Long District Tourists and Passengers Omnibus Operators

Association Limited

168. Kowloon District Tourists and Passengers Omnibus Operators Association Limited
169. Hong Kong District Tourists and Passengers Omnibus Operators Association Limited
170. Sino Parking Services Limited
171. Urban Parking Limited
172. Greater Lucky (HK) Company Limited
173. China Hongkong and Macau Boundary Crossing Bus Association Limited
174. Ground Support Engineering Limited
175. Cathay Pacific Services Limited
176. Cathay Pacific Catering Services (H.K.) Limited
177. LSG Lufthansa Service Hong Kong Limited
178. Gate Gourmet Hong Kong, Limited
179. ECO Aviation Fuel Services Limited
180. Hong Kong Aircraft Engineering Company Limited
181. China Aircraft Services Limited
182. Dah Chong Hong – Dragonair Airport GSE Service Limited
183. Jardine Air Terminal Services Limited
184. Service Managers Association
185. Driving Instructors Association
186. The Chamber of Hong Kong Logistics Industry Limited
187. New Horizon School of Motoring Limited
188. Leinam School of Motoring Limited
189. TIML MOM Limited
190. Hong Kong Taxi Association
191. Chung Shing Taxi Limited
192. Hong Kong Air Cargo Carrier Limited
193. Hong Kong Dumper Truck Drivers Association
194. Shun Fung Motors Investment Management Company Limited
195. Taxi Drivers and Operators Association
196. Yiu Lian Dockyards Limited
197. China Merchants Port Holdings Company Limited
198. China Merchants Container Services Limited
199. China Merchants Logistics Holding Hong Kong Company Limited
200. China Merchants Energy Shipping (Hong Kong) Company Limited
201. COSCO SHIPPING (Hong Kong) Co., Limited
202. Cosco (H.K.) Shipping Co., Limited
203. COSCO SHIPPING Container Line Agencies Limited

204. COSCO SHIPPING International (Hong Kong) Co., Ltd.
205. China Travel Tours Transportation Services Hong Kong Limited
206. Sky Shuttle Helicopters Limited
207. Hong Kong-Zhuhai-Macao Bridge Shuttle Bus Company Limited
208. Hong Kong & Macao International Airport Transportation Service Co. Limited
209. Hong Kong International Airport Ferry Terminal Services Limited
210. Ocean Shipbuilding & Engineering Limited
211. China Ferry Terminal Services Limited
212. Turbojet Shipyard Limited
213. Hong Kong Association of Aircargo Truckers Limited
214. Hong Kong Auto (Parts & Machinery) Association Limited
215. China Aviation Express (Hong Kong) Limited
216. Chu Kong Godown Wharf & Transportation Company Limited
217. Chu Kong Transhipment & Logistics Company Limited
218. Chu Kong Transportation (H.K.) Limited
219. Chu Kong Agency Company Limited
220. Cotai Chu Kong Shipping Management Services Company Limited
221. Yuet Hing Marine Supplies Company Limited
222. Chu Kong Group Shipyard Company Limited
223. Dong An Marine Safety Equipment Trading Limited
224. Fortune Ferry Company Limited
225. Hong Kong Wing Hing Marine Engineering Company Limited
226. China National Aviation Leasing Limited
227. Yuantong Marine Service Co. Limited
228. Wang Tak Engineering & Shipbuilding Company Limited
229. The Motor Transport Company of Guangdong and Hong Kong Limited
230. Weisheng Transportation & Enterprises Company Limited

Education

10. No change.

Legal

11. No change.

Accountancy

12. No change.

Engineering

13. No change.

***Architectural*, Surveying, Planning and Landscape**

14. No change.

Labour

15. No change.

Social Welfare

16. No change.

Real Estate and Construction

17. The proposed electorate is to be composed of corporate electors only.

Tourism

18. The proposed electorate is to be composed of the corporate electors below –

(a) travel agents holding licences as defined by section 2 of the Travel Agents Ordinance (Cap. 218) and are any of the following –

(i) corporate members of the Travel Industry Council of Hong Kong entitled to vote at the Board of Directors of the Council;

(ii) corporate members of Hong Kong Association of China Travel Organisers Limited entitled to vote at the Executive Committee of the company;

(iii) corporate members of International Chinese Tourist Association Limited entitled to vote at the Executive Committee of the company;

(iv) corporate members of The Federation of Hong Kong Chinese Travel Agents Limited entitled to vote at the Executive Committee of the company;

(v) corporate members of Hong Kong Outbound Tour Operators' Association Limited entitled to vote at the Executive Committee of the company;

(vi) corporate members of Hong Kong Association of Travel Agents Limited entitled to vote at the Executive Committee of the company;

(vii) corporate members of Hongkong Taiwan Tourist Operators Association entitled to vote at the Executive Committee of the Association;

(viii) corporate members of Hongkong Japanese Tour Operators Association

Limited entitled to vote at the Executive Committee of the company;

(ix) corporate members of Society of IATA Passenger Agents Limited entitled to vote at the Executive Committee of the company; and

(b) bodies that are corporate members of The Board of Airline Representatives in Hong Kong entitled to vote at the Executive Committee of the Board; and

(c) bodies that are licence holders as defined by section 2(1) of the Hotel and Guesthouse Accommodation Ordinance (Cap. 349), and corporate members of the Federation of Hong Kong Hotel Owners Limited entitled to vote at general meetings of the company.

Commercial (first)

19. No change.

Commercial (second)

20. The proposed electorate is to be composed of corporate electors only.

Industrial (first)

21. No change.

Industrial (second)

22. No change.

Finance

23. No change.

Financial Services

24. The proposed electorate is to be composed of corporate electors only.

Sports, Performing Arts, Culture and Publication

25. The proposed electorate is to be composed of the following bodies –

(a) corporate members of the Sports Federation & Olympic Committee of Hong Kong, China; and

(b) Hong Kong Sports Institute Limited; and

(c) corporate members of the Hong Kong Publishing Federation Limited entitled to vote at general meetings of the company; and

(d) the bodies named in Schedule 1B –

(i) performing arts industry associations and local licensed broadcasting

institutions

1. Hong Kong Motion Picture Industry Association Limited
2. Hong Kong Film Awards Association Ltd.
3. Association for Betterment of Hong Kong's Entertainment Industry in Mainland China Limited
4. Federation of Hong Kong Filmmakers Limited
5. Movie Producers and Distributors Association of Hong Kong Ltd.
6. Hong Kong Chamber of Films Limited
7. Hong Kong Theatres Association Ltd.
8. 華南電影工作者聯合會
9. International Federation of the Phonographic Industry (Hong Kong Group) Limited
10. Music Publishers Association of Hong Kong Limited
11. Hong Kong Recording Industry Alliance Limited
12. Television Broadcasts Limited
13. HK Television Entertainment Company Limited
14. Fantastic Television Limited
15. Hong Kong Commercial Broadcasting Company Limited
16. Metro Broadcast Corporation Limited
17. The Hong Kong Film Development Council
18. The Hong Kong International Film Festival Society Limited
19. Hong Kong Film & Television Association Limited

(ii) Cultural Public Institutions, Associations and Bodies

1. Hong Kong Arts Development Council
2. The Hong Kong Academy for Performing Arts
3. West Kowloon Cultural District Authority
4. The Hong Kong Philharmonic Society Limited
5. Hong Kong Chinese Orchestra Limited
6. Hong Kong Repertory Theatre Limited
7. Chung Ying Theatre Company (HK) Limited
8. Hong Kong Dance Company Limited
9. The Hong Kong Ballet Limited
10. Hong Kong Sinfonietta Limited
11. City Contemporary Dance Company Limited
12. Zuni Icosahedron
13. Hong Kong Arts Festival Society Limited
14. China Federation of Literary and Art Circles Hong Kong Member Association Limited
15. China Theatre Association Hong Kong Member Branch
16. China Film Hong Kong Association Limited

17. Chinese Musicians Association – Hong Kong Members Branch
18. China Artists Association Hong Kong Chapter
19. China Opera Performing Artists Hong Kong Association
20. Chinese Dancres Association Hong Kong Member Branch
21. China Photographers Association Hong Kong Member Branch
22. China Calligraphers Association Hong Kong Member Branch
23. China Literature and Art Critics Association Hong Kong Member Branch
24. The Association of Chinese Culture of Hong Kong
25. Hong Kong Culture Association Limited
26. The Chinese Artists Association of Hong Kong
27. Hong Kong Chinese Opera Promotion Association Limited
28. Cantonese Opera Musician and Vocalist Association Limited
29. HK Chinese Opera and Performing Arts Group Association
30. Hong Kong Cantonese Opera Artists Club Limited
31. Hong Kong Association of Cantonese Opera Scholars Limited
32. Hong Kong Federation of Drama Societies
33. Actors' Family Limited
34. The Nonsensemakers Limited
35. Tang Shu-Wing Theatre Studio Limited
36. Shakespeare4All Company Limited
37. Spring-Time Experimental Theatre Limited
38. Perry Chiu Experimental Theatre Limited
39. Performing Arts Asia Limited
40. Composers and Authors Society of Hong Kong Limited
41. Hong Kong Composers' Guild Limited
42. Hong Kong Chinese Instrumental Music Association
43. Hong Kong Association of Choral Societies
44. Hong Kong Music Tutors Union
45. Opera Hong Kong Limited
46. Hong Kong String Orchestra Limited
47. Global Symphony Orchestra Society Limited
48. The Hong Kong Children’s Choir
49. Yip’s Children’s Choir Limited
50. Allegro Singers
51. Hong Kong City Chinese Orchestra
52. Hong Kong Dance Federation Limited
53. Association of Hong Kong Dance Organizations
54. Hong Kong Dance Alliance Limited
55. The Hong Kong Ballet Group Limited

56. Hong Kong Dance Sector Joint Conference
57. The Association of Hong Kong Youth Dancers
58. Miranda Chin Dance (Mirandance) Company Limited
59. Budlet Folk Dance Club
60. Starwave Production
61. Xiang Gang Mei Xie
62. Chinese Ink Painting Institute Hong Kong
63. Hong Kong Water Colour Research Society
64. Hong Kong Lan Ting Society
65. Hong Kong Culture and Art Promotion Association
66. Hong Kong Art Researching Association
67. Hong Kong Modern Ink Painting Society Co. Limited
68. Hong Kong Oil Painting Research Society
69. Hong Kong Artists Society
70. The Hong Kong Art Club
71. Chung Fung Art Club
72. To-day's Chinese Art Association
73. Ling Ngai Art Association
74. Hong Kong Graphics Society
75. 中國書協香港分會
76. Hong Kong Chinese Calligraphy and Art Association
77. China Hong Kong Institute of Calligraphy
78. Calligraphy and Painting Study Association of Hong Kong Fukienese
79. Hong Kong Association of Amateur Calligraphers
80. Hong Kong Calligraphers' Association
81. Hong Kong International Calligraphy and Seal Cutting Society
82. Hong Kong Hard Pen Calligraphists' Association
83. Friends of Shizhai
84. The Jiazi Society of Calligraphy
85. The Photographic Society of Hong Kong
86. The Chinese Photographic Association of Hong Kong
87. Sea Gull Photographic Association Limited
88. The Photographic Salon Exhibitors Association
89. Grace Photographic Club
90. Hong Kong Camera Club, Limited
91. United Artist Photographic Association Limited
92. The Society of Worldwide Ethnic Chinese Photographers Limited
93. The Hong Kong 35mm Photography Society, Limited
94. The Hong Kong Miniature Cameras Photography Society

95. Hong Kong CreArt Photographic Association Limited
96. Overseas Chinese Photographers Association of Hong Kong
97. The Art of Photography Association Limited
98. The Federation of Hong Kong Writers
99. The House of Hong Kong Literature Limited
100. Hong Kong Writers Association Company Limited
101. Hong Kong Society for Study of Poetry, Calligraphy and Couplet
102. Hong Kong Literature Promoted Association
103. 國際華文詩人協會
104. Magicians' Association of Hong Kong
105. Hong Kong & Macau Intangible Cultural Heritage Research Centre Limited
106. Wing Lung Art
107. Hong Kong Book Reviewers Association
108. Hong Kong Film Critics Association Limited
109. Hong Kong Literary Criticism Society Company Limited
110. Oriental Education Alliance Limited
111. Hong Kong International Music Festival Limited
112. The Association of Zhuangzi Culture & Research of Hong Kong
113. Hong Kong Cantonese Opera Chamber of Commerce Limited
114. Jingkun Theatre Limited

Import and Export

26. The proposed electorate is to be composed of corporate members of The Hong Kong Chinese Importers' and Exporters' Association entitled to vote at general meetings of the Association.

Textiles and Garment

27. The proposed electorate is to be composed of the following corporate electors –

(a) corporate members of the Textile Council of Hong Kong Limited entitled to vote at general meetings of the Council; and
(b) corporate members of each of the following bodies entitled to vote at general meetings of the body –
    (i) The Federation of Hong Kong Cotton Weavers;
    (ii) The Federation of Hong Kong Garment Manufacturers;
    (iii) Hong Kong Chinese Textile Mills Association;
    (iv) The Hongkong Cotton Spinners Association;
    (v) Hong Kong Garment Manufacturers Association Ltd.;

(vi) Hongkong Knitwear Exporters & Manufacturers Association Limited;
(vii) Hong Kong Woollen & Synthetic Knitting Manufacturers' Association Ltd.;
(viii) The Hong Kong Association of Textile Bleachers, Dyers, Printers and Finishers Limited;
(ix) The Hong Kong Weaving Mills Association; and
(x) The Hong Kong General Chamber of Textiles Limited.

Wholesale and Retail

28. The proposed electorate is composed of corporate members of each of the bodies named in Schedule 1C that are entitled to vote at general meetings of the body. The revised electorate for this FC is as follows –

1. Association of Better Business & Tourism Services
2. Chinese Medicine Merchants Association Ltd.
3. Chinese Merchants (H.K.) Association Limited
4. Chinese Paper Merchants Association Limited
5. The Cosmetic & Perfumery Association of Hong Kong Ltd.
6. Eastern District Fresh Fish Merchants' Society
7. Federation of Hong Kong Kowloon New Territories Hawker Associations
8. The Federation of Hong Kong Watch Trades and Industries Ltd.
9. HK Vegetable Wholesaler Community
10. Hong Kong and Kowloon Bamboo Goods Merchants Association Limited
11. Hong Kong and Kowloon Electrical Appliances Merchants Association Ltd.
12. Hong Kong Electro-Plating Merchants Association Limited
13. Hong Kong & Kowloon Fruit & Vegetable Employees & Employers Guild
14. Hong Kong & Kowloon General Association of Liquor Dealers and Distillers
15. Hong Kong and Kowloon Machinery and Instrument Merchants Association Ltd.
16. Hong Kong & Kowloon Marine Products Merchants Association Ltd.
17. Hong Kong & Kowloon Plastic Products Merchants United Association Limited
18. The Hong Kong & Kowloon Provisions, Wine & Spirit Dealers' Association Limited
19. Hong Kong and Kowloon Rattan Ware Merchants Association (Wing-Hing-Tong)

20. Hong Kong & Kowloon Sauce & Preserved-Fruit Amalgamated Employers Association
21. Hong Kong & Kowloon Tea Trade Merchants Association Ltd.
22. Hong Kong & Kowloon Timber Merchants Association Limited
23. Hong Kong & Kowloon Vermicelli & Noodle Manufacturing Industry Merchants' General Association Limited
24. Hong Kong Art Craft Merchants Association, Ltd.
25. Hong Kong Dried Seafood and Grocery Merchants Association Limited
26. Hong Kong Egg Merchants Association (Fung-Kwai-Tong)
27. Hong Kong Embroidery Merchants Association Limited
28. Hong Kong Flower Retailers Association
29. The Hong Kong Food Council Limited
30. Hong Kong Fresh Fish Merchants Association
31. Hong Kong Fur Federation
32. Hong Kong Furniture & Decoration Trade Association Limited
33. Hong Kong General Chamber of Pharmacy Limited
34. Hong Kong Glass and Mirror Merchants and Manufacturers Association Company Limited
35. Hong Kong Jewellers' & Goldsmiths' Association Limited
36. The Federation of Hong Kong Footwear Limited
37. The Hong Kong Medicine Dealers' Guild
38. Hong Kong Metal Merchants Association
39. Hong Kong Petroleum, Chemicals and Pharmaceutical Materials Merchants Association Ltd.
40. Hong Kong Photo Marketing Association Limited
41. Hong Kong Piece Goods Merchants' Association
42. Hong Kong Plastic Material Suppliers Association Ltd.
43. Hong Kong Plumbing and Sanitary Ware Trade Association Ltd.
44. Hong Kong Provision & Grocery General Commercial Chamber
45. Hong Kong Record Merchants Association Ltd.
46. Hong Kong Rice Suppliers' Association Limited
47. Hong Kong Retail Management Association Limited
48. Hong Kong Yee Yee Tong Chinese Medicine Merchants Association Ltd.
49. The Hong Kong & Kowloon General Merchandise Merchants' Association Limited
50. Kowloon Cheung Sha Wan Wholesale Vegetable Market (Importers) Recreation Club Limited
51. Kowloon Fresh Fish Merchants Association Limited
52. The Kowloon Pearls, Precious Stones, Jade, Gold & Silver Ornament Merchants Association

53. The Merchants Association of First Wholesalers/Jobbery of Imported Fresh Fruits & Vegetables Limited
54. Mongkok Vegetable Wholesale Merchants Association Company Limited
55. The Motor Traders Association of Hong Kong
56. Nam Pak Hong Association
57. Po Sau Tong Ginseng & Antler Association Hong Kong Ltd.
58. The Rice Merchants' Association of Hong Kong Limited
59. Kowloon Fruit & Vegetable Merchants Association Limited
60. The Hong Kong And Kowloon Electric Trade Association
61. Hong Kong Poultry Wholesalers Association
62. Diamond Federation of Hong Kong, China Limited
63. Tobacco Association of Hong Kong Limited
64. Hong Kong Chinese Prepared Medicine Traders Association Limited
65. Hong Kong Chinese Medicine Industry Association Limited
66. Hong Kong Chinese Patent Medicine Manufacturers' Association Ltd.

Catering

29. The proposed electorate is to be composed of bodies that are holders of food business licences under the Public Health and Municipal Services Ordinance (Cap. 132) and –

(a) are entitled to vote at the Board of The Association for Hong Kong Catering Services Management Limited;

(b) are entitled to vote at the Board of The Association of Restaurant Managers Limited; or

(c) are entitled to vote at the Board of Hong Kong Catering Industry Association Limited.

Annex H

Delineation of Geographical Constituencies of the Seventh Term of the Legislative Council

Geographical Constituencies (Constituency Code)	Districts Involved	No. of District Council Constituencies Areas	Population (Projected population by District as at 2021) [Deviation from the resulting number[1](%)]	Relevant Plan No.[2]
Hong Kong Island East (LC1)	Eastern, Wan Chai	48	718,600 [-5.2%]	LCCA/R/2021/HK-E
Hong Kong Island West (LC2)	Central and Western, Southern, Islands	42	698,900 [-7.8%]	LCCA/R/2021/HK-W
Kowloon East (LC3)	Kwun Tong, south-eastern part of Wong Tai Sin [3]	45	771,800 [+1.8%]	LCCA/R/2021/KLN-E
Kowloon West (LC4)	Yau Tsim Mong, Sham Shui Po	45	780,000 [+2.9%]	LCCA/R/2021/KLN-W
Kowloon Central (LC5)	Kowloon City, north-western part of Wong Tai Sin[4]	45	778,900 [+2.8%]	LCCA/R/2021/KLN-C
New Territories South East (LC6)	Sai Kung, eastern part of Sha Tin[5]	44	746,400 [-1.5%]	LCCA/R/2021/NT-SE

1 The population quota is the quotient in dividing the projected population of Hong Kong by the total number of elected seats from all geographical constituencies in Hong Kong, which is 379,010. The resulting number is given by multiplying the population quota by the number of members to be returned to the Legislative Council by that geographical constituency pursuant to any electoral law. Therefore, the resulting number is 379,010 x 2 = 758,020.

2 The plan number of the Index Map is LCCA/R/2021/INDEX.

3 Including Choi Wan East, Choi Wan South, Choi Wan West, Chi Choi, and Choi Hung.

4 Including Lung Tsui, Lung Ha, Lung Sheung, Fung Wong, Fung Tak, Lung Sing, San Po Kong, Tung Tau, Tung Mei, Lok Fu, Wang Tau Hom, Tin Keung, Tsui Chuk & Pang Ching, Chuk Yuen South, Chuk Yuen North, Tsz Wan West, Ching Oi, Ching On, Tsz Wan East, and King Fu.

5 Including Hoi Nam, Chung On, Kam To, Ma On Shan Town Centre, Wu Kai Sha, Lee On, Fu Lung, Kam Ying, Yiu On, Heng On, Tai Shui Hang, On Tai, Yu Yan, Kwong Hong, and Kwong Yuen.

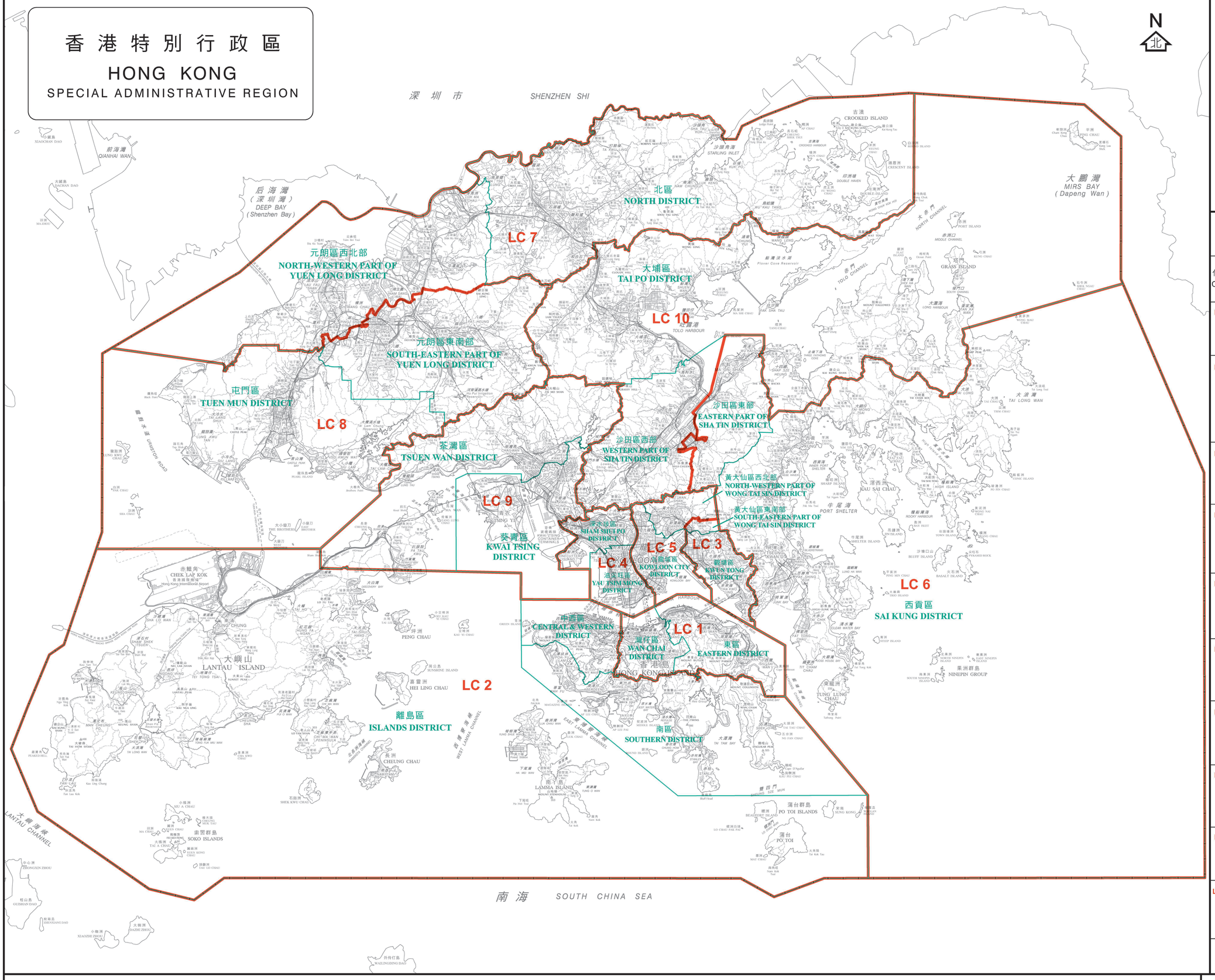
Geographical Constituencies (Constituency Code)	Districts Involved	No. of District Council Constituencies Areas	Population (Projected population by District as at 2021) [Deviation from the resulting number[1](%)]	Relevant Plan No.[2]
New Territories North (LC7)	North, north-western part of Yuen Long[6]	40	694,200 [-8.4%]	LCCA/R/2021/NT-N
New Territories North West (LC8)	Tuen Mun, south-eastern part of Yuen Long[7]	48	791,700 [+4.4%]	LCCA/R/2021/NT-NW
New Territories South West (LC9)	Kwai Tsing, Tsuen Wan	50	824,600 [+8.8%]	LCCA/R/2021/NT-SW
New Territories North East (LC10)	Tai Po, western part of Sha Tin[8]	45	775,100 [+2.3%]	LCCA/R/2021/NT-NE

6 Including Ha Tsuen, Ping Shan Central, Shing Yan, Tin Shing, Tin Yiu, Yiu Yau, Tsz Yau, Kingswood South, Shui Oi, Shui Wah, Chung Wah, Chung Pak, Kingswood North, Yuet Yan, Ching King, Fu Yan, Yat Chak, Tin Heng, Wang Yat, Ping Shan North, Fairview Park, and San Tin.

7 Including Fung Nin, Yuen Long Centre, Fung Cheung, Yuen Lung, Shap Pat Heung Central, Shui Pin, Nam Ping, Pek Long, Yuen Long Tung Tau, Shap Pat Heung North, Shap Pat Heung East, Shap Pat Heung West, Ping Shan South, Hung Fuk, Kam Tin, Pat Heung North, and Pat Heung South.

8 Including Sha Tin Town Centre, Lek Yuen, Wo Che Estate, City One, Yue Shing, Wong Uk, Sha Kok, Pok Hong, Shui Chuen O, Jat Chuen, Chun Fung, Sun Tin Wai, Chui Tin, Hin Ka, Lower Shing Mun, Wan Shing, Keng Hau, Tin Sum, Chui Ka, Tai Wai, Chung Tin, Sui Wo, Fo Tan, Chun Ma, Di Yee, and Bik Woo.

香港特別行政區
HONG KONG
SPECIAL ADMINISTRATIVE REGION



二零二一年立法會地方選區界線（與區界線重疊）
2021 Legislative Council Geographical Constituency Boundary (coincides with District Boundary)

二零二一年立法會地方選區界線
2021 Legislative Council Geographical Constituency Boundary

區界線
District Boundary

特別行政區界
Boundary of Special Administrative Region

二零二一年立法會地方選區
2021 Legislative Council Geographical Constituencies

代號 Code	名稱 Name	所包括的地方行政區 Districts Included	參考圖則編號 Reference Plan No.
LC 1	香港島東 Hong Kong Island East	東區 Eastern District 灣仔區 Wan Chai District	LCCA/R/2021/HK-E
LC 2	香港島西 Hong Kong Island West	中西區 Central & Western District 南區 Southern District 離島區 Islands District	LCCA/R/2021/HK-W
LC 3	九龍東 Kowloon East	觀塘區 Kwun Tong District 黃大仙區東南部 South-eastern part of Wong Tai Sin District	LCCA/R/2021/KLN-E
LC 4	九龍西 Kowloon West	油尖旺區 Yau Tsim Mong District 深水埗區 Sham Shui Po District	LCCA/R/2021/KLN-W
LC 5	九龍中 Kowloon Central	九龍城區 Kowloon City District 黃大仙區西北部 North-western part of Wong Tai Sin District	LCCA/R/2021/KLN-C
LC 6	新界東南 New Territories South East	西貢區 Sai Kung District 沙田區東部 Eastern part of Sha Tin District	LCCA/R/2021/NT-SE
LC 7	新界北 New Territories North	北區 North District 元朗區西北部 North-western part of Yuen Long District	LCCA/R/2021/NT-N
LC 8	新界西北 New Territories North West	屯門區 Tuen Mun District 元朗區東南部 South-eastern part of Yuen Long District	LCCA/R/2021/NT-NW
LC 9	新界西南 New Territories South West	葵青區 Kwai Tsing District 荃灣區 Tsuen Wan District	LCCA/R/2021/NT-SW
LC 10	新界東北 New Territories North East	大埔區 Tai Po District 沙田區西部 Western part of Sha Tin District	LCCA/R/2021/NT-NE

二零二一年立法會地方選區分界圖索引
2021 LEGISLATIVE COUNCIL GEOGRAPHICAL CONSTITUENCY BOUNDARIES INDEX MAP

KILOMETRES 公里 2 0 2 4 6 8 10 12 14 16 18 20 KILOMETRES 公里

SCALE 1:105 000 比例尺

圖則編號 Plan No. LCCA/R/2021/INDEX

二零二一年四月版 April 2021 Edition

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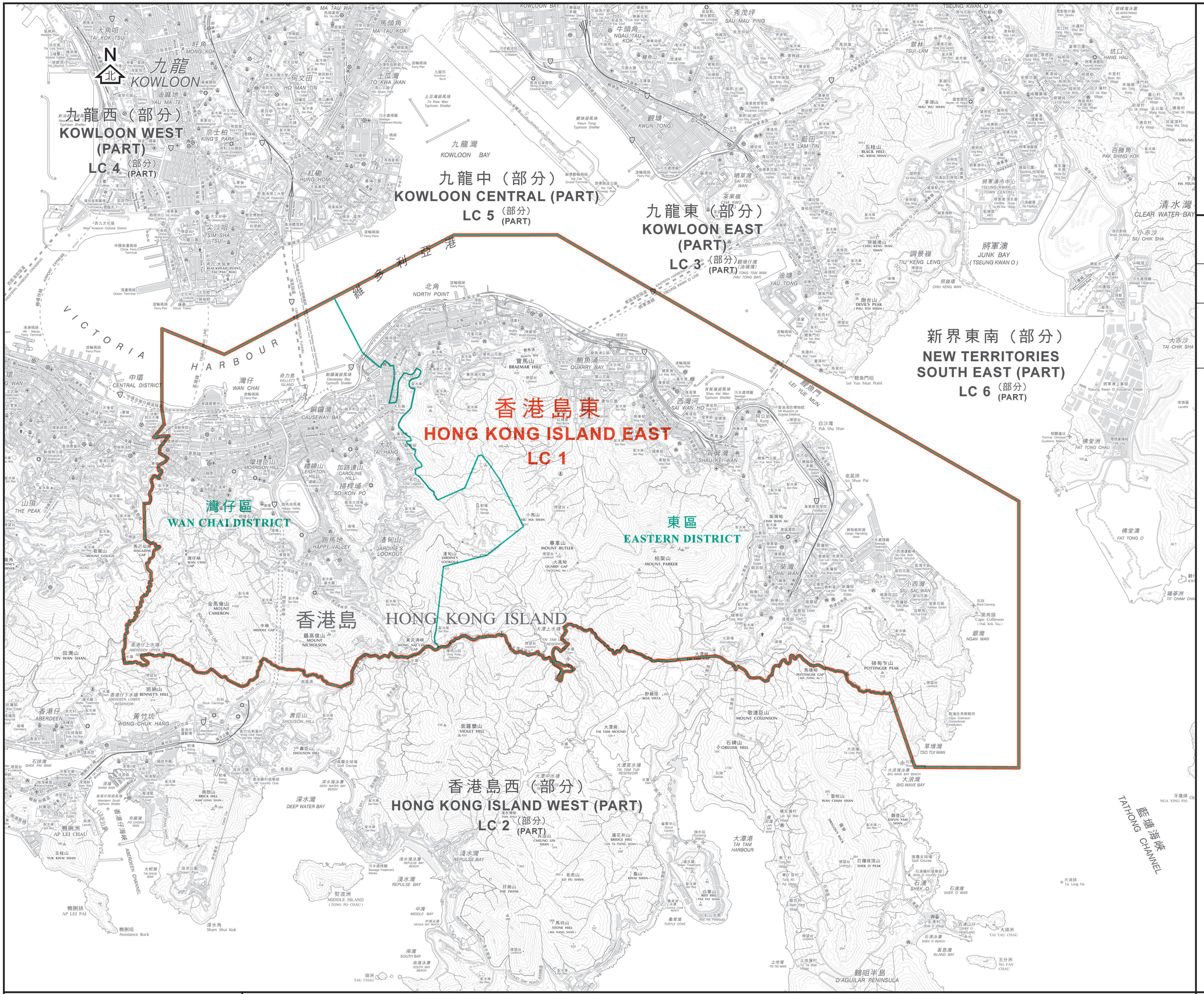
Cartography by Survey & Mapping Office, Lands Department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KOWLOON WEST (PART)
LC 4 （部分） (PART)
九龍中（部分）
KOWLOON CENTRAL (PART)
LC 5 （部分） (PART)
九龍東（部分）
KOWLOON EAST (PART)
LC 3 （部分） (PART)
新界東南（部分）
NEW TERRITORIES SOUTH EAST (PART)
LC 6 （部分） (PART)
維多利亞港
VICTORIA HARBOUR
香港島東
HONG KONG ISLAND EAST
LC 1
灣仔區
WAN CHAI DISTRICT
東區
EASTERN DISTRICT
香港島
HONG KONG ISLAND
香港島西（部分）
HONG KONG ISLAND WEST (PART)
LC 2 （部分） (PART)
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NORTH POINT
QUARRY BAY
CAUSEWAY BAY
WAN CHAI
CENTRAL DISTRICT
TSIM SHA TSUI
MONG KOK
YAU MA TEI
HUNG HOM
KWUN TONG
LAM TIN
YAU TONG
SAU MAU PING
NGAU TAU KOK
TSEUNG KWAN O
TSUEN WAN
TSUEN WAN WEST
TSING YI
KWAI CHUNG
TSUEN WAN TOWN CENTRE
TSEUNG KWAN O TOWN CENTRE
JUNK BAY (TSEUNG KWAN O)
CLEAR WATER BAY
TAI CHIK SHA
SIU CHIK SHA
TIU KENG LENG
CHIU KING WAN SHAN
CHIU KING WAN
DEVILS PEAK (PAU TOI SHAN)
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Lei Yue Mun Point
KAI TAK
KAI TAK RUNWAY AREA
KOWLOON BAY
KOWLOON CITY
WONG TAI SIN
DIAMOND HILL
CHOI HUNG
SAN PO KONG
HO MAN TIN
TO KWA WAN
KOWLOON TONG
SAI TSO WAN
KWUN TONG BAY
TSZ WAN SHAN
SHEUNG
HA YEUN
PAK SHING KOK
MAU WU SHAN
TSUI LAM
HANG HAU
BLACK HILL (NG KWAI SHAN)
CHEUNG SHA WAN
LAI CHI KOK
MEI FOO
LAI CHI WO
LAI KING
CHEUNG SHA WAN ROAD
LAI CHI KOK ROAD
CHUNG HOM KOK
STANLEY
TAI TAM
SHEK O
TAI TAU CHAU
FAT TONG CHAU
SIU SAI WAN
CHAI WAN
SHAU KEI WAN
TAI KOO SHING
TAI KOO
QUARRY BAY
TAI KOK TSUI
MA TAU WAI
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KAU YI CHAU
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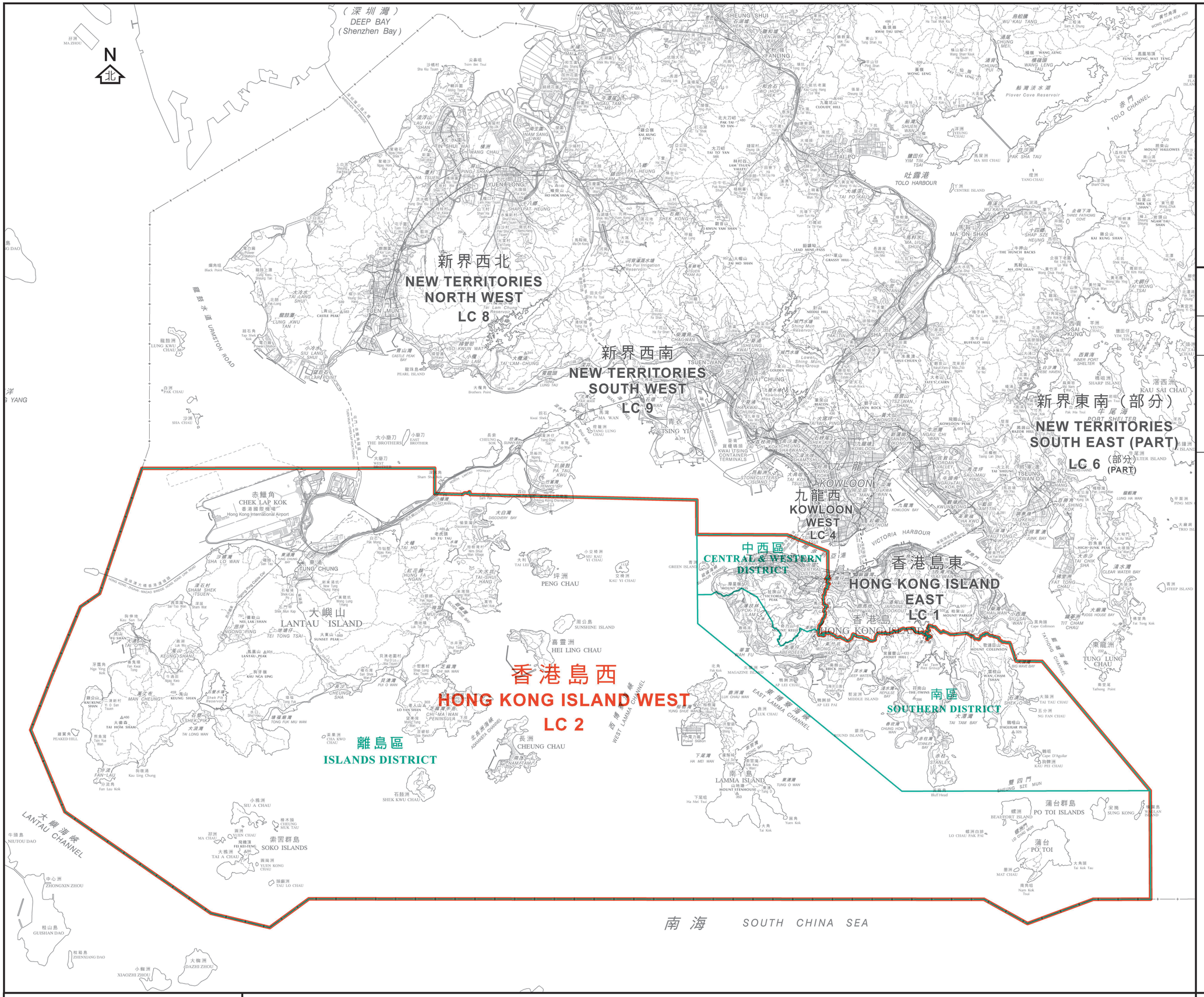

二零二一年立法會地方選區界線
(與區界線重疊)
2021 Legislative Council
Geographical Constituency Boundary
(coincides with District Boundary)

二零二一年立法會地方選區界線
2021 Legislative Council
Geographical Constituency Boundary

區界線
District Boundary

特別行政區界
Boundary of Special Administrative Region

二零二一年立法會地方選區
2021 Legislative Council Geographical Constituency

代號 Code	名稱 Name	所包括的地方行政區 Districts Included
LC 2	香港島西 Hong Kong Island West	中西區 Central & Western District 南區 Southern District 離島區 Islands District

行政長官會同行政會議根據《2021年完善選舉制度(綜合修訂)條例草案》就地方選區的劃定於二零二一年四月十三日通過此圖則

This was the plan approved by the Chief Executive in Council on 13 April 2021 for the purpose of delineating geographical constituencies specified under the Improving Electoral System (Consolidated Amendments) Bill 2021

二零二一年立法會地方選區分界圖 — 香港島西選區

2021 LEGISLATIVE COUNCIL GEOGRAPHICAL CONSTITUENCY BOUNDARIES — HONG KONG ISLAND WEST CONSTITUENCY

KILOMETRES 公里 2 0 2 4 6 8 10 12 14 16 KILOMETRES 公里

SCALE 1:80 000 比例尺

圖則編號 Plan No. LCCA/R/2021/HK-W

二零二一年四月版 April 2021 Edition

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Cartography by Survey & Mapping Office, Lands Department

二零二一年立法會地方選區界線
(與區界線重疊)
2021 Legislative Council
Geographical Constituency Boundary
(coincides with District Boundary)

二零二一年立法會地方選區界線
2021 Legislative Council
Geographical Constituency Boundary

區界線
District Boundary

二零二一年立法會地方選區
2021 Legislative Council Geographical Constituency

代號 Code	名稱 Name	所包括的地方行政區 Districts Included
LC 3	九龍東 Kowloon East	觀塘區 Kwun Tong District 黃大仙區東南部[1] South-eastern part of Wong Tai Sin District[1]

[1]所包括的區議會選區
[1] District Council Constituency Areas Included

彩雲東	Choi Wan East
彩雲南	Choi Wan South
彩雲西	Choi Wan West
池彩	Chi Choi
彩虹	Choi Hung

行政長官會同行政會議根據《2021年完善選舉制度(綜合修訂)條例草案》就地方選區的劃定於二零二一年四月十三日通過此圖則

This was the plan approved by the Chief Executive in Council on 13 April 2021 for the purpose of delineating geographical constituencies specified under the Improving Electoral System (Consolidated Amendments) Bill 2021

二零二一年立法會地方選區分界圖 — 九龍東選區
2021 LEGISLATIVE COUNCIL GEOGRAPHICAL CONSTITUENCY BOUNDARIES — KOWLOON EAST CONSTITUENCY

METRES 米 500 0 500 1000 1500 2000 2500 3000 METRES 米

SCALE 1:15 000 比例尺

圖則編號 Plan No. LCCA/R/2021/KLN-E

二零二一年四月版 April 2021 Edition

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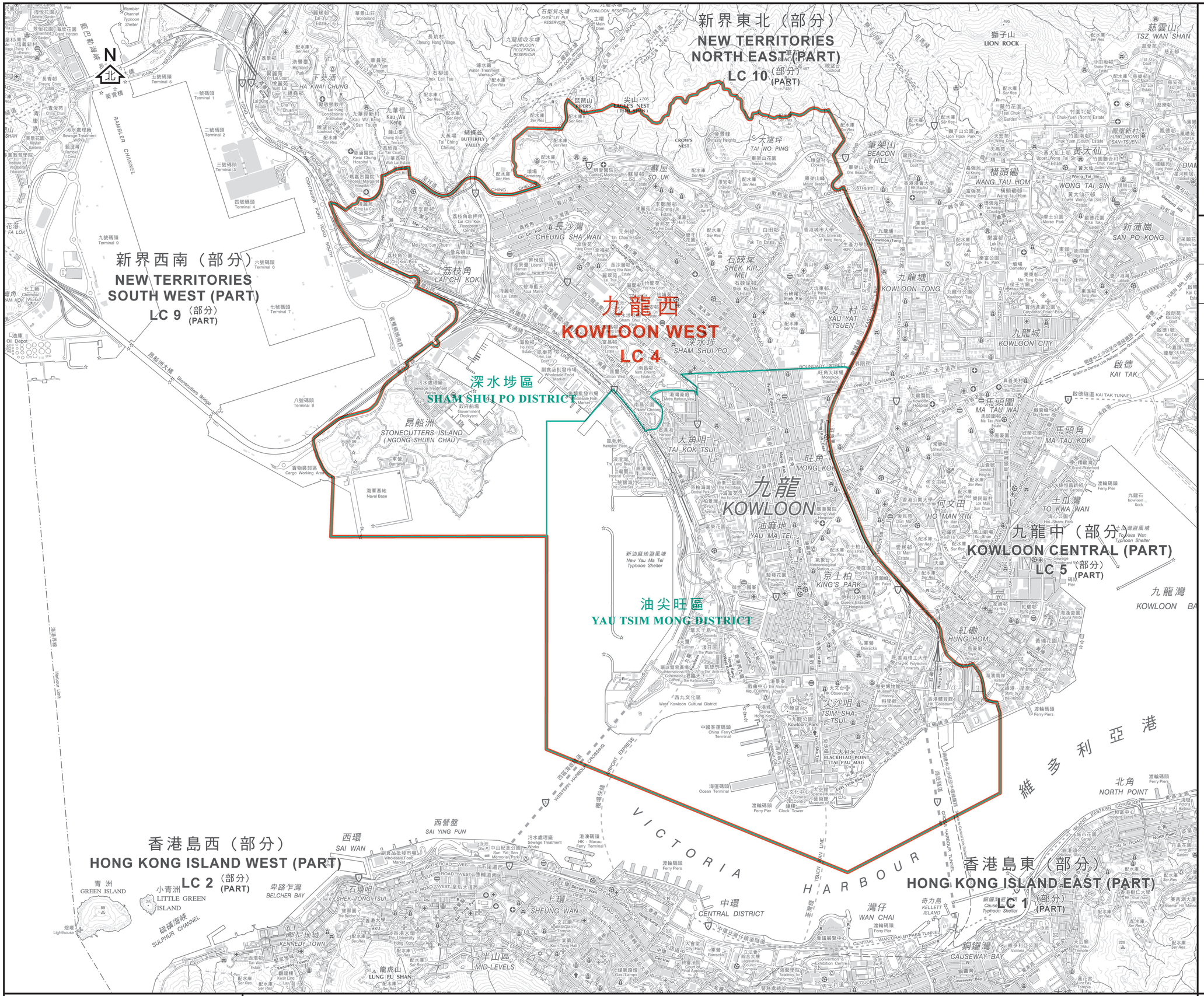
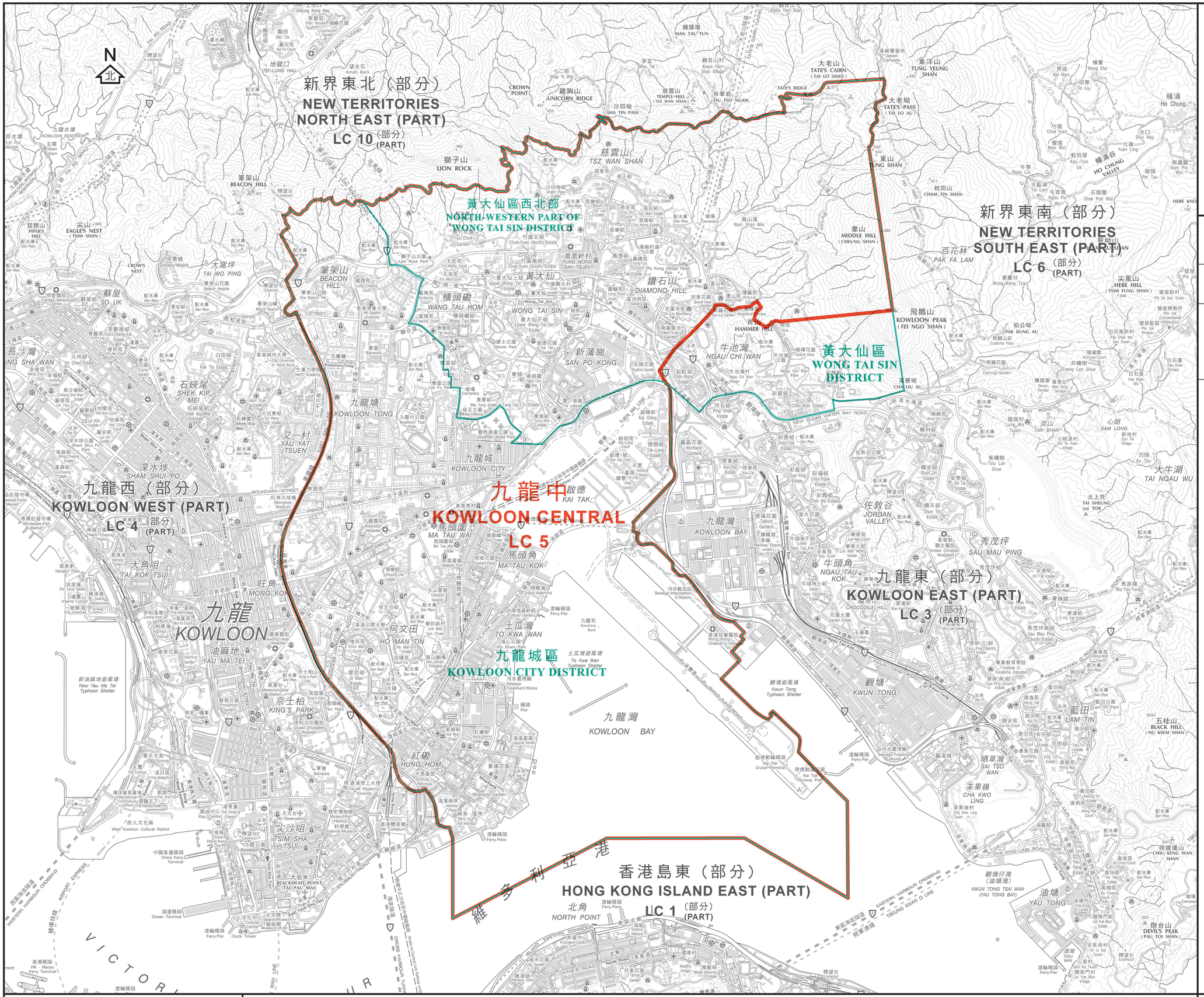

新界東北（部分）
NEW TERRITORIES NORTH EAST (PART)
LC 10（部分）(PART)
新界西南（部分）
NEW TERRITORIES SOUTH WEST (PART)
LC 9（部分）(PART)
九龍西
KOWLOON WEST
LC 4
深水埗區
SHAM SHUI PO DISTRICT
油尖旺區
YAU TSIM MONG DISTRICT
九龍中（部分）
KOWLOON CENTRAL (PART)
LC 5（部分）(PART)
香港島西（部分）
HONG KONG ISLAND WEST (PART)
LC 2（部分）(PART)
香港島東（部分）
HONG KONG ISLAND EAST (PART)
LC 1（部分）(PART)
N 北
RAMBLER CHANNEL
TSING KWAI HIGHWAY 青葵公路
CHEUNG SHA WAN ROAD 長沙灣道
CHEUNG FA CHUEN ROAD 長發邨
LAI CHI KOK 荔枝角
CHEUNG SHA WAN 長沙灣
SHAM SHUI PO 深水埗
KOWLOON TONG 九龍塘
KOWLOON CITY 九龍城
KAI TAK 啟德
MA TAU WAI 馬頭圍
MA TAU KOK 馬頭角
TO KWA WAN 土瓜灣
HUNG HOM 紅磡
WONG TAI SIN 黃大仙
SAN PO KONG 新蒲崗
TSZ WAN SHAN 慈雲山
LION ROCK 獅子山
TAI WO PING 大窩坪
BEACON HILL 筆架山
CROW'S NEST 鷹巢山
EAGLE'S NEST (TSAT SAN) 七星山
KOWLOON RESERVOIR 九龍水塘
SHEK LEI PUI RESERVOIR 石梨貝水塘
KOWLOON RECEPTION RESERVOIR 九龍接收水塘
KOWLOON BYPASS RESERVOIR 九龍繞水塘
SHEK KIP MEI 石硤尾
YAU YAT TSUEN 又一村
TAI KOK TSUI 大角咀
MONG KOK 旺角
KOWLOON 九龍
YAU MA TEI 油麻地
HO MAN TIN 何文田
KING'S PARK 京士柏
TSIM SHA TSUI 尖沙咀
WEST KOWLOON CULTURAL DISTRICT 西九文化區
CHINA FERRY TERMINAL 中國客運碼頭
OCEAN TERMINAL 海運碼頭
BLACKHEAD POINT (TAI PAU MAI) 大包米
SOUTH KOWLOON 南九龍
HARBOUR CITY 海港城
HONG KONG CITY 中港城
KOWLOON PARK 九龍公園
HONG KONG MUSEUM OF HISTORY 香港歷史博物館
HONG KONG MUSEUM OF SCIENCE 香港科學館
HONG KONG COLISEUM 香港體育館
HONG KONG OBSERVATORY 天文台
HONG KONG POLYTECHNIC UNIVERSITY 香港理工大學
HONG KONG BAPTIST UNIVERSITY 香港浸會大學
HONG KONG CITY UNIVERSITY 香港城市大學
HONG KONG UNIVERSITY OF SCIENCE AND TECHNOLOGY 香港科技大學
KOWLOON TONG 九龍塘
KOWLOON BAY 九龍灣
KAI TAK TUNNEL 啟德隧道
CROSS HARBOUR TUNNEL 海底隧道
EASTERN HARBOUR CROSSING 東區海底隧道
WESTERN HARBOUR CROSSING 西區海底隧道
CHEUNG SHA WAN FLYOVER 長沙灣天橋
CHUNG KONG ROAD 青葵公路
CHUNG KONG ROAD SOUTH 青葵公路
CHUNG KONG ROAD FLYOVER 青葵公路
CHUNG KONG ROAD NORTH



二零二一年立法會地方選區界線（與區界線重疊）
2021 Legislative Council Geographical Constituency Boundary (coincides with District Boundary)

二零二一年立法會地方選區界線
2021 Legislative Council Geographical Constituency Boundary

區界線
District Boundary

二零二一年立法會地方選區
2021 Legislative Council Geographical Constituency

代號 Code	名稱 Name	所包括的地方行政區 Districts Included
LC 5	九龍中 Kowloon Central	九龍城區 Kowloon City District 黃大仙區西北部[2] North-western part of Wong Tai Sin District[2]

[2]所包括的區議會選區
[2]District Council Constituency Areas Included

龍趣	Lung Tsui
龍下	Lung Ha
龍上	Lung Sheung
鳳凰	Fung Wong
鳳德	Fung Tak
龍星	Lung Sing
新蒲崗	San Po Kong
東頭	Tung Tau
東美	Tung Mei
樂富	Lok Fu
橫頭磡	Wang Tau Hom
天強	Tin Keung
翠竹及鵬程	Tsui Chuk & Pang Ching
竹園南	Chuk Yuen South
竹園北	Chuk Yuen North
慈雲西	Tsz Wan West
正愛	Ching Oi
正安	Ching On
慈雲東	Tsz Wan East
瓊富	King Fu

行政長官會同行政會議根據《2021年完善選舉制度(綜合修訂)條例草案》就地方選區的劃定於二零二一年四月十三日通過此圖則

This was the plan approved by the Chief Executive in Council on 13 April 2021 for the purpose of delineating geographical constituencies specified under the Improving Electoral System (Consolidated Amendments) Bill 2021

二零二一年立法會地方選區分界圖 — 九龍中選區

2021 LEGISLATIVE COUNCIL GEOGRAPHICAL CONSTITUENCY BOUNDARIES — KOWLOON CENTRAL CONSTITUENCY

METRES 米 500 0 500 1000 1500 2000 2500 3000 METRES 米

SCALE 1:15 000 比例尺

圖則編號 Plan No. LCCA/R/2021/KLN-C

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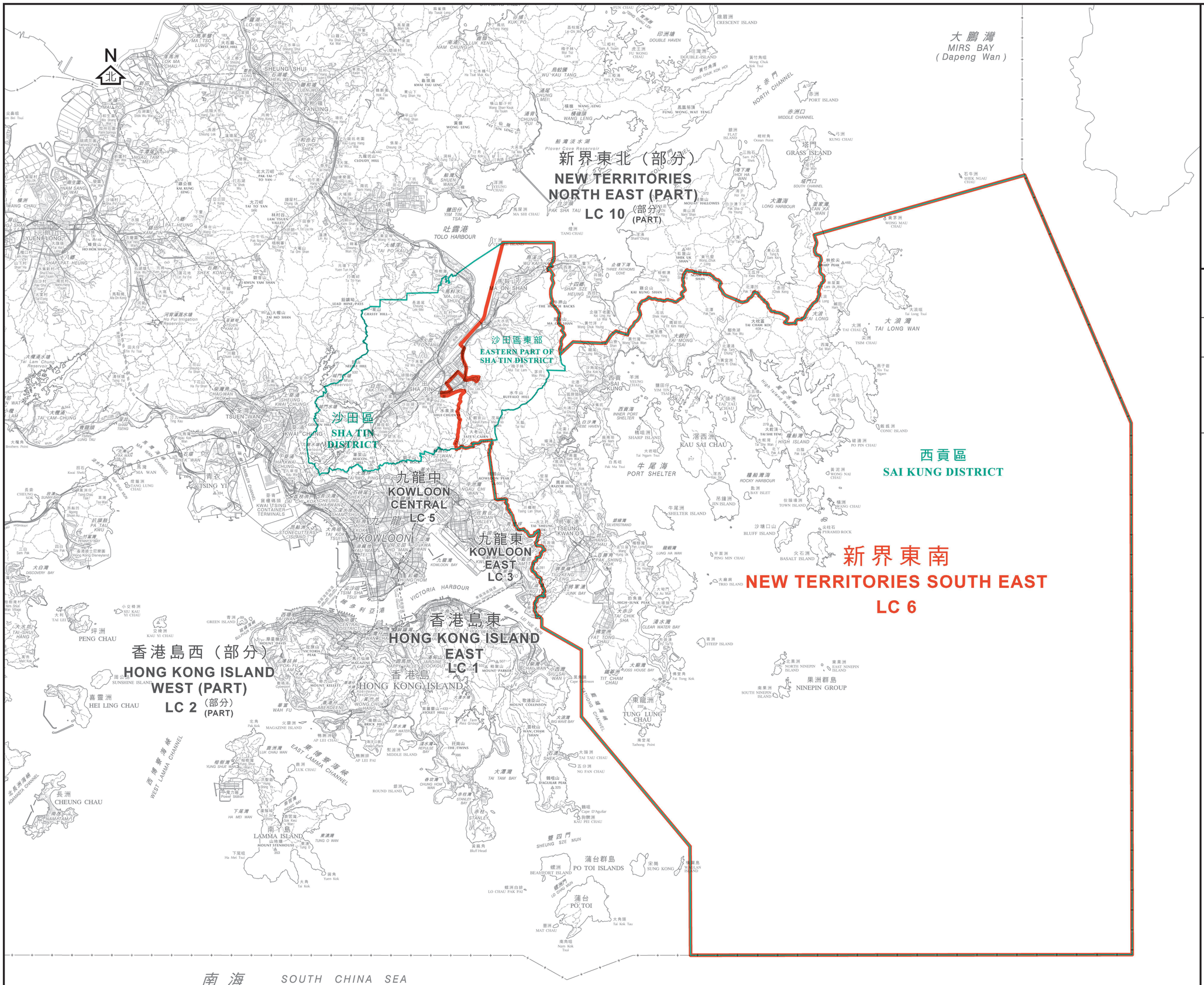

二零二一年立法會地方選區界線（與區界線重疊）
2021 Legislative Council Geographical Constituency Boundary (coincides with District Boundary)

二零二一年立法會地方選區界線
2021 Legislative Council Geographical Constituency Boundary

區界線
District Boundary

特別行政區界
Boundary of Special Administrative Region

二零二一年立法會地方選區
2021 Legislative Council Geographical Constituency

代號 Code	名稱 Name	所包括的地方行政區 Districts Included
LC 6	新界東南 New Territories South East	西貢區 Sai Kung District 沙田區東部[3] Eastern part of Sha Tin District[3]

[3]所包括的區議會選區
[3] District Council Constituency Areas Included

海嵐	Hoi Nam
頌安	Chung On
錦濤	Kam To
馬鞍山市中心	Ma On Shan Town Centre
烏溪沙	Wu Kai Sha
利安	Lee On
富龍	Fu Lung
錦英	Kam Ying
耀安	Yiu On
恆安	Heng On
大水坑	Tai Shui Hang
鞍泰	On Tai
愉欣	Yu Yan
廣康	Kwong Hong
廣源	Kwong Yuen

行政長官會同行政會議根據《2021年完善選舉制度(綜合修訂)條例草案》就地方選區的劃定於二零二一年四月十三日通過此圖則

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二零二一年立法會地方選區分界圖 — 新界東南選區

2021 LEGISLATIVE COUNCIL GEOGRAPHICAL CONSTITUENCY BOUNDARIES — NEW TERRITORIES SOUTH EAST CONSTITUENCY

KILOMETERS 公里 2 0 2 4 6 8 10 12 14 16 KILOMETERS 公里

SCALE 1:80 000 比例尺

圖則編號 Plan No. LCCA/R/2021/NT-SE

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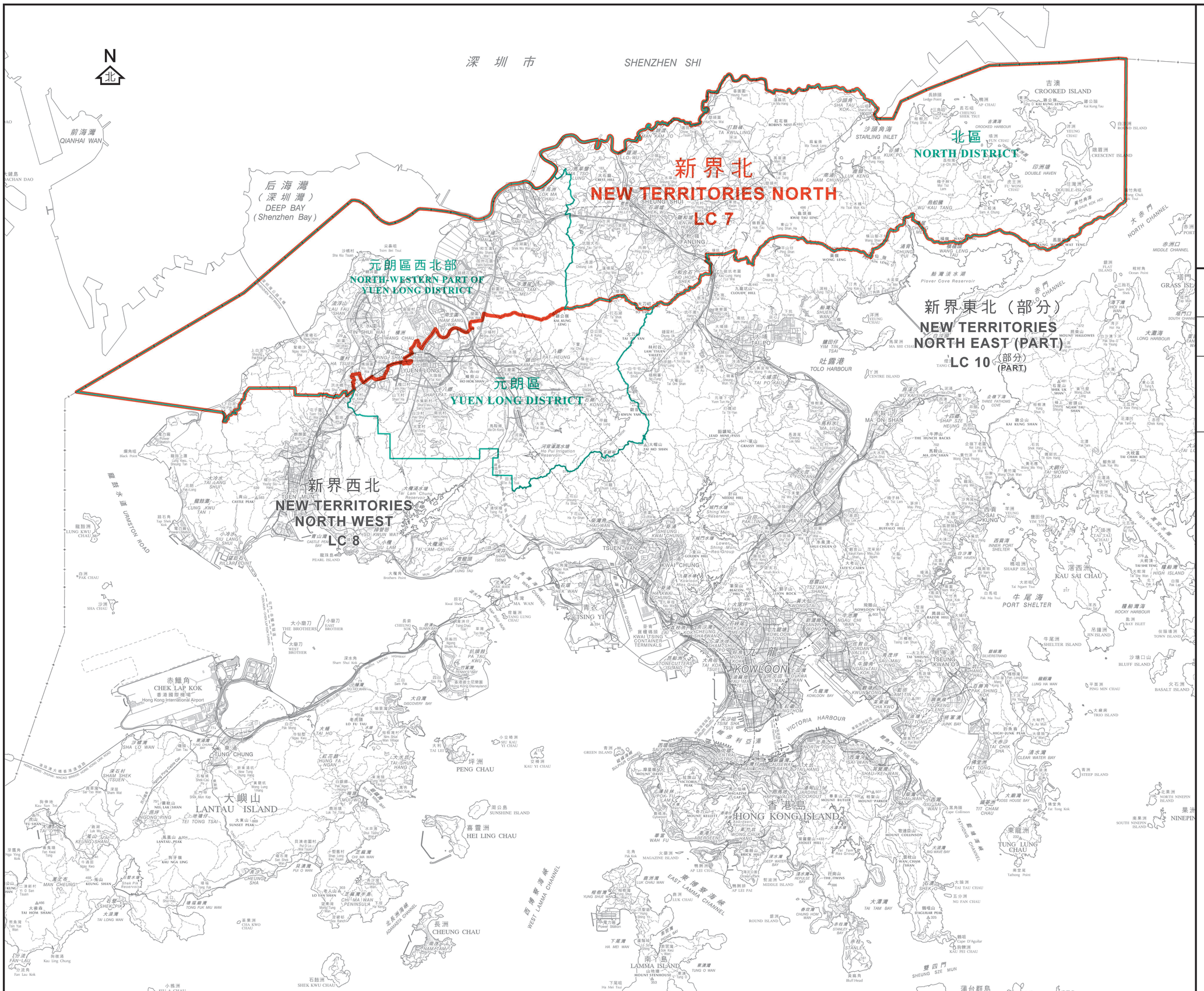

二零二一年立法會地方選區界線
(與區界線重疊)
2021 Legislative Council
Geographical Constituency Boundary
(coincides with District Boundary)

二零二一年立法會地方選區界線
2021 Legislative Council
Geographical Constituency Boundary

區界線
District Boundary

特別行政區界
Boundary of Special Administrative Region

二零二一年立法會地方選區
2021 Legislative Council Geographical Constituency

代號 Code	名稱 Name	所包括的地方行政區 Districts Included
LC 7	新界北 New Territories North	北區 North District 元朗區西北部[4] North-western part of Yuen Long District[4]

[4]所包括的區議會選區
[4]District Council Constituency Areas Included

廈村	Ha Tsuen
屏山中	Ping Shan Central
盛欣	Shing Yan
天盛	Tin Shing
天耀	Tin Yiu
耀祐	Yiu Yau
慈祐	Tsz Yau
嘉湖南	Kingswood South
瑞愛	Shui Oi
瑞華	Shui Wah
頌華	Chung Wah
頌栢	Chung Pak
嘉湖北	Kingswood North
悅恩	Yuet Yan
晴景	Ching King
富恩	Fu Yan
逸澤	Yat Chak
天恒	Tin Heng
宏逸	Wang Yat
屏山北	Ping Shan North
錦綉花園	Fairview Park
新田	San Tin

行政長官會同行政會議根據《2021年完善選舉制度(綜合修訂)條例草案》就地方選區的劃定
於二零二一年四月十三日通過此圖則

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二零二一年立法會地方選區分界圖 — 新界北選區

2021 LEGISLATIVE COUNCIL GEOGRAPHICAL CONSTITUENCY BOUNDARIES — NEW TERRITORIES NORTH CONSTITUENCY

KILOMETERS 公里 2 0 2 4 6 8 10 12 14 16 KILOMETERS 公里

SCALE 1:80 000 比例尺

圖則編號 Plan No. LCCA/R/2021/NT-N

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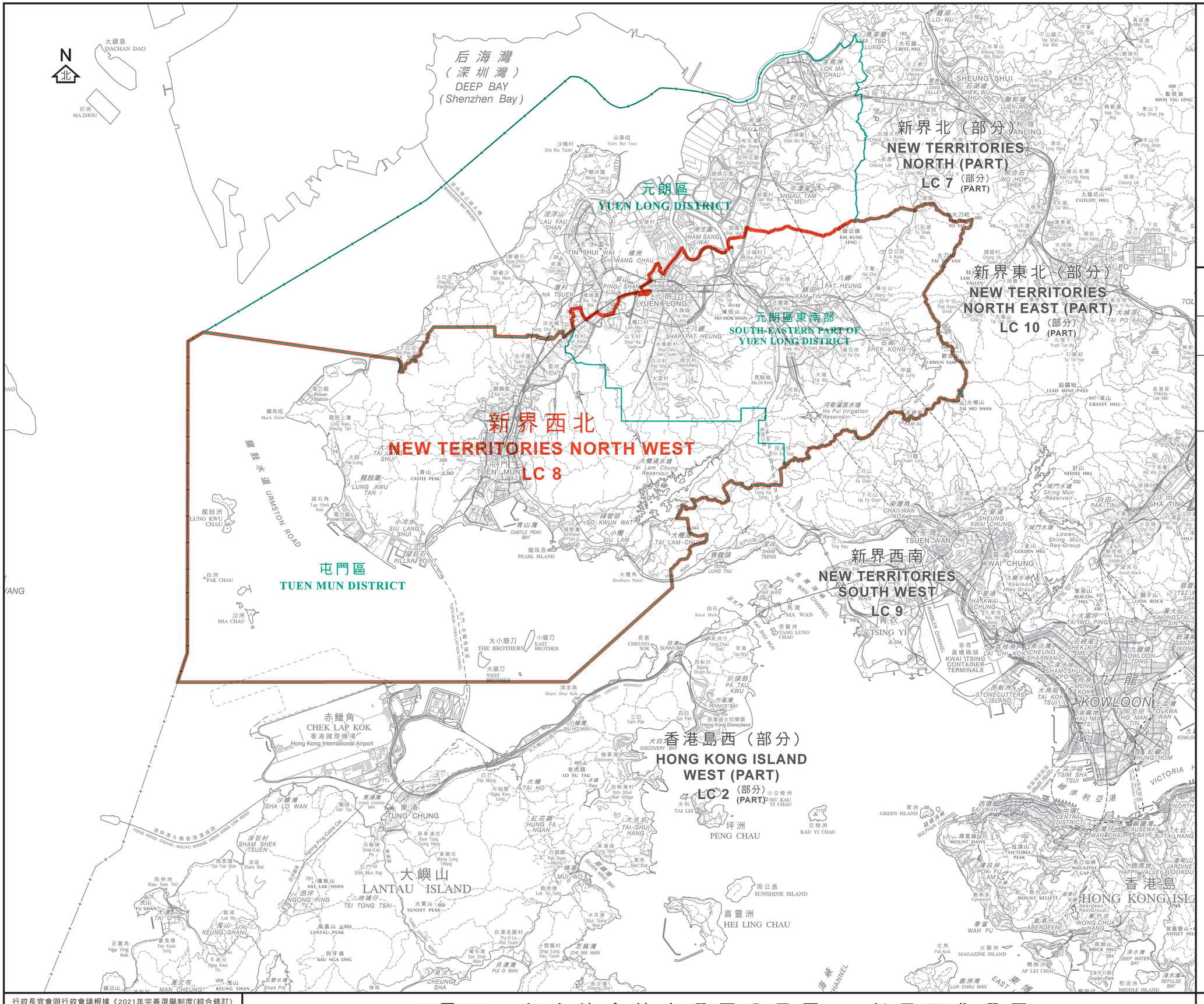

二零二一年立法會地方選區界線（與區界線重疊）
2021 Legislative Council Geographical Constituency Boundary (coincides with District Boundary)

二零二一年立法會地方選區界線
2021 Legislative Council Geographical Constituency Boundary

區界線
District Boundary

特別行政區界
Boundary of Special Administrative Region

二零二一年立法會地方選區
2021 Legislative Council Geographical Constituency

代號 Code	名稱 Name	所包括的地方行政區 Districts Included
LC 8	新界西北 New Territories North West	屯門區 Tuen Mun District 元朗區東南部[5] South-eastern part of Yuen Long District[5]

[5]所包括的區議會選區
[5]District Council Constituency Areas Included

豐年	Fung Nin
元朗中心	Yuen Long Centre
鳳翔	Fung Cheung
元龍	Yuen Lung
十八鄉中	Shap Pat Heung Central
水邊	Shui Pin
南屏	Nam Ping
北朗	Pek Long
元朗東頭	Yuen Long Tung Tau
十八鄉北	Shap Pat Heung North
十八鄉東	Shap Pat Heung East
十八鄉西	Shap Pat Heung West
屏山南	Ping Shan South
洪福	Hung Fuk
錦田	Kam Tin
八鄉北	Pat Heung North
八鄉南	Pat Heung South

行政長官會同行政會議根據《2021年完善選舉制度(綜合修訂)條例草案》就地方選區的劃定於二零二一年四月十三日通過此圖則

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二零二一年立法會地方選區分界圖 — 新界西北選區

2021 LEGISLATIVE COUNCIL GEOGRAPHICAL CONSTITUENCY BOUNDARIES — NEW TERRITORIES NORTH WEST CONSTITUENCY

KILOMETERS 公里 2 0 2 4 6 8 10 12 14 16 KILOMETERS 公里

SCALE 1:60 000 比例尺

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N
北

新界西北（部分）
NEW TERRITORIES NORTH WEST (PART)
LC 8（部分）(PART)

新界東北（部分）
NEW TERRITORIES NORTH EAST (PART)
LC 10（部分）(PART)

新界西南
NEW TERRITORIES SOUTH WEST
LC 9

荃灣區
TSUEN WAN DISTRICT

葵青區
KWAI TSING DISTRICT

九龍西（部分）
KOWLOON WEST (PART)
LC 4（部分）(PART)

香港島西（部分）
HONG KONG ISLAND WEST (PART)
LC 2（部分）(PART)

荃灣 TSUEN WAN
葵涌 KWAI CHUNG
青衣 TSING YI
大欖涌 TAI LAM CHUNG
深井 SHAM TSENG
馬灣 MA WAN
大白灣 DISCOVERY BAY (TAI PAK WAN)
綽洲 PENG CHAU
小交椅洲 MU KAU YI CHAU
立椅洲 KAU YI CHAU
九龍 KOWLOON
西環 SAI WAN
中環 CENTRAL DISTRICT
灣仔 WAN CHAI
VICTORIA HARBOUR
青洲 GREEN ISLAND
小青洲 LITTLE GREEN ISLAND

二零二一年立法會地方選區界線
（與區界線重疊）
2021 Legislative Council Geographical Constituency Boundary (coincides with District Boundary)

二零二一年立法會地方選區界線
2021 Legislative Council Geographical Constituency Boundary

區界線
District Boundary

二零二一年立法會地方選區
2021 Legislative Council Geographical Constituency

代號 Code	名稱 Name	所包括的地方行政區 Districts Included
LC 9	新界西南 New Territories South West	葵青區 Kwai Tsing District 荃灣區 Tsuen Wan District

行政長官會同行政會議根據《2021年完善選舉制度(綜合修訂)條例草案》就地方選區的劃定
於二零二一年四月十三日通過此圖則

This was the plan approved by the Chief Executive in Council on 13 April 2021 for the purpose of delineating geographical constituencies specified under the Improving Electoral System (Consolidated Amendments) Bill 2021

二零二一年立法會地方選區分界圖 — 新界西南選區
2021 LEGISLATIVE COUNCIL GEOGRAPHICAL CONSTITUENCY BOUNDARIES — NEW TERRITORIES SOUTH WEST CONSTITUENCY

METRES 米 500 0 500 1000 1500 2000 2500 3000 3500 4000 4500 5000 METRES 米

SCALE 1:30 000 比例尺

圖則編號 Plan No. LCCA/R/2021/NT-SW

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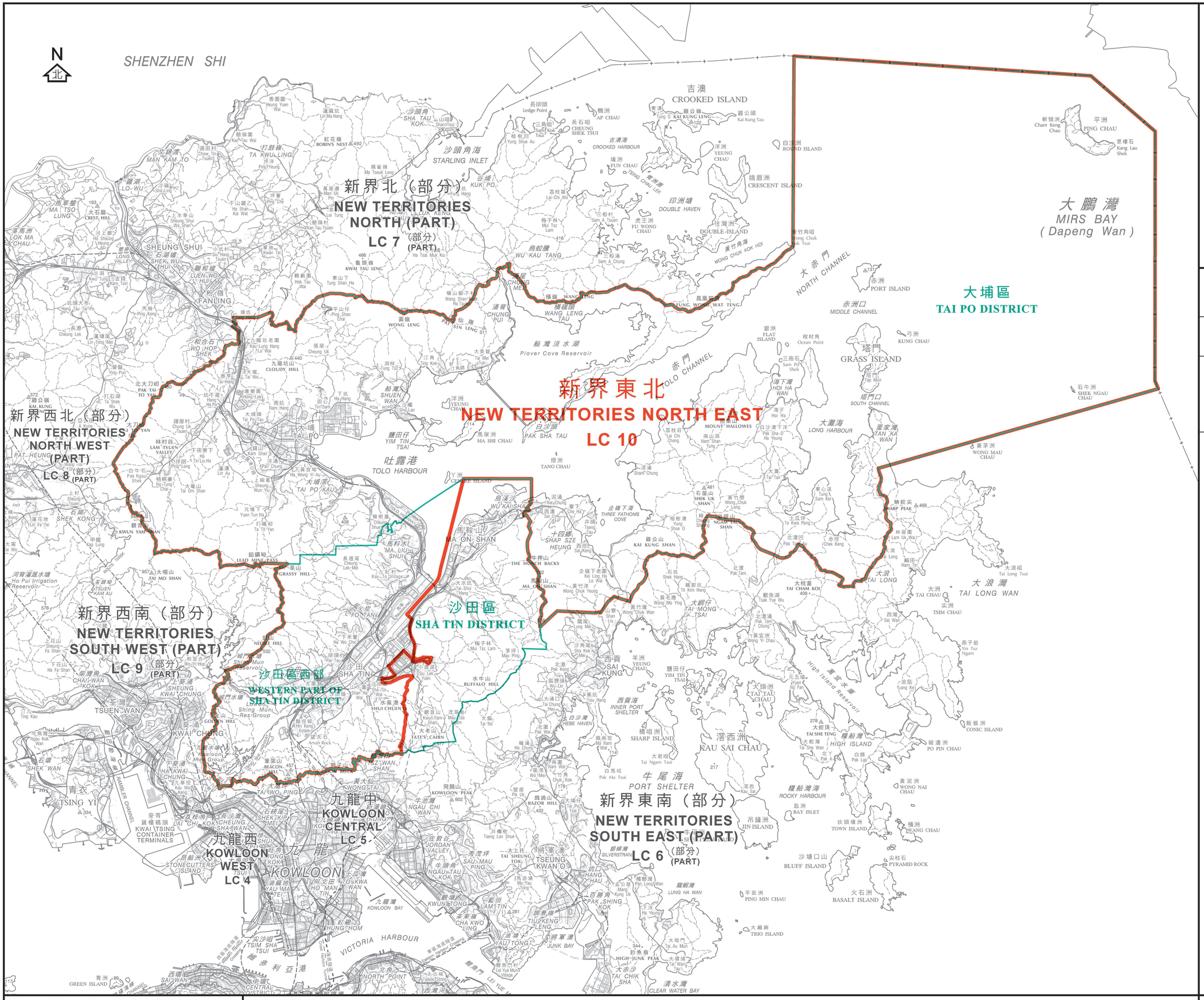
N
北
SHENZHEN SHI
新界北（部分）
NEW TERRITORIES NORTH (PART)
LC 7 (部分) (PART)
新界東北
NEW TERRITORIES NORTH EAST
LC 10
大埔區
TAI PO DISTRICT
沙田區
SHA TIN DISTRICT
新界西北（部分）
NEW TERRITORIES NORTH WEST (PART)
LC 8 (部分) (PART)
新界西南（部分）
NEW TERRITORIES SOUTH WEST (PART)
LC 9 (部分) (PART)
沙田區西部
WESTERN PART OF SHA TIN DISTRICT
新界東南（部分）
NEW TERRITORIES SOUTH EAST (PART)
LC 6 (部分) (PART)
九龍中
KOWLOON CENTRAL
LC 5
九龍西
KOWLOON WEST
LC 4
大鵬灣
MIRS BAY
(Dapeng Wan)
吉澳
CROOKED ISLAND
沙頭角海
STARLING INLET
吐露港
TOLO HARBOUR
大浪灣
TAI LONG WAN
大埔
TAI PO
沙田
SHA TIN
上水
SHEUNG SHUI
粉嶺
FANLING
荃灣
TSUEN WAN
葵涌
KWAI CHUNG
青衣
TSING YI
維多利亞港
VICTORIA HARBOUR
船灣淡水湖
Plover Cove Reservoir
牛尾海
PORT SHELTER
大老山
TATE'S CAIRN
大帽山
TAI MO SHAN
馬鞍山
MA ON SHAN
赤門
NORTH CHANNEL
赤門
SOLO CHANNEL
赤洲口
MIDDLE CHANNEL
塔門口
SOUTH CHANNEL
大灘海
LONG HARBOUR
糧船灣海
ROCKY HARBOUR
糧船灣
HIGH ISLAND
High Island Reservoir
西貢海
INNER PORT SHELTER
西貢
SAI KUNG
企嶺下海
THREE FATHOMS COVE
十四鄉
SHAP SZE HEUNG
印洲塘
DOUBLE HAVEN
烏蛟騰
WU KAU TANG
烏溪沙
WU KAI SHA
船灣
SHUEN WAN
馬料水
MA LIU SHUI
九龍灣
KOWLOON BAY
觀塘
KWUN TONG
將軍澳
TSEUNG KWAN O
藍田
LAM TIN
油塘
YAU TONG
鯉魚門
LEI YUE MUN
青洲
GREEN ISLAND
石澳
SHEK O
赤柱
CHEUNG CHAU
長洲
CHEUNG CHAU
南丫島
LAMMA ISLAND
坪洲
PENG CHAU
東龍島
TUNG LUNG CHAU
索罟灣
SOK KU WAN
蒲台島
PO TOI ISLANDS
橫瀾島
WANG LAN
橫洲
WANG CHAU
橫瀾頭
WANG LENG TAU
蓮麻坑
LIN MA HANG
紅花嶺
ROBIN'S NEST
麻雀嶺
MA TSEUK LENG
打鼓嶺
TA KWU LING
文錦渡
MAN KAM TO
萬屋邊
MAN UK PIN
禾坪
WO PING
河背灌溉水塘
Ho Pui Irrigation Reservoir
馬草壩
MA TSO LUNG
石湖墟
SHEK WU HUI
龍躍頭
LUEN WO HEUNG
和合石
WO HOP SHEK
九龍坑山
CLOUDY HILL
北大刀朝
PAK TAI TO YAN
打石湖
TA SHEK WU
大刀屻
TO YAN
林村谷
LAM TSUEN VALLEY
大欖涌
TAI LAM CHUNG
大欖
TAI LAM
大埔滘
TAI PO KAU
大埔滘自然保護區
TAI PO KAU Nature Reserve
鹿頸
LUK KENG
鳳坑
FUNG HANG
谷埔
KUK PO
沙嘴
SHA TSUI
長排頭
Ledge Point
三角咀
SHARP KOK TSUI
長石咀
CHEUNG SHEK TSUI
鴨洲
AP CHAU
吉澳港
CROOKED HARBOUR
塘坊
TONG FONG
鯉魚門
LEI YUE MUN
觀塘
KWUN TONG
牛頭角
NGAU TAU KOK
九龍塘
KOWLOON TONG
土瓜灣
TO KWA WAN
何文田
HO MAN TIN
油麻地
YAU MA TEI
紅磡
HUNG HOM
尖沙咀
TSIM SHA TSUI
中環
CENTRAL DISTRICT
西環
SAI WAN
北角
NORTH POINT
西灣河
SAI WAN HO
柴灣
CHAI WAN
筲箕灣
SHAU KEI WAN
鰂魚涌
QUARRY BAY
太古
TAI KOO
鰂魚涌
QUARRY BAY
港島東中央幹線
Island Eastern Corridor
東區海底隧道
Eastern Harbour Crossing
西區海底隧道
Western Harbour Crossing
青馬大橋
Tsing Ma Bridge
汲水門
KAP SHUI MUN
青衣島
TSING YI ISLAND
葵青貨櫃碼頭
KWAI TSING CONTAINER TERMINALS
昂船洲
STONECUTTERS ISLAND
昂船洲大橋
STONECUTTERS BRIDGE
汲水門航道
KAP SHUI MUN CHANNEL
青衣東北航道
TSING YI NORTH CHANNEL
青衣西南航道
TSING YI SOUTH CHANNEL
藍巴勒海峽
RAMBLER CHANNEL
獅子山
LION ROCK
獅子山隧道
LION ROCK TUNNEL
大老山隧道
TATE'S CAIRN TUNNEL
大老山隧道公路
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沙田圍
SHA TIN WAI
火炭
FO TAN
馬場
RACE COURSE
沙田第一城
CITY ONE SHA TIN
沙田市中心
SHA TIN TOWN CENTRE
車公廟
CHE KUNG MIU
車公廟路
CHE KUNG MIU ROAD
火炭坳
FO TAN GAP
火炭山
FO TAN HILL
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FO TAN INDUSTRIAL VILLAGE
火炭坳道
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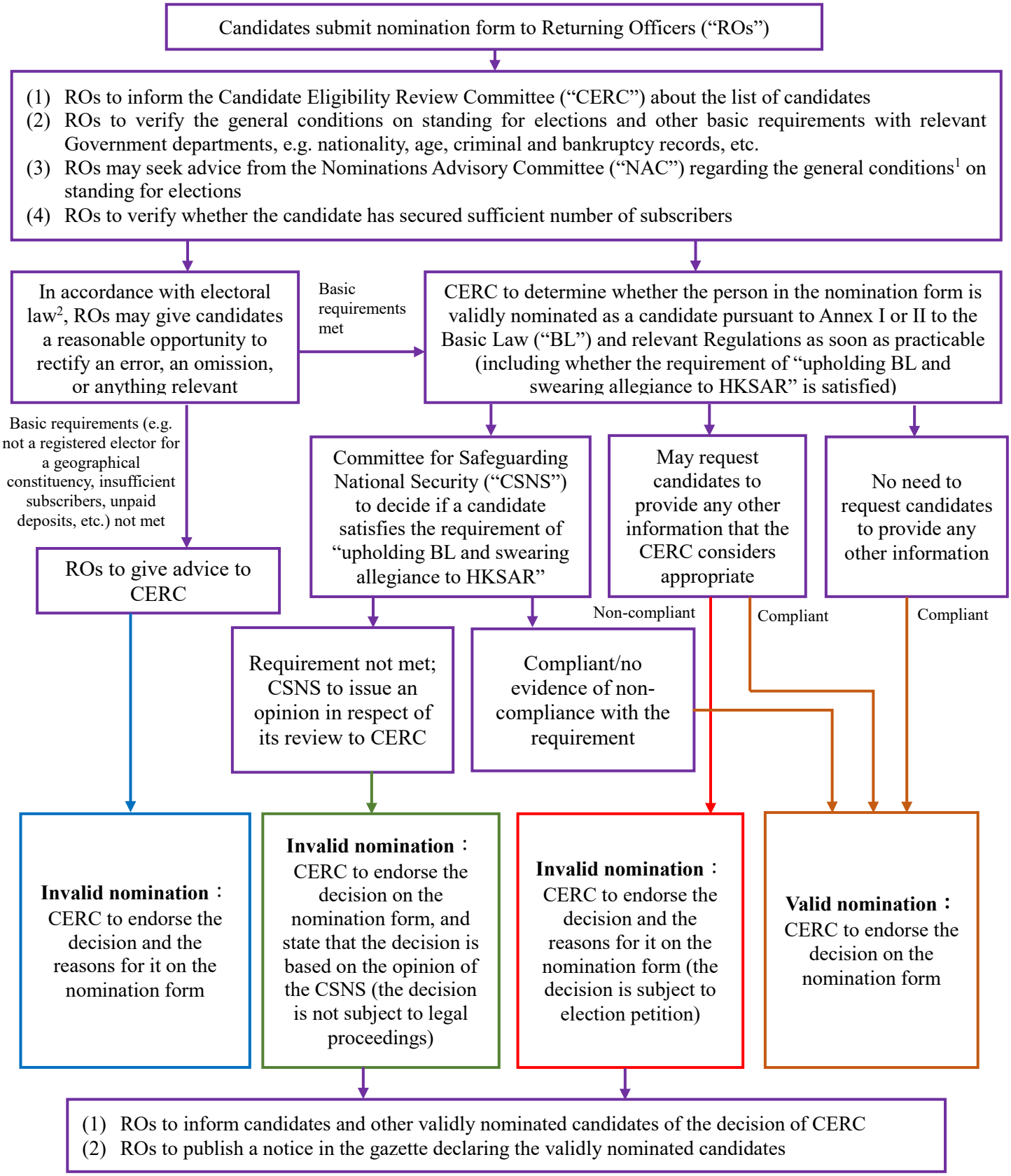
Annex I

Draft Flowchart on Reviewing the Eligibility of Candidates



1: Take the Legislative Council election as an example, NAC can advise only on matters other than those stipulated in s.40 of the Legislative Council Ordinance (Cap.542).

2: In accordance with s.18(1) of the Electoral Affairs Commission (Electoral Procedure) (Legislative Council) Regulation (Cap. 541D), if the RO detects on a nomination form an error or what appears to that RO to be an error, or an omission, which may amount to a ground for deciding that the nomination form is invalid; or anything which may affect the validity of the nomination form, and the RO considers that it can be rectified within the nomination period, that RO may, before rendering an advice under S.16, give the candidate a reasonable opportunity to rectify it.

Annex J

Election Expenses Limits for the Geographical Constituencies, Functional Constituencies and Election Committee Constituency of the 2021 Legislative Council General Election

Geographical Constituencies	*No. of District Council Constituencies Areas Involved*	**Election Expenses Limit**
Hong Kong Island East	48	$3,310,000
Hong Kong Island West	42	$2,900,000
Kowloon East	45	$3,110,000
Kowloon West	45	$3,110,000
Kowloon Central	45	$3,110,000
New Territories South East	44	$3,040,000
New Territories North	40	$2,760,000
New Territories North West	48	$3,310,000
New Territories South West	50	$3,450,000
New Territories North East	45	$3,110,000

Functional Constituencies	*No. of electors registered for that constituency*	**Election Expenses Limit**
Heung Yee Kuk, Agriculture and Fisheries, Insurance, Transport, Finance, Sports, Performing Arts, Culture and Publication, Technology and Innovation	Not applicable	$133,000
Education, Legal, Accountancy, Medical and Health Services, Engineering, Architectural, Surveying, Planning and Landscape, Labour, Social Welfare, Real Estate and Construction, Tourism, Commercial(First), Commercial(Second), Commercial(Third), Industrial(First), Industrial(Second), Financial Services, Import and Export, Textiles and Garment, Wholesale and Retail, Catering, Hong Kong Special Administrative Region Deputies to The National People's Congress, Hong Kong Special Administrative Region Members of The National Committee of The Chinese People's Political Consultative Conference and Representatives of Relevant National Organisations	If there are not more than 5 000 electors registered for that constituency	$213,000
	If there are more than 5 000 but not more than 10 000 electors registered for that constituency	$425,000
	If there are more than 10 000 electors registered for that constituency	$639,000

	Election Expenses Limit
Election Committee Constituency	$213,000

Cap. 241L	Emergency (Date of General Election) (Seventh Term of the Legislative Council) Regulation	01/08/2020

2. Interpretation

In this Regulation—

2021 election (2021年選舉) means the general election to be held on 5 September 2021, as required under section 6(1);

Cap. 541D (《第541D章》) means the Electoral Affairs Commission (Electoral Procedure) (Legislative Council) Regulation (Cap. 541 sub. leg. D);

Cap. 542 (《第542章》) means the Legislative Council Ordinance (Cap. 542);

Cap. 554 (《第554章》) means the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554);

Chief Electoral Officer (總選舉事務主任) has the meaning given by section 2(1) of the Electoral Affairs Commission Ordinance (Cap. 541);

discontinuation date (中止日期) means 1 August 2020;

discontinued election (已中止的選舉) means the general election scheduled to be held on the original date pursuant to the Chief Executive's specification referred to in section 3(1);

election expenses (選舉開支)—

(a) in relation to the discontinued election—has the meaning given by section 2(1) of Cap. 554, as read together with section 8(2); and

(b) in relation to the 2021 election—has the meaning given by section 2(1) of Cap. 554;

electoral law (選舉法)—

(a) means any law in force providing for the election of the members of the Legislative Council; and

(b) includes any guidelines issued under section 6(1) of the Electoral Affairs Commission Ordinance (Cap. 541);

electoral matter (選舉事宜)—

(a) means an act that is done, or purportedly done, under the electoral law; and

(b) includes an election related document (as defined by section 103(4) of Cap. 541D);

function (職能) includes a power and a duty;

general election (換屆選舉) means an election to elect members for a new term of office, being the seventh term of office, of the Legislative Council;

original date (原定日期) means 6 September 2020;

Returning Officer (選舉主任) has the meaning given by section 3(1) of Cap. 542.

6. New date of general election and application of electoral law to 2021 election

(1) Section 6(1) and (2) of Cap. 542 does not apply to the 2021 election, and the general election is to be held on 5 September 2021 instead of the original date.

(2) Subject to subsection (1), in applying the provisions of any electoral law to the 2021 election, 5 September 2021 is to be taken as a date specified under section 6(1) of Cap. 542.

2. Interpretation

(1) In this Ordinance, unless the context otherwise requires—

by-election (補選) means—

(a) a by-election within the meaning of section 3(1) of the Legislative Council Ordinance (Cap. 542);

(b) a by-election within the meaning of section 2 of the District Councils Ordinance (Cap. 547); *(Amended 2 of 2003 s. 68)*

(c) a subsector by-election within the meaning of section 1 of the Schedule to the Chief Executive Election Ordinance (Cap. 569); or *(Replaced 21 of 2001 s. 54. Amended 2 of 2003 s. 68)*

(d) a rural by-election within the meaning of section 2(1) of the Rural Representative Election Ordinance (Cap. 576); *(Replaced 5 of 2014 s. 63)*

Chairman (主席) means the person appointed under section 3(2) or the person acting for him under paragraph 1(5) of Schedule 2;

Chief Electoral Officer (總選舉事務主任) means the person appointed as such under section 9;

Commission (選管會) means the Electoral Affairs Commission established by section 3;

District Council (區議會) has the meaning assigned to it by the District Councils Ordinance (Cap. 547); *(Added 8 of 1999 s. 89)*

District Council constituency (區議會選區) means a constituency within the meaning of section 2 of the District Councils Ordinance (Cap. 547); *(Added 8 of 1999 s. 89)*

election (選舉), subject to section 17, means an election held for the purpose of—

(aa) electing the Chief Executive; *(Added 21 of 2001 s. 54)*

(a) electing the members of—

(i) the Legislative Council; or *(Amended 78 of 1999 s. 7)*

(ii) *(Repealed 78 of 1999 s. 7)*

(iii) the District Councils; *(Replaced 8 of 1999 s. 89)*

(b) electing the members of the Election Committee; or *(Amended 21 of 2001 s. 54; 2 of 2003 s. 68)*

(c) electing a Rural Representative for a Rural Area; *(Replaced 5 of 2014 s. 63)*

Election Committee (選舉委員會) has the meaning assigned to it by the Chief Executive Election Ordinance (Cap. 569); *(Replaced 21 of 2001 s. 54)*

elector (選民) means a person whose name appears on a register of persons entitled, under any electoral law, to vote at an election;

electoral law (選舉法) means any law in force providing for the election of—

(aa) the Chief Executive; *(Added 21 of 2001 s. 54)*

(a) the members of the Legislative Council; *(Replaced 12 of 2014 s. 106)*

(ab) the members of District Councils; *(Added 12 of 2014 s. 106)*

(b) the members of the Election Committee; or *(Amended 21 of 2001 s. 54; 2 of 2003 s. 68)*

(c) Rural Representatives; *(Added 2 of 2003 s. 68. Amended 5 of 2014 s. 63)*

function (職能) includes a power and a duty;

general election (換屆選舉) has the meaning assigned to it by the Legislative Council Ordinance (Cap. 542); *(Replaced 8 of 1999 s. 89)*

geographical constituency (地方選區), subject to section 17, means a geographical area having separate representation (whether by one or more members) in the Legislative Council; *(Amended 12 of 2014 s. 106)*

Legislative Council (立法會) means the Legislative Council of the Hong Kong Special Administrative Region;

member of the Commission (選管會成員) includes the Chairman;

ordinary election (一般選舉) has the meaning assigned to it by the District Councils Ordinance (Cap. 547); *(Added 8 of 1999 s. 89)*

political body (政治性團體) means—

(a) a political party or an organization that purports to be a political party; or

(b) an organization whose principal function or main object is to promote or prepare a candidate for an election;

Provisional District Board (臨時區議會) has the meaning assigned to it by the Provisional District Boards Ordinance (Cap. 366);

Provisional Legislative Council (臨時立法會) means the Provisional Legislative Council of the Hong Kong Special Administrative Region;

Rural Area (鄉郊地區) has the same meaning as in section 2(1) of the Rural Representative Election Ordinance (Cap. 576); *(Added 5 of 2014 s. 63)*

Rural Representative (鄉郊代表) has the same meaning as in section 2(1) of the Rural Representative Election Ordinance (Cap. 576). *(Added 5 of 2014 s. 63)*

(Amended 48 of 1999 s. 50; 78 of 1999 s. 7; 5 of 2014 s. 63; 12 of 2014 s. 106)

(2) For the avoidance of doubt it is declared that an election includes a by-election. *(Amended 21 of 2001 s. 54)*

(3) Any reference in this Ordinance to the performance of a function includes a reference to the performance of a duty or exercise of a power, as the case may require.

3. Establishment and membership

(1) There is established by this section a body corporate by the name of the Electoral Affairs Commission which may sue and be sued in that name.

(2) The Commission shall consist of—

(a) a Chairman; and

(b) 2 other members,

appointed by the Chief Executive in accordance with this section.

(3) The person appointed as Chairman under subsection (2)(a) must be a Judge of the High Court and he must be so appointed in consultation with the Chief Justice of the Court of Final Appeal.

(4) Subject to subsection (5), only a person who has the right to vote under Article 26 of the Basic Law may be appointed or hold office as a member of the Commission.

(5) A person is not eligible for appointment as a member of the Commission or to hold office as such—

(a) if he is nominated as a candidate in an election of the Chief Executive; *(Amended 21 of 2001 s. 55)*

(b) *(Repealed 8 of 1999 s. 89)*

(c) if he is or becomes a member of the Election Committee; *(Amended 21 of 2001 s. 55)*

(d) if he is or becomes—

(i) a member of the Executive Council;

(ii) a member of the Legislative Council; *(Amended 8 of 1999 s. 89)*

(iii) *(Repealed 78 of 1999 s. 7)*

(iv) a member of—

(A) a Provisional District Board; or

(B) a District Council; or *(Replaced 8 of 1999 s. 89)*

(v) a member of any political body;

(e) if he is or becomes a person described in Part 2 of Schedule 1;

(f) if, in the opinion of the Chief Executive, he is or becomes actively engaged in politics;

(g) if he holds a judicial office (other than that of a Judge of the High Court) within the meaning of section 2(1) of the Pension Benefits Ordinance (Cap. 99);

(h) if he is or becomes a member of any national, regional or municipal congress, legislature, assembly or council of any place outside Hong Kong;

(i) if he is or becomes a member of—

(i) the National Committee of the Chinese People's Political Consultative Conference; or

(ii) a Local Committee of the Chinese People's Political Consultative Conference;

(j) if he is or becomes a member of the armed forces of the Central People's Government or any other country;

(k) if, within the 4 years immediately before the date of appointment (were he to be appointed), he—

(i) *(Repealed 21 of 2001 s. 55)*

(ii) *(Repealed 8 of 1999 s. 89)*

(iii) has been a member of the Election Committee; *(Amended 21 of 2001 s. 55)*

(iv) has been a member of the Executive Council;

(v) has been a member of the Executive Council which existed before 1 July 1997;

(vi) has—

(A) been nominated as a candidate;

(B) acted or been appointed as the agent of a candidate; or

(C) subscribed in any capacity to the nomination of a person as a candidate,

in an election;

(vii) has been a member of the Legislative Council;

(viii) has been a member of a body which was known at any time during that period of 4 years as the Provisional Legislative Council, the Provisional Urban Council, the Provisional Regional Council or a Provisional District Board; *(Amended 78 of 1999 s. 7)*

(ix) has been a member of a District Council; *(Replaced 78 of 1999 s. 7)*

(x) has been a member of the election committee that was constituted for the purpose of returning persons as members of the Legislative Council for the first term of office of that Council; *(Amended 21 of 2001 s. 55)*

(xi) has been a person described in Part 3 of Schedule 1; or

(xii) in the opinion of the Chief Executive, has been otherwise actively engaged in politics;

(l) if, within the 4 years immediately before the date of appointment (were he to be appointed), he has been a member of—

(i) any national, regional or municipal congress, legislature, assembly or council of any place outside Hong Kong;

(ii) the National Committee of the Chinese People's Political Consultative Conference; or

(iii) a Local Committee of the Chinese People's Political Consultative Conference.

(6) An appointment under subsection (2) shall be for a period—

(a) which shall not exceed 5 years or be less than 3 years; and

(b) specified by the Chief Executive at the time of appointment.

(7) The Chairman and other members of the Commission shall be entitled to such remuneration and allowances as are determined by the Chief Executive.

(8) The Chief Executive shall give notice in the Gazette of any appointment under subsection (2) as soon as practicable after that appointment.

(9) Schedule 2 applies in respect of the Commission.

(10) Subsections (4) and (5) (other than subsection (5)(g)) apply in respect of a member of a committee established or appointed under section 7(1)(g), subject to necessary modifications, as if they apply in respect of a member of the Commission.

(Amended E.R. 2 of 2012)

7. Regulations

(1) The Commission may, by regulation, provide for the following —

(a) the—

(i) registration of electors;

(ii) determination (where applicable) of—

(A) the appropriate constituency; *(Amended 2 of 2003 s. 68)*

(B) in the case of the Election Committee, the appropriate sectors or subsectors; or *(Amended 21 of 2001 s. 59; 2 of 2003 s. 68)*

(C) for an election held for electing a Rural Representative for a Rural Area, the appropriate Rural Area or Rural Areas, *(Replaced 5 of 2014 s. 64)*

for such registration;

(iii) form, compilation, revision and correction, and the manner of publication of the register of persons entitled under any electoral law to vote at an election; and

(iv) ascertainment of qualifications of electors;

(b) the conduct or supervision of, and procedure at any election;

(c) the conduct or supervision of, and procedure for the formation of, or the filling of vacancies in the membership of, the Election Committee; *(Amended 21 of 2001 s. 59)*

(d) without limiting the generality of paragraphs (b) and (c) —

(i) the procedure for the nomination of candidates in an election, including provision for consent by a candidate for nomination, and withdrawal of a nomination;

(ii) the procedure for lodging a deposit in respect of the nomination of a candidate;

(iii) the appointment by the candidate, of agents and other persons to assist him in an election and matters relating to such appointments;

(iv) the designation of polling stations;

(v) the supervision of polling stations and the regulation of the ballot;

(vi) the procedure or procedures for voting and counting at an election;

(vii) the designation and supervision of counting stations;

(viii) the declaration and publication of results of an election;

(ix) the disposal of ballot or other papers after an election; and

(x) the making of a report to the Commission by any person, or any person specified in the regulations, regarding any occurrence considered by such a person as an irregularity relating to an election, the poll or a counting of the votes;

(e) the appointment and conduct of persons authorized to incur election expenses on behalf of candidates; *(Amended 11 of 2012 s. 5)*

(ea) the matters relating to the display or use of election advertisements or other publicity materials relating to an election and matters relating to grant of relief by the Court of First Instance in respect of election advertisements; *(Added 11 of 2012 s. 5)*

(f) the Commission or such other person specified in the regulations to require any information reasonably required in respect of any matter referred to in paragraph (a), from a person or a class or description of persons specified in the regulations;

(g) the establishment or appointment of committees (including or consisting of a person or persons other than members of the Commission) and provide for the functions, proceedings and regulation of those committees;

(h) the termination of proceedings for an election on the ground of the death or disqualification of a candidate; *(Amended 8 of 1999 s. 89)*

(ha) the declaration of failure of an election; *(Added 48 of 1999 s. 51)*

(hb) the procedure to implement the scheme for the payment of financial assistance set out in Part 6A of the Legislative Council Ordinance (Cap. 542), including, in particular, the procedure for— *(Amended E.R. 2 of 2012)*

(i) making or withdrawing claims for financial assistance;

(ii) repaying to the Government amounts or parts of amounts paid as financial assistance;

(iii) supporting and verifying claims for financial assistance;

(iv) making a payment of financial assistance to a candidate or in respect of a list of candidates;

(v) making a claim for financial assistance in respect of the estate of a deceased person, the payment of financial assistance on such a claim, and the taking of any action for those purposes by a legal personal representative of a deceased person or by such other person as specified in the regulations; *(Added 25 of 2003 s. 52)*

(hc) the procedure to implement the scheme for the payment of financial assistance set out in Part VA of the District Councils Ordinance (Cap. 547), including, in particular, the procedure for—

(i) making or withdrawing claims for financial assistance;

(ii) repaying to the Government amounts or parts of amounts paid as financial assistance;

(iii) supporting and verifying claims for financial assistance;

(iv) making a payment of financial assistance to a candidate; and

(v) making a claim for financial assistance in respect of the estate of a deceased person, the payment of financial assistance on such a claim, and the taking of any action for those purposes by a legal personal representative of a deceased person or by such other person as specified in the regulations; *(Added 1 of 2007 s. 10)*

(i) the determination or specification of forms; and

(j) generally providing for the better carrying into effect the provisions and purposes of this Ordinance or any electoral law.

(1A) The Commission may by regulation—

(a) prescribe offences for the purposes of section 14(h) of the Chief Executive Election Ordinance (Cap. 569);

(b) specify the form and manner of nomination of a candidate for the purposes of section 16(1) of the Chief Executive Election Ordinance (Cap. 569);

(c) provide for withdrawal of candidature for the purposes of section 19(2) of the Chief Executive Election Ordinance (Cap. 569);

(d) provide for the postponement or adjournment of a poll or the counting of votes in respect of a poll under section 21 of the Chief Executive Election Ordinance (Cap. 569) and the appointment of a new date for the poll or the count. *(Added 21 of 2001 s. 59)*

(2) Subject to subsection (3), the Commission may make regulations to provide for the postponement or adjournment of —

(a) an election;

(b) the poll; or

(c) the counting of votes (***the count***),

where the Commission or any person specified in the regulations is of the opinion that the election, the poll or the count is likely to be or is being obstructed, disrupted or undermined or seriously affected by—

(i) a typhoon or other climatic condition of a serious nature;

(ii) riot or open violence or any danger to public health or safety; or *(Amended 12 of 2014 s. 80)*

(iii) an occurrence which appears to the Commission or the specified person to be a material irregularity relating to the election, the poll or the count.

(3) Subsection (2) shall not be construed as empowering the Commission to postpone or adjourn—

(a) a general election;

(b) *(Repealed 78 of 1999 s. 7)*

(ba) an ordinary election; or *(Added 8 of 1999 s. 89)*

(c) the poll (at all the polling stations) or the count in respect of a general election or an ordinary election, *(Amended 78 of 1999 s. 7)*

on any ground referred to in subsection (2)(ii). *(Amended 8 of 1999 s. 89)*

(4) The Commission may by regulation provide for—

(a) the appointment of a new date—

(i) for an election, the poll or the count postponed or adjourned pursuant to subsection (2); and

(ii) which shall be not later than 14 days after the original date fixed for the election, the poll or the count, as the case may be; *(Amended 12 of 2014 s. 80)*

(b) the procedure for the postponement or adjournment of a general election or an ordinary election or the poll or the count in respect of a general election or an ordinary election, on any ground referred to in subsection (2)(ii) by the authority or person who has power under any electoral law to effect the postponement or adjournment, and the procedure for the appointment of a new date for the election, the poll or the count by that authority or person. *(Amended 8 of 1999 s. 89; 48 of 1999 s. 51; 78 of 1999 s. 7)*

(c) *(Repealed 48 of 1999 s. 51)*

(5) Regulations under this section may provide that any contravention of a requirement in or made under the regulations is an indictable or summary offence and is punishable by a fine not exceeding level 3 and imprisonment not exceeding 2 years. *(Amended 8 of 1999 s. 89; 12 of 2014 s. 176; 1 of 2019 s. 3)*

(6) Regulations under this section may provide that—

(a) where a body corporate is convicted of an offence under these regulations and the offence is proved to have been committed with the consent, connivance of, or was attributable to the neglect or omission on the part of a director, manager, secretary or any other person concerned in the management of the body corporate, the director, manager or secretary or that other person is liable for the offence; and

(b) where a partner of a partnership is convicted of an offence and it is proved that the offence was committed with the consent or connivance of, or was attributable to the neglect or omission on the part of any other partner or person concerned in the management of the partnership, the partner or that other person is liable for the offence.

(7) In this section, ***constituency*** (選區或選舉界別) means—

(aa) a District Council constituency; *(Added 12 of 2014 s. 107)*

(a) a geographical constituency; or

(b) a constituency of any other description by which one or more members may be returned to the Legislative Council under any electoral law.

8. Report on elections

(1) Subject to subsections (5), (6) and (6A), within 3 months, or such longer period as the Chief Executive may allow in any particular case, of the conclusion of an election, the Commission shall make a report to the Chief Executive on matters relating to that election in respect of which the Commission has any function under this or any other Ordinance. *(Amended 21 of 2001 s. 60; 2 of 2003 s. 68)*

(2) Without limiting the generality of subsection (1), a report under that subsection shall include a report on any complaint made to the Commission in connection with that election.

(3) The Chief Executive may require the Commission to—

(a) make a report to him in respect of any matter specified by him relating to an election; or

(b) conduct a review into any such matter and make a report to him,

within a reasonable period specified by him (generally or in a particular case) and such a report shall be in addition to a report referred to in subsection (1).

(4) The Commission shall comply with any requirement made under subsection (3).

(5) Where the election supervised by the Commission is an election of the Chief Executive, a report under subsection (1) must include a report on—

(a) the formation of the Election Committee; or

(b) the subsector by-election, if any, that precedes the election of the Chief Executive,

as appropriate, unless such a report has already been included in another report previously made under subsection (1). *(Replaced 25 of 2003 s. 53)*

(6) The period within which the report referred to in subsection (5) is to be made shall begin only on the conclusion of the election of the Chief Executive. *(Replaced 25 of 2003 s. 53)*

(6A) If an election is a rural ordinary election in a series of rural ordinary elections, the period within which the report in relation to that election is to be made under subsection (1) shall begin only on the conclusion of that series of rural ordinary elections. *(Added 2 of 2003 s. 68. Amended 5 of 2014 s. 65)*

(7) In this section—

rural ordinary election (鄉郊一般選舉) has the same meaning as in section 2(1) of the Rural Representative Election Ordinance (Cap. 576); *(Added 5 of 2014 s. 65)*

series of rural ordinary elections (系列鄉郊一般選舉) means all the rural ordinary elections to elect the Rural Representatives whose terms of office will commence on the same date under the Rural Representative Election Ordinance (Cap. 576); *(Added 5 of 2014 s. 65)*

subsector by-election (界別分組補選) has the meaning assigned to it by the Chief Executive Election Ordinance (Cap. 569). *(Amended 5 of 2014 s. 65)*

(Amended 5 of 2014 s. 65)

18. Report on boundaries

(1) The Commission shall submit to the Chief Executive, in accordance with this section, in relation to—

(a) a general election, a report containing recommendations for the delineation of geographical constituencies and the name proposed by the Commission for each constituency; and

(b) an ordinary election, a report containing recommendations as to the delineation of District Council constituencies and the name proposed by the Commission for each constituency. *(Replaced 8 of 1999 s. 89)*

(1A) A report under subsection (1) must contain—

(a) the reasons for the recommendations; and

(b) without limiting the generality of paragraph (a), where the Commission departs from the strict application of section 20(1)(b) or (d) pursuant to section 20(5), an explanation relating to such departure; and

(c) where the Commission receives representations under section 19(4), the representations, or a summary of them, as the Commission considers appropriate in each case. *(Added 8 of 1999 s. 89)*

(2) The recommendations under subsection (1) shall be made with reference to a map or maps—

(a) showing the demarcation of the boundaries of each proposed geographical constituency or District Council constituency, as the case may be; *(Amended 8 of 1999 s. 89)*

(b) supplemented, where the Commission considers it appropriate, by a description, whether by reference to the map or maps, or otherwise of any boundary shown on such map or maps,

which shall be submitted with the report.

(3) A report referred to in subsection (1) shall be submitted—

(a) in respect of—

(i) the general election for the second term of office of the Legislative Council, not later than 31 October 1999; and

(ii) subsequent general elections, at intervals of not more than 36 months from the preceding general election; and *(Replaced 48 of 1999 s. 52)*

(b) in respect of—

(i) the first ordinary election to be held under the District Councils Ordinance (Cap. 547), not later than 31 May 1999; and

(ii) subsequent ordinary elections, at intervals of not more than 36 months from the preceding ordinary election. *(Replaced 8 of 1999 s. 89)*

(4) The Chief Executive may extend the period referred to in subsection (3)(a)(i) or (b)(i), or in any particular case, the period referred to in subsection (3)(a)(ii) or (b)(ii). *(Amended 8 of 1999 s. 89; 48 of 1999 s. 52)*

2. Interpretation

(1) In this Regulation, unless the context otherwise requires—

claim (申索) means a claim made under section 15;

current year (現年份), in relation to the compilation of a provisional register, means the year for which the provisional register is being compiled;

District (地方行政區) has the meaning assigned to it by section 2 of the District Councils Ordinance (Cap. 547); *(L.N. 284 of 1999)*

District Council constituency (區議會選區), in relation to the compilation of a register for any year, means an area which is declared to be a constituency in the last order made under section 6(1)(a) of the District Councils Ordinance (Cap. 547) immediately before the date by which the register must be compiled under section 32(1) or (1A), as the case may be, of the Legislative Council Ordinance (Cap. 542) for that year; *(L.N. 284 of 1999; L.N. 254 of 2002)*

District Council election year (區議會選舉年) means a year in which an ordinary election within the meaning of section 2 of the District Councils Ordinance (Cap. 547) is to be held; *(L.N. 254 of 2002)*

Electoral Registration Officer (選舉登記主任) has the meaning assigned to it by section 3(1) of the Legislative Council Ordinance (Cap. 542) or section 1(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569); *(L.N. 254 of 2002)*

final register (正式選民登記冊) means a final register of electors for geographical constituencies required to be compiled under section 32(1)(b)(i) or (1A)(b)(i) of the Legislative Council Ordinance (Cap. 542); *(L.N. 254 of 2002)*

identity document (身分證明文件) has the meaning assigned to it by section 3(1) of the Legislative Council Ordinance (Cap. 542);

Legislative Council constituency (立法會選區), in relation to the compilation of a register for any year, means an area which is declared to be a geographical constituency in the last order

made under section 18(2)(a) of the Legislative Council Ordinance (Cap. 542) immediately before the date by which the register must be compiled under section 32(1) or (1A), as the case may be, of that Ordinance for that year; *(L.N. 284 of 1999; L.N. 254 of 2002)*

notice of claim (申索通知書) means a notice of claim within the meaning of section 15(6);

notice of objection (反對通知書) means a notice of objection within the meaning of section 14(1);

objection (反對) means an objection made under section 14;

omissions list (取消登記名單) means an omissions list within the meaning of section 9(1); *(12 of 2014 s. 108)*

preceding year (對上一年), in relation to the compilation of a provisional register, means the year immediately preceding the year for which the provisional register is being compiled;

principal residential address (主要住址), in relation to a person, means the address of the only or principal residence (within the meaning of section 28(1B) or (3) of the Legislative Council Ordinance (Cap. 542)) of that person; *(L.N. 156 of 2009)*

provisional register (臨時選民登記冊) means a provisional register of electors for geographical constituencies required to be compiled under section 32(1)(a)(i) or (1A)(a)(i) of the Legislative Council Ordinance (Cap. 542); *(L.N. 254 of 2002)*

register (選民登記冊) means—

(a) a register required to be compiled under section 32(1)(a)(i) or (1A)(a)(i) of the Legislative Council Ordinance (Cap. 542) (that is, a provisional register); or

(b) a register required to be compiled under section 32(1)(b)(i) or (1A)(b)(i) of that Ordinance (that is, a final register); *(L.N. 254 of 2002)*

registration (登記) means the entry of the name and principal residential address of a person in a register and ***registered*** (登記) is to be construed accordingly; *(L.N. 284 of 1999)*

Revising Officer (審裁官) has the meaning assigned to it by section 3(1) of the Legislative Council Ordinance (Cap. 542);

section (部), in relation to a register, means a part of the register set apart for a particular Legislative Council constituency under section 3(1); *(L.N. 284 of 1999)*

subsection (分部), in relation to a register, means a part, within a section of the register, set apart for a particular District Council constituency under section 3(1A). *(L.N. 284 of 1999)*

(2) In this Regulation, a reference to "existing final register" is to be construed, in relation to the compilation of the provisional register for a particular year, as a reference to the final register —

(a) published in the preceding year; and

(b) which is in effect by virtue of section 33 of the Legislative Council Ordinance (Cap. 542) at the time the provisional register is being compiled. *(L.N. 284 of 1999)*

(L.N. 284 of 1999; L.N. 172 of 2017)

2A. Effect of inclement weather warning on date and period

(1) In this section—

gale warning (烈風警告) has the same meaning as in the Judicial Proceedings (Adjournment During Gale Warnings) Ordinance (Cap. 62);

inclement weather warning day (惡劣天氣警告日) means a working day on which a gale warning or a rainstorm warning is in force at any time during the ordinary business hours of the Office;

Office (有關辦事處) means—

(a) the office of the Electoral Registration Officer; or

(b) for section 19(5), the office of a Revising Officer;

rainstorm warning (暴雨警告) has the same meaning as in the Judicial Proceedings (Adjournment During Gale Warnings) Ordinance (Cap. 62);

working day (工作日) means any Monday, Tuesday, Wednesday, Thursday or Friday other than a general holiday.

(2) If—

(a) a date is prescribed in this Regulation (whether by reference to a specific day of a specific month or to a day otherwise ascertainable under this Regulation) or is fixed under this Regulation;

(b) an act is required or permitted by a provision of this Regulation to be done not later than, or on or before, the date or on the date; and

(c) the date falls on an inclement weather warning day,

the next working day, which is not an inclement weather warning day, following the date is taken to be prescribed or fixed in relation to the act instead for the provision.

(3) If—

(a) a period is prescribed in or fixed under this Regulation;

(b) an act is required or permitted by a provision of this Regulation to be done in, during or within the period; and

(c) the last day of the period falls on an inclement weather warning day,

the period is extended, in relation to the act, to end on the next working day, which is not an inclement weather warning day, following the day mentioned in paragraph (c), and the provision has effect accordingly.

(4) If—

(a) a date is prescribed by reference to a specific day of a specific month in a provision (***former provision***) specified in column 1 of Table 1;

(b) the same date is prescribed in the provision specified opposite to the former provision in column 2 of Table 1; and *(L.N. 172 of 2017)*

(c) the date falls on an inclement weather warning day in a year,

the next working day, which is not an inclement weather warning day, following the date is taken to be prescribed in relation to that year instead for the provision and the former provision. *(L.N. 172 of 2017)*

Table 1

Column 1	Column 2
section 4(1)(a)(i)	section 4(2)(b)
section 4(1)(a)(ii)	section 4(2)(c)
section 10A(12)(a)	section 10A(12)(b)(i)
section 10A(12)(b)(ii)	section 10A(12)(c)(i)(A)
section 10A(12)(c)(i)(B)	section 10A(12)(c)(ii)(A)
section 10A(12)(c)(ii)(B)	section 10A(12)(c)(ii)(A)
section 13(1)(a)	section 19(5)(a)
section 13(1)(b)	section 19(5)(b)

(L.N. 10 of 2016; L.N. 172 of 2017)

(5) Subsections (6) and (7) apply if—

(a) a date is prescribed by reference to a specific day of a specific month in a provision (***former provision***) specified in column 1 of Table 2;

(b) another date which is the day following the date mentioned in paragraph (a) is prescribed in the provision specified opposite to the former provision in column 2 of Table 2; and

(c) the date mentioned in paragraph (a) falls on an inclement weather warning day in a year.

Table 2

Column 1	Column 2
section 4(1)(a)(i)	section 12(c)(ii)(B)(I)
section 4(1)(a)(ii)	section 12(c)(ii)(A) and (B)(II)

(6) The next working day, which is not an inclement weather warning day, following the date mentioned in subsection (5)(a) is taken to be prescribed in relation to the year instead for the former provision.

(7) The day following the working day mentioned in subsection (6) is taken to be prescribed in relation to the year instead for the provision specified in subsection (5)(b).

(12 of 2014 s. 3)

3. Form of register

(1) A register is to be divided into sections so that there is a separate section for each Legislative Council constituency. *(L.N. 284 of 1999)*

(1A) For the purposes of section 29 of the District Councils Ordinance (Cap. 547), each section of a register is to be further divided so that there is a separate subsection for each District Council constituency within the Legislative Council constituency to which that section relates. *(L.N. 284 of 1999)*

(1B) In a section of a register, the subsections for the District Council constituencies within the same District must be grouped together, and the name of the District must be shown in those subsections. *(L.N. 284 of 1999)*

(2) An entry in a register relating to a person must show the name and principal residential address of the person. *(L.N. 284 of 1999)*

(3) The order in which names of persons are to be arranged in each subsection of the register is as follows—

(a) the names of the persons in Chinese, arranged according to the number of strokes of the Chinese characters of their respective surnames, are to be recorded first;

(b) the names of the persons in English, arranged according to the alphabetical order of their respective surnames, must follow the entries at paragraph (a). *(L.N. 284 of 1999)*

(4) In a register, the name of a person is to be recorded—

(a) in Chinese, if the person's principal residential address is in Chinese on the application made under section 4(1) or 10A(1); or *(L.N. 254 of 2002)*

(b) in English, if the person's principal residential address is in English on the application made under section 4(1) or 10A(1). *(L.N. 254 of 2002; L.N. 172 of 2017)*

(5) The Electoral Registration Officer may, on or after the publication of a register, indicate on the register or a copy of it, by way of a note or other means that Officer considers appropriate—

(a) whether or not a person whose name is recorded in the register is— *(L.N. 284 of 1999)*

(i) registered as an elector for a functional constituency;

(ii) registered as a voter for a subsector or a sub-subsector; or

(iii) a member of the Election Committee;

(b) the functional constituency, subsector or sub-subsector for which a person is registered as an elector or voter.

(6) The Electoral Registration Officer may correct, delete or revise any note or other indication referred to in subsection (5).

(7) Subject to this section, the Electoral Registration Officer may determine the form of a register.

(8) In subsection (5)—

Election Committee (選舉委員會) has the meaning assigned to it by section 2(1) of the Chief Executive Election Ordinance (Cap. 569); *(L.N. 254 of 2002)*

elector (選民) means a person who is registered in a register of electors for functional constituencies compiled under section 32 of the Legislative Council Ordinance (Cap. 542);

functional constituency (功能界別) has the meaning assigned to it by section 3(1) of the Legislative Council Ordinance (Cap. 542);

subsector (界別分組), subject to section 1(2) of the Schedule to the Chief Executive Election Ordinance (Cap. 569), has the meaning assigned to it by section 11(1) of that Schedule; *(L.N. 254 of 2002)*

sub-subsector (小組) has the meaning assigned to it by section 1(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569); *(L.N. 254 of 2002)*

voter (投票人) means a person who is registered in subsector provisional register or a subsector final register within the meaning of section 11(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569). *(L.N. 254 of 2002)*

4. How to apply for registration in provisional register

(1) The following applies in respect of an application by a person for registration in a provisional register—

(a) the application must be made to the Electoral Registration Officer to be received by that Officer — *(L.N. 254 of 2002)*

(i) if the provisional register is being compiled for a District Council election year, not later than 2 July in that year; or

(ii) if the provisional register is being compiled for a year which is not a District Council election year, not later than 2 May in that year; *(L.N. 254 of 2002)*

(b) the application must be made on the specified form;

(c) the specified form must be completed in either Chinese or English; and

(d) the application must be signed by that person.

(e) *(Repealed L.N. 284 of 1999)*

(2) An application received by the Electoral Registration Officer —

(a) after 16 May 2014 but not later than 2 July 2015 must be treated by that Officer as an application received on or before 2 July 2015 for registration in the provisional register for 2015; *(Repealed L.N. 284 of 1999. Added L.N. 254 of 2002)*

(b) after 2 July in any year subsequent to 2014, if that subsequent year is a District Council election year, must be treated by that Officer as an application received on or before 2 May in the year following that subsequent year for registration in the provisional register to be compiled for that following year; or *(Repealed L.N. 284 of 1999. Added L.N. 254 of 2002)*

(ba) *(Repealed L.N. 254 of 2002)*

(c) after 2 May in any year subsequent to 2014, if that subsequent year is not a District Council election year, must be treated by that Officer as an application received — *(12 of 2014 s. 137)*

(i) on or before 2 July in the year following that subsequent year, if that following year is a District Council election year, for registration in the provisional register to be compiled for that following year; or

(ii) on or before 2 May in the year following that subsequent year, if that following year is not a District Council election year, for registration in the provisional register to be compiled for that following year. *(L.N. 254 of 2002)*

(L.N. 284 of 1999; 12 of 2014 s. 137)

5. Electoral Registration Officer to determine whether or not applicant is eligible for registration and may ask for additional information

(1) When the Electoral Registration Officer receives an application made under section 4(1), that Officer must, as soon as practicable, but subject to this section, determine either— *(L.N. 172 of 2017)*

(a) that the applicant is eligible to be registered; or

(b) that the applicant is not eligible to be registered.

(2) The Electoral Registration Officer may, before making a determination under subsection (1), require in writing the applicant to—

(a) furnish in writing either—

(i) further particulars relating to the application as specified by the Electoral Registration Officer; or

(ii) proof that the applicant is eligible to be registered; or

(b) furnish in writing both such particulars and proof,

within the specified period. *(L.N. 284 of 1999; L.N. 254 of 2002)*

(3) When the Electoral Registration Officer makes a requirement under subsection (2), that Officer must also inform the applicant, in writing, that—

(a) if the applicant does not furnish the particulars or proof within the specified period; or

(b) if the Electoral Registration Officer is not satisfied with the furnished particulars or proof,

that Officer may decide not to consider the application further.

(4) If an applicant of whom a requirement is made under subsection (2)—

(a) does not furnish the particulars or proof within the specified period; or

(b) does not furnish particulars or proof to the satisfaction of the Electoral Registration Officer,

that Officer may decide not to consider the application further. In any other case the Electoral Registration Officer must determine whether the applicant is eligible to be registered or not eligible to be registered.

(5) The Electoral Registration Officer must not consider an application further if that Officer is satisfied on reasonable grounds that the application is manifestly an abuse of the registration procedure.

(6) If the Electoral Registration Officer is satisfied on reasonable grounds that an applicant is already registered in the existing final register, that Officer may decide not to consider the application further.

(7) If the Electoral Registration Officer determines under subsection (1)(a) that an applicant is eligible to be registered, that Officer—

(a) must also determine, having regard to the address furnished by the applicant as the principal residential address, the section, and the subsection under it, of the provisional register in which to register the applicant; and

(b) must record the applicant's name and principal residential address in that section under that subsection. *(L.N. 284 of 1999)*

(8) When the Electoral Registration Officer determines that an applicant is eligible to be registered and the section, and the subsection under it, of the provisional register in which the applicant is to be registered, that Officer must inform the applicant in writing of the determination as soon as practicable. *(L.N. 284 of 1999)*

(9) If the Electoral Registration Officer determines under subsection (1)(b) that an applicant is not eligible to be registered, that Officer must inform the applicant in writing of the determination as soon as practicable by post. *(L.N. 10 of 2016)*

(10) If the Electoral Registration Officer makes a decision under subsection (4) not to consider an application further, that Officer must inform the applicant in writing of the decision as soon as practicable by post. *(L.N. 10 of 2016)*

(11) In this section, ***specified period*** (指明期間), in relation to a requirement made under subsection (2), means—

(a) if the first 11 July that follows the making of the requirement falls in a District Council election year, a period ending not later than that 11 July; or

(b) in any other case, a period ending not later than the first 11 May that follows the making of the requirement,

specified by the Electoral Registration Officer. *(L.N. 254 of 2002; 12 of 2014 s. 138)*

7. Electoral Registration Officer may make inquiries regarding persons registered in the existing final register

(1) In compiling a provisional register, the Electoral Registration Officer may, in accordance with this section, make inquiries that Officer considers fit, to ascertain—

(a) whether a person whose name or other personal particulars are recorded in the existing final register — *(L.N. 284 of 1999)*

(i) is dead;

(ii) is not entitled to be registered under section 24(2) of the Legislative Council Ordinance (Cap. 542);

(iii) is not eligible to be registered under section 27, 28, 29 or 30 of the Legislative Council Ordinance (Cap. 542); or

(iv) is disqualified from being registered as an elector under section 31 of the Legislative Council Ordinance (Cap. 542); or

(b) whether the address recorded in the existing final register against a person's name is no longer that person's principal residential address.

(2) An inquiry must be made in writing. It must be sent by post addressed to the person from whom it is made. *(L.N. 10 of 2016)*

(3) The Electoral Registration Officer may make an inquiry from a person whose name is recorded in an existing final register — *(L.N. 254 of 2002)*

(a) in relation to the compilation of a provisional register for a District Council election year, only on or before 16 June in that year; or

(b) in relation to the compilation of a provisional register for a year which is not a District Council election year, only on or before 16 April in that year. *(L.N. 284 of 1999; L.N. 254 of 2002; 12 of 2014 s. 139)*

(4) The Electoral Registration Officer may make an inquiry from any other source that Officer considers appropriate, at any time.

(5) Section 6(5) and (6) applies to an inquiry made under this section and information obtained under this section subject to necessary modifications.

8. Electoral Registration Officer to determine whether persons registered in the existing final register are registered in the appropriate section and subsection

(1) The Electoral Registration Officer must, having regard to—

(a) the existing final register;

(b) any information obtained under section 6 or 7;

(c) where applicable, an order made under section 18(2) of the Legislative Council Ordinance (Cap. 542); or

(d) section 3(1) of the District Councils Ordinance (Cap. 547) or, where applicable, an order made under section 6(1) or 8(1) of that Ordinance, *(L.N. 284 of 1999)*

determine, in relation to a person whose name or other personal particulars are recorded in the existing final register, the appropriate section, and the appropriate subsection under it, of the next provisional register in which to register that person. When the section and the subsection are so determined, the Electoral Registration Officer must register the person in that section under that subsection, if that person is not already so registered.

(2) The Electoral Registration Officer must inform a person, in writing, of the section, and the subsection under it, in which that person is registered under subsection (1).

(3) If, having regard to information obtained under section 6 or 7, the Electoral Registration Officer determines that a person referred to in subsection (1) is not eligible to be registered in the next provisional register, that Officer must inform that person in writing by post. *(L.N. 10 of 2016)*

(L.N. 284 of 1999)

9. Electoral Registration Officer to prepare an omissions list

(1) Subject to subsection (4), in compiling a provisional register, the Electoral Registration Officer must, for the purposes of section 32(4)(a) and (b) of the Legislative Council Ordinance (Cap. 542), enter on a list (***the omissions list***) the names and principal residential address of— *(L.N. 534 of 1997; L.N. 254 of 2002)*

(a) any person regarding whom the Electoral Registration Officer has made an inquiry under section 7 on or before the date referred to in section 7(3)(a) or (b), as the case may be, if the result of the inquiry was as follows — *(L.N. 254 of 2002)*

(i) the information asked for was not received by the Electoral Registration Officer on or before the relevant date specified in subsection (5); *(L.N. 254 of 2002)*

(ii) *(Repealed 12 of 2014 s. 33)*

(iii) the Electoral Registration Officer is satisfied on reasonable grounds (based on information received in response to the inquiry or otherwise) that the person is dead;

(iv) the Electoral Registration Officer is satisfied on reasonable grounds (based on information received in response to the inquiry or otherwise) that the person is disqualified from being registered or not qualified to be so registered;

(v) the Electoral Registration Officer is satisfied on reasonable grounds and notwithstanding any information to the contrary received by that Officer, that the person is dead; or

(vi) the Electoral Registration Officer is satisfied on reasonable grounds and notwithstanding any information to the contrary received by that Officer, that the person is disqualified from being registered or not qualified to be so registered;

(ab) any person—

(i) whose name is recorded in the existing final register;

(ii) who has, by a signed written notice, informed the Electoral Registration Officer on or before the relevant date specified in subsection (5) that he or she does not wish to be registered in the register; and

(iii) who has, in the opinion of the Electoral Registration Officer, been informed (by means of that Officer's notification under subsection (4A) or otherwise) of that Officer's intention to omit the person's name and principal residential address from the next final register; *(12 of 2014 s. 33)*

(b) any person whose name is recorded in the existing final register, if the Registrar of Births and Deaths has informed the Electoral Registration Officer, on or before the relevant date specified in subsection (5), that the person is dead; and *(L.N. 254 of 2002)*

(c) any person referred to in subsection (2).

(2) If—

(a) the Electoral Registration Officer has reason to believe—

(i) from information received in response to a requirement under section 6 or an inquiry under section 7 or otherwise; and

(ii) notwithstanding any information to the contrary received by that Officer,

that the address recorded in the existing final register against a person's name is no longer the person's principal residential address; and *(L.N. 534 of 1997)*

(b) the principal residential address of that person is not known to the Electoral Registration Officer at the time the omissions list is prepared,

that Officer must, for the purposes of subsection (1)(c), enter the name and principal residential address of that person on the omissions list.

(2A) Despite subsection (1), if—

(a) the Electoral Registration Officer is satisfied on reasonable grounds that—

(i) a person has served a sentence of imprisonment in Hong Kong;

(ii) the person used, under section 28(1B) of the Legislative Council Ordinance (Cap. 542), an address for the purpose of registration; and

(iii) the imprisonment has terminated; and

(b) that Officer is not notified of the person's new residential address,

that Officer must enter the name and the principal residential address on the omissions list without making an inquiry under section 7 in respect of the person. *(L.N. 156 of 2009)*

(3) The Electoral Registration Officer must, in a manner that Officer considers appropriate, show on the omissions list that the persons whose names and principal residential address are entered on the omissions list are those whose personal particulars that the Officer proposes to omit from the next final register.

(4) The Electoral Registration Officer may enter on the omissions list, the name and principal residential address of a person under—

(a) subsection (1)(a)(i), only if the inquiry was made from the person who is the subject of the inquiry and the Electoral Registration Officer has informed the person in writing by post (sent to the address recorded against the person's name in the existing final register and any other address that Officer considers appropriate) that the Electoral Registration Officer proposes to omit the person's name and other personal particulars from the next final register if the relevant information is not received by that Officer on or before the relevant date specified in subsection (5). *(L.N. 254 of 2002; 12 of 2014 s. 33; L.N. 10 of 2016)*

(b) *(Repealed 12 of 2014 s. 33)*

(4A) On receiving a notice referred to in subsection (1)(ab)(ii) from a person, the Electoral Registration Officer must notify, by post, the person of that Officer's intention to omit the person's name and principal residential address from the next final register. *(12 of 2014 s. 33; L.N. 10 of 2016)*

(5) For the purposes of subsections (1)(a)(i), (ab)(ii) and (b) and (4)(a), the relevant date is, in relation to the compilation of — *(12 of 2014 s. 33)*

(a) a provisional register for a District Council election year, 2 July in that year; or

(b) a provisional register for a year which is not a District Council election year, 2 May in that year. *(L.N. 254 of 2002; 12 of 2014 s. 140)*

(L.N. 284 of 1999)

10. Electoral Registration Officer to publish a notice that omissions list is available for public inspection

(1) As soon as practicable after the omissions list is prepared, the Electoral Registration Officer must publish a notice which complies with section 32(5) of the Legislative Council Ordinance (Cap. 542)— *(L.N. 534 of 1997; L.N. 254 of 2002)*

(a) in the Gazette; and

(b) in at least one Chinese language daily newspaper and one English language daily newspaper in circulation in Hong Kong.

(2) The period for which the omissions list is to be available for public inspection at the Electoral Registration Officer's office during its ordinary business hours, for the purposes of section 32(6) of the Legislative Council Ordinance (Cap. 542), is — *(L.N. 254 of 2002)*

(a) in the case of an omissions list prepared in compiling a provisional register for a District Council election year, the period beginning on the date the notice under subsection (1) is published and ending on 25 August in the same year; or

(b) in the case of an omissions list prepared in compiling a provisional register for a year which is not a District Council election year, the period beginning on the date the notice under subsection (1) is published and ending on 25 June in the same year. *(L.N. 534 of 1997; L.N. 284 of 1999; L.N. 254 of 2002; 12 of 2014 s. 141)*

(3) The Electoral Registration Officer may make available for public inspection, a copy of the omissions list or a specific part of it at a place additional to a place specified in a notice published under this section, if that Officer considers it appropriate to do so. The Electoral Registration Officer may determine the period during which and the times at which it may be so inspected.

(4) The Electoral Registration Officer may require a person who wishes to inspect a copy of the omissions list or any part of it to produce to that Officer his or her identity document and to complete a form furnished by the Officer.

10A. Application for change of particulars in existing final register

(1) A person whose name and principal residential address are recorded in the existing final register (***applicant***) may apply to the Electoral Registration Officer for change of name or principal residential address in the entry relating to the applicant.

(2) An application made under subsection (1) (***application***) must be—

(a) made on the specified form;

(b) completed in English or Chinese; and

(c) signed by the applicant.

(3) For an application for change of principal residential address, the Electoral Registration Officer may, in the application, require the applicant to submit together with the application documentary evidence that proves that the address stated in the application is the principal residential address of the applicant.

(4) In processing an application, the Electoral Registration Officer may, in writing, require the applicant to provide either or both of the following within the period specified in subsection (5)—

(a) further written particulars relating to the application as specified by the Officer;

(b) documentary evidence that proves that the entry relating to the applicant in the existing final register is incorrect.

(5) The period is—

(a) if the first 11 July that follows the making of the requirement falls in a District Council election year—a period specified by the Electoral Registration Officer ending on or before that day; or

(b) in any other case—a period specified by the Officer ending on or before the first 11 May that follows the making of the requirement.

(6) The Electoral Registration Officer must approve an application if the Officer is satisfied that—

(a) the entry relating to the applicant in the existing final register is incorrect; and

(b) the entry should be amended in accordance with the information provided by the applicant.

(7) The Electoral Registration Officer must refuse an application if the Officer is satisfied that—

(a) the entry relating to the applicant in the existing final register is incorrect; but

(b) the entry should not be amended in accordance with the information provided by the applicant.

(8) The Electoral Registration Officer must refuse an application for change of principal residential address if there is no satisfactory evidence available to the Officer that proves that the address stated in the application is the principal residential address of the applicant.

(9) The Electoral Registration Officer may decide not to process an application further—

(a) if the Officer is satisfied that the entry relating to the applicant in the existing final register is correct; or

(b) where the Officer requires the applicant to provide particulars or evidence under subsection (4)—

(i) if the applicant does not comply with the requirement; or

(ii) if the applicant does not provide particulars or evidence to the satisfaction of the Officer.

(10) The Electoral Registration Officer must notify the applicant, by post, of a decision made under subsection (6), (7), (8) or (9).

(11) If the Electoral Registration Officer—

(a) receives an application during the period specified in subsection (12); and

(b) approves the application,

the Officer must, when compiling the first provisional register after that period, record in the appropriate place in the register the name or principal residential address changed.

(12) The period is, in relation to the compilation of—

(a) the provisional register for 2018—after 2 May 2017 but not later than 2 April 2018;

(b) any provisional register for a year subsequent to 2018 that is a District Council election year—

(i) after 2 April in the preceding year; but

(ii) not later than 2 June in the current year; or

(c) any provisional register for a year subsequent to 2018 that is not a District Council election year—

(i) if the preceding year is a District Council election year—

(A) after 2 June in the preceding year; but

(B) not later than 2 April in the current year; or

(ii) if the preceding year is not a District Council election year—

(A) after 2 April in the preceding year; but

(B) not later than 2 April in the current year.

(L.N. 172 of 2017)

11. Electoral Registration Officer to correct entries in existing final register in compiling provisional register

(L.N. 10 of 2016)

(1) *(Repealed L.N. 172 of 2017)*

(2) *(Repealed L.N. 172 of 2017)*

(3) If it appears to the Electoral Registration Officer, from information obtained during the relevant period specified in subsection (5), as a result of an inquiry or otherwise, that a particular in an entry in the existing final register is incorrect, that Officer may, when compiling the first provisional register after that period, record the corrected particular in the appropriate place in the register.

(4) If the Electoral Registration Officer makes a correction under subsection (3), that Officer must inform the person concerned of the correction in writing. *(L.N. 172 of 2017)*

(5) For the purposes of subsection (3), the relevant period is, in relation to the compilation of— *(L.N. 172 of 2017)*

(a) the provisional register for 2018—after 2 May 2017 but not later than 2 May 2018; or *(L.N. 172 of 2017)*

(b) any subsequent provisional register for—

(i) a District Council election year, after 2 May in the preceding year but not later than 2 July in the current year; or

(ii) a year which is not a District Council election year —

(A) after 2 July in the preceding year, if that preceding year is a District Council election year, but not later than 2 May in the current year; or

(B) after 2 May in the preceding year, if that preceding year is not a District Council election year, but not later than 2 May in the current year. *(L.N. 254 of 2002; 12 of 2014 s. 142)*

(ba) *(Repealed L.N. 254 of 2002)*

(c) *(Repealed L.N. 254 of 2002)*

(6) *(Repealed L.N. 172 of 2017)*

(7) *(Repealed L.N. 172 of 2017)*

(L.N. 10 of 2016)

12. What is to be contained in provisional register

The provisional register is to consist of the following—

(a) subject to sections 9, 10A, 11 and 19(3) and (4), the names and principal residential address recorded in the existing final register; *(L.N. 172 of 2017)*

(b) *(Repealed L.N. 172 of 2017)*

(c) the names and principal residential address of persons whom the Electoral Registration Officer has determined to be eligible to be registered in the provisional register, on receiving by the Officer of applications made under section 4(1)— *(L.N. 172 of 2017)*

(i) in the case of the provisional register for 2018—during the period beginning on 3 May 2017 and ending on 2 May 2018; or *(L.N. 172 of 2017)*

(ia) *(Repealed L.N. 254 of 2002)*

(ii) in the case of any subsequent provisional register to be compiled for—

(A) a District Council election year, during the period beginning on 3 May in the preceding year and ending on 2 July in the current year; or

(B) a year which is not a District Council election year—

(I) during the period beginning on 3 July in the preceding year, if that preceding year is a District Council election year, and ending on 2 May in the current year; or

(II) during the period beginning on 3 May in the preceding year, if that preceding year is not a District Council election year, and ending on 2 May in the current year. *(L.N. 254 of 2002; 12 of 2014 s. 143)*

(L.N. 284 of 1999)

13. Electoral Registration Officer to publish a notice that provisional register is available for public inspection

(1) The Electoral Registration Officer must publish, every year — *(L.N. 254 of 2002)*

(a) in the case of a provisional register compiled for a District Council election year, not later than 1 August; or

(b) in the case of a provisional register compiled for a year which is not a District Council election year, not later than 1 June,

in the Gazette and at least one Chinese language daily newspaper and one English language daily newspaper, in circulation in Hong Kong, a notice which complies with subsection (2). *(L.N. 254 of 2002; 12 of 2014 s. 144)*

(2) A notice under subsection (1) must specify—

(a) that a copy of the provisional register is available for public inspection during ordinary business hours during the relevant period referred to in subsection (3); and *(L.N. 254 of 2002)*

(b) the place or places at which a copy of the provisional register may be so inspected by the public.

(3) The Electoral Registration Officer must make available for public inspection, a copy of the provisional register— *(L.N. 254 of 2002)*

(a) in the case of a provisional register compiled for a District Council election year, during the period beginning on the date the notice under subsection (1) is published and ending on 25 August in the same year; or

(b) in the case of a provisional register compiled for a year which is not a District Council election year, during the period beginning on the date the notice under subsection (1) is published and ending on 25 June in the same year,

at the place or places specified in the notice during ordinary business hours. *(L.N. 254 of 2002; 12 of 2014 s. 144)*

(4) The Electoral Registration Officer may make available for public inspection, a copy of a specific section or subsection of the provisional register at a place additional to a place specified in a notice published under this section, if that Officer considers it appropriate to do so. The Electoral Registration Officer may determine the period during which and the times at which it may be so inspected.

(4A) For the purposes of subsections (3) and (4), the Electoral Registration Officer may further make available for public inspection an additional copy of the provisional register or an additional copy of a specific section or subsection of the provisional register, in which entries are arranged in a manner that the Electoral Registration Officer considers appropriate for public inspection. *(11 of 2012 s. 41)*

(5) The Electoral Registration Officer may require a person who wishes to inspect a copy of the provisional register or any section or subsection of it to produce to that Officer his or her identity document and to complete a form furnished by the Officer.

(6) Publication of a notice under subsection (1) is to be treated as the publication of the provisional register for the purposes of section 32(1)(a)(i) or (1A)(a)(i), as the case may be, of the Legislative Council Ordinance (Cap. 542). *(L.N. 254 of 2002)*

14. Person may object to registration of registered person in the provisional register

(1) A person who considers that a registered person is not eligible to be registered—

(a) as an elector; or

(b) in the section or subsection in which that person's name and principal residential address are recorded, *(L.N. 284 of 1999)*

may make an objection to the registration of that person in the final register by lodging a notice (***notice of objection***) in accordance with subsection (2).

(2) A notice of objection must be—

(a) in the specified form;

(b) addressed to the Electoral Registration Officer; and

(c) delivered by the objector in person at the office of the Electoral Registration Officer— *(L.N. 254 of 2002)*

(i) if the objection relates to a person registered in a provisional register compiled for a District Council election year, not later than 25 August in that year; or

(ii) if the objection relates to a person registered in a provisional register compiled for a year which is not a District Council election year, not later than 25 June in that year. *(L.N. 284 of 1999; L.N. 254 of 2002; 12 of 2014 s. 145)*

(2A) If the objector is in custody within the meaning of section 2(1) of the Electoral Affairs Commission (Electoral Procedure) (Legislative Council) Regulation (Cap. 541 sub. leg. D), a notice sent by post by the objector is deemed, for the purposes of subsection (2)(c), to be a notice delivered by the objector in person. *(L.N. 156 of 2009)*

(3) The Electoral Registration Officer may require any person who lodges a notice of objection to identify himself or herself by such means as that Officer considers appropriate.

(4) In this section—

elector (選民) means any person whose name is included in the existing final register; *(L.N. 254 of 2002)*

registered person (已登記的人) means a person whose name is recorded in a provisional register. *(L.N. 284 of 1999)*

15. Who may lodge a notice of claim

(1) Any person—

(a) who has been determined by the Electoral Registration Officer under section 5(1)(b) to be not eligible to be registered;

(b) whose application for registration was not considered further by the Electoral Registration Officer under section 5(4); or

(c) who—

(i) has made an application for registration; and

(ii) is not a person described in paragraph (a) or (b), but whose name is not recorded in the provisional register, *(L.N. 284 of 1999)*

may make a claim that he or she is entitled to be registered as an elector.

(2) Any person whose name is included in an omissions list may make a claim that he or she is entitled to be registered in the final register. *(L.N. 284 of 1999)*

(3) Any person (other than a person referred to in subsection (2)) whose name is recorded in a section under a subsection of a provisional register, may make a claim that he or she is entitled to have his or her name and principal residential address recorded in a different section or subsection of that register. *(L.N. 284 of 1999)*

(4) Subsection (4A) applies to a person whose application under section 10A(1) for change of a particular—

(a) has been refused by the Electoral Registration Officer under section 10A(7) or (8); or

(b) has been decided by the Electoral Registration Officer not to process further under section 10A(9). *(L.N. 172 of 2017)*

(4A) The person may make a claim to have the particular changed in accordance with the information provided in the application. *(L.N. 172 of 2017)*

(5) Any person whose particulars in an entry have been altered by the Electoral Registration Officer under section 11(3) may make a claim objecting to the alteration.

(6) A claim under this section is to be made—

(a) by a notice in the specified form (***notice of claim***); and

(b) addressed to the Electoral Registration Officer.

(7) A notice of claim must be delivered by the claimant in person at the office of the Electoral Registration Officer— *(L.N. 254 of 2002)*

(a) if the claim relates to a register compiled, or an omissions list prepared in compiling a provisional register, for a District Council election year, not later than 25 August in that year; or

(b) if the claim relates to a register compiled, or an omissions list prepared in compiling a provisional register, for a year which is not a District Council election year, not later than 25 June in that year. *(L.N. 284 of 1999; L.N. 254 of 2002; 12 of 2014 s. 146)*

(7A) If the claimant is in custody within the meaning of section 2(1) of the Electoral Affairs Commission (Electoral Procedure) (Legislative Council) Regulation (Cap. 541 sub. leg. D), a notice sent by post by the claimant is deemed, for the purposes of subsection (7), to be a notice delivered by the claimant in person. *(L.N. 156 of 2009)*

(8) If the Electoral Registration Officer receives a claim after the date referred to in subsection (7)(a) or (b), as the case may be, the Electoral Registration Officer— *(L.N. 574 of 1997; L.N. 284 of 1999; L.N. 254 of 2002; L.N. 172 of 2017)*

(a) may, having regard to the nature of the claim, treat it as a claim for the purpose of the compilation of the final register for the year following that in which the claim is submitted; and

(b) if the Officer so treats the claim—must refer it to the Revising Officer. *(L.N. 172 of 2017)*

(9) The Electoral Registration Officer may require any person who delivers a notice of claim to identify himself or herself by such means as that Officer considers appropriate.

(10) If a person, subsequent to making a claim referred to in subsection (8), makes any further claim or application, the latest claim or application, as the case may be, prevails.

(11) In this section, ***elector*** (選民) has the meaning assigned to it by section 14(4). *(L.N. 254 of 2002)*

16. Electoral Registration Officer to deliver copies of notices of objection and notices of claim to Revising Officer

(1) Every year the Electoral Registration Officer must deliver to the Revising Officer, in accordance with this section, a copy of each notice of objection or notice of claim received by the Electoral Registration Officer.

(2) The copies of those notices may be delivered in one or more batches as the Electoral Registration Officer considers appropriate. *(L.N. 284 of 1999; L.N. 254 of 2002)*

(3) The copy of a notice of objection and notice of claim must be delivered—

(a) in the case of a notice received in respect of a register compiled, or an omissions list prepared in compiling a provisional register, for a District Council election year, not later than 29 August in that year; or

(b) in the case of a notice received in respect of a register compiled, or an omissions list prepared in compiling a provisional register, for a year which is not a District Council election year, not later than 29 June in that year. *(L.N. 254 of 2002; 1 of 2019 s. 9)*

(4) The Electoral Registration Officer, when delivering to the Revising Officer a copy of a notice of objection, must, in relation to the notice—

(a) inform the Revising Officer whether one or more of the conditions specified in subsection (6) are met; and

(b) if one or more of the conditions specified in subsection (6) are met—request the Revising Officer to determine the objection without a hearing on the basis of written submissions only. *(1 of 2019 s. 9)*

(5) The Electoral Registration Officer, when delivering to the Revising Officer a copy of a notice of claim, must, in relation to the notice—

(a) inform the Revising Officer whether one or more of the conditions specified in subsection (7) are met; and

(b) if one or more of the conditions specified in subsection (7) are met—request the Revising Officer to determine the claim without a hearing on the basis of written submissions only. *(1 of 2019 s. 9)*

(6) For the purposes of subsection (4), the conditions are—

(a) the notice of objection does not state any ground on which the objection is made;

(b) the notice of objection does not state a ground on which the objection is made that concerns the eligibility of a registered person (within the meaning of section 14) to be registered—

(i) in a provisional register; or

(ii) in a particular section or subsection of a provisional register;

(c) the subject matter of the objection involves only a clerical error made in compiling or printing a provisional register. *(1 of 2019 s. 9)*

(7) For the purposes of subsection (5), the conditions are—

(a) the notice of claim does not state any ground on which the claim is made;

(b) the notice of claim does not state a ground on which the claim is made that concerns—

(i) the eligibility of the person lodging the notice of claim (***claimant***) to be registered—

(A) in a provisional register; or

(B) in a particular section or subsection of a provisional register; or

(ii) an entry relating to the claimant in a provisional register;

(c) the subject matter of the claim involves only a clerical error made in compiling or printing a provisional register. *(1 of 2019 s. 9)*

18. Electoral Registration Officer to correct entries in provisional register with approval of Revising Officer

(1) If the Electoral Registration Officer is satisfied that—

(a) an entry in a provisional register is incorrect;

(b) an additional entry ought to be made in a final register; or

(c) a person whose name is recorded in a provisional register is no longer eligible to be registered in that register or in the section or subsection in which he is registered,

that Officer may, subject to subsection (2), in compiling the final register, correct the entry, make the additional entry or remove the entry, as may be appropriate.

(2) The Electoral Registration Officer must not take any action under subsection (1) unless that Officer—

(a) has obtained the approval of the Revising Officer for the proposed correction, addition or removal— *(L.N. 254 of 2002)*

(i) in relation to a final register being compiled for a District Council election year, not later than 11 September in that year; or

(ii) in relation to a final register being compiled for a year which is not a District Council election year, not later than 11 July in that year; and *(L.N. 254 of 2002)*

(b) has thereafter sent a notice by post to the person concerned at the last known address of that person informing the person of the proposed correction, addition or removal, as the case may be. *(L.N. 10 of 2016)*

(3) For the avoidance of doubt, it is stated that the requirement to obtain the approval of the Revising Officer does not apply to any correction by the Electoral Registration Officer under section 32(3) of the Legislative Council Ordinance (Cap. 542).

(L.N. 284 of 1999)

19. What is to be contained in final register

(1) A final register is to consist of the following—

(a) subject to subsections (2) and (3), the names and principal residential address contained in the provisional register for the year for which the final register is being compiled, as corrected, where appropriate, under section 18; *(L.N. 10 of 2016)*

(b) the name and principal residential address of any person whom the Revising Officer has ruled to be entitled to be registered, on a claim made by that person (including a claim under section 15(8)); and *(L.N. 172 of 2017)*

(c) entries, if any, made under section 18(1)(b).

(2) The Electoral Registration Officer must not include in the final register the names and principal residential address of the following persons—

(a) any person in respect of whose registration an objection has been made and the Revising Officer has allowed the objection;

(b) any person whose claim under section 15(1) or (2) has not been allowed by the Revising Officer; and

(c) any person whose name has been included in an omissions list, and who has not made a claim in respect of it or who has made a claim but the claim has not been allowed by the Revising Officer.

(3) If, on an objection or a claim made by a person, the Revising Officer has made a ruling as to the section or subsection in which the person is to be registered, the Electoral Registration Officer must ensure that the person's name and principal residential address are recorded in—

(a) that section under the appropriate subsection; or

(b) that subsection.

(4) If, on an objection or a claim made by a person, the Revising Officer has made a ruling on the personal particulars of a person, the Electoral Registration Officer must ensure that those particulars are corrected and recorded in accordance with the ruling.

(5) In relation to the final register to be compiled for— *(L.N. 254 of 2002)*

(a) a District Council election year, only decisions made by the Revising Officer during the period beginning on 1 August and ending on 11 September in that year; or

(b) a year which is not a District Council election year, only decisions made by the Revising Officer during the period beginning on 1 June and ending on 11 July in that year,

are to be taken into account for the purposes of subsection (1)(b), (2), (3) or (4). *(L.N. 254 of 2002; 12 of 2014 s. 148)*

(L.N. 284 of 1999)

20. Electoral Registration Officer to publish notice of final register and to make final register available for public inspection

(1) The Electoral Registration Officer must publish, every year — *(L.N. 254 of 2002)*

(a) in the case of a final register compiled for a District Council election year, not later than 25 September; or

(b) in the case of a final register compiled for a year which is not a District Council election year, not later than 25 July,

in the Gazette and at least one Chinese language daily newspaper and one English language daily newspaper, in circulation in Hong Kong, a notice which complies with subsection (2). *(L.N. 284 of 1999; L.N. 254 of 2002)*

(2) A notice under subsection (1) must specify—

(a) that a copy of the final register is available for public inspection during ordinary business hours; and

(b) the place or places at which a copy of the final register may be inspected by the public.

(3) The Electoral Registration Officer must make available for public inspection, a copy of the final register at the place or places specified in the notice during ordinary business hours.

(4) The Electoral Registration Officer may make available for public inspection, a copy of a specific section or subsection of the final register at a place additional to a place specified in a notice published under this section, if that Officer considers it appropriate to do so. The Electoral Registration Officer may determine the period during which and the times at which it may be so inspected. *(L.N. 284 of 1999)*

(4A) For the purposes of subsections (3) and (4), the Electoral Registration Officer may further make available for public inspection an additional copy of the final register or an additional copy of a specific section or subsection of the final register, in which entries are arranged in a manner that the Electoral Registration Officer considers appropriate for public inspection. *(11 of 2012 s. 42)*

(5) The Electoral Registration Officer may require a person who wishes to inspect a copy of the final register or any section or subsection of it to produce to that Officer his or her identity document and to complete a form furnished by the Officer. *(L.N. 284 of 1999)*

(6) Publication of a notice under subsection (1) is to be treated as the publication of the final register for the purposes of section 32(1)(b)(i) or (1A)(b)(i), as the case may be, of the Legislative Council Ordinance (Cap. 542). *(L.N. 254 of 2002)*

21. Electoral Registration Officer may make available extracts of register for purposes of an election

(1) The Electoral Registration Officer may, any time after the publication of a register, make available an extract from such published register for any purpose related to an election to any person that Officer considers appropriate. The Electoral Registration Officer may, before making available an extract, arrange the entries in the extract in a form that Officer considers appropriate for the purposes of this section.

(2) When the Electoral Registration Officer makes available an extract under subsection (1), that Officer must specify the particular election for which it may be used.

(3) A person to whom an extract is made available under this section must not, in relation to that extract, do any act specified in section 22(3)(a), (c) or (d) for a purpose other than a purpose related to the election for which it may be used under subsection (2).

(4) In an extract made available under this section, the Electoral Registration Officer may include (by way of a note or other means that Officer thinks fit)—

(a) any information referred to in section 3(5); or

(b) information as to whether any person whose particulars are included in that extract is entitled to vote at an election.

(5) In this section, ***election*** (選舉) means—

(a) a general election or by-election within the meaning of section 3(1) of the Legislative Council Ordinance (Cap. 542);

(b) an ordinary election or by-election within the meaning of section 2 of the District Councils Ordinance (Cap. 547). *(L.N. 284 of 1999)*

22. Offences and penalties

(1) Any person who in any—

(a) application made under section 4;

(b) response to a requirement for particulars or proof made under section 5;

(c) response to a requirement made under section 6;

(d) reply to an inquiry made under section 7;

(e) application made under section 10A; *(L.N. 172 of 2017)*

(f) notice of objection; or

(g) notice of claim,

makes any statement which the person knows to be false in a material particular or recklessly makes any statement which is incorrect in a material particular or knowingly omits any material particular from such an application, response, reply or notice commits an offence and is liable on conviction on indictment to a fine at level 3 and to imprisonment for 2 years. *(12 of 2014 s. 177; L.N. 172 of 2017; 1 of 2019 s. 4)*

(2) Any person who directly or indirectly by himself or any other person on his behalf conspires with, incites, compels, induces, coerces, intimidates or persuades another person—

(a) to make a false statement in an application, response, reply or notice referred to in subsection (1); or

(b) to provide information which the first mentioned person knows to be wrong in a material particular, in an application, response, reply or notice referred to in subsection (1), *(L.N. 172 of 2017)*

commits an offence and is liable on conviction on indictment to a fine at level 3 and to imprisonment for 2 years. *(12 of 2014 s. 177; 1 of 2019 s. 4)*

(3) Any person who—

(a) reproduces or permits another person to reproduce in any form any particular contained in an entry in a register or an extract from a register;

(b) uses or permits another person to use any information relating to a person obtained for the purpose of compiling a register;

(c) uses or permits another person to use any information relating to a person contained in a register or an extract from a register; or

(d) imparts to any other person any information referred to in paragraph (a), (b) or (c),

for a purpose other than a purpose related to an election, commits an offence and is liable to a fine at level 2 and to imprisonment for 6 months.

(4) Any person who fails to furnish information in response to a requirement under section 6 within the period the information is required to be furnished, commits an offence and is liable to a fine at level 2 and to imprisonment for 6 months.

(5) Notwithstanding anything to the contrary in subsection (3), any person who contravenes section 21(3) commits an offence and is liable to a fine at level 2 and to imprisonment for 6 months.

(6) It is a defence in any prosecution under subsection (4) for the person charged to prove that he or she did not know or could not have reasonably ascertained or provided the information required of him or her.

(7) An offence under subsection (1) or (2) is to be an offence prescribed for the purposes of—

(a) sections 31, 39, 40 and 53 of the Legislative Council Ordinance (Cap. 542);

(b) sections 19, 21, 24 and 30 of the District Councils Ordinance (Cap. 547); and *(L.N. 284 of 1999; L.N. 254 of 2002; 3 of 2013 s. 15)*

(c) sections 14, 20 and 26 of the Chief Executive Election Ordinance (Cap. 569) and sections 9, 18 and 30 of the Schedule to that Ordinance. *(L.N. 254 of 2002)*

(8) An offence under subsection (3) or (5) is to be an offence prescribed for the purposes of—

(a) sections 39 and 40 of the Legislative Council Ordinance (Cap. 542);

(b) sections 19, 21 and 24 of the District Councils Ordinance (Cap. 547); and *(L.N. 284 of 1999; L.N. 254 of 2002; 3 of 2013 s. 15)*

(c) sections 14 and 20 of the Chief Executive Election Ordinance (Cap. 569) and sections 9 and 18 of the Schedule to that Ordinance. *(L.N. 254 of 2002)*

(9) In this section, ***election*** (選舉) has the meaning assigned to it by section 21(5). *(L.N. 254 of 2002)*

2. Interpretation

(1) In this Regulation, unless the context otherwise requires—

appeal (上訴) means an appeal made under section 31A; *(L.N. 200 of 2001)*

authorized representative (獲授權代表), in relation to—

(a) a corporate elector, means the person authorized by the corporate elector to cast its vote at an election; and

(b) a corporate voter, means the person authorized by the corporate voter to cast its vote at an Election Committee subsector election;

body (團體) means an incorporated or unincorporated body, and includes a firm or a group of persons (which may include incorporated or unincorporated bodies) who are associated with each other through a shared relevant interest; *(L.N. 200 of 2001)*

claim (申索) means a claim made under section 31;

corporate elector (團體選民) has the meaning assigned to it by section 3(1) of the Legislative Council Ordinance (Cap. 542);

corporate voter (團體投票人) has the meaning assigned to it by section 11(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569); *(L.N. 200 of 2001)*

current year (現年份), in relation to the compilation of a functional constituencies provisional register or a subsector provisional register, means the year for which the relevant provisional register is being compiled; *(L.N. 307 of 1999; L.N. 200 of 2001)*

District Council election year (區議會選舉年) means a year in which an ordinary election within the meaning of section 2 of the District Councils Ordinance (Cap. 547) is to be held; *(L.N. 255 of 2002)*

elected DC member (民選區議員) means a person who is elected to be an elected member under Part V of the District Councils Ordinance (Cap. 547); *(L.N. 71 of 2011)*

Election Committee final register (選舉委員會正式委員登記冊) means the final register of members of the Election Committee required to be compiled under section 40(2), (3) or (3A) of the Schedule to the Chief Executive Election Ordinance (Cap. 569) or published under section 40(4) of that Schedule; *(L.N. 200 of 2001; L.N. 112 of 2006)*

Election Committee interim register (選舉委員會暫行委員登記冊) means the interim register of members of the Election Committee required to be compiled under section 40(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569); *(L.N. 112 of 2006)*

Election Committee omissions list (選舉委員會取消登記名單) means the omissions list referred to in section 24(3A); *(L.N. 200 of 2001; 12 of 2014 s. 114)*

Election Committee provisional register (選舉委員會臨時委員登記冊) means the provisional register of members of the Election Committee required to be compiled under section 4 of the Schedule to the Chief Executive Election Ordinance (Cap. 569); *(L.N. 200 of 2001)*

Election Committee register (選舉委員會委員登記冊) means an Election Committee provisional register, an Election Committee interim register or an Election Committee final register; *(L.N. 200 of 2001; L.N. 112 of 2006)*

Election Committee subsector election (選舉委員會界別分組選舉) means a subsector election within the meaning of section 1 of the Schedule to the Chief Executive Election Ordinance (Cap. 569); *(L.N. 200 of 2001)*

elector (選民) means a person who is registered in a functional constituencies final register or a person who has applied for registration as an elector and whose personal particulars or relevant particulars are recorded in a functional constituencies provisional register;

Electoral Registration Officer (選舉登記主任), in relation to—

(a) a functional constituencies register or a functional constituencies omissions list, has the meaning assigned to it by section 3(1) of the Legislative Council Ordinance (Cap. 542);

(b) a subsector register, a subsector omissions list, an Election Committee register or an Election Committee omissions list, has the meaning assigned to it by section 1(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569); *(L.N. 200 of 2001)*

existing Election Committee final register (現有的選舉委員會正式委員登記冊) means the existing final register of members

of the Election Committee within the meaning of section 4(7) of the Schedule to the Chief Executive Election Ordinance (Cap. 569); *(L.N. 200 of 2001)*

existing functional constituencies final register (現有的功能界別正式選民登記冊), in relation to the compilation of a functional constituencies provisional register, means the functional constituencies final register—

(a) published in the preceding year; and

(b) which is in effect by virtue of section 33 of the Legislative Council Ordinance (Cap. 542) at the time the provisional register is being compiled; *(L.N. 307 of 1999; L.N. 200 of 2001)*

existing subsector final register (現有的界別分組正式投票人登記冊), in relation to—

(a) *(Repealed L.N. 255 of 2002)*

(b) the compilation of a subsector provisional register, means the subsector final register— *(L.N. 255 of 2002)*

(i) published in the preceding year; and

(ii) which is in effect by virtue of section 15 of the Schedule to the Chief Executive Election Ordinance (Cap. 569) at the time the provisional register is being compiled; *(L.N. 200 of 2001)*

ex-officio member (當然委員) has the meaning assigned to it by section 1(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569); *(L.N. 200 of 2001)*

functional constituencies final register (功能界別正式選民登記冊) means a final register of electors for functional constituencies required to be compiled under section 32(1)(b)(ii) or (1A)(b)(ii) of the Legislative Council Ordinance (Cap. 542); *(L.N. 255 of 2002)*

functional constituencies omissions list (功能界別取消登記名單) means the omissions list referred to in section 24(1)(a); *(L.N. 307 of 1999; 12 of 2014 s. 114)*

functional constituencies provisional register (功能界別臨時選民登記冊) means a provisional register of electors for functional constituencies required to be compiled under section 32(1)(a)(ii) or (1A)(a)(ii) of the Legislative Council Ordinance (Cap. 542); *(L.N. 255 of 2002)*

functional constituencies register (功能界別選民登記冊) means a functional constituencies provisional register or a functional constituencies final register;

functional constituency (功能界別) has the meaning assigned to it by section 3(1) of the Legislative Council Ordinance (Cap. 542);

GC Register Regulation (《地方選區登記冊規例》) means the Electoral Affairs Commission (Registration of Electors) (Legislative Council Geographical Constituencies) (District Council Constituencies) Regulation (Cap. 541 sub. leg. A); *(L.N. 71 of 2011)*

geographical constituencies final register (地方選區正式選民登記冊) means a final register of electors for geographical constituencies required to be compiled under section 32(1)(b)(i) or (1A)(b)(i) of the Legislative Council Ordinance (Cap. 542); *(L.N. 71 of 2011)*

geographical constituencies provisional register (地方選區臨時選民登記冊) means a provisional register of electors for geographical constituencies required to be compiled under section 32(1)(a)(i) or (1A)(a)(i) of the Legislative Council Ordinance (Cap. 542); *(L.N. 71 of 2011)*

geographical constituencies register (地方選區選民登記冊) means a geographical constituencies provisional register or a geographical constituencies final register; *(L.N. 71 of 2011)*

geographical constituency (地方選區) means an area declared to be a geographical constituency under section 18(2)(a) of the Legislative Council Ordinance (Cap. 542);

identity document (身分證明文件) means—

(a) an identity card issued to a person under the Registration of Persons Ordinance (Cap. 177);

(b) a document issued by the Commissioner (within the meaning of section 1A(1) of the Registration of Persons Ordinance (Cap. 177)) to a person certifying that the person is exempt, under regulation 25 of the Registration of Persons Regulations (Cap. 177 sub. leg. A), from being required to register under that Ordinance; or *(1 of 2019 s. 78)*

(c) any other document issued to a person that is acceptable to the Electoral Registration Officer as proof of the person's identity; *(L.N. 200 of 2001)*

next Election Committee provisional register (下一份選舉委員會臨時委員登記冊) means the next provisional register of members of the Election Committee required to be compiled, not later than a date that falls within the term of office of that Committee, under section 4 of the Schedule to the Chief Executive Election Ordinance (Cap. 569); *(L.N. 200 of 2001)*

notice of appeal (上訴通知書) means a notice of appeal within the meaning of section 31A(1); *(L.N. 200 of 2001)*

notice of claim (申索通知書) means a notice of claim within the meaning of section 31(7);

notice of objection (反對通知書) means a notice of objection within the meaning of section 30(1);

notification (通告) means a notification sent under Part IV;

objection (反對) means an objection made under section 30(1);

omissions list (取消登記名單), in relation to— *(12 of 2014 s. 114)*

(a) the compilation of a functional constituencies provisional register, means a functional constituencies omissions list;

(b) the compilation of a subsector provisional register, means a subsector omissions list; *(L.N. 307 of 1999; L.N. 200 of 2001)*

(c) the compilation of an Election Committee provisional register, means an Election Committee omissions list; *(L.N. 200 of 2001)*

personal particulars (個人詳情), in relation to a natural person, means the name and principal residential address of the person; *(L.N. 307 of 1999)*

preceding year (對上一年), in relation to the compilation of a functional constituencies provisional register or a subsector provisional register, means the year immediately preceding the year for which the relevant provisional register is being compiled; *(L.N. 307 of 1999; L.N. 200 of 2001)*

principal residential address (主要住址), in relation to a person, means the address of the only or principal residence (within the meaning of section 28(1B) or (3) of the Legislative Council Ordinance (Cap. 542)) of that person; *(L.N. 200 of 2001; L.N. 157 of 2009)*

relevant particulars (有關詳情) means the particulars of a body required to be recorded under section 3(3)(a);

responsible person (負責人), in relation to a particular purpose of this Regulation, means—

(a) the person authorized for the time being by a body according to its constitution, governing rules or internal procedures, for that purpose; or

(b) if more than one person is so authorized, any such person;

Revising Officer (審裁官), in relation to—

(a) a functional constituencies register or a functional constituencies omissions list, has the meaning assigned to it by section 3(1) of the Legislative Council Ordinance (Cap. 542);

(b) a subsector register, a subsector omissions list, an Election Committee register or an Election Committee omissions list, has the meaning assigned to it by section 1(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569); *(L.N. 200 of 2001)*

sector (界別) means a sector represented on the Election Committee under Part 2 of the Schedule to the Chief Executive Election Ordinance (Cap. 569); *(L.N. 200 of 2001)*

specified form (指明表格), in relation to a particular purpose under this Regulation, means the form specified pursuant to section 7(1)(i) of the Ordinance or under section 76 of the Legislative Council Ordinance (Cap. 542) or under section 45 of the Schedule to the Chief Executive Election Ordinance (Cap. 569), for that purpose; *(L.N. 200 of 2001)*

specified particulars (指明詳情) means the particulars of a member of the Election Committee specified in section 5(4); *(L.N. 200 of 2001)*

sub-subsector (小組) means a sub-subsector referred to in section 2(9) of the Schedule to the Chief Executive Election Ordinance (Cap. 569); *(L.N. 200 of 2001)*

subsector (界別分組) means a subsector specified in a Table;

subsector final register (界別分組正式投票人登記冊) means a final register of voters for subsectors required to be compiled under section 14(1)(b) or (1A)(b) of the Schedule to the Chief Executive Election Ordinance (Cap. 569); *(L.N. 307 of 1999; L.N. 200 of 2001; L.N. 255 of 2002)*

subsector omissions list (界別分組取消登記名單) means the omissions list referred to in section 24(1)(b); *(L.N. 307 of 1999; 12 of 2014 s. 114)*

subsector provisional register (界別分組臨時投票人登記冊) means a provisional register of voters for subsectors required to be compiled under section 14(1)(a) or (1A)(a) of the Schedule to the Chief Executive Election Ordinance (Cap. 569); *(L.N. 307 of 1999; L.N. 200 of 2001; L.N. 255 of 2002)*

subsector register (界別分組投票人登記冊) means a subsector provisional register or a subsector final register; *(L.N. 307 of 1999; L.N. 200 of 2001)*

Table (列表) means a Table included in section 2 of the Schedule to the Chief Executive Election Ordinance (Cap. 569); *(L.N. 200 of 2001)*

vacancy declaration (空缺宣布) means a declaration under section 5 of the Chief Executive Election Ordinance (Cap. 569); *(L.N. 173 of 2017)*

voter (投票人) means a person who is registered in a subsector final register or a person who has applied for registration as a voter and whose personal particulars or relevant particulars are recorded in a subsector provisional register. *(L.N. 307 of 1999; L.N. 200 of 2001)*

(2) In this Regulation, a reference to "existing final register" is to be construed— *(L.N. 200 of 2001)*

(a) *(Repealed L.N. 307 of 1999)*

(b) in relation to the compilation of a functional constituencies provisional register, as a reference to the existing functional constituencies final register; *(L.N. 307 of 1999)*

(c) in relation to the compilation of a subsector provisional register, as a reference to the existing subsector final register; *(L.N. 307 of 1999; L.N. 200 of 2001)*

(d) in relation to the compilation of an Election Committee provisional register, as a reference to the existing Election Committee final register. *(L.N. 200 of 2001)*

(3) In this Regulation, a reference to the compilation of an Election Committee final register is to be construed, in relation to the Election Committee final register required to be published under section 40(4) of the Schedule to the Chief Executive Election Ordinance (Cap. 569), as a reference to the publication of the relevant Election Committee provisional register as that Election Committee final register. *(L.N. 200 of 2001)*

(L.N. 307 of 1999; L.N. 200 of 2001)

2A. Effect of inclement weather warning on date and period

(1) In this section—

gale warning (烈風警告) has the same meaning as in the Judicial Proceedings (Adjournment During Gale Warnings) Ordinance (Cap. 62);

inclement weather warning day (惡劣天氣警告日) means a working day on which a gale warning or a rainstorm warning is in force at any time during the ordinary business hours of the Office;

Office (有關辦事處) means—

(a) the office of the Electoral Registration Officer; or

(b) for sections 35(5) and 36(5), the office of a Revising Officer;

rainstorm warning (暴雨警告) has the same meaning as in the Judicial Proceedings (Adjournment During Gale Warnings) Ordinance (Cap. 62);

working day (工作日) means any Monday, Tuesday, Wednesday, Thursday or Friday other than a general holiday.

(2) If—

(a) a date is prescribed in this Regulation (whether by reference to a specific day of a specific month or to a day otherwise ascertainable under this Regulation) or is fixed under this Regulation;

(b) an act is required or permitted by a provision of this Regulation to be done not later than, or on or before, the date or on the date; and

(c) the date falls on an inclement weather warning day,

the next working day, which is not an inclement weather warning day, following the date is taken to be prescribed or fixed in relation to the act instead for the provision.

(3) If—

(a) a period is prescribed in or fixed under this Regulation;

(b) an act is required or permitted by a provision of this Regulation to be done in, during or within the period; and

(c) the last day of the period falls on an inclement weather warning day,

the period is extended, in relation to the act, to end on the next working day, which is not an inclement weather warning day, following the day mentioned in paragraph (c), and the provision has effect accordingly.

(4) If—

(a) a date is prescribed by reference to a specific day of a specific month in a provision (***former provision***) specified in column 1 of Table 1;

(b) the same date is prescribed in the provision or provisions specified opposite to the former provision in column 2 of Table 1; and

(c) the date falls on an inclement weather warning day in a year,

the next working day, which is not an inclement weather warning day, following the date is taken to be prescribed in relation to that year instead for the provision or provisions and the former provision.

Table 1

Column 1	Column 2
section 19(1)(a)(i)	section 19(4)(b)
section 19(1)(a)(ii)	section 19(4)(c)
section 26(4A)(a)	section 26(4A)(b)(i)
section 26(4A)(b)(ii)	section 26(4A)(c)(i)(A)
section 26(4A)(c)(i)(B)	section 26(4A)(c)(ii)(A)
section 26(4A)(c)(ii)(B)	section 26(4A)(c)(ii)(A)
section 26A(12)(a)	section 26A(12)(b)(i)
section 26A(12)(b)(ii)	section 26A(12)(c)(i)(A)
section 26A(12)(c)(i)(B)	section 26A(12)(c)(ii)(A)
section 26A(12)(c)(ii)(B)	section 26A(12)(c)(ii)(A)
section 29(1)(a)(i)	sections 35(5)(a) and 36(5)(a)
section 29(1)(a)(ii)	sections 35(5)(b) and 36(5)(b)

(L.N. 11 of 2016; L.N. 173 of 2017)

(5) Subsections (6) and (7) apply if—

(a) a date is prescribed by reference to a specific day of a specific month in a provision (***former provision***) specified in column 1 of Table 2;

(b) another date which is the day following the date mentioned in paragraph (a) is prescribed in the provisions specified opposite to the former provision in column 2 of Table 2; and

(c) the date mentioned in paragraph (a) falls on an inclement weather warning day in a year.

Table 2

Column 1	Column 2
section 19(1)(a)(i)	sections 27(1)(c)(i)(B)(II)(aa) and (ii)(B)(II)(aa) and 28(1)(a)(i)(B)(II)(aa) and (ii)(B)(II)(aa)
section 19(1)(a)(ii)	sections 27(1)(c)(i)(B)(I) and (II)(bb) and (ii)(B)(I) and (II)(bb) and 28(1)(a)(i)(B)(I) and (II)(bb) and (ii)(B)(I) and (II)(bb)

(6) The next working day, which is not an inclement weather warning day, following the date mentioned in subsection (5)(a) is taken to be prescribed in relation to the year instead for the former provision.

(7) The day following the working day mentioned in subsection (6) is taken to be prescribed in relation to the year instead for the provisions specified in subsection (5)(b).

(8) *(Repealed 15 of 2016 s. 16)*

(12 of 2014 s. 4)

3. Form of the functional constituencies register

(1) Subject to subsection (1A), a functional constituencies register is to be divided into parts by reference to functional constituencies so that there is a separate part for each functional constituency. *(L.N. 71 of 2011)*

(1A) To the extent that the electors whose names and personal particulars in a geographical constituencies register are specified, by means of notes or indications, to be registered for the District Council (second) functional constituency, those names, personal particulars and notes or indications constitute the part of a functional constituencies register for that functional constituency. *(L.N. 71 of 2011)*

(2) An entry in a functional constituencies register, relating to a natural person, must show the personal particulars of the person. *(L.N. 307 of 1999)*

(2A) Despite subsection (2), an entry in a functional constituencies register relating to an elector for the District Council (second) functional constituency is to be shown in a geographical constituencies register by a note or indication to that effect against the entry relating to the elector. *(L.N. 71 of 2011)*

(3) An entry in a functional constituencies register, relating to a body, must show the following particulars—

(a) the name and business address of the body; and

(b) the name of the authorized representative for the body, if it has been furnished to the Electoral Registration Officer. *(L.N. 307 of 1999)*

(4) The order in which names of electors who are natural persons are to be arranged in a functional constituencies register (other than a register for the District Council (second) functional constituency) is as follows— *(L.N. 71 of 2011)*

(a) the names of the electors in Chinese, arranged according to the number of strokes of the Chinese characters of their respective surnames, are to be recorded first;

(b) the names of the electors in English, arranged according to the alphabetical order of their respective surnames, must follow the entries at paragraph (a). *(L.N. 307 of 1999)*

(5) If a functional constituency has both corporate electors and electors who are natural persons, the part of the functional constituencies register relating to that constituency is to be divided into 2 parts. The entries relating to the natural persons are to be contained in one part and the entries relating to the corporate electors are to be contained in the other. The entries in the part for the natural persons are to be arranged as specified in subsection (4). The entries in the part for the corporate electors are to be arranged as specified in subsection (7).

(6) If a functional constituency has only corporate electors, the entries for that functional constituency are to be arranged as specified in subsection (7).

(7) The entries in a functional constituencies register relating to corporate electors for a functional constituency are to be arranged so that those with the electors' names in Chinese appear first and those with the electors' names in English follow. The entries with the electors' names in Chinese are to be arranged in an order determined by the Electoral Registration Officer. The others are to be arranged in the alphabetical order of the names of those electors.

4. Form of the subsector register

(1) A subsector register is to be divided into parts by reference to sectors so that there is a separate part for each of the 4 sectors, namely the First Sector, the Second Sector, the Third Sector and the Fourth Sector referred to in Part 2 of the Schedule to the Chief Executive Election Ordinance (Cap. 569). *(L.N. 200 of 2001)*

(2) Each part referred to in subsection (1) must be further divided into sections corresponding to the subsectors of which the sector is composed (excluding the subsectors for which an Election Committee subsector election is not required to be held under the Schedule to the Chief Executive Election Ordinance (Cap. 569)) in the same order in which they appear in the relevant Table. If a subsector has sub-subsectors, the section for that subsector must be further divided into smaller sections corresponding to the sub-subsectors. *(L.N. 200 of 2001)*

(3) The particulars specified in section 3(2) or (3), as the case may require, must be recorded in respect of each voter. In the case of a subsector with the same name as a functional constituency, the name and address recorded for the voter in the subsector register must be the same as those recorded for that voter, as an elector, in the relevant functional constituencies register. *(L.N. 200 of 2001)*

(4) The order in which names of voters who are natural persons are to be arranged in a subsector register is as follows—

(a) the names of the voters in Chinese, arranged according to the number of strokes of the Chinese characters of their respective surnames, are to be recorded first;

(b) the names of the voters in English, arranged according to the alphabetical order of their respective surnames, must follow the entries at paragraph (a). *(L.N. 307 of 1999)*

(5) If a subsector or sub-subsector has both corporate voters and voters who are natural persons, the part of the subsector register relating to that subsector is to be divided into 2 parts. The entries relating to the natural persons are to be contained in one part and the entries relating to the corporate voters are to be contained in the other. The entries in the part for the natural persons are to be arranged as specified in subsection (4). The entries in the part for the corporate voters are to be arranged as specified in subsection (7).

(6) If a subsector or sub-subsector has only corporate voters, the entries for that subsector or sub-subsector are to be arranged as specified in subsection (7).

(7) The entries in a subsector register relating to corporate voters for a subsector or a sub-subsector are to be arranged so that those with the voters' names in Chinese appear first and those with the voters' names in English follow. The entries with the voters' names in Chinese are to be arranged in an order determined by the Electoral Registration Officer. The others are to be arranged in the alphabetical order of the names of those voters.

5. Form of the Election Committee register

(1) An Election Committee register is to be divided into 4 parts so that there is a separate part for each sector. *(L.N. 200 of 2001)*

(2) The entries for a sector must be arranged with reference to the subsectors of which the sector is composed. The particulars of a member must be recorded under the subsector or sub-subsector for which the member is elected or nominated or of which he or she is an ex-officio member, as the case may be.

(2A) *(Omitted as expired—E.R. 1 of 2013)*

(3) *(Repealed L.N. 307 of 1999)*

(4) Each part of an Election Committee register must contain the following particulars of a member, under the appropriate subsector— *(L.N. 200 of 2001)*

(a) the name of the member;

(b)-(c) *(Repealed L.N. 307 of 1999)*

(d) the principal residential address of the member; *(L.N. 307 of 1999)*

(da) if a member has resigned, or is deemed to have resigned, from the Election Committee under section 3 of the Schedule to the Chief Executive Election Ordinance (Cap. 569), a note or other indication to that effect against the entry relating to that member; and *(L.N. 200 of 2001; L.N. 84 of 2004)*

(e) if a member is a representative of more than one subsector as a result of being a Hong Kong deputy to the National People's Congress or a Member of the Legislative Council, or both, a note or other indication to that effect against the entry relating to that member. *(L.N. 307 of 1999; L.N. 84 of 2004)*

(f) *(Repealed L.N. 84 of 2004)*

(5) The order in which the names of members are to be arranged under a subsector or sub-subsector is as follows—

(a) the names of the members in Chinese, arranged according to the number of strokes of the Chinese characters of their respective surnames, are to be recorded first;

(b) the names of the members in English, arranged according to the alphabetical order of their respective surnames, must follow the entries at paragraph (a). *(L.N. 307 of 1999)*

(6) *(Omitted as spent—E.R. 1 of 2013)*

7. Entries in an Election Committee register to be in Chinese or English

In an Election Committee register, the name of a member is to be recorded— *(L.N. 200 of 2001)*

(a) in Chinese—

(i) if the member's principal residential address on the application to be registered as an elector for a functional constituency is in Chinese;

(ii) if the member has not applied to be so registered, if the member's principal residential address on the application to be registered as a voter for a subsector is in Chinese; or

(iii) if the member—

(A) is a nominee for the religious subsector or an ex-officio member; and

(B) has not applied to be registered as an elector or a voter,

if the member's principal residential address on the application to be registered for a geographical constituency is in Chinese; or

(b) in English, if the member's principal residential address on the relevant application referred to in paragraph (a) is in English. *(L.N. 255 of 2002)*

(L.N. 255 of 2002)

9. Electoral Registration Officer to have power to require information from persons to prepare registers

(1) For the purpose of preparing a functional constituencies register or a subsector register, the Electoral Registration Officer may require—

(a) a body;

(b) a public authority; or

(c) any other person,

to furnish such information as that Officer may specify.

(2) Without limiting subsection (1), the Electoral Registration Officer may require a person referred to in subsection (1)(a), (b) or (c) to furnish—

(a) the names and addresses of the members of a body;

(b) information as to the period for which a member has had membership of the body;

(c) the constitution of a body; *(L.N. 307 of 1999; L.N. 200 of 2001)*

(d) the name and address of any person who appears to the Electoral Registration Officer to be eligible to be registered as an elector under sections 20A to 20ZB of the Legislative Council Ordinance (Cap. 542) or as a voter under the Schedule to the Chief Executive Election Ordinance (Cap. 569); *(L.N. 307 of 1999; L.N. 200 of 2001)*

(e) the identity document number of any natural person referred to in paragraph (a) or (d);

(f) the name, address and business registration number of a body and the period for which a body has been operating;

(g) information as to whether a body is a statutory body or a registered body within the meaning of section 20V of the Legislative Council Ordinance (Cap. 542); and *(L.N. 307 of 1999)*

(h) in the case of a trade union, the name and address of the trade union and the period for which it has been operating.

(3) Subject to subsection (4), when the Electoral Registration Officer makes a requirement under this section, the body, public authority or other person of whom the requirement is made must furnish the required information within 30 days of the requirement being made. *(L.N. 307 of 1999)*

(4) If the Electoral Registration Officer thinks it fit, that Officer may, in a particular case, extend the period referred to in subsection (3). If the period is so extended, the body, public authority or other person concerned must furnish the information within the extended period. *(L.N. 307 of 1999)*

(5) For the avoidance of doubt, it is declared that the Electoral Registration Officer may make a requirement under this section only for the purpose of preparing a functional constituencies register or a subsector register.

(6) A person may use information obtained under this section only for the purpose of preparing a register referred to in subsection (5) or in connection with an investigation or proceedings relating to an offence under this Regulation.

(6A) In this section, the reference to the constitution of a body is a reference to the constitution either—

(a) as in force on 3 October 1997; or

(b) as subsequently amended or substituted, but only if the amendment or substitution, in so far as it relates to—

(i) the objects of the body;

(ii) the criteria and conditions of membership of the body; or

(iii) the eligibility of members of the body to vote at a general meeting of the body,

has been approved in writing by the Secretary for Constitutional and Mainland Affairs. *(L.N. 200 of 2001; L.N. 130 of 2007)*

(7) In this section—

constitution (章程), in relation to a body, includes articles of association and rules; *(L.N. 200 of 2001)*

prepare (擬備) means compile, revise, correct or publish;

public authority (公共主管當局) includes a public officer or a member of a public body within the meaning of the Interpretation and General Clauses Ordinance (Cap. 1).

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Editorial Note:

For the saving and transitional provisions relating to the amendments made by the Resolution of the Legislative Council (L.N. 130 of 2007), see paragraph (12) of that Resolution.

10. Electoral Registration Officer may require personal particulars of persons to be registered as ex-officio members of Election Committee

(1) For the purpose of preparing an Election Committee register, the Electoral Registration Officer may require a public authority within the meaning of section 9(7) to furnish information as to the personal particulars of any person who is — *(L.N. 200 of 2001)*

(a) a Hong Kong deputy to the National People's Congress; or

(b) a Member of the Legislative Council. *(L.N. 307 of 1999)*

(2) Subject to subsection (3), a person of whom a requirement is made under subsection (1) must furnish the information within a period specified by the Electoral Registration Officer.

(3) If the Electoral Registration Officer thinks it fit, that Officer may extend the period referred to in subsection (2) in any particular case. If the period is so extended, the person concerned must furnish the information within the extended period.

(4) For the avoidance of doubt, it is declared that the Electoral Registration Officer may make a requirement under this section only for the purpose of preparing an Election Committee register. *(L.N. 200 of 2001)*

(5) A person may use information obtained under this section only for the purpose of preparing an Election Committee register or in connection with an investigation or proceedings relating to an offence under this Regulation. *(L.N. 200 of 2001)*

(6) In this section, ***prepare*** (擬備) means compile, revise, correct or publish. *(L.N. 200 of 2001)*

11. Interpretation of Part IV

(1) In this Part—

corresponding subsector (對等界別分組) means—

(a) subject to paragraphs (b), (ba), (c), (d) and (e), in relation to a functional constituency with the same name as a subsector, the subsector of that name; *(L.N. 307 of 1999; 15 of 2000 s. 5)*

(b) in relation to the Education functional constituency, either the Higher Education subsector or the Education subsector, as may be appropriate;

(ba) in relation to the Social Welfare functional constituency, subject to subsection (6)(a), the Social Welfare subsector; *(15 of 2000 s. 5)*

(c) in relation to the Tourism functional constituency, either the Tourism subsector or the Hotel subsector, as may be appropriate; *(L.N. 307 of 1999)*

(d) in relation to the Sports, Performing Arts, Culture and Publication functional constituency—

(i) the Sports sub-subsector;

(ii) the Performing Arts sub-subsector;

(iii) the Culture sub-subsector; or

(iv) the Publication sub-subsector,

as may be appropriate having regard to section 12(2) of the Schedule to the Chief Executive Election Ordinance (Cap. 569); or *(L.N. 307 of 1999; L.N. 200 of 2001)*

(e) in relation to the District Council functional constituency, either the Hong Kong and Kowloon District Councils subsector or the New Territories District Councils subsector, as may be appropriate; *(L.N. 307 of 1999)*

due date (到期日), in relation to a notification, means— *(L.N. 255 of 2002)*

(a) if the first 2 July that follows the sending of the notification falls in a District Council election year, that 2 July; or

(b) in any other case, the first 2 May that follows the sending of the notification; *(L.N. 307 of 1999; L.N. 255 of 2002; 12 of 2014 s. 149)*

existing geographical constituencies final register (現有的地方選區正式選民登記冊), in relation to the compilation of a functional constituencies provisional register or a subsector provisional register, means the final register of electors for geographical constituencies compiled under section 32(1)(b)(i) or (1A)(b)(i) of the Legislative Council Ordinance (Cap. 542)

published in the preceding year and which is in effect under section 33 of that Ordinance, at the time of such compilation; *(L.N. 307 of 1999; L.N. 200 of 2001; L.N. 255 of 2002)*

listed subsector (列明界別分組) means the—

(a) Hong Kong Chinese Enterprises Association subsector;

(b) Employers' Federation of Hong Kong subsector; and *(L.N. 307 of 1999)*

(c) Chinese People's Political Consultative Conference subsector;

(d)-(f) *(Repealed L.N. 307 of 1999)*

member (議員), in relation to the Heung Yee Kuk, means the Chairman and Vice-Chairmen of the Heung Yee Kuk and Ex-Officio, Special and Co-opted Councillors of the Full Council of the Kuk;

optional subsector (可選擇的界別分組) means the—

(a) Hong Kong Chinese Enterprises Association subsector;

(b) Employers' Federation of Hong Kong subsector;

(c) Chinese People's Political Consultative Conference subsector; *(L.N. 307 of 1999; 15 of 2000 s. 5)*

(d)-(f) *(Repealed L.N. 307 of 1999)*

(g) Chinese Medicine subsector; and *(L.N. 307 of 1999; 15 of 2000 s. 5)*

(h) *(Repealed L.N. 307 of 1999)*

(i) subject to subsection (6)(b), the Social Welfare subsector; *(15 of 2000 s. 5)*

recipient (收件人) means the person to whom a notification is sent.

(L.N. 307 of 1999)

(2) In this Part, in relation to a recipient, ***elects not to be registered*** (選擇不登記) means that the recipient gives a written notice—

(a) to the Electoral Registration Officer;

(b) so that it reaches that Officer on or before the due date; and

(c) to the effect that the recipient does not elect to be registered—

(i) as an elector or voter; or

(ii) as an elector and voter,

as the case may be, as stated in the notification.

(3) Subject to subsection (4), for the purposes of this Part, ***elects to be registered*** (選擇登記) means that the recipient—

(a) does not comply with the procedure specified in subsection (2);

(b) does not respond to the notification; or

(c) gives a written notice to the Electoral Registration Officer to reach that Officer on or before the due date, to the effect that the recipient wishes to be registered as proposed in the notification.

(4) For the purposes of section 15(2)(b)(ii), (3)(b) and (5), a recipient is to be treated as having elected to be registered for the optional subsector or corresponding subsector (as may be applicable) only if the recipient gives a written notice to the Electoral Registration Officer to reach that Officer on or before the due date to the effect that the recipient wishes to be registered as a voter for that subsector. *(L.N. 575 of 1997)*

(5) *(Repealed L.N. 307 of 1999)*

(6) For the purpose of this Part and Part V— *(L.N. 200 of 2001)*

(a) a person is eligible to be registered as a voter for a corresponding subsector within the meaning of paragraph (ba) of the definition of ***corresponding subsector*** in subsection (1), if that person is eligible to be so registered by virtue of section 12(5)(a) or (b) of the Schedule to the Chief Executive Election Ordinance (Cap. 569);

(b) a person is eligible to be registered as a voter for an optional subsector within the meaning of paragraph (i) of the definition of ***optional subsector*** in subsection (1), if that person is eligible to be so registered by virtue of section 12(5)(c) or (d) of that Schedule. *(15 of 2000 s. 5; L.N. 200 of 2001)*

12. Electoral Registration Officer may send notifications

(1) To compile a functional constituencies provisional register or a subsector provisional register, the Electoral Registration Officer may send notifications in accordance with this Part.

(2) Any notification under subsection (1) must be sent, by post — *(L.N. 255 of 2002)*

(a) in the case of a functional constituencies provisional register or a subsector provisional register being compiled for a District Council election year, at least 14 days before 2 July in that year; or

(b) in the case of a functional constituencies provisional register or a subsector provisional register being compiled for a year which is not a District Council election year, at least 14 days before 2 May in that year. *(L.N. 307 of 1999; L.N. 255 of 2002; 12 of 2014 s. 150)*

(3) A notification must be in writing and contain the name of the natural person to whom it is sent. *(L.N. 200 of 2001)*

(4) *(Repealed L.N. 200 of 2001)*

13. Electoral Registration Officer may send notifications to members of Heung Yee Kuk to compile functional constituencies register

(1)-(2) *(Repealed L.N. 307 of 1999)*

(2A) To compile a functional constituencies provisional register, the Electoral Registration Officer may send a notification to a member of the Heung Yee Kuk who—

(a) is registered in the existing geographical constituencies final register;

(b) is not registered for the Heung Yee Kuk functional constituency in the existing functional constituencies final register; and

(c) is eligible to be registered as an elector for the Heung Yee Kuk functional constituency, but is not eligible to be registered as an elector for the District Council (first) functional constituency. *(L.N. 307 of 1999; L.N. 71 of 2011)*

(3)-(4) *(Repealed L.N. 307 of 1999)*

(5) A notification sent under subsection (2A) must state that the recipient will be registered as an elector for the Heung Yee Kuk functional constituency, unless the recipient elects not to be registered. *(L.N. 307 of 1999)*

13A. Electoral Registration Officer may send notifications to elected DC members to compile functional constituencies register

(1) To compile a functional constituencies provisional register, the Electoral Registration Officer may send a notification to an elected DC member who—

(a) is registered in the existing geographical constituencies final register;

(b) is not registered for the District Council (first) functional constituency in the existing functional constituencies final register; and

(c) is eligible to be registered as an elector for the District Council (first) functional constituency.

(2) A notification sent under subsection (1) must state that the recipient—

(a) will be registered as an elector for the District Council (first) functional constituency and a voter for the Hong Kong and Kowloon District Councils subsector or the New Territories District Councils subsector, as appropriate, unless the recipient elects not to be registered; and

(b) cannot be registered only as an elector for the District Council (first) functional constituency and not as a voter for the Hong Kong and Kowloon District Councils subsector or the New Territories District Councils subsector, as appropriate.

(L.N. 71 of 2011)

14. Electoral Registration Officer may send notifications to natural persons eligible to be registered as electors for functional constituencies

(1) To compile a functional constituencies provisional register, the Electoral Registration Officer may send a notification to a natural person (not being a member of the Heung Yee Kuk or an elected DC member) who— *(L.N. 71 of 2011)*

(a) is registered in the existing geographical constituencies final register;

(b) is not registered for a functional constituency in the existing functional constituencies final register; and

(c) appears to that Officer to be eligible to be registered as an elector for a functional constituency (excluding the Heung Yee Kuk functional constituency and District Council (first) functional constituency). *(L.N. 307 of 1999; L.N. 71 of 2011)*

(2)-(4) *(Repealed L.N. 307 of 1999)*

(5) A notification sent under subsection (1) must state that the recipient will be registered as an elector for the functional constituency which the Electoral Registration Officer determines to be the appropriate functional constituency (the name of which must be specified in the notification), unless the recipient—

(a) elects not to be registered; or

(b) applies under Part V to be registered as an elector for another functional constituency for which the recipient is eligible to be registered. *(L.N. 307 of 1999)*

(6) In addition to subsection (5), a notification sent under subsection (1) must state that if the recipient applies under Part V to be registered as an elector for the District Council (second) functional constituency, he or she will not be eligible to be registered as a voter for any subsector (other than an optional subsector). *(L.N. 71 of 2011)*

14A. Electoral Registration Officer may send notifications to elected DC members to compile subsector register

(1) To compile a subsector provisional register, the Electoral Registration Officer may send a notification to an elected DC member who—

(a) is registered in the existing geographical constituencies final register; and

(b) is eligible to be registered as a voter for the Hong Kong and Kowloon District Councils subsector or the New Territories District Councils subsector, as appropriate.

(2) A notification sent under subsection (1) must state that the recipient—

(a) will be registered as a voter for the Hong Kong and Kowloon District Councils subsector or the New Territories District Councils subsector, as appropriate, and as an elector for the District Council (first) functional constituency, unless the recipient elects not to be registered;

(b) cannot be registered only as a voter for the Hong Kong and Kowloon District Councils subsector or the New Territories District Councils subsector, as appropriate, and not as an elector for the District Council (first) functional constituency; and

(c) will not be eligible to be registered as a voter for any optional subsector.

(3) The Electoral Registration Officer may send one notification to a person for the purposes of this section and section 13A.

(L.N. 71 of 2011)

15. Electoral Registration Officer may send notifications to natural persons eligible to be registered as voters for subsectors

(1) To compile a subsector provisional register, the Electoral Registration Officer may send a notification to— *(L.N. 200 of 2001)*

(a) *(Repealed L.N. 307 of 1999)*

(b) a natural person who is registered in the existing geographical constituencies final register and who appears to that Officer to be eligible to be registered as an elector for a functional constituency; and *(L.N. 307 of 1999; L.N. 200 of 2001)*

(c) a natural person who is registered in the existing geographical constituencies final register and who appears to that Officer to be eligible to be registered as a voter for a subsector, (whether or not the person is eligible to be registered as an elector for a functional constituency). *(L.N. 307 of 1999; L.N. 200 of 2001)*

(d) *(Repealed L.N. 307 of 1999)*

(e) *(Repealed L.N. 200 of 2001)*

(2) A notification under subsection (1) may state one or more of the following as may be applicable to the recipient—

(a) if the recipient appears to the Electoral Registration Officer to be eligible to be registered as a voter for a corresponding subsector but not an optional subsector, it may state that the recipient will be registered as a voter for the corresponding subsector, unless the recipient—

(i) elects not to be registered; or *(L.N. 255 of 2002)*

(ii) applies under Part V to be registered as a voter for an optional subsector for which the recipient is eligible to be registered;

(b) subject to subsections (3) and (5), if the recipient appears to the Electoral Registration Officer to be eligible to be registered as a voter for a corresponding subsector and an optional subsector, it may state that the recipient will be registered as a voter for the corresponding subsector, unless the recipient— *(L.N. 575 of 1997)*

(i) elects not to be registered;

(ii) elects to be registered as a voter for that optional subsector; or

(iii) applies under Part V to be registered as a voter for another optional subsector for which the recipient is eligible to be registered;

(c) subject to subsection (4), if the recipient appears to the Electoral Registration Officer to be eligible to be registered as a voter for an optional subsector, but not eligible to be registered as an elector for a functional constituency with a corresponding subsector, it may state that the recipient will be registered as a voter for the optional subsector unless the recipient—

(i) elects not to be registered; or

(ii) applies under Part V to be registered as a voter for another optional subsector for which the recipient is eligible to be registered.

(3) If a recipient under subsection (2)(b) appears to the Electoral Registration Officer to be eligible to be registered as a voter for an optional subsector which is also a listed subsector, the notification may state that the recipient will be registered as a voter for the listed subsector unless the recipient—

(a) elects not to be registered;

(b) elects to be registered as a voter for the corresponding subsector; or

(c) applies under Part V to be registered as a voter for another optional subsector for which the recipient is eligible to be registered.

(4) If a recipient under subsection (2)(c) appears to the Electoral Registration Officer to be eligible to be registered as a voter for an optional subsector which is also a listed subsector, the notification may state that the recipient will be registered as a voter for the listed subsector unless the recipient—

(a) elects not to be registered; or

(b) applies under Part V to be registered as a voter for another optional subsector or a corresponding subsector (if any) for which the recipient is eligible to be registered.

(5) If a recipient under subsection (2)(b) appears to the Electoral Registration Officer to be eligible to be registered as a voter for the Heung Yee Kuk subsector, the notification must state that the recipient will be registered as a voter for that subsector unless the recipient elects to be registered for the optional subsector for which he or she is eligible to be registered.

(6) A notification sent to a person who appears to the Electoral Registration Officer to be eligible to be registered as a voter for an optional subsector must state that the recipient may choose to be registered for any optional subsector for which the recipient is eligible to be so registered and that the choice will not affect the recipient's registration for a functional constituency. *(L.N. 307 of 1999)*

(7) Where applicable, the Electoral Registration Officer may send one notification to a person for the purposes of this section and section 13 or 14.

(8) This section does not apply in relation to a notification to a person who is an elected DC member. *(L.N. 71 of 2011)*

16. Electoral Registration Officer to register persons in the functional constituencies provisional register or subsector provisional register in accordance with response to a notification

(1) Unless a recipient under section 13(5) elects not to be registered, the Electoral Registration Officer must register that recipient as an elector for the Heung Yee Kuk functional constituency. *(L.N. 71 of 2011)*

(1A) Unless a recipient under section 13A(2)(a) elects not to be registered, the Electoral Registration Officer must register the recipient as an elector for the District Council (first) functional constituency. *(L.N. 71 of 2011)*

(2) Subject to section 17, unless a recipient under section 14(5) elects not to be registered, the Electoral Registration Officer must register that recipient as an elector for the functional constituency specified in the notification, and, subject to section 15, as a voter for the corresponding subsector. *(L.N. 71 of 2011)*

(2A) Unless a recipient under section 14A(2)(a) elects not to be registered, the Electoral Registration Officer must register the recipient as a voter for the Hong Kong and Kowloon District Councils subsector or the New Territories District Councils subsector, as appropriate. *(L.N. 71 of 2011)*

(3) Subject to section 17, if a recipient under section 15(2)(a), (b) or (c), (3) or (4) elects to be registered, the Electoral Registration Officer must register that recipient as a voter for the corresponding subsector, optional subsector or listed subsector, as may be applicable.

(4) If, under section 13(5), 13A(2)(a), 14(5) or 14A(2)(a), a recipient— *(L.N. 71 of 2011)*

(a) elects not to be registered; or

(b) informs the Electoral Registration Officer in writing that he or she is not or has ceased to be qualified to be registered as an elector for the functional constituency or as a voter for the subsector or both, as the case may be, for which the Electoral Registration Officer has proposed to register that recipient, *(L.N. 255 of 2002)*

the Electoral Registration Officer must not register that recipient as an elector for the functional constituency or as a voter for the subsector.

(5) If, under section 15(2)(a)(i), (b)(i) or (c)(i), (3)(a) or (4)(a), a recipient—

(a) elects not to be registered;

(b) elects to be registered for the corresponding subsector; or

(c) informs the Electoral Registration Officer that he or she is not or has ceased to be qualified to be registered for the corresponding subsector, optional subsector or listed subsector, as the case may be, *(L.N. 255 of 2002)*

the Electoral Registration Officer must not register that recipient as a voter for that optional subsector or listed subsector. *(L.N. 575 of 1997)*

(6) Subject to section 12(10) of the Schedule to the Chief Executive Election Ordinance (Cap. 569), if a recipient informs the Electoral Registration Officer, not later than the due date that he or she does not wish to be registered as an elector for a functional constituency or as a voter for a subsector, the Electoral Registration Officer must not so register that recipient. *(L.N. 200 of 2001; L.N. 255 of 2002)*

(L.N. 307 of 1999)

18. When Electoral Registration Officer cannot register persons under a notification

(1) If the Electoral Registration Officer is satisfied— *(L.N. 255 of 2002)*

(a) in the case of a functional constituencies provisional register or a subsector provisional register being compiled for a District Council election year, not later than 2 July in that year; or

(b) in the case of a functional constituencies provisional register or a subsector provisional register being compiled for a year which is not a District Council election year, not later than 2 May in that year,

that a notification sent to a person has not reached that person, the Electoral Registration Officer must not register that person

under this Part on the basis that he or she has not elected not to be registered (within the meaning of section 11(2)) or has elected to be registered (within the meaning of section 11(3)). *(L.N. 307 of 1999; L.N. 200 of 2001; L.N. 255 of 2002; L.N. 71 of 2011; 12 of 2014 s. 151)*

(2) *(Repealed L.N. 200 of 2001)*

19. How to apply for registration in functional constituencies provisional register and subsector provisional register

(1) The following applies in respect of an application by a person for registration in a functional constituencies provisional register or a subsector provisional register— *(L.N. 71 of 2011; 12 of 2014 s. 39)*

(a) the application must be made to the Electoral Registration Officer to be received by that Officer—

(ia) *(Repealed L.N. 255 of 2002)*

(i) if the relevant provisional register is being compiled for a District Council election year, not later than 2 July in that year; or *(L.N. 255 of 2002)*

(ii) if the relevant provisional register is being compiled for a year which is not a District Council election year, not later than 2 May in that year; *(L.N. 255 of 2002; 12 of 2014 s. 152)*

(b) the application must be made on the specified form;

(c) the specified form must be completed in either Chinese or English;

(d) in the case of a natural person seeking registration as an elector or voter, the application must be signed by that person; and *(L.N. 307 of 1999)*

(e) in the case of a body seeking registration as an elector or voter, the application must be signed by a responsible person. *(L.N. 307 of 1999)*

(f) *(Repealed L.N 307 of 1999)*

(1A) A person applying for registration in a geographical constituencies provisional register under section 4 of the GC Register Regulation is also regarded as having applied for registration as an elector for the District Council (second) functional constituency, unless the person indicates otherwise in the manner specified by the Electoral Registration Officer. *(L.N. 71 of 2011)*

(1B) Subsection (1C) applies to a natural person—

(a) who—

(i) is registered in the existing geographical constituencies final register but is not registered in the existing functional constituencies final register or the existing subsector final register, and makes an application for registration in either or both of the following—

(A) a functional constituencies provisional register;

(B) a subsector provisional register;

(ii) is registered as an elector for the District Council (second) functional constituency and makes an application for registration as a voter for an optional subsector; or

(iii) is registered as a voter for an optional subsector and makes an application for registration as an elector for a functional constituency; and

(b) whose name or principal residential address stated in the application referred to in paragraph (a)(i), (ii) or (iii) (as applicable) is different from that shown in the record kept by the Electoral Registration Officer. *(L.N. 173 of 2017)*

(1C) The person is regarded as also having made an application for change of the person's name or principal residential address (as applicable) in the entry relating to the person (***change application***), and section 26A(3), (4), (5), (6), (7), (8), (9), (10), (11) and (12) applies to the change application as if for the words "in the existing final register" in section 26A(4)(b), (6)(a), (7)(a) and (9)(a), there were substituted the words "in the record kept by the Electoral Registration Officer". *(L.N. 173 of 2017)*

(2) Subject to subsection (3), a person applying for registration as an elector for a functional constituency which has a corresponding subsector, must on the same specified form, apply for registration as a voter for that subsector. *(L.N. 200 of 2001; L.N. 173 of 2017)*

(3) Subsection (2) does not apply if the person applying for registration as an elector for a functional constituency is eligible to be registered for an optional subsector and has chosen to be registered as a voter for that subsector. *(L.N. 173 of 2017)*

(4) An application received by the Electoral Registration Officer for registration as an elector for a functional constituency or as a voter for a subsector— *(L.N. 255 of 2002)*

(a) *(Repealed L.N. 112 of 2006)*

(ab) after 16 May 2014 but not later than 2 July 2015 must be treated by that Officer as an application received on or before 2 July 2015 for registration in the functional constituencies provisional register or the subsector provisional register, as may be appropriate, to be compiled for 2015; *(12 of 2014 s. 152)*

(b) after 2 July in a District Council election year subsequent to 2014 must be treated by that Officer as an application received on or before 2 May in the following year for registration in the functional constituencies provisional register or the subsector provisional register, as the case may be, to be compiled for that following year; or *(L.N. 112 of 2006)*

(c) after 2 May in a year which is not a District Council election year subsequent to 2014 must be treated by that Officer as an application received— *(L.N. 112 of 2006; 12 of 2014 s. 152)*

(i) on or before 2 July in the following year, if that following year is a District Council election year, for registration in the functional constituencies provisional register or the subsector provisional register, as the case may be, to be compiled for that following year; or

(ii) on or before 2 May in the following year, if that following year is not a District Council election year, for registration in the functional constituencies provisional register or the subsector provisional register, as the case may be, to be compiled for that following year. *(L.N. 307 of 1999; L.N. 200 of 2001; L.N. 255 of 2002; L.N. 112 of 2006; 12 of 2014 s. 152)*

(5) *(Repealed L.N. 200 of 2001)*

(6) *(Repealed L.N. 255 of 2002)*

(7) In this section—

corresponding subsector (對等界別分組) has the meaning given by section 11(1);

optional subsector (可選擇的界別分組) has the meaning given by section 11(1). *(L.N. 173 of 2017)*

20. A corporate elector or corporate voter to appoint an authorized representative

(1) A person who applies for registration under this Part or elects to be registered under Part IV—

(a) as a corporate elector in a functional constituencies provisional register must appoint a natural person as its authorized representative; or

(b) as a corporate voter in a subsector provisional register must appoint a natural person as its authorized representative. *(L.N. 200 of 2001)*

(2) The corporate elector or corporate voter must give notice of the appointment and the personal particulars of the authorized representative to the Electoral Registration Officer on the specified form for registration as such an elector or voter. That form must be sent to the Electoral Registration Officer to reach that Officer— *(L.N. 307 of 1999; L.N. 200 of 2001; L.N. 255 of 2002)*

(a) in the case of a form for registration in a functional constituencies provisional register or a subsector provisional register being compiled for a District Council election year, not later than 2 July in that year; or *(L.N. 255 of 2002)*

(b) in the case of a form for registration in a functional constituencies provisional register or a subsector provisional register being compiled for a year which is not a District Council election year, not later than 2 May in that year. *(L.N. 255 of 2002; 12 of 2014 s. 153)*

(3) An authorized representative appointed under subsection (1) must sign the specified form referred to in subsection (2) to declare that he or she—

(a) is registered as an elector for a geographical constituency; or

(b) is eligible and has applied to be so registered,

as may be applicable.

(4) A corporate elector or a corporate voter may, subject to subsections (5) and (6), from time to time replace an authorized representative appointed by it.

(5) Subject to subsection (6), if a corporate elector or corporate voter replaces its authorized representative, notice (on the specified form) of the replacement and the personal particulars of the new authorized representative must be given to the Electoral Registration Officer to reach that Officer not later than 14 days before the polling date for the functional constituency or the subsector concerned. *(L.N. 307 of 1999)*

(6) A replacement may be appointed after the time limit specified in subsection (5) only if the Electoral Registration Officer is satisfied that the authorized representative has died or has suffered a serious illness or has suffered physical or mental incapacity. Notice of the replacement and the personal particulars of the new authorized representative (on the specified form) must be given to the Electoral Registration Officer to reach that Officer not later than 3 working days before the polling date for the functional constituency or the subsector concerned. *(L.N. 307 of 1999; L.N. 200 of 2001)*

(7) If—

(a) the Electoral Registration Officer has under section 26(7) of the Legislative Council Ordinance (Cap. 542) or section 13(7) of the Schedule to the Chief Executive Election Ordinance (Cap. 569) refused to register as an authorized representative a person appointed under subsection (1), and no claim is made in relation thereto under section 31(2); or *(L.N. 200 of 2001)*

(b) on a claim or objection, the Revising Officer rules that a person appointed as an authorized representative should not be registered as such,

a substitute may, notwithstanding subsection (2), be appointed by the corporate elector or corporate voter concerned. Notice of the appointment and the personal particulars of the substitute authorized representative (on the specified form) must be given to the Electoral Registration Officer to reach that Officer not later than 14 days before the polling date for the functional constituency or subsector concerned. *(L.N. 307 of 1999)*

(8) An authorized representative appointed as a replacement under subsection (5) or (6) or as a substitute under subsection (7) must sign the specified form to declare that he or she—

(a) is registered as an elector for a geographical constituency; or

(b) is eligible for such registration and has applied for registration in accordance with section 4(1) of the GC Register Regulation, *(L.N. 307 of 1999; L.N. 71 of 2011)*

as may be applicable.

(9) The Electoral Registration Officer must make the necessary alterations or entries in a register to reflect the appointment of a replacement or a substitute under this section as soon as practicable after receiving notice of the relevant appointment.

(10) If the Electoral Registration Officer decides not to register as an authorized representative a person appointed as a replacement under subsection (5) or a substitute under subsection (7), that Officer must inform the corporate elector or corporate voter concerned of the decision within 3 days of making it. *(L.N. 200 of 2001)*

21. Electoral Registration Officer to determine whether or not applicant is eligible for registration and may ask for additional information

(1) When the Electoral Registration Officer receives an application for registration in a functional constituencies provisional register or a subsector provisional register, that Officer must, as soon as practicable, but subject to this section, determine either—

(a) that the applicant is eligible to be registered; or

(b) that the applicant is not eligible to be registered.

(2) The Electoral Registration Officer may, before making a determination under subsection (1), require in writing the applicant to—

(a) furnish in writing—

(i) further particulars relating to the application as specified by the Electoral Registration Officer; or

(ii) proof that the applicant is eligible to be registered; or

(b) furnish in writing both such particulars and proof,

within the specified period. *(L.N. 307 of 1999; L.N. 200 of 2001)*

(3) When the Electoral Registration Officer makes a requirement under subsection (2), that Officer must also inform the applicant, in writing, that—

(a) if the applicant does not furnish the particulars or proof within the specified period; or

(b) if the Electoral Registration Officer is not satisfied with the furnished particulars or proof,

that Officer may decide not to consider the application further.

(4) If an applicant of whom a requirement is made under subsection (2)—

(a) does not furnish the particulars or proof within the specified period; or

(b) does not furnish particulars or proof to the satisfaction of the Electoral Registration Officer,

that Officer may decide not to consider the application further. In any other case the Electoral Registration Officer must determine whether the applicant is eligible to be registered or not eligible to be registered.

(5) If, on an application for registration in a functional constituencies provisional register or a subsector provisional register, the Electoral Registration Officer is satisfied on reasonable grounds that the application is manifestly an abuse of the registration procedure, that Officer must not consider that application further. *(L.N. 575 of 1997)*

(6) (a) If the Electoral Registration Officer is satisfied that—

(i) an applicant for registration as an elector for a functional constituency is already registered as an elector for that functional constituency; or

(ii) an applicant for registration as a voter for a subsector is already registered as a voter for that subsector,

that Officer may decide not to consider the application further.

(b) *(Repealed L.N. 200 of 2001)*

(7) If the Electoral Registration Officer determines under subsection (1)(a) that an applicant is eligible to be registered, that Officer—

(a) must also determine, the functional constituency or the subsector, as the case may be, for which to register the applicant; and

(b) must record the applicant's personal particulars or relevant particulars under that functional constituency or subsector, as the case may be.

(7A) If an applicant who is determined under this section to be eligible to be registered as an elector for a functional constituency has not applied for registration as a voter for a subsector, the Electoral Registration Officer—

(a) must also determine whether the applicant is eligible to be registered as a voter for the corresponding subsector (within the meaning of section 11); and

(b) must record under that corresponding subsector the personal particulars or relevant particulars of the applicant who is determined to be so eligible. *(L.N. 200 of 2001)*

(7B) If—

(a) an application is regarded also as an application for change of the applicant's name or principal residential address (***change application***) under section 19(1C); but

(b) the Electoral Registration Officer refuses the change application or decides not to process the change application further,

the Officer must proceed to make a determination under subsection (1) as if the personal particulars of the applicant shown in the record kept by the Officer are the personal particulars of the applicant stated in the application. *(L.N. 173 of 2017)*

(7C) If the Electoral Registration Officer determines under subsection (1)(a) that an applicant referred to in subsection (7B) is eligible to be registered, the Officer must, in accordance with subsection (7)(b), record under the relevant functional constituency or subsector the applicant's personal particulars shown in the record kept by the Officer, instead of those stated in the application. *(L.N. 173 of 2017)*

(8) When the Electoral Registration Officer determines that an applicant is eligible to be registered and the functional constituency or the subsector for which the applicant is to be registered, that Officer must inform the applicant in writing of the determination as soon as practicable.

(9) If the Electoral Registration Officer determines under subsection (1)(b) that an applicant is not eligible to be registered, that Officer must inform the applicant in writing, by post, of the determination as soon as practicable. *(L.N. 11 of 2016)*

(10) If the Electoral Registration Officer makes a decision under subsection (4) not to consider an application further, that Officer must inform the applicant in writing, by post, of the decision as soon as practicable. *(L.N. 11 of 2016)*

(11) If the applicant is a body, the requirement under subsection (2) may be directed to the responsible person. *(L.N. 200 of 2001)*

(12) In this section—

(a) a reference to "registered" is to be construed as a reference to recording the personal particulars or relevant particulars of the applicant for a functional constituency or a subsector, as the case may be;

(b) ***specified period*** (指明期間), in relation to a requirement made under subsection (2), means— *(L.N. 255 of 2002)*

(i) if the first 11 July that follows the making of the requirement falls in a District Council election year, a period ending not later than that 11 July; or

(ii) in any other case, a period ending not later than the first 11 May that follows the making of the requirement,

specified by the Electoral Registration Officer. *(L.N. 200 of 2001; L.N. 255 of 2002; 12 of 2014 s. 154)*

22. Electoral Registration Officer may make inquiries regarding persons registered in the existing functional constituencies or subsector final register

(1) In compiling a functional constituencies provisional register or a subsector provisional register, the Electoral Registration Officer may, in accordance with this section, make inquiries that Officer considers fit, to ascertain— *(L.N. 307 of 1999; L.N. 200 of 2001)*

(a) (i) in relation to the compilation of a functional constituencies provisional register, whether a natural person whose name is recorded in the existing functional constituencies final register—

(A) is dead;

(B) is not eligible to be registered under section 25, 27, 28, 29 or 30 of the Legislative Council Ordinance (Cap. 542); or

(C) is disqualified from being registered as an elector under section 31 of the Legislative Council Ordinance (Cap. 542);

(ii) in relation to the compilation of a subsector provisional register, whether a natural person whose name is recorded in the existing subsector final register—

(A) is dead; or

(B) is not eligible to be registered under section 12 of the Schedule to the Chief Executive Election Ordinance (Cap. 569); or *(L.N. 307 of 1999; L.N. 200 of 2001)*

(b) whether the address recorded in the existing final register against a person's name is no longer that person's principal residential address.

(2) In compiling a functional constituencies provisional register or a subsector provisional register, the Electoral Registration Officer may, in accordance with this section, make inquiries that Officer considers fit to ascertain whether a body whose relevant particulars are recorded in the existing final register is eligible to be registered in the functional constituencies provisional register or the subsector provisional register (as the case may be). *(L.N. 307 of 1999; L.N. 200 of 2001)*

(3) An inquiry must be made in writing. It must be sent by post addressed to the person from whom it is made. *(L.N. 11 of 2016)*

(3A) A letter of inquiry sent to a person under subsection (3) must state that if the result of the inquiry falls under section 24(1)(i)(A), (D) or (F), the Electoral Registration Officer may, in compiling a functional constituencies provisional register, record the personal particulars of the person under the District Council (second) functional constituency unless the person elects not to be registered as an elector for that constituency. *(L.N. 71 of 2011)*

(4) An inquiry under subsection (2) may be directed to the responsible person of the body concerned.

(5) The Electoral Registration Officer may make an inquiry from a person whose name is recorded in an existing final register — *(L.N. 307 of 1999; L.N. 200 of 2001; L.N. 255 of 2002)*

(a) in relation to the compilation of a functional constituencies provisional register or a subsector provisional register for a District Council election year, only on or before 16 June in that year; or *(L.N. 255 of 2002)*

(b) in relation to the compilation of a functional constituencies provisional register or a subsector provisional register for a year which is not a District Council election year, only on or before 16 April in that year. *(L.N. 255 of 2002; 12 of 2014 s. 155)*

(6) The Electoral Registration Officer may make an inquiry from any other source that Officer considers appropriate, at any time.

(7) Section 9(5) and (6) applies to an inquiry made under this section and information obtained under this section subject to necessary modifications.

23. Electoral Registration Officer to determine whether persons registered in the existing functional constituencies or subsector final register are registered in the appropriate part

(1) In compiling a functional constituencies provisional register or a subsector provisional register, the Electoral Registration Officer must, having regard to the existing final register and to any information obtained under section 9 or 22, determine, in relation to a person whose name and other particulars are recorded in the existing final register, the appropriate part of the functional constituencies provisional register or the subsector provisional register, as the case may be, in which to register that person. *(L.N. 307 of 1999; L.N. 200 of 2001)*

(2) The Electoral Registration Officer must inform a person, in writing, of the part in which that person is registered under subsection (1).

(3) If, having regard to information obtained under section 9 or 22, the Electoral Registration Officer determines that a person referred to in subsection (1) is not eligible to be registered in a functional constituencies provisional register or a subsector provisional register, that Officer must inform that person in writing by post. *(L.N. 307 of 1999; L.N. 200 of 2001; L.N. 11 of 2016)*

24. Electoral Registration Officer to prepare an omissions list

(1) Subject to subsections (1A), (1B), (1C) and (5), the Electoral Registration Officer must— *(L.N. 71 of 2011)*

(a) in compiling a functional constituencies provisional register, enter on a functional constituencies omissions list;

(b) in compiling a subsector provisional register, enter on a subsector omissions list,

the personal particulars of—

(i) any natural person regarding whom the Electoral Registration Officer has made an inquiry under section 22(1) on or before the date referred to in section 22(5)(a) or (b), as the case may be, if the result of the inquiry was as follows— *(L.N. 200 of 2001; L.N. 255 of 2002)*

(A) the information asked for was not received by the Electoral Registration Officer on or before the relevant date specified in subsection (7);

(B) *(Repealed 12 of 2014 s. 34)*

(C) the Electoral Registration Officer is satisfied on reasonable grounds (based on information received in response to the inquiry or otherwise) that the person is dead;

(D) the Electoral Registration Officer is satisfied on reasonable grounds (based on information received in response to the inquiry or otherwise) that the person is disqualified from being registered or is not qualified to be registered;

(E) the Electoral Registration Officer is satisfied on reasonable grounds, notwithstanding any information to the contrary received by that Officer, that the person is dead; or

(F) the Electoral Registration Officer is satisfied on reasonable grounds, notwithstanding any information to the contrary received by that Officer, that the person is disqualified from being registered or is not qualified to be registered;

(ia) any natural person—

(A) whose name is recorded in the existing functional constituencies final register or the existing subsector final register;

(B) who has, by a signed written notice, informed the Electoral Registration Officer on or before the relevant date specified in subsection (7) that he or she does not wish to be registered in the register; and

(C) who has, in the opinion of the Electoral Registration Officer, been informed (by means of that Officer's notification under subsection (7A)(a) or otherwise) of that Officer's intention to omit the person's personal particulars from the next functional constituencies final register or the next subsector final register; *(12 of 2014 s. 34)*

(ii) any person whose name is recorded in the existing final register, if the Registrar of Births and Deaths has informed the Electoral Registration Officer, on or before the relevant date specified in subsection (7), that the person is dead; and

(iii) any person whose name or other particulars are recorded in the existing final register and whose name and principal residential address are entered on the omissions list prepared for the current year under section 9 of the GC Register Regulation. *(L.N. 307 of 1999; L.N. 71 of 2011)*

(1A) Subject to subsection (1B), if the Electoral Registration Officer makes an inquiry under section 22(1) and the subject of the inquiry is a person—

(a) registered in the existing geographical constituencies final register;

(b) referred to in section 24(1)(i)(A), (D) or (F); and

(c) whose name and principal residential address are not entered on the omissions list prepared for the current year under section 9 of the GC Register Regulation,

the Electoral Registration Officer must, in compiling a functional constituencies provisional register, record the personal particulars of the person under the District Council (second) functional constituency unless the person elects not to be registered as an elector for that constituency. *(L.N. 71 of 2011)*

(1B) The Electoral Registration Officer must not record the personal particulars of a person under the District Council (second) functional constituency under subsection (1A) if the Electoral Registration Officer is satisfied that the letter of inquiry sent under section 22 has not reached the person. *(L.N. 71 of 2011)*

(1C) If a person is registered in the existing functional constituencies final register as an elector for a functional constituency which has a corresponding subsector and the Electoral Registration Officer, in compiling a functional constituencies provisional register, records the personal particulars of the person under the District Council (second) functional constituency—

(a) under subsection (1A); or *(L.N. 11 of 2016)*

(b) *(Repealed L.N. 11 of 2016)*

(c) by virtue of the person's application under Part V,

the Electoral Registration Officer must, in compiling a subsector provisional register, enter the personal particulars of the person on the subsector omissions list prepared for the current year. *(L.N. 71 of 2011)*

(2) *(Repealed L.N. 200 of 2001)*

(3) If the Electoral Registration Officer has made an inquiry under section 22(2) on or before the date referred to in section 22(5)(a) or (b), as the case may be, regarding a body, and— *(L.N. 255 of 2002)*

(i) the information asked for was not received by that Officer on or before the relevant date specified in subsection (7); or

(ii) that Officer is satisfied on reasonable grounds, based on information received in response to the inquiry or otherwise or notwithstanding any information to the contrary received in response to the inquiry, that the body is no longer eligible to be registered as an elector or a voter,

that Officer must, subject to subsection (5), enter—

(a) on a functional constituencies omissions list the relevant particulars of the body that is no longer eligible to be registered as an elector;

(b) on a subsector omissions list the relevant particulars of the body that is no longer eligible to be registered as a voter. *(L.N. 307 of 1999)*

(3AA) The Electoral Registration Officer must also enter on a functional constituencies omissions list or a subsector omissions list the relevant particulars of any body—

(a) the name of which is recorded in the existing functional constituencies final register or the existing subsector final register;

(b) which has, by a written notice signed by the responsible person of the body, informed the Electoral Registration Officer on or before the relevant date specified in subsection (7) that it does not wish to be registered in the register; and

(c) which has, in the opinion of the Electoral Registration Officer, been informed (by means of that Officer's notification under subsection (7A)(b) or otherwise) of that Officer's intention to omit the body's relevant particulars from the next functional constituencies final register or the next subsector final register. *(12 of 2014 s. 34)*

(3A) The Electoral Registration Officer must, in compiling an Election Committee provisional register, enter on an Election Committee omissions list the personal particulars of any person (other than an ex-officio member) whom that Officer is satisfied on reasonable grounds, on the date on which the relevant vacancy declaration was made, as— *(L.N. 112 of 2006; L.N. 173 of 2017)*

(a) being dead;

(b) having resigned, or being deemed to have resigned, from the Election Committee under section 3 of the Schedule to the Chief Executive Election Ordinance (Cap. 569); or

(c) having ceased to be registered, or eligible to be registered, or having been disqualified from being registered, under the Legislative Council Ordinance (Cap. 542) as an elector for a geographical constituency. *(L.N. 200 of 2001)*

(4) The Electoral Registration Officer must, in a manner that Officer considers appropriate, show on an omissions list, that the personal particulars or relevant particulars entered on the omissions list are those that, that Officer proposes to omit from—

(a) in the case of a functional constituencies omissions list, the next functional constituencies final register;

(b) in the case of a subsector omissions list, the next subsector final register;

(c) in the case of an Election Committee omissions list, the next Election Committee final register. *(L.N. 200 of 2001)*

(5) The Electoral Registration Officer may enter on a functional constituencies omissions list or a subsector omissions list, the personal particulars or relevant particulars of a person referred to in—

(a) subsection (1)(i)(A) or (3)(i), only if the inquiry was made from the person who is the subject of the inquiry; and that Officer has informed the person in writing by post (sent to the address recorded against the person's name in the existing final register and any other address that Officer considers appropriate) that the Electoral Registration Officer proposes to omit the person's name and other particulars from the next functional constituencies final register or the next subsector final register, as may be applicable, if the relevant information is not received by that Officer on or before the relevant date specified in subsection (7). *(12 of 2014 s. 34; L.N. 11 of 2016)*

(b) *(Repealed 12 of 2014 s. 34)*

(6) *(Repealed L.N. 255 of 2002)*

(7) For the purposes of subsections (1)(i)(A), (ia)(B) and (ii), (3)(i), (3AA)(b) and (5)(a), the relevant date is, in relation to the compilation of— *(12 of 2014 s. 34)*

(a) a functional constituencies provisional register or a subsector provisional register for a District Council election year, 2 July in that year; or *(L.N. 255 of 2002)*

(b) a functional constituencies provisional register or a subsector provisional register for a year which is not a District Council election year, 2 May in that year. *(L.N. 255 of 2002; 12 of 2014 s. 156)*

(7A) On receiving a notice referred to in subsection (1)(ia)(B) or (3AA)(b) from a person, the Electoral Registration Officer must notify, by post, the person of that Officer's intention to omit from the next functional constituencies final register or the next subsector final register, as the case may be— *(L.N. 11 of 2016)*

(a) if the person is a natural person—the person's personal particulars; or

(b) if the person is a body—the body's relevant particulars. *(12 of 2014 s. 34)*

(8) For the purposes of this section, an entry in an omissions list relating to a person whose personal particulars are proposed by the Electoral Registration Officer to be omitted from the next final register for the District Council (second) functional constituency is to be shown in a geographical constituencies omissions list by a note or indication to that effect against the entry relating to the person. *(L.N. 71 of 2011)*

(9) In this section—

corresponding subsector (對等界別分組) has the meaning given by section 11(1);

elects not to be registered (選擇不登記) has the meaning given by section 11(2) and—

(a) a reference to "recipient" in section 11(2) is to be construed as a reference to a person in respect of whom an inquiry under section 22(1) is made; and

(b) a reference to "notification" in section 11(2) is to be construed as a reference to a letter of inquiry sent under section 22(3);

principal residential address (主要住址), in relation to a person, means the address of the only or principal residence (within the meaning of section 28(1B) or (3) of the Legislative Council Ordinance (Cap. 542)) of the person. *(L.N. 71 of 2011)*

(L.N. 307 of 1999; L.N. 200 of 2001)

25. Electoral Registration Officer to publish a notice that omissions list is available for public inspection

(1) As soon as practicable after an omissions list is prepared, the Electoral Registration Officer—

(a) must publish—

(i) in the Gazette; and

(ii) in at least one Chinese language daily newspaper and one English language daily newspaper in circulation in Hong Kong,

a notice to the effect that the personal particulars or relevant particulars of persons who are no longer eligible to have their names included in the relevant functional constituencies register, subsector register or Election Committee register, as the case may be, have been entered on the omissions list and specifying the times and the place at which the omissions list may be inspected; and *(L.N. 200 of 2001)*

(b) must, for the relevant period referred to in subsection (2)—

(i) keep the omissions list at that Officer's office; and

(ii) at the ordinary business hours of that office, make that list available for inspection by members of the public, free of charge. *(L.N. 307 of 1999)*

(2) For the purposes of subsection (1)(b), the relevant period is—

(aa) *(Repealed L.N. 255 of 2002)*

(a) in the case of an omissions list prepared in compiling a functional constituencies provisional register or a subsector provisional register for—

(i) a District Council election year, the period beginning on the date the notice under subsection (1)(a) is published and ending on 25 August in the same year; or

(ii) a year which is not a District Council election year, the period beginning on the date the notice under subsection (1)(a) is published and ending on 25 June in the same year; or *(L.N. 255 of 2002; 12 of 2014 s. 157)*

(b) in the case of an Election Committee omissions list, the period beginning on the date the notice under subsection (1)(a) is published and ending on the seventh day after that date. *(L.N. 255 of 2002)*

(3) The relevant period referred to in subsection (2) is the period prescribed for the purposes of section 32(6) of the Legislative Council Ordinance (Cap. 542) and sections 4(6) and 14(6) of the Schedule to the Chief Executive Election Ordinance (Cap. 569). *(L.N. 255 of 2002)*

(4) Without affecting subsection (1), the Electoral Registration Officer may, if he or she considers it appropriate to do so, make a copy of a specific part of the functional constituencies omissions list, the subsector omissions list or the Election Committee omissions list available for inspection by members of the public, free of charge. *(L.N. 157 of 2009)*

(5) The Electoral Registration Officer may determine—

(a) the period during which; and

(b) the times and the place at which,

the copy may be inspected under subsection (4). *(L.N. 157 of 2009)*

(6) The Electoral Registration Officer may require a person who wishes to inspect an omissions list or a copy under subsection (1) or (4) to—

(a) produce to that Officer the identity document of the person; and

(b) complete a form furnished by that Officer. *(L.N. 157 of 2009)*

26. Request for change of certain particulars in existing final register and correction of entries in it

(L.N. 173 of 2017)

(1) A person whose name and other particulars are recorded in the existing final register may make a written request of the Electoral Registration Officer to amend the entry relating to that person and supply information as to how it should be amended. *(L.N. 173 of 2017)*

(1A) Subsection (1) does not apply to a natural person who seeks to change the person's name or principal residential address in the entry relating to the person. *(L.N. 173 of 2017)*

(1B) A person described in subsection (1A) must apply for change of the person's name or principal residential address under section 26A. *(L.N. 173 of 2017)*

(2) If the Electoral Registration Officer—

(a) receives a request under subsection (1), during the period specified in subsection (4A); and

(b) is satisfied that the entry should be corrected,

that Officer must, when compiling the first functional constituencies provisional register, subsector provisional register or Election Committee provisional register (as the case may be) after that period, record in the appropriate place in the register the particulars of the person corrected in accordance with the information supplied. If the Electoral Registration

Officer is satisfied that the entry is correct or should not be corrected, that Officer must not amend it. *(L.N. 200 of 2001; L.N. 173 of 2017)*

(3) If it appears to the Electoral Registration Officer, from information obtained during the period specified in subsection (5), as a result of an inquiry or otherwise, that a particular in an entry in the existing final register is incorrect, that Officer may, when compiling the first functional constituencies provisional register, subsector provisional register or Election Committee provisional register (as the case may be) after that period, record the corrected particular in the appropriate place in the register. *(L.N. 200 of 2001; L.N. 173 of 2017)*

(4) If the Electoral Registration Officer makes a correction under subsection (2) or (3) that Officer must inform the person concerned of the correction in writing. If the Electoral Registration Officer decides not to amend an entry when requested to do so under subsection (1), that Officer must notify the person concerned, by post, of the decision. *(L.N. 173 of 2017)*

(4A) For the purposes of subsection (2), the period is, in relation to the compilation of—

(a) the functional constituencies provisional register or the subsector provisional register for 2018—after 2 May 2017 but not later than 2 April 2018;

(b) any functional constituencies provisional register or subsector provisional register for a year subsequent to 2018 that is a District Council election year—

(i) after 2 April in the preceding year; but

(ii) not later than 2 June in the current year;

(c) any functional constituencies provisional register or subsector provisional register for a year subsequent to 2018 that is not a District Council election year—

(i) if the preceding year is a District Council election year—

(A) after 2 June in the preceding year; but

(B) not later than 2 April in the current year; or

(ii) if the preceding year is not a District Council election year—

(A) after 2 April in the preceding year; but

(B) not later than 2 April in the current year; or

(d) an Election Committee provisional register—

(i) if another Election Committee provisional register has been published during the term of office of the Election Committee—

(A) after the seventh day after the date on which that other register was last published; but

(B) not later than the date on which a specified declaration was made; or

(ii) if no Election Committee provisional register has been published during the term of office of the Election Committee—not later than the date on which a specified declaration was made. *(L.N. 173 of 2017)*

(5) For the purposes of subsection (3), the period is, in relation to the compilation of— *(L.N. 173 of 2017)*

(a) *(Repealed L.N. 112 of 2006)*

(ab) the functional constituencies provisional register or the subsector provisional register for 2018—after 2 May 2017 but not later than 2 May 2018; *(L.N. 173 of 2017)*

(b) any subsequent functional constituencies provisional register or any subsequent subsector provisional register for— *(L.N. 112 of 2006; 12 of 2014 s. 158)*

(i) a District Council election year, after 2 May in the preceding year but not later than 2 July in the current year; or

(ii) a year which is not a District Council election year —

(A) after 2 July in the preceding year, if that preceding year is a District Council election year, but not later than 2 May in the current year; or

(B) after 2 May in the preceding year, if that preceding year is not a District Council election year, but not later than 2 May in the current year; or *(L.N. 255 of 2002; 12 of 2014 s. 158)*

(ba) *(Repealed L.N. 200 of 2001)*

(c)-(d) *(Repealed L.N. 255 of 2002)*

(e) an Election Committee provisional register—

(i) if another Election Committee provisional register has been published during the term of office of the Election Committee—

(A) after the seventh day after the date on which that other register was last published; but

(B) not later than the date on which a specified declaration was made; or

(ii) if no Election Committee provisional register has been published during the term of office of the Election Committee—not later than the date on which a specified declaration was made. *(L.N. 173 of 2017)*

(6) If the elector referred to in subsection (1) is a body, the request must be signed on its behalf by the responsible person. The Electoral Registration Officer may send any communication referred to in subsection (4) to the responsible person.

(7) The Electoral Registration Officer may, before acting under subsection (2) in relation to the compilation of the functional constituencies provisional register or the subsector provisional register, require in writing the person who makes the request under subsection (1) to furnish in writing either or both of the following within the specified period—

(a) further particulars relating to the request as specified by the Electoral Registration Officer;

(b) proof that the entry is incorrect. *(L.N. 11 of 2016)*

(8) In this section—

specified declaration (指明宣布), in relation to the compilation of an Election Committee provisional register, means the vacancy declaration consequential on which the register is to be compiled; *(L.N. 173 of 2017)*

specified period (指明期間), in relation to a requirement made under subsection (7), means—

(a) if the first 11 July that follows the making of the requirement falls in a District Council election year—a period specified by the Electoral Registration Officer ending not later than that 11 July; or

(b) in any other case—a period specified by the Electoral Registration Officer ending not later than the first 11 May that follows the making of the requirement. *(L.N. 11 of 2016)*

(L.N. 307 of 1999; L.N. 11 of 2016)

26A. Application for change of personal particulars in existing final register

(1) A natural person whose personal particulars are recorded in the existing final register (***applicant***) may apply to the Electoral Registration Officer for change of name or principal residential address in the entry relating to the applicant.

(2) An application made under subsection (1) (***application***) must be—

(a) made on the specified form;

(b) completed in English or Chinese; and

(c) signed by the applicant.

(3) For an application for change of principal residential address, the Electoral Registration Officer may, in the application, require the applicant to submit together with the application documentary evidence that proves that the address stated in the application is the principal residential address of the applicant.

(4) In processing an application, the Electoral Registration Officer may, in writing, require the applicant to provide either or both of the following within the period specified in subsection (5)—

(a) further written particulars relating to the application as specified by the Officer;

(b) documentary evidence that proves that the entry relating to the applicant in the existing final register is incorrect.

(5) The period is—

(a) if the first 11 July that follows the making of the requirement falls in a District Council election year—a period specified by the Electoral Registration Officer ending on or before that day; or

(b) in any other case—a period specified by the Officer ending on or before the first 11 May that follows the making of the requirement.

(6) The Electoral Registration Officer must approve an application if the Officer is satisfied that—

(a) the entry relating to the applicant in the existing final register is incorrect; and

(b) the entry should be amended in accordance with the information provided by the applicant.

(7) The Electoral Registration Officer must refuse an application if the Officer is satisfied that—

(a) the entry relating to the applicant in the existing final register is incorrect; but

(b) the entry should not be amended in accordance with the information provided by the applicant.

(8) The Electoral Registration Officer must refuse an application for change of principal residential address if there is no satisfactory evidence available to the Officer that proves that the address stated in the application is the principal residential address of the applicant.

(9) The Electoral Registration Officer may decide not to process an application further—

(a) if the Officer is satisfied that the entry relating to the applicant in the existing final register is correct; or

(b) where the Officer requires the applicant to provide particulars or evidence under subsection (4)—

(i) if the applicant does not comply with the requirement; or

(ii) if the applicant does not provide particulars or evidence to the satisfaction of the Officer.

(10) The Electoral Registration Officer must notify the applicant, by post, of a decision made under subsection (6), (7), (8) or (9).

(11) If the Electoral Registration Officer—

(a) receives an application during the period specified in subsection (12); and

(b) approves the application,

the Officer must, when compiling the first functional constituencies provisional register, subsector provisional register or Election Committee provisional register (as applicable) after that period, record in the appropriate place in the register the name or principal residential address changed.

(12) The period is, in relation to the compilation of—

(a) the functional constituencies provisional register or the subsector provisional register for 2018—after 2 May 2017 but not later than 2 April 2018;

(b) any functional constituencies provisional register or subsector provisional register for a year subsequent to 2018 that is a District Council election year—

(i) after 2 April in the preceding year; but

(ii) not later than 2 June in the current year;

(c) any functional constituencies provisional register or subsector provisional register for a year subsequent to 2018 that is not a District Council election year—

(i) if the preceding year is a District Council election year—

(A) after 2 June in the preceding year; but

(B) not later than 2 April in the current year; or

(ii) if the preceding year is not a District Council election year—

(A) after 2 April in the preceding year; but

(B) not later than 2 April in the current year; or

(d) an Election Committee provisional register—

(i) if another Election Committee provisional register has been published during the term of office of the Election Committee—

(A) after the seventh day after the date on which that other register was last published; but

(B) not later than the date on which a specified declaration was made; or

(ii) if no Election Committee provisional register has been published during the term of office of the Election Committee—not later than the date on which a specified declaration was made.

(13) In subsection (12)(d)—

specified declaration (指明宣布), in relation to the compilation of an Election Committee provisional register, means the vacancy declaration consequential on which the register is to be compiled.

(L.N. 173 of 2017)

27. What is to be contained in a functional constituencies provisional register

(1) A functional constituencies provisional register is to consist of the following— *(L.N. 200 of 2001; L.N. 71 of 2011)*

(a) subject to sections 24, 26 and 26A, the personal particulars and relevant particulars recorded in the existing functional constituencies final register; *(L.N. 173 of 2017)*

(b) if the personal particulars or relevant particulars of a person are corrected under section 31(9)(a), those particulars as corrected;

(c) the personal particulars or relevant particulars of—

(i) persons whom the Electoral Registration Officer has registered under Part IV— *(L.N. 255 of 2002)*

(A) *(Repealed L.N. 112 of 2006)*

(AB) in the case of the functional constituencies provisional register to be compiled for 2015, during the period beginning on 17 May 2014 and ending on 2 July 2015; or *(12 of 2014 s. 159)*

(B) in the case of any subsequent functional constituencies provisional register to be compiled for— *(L.N. 112 of 2006; 12 of 2014 s. 159)*

(I) a District Council election year, during the period beginning on 3 May in the preceding year and ending on 2 July in the current year; or

(II) a year which is not a District Council election year—

(aa) during the period beginning on 3 July in the preceding year, if that preceding year is a District Council election year, and ending on 2 May in the current year; or

(bb) during the period beginning on 3 May in the preceding year, if that preceding year is not a District Council election year, and ending on 2 May in the current year; and *(L.N. 255 of 2002; 12 of 2014 s. 159)*

(ii) persons whom the Electoral Registration Officer has determined under Part V to be eligible to be registered in the functional constituencies provisional register, on applications received by that Officer— *(L.N. 255 of 2002)*

(A) *(Repealed L.N. 112 of 2006)*

(AB) in the case of the functional constituencies provisional register to be compiled for 2015, during the period beginning on 17 May 2014 and ending on 2 July 2015; or *(12 of 2014 s. 159)*

(B) in the case of any subsequent functional constituencies provisional register to be compiled for— *(L.N. 112 of 2006; 12 of 2014 s. 159)*

(I) a District Council election year, during the period beginning on 3 May in the preceding year and ending on 2 July in the current year; or

(II) a year which is not a District Council election year—

(aa) during the period beginning on 3 July in the preceding year, if that preceding year is a District Council election year, and ending on 2 May in the current year; or

(bb) during the period beginning on 3 May in the preceding year, if that preceding year is not a District Council election year, and ending on 2 May in the current year; and *(L.N. 255 of 2002; 12 of 2014 s. 159)*

(iii) *(Repealed L.N. 307 of 1999)*

(d) the names of authorized representatives which have been furnished to the Electoral Registration Officer. *(L.N. 307 of 1999)*

(2) *(Repealed L.N. 11 of 2016)*

(L.N. 307 of 1999; L.N. 200 of 2001)

28. What is to be contained in a subsector provisional register

(1) A subsector provisional register is to consist of the following — *(L.N. 200 of 2001)*

(aa) subject to sections 24, 26 and 26A, the personal particulars and relevant particulars recorded in the existing subsector final register; *(L.N. 307 of 1999; L.N. 173 of 2017)*

(ab) if the personal particulars or relevant particulars of a person are corrected under section 31(9)(a), those particulars as corrected; *(L.N. 200 of 2001)*

(a) the personal particulars or relevant particulars of—

(i) persons whom the Electoral Registration Officer has registered under Part IV—

(A) *(Repealed L.N. 112 of 2006)*

(AB) in the case of the subsector provisional register to be compiled for 2015, during the period beginning on 17 May 2014 and ending on 2 July 2015; or *(12 of 2014 s. 160)*

(B) in the case of any subsequent subsector provisional register to be compiled for — *(L.N. 112 of 2006; 12 of 2014 s. 160)*

(I) a District Council election year, during the period beginning on 3 May in the preceding year and ending on 2 July in the current year; or

(II) a year which is not a District Council election year—

(aa) during the period beginning on 3 July in the preceding year, if that preceding year is a District Council election year, and ending on 2 May in the current year; or

(bb) during the period beginning on 3 May in the preceding year, if that preceding year is not a District Council election year, and ending on 2 May in the current year; and *(L.N. 255 of 2002; 12 of 2014 s. 160)*

(ii) persons whom the Electoral Registration Officer has determined under Part V to be eligible to be registered in the subsector provisional register, on applications received by that Officer— *(L.N. 200 of 2001)*

(A) *(Repealed L.N. 112 of 2006)*

(AB) in the case of the subsector provisional register to be compiled for 2015, during the period beginning on 17 May 2014 and ending on 2 July 2015; or *(12 of 2014 s. 160)*

(B) in the case of any subsequent subsector provisional register to be compiled for — *(L.N. 112 of 2006; 12 of 2014 s. 160)*

(I) a District Council election year, during the period beginning on 3 May in the preceding year and ending on 2 July in the current year; or

(II) a year which is not a District Council election year—

(aa) during the period beginning on 3 July in the preceding year, if that preceding year is a District Council election year, and ending on 2 May in the current year; or

(bb) during the period beginning on 3 May in the preceding year, if that preceding year is not a District Council election year, and ending on 2 May in the current year; and *(L.N. 255 of 2002; 12 of 2014 s. 160)*

(C) *(Repealed L.N. 255 of 2002)*

(b) the names of authorized representatives which have been furnished to the Electoral Registration Officer. *(L.N. 307 of 1999)*

(2) The Electoral Registration Officer must not include in a subsector provisional register the personal particulars or relevant particulars of— *(L.N. 200 of 2001; L.N. 255 of 2002)*

(a) a person who is not registered in the existing geographical constituencies final register; or

(b) a person who is not registered for a functional constituency in the existing functional constituencies final register, unless that person is to be registered for an optional subsector in the subsector provisional register. *(L.N. 307 of 1999)*

(2A) *(Repealed L.N. 255 of 2002)*

(3) In this section, ***existing geographical constituencies final register*** (現有的地方選區正式選民登記冊) and ***optional subsector*** (可選擇的界別分組) have the meanings assigned to them by section 11. *(L.N. 307 of 1999)*

29. Electoral Registration Officer to publish a notice that provisional register is available for public inspection

(1) The Electoral Registration Officer must publish— *(L.N. 255 of 2002)*

(a) every year—

(i) in the case of a functional constituencies provisional register or a subsector provisional register compiled for a District Council election year, not later than 1 August; or

(ii) in the case of a functional constituencies provisional register or a subsector provisional register compiled for a year which is not a District Council election year, not later than 1 June; or *(L.N. 255 of 2002; 12 of 2014 s. 161)*

(b) *(Repealed L.N. 200 of 2001)*

(c) *(Repealed L.N. 255 of 2002)*

(d) in the case of an Election Committee provisional register, not later than the date by which the provisional register is required to be compiled under section 4 of the Schedule to the Chief Executive Election Ordinance (Cap. 569), *(L.N. 200 of 2001)*

in the Gazette and at least one Chinese language daily newspaper and one English language daily newspaper in circulation in Hong Kong, a notice which complies with subsection (2). *(L.N. 307 of 1999; L.N. 255 of 2002)*

(2) A notice under subsection (1) must specify that—

(a) a copy of the functional constituencies provisional register, a copy of the subsector provisional register or a copy of the Election Committee provisional register (as the case may be) is available for public inspection during ordinary business hours during the relevant period referred to in subsection (3); and

(b) the place or places at which a copy of the functional constituencies provisional register, a copy of the subsector provisional register or a copy of the Election Committee provisional register may be so inspected by the public.

(3) The Electoral Registration Officer must make available for public inspection, a copy of the relevant provisional register—

(a) in the case of a functional constituencies provisional register or a subsector provisional register compiled for —

(i) a District Council election year, during the period beginning on the date the notice under subsection (1) is published and ending on 25 August in the same year; or

(ii) a year which is not a District Council election year, during the period beginning on the date the notice under subsection (1) is published and ending on 25 June in the same year; or *(L.N. 255 of 2002; 12 of 2014 s. 161)*

(ab) in the case of an Election Committee provisional register, during the period beginning on the date the notice under subsection (1) is published and ending on the seventh day after that date, *(L.N. 200 of 2001; L.N. 255 of 2002)*

(b) *(Repealed L.N. 255 of 2002)*

(c) *(Repealed L.N. 200 of 2001)*

at the place or places specified in the notice during ordinary business hours.

(4) The Electoral Registration Officer may make available for public inspection, a copy of a specific part of the functional constituencies provisional register, the subsector provisional register or the Election Committee provisional register at a place additional to a place specified in a notice published under this section, if that Officer considers it appropriate to do so. The Electoral Registration Officer may determine the period during which and the times at which it may be so inspected.

(5) The Electoral Registration Officer may require a person who wishes to inspect a copy of the functional constituencies provisional register, the subsector provisional register or the Election Committee provisional register, or a copy of a part of those registers, to produce his or her identity document to that Officer and complete a form furnished by the Officer.

(5A) Publication of a notice under subsection (1), relating to a functional constituencies provisional register, is to be treated as the publication of the functional constituencies provisional register for the purposes of section 32(1)(a)(ii) or (1A)(a)(ii), as the case may be, of the Legislative Council Ordinance (Cap. 542). *(L.N. 255 of 2002)*

(6) Publication of a notice under subsection (1), relating to a subsector provisional register, is to be treated as the publication of the subsector provisional register for the purposes of section 14(1)(a) or (1A)(a), as the case may be, of the Schedule to the Chief Executive Election Ordinance (Cap. 569). *(L.N. 200 of 2001; L.N. 255 of 2002)*

(7) Publication of a notice under subsection (1), relating to an Election Committee provisional register, is to be treated as the publication of the Election Committee provisional register for the purposes of section 4(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569). *(L.N. 200 of 2001)*

(L.N. 200 of 2001)

30. Person may object to registration of registered person in the register

(1) A person who considers—

(a) that a registered person is not eligible to be registered—

(i) as an elector, a voter or an authorized representative; or

(ii) in the part in which that person's personal particulars or relevant particulars, as the case may be, are recorded; or

(b) that a person who has been registered as a member of the Election Committee or as an authorized representative has been wrongly so registered,

may object to the registration of that person in the relevant final register by lodging a notice (***notice of objection***) in accordance with subsection (2).

(2) A notice of objection must be—

(a) in the specified form;

(b) addressed to the Electoral Registration Officer; and

(c) subject to subsection (4), delivered by the objector in person at the office of the Electoral Registration Officer —

(i) if the objection relates to a person registered in a functional constituencies provisional register or a subsector provisional register compiled for—

(A) a District Council election year, not later than 25 August in that year; or

(B) a year which is not a District Council election year, not later than 25 June in that year; or *(L.N. 255 of 2002; 12 of 2014 s. 162)*

(ia) *(Repealed L.N. 200 of 2001)*

(ib) *(Repealed L.N. 255 of 2002)*

(ii) if the objection relates to a person registered in an Election Committee provisional register, not later than the seventh day after the date of publication of the relevant Election Committee provisional register. *(L.N. 255 of 2002)*

(2A) If the objector is in custody within the meaning of section 2(1) of the Electoral Affairs Commission (Electoral Procedure) (Legislative Council) Regulation (Cap. 541 sub. leg. D), a notice sent by post by the objector is deemed, for the purposes of subsection (2)(c), to be a notice delivered by the objector in person. *(L.N. 157 of 2009)*

(3) The Electoral Registration Officer may require any person who lodges a notice of objection to identify himself or herself by such means as that Officer considers appropriate. *(L.N. 575 of 1997)*

(4) If the person objecting to the registration under subsection (1) is a body, the notice of objection can be signed on its behalf by a responsible person. In such a case the notice of objection must be delivered under subsection (2), by that person.

(5) In this section, ***registered person*** (已登記的人) means a person whose personal particulars or relevant particulars are recorded in a functional constituencies provisional register or a subsector provisional register.

(L.N. 200 of 2001)

31. Who may lodge a notice of claim

(1) Any person (except an authorized representative)—

(a) who has been determined by the Electoral Registration Officer under Part V to be not eligible to be registered as an elector or voter;

(b) whose application for registration was not considered further by the Electoral Registration Officer under section 21(4); or

(c) who—

(i) has made an application for registration as an elector or voter; and

(ii) is not a person described in paragraph (a) or (b),

but whose personal particulars or relevant particulars are not recorded in the functional constituencies provisional register or the subsector provisional register (as may be applicable),

may claim that he or she or in the case of a body, it, is entitled to be registered as an elector or voter.

(2) If the Electoral Registration Officer has under section 26(7) of the Legislative Council Ordinance (Cap. 542) or section 13(7) of the Schedule to the Chief Executive Election Ordinance (Cap. 569) refused to register a person as an authorized representative— *(L.N. 200 of 2001)*

(a) that person may make a claim that he or she is entitled to be registered as an authorized representative; or

(b) the corporate elector or the corporate voter who appointed the person as an authorized representative may make a claim that he or she is entitled to be registered as such.

(3) Any person whose personal particulars or relevant particulars in an entry are included in an omissions list may claim that he or she is entitled to be registered in the relevant functional constituencies final register, subsector final register or Election Committee final register (as the case may be). *(L.N. 307 of 1999; L.N. 200 of 2001)*

(4) Any person (other than a person referred to in subsection (2)) whose personal particulars, relevant particulars or specified particulars are recorded in a part or section of a functional constituencies provisional register, a subsector provisional register or an Election Committee provisional register, may claim that he or she or in the case of a body, it, is entitled to have his, her or its personal particulars, relevant particulars or specified particulars, as the case may be, recorded in a different part or section of the relevant register. *(L.N. 200 of 2001)*

(5) Any person whose request under section 26(1) to change a particular in an entry relating to that person has been refused by the Electoral Registration Officer may make a claim to have that particular changed as requested. *(L.N. 173 of 2017)*

(6) Any person whose particulars in an entry have been changed by the Electoral Registration Officer under section 26(3) may make a claim objecting to the change. *(L.N. 173 of 2017)*

(6AA) Subsection (6AAB) applies to a natural person whose application under section 26A(1) for change of a particular—

(a) has been refused by the Electoral Registration Officer under section 26A(7) or (8); or

(b) has been decided by the Electoral Registration Officer not to process further under section 26A(9). *(L.N. 173 of 2017)*

(6AAB) The person may make a claim to have the particular changed in accordance with the information provided in the application. *(L.N. 173 of 2017)*

(6A) A person making a claim under section 15(1) or (2) of the GC Register Regulation that he or she is entitled to be registered in the geographical constituencies final register is also regarded as having made a claim that he or she is entitled to be registered as an elector for the District Council (second) functional constituency, unless the person indicates otherwise in the manner specified by the Electoral Registration Officer. *(L.N. 71 of 2011)*

(7) A claim under this section is to be made—

(a) by a notice in the specified form (***notice of claim***); and

(b) addressed to the Electoral Registration Officer.

(8) Subject to subsection (12), a notice of claim must be delivered by the claimant in person at the office of the Electoral Registration Officer—

(a) if the claim relates to a functional constituencies register or a subsector register compiled, or an omissions list prepared in compiling a functional constituencies provisional register or a subsector provisional register, for—

(i) a District Council election year, not later than 25 August in that year; or

(ii) a year which is not a District Council election year, not later than 25 June in that year; or *(L.N. 255 of 2002; 12 of 2014 s. 163)*

(aa) *(Repealed L.N. 200 of 2001)*

(ab) *(Repealed L.N. 255 of 2002)*

(b) if the claim relates to an Election Committee register or an Election Committee omissions list, not later than the seventh day after the date of publication of the relevant Election Committee provisional register. *(L.N. 255 of 2002)*

(8A) If the claimant is in custody within the meaning of section 2(1) of the Electoral Affairs Commission (Electoral Procedure) (Legislative Council) Regulation (Cap. 541 sub. leg. D), a notice sent by post by the claimant is deemed, for the purposes of subsection (8), to be a notice delivered by the claimant in person. *(L.N. 157 of 2009)*

(9) If the Electoral Registration Officer receives a claim referred to in subsection (5) or (6) after the deadline referred to in subsection (8)(a)(i) or (ii), the Officer may, having regard to the nature of the claim, treat it—

(a) as a request for change of registered particulars relating to a person for the purpose of the compilation of the next functional constituencies provisional register or the next subsector provisional register (as applicable); or

(b) as a claim for the purpose of the compilation of the functional constituencies final register or the subsector final register (as applicable) for the year following that in which the claim is submitted. *(L.N. 173 of 2017)*

(9A) If the Electoral Registration Officer receives a claim referred to in subsection (6AAB) after the deadline referred to in subsection (8)(a)(i) or (ii), the Officer may, having regard to the nature of the claim, treat it as a claim for the purpose of the compilation of the functional constituencies final register or the subsector final register (as applicable) for the year following that in which the claim is submitted. *(L.N. 173 of 2017)*

(10) If the Electoral Registration Officer treats a claim as a request as described in subsection (9)(a), section 26(2), (4) and (5)(b) applies. If the Electoral Registration Officer treats a claim in the manner described in subsection (9)(b) or (9A), it must be referred to the Revising Officer. *(L.N. 307 of 1999; L.N. 200 of 2001; L.N. 255 of 2002; L.N. 173 of 2017; 1 of 2019 s. 86)*

(11) The Electoral Registration Officer may require any person who delivers a notice of claim to identify himself or herself by such means as that Officer considers appropriate.

(12) If the person referred to in subsection (1) is a body, the claim can be signed on its behalf by a responsible person. In such a case the notice of claim must be delivered under subsection (8) by that person.

(13) If a person, subsequent to making a claim referred to in subsection (9) or (9A), makes any further claim or application, the latest claim or application, as the case may be, prevails. *(L.N. 173 of 2017)*

32. Electoral Registration Officer to deliver copies of notices of objection, notices of claim and notices of appeal to Revising Officer

(1) The Electoral Registration Officer must deliver to the Revising Officer, in accordance with this section, a copy of each notice of objection, notice of claim or notice of appeal received by the Electoral Registration Officer. The copies of those notices may be delivered in one or more batches as the Electoral Registration Officer considers appropriate.

(2) The copy of a notice of objection and notice of claim must be delivered—

(a) *(Repealed L.N. 307 of 1999)*

(aa) *(Repealed L.N. 200 of 2001)*

(ab) in the case of a notice received in respect of a functional constituencies register or a subsector register compiled, or an omissions list prepared in compiling a functional constituencies provisional register or a subsector provisional register, for—

(i) a District Council election year, not later than 29 August in that year; or

(ii) a year which is not a District Council election year, not later than 29 June in that year; or *(L.N. 255 of 2002; 1 of 2019 s. 10)*

(ac) in the case of a notice received in respect of an Election Committee register or an Election Committee omissions list, not later than the tenth day after the date of publication of the relevant Election Committee provisional register. *(L.N. 200 of 2001)*

(b) *(Repealed L.N. 255 of 2002)*

(3) The copy of a notice of appeal must be delivered—

(a) in the case of a notice received by the Electoral Registration Officer not later than 11 days before the polling date for the functional constituency or subsector concerned, not later than 8 days before that polling date; or

(b) in the case of a notice received by the Electoral Registration Officer after the deadline referred to in section 31A(2)(d)— *(L.N. 255 of 2002)*

(i) if the first 29 August that follows the second day after the day on which the notice is so received falls in a District Council election year, not later than that 29 August; or

(ii) in any other case, not later than the first 29 June that follows the second day after the day on which the notice is so received. *(L.N. 200 of 2001; 1 of 2019 s. 10)*

(4) The Electoral Registration Officer, when delivering to the Revising Officer a copy of a notice of objection received in respect of a functional constituencies provisional register or a subsector provisional register, must, in relation to the notice—

(a) inform the Revising Officer whether one or more of the conditions specified in subsection (6) are met; and

(b) if one or more of the conditions specified in subsection (6) are met—request the Revising Officer to determine the objection without a hearing on the basis of written submissions only. *(1 of 2019 s. 10)*

(5) The Electoral Registration Officer, when delivering to the Revising Officer a copy of a notice of claim received in respect of a functional constituencies provisional register or a subsector provisional register, must, in relation to the notice—

(a) inform the Revising Officer whether one or more of the conditions specified in subsection (7) are met; and

(b) if one or more of the conditions specified in subsection (7) are met—request the Revising Officer to determine the claim without a hearing on the basis of written submissions only. *(1 of 2019 s. 10)*

(6) For the purposes of subsection (4), the conditions are—

(a) the notice of objection does not state any ground on which the objection is made;

(b) the notice of objection does not state a ground on which the objection is made that concerns the eligibility of a registered person (within the meaning of section 30) to be registered—

(i) in a functional constituencies provisional register or a subsector provisional register; or

(ii) in a particular part or section of a functional constituencies provisional register or a subsector provisional register;

(c) the subject matter of the objection involves only a clerical error made in compiling or printing a functional constituencies provisional register or a subsector provisional register. *(1 of 2019 s. 10)*

(7) For the purposes of subsection (5), the conditions are—

(a) the notice of claim does not state any ground on which the claim is made;

(b) the notice of claim does not state a ground on which the claim is made that concerns—

(i) the eligibility of the person lodging the notice of claim (***claimant***) to be registered—

(A) in a functional constituencies provisional register or a subsector provisional register; or

(B) in a particular part or section of a functional constituencies provisional register or a subsector provisional register; or

(ii) an entry relating to the claimant in a functional constituencies provisional register or a subsector provisional register;

(c) the subject matter of the claim involves only a clerical error made in compiling or printing a functional constituencies provisional register or a subsector provisional register. *(1 of 2019 s. 10)*

(L.N. 200 of 2001; L.N. 255 of 2002)

34. Electoral Registration Officer to correct entries in provisional register with approval of Revising Officer

(1) If the Electoral Registration Officer is satisfied that—

(a) an entry in a functional constituencies provisional register, a subsector provisional register or an Election Committee provisional register is incorrect;

(b) an additional entry ought to be made in a functional constituencies final register, a subsector final register or an Election Committee final register; or

(c) a person (including an authorized representative) whose personal particulars, relevant particulars or specified particulars are recorded in a functional constituencies provisional register, a subsector provisional register or an Election Committee provisional register is no longer eligible to be registered in that register or in the part in which he, she or it is registered,

that Officer may, subject to subsection (2), in compiling the relevant final register, correct the entry, make the additional entry or remove the entry, as may be appropriate.

(1A) If the Electoral Registration Officer is satisfied that an additional entry ought to be made in a geographical constituencies final register under section 18 of the GC Register Regulation, the Electoral Registration Officer may, subject to subsection (2), make the additional entry in the final register of electors for the District Council (second) functional constituency. *(L.N. 71 of 2011)*

(2) The Electoral Registration Officer must not take any action under subsection (1) or (1A) unless that Officer— *(L.N. 71 of 2011)*

(a) has obtained the approval of the Revising Officer for the proposed correction, addition or removal—

(i) in relation to a functional constituencies final register or a subsector final register being compiled for—

(A) a District Council election year, not later than 11 September in that year; or

(B) a year which is not a District Council election year, not later than 11 July in that year; or *(Repealed L.N. 307 of 1999. Added L.N. 255 of 2002)*

(ia) in relation to an Election Committee final register, not later than the twentieth day after the date of publication of the relevant Election Committee provisional register; and *(L.N. 200 of 2001; L.N. 255 of 2002)*

(ii) *(Repealed L.N. 255 of 2002)*

(iii) *(Repealed L.N. 200 of 2001)*

(b) has thereafter sent a notice by post to the person concerned at the last known address of that person informing the person of the proposed correction, addition or removal, as the case may be. *(L.N. 11 of 2016)*

(3) For the avoidance of doubt it is stated that the requirement to obtain the approval of the Revising Officer does not apply to any correction by the Electoral Registration Officer under section 32(3) of the Legislative Council Ordinance (Cap. 542) or section 14(2) or 42(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569).

(L.N. 200 of 2001)

35. What is to be contained in a functional constituencies final register

(1) A functional constituencies final register is to consist of the following—

(a) subject to subsections (2) and (3), the personal particulars and relevant particulars contained in the functional constituencies provisional register for the year for which the final register is being compiled, as corrected, where appropriate, under section 34; *(L.N. 11 of 2016)*

(b) the personal particulars and relevant particulars of any person whom the Revising Officer has ruled to be entitled to be registered, on a claim made by that person or an appeal made by the corporate elector concerned; and

(c) the additions, if any, under section 34(1)(b).

(2) The Electoral Registration Officer must not include in a functional constituencies final register the personal particulars or relevant particulars of the following persons—

(a) any person in respect of whose registration an objection has been made and the Revising Officer has allowed the objection;

(b) any person whose claim has not been allowed by the Revising Officer;

(ba) any person in respect of whose registration an appeal has been made and the Revising Officer has not allowed the appeal; and *(L.N. 200 of 2001)*

(c) any person whose personal particulars or relevant particulars have been included in a functional constituencies omissions list and who has not made a claim in respect of it or who has made a claim but the claim has not been allowed by the Revising Officer. *(L.N. 307 of 1999)*

(3) If, on an objection or a claim made by a person, the Revising Officer has made a ruling as to the part in which the person is to be registered, the Electoral Registration Officer must ensure that the person's personal particulars or relevant particulars, as the case may be, are recorded in that part.

(4) If, on an objection or a claim made by a person, the Revising Officer has made a ruling on the personal particulars or relevant particulars of a person, the Electoral Registration Officer must ensure that those particulars are corrected and recorded in accordance with the ruling.

(5) In relation to the functional constituencies final register to be compiled for— *(L.N. 255 of 2002)*

(a) a District Council election year, only decisions made by the Revising Officer during the period beginning on 1 August and ending on 11 September in that year; or

(b) a year which is not a District Council election year, only decisions made by the Revising Officer during the period beginning on 1 June and ending on 11 July in that year,

are to be taken into account for the purposes of subsection (1)(b), (2), (3) or (4). *(L.N. 307 of 1999; L.N. 255 of 2002; 12 of 2014 s. 165)*

(L.N. 200 of 2001)

36. What is to be contained in a subsector final register

(1) A subsector final register is to consist of the following—

(a) subject to subsections (2) and (3), the personal particulars and relevant particulars contained in the subsector provisional register for the year for which the final register is being compiled, as corrected, where appropriate, under section 34; *(L.N. 11 of 2016)*

(b) the personal particulars and relevant particulars of any person whom the Revising Officer has ruled to be entitled to be registered, on a claim made by that person or an appeal made by the corporate voter concerned; and

(c) the additions, if any, under section 34(1)(b). *(L.N. 307 of 1999; L.N. 200 of 2001)*

(2) The Electoral Registration Officer must not include in a subsector final register the personal particulars or relevant particulars of the following persons— *(L.N. 200 of 2001)*

(a) any person in respect of whose registration an objection has been made and the Revising Officer has allowed the objection;

(b) any person whose claim has not been allowed by the Revising Officer; *(L.N. 200 of 2001)*

(ba) any person in respect of whose registration an appeal has been made and the Revising Officer has not allowed the appeal; and *(L.N. 200 of 2001)*

(c) any person whose personal particulars or relevant particulars have been included in a subsector omissions list and who has not made a claim in respect of it or who has made a claim but the claim has not been allowed by the Revising Officer. *(L.N. 307 of 1999)*

(3) If, on an objection or a claim made by a person, the Revising Officer has made a ruling as to the part or subsector in which the person is to be registered, the Electoral Registration Officer must ensure that the person's personal particulars or relevant particulars, as the case may be, are recorded in that part or subsector.

(4) If, on an objection or a claim made by a person, the Revising Officer has made a ruling on the personal particulars or relevant particulars of a person, the Electoral Registration Officer must ensure that those particulars are corrected and recorded in accordance with the ruling.

(5) In relation to the subsector final register to be compiled for — *(L.N. 255 of 2002)*

(a) a District Council election year, only decisions made by the Revising Officer during the period beginning on 1 August and ending on 11 September in that year; or

(b) a year which is not a District Council election year, only decisions made by the Revising Officer during the period beginning on 1 June and ending on 11 July in that year,

are to be taken into account for the purposes of subsection (1)(b), (2), (3) or (4). *(L.N. 200 of 2001; L.N. 255 of 2002; 12 of 2014 s. 166)*

(6) Despite subsection (5), the subsector final register to be compiled for 2011 must include any changes made by the Electoral Registration Officer in accordance with section 14(1B) of the Schedule to the Chief Executive Election Ordinance (Cap. 569). *(L.N. 71 of 2011)*

(L.N. 307 of 1999)

37. What is to be contained in an Election Committee interim register and an Election Committee final register

(L.N. 112 of 2006)

(1) An Election Committee interim register is to consist of the following— *(L.N. 112 of 2006)*

(a) the specified particulars of persons who have been declared under section 7(8) of the Schedule to the Chief Executive Election Ordinance (Cap. 569) to be members of the Election Committee;

(b) the specified particulars of persons who have been declared to be duly elected for a subsector for which an Election Committee subsector election is required to be held under the Schedule to the Chief Executive Election Ordinance (Cap. 569); and

(c) the specified particulars of persons registered as ex-officio members under sections 2(8) and 41(3) of the Schedule to the Chief Executive Election Ordinance (Cap. 569) other than those removed under section 41(2) of that Schedule. *(L.N. 307 of 1999)*

(1A) An Election Committee final register required to be compiled under section 40(2) or (3) of the Schedule to the Chief Executive Election Ordinance (Cap. 569) is to consist of the following—

(a) subject to subsections (1C) and (1D)(a), the specified particulars contained in the relevant Election Committee provisional register, as corrected, where appropriate, under section 33 or 34;

(b) the specified particulars of any person whom the Revising Officer has ruled to be entitled to be registered, on a claim made by that person;

(c) the additions, if any, under section 34(1)(b); and

(d) the specified particulars of the following persons, as may be applicable—

(i) persons who are nominees under section 7(2) of the Schedule to the Chief Executive Election Ordinance (Cap. 569) and who have been declared under section 7(8) of that Schedule to be members of the Election Committee;

(ii) persons who have been declared to be duly elected as members of the Election Committee at the subsector by-election within the meaning of section 1 of that Schedule. *(L.N. 200 of 2001)*

(1AA) An Election Committee final register required to be compiled under section 40(3A) of the Schedule to the Chief Executive Election Ordinance (Cap. 569) is to consist of the specified particulars of persons contained in the relevant Election Committee interim register, as amended, where appropriate, under section 41 or 42 of that Schedule. *(L.N. 112 of 2006)*

(1AAA) *(Omitted as expired—E.R. 1 of 2013)*

(1B) An Election Committee final register required to be published under section 40(4) of the Schedule to the Chief Executive Election Ordinance (Cap. 569) is to consist of the following—

(a) subject to subsection (1D)(a), the specified particulars contained in the relevant Election Committee provisional register, as corrected, where appropriate, under section 33 or 34;

(b) the specified particulars of any person whom the Revising Officer has ruled to be entitled to be registered, on a claim made by that person; and

(c) the additions, if any, under section 34(1)(b). *(L.N. 200 of 2001)*

(1C) In compiling an Election Committee final register required under section 40(2) or (3) of the Schedule to the Chief Executive Election Ordinance (Cap. 569), the Electoral Registration Officer must not include in the register the specified particulars of the following persons—

(a) any person in respect of whose registration an objection has been made and the Revising Officer has allowed the objection; and

(b) any person whose personal particulars have been included in an Election Committee omissions list and who has not made a claim in respect of it or who has made a claim but the claim has not been allowed by the Revising Officer. *(L.N. 200 of 2001)*

(1D) In compiling an Election Committee final register required under section 40(2), (3) or (4) of the Schedule to the Chief Executive Election Ordinance (Cap. 569), the Electoral Registration Officer must ensure that if, on an objection or a claim made by a person, the Revising Officer has made a ruling—

(a) as to the part or subsector in which the person is to be registered, the person's specified particulars are recorded in that part or subsector; or

(b) on the specified particulars of a person, those particulars are corrected and recorded in accordance with the ruling. *(L.N. 200 of 2001)*

(1E) For the purposes of subsections (1C) and (1D), only decisions made by the Revising Officer after the date of publication of the relevant Election Committee provisional register but not later than the twentieth day after that date are to be taken into account. *(L.N. 200 of 2001)*

(2) If, upon the occurrence of any event set out in—

(a) section 41(2) of the Schedule to the Chief Executive Election Ordinance (Cap. 569), the Electoral Registration Officer must, under that section, remove a person's name from an Election Committee interim register or an Election Committee final register; or

(b) section 41(3) of the Schedule to the Chief Executive Election Ordinance (Cap. 569), the Electoral Registration Officer must, under that section, register in an Election Committee interim register or an Election Committee final register a person as an ex-officio member,

he must do so as soon as practicable after he becomes aware of such event. *(L.N. 307 of 1999; L.N. 112 of 2006)*

(2A) *(Omitted as expired—E.R. 1 of 2013)*

(3) The Electoral Registration Officer must, within 14 days of adding any name to or removing any name from an Election Committee interim register or an Election Committee final register under section 41(2) or (3) of the Schedule to the Chief Executive Election Ordinance (Cap. 569), publish under section 41(4) of that Schedule a notice in the Gazette of such addition or removal, as the case may be. *(L.N. 307 of 1999; L.N. 112 of 2006)*

(3A) *(Omitted as expired—E.R. 1 of 2013)*

(4) If the Electoral Registration Officer is to amend an Election Committee interim register or an Election Committee final register under section 42(2) of the Schedule to the Chief Executive Election Ordinance (Cap. 569) to effect a direction of a Revising Officer, that Officer must do so as soon as practicable after being notified of the direction. *(L.N. 200 of 2001; L.N. 112 of 2006)*

(5) The Electoral Registration Officer must, within 14 days of amending an Election Committee interim register or an Election Committee final register under section 42(2) of the Schedule to the Chief Executive Election Ordinance (Cap. 569), publish under section 42(3) of that Schedule a notice in the Gazette of the amendment. *(L.N. 200 of 2001; L.N. 112 of 2006)*

(6) *(Omitted as spent—E.R. 1 of 2013)*

(L.N. 200 of 2001)

38. Electoral Registration Officer to publish notice of and make available for public inspection functional constituencies final register and subsector final register

(1) The Electoral Registration Officer must publish, every year — *(L.N. 255 of 2002)*

(a) in the case of a functional constituencies final register or a subsector final register compiled for a District Council election year, not later than 25 September; or *(Repealed L.N. 307 of 1999. Added L.N. 255 of 2002)*

(aa) *(Repealed L.N. 200 of 2001)*

(ab) *(Repealed L.N. 255 of 2002)*

(b) in the case of a functional constituencies final register or a subsector final register compiled for a year which is not a District Council election year, not later than 25 July, *(L.N. 255 of 2002)*

in the Gazette and at least one Chinese language daily newspaper and one English language daily newspaper in circulation in Hong Kong, a notice which complies with subsection (2). *(L.N. 255 of 2002)*

(2) A notice under subsection (1) must specify that—

(a) a copy of the functional constituencies final register and where applicable, the subsector final register, is available for public inspection during ordinary business hours; and

(b) the place or places at which a copy of the relevant final register may be inspected by the public.

(2A) The Electoral Registration Officer must, as soon as practicable after complying with section 14(1B) of the Schedule to the Chief Executive Election Ordinance (Cap. 569), publish in the Gazette and in at least one Chinese language daily newspaper and one English language daily newspaper in circulation in Hong Kong, a notice specifying that—

(a) a copy of the subsector final register is available for public inspection during ordinary business hours; and

(b) the place or places at which a copy of the subsector final register may be inspected by the public. *(L.N. 71 of 2011)*

(3) The Electoral Registration Officer must make available for public inspection, a copy of the functional constituencies final register and where applicable, the subsector final register, at the place or places specified in the notice during ordinary business hours.

(4) The Electoral Registration Officer may make available for public inspection, a copy of a specific part of a final register referred to in subsection (2) at a place additional to a place specified in a notice published under subsection (1), if that Officer considers it appropriate to do so. The Electoral Registration Officer may determine the period during which and the times at which it may be so inspected.

(4A) The Electoral Registration Officer may require a person who wishes to inspect a copy of the functional constituencies final register or the subsector final register, or a copy of a part of those registers, to produce his or her identity document to that Officer and complete a form furnished by the Officer. *(L.N. 200 of 2001)*

(5) Publication of a notice under subsection (1), relating to a functional constituencies final register, is to be treated as the publication of the functional constituencies final register for the purposes of section 32(1)(b)(ii) or (1A)(b)(ii), as the case may be, of the Legislative Council Ordinance (Cap. 542). *(L.N. 200 of 2001; L.N. 255 of 2002)*

(6) Publication of a notice under subsection (1), relating to a subsector final register, is to be treated as the publication of the subsector final register for the purposes of section 14(1)(b) or (1A)(b), as the case may be, of the Schedule to the Chief Executive Election Ordinance (Cap. 569). *(L.N. 200 of 2001; L.N. 255 of 2002)*

39. Publication of an Election Committee interim register and an Election Committee final register

(L.N. 112 of 2006)

(1) The Electoral Registration Officer must publish, not later than the date on which an Election Committee interim register or an Election Committee final register is published under section 40 of the Schedule to the Chief Executive Election Ordinance (Cap. 569), in the Gazette and at least one Chinese language daily newspaper and one English language daily newspaper in circulation in Hong Kong, a notice which complies with subsection (2). *(L.N. 200 of 2001)*

(2) A notice under subsection (1) must specify that—

(a) a copy of the Election Committee interim register or Election Committee final register, as may be appropriate, is available for public inspection during ordinary business hours; and

(b) the place or places at which a copy of the relevant register may be inspected by the public.

(3) The Electoral Registration Officer must make available for public inspection, at the place or places specified in the notice during ordinary business hours, a copy of the Election Committee interim register or Election Committee final register.

(4) The Electoral Registration Officer may make available for public inspection, at a place additional to a place specified in a notice published under subsection (1), a copy of a specific part of the Election Committee interim register or Election Committee final register. The Electoral Registration Officer may determine the period during which and the times at which it may be so inspected.

(4A) The Electoral Registration Officer may require a person who wishes to inspect a copy of the Election Committee interim register or Election Committee final register or a copy of a part of such register to produce his or her identity document to that Officer and complete a form furnished by the Officer. *(L.N. 200 of 2001)*

(5) Publication of a notice under subsection (1), relating to an Election Committee interim register or an Election Committee final register, is to be treated as the publication of that register for the purposes of section 40 of the Schedule to the Chief Executive Election Ordinance (Cap. 569). *(L.N. 200 of 2001)*

(L.N. 112 of 2006)

41. Electoral Registration Officer may make available extracts of registers for purposes of an election

(1) The Electoral Registration Officer may, any time after the publication of the functional constituencies register, subsector register or Election Committee register, make available an extract from any such published register for any purpose related to an election, to any person that Officer considers appropriate. The Electoral Registration Officer may, before making available an extract, arrange the entries in the extract in a form that Officer considers appropriate for the purposes of this section. *(L.N. 200 of 2001)*

(2) When the Electoral Registration Officer makes available an extract under subsection (1), that Officer must specify the particular election for which it may be used.

(3) A person to whom an extract is made available under this section must not, in relation to that extract, do any act specified in section 42(3)(a), (c) or (d) for a purpose other than a purpose related to the election for which it may be used under subsection (2).

(4) In an extract made available under this section, the Electoral Registration Officer may include information (by way of a note or other means that Officer thinks fit) as to whether a person whose name is included in the extract— *(L.N. 307 of 1999)*

(a) is registered for a subsector or functional constituency or as a member of the Election Committee;

(b) is an authorized representative or has been replaced as an authorized representative or been substituted for by another; or

(c) is entitled to vote at an election.

(5) In this section, ***election*** (選舉) means a general election or by-election within the meaning of section 3(1) of the Legislative Council Ordinance (Cap. 542), an election within the meaning of section 2(1) of the Chief Executive Election Ordinance (Cap. 569) or an Election Committee subsector election. *(L.N. 200 of 2001)*

42. Offences and penalties

(1) Any person who in any—

(a) response to a requirement under section 9 or 10;

(b) application made under section 19 or 26A; *(L.N. 173 of 2017)*

(c) specified form on which notice of the appointment, replacement or substitution of an authorized representative is given under section 20;

(d) response to a requirement for particulars or proof made under section 21;

(e) reply to an inquiry made under section 22;

(f) request made under section 26 or 33;

(g) notice of objection; *(L.N. 200 of 2001)*

(h) notice of claim; or *(L.N. 200 of 2001)*

(i) notice of appeal, *(L.N. 200 of 2001)*

makes any statement which the person knows to be false in a material particular or recklessly makes any statement which is incorrect in a material particular or knowingly omits any material particular from such an application, response, reply, request or notice commits an offence and is liable on conviction on indictment to a fine at level 3 and to imprisonment for 2 years. *(12 of 2014 s. 178; 1 of 2019 s. 5)*

(2) Any person who directly or indirectly by himself or any other person on his behalf conspires with, incites, compels, induces, coerces, intimidates, or persuades another person—

(a) to make a false statement in an application, response, reply, request or notice referred to in subsection (1); or

(b) to provide information which the first-mentioned person knows to be wrong in a material particular, in an application, response, reply, request or notice referred to in paragraph (a),

commits an offence and is liable on conviction on indictment to a fine at level 3 and to imprisonment for 2 years. *(12 of 2014 s. 178; 1 of 2019 s. 5)*

(3) Any person who—

(a) reproduces or permits another person to reproduce in any form any particular contained in an entry in a register or an extract from a functional constituencies register, a subsector register or an Election Committee register; *(L.N. 200 of 2001)*

(b) uses or permits another person to use any information relating to a person obtained for the purpose of compiling such a register;

(c) uses or permits another person to use any information relating to a person contained in a register or an extract from such a register; or

(d) imparts to any other person any information referred to in paragraph (a), (b) or (c),

for a purpose other than a purpose related to an election, commits an offence and is liable to a fine at level 2 and to

imprisonment for 6 months.

(4) Any person who fails to furnish information in response to a requirement under section 9 or 10 within the period the information is required to be furnished, commits an offence and is liable to a fine at level 2 and to imprisonment for 6 months.

(5) Notwithstanding anything to the contrary in subsection (3), any person who contravenes section 41(3) commits an offence and is liable to a fine at level 2 and to imprisonment for 6 months.

(6) It is a defence in any prosecution under subsection (4) for the person charged to prove that he or she did not know or could not have reasonably ascertained or provided the information required of him or her.

(7) If a corporate body is convicted of an offence under this section, and the offence is proved to have been committed with the consent or connivance of, or was attributable to the neglect or omission on the part of a director, manager, secretary or any other person concerned in the management of the corporate body, the director, manager, secretary or that other person also commits the offence. *(1 of 2019 s. 5)*

(8) If a partner of a partnership is convicted of an offence under this section and it is proved that the offence was committed with the consent or connivance of, or was attributable to the neglect or omission on the part of any other partner or person concerned in the management of the partnership, the other partner or that other person also commits the offence. *(1 of 2019 s. 5)*

(9) An offence under subsection (1) or (2) is to be an offence prescribed for the purposes of—

(a) sections 31, 39, 40 and 53 of the Legislative Council Ordinance (Cap. 542); *(L.N. 200 of 2001)*

(b) sections 19, 21, 24 and 30 of the District Councils Ordinance (Cap. 547); and *(L.N. 307 of 1999; L.N. 200 of 2001; 3 of 2013 s. 16)*

(c) sections 14, 20 and 26 of the Chief Executive Election Ordinance (Cap. 569) and sections 9, 18 and 30 of the Schedule to that Ordinance. *(L.N. 200 of 2001; L.N. 255 of 2002)*

(10) An offence under subsection (3) or (5) is to be an offence prescribed for the purposes of—

(a) sections 39 and 40 of the Legislative Council Ordinance (Cap. 542); *(L.N. 200 of 2001)*

(b) sections 19, 21 and 24 of the District Councils Ordinance (Cap. 547); and *(L.N. 307 of 1999; L.N. 200 of 2001; 3 of 2013 s. 16)*

(c) sections 14 and 20 of the Chief Executive Election Ordinance (Cap. 569) and sections 9 and 18 of the Schedule to that Ordinance. *(L.N. 200 of 2001; L.N. 255 of 2002)*

(11) In this section, ***election*** (選舉) has the meaning assigned to it by section 41(5). *(L.N. 255 of 2002)*

1. Interpretation

(1) In this Regulation, unless the context otherwise requires—

by-election (補選) has the meaning assigned to it by section 3(1) of the Legislative Council Ordinance (Cap. 542);

candidate (候選人) means—

(a) in relation to a particular geographical constituency, a person who is nominated to be returned as a Member for that geographical constituency at a general election or by-election, including a person whose name is included as a candidate on a nomination list within the meaning of section 3(1) of the Legislative Council Ordinance (Cap. 542); *(L.N. 84 of 2004; L.N. 72 of 2011)*

(aa) in relation to the District Council (second) functional constituency, a person who is nominated to be returned as a Member for that functional constituency at a general election or by-election, including a person whose name is included as a candidate on a nomination list within the meaning of section 3(1) of the Legislative Council Ordinance (Cap. 542); *(L.N. 72 of 2011)*

(b) in relation to any other functional constituency, a person who is nominated to be returned as a Member for that functional constituency at a general election or by-election; *(L.N. 84 of 2004; L.N. 72 of 2011)*

(c) *(Repealed L.N. 84 of 2004)*

(d) *(Repealed L.N. 209 of 2001)*

Committee (顧問委員會) means a Nominations Advisory Committee (Legislative Council) which for the time being stands appointed under section 2 and, where appropriate, includes a person appointed as the Committee under section 4(1); *(L.N. 115 of 1999)*

functional constituency (功能界別) has the meaning assigned to it by section 3(1) of the Legislative Council Ordinance (Cap. 542);

general election (換屆選舉) has the meaning assigned to it by section 3(1) of the Legislative Council Ordinance (Cap. 542);

geographical constituency (地方選區) means an area declared to be a geographical constituency under section 18(2)(a) of the Legislative Council Ordinance (Cap. 542);

Member (議員) has the meaning assigned to it by section 3(1) of the Legislative Council Ordinance (Cap. 542);

nomination form (提名表格) means a form specified by the Commission under section 7(1)(i) of the Ordinance submitted for the purposes of—

(a) in relation to a geographical constituency, nominating a candidate or candidates by a nomination list within the meaning of section 3(1) of the Legislative Council Ordinance (Cap. 542) to be returned as a Member for the geographical constituency;

(aa) in relation to the District Council (second) functional constituency, nominating a candidate or candidates by a nomination list within the meaning of section 3(1) of the Legislative Council Ordinance (Cap. 542) to be returned as a Member for the functional constituency; *(L.N. 72 of 2011)*

(b) in relation to any other functional constituency, nominating a candidate to be returned as a Member for the functional constituency; *(L.N. 72 of 2011)*

(c) *(Repealed L.N. 84 of 2004)*

(d)-(e) *(Repealed L.N. 209 of 2001)*

nomination period (提名期), in relation to a particular general election or by-election, means the period specified under any regulation providing for the procedure therefor as the period for submitting to the Returning Officer nomination forms relating to that general election or by-election, as the case may be; *(L.N. 209 of 2001)*

Returning Officer (選舉主任) means, subject to section 6(6), the Returning Officer within the meaning of the Legislative Council Ordinance (Cap. 542).

(L.N. 209 of 2001)

(2) In this Regulation—

(a) a reference to being eligible to be or disqualified from being nominated is to be construed, in relation to a general election or by-election held under the Legislative Council Ordinance (Cap. 542), with reference to that Ordinance, but nothing in this Regulation is to be construed as empowering or requiring a Committee to advise on any matter relating to any requirements under section 40 of that Ordinance. *(L.N. 209 of 2001)*

(b) *(Repealed L.N. 209 of 2001)*

3. Functions

(1) Subject to subsection (2), the functions of a Committee are—

(a) to advise, subject to section 5(14)—

(i) any prospective candidate for a general election as to whether he or she is eligible to be, or disqualified from being, nominated as a candidate in respect of a geographical constituency or a functional constituency, as the case may be; and

(ii)-(iii) *(Repealed L.N. 209 of 2001)*

(b) to advise any Returning Officer as to whether—

(i) a particular candidate for a general election or by-election is eligible to be, or disqualified from being, nominated as a candidate in respect of a geographical constituency or a functional constituency. *(L.N. 84 of 2004)*

(ii) *(Repealed L.N. 209 of 2001)*

(2) A Committee must perform its functions under subsection (1) in respect of the general election or general elections, or by-election or by-elections, specified under section 2(5) in relation to its appointment.

(3) The Commission must specify by notice published in the Gazette the date by which a Committee must complete the performance of its functions under subsection (1)(a) as regards a general election in relation to which it is appointed, and where more than one Committee is appointed in relation to the same general election, the Commission must, for the purposes of this subsection, specify the same date in respect of each such Committee.

(4) As regards a particular general election or by-election, the Committee must perform its functions under subsection (1)(b) during the period specified by the Commission by notice published in the Gazette for the purpose of this subsection.

(L.N. 209 of 2001)

5. Procedure relating to applications by prospective candidates

(1) A prospective candidate for a general election may apply in accordance with subsection (4) for the advice of a Committee as to whether he or she is eligible to be, or disqualified from being, nominated as a candidate— *(L.N. 209 of 2001)*

(a) in respect of— *(L.N. 209 of 2001)*

(i) a geographical constituency; or *(L.N. 209 of 2001)*

(ii) a particular functional constituency. *(L.N. 209 of 2001)*

(iii) *(Repealed L.N. 209 of 2001)*

(b)-(c) *(Repealed L.N. 209 of 2001)*

(2)-(3) *(Repealed L.N. 209 of 2001)*

(4) An application under subsection (1)— *(L.N. 209 of 2001)*

(a) must be in a form specified by the Commission; and

(b) must be—

(i) sent to the Chief Electoral Officer by post or facsimile transmission so as to be received by that Officer; or

(ii) served on the Chief Electoral Officer personally,

on or before a date specified by the Commission by notice published in the Gazette for the purpose of this subsection.

(5) Subject to subsection (4)(b), an application under subsection (1) may be made on or after the date on which the period specified under section 2(3) by the Commission by notice in the Gazette as referred to in section 2(2) commences. *(L.N. 209 of 2001)*

(6) A prospective candidate may—

(a) under subsection (1)(a), make—

(i) only one application in respect of the geographical constituencies; and *(L.N. 209 of 2001)*

(ii) only one application in respect of a particular functional constituency. *(L.N. 209 of 2001)*

(iii) *(Repealed L.N. 209 of 2001)*

(b)-(c) *(Repealed L.N. 209 of 2001)*

(7)-(8) *(Repealed L.N. 209 of 2001)*

(9) For the avoidance of doubt, it is declared that a prospective candidate may—

(a) under subsection (1)(a)(ii), but subject to subsection (6)(a)(ii), apply for advice in respect of more than one functional constituency. *(L.N. 209 of 2001)*

(b)-(c) *(Repealed L.N. 209 of 2001)*

(10) As soon as reasonably practicable after receiving an application under subsection (4), the Chief Electoral Officer must refer it to a Committee appointed in relation to the general election, to which the application relates, for its consideration. *(L.N. 209 of 2001)*

(11) A Committee to which an application is referred under subsection (10) must consider the application and advise the applicant as soon as reasonably practicable but not later than the specified date, and subject to subsections (12), (13) and (14), as to whether, in the opinion of that Committee—

(a) the applicant is eligible to be, or disqualified from being, nominated as a candidate in respect of the geographical constituency or the functional constituency, as the case may be. *(L.N. 209 of 2001)*

(b)-(c) *(Repealed L.N. 209 of 2001)*

(12) A Committee may, where it considers appropriate, before forming an opinion for the purposes of subsection (11)—

(a) (i) request the applicant to make available to that Committee, within such period as specified by that Committee in the particular case, information, particulars and evidence relating to his or her intended candidature as that Committee considers relevant to form an opinion for the purposes of subsection (11)(a); and

(ii) request the applicant to present himself or herself before that Committee at a time and place specified by that Committee for the purpose of giving such assistance as that Committee considers necessary to enable it to form an opinion for the purposes of subsection (11)(a). *(L.N. 209 of 2001)*

(b) *(Repealed L.N. 209 of 2001)*

(13) An applicant of whom a request is made under subsection (12)(a)(ii) may, at the time and place specified under that subsection, make representations to the Committee concerned relating to his or her intended candidature— *(L.N. 209 of 2001)*

(a) either in person; or

(b) through any person authorized by him or her in writing for the purpose.

(14) Without affecting the generality of the power of a Committee to give any advice which is qualified, where an applicant does not make available any information, particulars or evidence requested under subsection (12)(a)(i) or does not comply with a request under subsection (12)(a)(ii), a Committee may — *(L.N. 209 of 2001)*

(a) refuse to consider the application any further or to give any advice in relation thereto; or

(b) advise the applicant on the application, which advice may be qualified having regard to either or both of the following, as may be appropriate—

(i) the fact that any information, particulars or evidence, or where appropriate, all of them, were not available to it;

(ii) the failure of the applicant to present himself or herself before that Committee. *(L.N. 209 of 2001)*

(15) Where the Committee decides under subsection (14)(a) to refuse to consider an application or give advice, it must notify the applicant in writing not later than the specified date.

(16) A Committee must not consider any application for advice which is not received under subsection (4) on or before the date specified under that subsection.

(17) Any advice given under subsection (11) or (14)(b) must be in writing.

(18) Subject to this section, a Committee may determine its own procedure for the purpose of advising an applicant under this section.

(19) In this section, ***specified date*** (指明日期) means the date specified under section 3(3).

6. Procedure relating to applications by Returning Officers

(1) A Returning Officer may, as regards a general election or by-election in relation to which a Committee is appointed, apply in accordance with subsection (3) to that Committee for advice as to whether a candidate who has submitted a nomination form to that Officer under any relevant regulation made under the Ordinance in respect of a geographical constituency or a functional constituency is eligible to be, or disqualified from being, nominated as a candidate in respect of that geographical constituency or functional constituency. *(L.N. 209 of 2001; L.N. 84 of 2004)*

(2) *(Repealed L.N. 209 of 2001)*

(3) An application under subsection (1) must be in writing and made so as to be received by the Chief Electoral Officer on or before a date specified by the Commission by notice published in the Gazette for the purpose of this subsection. *(L.N. 209 of 2001)*

(4) A Committee to which an application is made under subsection (1) must consider the application and advise the Returning Officer concerned as soon as reasonably practicable but before the expiry of the relevant period, as to whether, in the opinion of that Committee the candidate concerned is eligible to be, or disqualified from being, nominated as a candidate in respect of that geographical constituency or functional constituency. *(L.N. 84 of 2004)*

(5) In making a decision under the relevant regulations made under the Ordinance as to whether a particular candidate is validly nominated in respect of a geographical constituency or a functional constituency, the Returning Officer must have regard to any advice given under section 5 or 8 or subsection (4) as regards that candidate. *(L.N. 209 of 2001; L.N. 84 of 2004)*

(6) In this section, references to Returning Officer are to be construed as references to the Returning Officer appointed for the geographical constituency or the functional constituency in respect of which the candidate concerned has submitted a nomination form. *(L.N. 209 of 2001; L.N. 84 of 2004)*

(7) Any advice given under this section must be in writing.

(8) In this section, ***relevant period*** (有關限期) means the period specified in section 3(4) as the period during which a Committee must perform its functions under section 3(1)(b).

2. Interpretation

(1) In this Regulation, unless the context otherwise requires—

authorized representative (獲授權代表) has the meaning assigned to it by section 3(1) of the Legislative Council Ordinance (Cap. 542);

ballot paper account (選票結算表) means a statement prepared under section 64;

ballot paper sorting station (選票分流站) means a place designated as a ballot paper sorting station under section 28; *(L.N. 130 of 2009)*

by-election (補選) has the meaning assigned to it by section 3(1) of the Legislative Council Ordinance (Cap. 542);

by-election notice (補選公告) means a notice published under section 8;

candidate (候選人) means, subject to subsection (2), in relation to —

(a) a particular geographical constituency, a candidate who is validly nominated to be returned as a Member for that geographical constituency at a general election or by-election; and

(b) a particular functional constituency, a candidate who is validly nominated to be returned as a Member for that functional constituency at a general election or by-election; *(L.N. 84 of 2004)*

(c) *(Repealed L.N. 84 of 2004)*

central counting station (中央點票站) means a counting station designated under section 28(9)(a)(ii) in relation to a general election for counting the votes for functional constituencies; *(L.N. 65 of 2000; L.N. 84 of 2004)*

Chief Returning Officer (總選舉主任) means the Returning Officer designated as such under section 99(a);

constituency (選區或界別) means a geographical constituency or a functional constituency;

counting agent (監察點票代理人) means a person appointed as a counting agent under section 66;

counting of the votes (點票) includes, where appropriate, the separation, sorting and counting of ballot papers;

counting officer (點票人員) means, in relation to a counting station, a person appointed under section 67 as a counting officer for that counting station;

counting station (點票站) means a place designated as a counting station under section 28;

counting zone (點票區) means an area within a counting station assigned by the Chief Returning Officer, the Returning Officer or the Presiding Officer, as may be appropriate, for the counting of the votes; *(L.N. 84 of 2004; L.N. 130 of 2009)*

dedicated polling station (專用投票站) means a place designated as a dedicated polling station under section 28; *(L.N. 130 of 2009)*

election (選舉) means a general election or a by-election;

election advertisement (選舉廣告), in relation to an election, means —

(a) a publicly exhibited notice, leaflet, circular, bill, booklet, placard or poster;

(b) a notice, leaflet, circular, bill, booklet, placard or poster delivered by hand or electronic transmission;

(c) a public announcement made by radio or television or by video or cinematographic film; or

(d) any other form of publication,

published for the purpose of promoting or prejudicing the election of a candidate or candidates at the election; *(11 of 2012 s. 6)*

election agent (選舉代理人) means a person appointed as an election agent under section 23;

election expense agent (選舉開支代理人) has the meaning assigned to it by section 2 of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554); *(L.N. 65 of 2000)*

election expenses (選舉開支) has the meaning assigned to it by section 2 of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554), but the reference to "an election" in that meaning is to be construed as the election referred to in section 4(1)(b) or (c) of that Ordinance; *(10 of 2000 s. 47; L.N. 65 of 2000; 11 of 2012 s. 6)*

election notice (選舉公告) means, in relation to—

(a) a geographical constituency, a notice published under section 4; and

(b) a functional constituency, a notice published under section 5; *(L.N. 84 of 2004)*

(c) *(Repealed L.N. 84 of 2004)*

elector (選民) has the meaning assigned to it by section 3(1) of the Legislative Council Ordinance (Cap. 542);

emblem (標誌) has the meaning assigned to it by section 2(1) of the Particulars Relating to Candidates on Ballot Papers (Legislative Council and District Councils) Regulation (Cap. 541 sub. leg. M); *(L.N. 84 of 2004; L.N. 47 of 2007)*

FC ballot paper (功能界別選票) means a ballot paper to vote for — *(11 of 2012 s. 66)*

(a) a list of candidates standing for election for the District Council (second) functional constituency; or

(b) a candidate standing for election for any other functional constituency; *(11 of 2012 s. 66)*

final register (正式登記冊) means—

(a) the geographical constituencies final register; or

(b) the functional constituencies final register; *(L.N. 84 of 2004)*

(c) *(Repealed L.N. 84 of 2004)*

functional constituencies final register (功能界別正式選民登記冊) means the final register of electors for functional constituencies compiled under 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) and which is in effect; *(L.N. 200 of 2001)*

functional constituency (功能界別) has the meaning assigned to it by section 3(1) of the Legislative Council Ordinance (Cap. 542);

GC ballot paper (地方選區選票) means a ballot paper to vote for a candidate standing for election for a geographical constituency;

GC counting station (地方選區點票站) means a counting station designated under section 28(9)(a)(i) in relation to a general election for counting the votes for one geographical constituency; *(L.N. 65 of 2000)*

GC elector (地方選區選民) means a person who is entitled to vote for a geographical constituency; *(L.N. 147 of 1998)*

GC polling station (地方選區投票站) means a polling station assigned by the Chief Electoral Officer under section 30(1) to

conduct the polling for a particular geographical constituency; *(L.N. 84 of 2004)*

general election (換屆選舉) has the meaning assigned to it by section 3(1) of the Legislative Council Ordinance (Cap. 542);

geographical constituencies final register (地方選區正式選民登記冊) means the final register of electors for geographical constituencies compiled under the Electoral Affairs Commission (Registration of Electors) (Legislative Council Geographical Constituencies) (District Council Constituencies) Regulation (Cap. 541 sub. leg. A) and which is in effect; *(L.N. 284 of 1999)*

geographical constituency or ***GC*** (地方選區) means an area declared to be a geographical constituency under section 18(2)(a) of the Legislative Council Ordinance (Cap. 542); *(L.N. 84 of 2004)*

head-dress (頭飾) means anything which is worn on a person's head; *(L.N. 84 of 2004)*

identity card (身分證) has the meaning assigned to it by section 1A of the Registration of Persons Ordinance (Cap. 177); *(L.N. 147 of 1998)*

identity document (身分證明文件) has the meaning assigned to it by section 3(1) of the Legislative Council Ordinance (Cap. 542);

in custody (受羈押), in relation to a person, means the person is—

(a) serving a sentence of imprisonment;

(b) detained by the Correctional Services Department on remand; or

(c) otherwise detained by any law enforcement agency under any lawful authority; *(L.N. 130 of 2009)*

law enforcement agency (執法機關) means—

(a) the Customs and Excise Department;

(b) the Hong Kong Police Force;

(c) the Immigration Department;

(d) the Independent Commission Against Corruption; or

(e) any other department of the Government any officer of which is empowered by any Ordinance to exercise a power of arrest; *(L.N. 130 of 2009)*

list of candidates (候選人名單) means a list of candidates referred to in section 38(10) of the Legislative Council Ordinance (Cap. 542) or a new list of candidates referred to in section 38(14) of that Ordinance; *(L.N. 65 of 2000)*

main counting station (大點票站) means a place designated as a main counting station under section 28; *(L.N. 84 of 2004)*

maximum security prison (高度設防監獄) means a prison which is specified as a maximum security prison under rule 47A(1)(b) of the Prison Rules (Cap. 234 sub. leg. A); *(L.N. 130 of 2009)*

Member (議員) has the meaning assigned to it by section 3(1) of the Legislative Council Ordinance (Cap. 542);

multiple candidates list (多名候選人名單) means a list of candidates with more than one candidate;

multiple nominees list (多名獲提名人名單) means a nomination list with more than one nominee;

no canvassing zone (禁止拉票區) means an area determined under section 40 to be an area in which canvassing of votes is prohibited;

no staying zone (禁止逗留區) means an area determined under section 40 to be an area in which staying or loitering is prohibited;

nomination form (提名表格) means a form referred to in section 10(1) or 11(1) (as applicable); *(L.N. 73 of 2011)*

nomination list (提名名單) means a list submitted for the purposes of section 38 of the Legislative Council Ordinance (Cap. 542);

nomination period (提名期) means, in relation to nominations—

(a) for a geographical constituency, the period specified under section 4(2)(b);

(b) for a functional constituency, the period specified under section 5(2)(b); and

(c) *(Repealed L.N. 84 of 2004)*

(d) for a by-election for a constituency, the relevant period specified under section 8(7)(a); *(L.N. 84 of 2004)*

Nominations Advisory Committee (提名顧問委員會) means a committee appointed under the Electoral Affairs Commission (Nominations Advisory Committees (Legislative Council)) Regulation (Cap. 541 sub. leg. C); *(L.N. 115 of 1999)*

notice appointing the election day (指定選舉日公告) means, in relation to a general election, a notice by which a date is specified by the Chief Executive under the Legislative Council Ordinance (Cap. 542) to hold an election to return—

(a) the Members to be returned for geographical constituencies; or

(b) the Members to be returned for functional constituencies; *(L.N. 84 of 2004)*

(c) *(Repealed L.N. 84 of 2004)*

notice of nominations (提名公告) means a notice published under section 21(3), (4), (4A) or (5) in relation respectively to an election for geographical constituencies or functional constituencies; *(L.N. 84 of 2004; 11 of 2012 s. 43)*

ordinary business hours (通常辦公時間) means the hours—

(a) between 9 a.m. and 5 p.m. on any Monday, Tuesday, Wednesday, Thursday or Friday (other than a general holiday); and

(b) between 9 a.m. and 12 noon on a Saturday (other than a general holiday) during the period between—

(i) the date of publication of a notice under section 4(1), 5(1) or 8(1) in respect of an election; and

(ii) the date of publication of the result of the election under the Legislative Council Ordinance (Cap. 542) or the date of the declaration of the failure or termination of the election under that Ordinance, whichever is the later; *(12 of 2014 s. 93)*

ordinary functional constituencies (普通功能界別) means the functional constituencies specified in section 20(1)(e) to (zc) of the Legislative Council Ordinance (Cap. 542); *(L.N. 65 of 2000; L.N. 73 of 2011)*

polling agent (監察投票代理人) means a person appointed as a polling agent under section 42;

polling day (投票日) means the date on which the poll is to be held in an election;

polling hours (投票時間) means the hours for polling appointed under section 27;

polling officer (投票站人員) means, in relation to a polling station, a person appointed under section 34(2) as a polling officer for that polling station;

polling station (投票站) means a place designated as a polling station under section 28;

prescribed body (訂明團體) has the meaning assigned to it by section 2(1) of the Particulars Relating to Candidates on Ballot Papers (Legislative Council and District Councils) Regulation (Cap. 541 sub. leg. M); *(L.N. 84 of 2004; L.N. 47 of 2007)*

prescribed person (訂明人士) has the meaning assigned to it by section 2(1) of the Particulars Relating to Candidates on Ballot Papers (Legislative Council and District Councils) Regulation (Cap. 541 sub. leg. M); *(L.N. 84 of 2004; L.N. 47 of 2007)*

Presiding Officer (投票站主任) means— *(L.N. 130 of 2009)*

(a) in relation to a polling station, the person appointed under section 34(1) as the Presiding Officer for that polling station;

(b) in relation to a ballot paper sorting station, the person appointed under section 66A(1) as the Presiding Officer for that ballot paper sorting station; *(L.N. 130 of 2009)*

registered (登記), in the context of a registered emblem or a registered name, has the meaning assigned to it by section 2(1) of the Particulars Relating to Candidates on Ballot Papers (Legislative Council and District Councils) Regulation (Cap. 541 sub. leg. M); *(L.N. 84 of 2004; L.N. 47 of 2007)*

registered residential address (登記住址) means, in relation to a person, the address recorded in the particulars of that person in the geographical constituencies final register;

Returning Officer (選舉主任) has the meaning assigned to it by section 3(1) of the Legislative Council Ordinance (Cap. 542);

single candidate list (單人候選人名單) means a list of candidates with only one candidate;

single nominee list (單人獲提名人名單) means a nomination list with only one nominee;

small polling station (小投票站) means a place designated as a small polling station under section 28; *(L.N. 84 of 2004)*

special functional constituencies (特別功能界別) means the functional constituencies specified in section 20(1)(a) to (d) of the Legislative Council Ordinance (Cap. 542); *(L.N. 65 of 2000)*

special polling station (特別投票站) means a polling station designated as such under section 29;

specified address (指明地點) means, in relation to a geographical constituency or a functional constituency, the address specified in the relevant election notice or by-election notice as the address at which the nomination forms are to be submitted; *(L.N. 84 of 2004)*

specified form (指明表格、指明格式) means, in relation to a particular purpose of this Regulation, the form specified under section 100 for that purpose;

spoilt ballot paper (損壞的選票) means a spoilt ballot paper within the meaning of section 62;

tendered ballot paper (重複的選票) means a tendered ballot paper within the meaning of section 60;

unused ballot paper (未用的選票) means an unused ballot paper within the meaning of section 61(2);

validly nominated candidate (獲有效提名的候選人) means—

(a) subject to paragraph (b), a person whom the Returning Officer has decided under section 16 to be validly nominated;

(b) in case a declaration under section 42B(2)(b) or (5)(b) of the Legislative Council Ordinance (Cap. 542) is made, a person who is stated to be validly nominated in the declaration; *(L.N. 65 of 2000)*

verification of the ballot paper account (選票結算核實書) means a statement prepared under section 74(1)(d), 74AAA(2)(c), 74A(1)(a) or (b)(i)(C) or (ii)(B), 74AA(d) or 74B(1)(c), (1A) or (1B)(a)(iii) or (b)(ii). *(L.N. 147 of 1998; L.N. 65 of 2000; L.N. 84 of 2004; L.N. 130 of 2009; L.N. 73 of 2011; 11 of 2012 s. 66; 12 of 2014 s. 68)*

(L.N. 147 of 1998; L.N. 65 of 2000; L.N. 210 of 2001; L.N. 84 of 2004; L.N. 143 of 2019)

(2) In this Regulation—

(a) in Part 2, ***candidate*** (候選人) includes a person who is being or has been nominated as a candidate (including a person whose name appears on a nomination list as a nominee) to stand for election as a Member; and

(b) in section 25 and Part 7, ***candidate*** (候選人)— *(11 of 2012 s. 6)*

(i) means a person who stands nominated as a candidate at an election; and

(ii) also means a person who, at any time before close of nominations for an election, has publicly declared an intention to stand as a candidate at the election,

and includes a person who is one of a group of candidates within the meaning of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554). *(L.N. 65 of 2000)*

(3) In this Regulation, unless it is provided otherwise, a reference to "Returning Officer" is to be construed, in relation to—

(a) a geographical constituency, as the Returning Officer appointed for that geographical constituency; and

(b) a functional constituency, as the Returning Officer appointed for that functional constituency. *(L.N. 84 of 2004)*

(c) *(Repealed L.N. 84 of 2004)*

(4) In this Regulation, any reference to the election agent, polling agent or counting agent of a candidate is to be construed, where appropriate, as including the election agent, polling agent or counting agent appointed on behalf of a list of candidates.

(5) In this Regulation, any provision which entitles or permits a candidate, an election agent, a polling agent or a counting agent to do anything in a polling station, counting station, counting zone or in relation to the counting of the votes is to be construed as entitling or permitting the candidate or the agent to do it in a polling station, counting station, counting zone or in relation to the counting of the votes for the constituency for which the candidate is standing for election or for which the agent is appointed, as the case may require.

(6) In this Regulation, unless it is provided otherwise—

(a) a reference to "counting station" is to be construed as including a main counting station and a ballot paper sorting station; and

(b) a reference to "polling station" is to be construed as including a small polling station, a special polling station and a dedicated polling station. *(L.N. 84 of 2004; L.N. 130 of 2009)*

(7) *(Repealed L.N. 210 of 2001)*

(E.R. 2 of 2012)

2A. Effect of inclement weather warning on date and period

(1) In this section—

gale warning (烈風警告) has the same meaning as in the Judicial Proceedings (Adjournment During Gale Warnings) Ordinance (Cap. 62);

inclement weather warning day (惡劣天氣警告日) means a working day on which a gale warning or a rainstorm warning is in force at any time during ordinary business hours;

rainstorm warning (暴雨警告) has the same meaning as in the Judicial Proceedings (Adjournment During Gale Warnings) Ordinance (Cap. 62);

working day (工作日) means—

(a) any Monday, Tuesday, Wednesday, Thursday or Friday other than a general holiday;

(b) a Saturday (other than a general holiday) during the period between—

(i) the date of publication of a notice under section 4(1), 5(1) or 8(1) in respect of an election; and

(ii) the date of publication of the result of the election under the Legislative Council Ordinance (Cap. 542) or the date of the declaration of the failure or termination of the election under that Ordinance, whichever is the later.

(2) If—

(a) a date is prescribed in this Regulation (whether by reference to a specific day of a specific month or to a day otherwise ascertainable under this Regulation) or is fixed under this Regulation;

(b) an act is required or permitted by a provision of this Regulation to be done not later than, or on or before, the date or on the date; and

(c) the date falls on an inclement weather warning day,

the next working day, which is not an inclement weather warning day, following the date is taken to be prescribed or fixed in relation to the act instead for the provision.

(3) If—

(a) a period is prescribed in or fixed under this Regulation;

(b) an act is required or permitted by a provision of this Regulation to be done in, during or within the period; and

(c) the last day of the period falls on an inclement weather warning day,

the period is extended, in relation to the act, to end on the next working day, which is not an inclement weather warning day, following the day mentioned in paragraph (c), and the provision has effect accordingly.

(4) Subsections (2) and (3) are subject to Schedule 2.

(12 of 2014 s. 5)

8. Chief Electoral Officer to publish by-election notice if a by-election is to be held under section 36 of the Legislative Council Ordinance

(1) Subject to section 36(2) of the Legislative Council Ordinance (Cap. 542), as soon as practicable after a declaration referred to in section 36(1)(a), (b), (c), (ca) or (cb), or a determination referred to in section 36(1)(d), of that Ordinance is made, in order to hold a by-election for the purposes of that section 36(1), the Chief Electoral Officer must publish in the Gazette, a notice in accordance with this section. *(L.N. 65 of 2000)*

(2) If a by-election is to be held for a geographical constituency or geographical constituencies, the by-election notice must state the name of the geographical constituency or each geographical constituency for which the by-election is to be held, and the number of Members to be returned for the geographical constituency or each geographical constituency at the by-election.

(3) If a by-election is to be held for a functional constituency or functional constituencies, the by-election notice must state the name of the functional constituency or each functional constituency for which the by-election is to be held, and the number of Members to be returned for the functional constituency or each functional constituency at the by-election.

(4) *(Repealed L.N. 84 of 2004)*

(5) In each case referred to in subsections (2) and (3), the by-election notice must state the date on which the by-election is to be held. *(L.N. 84 of 2004)*

(6) The by-election notice must also state that a poll will be held on the relevant date referred to in subsection (5), if the number of candidates validly nominated for the geographical constituency or functional constituency exceeds the number of Members to be returned for that geographical constituency or functional constituency at the by-election. *(L.N. 84 of 2004)*

(7) The by-election notice must also state—

(a) the period within which nomination forms for the by-election are to be submitted to the Returning Officer;

(b) the address at which nomination forms are to be submitted; and

(c) that nomination forms must be submitted during ordinary business hours.

10. How to nominate a candidate for a geographical constituency or District Council (second) functional constituency

(L.N. 73 of 2011)

(1) A person is to be nominated as a candidate for a geographical constituency or a candidate for the District Council (second) functional constituency (as applicable) by submitting to the Returning Officer a nomination form containing a nomination list which complies with section 38 of the Legislative Council Ordinance (Cap. 542) and this section. *(L.N. 73 of 2011)*

(2) The nomination form for the purposes of subsection (1) must be submitted in accordance with this section. *(11 of 2019 s. 18)*

(3) The nomination form must be in the specified form and subscribed in accordance with the Legislative Council (Subscribers and Election Deposit for Nomination) Regulation (Cap. 542 sub. leg. C).

(4) Each candidate on a nomination list must make the declarations and promissory oath required by section 40(1)(b) of the Legislative Council Ordinance (Cap. 542) in the appropriate place on the nomination form.

(5) The nomination form must contain a declaration by each candidate to the effect that he or she—

(a) is eligible to be nominated as a candidate for a geographical constituency or a candidate for the District Council (second) functional constituency (as applicable); *(L.N. 73 of 2011)*

(b) is not disqualified from being so nominated;

(c) consents to being so nominated; and

(d) in the case of a multiple nominees list, consents to the order of priority in which the names of candidates appear on the nomination list.

(6) The nomination form—

(a) must contain the name of each candidate as shown on the candidate's identity document (being the identity document on the basis of which the particulars of the candidate are recorded in the geographical constituencies final register) and, if the Returning Officer is satisfied that any of the candidate is usually known by a name different from that shown on the candidate's identity document aforesaid, may also include that different name; and

(b) must also contain the identity document number and address of each candidate. *(L.N. 65 of 2000; L.N. 143 of 2019)*

(7) The nomination form must be signed by each candidate in each place the candidate's signature is required on that form.

(8) The nomination form must be signed by each subscriber. It must contain the name and identity document number of each subscriber. *(L.N. 84 of 2004)*

(9) The nomination form must contain other particulars (if any) required to be furnished on that form.

(10) The Returning Officer may require a candidate to furnish any other information that Officer considers appropriate to be satisfied—

(a) that he or she is eligible to be nominated as a candidate for a geographical constituency or a candidate for the District Council (second) functional constituency (as applicable); or *(L.N. 73 of 2011)*

(b) as to the validity of the nomination.

(11) The nomination form must be submitted to the Returning Officer within the nomination period at the specified address.

(12) The nomination form must be submitted by the candidate, or one of the candidates, on the nomination list—

(a) in person; or

(b) in a way authorized by the Chief Electoral Officer. *(11 of 2019 s. 18)*

11. How to nominate a candidate for a functional constituency (other than District Council (second) functional constituency)

(L.N. 73 of 2011)

(1) A person is to be nominated as a candidate for a functional constituency (other than the District Council (second) functional constituency) by submitting to the Returning Officer a nomination form which complies with this section. *(L.N. 73 of 2011)*

(2) The nomination form must be submitted in accordance with this section.

(3) The nomination form must be in the specified form and subscribed in accordance with the Legislative Council (Subscribers and Election Deposit for Nomination) Regulation (Cap. 542 sub. leg. C).

(4) The candidate must make the declarations and promissory oath required by section 40(1)(b) of the Legislative Council Ordinance (Cap. 542) in the appropriate place on the nomination form.

(5) The nomination form must contain a declaration by the candidate to the effect that he or she—

(a) is eligible to be nominated as a candidate for the functional constituency concerned;

(b) is not disqualified from being so nominated; and

(c) consents to being so nominated.

(6) The nomination form—

(a) must contain the name of each candidate as shown on the candidate's identity document (being the identity document on the basis of which the particulars of the candidate are recorded in the geographical constituencies final register) and, if the Returning Officer is satisfied that the candidate is usually known by a name different from that shown on the candidate's identity document aforesaid, may also include that different name; and

(b) must also contain the identity document number and address of the candidate. *(L.N. 65 of 2000; L.N. 143 of 2019)*

(7) The nomination form must be signed by the candidate in each place the candidate's signature is required on that form.

(8) The nomination form must be signed by each subscriber. It must contain the name and identity document number of each subscriber. *(L.N. 84 of 2004)*

(9) In the case of an elector other than a natural person, the subscription of the nomination form by that elector may be effected by that elector's authorized representative. *(L.N. 147 of 1998)*

(10) The nomination form must contain other particulars (if any) required to be furnished on that form. *(L.N. 147 of 1998)*

(11) The Returning Officer may require a candidate to furnish any other information that Officer considers appropriate to be satisfied— *(L.N. 147 of 1998)*

(a) that he or she is eligible to be nominated as a candidate for the functional constituency concerned; or

(b) as to the validity of the nomination.

(12) Only one person can be nominated by one nomination form. *(L.N. 147 of 1998)*

(13) The nomination form must be submitted to the Returning Officer within the nomination period at the specified address. *(L.N. 147 of 1998)*

(14) The nomination form must be submitted by the candidate in person or in any other manner authorized by the Chief Electoral Officer. *(L.N. 147 of 1998)*

15. Returning Officer not to accept nomination form without deposit and to issue receipt for deposit

(1) The Returning Officer may accept a nomination form only if it is accompanied by the appropriate deposit.

(2) When the Returning Officer receives the appropriate deposit, that Officer must issue a receipt for the amount of the deposit.

(3) In this section and section 16, ***appropriate deposit*** (適當的按金) means the amount of deposit to be lodged under the Legislative Council (Subscribers and Election Deposit for Nomination) Regulation (Cap. 542 sub. leg. C), having regard to which constituency for which the nomination form is submitted. *(L.N. 84 of 2004; L.N. 73 of 2011; E.R. 6 of 2019)*

16. Returning Officer to decide whether candidates are validly nominated

(1) The Returning Officer must, as soon as practicable after receiving a nomination form, decide whether a candidate is validly nominated.

(2) If section 10 or 11 (as may be applicable) and sections 37, 39 and 40 of the Legislative Council Ordinance (Cap. 542) are complied with, the candidate stands validly nominated unless — *(L.N. 84 of 2004)*

(a) the Returning Officer decides that the nomination form is invalid; or

(b) the candidate withdraws his or her candidature.

(3) Without prejudice to sections 37, 39 and 40 of the Legislative Council Ordinance (Cap. 542), the Returning Officer may decide that a nomination is invalid if and only if—

(a) the nomination form has not been signed by the prescribed number of subscribers qualified to subscribe to the nomination form under the Legislative Council (Subscribers and Election Deposit for Nomination) Regulation (Cap. 542 sub. leg. C);

(b) the nomination form has not been completed or signed as required under this Regulation;

(c) the Returning Officer is satisfied that the candidate is not eligible to be or is disqualified from being nominated as a candidate under the Legislative Council Ordinance (Cap. 542);

(d) in the case the nomination form relates to a constituency, the candidate has been nominated for another constituency (whether a geographical constituency or a functional constituency) in the same election and the Returning Officer is satisfied that the other candidature has not been withdrawn; *(L.N. 84 of 2004)*

(e) the candidate has not lodged the appropriate deposit; or

(f) the Returning Officer is satisfied that the candidate is dead.

(4) In this section, ***prescribed number*** (訂明數目) means the number of subscribers required to subscribe to the nomination form under the Legislative Council (Subscribers and Election Deposit for Nomination) Regulation (Cap. 542 sub. leg. C), having regard to which constituency for which the nomination form is submitted. *(L.N. 84 of 2004; L.N. 73 of 2011; E.R. 6 of 2019)*

17. Returning Officer to have regard to advice of Nominations Advisory Committee

In deciding under section 16 whether a person is eligible to be or is disqualified from being nominated as a candidate, the Returning Officer must have regard to—

(a) advice given by a Nominations Advisory Committee on an application, if any, made by the Returning Officer regarding that person under the Electoral Affairs Commission (Nominations Advisory Committees (Legislative Council)) Regulation (Cap. 541 sub. leg. C); or *(L.N. 115 of 1999)*

(b) advice given by a Nominations Advisory Committee on an application, if any, made by that person to the Nominations Advisory Committee under that Regulation or, if advice has not been given, the result of the application.

18. Returning Officer may give opportunity to rectify a nomination form

(1) If the Returning Officer detects on a nomination form—

(a) an error or what appears to that Officer to be an error, or an omission, which may amount to a ground for deciding that the nomination form is invalid; or

(b) anything which may affect the validity of the nomination form,

and the Returning Officer considers that it can be rectified within the nomination period, that Officer may, before making a decision under section 16, give the candidate a reasonable opportunity to rectify it.

(2) If the nomination form relates to a geographical constituency or the District Council (second) functional constituency, the opportunity to rectify must be given to all the candidates on the nomination list if it is appropriate to do so. *(L.N. 73 of 2011)*

(3) A nomination form cannot be rectified under this section after the expiry of the nomination period.

(L.N. 147 of 1998)

19. Returning Officer to endorse invalid nomination forms

(1) If the Returning Officer decides that a nomination form or the nomination of a candidate is invalid, that Officer must endorse on the nomination form the decision and the reasons for it.

(2) The Returning Officer must sign an endorsement under subsection (1).

(3) The Returning Officer must send a notice of a decision that a person is validly nominated or is not validly nominated to the person concerned and each validly nominated candidate for the constituency concerned. *(L.N. 84 of 2004)*

(4) A notice under subsection (3) must be sent to the address of the candidate as given on the nomination form. *(L.N. 143 of 2019)*

21. Returning Officer to publish a notice of particulars of validly nominated candidates

(1) The Returning Officer must, within 14 days of the expiry of the nomination period, publish a notice in the Gazette which complies with this section.

(2) A notice referred to in subsection (1) must be published for all geographical constituencies and functional constituencies. *(L.N. 84 of 2004)*

(3) For the purposes of subsection (2), separate notices may be published for each geographical constituency and each functional constituency or one notice may be published for all the geographical constituencies and one notice may be published for all the functional constituencies. *(L.N. 84 of 2004)*

(4) A notice published for a geographical constituency must state —

(a) which lists of candidates are validly nominated for that geographical constituency and state the number allocated to each list under section 49(6); and

(b) the name and address of each validly nominated candidate in each list. *(L.N. 143 of 2019)*

(4A) A notice published for the District Council (second) functional constituency must state—

(a) which lists of candidates are validly nominated for that functional constituency;

(b) the code assigned to that functional constituency under section 49(8) followed by the number allocated to each list under section 49(6A); and *(11 of 2012 s. 62)*

(c) the name and address of each validly nominated candidate in each list. *(L.N. 73 of 2011; L.N. 143 of 2019)*

(5) A notice published for a functional constituency (other than the District Council (second) functional constituency) must state— *(L.N. 73 of 2011)*

(a) the name and address of each validly nominated candidate for that functional constituency; and *(L.N. 143 of 2019)*

(b) in the case of an ordinary functional constituency, the code assigned to that functional constituency under section 49(8) followed by the number allocated to each candidate under section 49(8A); and in the case of a special functional constituency the abbreviation for the name of that special functional constituency followed by the letter of the alphabet allocated to each candidate under section 49(9). *(L.N. 147 of 1998; L.N. 65 of 2000; L.N. 73 of 2011 and 11 of 2012 s. 62)*

(6) *(Repealed L.N. 84 of 2004)*

(7) A notice under this section must be in the specified form.

(8) If one notice is to be published under this section for—

(a) all the geographical constituencies; or

(b) all the functional constituencies,

the notice is to be published by the Returning Officer specified for the purpose by the Chief Electoral Officer. *(L.N. 65 of 2000)*

22. Returning Officer to publish a notice for the purposes of section 46(1) of the Legislative Council Ordinance

(1) If, for a geographical constituency, no more candidates have been validly nominated than the number of Members to be returned for that constituency, the Returning Officer must, in the notice published for that constituency under section 21 or in a separate notice, declare, for the purposes of section 46(1) of the Legislative Council Ordinance (Cap. 542), the candidate or candidates as being duly elected as a Member or Members for that constituency.

(2) If, for a functional constituency, no more candidates have been validly nominated than the number of Members to be returned for that constituency, the Returning Officer must, in the notice published for that constituency under section 21 or in a separate notice, declare, for the purposes of section 46(1) of the Legislative Council Ordinance (Cap. 542), the candidate or candidates as being duly elected as a Member or Members for that constituency.

(3) *(Repealed L.N. 84 of 2004)*

(4) A separate notice under subsection (1) or (2) must— *(L.N. 84 of 2004)*

(a) be published in the Gazette within 14 days of the expiry of the nomination period;

(b) state the name and address of the candidate declared to be duly elected as a Member; and *(L.N. 143 of 2019)*

(c) be in the specified form.

22A. Returning Officer to notify and declare if a validly nominated candidate for a geographical constituency or District Council (second) functional constituency is proved to have died

(L.N. 66 of 2008; L.N. 73 of 2011)

(1) A notice under section 42B(1) of the Legislative Council Ordinance (Cap. 542) is to be given in writing, by the Returning Officer concerned, as soon as practicable after the death of the candidate is proved to the satisfaction of that Officer, to— *(L.N. 84 of 2004)*

(a) the Chief Electoral Officer; and

(b) if practicable, each candidate who remains validly nominated for election for the constituency concerned to replace the notice under section 19(3).

(2) The Returning Officer under subsection (1)—

(a) must—

(i) endorse on the nomination form of the deceased candidate that the candidate has died; and

(ii) sign the endorsement; and

(b) may on polling day, if that Officer considers it appropriate to do so, display a notice in a prominent place— *(L.N. 73 of 2011)*

(i) outside each polling station (other than a dedicated polling station) used for polling for the constituency concerned; and

(ii) inside each dedicated polling station used for polling for the constituency concerned. *(L.N. 73 of 2011)*

(3) Declarations under section 42B(2) of the Legislative Council Ordinance (Cap. 542) are to be made, by the Returning Officer concerned, as soon as practicable after the death of the candidate is proved to the satisfaction of that Officer— *(L.N. 84 of 2004)*

(a) by notice published in the Gazette;

(b) by notice published in any daily newspaper in circulation in Hong Kong;

(c) by a public announcement made by radio or television; or

(d) by such other means as that Officer considers appropriate in the circumstances.

(4) A notice under subsection (2)(b) or (3)(a) or (b) must state—

(a) the name and address of the deceased candidate;

(b) the name of the constituency for which the deceased candidate was nominated; and *(L.N. 84 of 2004)*

(c) the name and address of each candidate who remains validly nominated for election for the constituency concerned. *(L.N. 143 of 2019)*

(5) A public announcement under subsection (3)(c) must state—

(a) the name of the deceased candidate;

(b) the name of the constituency for which the deceased candidate was nominated; and *(L.N. 84 of 2004)*

(c) the name of each candidate who remains validly nominated for election for the constituency concerned.

(6) In this section—

constituency (選區或選舉界別) means a geographical constituency or the District Council (second) functional constituency (as applicable). *(L.N. 73 of 2011)*

(L.N. 65 of 2000; L.N. 84 of 2004; L.N. 73 of 2011)

22B. Returning Officer to notify and declare if a validly nominated candidate for a geographical constituency or District Council (second) functional constituency is proved to be disqualified

(L.N. 66 of 2008; L.N. 73 of 2011)

(1) A notice under section 42B(4) of the Legislative Council Ordinance (Cap. 542) is to be given in writing, by the Returning Officer concerned, as soon as practicable after the disqualification to which the variation of decision relates is proved to the satisfaction of that Officer, to— *(L.N. 29 of 2004; L.N. 84 of 2004)*

(a) the Chief Electoral Officer; and

(b) if practicable, each candidate who remains validly nominated for election for the constituency concerned, to replace the notice under section 19(3).

(2) The Returning Officer under subsection (1)—

(a) must—

(i) endorse on the nomination form of the disqualified candidate that that Officer's decision made under section 42A(1) of the Legislative Council Ordinance (Cap. 542) in relation to that candidate is varied and the reason for the variation of decision; and

(ii) sign the endorsement; and

(b) may on polling day, if that Officer considers it appropriate to do so, display a notice in a prominent place— *(L.N. 73 of 2011)*

(i) outside each polling station (other than a dedicated polling station) used for polling for the constituency concerned; and

(ii) inside each dedicated polling station used for polling for the constituency concerned. *(L.N. 73 of 2011)*

(3) Declarations under section 42B(5) of the Legislative Council Ordinance (Cap. 542) are to be made by the Returning Officer concerned, as soon as practicable after the disqualification to which the variation of decision relates is proved to the satisfaction of that Officer— *(L.N. 84 of 2004; L.N. 66 of 2008)*

(a) by notice published in the Gazette;

(b) by notice published in any daily newspaper in circulation in Hong Kong;

(c) by a public announcement made by radio or television; or

(d) by such other means as that Officer considers appropriate in the circumstances.

(4) A notice under subsection (2)(b) or (3)(a) or (b) must state—

(a) the name and address of the disqualified candidate; *(L.N. 143 of 2019)*

(b) the name of the constituency for which the disqualified candidate was nominated; *(L.N. 84 of 2004)*

(c) that the decision of the Returning Officer made under section 42A(1) of the Legislative Council Ordinance (Cap. 542) has been varied to the effect that the candidate is not validly nominated; and

(d) the name and address of each candidate who remains validly nominated for election for the constituency concerned. *(L.N. 143 of 2019)*

(5) A public announcement under subsection (3)(c) must state—

(a) the name of the disqualified candidate;

(b) the name of the constituency for which the disqualified candidate was nominated; and *(L.N. 84 of 2004)*

(c) the name of each candidate who remains validly nominated for election for the constituency concerned.

(6) In this section—

constituency (選區或選舉界別) means a geographical constituency or the District Council (second) functional constituency (as applicable). *(L.N. 73 of 2011)*

(L.N. 65 of 2000; L.N. 84 of 2004; L.N. 73 of 2011)

22C. No poll upon death or disqualification of candidate for a geographical constituency or District Council (second) functional constituency under certain circumstances

(L.N. 73 of 2011)

(1) If, after the death referred to in section 22A(1) or the disqualification referred to in section 22B(1)—

(a) the number of candidate remaining validly nominated for election for the constituency concerned is equal to the number of Members to be returned for that constituency;

(b) no candidate remains validly nominated for election for the constituency concerned; or

(c) the number of candidates remaining validly nominated for election for the constituency concerned is less than the number of Members to be returned for that constituency, *(11 of 2012 s. 44)*

the Returning Officer must, by such means as that Officer considers appropriate in the circumstances, declare that no poll is to be held for the constituency. *(L.N. 84 of 2004; L.N. 73 of 2011)*

(2) The Returning Officer must in the notice under section 22A(3)(a) or 22B(3)(a), if any, or in a separate notice—

(a) in the case of subsection (1)(a), declare, for the purposes of section 46(1) of the Legislative Council Ordinance (Cap. 542), the remaining candidate or candidates as being duly elected as a Member or as Members;

(b) in the case of subsection (1)(b), declare, for the purposes of section 46(2) of the Legislative Council Ordinance (Cap. 542), the election to have failed;

(c) in the case of subsection (1)(c), declare—

(i) for the purposes of section 46(1) of the Legislative Council Ordinance (Cap. 542), the remaining candidate or candidates as being duly elected as a Member or as Members; and

(ii) for the purposes of section 46(2) of that Ordinance, the election to have failed to the extent that the number of candidates remaining validly nominated for election is less than the number of Members to be returned.

(3) A separate notice containing a declaration under subsection (2)(a) or (c)(i) must—

(a) be published in the Gazette as soon as practicable;

(b) state the name and address of each candidate declared to be duly elected as a Member; and *(L.N. 143 of 2019)*

(c) be in the specified form.

(4) A separate notice containing a declaration under subsection (2)(b) or (c)(ii) must comply with section 97B(1).

(5) In this section—

constituency (選區或選舉界別) means a geographical constituency or the District Council (second) functional constituency (as applicable). *(L.N. 73 of 2011)*

(L.N. 65 of 2000)

23. A candidate or a list of candidates may appoint election agent

(1) All the candidates on a multiple nominees list or a multiple candidates list may jointly appoint one person as their election agent.

(2) The candidate on a single nominee list or a single candidate list may appoint one person as his or her election agent.

(3) Each candidate for a functional constituency (other than the District Council (second) functional constituency) may appoint one person as his or her election agent. *(L.N. 73 of 2011)*

(4) *(Repealed L.N. 84 of 2004)*

(5) Only a holder of an identity card who has attained the age of 18 years may be appointed as an election agent. *(L.N. 147 of 1998)*

(6) A candidate must give notice of appointment of his or her election agent to the Returning Officer. If the election agent is appointed on behalf of a multiple nominees list or a multiple candidates list, the notice required for the purposes of this subsection may be given by any candidate on the relevant list. *(L.N. 147 of 1998)*

(7) The appointment of an election agent is not effective until notice of the appointment is received by the Returning Officer.

(8) A notice of appointment must be in writing and state the name, identity card number and residential address of the election agent. *(L.N. 65 of 2000; L.N. 66 of 2008; 12 of 2014 s. 54)*

(9) The notice must be signed by the candidate or, in the case of a multiple nominees list or a multiple candidates list, by all the candidates on the list.

(10) A candidate or a nomination list or a list of candidates cannot have more than one election agent at any one time.

(11) If the appointment of an election agent is revoked, notice of revocation must be given to the Returning Officer by the candidate as soon as possible after the revocation. In the case of a multiple nominees list or multiple candidates list, the notice required for the purposes of this subsection may be given by any candidate on the relevant list. *(L.N. 147 of 1998)*

(12) A notice of revocation must be in writing and be signed by the candidate or, in the case of a multiple nominees list or a multiple candidates list, by all the candidates on the list.

(13) The revocation of the appointment of an election agent is not effective until notice of the revocation is received by the Returning Officer.

(14) If at any time an election agent dies or the appointment of an election agent is revoked, the candidate or, in the case of a multiple nominees list or a multiple candidates list, all the candidates on the relevant list jointly, may appoint a replacement.

(15) The appointment of a replacement must be in accordance with the requirements of this section.

(16) A notice of appointment or a notice of revocation under this section must be— *(12 of 2014 s. 54)*

(a) in the specified form; and

(b) delivered to the Returning Officer by hand, by electronic mail, by facsimile transmission or (except a notice of an appointment or a revocation of appointment made on polling day) by post. *(12 of 2014 s. 54)*

(17) Subject to subsection (18), an election agent may do all things which a candidate or the candidates on a nomination list or a list of candidates may do under this Regulation in connection with an election. Any such act of the election agent is effective as if it had been done by the candidate in person or by the candidates on a nomination list or a list of candidates, as the case may be. *(12 of 2014 s. 76)*

(18) An election agent may not—

(a) do anything a candidate is required to do under section 10 or 11; *(L.N. 84 of 2004)*

(b) withdraw a candidate's candidature; *(L.N. 130 of 2009)*

(c) authorize any person for the purposes of section 25; *(L.N. 130 of 2009)*

(d) subject to paragraph (e), be present in a dedicated polling station situated in a prison unless, on an application in the specified form delivered by hand, by post, by electronic mail or by facsimile transmission to the Chief Electoral Officer at least one week before polling day, the Commissioner of Correctional Services consents to his or her presence; or *(L.N. 130 of 2009; 12 of 2014 s. 54)*

(e) be present in a dedicated polling station situated in a maximum security prison. *(L.N. 130 of 2009)*

(19) The Commissioner of Correctional Services must not give consent to an election agent under subsection (18)(d) in respect of a polling station if a polling agent has been appointed under section 42 by the same candidate or list of candidates for that polling station. *(L.N. 130 of 2009)*

(20) Despite subsection (18)(d), the Commissioner of Correctional Services may, on an application made under that subsection during the week before polling day, give consent under that subsection if the Commissioner is satisfied that— *(12 of 2014 s. 54)*

(a) an elector in custody or authorized representative in custody who is entitled to vote for the relevant constituency at a dedicated polling station situated in a prison is admitted or transferred to the prison during that week; and

(b) the application is made without undue delay after the admission or transfer. *(L.N. 130 of 2009; 12 of 2014 s. 54)*

(21) If the Commissioner of Correctional Services refuses to give consent under subsection (18)(d), the Commissioner must notify the candidate, any candidate on the list of candidates or the election agent as soon as practicable. *(L.N. 130 of 2009)*

(L.N. 147 of 1998)

24. Returning Officer to send to other candidates a notice of particulars of election agent

(1) The Returning Officer must send to the candidate ranking first in priority on a multiple nominees list or a multiple candidates list, and the candidate on a single nominee list or a single candidate list, a notice containing the particulars of the election agents of the other nomination lists or lists of candidates for the same constituency. *(L.N. 73 of 2011)*

(2) The Returning Officer must send to every candidate for a functional constituency (other than the District Council (second) functional constituency), a notice containing the particulars of the election agents of the other candidates for that constituency. *(L.N. 73 of 2011)*

(3) *(Repealed L.N. 84 of 2004)*

(4) If a replacement is appointed for an election agent, the Returning Officer must send a notice of the particulars of the replacement to the candidates that Officer is required to send a notice under subsections (1) and (2). *(L.N. 84 of 2004)*

(5) The Returning Officer must send a notice under subsection (1) or (2) within 10 days of the expiry of the relevant nomination period. *(L.N. 84 of 2004)*

(6) If the appointment of the election agent is made after the notice period referred to in subsection (5), or if a replacement is appointed under section 23(14), the Returning Officer must send a notice of the particulars as soon as practicable after that Officer receives notice of the appointment or replacement, as the case may be. *(L.N. 147 of 1998; 12 of 2014 s. 7)*

(7) The Returning Officer must also display in a prominent place outside that Officer's office, a notice of the particulars of the election agents.

(8) A notice under this section must be in the specified form.

(9) A notice required to be sent to a candidate under subsection (1) or (2) may be sent to the election agent instead of to the candidate. *(L.N. 147 of 1998; L.N. 84 of 2004)*

25. Authorization of election expense agent to incur election expenses at or in connection with an election

(1)-(4) *(Repealed L.N. 65 of 2000)*

(5) Only a person who has attained the age of 18 years may be authorized as an election expense agent to incur election expenses at or in connection with an election. *(L.N. 65 of 2000)*

(6) An authorization of such an election expense agent must be in writing and in the specified form and state the name, identity document number and residential address of the person authorized. *(L.N. 65 of 2000)*

(7) The authorization must specify the maximum amount of election expenses that the election expense agent is authorized to incur. *(L.N. 65 of 2000)*

(8) The authorization must be signed by the candidate, or each of the candidates, making the authorization. The authorization must also be signed by the person authorized. *(L.N. 65 of 2000)*

(9) A copy of the authorization must be served—

(a) on the Returning Officer; or

(b) if the Returning Officer has not been appointed, on the Chief Electoral Officer. *(L.N. 65 of 2000)*

(10) A copy of the authorization may be served by hand, by post, by electronic mail or by facsimile transmission. *(12 of 2014 s. 55)*

(11) The Returning Officer or the Chief Electoral Officer, as the case may be, is to regard an authorization of an election expense agent to incur election expenses at or in connection with an election as being effective, for any purpose related to the election for which the authorization is relevant, only when a copy of the authorization has been served on the relevant Officer. *(L.N. 65 of 2000)*

(12)-(13) *(Repealed L.N. 65 of 2000)*

(14) If the authorization of an election expense agent to incur election expenses at or in connection with an election has been revoked, a written notice of the revocation must be served as soon as possible— *(L.N. 66 of 2008)*

(a) on the Returning Officer; or

(b) if the Returning Officer has not been appointed, on the Chief Electoral Officer. *(L.N. 147 of 1998; L.N. 65 of 2000; L.N. 66 of 2008)*

(15) The notice of revocation must be in the specified form and signed by the candidate, or each of the candidates, who made the authorization. *(L.N. 65 of 2000)*

(15A) The notice of revocation may be served by hand, by post, by electronic mail or by facsimile transmission. *(12 of 2014 s. 55)*

(16) If the authorization of an election expense agent to incur election expenses at or in connection with an election has been revoked, the Returning Officer or the Chief Electoral Officer, as the case may be, is to regard the revocation as being effective, for any purpose related to the election for which the revocation is relevant, only when the relevant Officer receives the notice of revocation. *(L.N. 147 of 1998; L.N. 65 of 2000)*

(17)-(18) *(Repealed L.N. 65 of 2000)*

27. Appointment and notification of polling hours

(L.N. 130 of 2009)

(1) Subject to subsections (2A) and (2B), the hours during which electors can cast their votes on polling day are to be appointed by the Chief Electoral Officer in accordance with this section. *(L.N. 130 of 2009)*

(2) The Chief Electoral Officer may appoint different polling hours for different constituencies or for different polling stations. *(L.N. 84 of 2004)*

(2A) The Commissioner of Correctional Services may assign a time slot during the polling hours appointed for a dedicated polling station situated in a prison to an elector in custody to whom the polling station is allocated under section 30. *(L.N. 130 of 2009)*

(2B) Subject to section 53A, an elector to whom a time slot is assigned under subsection (2A) may only cast his or her vote during the time slot. *(L.N. 130 of 2009)*

(3) The Chief Electoral Officer must appoint the polling hours so as to give the electors a reasonable opportunity to vote.

(3A) The Commissioner of Correctional Services must assign the time slot so as to give the electors a reasonable opportunity to vote. *(L.N. 130 of 2009)*

(4) The Chief Electoral Officer must, at least 10 days before polling day, publish in the Gazette, a notice specifying the polling hours for the geographical constituencies, functional constituencies and, if appropriate, for each polling station. *(L.N. 84 of 2004)*

(4A) The Commissioner of Correctional Services must, as early as practicable before the commencement of the poll, notify all electors to whom time slots are assigned under subsection (2A) of the time slot assigned to each of them. *(L.N. 130 of 2009)*

(5) In this section, ***electors*** (選民) includes authorized representatives. *(E.R. 6 of 2019)*

28. Designation of polling stations, counting stations and ballot paper sorting stations

(L.N. 130 of 2009)

(1) The Chief Electoral Officer must designate, by notice published in the Gazette at least 10 days before polling day — *(L.N. 130 of 2009; 12 of 2014 s. 97)*

(a) one or more places as a polling station or polling stations for conducting a poll in respect of an election;

(b) one or more places as a counting station or counting stations for counting of the votes; and

(c) one or more places as a ballot paper sorting station or ballot paper sorting stations for sorting GC ballot papers received from dedicated polling stations in a general election or, where the Chief Electoral Officer considers appropriate, a by-election. *(L.N. 130 of 2009; L.N. 197 of 2009)*

(1A) The Chief Electoral Officer may designate under subsection (1) the same place as a polling station and a counting station. *(L.N. 84 of 2004)*

(1B) The Chief Electoral Officer must designate a polling station at which less than 500 electors are allocated to vote as a small polling station. *(L.N. 84 of 2004 and L.N. 140 of 2004)*

(1BA) Without affecting subsection (1B), the Chief Electoral Officer must designate one or more places as a dedicated polling station or dedicated polling stations at which electors in custody or authorized representatives in custody are allocated to vote. *(L.N. 130 of 2009)*

(1C) If in relation to a geographical constituency, 2 or more polling stations have been designated and one or more than one of them is a small polling station or a dedicated polling station, the Chief Electoral Officer must designate a polling station (other than a small polling station or a dedicated polling station) as a main counting station for the purpose of counting the votes cast at the polling station and the small polling station, the small polling stations, the dedicated polling station or the dedicated polling stations, as may be appropriate. *(L.N. 84 of 2004 and L.N. 140 of 2004; L.N. 130 of 2009)*

(2) The Chief Electoral Officer may designate under subsection (1)—

(a) premises occupied by a Government department for official purposes (***Government building***);

(b) a structure, place or premises hired under subsection (3) or which is to be so hired;

(c) any school in respect of which a grant is made out of the general revenue;

(d) a building occupied by an organization, association or body in respect of which a grant is made out of the general revenue; or

(e) any other structure, premises, whether permanent or temporary, mobile or otherwise, or place, which the Chief Electoral Officer considers suitable for a purpose specified in subsection (1).

(3) The Chief Electoral Officer may hire any structure, place or premises or a part of a structure, place or premises to designate as a polling station or a counting station.

(4) The Chief Electoral Officer may designate a place described in subsection (2) in addition to or in substitution of a place designated under this section as a polling station or a counting station. The Chief Electoral Officer must publish notice of such designation. The notice may be published in a manner that Officer thinks fit.

(5) The Chief Electoral Officer must ensure that there are sufficient polling stations and counting stations to enable polling and counting of the votes to take place smoothly and efficiently.

(6) The Chief Electoral Officer must make available, at that Officer's office, for public inspection, a list of the polling stations and counting stations.

(7) The Chief Electoral Officer must, in the case of a polling station or a counting station which is not a Government building—

(a) make good any damage caused; and

(b) defray any expenses incurred by any person having control over the structure, place or premises,

due to their having been used as a polling station or a counting station.

(8) The Chief Electoral Officer may take such steps as that Officer considers appropriate, including taking out insurance, to insure against any risk of loss or damage that may arise due to or in connection with the use of any structure, place or premises as a polling station or a counting station.

(9) The Chief Electoral Officer may—

(a) in relation to a general election, designate—

(i) one or more counting stations for counting the votes for each geographical constituency cast at all the polling stations used for polling for the general election; and

(ii) one counting station for counting the votes for functional constituencies cast at all the polling stations used for polling for the general election;

(b) in relation to a by-election for a constituency, designate one or more counting stations for counting the votes cast at all the polling stations used for polling for the by-election. *(L.N. 65 of 2000; L.N. 84 of 2004)*

30. Chief Electoral Officer to assign polling stations for constituencies and to allocate polling stations to electors and authorized representatives

(1) The Chief Electoral Officer may assign one or more polling stations for conducting the poll for each constituency. *(L.N. 84 of 2004)*

(2) Notwithstanding subsection (1), the Chief Electoral Officer may, in relation to a general election, make arrangements for voting for one or more functional constituencies and one or more geographical constituencies to take place at a GC polling station. *(L.N. 84 of 2004)*

(3) The Chief Electoral Officer must allocate to each elector and authorized representative a polling station or polling stations to cast the vote or votes he or she is entitled to cast at an election.

(4) Under subsection (3), for the purposes of a general election, the Chief Electoral Officer—

(a) subject to paragraph (aa), must allocate to a GC elector a GC polling station that is, as far as practicable, close to his or her registered residential address to cast the vote for the geographical constituency; *(L.N. 130 of 2009)*

(aa) may allocate to a GC elector who will be serving a sentence of imprisonment on the polling day a dedicated polling station to cast the vote for the geographical constituency; *(L.N. 130 of 2009)*

(b) may allocate to a GC elector who is entitled to vote for an ordinary functional constituency either as an elector or an authorized representative, his or her GC polling station to cast the vote for the geographical constituency and that for the functional constituency;

(c) may allocate to a GC elector who is entitled to vote for an ordinary functional constituency as an elector and for another ordinary functional constituency as an authorized representative, his or her GC polling station to cast the vote for the geographical constituency and the votes for the 2 functional constituencies;

(ca) may allocate to a GC elector who is entitled to vote for a special functional constituency either as an elector or an authorized representative, a GC polling station to cast the vote for the geographical constituency and that for the functional constituency; *(L.N. 65 of 2000)*

(cb) may allocate to a GC elector who is entitled to vote—

(i) for a special functional constituency as an elector and for another special functional constituency as an authorized representative; or

(ii) for a special functional constituency and for an ordinary functional constituency, as an elector for one and as an authorized representative for the other,

a GC polling station to cast the vote for the geographical constituency and the votes for the 2 functional constituencies. *(L.N. 65 of 2000; L.N. 84 of 2004)*

(d) *(Repealed L.N. 84 of 2004)*

(4A) The Chief Electoral Officer may, if that Officer considers it appropriate to do so in the circumstances, allocate to an elector or authorized representative an alternative polling station, in addition to or in substitution of the polling station or any of the polling stations, as the case may be, allocated under subsection (3), to cast the vote or votes he or she is entitled to cast at an election. *(L.N. 65 of 2000)*

(5) In this section, in relation to a person, his or her GC polling station is to be construed as the polling station, or the alternative polling station in addition thereto or in substitution thereof, that person is allocated under subsection (4)(a) or (aa) or subsection (4A). *(L.N. 130 of 2009)*

(6) To enable the Chief Electoral Officer to perform his or her functions under this section in relation to electors, the Commissioner of Correctional Services must, upon a request by the Chief Electoral Officer, provide the following information concerning every person who is serving a sentence of imprisonment or detained by the Correctional Services Department on remand—

(a) the name of the person;

(b) the number of the person's identity document;

(c) the prisoner registration number allocated by the Commissioner of Correctional Services to the person for identification purposes;

(d) the name and address of the premises in which the person is detained. *(L.N. 73 of 2011)*

(7) To enable the Chief Electoral Officer to perform his or her functions under this section in relation to electors, the head of any law enforcement agency must, upon a request by the Chief Electoral Officer, provide the following information concerning every person who is detained by the law enforcement agency under any lawful authority—

(a) the name of the person;

(b) the number of the person's identity document;

(c) the name and address of the premises in which the person is detained. *(L.N. 73 of 2011)*

(L.N. 147 of 1998; L.N. 65 of 2000)

33. Chief Electoral Officer may allocate special polling stations

(1) An elector or authorized representative who claims to be a person with a disability and that access to the polling station which is allocated to him or her under section 30 is difficult for him or her due to the disability, may apply to the Chief Electoral Officer to vote at the special polling station designated for the constituency for which he or she is entitled to vote. *(L.N. 84 of 2004)*

(2) An application under subsection (1) must be made at least 5 days before polling day. The application—

(a) may be—

(i) made in writing; and

(ii) delivered by hand, by post, by electronic mail or by facsimile transmission; or *(12 of 2014 s. 56)*

(b) may be made orally by telephone. *(L.N. 65 of 2000)*

(3) On receiving an application under subsection (1), the Chief Electoral Officer must, if satisfied that the application is well founded, allocate to the elector or authorized representative an appropriate special polling station to cast the vote he or she is entitled to cast at the election to which the application relates. *(L.N. 65 of 2000)*

(4) The Chief Electoral Officer must inform the applicant in a manner that that Officer considers appropriate, the result of the application, as soon as practicable.

(5) *(Repealed L.N. 65 of 2000)*

(6) When the Chief Electoral Officer allocates a special polling station to an elector or authorized representative under this section, that Officer must, as soon as practicable, notify, in a manner that the Officer considers appropriate—

(a) the Returning Officer;

(b) the Presiding Officer at the special polling station; and

(c) the Presiding Officer of the polling station previously allocated to the elector or the authorized representative,

of the name, identity document number and registered residential address of that elector or authorized representative.

(7) The Chief Electoral Officer must notify the persons referred to in subsection (6) of the geographical constituency, and the functional constituency, if any, for which the elector or authorized representative is entitled to vote. *(L.N. 84 of 2004)*

(8) The Chief Electoral Officer may, if that Officer considers it appropriate to do so in the circumstances, allocate to an elector or authorized representative an alternative special polling station, in addition to or in substitution of the special polling station allocated under subsection (3), to cast the vote he or she is entitled to cast at the subsector election. *(L.N. 65 of 2000)*

(9) Where an alternative special polling station is allocated to an elector or authorized representative under subsection (8), the Chief Electoral Officer must, as soon as practicable, notify, in a manner that Officer considers appropriate—

(a) the elector or authorized representative;

(b) the persons referred to in subsection (6); and

(c) the Presiding Officer of the alternative special polling station. *(L.N. 65 of 2000)*

35. Chief Electoral Officer to supply candidates with copy of final register

(1) The Chief Electoral Officer must supply to the candidate on a single candidates list or the candidate ranking first in priority on a multiple candidates list, a copy of the part of the final register which relates to the constituency for which the list of candidates is nominated.

(2) The Chief Electoral Officer must supply to each candidate for a functional constituency (other than the District Council (second) functional constituency), a copy of the part of the final register which relates to the constituency for which that candidate is nominated. *(L.N. 73 of 2011)*

(3) *(Repealed L.N. 84 of 2004)*

(4) A copy under this section must be supplied to a candidate as soon as practicable after the relevant nomination form is submitted to the Returning Officer. There may be added to the copy any additional particulars or information the Chief Electoral Officer thinks fit to include.

(5) The form in which the copy is supplied may be in a printed form, a form which is capable of being read by a computer or any other form determined by the Chief Electoral Officer.

(6) The copy for the purposes of this section may be supplied to the election agent of a candidate instead of the candidate to whom it is required to be supplied.

(L.N. 65 of 2000)

36. Chief Electoral Officer to supply Returning Officer with copy of final register

(1) The Chief Electoral Officer must supply to the Returning Officer, a copy of the part of the final register relating to the constituency for which the Returning Officer is appointed.

(2) *(Repealed L.N. 84 of 2004)*

(3) A copy under this section must be supplied after the relevant notice of nominations is published.

(4) There may be added to the copy the identity document numbers of the electors and authorized representatives and such other additional particulars or information as the Chief Electoral Officer thinks fit to include.

(5) The form in which the copy is supplied may be in a printed form, a form which is capable of being read by a computer or any other form determined by the Chief Electoral Officer.

(L.N. 65 of 2000)

37. Chief Electoral Officer to carry out other duties relating to polling stations

(1) The Chief Electoral Officer must provide at each polling station sufficient compartments as that Officer considers necessary to enable electors and authorized representatives to vote, screened from observation.

(2) The Chief Electoral Officer must supply to each Presiding Officer, the number of ballot papers the Chief Electoral Officer considers necessary for the constituency or constituencies for which the polling station is to be used for polling. The Chief Electoral Officer must ensure that the name of any deceased or disqualified candidate regarding whom notice under section 22A(1) or 22B(1) is given or declarations under section 22A(3) or 22B(3) are made, and other information relating to that candidate, if printed on the ballot papers, are crossed out. *(L.N. 84 of 2004; 1 of 2019 s. 31)*

(3) The Chief Electoral Officer must also supply to the Presiding Officer a copy of the appropriate part of the final register or registers.

(4) There may be added to the copy the identity document numbers of the electors and authorized representatives and such other additional particulars or information as the Chief Electoral Officer thinks fit to include.

(5) The form in which the copy is supplied may be in a printed form, a form which is capable of being read by a computer or any other form determined by the Chief Electoral Officer.

(6) The Chief Electoral Officer must provide at each polling station—

(a) materials; and

(b) if the polling station is also assigned for conducting the poll for a geographical constituency or ordinary functional constituency, chops bearing the mark " ✓ ", with or without other design,

that are necessary to enable electors and authorized representatives to mark ballot papers. *(L.N. 65 of 2000)*

(7) The Chief Electoral Officer must do other acts and things as that Officer considers necessary for holding the poll effectively.

(L.N. 65 of 2000)

40. Returning Officer to determine no canvassing zones and no staying zones

(1) The Returning Officer for a constituency must determine an area outside each polling station used for polling for that constituency as a no canvassing zone and an area within that area as a no staying zone. A no canvassing zone and a no staying zone are to be determined with reference to a map or plan. *(L.N. 84 of 2004)*

(2) If a polling station is to be used for polling for more than one constituency, the determination of the no canvassing zone and the no staying zone is to be made by the Returning Officer specified for the purpose by the Chief Electoral Officer. *(L.N. 84 of 2004)*

(3) If the polling station is to be used only for one geographical constituency or the District Council (second) functional constituency, the Returning Officer for the constituency must give notice to the list of candidates nominated for that constituency. In the case of a multiple candidates list, notice must be given to the candidate ranking first in priority on the list and, in the case of a single candidate list, the candidate on the list. *(L.N. 73 of 2011)*

(4) If the polling station is to be used only for one functional constituency (other than the District Council (second) functional constituency), the Returning Officer for the functional constituency must give notice to the candidates for that constituency. *(L.N. 73 of 2011)*

(5) *(Repealed L.N. 84 of 2004)*

(6) If a polling station is to be used for more than one constituency, and the Returning Officer who makes the determination is the Returning Officer for a constituency, that Officer must give notice to the candidates for that constituency and the Returning Officers for the other constituencies. *(L.N. 84 of 2004)*

(7) Notice under subsection (3), (4) or (6) must be given at least 7 days before polling day. *(L.N. 84 of 2004)*

(8) A Returning Officer who is given notice under subsection (6) must give notice to the candidates for the constituency for which that Officer is appointed as soon as practicable after that Officer receives the notice. *(L.N. 84 of 2004)*

(9) A Returning Officer who makes a determination of a no canvassing zone or a no staying zone may vary either or both those areas in accordance with this section. Subject to subsection (13), notice of a variation must be given as soon as practicable after the variation in the same manner as notice of a no canvassing zone or a no staying zone is given under subsection (3), (4), (6) or (8). *(L.N. 84 of 2004)*

(10) On polling day, the Returning Officer who has determined the no canvassing zone or the no staying zone (or subsequently varied it, if applicable) must display at or near the polling station a notice of the no canvassing zone and the no staying zone. That Officer must also indicate the boundaries of those zones in a manner that Officer thinks fit.

(11) If after display under subsection (10), either or both of those areas are varied, the Returning Officer must display at or near the polling station a notice of the no canvassing zone or the no staying zone or both those zones, if appropriate, as varied.

(11A) A Returning Officer may perform any act which that Officer is required or authorized to perform under subsections (9), (10) and (11) through a Presiding Officer. *(L.N. 66 of 2008)*

(12) A determination of a no canvassing zone or a no staying zone or the variation of such an area becomes effective only on the display of a notice under subsection (10) or (11), as may be applicable.

(13) A notice of a variation under subsection (11) need not be given to the candidates if it is not reasonably practicable to do so before the close of the poll. Notice may be given to the election agent or polling agent of a candidate if present at the polling station.

(14) A notice required to be given to a candidate under this section may be given to the election agent or polling agent of the candidate instead of to the candidate.

(15) For the purposes of this section, ***notice*** (通知、公告) means a notice of the determination of the no canvassing zone and the no staying zone with a map or plan or separate maps or plans showing those zones in relation to the relevant polling station. *(E.R. 6 of 2019)*

(16) On polling day, a person must not—

(a) subject to subsection (17), engage in canvassing for votes in a no canvassing zone; *(L.N. 65 of 2000; L.N. 84 of 2004)*

(aa) conduct any activity for canvassing for votes so that the sound of the activity can be heard in the no canvassing zone; *(L.N. 84 of 2004; L.N. 66 of 2008)*

(b) subject to subsection (19), use a sound amplifying system or device for any purpose in the no canvassing zone; *(L.N. 73 of 2011)*

(c) use a sound amplifying system or device, for canvassing for votes, so that the sound emitted by it can be heard in the no canvassing zone; *(L.N. 65 of 2000)*

(ca) subject to subsection (18), without reasonable excuse, display or wear in the no canvassing zone any badge, emblem, clothing or head-dress which— *(L.N. 84 of 2004)*

(i) may promote or prejudice the election of a candidate or candidates at the election; or

(ii) makes direct reference to—

(A) a body any member of which is standing as a candidate in the election; or

(B) a prescribed body the registered name or registered emblem of which has been printed on any ballot paper for the election; or *(L.N. 84 of 2004)*

(L.N. 65 of 2000)

(d) stay or loiter in the no staying zone without the express permission of the Presiding Officer.

(17) A person may, on polling day, canvass for votes from door to door, without obstructing any person, on the storeys above or below street level, in a building within the no canvassing zone, which—

(a) the person is allowed to enter for the purpose of canvassing for votes; and

(b) has no polling station inside it. *(L.N. 84 of 2004)*

(18) A person may, for the purpose of canvassing for votes as described in subsection (17), display or wear any badge, emblem, clothing or head-dress referred to in subsection (16)(ca). *(L.N. 84 of 2004)*

(19) An officer of the Correctional Services Department may, on polling day, use a sound amplifying system or device for the performance of his or her duties in the no canvassing zone of a dedicated polling station situated in a prison. *(L.N. 73 of 2011)*

42. Candidates may appoint polling agents

(1) Candidates may appoint persons to attend at polling stations on their behalf for any purpose connected with the conduct of a poll, in accordance with this section.

(2) Polling agents may be appointed to attend only at the polling stations used for polling for the constituency for which the candidate or the candidate as on a list of candidates is standing for election. *(L.N. 84 of 2004)*

(3) Candidates on a multiple candidates list may jointly appoint a maximum of 2 polling agents for one polling station.

(4) A candidate on a single candidate list may appoint a maximum of 2 polling agents for one polling station.

(5) A candidate for a functional constituency (other than the District Council (second) functional constituency) may appoint a maximum of 2 polling agents for one polling station. *(L.N. 73 of 2011)*

(6) *(Repealed L.N. 84 of 2004)*

(7) Only a holder of an identity card who has attained the age of 18 years may be appointed as a polling agent. *(L.N. 147 of 1998)*

(8) A candidate must give notice of appointment of a polling agent to the Chief Electoral Officer at least 7 days before polling day. *(L.N. 147 of 1998; L.N. 65 of 2000; 12 of 2014 s. 41)*

(8AA) A notice of appointment given under subsection (8) must be delivered by hand, by post, by electronic mail or by facsimile transmission. *(12 of 2014 s. 41)*

(8A) Despite subsections (1), (3), (4), (5) and (8)—

(a) subject to paragraphs (b) and (c), only one polling agent may be appointed by a candidate or a list of candidates for a dedicated polling station situated in a prison;

(b) no polling agent may be appointed by a candidate or a list of candidates for a dedicated polling station situated in a prison if the Commissioner of Correctional Services has consented under section 23(18)(d) to the presence of the election agent of that candidate or list of candidates in that polling station;

(c) no polling agent may be appointed for a dedicated polling station situated in a maximum security prison; and

(d) the appointment of a polling agent for a dedicated polling station situated in a prison is not effective unless— *(12 of 2014 s. 41)*

(i) a notice of appointment is given in accordance with subsection (8); and

(ii) the Commissioner of Correctional Services consents to the appointment. *(L.N. 130 of 2009; 12 of 2014 s. 41)*

(8B) Despite subsection (8A)(d), even though a notice of appointment is given during the week before polling day, the Commissioner of Correctional Services may still give consent under that subsection if the Commissioner is satisfied that— *(12 of 2014 s. 41)*

(a) an elector in custody or authorized representative in custody who is entitled to vote for the relevant constituency at the polling station concerned is admitted or transferred to the prison concerned during that week; and

(b) the notice of appointment is given without undue delay after the admission or transfer. *(L.N. 130 of 2009; 12 of 2014 s. 41)*

(8C) If the Commissioner of Correctional Services refuses to give consent under subsection (8A)(d), the Commissioner must notify the candidate, any candidate on the list of candidates or the election agent of the candidate or list of candidates as soon as practicable. *(L.N. 130 of 2009)*

(9) A notice appointing a polling agent for a polling station other than a dedicated polling station situated in a prison must, if it is not given under subsection (8), be delivered on the polling day to the Presiding Officer of the polling station— *(L.N. 130 of 2009)*

(a) by the candidate in person, or in the case of a multiple candidates list, by any candidate on the list in person; or

(b) by the election agent of the candidate or of the list, in person. *(L.N. 147 of 1998)*

(10) Subject to subsection (8A)(d), the appointment of a polling agent is not effective until notice is received by the Chief Electoral Officer or the Presiding Officer, as may be appropriate. *(L.N. 65 of 2000; 12 of 2014 s. 41)*

(11) A notice of appointment must be in writing and in the specified form. It must state the name, identity card number and residential address of the polling agent. It must be signed by the candidate or, in the case of a multiple candidates list, by all the candidates on the list. *(L.N. 65 of 2000; L.N. 66 of 2008; 12 of 2014 s. 41)*

(12) If the appointment of a polling agent is revoked, the candidate must give notice of the revocation to the Chief Electoral Officer or the Presiding Officer of the polling station in accordance with subsection (14) or (14A). *(L.N. 147 of 1998; L.N. 65 of 2000; L.N. 73 of 2011; 12 of 2014 s. 41)*

(13) A notice of revocation must be in writing and in the specified form. In the case of a polling agent for a functional constituency (other than the District Council (second) functional constituency) or a single candidate list, it must be signed by the candidate. In the case of a multiple candidates list, it must be signed by all the candidates on the list. *(L.N. 84 of 2004; L.N. 73 of 2011)*

(14) If the notice of revocation is given before polling day, it must be delivered to the Chief Electoral Officer by hand, by post, by electronic mail or by facsimile transmission. *(L.N. 65 of 2000; L.N. 73 of 2011; 12 of 2014 s. 41)*

(14A) If the notice of revocation is given on the polling day— *(L.N. 73 of 2011)*

(a) (if the polling station for which the polling agent is appointed is not a dedicated polling station situated in a prison) it must be delivered to the Presiding Officer of the polling station—

(i) by the candidate in person, or in the case of a multiple candidates list, by any candidate on the list in person; or

(ii) by the election agent of the candidate or of the list, in person; or *(12 of 2014 s. 41)*

(b) (if the polling station for which the polling agent is appointed is a dedicated polling station situated in a prison) it must be delivered to the Chief Electoral Officer by hand, by electronic mail or by facsimile transmission. *(12 of 2014 s. 41)*

(15) The revocation of the appointment of a polling agent is not effective unless notice is received by the Chief Electoral Officer or the Presiding Officer, as may be appropriate. *(L.N. 65 of 2000)*

44. Who may enter or be present at a polling station

(1) Except where it is provided otherwise in this Regulation, a person must not enter a polling station other than to vote.

(2) Subject to subsections (4) and (5), in order to ensure that polling takes place smoothly and efficiently, the Presiding Officer may—

(a) regulate the number of electors, authorized representatives, candidates, election agents and polling agents to be admitted to the polling station at any one time; or

(b) exclude any person from the polling station.

(3) Without limiting subsection (2), the Presiding Officer may exclude from the polling station any person who is present in contravention of this section.

(4) The Presiding Officer may not exclude from the polling station —

(a) a polling officer;

(aa) the Chief Returning Officer; *(L.N. 65 of 2000)*

(b) the Returning Officers or Assistant Returning Officers for the constituencies for which the polling station is used; *(L.N. 65 of 2000)*

(c) *(Repealed L.N. 84 of 2004)*

(d) members of the Commission;

(e) public officers on duty at the polling station;

(f) the Chief Electoral Officer; *(L.N. 65 of 2000)*

(g) public officers authorized in writing by the Chief Electoral Officer; *(L.N. 65 of 2000; L.N. 84 of 2004)*

(h) persons authorized in writing by a member of the Commission; *(L.N. 65 of 2000; L.N. 84 of 2004)*

(i) police officers and members of the Civil Aid Service on duty at the polling station; or *(L.N. 84 of 2004)*

(j) a person authorized in writing by the Returning Officer to act as a liaison officer. *(L.N. 84 of 2004)*

(5) A person authorized by the Commission to be present in a polling station may be present in accordance with the terms of the authorization.

(6) Subject to subsections (7), (8), (9), (10), (11) and (12), on behalf of each candidate or list of candidates, one polling agent of that candidate or list may be present in the polling station at any one time.

(6A) Subsection (6) does not apply to a dedicated polling station situated in a maximum security prison. *(L.N. 130 of 2009)*

(7) If a candidate or one of the candidates on a multiple candidates list is present in the polling station, the election agent or polling agent of that candidate or list may not be present in that polling station at the same time.

(8) If the election agent of a candidate or a list of candidates is present in the polling station, a polling agent of that candidate or list may not be present in that polling station at the same time.

(9) A candidate, an election agent or polling agent may be present in the polling station subject to the availability of seats in the area designated to accommodate them.

(10) A person referred to in subsection (9) who wishes to be admitted to the polling station must, on arriving at the polling station, report in person to the Presiding Officer and produce his or her identity document and a declaration of secrecy completed on the specified form by him or her.

(11) If the area referred to in subsection (9) is occupied to its full seating capacity, the Presiding Officer may refuse entry to the polling station to any person referred to in that subsection. That Officer may make arrangements for admitting them to the polling station later.

(12) Only an election agent or polling agent regarding whom notice of appointment has been given under this Regulation may be present at a polling station on behalf of a candidate or a list of candidates.

(13) If—

(a) a person arrives at a polling station for the purpose of voting accompanied by a child; and

(b) the Presiding Officer considers that the child—

(i) should not be left unattended while the person is in the polling station; and

(ii) will not disturb or cause inconvenience to any person in the polling station,

that Officer may permit the child to enter the polling station. *(L.N. 65 of 2000)*

(14) The Presiding Officer must not exercise the powers conferred on that Officer under this section so as to prevent a person from voting at the polling station allocated to that person. *(L.N. 147 of 1998)*

49. Form of ballot papers and order of appearance of lists or names of candidates on ballot papers

(1) A ballot paper to be used to vote for a geographical constituency is to be in Form 1 in Schedule 3.

(2) A ballot paper to be used to vote for a special functional constituency is to be in Form 2 in Schedule 3.

(2A) A ballot paper to be used to vote for the District Council (second) functional constituency is to be in Form 2A in Schedule 3. *(L.N. 73 of 2011)*

(3) A ballot paper to be used to vote for any other functional constituency is to be in Form 3(a) or 3(b) in Schedule 3, as appropriate. *(L.N. 65 of 2000; L.N. 73 of 2011)*

(4) The Chief Electoral Officer may modify the layout of the form of any ballot paper prescribed in Schedule 3 to incorporate particulars relating to candidates to be printed on a ballot paper in accordance with the Particulars Relating to Candidates on Ballot Papers (Legislative Council and District Councils) Regulation (Cap. 541 sub. leg. M). *(L.N. 84 of 2004; L.N. 47 of 2007; L.N. 66 of 2008)*

(5) The Commission may decide—

(a) to have a ballot paper printed in white or in colour or colour pattern;

(b) the colour in which a ballot paper is to be printed or the colour pattern to be printed on a ballot paper;

(c) to have different types of ballot paper printed in different colours or with different colour patterns;

(d) whether or not to have a design on the back of a ballot paper;

(e) the design to be printed on the back of a ballot paper; or

(f) to have different designs printed on the back of different types of ballot papers.

(6) The order in which lists of candidates appear on a GC ballot paper is to be determined by the Returning Officer by the drawing of lots. A number is to be allocated to each list according to the result of the draw, and the number is to be printed on the ballot paper against the list of candidates. *(L.N. 73 of 2011)*

(6A) The order in which lists of candidates appear on an FC ballot paper for the District Council (second) functional constituency is to be determined by the Returning Officer by the drawing of lots. A 3-digit number is to be allocated to each list according to the result of the draw, and the number is to be printed on the ballot paper against the list of candidates. *(L.N. 73 of 2011; 11 of 2012 s. 63)*

(6B) In each list to which subsections (6) and (6A) apply, each candidate is to be allocated a letter of the alphabet to indicate the order of priority, beginning with the letter "a" for the candidate ranking first in priority; and the letter so allocated is to be printed on the ballot paper against the name of the candidate. *(L.N. 73 of 2011)*

(7) The order in which the names of candidates appear on an FC ballot paper for a functional constituency (other than the District Council (second) functional constituency) is to be determined by the Returning Officer by the drawing of lots. *(L.N. 147 of 1998; L.N. 73 of 2011)*

(8) Each ordinary functional constituency is to be assigned one or more letters of the alphabet by the Chief Electoral Officer as the code of the functional constituency. *(L.N. 73 of 2011 and 11 of 2012 s. 63)*

(8A) Each candidate for an ordinary functional constituency (other than the District Council (second) functional constituency) is to be allocated a number preceded by the code assigned under subsection (8), according to the result of the draw. The code and the number are to be printed on the ballot paper against the name of the candidate. *(L.N. 73 of 2011 and 11 of 2012 s. 63)*

(9) A letter of the alphabet is to be allocated to each candidate for a special functional constituency according to the result of the draw and that letter preceded by an appropriate abbreviation for the name of the special functional constituency is to be printed on the ballot paper against the name of the candidate. *(L.N. 147 of 1998)*

(10) *(Repealed L.N. 84 of 2004)*

(11) A candidate may be present at the drawing of lots under this section or be represented by a person authorized in writing by him or her.

(12) The Returning Officer must give notice to each candidate of the arrangements for the drawing of lots under this section. In the case of a multiple candidates list, notice need to be given only to the candidate ranking first in priority on the list.

(13) A ballot paper is to contain the following information—

(a) the name of the candidate;

(aa) insofar as may be applicable to the candidate, the particulars specified in the Schedule to the Particulars Relating to Candidates on Ballot Papers (Legislative Council and District Councils) Regulation (Cap. 541 sub. leg. M); and *(L.N. 66 of 2008; L.N. 143 of 2019)*

(b) *(Repealed L.N. 143 of 2019)*

(c) the number or a letter of the alphabet allocated to the candidate or the list of candidates under this section.

(13A) In the case of the death or disqualification of a candidate who has been allocated a number or a letter of the alphabet under this section, the name of the candidate and the information under subsection (13) relating to that candidate—

(a) are to be omitted from the ballot paper; or

(b) if printed on the ballot paper, are to be crossed out under section 37(2). *(L.N. 65 of 2000; 1 of 2019 s. 33)*

(13B) The number or letter of the alphabet allocated to a candidate under this section is not to be altered even if the information relating to another candidate for the constituency concerned who has died or is disqualified is omitted from the ballot paper or crossed out under subsection (13A). *(L.N. 65 of 2000; L.N. 84 of 2004)*

(14) A ballot paper is to have the date and description of the election printed on the front of it.

(15) A number may be printed on the counterfoil of a ballot paper, but that number is not to be printed or shown in any manner on the ballot paper.

(16) A notice required to be given to a candidate under subsection (12) may be given to the election agent instead of to the candidate. *(L.N. 147 of 1998)*

51. Questions to be asked from persons applying for a ballot paper

(1) The Presiding Officer may, at the time a person applies for a ballot paper, but not afterwards, ask, in case of doubt, the appropriate questions set out in subsection (3). *(L.N. 147 of 1998)*

(2) When asking the questions, the Presiding Officer must have regard to whether the ballot paper applied for is a GC ballot paper or an FC ballot paper and the person applying for the ballot paper is an elector or an authorized representative. That Officer must choose, frame, adjust or modify the questions accordingly. *(L.N. 84 of 2004)*

(3) The questions referred to in subsections (1) and (2) are—

(a) "Are you the person registered in the final register now in effect for this geographical constituency, as follows (the Presiding Officer to read the whole entry as it is recorded in the register)?" or "你是否已登記在就本地方選區正有效的正式登記冊上，並且有關登記記項一如以下所述 (the Presiding Officer to read the whole entry as it is recorded in the register)?";

(b) "Are you the person registered in the final register now in effect for this functional constituency, as follows (the Presiding Officer to read the whole entry as it is recorded in the register)?" or "你是否已登記在就本功能界別正有效的正式登記冊上，並且有關登記記項一如以下所述 (the Presiding Officer to read the whole entry as it is recorded in the register)?";

(c) *(Repealed L.N. 84 of 2004)*

(d) "Have you already voted for this or any other geographical constituency in this election?" or "在這次選舉中，你是否已經就本地方選區或任何其他地方選區投票？";

(e) "Have you already voted for this functional constituency in this election?" or "在這次選舉中，你是否已經就本功能界別投票？". *(L.N. 84 of 2004)*

(f) *(Repealed L.N. 84 of 2004)*

(4) The Presiding Officer must ask the appropriate questions set out in subsection (3) if so required by a candidate, an election agent or a polling agent.

(5) The Presiding Officer must not give a ballot paper to any person who fails to answer the questions asked of that person under this section to the satisfaction of that Officer.

53. Presiding Officer to issue one or more ballot papers depending on the entitlement to vote

(1) At a polling station used only for polling for a geographical constituency, the Presiding Officer is to issue only one ballot paper to an elector who applies for a ballot paper.

(2) At a polling station used only for polling for a functional constituency, the Presiding Officer is to issue only one ballot paper to an elector or authorized representative who applies for a ballot paper.

(3) *(Repealed L.N. 84 of 2004)*

(4) At a GC polling station which is also used for polling for one or more functional constituencies, the Presiding Officer — *(L.N. 84 of 2004)*

(a) must issue a GC ballot paper to an elector who is entitled to vote only for that geographical constituency;

(b) must issue a GC ballot paper and the appropriate FC ballot paper to a GC elector who is entitled to vote for a functional constituency either as an elector or as an authorized representative; and

(c) must issue a GC ballot paper and the appropriate FC ballot papers to a GC elector who is entitled to vote as an elector for a functional constituency and as an authorized representative for another functional constituency. *(L.N. 147 of 1998; L.N. 65 of 2000; L.N. 84 of 2004)*

(4A) If an elector or authorized representative is entitled to be issued with 2 or more ballot papers, all the ballot papers must be handed over to him or her at the same time. *(12 of 2014 s. 65)*

(5) *(Repealed L.N. 84 of 2004)*

(6) Before issuing a ballot paper or ballot papers under this section, the name of the elector or authorized representative, as may be applicable, as stated in the copy of the relevant final register supplied under section 37(3) must be called out. *(L.N. 65 of 2000)*

(7) Immediately before issuing the ballot paper or ballot papers, the Presiding Officer must place a line in the copy of the final register across the name and identity document number of the elector or authorized representative to denote that the ballot papers the person is entitled to have issued to him or her at that polling station have been so issued. *(L.N. 65 of 2000)*

(8) No record is to be made of the particular ballot paper or ballot papers issued to an elector or authorized representative.

(L.N. 147 of 1998)

53A. Elector who has not cast vote may not return to cast vote unless permitted

(12 of 2014 s. 66)

(1) Subject to subsection (5), if an elector—

(a) has been issued with one or more ballot papers; and

(b) has left the polling station without casting the vote or any or all of the votes,

the elector must not cast the uncast vote or votes when the elector returns to the polling station before the close of the poll unless— *(12 of 2014 s. 66)*

(c) before leaving the polling station, the elector has—

(i) made a request to the Presiding Officer for permission to cast the uncast vote or votes before the close of the poll;

(ii) informed the Presiding Officer of the reason for leaving the polling station without casting the vote or any or all of the votes; and

(iii) returned the ballot paper or papers, unmarked, to the Presiding Officer; *(L.N. 130 of 2009)*

(d) the Presiding Officer has granted the requested permission; and *(L.N. 130 of 2009)*

(e) if the polling station is a dedicated polling station situated in a prison, the elector returns to the polling station within the time slot assigned to him or her under subsection (2A) or section 27(2A). *(L.N. 130 of 2009; 12 of 2014 s. 66)*

(2) If an elector has complied with subsection (1)(c), the Presiding Officer must grant the permission unless that Officer is of the opinion that the request is a manifest abuse of the facilities provided by this section.

(2A) If the Presiding Officer of a dedicated polling station situated in a prison grants the permission to an elector under subsection (1), the Commissioner of Correctional Services must, as far as practicable—

(a) assign to the elector a new time slot during the polling hours appointed for the polling station; and

(b) notify the elector of the new time slot. *(L.N. 130 of 2009)*

(3) If the Presiding Officer grants the permission to an elector under subsection (2), that Officer must—

(a) keep in custody the ballot paper or papers returned by the elector under subsection (1)(c)(iii); and

(b) on the elector's return to the polling station before the close of the poll to cast the uncast vote or votes, re-issue the ballot paper or papers to the elector in the presence of a police officer or, if the polling station is a dedicated polling station, an officer of the Correctional Services Department or any law enforcement agency. *(L.N. 130 of 2009; 12 of 2014 s. 66)*

(4) If the Presiding Officer does not grant the permission to an elector under subsection (2), that Officer must immediately re-issue to the elector the ballot paper or papers returned under subsection (1)(c)(iii). *(12 of 2014 s. 66)*

(5) An elector who—

(a) has been issued with one or more ballot papers;

(b) has become incapacitated from voting or completing the voting by physical illness; and

(c) has left the polling station after—

(i) returning the ballot paper or any or all of the ballot papers, unmarked, to the Presiding Officer; or

(ii) leaving the ballot paper or any or all of the ballot papers, unmarked, behind in the polling station without putting it or them into the ballot box or boxes (if the Presiding Officer is aware that the elector has so left the ballot paper or papers behind before leaving the polling station),

may return to the polling station before the close of the poll and cast the uncast vote or votes. *(12 of 2014 s. 66)*

(5A) If an elector in custody leaves a dedicated polling station situated in a prison under subsection (5), the Commissioner of Correctional Services must, as far as practicable—

(a) assign to the elector a new time slot during the polling hours appointed for the polling station; and

(b) notify the elector of the new time slot. *(L.N. 130 of 2009)*

(5B) The right of an elector in custody who is allocated to vote at a dedicated polling station situated in a prison to cast the vote under subsection (5) is subject to the elector's returning to the polling station within the time slot assigned to him or her under subsection (5A) or section 27(2A). *(L.N. 130 of 2009)*

(6) If any ballot paper is returned under subsection (5)(c)(i) or left behind in the polling station under subsection (5)(c)(ii) by an elector, the Presiding Officer must—

(a) keep in custody the ballot paper; and

(b) on the elector's return to the polling station before the close of the poll to cast the vote, re-issue the ballot paper to the elector in the presence of a police officer or, if the polling station is a dedicated polling station, an officer of the Correctional Services Department or any law enforcement agency. *(L.N. 130 of 2009)*

(7) For the purposes of this Regulation, re-issuing a ballot paper under subsection (3), (4) or (6) is to be regarded as issuing a ballot paper under section 53(1) or (2).

(8) In this section, references to "elector" are to be construed as including an authorized representative. *(L.N. 140 of 2004)*

(L.N. 84 of 2004)

54. Procedure for voting

(1) When an elector or authorized representative is issued with a ballot paper or ballot papers, he or she must immediately go into a voting compartment and mark the ballot paper or ballot papers as appropriate. After marking the ballot paper or ballot papers, the elector or authorized representative must, before leaving the voting compartment, conceal the mark or marks on it or them in the appropriate manner described in subsection (3) or (3A) and put the ballot paper or ballot papers, into the correct ballot box. *(L.N. 84 of 2004; 11 of 2012 s. 45)*

(2) *(Repealed L.N. 84 of 2004)*

(3) An elector voting for a geographical constituency or the District Council (second) functional constituency must fold the ballot paper so that the marked side is inside and put the folded ballot paper into the ballot box. *(L.N. 73 of 2011)*

(3A) An elector or authorized representative voting for a functional constituency (other than the District Council (second) functional constituency) must put the ballot paper, unfolded, into the ballot box with the marked side facing down. *(L.N. 73 of 2011)*

(4) An elector or an authorized representative must cast his or her vote without undue delay. An elector or authorized representative must leave the polling station as soon as he or she has put the ballot paper or ballot papers into the ballot box or ballot boxes.

(5) Subject to subsections (3) and (3A), a person must not put anything other than a marked ballot paper into the ballot box. *(L.N. 84 of 2004; L.N. 73 of 2011)*

(6) Except where it is provided otherwise in this Regulation, a person must not remove a ballot paper from a polling station. A person who contravenes this subsection commits an offence and is liable to a fine at level 2 and to imprisonment for 6 months. *(L.N. 65 of 2000)*

(7) In this section, ***voting compartment*** (投票間) means a compartment provided under section 37(1) for the purpose of marking ballot papers. *(E.R. 6 of 2019)*

55. How geographical constituency and District Council (second) functional constituency ballot papers are to be marked

(L.N. 73 of 2011)

(1) An elector voting for a geographical constituency or the District Council (second) functional constituency (as applicable) must mark his or her ballot paper with the chop provided under section 37(6) for the purpose. *(L.N. 65 of 2000; L.N. 73 of 2011)*

(2) The chop is to be affixed to give a single "✓" in the circle opposite the list of candidates of the elector's choice on the ballot paper. *(L.N. 65 of 2000)*

56. How special functional constituency ballot papers are to be marked

(1) An elector or authorized representative voting for a special functional constituency must mark the ballot paper as described in section 50(3) of the Legislative Council Ordinance (Cap. 542).

(2) For the purposes of this section and section 50(3) of the Legislative Council Ordinance (Cap. 542), an elector or authorized representative must mark the first preference by entering, in accordance with subsection (2A), "1" (Arabic numeral) against the name of a candidate on the ballot paper and mark, in the same manner, the other preferences in the descending order beginning with "2" (Arabic numeral). *(L.N. 65 of 2000)*

(2A) The Arabic numeral is to be entered in the circle opposite the name of the candidate of the elector's or authorized representative's choice on the ballot paper. *(L.N. 65 of 2000)*

(3) If a person referred to in subsection (1) marks a first preference for 2 or more candidates (whether or not that person marks preferences for any other candidate) or does not mark a first preference (whether or not that person marks any other preference) the ballot paper is void.

57. How ordinary functional constituency (other than District Council (second) functional constituency) ballot papers are to be marked

(L.N. 73 of 2011)

(1) An elector or authorized representative voting for an ordinary functional constituency (other than the District Council (second) functional constituency) must mark his or her ballot paper with the chop provided under section 37(6) for the purpose. The elector or authorized representative may vote for a number of candidates not exceeding the number of Members to be returned for that ordinary functional constituency. *(L.N. 65 of 2000; L.N. 73 of 2011)*

(2) The chop is to be affixed to give a single "✓" in the circle opposite the names of the candidates of the elector's or authorized representative's choice on the ballot paper. *(L.N. 65 of 2000)*

59. Marking of ballot papers for or by incapacitated person

(1) The Presiding Officer may mark a ballot paper for an elector or authorized representative who is or claims that he or she is unable to read or is incapacitated from voting due to blindness or other physical cause. The Presiding Officer may do so only on the application of such an elector or authorized representative.

(2) The Presiding Officer must mark the ballot paper for a person referred to in subsection (1) in the presence of a polling officer and in the appropriate manner specified in section 55, 56 or 57 (as may be applicable), according to the choice of the elector or authorized representative. The Presiding Officer must put the ballot paper into the ballot box, in the appropriate manner described in section 54 in the presence of a polling officer, after marking it. *(L.N. 84 of 2004)*

(3) An elector or authorized representative who is blind or claims that he or she is blind may make use of a template to mark the ballot paper if a template is provided for that purpose at the polling station.

63. Steps to be taken at the close of the poll: a polling station which is also a counting station

(L.N. 130 of 2009)

(1) As soon as practicable after the close of the poll at a polling station which is also designated as a counting station, the Presiding Officer must display a notice in a prominent place outside the polling station stating that the poll has been closed and that it will be opened when it is ready for use for the counting of votes. *(L.N. 84 of 2004)*

(1A) A candidate, and an election agent, a polling agent and a counting agent of such candidate may stay in a polling station referred to in subsection (1) while it is closed for the preparation for the counting of votes. *(L.N. 84 of 2004; L.N. 66 of 2008)*

(2) After complying with subsection (1), the Presiding Officer must, in the presence of the persons, if any, who are present within the polling station, take the following steps—

(a) place the ballot box or boxes where that Officer and other persons who are present within the polling station can see them;

(b) cover each ballot box with a device provided for that purpose so that a ballot paper or any other material cannot be introduced into or withdrawn from the ballot box after it is covered;

(c) use a padlock to keep the device secured in position;

(d) seal each ballot box; and

(e) make up into separate sealed packets—

(i) ballot papers which have not been issued;

(ii) the unused ballot papers;

(iii) the spoilt ballot papers; and

(iv) the marked copies of the final register. *(L.N. 84 of 2004)*

(2A) The Presiding Officer must, after complying with subsection (2), keep the sealed ballot box or boxes under that Officer's control until the counting of votes begins. *(L.N. 84 of 2004)*

(3) At a polling station used for polling for more than one constituency, the Presiding Officer must make separate sealed packets for each constituency. *(L.N. 84 of 2004)*

(4) For the avoidance of doubt, it is stated that the ballot papers in a sealed packet prepared under this section are not to be counted for the purpose of counting the votes. Accordingly, the references to ballot papers in relation to the counting of the votes are to be construed as not including those ballot papers. *(E.R. 6 of 2019)*

63A. Steps to be taken at the close of the poll: a polling station which is not a counting station

(L.N. 130 of 2009)

(1) As soon as practicable after the close of the poll at a small polling station or a dedicated polling station, the Presiding Officer of that polling station must, in the presence of the persons, if any, who are present within the polling station, take the following steps— *(L.N. 130 of 2009)*

(a) place the ballot box or boxes where that Officer and other persons who are present within the polling station can see them;

(b) cover each ballot box with a device provided for that purpose so that a ballot paper or any other material cannot be introduced into or withdrawn from the ballot box after it is covered;

(c) use a padlock to keep the device secured in position;

(d) seal each ballot box; and

(e) make up into separate sealed packets—

(i) ballot papers which have not been issued;

(ii) the unused ballot papers;

(iii) the spoilt ballot papers; and

(iv) the marked copies of the final register.

(2) A candidate and an election agent and a polling agent of such candidate may stay in a polling station referred to in subsection (1) while it is closed for taking the steps referred to in subsection (1)(a), (b), (c), (d) and (e).

(2A) An election agent or a polling agent may not stay under subsection (2) in a dedicated polling station situated in a maximum security prison. *(L.N. 130 of 2009)*

(3) The Presiding Officer of the small polling station must then deliver the ballot box or boxes, the sealed packets and the ballot paper accounts prepared by that Officer to the Presiding Officer of the main counting station. *(L.N. 140 of 2004)*

(4) The Presiding Officer of the dedicated polling station must then deliver the ballot box or boxes, the sealed packets and the ballot paper accounts prepared by that Officer to— *(L.N. 197 of 2009)*

(a) the Presiding Officer of the ballot paper sorting station or the main counting station concerned; or

(b) the Returning Officer of the counting station,

as advised by the Chief Electoral Officer. *(L.N. 130 of 2009; L.N. 197 of 2009)*

(L.N. 84 of 2004)

65. Returning Officer and Presiding Officer to give notice of time and place of counting of votes to candidates

(1) Subject to subsection (7), the Returning Officer or the Presiding Officer, as may be appropriate, is to determine the time at which the counting of the votes in respect of a constituency is to begin.

(2) The time determined under subsection (1) for a constituency must be a time after the poll has closed at all the polling stations at which polling for that constituency was conducted. *(L.N. 84 of 2004)*

(2A) Despite subsection (2), the time determined under subsection (1) in respect of sorting ballot papers at the ballot paper sorting station—

(a) must be a time after the poll has closed at all the dedicated polling stations situated in prisons at which polling for the constituency concerned was conducted; and

(b) may be a time before the poll has closed at all the other polling stations at which polling for the constituency concerned is conducted. *(L.N. 130 of 2009)*

(3) The Returning Officer must give notice in writing to each candidate for a constituency of the place or places at which counting is to take place for the constituency contested by the candidate. *(L.N. 66 of 2008)*

(4) *(Repealed L.N. 84 of 2004)*

(5) Notice under subsection (3) must be given at least 10 days before the polling day. *(12 of 2014 s. 99)*

(5A) The Presiding Officer must, before the counting of votes begins, display a notice in a prominent place outside the counting station stating the time that the counting station will be opened to the public to observe the counting of votes. *(L.N. 84 of 2004)*

(6) If a poll for a constituency is adjourned under Schedule 2, the counting of the votes for that constituency is to stand postponed.

(7) If the counting of the votes stands postponed under subsection (6), the Chief Electoral Officer is to determine a time for the counting to begin and the place or places for it to take place. The time must be after the adjourned poll is resumed and after the close of that poll. The Returning Officer is to give notice to each candidate of the relevant constituency of the time and place.

(7A) Where the Commission has given a direction under section 75A that the counting of votes cast at a polling station in respect of a geographical constituency is to take place or continue to take place at a counting station specified by the Chief Electoral Officer, the Returning Officer must give notice, which may be oral or in writing, to each candidate for the constituency of the time and place at which the counting is to take place or continue to take place. *(L.N. 66 of 2008)*

(8) A notice required to be given under this section may be given to the election agent or counting agent of a candidate or a list of candidates instead of to the candidate.

(8A) A notice required to be given under this section to a candidate may be given, where the candidate is on a multiple candidates list, to the candidate ranking first in priority on the list. *(L.N. 66 of 2008)*

(9) In this section, ***Presiding Officer*** (投票站主任) does not include a Presiding Officer of a small polling station or a dedicated polling station. *(L.N. 84 of 2004; L.N. 130 of 2009)*

(L.N. 84 of 2004)

66. Candidates may appoint counting agents

(1) A candidate or a list of candidates may appoint persons to attend at a counting station to observe the counting of the votes for the constituency contested by the candidate or the list, in accordance with this section. *(L.N. 84 of 2004; L.N. 73 of 2011)*

(2) The Commission is to determine the maximum number of counting agents a candidate or a list of candidates may appoint.

(3) In the case of a multiple candidates list, the counting agents must be appointed jointly by all the candidates on the list.

(4) Only a holder of an identity card who has attained the age of 18 years may be appointed as a counting agent. *(L.N. 147 of 1998)*

(5) A candidate must give notice of appointment of a counting agent to the Returning Officer at least 7 days before polling day. *(L.N. 147 of 1998; L.N. 84 of 2004; 12 of 2014 s. 42)*

(5A) A notice of appointment given under subsection (5) must be delivered by hand, by post, by electronic mail or by facsimile transmission. *(12 of 2014 s. 42)*

(6) If notice is not given under subsection (5), it must be delivered on polling day to the Returning Officer or the Presiding Officer, as may be appropriate— *(L.N. 84 of 2004)*

(a) by the candidate in person, or in the case of a multiple candidates list, by any candidate on the list in person; or

(b) by the election agent of the candidate or of the list, in person. *(L.N. 147 of 1998)*

(7) A notice of appointment must be in writing and in the specified form. It must state the name, identity card number and residential address of the counting agent. It must be signed by the candidate or, in the case of a multiple candidates list, by all the candidates on the list. *(L.N. 65 of 2000; L.N. 66 of 2008; 12 of 2014 s. 42)*

(8) The appointment of a counting agent is not effective until notice of the appointment is received by the Returning Officer or the Presiding Officer, as may be appropriate. *(L.N. 84 of 2004)*

(9) If the appointment of a counting agent is revoked, the candidate must give notice of the revocation to the Returning Officer or the Presiding Officer in accordance with subsection (10A) or (11). *(L.N. 147 of 1998; L.N. 84 of 2004; 12 of 2014 s. 42)*

(10) A notice of revocation must be in writing and in the specified form. In the case of a counting agent for a candidate or a single candidate list, it must be signed by the candidate. In the case of a multiple candidates list, it must be signed by all the candidates on the list. *(L.N. 84 of 2004; L.N. 73 of 2011)*

(10A) If the notice of revocation is given before polling day, it must be delivered to the Returning Officer by hand, by post, by electronic mail or by facsimile transmission. *(12 of 2014 s. 42)*

(11) If the notice of revocation is given on polling day, it must be delivered to the Returning Officer or the Presiding Officer, as may be appropriate—

(a) by the candidate in person, or in the case of a multiple candidates list, by any candidate on the list in person; or

(b) by the election agent of the candidate or of the list, in person. *(12 of 2014 s. 42)*

(12) A revocation of the appointment of a counting agent is not effective until notice of it is received by the Returning Officer or the Presiding Officer, as may be appropriate. *(L.N. 84 of 2004)*

(L.N. 147 of 1998)

70. Ballot boxes for FC ballot papers to be delivered to the counting station

(1) In a general election in relation to which the Chief Electoral Officer has exercised the power under section 28(9)(a) — *(L.N. 84 of 2004 and L.N. 140 of 2004)*

(a) the Presiding Officer of a GC polling station which is also designated as a counting station (other than a main counting station) must deliver or arrange to be delivered to the central counting station the ballot boxes for the FC ballot papers from that Officer's polling station, together with the sealed packets under section 63 and the ballot paper accounts prepared by that Officer for the functional constituencies;

(b) the Presiding Officer of a GC polling station which is also designated as a main counting station must, in addition to the ballot boxes, sealed packets and ballot paper accounts referred to in paragraph (a), deliver or arrange to be delivered to the central counting station the relevant ballot box or boxes, sealed packets and ballot paper accounts delivered to that Officer under section 63A(3) for the functional constituencies; and *(L.N. 140 of 2004)*

(c) the Presiding Officer of a ballot paper sorting station must deliver, or arrange to be delivered, to the central counting station the relevant ballot box or boxes, sealed packets and ballot paper accounts delivered to that Officer under section 63A(4) for the functional constituencies. *(L.N. 130 of 2009)*

(2) In a by-election for a functional constituency, the Presiding Officer must deliver or arrange to be delivered to the counting station for counting the votes cast at the by-election, the ballot boxes from that Officer's polling station, together with the sealed packets under section 63 or 63A and the ballot paper account prepared by that Officer.

(L.N. 65 of 2000; L.N. 84 of 2004; L.N. 130 of 2009)

71. Arrangements for the supervision of counting station and counting zone

(1) The Chief Returning Officer is to supervise the central counting station. In that counting station—

(a) the Chief Returning Officer is to be in charge of the counting zones for the special functional constituencies, and is to be assisted in those counting zones by the respective Returning Officers for the special functional constituencies; and

(b) the respective Returning Officers for the ordinary functional constituencies are to be in charge of the counting zone for the relevant functional constituencies. *(L.N. 84 of 2004)*

(c) *(Repealed L.N. 84 of 2004)*

(2) A counting station for counting the votes for a geographical constituency is to be supervised by the Presiding Officer of that counting station. *(L.N. 84 of 2004)*

(3) *(Repealed L.N. 84 of 2004)*

(4) The Chief Returning Officer and the Returning Officers are to be assisted by one or more Assistant Returning Officers.

(5) The Presiding Officer may be assisted by one Deputy Presiding Officer and one or more Assistant Presiding Officers. *(L.N. 84 of 2004)*

(6) In this section, ***Presiding Officer*** (投票站主任) does not include a Presiding Officer of a small polling station or a dedicated polling station. *(L.N. 84 of 2004; L.N. 130 of 2009)*

(L.N. 65 of 2000)

72. Delivered ballot boxes and receptacles to be given into charge of relevant Returning Officer

(11 of 2012 s. 46)

(1) After delivery of the ballot boxes to the central counting station, the ballot boxes from a GC polling station for the FC ballot papers are to be given into the charge of a Returning Officer for a functional constituency. *(L.N. 84 of 2004)*

(1A) After delivery of the ballot boxes and receptacles containing FC ballot papers transferred from a ballot paper sorting station to the central counting station, the ballot boxes and receptacles are to be given into the charge of a Returning Officer for a functional constituency. *(11 of 2012 s. 46)*

(2) If the Chief Returning Officer considers that the arrangements described in subsection (1) or (1A) are not practicable, that Officer may modify them. *(11 of 2012 s. 46)*

(3) *(Repealed L.N. 84 of 2004)*

73. Returning Officer at the central counting station to open ballot box

(1) A Returning Officer into whose charge a ballot box is given at the central counting station must open it by breaking the seal. That Officer must do so in the presence of the candidates, their election agents or counting agents, if present at the counting zone. *(L.N. 65 of 2000)*

(2) The Returning Officer must permit a candidate, or the election agent or counting agent of a candidate, to inspect any paper, other than a ballot paper, taken from the ballot box, if so requested by the candidate or agent, before that paper is disposed of. A candidate or an election agent or a counting agent must not be permitted under this subsection to inspect a ballot paper.

(L.N. 84 of 2004)

73A. Presiding Officer at a counting station to open ballot box for the receipt of GC ballot papers

(1) A Presiding Officer at a counting station must open a ballot box for the receipt of GC ballot papers in that Officer's charge by breaking the seal. That Officer must do so in the presence of the candidates, their election agents or counting agents, if present at the counting zone.

(2) The Presiding Officer must permit a candidate, or the election agent or counting agent of a candidate, to inspect any paper, other than a ballot paper, taken from the ballot box, if so requested by the candidate or agent, before that paper is disposed of. A candidate or an election agent or a counting agent must not be permitted under this subsection to inspect a ballot paper.

(L.N. 84 of 2004)

74. Arrangements for separating ballot papers and verifying ballot paper account at central counting station: functional constituencies other than District Council (second) functional constituency

(11 of 2012 s. 67)

(1A) This section applies to any functional constituency other than the District Council (second) functional constituency. *(11 of 2012 s. 67)*

(1) At the central counting station, the Returning Officer for a functional constituency must, in relation to the FC ballot papers in the ballot boxes given into that Officer's charge under section 72, in the counting zone for that functional constituency—

(a) sort the FC ballot papers according to each functional constituency;

(b) count and record the number of FC ballot papers for each functional constituency;

(c) verify the ballot paper account for each functional constituency by comparing it with the number of ballot papers recorded for that functional constituency under paragraph (b);

(d) prepare a statement in writing as to the result of the verification;

(e) retain the FC ballot papers for the functional constituency for which that Officer is appointed together with the verification of the ballot paper account;

(f) make into separate bundles the other sorted FC ballot papers together with the relevant verification of the ballot paper account, place each bundle in a separate receptacle and seal it in the presence of those present at the counting zone; *(11 of 2012 s. 67)*

(g) in case there are any GC ballot papers in the ballot boxes — *(L.N. 84 of 2004)*

(i) sort the GC ballot papers according to each geographical constituency;

(ii) count and record the number of GC ballot papers for each geographical constituency;

(iii) prepare a statement in writing as to the number of GC ballot papers recorded for each geographical constituency under subparagraph (ii);

(iv) make into separate bundles the sorted GC ballot papers together with the relevant statement prepared under subparagraph (iii), place each bundle in a separate receptacle and seal it in the presence of those present at the counting zone; and *(L.N. 65 of 2000; L.N. 84 of 2004; 11 of 2012 s. 67)*

(h) in case there are any FC ballot papers for the District Council (second) functional constituency in the ballot boxes—

(i) count and record the number of the ballot papers;

(ii) prepare a statement in writing as to the number recorded under subparagraph (i);

(iii) make into a bundle the ballot papers together with the statement prepared under subparagraph (ii); and

(iv) place the bundle in a receptacle and seal it in the presence of those present at the counting zone. *(11 of 2012 s. 67)*

(2) *(Repealed L.N. 84 of 2004)*

(3)-(4) *(Repealed L.N. 65 of 2000)*

(5) If a Returning Officer considers it necessary or if required by a candidate who is present at the counting zone or an election agent or counting agent so present, that Officer must, in preparing the verification of the ballot paper account, compare the ballot paper account with the number of ballot papers recorded by that Officer and the spoilt ballot papers, the unused ballot papers and the counterfoils or un-issued ballot papers. *(11 of 2012 s. 67)*

(6)-(7) *(Repealed L.N. 65 of 2000)*

(8) A Returning Officer must give the receptacles referred to in subsection (1)(f), (g)(iv) or (h)(iv) into the charge of an Assistant Returning Officer in attendance at the relevant counting zone. The Assistant Returning Officer— *(L.N. 84 of 2004; 11 of 2012 s. 67)*

(a) must hand over the receptacle containing the bundle of special functional constituency ballot papers to the Returning Officer for the relevant special functional constituency; *(L.N. 140 of 2004)*

(b) must hand over the receptacle containing the bundle of other FC ballot papers to the Returning Officer for the relevant functional constituency; and

(c) must hand over the receptacle containing the bundle of GC ballot papers to the Returning Officer for the relevant geographical constituency. *(L.N. 65 of 2000; L.N. 84 of 2004)*

(9) *(Repealed L.N. 84 of 2004)*

(10) A candidate or an election agent or a counting agent may copy what is recorded on the ballot paper account or the verification of the ballot paper account.

(L.N. 147 of 1998)

74AAA. Arrangements for separating ballot papers and verifying ballot paper account at central counting station: District Council (second) functional constituency

(1) This section applies to the District Council (second) functional constituency.

(2) At the central counting station, the Returning Officer for the District Council (second) functional constituency must, in relation to the FC ballot papers in the ballot boxes given into that Officer's charge under section 72, in the counting zone for that functional constituency—

(a) before counting the votes for the FC ballot papers from any small polling station or dedicated polling station in accordance with section 77A—

(i) count and record the number of FC ballot papers from each of those polling stations; and

(ii) verify the number by comparing it with the ballot paper account; *(14 of 2015 s. 17)*

(b) after counting the votes for the FC ballot papers from each polling station (other than a small polling station or dedicated polling station) in accordance with section 77A, verify the number of the FC ballot papers recorded in the counting process by comparing the number with the ballot paper account; *(14 of 2015 s. 17)*

(c) prepare a statement in writing as to the respective result of the verification under paragraphs (a) and (b); *(14 of 2015 s. 17)*

(d) in case there are any GC ballot papers in the ballot boxes —

(i) sort the GC ballot papers according to each geographical constituency;

(ii) count and record the number of GC ballot papers for each geographical constituency;

(iii) prepare a statement in writing as to the number of GC ballot papers recorded for each geographical constituency under subparagraph (ii);

(iv) make into separate bundles the sorted GC ballot papers together with the relevant statement prepared under subparagraph (iii); and

(v) place each bundle in a separate receptacle and seal it in the presence of those present at the counting zone;

(e) in case there are any FC ballot papers for any functional constituency other than the District Council (second) functional constituency in the ballot boxes—

(i) sort the FC ballot papers according to each functional constituency;

(ii) count and record the number of FC ballot papers for each functional constituency;

(iii) prepare a statement in writing as to the number of FC ballot papers recorded for each functional constituency under subparagraph (ii);

(iv) make into separate bundles the sorted FC ballot papers together with the relevant statement prepared under subparagraph (iii); and

(v) place each bundle in a separate receptacle and seal it in the presence of those present at the counting zone.

(3) If the Returning Officer considers it necessary or if required by a candidate, an election agent or a counting agent present at the counting zone, that Officer must, in preparing the verification of the ballot paper account, compare the ballot paper account with the number of ballot papers recorded by that Officer and the spoilt ballot papers, the unused ballot papers and the counterfoils or un-issued ballot papers.

(4) The Returning Officer must give the receptacles referred to in subsection (2)(d)(v) or (e)(v) into the charge of an Assistant Returning Officer in attendance at the relevant counting zone. The Assistant Returning Officer—

(a) must hand over the receptacle containing the bundle of special functional constituency ballot papers to the Returning Officer for the relevant special functional constituency;

(b) must hand over the receptacle containing the bundle of other FC ballot papers to the Returning Officer for the relevant functional constituency; and

(c) must hand over the receptacle containing the bundle of GC ballot papers to the Returning Officer for the relevant geographical constituency.

(5) A candidate, an election agent or a counting agent may copy what is recorded on the ballot paper account or the verification of the ballot paper account.

(11 of 2012 s. 68)

74A. Arrangements for verification of ballot paper account at GC counting station

(1) At a GC counting station, the Presiding Officer who supervises— *(L.N. 84 of 2004)*

(a) a counting station other than a main counting station or a ballot paper sorting station must, after counting the votes in accordance with section 75, at the counting zone verify the number of GC ballot papers so counted by comparing it with the ballot paper account prepared under section 64 and prepare a statement in writing as to the result of the verification; *(L.N. 84 of 2004; L.N. 130 of 2009)*

(b) a main counting station must—

(i) at the counting zone—

(A) count and record the number of GC ballot papers in the ballot box or boxes from a small polling station, and verify the ballot paper account prepared under section 64 by comparing it with the number;

(B) count and record the number of GC ballot papers in the receptacle or receptacles received from a ballot paper sorting station, and verify the statement prepared under section 74AA(e) by comparing it with the number; and

(C) prepare a statement in writing as to the respective result of the verification under sub-subparagraphs (A) and (B),

before counting the votes for those ballot papers in accordance with section 75; and

(ii) after the counting of votes in accordance with section 75, at the counting zone—

(A) verify the number of GC ballot papers at the polling station designated as the main counting station so counted by comparing it with the ballot paper account prepared under section 64; and

(B) prepare a statement in writing as to the result of the verification under sub-subparagraph (A); *(12 of 2014 s. 69)*

(c) *(Repealed L.N. 84 of 2004)*

(d) the station must, in case there are any FC ballot papers in the ballot boxes— *(L.N. 84 of 2004; 11 of 2012 s. 47)*

(i) sort the FC ballot papers according to each functional constituency;

(ii) count and record the number of FC ballot papers for each functional constituency;

(iii) prepare a statement in writing as to the number of FC ballot papers recorded for each functional constituency under subparagraph (ii);

(iv) make into separate bundles the sorted FC ballot papers together with the relevant statement prepared under subparagraph (iii), place each bundle in a separate receptacle and seal it in the presence of those present at the counting zone.

(2) If the Presiding Officer considers it necessary or if required by a candidate who is present at the counting zone or an election agent or counting agent so present, that Officer must, in preparing the verification of the ballot paper account, compare the ballot paper account with the number of ballot papers recorded by that Officer and the spoilt ballot papers, the unused ballot papers and the counterfoils or unissued ballot papers. *(L.N. 84 of 2004; 11 of 2012 s. 69)*

(3) A Presiding Officer must give the receptacles referred to in subsection (1)(d)(iv) into the charge of an Assistant Presiding Officer in attendance at the counting zone. The Assistant Presiding Officer must deliver the receptacles to the central counting station and hand over the receptacle containing the bundle of FC ballot papers to the Returning Officer for the relevant functional constituency. *(L.N. 84 of 2004)*

(4) *(Repealed L.N. 84 of 2004)*

(5) A candidate or an election agent or a counting agent may copy what is recorded on the ballot paper account or the verification of the ballot paper account.

(L.N. 65 of 2000)

74AA. Arrangements for sorting of GC ballot papers in ballot paper sorting stations

(11 of 2012 s. 48)

The Presiding Officer of a ballot paper sorting station must—

(a) sort the GC ballot papers in each ballot box under the Officer's charge according to each geographical constituency; *(L.N. 73 of 2011)*

(b) count and record the number of GC ballot papers for each geographical constituency; *(L.N. 73 of 2011)*

(c) verify the ballot paper account by comparing it with the number of GC ballot papers recorded under paragraph (b); *(L.N. 73 of 2011)*

(d) prepare a statement in writing as to the result of the verification; *(L.N. 73 of 2011)*

(e) prepare a statement in writing as to the number of GC ballot papers recorded under paragraph (b); *(L.N. 73 of 2011)*

(f) make into separate bundles the sorted GC ballot papers together with the relevant statement prepared under paragraph (e); *(L.N. 73 of 2011)*

(g) place each bundle in a separate receptacle and seal it in the presence of those present at the counting zone; *(L.N. 73 of 2011)*

(h) arrange the receptacles to be delivered to the Presiding Officers of the respective main counting stations of the relevant geographical constituencies; and *(L.N. 73 of 2011)*

(i) send to the Chief Electoral Officer the ballot paper accounts, verification of the ballot paper accounts and the sealed packets made up under section 63A. *(L.N. 73 of 2011)*

(L.N. 130 of 2009)

74AB. Arrangements for sorting of FC ballot papers in ballot paper sorting stations

(1) This section applies if any FC ballot paper is found in a ballot box for GC ballot papers delivered to a ballot paper sorting station.

(2) The Presiding Officer of a ballot paper sorting station must—

(a) sort the FC ballot papers according to each functional constituency;

(b) count and record the number of FC ballot papers for each functional constituency;

(c) prepare a statement in writing as to the number of ballot papers recorded for each functional constituency under paragraph (b);

(d) make into separate bundles the sorted FC ballot papers together with the relevant statement prepared under paragraph (c);

(e) place each bundle in a separate receptacle and seal it in the presence of those present at the counting zone; and

(f) give the receptacles into the charge of an Assistant Presiding Officer in attendance at the counting zone.

(3) The Assistant Presiding Officer referred to in subsection (2)(f) must deliver the receptacles to the central counting station and hand over the receptacle containing the bundle of FC ballot papers to the Returning Officer for the relevant functional constituency.

(11 of 2012 s. 49)

74B. Arrangements for verification of ballot paper account at counting station at a by-election

(1) At a counting station for counting the votes cast at a by-election for a functional constituency, the Returning Officer must, in relation to the ballot papers in the ballot boxes given into that Officer's charge, at the counting zone— *(L.N. 84 of 2004)*

(a) count and record the number of ballot papers;

(b) verify the ballot paper account for the ballot papers by comparing it with the number of ballot papers recorded under paragraph (a); and

(c) prepare a statement in writing as to the result of the verification.

(1A) At a counting station for counting the votes cast at a by-election for a geographical constituency, the Presiding Officer other than the Presiding Officer of a main counting station must, after counting the votes in accordance with section 75, at the counting zone verify the number of GC ballot papers so counted by comparing it with the ballot paper account prepared under section 64 and prepare a statement in writing as to the result of the verification. *(L.N. 84 of 2004)*

(1B) At a main counting station for counting the votes cast at a by-election for a geographical constituency, the Presiding Officer must— *(12 of 2014 s. 70)*

(a) at the counting zone—

(i) count and record the number of GC ballot papers in the ballot box or boxes from a small polling station or a dedicated polling station, and verify the ballot paper account prepared under section 64 by comparing it with the number;

(ii) count and record the number of GC ballot papers in the receptacle or receptacles received from a ballot paper sorting station (if any in the by-election), and verify the statement prepared under section 74AA(e) by comparing it with the number; and

(iii) prepare a statement in writing as to the respective result of the verification under subparagraphs (i) and (ii),

before counting the votes for those ballot papers in accordance with section 75; and

(b) after the counting of votes in accordance with section 75, at the counting zone—

(i) verify the number of GC ballot papers at the polling station designated as the main counting station so counted by comparing it with the ballot paper account prepared under section 64; and

(ii) prepare a statement in writing as to the result of the verification under subparagraph (i). *(L.N. 84 of 2004; 12 of 2014 s. 70)*

(2) If the Returning Officer or the Presiding Officer, as may be appropriate, considers it necessary or if required by a candidate who is present at the counting zone or an election agent or counting agent so present, that Officer must, in preparing the verification of the ballot paper account, compare the ballot paper account with the number of ballot papers recorded by that Officer and the spoilt ballot papers, the unused ballot papers and the counterfoils or unissued ballot papers. *(L.N. 84 of 2004; 11 of 2012 s. 70)*

(3) *(Repealed L.N. 84 of 2004)*

(4) A candidate or an election agent or a counting agent may copy what is recorded on the ballot paper account or the verification of the ballot paper account.

(L.N. 65 of 2000)

75. Counting of votes for geographical constituencies

(1) At the counting zone for a geographical constituency, the ballot papers for that constituency, that is—

(a) in the case of a general election, the ballot papers referred to in section 74A(1);

(b) in the case of a by-election, the ballot papers referred to in section 74B(1A) and (1B),

must be dealt with by the Presiding Officer as provided in this section. *(L.N. 147 of 1998; L.N. 65 of 2000; L.N. 84 of 2004; 12 of 2014 s. 71)*

(2)-(4) *(Repealed L.N. 84 of 2004)*

(4A) The Presiding Officer of a main counting station must, when counting the votes at the main counting station, mix the ballot papers in at least one of the ballot boxes at the polling station designated as the main counting station together with— *(L.N. 130 of 2009; 11 of 2012 s. 50)*

(a) the ballot papers that have been delivered to the main counting station from one or more small polling stations; and

(b) the ballot papers that have been delivered to the main counting station from one or more ballot paper sorting stations, or one or more dedicated polling stations, as may be appropriate. *(L.N. 84 of 2004; L.N. 130 of 2009; L.N. 197 of 2009; 11 of 2012 s. 50)*

(5) GC ballot papers are to be separated with reference to the list of candidates for which the vote has been recorded.

(6) The votes recorded on the GC ballot papers, including those recorded on the GC ballot papers handed over to a Returning Officer under section 74(8)(c) or 74AAA(4)(c), are to be counted according to the system of counting described in section 49 of the Legislative Council Ordinance (Cap. 542). *(L.N. 84 of 2004; 11 of 2012 s. 71)*

(7) In the course of counting in accordance with subsection (6)—

(a) any ballot paper—

(i) which appears to have any writing or mark by which the elector can possibly be identified;

(ii) which appears to be not marked in accordance with section 55(2);

(iii) which appears to be substantially mutilated; or

(iv) which appears to be void for uncertainty,

is questionable and must be separated and forwarded to the Returning Officer or the Presiding Officer (as appropriate) to decide whether the vote is to be counted in accordance with section 81; and *(1 of 2019 s. 87)*

(b) any ballot paper described in section 80(1)(b), (c), (d), (f), (ha), (i) and (ia) must be separated and the vote is not to be counted pursuant to section 80. *(L.N. 84 of 2004; 1 of 2019 s. 45)*

75A. Special arrangements for counting of votes for geographical constituencies

(1) If at any time it appears to the Commission that a counting station (***first counting station***) assigned for the counting of votes cast at a polling station (***polling station concerned***) in respect of a geographical constituency is no longer available or suitable for the counting to take place or continue to take place, the Commission may direct that the counting is to take place or continue to take place at another counting station (***new counting station***) specified by the Chief Electoral Officer.

(2) Subsection (1) does not apply if it appears to the Commission that the first counting station is no longer available or suitable for the counting of votes to take place or continue to take place because of any of the occurrences specified in section 2(3) of Schedule 2.

(3) Where the Commission gives a direction under subsection (1), the Presiding Officer of the first counting station (***first Presiding Officer***) must arrange the ballot boxes (whether opened or un-opened) and receptacles, if any, together with the ballot papers (whether counted or not), any un-issued ballot papers, tendered ballot papers, ballot paper account, verification of a ballot paper account or re-verification of a ballot paper account, and any other relevant election materials to be transferred to the new counting station.

(4) Any person who may be present at the first counting station or polling station concerned under this Regulation may also be present with the first Presiding Officer when that Officer makes any arrangement under subsection (3).

(5) The Chief Electoral Officer may direct any Presiding Officer to act in place of the first Presiding Officer for the purposes of the counting or continuing of the counting of votes as well as all other duties or powers the first Presiding Officer would have to perform or exercise under this Regulation had he not been replaced.

(6) Subject to subsection (8), for the purposes of this Regulation —

(a) the new counting station is to be regarded as the first counting station; and

(b) the counting zone of the new counting station is to be regarded as the counting zone of the first counting station.

(7) If at the new counting station the counting of votes cast at a polling station other than the polling station concerned is also to take place or taking place, the Chief Electoral Officer may assign within the new counting station an area for the counting or continuing of the counting of votes cast at each of the polling stations.

(8) For the purposes of this Regulation—

(a) an area assigned under subsection (7) for the counting or continuing of the counting of votes cast at a polling station is to be regarded as the counting station originally assigned for the counting of votes cast at the polling station; and

(b) the counting zone in the area mentioned in paragraph (a) is to be regarded as the counting zone of the counting station mentioned in that paragraph.

(L.N. 66 of 2008)

76. Counting of votes for special functional constituencies

(1) At the counting zone for a special functional constituency, the ballot papers for that special functional constituency, that is—

(a) in the case of a general election, the ballot papers retained under section 74(1)(e) and those handed over under sections 74(8)(a), 74AAA(4)(a), 74A(3) and 74AB(3); *(11 of 2012 s. 51)*

(b) in the case of a by-election, the ballot papers whose numbers are counted and recorded under section 74B(1)(a),

must be dealt with by the Returning Officer as provided in this section. *(L.N. 147 of 1998; L.N. 65 of 2000)*

(2) *(Repealed L.N. 84 of 2004)*

(3) Ballot papers for a special functional constituency that have been delivered from 2 or more polling stations must be mixed. *(L.N. 84 of 2004)*

(4) *(Repealed L.N. 84 of 2004)*

(5) The votes recorded on the ballot papers for each special functional constituency are to be counted according to the system of counting described in section 50 of the Legislative Council Ordinance (Cap. 542).

(6) In the course of counting in accordance with subsection (5)—

(a) any ballot paper—

(i) which appears to have any writing or mark by which the elector can possibly be identified;

(ii) which appears to be not marked in accordance with section 56(2A); *(1 of 2019 s. 46)*

(iii) which appears to be substantially mutilated; or

(iv) which appears to be void for uncertainty,

is questionable and must be separated and forwarded to the Returning Officer to decide whether the vote is to be counted in accordance with section 81; and

(b) any ballot paper described in section 80(1)(b), (c), (d), (f), (ga) and (hc) must be separated and the vote is not to be counted pursuant to section 80. *(L.N. 84 of 2004; 1 of 2019 s. 46)*

77. Counting of votes for ordinary functional constituencies other than District Council (second) functional constituency

(11 of 2012 s. 72)

(1A) This section applies to an ordinary functional constituency other than the District Council (second) functional constituency. *(11 of 2012 s. 72)*

(1) At the counting zone for a functional constituency, the ballot papers for that functional constituency, that is— *(11 of 2012 s. 72)*

(a) in the case of a general election, the ballot papers retained under section 74(1)(e) and those handed over under sections 74(8)(b), 74AAA(4)(b), 74A(3) and 74AB(3); *(11 of 2012 s. 52)*

(b) in the case of a by-election, the ballot papers whose numbers are counted and recorded under section 74B(1)(a),

must be dealt with by the Returning Officer as provided in this section. *(L.N. 147 of 1998)*

(2) *(Repealed L.N. 84 of 2004)*

(3) Ballot papers for a functional constituency that have been delivered from 2 or more polling stations must be mixed. *(L.N. 84 of 2004)*

(4) *(Repealed L.N. 84 of 2004)*

(5) The ballot papers are to be separated with reference to the candidate for whom the vote has been recorded, or in the case of constituencies returning more than one Member, the candidates for whom the votes have been recorded.

(6) The votes recorded on the ballot papers for each functional constituency are to be counted according to the system of counting described in section 51 of the Legislative Council Ordinance (Cap. 542). *(11 of 2012 s. 72)*

(7) In the course of counting in accordance with subsection (6)—

(a) any ballot paper—

(i) which appears to have any writing or mark by which the elector can possibly be identified;

(ii) which appears to be not marked in accordance with section 57(2);

(iii) which appears to be substantially mutilated; or

(iv) which appears to be void for uncertainty,

is questionable and must be separated and forwarded to the Returning Officer to decide whether the vote is to be counted in accordance with section 81; and

(b) any ballot paper described in section 80(1)(b), (c), (d), (f) and (hb) must be separated and the vote is not to be counted pursuant to section 80. *(L.N. 84 of 2004)*

(L.N. 65 of 2000)

77A. Counting of votes for District Council (second) functional constituency

(1) At the counting zone for the District Council (second) functional constituency, the ballot papers for the constituency in the ballot boxes given into the Returning Officer's charge under section 72 and those handed over under sections 74(8)(b), 74A(3) and 74AB(3) must be dealt with by the Returning Officer as provided in this section. *(14 of 2015 s. 18)*

(1A) In relation to the ballot papers from any small polling station or dedicated polling station, the Returning Officer must, before counting the votes recorded on those ballot papers, mix those ballot papers together with the ballot papers in at least one of the ballot boxes from a polling station (other than a small polling station or dedicated polling station). *(14 of 2015 s. 18)*

(2) The ballot papers are to be separated with reference to the list of candidates for which the vote has been recorded.

(3) The votes recorded on the ballot papers are to be counted according to the system of counting described in section 49 of the Legislative Council Ordinance (Cap. 542).

(4) In the course of counting in accordance with subsection (3)—

(a) any ballot paper—

(i) which appears to have any writing or mark by which the elector can possibly be identified;

(ii) which appears to be not marked in accordance with section 55(2);

(iii) which appears to be substantially mutilated; or

(iv) which appears to be void for uncertainty,

is questionable and must be separated and forwarded to the Returning Officer or an Assistant Returning Officer to decide whether the vote is to be counted in accordance with section 81; and

(b) any ballot paper described in section 80(1)(b), (c), (d), (f), (ha), (i) and (ia) must be separated and the vote is not to be counted pursuant to section 80. *(1 of 2019 s. 47)*

(11 of 2012 s. 73)

77B. Counting of votes for District Council (second) functional constituency by-election

(1) Without affecting section 3(2), if the polling day of a by-election held for the District Council (second) functional constituency does not fall on the polling day of a by-election held for any geographical constituency—

(a) subsections (3), (4), (5), (6) and (7) apply; and

(b) sections 74B(1) and 79 do not apply in relation to the District Council (second) functional constituency.

(2) Without affecting section 3(2), if the polling day of a by-election held for the District Council (second) functional constituency falls on the polling day of a by-election held for any geographical constituency (***GC by-election***), subsections (3), (4), (5), (6) and (7) apply in relation to all counting stations at which no polling for any GC by-election is held.

(3) Sections 65(7A), 71(2), 74B(1A) and (1B), 75(1), 75A(1) and 79A(1), (4), (5), (6), (7), (8), (10), (11), (12), (13) and (14) are to have effect as if "District Council (second) functional constituency" was substituted for "geographical constituency".

(4) Sections 73A(1), 74A(1), 74B(1A) and (1B), 75(5) and (6) and 79A(1), (7), (8), (12), (13) and (14) are to have effect as if "ballot papers for the District Council (second) functional constituency" was substituted for "GC ballot papers".

(5) Section 70(2) does not apply in relation to the District Council (second) functional constituency.

(6) Section 74A(1) is to have effect as if "counting station designated for the District Council (second) functional constituency" was substituted for "GC counting station".

(7) Section 74A(1)(d) is to have effect as if the references in that section to "FC ballot papers" did not include any ballot paper for the District Council (second) functional constituency.

(11 of 2012 s. 73)

79. Result of the counting of votes and re-count for functional constituencies

(1) After the votes are counted under section 76, 77 or 77A, the Returning Officer must make known to the candidates who are present within the counting zone, the result of the counting of the votes. If the candidates are not present, the Returning Officer is to make known the result to their respective election agents or counting agents, if those agents are present at the counting zone. *(L.N. 84 of 2004; 11 of 2012 s. 74)*

(2) A candidate who is present when the votes are counted or re-counted or an election agent who is so present, may request the Returning Officer to count again the counted or re-counted (as the case may be) votes. That Officer must comply with the request unless the Officer is of the opinion that the request is unreasonable.

(3) After a count or re-count is completed, nothing further is to be done until each candidate present at the completion, or the election agent of each candidate (but not both) if present at the completion of the count or re-count is given a reasonable opportunity to make a request for a re-count.

79A. Result of the counting of votes and re-count for geographical constituencies

(1) After the votes recorded on the GC ballot papers for a geographical constituency (other than those recorded on the GC ballot papers to be handed over to the Returning Officer under section 74(8)(c) or 74AAA(4)(c)) are counted under section 75, the Presiding Officer must make known to the candidates who are present within the counting zone the result of the counting of the votes. If the candidates are not present, that Officer is to make known the result to their respective election agents or counting agents, if those agents are present at the counting zone. *(L.N. 140 of 2004; 11 of 2012 s. 75)*

(2) A candidate who is present when the votes are counted or re-counted, or an election agent or a counting agent who is so present, may request the Presiding Officer to count again the counted or re-counted (as the case may be) votes. That Officer must comply with the request unless the Officer is of the opinion that the request is unreasonable.

(3) After a count or re-count is completed, nothing further is to be done until each candidate present at the completion, or the election agent or counting agent of each candidate if present at the completion, of the count or re-count is given a reasonable opportunity to make a request for a re-count. *(L.N. 140 of 2004)*

(4) Where there is no request for a re-count or such request is rejected by the Presiding Officer or the re-count is completed and there is no request for a further re-count or the request for a further re-count has been rejected by the Presiding Officer, the Presiding Officer must report to the relevant Assistant Returning Officer for the geographical constituency the result of the counting of votes and re-count (if any).

(5) After the Assistant Returning Officer has been notified of the results of the counting of votes of all the counting stations in his charge for the geographical constituency under subsection (4), that Officer must make known the results to the Returning Officer for the geographical constituency. *(L.N. 140 of 2004)*

(6) After the Returning Officer has been notified of the results of the counting of votes of all the counting stations for the geographical constituency under subsection (5), that Officer must make known the results to the candidates or their election agents or counting agents at the place specified by the Returning Officer. If a candidate or the election agent of the candidate who is present at the specified place makes a request to the Returning Officer for a re-count of the votes of all the counting stations for the geographical constituency, that Officer must comply with the request unless the Officer is of the opinion that the request is unreasonable. *(L.N. 140 of 2004)*

(7) After the Returning Officer has made known the results under subsection (6), that Officer must also make known the estimated number of GC ballot papers to be handed over to him under section 74(8)(c) or 74AAA(4)(c) for the geographical constituency (if any) to the candidates or their election agents or counting agents at the place specified by the Returning Officer. A candidate or the election agent of the candidate who is present at the specified place may make a request to the Returning Officer for a re-count of the votes of all the counting stations for the geographical constituency and the votes recorded on the GC ballot papers to be handed over to that Officer under section 74(8)(c) or 74AAA(4)(c) for the geographical constituency. *(L.N. 140 of 2004; 11 of 2012 s. 75)*

(8) Where there is no request for a re-count of the votes of all the counting stations for the geographical constituency under subsection (6) or such request is rejected by the Returning Officer, that Officer must add together—

(a) the results made known under subsection (6); and

(b) the result of the counting of the votes recorded on the GC ballot papers handed over to that Officer under section 74(8)(c) or 74AAA(4)(c) for the geographical constituency (if any), *(11 of 2012 s. 75)*

and make known the aggregate result to the candidates or their election agents or counting agents at the place specified by the Returning Officer. If a candidate or the election agent of the candidate who is present at the specified place makes a request to the Returning Officer for a re-count of the votes referred to in paragraph (b), that Officer must comply with the request unless the Officer is of the opinion that the request is unreasonable. *(L.N. 140 of 2004)*

(9) If the Returning Officer decides to comply with the request referred to in subsection (6), that Officer must require all the Assistant Returning Officers to instruct the Presiding Officers of the counting stations in their respective charge to conduct a re-count at the relevant counting stations forthwith. *(L.N. 140 of 2004)*

(10) The Presiding Officer of each of the counting stations for the geographical constituency must make known the result of the re-count at the counting station to the candidates or their election agents or counting agents who are present at the counting station and must report that result to the relevant Assistant Returning Officer. *(L.N. 140 of 2004)*

(11) After the Assistant Returning Officer has been notified of the results of the re-count of all the counting stations in his charge for the geographical constituency under subsection (10), that Officer must make known the results to the Returning Officer for the geographical constituency. *(L.N. 140 of 2004)*

(12) After the Returning Officer has been notified of the results of the re-count of all the counting stations for the geographical constituency under subsection (11), that Officer must add together—

(a) such results; and

(b) the result of the counting of the votes recorded on the GC ballot papers handed over to that Officer under section 74(8)(c) or 74AAA(4)(c) for the geographical constituency (if any), *(11 of 2012 s. 75)*

and make known the aggregate result to the candidates or their election agents or counting agents at the place specified by the Returning Officer. If a candidate or the election agent of the candidate who is present at the specified place makes a request to the Returning Officer for a re-count of the votes referred to in paragraph (b), that Officer must comply with the request unless the Officer is of the opinion that the request is unreasonable. *(L.N. 140 of 2004)*

(13) Subject to subsection (14), if the Returning Officer decides to comply with a request referred to in subsection (7), that Officer must conduct a re-count of—

(a) the votes of all the counting stations in accordance with the steps as described in subsections (9), (10) and (11); and

(b) the votes recorded on the GC ballot papers handed over to that Officer under section 74(8)(c) or 74AAA(4)(c) for the geographical constituency, *(11 of 2012 s. 75)*

and make known the final result to the candidates or their election agents or counting agents at the place specified by that Officer. When the final result has been made known, the counting of the votes and re-counts are completed for the purposes of section 83(1). *(L.N. 140 of 2004)*

(14) The Returning Officer must not conduct a re-count under subsection (7)—

(a) unless the request for such re-count is made immediately after that Officer makes known, under that subsection, the estimated number of GC ballot papers to be handed over to him under section 74(8)(c) or 74AAA(4)(c) for the geographical constituency; or

(b) if the estimated number of GC ballot papers to be handed over to that Officer under section 74(8)(c) or 74AAA(4)(c) for the geographical constituency is less than the difference between the numbers of remaining votes cast for any 2 lists of candidates for the geographical constituency, as determined in accordance with the counting system under section 49 of the Legislative Council Ordinance (Cap. 542). *(L.N. 140 of 2004; 11 of 2012 s. 75)*

(L.N. 84 of 2004)

80. Votes recorded on invalid ballot papers not to be counted

(L.N. 66 of 2008)

(1) When counting the votes, a ballot paper of any of the following descriptions is not to be regarded as valid and the vote recorded on the ballot paper is not to be counted— *(L.N. 84 of 2004; L.N. 66 of 2008)*

(a) on which there is writing or a mark by which the elector can possibly be identified;

(b) which has the words "重複" and "TENDERED" endorsed on the front of it;

(c) which has the words "損壞" and "SPOILT" endorsed on the front of it;

(d) which has the words "未用" and "UNUSED" endorsed on the front of it; *(L.N. 66 of 2008)*

(e) which is substantially mutilated;

(f) which is unmarked;

(g) subject to subsection (2)—

(i) a GC ballot paper or an FC ballot paper for the District Council (second) functional constituency, which is not marked in accordance with section 55(2); or

(ii) an FC ballot paper for an ordinary functional constituency (other than the District Council (second) functional constituency) which is not marked in accordance with section 57(2); *(L.N. 73 of 2011)*

(ga) an FC ballot paper for a special functional constituency which is not marked in accordance with section 56(2); *(1 of 2019 s. 48)*

(h) subject to subsection (2), an FC ballot paper for a special functional constituency which is not marked in accordance with section 56(2A);

(ha) a GC ballot paper or an FC ballot paper for the District Council (second) functional constituency, which is not marked in accordance with section 55(1); *(L.N. 84 of 2004; L.N. 73 of 2011)*

(hb) an FC ballot paper for an ordinary functional constituency (other than the District Council (second) functional constituency) which is not marked in accordance with section 57(1); *(L.N. 84 of 2004; L.N. 73 of 2011)*

(hc) an FC ballot paper for a special functional constituency which is marked as described in section 56(3); *(L.N. 84 of 2004)*

(i) a GC ballot paper or an FC ballot paper for the District Council (second) functional constituency, on which votes for more than 1 list of candidates have been recorded; *(L.N. 84 of 2004; L.N. 66 of 2008; L.N. 73 of 2011)*

(ia) a GC ballot paper or an FC ballot paper for the District Council (second) functional constituency—

(i) on which the vote recorded is for a single candidate list and the name of, and other information relating to, the candidate on the list are crossed out under section 37(2); or

(ii) on which the vote recorded is for a multiple candidates list and the names of, and other information relating to, all the candidates on the list are crossed out under section 37(2); *(1 of 2019 s. 48)*

(j) which the Returning Officer or the Presiding Officer, as may be appropriate, determines as being void for uncertainty.

(2) In the case of a ballot paper referred to in subsection (1)(g)(i) or (ii) or (h), if the Returning Officer or the Presiding Officer, as may be appropriate, is satisfied that the intention of the elector or authorized representative is clear notwithstanding the deviation from the requirements in section 55(2), 56(2A) or 57(2), as the case may be, that Officer may count the vote recorded on that ballot paper. *(11 of 2012 s. 53)*

(3) Subject to subsection (1)(ia), it is declared that the Returning Officer or the Presiding Officer, as may be appropriate, is not to make a decision not to count the vote recorded on a ballot paper solely because the name of, and other information relating to, a candidate on the ballot paper are crossed out under section 37(2). *(L.N. 65 of 2000; 1 of 2019 s. 34)*

(4) A candidate, an election agent or a counting agent—

(a) may inspect a ballot paper referred to in subsection (1)(b), (c), (d), (f), (ga), (ha), (hb), (hc), (i) or (ia); but

(b) is not entitled to make representations to the Returning Officer or the Presiding Officer concerning the ballot paper. *(L.N. 66 of 2008)*

(L.N. 65 of 2000; L.N. 84 of 2004; 1 of 2019 s. 48)

81. Returning Officer or Presiding Officer to make decisions on questionable ballot papers

(1) If a ballot paper is forwarded to the Returning Officer under section 75(7)(a), 76(6)(a), 77(7)(a) or 77A(4)(a), or to the Presiding Officer under section 75(7)(a), as may be appropriate, a candidate, an election agent or a counting agent, if present at the counting zone, may— *(L.N. 66 of 2008; 11 of 2012 s. 76; 1 of 2019 s. 88)*

(a) inspect the ballot paper; and

(b) make representations to that Officer concerning the ballot paper. *(L.N. 84 of 2004; L.N. 66 of 2008)*

(2) After considering the representations (if any) made under subsection (1), the Returning Officer or the Presiding Officer, as may be appropriate, must determine whether the ballot paper—

(a) is valid and the vote is to be counted; or

(b) is not to be regarded as valid pursuant to section 80 and the vote is not to be counted for—

(i) having on the ballot paper any writing or mark by which, in that Officer's opinion, the elector can possibly be identified;

(ii) subject to subsection (3), being a ballot paper not marked in accordance with section 55(2), 56(2A) or 57(2) (as may be applicable); *(1 of 2019 s. 49)*

(iii) being a ballot paper which is substantially mutilated; or

(iv) being void for uncertainty. *(L.N. 84 of 2004)*

(3) In the case of a ballot paper which is not marked in accordance with section 55(2), 56(2A) or 57(2) (as may be applicable), if the Returning Officer or the Presiding Officer, as may be appropriate, is satisfied that the intention of the elector or authorized representative is clear notwithstanding the deviation from the requirements in section 55(2), 56(2A) or 57(2), as the case may be, that Officer may count the vote recorded on that ballot paper. *(L.N. 84 of 2004; 1 of 2019 s. 49)*

(4) If the Returning Officer or the Presiding Officer, as may be appropriate, decides a questionable ballot paper the vote recorded on which is not to be counted, that Officer must endorse the words "不獲接納" and "rejected" on the front of it. If a candidate or an election agent or a counting agent objects to that Officer's decision, that Officer must also add the words "反對此選票不獲接納" and "rejection objected to". *(L.N. 84 of 2004)*

(5) If a candidate or an election agent or a counting agent objects to the decision of the Returning Officer or the Presiding Officer, as may be appropriate, to count the vote recorded on a questionable ballot paper, that Officer must endorse the words "反對此選票獲接納" and "acceptance objected to" on that ballot paper. *(L.N. 84 of 2004)*

(6) The Returning Officer or the Presiding Officer, as may be appropriate, is to prepare a statement of the ballot papers which are not to be regarded as valid. The statement is to be under the following heads—

(a) writing or mark by which the elector can possibly be identified;

(b) endorsed with the words "重複" and "TENDERED";

(c) endorsed with the words "損壞" and "SPOILT";

(d) endorsed with the words "未用" and "UNUSED"; *(L.N. 66 of 2008)*

(e) substantially mutilated;

(f) unmarked;

(g) not marked in accordance with section 55, 56 or 57 (as may be applicable);

(h) void for uncertainty; *(1 of 2019 s. 49)*

(i) for a GC ballot paper or an FC ballot paper for the District Council (second) functional constituency—a ballot paper on which votes for more than one list of candidates are recorded; *(1 of 2019 s. 49)*

(j) for a GC ballot paper or an FC ballot paper for the District Council (second) functional constituency, a ballot paper on which—

(i) a vote for a single candidate list is recorded and the name of, and other information relating to, the candidate on the list are crossed out under section 37(2); or

(ii) a vote for a multiple candidates list is recorded and the names of, and other information relating to, all the candidates on the list are crossed out under section 37(2). *(1 of 2019 s. 49)*

(7) Under this section, on behalf of a multiple candidates list, any one of the candidates, the election agent or the counting agent of the list may inspect a ballot paper, make representations or object to the decision of the Returning Officer or the Presiding Officer, as may be appropriate. In any other case, the candidate, the election agent or the counting agent may inspect the ballot paper, make representations concerning it or object to the decision of that Officer. *(L.N. 84 of 2004; L.N. 66 of 2008)*

83. Returning Officer to declare election result

(1) When the counting of the votes and re-counts, if any, are completed and the result of the election determined, the Returning Officer is to declare as elected the candidates who were successful at the election, as provided in sections 49(13), 50(7) and 51(7) of the Legislative Council Ordinance (Cap. 542). *(L.N. 65 of 2000)*

(2) If before declaring a candidate to be elected, proof is given to the satisfaction of the Returning Officer that the candidate has died or is disqualified from being elected, that Officer— *(L.N. 84 of 2004)*

(a) must not declare that candidate to be elected; and

(b) must—

(i) in the case of an election for a geographical constituency or the District Council (second) functional constituency— *(L.N. 73 of 2011)*

(A) declare the candidate to be returned for the constituency under section 49(15) of the Legislative Council Ordinance (Cap. 542) to be elected; or *(L.N. 73 of 2011)*

(B) if no candidate can be returned under that section, declare the election to have failed, as provided in section 46A(3)(a) of that Ordinance, or to have failed, as provided in section 46A(3)(b) of that Ordinance, to the extent referred to therein;

(ii) in the case of an election for a functional constituency (other than the District Council (second) functional constituency), declare the election to have failed, as provided in section 46A(3)(a) of that Ordinance, or to have failed, as provided in section 46A(3)(b) of that Ordinance, to the extent referred to therein. *(L.N. 65 of 2000; L.N. 73 of 2011)*

(L.N. 84 of 2004)

84. The form in which Returning Officer is to publish result of election

(1) The notice to be published under section 58(1) of the Legislative Council Ordinance (Cap. 542) for the geographical constituencies is to be in Form 1 in Schedule 4.

(2) The notice to be published under section 58(2) of the Legislative Council Ordinance (Cap. 542) for the functional constituencies is to be in Form 2 or Form 4 in Schedule 4, as appropriate. *(L.N. 73 of 2011)*

(3) *(Repealed L.N. 84 of 2004)*

(4) A notice under subsection (1) or (2) must be published in the Gazette within 10 days from the date the relevant result is declared under section 83. *(L.N. 84 of 2004)*

(5) The Returning Officer is to prepare a notice of the result of the election for the geographical constituency or the functional constituency under that Officer's charge in the appropriate form under this section and display it prominently in a place outside the counting station at which the result was declared under section 83. *(L.N. 65 of 2000; L.N. 84 of 2004)*

(6) The Returning Officer is to send a copy of each notice prepared under subsection (5) to—

(a) the Chairman of the Commission;

(b) the Secretary for Constitutional and Mainland Affairs; *(L.N. 130 of 2007)*

(c) the Clerk to the Legislative Council; and

(d) the Chief Electoral Officer.

86. Returning Officer or Presiding Officer to send ballot papers, accounts, packets, etc. to Chief Electoral Officer

(1) As soon as practicable after the Returning Officer prepares the notice of the result of the election, that Officer or the Presiding Officer, as may be appropriate, must send to the Chief Electoral Officer— *(L.N. 84 of 2004)*

(a) the ballot paper accounts, verification of the ballot paper accounts and the re-verification of the ballot paper accounts;

(b) the statement referred to in section 81(6);

(c) the sealed packets made up under section 85(1);

(d) a copy of the notice of the result of the election;

(e) all nomination forms;

(f) notices of withdrawal of candidature (if any);

(g) notices of appointment of election agents, polling agents and counting agents and copies of authorizations of election expense agents; and

(h) any other document relating to the election specified by the Commission.

(2) In this section, ***Presiding Officer*** (投票站主任) does not include a Presiding Officer of a small polling station, a dedicated polling station or a ballot paper sorting station. *(L.N. 84 of 2004; L.N. 130 of 2009)*

88. Chief Electoral Officer to retain election documents for at least 6 months

The Chief Electoral Officer must retain in that Officer's custody the documents sent under section 86 for at least 6 months from the date of the election to which they relate. That Officer must thereafter, unless directed by an order of court in proceedings relating to an election petition or criminal proceedings, destroy them.

92. Returning Officer may delegate certain functions

(L.N. 66 of 2008; 11 of 2012 s. 77)

(1) A Returning Officer may perform any act which that Officer is required or authorized to perform under this Regulation through an Assistant Returning Officer appointed for the constituency for which the Returning Officer is appointed.

(2) *(Repealed L.N. 66 of 2008)*

(3) A Returning Officer may not delegate under subsection (1) — *(L.N. 84 of 2004)*

(a) the power to determine the validity or otherwise of a nomination or a nomination form;

(b) a decision regarding a ballot paper; or

(c) the declaration of the result of the election.

(4) Despite subsections (1) and (3), the Returning Officer appointed for the District Council (second) functional constituency may delegate—

(a) the power to make a determination of the validity of a ballot paper; or

(b) the power to make a decision as to whether the vote recorded on a ballot paper is to be counted,

to an Assistant Returning Officer appointed for the constituency or the Presiding Officer appointed for a counting

station in relation to which section 77B(3), (4), (5), (6) and (7) applies under section 77B(1) or (2). *(11 of 2012 s. 77)*

96. Enforcement of provisions as to secrecy

(1) A person who divulges to any other person, by communicating information as to the name or identity document number in a register of electors, or otherwise, whether a person has or has not applied for a ballot paper or voted, commits an offence.

(1A) A person who divulges to any other person the identity of an elector in custody commits an offence. *(L.N. 130 of 2009)*

(2) Subsections (1) and (1A) do not apply to anything done for a purpose authorized by law or when required to do so by a police officer or an officer of the Independent Commission Against Corruption investigating an offence under the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554), sections 3, 4 and 8 of the Prevention of Bribery Ordinance (Cap. 201), section 13B of the Independent Commission Against Corruption Ordinance (Cap. 204) or the Electoral Affairs Commission Ordinance (Cap. 541) or any regulation made under that Ordinance. *(10 of 2000 s. 47; L.N. 130 of 2009)*

(3) A person who communicates to any person any information obtained at a counting of the votes as to the candidate for whom a vote has been given on any particular ballot paper, commits an offence.

(4) A person who interferes with an elector when that elector is recording the vote, commits an offence.

(5) A person who interferes with or attempts to interfere with any ballot boxes, un-issued ballot papers, unused ballot papers, spoilt ballot papers, tendered ballot papers, marked ballot papers or a copy of the final register marked under section 53(7), commits an offence. *(L.N. 65 of 2000)*

(6) A person who interferes with or attempts to interfere with any opened ballot boxes, ballot paper accounts, verifications or re-verifications of such accounts or any other relevant election materials referred to in this Regulation commits an offence.

(7) A person who obtains or attempts to obtain in any manner—

(a) within a polling station or a no staying zone; or

(b) within a no canvassing zone, without the express permission of the Presiding Officer or the Commission,

information as to the candidate for whom an elector in that station is about to vote or has voted, commits an offence.

(8) A person who communicates at any time to any person any information obtained in a polling station as to the candidate for whom an elector is about to vote or has voted, commits an offence.

(9) A person who directly or indirectly induces an elector to display the elector's ballot paper after the elector has marked it, so as to make known to any person a candidate for or against whom the elector has voted, commits an offence.

(10) A person who commits an offence under this section is liable to a fine at level 2 and to imprisonment for 6 months. *(L.N. 84 of 2004 and L.N. 140 of 2004)*

(11) In this section, references to—

(a) "candidate" are to be construed as including a list of candidates; and

(b) "elector" are to be construed as including an authorized representative.

97. Procedure after election proceedings are terminated

(1) A declaration terminating the proceedings for the election under section 42C or 46A(1) of the Legislative Council Ordinance (Cap. 542) is to be made by the Returning Officer by a notice. The notice must be displayed on a prominent place outside each polling station for the constituency concerned. As soon as practicable after the declaration is made, the notice must be published in the Gazette. *(L.N. 65 of 2000)*

(1A) If a declaration is made under subsection (1), the Commissioner of Correctional Services or the head of a law enforcement agency must, as soon as practicable, inform all electors in custody and authorized representatives in custody detained by him or her who have not yet voted in the poll of the declaration. *(L.N. 130 of 2009)*

(2) If, on the date of the election for a constituency and before the close of the poll for the constituency, a declaration under subsection (1) is made by the Returning Officer in respect of that election, that Officer must direct that the poll be abandoned. *(L.N. 66 of 2008)*

(3) When the poll is abandoned under this section, the Presiding Officer at every polling station for the constituency for which the deceased or disqualified candidate was standing for election must take the steps that Officer is required to take under this Regulation for the delivery to the Returning Officer of the ballot boxes, ballot papers and other election materials at the close of a poll. *(L.N. 65 of 2000)*

(4) For the purposes of subsection (3), the requirement in section 64 relating to the preparation of a ballot paper account does not apply.

(5) The Returning Officer to whom the ballot papers are delivered, must, without separating or counting them or counting the votes, seal all the ballot papers in packets.

(6)-(7) *(Repealed L.N. 65 of 2000)*

(8) The provisions in Part 5 relating to the inspection, retention and destruction of ballot papers and other documents relating to a poll apply to the election documents of a poll abandoned under this section, subject to necessary modifications.

(9) When a poll is abandoned under this section, the Returning Officer must, as far as practicable and in a manner that Officer thinks fit, notify the Chief Electoral Officer and the candidates for the constituency or their respective election agents. *(L.N. 65 of 2000)*

(9A) A by-election is to be arranged, subject to section 36(2) of the Legislative Council Ordinance (Cap. 542), under section 36(1) of that Ordinance. *(L.N. 65 of 2000)*

(10) *(Repealed L.N. 84 of 2004)*

(E.R. 2 of 2012)

97A. Procedure in case of death or disqualification of candidate after close of poll

(1) If the death of a candidate or the disqualification of a candidate from being elected is proved to the satisfaction of the Returning Officer after the close of polling for the constituency concerned but before the declaration of the result of the election, the Returning Officer must direct that the counting of the votes for the constituency is to begin or continue, as the case may be, as if the death or disqualification had not occurred. *(L.N. 84 of 2004)*

(2) If, after the votes are counted, the deceased or disqualified candidate is found to be successful at the election, section 83(2) applies.

(3) If the deceased or disqualified candidate is not successful at the election, the Returning Officer must declare the successful candidate to be elected as provided in section 83(1).

(L.N. 65 of 2000)

98. Publication and display of notices, etc.

(1) The Returning Officer or the Presiding Officer may publish or display a notice, determination, or other writing under this Regulation in a manner that Officer thinks fit except where specific provision is made for the publication or display in this Regulation.

(2) The following notices or notifications may be delivered by hand, by post, by electronic mail or by facsimile transmission — *(12 of 2014 s. 57)*

(aa) notice of the decision of the Returning Officer as to whether a person is validly nominated as a candidate; *(L.N. 65 of 2000)*

(ab) notice of a declaration that a candidate has died or that the decision of the Returning Officer has been varied to the effect that a candidate is not validly nominated; *(L.N. 65 of 2000)*

(a) *(Repealed 12 of 2014 s. 57)*

(b) *(Repealed L.N. 65 of 2000)*

(c) notice to Returning Officers and to candidates of the determination of a no canvassing zone and a no staying zone;

(d) notice to Returning Officers and to candidates of the variation before the polling day of a no canvassing zone or a no staying zone;

(e) notice to candidates of the arrangements for the drawing of lots to determine the order of appearance of the lists of candidates or candidates on the ballot paper; and *(12 of 2014 s. 43)*

(f)-(g) *(Repealed 12 of 2014 s. 43)*

(h) notice to candidates of the place for the counting of the votes.

(3) Notice of variation of a no canvassing zone or a no staying zone on the polling day or notice of the resumption of the counting of the votes after an adjourned poll or count may be given orally if notice by hand, by post, by electronic mail or by facsimile transmission is not practicable or is not suitable in the circumstances. *(12 of 2014 s. 57)*

(L.N. 84 of 2004)

101A. Letters that may be sent free of postage by candidates

(1) A letter that may be sent free of postage by or on behalf of a list of candidates under section 43(1) of the Legislative Council Ordinance (Cap. 542), or a candidate under section 43(2) of that Ordinance, must— *(L.N. 84 of 2004)*

(a) be posted in Hong Kong;

(b) subject to section 43(4A), (4B) and (4C) of the Legislative Council Ordinance (Cap. 542), contain materials relating only to the candidature of the candidate or candidates on the list, or of the candidate, at the election concerned; *(18 of 2011 s. 36)*

(c) not exceed 50 grams in weight; *(11 of 2019 s. 20)*

(d) be not larger than 165 mm × 245 mm and not smaller than 90 mm × 140 mm in size; and *(11 of 2019 s. 20)*

(e) not exceed 5 mm in thickness at any part of the letter. *(11 of 2019 s. 20)*

(2) If letters are sent, in a bulk mailing, free of postage by or on behalf of—

(a) a list of candidates under section 43(1) of the Legislative Council Ordinance (Cap. 542), any one candidate on that list or any person authorized by that candidate; or

(b) a candidate under section 43(2) of that Ordinance, the candidate or any person authorized by that candidate, *(L.N. 84 of 2004)*

must provide the Postmaster General with—

(i) a specimen of the materials contained in that bulk mailing; and

(ii) a declaration, in the specified form, signed by that candidate or the person and stating that the materials contained in that bulk mailing are identical with the specimen provided to the Postmaster General.

(3) If, in relation to any letters sent, in a bulk mailing, free of postage by or on behalf of a list of candidates under section 43(1) of the Legislative Council Ordinance (Cap. 542), or a candidate under section 43(2) of that Ordinance— *(L.N. 84 of 2004)*

(a) any letter in that bulk mailing does not comply with subsection (1); or

(b) a declaration under subsection (2)(ii) is false in any particular,

the candidate or all the candidates on the list is or are, or the candidate is, liable for payment of postage for all the letters in that bulk mailing.

(L.N. 65 of 2000)

104. Interpretation (Part 7)

(1) In this Part—

Court (法院) means the Court of First Instance;

election period (選舉期), in relation to an election, means the period—

(a) beginning on the first day of the nomination period; and

(b) ending on—

(i) the day on which a declaration is made under section 42C or 46 of the Legislative Council Ordinance (Cap. 542) or section 22C; or

(ii) the day on which the polling ends;

open platform (公開平台) means a platform operated through the Internet to which the public has access without having to go through an access control process put in place for that platform;

printed election advertisement (印刷選舉廣告) means an election advertisement printed on any material;

printer (印刷人), in relation to a printed article, includes any person who reproduces the article by any means;

publish (發布) means print, display, exhibit, distribute, post up, publicly announce or make publicly known by any other means, and includes continue to publish.

(2) Any person who authorizes the publication of an election advertisement is taken to have published the advertisement for the purposes of this Part.

(3) If a Returning Officer has not been appointed for a constituency, any reference in this Part to a Returning Officer is to be construed as a reference to the Chief Electoral Officer.

(4) A document published by a candidate during an election period that gives details of the work done by the candidate in the capacity of—

(a) the Chief Executive;

(b) a Member;

(c) a member of a District Council;

(d) a member of the Heung Yee Kuk;

(e) the Chairman or Vice-Chairman or a member of the Executive Committee of a Rural Committee within the meaning of section 3(3)(a) of the Heung Yee Kuk Ordinance (Cap. 1097); or

(f) a Rural Representative, *(5 of 2014 s. 2)*

is an election advertisement for the purposes of this Part.

(E.R. 2 of 2012)

Schedule 2

[ss. 2A, 3, 65, 75A & 91]
(L.N. 66 of 2008; 12 of 2014 s. 8)

Postponement and Adjournment of General Election and By-election

1. Postponement of a general election and adjournment of poll at all polling stations or count at all counting stations

(1) If, before the holding of a general election, it appears to the Commission that the election is likely to be obstructed, disrupted, undermined or seriously affected by an occurrence specified in subsection (3), the Commission may postpone the holding of the election by making a declaration under section 4.

(2) If, at any time during the polling or the counting of the votes at a general election, it appears to the Commission that the poll or count is likely to be obstructed, disrupted, undermined or seriously affected by an occurrence specified in subsection (3), the Commission may adjourn the poll or count by making a declaration under section 4.

(3) The occurrences for the purposes of subsections (1) and (2) are —

(a) a typhoon or other climatic condition of a serious nature; or

(b) an occurrence which appears to the Commission to be a material irregularity relating to the election, the poll or count.

2. Postponement of election, adjournment of poll or count in respect of a single constituency

(L.N. 84 of 2004)

(1) If, during or before a general election or by-election, it appears to the Commission that the election for a constituency is likely to be obstructed, disrupted, undermined or seriously affected by an occurrence specified in subsection (3), the Commission may postpone the election or by-election for the constituency by making a declaration under section 4.

(2) If, at any time during a poll or count in respect of a general election or by-election, it appears to the Commission that the poll at all the polling stations, or the count at all the counting stations, for any constituency is likely to be obstructed, disrupted, undermined or seriously affected by an occurrence specified in subsection (3), the Commission may adjourn the poll at all the polling stations or the count at all the counting stations for that constituency by making a declaration under section 4. *(L.N. 66 of 2008)*

(3) The occurrences for the purposes of subsections (1) and (2) are —

(a) a typhoon or other climatic condition of a serious nature;

(b) riot, open violence or any danger to public health or safety; or *(12 of 2014 s. 81)*

(c) an occurrence which appears to the Commission to be a material irregularity relating to the election, the poll or count.

(L.N. 84 of 2004)

3. Adjournment of poll or count at a particular station

(L.N. 73 of 2011)

(1) If, at any time during polling at a general election or by-election, it appears to the Presiding Officer that the poll at the polling station is likely to be obstructed, disrupted, undermined or seriously affected by an occurrence specified in subsection (2), the Presiding Officer may adjourn the poll at that polling station by making a declaration under section 4.

(1A) If, at any time during counting at a general election or by-election, it appears to the Presiding Officer that the count at the counting station is likely to be obstructed, disrupted, undermined or seriously affected by an occurrence specified in subsection (2), the Presiding Officer may adjourn the count at the counting station by making a declaration under section 4. *(L.N. 73 of 2011)*

(2) The occurrences for the purposes of subsections (1) and (1A) are— *(L.N. 73 of 2011)*

(a) a typhoon or other climatic condition of a serious nature;

(b) riot, open violence or any danger to public health or safety; or *(12 of 2014 s. 82)*

(c) an occurrence which appears to the Presiding Officer to be a material irregularity relating to the election, the poll or count.

4. How a declaration for the purposes of sections 1, 2 and 3 is to be made and what it is to contain

(1) A declaration for the purposes of sections 1, 2 and 3 is to be made by a notice published in the Gazette. If publication in the Gazette is not practicable in the circumstances, the notice may be published by other means determined by the Commission.

(2) The declaration must contain the following as may be appropriate in each case—

(a) a description (by name or otherwise) of the general election or by-election that is being postponed or in respect of which a poll or count is being adjourned or postponed;

(b) the fact that the general election or by-election is being postponed;

(c) the fact that polling or the counting of the votes is being postponed or adjourned;

(d) a statement as to whether the polling or counting of the votes is being postponed or adjourned at all the polling stations or counting stations in respect of a constituency; *(L.N. 84 of 2004)*

(e) a statement as to whether the polling or the counting of the votes is being adjourned at a single polling station or counting station referred to in paragraph (d) or certain polling stations or counting stations; and

(f) a description (by name or otherwise) of the polling stations or counting stations at which a poll or count is being postponed or adjourned.

5. Procedure after adjournment of poll

(1) If a poll is adjourned under this Schedule or section 44 of the Legislative Council Ordinance (Cap. 542), the procedure specified in this section is to be complied with. *(L.N. 147 of 1998; L.N. 84 of 2004 and L.N. 140 of 2004)*

(2) The Presiding Officer must, in the presence of any persons present within the polling station, secure the ballot boxes and their contents in a manner that Officer thinks fit. Then, without counting or separating the ballot papers or counting the votes, that Officer must deliver the secured ballot boxes together with any un-issued ballot papers, unused ballot papers or spoilt ballot papers, and the marked copies of the final register to the Returning Officer.

(3) If it is not practicable to make delivery to the Returning Officer, the Presiding Officer must deposit the secured ballot boxes, and the other materials referred to in subsection (2), in a safe place within the polling station. If there is no safe place within the polling station, that Officer must deposit them in a safe place within a police station or a public building close to the polling station. If there is no such police station or public building, that Officer must deposit them in a secure building (which may even be a residential building) close to the polling station. If there is no police station, public building or secure building close to the polling station, that Officer must deposit the ballot boxes and materials in a safe place within any other police station or public building or, in the absence of such a station or building, in a safe place in any other building (which may even be a residential building).

(4) If the ballot boxes and other materials are delivered to the Returning Officer, that Officer must take such steps as determined by the Commission (generally or in a particular case) for the purpose of ensuring their safety and security. The Returning Officer must remain in charge of them and be responsible for their safety and security until polling in respect of the adjourned poll commences.

(5) If a poll is adjourned under this Schedule or section 44 of the Legislative Council Ordinance (Cap. 542), the polling hours appointed for the resumed poll must be such that the total time allowed for polling (that is the aggregate of the polling hours which had been spent at the time the poll was adjourned and the polling hours appointed for the resumed poll) is not less than the total time that would have been allowed for polling had the poll not been adjourned. *(L.N. 147 of 1998; L.N. 84 of 2004 and L.N. 140 of 2004)*

6. Procedure after adjournment or postponement of a count

(1) If a count is adjourned under this Schedule or section 44 of the Legislative Council Ordinance (Cap. 542), or if the count is adjourned due to the postponement of a poll under this Schedule, the Returning Officer or the Presiding Officer, as may be appropriate, must comply with this section. *(L.N. 147 of 1998; L.N. 140 of 2004)*

(2) The Returning Officer or the Presiding Officer, as may be appropriate, must take steps to cease the count. Then, in the presence of the persons, if any, present within the counting station, deposit the ballot boxes (whether opened or un-opened) and receptacles, if any, together with the ballot papers (whether counted or not), any un-issued ballot papers, tendered ballot papers, ballot paper account, verification of a ballot paper account or re-verification of a ballot paper account, and any other relevant election materials, in a safe place within the counting station. If there is no safe place within the counting station, that Officer must deposit them in a safe place within a police station or a public building close to the counting station. If there is no such police station or public building, that Officer must deposit them in a secure building (which may even be a residential building) close to the counting station. If there is no police station, public building or secure building close to the counting station, that Officer must deposit the election materials in a safe place within any other police station or public building or in the absence of such a station or building, in a safe place in any other building (which may even be a residential building).

(3) The election materials must remain in the charge of the Returning Officer or the Presiding Officer, as may be appropriate. That Officer is to be responsible for their safety and security until the adjourned or postponed count is resumed under section 65(7) of this Regulation.

(4) In this section, ***Returning Officer*** (選舉主任) means a Returning Officer specified by the Chief Electoral Officer for the purposes of this section. *(E.R. 6 of 2019)*

(L.N. 84 of 2004)

7. Appointment of a date by Commission for election, polling or counting after a postponement or an adjournment

(1) If a general election or by-election is postponed under this Schedule, the Commission is to, as soon as practicable after the postponement, appoint a date for holding a general election or by-election, as may be appropriate. *(L.N. 84 of 2004)*

(2) If a poll or a count is adjourned under this Schedule, the Commission is to, as soon as practicable after the adjournment, appoint a date for holding a poll or the count.

(3) A date appointed under this section must not be later than 14 days after the date on which the postponed election or the adjourned poll or count would have been held. *(12 of 2014 s. 83)*

(4) In each case referred to in sections 1, 2 and 3, the Commission is to, in the relevant notice making the declaration, specify the date appointed under this section to hold the relevant general election, by-election, the poll or the count, as the case may require. *(L.N. 84 of 2004)*

(5) If it is not practicable to specify the date in the notice of declaration, the Commission is to specify it in a notice published in the Gazette soon after the publication of a notice of declaration. If such publication is not practicable in the circumstances, the date must be specified in a notice published by some other means the Commission considers appropriate.

(6) The appointment of a date under this section for holding a by-election is subject to section 36(2) of the Legislative Council Ordinance (Cap. 542).

(Schedule 2 amended L.N. 210 of 2001)

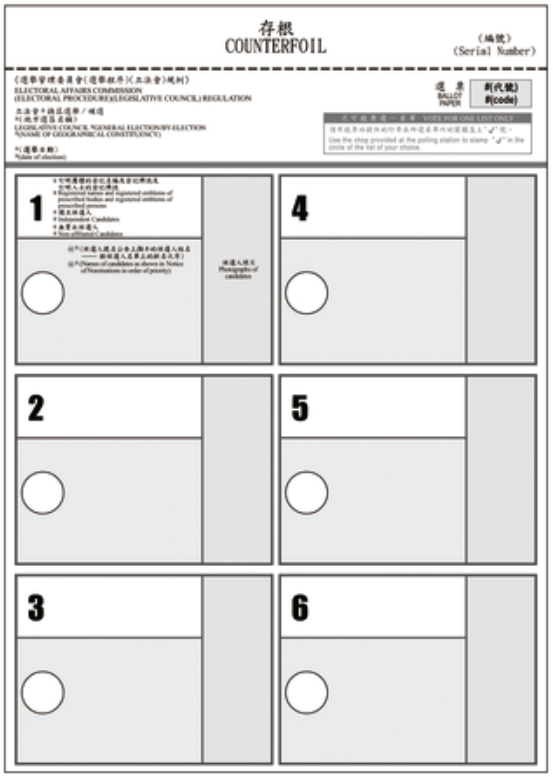
Schedule 3

[s. 49]

Forms of Ballot Papers for a General Election/By-election

Form 1

Ballot Paper for a Geographical Constituency



\# A code will be assigned to each of the geographical constituencies. Only the appropriate code will be printed.

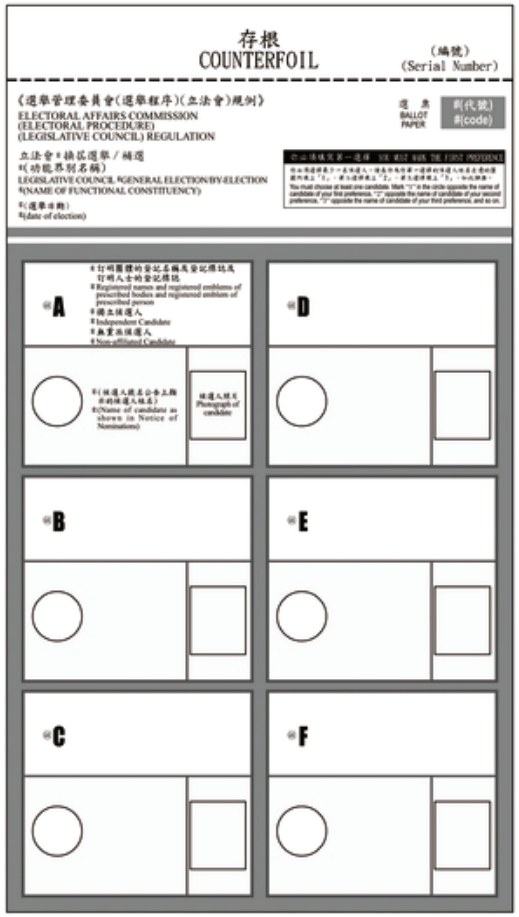
* Only the appropriate information will be printed.

@ Each candidate on the list will be allocated a letter of the alphabet starting from "a" and up to "i", depending on the number of candidates.

(L.N. 84 of 2004; L.N. 73 of 2011 and L.N. 121 of 2011; L.N. 143 of 2019)

Form 2

Ballot Paper for a Special Functional Constituency



\# A code will be assigned to each of the special functional constituencies. Only the appropriate code will be printed.

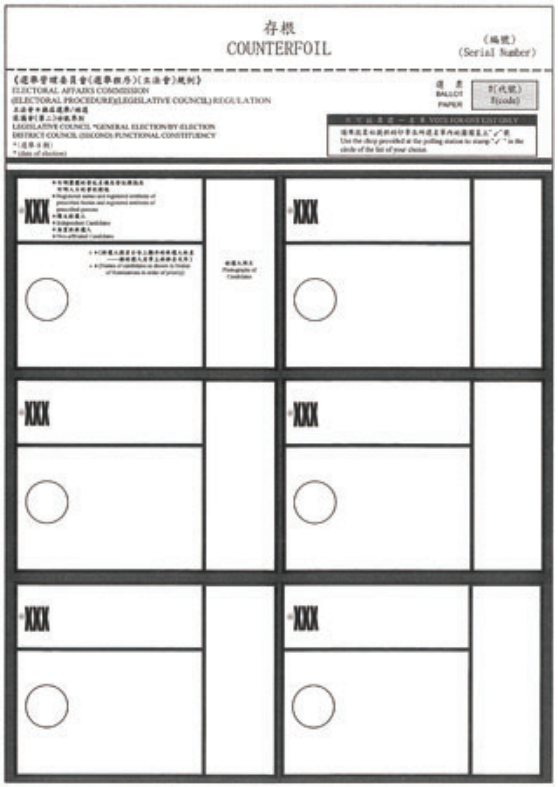
* Only the appropriate information will be printed.

@ The code assigned for the relevant special functional constituency will precede the letter of the alphabet allocated to each candidate.

(L.N. 84 of 2004; L.N. 143 of 2019)

Form 2A

Ballot Paper for the District Council (Second) Functional Constituency



\# A code will be assigned to the District Council (second) functional constituency. Only the appropriate code will be printed.

* Only the appropriate information will be printed.

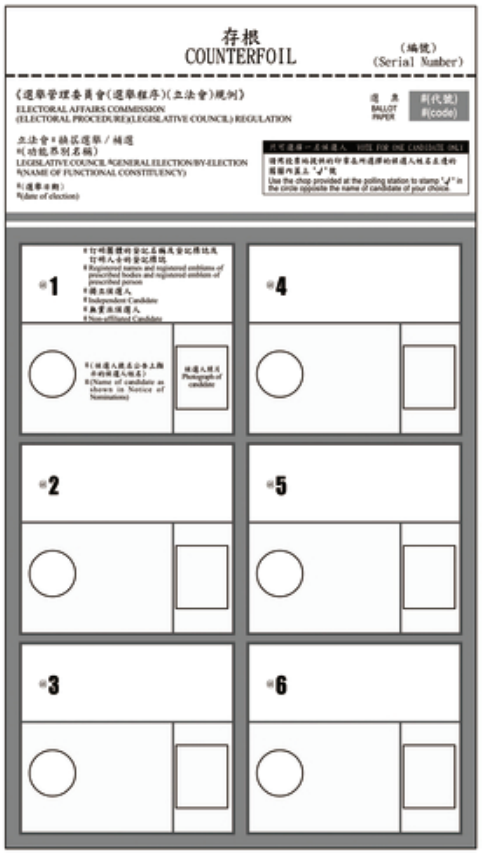
@ A 3-digit number will be allocated to each list of candidates.

^ Each candidate on the list will be allocated a letter of the alphabet starting from "a" and up to "e", depending on the number of candidates.

(L.N. 73 of 2011 and 11 of 2012 s. 64; E.R. 2 of 2012; L.N. 143 of 2019)

Form 3(a)

Ballot Paper for an Ordinary Functional Constituency (other than the District Council (Second) Functional Constituency)



\# A code will be assigned to the ordinary functional constituency concerned. Only the appropriate code will be printed.

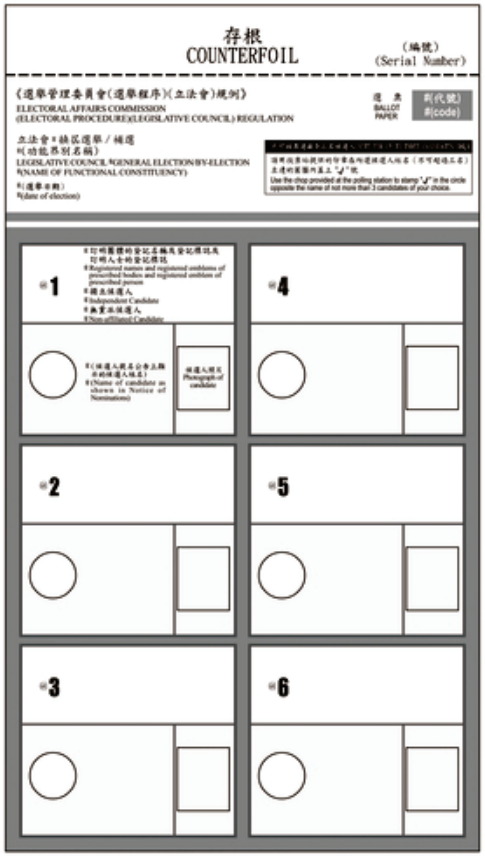
* Only the appropriate information will be printed.

@ The code assigned for the relevant ordinary functional constituency will precede the number allocated to each candidate.

(L.N. 84 of 2004; L.N. 73 of 2011; L.N. 143 of 2019)

Form 3(b)

Ballot Paper for an Ordinary Functional Constituency (other than the District Council (Second) Functional Constituency) (More than One Vacancy)



\# A code will be assigned to the ordinary functional constituency concerned. Only the appropriate code will be printed.

* Only the appropriate information will be printed.

@ The code assigned for the relevant ordinary functional constituency will precede the number allocated to each candidate.

(L.N. 84 of 2004; L.N. 73 of 2011; L.N. 143 of 2019)

Form 4

(Repealed L.N. 84 of 2004)

Schedule 4

Forms for the Notice of Election Result under Section 58 of the Legislative Council Ordinance (Cap. 542)

Form 1

Notice of Result of Election for a Geographical Constituency

《選舉管理委員會(選舉程序) (立法會)規例》
ELECTORAL AFFAIRS COMMISSION
(ELECTORAL PROCEDURE) (LEGISLATIVE COUNCIL) REGULATION

選舉結果公告
NOTICE OF RESULT OF ELECTION

立法會*換屆選舉/補選
*(地方選區名稱)
LEGISLATIVE COUNCIL *GENERAL ELECTION/BY-ELECTION
*(Name of Geographical Constituency)

1. 於*(年 月 日)舉行的上述選舉的結果公布如下——
The following is a statement of the result of the above election held on *(date)—

名單編號 List Number	名單候選人姓名 Name(s) of Candidate(s)	名單所得票數 Number of Votes Given to the List

2. 特此公布下列候選人 * 依據以抽籤方式決定的選舉結果而在上述地方選區當選——
It is hereby notified that the following candidate(s) *is/are declared to be elected for the above-mentioned geographical constituency *pursuant to a result determined by drawing lots—

名單編號 List Number	當選的候選人姓名 Name(s) of Candidate(s) Elected

日期：.....
Date: .....

上述地方選區的選舉主任
Returning Officer
for the above-mentioned geographical constituency

* Only the appropriate information will be printed.

(L.N. 65 of 2000)

Form 2

Notice of Result of Election for Functional Constituencies (other than the District Council (Second) Functional Constituency)

《選舉管理委員會(選舉程序) (立法會)規例》
ELECTORAL AFFAIRS COMMISSION
(ELECTORAL PROCEDURE) (LEGISLATIVE COUNCIL) REGULATION

選舉結果公告
NOTICE OF RESULT OF ELECTION

立法會*換屆選舉/補選
(功能界別名稱)
LEGISLATIVE COUNCIL *GENERAL ELECTION/BY-ELECTION*
(Name of Functional Constituency)

1. 於*(年 月 日)舉行的上述選舉的結果公布如下——
The following is a statement of the result of the above election held on *(date)—

候選人姓名 Name(s) of Candidate(s)	#所得票數 #Number of Votes Given to the Candidate

2. 特此公布下列候選人 * 依據以抽籤方式決定的選舉結果而在上述功能界別當選——
It is hereby notified that the following candidate(s) *is/are declared to be elected for the above-mentioned functional constituency *pursuant to a result determined by drawing lots—

(當選的候選人姓名)
(Name(s) of Candidate(s) Elected)

日期：.....
Date: .....

上述功能界別的選舉主任
Returning Officer
for the above-mentioned functional constituency

* Only the appropriate information will be printed.

\# For the special functional constituencies, the column will show the "number of votes received at the final count".

(L.N. 65 of 2000; L.N. 73 of 2011)

Form 3

(Repealed L.N. 84 of 2004)

Form 4

Notice of Result of Election for the District Council (Second) Functional Constituency

《選舉管理委員會(選舉程序) (立法會)規例》
ELECTORAL AFFAIRS COMMISSION
(ELECTORAL PROCEDURE) (LEGISLATIVE COUNCIL) REGULATION

選舉結果公告
NOTICE OF RESULT OF ELECTION

立法會*換屆選舉/補選
(區議會(第二)功能界別)
LEGISLATIVE COUNCIL *GENERAL ELECTION/BY-ELECTION
(District Council (Second) Functional Constituency)

1. 於*(年 月 日)舉行的上述選舉的結果公布如下——
The following is a statement of the result of the above election held on *(date)—

名單編號 List Number	名單候選人姓名 Name(s) of Candidate(s)	名單所得票數 Number of Votes Given to the List

2. 現公布：以下候選人 * 依據以抽籤方式決定的選舉結果而在區議會(第二)功能界別當選——

It is notified that the following candidate(s) *is/are declared to be elected for the District Council (second) functional constituency *pursuant to a result determined by drawing lots—

名單編號 List Number	當選的候選人姓名 Name(s) of Candidate(s) Elected

日期：.....
Date: .....

區議會(第二)功能界別的選舉主任
Returning Officer for the District Council (second) functional constituency

* Only the appropriate information will be printed.

(L.N. 73 of 2011)

2. Interpretation

(1) In this Regulation, unless the context otherwise requires—

ballot paper (選票) means a ballot paper to vote for a candidate standing for election for a constituency;

ballot paper account (選票結算表) means a statement prepared under section 64;

ballot paper sorting station (選票分流站) means a place designated as a ballot paper sorting station under section 31; *(L.N. 131 of 2009)*

by-election (補選) has the meaning assigned to it by section 2 of the District Councils Ordinance (Cap. 547);

by-election notice (補選公告) means a notice published under section 10;

candidate (候選人) means, subject to subsection (2), in relation to a particular constituency, a candidate who is validly nominated to be returned as an elected member for that constituency at an election;

constituency (選區) has the meaning assigned to it by section 2 of the District Councils Ordinance (Cap. 547);

counting agent (監察點票代理人) means a person appointed as a counting agent under section 66;

counting of the votes (點票) includes, where appropriate, the separation, sorting and counting of ballot papers;

counting officer (點票人員) means, in relation to a counting station, a person appointed under section 67 as a counting officer for that counting station;

counting station (點票站) means a place designated as a counting station under section 31;

counting zone (點票區) means an area within a counting station assigned by the Presiding Officer for the counting of the votes; *(L.N. 125 of 2003; L.N. 131 of 2009)*

dedicated polling station (專用投票站) means a place designated as a dedicated polling station under section 31; *(L.N. 131 of 2009)*

District (地方行政區) has the meaning assigned to it by section 2 of the District Councils Ordinance (Cap. 547);

dominant counting station (主要點票站) means a place designated as a dominant counting station under section 31; *(L.N. 125 of 2003)*

elected member (民選議員) has the meaning assigned to it by section 2 of the District Councils Ordinance (Cap. 547);

election (選舉) means an ordinary election or a by-election;

election advertisement (選舉廣告), in relation to an election, means —

(a) a publicly exhibited notice, leaflet, circular, bill, booklet, placard or poster;

(b) a notice, leaflet, circular, bill, booklet, placard or poster delivered by hand or electronic transmission;

(c) a public announcement made by radio or television or by video or cinematographic film; or

(d) any other form of publication,

published for the purpose of promoting or prejudicing the election of a candidate or candidates at the election; *(11 of 2012 s. 9)*

election agent (選舉代理人) means a person appointed as an election agent under section 26;

election day (選舉日) means the date on which an election is to be held;

election expense agent (選舉開支代理人) means a person authorized to incur election expenses under section 28;

election expenses (選舉開支), in relation to an election, has the meaning assigned to it by section 2 of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554); *(10 of 2000 s. 47)*

election notice (選舉公告) means a notice published under section 8;

elector (選民) means any person whose name is included in the final register;

Electoral Registration Officer (選舉登記主任) has the meaning assigned to it by section 2 of the District Councils Ordinance (Cap. 547);

final register (正式選民登記冊) means the geographical constituencies final register or, in relation to the first ordinary election, the register compiled under section 4 for that election;

geographical constituencies final register (地方選區正式選民登記冊) means the final register of electors for geographical constituencies compiled under the Electoral Affairs Commission (Registration of Electors) (Legislative Council

Geographical Constituencies) (District Council Constituencies) Regulation (Cap. 541 sub. leg. A) and which is in effect; *(L.N. 284 of 1999)*

head-dress (頭飾) means anything which is worn on a person's head; *(L.N. 125 of 2003)*

identity card (身分證) has the meaning assigned to it by section 1A of the Registration of Persons Ordinance (Cap. 177);

identity document (身分證明文件) has the meaning assigned to it by section 2 of the District Councils Ordinance (Cap. 547);

in custody (受羈押), in relation to a person, means the person is—

(a) serving a sentence of imprisonment;

(b) detained by the Correctional Services Department on remand; or

(c) otherwise detained by any law enforcement agency under any lawful authority; *(L.N. 131 of 2009)*

law enforcement agency (執法機關) means—

(a) the Customs and Excise Department;

(b) the Hong Kong Police Force;

(c) the Immigration Department;

(d) the Independent Commission Against Corruption; or

(e) any other department of the Government any officer of which is empowered by any Ordinance to exercise a power of arrest; *(L.N. 131 of 2009)*

main counting station (大點票站) means a place designated as a main counting station under section 31; *(L.N. 125 of 2003 and L.N. 191 of 2003)*

maximum security prison (高度設防監獄) means a prison which is specified as a maximum security prison under rule 47A(1)(b) of the Prison Rules (Cap. 234 sub. leg. A); *(L.N. 131 of 2009)*

no canvassing zone (禁止拉票區) means an area determined under section 43 to be an area in which canvassing of votes is prohibited;

no staying zone (禁止逗留區) means an area determined under section 43 to be an area in which staying or loitering is prohibited;

nomination form (提名表格) means the specified form submitted for the purpose of nominating a candidate to stand for election for a constituency;

nomination period (提名期) means, in relation to—

(a) an ordinary election, the period specified under section 8(2)(b);

(b) a by-election for a constituency, the period specified under section 10(5)(a);

Nominations Advisory Committee (提名顧問委員會) means a committee appointed under the Electoral Affairs Commission (Nominations Advisory Committees (District Councils)) Regulation (Cap. 541 sub. leg. E);

notice appointing the election day (指定選舉日公告) means, in relation to an ordinary election, a notice by which a date is specified by the Chief Executive under the District Councils Ordinance (Cap. 547) to hold an election to return elected members of the District Councils;

notice of nominations (提名公告) means a notice published under section 22;

ordinary business hours (通常辦公時間) means the hours—

(a) between 9 a.m. and 5 p.m. on any Monday, Tuesday, Wednesday, Thursday or Friday (other than a general holiday); and

(b) between 9 a.m. and 12 noon on a Saturday (other than a general holiday) during the period between—

(i) the date of publication of a notice under section 8(1) or 10(1) in respect of an election; and

(ii) the date of publication of the result of the election under the District Councils Ordinance (Cap. 547) or the date of the declaration of the failure or termination of the election under that Ordinance, as may be appropriate; *(12 of 2014 s. 94)*

polling agent (監察投票代理人) means a person appointed as a polling agent under section 45;

polling day (投票日) means the date on which the poll is to be held in an election;

polling hours (投票時間) means the hours for polling appointed under section 30;

polling officer (投票站人員) means, in relation to a polling station, the person appointed under section 37(2) as a polling officer for that polling station;

polling station (投票站) means a place designated as a polling station under section 31;

prescribed body (訂明團體) has the meaning assigned to it by section 2(1) of the Particulars Relating to Candidates on Ballot Papers (Legislative Council and District Councils) Regulation (Cap. 541 sub. leg. M); *(L.N. 79 of 2007)*

Presiding Officer (投票站主任) means— *(L.N. 131 of 2009)*

(a) in relation to a polling station, the person appointed under section 37(1) as the Presiding Officer for that polling station;

(b) in relation to a ballot paper sorting station, the person appointed under section 66A(1) as the Presiding Officer for that ballot paper sorting station; *(L.N. 131 of 2009)*

registered (登記), in the context of a registered name or a registered emblem, has the meaning assigned to it by section 2(1) of the Particulars Relating to Candidates on Ballot Papers (Legislative Council and District Councils) Regulation (Cap. 541 sub. leg. M); *(L.N. 79 of 2007)*

registered residential address (登記住址) means, in relation to a person—

(a) subject to paragraph (b), the address recorded in the particulars of that person in the final register;

(b) in sections 5 and 6, the address recorded in the particulars of that person in the geographical constituencies final register;

Returning Officer (選舉主任) has the meaning assigned to it by section 2 of the District Councils Ordinance (Cap. 547);

small polling station (小投票站) means a place designated as a small polling station under section 31; *(L.N. 125 of 2003 and L.N. 191 of 2003)*

special polling station (特別投票站) means a polling station designated as such under section 32;

specified address (指明地點) means, in relation to a constituency, the address specified in the relevant election notice or by-election notice as the address at which the nomination forms are to be submitted for that constituency;

specified form (指明表格、指明格式) means, in relation to a particular purpose of this Regulation, the form specified under section 100 for that purpose;

spoilt ballot paper (損壞的選票) means a spoilt ballot paper within the meaning of section 62;

tendered ballot paper (重複的選票) means a tendered ballot paper within the meaning of section 60;

unused ballot paper (未用的選票) means an unused ballot paper within the meaning of section 61;

validly nominated candidate (獲有效提名的候選人) means—

(a) subject to paragraph (b), a person whom the Returning Officer has decided under section 16 to be validly nominated; or

(b) in case a declaration under section 24 or 25 is made, a person whom the Returning Officer has declared under section 24 or 25 to be validly nominated;

verification of the ballot paper account (選票結算核實書) means a statement prepared under section 75 or 75A(d). *(L.N. 125 of 2003 and L.N. 191 of 2003; L.N. 131 of 2009; L.N. 74 of 2011)*

(L.N. 125 of 2003; L.N. 79 of 2007; L.N. 144 of 2019)

(2) In this Regulation—

(a) in Part 2, ***candidate*** (候選人) includes a person who is being or has been nominated as a candidate to stand for election as an elected member; and

(b) in the definition of ***election advertisement*** and Part 7, ***candidate*** (候選人) includes a person who is a candidate within the meaning of paragraph (a) and a person who intends to stand for election as an elected member at an election, whether or not that person has submitted a nomination form under Part 2. *(11 of 2012 s. 9)*

(3) In this Regulation, unless it is provided otherwise—

(a) *(Repealed L.N. 125 of 2003 and L.N. 191 of 2003)*

(b) references to the Returning Officer are to be construed, in relation to a constituency, as references to the Returning Officer appointed for that constituency; *(L.N. 125 of 2003 and L.N. 191 of 2003)*

(c) references to the counting station are to be construed as including the main counting station, dominant counting station and ballot paper sorting station; and *(L.N. 125 of 2003 and L.N. 191 of 2003; L.N. 131 of 2009)*

(d) references to the polling station are to be construed as including the small polling station, special polling station and dedicated polling station. *(L.N. 125 of 2003 and L.N. 191 of 2003; L.N. 131 of 2009)*

(4) In this Regulation, any provision which entitles or permits a candidate, an election agent, a polling agent or a counting agent to do anything in a polling station, counting station, counting zone or in relation to the counting of the votes is to be construed as entitling or permitting the candidate or the agent to do it in a polling station, counting station, counting zone or in relation to the counting of the votes for the constituency for which the candidate is standing for election or for which the agent is appointed, as the case may require.

(E.R. 2 of 2012)

47. Who may enter or be present at a polling station

(1) Except where it is provided otherwise in this Regulation, a person must not enter a polling station other than to vote.

(2) Subject to subsections (4) and (5), in order to ensure that polling takes place smoothly and efficiently, the Presiding Officer may—

(a) regulate the number of electors, candidates, election agents and polling agents to be admitted to the polling station at any one time; or

(b) exclude any person from the polling station.

(3) Without limiting subsection (2), the Presiding Officer may exclude from the polling station any person who is present in contravention of this section.

(4) The Presiding Officer may not exclude from the polling station —

(a) a polling officer;

(b) the Returning Officer or Assistant Returning Officers for the constituency or constituencies for which the polling station is used;

(c) members of the Commission;

(d) the Chief Electoral Officer;

(e) police officers and members of the Civil Aid Service on duty at the polling station; *(L.N. 125 of 2003)*

(f) public officers authorized in writing by the Chief Electoral Officer; *(L.N. 125 of 2003)*

(g) persons authorized in writing by a member of the Commission; *(L.N. 125 of 2003; L.N. 79 of 2007)*

(h) a person authorized in writing by the Returning Officer to act as a liaison officer; or *(L.N. 125 of 2003; L.N. 79 of 2007)*

(i) public officers on duty at the polling station. *(L.N. 79 of 2007)*

(5) A person authorized by the Commission to be present in a polling station may be present in accordance with the terms of the authorization.

(6) Subject to subsections (7), (8), (9), (10), (11) and (12), on behalf of each candidate, one polling agent of that candidate may be present in the polling station at any one time.

(6A) Subsection (6) does not apply to a dedicated polling station situated in a maximum security prison. *(L.N. 131 of 2009)*

(7) If a candidate is present in the polling station, the election agent or polling agent of that candidate may not be present in that polling station at the same time.

(8) If the election agent of a candidate is present in the polling station, a polling agent of that candidate may not be present in that polling station at the same time.

(9) A candidate, an election agent or polling agent may be present in the polling station subject to the availability of seats in the area designated to accommodate them.

(10) A person referred to in subsection (9) who wishes to be admitted to the polling station must, on arriving at the polling station, report in person to the Presiding Officer and produce his or her identity card and a declaration of secrecy completed on the specified form by him or her.

(11) If the area referred to in subsection (9) is occupied to its full seating capacity, the Presiding Officer may refuse entry to the polling station to any person referred to in that subsection. That Officer may make arrangements for admitting them to the polling station later.

(12) Only an election agent or polling agent regarding whom notice of appointment has been given under this Regulation may be present at a polling station on behalf of a candidate.

(13) If a person who is accompanied by a child arrives at a polling station for the purpose of voting, the Presiding Officer may permit the child to enter the polling station if that Officer considers that—

(a) the child should not be left unattended while the person is in the polling station; and

(b) the child will not disturb or cause inconvenience to any person in the polling station. *(L.N. 79 of 2007)*

(14) The Presiding Officer must not exercise the powers conferred on that Officer under this section so as to prevent a person from voting at the polling station allocated to that person.

56. Presiding Officer to issue only one ballot paper to an elector

(1) The Presiding Officer is to issue only one ballot paper to an elector who applies for a ballot paper.

(2) Before issuing a ballot paper under this section, the name of the elector as stated in the copy or extract of the relevant final register supplied under section 40(3) must be called out.

(3) Immediately before issuing the ballot paper, the Presiding Officer must place a line in the copy or extract of the final register across the name and identity document number of the elector to denote that the ballot paper the person is entitled to have issued to him or her at that polling station has been so issued.

(4) No record is to be made of the particular ballot paper issued to an elector.

63. Steps to be taken at the close of the poll: a polling station which is also a counting station

(L.N. 191 of 2003; L.N. 131 of 2009)

(1) As soon as practicable after the close of the poll at a polling station which is also designated as a counting station, the Presiding Officer must display a notice in a prominent place outside the polling station stating that the poll has been closed and that it will be opened when it is ready for use for the counting of votes. *(L.N. 125 of 2003 and L.N. 191 of 2003; L.N. 131 of 2009)*

(1A) A candidate, and an election agent, a counting agent and a polling agent of such candidate may stay in a polling station referred to in subsection (1) while it is closed for the preparation for the counting of votes. *(L.N. 125 of 2003; L.N. 79 of 2007)*

(2) After complying with subsection (1), the Presiding Officer must, in the presence of the persons, if any, who are present within the polling station, take the following steps—

(a) place the ballot box or boxes where that Officer and other persons who are present within the polling station can see them;

(b) cover each ballot box with a device provided for that purpose so that a ballot paper or any other material cannot be introduced into or withdrawn from the ballot box after it is covered;

(c) use a padlock to keep the device secured in position;

(d) seal each ballot box; and

(e) make up into separate sealed packets—

(i) ballot papers which have not been issued;

(ii) the unused ballot papers;

(iii) the spoilt ballot papers; and

(iv) the marked copies of the final register. *(L.N. 125 of 2003)*

(2A) The Presiding Officer must, after complying with subsection (2), keep the sealed ballot box or boxes under that Officer's control until the counting of votes begins. *(L.N. 125 of 2003)*

(3) At a polling station used for polling for more than one constituency, the Presiding Officer must make separate sealed packets for each constituency.

(4) For the avoidance of doubt it is stated that the ballot papers in a sealed packet prepared under this section are not to be counted for the purpose of counting of the votes. Accordingly, references to ballot papers in relation to the counting of the votes are to be construed as not including those ballot papers.

63A. Steps to be taken at the close of the poll: a polling station which is not a counting station

(L.N. 131 of 2009)

(1) As soon as practicable after the close of the poll at a small polling station, a special polling station or a dedicated polling station, the Presiding Officer of that polling station must, in the presence of the persons, if any, who are present within the polling station, take the following steps— *(L.N. 131 of 2009)*

(a) place the ballot box or boxes where that Officer and other persons who are present within the polling station can see them;

(b) cover each ballot box with a device provided for that purpose so that a ballot paper or any other material cannot be introduced into or withdrawn from the ballot box after it is covered;

(c) use a padlock to keep the device secured in position;

(d) seal each ballot box; and

(e) make up into separate sealed packets—

(i) ballot papers which have not been issued;

(ii) the unused ballot papers;

(iii) the spoilt ballot papers; and

(iv) the marked copies of the final register.

(2) A candidate and an election agent and a polling agent of such candidate may stay in a polling station referred to in subsection (1) while it is closed for taking the steps referred to in subsection (1)(a), (b), (c), (d) and (e).

(2A) An election agent or a polling agent may not stay under subsection (2) in a dedicated polling station situated in a maximum security prison. *(L.N. 131 of 2009)*

(3) The Presiding Officer of the small polling station or special polling station must then deliver the ballot box or boxes, the sealed packets and the ballot paper accounts prepared by that Officer to the Presiding Officer of the main counting station. *(L.N. 79 of 2007)*

(4) The Presiding Officer of the dedicated polling station must then deliver the ballot box or boxes, the sealed packets and the ballot paper accounts prepared by that Officer to the Presiding Officer of the ballot paper sorting station or the main counting station concerned, as advised by the Chief Electoral Officer. *(L.N. 131 of 2009; L.N. 197 of 2009)*

(L.N. 125 of 2003 and L.N. 191 of 2003)

75. Presiding Officer to verify ballot paper account

(1) A Presiding Officer (other than a Presiding Officer of a main counting station or a ballot paper sorting station) in charge of a counting zone must— *(L.N. 125 of 2003 and L.N. 191 of 2003; L.N. 131 of 2009; L.N. 74 of 2011)*

(a) *(Repealed L.N. 125 of 2003)*

(b) after counting the votes in accordance with section 76, verify the number of ballot papers so counted by comparing it with the ballot paper account prepared under section 64 and prepare a statement in writing as to the result of the verification. *(L.N. 125 of 2003)*

(1A) A Presiding Officer in charge of a counting zone of a main counting station— *(L.N. 131 of 2009; 12 of 2014 s. 72)*

(a) must—

(i) count and record the number of ballot papers in the ballot box or boxes from a small polling station, a special polling station or a dedicated polling station, and verify the ballot paper account prepared under section 64 by comparing it with the number;

(ii) open all envelopes in each receptacle received from a ballot paper sorting station, count and record the number of ballot papers in the envelopes, and verify the statement prepared under section 75A(e) by comparing it with the number; and

(iii) prepare a statement in writing as to the respective result of the verification under subparagraphs (i) and (ii),

before counting the votes for those ballot papers in accordance with section 76; and

(b) must, after the counting of votes in accordance with section 76—

(i) verify the number of ballot papers at the polling station designated as the main counting station so counted by comparing it with the ballot paper account prepared under section 64; and

(ii) prepare a statement in writing as to the result of the verification under subparagraph (i). *(12 of 2014 s. 72)*

(2) If a Presiding Officer considers it necessary or if required by a candidate who is present at the counting zone or an election agent or counting agent so present, that Officer must, in preparing the verification of the ballot paper account, compare the ballot paper account with the number of ballot papers recorded by that Officer and the spoilt ballot papers, the unused ballot papers and the counterfoils or un-issued ballot papers. *(L.N. 125 of 2003; 11 of 2012 s. 56)*

(3) A candidate or an election agent or a counting agent may copy what is recorded on the ballot paper account or the verification of the ballot paper account.

75A. Arrangements for sorting in ballot paper sorting stations

The Presiding Officer of a ballot paper sorting station must— *(L.N. 197 of 2009)*

(a) sort the envelopes in each ballot box under the Officer's charge according to each constituency; *(L.N. 74 of 2011)*

(b) count and record the number of envelopes for each constituency; *(L.N. 74 of 2011)*

(c) verify the ballot paper account by comparing it with the number of envelopes recorded under paragraph (b); *(L.N. 74 of 2011)*

(d) prepare a statement in writing as to the result of the verification; *(L.N. 74 of 2011)*

(e) prepare a statement in writing as to the number of envelopes recorded under paragraph (b); *(L.N. 74 of 2011)*

(f) make into separate bundles the sorted envelopes together with the relevant statement prepared under paragraph (e); *(L.N. 74 of 2011)*

(g) place each bundle in a separate receptacle and seal it in the presence of those present at the counting zone; *(L.N. 74 of 2011)*

(h) arrange the receptacles to be delivered to the Presiding Officers of the respective main counting stations of the relevant constituencies; and *(L.N. 74 of 2011)*

(i) send to the Chief Electoral Officer the ballot paper accounts, verification of the ballot paper accounts and the sealed packets made up under section 63A. *(L.N. 74 of 2011)*

(L.N. 131 of 2009)

84. Chief Electoral Officer to receive ballot papers, accounts, packets, etc.

(1) As soon as practicable after declaring the result of the election, the Presiding Officer must send to the Returning Officer for the constituency—

(a) the ballot paper account and verification of the ballot paper account;

(b) the statement referred to in section 79(6); and

(c) the sealed packets made up under section 83.

(2) As soon as practicable after preparing the notice of the result of the election, the Returning Officer for the constituency must send to the Chief Electoral Officer—

(a) the documents referred to in subsection (1)(a), (b) and (c);

(b) a copy of the notice of the result of the election;

(c) all nomination forms;

(d) the notices of withdrawal of candidature (if any);

(e) the notices of appointment of election agents, polling agents and counting agents and copies of authorizations of election expense agents; and

(f) any other documents relating to the election specified by the Commission.

(3) In this section, ***Presiding Officer*** (投票站主任) does not include a Presiding Officer of a small polling station which is not designated as a main counting station, a special polling station which is not so designated, a dedicated polling station or a ballot paper sorting station. *(L.N. 191 of 2003; L.N. 131 of 2009)*

(L.N. 125 of 2003)

86. Chief Electoral Officer to retain election documents for at least 6 months

The Chief Electoral Officer must retain in that Officer's custody the documents sent under section 84 for at least 6 months from the date of the election to which they relate. That Officer must thereafter, unless directed by an order of court in proceedings relating to an election petition or criminal proceedings, destroy them.

94. Enforcement of provisions as to secrecy

(1) A person who divulges to any other person, by communicating information as to the name or identity document number in the final register or a copy or extract of the final register, of electors, or otherwise, whether a person has or has not applied for a ballot paper or voted, commits an offence.

(1A) A person who divulges to any other person the identity of an elector in custody commits an offence. *(L.N. 131 of 2009)*

(2) Subsections (1) and (1A) do not apply to anything done for a purpose authorized by law or when required to do so by a police officer or an officer of the Independent Commission Against Corruption investigating an offence under the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554), section 13B of the Independent Commission Against Corruption Ordinance (Cap. 204), or the Electoral Affairs Commission Ordinance (Cap. 541) or any regulation made under that Ordinance. *(10 of 2000 s. 47; L.N. 131 of 2009)*

(3) A person who communicates to any person any information obtained at a counting of the votes as to the candidate for whom a vote has been given on any particular ballot paper, commits an offence.

(4) A person who interferes with an elector when that elector is recording the vote, commits an offence.

(5) A person who interferes with or attempts to interfere with any ballot boxes, un-issued ballot papers, unused ballot papers, spoilt ballot papers, tendered ballot papers, marked ballot papers or a copy or extract of the final register marked under section 56(3), commits an offence.

(6) A person who interferes with or attempts to interfere with any opened ballot boxes, ballot paper accounts, verifications or re-verifications of such accounts or any other relevant election materials referred to in this Regulation commits an offence.

(7) A person who obtains or attempts to obtain in any manner—

(a) within a polling station or a no staying zone; or

(b) within a no canvassing zone, without the express permission of the Presiding Officer or the Commission,

information as to the candidate for whom an elector in that station is about to vote or has voted, commits an offence.

(8) A person who communicates at any time to any person any information obtained in a polling station as to the candidate for whom an elector is about to vote or has voted, commits an offence.

(9) A person who directly or indirectly induces an elector to display the elector's ballot paper after the elector has marked it, so as to make known to any person a candidate for or against whom the elector has voted, commits an offence.

(10) A person who commits an offence under this section is liable to a fine at level 2 and to imprisonment for 6 months. *(L.N. 79 of 2007)*

95. Procedure after election proceedings are terminated

(1) A declaration terminating the proceedings for an election under section 40(1) of the District Councils Ordinance (Cap. 547) is to be made by the Returning Officer by a notice. The notice must be displayed in a prominent place outside each polling station for the constituency concerned. As soon as practicable after the declaration is made, the notice must be published in the Gazette.

(1A) If a declaration is made under subsection (1), the Commissioner of Correctional Services or the head of a law enforcement agency must, as soon as practicable, inform all electors in custody detained by him or her who have not yet voted in the poll of the declaration. *(L.N. 131 of 2009)*

(2) If, on the date of the election for a constituency and before the close of the poll for the constituency, a declaration under subsection (1) is made by the Returning Officer in respect of the election, the Officer must direct that the poll for the constituency be abandoned. *(L.N. 79 of 2007; L.N. 74 of 2011)*

(3) When the poll is abandoned under this section, the Presiding Officer at every polling station for the constituency for which the deceased or disqualified candidate was standing for election must take the steps that Officer is required to take under this Regulation for the purpose of—

(a) sealing in packets all the ballot papers in the ballot box or boxes without separating, sorting or counting them or counting the votes; and

(b) separating and sealing the following in packets—

(i) ballot papers which have not been issued;

(ii) the unused ballot papers;

(iii) the spoilt ballot papers; and

(iv) the marked copies of the final register. *(L.N. 125 of 2003)*

(4) For the purposes of subsection (3), the requirement in section 64 relating to the preparation of a ballot paper account does not apply.

(5) As soon as practicable after sealing the ballot papers referred to in subsection (3), the Presiding Officer must deliver to the Returning Officer for the constituency all the sealed packets and the ballot box or boxes. *(L.N. 125 of 2003)*

(6) The provisions in Part 5 relating to the inspection, retention and destruction of ballot papers and other documents relating to a poll apply to the election documents of a poll abandoned under this section, subject to necessary modifications.

(7) When a poll is abandoned under this section, the Returning Officer must, as far as practicable and in a manner that Officer thinks fit, notify the Chief Electoral Officer and the candidates for the constituency or their respective election agents.

(8) A by-election is to be arranged, subject to section 33(2) of the District Councils Ordinance (Cap. 547), under section 33(1) of that Ordinance.

(E.R. 2 of 2012)

Schedule 1

[ss. 2A, 3, 65 & 89]
(12 of 2014 s. 12)

Postponement and Adjournment of Ordinary Election and By-elections

1. Postponement of an ordinary election and adjournment of poll at all polling stations or count at all counting stations

(1) If, before the holding of an ordinary election, it appears to the Commission that the election is likely to be obstructed, disrupted, undermined or seriously affected by an occurrence specified in subsection (3), the Commission may postpone the holding of the election by making a declaration under section 4.

(2) If, at any time during the polling or the counting of the votes at an ordinary election, it appears to the Commission that the poll or count is likely to be obstructed, disrupted, undermined or seriously affected by an occurrence specified in subsection (3), the Commission may adjourn the poll or count by making a declaration under section 4.

(3) The occurrences for the purposes of subsections (1) and (2) are —

(a) a typhoon or other climatic condition of a serious nature; or

(b) an occurrence which appears to the Commission to be a material irregularity relating to the election, the poll or count.

2. Postponement of election, adjournment of poll or count in respect of a single constituency

(1) If, during or before an ordinary election or by-election, it appears to the Commission that the election for a constituency is likely to be obstructed, disrupted, undermined or seriously affected by an occurrence specified in subsection (3), the Commission may postpone the election or by-election for the constituency by making a declaration under section 4.

(2) If, at any time during a poll or count in respect of an ordinary election or by-election referred to in subsection (1), it appears to the Commission that the poll at all the polling stations for any constituency or the count at all the counting stations for any constituency is likely to be obstructed, disrupted, undermined or seriously affected by an occurrence specified in subsection (3), the Commission may adjourn the poll at all the polling stations or the count at all the counting stations for that constituency by making a declaration under section 4.

(3) The occurrences for the purposes of subsections (1) and (2) are —

(a) a typhoon or other climatic condition of a serious nature;

(b) riot, open violence or any danger to public health or safety; or *(12 of 2014 s. 84)*

(c) an occurrence which appears to the Commission to be a material irregularity relating to the election, the poll or count.

3. Adjournment of poll or count at a particular station

(L.N. 74 of 2011)

(1) If, at any time during polling at an ordinary election or by-election, it appears to the Presiding Officer that the poll at the polling station is likely to be obstructed, disrupted, undermined or seriously affected by an occurrence specified in subsection (2), the Presiding Officer may adjourn the poll at that polling station by making a declaration under section 4.

(1A) If, at any time during counting at an ordinary election or by-election, it appears to the Presiding Officer that the count at the counting station is likely to be obstructed, disrupted, undermined or seriously affected by an occurrence specified in subsection (2), the Presiding Officer may adjourn the count at the counting station by making a declaration under section 4. *(L.N. 74 of 2011)*

(2) The occurrences for the purposes of subsections (1) and (1A) are— *(L.N. 74 of 2011)*

(a) a typhoon or other climatic condition of a serious nature;

(b) riot, open violence or any danger to public health or safety; or *(12 of 2014 s. 85)*

(c) an occurrence which appears to the Presiding Officer to be a material irregularity relating to the election, the poll or count.

4. How a declaration for the purposes of sections 1, 2 and 3 is to be made and what it is to contain

(1) A declaration for the purposes of sections 1, 2 and 3 is to be made by a notice published in the Gazette. If publication in the Gazette is not practicable in the circumstances, the notice may be published by other means determined by the Commission.

(2) The declaration must contain the following as may be appropriate in each case—

(a) a description (by name or otherwise) of the ordinary election or by-election that is being postponed or in respect of which a poll or count is being adjourned or postponed;

(b) the fact that the ordinary election or by-election is being postponed;

(c) the fact that the polling or the counting of the votes is being postponed or adjourned;

(d) a statement as to whether the polling or the counting of the votes is being postponed or adjourned at all the polling stations or counting stations in respect of a constituency;

(e) a statement as to whether the polling or the counting of the votes is being adjourned at a single polling station or counting station or certain polling stations or counting stations; and

(f) a description (by name or otherwise) of the polling stations or counting stations at which a poll or count is being postponed or adjourned.

5. Procedure after adjournment of poll

(1) If a poll is adjourned under this Schedule or section 38 of the District Councils Ordinance (Cap. 547), the procedure specified in this section is to be complied with.

(2) The Presiding Officer must, in the presence of any persons present at the polling station, secure the ballot boxes and their contents in a manner that Officer thinks fit. Then, without counting the ballot papers or counting the votes, that Officer must deliver the secured ballot boxes together with any un-issued ballot papers, unused ballot papers or spoilt ballot papers, and the marked copies of the final register to the Returning Officer.

(3) If it is not practicable to make delivery to the Returning Officer, the Presiding Officer must deposit the secured ballot boxes, and the other materials referred to in subsection (2), in a safe place within the polling station. If there is no safe place within the polling station, that Officer must deposit them in a safe place within a police station or a public building close to the polling station. If there is no such police station or public building, that Officer must deposit them in a secure building (which may even be a residential building) close to the polling station. If there is no police station, public building or secure building close to the polling station, that Officer must deposit the ballot boxes and materials in a safe place within any other police station or public building or, in the absence of such a station or building, in a safe place in any other building (which may even be a residential building).

(4) If the ballot boxes and other materials are delivered to the Returning Officer, that Officer must take such steps as determined by the Commission (generally or in a particular case) for the purpose of ensuring their safety and security. The Returning Officer must remain in charge of them and be responsible for their safety and security until polling in respect of the adjourned poll commences.

(5) If a poll is adjourned under this Schedule or section 38 of the District Councils Ordinance (Cap. 547), the polling hours appointed for the resumed poll must be such that the total time allowed for polling (that is the aggregate of the polling hours which had been spent at the time the poll was adjourned and the polling hours appointed for the resumed poll) is not less than the total time that would have been allowed for polling had the poll not been adjourned.

6. Procedure after adjournment or postponement of a count

(1) If a count is adjourned under this Schedule or section 38 of the District Councils Ordinance (Cap. 547), or if the count is adjourned due to the postponement of a poll under this Schedule, the Presiding Officer must comply with this section.

(2) The Presiding Officer must take steps to cease the count. Then, in the presence of the persons, if any, present at the counting station, deposit the ballot boxes (whether opened or un-opened) and receptacles, if any, together with the ballot papers (whether counted or not), any un-issued ballot papers, tendered ballot papers, ballot paper account, verification of a ballot paper account or re-verification of a ballot paper account, and any other relevant election materials, in a safe place within the counting station. If there is no safe place within the counting station, that Officer must deposit them in a safe place within a police station or a public building close to the counting station. If there is no such police station or public building, that Officer must deposit them in a secure building (which may even be a residential building) close to the counting station. If there is no police station, public building or secure building close to the counting station, that Officer must deposit the election materials in a safe place within any other police station or public building or, in the absence of such a station or building, in a safe place in any other building (which may even be a residential building).

(3) The election materials must remain in the charge of the Presiding Officer. That Officer is to be responsible for their safety and security until the adjourned or postponed count is resumed under section 65(6) of this Regulation.

(4) *(Repealed L.N. 125 of 2003)*

(L.N. 125 of 2003)

7. Appointment of a date by Commission for election, polling or counting after a postponement or an adjournment

(1) If an ordinary election or by-election is postponed under this Schedule, the Commission is to, as soon as practicable after the postponement, appoint a date for holding an ordinary election or by-election, as may be appropriate.

(2) If a poll or a count is adjourned under this Schedule, the Commission is to, as soon as practicable after the adjournment, appoint a date for holding a poll or a count.

(3) A date appointed under this section must not be later than 14 days after the date on which the postponed election or the adjourned poll or count would have been held. *(12 of 2014 s. 86)*

(4) In each case referred to in sections 1, 2 and 3, the Commission is to, in the relevant notice making the declaration, specify the date appointed under this section to hold the relevant ordinary election, by-election, the poll or the count, as the case may require.

(5) If it is not practicable to specify the date in the notice of declaration, the Commission is to specify it in a notice published in the Gazette soon after the publication of a notice of declaration. If such publication is not practicable in the circumstances, the date must be specified in a notice published by some other means the Commission considers appropriate.

(6) The appointment of a date under this section for holding a by-election is subject to section 33(2) of the District Councils Ordinance (Cap. 547).

2. Interpretation

(1) In this Regulation, unless the context otherwise requires—

by-election (補選) means a subsector by-election or a sub-subsector by-election;

candidate (候選人), in relation to a particular subsector or sub-subsector, means a person who is nominated to be returned as a member of the Election Committee, assigned to that subsector or sub-subsector, at a subsector ordinary election, subsector by-election, sub-subsector ordinary election or sub-subsector by-election, as the case may be;

Committee (顧問委員會) means a Nominations Advisory Committee (Election Committee) which for the time being stands appointed under section 3 and, where appropriate, includes a person appointed under section 5(1) to act as the Committee;

designated body (指定團體) means a body referred to in section 6(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569);

nomination for the religious subsector (宗教界界別分組提名) means the nomination of a person or persons by a designated body to be a member or members representing the religious subsector on the Election Committee under section 7(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569);

nomination form (提名表格) means a form specified by the Commission under section 7(1)(i) of the Ordinance submitted for the purposes of—

(a) in relation to a subsector or a sub-subsector, nominating a candidate for the subsector ordinary election, subsector by-election, sub-subsector ordinary election or sub-subsector by-election, as the case may be;

(b) in relation to the religious subsector—

(i) nomination for the religious subsector by setting out the nominees to represent the religious subsector on the Election Committee; or

(ii) supplementary nomination for the religious subsector by setting out the nominee or nominees, as the case may be, to represent the religious subsector on the Election Committee;

nomination period (提名期), in relation to a particular ordinary election, by-election, nomination for the religious subsector or supplementary nomination for the religious subsector, means the period specified under any regulation providing for the procedure therefor as the period for submitting to the Returning Officer nomination forms relating to that ordinary election, by-election, nomination for the religious subsector or supplementary nomination for the religious subsector, as the case may be;

nominee (獲提名人) means a person nominated by a designated body to be a member representing the religious subsector on the Election Committee;

ordinary election (一般選舉) means a subsector ordinary election or a sub-subsector ordinary election;

religious subsector (宗教界界別分組) means the religious subsector referred to in section 2 of the Schedule to the Chief Executive Election Ordinance (Cap. 569);

Returning Officer (選舉主任) means, subject to section 7(6), the Returning Officer as defined in section 1 of the Schedule to the Chief Executive Election Ordinance (Cap. 569);

subsector (界別分組) has the meaning assigned to it by section 1 of the Schedule to the Chief Executive Election Ordinance (Cap. 569), but does not include the religious subsector, the National People's Congress subsector and the Legislative Council subsector;

subsector by-election (界別分組補選) has the meaning assigned to it by section 1 of the Schedule to the Chief Executive Election Ordinance (Cap. 569);

subsector ordinary election (界別分組一般選舉) has the meaning assigned to it by section 1 of the Schedule to the Chief Executive Election Ordinance (Cap. 569);

sub-subsector (小組) means a sub-subsector referred to in section 2(9) of the Schedule to the Chief Executive Election Ordinance (Cap. 569);

sub-subsector by-election (小組補選) has the meaning assigned to it by section 1 of the Schedule to the Chief Executive Election Ordinance (Cap. 569);

sub-subsector ordinary election (小組一般選舉) has the meaning assigned to it by section 1 of the Schedule to the Chief

Executive Election Ordinance (Cap. 569);

supplementary nomination for the religious subsector (宗教界界別分組補充提名) means the nomination of a person or persons by a designated body to fill a vacancy or vacancies among the members representing the religious subsector on the Election Committee under section 7(2) of the Schedule to the Chief Executive Election Ordinance (Cap. 569).

(2) In this Regulation—

(a) a reference to being eligible to be or disqualified from being nominated is to be construed, in relation to an ordinary election or by-election held under the Schedule to the Chief Executive Election Ordinance (Cap. 569), with reference to that Ordinance, but nothing in this Regulation is to be construed as empowering or requiring a Committee to advise on any matter relating to any requirements under section 19 of that Schedule;

(b) a reference to being eligible to be or disqualified from being a nominee is to be construed, in relation to a nomination for the religious subsector or supplementary nomination for the religious subsector under the Schedule to the Chief Executive Election Ordinance (Cap. 569), with reference to that Ordinance.

3. Appointment of the Committee

(1) The Commission may appoint one or more committees each to be known as a "Nominations Advisory Committee (Election Committee)" and consisting of one member who must be— *(E.R. 2 of 2019)*

(a) a person who is admitted as a barrister or a solicitor under the Legal Practitioners Ordinance (Cap. 159) or is qualified for such admission; or

(b) a person with such other qualifications in the law, whether academic or professional, as the Commission considers appropriate.

(2) Notice of any appointment under subsection (1) must be published in the Gazette by the Commission as soon as reasonably practicable after the appointment.

(3) An appointment under subsection (1) must be for such period as specified by the Commission in the notice under subsection (2).

(4) An appointment under subsection (1) may be in relation to such ordinary election or ordinary elections, by-election or by-elections, nomination for the religious subsector or supplementary nomination for the religious subsector, as the Commission may determine.

(5) The Commission must specify in any notice under subsection (2)—

(a) the ordinary election or ordinary elections, or by-election or by-elections, in relation to which the Committee concerned is appointed, with reference to the year or date on which any such ordinary election or by-election is, or ordinary elections or by-elections are, to be held;

(b) the nomination for the religious subsector in relation to which the Committee concerned is appointed, with reference to the period during which nomination forms relating thereto are to be submitted to the Returning Officer by the designated bodies; or

(c) the supplementary nomination for the religious subsector in relation to which the Committee concerned is appointed, with reference to the period during which a nomination form or forms relating thereto is or are to be submitted to the Returning Officer by the designated body or designated bodies,

as the case may be.

(6) The member constituting a Committee may be paid remuneration of such amount or at such rate as the Commission may determine.

4. Functions

(1) Subject to subsection (2), the functions of a Committee are—

(a) to advise, subject to section 6(14)—

(i) any prospective candidate for an ordinary election as to whether he or she is eligible to be, or disqualified from being, nominated as a candidate in respect of a subsector or a sub-subsector, as the case may be;

(ii) any prospective nominee for nomination for the religious subsector as to whether he or she is eligible to be, or disqualified from being, a nominee;

(iii) any designated body selecting a nominee for nomination for the religious subsector as to whether a person proposed to be nominated by that body to be a member representing the religious subsector on the Election Committee is eligible to be, or disqualified from being, a nominee; and

(b) to advise any Returning Officer as to whether—

(i) a particular candidate for an ordinary election or by-election is eligible to be, or disqualified from being, nominated as a candidate in respect of a subsector or a sub-subsector, as the case may be;

(ii) a particular nominee for nomination for the religious subsector is eligible to be, or disqualified from being, such a nominee;

(iii) a particular nominee for supplementary nomination for the religious subsector is eligible to be, or disqualified from being, such a nominee.

(2) A Committee must perform its functions under subsection (1) in respect of the ordinary election or ordinary elections, by-election or by-elections, nomination for the religious subsector or supplementary nomination for the religious subsector, specified under section 3(5) in relation to its appointment.

(3) The Commission must specify by notice published in the Gazette the date by which a Committee must complete the performance of its functions under subsection (1)(a) as regards an ordinary election or nomination for the religious subsector in relation to which it is appointed, and where more than one Committee is appointed in relation to the same ordinary election or nomination for the religious subsector, as the case may be, the Commission must, for the purposes of this subsection, specify the same date in respect of each such Committee.

(4) As regards a particular ordinary election, by-election, nomination for the religious subsector or supplementary nomination for the religious subsector, the Committee must perform its functions under subsection (1)(b) during the period specified by the Commission by notice published in the Gazette.

6. Procedure relating to applications by prospective candidates, prospective nominees or designated bodies

(1) A prospective candidate for an ordinary election may apply in accordance with subsection (4) for the advice of a Committee as to whether he or she is eligible to be, or disqualified from being, nominated as a candidate—

(a) in the case of a subsector ordinary election, in respect of a particular subsector; or

(b) in the case of a sub-subsector ordinary election, in respect of a particular sub-subsector.

(2) A prospective nominee for nomination for the religious subsector may apply in accordance with subsection (4) for the advice of a Committee as to whether he or she is eligible to be, or disqualified from being, a nominee.

(3) A designated body selecting a nominee for nomination for the religious subsector may apply in accordance with subsection (4) for the advice of a Committee as to whether the person proposed to be nominated by that body to be a member representing the religious subsector on the Election Committee is eligible to be, or disqualified from being, a nominee.

(4) An application under subsection (1), (2) or (3)—

(a) must be in a form specified by the Commission; and

(b) must be—

(i) sent to the Chief Electoral Officer by post or facsimile transmission so as to be received by that Officer; or

(ii) served on the Chief Electoral Officer personally,

on or before a date specified by the Commission by notice published in the Gazette.

(5) Subject to subsection (4)(b), an application under subsection (1), (2) or (3) may be made on or after the date on which the period specified in the notice under section 3(2) commences.

(6) A prospective candidate may—

(a) under subsection (1)(a), make only one application in respect of a particular subsector; and

(b) under subsection (1)(b), make only one application in respect of a particular sub-subsector.

(7) A prospective nominee may, under subsection (2), make only one application in respect of his or her nomination for the religious subsector.

(8) A designated body may, under subsection (3), make only one application in respect of a particular person proposed to be nominated by that body to be a member representing the religious subsector on the Election Committee.

(9) For the avoidance of doubt, it is declared that a prospective candidate may—

(a) under subsection (1)(a), but subject to subsection (6)(a), apply for advice in respect of more than one subsector; and

(b) under subsection (1)(b), but subject to subsection (6)(b), apply for advice in respect of more than one sub-subsector.

(10) As soon as reasonably practicable after receiving an application under subsection (4), the Chief Electoral Officer must refer it to a Committee appointed in relation to the ordinary election or nomination for the religious subsector, to which the application relates, for its consideration.

(11) A Committee to which an application is referred under subsection (10) must consider the application and advise the applicant as soon as reasonably practicable but not later than the date specified under section 4(3), and subject to subsections (12), (13) and (14), as to whether, in the opinion of that Committee—

(a) in the case that the applicant is a prospective candidate, the applicant is eligible to be, or disqualified from being, nominated as a candidate in respect of the subsector or the sub-subsector, as the case may be;

(b) in the case that the applicant is a prospective nominee, the applicant is eligible to be, or disqualified from being, such a nominee; and

(c) in the case that the applicant is a designated body, the person proposed to be nominated by that body to be a member representing the religious subsector on the Election Committee is eligible to be, or disqualified from being, such a nominee.

(12) A Committee may, where it considers appropriate, before forming an opinion for the purposes of subsection (11)—

(a) in the case that the applicant is a prospective candidate or prospective nominee—

(i) request the applicant to make available to that Committee, within such period as specified by that Committee in the particular case, information, particulars and evidence relating to his or her intended candidature or nomination for the religious subsector, as the case may be, as that Committee considers relevant to the forming of an opinion for the purposes of subsection (11)(a) or (b); and

(ii) request the applicant to present himself or herself before that Committee at a time and place specified by that Committee for the purpose of giving such assistance as that Committee considers necessary to enable it to form an opinion for the purposes of subsection (11)(a) or (b); and

(b) in the case that the applicant is a designated body—

(i) request that designated body to make available to that Committee, within such period as specified by that Committee in the particular case, information, particulars and evidence relating to the intended nomination of the person proposed by that body as that Committee considers relevant to the forming of an opinion for the purposes of subsection (11)(c); and

(ii) request that designated body to present itself by a representative authorized by that body in writing for the purpose before that Committee at a time and place specified by that Committee for the purpose of giving such assistance as that Committee considers necessary to enable that Committee to form an opinion for the purposes of subsection (11)(c).

(13) An applicant of whom a request is made under subsection (12)(a)(ii) by a Committee may, at the time and place specified under that subsection, make representations relating to his or her intended candidature or nomination for the religious subsector, as the case may be, to that Committee— *(L.N. 251 of 2001)*

(a) either in person; or

(b) through any person authorized by him or her in writing for the purpose.

(14) Without affecting the generality of the power of a Committee to give any advice which is qualified, where an applicant does not make available any information, particulars or evidence requested under subsection (12)(a)(i) or (b)(i) or does not comply with a request under subsection (12)(a)(ii) or (b)(ii), a Committee may—

(a) refuse to consider the application any further or to give any advice in relation thereto; or

(b) advise the applicant on the application and qualify such advice having regard to either or both of the following, as may be appropriate—

(i) the fact that any information, particulars or evidence, or where appropriate, all of them, were not available to it;

(ii) the failure of the applicant (being a prospective candidate or prospective nominee) to present himself or herself before that Committee or the failure of the applicant (being a designated body) to present itself by its representative before that Committee.

(15) Where a Committee refuses to consider an application or give advice under subsection (14)(a), it must notify the applicant in writing not later than the date specified under section 4(3).

(16) A Committee must not consider any application which is not received under subsection (4) by the Chief Electoral Officer on or before the date specified under that subsection. *(L.N. 251 of 2001)*

(17) An advice given under subsection (11) or (14)(b) must be in writing.

(18) Subject to this section, a Committee may determine its own procedure for the purpose of advising an applicant under this section.

7. Procedure relating to applications by Returning Officers

(1) A Returning Officer may, as regards an ordinary election or by-election in relation to which a Committee is appointed, apply in accordance with subsection (3) to that Committee for advice as to whether a particular candidate who has submitted a nomination form to that Officer under any relevant regulation made under the Ordinance—

(a) in the case of a subsector ordinary election or subsector by-election, in respect of a subsector; or

(b) in the case of a sub-subsector ordinary election or sub-subsector by-election, in respect of a sub-subsector,

is eligible to be, or disqualified from being, nominated as a candidate in respect of that subsector or that sub-subsector, as the case may be.

(2) A Returning Officer may, as regards a nomination for the religious subsector, or a supplementary nomination for the religious subsector, in relation to which a Committee is appointed, apply in accordance with subsection (3) to that Committee for advice as to whether a particular nominee whose name has been set out in a nomination form submitted to that Officer by a designated body under any relevant regulation made under the Ordinance is eligible to be, or disqualified from being, such a nominee.

(3) An application under subsection (1) or (2) must be in writing and made so as to be received by the Chief Electoral Officer on or before a date specified by the Commission by notice published in the Gazette.

(4) A Committee to which an application is made under subsection (1) or (2) must consider the application and advise the Returning Officer concerned as soon as reasonably practicable but before the expiry of the period specified under section 4(4) as to whether, in the opinion of that Committee—

(a) where the application relates to a particular candidate, that candidate concerned is eligible to be, or disqualified from being, nominated as a candidate in respect of the subsector or the sub-subsector, as the case may be;

(b) where the application relates to a particular nominee, that nominee concerned is eligible to be, or disqualified from being, such a nominee.

(5) In making a decision under the relevant regulations made under the Ordinance as to whether—

(a) a particular candidate is validly nominated in respect of a subsector or a sub-subsector, as the case may be; or

(b) a particular nominee is validly nominated by a designated body to be a member representing the religious subsector on the Election Committee,

the Returning Officer must have regard to any advice given under section 6 or 9 or subsection (4) as regards that candidate or nominee.

(6) In this section, references to Returning Officer are to be construed as—

(a) in the case of an ordinary election or by-election, references to the Returning Officer appointed for the subsector or the sub-subsector, as the case may be, in respect of which the candidate concerned has submitted a nomination form; and

(b) in the case of a nomination for the religious subsector or supplementary nomination for the religious subsector, references to the Returning Officer appointed for the nomination for the religious subsector or supplementary nomination for the religious subsector, as the case may be, in respect of which the designated body concerned has submitted a nomination form.

(7) An advice given under subsection (4) must be in writing.

9. Committee to attend and give advice at the meeting called by the Commission

(1) Without prejudice to section 7, a Committee must—

(a) at the request of the Commission, attend such meeting as may be called by the Commission at the close of the nomination period for a particular ordinary election, by-election, nomination for the religious subsector or supplementary nomination for the religious subsector, as the case may be; and

(b) as far as reasonably practicable, give advice at the meeting to any Returning Officer present on any matter referred to in section 7(1) or (2) regarding that ordinary election, by-election, nomination for the religious subsector or supplementary nomination for the religious subsector, as the case may be, on which the Returning Officer may wish to seek advice from the Committee.

(2) An advice given under subsection (1)(b) may be either oral or in writing.

10. Advice not to preclude seeking of nomination, etc.

(1) For the avoidance of doubt, it is declared that any advice given under this Regulation or a refusal under section 6(14)(a) does not preclude—

(a) a person from seeking nomination as a candidate or proceeding with a nomination as a candidate, or from seeking nomination as a nominee, under the relevant regulations made under the Ordinance;

(b) a designated body from proceeding with a nomination for the religious subsector or a supplementary nomination for the religious subsector under the relevant regulations made under the Ordinance;

(c) a person from appealing under the Election Committee (Appeals) Regulation (Cap. 569 sub. leg. A) against the result of an ordinary election or by-election; or

(d) a person from objecting under the Election Committee (Appeals) Regulation (Cap. 569 sub. leg. A) to the registration in the interim register or final register of a nominee as a member of the Election Committee. *(L.N. 113 of 2006)*

(2) In subsection (1)(d)—

final register (正式委員登記冊) means a register published under section 40(2), (3) or (4) of the Schedule to the Chief Executive Election Ordinance (Cap. 569);

interim register (暫行委員登記冊) means a register published under section 40(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569). *(L.N. 113 of 2006)*

1. Interpretation

(1) In this Regulation, unless the context otherwise requires—

authorized representative (獲授權代表) has the meaning assigned to it by section 11(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569);

ballot paper account (選票結算表) means a statement prepared under section 62;

candidate (候選人) means, subject to subsection (2), in relation to a particular subsector, a person who is a validly nominated candidate for that subsector;

central counting station (中央點票站) means a counting station designated under section 28(9) for the counting of the votes cast at all the polling stations used for polling for more than one subsector election;

Chief Returning Officer (Subsectors) (總選舉主任(界別分組)) means the Returning Officer designated as the Chief Returning Officer (Subsectors) under section 96;

computer (電腦), in relation to the counting of votes, includes any computer software that is programmed to count the votes cast at a subsector election so as to give an accurate result;

counting agent (監察點票代理人) means a person appointed as a counting agent under section 64;

counting officer (點票人員) means, in relation to a counting station, a person appointed under section 65 as a counting officer for that counting station;

counting station (點票站) means a place designated under section 28(1) for the counting of votes;

counting zone (點票區) means an area within a counting station assigned by the Chief Electoral Officer for the counting of the votes for a particular subsector;

dedicated polling station (專用投票站) means a place designated as a dedicated polling station under section 28(1A); *(L.N. 132 of 2009)*

designated body (指定團體) means a designated body within the meaning of Part 3 of the Schedule to the Chief Executive Election Ordinance (Cap. 569);

EC member (選委會委員) means a member of the Election Committee;

election advertisement (選舉廣告), in relation to an election, means —

(a) a publicly exhibited notice, leaflet, circular, bill, booklet, placard or poster;

(b) a notice, leaflet, circular, bill, booklet, placard or poster delivered by hand or electronic transmission;

(c) a public announcement made by radio or television or by video or cinematographic film; or

(d) any other form of publication,

published for the purpose of promoting or prejudicing the election of a candidate or candidates at the election; *(11 of 2012 s. 12)*

election agent (選舉代理人) means a person appointed as an election agent under section 23;

election expense agent (選舉開支代理人) has the meaning assigned to it by section 2(1) of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554);

election expenses (選舉開支) has the meaning assigned to it by section 2(1) of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554), but the reference to an election in that meaning is to be construed as the election referred to in section 4(1)(d) or (da) of that Ordinance; *(11 of 2012 s. 12)*

geographical constituencies final register (地方選區正式選民登記冊) means the final register of electors for geographical constituencies compiled under the Electoral Affairs Commission (Registration of Electors) (Legislative Council Geographical Constituencies) (District Council Constituencies) Regulation (Cap. 541 sub. leg. A) and which is in effect;

head-dress (頭飾) means anything which is worn on a person's head; *(L.N. 114 of 2006)*

identity card (身分證) has the meaning assigned to it by section 1A of the Registration of Persons Ordinance (Cap. 177);

identity document (身分證明文件) means—

(a) an identity card;

(b) a document issued by the Commissioner (within the meaning of section 1A(1) of the Registration of Persons Ordinance (Cap. 177)) to a person certifying that the person is exempt, under regulation 25 of the Registration of Persons Regulations (Cap. 177 sub. leg. A), from being required to register under that Ordinance; or *(1 of 2019 s. 79)*

(c) any other document issued to a person that is acceptable as proof of the person's identity to the Electoral Registration Officer (as defined in section 1(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569));

in custody (受羈押), in relation to a person, means the person is—

(a) serving a sentence of imprisonment;

(b) detained by the Correctional Services Department on remand; or

(c) otherwise detained by any law enforcement agency under any lawful authority; *(L.N. 132 of 2009)*

law enforcement agency (執法機關) means—

(a) the Customs and Excise Department;

(b) the Hong Kong Police Force;

(c) the Immigration Department;

(d) the Independent Commission Against Corruption; or

(e) any other department of the Government any officer of which is empowered by any Ordinance to exercise a power of arrest; *(L.N. 132 of 2009)*

maximum security prison (高度設防監獄) means a prison which is specified as a maximum security prison under rule 47A(1)(b) of the Prison Rules (Cap. 234 sub. leg. A); *(L.N. 132 of 2009)*

no canvassing zone (禁止拉票區) means an area determined under section 40 to be an area in which canvassing for votes is prohibited;

no staying zone (禁止逗留區) means an area determined under section 40 to be an area in which staying or loitering is prohibited;

nomination period (提名期) means the period specified under section 4(3)(b);

Nominations Advisory Committee (提名顧問委員會) means a committee appointed under the Electoral Affairs Commission (Nominations Advisory Committees (Election Committee)) Regulation (Cap. 541 sub. leg. H);

notice appointing the subsector ordinary election day (指定界別分組一般選舉日公告) means a notice by which a date is specified by the Chief Executive under section 16 of the Schedule to the Chief Executive Election Ordinance (Cap. 569) to hold a subsector ordinary election;

ordinary business hours (通常辦公時間) means the hours—

(a) between 9 a.m. and 5 p.m. on any Monday, Tuesday, Wednesday, Thursday or Friday (other than a general holiday);

(b) in relation to a nomination or supplementary nomination for the religious subsector, between 9 a.m. and 12 noon on a Saturday (other than a general holiday) during the period between—

(i) the date of publication of a notice under section 3(1) or (2) in respect of the nomination or supplementary nomination; and

(ii) the date of the declaration made under section 7(8) of the Schedule to the Chief Executive Election Ordinance (Cap. 569); and

(c) in relation to a subsector election, between 9 a.m. and 12 noon on a Saturday (other than a general holiday) during the period between—

(i) the date of publication of a notice under section 4(1) or (2) in respect of the subsector election; and

(ii) the date of publication of the result of the subsector election under section 35 of the Schedule to the Chief Executive Election Ordinance (Cap. 569) or the date of the declaration made under section 25 of that Schedule, as may be appropriate; *(15 of 2016 s. 67)*

political body (政治性團體) has the meaning assigned to it by section 2(1) of the Societies Ordinance (Cap. 151);

polling agent (監察投票代理人) means a person appointed as a polling agent under section 42;

polling day (投票日) means the date on which the poll is to be held in a subsector election;

polling hours (投票時間) means the hours for polling appointed under section 27;

polling officer (投票站人員) means, in relation to a polling station, a person appointed under section 34(2) as a polling officer for that polling station;

polling station (投票站) means a place designated as a polling station under section 28(1) and includes a dedicated polling station; *(L.N. 132 of 2009)*

Presiding Officer (投票站主任) means, in relation to a polling station, the person appointed under section 34(1) to preside at that polling station;

religious subsector nomination form (宗教界界別分組提名表格) means the specified form submitted under section 7 setting out the nominees to represent the religious subsector on the Election Committee;

Returning Officer (選舉主任) means a person holding office as a Returning Officer under section 47 of the Schedule to the Chief Executive Election Ordinance (Cap. 569), and includes any person appointed to act in place of such an Officer when the Officer is absent or when an office of Returning Officer is vacant;

special polling station (特別投票站) means a polling station designated as a special polling station under section 29;

specified address (指明地點) means, in relation to—

(a) nominations or supplementary nominations for the religious subsector under section 7 of the Schedule to the Chief Executive Election Ordinance (Cap. 569), the address specified under section 3(3)(c) as the address at which religious subsector nomination forms are to be submitted; and

(b) nominations for a subsector election, the address specified under section 4(3)(c) as the address at which the subsector nomination forms are to be submitted;

specified form (指明表格、指明格式) means, in relation to a particular purpose of this Regulation, the form specified under section 97 for that purpose;

spoilt ballot paper (損壞的選票) means a spoilt ballot paper within the meaning of section 60;

sub-subsector (小組) means a sub-subsector referred to in section 2(9)(a) of the Schedule to the Chief Executive Election Ordinance (Cap. 569);

sub-subsector by-election (小組補選) means an election to elect an EC member assigned to a sub-subsector who, under section 2(7)(b) and (9) of the Schedule to the Chief Executive Election Ordinance (Cap. 569), is to be elected by the sub-subsector, otherwise than at a sub-subsector ordinary election;

sub-subsector ordinary election (小組一般選舉) means an election to elect those EC members assigned to a sub-subsector who,

under section 2(7)(b) and (9) of the Schedule to the Chief Executive Election Ordinance (Cap. 569), are to be elected by the sub-subsector, for a new term of office of the Election Committee;

subsector (界別分組) has, subject to subsection (3), the meaning assigned to it by section 1 of the Schedule to the Chief Executive Election Ordinance (Cap. 569);

subsector by-election (界別分組補選) means an election to elect an EC member assigned to a subsector who, under section 2(7)(b) of the Schedule to the Chief Executive Election Ordinance (Cap. 569), is to be elected by the subsector, otherwise than at a subsector ordinary election;

subsector election (界別分組選舉) means a subsector ordinary election or a subsector by-election;

subsector election notice (界別分組選舉公告) means a notice published under section 4(1) or (2);

subsector final register (界別分組正式投票人登記冊) means a final register of voters for subsectors compiled under 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) and which is in effect;

subsector nomination form (界別分組提名表格) means the specified form submitted under section 8 to nominate a person as a candidate for a subsector election;

subsector ordinary election (界別分組一般選舉) means an election to elect those EC members assigned to a subsector who, under section 2(7)(b) of the Schedule to the Chief Executive Election Ordinance (Cap. 569), are to be elected by the subsector, for a new term of office of the Election Committee;

tendered ballot paper (重複的選票) means a tendered ballot paper within the meaning of section 58;

unused ballot paper (未用的選票) means an unused ballot paper within the meaning of section 59(2);

validly nominated candidate (獲有效提名的候選人) means—

(a) subject to paragraph (b), a person whom the Returning Officer has decided under section 13 to be validly nominated;

(b) in case a declaration under section 23(2)(b) or (5)(b) of the Schedule to the Chief Executive Election Ordinance (Cap. 569) is made, a person who is stated to be validly nominated in the declaration;

verification of the ballot paper account (選票結算核實書) means the statement prepared under section 73(2)(a)(iv) or (3)(c) or 74(4)(c);

voter (投票人) has the meaning assigned to it by section 11(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569).

(2) In this Regulation—

(a) in Part 2 (except section 25), ***candidate*** (候選人) includes a person who is being or has been nominated to stand for election at a subsector election; and

(b) in section 25 and Part 7, ***candidate*** (候選人)— *(11 of 2012 s. 12)*

(i) means a person who stands nominated as a candidate at a subsector election; and

(ii) also means a person who, at any time before close of nominations for a subsector election, has publicly declared an intention to stand as a candidate at the subsector election.

(3) In this Regulation—

(a) references to a "Returning Officer" are to be construed, in relation to a particular subsector, as the Returning Officer appointed for that subsector;

(b) in respect of the sports, performing arts, culture and publication subsector—

(i) references to "subsector", "subsector ordinary election" and "subsector by-election" mean "sub-subsector", "sub-subsector ordinary election" and "sub-subsector by-election" respectively and with any necessary modifications; and

(ii) references to "subsector election" mean "sub-subsector ordinary election" and "sub-subsector by-election" with any necessary modifications; and

(c) references to the "counting of votes" are to be construed as including, where appropriate, sorting, separation and counting of ballot papers. *(E.R. 1 of 2020)*

(4) In this Regulation, any provision which entitles or permits a candidate, an election agent, a polling agent or a counting agent to do anything in a polling station, counting station, counting zone or in relation to the counting of votes is to be construed as entitling or permitting the candidate or the agent to do it in a polling station, counting station, counting zone or in relation to the counting of the votes for the subsector for which the candidate is standing for election or for which the agent is appointed, as the case may require.

1A. Effect of inclement weather warning on date and period

(1) In this section—

gale warning (烈風警告) has the same meaning as in the Judicial Proceedings (Adjournment During Gale Warnings) Ordinance (Cap. 62);

inclement weather warning day (惡劣天氣警告日) means a working day on which a gale warning or a rainstorm warning is in force at any time during ordinary business hours;

rainstorm warning (暴雨警告) has the same meaning as in the Judicial Proceedings (Adjournment During Gale Warnings) Ordinance (Cap. 62);

working day (工作日) means—

(a) any Monday, Tuesday, Wednesday, Thursday or Friday other than a general holiday;

(b) in relation to a nomination or supplementary nomination for the religious subsector, a Saturday (other than a general holiday) during the period between—

(i) the date of publication of a notice under section 3(1) or (2) in respect of the nomination or supplementary nomination; and

(ii) the date of the declaration made under section 7(8) of the Schedule to the Chief Executive Election Ordinance (Cap. 569);

(c) in relation to a subsector election, a Saturday (other than a general holiday) during the period between—

(i) the date of publication of a notice under section 4(1) or (2) in respect of the subsector election; and

(ii) the date of publication of the result of the subsector election under section 35 of the Schedule to the Chief Executive Election Ordinance (Cap. 569) or the date of the declaration made under section 25 of that Schedule, as may be appropriate.

(2) If—

(a) a date is prescribed in this Regulation (whether by reference to a specific day of a specific month or to a day otherwise ascertainable under this Regulation) or is fixed under this Regulation;

(b) an act is required or permitted by a provision of this Regulation to be done not later than, or on or before, the date or on the date; and

(c) the date falls on an inclement weather warning day,

the next working day which is not an inclement weather warning day, following the date is taken to be prescribed or fixed in relation to the act instead for the provision.

(3) If—

(a) a period is prescribed in or fixed under this Regulation;

(b) an act is required or permitted by a provision of this Regulation to be done in, during or within the period; and

(c) the last day of the period falls on an inclement weather warning day,

the period is extended, in relation to the act, to end on the next working day which is not an inclement weather warning day, following the day mentioned in paragraph (c), and the provision has effect accordingly.

(4) Subsections (2) and (3) are subject to Schedule 1.

(15 of 2016 s. 17)

2. Application

Except where otherwise stated, this Regulation, with any necessary modifications—

(a) applies to a supplementary nomination for the religious subsector under section 7(2) of the Schedule to the Chief Executive Election Ordinance (Cap. 569) as it applies to a nomination for that subsector under section 7(1) of that Schedule; and

(b) applies to a subsector by-election as it applies to a subsector ordinary election.

Part 2

Nomintations and Supplementary Nominations for Religious Subsector and Nominations for Other Subsectors and Other Stages of Subsector Election Before Poll

(Format changes—E.R. 1 of 2020)

3. Chief Electoral Officer to publish notice calling for nominations or supplementary nominations for religious subsector

(1) As soon as practicable after the publication of a notice appointing the subsector ordinary election day, the Chief Electoral Officer must publish in the Gazette, for the religious subsector, a notice which complies with subsection (3).

(2) Where the Commission is required under section 5(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569) to arrange for a supplementary nomination to fill a vacancy among the members representing the religious subsector on the Election Committee, as soon as practicable after the ascertainment under paragraph (a) of that section 5(1) is made, the Chief Electoral Officer must publish in the Gazette, for that subsector, a notice which complies with subsection (3).

(3) The notice must state—

(a) in the case of a notice referred to—

(i) in subsection (1), the name of each designated body and the number of EC members allocated to each designated body by the order in force under section 6(2) of the Schedule to the Chief Executive Election Ordinance (Cap. 569);

(ii) in subsection (2), the number of vacancies to be filled and the name of the designated body that may nominate under section 7(2) of the Schedule to the Chief Executive Election Ordinance (Cap. 569) a number of persons selected by it to fill each of the vacancies;

(b) that forms nominating EC members for the purposes of section 7(1) or (2) of the Schedule to the Chief Executive Election Ordinance (Cap. 569) are to be submitted to the Returning Officer;

(c) the period within which and the address at which the forms referred to in paragraph (b) are to be submitted; and

(d) that the forms referred to in paragraph (b) must be submitted during ordinary business hours.

(4) The period for the purposes of subsection (3)(c) is to be determined by the Chief Electoral Officer.

4. Chief Electoral Officer to publish notice specifying period and address for submitting subsector nomination forms

(1) As soon as practicable after the publication of a notice appointing the subsector ordinary election day, the Chief Electoral Officer must publish in the Gazette, for the subsectors concerned, a notice which complies with subsection (3).

(2) Where the Commission is required under section 5(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569) to arrange for a subsector by-election, as soon as practicable after the ascertainment under paragraph (a) of that section 5(1) is made, the Chief Electoral Officer must publish in the Gazette a notice which complies with subsection (3).

(3) The notice must state—

(a) in the case of a notice referred to—

(i) in subsection (1), the names of all the subsectors and the number of EC members allocated to each subsector;

(ii) in subsection (2), the name of the subsector or each subsector for which a subsector by-election is to be held and the number of EC members to be returned for the subsector or each subsector at the subsector by-election;

(b) the period within which the subsector nomination forms are to be submitted to the Returning Officer;

(c) the address at which the subsector nomination forms are to be submitted;

(d) that the subsector nomination forms must be submitted during ordinary business hours;

(e) the date on which the subsector election is to be held; and

(f) in the case of a notice referred to—

(i) in subsection (1), that a poll will be held on the date referred to in paragraph (e) for a subsector, if the number of validly nominated candidates for the subsector exceeds the number of EC members allocated to the subsector;

(ii) in subsection (2), that a poll will be held on the date referred to in paragraph (e) for a subsector, if the number of validly nominated candidates for the subsector exceeds the number of EC members to be returned at the subsector by-election.

6. Notices under sections 3 and 4 to be in specified form

A notice published under section 3 calling for nominations or supplementary nominations for the religious subsector and a subsector election notice must be in the specified form.

7. How to nominate EC members for religious subsector

(1) A person is to be nominated as a member representing the religious subsector on the Election Committee by the submission by a designated body of a nomination form in the specified form that complies with section 7 of the Schedule to the Chief Executive Election Ordinance (Cap. 569) and this section.

(2) The religious subsector nomination form must contain a declaration by each nominee to the effect that he or she—

(a) is eligible to be nominated as a member representing the religious subsector on the Election Committee;

(b) is not disqualified from being so nominated;

(c) consents to being so nominated; and

(d) consents to the order of priority in which nominees are ranked in the religious subsector nomination form for the purposes of section 7(4) of the Schedule to the Chief Executive Election Ordinance (Cap. 569).

(3) A designated body must nominate all its nominees on one religious subsector nomination form.

(4) The religious subsector nomination form must be signed by each nominee. It must also be signed on behalf of the designated body by a person authorized by the designated body for that purpose.

(5) The religious subsector nomination form must contain other particulars, if any, required to be furnished on that form.

(6) The Returning Officer may require a designated body or a person who is being nominated under this section or both to furnish any other information that Officer considers appropriate to be satisfied—

(a) that the person is eligible to be a member representing the religious subsector on the Election Committee; or

(b) as to the validity of the nomination.

(7) The religious subsector nomination form must be submitted to the Returning Officer within the period referred to in section 3(3)(c) at the specified address.

8. How to nominate candidates for other subsectors

(1) A person is to be nominated as a candidate for a subsector election by submitting to the Returning Officer a subsector nomination form which complies with this section.

(2) The subsector nomination form must be submitted in accordance with this section.

(3) The subsector nomination form must be in the specified form and subscribed in accordance with the Election Committee (Subscribers and Election Deposit for Nomination) Regulation (Cap. 569 sub. leg. C).

(4) The subsector nomination form must contain a declaration by the person being nominated as the candidate to the effect that he or she—

(a) is eligible to be nominated as a candidate for the subsector concerned;

(b) is not disqualified from being so nominated; and

(c) consents to being so nominated.

(5) The subsector nomination form—

(a) must contain the name of the person being nominated as the candidate as shown on the person's identity document (being the identity document on the basis of which the particulars of the person are recorded in the geographical constituencies final register) and, if the Returning Officer is satisfied that the person is usually known by a name different from that shown on the person's identity document aforesaid, may also include that different name; and

(b) must also contain the identity document number and address of the person being nominated as the candidate.

(6) The subsector nomination form must be signed by the person being nominated as the candidate in each place the person's signature is required on that form.

(7) The subsector nomination form must be signed by each subscriber. It must contain the name and identity document number of each subscriber.

(8) In the case of a voter other than a natural person, the subscription of the subsector nomination form by that voter may be effected by that voter's authorized representative.

(9) The subsector nomination form must contain other particulars, if any, required to be furnished on that form.

(10) The Returning Officer may require a person who is being nominated as a candidate to furnish any other information that Officer considers appropriate to be satisfied—

(a) that the person is eligible to be nominated as a candidate for the subsector concerned; or

(b) as to the validity of the nomination.

(11) Only one person can be nominated on one subsector nomination form.

(12) The subsector nomination form must be submitted to the Returning Officer within the nomination period at the specified address.

(13) The subsector nomination form must be submitted by the candidate in person or in any other manner authorized by the Chief Electoral Officer.

9. Returning Officer may assist in preparation of nomination forms

(1) The Returning Officer may assist a designated body in preparing a religious subsector nomination form.

(2) The Returning Officer may, at the request of a person who proposes to be nominated as a candidate, give assistance in preparing a subsector nomination form.

10. Returning Officer to make available copies of nomination forms for public inspection

The Returning Officer must make available for inspection by the public, at the specified address, during ordinary business hours, a copy of each of the religious subsector nomination forms and subsector nomination forms received by that Officer. Copies of the religious subsector nomination forms must be made so available until the Returning Officer makes a declaration of nominees who become EC members under section 7(8) of the Schedule to the Chief Executive Election Ordinance (Cap. 569). Copies of the subsector nomination forms must be made so available until the Returning Officer makes a declaration for the relevant subsector under section 25, or publishes a notice of the result of the relevant subsector election under section 35, of that Schedule.

12. Returning Officer to decide whether nominee for religious subsector is validly nominated

(1) The Returning Officer must, as soon as practicable after receiving a religious subsector nomination form under section 7, decide whether each nominee is validly nominated.

(2) If section 7 and sections 8 and 9 of the Schedule to the Chief Executive Election Ordinance (Cap. 569) are complied with, a nominee for the religious subsector stands validly nominated (subject to section 7(7) of that Schedule) to be an EC member, unless the Returning Officer decides that the religious subsector nomination form is invalid.

13. Returning Officer to decide whether candidates are validly nominated

(1) The Returning Officer must, as soon as practicable after receiving a subsector nomination form, decide whether the candidate is validly nominated.

(2) If sections 17, 18, 18A, 18B and 18C of the Schedule to the Chief Executive Election Ordinance (Cap. 569) and section 8 are complied with, the candidate stands validly nominated unless— *(L.N. 114 of 2006; L.N. 75 of 2011)*

(a) the Returning Officer decides that the subsector nomination form is invalid; or

(b) the candidate withdraws his or her candidature.

(3) Without prejudice to sections 17, 18, 18A, 18B and 18C of the Schedule to the Chief Executive Election Ordinance (Cap. 569), the Returning Officer may decide a nomination to be invalid if and only if— *(L.N. 114 of 2006; L.N. 75 of 2011)*

(a) the subsector nomination form has not been signed by the prescribed number of subscribers qualified to subscribe to a subsector nomination form under the Election Committee (Subscribers and Election Deposit for Nomination) Regulation (Cap. 569 sub. leg. C);

(b) the subsector nomination form has not been completed or signed as required under this Regulation;

(c) the Returning Officer is satisfied that the candidate is not eligible to be or is disqualified from being nominated as a candidate under the Schedule to the Chief Executive Election Ordinance (Cap. 569);

(d) the candidate has not lodged the appropriate deposit; or

(e) the Returning Officer is satisfied that the candidate is dead.

(4) In this section, ***prescribed number*** (訂明數目) means the number of subscribers required to subscribe to a nomination form for a subsector election under the Election Committee (Subscribers and Election Deposit for Nomination) Regulation (Cap. 569 sub. leg. C).

14. Returning Officer to have regard to advice of Nominations Advisory Committee

In deciding under section 12 or 13 whether a person is eligible to be, or disqualified from being, nominated as a member representing the religious subsector on the Election Committee or as a candidate, the Returning Officer must have regard to—

(a) advice given by a Nominations Advisory Committee on an application, if any, made by the Returning Officer regarding the person under the Electoral Affairs Commission (Nominations Advisory Committees (Election Committee)) Regulation (Cap. 541 sub. leg. H); or

(b) advice given by a Nominations Advisory Committee on an application, if any, made by the person or the designated body concerned to the Nominations Advisory Committee under that Regulation or, if advice has not been given, the result of the application.

15. Returning Officer may give opportunity to rectify nomination form

(1) If the Returning Officer detects on a religious subsector nomination form or a subsector nomination form—

(a) an error or what appears to that Officer to be an error, or an omission, which may amount to a ground for deciding that the nomination form is invalid; or

(b) anything which may affect the validity of the nomination form,

and that Officer considers that it can be rectified within the period referred to in section 3(3)(c) or the nomination period, that Officer may, before making a decision under section 12 or 13, as may be appropriate, give the nominee, the designated body or the candidate a reasonable opportunity to rectify it.

(2) A religious subsector nomination form or a subsector nomination form cannot be rectified under this section after the expiry of the period referred to in section 3(3)(c) or of the nomination period.

16. Returning Officer to endorse that nomination form is invalid

(1) If the Returning Officer decides that a religious subsector nomination form or a subsector nomination form is invalid or that the nomination of a nominee for the religious subsector or of a candidate is invalid, that Officer must endorse on the relevant nomination form the decision and the reasons for it.

(2) The Returning Officer must sign an endorsement under subsection (1).

(3) A decision that the nomination of a nominee for the religious subsector is valid or invalid must be sent to the nominee concerned, the designated body that nominated that nominee and the other nominees who are nominated by that designated body.

(4) The Returning Officer must send a notice of a decision that a person is validly nominated or is not validly nominated as a candidate—

(a) to the person concerned at that person's address given on the subsector nomination form; and

(b) to each validly nominated candidate for the subsector concerned at the candidate's address given on the subsector nomination form.

19. Returning Officer to publish notice for purposes of sections 7(8) and 25(1) of Schedule to Chief Executive Election Ordinance

(1) The Returning Officer must, within 14 days after the expiry of the period referred to in section 3(3)(c), publish a notice in the Gazette declaring, for the purposes of section 7(8) of the Schedule to the Chief Executive Election Ordinance (Cap. 569), the nominee or nominees who become an EC member or EC members as such member or members.

(2) If, for a subsector—

(a) no more candidates have been validly nominated for the subsector ordinary election than the number of EC members allocated to the subsector; or

(b) no more candidates have been validly nominated for the subsector by-election than the number of EC members to be returned at the subsector by-election,

the Returning Officer must, in the notice published for that subsector under section 18 or in a separate notice, declare, for the purposes of section 25(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569), the candidate or candidates as being duly elected as an EC member or as EC members for that subsector.

(3) A separate notice under subsection (2) must—

(a) be published in the Gazette within 14 days after the expiry of the nomination period;

(b) state the name and address of each candidate declared to be duly elected as an EC member; and

(c) be in the specified form.

21. Returning Officer to notify and declare if validly nominated candidate is disqualified

(L.N. 75 of 2011)

(1) A notice under section 23(4) of the Schedule to the Chief Executive Election Ordinance (Cap. 569) is to be given by the Returning Officer concerned as soon as practicable after the disqualification to which the variation of decision relates is proved to the satisfaction of that Officer. The notice must be given in writing to—

(a) the Chief Electoral Officer; and

(b) if practicable, each candidate who remains validly nominated for the subsector election concerned, to replace the notice under section 16(4).

(2) The Returning Officer under subsection (1)—

(a) must—

(i) endorse on the subsector nomination form of the disqualified candidate that that Officer's decision made under section 22(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569) in relation to that candidate is varied and the reason for the variation of decision; and

(ii) sign the endorsement; and

(b) may on polling day, if that Officer considers it appropriate to do so, display a notice in a prominent place— *(L.N. 75 of 2011)*

(i) outside each polling station (other than a dedicated polling station) used for polling for the subsector concerned; and

(ii) inside each dedicated polling station used for polling for the subsector concerned. *(L.N. 75 of 2011)*

(3) Declarations under section 23(5) of the Schedule to the Chief Executive Election Ordinance (Cap. 569) are to be made by the Returning Officer concerned as soon as practicable after the disqualification to which the variation of decision relates is proved to the satisfaction of that Officer. The declarations must be made—

(a) by notice published in the Gazette;

(b) by notice published in any daily newspaper in circulation in Hong Kong;

(c) by a public announcement made by radio or television; or

(d) by such other means as that Officer considers appropriate in the circumstances.

(4) A notice under subsection (2)(b) or (3)(a) or (b) must state—

(a) the name and address of the disqualified candidate;

(b) the name of the subsector for which the disqualified candidate was nominated;

(c) that the decision of the Returning Officer made under section 22(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569) has been varied to the effect that the candidate is not validly nominated; and

(d) the name and address of each candidate who remains validly nominated for the subsector election concerned.

(5) A public announcement under subsection (3)(c) must state—

(a) the name of the disqualified candidate;

(b) the name of the subsector for which the disqualified candidate was nominated; and

(c) the name of each candidate who remains validly nominated for the subsector election concerned.

22. No poll upon death or disqualification of candidate under certain circumstances

(1) If, after the death referred to in section 20(1) or the disqualification referred to in section 21(1)—

(a) the number of candidates remaining validly nominated for—

(i) the subsector ordinary election concerned is equal to the number of EC members allocated to the subsector; or

(ii) the subsector by-election concerned is equal to the number of EC members to be returned at the subsector by-election;

(b) no candidate remains validly nominated for the subsector election concerned; or

(c) the number of candidates remaining validly nominated for—

(i) the subsector ordinary election concerned is less than the number of EC members allocated to the subsector; or

(ii) the subsector by-election concerned is less than the number of EC members to be returned at the subsector by-election,

the Returning Officer must, by such means as that Officer considers appropriate in the circumstances, declare that a poll is not to be held for that subsector.

(2) The Returning Officer must in a notice under section 20(3)(a) or 21(3)(a), if any, or in a separate notice—

(a) in the case of subsection (1)(a), declare, for the purposes of section 25(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569), the remaining candidate or candidates as being duly elected as an EC member or as EC members;

(b) in the case of subsection (1)(b), declare, for the purposes of section 25(2) of the Schedule to the Chief Executive Election Ordinance (Cap. 569), no candidate was validly nominated for the subsector election;

(c) in the case of subsection (1)(c), declare—

(i) for the purposes of section 25(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569), the remaining candidate or candidates as being duly elected as an EC member or as EC members; and

(ii) for the purposes of section 25(3) of that Schedule, the number of EC members returned at the subsector election is less than the number of EC members to be returned at that subsector election.

(3) A separate notice containing a declaration under subsection (2) must—

(a) be published in the Gazette as soon as practicable;

(b) if applicable, state the name and address of each candidate declared to be duly elected as an EC member; and

(c) be in the specified form.

44. Who may enter or be present at polling station

(1) Except where it is provided otherwise in this Regulation, a person must not enter a polling station other than to vote.

(2) Subject to subsections (4) and (5), in order to ensure that polling takes place smoothly and efficiently, the Presiding Officer may—

(a) regulate the number of voters, authorized representatives, candidates, election agents and polling agents to be admitted to the polling station at any one time; or

(b) exclude any person from the polling station.

(3) Without limiting subsection (2), the Presiding Officer may exclude from the polling station any person who is present in contravention of this section.

(4) The Presiding Officer may not exclude from the polling station —

(a) polling officers;

(b) the Chief Returning Officer (Subsectors);

(c) the Returning Officers or Assistant Returning Officers for the subsectors for which the polling station is used;

(d) members of the Commission;

(e) public officers on duty at the polling station;

(f) the Chief Electoral Officer;

(g) public officers authorized in writing by the Chief Electoral Officer; *(L.N. 114 of 2006)*

(h) persons authorized in writing by a member of the Commission; *(L.N. 114 of 2006)*

(i) police officers and members of the Civil Aid Service on duty at the polling station; or *(L.N. 114 of 2006)*

(j) a person authorized in writing by the Returning Officer to act as a liaison officer. *(L.N. 114 of 2006)*

(5) A person authorized by the Commission to be present in a polling station may be present in accordance with the terms of the authorization.

(6) Subject to subsections (7), (8), (9), (10), (11) and (12), on behalf of each candidate, one polling agent of that candidate may be present in the polling station at any one time.

(6A) Subsection (6) does not apply to a dedicated polling station situated in a maximum security prison. *(L.N. 132 of 2009)*

(7) If a candidate is present in the polling station, the election agent or polling agent of that candidate may not be present in that polling station at the same time.

(8) If the election agent of a candidate is present in the polling station, a polling agent of that candidate may not be present in that polling station at the same time.

(9) A candidate, an election agent or a polling agent may be present in the polling station subject to the availability of seats in the area designated to accommodate them.

(10) A person referred to in subsection (9) who wishes to be admitted to the polling station must, on arriving at the polling station, report in person to the Presiding Officer and produce his or her identity document and a declaration of secrecy completed on the specified form by him or her.

(11) If the area referred to in subsection (9) is occupied to its full seating capacity, the Presiding Officer may refuse entry to the polling station to any person referred to in that subsection. That Officer may make arrangements for admitting them to the polling station later.

(12) Only an election agent or polling agent regarding whom notice of appointment has been given under this Regulation may be present in a polling station on behalf of a candidate.

(13) If—

(a) a person arrives at a polling station for the purpose of voting accompanied by a child; and

(b) the Presiding Officer considers that the child—

(i) should not be left unattended while the person is in the polling station; and

(ii) will not disturb or cause inconvenience to any person in the polling station,

that Officer may permit the child to enter the polling station.

(14) The Presiding Officer must not exercise the powers conferred on that Officer under this section so as to prevent a person from voting at the polling station allocated to that person.

53. Presiding Officer to issue ballot papers to voter or authorized representative

(1) At a polling station used only for polling for one subsector, the Presiding Officer is, subject to subsection (3), to issue one ballot paper to a person who is voting only as a voter or only as an authorized representative.

(2) At a polling station used for polling for more than one subsector, the Presiding Officer is, subject to subsection (3), to issue—

(a) one appropriate ballot paper to a person who is voting only as a voter or only as an authorized representative; and

(b) 2 appropriate ballot papers to a person who is voting as a voter and as an authorized representative.

(3) Subject to section 60, if a person has been issued with a ballot paper for a subsector, a Presiding Officer must not issue another ballot paper for the subsector to that person.

(3A) If a person is entitled to be issued with 2 ballot papers, the ballot papers must be handed over to the person at the same time. *(1 of 2019 s. 89)*

(4) Before a ballot paper is issued under this section, the name of the voter or authorized representative, as may be applicable, as stated in the copy of the subsector final register must be called out.

(5) Immediately before issuing the ballot paper, the Presiding Officer must place a line in the copy of the subsector final register across the name and identity document number of the voter or authorized representative to denote that the ballot paper the person is entitled to have issued to him or her at that polling station has been so issued.

(6) No record is to be made of the particular ballot paper issued to a voter or authorized representative.

56. How ballot papers are to be marked

(1) Subject to subsection (2), a voter or authorized representative voting at a subsector election must mark the ballot paper by filling in black the ovals on it opposite the names of the candidates of his or her choice. *(1 of 2019 s. 53)*

(2) The Commission may, in relation to a subsector by-election, direct that the ballot paper must be marked with a chop provided for that purpose by the Chief Electoral Officer at the polling station and bearing the mark "✓", with or without any design. If the Commission so directs—

(a) a voter or authorized representative voting at the subsector by-election must mark the ballot paper with the chop; and

(b) the chop is to be affixed to give a single " ✓ " in the circles on the ballot paper opposite the names of the candidates of the voter's or authorized representative's choice.

(3) At a subsector ordinary election, a voter or authorized representative may vote for as many candidates as the number of EC members allocated to the subsector concerned. At a subsector by-election, a voter or authorized representative may vote for as many candidates as the number of EC members to be returned at the subsector by-election.

61. Steps to be taken at polling station after close of poll

(1) As soon as practicable after the close of the poll at a polling station, the Presiding Officer must, in the presence of the persons, if any, who are present within the polling station, take the following steps—

(a) seal each ballot box with a seal provided for that purpose or with any other device specified by the Chief Electoral Officer, so that a ballot paper or any other material cannot be introduced into or withdrawn from the ballot box after it is sealed; and

(b) make up into separate sealed packets—

(i) the un-issued ballot papers;

(ii) the unused ballot papers;

(iii) the spoilt ballot papers; and

(iv) the marked copies of the subsector final register.

(2) The Presiding Officer must then comply with section 69 in relation to the ballot box, the sealed packets and the ballot paper account.

(3) For the avoidance of doubt, it is declared that the ballot papers in a sealed packet prepared under this section are not to be processed for the purpose of the counting of votes. Accordingly, references in this Regulation to "ballot papers" in relation to the counting of votes are to be construed as not including those ballot papers. *(E.R. 1 of 2020)*

73. Arrangements for counting of votes and verification of the ballot paper account in manual counting

(1) This section applies where the votes cast for the candidates at the subsector election concerned are to be counted without the use of a computer.

(2) At a central counting station, the Returning Officer must—

(a) in relation to the ballot papers in the ballot boxes that have been given into that Officer's charge under section 71, at the counting zone of which that Officer is in charge—

(i) arrange for the ballot papers to be sorted according to each subsector;

(ii) arrange for the number of ballot papers to be counted and recorded for each subsector;

(iii) verify the ballot paper account for each subsector by comparing it with the number of ballot papers recorded for that subsector under subparagraph (ii);

(iv) prepare a statement in writing as to the result of the verification;

(v) retain the ballot papers for the subsector for which that Officer is appointed together with the verification of the ballot paper account;

(vi) make into separate bundles the other sorted ballot papers together with the relevant verification of the ballot paper account, place each bundle in a separate receptacle and seal it in the presence of those present at the counting zone; and

(vii) arrange for the Assistant Returning Officer in attendance at the counting zone to hand over the receptacles to the Returning Officer for the relevant subsector at the counting zone for that subsector; and

(b) in relation to the ballot papers retained by that Officer under paragraph (a)(v) and those handed over to that Officer under paragraph (a)(vii), arrange for the votes recorded on the ballot papers to be counted, without the use of a computer, at the counting zone of which that Officer is in charge.

(3) At a counting station that is not a central counting station, the Returning Officer must, in relation to the ballot papers in the ballot boxes that have been given into that Officer's charge under section 71—

(a) arrange for the number of ballot papers to be counted and recorded;

(b) verify the ballot paper account by comparing it with the number of ballot papers recorded under paragraph (a);

(c) prepare a statement in writing as to the result of the verification; and

(d) arrange for the votes recorded on the ballot papers to be counted without the use of a computer.

(4) In preparing the verification of the ballot paper account, if the Returning Officer considers it necessary or if required by a candidate present at the counting zone or an election agent or a counting agent so present, that Officer must compare the ballot paper account with—

(a) the number of ballot papers recorded for the subsector under subsection (2)(a)(ii) or (3)(a), as the case may be; and

(b) the number of the counterfoils or un-issued ballot papers, the unused ballot papers and the spoilt ballot papers.

(5) A candidate, an election agent or a counting agent may copy what is recorded on the ballot paper account or the verification of the ballot paper account.

74. Arrangements for counting of votes and verification of the ballot paper account in computer counting

(1) This section applies where the votes cast for the candidates at the subsector election concerned are to be counted with the use of a computer.

(2) At a central counting station, the Returning Officer must—

(a) in relation to the ballot papers in the ballot boxes that have been given into that Officer's charge under section 71, arrange for the votes recorded on the ballot papers to be counted with the use of a computer;

(b) in relation to the ballot papers the votes recorded on which cannot be counted with the use of a computer, at the counting zone of which that Officer is in charge—

(i) arrange for the ballot papers to be sorted according to each subsector;

(ii) retain the ballot papers for the subsector for which that Officer is appointed;

(iii) arrange for the number of the other sorted ballot papers to be counted and recorded for each of the other subsectors;

(iv) prepare a statement in writing as to the number of ballot papers recorded for each of the other subsectors under subparagraph (iii);

(v) make into separate bundles the other sorted ballot papers together with the relevant statement prepared under subparagraph (iv), place each bundle in a separate receptacle and seal it in the presence of those present at the counting zone; and

(vi) arrange for the Assistant Returning Officer in attendance at the counting zone to hand over the receptacles to the Returning Officer for the relevant subsector at the counting zone for that subsector;

(c) in relation to the ballot paper accounts that have been given into that Officer's charge under section 71—

(i) retain the ballot paper account for the subsector for which that Officer is appointed; and

(ii) arrange for the Assistant Returning Officer in attendance at the counting zone to hand over the other ballot paper accounts to the Returning Officer for the relevant subsector at the counting zone for that subsector; and

(d) in relation to the ballot papers retained by that Officer under paragraph (b)(ii) and those handed over to that Officer under paragraph (b)(vi), arrange for the votes recorded on the ballot papers to be counted, without the use of a computer, at the counting zone of which that Officer is in charge.

(3) At a counting station that is not a central counting station, the Returning Officer must—

(a) in relation to the ballot papers in the ballot boxes that have been given into that Officer's charge under section 71, arrange for the votes recorded on the ballot papers to be counted with the use of a computer; and

(b) in relation to the ballot papers the votes recorded on which cannot be counted with the use of a computer, arrange for the votes recorded on the ballot papers to be counted without the use of a computer.

(4) After the votes for a subsector election have been counted under subsection (2) or (3), the Returning Officer must—

(a) ascertain the number of ballot papers for the subsector in the ballot boxes from—

(i) the result of the counting of votes; and

(ii) the number of ballot papers that the Returning Officer decides under section 78 to be ballot papers the votes recorded on which are not to be counted;

(b) verify the ballot paper accounts for the subsector by comparing them with the number of ballot papers so ascertained; and

(c) prepare a statement in writing as to the result of the verification.

(5) In preparing the verification of the ballot paper account, if the Returning Officer considers it necessary or if required by a candidate present at the counting zone or an election agent or a counting agent so present, that Officer must compare the ballot paper account with—

(a) the number of ballot papers ascertained for the subsector under subsection (4)(a); and

(b) the number of the counterfoils or un-issued ballot papers, the unused ballot papers and the spoilt ballot papers.

(6) A candidate, an election agent or a counting agent may copy what is recorded on the ballot paper account or the verification of the ballot paper account.

77. Votes recorded on invalid ballot papers not to be counted

(L.N. 75 of 2011)

(1) When counting votes, a ballot paper of any of the following descriptions is not to be regarded as valid and the vote recorded on the ballot paper is not to be counted— *(L.N. 114 of 2006; L.N. 176 of 2006; L.N. 75 of 2011)*

(a) on which there is writing or a mark by which the voter can possibly be identified; *(L.N. 114 of 2006)*

(b) which has the words "重複" and "TENDERED" endorsed on the front of it;

(c) which has the words "未用" and "UNUSED" endorsed on the front of it; *(L.N. 75 of 2011)*

(d) which has the words "損壞" and "SPOILT" endorsed on the front of it;

(e) which is substantially mutilated;

(f) which is unmarked;

(g) subject to subsection (2), which is not marked in accordance with section 56(1) or (2); *(1 of 2019 s. 55)*

(ga) on which votes are recorded for a number of candidates exceeding—

(i) for a subsector ordinary election—the number of EC members allocated to the subsector concerned; or

(ii) for a subsector by-election—the number of EC members to be returned at the by-election; *(1 of 2019 s. 55)*

(h) which the Returning Officer determines as being void for uncertainty.

(2) In the case of a ballot paper referred to in subsection (1)(g) that is used for a subsector by-election in relation to which the Commission has made a direction under section 56(2), if the Returning Officer is satisfied that the intention of the voter or authorized representative is clear notwithstanding the deviation from the requirements in section 56(2)(b), that Officer may count the vote recorded on that ballot paper.

(3) For the avoidance of doubt, it is declared that the Returning Officer is not to make a decision not to count the vote recorded on a ballot paper solely because the name of, and other information relating to, a candidate on the ballot paper are crossed out under section 37(2). *(1 of 2019 s. 42)*

(4) A candidate, an election agent or a counting agent—

(a) may inspect a ballot paper referred to in subsection (1)(b), (c), (d), (f) or (ga); but *(1 of 2019 s. 55)*

(b) is not entitled to make representations to the Returning Officer concerning the ballot paper. *(L.N. 114 of 2006)*

78A. Returning Officer to prepare ballot paper statement

(1) The Returning Officer is to prepare a statement of the ballot papers that are not counted.

(2) The statement is to be made under the following heads—

(a) the ballot paper has on it any writing or mark by which the voter can possibly be identified;

(b) the ballot paper is endorsed with the words "TENDERED" and "重複";

(c) the ballot paper is endorsed with the words "UNUSED" and "未用";

(d) the ballot paper is endorsed with the words "SPOILT" and "損壞";

(e) the ballot paper is substantially mutilated;

(f) the ballot paper is unmarked;

(g) the ballot paper is not marked in accordance with section 56(1) or (2);

(h) the ballot paper is one on which votes are recorded for a number of candidates exceeding—

(i) for a subsector ordinary election—the number of EC members allocated to the subsector concerned; or

(ii) for a subsector by-election—the number of EC members to be returned at the by-election;

(i) the ballot paper is void for uncertainty.

(1 of 2019 s. 57)

81. Form in which Returning Officer is to publish result of subsector election

(1) The notice to be published under section 35(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569) for a subsector election is to be in Form 3 in Schedule 2.

(1A) The notice to be published under sections 2A(9)(a) and 35(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569) for a subsector election is to be in Form 4 in Schedule 2. *(L.N. 75 of 2011)*

(2) A notice under subsections (1) and (1A) must be published in the Gazette within 7 days after the date on which the relevant result is declared under section 80. *(L.N. 75 of 2011)*

(3) The Returning Officer is to prepare a notice of the result of the subsector election in the appropriate form under this section and display it prominently in a place outside the counting station.

(4) The Returning Officer is to send a copy of each notice prepared under subsection (3) to—

(a) the Chairman;

(b) the Secretary for Constitutional and Mainland Affairs; and *(L.N. 130 of 2007)*

(c) the Chief Electoral Officer.

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Editorial Note:

For the saving and transitional provisions relating to the amendments made by the Resolution of the Legislative Council (L.N. 130 of 2007), see paragraph (12) of that Resolution.

83. Returning Officer to send ballot papers, accounts, packets, etc. to Chief Electoral Officer

(1) As soon as practicable after preparing the notice of the result of the subsector election, the Returning Officer must send to the Chief Electoral Officer—

(a) the ballot paper accounts, verification of the ballot paper account and the re-verification of the ballot paper account;

(b) the statement referred to in section 78A(1); *(1 of 2019 s. 58)*

(c) subject to subsection (2), the sealed packets made up under section 82;

(d) a copy of the notice of the result of the subsector election;

(e) all nomination forms;

(f) notices of withdrawal of candidature, if any;

(g) notices of appointment of election agents, polling agents and counting agents and copies of authorizations of election expense agents; and

(h) any other document relating to the subsector election specified by the Commission.

(2) At a central counting station where the votes are counted with the use of a computer, the sealed packets made up under section 82 are to be sent by the Chief Returning Officer (Subsectors) to the Chief Electoral Officer as soon as practicable after they have been made up.

85. Chief Electoral Officer to retain subsector election documents for at least 6 months

The Chief Electoral Officer must retain in that Officer's custody the documents sent to that Officer under section 83 for at least 6 months from the date of the subsector election to which they relate. That Officer must thereafter, unless directed by an order of the Revising Officer in an appeal under section 39 of the Schedule to the Chief Executive Election Ordinance (Cap. 569) or by an order of court made in criminal proceedings, destroy them.

89. Returning Officer may perform functions through Assistant Returning Officers

(1) A Returning Officer may perform any act which that Officer is required or authorized to perform under this Regulation through an Assistant Returning Officer appointed for the subsector for which the Returning Officer is appointed.

(2) A Returning Officer may not delegate under subsection (1)—

(a) the power to determine the validity or otherwise of a nomination or a nomination form;

(b) a decision regarding a ballot paper; or

(c) the declaration of the result of the subsector election.

93. Enforcement of provisions as to secrecy

(1) A person who divulges to any other person, by communicating information as to the name or identity document number in a register of voters, or otherwise, whether a person has or has not applied for a ballot paper or voted, commits an offence.

(1A) A person who divulges to any other person the identity of a voter in custody commits an offence. *(L.N. 132 of 2009)*

(2) Subsections (1) and (1A) do not apply to anything done for a purpose authorized by law or when required to do so by a police officer or an officer of the Independent Commission Against Corruption investigating an offence under the Ordinance, any regulation made under the Ordinance, the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554), sections 3, 4 and 8 of the Prevention of Bribery Ordinance (Cap. 201) or section 13B of the Independent Commission Against Corruption Ordinance (Cap. 204). *(L.N. 132 of 2009)*

(3) A person who communicates to any other person any information obtained at a counting of votes as to the candidate for whom a vote has been given on any particular ballot paper, commits an offence.

(4) A person who interferes with a voter when the voter is recording the vote, commits an offence.

(5) A person who interferes with or attempts to interfere with any ballot boxes, un-issued ballot papers, tendered ballot papers, unused ballot papers, spoilt ballot papers, marked ballot papers or a copy of the subsector final register marked under section 53(5), commits an offence.

(6) A person who interferes with or attempts to interfere with any opened ballot boxes, ballot paper accounts, verifications or re-verifications of such accounts or any other relevant subsector election materials referred to in this Regulation, commits an offence.

(7) A person who obtains or attempts to obtain in any manner—

(a) within a polling station or a no staying zone; or

(b) within a no canvassing zone, without the express permission of the Presiding Officer or the Commission,

information as to the candidate for whom a voter in the polling station is about to vote or has voted, commits an offence.

(8) A person who communicates at any time to any person any information obtained in a polling station as to the candidate for whom a voter is about to vote or has voted, commits an offence.

(9) A person who directly or indirectly induces a voter to display the voter's ballot paper after the voter has marked it so as to make known to any person a candidate for or against whom the voter has voted, commits an offence.

(10) A person who commits an offence under this section is liable to a fine at level 2 and to imprisonment for 6 months. *(L.N. 114 of 2006)*

(11) In this section, ***voter*** (投票人) includes an authorized representative.

94. Procedure in case of death or disqualification of candidate on polling day but before declaration of result

(1) If, on or after the date of a subsector election but before the declaration of the result of the subsector election, proof is given to the satisfaction of the Returning Officer that a candidate for the subsector election has died or is disqualified from being elected, the Returning Officer must direct that the proceedings for the subsector election are to begin or to continue, as the case may be, as if the death or disqualification had not occurred.

(2) If, after the votes are counted, the deceased or disqualified candidate is found to be successful at the subsector election, section 80(2) applies.

(3) If the deceased or disqualified candidate is not successful at the subsector election, the Returning Officer must declare the successful candidate to be elected as provided in section 80(1).

95. Publication and display of notices, etc.

(1) The Returning Officer or the Presiding Officer may publish or display a notice, determination, or other writing under this Regulation in a manner that Officer thinks fit except where specific provision is made for the publication or display in this Regulation. *(L.N. 114 of 2006)*

(2) The following notices or notifications may be delivered by hand, by post, by electronic mail or by facsimile transmission — *(15 of 2016 s. 42)*

(a) notice of the decision of the Returning Officer as to whether a person is validly nominated as a candidate;

(b) notice of a declaration that a candidate has died or that the decision of the Returning Officer has been varied to the effect that a candidate is not validly nominated;

(c) *(Repealed 15 of 2016 s. 42)*

(d) notice to Returning Officers and to candidates of the determination of a no canvassing zone and a no staying zone;

(e) notice to Returning Officers and to candidates of the variation before polling day of a no canvassing zone or a no staying zone;

(f) notice to candidates of the arrangements for the drawing of lots to determine the order of appearance of candidates on the ballot papers; and

(g)-(h) *(Repealed 15 of 2016 s. 42)*

(i) notice to candidates of the time and place for the counting of votes.

(3) Notice of variation of a no canvassing zone or a no staying zone on the polling day or notice of the resumption of the counting of votes after an adjourned poll or counting may be given orally if notice by hand, by post, by electronic mail or by facsimile transmission is not practicable or is not suitable in the circumstances.

(15 of 2016 s. 42)

Schedule 1

[ss. 1A, 63 & 88]
(15 of 2016 s. 20)

Postponement and Adjournment of Subsector Elections

(Format changes—E.R. 1 of 2020)

1. Postponement of subsector election and adjournment of poll or counting of votes in respect of subsector election

(1) If, during or before a subsector election, it appears to the Commission that the subsector election is likely to be obstructed, disrupted, undermined or seriously affected by an occurrence specified in subsection (3), the Commission may postpone the subsector election by making a declaration under section 3.

(2) If, at any time during the poll or the counting of votes in respect of a subsector election, it appears to the Commission that the poll at all the polling stations, or the counting of votes at all the counting stations, for the subsector concerned is likely to be obstructed, disrupted, undermined or seriously affected by an occurrence specified in subsection (3), the Commission may adjourn the poll at all the polling stations, or the counting of votes at all the counting stations, for that subsector by making a declaration under section 3.

(3) The occurrences for the purposes of subsections (1) and (2) are —

(a) a typhoon or other climatic condition of a serious nature;

(b) riot, open violence or any danger to public health or safety; or *(15 of 2016 s. 51)*

(c) an occurrence which appears to the Commission to be a material irregularity relating to the subsector election, the poll or the counting of votes.

2. Adjournment of poll at particular polling station

(1) If, at any time during a poll in respect of a subsector election, it appears to the Presiding Officer that the poll at the polling station is likely to be obstructed, disrupted, undermined or seriously affected by an occurrence specified in subsection (2), the Presiding Officer may adjourn the poll at that polling station by making a declaration under section 3.

(2) The occurrences for the purposes of subsection (1) are—

(a) a typhoon or other climatic condition of a serious nature;

(b) riot, open violence or any danger to public health or safety; or *(15 of 2016 s. 52)*

(c) an occurrence which appears to the Presiding Officer to be a material irregularity relating to the subsector election or the poll.

3. How declaration for purposes of sections 1 and 2 is to be made and what it is to contain

(1) A declaration for the purposes of sections 1 and 2 is to be made by a notice published in the Gazette. If publication in the Gazette is not practicable in the circumstances, the notice may be published by other means determined by the Commission.

(2) The declaration must contain the following as may be appropriate in each case—

(a) a description (by name or otherwise) of the subsector election that is being postponed or in respect of which the poll or the counting of votes is being adjourned;

(b) the fact that the subsector election is being postponed;

(c) the fact that the poll or the counting of votes is being adjourned;

(d) a statement as to whether the poll or the counting of votes is being adjourned at all the polling stations or counting stations;

(e) a statement as to whether the poll or the counting of votes is being adjourned at a single polling station or counting station or certain polling stations or counting stations; and

(f) a description (by name or otherwise) of the polling stations or counting stations at which the poll or the counting of votes is being adjourned.

4. Procedure after adjournment of poll

(1) If a poll is adjourned under this Schedule or section 24 of the Schedule to the Chief Executive Election Ordinance (Cap. 569), the procedure specified in this section is to be complied with.

(2) The Presiding Officer must, in the presence of the persons, if any, who are present within the polling station, secure the ballot boxes and their contents in a manner that Officer thinks fit. Then, without sorting, separating or counting the ballot papers or counting the votes, that Officer must deliver the secured ballot boxes together with any un-issued ballot papers, unused ballot papers or spoilt ballot papers, and the marked copies of the subsector final register to the Returning Officer.

(3) If it is not practicable to make delivery to the Returning Officer, the Presiding Officer must deposit the secured ballot boxes, and the other materials referred to in subsection (2), in a safe place within the polling station. If there is no safe place within the polling station, that Officer must deposit them in a safe place within a police station or a public building close to the polling station. If there is no such police station or public building, that Officer must deposit them in a secure building (which may even be a residential building) close to the polling station. If there is no police station, public building or secure building close to the polling station, that Officer must deposit the ballot boxes and materials in a safe place within any other police station or public building or, in the absence of such a station or building, in a safe place in any other building (which may even be a residential building).

(4) If the ballot boxes and other materials are delivered to the Returning Officer, that Officer must take such steps as determined by the Commission (generally or in a particular case) for the purpose of ensuring their safety and security. The Returning Officer must remain in charge of them and be responsible for their safety and security until polling in respect of the adjourned poll commences.

(5) If a poll is adjourned under this Schedule or section 24 of the Schedule to the Chief Executive Election Ordinance (Cap. 569), the polling hours appointed for the resumed poll must be such that the total time allowed for polling (that is the aggregate of the polling hours which had been spent at the time the poll was adjourned and the polling hours appointed for the resumed poll) is not less than the total time that would have been allowed for polling had the poll not been adjourned.

5. Procedure after adjournment of counting of votes

(1) If the counting of votes is adjourned under this Schedule or section 24 of the Schedule to the Chief Executive Election Ordinance (Cap. 569), or if the counting of votes is adjourned due to the adjournment of a poll under this Schedule, the Returning Officer must comply with this section.

(2) The Returning Officer must take steps to cease the counting of votes. Then, that Officer must in the presence of the persons, if any, who are present within the counting station, deposit the ballot boxes (whether opened or un-opened) and receptacles, if any, together with the ballot papers (whether the votes recorded on which are counted or not), any un-issued ballot papers, tendered ballot papers, ballot paper account, verification of the ballot paper account or re-verification of the ballot paper account, and any other relevant subsector election materials, in a safe place within the counting station. If there is no safe place within the counting station, that Officer must deposit them in a safe place within a police station or a public building close to the counting station. If there is no such police station or public building, that Officer must deposit them in a secure building (which may even be a residential building) close to the counting station. If there is no police station, public building or secure building close to the counting station, that Officer must deposit the subsector election materials in a safe place within any other police station or public building or in the absence of such a station or building, in a safe place in any other building (which may even be a residential building).

(3) The subsector election materials must remain in the charge of the Returning Officer. That Officer is to be responsible for their safety and security until the adjourned counting is resumed under section 63(6) of this Regulation.

(4) In this section, ***Returning Officer*** (選舉主任) means a Returning Officer specified by the Chief Electoral Officer for the purposes of this section.

6. Appointment of date by Commission for subsector election, polling or counting after postponement or adjournment

(1) If a subsector election is postponed under this Schedule, the Commission is to, as soon as practicable after the postponement, appoint a date for holding a subsector election.

(2) If the poll or the counting of votes is adjourned under this Schedule, the Commission is to, as soon as practicable after the adjournment, appoint a date for holding the poll or the counting of votes.

(3) A date appointed under this section must not be later than 14 days after the date on which the postponed subsector election or the adjourned poll or counting would have been held. *(15 of 2016 s. 53)*

(4) In each case referred to in sections 1 and 2, the Commission is to, in the relevant notice making the declaration, specify the date appointed under this section to hold the relevant subsector election, the poll or the counting of votes, as the case may require.

(5) If it is not practicable to specify the date in the notice of declaration, the Commission is to specify it in a notice published in the Gazette soon after the publication of a notice of declaration. If such publication is not practicable in the circumstances, the date must be specified in a notice published by some other means the Commission considers appropriate.

Schedule 2

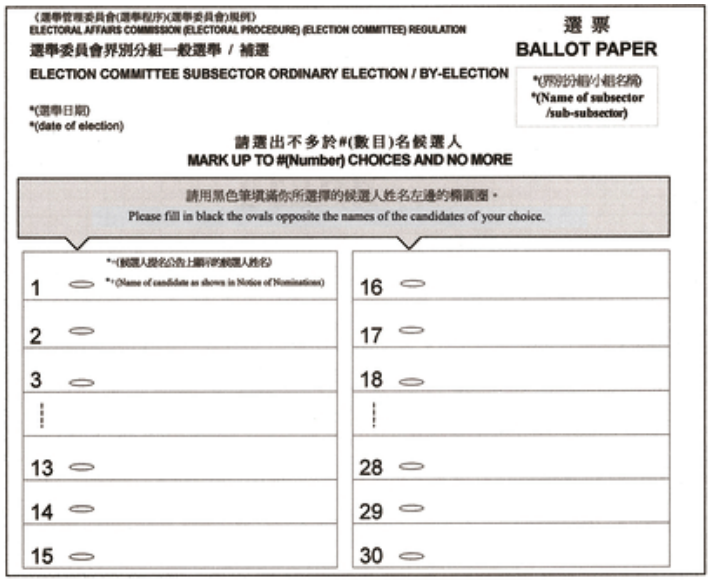
[ss. 49 & 81]

Form of Ballot Paper and Form of Notice of Result of Subsector Election

(L.N. 75 of 2011)
(Format changes—E.R. 1 of 2020)

Form 1

Ballot Paper for Subsector Election



* Only the appropriate information will be printed.

\+ Address of the candidate to be included if required under section 49(7)(b).

\# The relevant number will be printed.

(1 of 2019 s. 59; E.R. 1 of 2020)

Form 2

Ballot Paper for Subsector By-Election in relation to which Commission has Made Direction under Section 56(2)



* Only the appropriate information will be printed.

\+ Address of the candidate to be included if required under section 49(7)(b).

\# The relevant number will be printed.

(E.R. 1 of 2020)

Form 3

Notice of Result of Subsector Election

《選舉管理委員會(選舉程序) (選舉委員會)規例》
ELECTORAL AFFAIRS COMMISSION
(ELECTORAL PROCEDURE) (ELECTION COMMITTEE) REGULATION

選舉結果公告
NOTICE OF RESULT OF ELECTION

選舉委員會界別分組一般選舉/補選
***(界別分組/小組名稱)**
ELECTION COMMITTEE SUBSECTOR ORDINARY ELECTION / BY-ELECTION
***(Name of subsector/sub-subsector)**

1. 於*(　年　月　日)舉行的上述選舉的結果公布如下—
The following is a statement of the result of the above election held on *(date)—

候選人編號 *Candidate Number*	候選人姓名 *Name of Candidate*	候選人所得票數 *Number of Votes Given to the Candidate*

2. 特此公布下列候選人 * 依據以抽籤方式決定的選舉結果而在上述*界別分組/小組中當選 —
It is hereby notified that the following candidate(s) *is/are declared to be elected for the above-mentioned *subsector/sub-subsector *pursuant to a result determined by drawing lots—

(當選的候選人姓名)
(Name(s) of Candidate(s) Elected)

日期：_____
Date: _____

上述*界別分組/小組的選舉主任
Returning Officer
for the above-mentioned *subsector/sub-subsector

* Only the appropriate information will be printed.

(E.R. 1 of 2020)

Form 4

Notice of Result of Subsector Election (For Persons to whom Section 2A(8) of the Schedule to the Chief Executive Election Ordinance (Cap. 569) Applies

《選舉管理委員會(選舉程序) (選舉委員會)規例》
ELECTORAL AFFAIRS COMMISSION
(ELECTORAL PROCEDURE) (ELECTION COMMITTEE) REGULATION

界別分組選舉結果公告(就《行政長官選舉條例》(第569章)的附表第2A(8)條適用的人士)
NOTICE OF RESULT OF SUBSECTOR ELECTION (FOR PERSONS TO WHOM SECTION 2A(8) OF THE SCHEDULE TO THE CHIEF EXECUTIVE ELECTION ORDINANCE (CAP. 569) APPLIES)

選舉委員會界別分組一般選舉
*(界別分組名稱)
ELECTION COMMITTEE SUBSECTOR ORDINARY ELECTION
*(Name of subsector)

根據《行政長官選舉條例》(第569章)的附表第2A條，現公布：以下候選人*依據以抽籤方式決定的選舉結果，於*(年 月 日)舉行的上述界別分組選舉中當作為妥為選出的委員 —

It is notified that in accordance with section 2A of the Schedule to the Chief Executive Election Ordinance (Cap. 569), the following candidate(s) *is/are deemed to be duly elected as member(s) for the above-mentioned subsector election held on *(date) *pursuant to a result determined by drawing lots—

候選人編號 *Candidate Number*	候選人姓名 *Name of Candidate*	候選人所得票數 *Number of Votes Given to the Candidate*

日期：
Date:

上述*界別分組的選舉主任
Returning Officer
for the above-mentioned *subsector

* Only the appropriate information will be printed.

(L.N. 75 of 2011)

2. Interpretation

(1) In this Regulation, unless the context otherwise requires—

adjournment (押後), in relation to a poll or the counting of the votes in respect of a poll, means an adjournment under section 21(2) of the Election Ordinance or section 61(2), and ***adjourned*** (押後) shall be construed accordingly; *(E.R. 2 of 2020)*

Assistant Presiding Officer (助理投票站主任) means a polling officer designated as an Assistant Presiding Officer under section 20(2);

Assistant Returning Officer (助理選舉主任) means an Assistant Returning Officer appointed under section 41(3) of the Election Ordinance;

ballot paper account (選票結算表) means a statement prepared under section 42;

candidate (候選人) has, subject to subsection (2), the meaning assigned to it by section 2(1) of the Election Ordinance;

contested election (有競逐選舉) means an election in which there are 2 or more candidates; *(L.N. 209 of 2006)*

counting agent (監察點票代理人) means a counting agent appointed under section 44;

counting station (點票站) means a counting station designated under section 18;

dedicated polling station (專用投票站) means a place designated as a dedicated polling station under section 18(1); *(L.N. 133 of 2009)*

Deputy Presiding Officer (副投票站主任) means a polling officer designated as the Deputy Presiding Officer under section 20(2);

election (選舉) means an election held under section 6 of the Election Ordinance;

election advertisement (選舉廣告), in relation to an election, means —

(a) a publicly exhibited notice, leaflet, circular, bill, booklet, placard or poster;

(b) a notice, leaflet, circular, bill, booklet, placard or poster delivered by hand or electronic transmission;

(c) a public announcement made by radio or television or by video or cinematographic film; or

(d) any other form of publication,

published for the purpose of promoting or prejudicing the election of a candidate or candidates at the election; *(11 of 2012 s. 15)*

election agent (選舉代理人) means an election agent appointed under section 12;

election expense agent (選舉開支代理人) means an election expense agent appointed under section 13;

election expenses (選舉開支) has the meaning assigned to it by section 2(1) of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554), but the reference to "an election" in that meaning shall be construed as a reference to an election defined in this section; *(L.N. 279 of 2001)*

Election Ordinance (《選舉條例》) means the Chief Executive Election Ordinance (Cap. 569);

elector (選民) means a member of the Election Committee constituted under section 8 of the Election Ordinance who is not disqualified under section 26 of the Election Ordinance from voting;

electoral officer (選舉事務人員) has the meaning assigned to it by section 2(1) of the Election Ordinance and includes a Presiding Officer, a polling officer and a counting officer; *(L.N. 133 of 2009)*

final register (正式委員登記冊) means the final register of members of the Election Committee published under section 40(2), (3), (3A) or (4) of the Schedule to the Election Ordinance; *(L.N. 209 of 2006)*

head-dress (頭飾) means anything which is worn on a person's head; *(L.N. 209 of 2006)*

identity card (身分證) has the same meaning as it has in the Registration of Persons Ordinance (Cap. 177);

identity document (身分證明文件) means—

(a) an identity card;

(b) a document issued by the Commissioner (within the meaning of section 1A(1) of the Registration of Persons Ordinance (Cap. 177)) to a person certifying that the person is exempt, under regulation 25 of the Registration of Persons Regulations (Cap. 177 sub. leg. A), from being required to register under that Ordinance; or *(1 of 2019 s. 80)*

(c) any other document issued to a person which is acceptable to the Returning Officer as proof of the person's identity;

in custody (受羈押), in relation to a person, means the person is—

(a) serving a sentence of imprisonment;

(b) detained by the Correctional Services Department on remand; or

(c) otherwise detained by any law enforcement agency under any lawful authority; *(L.N. 133 of 2009)*

law enforcement agency (執法機關) means—

(a) the Customs and Excise Department;

(b) the Hong Kong Police Force;

(c) the Immigration Department;

(d) the Independent Commission Against Corruption; or

(e) any other department of the Government any officer of which is empowered by any Ordinance to exercise a power of arrest; *(L.N. 133 of 2009)*

main polling station (主投票站) means the place designated as the main polling station under section 18(1); *(L.N. 133 of 2009)*

maximum security prison (高度設防監獄) means a prison which is specified as a maximum security prison under rule 47A(1)(b) of the Prison Rules (Cap. 234 sub. leg. A); *(L.N. 133 of 2009)*

no canvassing zone (禁止拉票區) means an area determined under section 23 as a no canvassing zone;

no staying zone (禁止逗留區) means an area determined under section 23 as a no staying zone;

nomination period (提名期) means the nomination period fixed under section 15(1) of the Election Ordinance;

ordinary business hours (通常辦公時間) means the hours—

(a) between 9 a.m. and 5 p.m. on any Monday, Tuesday, Wednesday, Thursday or Friday (other than a general holiday); and

(b) between 9 a.m. and 12 noon on a Saturday (other than a general holiday) during the period between—

(i) the date of publication of a notice under section 3 in respect of an election; and

(ii) the date of publication of the result of the election under the Election Ordinance or the date of the declaration of the termination of the proceedings for the election under that Ordinance, as may be appropriate; *(15 of 2016 s. 70)*

poll (投票) has the meaning assigned to it by section 2(1) of the Election Ordinance;

polling agent (監察投票代理人) means a polling agent appointed under section 25;

polling date (投票日) means—

(a) the date fixed in accordance with section 10 or 11 of the Election Ordinance as the date of the poll;

(b) the date fixed in accordance with section 17(3); or

(c) the date appointed under section 65(1) or (2);

polling hours (投票時間) means the hours for polling appointed under section 17(1), (1A) or (3)(b) or 65(2); *(L.N. 209 of 2006)*

polling officer (投票站人員) means a polling officer appointed under section 20;

polling station (投票站) means— *(L.N. 133 of 2009)*

(a) the main polling station; or

(b) a dedicated polling station; *(L.N. 133 of 2009)*

postponement (延遲), in relation to a poll or the counting of the votes in respect of a poll, means a postponement under section 21(1) of the Election Ordinance or section 61(1), and ***postponed*** (延遲) shall be construed accordingly;

Presiding Officer (投票站主任) means a Presiding Officer appointed under section 20; *(L.N. 133 of 2009)*

Returning Officer (選舉主任) has the meaning assigned to it by section 2(1) of the Election Ordinance;

specified form (指明表格、指明格式) means, in a particular provision of this Regulation, the form specified under section 73 for the purpose of that provision;

spoilt ballot papers (損壞的選票) means a ballot paper endorsed in the manner described in section 40(3);

uncontested election (無競逐選舉) means an election in which at the close of nominations only one candidate is validly nominated; *(L.N. 209 of 2006)*

unused ballot papers (未用的選票) means a ballot paper which has been issued and has not been put into the ballot box, whether or not it has been endorsed in the manner described in section 39;

verification statement (核實報表) means a statement prepared under section 49(1A)(a)(iii) or 52(1)(d). *(1 of 2019 s. 60)*

(2) In this Regulation, the expression ***candidate*** (候選人) also means—

(a) in sections 5(1), 12, 15 and 21, a person who is being or has been nominated to stand for an election;

(b) in sections 13 and 16 and Part 10, a person who has publicly declared an intention to stand for an election at any time before close of nominations; *(11 of 2012 s. 15)*

(c) in section 14, a person referred to in paragraph (a) or (b).

4. How to nominate a candidate

(1) A nomination form nominating a person as a candidate shall—

(a) be in the specified form;

(b) contain a declaration by the person that he—

(i) is eligible to be;

(ii) is not disqualified from being; and

(iii) consents to be,

so nominated;

(c) contain the name as shown on the identity document and identity document number of the person and each member of the Election Committee making the nomination; *(L.N. 279 of 2001)*

(d) be signed by—

(i) the person;

(ii) a holder of an identity document who has attained the age of 18 years as the witness to the signature of the person; and *(L.N. 279 of 2001)*

(iii) each member of the Election Committee making the nomination; and

(e) be delivered—

(i) during ordinary business hours at the address stated in the notice published under section 3;

(ii) by the person in person or in any other manner authorized by the Returning Officer; and

(iii) together with the declarations referred to in section 16(7) of the Election Ordinance.

(2) A nomination form nominating a person as a candidate may include a name of the person which is different from that shown on his identity document if the Returning Officer is satisfied that the person is usually known by that name. *(L.N. 279 of 2001)*

(3) The Returning Officer may require a person who is nominated as a candidate to furnish such information which is not covered by the nomination form as the Returning Officer considers necessary in order to be satisfied—

(a) that the person is eligible to be nominated; or

(b) as to the validity of the nomination.

(4) The provisions of this section are made for the purposes of section 16 of the Election Ordinance.

5. Returning Officer may give opportunity to rectify a nomination form

(1) If the Returning Officer—

(a) detects on a nomination form an error or omission or anything which may affect the validity of the nomination form; and

(b) considers that it can be rectified within the nomination period,

he may, before making a determination under section 17 of the Election Ordinance, give the candidate a reasonable opportunity to rectify it.

(2) A nomination form cannot be rectified under this section after the close of nominations.

6. Returning Officer to endorse invalid nomination forms

(1) If the Returning Officer determines that a nomination form or the nomination of a candidate is invalid, he shall endorse on the nomination form the determination and the reasons for it.

(2) The Returning Officer shall sign an endorsement under subsection (1).

7. Returning Officer to notify determination of validity of nomination

(1) The Returning Officer shall, as soon as practicable after determining that a person is validly nominated as a candidate or is not so nominated, send a written notice of the determination to the person and to each validly nominated candidate.

(2) A notice under subsection (1) shall be sent to the address of the person concerned contained in the nomination form.

26. Admission to polling station

(1) Subject to subsections (1A) and (1B), only— *(L.N. 133 of 2009; L.N. 76 of 2011)*

(a) a member of the Commission;

(b) the Returning Officer;

(c) an Assistant Returning Officer;

(d) the Chief Electoral Officer;

(e) the Presiding Officer;

(f) a polling officer;

(g) a candidate;

(h) an election agent;

(i) an elector;

(j) a polling agent;

(k) a public officer on duty at the polling station;

(l) a member of Civil Aid Service on duty at the polling station;

(la) a police officer on duty at the polling station; *(L.N. 209 of 2006)*

(lb) a person authorized in writing by the Returning Officer to act as a liaison officer; *(L.N. 209 of 2006)*

(m) a child with permission granted under subsection (2); or

(n) a person authorized under subsection (3),

may enter or stay in a polling station.

(1A) The following provisions apply in relation to a dedicated polling station not situated in a maximum security prison—

(a) if a candidate is present in the polling station, the election agent or the polling agent of that candidate may not be present in that polling station at the same time;

(b) a candidate, an election agent or a polling agent may be present in the polling station subject to the availability of seats in the area designated for accommodating them;

(c) a person referred to in paragraph (b) who wishes to enter the polling station must, on arriving at the polling station, report in person to the Presiding Officer and produce his identity card and a declaration of secrecy in the specified form completed by him. *(L.N. 133 of 2009)*

(1B) The following provisions apply in relation to a dedicated polling station situated in a maximum security prison—

(a) an election agent may not be present in the polling station;

(aa) a candidate may be present in the polling station subject to the availability of any seat in the area designated for accommodating the candidate; *(L.N. 76 of 2011)*

(b) a candidate who wishes to enter the polling station must, on arriving at the polling station, report in person to the Presiding Officer and produce his identity card and a declaration of secrecy in the specified form completed by him. *(L.N. 133 of 2009)*

(2) If—

(a) an elector arrives at the main polling station for the purpose of voting accompanied by a child; and

(b) the Presiding Officer considers that the child—

(i) should not be left unattended while the elector is in the polling station; and

(ii) will not disturb or cause inconvenience to any person in the polling station,

the Presiding Officer may grant permission for the child to enter the polling station.

(3) The Chief Electoral Officer or a member of the Commission may authorize any person in writing to enter and stay in a polling station in accordance with the terms of the authorization.

(L.N. 133 of 2009)

34. Issue of ballot paper

(1) If a person applies for a ballot paper at the issuing desk, the polling officer manning the desk shall—

(a) upon being satisfied, by inspecting the document or documents set out in subsection (1A) or (1B), that the person is an elector registered in the final register; and *(L.N. 132 of 2017)*

(b) after calling out the name of the person as stated in the copy of the final register in that officer's possession,

issue to the person one ballot paper and a chop for marking the ballot paper.

(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 card; *(L.N. 151 of 2018)*

(ab) a document issued by the Commissioner (within the meaning of section 1A(1) of the Registration of Persons Ordinance (Cap. 177)) (***Commissioner of Registration***) to the person certifying that the person is exempt, under regulation 25 of the Registration of Persons Regulations (Cap. 177 sub. leg. A), from being required to register under that Ordinance; *(L.N. 151 of 2018)*

(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) both— *(L.N. 151 of 2018)*

(i) a document evidencing a report to a police officer of the loss or destruction of the document referred to in paragraph (a), (ab) or (b); and *(L.N. 151 of 2018)*

(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. *(L.N. 151 of 2018)*

(iii) *(Repealed L.N. 151 of 2018)*

(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. *(L.N. 132 of 2017)*

(2) A person shall not be prevented from voting only due to an omission or inaccuracy of a particular required to be registered in the final register, other than the omission of both his name and the identity document number.

(3) If a ballot paper is issued to an elector, the polling officer shall, subject to subsection (4), record that a ballot paper has been so issued by one or both of the following means—

(a) placing a line in the copy of the final register in his possession across the name and identity document number of the elector;

(b) marking the copy of the final register in his possession in such other manner as the Chief Electoral Officer may direct.

(4) No record shall be made of the particular ballot paper or ballot papers issued to an elector.

41. Steps to be taken at a polling station after the close of the poll

(L.N. 133 of 2009)

(1) As soon as practicable after the close of voting at a polling station, the Presiding Officer shall— *(L.N. 133 of 2009)*

(a) seal the ballot box with a sealing device provided for that purpose by the Chief Electoral Officer so that nothing can be put into or withdrawn from the ballot box after it is sealed; and

(b) make up into separate sealed packets—

(i) the counterfoils of the ballot papers that have been issued;

(ii) the ballot papers that have not been issued;

(iii) the unused ballot papers;

(iv) the spoilt ballot papers; and

(v) the marked copy of the final register,

in the presence of the persons who are present within the polling station.

(2) As soon as practicable after complying with subsection (1), the Presiding Officer shall deliver—

(a) the sealed ballot box;

(b) the sealed packets referred to in subsection (1)(b); and

(c) the ballot paper account,

to the Returning Officer at the counting station.

49. Counting of votes

(1A) After opening all ballot boxes in accordance with section 48, the Returning Officer must—

(a) in the counting zone—

(i) count and record the number of ballot papers in the ballot box or boxes received from a dedicated polling station (***DPS ballot papers***);

(ii) verify the ballot paper account of the dedicated polling station by comparing it with the number of DPS ballot papers recorded under subparagraph (i); and

(iii) prepare a written statement about the result of the verification; and

(b) after preparing the statement under paragraph (a)(iii) but before the counting of votes under subsection (1), mix the DPS ballot papers with the ballot papers in at least one of the ballot boxes from the main polling station. *(1 of 2019 s. 61)*

(1) All ballot papers must then be— *(L.N. 133 of 2009; 1 of 2019 s. 61)*

(a) sorted according to the choices marked on them;

(b) placed in separate boxes; and

(c) counted manually.

(2) In the course of sorting and counting in accordance with subsection (1)— *(L.N. 209 of 2006)*

(a) any ballot paper which—

(i) appears to have on it any writing or mark by which the elector can possibly be identified;

(ii) appears to be substantially mutilated;

(iii) appears to be not marked in accordance with section 36(1)(b); or

(iv) appears to be void for uncertainty,

shall be separated and forwarded to the Returning Officer; and

(b) any ballot paper described in section 50(1)(b), (c), (d), (f) or (ga) shall be separated. *(L.N. 209 of 2006; 1 of 2019 s. 61)*

52. Verification of ballot paper account

(1) The Returning Officer must, after the counting of votes in accordance with section 49— *(1 of 2019 s. 65)*

(a) record the number of— *(L.N. 209 of 2006)*

(i) in the case of a contested election, valid votes obtained by each candidate; or

(ii) in the case of an uncontested election, valid "SUPPORT" and "NOT SUPPORT" votes obtained by the candidate; *(L.N. 209 of 2006)*

(b) record the number of ballot papers which are not valid under section 50(1); *(L.N. 209 of 2006)*

(c) verify the ballot paper account of the main polling station by comparing it with the numbers recorded under paragraphs (a) and (b); and

(d) prepare a statement in writing as to the result of the verification.

(2) If—

(a) the Returning Officer considers it necessary to do so; or

(b) a candidate, an election agent or a counting agent present within the counting station so requests,

the Returning Officer must, in preparing a verification statement under section 49(1A)(a)(iii) or subsection (1)(d), compare the ballot paper account of the polling station concerned with the number of ballot papers recorded by him and the unused ballot papers, the spoilt ballot papers, the ballot papers that have not been issued and counterfoils of ballot papers that have been issued.

(3) A candidate, an election agent or a counting agent may copy what is recorded on—

(a) a ballot paper account; or

(b) a verification statement.

(L.N. 133 of 2009; 1 of 2019 s. 65)

53. Result of counting and re-count

(1) After the votes are counted and the ballot paper accounts verified, the Returning Officer shall— *(L.N. 133 of 2009)*

(a) make known the result of the counting to—

(i) (in the case of a contested election) the candidates who are present or (in the case of an uncontested election) the candidate (if present); and *(L.N. 209 of 2006)*

(ii) the election agent or any counting agent (if present) of a candidate who is not present; and

(b) give them a reasonable opportunity to make a request under subsection (2).

(2) A candidate or an election agent who is present may request the Returning Officer to count again the counted or re-counted votes.

(3) The Returning Officer shall comply with a request under subsection (2) unless he is of the opinion that the request is unreasonable.

54. Notice of further round of voting

(1) This section applies to an election in which—

(a) there are 3 or more candidates; and

(b) after the completion of the counting of the votes cast—

(i) no candidate obtains more than 600 votes; and

(ii) 2 or more candidates remain after the elimination of all other candidates under section 27(3)(c) or (4)(c) of the Election Ordinance. *(L.N. 76 of 2011)*

(1A) If subsection (1) applies, the Returning Officer must by an announcement declare— *(L.N. 209 of 2006; L.N. 76 of 2011)*

(a) that the poll shall proceed to the next round of voting; and

(b) who are the remaining candidates in the next round of voting.

(2) An announcement under subsection (1A) must be— *(L.N. 76 of 2011)*

(a) broadcast on radio and television as soon as practicable after the completion of the counting of the votes; or

(b) made in such manner as the Returning Officer thinks fit.

57. Ballot papers, accounts, packets, etc. to be sent to Chief Electoral Officer

The Returning Officer shall, as soon as practicable after discharging his duties under section 56, send to the Chief Electoral Officer—

(a) the ballot paper accounts; *(L.N. 133 of 2009)*

(b) the statement prepared under section 51A(1); *(1 of 2019 s. 66)*

(c) the verification statement;

(d) the sealed packets made up under section 56(1);

(e) a copy of the notice referred to in section 55(b);

(f) all nomination forms delivered to him in accordance with section 4(1);

(g) all notices of withdrawal (if any) delivered to him in accordance with section 9(2);

(h) all notices of appointment given to him under section 14(2) or 44(3);

(i) all notices of revocation given to him under section 14(4) or 44(5); and

(j) any other document relating to the election specified by the Commission.

59. Retention of election documents

The Chief Electoral Officer shall—

(a) retain in his custody the documents sent to him under section 57 for 6 months from— *(L.N. 209 of 2006)*

(i) the declaration of the termination of the proceedings for the election to which they relate under section 22 of the Election Ordinance; or

(ii) the declaration of the result of the election to which they relate under section 28(1)(a) or (2)(a) of the Election Ordinance,

as may be applicable; and *(L.N. 209 of 2006)*

(b) unless otherwise directed by an order of court in proceedings relating to an election petition or other legal proceedings, destroy the documents after the expiry of those 6 months.

63. Procedure after adjournment of polling

(1) If the Commission directs the adjournment of a poll, the Presiding Officer shall, as soon as practicable after receiving the direction, make up into packets—

(a) the counterfoils of the ballot papers that have been issued;

(b) the ballot papers that have not been issued;

(c) the unused ballot papers;

(d) the spoilt ballot papers; and

(e) the marked copy of the final register,

in the presence of the persons who are present within the polling station.

(2) The Presiding Officer shall, as soon as practicable after complying with subsection (1), deliver—

(a) the sealed ballot box; and

(b) the packets referred to in subsection (1),

to the Returning Officer.

(3) If it is impracticable to make delivery under subsection (2), the Presiding Officer shall deposit the items in—

(a) a safe place within the polling station;

(b) if there is no safe place referred to in paragraph (a), a safe place within a police station or a public building close to the polling station; or

(c) if there is no safe place referred to in paragraphs (a) and (b), a safe place within a secure building close to the polling station,

until the delivery becomes practicable.

(4) Upon the delivery to the Returning Officer of the ballot box and sealed packets under subsection (2), he shall—

(a) take such steps as determined by the Commission for the purpose of ensuring the safety and security of the ballot box and sealed packets; and

(b) remain in charge of the ballot box and sealed packets and be responsible for their safety and security until the resumption of the poll.

70. Secrecy

(1) No person shall—

(a) subject to subsection (2), divulge to any person whether an elector has or has not applied for a ballot paper or voted;

(aa) subject to subsection (2), divulge to any other person the identity of an elector in custody; *(L.N. 133 of 2009)*

(b) communicate to another person any information obtained at the counting of the votes as to— *(L.N. 209 of 2006)*

(i) in the case of a contested election, the candidate for whom a vote has been given on any particular ballot paper; or

(ii) in the case of an uncontested election, the choice as to whether to support the candidate on any particular ballot paper; *(L.N. 209 of 2006)*

(c) interfere with an elector when he is marking the ballot paper;

(d) interfere with or attempt to interfere with a ballot box, a ballot paper (including a ballot paper that is not valid under section 50(1)), a copy of the final register, a statement prepared under section 51A(1) or a verification statement; *(L.N. 209 of 2006; 1 of 2019 s. 67)*

(e) without the permission of the Commission or the Returning Officer, obtain or attempt to obtain in any manner within a polling station, a no canvassing zone or a no staying zone information as to— *(L.N. 209 of 2006; L.N. 133 of 2009)*

(i) in the case of a contested election, the candidate for whom an elector is about to vote or has voted; or

(ii) in the case of an uncontested election, the choice as to whether to support the candidate which an elector is about to make or has made; *(L.N. 209 of 2006)*

(f) communicate to another person any information obtained in a polling station as to— *(L.N. 209 of 2006; L.N. 133 of 2009)*

(i) in the case of a contested election, the candidate for whom an elector is about to vote or has voted; or

(ii) in the case of an uncontested election, the choice as to whether to support the candidate which an elector is about to make or has made; or *(L.N. 209 of 2006)*

(g) directly or indirectly induce an elector to display a ballot paper marked by the elector so as to make known to any person any information as to— *(L.N. 209 of 2006)*

(i) in the case of a contested election, the candidate for whom the elector has voted; or

(ii) in the case of an uncontested election, the choice as to whether to support the candidate which the elector has made. *(L.N. 209 of 2006)*

(2) Subsection (1)(a) and (aa) does not apply to— *(L.N. 133 of 2009)*

(a) any act authorized by law; or

(b) anything done at the direction of a police officer or an officer of the Independent Commission Against Corruption investigating an offence under—

(i) the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554);

(ii) sections 3, 4 and 8 of the Prevention of Bribery Ordinance (Cap. 201);

(iii) section 13B of the Independent Commission Against Corruption Ordinance (Cap. 204); or

(iv) this Ordinance.

76. Limit on the Returning Officer's power to delegate

The Returning Officer may not delegate to an Assistant Returning Officer—

(a) the power under section 17 of the Election Ordinance to determine the validity of a nomination;

(b) a determination under section 51(2); or

(c) the declaration of the result of an election under section 28 of the Election Ordinance.

2. Interpretation

(1) In this Regulation, unless the context otherwise requires—

annual registration cycle (年度登記周期) means the period that begins on 6 February 2004 and ends on 31 December 2004, and thereafter each successive period of 12 months ending on 31 December;

applicant (申請人)—

(a) in relation to an application made under section 8(1), 24(1) or 28(1), means the prescribed body that makes the application; or

(b) in relation to an application made under section 9(1), 25(1) or 29(1), means the prescribed person that makes the application;

ballot paper (選票) means a ballot paper used at an election;

by-election (補選)—

(a) in relation to an LC election, means a by-election as defined in section 3(1) of the Legislative Council Ordinance (Cap. 542); or

(b) in relation to a DC election, means a by-election as defined in section 2 of the District Councils Ordinance (Cap. 547); *(L.N. 47 of 2007)*

candidate (候選人) means a candidate nominated for election as a member; *(L.N. 47 of 2007)*

DC constituency (區議會選區) means a constituency as defined in section 2 of the District Councils Ordinance (Cap. 547); *(L.N. 47 of 2007)*

DC elected member (區議會民選議員) means an elected member as defined in section 2 of the District Councils Ordinance (Cap. 547); *(L.N. 47 of 2007)*

DC election (區議會選舉) means an ordinary election or a by-election held for the purpose of electing DC elected members; *(L.N. 47 of 2007)*

election (選舉) means an LC election or a DC election; *(L.N. 47 of 2007)*

emblem (標誌) means any sign that is capable of being represented graphically and may, in particular, consist of all or any of the following—

(a) words;

(b) indications;

(c) designs;

(d) letters;

(e) characters;

(f) numerals;

(g) figurative elements;

(h) colours;

identity document (身分證明文件) has the meaning assigned to it by section 3(1) of the Legislative Council Ordinance (Cap. 542);

LC election (立法會選舉) means a general election or a by-election held for the purpose of electing LC members; *(L.N. 47 of 2007)*

LC functional constituency (立法會功能界別) means a functional constituency as defined in section 3(1) of the Legislative Council Ordinance (Cap. 542); *(L.N. 47 of 2007)*

LC geographical constituency (立法會地方選區) means a geographical constituency as defined in section 3(1) of the Legislative Council Ordinance (Cap. 542); *(L.N. 47 of 2007)*

LC member (立法會議員) means a Member as defined in section 3(1) of the Legislative Council Ordinance (Cap. 542); *(L.N. 47 of 2007)*

LC nomination list (立法會提名名單) means a nomination list as defined in section 3(1) of the Legislative Council Ordinance (Cap. 542); *(L.N. 47 of 2007)*

member (議員) means an LC member or a DC elected member; *(L.N. 47 of 2007)*

objector (反對者), in relation to an objection made under section 15(1) or 22(1), means the person that makes the objection;

prescribed body (訂明團體) means a prescribed political body or a prescribed non-political body;

prescribed non-political body (訂明非政治性團體) means a body or organization operating in Hong Kong that is not a prescribed political body;

prescribed person (訂明人士) means a person that is registered in a final register of electors for geographical constituencies as compiled and published in accordance with the Legislative

Council Ordinance (Cap. 542) and that is not disqualified from being so registered or from voting at an election;

prescribed political body (訂明政治性團體) means a body or organization operating in Hong Kong—

(a) that is a political party;

(b) that purports to be a political party; or

(c) the principal function or main object of which is to promote or prepare a candidate for election as a member; *(L.N. 47 of 2007)*

register (登記冊) means the register established and maintained by the Commission under section 20;

registered (登記) means entered in the register under section 20;

registered trade mark (註冊商標) means a trade mark registered under the Trade Marks Ordinance (Cap. 559);

relevant certificate (有關證明書), in relation to a prescribed body, means a certificate or document issued to the body by an authority or regulatory organization that regulates the body under the laws of Hong Kong and showing the name of the body;

relevant cut-off date (有關截止日期)—

(a) in relation to any annual registration cycle within which an ordinary election is to be held, means 15 June in that annual registration cycle; or

(b) in relation to any other annual registration cycle, means 15 April in that annual registration cycle; *(L.N. 78 of 2011 and L.N. 125 of 2011)*

relevant nomination period (有關提名期)—

(a) in relation to a candidate in an LC election—

(i) in the case of an LC geographical constituency, means the period specified under section 4(2)(b) or 8(7)(a) of the Electoral Affairs Commission (Electoral Procedure) (Legislative Council) Regulation (Cap. 541 sub. leg. D) for nominations for the constituency; or

(ii) in the case of an LC functional constituency, means the period specified under section 5(2)(b) or 8(7)(a) of that Regulation for nominations for the constituency; or

(b) in relation to a candidate for a DC constituency in a DC election, means the period specified under section 8(2)(b) or 10(5)(a) of the Electoral Affairs Commission (Electoral Procedure) (District Councils) Regulation (Cap. 541 sub. leg. F) for nominations for the constituency; *(L.N. 47 of 2007)*

requestor (提請人), in relation to a request made under section 3(2) or 4(2), means the candidate that makes the request;

specified form (指明表格), in relation to any particular provision of this Regulation, means the form specified under section 33 for the purposes of that provision;

subject of application (申請標的)—

(a) in relation to an application made under section 8(1), means such of the particulars referred to in any of the provisions of section 8(1)(a), (b), (c), (d) and (e) that are sought to be registered;

(b) in relation to an application made under section 9(1), means the emblem that is sought to be registered;

(c) in relation to an application made under section 24(1), means such of the particulars referred to in any of the provisions of section 8(1)(a), (b), (c), (d) and (e) that are sought to be registered; or

(d) in relation to an application made under section 25(1), means the emblem that is sought to be registered;

subject of registration (登記標的)—

(a) in relation to a prescribed body, means such of the particulars referred to in any of the provisions of section 8(1)(a), (b), (c), (d) and (e) that are registered in relation to the body; or

(b) in relation to a prescribed person, means the emblem that is registered in relation to the person;

subject of request (請求標的)—

(a) in relation to a request made under section 3(2), means such of the particulars referred to in any of the provisions of section 3(2)(a) and (b) that are sought to be printed on a ballot paper; or

(b) in relation to a request made under section 4(2), means such of the particulars referred to in any of the provisions of section 4(2)(a) and (b) that are sought to be printed on a ballot paper.

(L.N. 47 of 2007)

(2) For the purposes of section 8(1)(a) and (c), the reference to the Chinese name or the English name of a prescribed body means the Chinese name or the English name, as the case may be, of the body as shown on a relevant certificate of the body.

3. Request by candidate for LC functional constituency or sole candidate on LC nomination list or by candidate for DC constituency

(L.N. 47 of 2007)

(1) This section applies—

(a) in relation to an LC election—

(i) to a candidate for an LC functional constituency (other than the District Council (second) functional constituency); or *(L.N. 78 of 2011)*

(ii) to a candidate who is the sole candidate on an LC nomination list; or

(b) in relation to a DC election, to a candidate for a DC constituency. *(L.N. 47 of 2007)*

(2) A candidate to whom this section applies may, during the relevant nomination period, request the Commission to print the following particulars on a ballot paper as particulars relating to the candidate—

(a) the particulars described in subsection (3);

(b) a personal photograph of the candidate.

(3) The particulars referred to in subsection (2)(a) are the particulars set out in any one of the following paragraphs, with or without the particulars specified in item 4 of the Schedule—

(a) the particulars specified in item 1 or item 2 or both of the Schedule and relating to not more than 3 prescribed bodies;

(b) the particulars specified in item 3 of the Schedule and relating to the candidate; or

(c) the particulars specified in item 1 or item 2 or both of the Schedule and relating to not more than 2 prescribed bodies, and the particulars specified in item 3 of the Schedule and relating to the candidate. *(L.N. 19 of 2004)*

(4) A request made under subsection (2)—

(a) must be in the specified form and signed by the requestor;

(b) must contain the name and address of the requestor;

(c) must indicate that the requestor requests that the subject of request be printed on a ballot paper as particulars relating to the requestor;

(d) must set out the particulars of the subject of request and, where the subject of request includes a photograph, must be accompanied by the photograph; and

(e) where the subject of request relates to one or more prescribed bodies, must be accompanied by a consent given, during the relevant nomination period, by the body or each of the bodies, as the case may be, in relation to the request in accordance with section 5(1). *(L.N. 19 of 2004)*

(5) A requestor may, during the relevant nomination period, by notice in writing given to the Commission, withdraw a request made under subsection (2).

(6) If a candidate to whom this section applies has, during the relevant nomination period, made a request under subsection (2) and the request is not withdrawn under subsection (5) or is not deemed to have been withdrawn under section 5(3), the candidate must not, during that nomination period, make a further request under subsection (2).

4. Request by candidate on LC nomination list with more than one candidate

(L.N. 47 of 2007)

(1) This section applies to a candidate on an LC nomination list with more than one candidate. *(L.N. 47 of 2007)*

(2) A candidate to whom this section applies may, during the relevant nomination period, request the Commission to print the following particulars on a ballot paper as particulars relating to the candidate and the other candidate or candidates on the nomination list concerned—

(a) where there are 2 candidates on the list—

(i) the particulars described in subsection (3);

(ii) a personal photograph of one or both of the candidates on the list; or

(b) where there are 3 or more candidates on the list—

(i) the particulars described in subsection (4);

(ii) a personal photograph of any one or more of the candidates on the list.

(3) The particulars referred to in subsection (2)(a)(i) are the particulars set out in any one of the following paragraphs, with or without the particulars specified in item 4 of the Schedule—

(a) the particulars specified in item 1 or item 2 or both of the Schedule and relating to not more than 3 prescribed bodies;

(b) the particulars specified in item 3 of the Schedule and relating to one or both of the candidates on the nomination list concerned;

(c) the particulars specified in item 1 or item 2 or both of the Schedule and relating to 1 prescribed body, and the particulars specified in item 3 of the Schedule and relating to one or both of the candidates on the nomination list concerned; or *(E.R. 2 of 2019)*

(d) the particulars specified in item 1 or item 2 or both of the Schedule and relating to 2 prescribed bodies, and the particulars specified in item 3 of the Schedule and relating to one of the candidates on the nomination list concerned. *(L.N. 19 of 2004)*

(4) The particulars referred to in subsection (2)(b)(i) are the particulars set out in any one of the following paragraphs, with or without the particulars specified in item 4 of the Schedule—

(a) the particulars specified in item 1 or item 2 or both of the Schedule and relating to not more than 3 prescribed bodies;

(b) the particulars specified in item 3 of the Schedule and relating to not more than 3 candidates on the nomination list concerned;

(c) the particulars specified in item 1 or item 2 or both of the Schedule and relating to 1 prescribed body, and the particulars specified in item 3 of the Schedule and relating to not more than 2 candidates on the nomination list concerned; or *(E.R. 2 of 2019)*

(d) the particulars specified in item 1 or item 2 or both of the Schedule and relating to 2 prescribed bodies, and the particulars specified in item 3 of the Schedule and relating to one of the candidates on the nomination list concerned. *(L.N. 19 of 2004)*

(5) A request made under subsection (2)—

(a) must be in the specified form and signed by the requestor and the other candidate or candidates on the nomination list concerned;

(b) must contain the name and address of the requestor;

(c) must indicate that the requestor requests that the subject of request be printed on a ballot paper as particulars relating to the requestor and the other candidate or candidates on the nomination list concerned;

(d) must set out the particulars of the subject of request and, where the subject of request includes one or more photographs, must be accompanied by the photograph or photographs and particulars to identify the candidate or candidates shown on the photograph or photographs; *(L.N. 19 of 2004)*

(e) where the subject of request relates to one or more prescribed bodies, must be accompanied by a consent given, during the relevant nomination period, by the body or each of the bodies, as the case may be, in relation to the request in accordance with section 5(1); and *(L.N. 19 of 2004)*

(f) where the subject of request includes the particulars specified in item 4 of the Schedule, must specify the candidate or candidates to whom the particulars relate. *(L.N. 19 of 2004)*

(6) A requestor may, during the relevant nomination period, by notice in writing given to the Commission, withdraw a request made under subsection (2).

(7) If a candidate to whom this section applies has, during the relevant nomination period, made a request under subsection (2) and the request is not withdrawn under subsection (6) or is not deemed to have been withdrawn under section 5(3)—

(a) the candidate must not, during that nomination period, make a further request under subsection (2); and

(b) the other candidate or candidates on the nomination list concerned must not, during that nomination period, make any other request under subsection (2).

5. Consent of prescribed body in relation to request

(1) The consent of a prescribed body referred to in section 3(4)(e) or 4(5)(e)—

(a) must be in the specified form and signed by the body;

(b) must contain the name and address of the body;

(c) must be given to—

(i) in the case of a request made under section 3(2), the requestor concerned; or

(ii) in the case of a request made under section 4(2), the requestor concerned and the other candidate or candidates on the LC nomination list concerned; and *(L.N. 47 of 2007)*

(d) must indicate that the body consents to the subject of request relating to the body being printed on a ballot paper—

(i) in the case of a request made under section 3(2), as particulars relating to the requestor concerned; or

(ii) in the case of a request made under section 4(2), as particulars relating to the requestor concerned and the other candidate or candidates on the nomination list concerned.

(2) A prescribed body may, during the relevant nomination period, by notice in writing given to the Commission, withdraw a consent given in relation to a request made under section 3(2) or 4(2).

(3) If the consent given by a prescribed body in relation to a request made under section 3(2) or 4(2) is withdrawn by the body, the request is deemed to have been withdrawn by the requestor concerned.

6. Commission may refuse to accept request

(1) The Commission may refuse to accept a request made under section 3(2) or 4(2) if—

(a) the request does not comply with any of the requirements set out in section 3(4) or 4(5); or

(b) the requestor concerned fails to comply with any requirements made by the Commission under subsection (2).

(2) The Commission may, by notice in writing given to the requestor concerned, require the requestor to provide, within a reasonable time specified in the notice, such additional information or document as is reasonably necessary to enable the Commission to consider the request concerned.

7. Size and position of printing

Where the Commission accepts a request made under section 3(2) or 4(2), it may, in relation to any of the subject of request, decide in its absolute discretion the size and position of the particulars concerned as printed on a ballot paper and whether and how to further include any indication on the ballot paper to show the candidate or candidates to whom the particulars relate.

(L.N. 19 of 2004)

Part 3

Application for Registration of Name and Emblem as Particulars to be Included as Subject of Request Made under Section 3 or 4

13. Applicant may vary application, etc.

(1) If the Commission is of the opinion that it may refuse to grant an application made under section 8(1) or 9(1) on any of the grounds set out in section 12, it must give the applicant a notice in writing—

(a) if the application is made on or before the relevant cut-off date of the first annual registration cycle after the commencement of this Regulation, within 21 days after that cut-off date; or

(b) if the application is made on or before the relevant cut-off date of any subsequent annual registration cycle, within 14 days after the relevant cut-off date of that annual registration cycle.

(2) A notice given under subsection (1) must specify—

(a) that the Commission is of the opinion that it may refuse to grant the application concerned, and the grounds on which the opinion is formed; and

(b) that the applicant may, within 14 days after the notice is given, vary the application or make representations in writing to the Commission on why it should not refuse to grant the application.

(3) If a notice has been given to the applicant under subsection (1) and the applicant varies the application within the period referred to in subsection (2)(b), the application so varied is, for all purposes, to be regarded as being made under section 8(1) or 9(1) on or before the relevant cut-off date of the annual registration cycle in which the application is made, and the application then has effect subject to the variation.

(4) The Commission may, by notice in writing given to the applicant, refuse to grant the application concerned if a notice has been given to the applicant under subsection (1), and—

(a) the applicant does not vary the application or make any representations in writing under subsection (2)(b); or

(b) the Commission, having considered any such varied application or representations, considers that the applicant has not shown good cause why it should not refuse to grant the application.

De-registration

21. Commission may de-register name and emblem

(1) The Commission may de-register a subject of registration that is registered in relation to a prescribed body on the grounds that—

(a) no request is made under section 3(2) or 4(2) to print the subject of registration on ballot papers— *(L.N. 47 of 2007)*

(i) in 2 consecutive general elections;

(ii) in 2 consecutive ordinary elections, one of which is held between such general elections; and

(iii) in any by-election (whether in relation to an LC election or a DC election) held between such general elections or ordinary elections; or *(L.N. 47 of 2007)*

(b) the body ceases to exist.

(2) The Commission may de-register a subject of registration that is registered in relation to a prescribed person on the grounds that—

(a) no request is made under section 3(2) or 4(2) to print the subject of registration on ballot papers— *(L.N. 47 of 2007)*

(i) in 2 consecutive general elections;

(ii) in 2 consecutive ordinary elections, one of which is held between such general elections; and

(iii) in any by-election (whether in relation to an LC election or a DC election) held between such general elections or ordinary elections; or *(L.N. 47 of 2007)*

(b) the person dies.

(3) Without prejudice to subsections (1) and (2), the Commission may de-register a subject of registration if—

(a) after considering an objection made under section 22(1) in relation to the subject of registration, the Commission decides to allow the objection under section 23(4); or

(b) after considering an application made under section 28(1) or 29(1) in relation to the subject of registration, the Commission decides to grant the application under section 31(a).

(4) If the Commission de-registers any subject of registration under subsection (1)(a) or (2)(a), it must, by notice in writing given to the prescribed body or the prescribed person concerned, inform the body or the person of the de-registration.

(5) The Commission must, as soon as practicable after it de-registers any subject of registration under this section, publish a notice in respect of the de-registration in the Gazette—

(a) specifying—

(i) the name of the prescribed body in relation to which or the prescribed person in relation to whom the subject of registration is registered; and

(ii) the subject of registration; and

(b) stating that the Commission has de-registered the subject of registration.

32. Signature of document

(1) If a document is required to be signed by a body or organization under this Regulation, it must be signed by a person authorized in that behalf by the body or organization.

(2) If a notice in writing is given to the Commission under this Regulation, it must be signed by the person giving the notice and, for the purposes of section 4(6), must be signed also by the other candidate or candidates on the LC nomination list concerned. *(L.N. 47 of 2007)*

———————

Schedule

[ss. 3 & 4]

Particulars Relating to Candidates

Item	Particulars

1. Either or both of the following—
   (a) the registered Chinese name or the registered abbreviation of the Chinese name (but not both) of a prescribed body;
   (b) the registered English name or the registered abbreviation of the English name (but not both) of a prescribed body.
2. The registered emblem of a prescribed body. *(L.N. 19 of 2004)*
3. The registered emblem of a prescribed person. *(L.N. 19 of 2004)*
4. The words "Independent Candidate 獨立候選人" or the words "Non-affiliated Candidate 無黨派候選人" (but not both). *(L.N. 19 of 2004)*

2. Interpretation

(1) In this Regulation, unless the context otherwise requires—

auditor (核數師) means a certified public accountant (practising) as defined in the Professional Accountants Ordinance (Cap. 50); *(23 of 2004 s. 56)*

claim (申索) means, in relation to—

(a) a list of LC candidates, a claim made in respect of the list for financial assistance payable under Part 6A of the Legislative Council Ordinance (Cap. 542);

(b) an LC candidate, a claim made by that candidate for financial assistance payable under Part 6A of the Legislative Council Ordinance (Cap. 542); or

(c) a DC candidate, a claim made by that candidate for financial assistance payable under Part VA of the District Councils Ordinance (Cap. 547); *(L.N. 80 of 2007)*

claim form (申索表格) means the specified form for making a claim;

DC candidate (區議會選舉候選人) means a candidate nominated for election for a District Council constituency; *(L.N. 80 of 2007)*

declared election expenses (申報選舉開支) means, in relation to—

(a) a list of LC candidates, the amount set out as election expenses incurred in respect of the list, in the election return lodged for the relevant election; *(L.N. 80 of 2007)*

(b) an LC candidate, the amount set out as election expenses incurred by the candidate, in the election return lodged for the relevant election; or *(L.N. 80 of 2007)*

(c) a DC candidate, the amount set out as election expenses incurred by the candidate, in the election return lodged for the relevant election; *(L.N. 80 of 2007)*

election expenses (選舉開支) has the meaning assigned to it by section 2(1) of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554); *(L.N. 80 of 2007)*

election return (選舉申報書) has the meaning assigned to it by section 2(1) of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554);

eligible DC candidate (合資格的區議會選舉候選人) means a DC candidate who is eligible for financial assistance under section 60C of the District Councils Ordinance (Cap. 547); *(L.N. 80 of 2007)*

eligible LC candidate (合資格的立法會選舉候選人) means an LC candidate who is eligible for financial assistance under section 60C(2)(a) or (b) of the Legislative Council Ordinance (Cap. 542); *(L.N. 80 of 2007)*

eligible list of LC candidates (合資格的立法會選舉候選人名單) means a list of LC candidates that is eligible for financial assistance under section 60C(1)(a) or (b) of the Legislative Council Ordinance (Cap. 542); *(L.N. 80 of 2007)*

Hong Kong Standards on Assurance Engagements (《香港核證準則》) means the standards of auditing and assurance practices of that name issued by the Council of the Hong Kong Institute of Certified Public Accountants, as amended from time to time; *(L.N. 80 of 2007)*

LC candidate (立法會選舉候選人) means a candidate nominated for election for a functional constituency within the meaning of section 3(1) of the Legislative Council Ordinance (Cap. 542) (other than the District Council (second) functional constituency); *(L.N. 80 of 2007; L.N. 79 of 2011)*

list of LC candidates (立法會選舉候選人名單) means a list of candidates nominated for election for a geographical constituency within the meaning of section 3(1) of the Legislative Council Ordinance (Cap. 542) or a list of candidates nominated for election for the District Council (second) functional constituency; *(L.N. 80 of 2007; L.N. 79 of 2011)*

specified form (指明表格), in relation to any purpose under this Regulation, means the form specified for that purpose under section 14. *(L.N. 80 of 2007)*

(L.N. 80 of 2007)

(2) A reference in this Regulation to an amount set out as election expenses incurred in respect of a list of LC candidates is to be construed, in relation to a list of LC candidates consisting of more than one candidate, as the amount set out as the election expenses of all the candidates on the list or, if the election expenses are declared separately by the candidates on the list, as the aggregate of the separately declared election expenses. *(L.N. 80 of 2007)*

(3) *(Repealed L.N. 80 of 2007)*

(E.R. 2 of 2012)

3. Requirements to be complied with when making claims

(1) A claim must be made on the specified form.

(2) If the claim is made by an LC candidate or a DC candidate, the claim form must be signed by the candidate who makes the claim.

(3) If the claim is made in respect of a list of LC candidates, the claim form must be signed by all the candidates on the list, or if there is only one candidate on the list, by that candidate.

(3A) If the claim is made in respect of a list of LC candidates consisting of more than one candidate, one of the candidates on the list must be nominated in the claim form to receive the payment of financial assistance on behalf of all the candidates on the list. *(L.N. 80 of 2007)*

(4) The claim form must be accompanied by—

(a) if the claim is made by an LC candidate or made in respect of a list of LC candidates, an election return and an auditor's report; or

(b) if the claim is made by a DC candidate, an election return. *(L.N. 80 of 2007)*

(5) The auditor's report referred to in subsection (4)(a) must — *(L.N. 80 of 2007)*

(a) state that the auditor has audited the account of the declared election expenses by conducting a reasonable assurance engagement in accordance with the Hong Kong Standards on Assurance Engagements; and *(L.N. 80 of 2007)*

(b) state the auditor's opinion as to whether the election return complies with section 37(1)(a) and (2)(b)(i) and (v) of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554) in all material respects.

(6) The amount of the claim must not exceed the amount payable as financial assistance as specified—

(a) in the case of an LC candidate, in section 60E of the Legislative Council Ordinance (Cap. 542);

(b) in the case of a list of LC candidates, in section 60D of the Legislative Council Ordinance (Cap. 542); or *(L.N. 80 of 2007)*

(c) in the case of a DC candidate, in section 60D of the District Councils Ordinance (Cap. 547). *(L.N. 80 of 2007)*

(L.N. 80 of 2007)

4. Presentation of claims

(1) The claim form must be presented in person—

(a) if the claim is made by an LC candidate or a DC candidate or made in respect of a list of LC candidates consisting of only one candidate, by the candidate who has signed the claim form or his agent; or

(b) if the claim is made in respect of a list of LC candidates consisting of more than one candidate, by one of the candidates who has signed the claim form or the agent of one of the candidates. *(L.N. 31 of 2004; L.N. 80 of 2007)*

(2) The claim form (together with the documents referred to in section 3(4)) must be presented at the office of the Chief Electoral Officer during ordinary business hours.

(3) The claim form must be presented within the period or extended period provided for in section 37 of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554) for lodging an election return. *(L.N. 31 of 2004)*

5. Verification of claims (eligibility, further information, etc.)

(1) On receiving a claim, the Chief Electoral Officer must verify — *(L.N. 80 of 2007)*

(a) if the claim is made by an LC candidate, whether the candidate is eligible for financial assistance under section 60C(2) of the Legislative Council Ordinance (Cap. 542);

(b) if the claim is made in respect of a list of LC candidates, whether the list of candidates is eligible for financial assistance under section 60C(1) of the Legislative Council Ordinance (Cap. 542); or

(c) if the claim is made by a DC candidate, whether the candidate is eligible for financial assistance under section 60C of the District Councils Ordinance (Cap. 547). *(L.N. 80 of 2007)*

(2) The Chief Electoral Officer must also verify whether the claim conforms to the requirements set out in section 3.

(3) The Chief Electoral Officer may require the candidate who makes the claim or any candidate on the list of LC candidates in respect of which the claim is made to provide further information as he may reasonably require to verify the claim. *(L.N. 80 of 2007)*

(3A) The Chief Electoral Officer may also, in relation to a claim made by a DC candidate, appoint an auditor to assist in verifying the claim (including the auditing of the accounts in the election return accompanying the claim). *(L.N. 80 of 2007)*

(3B) An auditor appointed under subsection (3A) must, after he has assisted in verifying the claim, provide an auditor's report to the Chief Electoral Officer. *(L.N. 80 of 2007)*

(3C) The auditor's report provided under subsection (3B) must—

(a) state that the auditor has audited the account of the declared election expenses by conducting a reasonable assurance engagement in accordance with the Hong Kong Standards on Assurance Engagements; and

(b) state the auditor's opinion as to whether the election return complies with section 37(1)(a) and (2)(b)(i) and (v) of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554) in all material respects. *(L.N. 80 of 2007)*

(4) A requirement for further information made under subsection (3) must be in writing and sent by registered post to whichever is applicable of the following addresses— *(L.N. 80 of 2007)*

(a) if the claim is made by an LC candidate or a DC candidate or made in respect of a list of LC candidates consisting of only one candidate, the address of the candidate as stated on the claim form;

(b) if the claim is made in respect of a list of LC candidates consisting of more than one candidate, the address of the candidate nominated under section 3(3A), as stated on the claim form;

(c) if the candidate nominated under section 3(3A) has died, the address of the candidate nominated under section 10(5), as stated in the notice of variation. *(L.N. 80 of 2007)*

(5) A candidate required to provide further information must provide that information within whichever is the later of the following periods—

(a) within 14 days from the date of receipt of the written requirement;

(b) within the period or extended period provided for in section 37 of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554) for lodging an election return.

(6) If a candidate fails to provide further information within the period specified in subsection (5), the Chief Electoral Officer may, without any prior notice, stop processing the claim.

7. Withdrawal of claims

(1) A claim may be withdrawn, before a payment of financial assistance is made or the claim is otherwise disposed of, by means of a notice of withdrawal presented to the Chief Electoral Officer.

(2) The notice of withdrawal must be signed—

(a) if the claim is made by an LC candidate or a DC candidate or made in respect of a list of LC candidates consisting of only one candidate, by the candidate; and

(b) if the claim is made in respect of a list of LC candidates consisting of more than one candidate, by all the candidates on the list. *(L.N. 80 of 2007)*

(3) The notice of withdrawal must be in the specified form.

(4) The notice of withdrawal must be presented in person—

(a) if the claim is made by an LC candidate or a DC candidate or made in respect of a list of LC candidates consisting of only one candidate, by the candidate who has signed the notice or his agent; or

(b) if the claim is made in respect of a list of LC candidates consisting of more than one candidate, by one of the candidates who has signed the notice or the agent of one of the candidates. *(L.N. 31 of 2004; L.N. 80 of 2007)*

(5) The notice of withdrawal must be presented at the office of the Chief Electoral Officer during ordinary business hours.

8. Payment of claims after verification

(1) Subject to— *(L.N. 80 of 2007)*

(a) (in the case of a claim made by an eligible LC candidate or made in respect of an eligible list of LC candidates) section 60J of the Legislative Council Ordinance (Cap. 542); or

(b) (in the case of a claim made by an eligible DC candidate) section 60I of the District Councils Ordinance (Cap. 547),

the Chief Electoral Officer is to effect a payment of financial assistance according to this section. *(L.N. 80 of 2007)*

(2) After verifying the claim, the Chief Electoral Officer must certify the amount of financial assistance payable on the claim and notify the Director of Accounting Services of the amount and the person to whom it is to be paid.

(3) As soon as practicable after receiving the notification, the Director of Accounting Services must make the payment in accordance with the notification.

(4) The payment under subsection (1) is to be made—

(a) in the case of a claim made by an eligible LC candidate or eligible DC candidate or made in respect of an eligible list of LC candidates consisting of only one candidate, to the candidate who has signed the claim form; or

(b) in the case of a claim made in respect of an eligible list of LC candidates consisting of more than one candidate, to the candidate nominated under section 3(3A) to receive the payment on behalf of the candidates on the list. *(L.N. 80 of 2007)*

9. Payment in cases of death of candidate (single candidate)

(1) If the candidate to whom a payment of financial assistance is to be made under section 8(4)(a) dies before the payment is made, the payment is to be made to the legal personal representative of the deceased candidate and the Chief Electoral Officer must notify the Director of Accounting Services accordingly.

(2) The Director of Accounting Services must make the payment in accordance with the notification.

10. Payment in cases of death of candidate (multi-candidate list)

(1) If the candidate to whom a payment of financial assistance is to be made under subsection (5) or section 8(4)(b) dies before the payment is made, all the candidates on the eligible list of LC candidates and the legal personal representative of the deceased candidate must nominate another candidate to receive the payment on behalf of the candidates on the list, by signing a notice of variation. *(L.N. 80 of 2007)*

(2) The notice of variation must be in the specified form.

(3) The notice of variation must be presented in person at the office of the Chief Electoral Officer during ordinary business hours by one of the candidates who has signed the claim form or the agent of one of the candidates. *(L.N. 31 of 2004)*

(4) On receiving the notice of variation, the Chief Electoral Officer must notify the Director of Accounting Services of the person to whom the payment is to be made and the Director of Accounting Services must make the payment in accordance with the notification.

(5) The payment under subsection (4) is to be made to the candidate nominated in the notice of variation to receive the payment on behalf of the candidates on the list.

(6) If all the candidates on the eligible list of LC candidates die before the payment is made, the payment is to be made to the legal personal representative of the candidate last nominated to receive the payment on behalf of the candidates on the list. *(L.N. 80 of 2007)*

13. Making claims on behalf of deceased candidates

(1) If an eligible LC candidate or eligible DC candidate or a candidate on an eligible list of LC candidates dies before a claim is made or before a payment is made on a claim, anything that a deceased candidate may do or is required to do by or under this Regulation may be done by the legal personal representative of the deceased candidate. *(L.N. 80 of 2007)*

(2) If there is no legal personal representative or the legal personal representative is unwilling to act, anything that a legal personal representative may do under subsection (1) may be done by the next of kin of the deceased candidate.

3. Interpretation

(1) In this Ordinance, unless the context otherwise requires—

authorized representative (獲授權代表), in relation to a corporate elector, means the person authorized by the corporate elector to cast its vote at an election;

body (團體) means an incorporated or unincorporated body, and includes a firm or a group of persons (which may include incorporated or unincorporated bodies) who are associated with each other through a shared relevant interest;

by-election (補選) means an election to return a Member or Members otherwise than at a general election;

candidate (候選人) means a candidate nominated for election as a Member;

Clerk to the Legislative Council (立法會秘書) includes any person appointed to act in place of the Clerk when the Clerk is absent or when the office of Clerk is vacant;

constituency (選區或選舉界別) means—

(a) a geographical constituency; or

(b) a functional constituency;

corporate elector (團體選民) means a body that is an elector for a functional constituency;

corporate member (團體成員), in relation to a body specified in sections 20A to 20ZB, means a body that is a member of the specified body; *(Amended 48 of 1999 s. 2)*

costs (費用、訟費) includes charges and expenses;

Court (原訟法庭) means the Court of First Instance;

District Council ordinary election (區議會一般選舉) means elections to elect persons to fill the vacancies caused by the expiration of the term of office of the elected members of District Councils; *(Added 33 of 2002 s. 2)*

election (選舉) means an election to elect a Member at a general election or a by-election to elect a Member; *(Amended 21 of 2001 s. 62)*

election petition (選舉呈請、選舉呈請書) means an election petition lodged under Part 7;

elector (選民) means a person who is registered in accordance with this Ordinance in a final register and who is not disqualified from being registered or from voting at an election; *(Replaced 25 of 2003 s. 2)*

Electoral Affairs Commission (選舉管理委員會) means the Electoral Affairs Commission established by section 3 of the Electoral Affairs Commission Ordinance (Cap. 541);

electoral officer (選舉事務主任) includes a Returning Officer, an Assistant Returning Officer, the Electoral Registration Officer, or any other person who is appointed under this Ordinance or the Electoral Affairs Commission Ordinance (Cap. 541) to exercise functions or perform duties at or in connection with an election;

Electoral Registration Officer (選舉登記主任) means the person holding office as Electoral Registration Officer under section 75, and includes any person appointed to act in place of the Officer when the Officer is absent or when the office is vacant;

final register (正式選民登記冊) means—

(a) a final register of electors for geographical constituencies or functional constituencies, *(Amended E.R. 5 of 2019)*

(b) *(Repealed 21 of 2001 s. 62)*

as compiled and published in accordance with this Ordinance;

function (職能) includes a power and an authority;

functional constituency (功能界別) means a functional constituency specified in section 20(1); *(Amended 48 of 1999 s. 2)*

general election (換屆選舉) means elections to elect persons to be the Members for a new term of office of the Legislative Council;

geographical constituency (地方選區) means an area declared to be a geographical constituency in accordance with Part 3;

identity document (身分證明文件) means—

(a) an identity card issued to a person under the Registration of Persons Ordinance (Cap. 177); or

(b) a document issued by the Commissioner (within the meaning of section 1A(1) of the Registration of Persons Ordinance (Cap. 177)) to a person certifying that the person is exempt, under regulation 25 of the Registration of Persons Regulations (Cap. 177 sub. leg. A), from being required to register under that Ordinance; or *(Replaced 1 of 2019 s. 74)*

(c) any other document issued to a person that is acceptable to the Electoral Registration Officer as proof of the person's identity;

Legislative Council (立法會) means the Legislative Council of the Hong Kong Special Administrative Region referred to in Article 66 of the Basic Law;

Member (議員) means a person elected as a Member of the Legislative Council;

nomination list (提名名單) means a list of persons standing for election as Members for a geographical constituency or the District Council (second) functional constituency, submitted under section 38(2); *(Amended 2 of 2011 s. 3)*

officer (高級人員), in relation to a body corporate, includes a director or executive, or any other person concerned in the management, of the body;

permanent resident of Hong Kong (香港永久性居民) means a permanent resident of the Hong Kong Special Administrative Region as defined by section 2 of the Hong Kong Special Administrative Region Passports Ordinance (Cap. 539);

President (主席) means the President of the Legislative Council;

provisional register (臨時選民登記冊) means a provisional register of electors for geographical constituencies or functional constituencies as compiled in accordance with this Ordinance;

registered (登記) means registered under this Ordinance as an elector;

Returning Officer (選舉主任) means a person holding office as a Returning Officer under section 78, and includes any person appointed to act in place of such an Officer when the Officer is absent or when an office of Returning Officer is vacant;

Revising Officer (審裁官) means a Revising Officer appointed under section 77, and includes any person appointed to act in place of the Officer when the Officer is absent or when the office of Revising Officer is vacant;

specified form (指明表格) means a form specified under section 76;

term of office (任期), in relation to the Legislative Council, means a term of office referred to in section 4; *(Amended E.R. 5 of 2019)*

the regulations (《規例》) means regulations made and in force under this Ordinance. *(Amended E.R. 5 of 2019)*

(Amended 10 of 2000 s. 47; 25 of 2003 s. 2; E.R. 5 of 2019)

(2) For the purposes of this Ordinance—

(a) the circumstances in which a person has a substantial connection with a body include, but are not limited to, being a member, partner, officer or employee of the body; and

(b) the circumstances in which a person has a substantial connection with a functional constituency include, but are not limited to—

(i) being a member, partner, officer or employee of a corporate elector of the constituency or a corporate member of such a corporate elector; or

(ii) belonging to a class of persons specified as being electors of the constituency. *(Amended 48 of 1999 s. 2; 21 of 2001 s. 62)*

(c) *(Repealed 21 of 2001 s. 62)*

(2A) For the purposes of this Ordinance, a reference to an entitlement to vote at a general meeting of a body is a reference to an entitlement to vote at such a meeting as provided by the body's constitution and, in this subsection—

(a) the reference to the constitution of a body is a reference to the constitution either—

(i) as in force at the commencement of the provision which first specifies the body for the purpose of the composition of the relevant functional constituency; or *(Amended 25 of 2003 s. 2)*

(ii) as subsequently amended or substituted, but only if the amendment or substitution, in so far as it relates to—

(A) the objects of the body; or

(B) the criteria and conditions of membership of the body; or

(C) the eligibility of members of the body to vote at a general meeting of the body,

has been approved in writing by the Secretary for Constitutional and Mainland Affairs; and *(Amended L.N. 130 of 2007)*

(b) ***constitution*** (章程), in relation to a body, includes articles of association and rules. *(Added 48 of 1999 s. 2)*

(2B) For the avoidance of doubt, it is stated that the power of the Secretary for Constitutional and Mainland Affairs under subsection (2A) to approve an amendment to or substitution of the constitution of a body may be exercised only for the purpose of defining the composition of the relevant functional constituency. *(Added 25 of 2003 s. 2. Amended L.N. 130 of 2007)*

(3) Results of a general election that are declared on different dates are, for the purposes of this Ordinance, taken to have been declared on the later or latest of those dates. *(Amended 21 of 2001 s. 62)*

(4) A note located in the text of this Ordinance is provided for information only and has no legislative effect.

(Amended E.R. 2 of 2012)

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Editorial Note:

For the saving and transitional provisions relating to the amendments made by the Resolution of the Legislative Council (L.N. 130 of 2007), see paragraph (12) of that Resolution.

8. Different dates may be specified for different classes of elections

Subject to this Part, the Chief Executive may specify different dates for holding a general election to return each of the following classes of Members— *(Amended 25 of 2003 s. 3)*

(a) the Members to be returned for geographical constituencies; and

(b) the Members to be returned for functional constituencies. *(Amended 25 of 2003 s. 3)*

(c) *(Repealed 25 of 2003 s. 3)*

The dates specified under this section must not be more than 7 days apart.

18. Establishment of geographical constituencies

(1) There are to be 5 geographical constituencies for the purpose of returning Members at elections for those constituencies. *(Replaced 25 of 2003 s. 5)*

(2) The Chief Executive in Council may, by order published in the Gazette—

(a) declare areas of Hong Kong to be geographical constituencies; and

(b) give names to those constituencies.

(3) When making an order under this section, the Chief Executive in Council must have regard to the recommendations made by the Electoral Affairs Commission in the last report of the Commission submitted in accordance with section 18 of the Electoral Affairs Commission Ordinance (Cap. 541) for the purposes of the general election to which the order relates.

(4) If an order under this section refers to a map that defines the area of a geographical constituency, the Electoral Registration Officer must ensure that at least one copy of the map is kept at that Officer's office and is made available for inspection by members of the public during ordinary business hours of that office.

(5) No charge is payable by a member of the public who wishes to inspect a copy of the map.

(6) A map certified by the Electoral Registration Officer as a true copy of a map that defines the area of a geographical constituency is conclusive evidence of the area of the constituency.

19. Number of Members to be returned for geographical constituency

(1) At a general election, 35 Members are to be returned for all geographical constituencies.

(2) The number of Members to be returned for each geographical constituency is to be a number, not less than 5 nor greater than 9, specified in the order declaring the area of the constituency in accordance with section 18(2).

(Replaced 25 of 2003 s. 6. Amended 2 of 2011 s. 4)

20. Establishment of functional constituencies

(1) The following functional constituencies are established for the purpose of returning Members at elections for those constituencies— *(Amended 25 of 2003 s. 7)*

(a) the Heung Yee Kuk functional constituency;

(b) the agriculture and fisheries functional constituency;

(c) the insurance functional constituency;

(d) the transport functional constituency;

(e) the education functional constituency;

(f) the legal functional constituency;

(g) the accountancy functional constituency;

(h) the medical functional constituency;

(i) the health services functional constituency;

(j) the engineering functional constituency;

(k) the architectural, surveying, planning and landscape functional constituency; *(Amended 14 of 2015 s. 3)*

(l) the labour functional constituency;

(m) the social welfare functional constituency;

(n) the real estate and construction functional constituency;

(o) the tourism functional constituency;

(p) the commercial (first) functional constituency;

(q) the commercial (second) functional constituency;

(r) the industrial (first) functional constituency;

(s) the industrial (second) functional constituency;

(t) the finance functional constituency;

(u) the financial services functional constituency;

(v) the sports, performing arts, culture and publication functional constituency;

(w) the import and export functional constituency;

(x) the textiles and garment functional constituency;

(y) the wholesale and retail functional constituency;

(z) the information technology functional constituency;

(za) the catering functional constituency;

(zb) the District Council (first) functional constituency; *(Replaced 2 of 2011 s. 5)*

(zc) the District Council (second) functional constituency. *(Added 2 of 2011 s. 5)*

(2) The functional constituencies are constituted as provided by sections 20A to 20ZC. *(Amended 2 of 2011 s. 5)*

(Replaced 48 of 1999 s. 12)

20B. Composition of the agriculture and fisheries functional constituency

The agriculture and fisheries functional constituency is composed of —

(a) corporate members of each of the following bodies—

(i) The Federation of Vegetable Marketing Co-operative Societies, Limited; *(Amended 10 of 2006 s. 33)*

(ii) The Federation of Pig Raising Co-operative Societies of Hong Kong, Kowloon and New Territories, Limited; *(Amended 10 of 2006 s. 33)*

(iii) The Joint Association of Hong Kong Fishermen;

(iv) Federation of Hong Kong Aquaculture Associations;

(v) The Federation of Fishermen's Co-operative Societies of Shau Kei Wan District, Limited;

(vi) The Federation of Fishermen's Co-operative Societies of Tai Po District, N.T., Limited;

(vii) The Federation of Fishermen's Co-operative Societies of Sai Kung District, Limited;

(viii) The Federation of Fishermen's Co-operative Societies of Southern District, Limited; and

(b) the bodies named in Schedule 1.

(Added 48 of 1999 s. 13)

20E. Composition of the education functional constituency

The education functional constituency is composed of—

(a) full-time academic staff engaged in teaching or research and administrative staff of equivalent rank in the following institutions—

(i) institutions of higher education funded through the University Grants Committee;

(ii) approved post secondary colleges registered under the Post Secondary Colleges Ordinance (Cap. 320);

(iii) technical colleges established under the Vocational Training Council Ordinance (Cap. 1130);

(iv) The Hong Kong Academy for Performing Arts;

(v) The Open University of Hong Kong; and

(aa) full-time academic staff engaged in teaching or research and administrative staff of equivalent rank in the institutions which—

(i) offer post secondary education leading to the award of any qualification entered into the Qualifications Register established under the Accreditation of Academic and Vocational Qualifications Ordinance (Cap. 592); and

(ii) are set up by—

(A) an institution of higher education funded through the University Grants Committee;

(B) The Hong Kong Academy for Performing Arts; or

(C) The Open University of Hong Kong; and *(Replaced 14 of 2015 s. 4)*

(b) members of each of the following bodies—

(i) Council of the University of Hong Kong;

(ii) Council of The Chinese University of Hong Kong;

(iii) Council of The Hong Kong University of Science and Technology;

(iv) Council of the City University of Hong Kong;

(v) Council of The Hong Kong Polytechnic University;

(vi) Council of The Hong Kong Academy for Performing Arts;

(vii) Council of The Open University of Hong Kong;

(viii) the Vocational Training Council; *(Amended 10 of 2006 s. 35)*

(ix) Council of The Education University of Hong Kong; *(Amended 6 of 2016 s. 2)*

(x) Council of the Hong Kong Baptist University;

(xi) Council of Lingnan University; *(Replaced 54 of 1999 s. 39)*

(xii) Board of Governors of the Hong Kong Shue Yan University; *(Amended 25 of 2003 s. 8; 7 of 2008 s. 2)*

(xiii) Board of Governors of the Caritas Institute of Higher Education; *(Added 25 of 2003 s. 8. Amended 11 of 2012 s. 32; 14 of 2015 s. 4)*

(xiv) Board of Governors of the Chu Hai College of Higher Education; *(Added 14 of 2015 s. 4)*

(xv) Board of Governors of the Centennial College; *(Added 14 of 2015 s. 4)*

(xvi) Board of Governors of the Tung Wah College; *(Added 14 of 2015 s. 4)*

(xvii) Board of Governors of The Hang Seng University of Hong Kong; *(Added 14 of 2015 s. 4. Amended 11 of 2019 s. 3)*

(xviii) Board of Governors of the Hong Kong Nang Yan College of Higher Education; *(Added 14 of 2015 s. 4)*

(xix) Board of Governors of the HKCT Institute of Higher Education; *(Added 14 of 2015 s. 4. Amended 15 of 2016 s. 9)*

(xx) Board of Governors of the Gratia Christian College; *(Added 15 of 2016 s. 9. Amended 11 of 2019 s. 3)*

(xxi) Board of Governors of Yew Chung College of Early Childhood Education; and *(Added 11 of 2019 s. 3)*

(c) registered teachers registered under the Education Ordinance (Cap. 279); and

(d) permitted teachers engaged in full-time employment in schools registered or provisionally registered under the Education Ordinance (Cap. 279); and

(e) teachers and principals of schools entirely maintained and controlled by the Government; and

(f) persons whose principal or only employment is that of full-time teaching with the following institutions—

(i) technical institutes, industrial training centres or skills centres established under the Vocational Training Council Ordinance (Cap. 1130);

(ii) industrial training centres established under the repealed Industrial Training (Construction Industry) Ordinance (Cap. 317) and maintained under the Construction Industry Council Ordinance (Cap. 587); *(Amended 12 of 2006 s. 84)*

(iia) industrial training centres established under the Construction Industry Council Ordinance (Cap. 587); *(Added 12 of 2006 s. 84)*

(iii) industrial training centres established under the Industrial Training (Clothing Industry) Ordinance (Cap. 318);

(iv) Hong Chi Association—Hong Chi Pinehill Integrated Vocational Training Centre; *(Replaced 25 of 2003 s. 8. Amended 2 of 2011 s. 6)*

(v) Caritas Lok Mo Integrated Vocational Training Centre of Caritas—Hong Kong incorporated under the Caritas—Hong Kong Incorporation Ordinance (Cap. 1092); and *(Replaced 25 of 2003 s. 8. Amended 10 of 2006 s. 35)*

(g) registered managers of schools registered under the Education Ordinance (Cap. 279).

(Added 48 of 1999 s. 13)

20H. Composition of the medical functional constituency

The medical functional constituency is composed of—

(a) medical practitioners registered or deemed to be registered under the Medical Registration Ordinance (Cap. 161); and

(b) dentists registered, deemed to be registered or exempt from registration under the Dentists Registration Ordinance (Cap. 156).

(Added 48 of 1999 s. 13)

20I. Composition of the health services functional constituency

The health services functional constituency is composed of—

(a) chiropractors registered under the Chiropractors Registration Ordinance (Cap. 428); and

(b) *(Repealed 25 of 2003 s. 9)*

(c) nurses registered or enrolled or deemed to be registered or enrolled under the Nurses Registration Ordinance (Cap. 164); and

(d) midwives registered or deemed to be registered under the Midwives Registration Ordinance (Cap. 162); and

(e) pharmacists registered under the Pharmacy and Poisons Ordinance (Cap. 138); and

(f) medical laboratory technologists registered under the Medical Laboratory Technologists (Registration and Disciplinary Procedure) Regulations (Cap. 359 sub. leg. A); and

(g) radiographers registered under the Radiographers (Registration and Disciplinary Procedure) Regulation (Cap. 359 sub. leg. H); and

(h) physiotherapists registered under the Physiotherapists (Registration and Disciplinary Procedure) Regulation (Cap. 359 sub. leg. J); and *(Amended 25 of 2003 s. 9)*

(i) occupational therapists registered under the Occupational Therapists (Registration and Disciplinary Procedure) Regulations (Cap. 359 sub. leg. B); and

(j) optometrists registered under the Optometrists (Registration and Disciplinary Procedure) Regulation (Cap. 359 sub. leg. F); and

(k) dental hygienists enrolled under the Ancillary Dental Workers (Dental Hygienists) Regulations (Cap. 156 sub. leg. B); and

(l) audiologists, audiology technicians, chiropodists (also known as "podiatrists"), dental surgery assistants, dental technicians, dental technologists, dental therapists, dietitians, dispensers, mould laboratory technicians, orthoptists, clinical psychologists, educational psychologists, prosthetists, speech therapists and scientific officers (medical) who are in the service under the Government, or are employed in Hong Kong, at the following institutions— *(Amended 25 of 2003 s. 9)*

(i) public hospitals within the meaning of the Hospital Authority Ordinance (Cap. 113);

(ii) hospitals within the meaning of the Private Healthcare Facilities Ordinance (Cap. 633) for each of which a licence under that Ordinance is in force; *(Replaced 34 of 2018 s. 186 and E.R. 5 of 2018)*

(iii) clinics maintained or controlled by the Government or The Chinese University of Hong Kong or by the University of Hong Kong;

(iv) services subvented by the Government.

(Added 48 of 1999 s. 13)

20N. Composition of the real estate and construction functional constituency

The real estate and construction functional constituency is composed of—

(a) members of The Real Estate Developers Association of Hong Kong entitled to vote at general meetings of the Association; and

(b) members of The Hong Kong Construction Association, Limited entitled to vote at general meetings of the Association; and

(c) members of The Hong Kong E&M Contractors' Association Limited entitled to vote at general meetings of the Association.

(Added 48 of 1999 s. 13)

20O. Composition of the tourism functional constituency

The tourism functional constituency is composed of the following bodies—

(a) *(Repealed 3 of 2001 s. 48)*

(aa) travel industry members of the body known immediately before 1 April 2001 as the Hong Kong Tourist Association, entitled immediately before that date, under the constitution of that body in force immediately before that date, to vote at general meetings of that body; *(Added 25 of 2003 s. 11)*

(b) members of the Travel Industry Council of Hong Kong entitled to vote at general meetings of the Council;

(c) members of The Board of Airline Representatives in Hong Kong; *(Replaced 25 of 2003 s. 11. Amended 10 of 2006 s. 38)*

(d) members of the Hong Kong Hotels Association entitled to vote at general meetings of the Association;

(e) members of Federation of Hong Kong Hotel Owners Limited entitled to vote at general meetings of the Federation. *(Amended 10 of 2006 s. 38)*

(Added 48 of 1999 s. 13)

20P. Composition of the commercial (first) functional constituency

The commercial (first) functional constituency is composed of bodies that are members of The Hong Kong General Chamber of Commerce entitled to vote at general meetings of the Chamber.

(Added 48 of 1999 s. 13)

20Q. Composition of the commercial (second) functional constituency

The commercial (second) functional constituency is composed of members of The Chinese General Chamber of Commerce entitled to vote at general meetings of the Chamber.

(Added 48 of 1999 s. 13)

20R. Composition of the industrial (first) functional constituency

The industrial (first) functional constituency is composed of members of the Federation of Hong Kong Industries entitled to vote at general meetings of the Federation.

(Added 48 of 1999 s. 13)

20S. Composition of the industrial (second) functional constituency

The industrial (second) functional constituency is composed of bodies that are members of The Chinese Manufacturers' Association of Hong Kong entitled to vote at general meetings of the Association.

(Added 48 of 1999 s. 13)

20U. Composition of the financial services functional constituency

(1) The financial services functional constituency is composed of — *(Amended 12 of 2000 s. 23)*

(a) subject to subsection (2), exchange participants of a recognized exchange company; and *(Replaced 5 of 2002 s. 407)*

(b) *(Repealed 5 of 2002 s. 407)*

(c) members of The Chinese Gold & Silver Exchange Society entitled to vote at general meetings of the Society. *(Added 48 of 1999 s. 13)*

(2) Notwithstanding any other enactment or rule of law—

(a) by virtue of this subsection, the rules of a recognized exchange company may provide that a class of exchange participants specified in the rules are not exchange participants for the purposes of this Ordinance;

(b) no amendment or substitution of the rules of a recognized exchange company made on or after the commencement* of this subsection shall have effect — *(Amended 5 of 2002 s. 407)*

(i) for the purposes of this Ordinance to the extent, if any, to which the amendment or substitution, as the case may be, causes a person to become or to cease to be an exchange participant of the recognized exchange company; and

(ii) unless the amendment or substitution, as the case may be, has been approved in writing by the Secretary for Constitutional and Mainland Affairs. *(Added 12 of 2000 s. 23. Amended 5 of 2002 s. 407; L.N. 130 of 2007)*

(3) In subsection (2)—

exchange participant (交易所參與者) has the same meaning as in section 1 of Part 1 of Schedule 1 to the Securities and Futures Ordinance (Cap. 571); *(Replaced 5 of 2002 s. 407)*

recognized exchange company (認可交易所) has the same meaning as in section 1 of Part 1 of Schedule 1 to the Securities and Futures Ordinance (Cap. 571); *(Added 5 of 2002 s. 407)*

rules (規章), in relation to a recognized exchange company, means the rules governing the conduct, or the operation and management, of the recognized exchange company or the conduct of its exchange participants, by whatever name such

rules may be called and wherever contained. *(Added 12 of 2000 s. 23. Amended 5 of 2002 s. 407)*

(Amended 5 of 2002 s. 407)

Editorial Note:
For the saving and transitional provisions relating to the amendments made by the Resolution of the Legislative Council (L.N. 130 of 2007), see paragraph (12) of that Resolution.
* Commencement date: 3 July 1999.

20V. Composition of the sports, performing arts, culture and publication functional constituency

(1) The sports, performing arts, culture and publication functional constituency is composed of—

(a) statutory bodies and registered bodies (other than schools registered under the Education Ordinance (Cap. 279) and bodies formed by such schools) that are members of the sports associations affiliated to the Sports Federation & Olympic Committee of Hong Kong, China; and

(b) sports associations affiliated to the Sports Federation & Olympic Committee of Hong Kong, China but have no statutory bodies or registered bodies as members; and

(c) district sports associations named in Part 1 of Schedule 1B; and

(d) bodies listed in a Gazette notice currently in force made under section 3(5) of the Hong Kong Arts Development Council Ordinance (Cap. 472) as organizations for the purpose of section 3(4) of that Ordinance; and

(e) statutory bodies and registered bodies, the primary goal of which is the promotion of arts, and to which grants, sponsorship or performance fees have been approved by the Hong Kong Arts Development Council, the Urban Council, the Regional Council, the Provisional Urban Council, the Provisional Regional Council, the Leisure and Cultural Services Department or the Home Affairs Bureau during the relevant period; and *(Amended 78 of 1999 s. 7)*

(f) district arts and culture associations named in Part 2 of Schedule 1B; and

(g) members of each of the following bodies entitled to vote at general meetings of the body—

(i) Educational Booksellers' Association, Limited;

(ii)-(iii) *(Repealed 14 of 2015 s. 6)*

(iv) The Hong Kong Publishers and Distributors Association;

(v) Hong Kong Book & Magazine Trade Association Limited;

(vi) Hongkong Book and Stationery Industry Association Company Limited; *(Amended 14 of 2015 s. 6)*

(vii) The Hong Kong Association of Professional Education Publishing Limited; and *(Added 14 of 2015 s. 6)*

(h) members of the Hong Kong Publishing Federation Limited (other than those referred to in paragraph (g)) entitled to vote at general meetings of the Federation; and

(i) members of each of the following bodies entitled to vote at general meetings of the body—

(i) Hong Kong Motion Picture Industry Association Limited; *(Amended 2 of 2011 s. 7)*

(ii) Hong Kong Film Awards Association Ltd.;

(iii) International Federation of the Phonographic Industry (Hong Kong Group) Limited;

(iv) Movie Producers and Distributors Association of Hong Kong Ltd.;

(v) Music Publishers Association of Hong Kong Ltd.;

(vi) Hong Kong Theatres Association Ltd.; *(Amended 14 of 2015 s. 6)*

(vii) Hong Kong Recording Industry Alliance Limited; and *(Added 14 of 2015 s. 6)*

(j) corporate proprietors, the principal business of which is publication, registered under the Registration of Local Newspapers Ordinance (Cap. 268); and

(k) corporate proprietors of newspaper distributors licensed under the Newspapers Registration and Distribution Regulations (Cap. 268 sub. leg. B); and

(ka) bodies that are holders of one or more of the following classes of licences granted under the Broadcasting Ordinance (Cap. 562)—

(i) licences to provide a domestic free television programme service;

(ii) licences to provide a domestic pay television programme service;

(iii) licences to provide a non-domestic television programme service; and *(Added 25 of 2003 s. 12)*

(kb) holders of licences granted under Part 3A of the Telecommunications Ordinance (Cap. 106) (sound broadcasting licences); and *(Added 25 of 2003 s. 12. Amended E.R. 2 of 2012)*

(l) the bodies named in Part 3 of Schedule 1B.

(2) For the purposes of this section—

(a) ***registered body*** (註冊團體) means a body which is registered or exempt from registration under, or incorporated by, any laws of Hong Kong; and

(b) ***relevant period*** (有關期間), in relation to a statutory body or registered body, means—

(i) subject to subparagraph (ii), the period from 1 April 1994 to the date on which the statutory body or registered body applies for registration as an elector of the sports, performing arts, culture and publication functional constituency; or

(ii) if the statutory body or registered body applies for such registration on or after 18 July 2003, the period of 6 years immediately preceding the date on which it so applies; and *(Replaced 25 of 2003 s. 12)*

(c) ***statutory body*** (法定團體) means a body established or constituted by or under the authority of an Ordinance.

(Added 48 of 1999 s. 13)

20W. Composition of the import and export functional constituency

The import and export functional constituency is composed of—

(a) companies licensed under the Dutiable Commodities Ordinance (Cap. 109) for the import or export, or import and export, of dutiable commodities; and

(aa) companies licensed under the Dutiable Commodities Ordinance (Cap. 109) immediately before the commencement* of the Dutiable Commodities (Amendment) (No. 2) Ordinance 2008 (16 of 2008) for the import, or import and export, of alcoholic liquors; and *(Added 16 of 2008 s. 7)*

(b) companies registered under the Motor Vehicles (First Registration Tax) Ordinance (Cap. 330) for the import of motor vehicles for use in Hong Kong; and

(c) companies licensed under the Control of Chemicals Ordinance (Cap. 145) for the import or export, or import and export, of controlled chemicals; and

(d) *(Repealed 10 of 2006 s. 27)*

(e) members of each of the following bodies entitled to vote at general meetings of the body—

(i) The Association of Hong Kong Photographic Equipment Importers Limited; *(Amended 10 of 2006 s. 39)*

(ii) *(Repealed 25 of 2003 s. 13)*

(iii) Hong Kong & Kowloon Steel and Metal Importers and Exporters Association Ltd.;

(iv) The Hong Kong Chinese Importers' and Exporters' Association; *(Amended 10 of 2006 s. 39)*

(v) The Hong Kong Exporters' Association; *(Amended 7 of 2008 s. 4)*

(vi) *(Repealed 11 of 2019 s. 4)*

(vii) Hong Kong General Association of Edible Oil Importers & Exporters Ltd.;

(viii) *(Repealed 2 of 2011 s. 8)*

(ix) Hongkong Rice Importers & Exporters Association;

(x) Hongkong Watch Importers' Association;

(xi) The Hong Kong Food, Drink & Grocery Association; *(Replaced 25 of 2003 s. 13)*

(xii) Hong Kong & Kowloon Light Industrial Products Importers & Exporters Association Limited;

(xiii) Nanyang Importers and Exporters Association;

(xiv) Hong Kong Industrial Production Trading Association Limited;

(xv) The Industrial Chemical Merchants' Association Limited; *(Amended 10 of 2006 s. 39)*

(xvi) Hong Kong Paper Association Limited; *(Replaced 25 of 2003 s. 13. Amended 11 of 2012 s. 33)*

(xvii) The Wah On Exporters & Importers Association; *(Amended 10 of 2006 s. 39)*

(xviii) The Hong Kong Shippers' Council; *(Amended 25 of 2003 s. 13)*

(xix) The Shippers' Association of Hong Kong. *(Replaced 25 of 2003 s. 13)*

(Added 48 of 1999 s. 13)

Editorial Note:

* Commencement date: 6 June 2008.

20X. Composition of the textiles and garment functional constituency

The textiles and garment functional constituency is composed of—

(a) corporate members of the Textile Council of Hong Kong Limited (other than those referred to in paragraph (b)(i) to (xii)) entitled to vote at general meetings of the Council; and

(b) corporate members of each of the following bodies entitled to vote at general meetings of the body—

(i) The Federation of Hong Kong Cotton Weavers;

(ii) The Federation of Hong Kong Garment Manufacturers;

(iii) Hong Kong Chinese Textile Mills Association;

(iv) *(Repealed 11 of 2019 s. 5)*

(v) The Hongkong Cotton Spinners Association;

(vi) Hong Kong Garment Manufacturers Association Ltd.;

(vii) Hongkong Knitwear Exporters & Manufacturers Association Limited; *(Amended 11 of 2019 s. 5)*

(viii) Hong Kong Woollen & Synthetic Knitting Manufacturers' Association Ltd.;

(ix) The Hong Kong Association of Textile Bleachers, Dyers, Printers and Finishers Limited;

(x) The Hong Kong Weaving Mills Association;

(xi) *(Repealed 14 of 2015 s. 7)*

(xii) The Hong Kong General Chamber of Textiles Limited; and *(Amended 10 of 2006 s. 40)*

(c) members of the Hong Kong Institution of Textile and Apparel Limited entitled to vote at general meetings of the Institution; and *(Amended 10 of 2006 s. 40)*

(d) Textiles & Clothing manufacturers registered under the Factory Registration of the Trade and Industry Department for the purpose of applying for the certificate of Hong Kong origin; and *(Amended L.N. 173 of 2000)*

(e) textiles traders who—

(i) are registered as textiles traders pursuant to regulation 5A of the Import and Export (General) Regulations (Cap. 60 sub. leg. A);

(ii) have been so registered for a period of 12 months immediately before making the application for registration as an elector; and

(iii) are carrying on business as textiles traders specified in Schedule 4 to the Import and Export (General) Regulations (Cap. 60 sub. leg. A). *(Replaced 10 of 2006 s. 28)*

(Added 48 of 1999 s. 13. Amended E.R. 1 of 2012)

20Y. Composition of the wholesale and retail functional constituency

The wholesale and retail functional constituency is composed of members of each of the bodies named in Schedule 1C that are entitled to vote at general meetings of the body.

(Added 48 of 1999 s. 13)

20Z. Composition of the information technology functional constituency

(1) The information technology functional constituency is composed of— *(Amended 25 of 2003 s. 14)*

(a) Distinguished Fellows, Fellows and Full Members of the Hong Kong Computer Society entitled to vote at general meetings of the Society; and *(Amended 7 of 2008 s. 5)*

(b) Fellows, Members and Graduate Members of Information Technology Division of the Hong Kong Institution of Engineers who are entitled to vote at general meetings of the Division; and

(c) Professional Members of the Association for Computing Machinery, Hong Kong Chapter entitled to vote at general meetings of the Association; and

(d) Fellows, Senior Members and Full Members of the Institute of Electrical and Electronics Engineers, Inc., Hong Kong Section, Computer Chapter entitled to vote at general meetings of the Institute; and

(e) Fellows, Senior Members and Full Members of the Institute of Electrical and Electronics Engineers, Inc., Hong Kong Section, Hong Kong Joint Chapter on Circuits and Systems/Communications entitled to vote at general meetings of the Institute; and

(f) Honorary Fellows, Fellows and Members of The Institution of Engineering and Technology Hong Kong entitled to vote at general meetings of the Institution who are either—

(i) persons registered as Chartered Engineers with the Engineering Council UK; or

(ii) Corporate Members of The Institution of Electrical Engineers Hong Kong (IEE Hong Kong) before 15 October 2002; and *(Replaced 7 of 2008 s. 5)*

(g) Fellows, Members and Associate Members of The British Computer Society (Hong Kong Section) Limited entitled to vote at general meetings of the Society; and *(Amended 10 of 2006 s. 41)*

(h) Fellows, Senior Professional Members and Professional Members of The Hong Kong Association for Computer Education entitled to vote at general meetings of the Association; and *(Amended 25 of 2003 s. 14)*

(i) Full Members (Information Technology) of the Hong Kong Society of Medical Informatics Limited entitled to vote at general meetings of the Society; and *(Amended 25 of 2003 s. 14)*

(ia) Full Members of the Information and Software Industry Association Limited entitled to vote at general meetings of the Association; and *(Added 25 of 2003 s. 14)*

(j) *(Repealed 14 of 2015 s. 8)*

(ja) the eligible persons of the following bodies—

(i) Hong Kong Software Industry Association Limited; *(Amended 2 of 2011 s. 9)*

(ii) Information Systems Audit and Control Association China Hong Kong Chapter Limited; *(Amended 2 of 2011 s. 9)*

(iii) Internet Professional Association Limited; *(Amended 10 of 2006 s. 41)*

(iv) Professional Information Security Association; and *(Added 25 of 2003 s. 14)*

(k) corporate members of each of the following bodies entitled to vote at general meetings of the body—

(i) Hong Kong Information Technology Federation Limited; *(Amended 25 of 2003 s. 14)*

(ii) Hong Kong Internet Service Providers Association Limited; *(Amended 14 of 2015 s. 8)*

(iii) Hong Kong Radio Paging Association Ltd.;

(iv) Communications Association of Hong Kong Limited; *(Replaced 25 of 2003 s. 14. Amended 7 of 2008 s. 5)*

(v) Hong Kong Wireless Technology Industry Association Limited; *(Added 25 of 2003 s. 14)*

(vi) The Society of Hong Kong Services-based Operators Limited; and *(Added 25 of 2003 s. 14. Amended 11 of 2019 s. 6)*

(l) bodies that are holders of one or more of the following classes of licences granted by the Communications Authority under the Telecommunications Ordinance (Cap. 106)— *(Amended 36 of 2000 s. 28; 25 of 2003 s. 14; 17 of 2011 s. 28)*

(i) *(Repealed 11 of 2019 s. 6)*

(ii) Services-Based Operator Licences; *(Amended 2 of 2011 s. 9; 11 of 2019 s. 6)*

(iii) Public Radiocommunications Service licences; *(Amended 36 of 2000 s. 28)*

(iv) Satellite Master Antenna Television licences;

(v) Broadcast Relay Station licences;

(vi) Broadcast Radio Relay Station licences; *(Amended 25 of 2003 s. 14)*

(vii) carrier licences; *(Added 25 of 2003 s. 14. Amended 11 of 2019 s. 6)*

(viii) Wireless Internet of Things licences; and *(Added 11 of 2019 s. 6)*

(la) members of the Hong Kong Information Technology Joint Council Limited entitled to vote at general meetings of the Council; and *(Added 2 of 2011 s. 9)*

(lb) Fellows and Full Members of the Information Security and Forensics Society entitled to vote at general meetings of the Society; and *(Added 14 of 2015 s. 8)*

(m) the bodies named in Part 1 of Schedule 1D. *(Amended 25 of 2003 s. 14)*

(2) In subsection (1)(ja), ***eligible persons*** (合資格的人), in relation to a body, means the persons specified in Part 2 of Schedule 1D in respect of that body. *(Added 25 of 2003 s. 14)*

(3) To avoid doubt, for the purposes of subsection (1)(l), the reference to licences granted by the Communications Authority under the Telecommunications Ordinance (Cap. 106) in that subsection includes licences covered by section 27(6) of the Communications Authority Ordinance (Cap. 616). *(Added 17 of 2011 s. 28)*

(Added 48 of 1999 s. 13)

20ZA. Composition of the catering functional constituency

The catering functional constituency is composed of—

(a) holders of food business licences under the Public Health and Municipal Services Ordinance (Cap. 132); and

(b) the bodies named in Schedule 1E.

(Added 48 of 1999 s. 13)

20ZB. Composition of the District Council (first) functional constituency

(Amended 2 of 2011 s. 10)

The District Council (first) functional constituency is composed of members of the District Councils established under the District Councils Ordinance (Cap. 547) who are elected under Part V of that Ordinance.

(Added 48 of 1999 s. 13. Amended 2 of 2011 s. 10)

20ZC. Composition of the District Council (second) functional constituency

The District Council (second) functional constituency is composed of persons who are registered as electors for geographical constituencies but are not registered as electors for any of the functional constituencies specified in section 20(1)(a) to (zb).

(Added 2 of 2011 s. 11)

21. Number of Members to be returned for functional constituency

The number of Members to be returned for a functional constituency is—

(a) 1 Member for each constituency other than the labour functional constituency and the District Council (second) functional constituency; and

(b) 3 Members for the labour functional constituency; and

(c) 5 Members for the District Council (second) functional constituency. *(Added 2 of 2011 s. 12)*

(Amended 2 of 2011 s. 12)

Part 5

Registration of Electors

25. Who is eligible to be registered as an elector: functional constituencies

(1) Subject to this Part, a person is eligible to be registered as an elector for a functional constituency only if the person—

(a) is a person specified—

(i) for the Heung Yee Kuk functional constituency, in section 20A; or

(ii) for the agriculture and fisheries functional constituency, in section 20B; or

(iii) for the insurance functional constituency, in section 20C; or

(iv) for the transport functional constituency, in section 20D; or

(v) for the education functional constituency, in section 20E; or

(vi) for the legal functional constituency, in section 20F; or

(vii) for the accountancy functional constituency, in section 20G; or

(viii) for the medical functional constituency, in section 20H; or

(ix) for the health services functional constituency, in section 20I; or

(x) for the engineering functional constituency, in section 20J; or

(xi) for the architectural, surveying, planning and landscape functional constituency, in section 20K; or *(Amended 14 of 2015 s. 9)*

(xii) for the labour functional constituency, in section 20L; or

(xiii) for the social welfare functional constituency, in section 20M; or

(xiv) for the real estate and construction functional constituency, in section 20N; or

(xv) for the tourism functional constituency, in section 20O; or

(xvi) for the commercial (first) functional constituency, in section 20P; or

(xvii) for the commercial (second) functional constituency in section 20Q; or

(xviii) for the industrial (first) functional constituency, in section 20R; or

(xix) for the industrial (second) functional constituency, in section 20S; or

(xx) for the finance functional constituency, in section 20T; or

(xxi) for the financial services functional constituency, in section 20U; or

(xxii) for the sports, performing arts, culture and publication functional constituency, in section 20V; or

(xxiii) for the import and export functional constituency, in section 20W; or

(xxiv) for the textiles and garment functional constituency, in section 20X; or

(xxv) for the wholesale and retail functional constituency, in section 20Y; or

(xxvi) for the information technology functional constituency, in section 20Z; or

(xxvii) for the catering functional constituency, in section 20ZA; or

(xxviii) for the District Council (first) functional constituency, in section 20ZB; or *(Replaced 48 of 1999 s. 16. Amended 2 of 2011 s. 13)*

(xxix) for the District Council (second) functional constituency, in section 20ZC; and *(Added 2 of 2011 s. 13)*

(b) if a natural person, is either—

(i) registered as an elector under this Part for a geographical constituency; or

(ii) eligible to be registered as an elector under this Part for a geographical constituency and has made an application to be so registered.

(2) A person who, but for this subsection, would be eligible to be registered in 2 or more functional constituencies may be registered in only one of those constituencies of that person's choice.

(2A) Despite section 20ZC, a person who is registered in any functional constituency other than the District Council (second) functional constituency is, for the purpose of subsection (2), regarded as eligible to be registered in the District Council (second) functional constituency. *(Added 2 of 2011 s. 13)*

(3) Despite subsection (2)—

(a)-(b) *(Repealed 48 of 1999 s. 16)*

(ca) a person eligible to be registered as an elector for the District Council (first) functional constituency and who would, but for this paragraph, be eligible to be registered in another functional constituency of that person's choice may be registered only for the District Council (first) functional constituency and not for that other functional constituency; and *(Added 2 of 2011 s. 13)*

(c) a person eligible to be registered as an elector for the Heung Yee Kuk functional constituency and who would, but for this paragraph, be eligible to be registered in another functional constituency of that person's choice may, subject to paragraph (ca), be registered only for the Heung Yee Kuk functional constituency and not for that other functional constituency; and *(Amended 2 of 2011 s. 13)*

(d) subject to paragraphs (ca) and (c), a person eligible to be registered as an elector for the agriculture and fisheries, the insurance or the transport functional constituency and who would, but for this paragraph, be eligible to be registered in another functional constituency of that person's choice may be registered only for that functional constituency and not for that other functional constituency. *(Amended 2 of 2011 s. 13)*

(4) A body specified in section 20C, 20L, 20T, 20U(1)(a), 20V(1)(b), (d), (e), (j) or (k), 20W(a) to (c), 20X(d) or (e), 20Z(1)(l) or 20ZA(a) is eligible to be registered as a corporate elector for the relevant functional constituency only if it has been operating for the 12 months immediately before making its application for registration as an elector. *(Amended 12 of 2000 s. 23; 15 of 2000 s. 3; 5 of 2002 s. 407; 25 of 2003 s. 16; 10 of 2006 s. 29)*

(5) A body that is a corporate member of a body specified in section 20B(a), 20N to 20S, 20U(1)(c), 20V(1)(a) or (g) to (i), 20W(e), 20X(a) or (b) or 20Z(1)(ia), (ja)(i) or (k) or Schedule 1C is eligible to be registered as a corporate elector for the relevant functional constituency only if it has been a corporate member of the second-mentioned body and has been operating for the 12 months immediately before making its application for registration as an elector. *(Amended 12 of 2000 s. 23; 15 of 2000 s. 3; 25 of 2003 s. 16)*

(6) A natural person who is a member of a body specified in sections 20B to 20Z (other than a body specified in section 20E(b), 20F(a) or (b), 20J(b), 20K(b), (d), (f) or (h) or 20Z(1)(a) to (ia) or (ja)(ii), (iii) or (iv)) is eligible to be registered as an elector for the relevant functional constituency only if the person has been a member of the body for the 12 months immediately before making an application for registration as an elector. *(Amended 25 of 2003 s. 16; 14 of 2015 s. 9)*

(7) It does not matter that a period of 12 months referred to in this section may have begun before the commencement* of this section.

(Amended 48 of 1999 s. 16)

Editorial Note:
* Commencement date: 3 October 1997.

27. Elector to be permanent resident of Hong Kong

A natural person is not eligible to be registered as an elector for a constituency unless the person is a permanent resident of Hong Kong.

29. Elector to be 18 years of age

A natural person is not eligible to be registered as an elector unless —

(a) the person has reached 18 years of age; or

(b) the person's eighteenth birthday falls—

(i) in any year other than a year in which a District Council ordinary election is to be held, on or before 25 July next following the person's application for registration; or

(ii) in a year in which a District Council ordinary election is to be held, on or before 25 September next following the person's application for registration. *(Replaced 33 of 2002 s. 3)*

30. Applicant for registration as elector to be in possession of identity document

(1) A natural person is not eligible to be registered as an elector unless, at the time of applying to be registered, the person satisfies the Electoral Registration Officer that the person—

(a) holds an identity document; or

(b) has—

(i) applied for a new identity document; or

(ii) requested the alteration of the identity document or the issue of a new identity document,

in replacement of the identity document previously issued to the person,

and informs that Officer of the document's identifying number (if any).

(2) This section has effect even though a person would otherwise be eligible to be registered as an elector.

31. When person is disqualified from being registered as an elector

(1) A natural person is disqualified from being registered as an elector for a constituency if the person—

(a)-(c) *(Repealed 7 of 2009 s. 7)*

(d) is found under the Mental Health Ordinance (Cap. 136) to be incapable, by reason of mental incapacity, of managing and administering his or her property and affairs; or *(Replaced 25 of 2003 s. 17)*

(e) is a member of the armed forces of the Central People's Government or any other country or territory.

(2) Subsection (1) applies to an authorized representative of a corporate elector in the same way as it applies to an elector who is a natural person. *(Amended 2 of 2011 s. 14)*

(3) A consular post to which any privilege or immunity is accorded under the Consular Relations Ordinance (Cap. 557) is disqualified from being registered as a corporate elector. *(Added 2 of 2011 s. 14)*

(4) An organization to which section 2 of the International Organizations and Diplomatic Privileges Ordinance (Cap. 190) applies or an international organization defined in section 2 of the International Organizations (Privileges and Immunities) Ordinance (Cap. 558) is disqualified from being registered as a corporate elector. *(Added 2 of 2011 s. 14)*

(5) A body which is a department or an agency of a government of a place outside the People's Republic of China, whether at national, regional or municipal level, is disqualified from being registered as a corporate elector. *(Added 11 of 2012 s. 34)*

(6) For the purposes of subsection (5), a body is not regarded as a department or an agency of a government of a place unless—

(a) the management of the body is appointed by the government and is answerable to the government;

(b) the principal function of the body is to advance the interest of the place; and

(c) the body is non-profit-making. *(Added 11 of 2012 s. 34)*

32. Electoral Registration Officer to compile and publish electoral registers

(1) The Electoral Registration Officer must—

(a) not later than 1 June in each year other than a year in which a District Council ordinary election is to be held, compile and publish in accordance with regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541)— *(Amended 48 of 1999 s. 18; 33 of 2002 s. 4; 12 of 2014 s. 167)*

(i) a provisional register of geographical constituencies; and

(ii) a provisional register of functional constituencies; and

(b) not later than 25 July in each year other than a year in which a District Council ordinary election is to be held, compile and publish in accordance with regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541)— *(Amended 48 of 1999 s. 18; 33 of 2002 s. 4)*

(i) a final register of geographical constituencies; and

(ii) a final register of functional constituencies.

(1A) The Electoral Registration Officer must—

(a) not later than 1 August in each year in which a District Council ordinary election is to be held, compile and publish in accordance with regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541) — *(Amended 12 of 2014 s. 167)*

(i) a provisional register of geographical constituencies; and

(ii) a provisional register of functional constituencies; and

(b) not later than 25 September in each year in which a District Council ordinary election is to be held, compile and publish in accordance with regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541) —

(i) a final register of geographical constituencies; and

(ii) a final register of functional constituencies. *(Added 33 of 2002 s. 4)*

(2) *(Repealed 21 of 2001 s. 64)*

(3) The Electoral Registration Officer may amend a provisional or final register so as to rectify any clerical or printing error or any incorrect name, address or other personal particulars of a person who is recorded in the register.

(4) In compiling a provisional register, the Electoral Registration Officer must—

(a) strike out the names and other relevant particulars of all those persons—

(i) whom the Electoral Registration Officer is satisfied on reasonable grounds as being no longer eligible to have their names included in the register; or

(ii) whom the Electoral Registration Officer is satisfied on reasonable grounds as not wishing to remain registered in the register; *(Replaced 12 of 2014 s. 36)*

(b) enter the names and other relevant particulars of those persons on an omissions list; and

(c) add to the register the names and other relevant particulars of those persons whose applications for registration have been received by the Electoral Registration Officer not later than the date prescribed for the purposes of this paragraph by regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541) and who are eligible to have their names included in the register. *(Amended 25 of 2003 s. 18)*

(5) As soon as practicable after complying with subsection (4), the Electoral Registration Officer must publish a notice to the effect that the names and other relevant particulars of the following persons have been entered on an omissions list — *(Amended 12 of 2014 s. 36)*

(a) persons who are no longer eligible to have their names included in the register; and

(b) persons who do not wish to remain registered in the register. *(Amended 12 of 2014 s. 36)*

(5A) The notice—

(a) must specify the time and the place at which the omissions list may be inspected; and

(b) must be published—

(i) in the Gazette; and

(ii) in other publications (if any) as are prescribed by regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541). *(Added 12 of 2014 s. 36)*

(6) The Electoral Registration Officer must, for the period prescribed for the purposes of this subsection by regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541)—

(a) keep the omissions list at that Officer's office; and

(b) during the ordinary business hours of that office, make that list available for inspection by members of the public, free of charge.

36. By-election to be held to fill vacancy in membership of Legislative Council

(1) The Electoral Affairs Commission must, in accordance with regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541), arrange for a by-election to be held in the following circumstances and not otherwise—

(a) on the making of a declaration as to the existence of a vacancy in the membership of the Legislative Council under section 35;

(b) on the making of a declaration under section 42C that the proceedings for the election for a functional constituency have been terminated;

(c) on the making of a declaration under section 46(2) that an election for a constituency has failed because no candidates were validly nominated for election or because the number validly nominated for election was less than the number of Members to be returned for the constituency; *(Amended 25 of 2003 s. 19)*

(ca) on the making of a declaration under section 46A(1) that the proceedings for the election for a constituency have been terminated; *(Added 48 of 1999 s. 21. Amended 25 of 2003 s. 19)*

(cb) on the making of a declaration under section 46A(3) that an election for a constituency has failed— *(Amended 25 of 2003 s. 19)*

(i) because of the death or disqualification of the successful candidate at the election; or

(ii) because the number of candidates returned at the election was less than the number of Members to be returned for the constituency due to the death or disqualification of a successful candidate; *(Added 48 of 1999 s. 21. Amended 25 of 2003 s. 19)*

(d) subject to sections 70A and 72(1A), on the Court's making a determination under section 67 that a person whose election is questioned was not duly elected and that no other person was duly elected instead; *(Amended 48 of 1999 s. 21; 18 of 2011 s. 3)*

(e) if an appeal against a determination referred to in paragraph (d) is lodged to the Court of Final Appeal—

(i) on the Court of Final Appeal's making a determination under section 70B that a person whose election is questioned was not duly elected and that no other person was duly elected instead; or

(ii) on the termination of the appeal proceedings in other circumstances. *(Added 18 of 2011 s. 3)*

(2) However, a by-election to fill a vacancy occurring in the membership of the Legislative Council is not to be held—

(a) within the 4 months preceding the end of that Council's current term of office; or

(b) if the Chief Executive has published in the Gazette an order dissolving that Council in accordance with the Basic Law.

37. Who is eligible to be nominated as a candidate

(1) A person is eligible to be nominated as a candidate at an election for a geographical constituency only if the person — *(Amended 25 of 2003 s. 20)*

(a) has reached 21 years of age; and

(b) is both registered and eligible to be registered as an elector for a geographical constituency; and

(c) is not disqualified from being elected as a Member by virtue of section 39 or any other law; and

(d) has ordinarily resided in Hong Kong for the 3 years immediately preceding the nomination; and

(e) is a Chinese citizen who is a permanent resident of Hong Kong with no right of abode in any country other than the People's Republic of China.

(2) A person is eligible to be nominated as a candidate at an election for a functional constituency only if the person—

(a) has reached 21 years of age; and

(b) either—

(i) in the case of a functional constituency other than the District Council (second) functional constituency, is both registered and eligible to be registered as an elector for the constituency; or *(Amended 11 of 2012 s. 61)*

(ii) in the case of a functional constituency other than the District Council (first) functional constituency and the District Council (second) functional constituency, satisfies the Returning Officer for the constituency that the person has a substantial connection with the constituency; and *(Replaced 48 of 1999 s. 22. Amended 2 of 2011 s. 15)*

(c) is both registered and eligible to be registered as an elector for a geographical constituency; and

(d) is not disqualified from being elected as a Member by virtue of section 39 or any other law; and

(e) has ordinarily resided in Hong Kong for the 3 years immediately preceding the nomination; and

(f) except in the case of the 12 functional constituencies specified in subsection (3), is a Chinese citizen who is a permanent resident of Hong Kong with no right of abode in any country other than the People's Republic of China; and *(Amended 2 of 2011 s. 15)*

(g) in the case of the District Council (first) functional constituency and the District Council (second) functional constituency, is a member of any District Council established under the District Councils Ordinance (Cap. 547) who is elected under Part V of that Ordinance. *(Added 2 of 2011 s. 15)*

(3) The following 12 functional constituencies are specified for the purposes of subsection (2)—

(a) the legal functional constituency;

(b) the accountancy functional constituency;

(c) the engineering functional constituency;

(d) the architectural, surveying, planning and landscape functional constituency; *(Amended 14 of 2015 s. 10)*

(e) the real estate and construction functional constituency;

(f) the tourism functional constituency;

(g) the commercial (first) functional constituency;

(h) the industrial (first) functional constituency;

(i) the finance functional constituency;

(j) the financial services functional constituency;

(k) the import and export functional constituency;

(l) the insurance functional constituency.

(4) A Member is not eligible to be nominated as a candidate at a by-election.

38. Nomination lists for geographical constituencies and District Council (second) functional constituency

(Amended 2 of 2011 s. 16)

(1) In this section—

nominee (獲提名人) means a person whose name is included in a nomination list as a candidate.

(2) The nomination of candidates for election as Members for a geographical constituency or the District Council (second) functional constituency is to be by a list submitted to the Returning Officer containing either— *(Amended 2 of 2011 s. 16)*

(a) the names of 2 or more persons contesting the election for that constituency as a group; or *(Amended 2 of 2011 s. 16)*

(b) the name of a person contesting that election as a single candidate.

(3) A nomination list must—

(a) be submitted—

(i) on a nomination form that complies with regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541);

(ii) by a nominee on the nomination list concerned;

(iii) within the nomination period; and

(iv) in the manner prescribed by those regulations; and

(b) be accompanied by the written consent, made on the nomination form, of each nominee on the nomination list; and

(c) contain any other particulars required by regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541).

(4) If a nomination list contains the names of 2 or more persons, the names are to be ranked in the order of priority of the group for which the nomination list is submitted.

(4A) After a nomination list has been submitted to a Returning Officer—

(a) the order in which names of nominees appear in the list cannot be altered;

(b) the names of other persons cannot be added to the list; and

(c) the names of persons already on the list cannot be deleted. *(Amended 48 of 1999 s. 23)*

(5) The Returning Officer must determine, for each nominee whose name appears on the nomination list, whether or not the nominee is validly nominated.

(6) If—

(a) the Returning Officer determines that a nominee is not validly nominated; or

(b) a nominee's nomination is withdrawn; or

(c) a nominee dies,

that Officer must strike out the name of that nominee from the nomination list and adjust the order of priority in which the names of nominees appear on that list accordingly.

(6A) If, after the Returning Officer has determined that a nominee is validly nominated, but before the close of nominations, proof is given to the satisfaction of the Returning Officer that the nominee has died or is disqualified from being nominated, that Officer must strike out the name of that nominee from the nomination list and adjust the order of priority in which the names of nominees appear on that list accordingly. *(Added 48 of 1999 s. 23. Amended 25 of 2003 s. 21)*

(7) If, after striking out names from a nomination list in accordance with subsection (6) or (6A), no name remains on the list, the Returning Officer must reject the list. *(Amended 48 of 1999 s. 23)*

(8) *(Renumbered as subsection (4A))*

(9) If, after the close of nominations, the names of more nominees remain on a nomination list than the number of Members to be returned for the constituency concerned, the Returning Officer must, having regard to the order in which the nominees' names appear on the list, exclude from the list the names of the surplus nominees so that only a number of nominees equal to the number of Members to be returned for the constituency remain on the list.

(10) The nominees whose names remain on a nomination list after the Returning Officer has taken the action referred to in subsections (6), (6A) and (9) (as arranged in the order of priority indicated on the nomination list if there are 2 or more such remaining nominees) are taken as constituting a list of candidates for the purposes of section 49. *(Amended 48 of 1999 s. 23)*

(11) If, before the date of the election, proof is given to the satisfaction of the Returning Officer that a candidate whose name appears on a list of candidates has died or is disqualified from being nominated as a candidate, the Returning Officer must strike out the name of that candidate from the list. *(Added 48 of 1999 s. 23. Amended 25 of 2003 s. 21)*

(12) After striking out a name from a list of candidates under subsection (11), the Returning Officer must not add the name of any other person to the list. *(Added 48 of 1999 s. 23)*

(13) If, after taking the action referred to in subsection (11), no name remains on the list of candidates, the Returning Officer must reject the list. *(Added 48 of 1999 s. 23)*

(14) The candidates whose names remain on a list of candidates after the Returning Officer has taken the action referred to in subsection (11) are taken as constituting a new list of candidates that replaces the one constituted under subsection (10) for the purposes of section 49. *(Added 48 of 1999 s. 23)*

39. When person is disqualified from being nominated as a candidate and from being elected as a Member

(1) A person is disqualified from being nominated as a candidate at an election, and from being elected as a Member, if the person—

(a) is—

(i) a judicial officer; or

(ii) a prescribed public officer; or

(iii) an officer of the Legislative Council or a member of staff of The Legislative Council Commission; or *(Amended 48 of 1999 s. 24)*

(b) has, in Hong Kong or any other place, been sentenced to death or imprisonment (by whatever name called) and has not either—

(i) served the sentence or undergone such other punishment as a competent authority may have been substituted for the sentence; or

(ii) received a free pardon; or

(c) has been convicted of treason; or

(d) on the date of nomination, or of the election, is serving a sentence of imprisonment; or

(e) without limiting paragraph (b), where the election is to be held or is held within 5 years after the date of the person's conviction, is or has been convicted—

(i) in Hong Kong or any other place, of an offence for which the person has been sentenced to imprisonment, whether suspended or not, for a term exceeding 3 months without the option of a fine; or

(ii) of having engaged in corrupt or illegal conduct in contravention of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554); or

(iii) of an offence against Part II of the Prevention of Bribery Ordinance (Cap. 201); or

(iv) of any offence prescribed by regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541); or *(Replaced 10 of 2000 s. 47)*

(f) is—

(i) ineligible to be a candidate, or to be elected as a Member, at the election; or

(ii) disqualified from being a candidate, or from being elected as a Member, at the election,

because of the operation of this or any other law; or

(g) is a representative or salaried functionary of a government of a place outside Hong Kong; or

(h) is a member of any national, regional or municipal legislature, assembly or council of any place outside Hong Kong, other than a people's congress or people's consultative body of the People's Republic of China, whether established at the national or local level; or

(i) is an undischarged bankrupt or, within the previous 5 years, has either obtained a discharge in bankruptcy or has entered into a voluntary arrangement within the meaning of the Bankruptcy Ordinance (Cap. 6) with the person's creditors, in either case without paying the creditors in full. *(Amended 25 of 2003 s. 22)*

(2) A person is also disqualified from being nominated as a candidate at an election if the person has been found under the Mental Health Ordinance (Cap. 136) to be incapable, by reason of mental incapacity, of managing and administering his or her property and affairs, but a person disqualified under this subsection is eligible for nomination as a candidate if, under that Ordinance, it is subsequently found that the person has become capable of managing and administering his or her property and affairs. *(Replaced 25 of 2003 s. 22)*

(2A) A person is also disqualified from being nominated as a candidate at a by-election if—

(a) within the 6 months ending on the date of the by-election —

(i) the person's resignation under section 14 as a Member took effect; or

(ii) the person was taken under section 13(3) to have resigned from office as a Member; and

(b) no general election was held after the relevant notice of resignation or notice of non-acceptance took effect. *(Added 12 of 2012 s. 3)*

(3) A person is also disqualified from being elected as a Member if the person has been found under the Mental Health Ordinance (Cap. 136) to be incapable, by reason of mental incapacity, of managing and administering his or her property and affairs, but a person disqualified under this subsection ceases to be disqualified if, under that Ordinance, it is subsequently found that the person has become capable of managing and administering his or her property and affairs. *(Replaced 25 of 2003 s. 22)*

(4) A person is also disqualified from being elected as a Member for a functional constituency (other than the District Council (first) functional constituency and the District Council (second) functional constituency) if, since the close of nominations, the person has ceased to have a substantial connection with the constituency. *(Amended 2 of 2011 s. 17)*

(5) In this section—

judicial officer (司法人員) means the holder of a judicial office, as defined in section 2 of the Public Service Commission Ordinance (Cap. 93);

prescribed public officer (訂明的公職人員) means any of the following—

(a) the Chairman of the Public Service Commission;

(b) the Commissioner and Deputy Commissioner of the Independent Commission Against Corruption and the holder of any other office under the Independent Commission Against Corruption Ordinance (Cap. 204);

(c) The Ombudsman and the holder of any appointment under section 6 of The Ombudsman Ordinance (Cap. 397);

(d) a member of the Electoral Affairs Commission;

(e) the chief executive of the Monetary Authority and any member of the senior management of that Authority, including divisional heads, executive directors, managers and counsel employed by that Authority;

(ea) the Privacy Commissioner for Personal Data and any person employed or engaged by him or her under the Personal Data (Privacy) Ordinance (Cap. 486); *(Added 48 of 1999 s. 24)*

(eb) the Chairperson of the Equal Opportunities Commission and any person employed or whose services are engaged by the Commission under the Sex Discrimination Ordinance (Cap. 480); *(Added 48 of 1999 s. 24)*

(f) any person holding an office, whether permanent or temporary, in a Government department or bureau and employed in the department or bureau.

40. What requirements are to be complied with by persons nominated as candidates

(1) A person is not validly nominated as a candidate for an election for a constituency unless— *(Amended 25 of 2003 s. 23)*

(a) a deposit has, in the manner prescribed by regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541), been lodged by or on behalf of the person with the Returning Officer concerned; and

(b) the nomination form includes or is accompanied by—

(i) a declaration to the effect that the person will uphold the Basic Law and pledge allegiance to the Hong Kong Special Administrative Region; and

(ii) a declaration as to the person's nationality and as to whether or not the person has a right of abode in a country other than the People's Republic of China; and

(iii) a promissory oath given by the person to the effect that, if elected, he or she will not do anything during his or her term of office that results in his or her— *(Amended 48 of 1999 s. 25)*

(A) becoming—

(I) a prescribed public officer within the meaning of section 39(5); or

(II) an officer of the Legislative Council or a member of staff of The Legislative Council Commission; *(Amended 48 of 1999 s. 25)*

(B) being sentenced to death in Hong Kong or any other place;

(C) being convicted of treason;

(D) being convicted—

(I) of having engaged in corrupt or illegal conduct in contravention of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554); or

(II) of an offence against Part II of the Prevention of Bribery Ordinance (Cap. 201); or

(III) of any offence prescribed by regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541); *(Replaced 10 of 2000 s. 47)*

(E) being disqualified from being elected as a Member at an election because of the operation of this or any other law;

(F) becoming a representative or salaried functionary of a government of a place outside Hong Kong;

(G) becoming a member of any national, regional or municipal legislature, assembly or council of any place outside Hong Kong, other than a people's congress or people's consultative body of the People's Republic of China, whether established at the national or local level;

(H) becoming a member of the armed forces of the Central People's Government or any other country or territory; or

(I) in the case of a Member elected for a functional constituency (other than the District Council (first) functional constituency and the District Council (second) functional constituency), ceasing to have a substantial connection with the constituency. *(Amended 2 of 2011 s. 18)*

(2) The person must sign the declarations.

(3) The deposit is to be of such an amount as is prescribed by the regulations for the purposes of this section.

41. Person not to be nominated for more than one constituency

(1) A person is not eligible to be nominated as a candidate for a constituency if the person is currently nominated as a candidate for another constituency. *(Replaced 25 of 2003 s. 24)*

(2) The name of a person whose name is included in a nomination list for a geographical constituency is not, at the same election, eligible to be included in another list of candidates nominated for the constituency.

(3) The name of a person whose name is included in a nomination list for the District Council (second) functional constituency is not, at the same election, eligible to be included in another list of candidates nominated for the constituency. *(Added 2 of 2011 s. 19)*

42A. Who are validly nominated candidates

(1) The Returning Officer must, as soon as practicable after receiving a nomination form that complies with regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541), decide in accordance with those regulations whether or not a person is validly nominated as a candidate.

(2) The Returning Officer must, in accordance with regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541), publish a notice stating which persons are validly nominated as candidates.

(Added 48 of 1999 s. 26)

42B. Death or disqualification of a validly nominated candidate for geographical constituency or District Council (second) functional constituency before date of election

(Amended 2 of 2011 s. 20)

(1) If, after the Returning Officer has made a decision under section 42A(1) that a candidate is validly nominated for election for a geographical constituency or the District Council (second) functional constituency, but before the date of the election, proof is given to the satisfaction of the Returning Officer that the candidate has died, that Officer must, in accordance with regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541), give notice of the death of the candidate. *(Amended 2 of 2011 s. 20)*

(2) If a notice under section 42A(2) has been published, the Returning Officer must also, in accordance with regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541)—

(a) publicly declare that the candidate has died; and

(b) further declare which candidate or candidates are validly nominated for election for the constituency.

(3) Subsections (1) and (2) do not apply if the Returning Officer has publicly declared under section 46(1) that the candidate was duly elected as a Member.

(4) If, after the Returning Officer has made a decision under section 42A(1) that a candidate is validly nominated for election for a geographical constituency or the District Council (second) functional constituency, but before the date of the election, proof is given to the satisfaction of the Returning Officer that the candidate is disqualified from being nominated as a candidate, the Returning Officer must, in accordance with regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541), vary the decision to the effect that the candidate is not validly nominated. If the Returning Officer so varies the decision, that Officer must, in accordance with those regulations, give notice of the variation of the decision. *(Amended 2 of 2011 s. 20)*

(5) If a notice under section 42A(2) has been published, the Returning Officer must also, in accordance with regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541)—

(a) publicly declare that the decision has been varied; and

(b) further declare which candidate or candidates are validly nominated for election for the constituency.

(6) Subsections (4) and (5) do not apply if the Returning Officer has publicly declared under section 46(1) that the candidate was duly elected as a Member.

(Added 48 of 1999 s. 26. Amended 25 of 2003 s. 25)

42C. Death or disqualification of a validly nominated candidate for functional constituency (other than District Council (second) functional constituency) before date of election

(Amended 2 of 2011 s. 21)

If, after the close of nominations for an election for a functional constituency (other than the District Council (second) functional constituency), but before the date of the election, proof is given to the satisfaction of the Returning Officer that a candidate who is validly nominated for election for the constituency has died or is disqualified from being nominated as a candidate for the constituency, that Officer must, in accordance with regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541), publicly declare that the proceedings for the election for that constituency are terminated.

(Added 48 of 1999 s. 26. Amended 25 of 2003 s. 26; 2 of 2011 s. 21)

43. Candidates entitled to send letter to electors free of postage

(1) One letter, addressed to each elector for the geographical constituency or the District Council (second) functional constituency for which a list of candidates is validly nominated, may be sent free of postage by or on behalf of the list of candidates. *(Amended 2 of 2011 s. 22)*

(2) One letter, addressed to each person who is an elector for the functional constituency (other than the District Council (second) functional constituency) for which a candidate is validly nominated may be sent free of postage by or on behalf of the candidate. *(Amended 2 of 2011 s. 22)*

(3) *(Repealed 25 of 2003 s. 27)*

(4) The letter must relate to the election concerned and must comply with all requirements and limitations (if any) prescribed by the regulations and by regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541).

(4A) A letter sent under this section by or on behalf of a list of candidates which is validly nominated for a geographical constituency may contain information on—

(a) any number of list of candidates which is also validly nominated for that geographical constituency;

(b) one single list of candidates which is validly nominated for the District Council (second) functional constituency; or

(c) one single list of candidates which is validly nominated for the District Council (second) functional constituency and any number of list of candidates which is also validly nominated for that geographical constituency. *(Added 18 of 2011 s. 34)*

(4B) A letter sent under this section by or on behalf of a list of candidates which is validly nominated for the District Council (second) functional constituency may contain information on any number of list of candidates which is validly nominated for one single geographical constituency. *(Added 18 of 2011 s. 34)*

(4C) A letter sent under this section by or on behalf of a candidate who is validly nominated for the Labour functional constituency may contain information on any other candidate who is also validly nominated for that constituency. *(Added 18 of 2011 s. 34)*

(4D) A letter which contains information on any candidate or list of candidates under subsection (4A), (4B) or (4C) is not to be regarded, for the purposes of subsections (1) and (2), as being sent by or on behalf of that candidate or list of candidates. *(Added 18 of 2011 s. 34)*

(5) The cost to the Postmaster General of enabling candidates or a list of candidates to exercise their entitlements under this section is a charge on, and is to be met from, the general revenue.

(Amended 25 of 2003 s. 27)

46A. Death or disqualification of a validly nominated candidate before declaration of election result

(1) If, on the date of an election but before the close of polling for the election, proof is given to the satisfaction of the Returning Officer that a validly nominated candidate for election for a constituency has died or is disqualified from being elected, that Officer must, in accordance with regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541), publicly declare that the proceedings for the election for the constituency are terminated.

(2) If, after the close of polling for an election but before declaring the result of the election, proof is given to the satisfaction of the Returning Officer that a validly nominated candidate for election for a constituency has died or is disqualified from being elected, the proceedings for the election for the constituency are not to be terminated at that stage. If the counting of votes in respect of the election has not begun or is being conducted, the counting of votes is to begin or to continue as if the death or disqualification had not occurred.

(3) If, after the counting of votes is finished, the candidate referred to in subsection (2) is found to be successful at the election, the Returning Officer must, in accordance with regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541), publicly declare the election—

(a) to have failed; or

(b) (where more than one Member is to be returned at the election for the constituency and there is another candidate or there are other candidates returned for the constituency) to have failed to the extent that the number of candidates returned at the election for the constituency was less than the number of Members to be returned for the constituency.

(4) The Returning Officer must not declare an election for a geographical constituency or the District Council (second) functional constituency to have failed, or to have failed to the extent that the number of candidates returned at the election for the constituency was less than the number of Members to be returned for the constituency, under subsection (3) if — *(Amended 2 of 2011 s. 23)*

(a) the successful candidate who has died or is disqualified from being elected was contesting in respect of a particular list within the meaning of section 49 for election for the constituency; and

(b) another candidate whose name appears on the same list is to be returned in place of the deceased or disqualified candidate in accordance with section 49(15).

(Added 48 of 1999 s. 31. Amended 25 of 2003 s. 29)

48. Who is entitled to vote at an election

(1) A person is entitled to vote at an election to return a Member for a constituency only if the person is registered as an elector for the constituency.

(2)-(3) *(Repealed 25 of 2003 s. 31)*

(3A)-(3C) *(Repealed 25 of 2003 s. 31)*

(4) An elector registered for a constituency is entitled to vote only once at an election to return a Member for a constituency, unless otherwise expressly provided by this Ordinance.

(5) A person registered as an elector for a constituency may not be prevented from voting at an election only because the person's name should not have been included in the final register prepared for the constituency.

(6) *(Repealed 25 of 2003 s. 31)*

(7) Subsection (5) does not— *(Amended 25 of 2003 s. 31)*

(a) preclude the Court from making a determination under section 67; *(Amended 18 of 2011 s. 4)*

(aa) preclude the Court of Final Appeal from making a determination under section 70B; or *(Added 18 of 2011 s. 4)*

(b) affect the person's liability to be charged with, and convicted of, an offence relating to voting at the election concerned.

(8) A corporate elector may vote at an election only by its authorized representative.

(9) Despite sections 32 and 33, only electors whose names are included in the final register of functional constituencies published for 2011 under section 32 are entitled to vote at a by-election held between the date of the publication and 31 May 2012 to return a Member for any functional constituency. *(Added 2 of 2011 s. 24)*

49. System of voting and counting of votes: geographical constituencies and District Council (second) functional constituency

(Amended 2 of 2011 s. 25)

(1) In this section—

list (名單) means a list of candidates referred to in section 38(10) or a new list of candidates referred to in section 38(14); *(Amended 48 of 1999 s. 33)*

specified number (指明議席數目)—

(a) in relation to a geographical constituency, means the number of Members to be returned for the constituency, as specified in an order made under section 19(2); and

(b) in relation to the District Council (second) functional constituency, means 5; *(Replaced 2 of 2011 s. 25)*

votes (票) means valid votes.

(2) The election of Members for a geographical constituency or the District Council (second) functional constituency is to be conducted in accordance with the voting system known as the list system of proportional representation. *(Amended 2 of 2011 s. 25)*

(3) At an election for a geographical constituency or the District Council (second) functional constituency, an elector is entitled to cast a single vote for a list (as shown on the ballot paper) and not for an individual candidate. *(Amended 2 of 2011 s. 25)*

(4) The candidates to be returned as Members for a geographical constituency or the District Council (second) functional constituency at a general election are to be determined as provided by this section. This section applies with any necessary modifications to by-elections for a geographical constituency or the District Council (second) functional constituency. *(Amended 2 of 2011 s. 25)*

(5) Subject to this section, for every quota of votes cast for a list, a candidate whose name appears on the list is to be returned as a Member for the relevant constituency. *(Amended 2 of 2011 s. 25)*

(6) For the purposes of subsection (5), a quota is to be calculated as follows—

$$Q = \frac{V}{N}$$

Q represents the quota (with any part of the number resulting from the calculation that is a fraction to be disregarded);

V represents the total number of votes cast at the election for all of the lists;

N represents the specified number for the constituency concerned.

(7) If, after all of the votes are counted—

(a) the number of Members that can be returned by virtue of subsection (5) is less than the specified number; or

(b) none of the specified number of Members can be returned by applying the quota,

the number of Members remaining to be returned, or the specified number of Members to be returned, for the constituency is to be determined by applying the largest remainder formula as provided by subsection (8).

(8) Subject to subsections (9) and (11), the largest remainder formula is to be applied as follows—

(a) the list with the largest remaining number of votes is determined from among the lists that have any remaining votes (that is, lists, if any, for which more votes were cast than is necessary to obtain a quota and from which the quota, or a multiple of the quota if more than one is obtained, has been deducted), and lists for which fewer votes were cast than is necessary to obtain a quota;

(b) a candidate is returnable for the list that has the largest remaining number of votes as determined under paragraph (a);

(c) if the specified number of Members is not returned in accordance with subsection (5) and paragraph (b), the process is to be continued with the remaining votes as provided by paragraphs (a) and (b) until the specified number of Members is returned for the constituency.

(9) If the number of votes cast for a list is such that, after the candidate, or all of the candidates, on that list are elected as provided by subsection (5), votes remain that would entitle a further candidate or further candidates to be returned in respect of the list—

(a) the candidate whose name appears, or the candidates whose names appear, on the list are to be returned as Members; and

(b) the list is taken to have no votes remaining.

(10) After the candidate or candidates are determined as being returned as provided by subsection (9)(a), in order to return the remaining number of Members, the list having the largest remaining number of votes, and if necessary, the next largest, is determined for the purposes of subsection (8) and the process is to continue until the specified number of Members is returned for the constituency.

(11) If, at any stage in determining the Members to be returned, it is found (after a re-count, where a re-count takes place) that—

(a) 2 or more lists have the largest number of remaining votes; and

(b) the number of those lists exceeds the number of Members remaining to be returned at that stage,

the Returning Officer must determine the result at that stage by drawing lots. The Member is or Members are to be returned from the list or lists on which the lot falls. *(Amended 48 of 1999 s. 33)*

(12) When, in accordance with this section, 2 or more candidates are to be returned in respect of a list, which of the candidates are to be returned as Members is to be determined according to the order of priority in which their names appear on the list, beginning with the first (at the top of the list) and then proceeding in descending order.

(13) As soon as practicable after determining the result of an election for a geographical constituency or the District Council (second) functional constituency, the Returning Officer must publicly declare as elected the candidates who were successful at the election. *(Amended 2 of 2011 s. 25)*

(14) Despite subsection (13), if, before declaring the result of an election for a geographical constituency or the District Council (second) functional constituency, proof is given to the satisfaction of the Returning Officer that a candidate on a list who was successful at the election has died or is disqualified from being elected, that Officer must not declare that candidate as elected. *(Added 48 of 1999 s. 33. Amended 25 of 2003 s. 32; 2 of 2011 s. 25)*

(15) If there is another candidate or there are other candidates on the same list who has not or have not been returned for the constituency, the candidate is to be returned or a candidate is to be returned according to the order of priority on the list (subject to that candidate's being not disqualified from being elected) in place of the deceased or disqualified candidate. In that case the Returning Officer must publicly declare the candidate so returned to be elected. *(Added 48 of 1999 s. 33)*

(16) If there is no other candidate on the same list who can be returned under subsection (15) for the constituency, the Returning Officer must publicly declare, under section 46A(3), that the election—

(a) has failed; or

(b) (where more than one Member is to be returned at the election for the constituency and there is another candidate or there are other candidates returned for the constituency) has failed to the extent that the number of candidates returned at the election for the constituency was less than the number of Members to be returned for the constituency. *(Added 48 of 1999 s. 33)*

50. System of voting and counting of votes: the Heung Yee Kuk, the agriculture and fisheries, the insurance and the transport functional constituencies

(1) This section applies to elections for functional constituencies specified in section 20(1)(a) to (d). *(Amended 48 of 1999 s. 34)*

(2) Voting and counting of votes at a poll for the return of a Member for a functional constituency to which this section applies is to be conducted in accordance with the preferential elimination system of voting.

(3) An elector entitled to vote at an election to return a Member for a functional constituency to which this section applies is entitled to cast a single vote. That vote is transferable amongst the candidates nominated for election, with the elector marking the elector's preference or preferences for those candidates on the ballot paper against one or more of those candidates in descending order.

(4) In order to be elected, a candidate must obtain an absolute majority of the votes.

(5) If no candidate obtains an absolute majority of the votes at a particular stage of the counting of votes—

(a) the candidate with the least number of votes, or the candidates with the least number of votes if 2 or more such candidates have an equal number of votes, is to be eliminated at that stage; and

(b) that candidate's votes, or those candidates' votes, are to be transferred to the candidates then remaining in accordance with the next available preferences marked on the ballot papers.

This process is to continue until one candidate obtains an absolute majority over the other candidate or candidates then remaining.

(6) If, after the final stage of counting of votes at an election for a functional constituency to which this section applies, the remaining candidates have an equal number of votes, the Returning Officer must determine the result of the election by drawing lots. The candidate on whom the lot falls is to be returned at the election. *(Amended 48 of 1999 s. 34)*

(7) As soon as practicable after determining the result of an election for a functional constituency to which this section applies, the Returning Officer must publicly declare as elected the candidate who was successful at the election.

(8) Despite subsection (7), if, before declaring the result of an election for a functional constituency, proof is given to the satisfaction of the Returning Officer that the candidate who was successful at the election has died or is disqualified from being elected, that Officer— *(Amended 25 of 2003 s. 33)*

(a) must not declare that candidate as elected; and

(b) must publicly declare, under section 46A(3), that the election has failed. *(Added 48 of 1999 s. 34)*

51. System of voting and counting of votes: other functional constituencies

(1) This section applies to elections for functional constituencies specified in section 20(1)(e) to (zb). *(Amended 48 of 1999 s. 35)*

(2) Voting and counting of votes at a poll for the return of a Member or Members for a functional constituency to which this section applies is to be conducted in accordance with the simple or relative majority system of election (otherwise known as the "first past the post" voting system) whereby an elector may vote for as many candidates as there are vacancies and no more.

(3) If the election is for a single-member functional constituency that is contested by 2 or more candidates, the candidate to be returned as a Member is the candidate who obtains the greater or greatest number of votes.

(4) If the election is for a triple-member functional constituency that is contested by 4 or more candidates at a general election, the candidates to be returned as Members are the 3 candidates who obtain the greatest and next 2 greatest numbers of votes.

(5) Subsection (4) applies with any necessary modifications to a by-election to return fewer than 3 Members for a triple-member constituency.

(6) If, after the counting is finished at an election for a functional constituency to which this section applies, a Member or Members is still to be returned for the constituency and the most successful candidates have an equal number of votes, the Returning Officer must determine the result of the election by drawing lots. The candidate or candidates on whom the lot falls is or are to be returned at the election. *(Amended 48 of 1999 s. 35)*

(7) As soon as practicable after determining the result of an election for a functional constituency to which this section applies, the Returning Officer must publicly declare as elected the candidate or candidates who were successful at the election.

(8) Despite subsection (7), if, before declaring the result of an election for a functional constituency, proof is given to the satisfaction of the Returning Officer that the candidate or a candidate who was successful at the election has died or is disqualified from being elected, that Officer— *(Amended 25 of 2003 s. 34)*

(a) must not declare that candidate as elected; and

(b) must publicly declare, under section 46A(3), that the election—

(i) has failed; or

(ii) (where more than one Member is to be returned at the election for the constituency and there is another candidate or there are other candidates returned for the constituency) has failed to the extent that the number of candidates returned at the election for the constituency was less than the number of Members to be returned for the constituency. *(Added 48 of 1999 s. 35)*

53. When an elector is disqualified from voting at an election

(1) A person registered as an elector is disqualified from voting at an election if the person—

(a) in the case of a geographical constituency, has ceased to be eligible to be registered as an elector for such a constituency; or

(b) in the case of a functional constituency, has ceased to be a person eligible to be registered as an elector for such a constituency. *(Amended 48 of 1999 s. 37)*

(2)-(3) *(Repealed 25 of 2003 s. 36)*

(4) A person is disqualified from voting at an election as the authorized representative of a corporate elector if the person—

(a) is no longer eligible to be the authorized representative of the elector; or

(b) is not registered as such a representative by the Electoral Registration Officer.

(5) An elector is also disqualified from voting at an election if the elector— *(Amended 25 of 2003 s. 36)*

(a)-(c) *(Repealed 7 of 2009 s. 8)*

(d) is found under the Mental Health Ordinance (Cap. 136) to be incapable, by reason of mental incapacity, of managing and administering his or her property and affairs; or *(Replaced 25 of 2003 s. 36)*

(e) is a member of the armed forces of the Central People's Government or any other country or territory.

(6) Subsection (5) applies to the authorized representative of a corporate elector in the same way as it applies to an elector who is a natural person.

58. Returning Officer to publish result of election

(1) The Returning Officer for an election to return Members for a geographical constituency must publish in the Gazette a notice declaring that the candidates returned at the election are the Members duly elected for the constituency.

(2) The Returning Officer for an election to return a Member or Members for a functional constituency must publish in the Gazette a notice declaring that the candidate or candidates returned at the election is or are the Members duly elected for the constituency.

(3) *(Repealed 25 of 2003 s. 37)*

(4) The Returning Officer concerned must ensure that the publication and notice required by this section comply with regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541).

Part 6A

Financial Assistance for Candidates and Lists of Candidates in Respect of Election Expenses

(Part 6A added 25 of 2003 s. 38)

60A. Interpretation: Part 6A

(1) In this Part—

auditor (核數師) means a certified public accountant (practising) as defined in the Professional Accountants Ordinance (Cap. 50); *(Amended 10 of 2005 s. 231)*

Chief Electoral Officer (總選舉事務主任) means the Chief Electoral Officer appointed under section 9 of the Electoral Affairs Commission Ordinance (Cap. 541);

claim (申索) means a claim for financial assistance payable under this Part;

declared election expenses (申報選舉開支) means, in relation to—

(a) a list of candidates for a geographical constituency or the District Council (second) functional constituency, the amount set out as election expenses incurred in respect of the list, in the election return lodged for the relevant election; and

(b) a candidate for a functional constituency (other than the District Council (second) functional constituency), the amount set out as election expenses incurred by the candidate, in the election return lodged for the relevant election; *(Amended 2 of 2011 s. 26)*

disqualified candidate (喪失資格的候選人) means a candidate in respect of whom proof is given to the satisfaction of the Returning Officer under section 46A(2) that the candidate is disqualified from being elected;

elected as a Member (當選為議員), in relation to a candidate, means—

(a) a candidate who is declared to be duly elected in a notice published under section 58, unless he or she is determined under section 67(1) or (2) or 70B to be not duly elected; *(Amended 18 of 2011 s. 7)*

(b) a deceased candidate, who is found to be successful at the election under section 46A(3), unless proof is given to the satisfaction of the Returning Officer under section 46A(2) that he or she is disqualified from being elected; or

(c) a candidate who becomes a Member under section 72(2);

election return (選舉申報書) has the meaning assigned to it by section 2(1) of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554);

eligible candidate (合資格候選人) means a candidate who is eligible for financial assistance under section 60C(2)(a) or (b);

eligible list of candidates (合資格的候選人名單) means a list of candidates that is eligible for financial assistance under section 60C(1)(a) or (b);

political party (政黨) means—

(a) a political body or organization operating in Hong Kong, that purports to be a political party; or

(b) a body or organization the principal function or main object of which is to promote or prepare a candidate for election as a Member or as a member of any District Council;

specified rate (指明的資助額) means the amount specified in Schedule 5.

(Amended 1 of 2007 s. 11)

(2) A reference in this Part to an amount set out as election expenses incurred in respect of a list of candidates or the declared election expenses of a list of candidates is to be construed, in relation to a list of candidates consisting of more than one candidate, as the amount set out as the election expenses of all the candidates on the list or, if the election expenses are declared separately by the candidates on the list, as the aggregate of the separately declared election expenses.

(3) *(Repealed 1 of 2007 s. 11)*

(4) Subject to any determination the Court may make on the validity of a vote in the course of determining an election petition, for the purposes of this Part—

(a) the total number of valid votes cast—

(i) in a geographical constituency or the District Council (second) functional constituency is the total number of ballot papers containing valid votes received in that constituency; and

(ii) for a list of candidates for a geographical constituency or the District Council (second) functional constituency is the total number of ballot papers containing valid votes cast for that list; and *(Amended 2 of 2011 s. 26)*

(b) the total number of valid votes cast—

(i) in a functional constituency specified in section 20(1)(a) to (d) is the total number of ballot papers containing valid first preference votes received in that constituency; and

(ii) for a candidate for such a functional constituency is the total number of ballot papers containing valid first preference votes for that candidate; and

(c) the total number of valid votes cast—

(i) in any other functional constituency is the total number of ballot papers containing valid votes received in that constituency; and

(ii) for a candidate for such a functional constituency is the total number of ballot papers containing valid votes cast for that candidate.

(5) For the purposes of sections 60D(2)(a) and 60E(2)(a), the number of registered electors for a constituency is the number of electors registered for that constituency in the final register in force at the time the election is held.

60B. Financial assistance payable to list of candidates and candidates

(Amended 2 of 2011 s. 27)

(1) An eligible list of candidates for a geographical constituency or the District Council (second) functional constituency or an eligible candidate for a functional constituency (other than the District Council (second) functional constituency) is entitled to financial assistance in the form of a monetary payment, in accordance with this Part, in respect of the declared election expenses for an election, of that list or candidate. *(Amended 2 of 2011 s. 27)*

(2) Subject to this Part, financial assistance is payable to an eligible list of candidates or an eligible candidate whether or not that list or candidate represents a political party or an organization that is not a political party or is an independent list of candidates or an independent candidate.

(3) An amount payable as financial assistance is payable whether or not the declared election expenses have been paid or are due for payment in whole or in part.

(4) For the avoidance of doubt, it is stated that financial assistance payable under this Part is not an election donation within the meaning of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554). *(Added 1 of 2007 s. 12)*

60C. Eligibility for financial assistance: list of candidates and candidates

(Amended 2 of 2011 s. 28)

(1) A list of candidates for a geographical constituency or the District Council (second) functional constituency is eligible for financial assistance only in the following circumstances — *(Amended 2 of 2011 s. 28)*

(a) if at least one candidate on the list is elected as a Member; or

(b) if no candidate on the list is elected as a Member, if—

(i) at least one candidate on the list is not a disqualified candidate; and

(ii) the total number of valid votes cast for the list is equal to or exceeds 5% of the total number of valid votes cast in the constituency concerned. *(Amended 2 of 2011 s. 28)*

(2) Only the following candidates for a functional constituency (other than the District Council (second) functional constituency) are eligible for financial assistance— *(Amended 2 of 2011 s. 28)*

(a) a candidate who is elected as a Member; or

(b) a candidate who is not elected as a Member but who—

(i) is not a disqualified candidate; and

(ii) obtains at least 5% of the total number of valid votes cast in the constituency concerned.

60D. Amount payable as financial assistance: list of candidates

(1) If the election for a geographical constituency or the District Council (second) functional constituency is contested, the amount payable as financial assistance in respect of the list of candidates is the lowest of the following amounts — *(Amended 1 of 2007 s. 13; 2 of 2011 s. 29)*

(a) the amount obtained by multiplying the total number of valid votes cast for the list of candidates by the specified rate;

(b) 50% of the maximum amount of election expenses that may be incurred by or on behalf of the candidates on the list under section 3 or 3A of the Maximum Amount of Election Expenses (Legislative Council Election) Regulation (Cap. 554 sub. leg. D); *(Replaced 2 of 2011 s. 29)*

(ba) the declared election expenses of the list of candidates. *(Added 2 of 2011 s. 29)*

(c) *(Repealed 1 of 2007 s. 13)*

(2) If the election for a geographical constituency or the District Council (second) functional constituency is uncontested, the amount payable as financial assistance in respect of the list of candidates is the lowest of the following amounts — *(Amended 1 of 2007 s. 13; 2 of 2011 s. 29)*

(a) the amount obtained by multiplying 50% of the number of registered electors for the constituency by the specified rate;

(b) 50% of the maximum amount of election expenses that may be incurred by or on behalf of the candidates on the list under section 3 or 3A of the Maximum Amount of Election Expenses (Legislative Council Election) Regulation (Cap. 554 sub. leg. D); *(Replaced 2 of 2011 s. 29)*

(ba) the declared election expenses of the list of candidates. *(Added 2 of 2011 s. 29)*

(c) *(Repealed 1 of 2007 s. 13)*

(3)-(4) *(Repealed 1 of 2007 s. 13)*

(Amended 1 of 2007 s. 13)

60E. Amount payable as financial assistance: candidates for functional constituencies other than District Council (second) functional constituency

(Amended 2 of 2011 s. 30)

(1) If the election for a functional constituency (other than the District Council (second) functional constituency) is contested, the amount payable as financial assistance to a candidate is the lowest of the following amounts— *(Amended 1 of 2007 s. 14; 2 of 2011 s. 30)*

(a) the amount obtained by multiplying the total number of valid votes cast for the candidate by the specified rate;

(b) 50% of the maximum amount of election expenses that may be incurred by or on behalf of the candidate under section 4 of the Maximum Amount of Election Expenses (Legislative Council Election) Regulation (Cap. 554 sub. leg. D); *(Replaced 2 of 2011 s. 30)*

(ba) the declared election expenses of the candidate. *(Added 2 of 2011 s. 30)*

(c) *(Repealed 1 of 2007 s. 14)*

(2) If the election for a functional constituency (other than the District Council (second) functional constituency) is uncontested, the amount payable as financial assistance to a candidate is the lowest of the following amounts— *(Amended 1 of 2007 s. 14; 2 of 2011 s. 30)*

(a) the amount obtained by multiplying 50% of the number of registered electors for the constituency by the specified rate;

(b) 50% of the maximum amount of election expenses that may be incurred by or on behalf of the candidate under section 4 of the Maximum Amount of Election Expenses (Legislative Council Election) Regulation (Cap. 554 sub. leg. D); *(Replaced 2 of 2011 s. 30)*

(ba) the declared election expenses of the candidate. *(Added 2 of 2011 s. 30)*

(c) *(Repealed 1 of 2007 s. 14)*

(3)-(4) *(Repealed 1 of 2007 s. 14)*

(Amended 1 of 2007 s. 14)

60F. Entitlement to financial assistance not affected by failure of election, but financial assistance not payable if election proceedings are terminated

(1) A declaration by the Returning Officer under section 46A(3)(a) or (b) that an election has failed does not affect any entitlement to financial assistance under this Part.

(2) If the proceedings for an election are terminated under section 46A(1), financial assistance is not payable in respect of that election.

60H. Recovery of payment of financial assistance

(1) Where a payment of financial assistance is made under this Part and the recipient (whether a list of candidates or a candidate) is not entitled to receive the whole or part of the amount paid—

(a) the Chief Electoral Officer shall give a written notice to the recipient requiring repayment of the whole or part, as the case may be, of the amount paid; and

(b) the recipient must repay the whole or part, as the case may be, of the amount paid, to the Government within 3 months after the date of the notice,

in accordance with regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541).

(2) Any amount that is not repaid under subsection (1) may be recovered as a civil debt due to the Government.

(3) For the purposes of subsections (1) and (2), any amount paid in respect of a list of candidates consisting of more than one candidate, is taken to have been paid jointly and severally to those candidates.

(4) If a person (including a candidate on a list of candidates) from whom an amount is recoverable as a civil debt under subsection (2) dies before such recovery, the estate of that candidate is liable to the extent of the deceased candidate's liability.

(5) In any proceedings for the purposes of subsection (2), a certificate signed by the Chief Electoral Officer, stating, in relation to a payment of financial assistance under this Part, the amount, the date and the recipient of the payment is admissible as evidence of the matters stated in the certificate.

60J. Financial assistance not to be paid until disposal of election petition

(1) The Chief Electoral Officer must not make any payment of financial assistance during the period specified in section 65 for lodging an election petition, but may receive or process a claim during that period.

(2) If an election petition is lodged in relation to an election for a geographical constituency or the District Council (second) functional constituency, the Chief Electoral Officer must not make any payment of financial assistance in respect of any list of candidates for that constituency until the determination, abandonment or termination of the petition under Part 7. *(Amended 2 of 2011 s. 31)*

(3) If an election petition is lodged in relation to an election for a functional constituency (other than the District Council (second) functional constituency), the Chief Electoral Officer must not make any payment of financial assistance to any candidate for that constituency until the determination, abandonment or termination of the petition under Part 7. *(Amended 2 of 2011 s. 31)*

(4) In this section, a reference to the abandonment of an election petition includes a reference to withdrawing or ceasing to prosecute an election petition. *(Added 1 of 2007 s. 16)*

(Amended E.R. 2 of 2012)

61. Election may be questioned only by election petition made on specified grounds

(1) An election to return a Member may be questioned only on the following grounds—

(a) the ground that the person declared by the Returning Officer in accordance with regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541) to have been elected as a Member at the election was not duly elected because—

(i) the person was ineligible to be, or was disqualified from being, a candidate at the election; or

(ii) corrupt or illegal conduct was engaged in by or in respect of that person at or in connection with the election; or *(Amended 10 of 2000 s. 47)*

(iii) corrupt or illegal conduct was generally prevalent at or in connection with the election; or *(Amended 10 of 2000 s. 47)*

(iv) material irregularity occurred in relation to the election, or to the polling or counting of votes at the election; or

(b) a ground specified in any other enactment that enables an election to be questioned.

(2) An election to return a Member may be questioned only by an election petition lodged under section 62.

(3) In this section—

corrupt or illegal conduct (舞弊或非法行為) means corrupt or illegal conduct in contravention of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554);

election (選舉) includes nomination proceedings and the decisions of the Returning Officer or any Assistant Returning Officer. *(Replaced 10 of 2000 s. 47)*

62. Who may lodge election petition

(1) An election petition may be lodged, in the case of an election for a constituency—

(a) by 10 or more electors entitled to vote at the election; or

(b) by a person claiming to have been a candidate in the election.

(2) *(Repealed 25 of 2003 s. 39)*

63. Who may be made respondent to election petition

(1) Any person whose election is questioned by an election petition and the Returning Officer in respect of the election may be made a respondent to the petition.

(2) Two or more candidates at an election may be made respondents to the same election petition and their cases may be tried at the same time, but for the purposes of this Part, and in relation to any order for giving security for costs, the petition is taken to be a separate election petition against each respondent.

67. Court to determine election petition

(1) At the end of the trial of an election petition that relates to an election that was not contested, the Court must determine whether any decision of the Returning Officer as to the validity of a nomination was correct and, if not correct, determine whether the person declared by that Officer to have been elected in that election was or was not duly elected.

(2) At the end of the trial of an election petition in relation to an election that was contested, the Court must determine whether the person whose election is questioned was or was not duly elected and, if not duly elected, determine whether some other person was duly elected instead.

(3) At the end of the trial of an election petition, the Court must announce its determination by means of a written judgment. *(Amended 18 of 2011 s. 9)*

(4) *(Repealed 18 of 2011 s. 9)*

(5) The Court may, on its own initiative, provide the Secretary for Constitutional and Mainland Affairs, or the Electoral Affairs Commission or the Clerk to the Legislative Council with a report on any matter arising in the course of the trial of an election petition if in its opinion the matter should be reported. *(Amended L.N. 130 of 2007)*

(6) The Court must comply with any request made by the Secretary for Constitutional and Mainland Affairs or the Electoral Affairs Commission to provide a report on any specified matter arising from the trial of an election petition. *(Amended L.N. 130 of 2007)*

(7) If, at the end of the trial of an election petition, it appears to the Court that a specified person may have engaged in corrupt or illegal conduct at or in connection with the election, the Court is required to provide the Director of Public Prosecutions with a report giving details of the conduct. *(Added 10 of 2000 s. 47)*

Editorial Note:

For the saving and transitional provisions relating to the amendments made by the Resolution of the Legislative Council (L.N. 130 of 2007), see paragraph (12) of that Resolution.

70B. Court of Final Appeal's determination

At the end of the hearing of an appeal against the determination of the Court of an election petition, the Court of Final Appeal must—

(a) determine—

(i) if the election petition relates to an election that was not contested—

(A) whether the decision of the Returning Officer as to the validity of the relevant nomination was correct; and

(B) if the decision was not correct, whether the person declared to have been elected in that election was or was not duly elected;

(ii) if the election petition relates to an election that was contested—

(A) whether the person whose election is questioned was or was not duly elected; and

(B) if the person was not duly elected, whether some other person was duly elected in place of the person; and

(b) announce its determination by means of a written judgment.

(Added 18 of 2011 s. 10)

78. Appointment of Returning Officers and assistants

(1) The Electoral Affairs Commission must appoint for each constituency a Returning Officer and such number of Assistant Returning Officers as appears to the Commission to be necessary to enable an election to be held in the constituency. *(Amended 25 of 2003 s. 40)*

(2) *(Repealed 21 of 2001 s. 70)*

(3) A Returning Officer has such functions and duties as are conferred or imposed on that Officer by or under this Ordinance.

(4) An Assistant Returning Officer may, with the authority of the Returning Officer concerned, exercise and perform the functions and duties of Returning Officer.

(5) The Electoral Affairs Commission must publish in the Gazette a notice of the appointment of a Returning Officer and that Officer's address.

(6) The executive authorities of the Government must ensure that each Returning Officer is provided with such staff as that Officer requires in order to exercise and perform that Officer's functions and duties under this Ordinance.

(7) Expenses properly incurred by a Returning Officer in the exercise or performance of that Officer's functions or duties under this Ordinance or the Electoral Affairs Commission Ordinance (Cap. 541) are a charge on, and are payable from, the general revenue.

79. Offence to obstruct or hinder electoral officers

A person who, without reasonable excuse, obstructs or hinders, or interferes with, an electoral officer in the exercise of a function conferred, or the performance of a duty imposed, by or under this Ordinance commits an offence and is liable on conviction to a fine at level 2.

82. Chief Executive in Council may make regulations

(1) The Chief Executive in Council may make regulations for the better carrying out of the purposes of this Ordinance.

(2) In particular, a regulation under this section may provide for all or any of the following—

(a) the number or qualifications of subscribers required to complete a nomination paper for a candidate or a list of candidates; and

(b) the amount that a candidate or a list of candidates is required to lodge as a deposit at an election; and

(c) the forfeiture of the deposit if the candidate or list of candidates fail to obtain a prescribed proportion of the votes cast at the election and for the return of the deposit if the candidate or list of candidates obtain that proportion of votes at the election; and

(d) the functions and duties of a Revising Officer; and

(e) appeals to a Revising Officer.

(3) A provision of a regulation may make it an offence, punishable by a fine not exceeding level 2, for a person to contravene a provision of the regulation.

(4) A regulation may—

(a) make different provisions for different circumstances and provide for a particular case or class of cases; and

(b) be made so as to apply only in specified circumstances; and

(c) prescribe fees for the purposes of the regulation.

(5) *(Repealed 21 of 2001 s. 71)*

83. Chief Executive in Council may amend Schedules 1, 1A, 1B, 1C, 1D and 1E

(1) The Chief Executive in Council may, subject to the approval of the Legislative Council, by order published in the Gazette, amend Schedules 1, 1A, 1B, 1C, 1D and 1E. *(Amended 48 of 1999 s. 42; 21 of 2001 s. 72)*

(2) *(Repealed 48 of 1999 s. 42)*

Schedule 1

[s. 20B]

Composition of the Agriculture and Fisheries Functional Constituency

Item	Body
1.	Aberdeen Fishermen Friendship Association *(Amended 10 of 2006 s. 34)*
2.	The Ap Lei Chau Fishermen's Credit Co-operative Society, Unlimited
3.	The Castle Peak Fishermen's Credit Co-operative Society, Unlimited
4.	The Castle Peak Mechanized Trawler Fishermen's Credit Co-operative Society, Unlimited
5.	Cheung Chau Fisheries Joint Association
6.	Cheung Chau Fishermen's Welfare Promotion Association
7.	The Fanling Kwun Ti Village Farmers' Irrigation Co-operative Society, Ltd.
8.	Fish Farming and Stuff Association
9.	Fisherman's Association of Po Toi Island
10.	Fishery Development Association (Hong Kong) Limited
11.	Fraternal Association of The Floating Population of Hong Kong
12.	The Guild of Graziers
13.	Hang Hau Grazier Association
14.	Hong Kong and Kowloon Fishermen Association Ltd.

Item	Body
15.	Hong Kong & Kowloon Floating Fishermen Welfare Promotion Association
16.	Hong Kong Fisheries Development Association *(Amended 10 of 2006 s. 34)*
17.	Hong Kong Fishermen's Association
18.	Hong Kong Fishing Vessel Owners Association, Ltd.
19.	Hong Kong Florists Association
20.	Hong Kong Graziers Union
21.	Hong Kong Liner & Gill Netting Fisherman Association *(Amended 10 of 2006 s. 34)*
22.	Hong Kong Livestock Industry Association
23.	Hong Kong N.T. Fish Culture Association
24.	Hong Kong N.T. Poultry (Geese & Ducks) Mutual Association *(Amended 10 of 2006 s. 34)*
25.	Hong Kong Netting, Cultivation and Fisherman Association
26.	*(Repealed 2 of 2011 s. 32)*
27.	Hong Kong Off-shore Fishermen's Association
28.	*(Repealed 11 of 2012 s. 35)*
29.	The Lam Ti Agricultural Credit Co-operative Society, Limited
30.	Lamma Island Lo Dik Wan Aquaculture Association
31.	*(Repealed 25 of 2003 s. 43)*
32.	Lau Fau Shan Oyster Industry Association, New Territories
33.	Ma Wan Fisheries Rights Association Ltd.
34.	The Mui Wo Agricultural Products Marketing & Credit Co-operative Society, Ltd.
35.	Mui Wo Fishermen Fraternity Society
36.	N.T. Oyster and Aquatic Products United Association
37.	The New Territories Chicken Breeders Association, Ltd.
38.	The New Territories Fishermen Fraternity Association Ltd.
39.	New Territories Florist Association, Ltd.
40.	North District Florists Association
41.	Outlying Islands Mariculture Association (Cheung Chau)
42.	Peng Chau Fishermen Association Ltd.
43.	Quality Broiler Development Association
44.	*(Repealed 25 of 2003 s. 43)*
45.	*(Repealed 15 of 2016 s. 11)*

Item	Body
46.	Sai Kung (North) Sham Wan Marine Fish Culture Business Association
47.	Sai Kung Po Toi O Fish Culture Business Association
48.	Sai Kung Tai Tau Chau Fish Culture Business Association
49.	Sai Kung Tai Wu Kok Fishermen's Association
50.	The Sha Tau Kok Marine Fish Culture Association *(Amended 10 of 2006 s. 34)*
51.	The Sha Tau Kok Small Long Liner and Gill Net Fishermen's Credit Co-operative Society, Unlimited
52.	The Shan Tong Vegetable Marketing Co-operative Society, Ltd.
53.	Shatin Ah Kung Kok Fishermen Welfare Association
54.	Shatin Florists Association
55.	Shau Kei Wan Deep Sea Capture Fishermen's Credit Co-operative Society, Unlimited *(Amended 11 of 2019 s. 7)*
56.	Shau Kei Wan Fishermen Friendship Association
57.	Shau Kei Wan Pair Trawler Fishermen's Credit Co-operative Society, Unlimited *(Amended 11 of 2019 s. 7)*
58.	The Shau Kei Wan Trawler Fishermen's Credit Co-operative Society, Unlimited
59.	*(Repealed 7 of 2008 s. 6)*
60.	Tai O Fishermen (Coastal Fishery) Association
61.	The Tai O Sha Chai Min Fishermen's Credit Co-operative Society, Unlimited
62.	The Tai Po Fishermen's Credit Co-operative Society, Unlimited
63.	Tai Po Florists and Horticulturists Association
64.	*(Repealed 10 of 2006 s. 46)*
65.	The Tai Po Purse Seiner and Small Long Liner Fishermen's Credit Co-operative Society, Unlimited
66.	*(Repealed 11 of 2019 s. 7)*
67.	The Tsuen Wan Fishermen's Credit Co-operative Society, Unlimited
68.	The Tuen Mun Mechanized Fishing Boat Fishermen's Credit Co-operative Society, Unlimited *(Replaced 25 of 2003 s. 43)*
69.	Tuen Mun Agricultural Association
70.	Tung Lung Chau Mariculture Association
71.	The Hong Kong Branch of the World's Poultry Science Association *(Replaced 7 of 2008 s. 6)*

Item	Body
72.	*(Repealed 10 of 2006 s. 46)*
73.	Yuen Long Agriculture Productivity Association *(Amended 10 of 2006 s. 34)*
74.	Yung Shue Au Marine Fish Culture Business Association
75.	*(Repealed 25 of 2003 s. 43)*
76.	Tsing Yi Residents Association *(Replaced 10 of 2006 s. 34)*
77.	荃灣葵青居民聯會(漁民組)*
78.	荃灣葵青漁民會#
79.	The Shau Kei Wan Stern Trawler Fishermen's Credit Co-operative Society, Unlimited *(Added 25 of 2003 s. 43)*
80.	Sustainable Ecological Ethical Development Foundation Limited *(Added 25 of 2003 s. 43. Amended 2 of 2011 s. 32)*
81.	N.T. North District Fishermen's Association *(Added 25 of 2003 s. 43)*
82.	Tai Po Off Shore Fishermen's Association *(Added 25 of 2003 s. 43)*
83.	Aberdeen Fisherwomen Association *(Added 25 of 2003 s. 43)*
84.	香港新界本地農協會+ *(Added 11 of 2019 s. 7. Amended E.R. 4 of 2020)*
85.	The Hong Kong Veterinary Association Limited *(Added 11 of 2019 s. 7. Amended E.R. 4 of 2020)*

(Replaced 48 of 1999 s. 43. Amended E.R. 5 of 2019)

Editorial Note:

* The English translation of "荃灣葵青居民聯會(漁民組)" is "Tsuen Wan Kwai Tsing Residents Assn (Fishermen Unit)".

\# The English translation of "荃灣葵青漁民會" is "Tsuen Wan & Kwai Ching Fishermen Association".

\+ The English translation of "香港新界本地農協會" is "Hong Kong New Territories Local Farmers Association".

Schedule 1A

[s. 20D]

Composition of the Transport Functional Constituency

Item	Body

Item	Body
1.	Parking Management and Consultancy Services Limited *(Replaced 7 of 2008 s. 7)*
2.	Airport Authority Hong Kong
3.	*(Repealed 25 of 2003 s. 44)*
4.	Hong Kong Driver's Training Association *(Replaced 14 of 2015 s. 11)*
5.	The Association of N.T. Radio Taxicabs Ltd.
6.	Autotoll Limited
7.	The Chartered Institute of Logistics and Transport in Hong Kong *(Replaced 25 of 2003 s. 44)*
8.	China Merchants Shipping & Enterprises Co. Ltd.
9.	*(Repealed 14 of 2015 s. 11)*
10.	Chu Kong Shipping Enterprises (Holdings) Co. Ltd.
11.	Chuen Kee Ferry Ltd.
12.	Chuen Lee Radio Taxis Association Ltd.
13.	Citybus Ltd.
14.	Coral Sea Ferry Service Co., Ltd.
15.	COSCO-HIT Terminals (Hong Kong) Limited
16.	CTOD Association Company Ltd.
17.	Turbojet Ferry Services (Guangzhou) Limited *(Replaced 25 of 2003 s. 44)*
18.	Discovery Bay Transportation Services Ltd.
19.	Driving Instructors Merchants Association, Limited *(Replaced 7 of 2008 s. 7)*
20.	Eastern Ferry Co.
21.	Expert Fortune Ltd.
22.	Far East Hydrofoil Co. Ltd.
23.	Fat Kee Stevedores Ltd.
24.	The Fraternity Association of N.T. Taxi Merchants
25.	Fraternity Taxi Owners Association
26.	G.M.B. Maxicab Operators General Association Ltd.
27.	The Goods Vehicle Fleet Owners Association Ltd.
28.	Happy Taxi Operator's Association Ltd.
29.	*(Repealed 10 of 2006 s. 47)*
30.	Hoi Kong Container Services Co. Ltd.
31.	*(Repealed 25 of 2003 s. 44)*

Item	Body
32.	Hon Wah Public Light Bus Association Ltd.
33.	Hong Kong Air Cargo Terminals Limited
34.	Hong Kong & Kowloon Ferry Ltd.
35.	Hong Kong Kowloon Goods Vehicles, Omnibuses and Minibuses Instructors Association Limited *(Replaced 11 of 2012 s. 36)*
36.	Hong Kong & Kowloon Motor Boats & Tug Boats Association Limited *(Replaced 11 of 2012 s. 36)*
37.	Hong Kong & Kowloon Radio Car Owners Association Ltd.
38.	Hong Kong and Kowloon Rich Radio Car Service Centre Association Ltd.
39.	*(Repealed 14 of 2015 s. 11)*
40.	HongKong Association of Freight Forwarding and Logistics Limited *(Replaced 25 of 2003 s. 44)*
41.	Hong Kong Automobile Association
42.	The Hong Kong Cargo-Vessel Traders' Association Ltd.
43.	Hong Kong Commercial Vehicle Driving Instructors Association *(Replaced 25 of 2003 s. 44)*
44.	Hong Kong CFS and Logistics Association Limited *(Replaced 25 of 2003 s. 44)*
45.	Hong Kong Container Tractor Owner Association Ltd.
46.	Hong Kong Driving Instructors' Association *(Amended 11 of 2012 s. 36)*
47.	Hong Kong Guangdong Transportation Association Ltd.
48.	The Hong Kong Institute of Marine Technology
49.	Hong Kong, Kowloon & NT Public & Maxicab Light Bus Merchants' United Association
50.	Hong Kong Taxi Owners' Association Limited *(Replaced 14 of 2015 s. 11)*
51.	The Hong Kong Liner Shipping Association
52.	*(Repealed 11 of 2019 s. 8)*
53.	Hong Kong Motor Car Driving Instructors Association Ltd.
54.	Hong Kong Pilots Association Ltd.
55.	Hong Kong Public & Maxicab Light Bus United Associations
56.	Hong Kong Public Cargo Working Areas Traders Association Ltd.
57.	Hong Kong Scheduled (GMB) Licensee Association
58.	The Hong Kong School of Motoring Ltd.

Item	Body
59.	Hong Kong Sea Transport and Logistics Association Limited *(Amended 10 of 2006 s. 43)*
60.	The Hong Kong Shipowners Association Ltd.
61.	Hong Kong Shipping Circles Association Ltd.
62.	Hong Kong Shipping Industry Institute
63.	Hong Kong Logistics Management Staff Association *(Amended 10 of 2006 s. 43)*
64.	*(Repealed 11 of 2019 s. 8)*
65.	The Hong Kong Stevedores Employers' Association
66.	Hong Kong Tele-call Taxi Association
67.	Hong Kong Tramways, Limited *(Replaced 25 of 2003 s. 44)*
68.	Hong Kong Transportation Warehouse Wharf Club
69.	*(Repealed 14 of 2015 s. 11)*
70.	The Hongkong & Yaumati Ferry Co., Ltd.
71.	Hongkong International Terminals Ltd.
72.	*(Repealed 25 of 2003 s. 44)*
73.	Institute of Advanced Motorists (Hong Kong) Limited *(Replaced 25 of 2003 s. 44)*
74.	Institute of Seatransport *(Amended 14 of 2015 s. 11)*
75.	Institute of Transport Administration (Hong Kong, China) *(Amended 11 of 2012 s. 36)*
76.	Kowloon Fung Wong Public Light Bus Merchants & Workers' Association Ltd.
77.	The Kowloon Motor Bus Company (1933) Limited *(Amended 2 of 2011 s. 33)*
78.	Kowloon Motor Driving Instructors' Association Ltd.
79.	The Kowloon PLB Chiu Chow Traders & Workers Friendly Association
80.	The Kowloon Taxi Owners Association Ltd.
81.	Kowloon Truck Merchants Association Ltd.
82.	*(Repealed 7 of 2008 s. 7)*
83.	Kwik Park Limited
84.	Lam Tin Wai Hoi Public Light Bus Association *(Amended 10 of 2006 s. 43)*
85.	Lantau Taxi Association
86.	Lei Yue Mun Ko Chiu Road Public Light Bus Merchants Association Ltd.

Item	Body
87.	Lok Ma Chau China—Hong Kong Freight Association
88.	Long Win Bus Company Limited
89.	*(Repealed 14 of 2015 s. 11)*
90.	Mack & Co. Carpark Management Limited
91.	Marine Excursion Association Limited *(Amended 10 of 2006 s. 43)*
92.	Maritime Affairs Research Association Ltd.
93.	MTR Corporation Limited *(Amended 13 of 2000 s. 65)*
94.	Merchant Navy Officers' Guild—Hong Kong
95.	Metropark Limited
96.	Mid-stream Holdings (HK) Limited
97.	Mixer Truck Drivers Association
98.	Modern Terminals Ltd.
99.	N.T. PLB Owners Association
100.	N.T. San Tin PLB (17) Owners Association
101.	N.T. Taxi Merchants Association Ltd.
102.	N.T. Taxi Owners & Drivers Fraternal Association
103.	N.T. Taxi Radio Service General Association
104.	N.W. Area Taxi Drivers & Operators Association
105.	New Hong Kong Tunnel Co., Ltd.
106.	New Lantao Bus Co., (1973) Ltd.
107.	New Territories Cargo Transport Association Ltd.
108.	New World First Bus Services Limited
109.	North District Taxi Merchants Association
110.	Organisation of Hong Kong Drivers
111.	*(Repealed 10 of 2006 s. 47)*
112.	*(Repealed 11 of 2019 s. 8)*
113.	*(Repealed 2 of 2011 s. 33)*
114.	*(Repealed 25 of 2003 s. 44)*
115.	*(Repealed 15 of 2016 s. 12)*
116.	Public and Private Light Buses Driving Instructors' Society
117.	The Public Cargo Area Trade Association
118.	Public Light Bus General Association
119.	The Public Omnibus Operators Association Ltd.
120.	Public Vehicle Merchants Fraternity Association

Item	Body
121.	*(Repealed 11 of 2019 s. 8)*
122.	*(Repealed 15 of 2016 s. 12)*
123.	River Trade Terminal Co. Ltd.
124.	Route 3 (CPS) Company Limited
125.	Sai Kung Public Light Bus Drivers and Owners Association *(Replaced 25 of 2003 s. 44)*
126.	Sai Kung Taxi Operators Association Ltd.
127.	*(Repealed 10 of 2006 s. 47)*
128.	CSX World Terminals Hong Kong Limited *(Replaced 25 of 2003 s. 44)*
129.	Serco Group (HK) Limited *(Replaced 25 of 2003 s. 44)*
130.	*(Repealed 25 of 2003 s. 44)*
131.	The "Star" Ferry Co., Ltd.
132.	Sun Hing Taxi Radio Association
133.	*(Repealed 25 of 2003 s. 44)*
134.	Taxi Association Limited *(Replaced 7 of 2008 s. 7)*
135.	*(Repealed 9 of 2018 s. 17)*
136.	Taxi Associations Federation
137.	Taxi Dealers & Owners Association Ltd.
138.	*(Repealed 15 of 2016 s. 12)*
139.	The Taxi Operators Association Ltd.
140.	Taxicom Vehicle Owners Association Ltd.
141.	Transport Infrastructure Management Limited *(Replaced 7 of 2008 s. 7)*
142.	*(Repealed 11 of 2019 s. 8)*
143.	Tuen Mun Public Light Bus Association *(Amended 10 of 2006 s. 43)*
144.	Tung Yee Shipbuilding and Repairing Merchants General Association Limited *(Replaced 25 of 2003 s. 44)*
145.	*(Repealed 2 of 2011 s. 33)*
146.	United Friendship Taxi Owners & Drivers Association Ltd.
147.	*(Repealed 15 of 2016 s. 12)*
148.	*(Repealed 14 of 2015 s. 11)*
149.	Wai Fat Taxi Owners Association Ltd.
150.	Wai Yik H.K. & Kowloon and New Territories Taxi Owners Association *(Replaced 25 of 2003 s. 44)*

Item	Body
151.	West Coast International (Parking) Limited
152.	Western Harbour Tunnel Co. Ltd.
153.	Wilson Parking (Hong Kong) Limited
154.	Wing Lee Radio Car Traders Association Ltd.
155.	Wing Tai Car Owners & Drivers Association Ltd.
156.	*(Repealed 25 of 2003 s. 44)*
157.	Wu Gang Shipping Co. Ltd.
158.	Xiamen United Enterprises (H.K.) Ltd.
159.	*(Repealed 15 of 2016 s. 12)*
160.	School Buses Operators Association Limited *(Amended 10 of 2006 s. 43)*
161.	*(Repealed 10 of 2006 s. 47)*
162.	*(Repealed 15 of 2016 s. 12)*
163.	New World First Ferry Services Limited *(Added 25 of 2003 s. 44)*
164.	Shun Tak-China Travel Macau Ferries Limited *(Replaced 14 of 2015 s. 11)*
165.	Hong Kong Container Drayage Services Association Limited *(Added 25 of 2003 s. 44)*
166.	Hong Kong Kowloon & N.T. Grab-Mounted Lorries Association Limited *(Added 25 of 2003 s. 44)*
167.	Hong Kong Waste Disposal Industry Association *(Added 25 of 2003 s. 44)*
168.	HK Public-light Bus Owner & Driver Association *(Added 25 of 2003 s. 44)*
169.	Logistics Industry & Container Truck Drivers Union *(Replaced 14 of 2015 s. 11)*
170.	The Concrete Producers Association of Hong Kong Limited *(Added 25 of 2003 s. 44)*
171.	Hongkong Guangdong Boundary Crossing Bus Association Limited *(Added 25 of 2003 s. 44)*
172.	Tsui Wah Ferry Service Company Limited *(Added 25 of 2003 s. 44)*
173.	Quality Driver Training Centre Limited *(Added 25 of 2003 s. 44)*
174.	Public and Private Commercial Driving Instructors' Society *(Added 25 of 2003 s. 44)*
175.	Shun Tak-China Travel Ship Management Limited *(Added 25 of 2003 s. 44)*
176.	Cruise Ferries (HK) Limited *(Added 25 of 2003 s. 44)*

Item	Body
177.	Asia Airfreight Terminal Company Limited *(Added 25 of 2003 s. 44)*
178.	The Hong Kong Joint Branch of The Royal Institution of Naval Architects and The Institute of Marine Engineering, Science and Technology *(Added 25 of 2003 s. 44)*
179.	The Hongkong Salvage & Towage Company Limited *(Added 25 of 2003 s. 44)*
180.	The Institute of Chartered Shipbrokers, Hong Kong Branch *(Added 25 of 2003 s. 44)*
181.	Hongkong United Dockyards Limited *(Added 25 of 2003 s. 44)*
182.	Guangdong and Hong Kong Feeder Association Limited *(Added 25 of 2003 s. 44)*
183.	Hong Kong Right Hand Drive Motors Association Limited *(Added 25 of 2003 s. 44)*
184.	The Institute of the Motor Industry Hong Kong *(Added 25 of 2003 s. 44)*
185.	Hong Kong Vehicle Repair Merchants Association Limited *(Added 25 of 2003 s. 44)*
186.	Environmental Vehicle Repairers Association Limited *(Added 25 of 2003 s. 44)*
187.	The Hong Kong Taxi and Public Light Bus Association Limited *(Added 25 of 2003 s. 44)*
188.	Park Island Transport Company Limited *(Added 25 of 2003 s. 44)*
189.	Discovery Bay Road Tunnel Company Limited *(Added 25 of 2003 s. 44)*
190.	International Association of Transport Officers *(Added 25 of 2003 s. 44)*
191.	Hong Kong Express Airways Limited *(Added 25 of 2003 s. 44. Amended 10 of 2006 s. 43)*
192.	Hong Kong (Cross Border) Transportation Drivers' Association *(Added 25 of 2003 s. 44)*
193.	Hong Kong Logistics Association Limited *(Added 25 of 2003 s. 44)*
194.	Hong Kong Container Depot and Repairer Association Limited *(Added 25 of 2003 s. 44)*
195.	New World Parking Management Limited *(Added 25 of 2003 s. 44)*
196.	The Nautical Institute—Hong Kong Branch *(Added 25 of 2003 s. 44)*

Item	Body
197.	*(Repealed 11 of 2012 s. 36)*
198.	Worldwide Flight Services, Inc. *(Added 25 of 2003 s. 44)*
199.	NT Taxi Operations Union *(Added 2 of 2011 s. 33)*
200.	Sun Star Taxi Operators Association *(Added 2 of 2011 s. 33. Amended 15 of 2016 s. 12)*
201.	Taxi & P.L.B. Concern Group *(Added 2 of 2011 s. 33)*
202.	Tai Wo Motors Limited *(Added 2 of 2011 s. 33)*
203.	Tuen Mun District Tourists and Passengers Omnibus Operators Association Limited *(Added 2 of 2011 s. 33)*
204.	Tsuen Wan District Tourists and Passengers Omnibus Operators Association Limited *(Added 2 of 2011 s. 33)*
205.	Yuen Long District Tourists and Passengers Omnibus Operators Association Limited *(Added 2 of 2011 s. 33)*
206.	Kowloon District Tourists and Passengers Omnibus Operators Association Limited *(Added 2 of 2011 s. 33)*
207.	Hong Kong District Tourists and Passengers Omnibus Operators Association Limited *(Added 2 of 2011 s. 33)*
208.	Sino Parking Services Limited *(Added 2 of 2011 s. 33)*
209.	Urban Parking Limited *(Added 2 of 2011 s. 33)*
210.	Greater Lucky (HK) Company Limited *(Added 2 of 2011 s. 33)*
211.	China Hongkong and Macau Boundary Crossing Bus Association Limited *(Added 2 of 2011 s. 33)*
212.	Ground Support Engineering Limited *(Added 2 of 2011 s. 33)*
213.	Cathay Pacific Services Limited *(Added 2 of 2011 s. 33)*
214.	Cathay Pacific Catering Services (H.K.) Limited *(Added 2 of 2011 s. 33)*
215.	LSG Lufthansa Service Hong Kong Limited *(Added 2 of 2011 s. 33)*
216.	Gate Gourmet Hong Kong, Limited *(Added 2 of 2011 s. 33)*
217.	ECO Aviation Fuel Services Limited *(Added 2 of 2011 s. 33)*
218.	Hong Kong Aircraft Engineering Company Limited *(Added 2 of 2011 s. 33)*
219.	China Aircraft Services Limited *(Added 2 of 2011 s. 33)*
220.	Dah Chong Hong – Dragonair Airport GSE Service Limited *(Added 2 of 2011 s. 33)*
221.	Jardine Air Terminal Services Limited *(Added 2 of 2011 s. 33)*
222.	Service Managers Association *(Added 2 of 2011 s. 33)*

Item	Body
223.	Driving Instructors Association *(Added 2 of 2011 s. 33)*
224.	The Chamber of Hong Kong Logistics Industry Limited *(Added 2 of 2011 s. 33)*
225.	New Horizon School of Motoring Limited *(Added 2 of 2011 s. 33)*
226.	Leinam School of Motoring Limited *(Added 2 of 2011 s. 33)*
227.	TIML MOM Limited *(Added 14 of 2015 s. 11)*
228.	Hong Kong Taxi Association *(Added 14 of 2015 s. 11)*
229.	Chung Shing Taxi Limited *(Added 11 of 2019 s. 8. Amended E.R. 4 of 2020)*
230.	Hong Kong Air Cargo Carrier Limited *(Added 11 of 2019 s. 8. Amended E.R. 4 of 2020)*
231.	Hong Kong Dumper Truck Drivers Association *(Added 11 of 2019 s. 8. Amended E.R. 4 of 2020)*
232.	Shun Fung Motors Investment Management Company Limited *(Added 11 of 2019 s. 8. Amended E.R. 4 of 2020)*
233.	Taxi Drivers and Operators Association *(Added 11 of 2019 s. 8. Amended E.R. 4 of 2020)*

(Added 48 of 1999 s. 43. Amended E.R. 5 of 2019)

Schedule 1B

[s. 20V]

Composition of the Sports, Performing Arts, Culture and Publication Functional Constituency

Part 1

District Sports Associations

Item	Body
1.	Central & Western District Recreation & Sports Association
2.	Eastern District Recreation & Sports Advancement Association Ltd.
3.	The Federation of Tsuen Wan District Sports & Recreation Association Ltd.
4.	Islands District Sports Association

Item	Body
5.	Kowloon City District Recreation and Sports Council Limited *(Replaced 7 of 2008 s. 8)*
6.	Kwai Tsing District Sports Association Limited *(Replaced 7 of 2008 s. 8)*
7.	Kwun Tong Sports Promotion Association Ltd.
8.	Mong Kok District Cultural, Recreational and Sports Association Limited *(Replaced 25 of 2003 s. 45)*
9.	North District Sports Association Limited *(Amended 2 of 2011 s. 34)*
10.	Sai Kung District Sports Association Ltd.
11.	Sha Tin Sports Association Ltd.
12.	Sham Shui Po Sports Association Limited *(Amended 2 of 2011 s. 34)*
13.	Southern District Recreation and Sports Association Limited *(Amended 10 of 2006 s. 44)*
14.	Taipo Sports Association Limited *(Replaced 11 of 2019 s. 9. Amended E.R. 4 of 2020)*
15.	Tuen Mun Sports Association Limited
16.	Wan Chai District Arts Cultural Recreational and Sports Association Limited *(Amended 10 of 2006 s. 44)*
17.	Wong Tai Sin District Recreation & Sports Council
18.	Yaumatei and Tsimshatsui Recreation & Sports Association Ltd.
19.	Yuen Long District Sports Association Ltd.

Part 2

District Arts and Culture Associations

Item	Body
1.	Central and Western District Association for Culture and Arts
2.	Eastern District Arts Council Limited *(Amended 14 of 2015 s. 12)*
3.	Kowloon City District Arts and Culture Council
4.	Kwai Chung and Tsing Yi District Culture and Arts Co-ordinating Association Limited
5.	Kwun Tong District Culture and Recreation Promotion Association *(Replaced 25 of 2003 s. 45)*
6.	North District Arts Advancement Association Limited

Item	Body
7.	Sai Kung Culture & Recreational Advancement Association *(Replaced 25 of 2003 s. 45)*
8.	Sha Tin Arts Association Limited
9.	Sham Shui Po Arts Association Limited *(Amended 10 of 2006 s. 44)*
10.	Southern District Arts and Culture Association Limited
11.	Tai Po District Arts Advancement Association
12.	Tsuen Wan Culture & Recreation Co-ordinating Association Limited
13.	Tuen Mun Arts Promotion Association
14.	Wong Tai Sin District Arts Council
15.	Yau Ma Tei and Tsim Sha Tsui Culture and Arts Association Limited
16.	Yuen Long District Arts Committee

Part 3

Other Bodies

Item	Body
1.	All Stars Sports Association Ltd.
2.	The Song Writers' Association of Hong Kong *(Amended 10 of 2006 s. 44)*
3.	Artiste Training Alumni Association Limited
4.	*(Repealed 25 of 2003 s. 45)*
5.	Composers and Authors Society of Hong Kong Limited
6.	Friends of the Art Museum, The Chinese University of Hong Kong Limited
7.	The Friends of the Hong Kong Museum of Art
8.	*(Repealed 25 of 2003 s. 45)*
9.	Hong Kong Film Directors' Guild Limited *(Amended 15 of 2016 s. 13)*
10.	Hong Kong Anthropological Society
11.	Hong Kong Archaeological Society
12.	*(Repealed 25 of 2003 s. 45)*
13.	The Hong Kong Children's Choir
14.	Hong Kong Chinese Orchestra Limited *(Amended 10 of 2006 s. 44)*

Item	Body
15.	Hong Kong Chinese Press Association
16.	Hong Kong & Macau Cinema and Theatrical Enterprise Association Limited *(Replaced 25 of 2003 s. 45)*
17.	Hong Kong Cinematography Lighting Association Limited *(Amended 10 of 2006 s. 44)*
18.	*(Repealed 25 of 2003 s. 45)*
19.	Hong Kong Curators Association
20.	Hong Kong Dance Company Limited *(Replaced 25 of 2003 s. 45)*
21.	Hong Kong Federation of Journalists Ltd.
22.	Hong Kong Festival Fringe Limited *(Amended 15 of 2016 s. 13)*
23.	Hong Kong Film Academy
24.	Hong Kong Film Arts Association Limited
25.	*(Repealed 25 of 2003 s. 45)*
26.	Hong Kong History Society
27.	The Hong Kong Intellectual Property Society Limited *(Replaced 7 of 2008 s. 8)*
28.	Hong Kong Journalists Association
29.	*(Repealed 25 of 2003 s. 45)*
30.	*(Repealed 7 of 2008 s. 8)*
31.	Hong Kong Museum of Medical Sciences Society
32.	Hong Kong News Executives' Association, Limited *(Replaced 25 of 2003 s. 45)*
33.	Hong Kong P.E.N. (English) Centre *(Amended 15 of 2016 s. 13)*
34.	Hong Kong Performing Artistes Guild Limited *(Amended 15 of 2016 s. 13)*
35.	The Hong Kong Philharmonic Society Limited *(Replaced 11 of 2019 s. 9. Amended E.R. 4 of 2020)*
36.	Hong Kong Press Photographers Association
37.	Hong Kong Recreation Management Association Limited *(Replaced 25 of 2003 s. 45)*
38.	Hong Kong Repertory Theatre Limited *(Replaced 25 of 2003 s. 45)*
39.	Hong Kong Screen Writers' Guild Limited *(Amended 15 of 2016 s. 13)*
40.	Hong Kong Sports Association of the Deaf Company Limited *(Amended 11 of 2019 s. 9)*
41.	Hong Kong Sports Press Association Ltd.

Item	Body
42.	Hong Kong Stuntman Association Limited *(Amended 15 of 2016 s. 13)*
43.	The Hong Kong Tai Chi Association *(Amended 11 of 2019 s. 9)*
44.	*(Repealed 25 of 2003 s. 45)*
45.	Hong Kong United Arts Entertainment Company Limited *(Amended 15 of 2016 s. 13)*
46-47.	*(Repealed 25 of 2003 s. 45)*
48.	Min Chiu Society
49.	*(Repealed 25 of 2003 s. 45)*
50.	The New Territories Regional Sports Association *(Amended 11 of 2012 s. 37)*
51.	The Newspaper Society of Hong Kong
52.	Pop-Music Authors Society of Hong Kong
53.	The Hong Kong Branch of the Royal Asiatic Society *(Amended 10 of 2006 s. 44)*
54.	Sail Training Association of Hong Kong Limited *(Replaced 25 of 2003 s. 45)*
55.	Society of Cinematographers (Hong Kong) Limited
56.	Society of Film Editors (Hong Kong) Limited *(Amended 15 of 2016 s. 13)*
57.	South China Film Industry Workers' Union *(Amended 10 of 2006 s. 44)*
58.	South China Research Circle
59.	The Hong Kong Swimming Teachers' Association Limited *(Amended 2 of 2011 s. 34)*
60.	*(Repealed 25 of 2003 s. 45)*
61.	Videotage Limited *(Amended 15 of 2016 s. 13)*
62.	Zuni Icosahedron
63.	Federation of Hong Kong Filmmakers Limited *(Added 25 of 2003 s. 45. Amended 10 of 2006 s. 44)*
64.	Hong Kong Movie Production Executives Association Limited *(Added 25 of 2003 s. 45)*
65.	Hong Kong Sports Institute Limited *(Added 7 of 2008 s. 8)*
66.	The Federation of Motion Film Producers of Hong Kong Limited *(Added 14 of 2015 s. 12)*

(Added 48 of 1999 s. 43. Amended E.R. 5 of 2019)

Schedule 1C

[s. 20Y]

Composition of the Wholesale and Retail Functional Constituency

Item	Body
1.	Anglo-Chinese Vegetable Wholesale Merchants Association Limited *(Amended 10 of 2006 s. 45)*
2.	Association of Better Business & Tourism Services *(Replaced 25 of 2003 s. 46)*
3.	Cheung Sha Wan Poultry United Wholesalers Association Ltd.
4.	Chinese Medicine Merchants Association Ltd.
5.	Chinese Merchants (H.K.) Association Limited *(Replaced 25 of 2003 s. 46. Amended 2 of 2011 s. 35)*
6.	Chinese Paper Merchants Association Limited *(Amended 2 of 2011 s. 35)*
7.	The Cosmetic & Perfumery Association of Hong Kong Ltd.
8.	Eastern District Fresh Fish Merchants' Society
9.	Federation of Hong Kong Kowloon New Territories Hawker Associations *(Amended 10 of 2006 s. 45)*
10.	The Federation of Hong Kong Watch Trades and Industries Ltd.
11.	HK Vegetable Wholesaler Community
12.	Hong Kong and Kowloon Bamboo Goods Merchants Association Limited
13.	Hong Kong and Kowloon Electrical Appliances Merchants Association Ltd.
14.	Hong Kong Electro-Plating Merchants Association Limited *(Amended 10 of 2006 s. 45)*
15.	Hong Kong & Kowloon European Dress Merchants Association
16.	Hong Kong & Kowloon Fresh Water Fish Merchants' & Buyers' Association Limited
17.	Hong Kong & Kowloon Fruit & Vegetable Employees & Employers Guild
18.	Hong Kong & Kowloon Furniture & Shop Fittings Merchants Association
19.	Hong Kong & Kowloon General Association of Liquor Dealers and Distillers

Item	Body
20.	Hong Kong & Kowloon Machine Made Paper Merchants Association Ltd.
21.	Hong Kong and Kowloon Machinery and Instrument Merchants Association Ltd.
22.	Hong Kong & Kowloon Marine Products Merchants Association Ltd.
23.	Hong Kong & Kowloon Plastic Products Merchants United Association Limited
24.	Hong Kong & Kowloon Poultry Dealers Guild
25.	The Hong Kong & Kowloon Provisions, Wine & Spirit Dealers' Association Limited *(Amended 2 of 2011 s. 35)*
26.	Hong Kong and Kowloon Rattan Ware Merchants Association (Wing-Hing-Tong) *(Amended 10 of 2006 s. 45)*
27.	*(Repealed 10 of 2006 s. 48)*
28.	The Hong Kong and Kowloon Salt Merchants' Association *(Amended 10 of 2006 s. 45)*
29.	Hong Kong & Kowloon Sauce & Preserved-Fruit Amalgamated Employers Association
30.	Hong Kong & Kowloon Tea Trade Merchants Association Ltd.
31.	Hong Kong & Kowloon Timber Merchants Association Limited *(Amended 10 of 2006 s. 45)*
32.	*(Repealed 25 of 2003 s. 46)*
33.	Hong Kong & Kowloon Vermicelli & Noodle Manufacturing Industry Merchants' General Association Limited *(Amended 11 of 2019 s. 10)*
34.	Hong Kong Art Craft Merchants Association, Ltd.
35.	Hong Kong Dried Seafood and Grocery Merchants Association Limited
36.	Hong Kong Dyestuffs Merchants Association Limited
37.	Hong Kong Egg Merchants Association (Fung-Kwai-Tong)
38.	Hong Kong Embroidery Merchants Association Limited
39.	*(Repealed 10 of 2006 s. 48)*
40.	Hong Kong Flower Dealers & Workers Association
41.	Hong Kong Flower Retailers Association
42.	The Hong Kong Food Council Limited *(Replaced 25 of 2003 s. 46)*
43.	Hong Kong Fresh Fish Merchants Association
44.	Hong Kong Fur Federation
45.	Hong Kong Furniture & Decoration Trade Association Limited

Item	Body
46.	Hong Kong General Chamber of Pharmacy Limited
47.	Hong Kong Glass and Mirror Merchants and Manufacturers Association Company Limited
48.	Hong Kong Jewellers' & Goldsmiths' Association Limited
49.	The Federation of Hong Kong Footwear Limited *(Replaced 7 of 2008 s. 9)*
50.	*(Repealed 14 of 2015 s. 13)*
51.	The Hong Kong Medicine Dealers' Guild
52.	Hong Kong Metal Merchants Association
53.	The Hong Kong Oil Merchants Association, Limited *(Amended 10 of 2006 s. 45)*
54.	Hong Kong Paints & Pigments Merchants Association Ltd.
55.	Hong Kong Petroleum, Chemicals and Pharmaceutical Materials Merchants Association Ltd.
56.	Hong Kong Photo Marketing Association Limited *(Replaced 25 of 2003 s. 46)*
57.	Hong Kong Piece Goods Merchants' Association
58.	Hong Kong Plastic Material Suppliers Association Ltd.
59.	Hong Kong Plumbing and Sanitary Ware Trade Association Ltd.
60.	Hong Kong Provision & Grocery General Commercial Chamber
61.	*(Repealed 25 of 2003 s. 46)*
62.	Hong Kong Record Merchants Association Ltd.
63.	Hong Kong Rice Suppliers' Association Limited *(Replaced 25 of 2003 s. 46)*
64.	Hong Kong Retail Management Association Limited *(Amended 10 of 2006 s. 45)*
65-66.	*(Replealed 11 of 2019 s. 10)*
67.	*(Repealed 25 of 2003 s. 46)*
68.	*(Repealed 14 of 2015 s. 13)*
69.	Hong Kong Yee Yee Tong Chinese Medicine Merchants Association Ltd.
70.	The Hong Kong & Kowloon General Merchandise Merchants' Association Limited *(Amended 10 of 2006 s. 45)*
71.	*(Repealed 25 of 2003 s. 46)*
72.	Hongkong Kowloon New Territories & Overseas Fish Wholesalers Association Limited

Item	Body
73.	The Industrial Chemical Merchants' Association Limited *(Amended 10 of 2006 s. 45)*
74.	Kowloon Cheung Sha Wan Wholesale Vegetable Market (Importers) Recreation Club Limited *(Replaced 7 of 2008 s. 9)*
75.	Kowloon Fresh Fish Merchants Association Limited *(Amended 10 of 2006 s. 45)*
76.	*(Repealed 11 of 2019 s. 10)*
77.	The Kowloon Pearls, Precious Stones, Jade, Gold & Silver Ornament Merchants Association
78.	*(Repealed 25 of 2003 s. 46)*
79.	Kowloon Poultry Laan Merchants Association
80.	The Merchants Association of First Wholesalers/Jobbery of Imported Fresh Fruits & Vegetables Limited
81.	Mongkok Vegetable Wholesale Merchants Association Company Limited *(Amended 10 of 2006 s. 45)*
82.	The Motor Traders Association of Hong Kong
83.	Nam Pak Hong Association
84.	*(Repealed 25 of 2003 s. 46)*
85.	Po Sau Tong Ginseng & Antler Association Hong Kong Ltd.
86.	The Rice Merchants' Association of Hong Kong Limited
87.	Shaukiwan Fishery Merchants Association *(Amended 10 of 2006 s. 45)*
88-89.	*(Repealed 10 of 2006 s. 48)*
90.	*(Repealed 25 of 2003 s. 46)*
91.	*(Repealed 7 of 2008 s. 9)*
92.	Kowloon Fruit & Vegetable Merchants Association Limited *(Added 25 of 2003 s. 46)*
93.	The Hong Kong And Kowloon Electric Trade Association *(Added 25 of 2003 s. 46)*
94.	Hong Kong Poultry Wholesalers Association *(Added 25 of 2003 s. 46)*
95.	Diamond Federation of Hong Kong, China Limited *(Added 25 of 2003 s. 46)*
96.	Tobacco Association of Hong Kong Limited *(Added 7 of 2008 s. 9)*
97.	Hong Kong Chinese Prepared Medicine Traders Association Limited *(Added 2 of 2011 s. 35)*
98.	Hong Kong Chinese Medicine Industry Association Limited *(Added 2 of 2011 s. 35)*

Item	Body
99.	Hong Kong Chinese Patent Medicine Manufacturers' Association Ltd. *(Added 2 of 2011 s. 35)*

(Added 48 of 1999 s. 43. Amended E.R. 5 of 2019)

Schedule 1D

[s. 20Z]

Composition of the Information Technology Functional Constituency

Part 1

Item	Body
1.	APT Satellite Company Limited *(Amended 10 of 2006 s. 42)*
2.	Asia Satellite Telecommunications Company Limited

(Amended E.R. 5 of 2019)

Part 2

Item	Body	Eligible persons
1.	Hong Kong Software Industry Association Limited *(Amended 2 of 2011 s. 36)*	Full Members— (a) the major business of which, as confirmed by the Association, has been in the research, development or application of information technology or computer software during the relevant period; and (b) which are entitled to vote at general meetings of the Association.
2.	Information Systems Audit and Control Association China Hong Kong Chapter Limited *(Amended 2 of 2011 s. 36)*	Ordinary Members who are— (a) confirmed by the Association to have been holders of the Certified Information Systems Auditor Certification (CISA) during the relevant period; and (b) entitled to vote at general meetings of the Association.
3.	Internet Professional Association Limited *(Amended 10 of 2006 s. 42)*	Members who are— (a) confirmed by the Association to have had experience in the information technology field, as specified in the constitution of the Association, during the relevant period; and (b) entitled to vote at general meetings of the Association.
4.	Professional Information Security Association	Full Members who are— (a) confirmed by the Association to have been holders of the Certified Information Systems Security Professional Certification (CISSP) during the relevant period; and (b) entitled to vote at general meetings of the Association.

Part 3

1. Definition

In Part 2, ***relevant period*** (有關期間), in relation to a person, means the period of 4 years immediately preceding the date on which that person applies for registration as an elector of the information technology functional constituency.

(Schedule 1D replaced 25 of 2003 s. 47)

Schedule 1E

[s. 20ZA]

Composition of the Catering Functional Constituency

Item	Body
1.	The Association for Hong Kong Catering Services Management Limited *(Amended 11 of 2019 s. 11)*
2.	The Association of Restaurant Managers Limited
3.	*(Repealed 14 of 2015 s. 14)*
4.	*(Repealed 25 of 2003 s. 48)*
5.	The Hong Kong Restaurant and Eating House Merchants General Association
6.	*(Repealed 25 of 2003 s. 48)*
7.	Hong Kong Catering Industry Association Limited *(Added 25 of 2003 s. 48. Amended L.N. 29 of 2004)*

(Added 48 of 1999 s. 43. Amended E.R. 5 of 2019)

1. Interpretation

In this Regulation, unless the context otherwise requires—

appeal (上訴) means an appeal made under the FC Registration Regulation against the decision of the Electoral Registration Officer not to register as an authorized representative a person appointed by a corporate elector as a replacement or a substitute under section 20 of the FC Registration Regulation; *(L.N. 199 of 2001)*

appellant (上訴人) means—

(a) a corporate elector who has made an appeal under the FC Registration Regulation by means of a notice of appeal; or

(b) a person who has made a claim or an objection under the FC Registration Regulation or the GC Registration Regulation by means of a notice of claim or a notice of objection; *(L.N. 199 of 2001)*

claim (申索) means a claim made under the FC Registration Regulation or the GC Registration Regulation as regards an entry, or registration, in a functional constituencies register or a geographical constituencies register; *(L.N. 199 of 2001)*

corporate elector (團體選民) has the meaning assigned to it by section 3(1) of the Legislative Council Ordinance (Cap. 542);

District Council election year (區議會選舉年) means a year in which an ordinary election is to be held; *(L.N. 26 of 2003)*

FC Registration Regulation (《功能界別登記規例》) means 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); *(L.N. 199 of 2001)*

functional constituencies register (功能界別選民登記冊) means — *(L.N. 26 of 2003)*

(a) a provisional register of functional constituencies required to be compiled under section 32(1)(a)(ii) or (1A)(a)(ii) of the Legislative Council Ordinance (Cap. 542); or

(b) a final register of functional constituencies required to be compiled under section 32(1)(b)(ii) or (1A)(b)(ii) of the Legislative Council Ordinance (Cap. 542); *(L.N. 199 of 2001; L.N. 26 of 2003)*

gale warning (烈風警告) has the same meaning as in the Judicial Proceedings (Adjournment During Gale Warnings) Ordinance (Cap. 62); *(1 of 2019 s. 11)*

GC Registration Regulation (《地方選區登記規例》) means the Electoral Affairs Commission (Registration of Electors) (Legislative Council Geographical Constituencies) (District Council Constituencies) Regulation (Cap. 541 sub. leg. A); *(L.N. 199 of 2001)*

geographical constituencies register (地方選區選民登記冊) means— *(L.N. 26 of 2003)*

(a) a provisional register of geographical constituencies required to be compiled under section 32(1)(a)(i) or (1A)(a)(i) of the Legislative Council Ordinance (Cap. 542); or

(b) a final register of geographical constituencies required to be compiled under section 32(1)(b)(i) or (1A)(b)(i) of the Legislative Council Ordinance (Cap. 542); *(L.N. 199 of 2001; L.N. 26 of 2003)*

inclement weather warning day (惡劣天氣警告日) means a working day on which a gale warning or a rainstorm warning is in force at any time during the ordinary business hours of the office of a Revising Officer; *(1 of 2019 s. 11)*

notice of appeal (上訴通知書) means a notice lodged by a corporate elector under the FC Registration Regulation for the purpose of making an appeal; *(L.N. 199 of 2001)*

notice of claim (申索通知書) means a notice lodged by a person under the FC Registration Regulation or the GC Registration Regulation for the purpose of making a claim; *(L.N. 199 of 2001)*

notice of objection (反對通知書) means a notice lodged by a person under the FC Registration Regulation or the GC Registration Regulation for the purpose of making an objection; *(L.N. 199 of 2001)*

objection (反對) means an objection made under the FC Registration Regulation or the GC Registration Regulation as regards an entry, or registration, in a functional constituencies register or a geographical constituencies register; *(L.N. 199 of 2001; 1 of 2019 s. 11)*

provisional register (臨時選民登記冊) means—

(a) a provisional register of geographical constituencies compiled under section 32(1)(a)(i) or (1A)(a)(i) of the Legislative Council Ordinance (Cap. 542); or

(a) a provisional register of functional constituencies compiled under section 32(1)(a)(ii) or (1A)(a)(ii) of that Ordinance; *(1 of 2019 s. 11)*

rainstorm warning (暴雨警告) has the same meaning as in the Judicial Proceedings (Adjournment During Gale Warnings) Ordinance (Cap. 62); *(1 of 2019 s. 11)*

working day (工作日) means a day that is not—

(a) a general holiday; or

(b) a Saturday. *(1 of 2019 s. 11)*

(L.N. 199 of 2001)

1A. Effect of inclement weather warning on date and period

(1) *(Repealed 1 of 2019 s. 12)*

(2) If—

(a) a date is prescribed in this Regulation (whether by reference to a specific day of a specific month or to a day otherwise ascertainable under this Regulation) or is fixed under this Regulation;

(b) an act is required or permitted by a provision of this Regulation to be done not later than, or on or before, the date or on the date; and

(c) the date falls on an inclement weather warning day,

the next working day, which is not an inclement weather warning day, following the date is taken to be prescribed or fixed in relation to the act instead for the provision.

(3) If—

(a) a period is prescribed in or fixed under this Regulation;

(b) an act is required or permitted by a provision of this Regulation to be done in, during or within the period; and

(c) the last day of the period falls on an inclement weather warning day,

the period is extended, in relation to the act, to end on the next working day, which is not an inclement weather warning day, following the day mentioned in paragraph (c), and the provision has effect accordingly.

(4) If—

(a) a date is prescribed by reference to a specific day of a specific month in the provisions (***former provisions***) specified in column 1 of Table 1;

(b) the same date is prescribed in the provision or provisions specified opposite to the former provisions in column 2 of Table 1; and

(c) the date falls on an inclement weather warning day in a year,

the next working day, which is not an inclement weather warning day, following the date is taken to be prescribed in relation to that year instead for the provision or provisions and the former provisions.

Table 1

Column 1	Column 2
section 13(1)(a) of Cap. 541A and section 29(1)(a)(i) of Cap. 541B	sections 2(3)(c)(i), 4(3)(a)(ii) and 6(2)(a) and (2AA)(b)(i) *(1 of 2019 s. 12)*
section 13(1)(b) of Cap. 541A and section 29(1)(a)(ii) of Cap. 541B	sections 2(3)(b) and (c)(ii), 4(3)(a)(i) and 6(2)(b) and (2AA)(a)(i) *(1 of 2019 s. 12)*
section 16(3)(a) of Cap. 541A and section 32(2)(ab)(i) of Cap. 541B	section 2(3)(c)(i)
section 16(3)(b) of Cap. 541A and section 32(2)(ab)(ii) of Cap. 541B	section 2(3)(b) and (c)(ii)

In this Table—

Cap. 541A stands for the Electoral Affairs Commission (Registration of Electors) (Legislative Council Geographical Constituencies) (District Council Constituencies) Regulation (Cap. 541 sub. leg. A);

Cap. 541B stands for 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).

(5) Subsections (6) and (7) apply if—

(a) a date is prescribed by reference to a specific day of a specific month in the provisions (***former provisions***) specified in column 1 of Table 2;

(b) another date which is the day following the date mentioned in paragraph (a) is prescribed in the provision specified opposite to the former provisions in column 2 of Table 2; and

(c) the date mentioned in paragraph (a) falls on an inclement weather warning day in a year.

Table 2

Column 1	Column 2
section 16(3)(a) of Cap. 541A and section 32(2)(ab)(i) of Cap. 541B	section 2(3)(b)
section 16(3)(b) of Cap. 541A and section 32(2)(ab)(ii) of Cap. 541B	section 2(3)(c)

In this Table—

Cap. 541A stands for the Electoral Affairs Commission (Registration of Electors) (Legislative Council Geographical Constituencies) (District Council Constituencies) Regulation (Cap. 541 sub. leg. A);

Cap. 541B stands for 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).

(6) The next working day, which is not an inclement weather warning day, following the date mentioned in subsection (5)(a) is taken to be prescribed in relation to the year instead for the former provisions.

(7) The day following the working day mentioned in subsection (6) is taken to be prescribed in relation to the year instead for the provision specified in subsection (5)(b).

(8) If in any year a day specified in column 1 of Table 3 falls on an inclement weather warning day, the provision or provisions specified opposite to the day in column 2 of Table 3 have effect in relation to that year as if the reference to that day in that provision or those provisions is substituted by a reference to the next working day, which is not an inclement weather warning day, following that day.

Table 3

Column 1	Column 2
the eighth day before the polling date	section 2(4)(a) and (b)
8 September	section 2(4)(b)(i) and (ii)

8 July	section 2(4)(b)(iii) and (iv)
11 July	sections 4(3)(a)(i) and 6(2)(b) and (2AA)(a)(ii) *(1 of 2019 s. 12)*
11 September	sections 4(3)(a)(ii) and 6(2)(a) and (2AA)(b)(ii) *(1 of 2019 s. 12)*
7 July	section 6(2AA)(a) *(1 of 2019 s. 12)*
7 September	section 6(2AA)(b) *(1 of 2019 s. 12)*

(9) Subsections (2) and (3) are subject to sections 2(4A) and 6(2A).

(12 of 2014 s. 18)

2. Fixing of hearing and notifying the appellant thereof

(1A) This section does not apply to a claim or an objection if the Revising Officer directs under section 2A(2) that the claim or objection be determined without a hearing on the basis of written submissions only. *(1 of 2019 s. 13)*

(1) Where the Revising Officer receives a copy of a notice of appeal or a notice of claim or a notice of objection from the Electoral Registration Officer, he shall, as soon as practicable —

(a) subject to subsection (3), fix a date, time and place for holding a hearing as regards the appeal or the claim or the objection to which the notice relates; and

(b) send by post, a notice under subsection (2)— *(L.N. 26 of 2003; 1 of 2019 s. 13)*

(i) to the appellant concerned to the address furnished as his address in the notice of appeal or the notice of claim or the notice of objection, as the case may be; and

(ii) in the case of a notice of objection, in addition to the appellant, to the person in respect of whom the objection is made.

(2) A notice for the purposes of subsection (1)(b) shall—

(a) state that a hearing is to be held as regards the notice of appeal or the notice of claim or the notice of objection, as the case may be;

(b) specify the date, time and place fixed under subsection (1)(a) for such hearing;

(c) state that the appellant or the person in respect of whom the objection is made, as the case may be—

(i) may appear in person at the hearing and make representations to the Revising Officer regarding the appeal or claim or objection concerned;

(ii) may be represented at such hearing by a legal practitioner or any other person (authorized in writing by the appellant or the person in respect of whom the objection is made, as may be appropriate) who may make representations on his behalf; or

(iii) whether or not he appears or is represented, may make representations in writing regarding the appeal or claim or objection concerned and submit them, by post or by hand, at an address (which shall be specified in the notice) to reach the Revising Officer on a date not later than 1 day before the date fixed for the hearing; *(1 of 2019 s. 13)*

(d) in the case of a notice sent to an appellant, state that if the Electoral Registration Officer does not make representations to the Revising Officer at the hearing and if the appellant—

(i) does not appear at the hearing;

(ii) is not represented by a legal practitioner or any other person (authorized in writing by the appellant) at the hearing; and

(iii) does not make representations in writing regarding the appeal or claim or objection concerned to be received by the Revising Officer on a date not later than 1 day before the date of the hearing,

the decision of the Electoral Registration Officer to which the notice of appeal or the notice of claim or the notice of objection relates, shall stand; and *(1 of 2019 s. 13)*

(e) also in the case of a notice sent to an appellant, state that if the appellant—

(i) does not appear at the hearing; and

(ii) is not represented at the hearing by a legal practitioner or any other person (authorized in writing by the appellant),

the Revising Officer may make a ruling dismissing the appeal, claim or objection, whether or not the appellant

has made representations in writing regarding the appeal, claim or objection. *(1 of 2019 s. 13)*

(3) Where a copy of a notice of claim or a notice of objection is received by the Revising Officer—

(a) during the period beginning on 3 July 2018 and ending on 29 August 2019, the date fixed under subsection (1)(a) as regards that notice shall be a date between 1 August 2019 and 11 September 2019 (both dates inclusive); *(Repealed L.N. 282 of 1999. Added L.N. 26 of 2003)*

(b) during the period beginning on 30 August in any year subsequent to 2018, if that subsequent year is a District Council election year, and ending on 29 June in the year following that subsequent year, the date fixed under subsection (1)(a) as regards that notice shall be a date between 1 June and 11 July (both dates inclusive) in that following year; or *(Repealed L.N. 282 of 1999. Added L.N. 26 of 2003)*

(ba) *(Repealed L.N. 199 of 2001)*

(c) during the period beginning on 30 June in any year subsequent to 2018, if that subsequent year is not a District Council election year, and— *(12 of 2014 s. 168; 1 of 2019 s. 13)*

(i) ending on 29 August in the year following that subsequent year, if that following year is a District Council election year, the date fixed under subsection (1)(a) as regards that notice shall be a date between 1 August and 11 September (both dates inclusive) in that following year; or

(ii) ending on 29 June in the year following that subsequent year, if that following year is not a District Council election year, the date fixed under subsection (1)(a) as regards that notice shall be a date between 1 June and 11 July (both dates inclusive) in that following year, *(L.N. 26 of 2003)*

which date so fixed in accordance with paragraph (a), (b) or (c)(i) or (ii), as the case may be, shall not be earlier than the third day after the day on which the copy of the notice is so received. *(L.N. 26 of 2003; 12 of 2014 s. 168; 1 of 2019 s. 13)*

(4) Where a copy of a notice of appeal is received by the Revising Officer—

(a) on a date not later than the eighth day before the polling date for the functional constituency concerned in any year, the date fixed under subsection (1)(a) as regards that notice shall be a date within a period of 21 days beginning from 25 days before such polling date; and

(b) on a date later than the eighth day before the polling date for the functional constituency concerned, the date fixed under subsection (1)(a) as regards that notice shall be — *(L.N. 199 of 2001; L.N. 244 of 2001; L.N. 26 of 2003)*

(i) where the copy of the notice is so received on or before 8 September in a District Council election year, a date within a period of 28 days ending on 11 September in that year; *(L.N. 26 of 2003)*

(ii) where the copy of the notice is so received after 8 September in a District Council election year, a date within a period of 27 days ending on 11 July in the next following year; *(L.N. 26 of 2003)*

(iii) where the copy of the notice is so received on or before 8 July in any year which is not a District Council election year, a date within a period of 27 days ending on 11 July in that year; or *(L.N. 26 of 2003)*

(iv) where the copy of the notice is so received after 8 July in any year which is not a District Council election year—

(A) a date within a period of 28 days ending on 11 September in the next following year, if that following year is a District Council election year; or

(B) a date within a period of 27 days ending on 11 July in the next following year, if that following year is not a District Council election year. *(L.N. 26 of 2003)*

(4A) Despite subsections (3) and (4) and section 5, if—

(a) the date fixed under subsection (1)(a) for a hearing—

(i) is the last day of the period specified in subsection (3)(a), (b) or (c)(i) or (ii) or (4)(a) or (b)(i), (ii), (iii) or (iv)(A) or (B); or

(ii) is postponed under section 1A to or beyond the last day of the period mentioned in subparagraph (i); and

(b) the deadline for the making of representations in writing to the Revising Officer under this section is postponed under section 1A to that hearing day,

the Revising Officer may, in his or her discretion, postpone the hearing to the next working day, which is not an inclement weather warning day, following that postponed deadline. *(12 of 2014 s. 19)*

(5) As regards any notice of appeal or notice of claim or notice of objection—

(a) in the case where the Electoral Registration Officer does not make representations to the Revising Officer at the hearing and the appellant—

(i) does not appear at the hearing thereof;

(ii) is not represented by a legal practitioner or any other person (authorized in writing by the appellant) at that hearing; and

(iii) does not make representations in writing regarding the appeal or claim or objection concerned, as the case may be, to be received by the Revising Officer on a date not later than 1 day before the date of that hearing,

the decision of the Electoral Registration Officer to which the notice of appeal or the notice of claim or the notice of objection, as the case may be, relates, shall stand; or

(b) in any other case, the Revising Officer shall make a ruling either allowing or dismissing the appeal or the claim or the objection, as the case may be, to which that notice relates.

(5A) Without limiting subsection (5), if the appellant—

(a) does not appear at the hearing; and

(b) is not represented at the hearing by a legal practitioner or any other person (authorized in writing by the appellant),

the Revising Officer may make a ruling dismissing the appeal, claim or objection, whether or not the appellant has made representations in writing regarding the appeal, claim or objection. *(1 of 2019 s. 13)*

(6) *(Repealed 1 of 2019 s. 13)*

(L.N. 199 of 2001)

2A. Revising Officer to determine certain claims or objections based on written submissions

(1) This section applies if—

(a) the Revising Officer receives a copy of a notice of claim or a notice of objection from the Electoral Registration Officer; and

(b) the Electoral Registration Officer requests under a specified provision that the claim or objection be determined without a hearing on the basis of written submissions only.

(2) The Revising Officer must direct that the claim or objection be determined without a hearing on the basis of written submissions only.

(3) The Revising Officer must send by post a notice specified in subsection (4) to the party to whom the claim or objection relates—

(a) if the provisional register concerned is compiled for a year that is not a District Council election year—not later than 29 June in that year; or

(b) if the provisional register concerned is compiled for a District Council election year—not later than 29 August in that year.

(4) The notice must state that—

(a) the claim or objection is to be determined by the Revising Officer without a hearing on the basis of written submissions only;

(b) the party may make written representations regarding the claim or objection and submit them by post or by hand at the address, and by the date, specified in the notice; and

(c) after the claim or objection is determined, the party will be notified of the ruling of the Revising Officer by the date specified in section 3.

(5) The Revising Officer must make a ruling either allowing or dismissing the claim or objection.

(6) In this section—

party (一方) means—

(a) in relation to a claim—the person who made the claim; or

(b) in relation to an objection—

(i) the person who made the objection; or

(ii) the person in respect of whom the objection is made;

specified provision (指明條文) means—

(a) section 16(4) or (5) of the GC Registration Regulation; or

(b) section 32(4) or (5) of the FC Registration Regulation.

(1 of 2019 s. 14)

3. Appellant and person in respect of whom objection is made to be notified of rulings etc.

(1) If a decision of the Electoral Registration Officer stands under section 2(5)(a), the Revising Officer must notify the party concerned of that fact.

(2) If the Revising Officer makes a ruling under section 2(5)(b) or (5A) or section 2A(5), the Revising Officer must notify the party concerned of the ruling.

(3) A notification under subsection (1) or (2) must be sent to the party by post.

(4) A notification in relation to a ruling made under section 2A(5) must be sent—

(a) if the provisional register concerned is compiled for a year that is not a District Council election year—not later than 7 July in that year; or

(b) if the provisional register concerned is compiled for a District Council election year—not later than 7 September in that year.

(5) In this section—

party (一方) means—

(a) in relation to an appeal—the corporate elector who made the appeal;

(b) in relation to a claim—the person who made the claim; or

(c) in relation to an objection—

(i) the person who made the objection; or

(ii) the person in respect of whom the objection is made.

(1 of 2019 s. 15)

4. Electoral Registration Officer to be notified of rulings made under section 2(5) and (5A) etc.

(1) If a hearing is held under section 2 for an appeal, a claim or an objection, the Revising Officer must, in accordance with subsection (3), give the Electoral Registration Officer written notice—

(a) that the decision of the Electoral Registration Officer in respect of the appeal, claim or objection is to stand under section 2(5)(a); or

(b) of the ruling of the Revising Officer made under section 2(5)(b) or (5A) in respect of the appeal, claim or objection.

(2) If a hearing is held for—

(a) a review under section 6(1)(a) of a ruling in respect of an appeal, a claim or an objection; or

(b) a review under section 6(1)(b) of a ruling in respect of a claim or an objection,

the Revising Officer must, in accordance with subsection (3), give the Electoral Registration Officer written notice of the result of the review.

(3) The Revising Officer must give the notice to the Electoral Registration Officer—

(a) after a hearing in connection with a claim or an objection is concluded—

(i) during the period beginning on 1 June in a year that is not a District Council election year and ending on 11 July in that year—not later than 17 July in that year; or

(ii) during the period beginning on 1 August in a District Council election year and ending on 11 September in that year—not later than 17 September in that year; or

(b) after a hearing in connection with an appeal is concluded —

(i) during the period referred to in section 2(4)(a)—on a date at least 3 working days before the polling date mentioned in that section;

(ii) during the period referred to in section 2(4)(b)(ii), (iii) or (iv)(B)—not later than 17 July in the relevant year; or

(iii) during the period referred to in section 2(4)(b)(i) or (iv)(A)—not later than 17 September in the relevant year.

(1 of 2019 s. 15)

4A. Electoral Registration Officer to be notified of rulings made under section 2A(5)

If a ruling is made under section 2A(5), the Revising Officer must notify the Electoral Registration Officer of the ruling—

(a) if the provisional register concerned is compiled for a year that is not a District Council election year—not later than 7 July in that year; or

(b) if the provisional register concerned is compiled for a District Council election year—not later than 7 September in that year.

(1 of 2019 s. 16)

5. Determination of matters and powers of adjournment, etc.

The Revising Officer shall determine every matter to be determined by him under this Regulation as soon as practicable, and the hearing of any such matter shall, as far as is practicable having regard to the interests of justice, be continued from day to day (excluding general holidays) until its conclusion, but subject to the foregoing, the hearing and determination of any such matter may be adjourned at any time to a date not later than the last day of the period referred to in section 6(2)(a), (b), (c), (d)(i), (ii) or (iii) or (e)(i) or (ii), as the case may be.

(L.N. 282 of 1999; L.N. 26 of 2003)

6. Review of rulings by Revising Officer

(1) The Revising Officer may, subject to subsection (2), and on his own initiative or for good cause shown by the Electoral Registration Officer or the appellant or the person in respect of whom the objection is made— *(1 of 2019 s. 17)*

(a) review a ruling made under section 2(5)(b) or (5A), and for that purpose, rehear the matter wholly or in part and reverse or confirm the ruling; or

(b) review a ruling made under section 2A(5), and for that purpose, hold a hearing and reverse or confirm the ruling. *(1 of 2019 s. 17)*

(2) A ruling under section 2(5)(b) or (5A) made— *(1 of 2019 s. 17)*

(a) during the period beginning on 1 August in a District Council election year and ending on 11 September in that year may only be reviewed during that period; *(L.N. 26 of 2003; 12 of 2014 s. 170)*

(b) during the period beginning on 1 June in any year which is not a District Council election year and ending on 11 July in that year may only be reviewed during that period; *(L.N. 26 of 2003; 12 of 2014 s. 170)*

(c) during the period referred to in section 2(4)(a) may only be reviewed during that period; *(12 of 2014 s. 21)*

(d) during the period referred to in— *(12 of 2014 s. 21)*

(i) section 2(4)(b)(ii) may only be reviewed during that period;

(ii) section 2(4)(b)(iii) may only be reviewed during that period; or

(iii) section 2(4)(b)(iv)(B) may only be reviewed during that period; or *(L.N. 26 of 2003)*

(e) during the period referred to in— *(12 of 2014 s. 21)*

(i) section 2(4)(b)(i) may only be reviewed during that period; or

(ii) section 2(4)(b)(iv)(A) may only be reviewed during that period. *(L.N. 26 of 2003)*

(2AA) A ruling under section 2A(5)—

(a) if made during the period beginning on 1 June in a year that is not a District Council election year and ending on 7 July in that year—may only be reviewed during the period—

(i) beginning on 1 June in that year; and

(ii) ending on 11 July in that year; or

(b) if made during the period beginning on 1 August in a District Council election year and ending on 7 September in that year—may only be reviewed during the period—

(i) beginning on 1 August in that year; and

(ii) ending on 11 September in that year. *(1 of 2019 s. 17)*

(2A) Despite subsection (2), if the conditions under section 2(4A)(a)(i) or (ii) and (b) are met, the period for a review of the ruling in respect of the appeal, claim or objection in question is extended to the next working day, which is not an inclement weather warning day, following the postponed deadline for the making of representations in writing to the Revising Officer specified in section 2(4A) in relation to that appeal, claim or objection. *(12 of 2014 s. 21)*

(2B) A ruling made or reviewed after 11 September in a District Council election year because of an extension under subsection (2A) is deemed, for the following provisions, to be made on 11 September in that year—

(a) section 19(5)(a) of the Electoral Affairs Commission (Registration of Electors) (Legislative Council Geographical Constituencies) (District Council Constituencies) Regulation (Cap. 541 sub. leg. A); and

(b) sections 35(5)(a) and 36(5)(a) of 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). *(12 of 2014 s. 21)*

(2C) A ruling made or reviewed after 11 July in a year which is not a District Council election year because of an extension under subsection (2A) is deemed, for the following provisions, to be made on 11 July in that year—

(a) section 19(5)(b) of the Electoral Affairs Commission (Registration of Electors) (Legislative Council Geographical Constituencies) (District Council Constituencies) Regulation (Cap. 541 sub. leg. A); and

(b) sections 35(5)(b) and 36(5)(b) of 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). *(12 of 2014 s. 21)*

(3) In the case where the Revising Officer decides to review any ruling made under section 2(5)(b) or (5A) or section 2A(5), he shall determine the procedure for such review. *(1 of 2019 s. 17)*

(4) *(Repealed 1 of 2019 s. 17)*

1. Interpretation

(1) In this Regulation, unless the context otherwise requires—

deposit (按金) means the deposit lodged under section 2(1);

election (選舉) means an election or a by-election held to elect a Member in respect of a geographical constituency or a functional constituency; *(L.N. 206 of 2001; 25 of 2003 s. 50)*

list of candidates (候選人名單) means a list of candidates referred to in section 38(10) of the Ordinance or a new list of candidates referred to in section 38(14) of the Ordinance; *(L.N. 14 of 2000)*

nomination list (提名名單) means a nomination list referred to in section 38 of the Ordinance;

nominee (獲提名人) means a nominee as defined in section 38(1) of the Ordinance.

(2 of 2011 s. 39)

(2) In this Regulation, any reference to the appropriate regulations shall be construed as a reference to any regulations made under section 7 of the Electoral Affairs Commission Ordinance (Cap. 541) relating to procedure at an election. *(L.N. 206 of 2001)*

(3) For the purposes of sections 3(3), 4(4) and (6) and 5(1), a reference to the Returning Officer, in relation to a geographical constituency or functional constituency, includes —

(a) an Assistant Returning Officer for the geographical constituency or functional constituency; and

(b) the Chief Electoral Officer appointed under section 9 of the Electoral Affairs Commission Ordinance (Cap. 541). *(1 of 2019 s. 68)*

2. Amount of deposit

(1) The amount of deposit to be lodged—

(a) on behalf of the nominees on a nomination list in respect of their nomination as candidates for a geographical constituency in an election is $50,000;

(ba) on behalf of the nominees on a nomination list in respect of their nomination as candidates for the District Council (second) functional constituency in an election is $25,000; *(2 of 2011 s. 40)*

(b) by or on behalf of a candidate in respect of his or her nomination as a candidate for any other functional constituency in an election is $25,000. *(25 of 2003 s. 50; 2 of 2011 s. 40)*

(2) Where any deposit is lodged to a Returning Officer, he shall forthwith deposit it with the Director of Accounting Services.

3. Return of deposit on invalid nomination etc.

(1) Where, as regards any geographical constituency or the District Council (second) functional constituency— *(2 of 2011 s. 41)*

(a) a deposit is lodged on behalf of the nominees on a nomination list in respect of their nomination as candidates, and— *(2 of 2011 s. 41)*

(i) all the nominees on the nomination list withdraw their nomination for election in respect of that constituency under section 42 of the Ordinance;

(ii) the Returning Officer rejects the nomination list under section 38(7) of the Ordinance; or

(iii) where the nominees or any of them are taken, under section 38(10) or (14) of the Ordinance, as constituting a list of candidates, the Returning Officer rejects that list of candidates under section 38(13) of the Ordinance after striking out from that list of candidates the name of a candidate who has died or is disqualified from being nominated as such a candidate,

the deposit so lodged; or

(b) the proceedings for the election are terminated under section 46A(1) of the Ordinance, the deposit lodged on behalf of the nominees on each nomination list for that constituency,

shall be returned in accordance with this section. *(2 of 2011 s. 41)*

(2) Where, as regards any functional constituency (other than the District Council (second) functional constituency)— *(25 of 2003 s. 50; 2 of 2011 s. 41)*

(a) a deposit is lodged by or on behalf of a candidate in respect of his nomination as a candidate, and—

(i) the Returning Officer makes a decision under section 42A(1) of the Ordinance that the candidate is not validly nominated in respect of that functional constituency; or

(ii) the candidate withdraws his nomination for election in respect of that functional constituency under section 42 of the Ordinance,

(iii) *(Repealed 25 of 2003 s. 50)*

the deposit so lodged; or

(b) the proceedings for the election are terminated under section 42C or 46A(1) of the Ordinance, as the case may be, the deposit lodged in respect of each candidate for that functional constituency,

shall be returned in accordance with this section. *(L.N. 14 of 2000; 25 of 2003 s. 50)*

(2A) *(Repealed L.N. 206 of 2001)*

(3) The Returning Officer for the geographical constituency or functional constituency concerned shall, in the case referred to in— *(L.N. 206 of 2001; 25 of 2003 s. 50)*

(a) subsection (1)(a)(i) or (ii) or (2)(a)(i) or (ii), as soon as practicable after the publication under the appropriate regulations of a notice containing particulars of the candidates, as the case may be, validly nominated in respect of that geographical constituency or functional constituency, notify the Director of Accounting Services in writing that the deposit lodged on behalf of the nominees on the nomination list concerned or by or on behalf of the candidate concerned, as the case may be, is returnable to the person who lodges the deposit on behalf of those nominees or to that candidate or the person who lodges the deposit on behalf of such candidate, as the case may be; *(L.N. 206 of 2001; 25 of 2003 s. 50; 2 of 2011 s. 41)*

(aa) subsection (1)(a)(iii), as soon as practicable after—

(i) in case no declarations referred to in section 42B(2) or (5) of the Ordinance are to be made in accordance with the appropriate regulations in relation to the death, or the variation of decision relating to the disqualification, the publication under the appropriate regulations of a notice containing particulars of the candidates validly nominated in respect of that constituency; *(2 of 2011 s. 41)*

(ii) in case declarations referred to in section 42B(2) or (5) of the Ordinance are to be made in accordance with the appropriate regulations in relation to the death, or the variation of decision relating to the disqualification, as the case may be, such declarations are so made,

notify the Director of Accounting Services in writing that the deposit lodged on behalf of the nominees on the nomination list concerned is returnable to the person who lodges the deposit on behalf of those nominees; and *(L.N. 14 of 2000; 25 of 2003 s. 50)*

(b) subsection (1)(b) or (2)(b), as soon as practicable after the publication under the appropriate regulations of a notice declaring that the proceedings for the election are terminated, notify the Director of Accounting Services in writing that the deposit lodged on behalf of the nominees on each nomination list for that geographical constituency or the District Council (second) functional constituency, or by or on behalf of each candidate for that functional constituency (other than the District Council (second) functional constituency), as the case may be, is returnable to each person who lodges the deposit on behalf of those nominees or to such candidate or the person who lodges the deposit on behalf of such candidate, as the case may be. *(25 of 2003 s. 50; 2 of 2011 s. 41)*

(c) *(Repealed 25 of 2003 s. 50)*

(4) The Director of Accounting Services shall, as soon as practicable after the receipt of a notification under subsection (3), return the amount of the deposit to the person who lodges the deposit on behalf of the nominees on the nomination list or to the candidate or to the person who lodges the deposit on behalf of such candidate, as the case may be, specified in the notification.

(L.N. 14 of 2000)

4. Disposal of deposit after publication of election result or declaration of failure of election

(1) Subject to subsection (3), as regards—

(a) an election in which a candidate is declared under section 46(1) of the Ordinance to be duly elected as a Member in respect of a geographical constituency or the District Council (second) functional constituency;

(b) an election in which a candidate is declared under section 49(13) or (15) of the Ordinance as elected as a Member in respect of a geographical constituency or the District Council (second) functional constituency; or

(c) an election for a geographical constituency or the District Council (second) functional constituency which is declared under section 46A(3)(a) of the Ordinance to have failed,

after such declaration, the deposit lodged on behalf of the nominees on each nomination list for that constituency, unless it shall be returned in accordance with section 3, shall be returned in accordance with this section. *(L.N. 14 of 2000)*

(2) Subject to subsection (3), as regards—

(a) an election in which a candidate is declared under section 46(1) of the Ordinance to be duly elected as a Member in respect of a functional constituency (other than the District Council (second) functional constituency);

(b) an election in which a candidate is declared under section 50(7) or 51(7) of the Ordinance as elected as a Member in respect of a functional constituency (other than the District Council (second) functional constituency); or

(c) an election for a functional constituency (other than the District Council (second) functional constituency) which is declared under section 46A(3)(a) of the Ordinance to have failed,

after such declaration, the deposit lodged by or on behalf of each candidate for that functional constituency, unless it shall be returned in accordance with section 3, shall be returned in accordance with this section. *(L.N. 14 of 2000)*

(2A) *(Repealed L.N. 206 of 2001)*

(3) Where—

(a) the total number of ballot papers containing valid votes in favour of a nomination list which has no successful candidate in respect of a geographical constituency or the District Council (second) functional constituency received by such nomination list is less than 3% of the total number of ballot papers containing valid votes received in that constituency; or

(b) (i) the total number of ballot papers containing valid first preference votes in favour of an unsuccessful candidate in respect of a functional constituency specified in section 20(1)(a) to (d) of the Ordinance received by such candidate is less than 3% of the total number of ballot papers containing valid first preference votes received in that constituency; or

(ii) the total number of ballot papers containing valid votes in favour of an unsuccessful candidate in respect of a functional constituency (other than a functional constituency referred to in subparagraph (i) and the District Council (second) functional constituency) received by such candidate is less than 3% of the total number of ballot papers containing valid votes received in that functional constituency,

(c) *(Repealed 25 of 2003 s. 50)*

(d) *(Repealed L.N. 206 of 2001)*

as determined by a counting of the votes and any re-count, the deposit lodged in respect of his or their nomination shall be forfeited to the general revenue, in accordance with this section. *(L.N. 49 of 1998)*

(4) Subject to subsection (6), the Returning Officer for the geographical constituency or functional constituency concerned shall, in the case of— *(L.N. 206 of 2001; 25 of 2003 s. 50)*

(a) an election referred to in subsection (1)(a) or (2)(a), as soon as practicable after the publication under the appropriate regulations of a notice declaring that the candidate is duly elected in respect of that geographical constituency or functional constituency;

(b) an election referred to in subsection (1)(b) or (2)(b), as soon as practicable after the publication under the appropriate regulations of a notice of the result of the election in respect of that geographical constituency or functional constituency;

(c) an election referred to in subsection (1)(c) or (2)(c), as soon as practicable after the publication under the appropriate regulations of a notice declaring that the election has failed,

notify the Director of Accounting Services in writing that the deposit lodged on behalf of the nominees on each nomination list for that geographical constituency or the District Council (second) functional constituency, or by or on behalf of each

candidate for that functional constituency (other than the District Council (second) functional constituency), as the case may be, is returnable to the person who lodges the deposit on behalf of those nominees or to such candidate or to the person who lodges the deposit on behalf of such candidate, as the case may be. *(L.N. 14 of 2000; L.N. 206 of 2001)*

(5) The Director of Accounting Services shall, as soon as practicable after the receipt of a notification under subsection (4), return the amount of the deposit to the person who lodges the deposit on behalf of the nominees on the nomination list or to the candidate or to the person who lodges the deposit on behalf of such candidate, as the case may be, specified in the notification.

(6) The Returning Officer shall, as soon as practicable after the publication of the notice referred to in subsection (4)(b) or (c), notify the Director of Accounting Services in writing, as regards any nomination list which has no successful candidate or any unsuccessful candidate, as the case may be, referred to in subsection (3), that the deposit lodged in respect of his or their nomination for that geographical constituency or functional constituency at the relevant election is to be forfeited to the general revenue. *(L.N. 206 of 2001)*

(L.N. 14 of 2000; L.N. 119 of 2003; 25 of 2003 s. 50; 2 of 2011 s. 42)

5. Disposal of deposit in case of death

(1) Where—

(a) a deposit is lodged by a candidate or by a person on behalf of such candidate or by a person on behalf of the nominees on a nomination list;

(b) the deposit shall be returned to that candidate or that person, as the case may be, in accordance with section 3 or 4; and

(c) that candidate or that person, as the case may be, dies after the deposit is lodged,

the deposit shall, notwithstanding those sections, be paid to the estate of that candidate or that person, as the case may be, and the Returning Officer for the geographical constituency or functional constituency concerned shall notify the Director of Accounting Services in writing accordingly. *(L.N. 14 of 2000; L.N. 206 of 2001; 25 of 2003 s. 50)*

(2) The Director of Accounting Services shall, as soon as practicable after the receipt of a notification under subsection (1), pay the deposit to the legal personal representative of the candidate or person referred to in subsection (1), as the case may be.

7. Number and qualifications of subscribers to a nomination paper

(1) As regards any geographical constituency—

(a) the nomination paper of the nominees on a nomination list seeking nomination in respect of any geographical constituency shall, subject to paragraph (aa), be subscribed by 100 other persons, each being an elector registered in respect of the constituency in respect of which the nominees on that nomination list are seeking nomination; *(L.N. 119 of 2003)*

(aa) for the purposes of paragraph (a), the number of persons that may subscribe a nomination paper shall not in any case be more than 200; *(L.N. 119 of 2003)*

(b) an elector shall not, subject to subsection (3), subscribe more than one nomination paper as regards a particular election;

(c) if an elector subscribes more than one nomination paper in contravention of paragraph (b), his signature shall, subject to subsection (3), be inoperative on any nomination paper other than the one first delivered.

(1A) As regards the District Council (second) functional constituency—

(a) the nomination paper of the nominees on a nomination list seeking nomination in respect of the constituency must be subscribed by not less than 15 other persons, each being an elector registered in respect of the District Council (first) functional constituency;

(b) a person must not, subject to subsections (3), (3A) and (3B), subscribe more than one nomination paper as regards a particular election;

(c) if a person subscribes more than one nomination paper in contravention of paragraph (b), his or her signature is, subject to subsections (3), (3A) and (3B), inoperative on any nomination paper other than the one first delivered. *(2 of 2011 s. 43)*

(2) As regards any functional constituency (other than the District Council (second) functional constituency)— *(25 of 2003 s. 50; 2 of 2011 s. 43)*

(a) the nomination paper of any person seeking nomination in respect of any functional constituency shall, subject to paragraph (aa), be subscribed by 10 other persons, each being an elector registered in respect of the relevant functional constituency; *(25 of 2003 s. 50)*

(aa) for the purposes of paragraph (a), the number of persons that may subscribe a nomination paper shall not in any case be more than 20; *(L.N. 119 of 2003; 25 of 2003 s. 50)*

(b) an elector can, subject to subsections (3), (3A) and (3B), subscribe any number of nomination papers up to the number of seats in any functional constituency as regards a particular election; *(2 of 2011 s. 43)*

(c) the signature of an elector shall, subject to subsection (3), be inoperative on any nomination paper delivered after the delivery of the maximum number of the nomination papers referred to in paragraph (b). *(L.N. 14 of 2000)*

(2A)-(2B) *(Repealed 25 of 2003 s. 50)*

(2C) A person whose signature as a subscriber to a nomination paper is in surplus having regard to the required number of subscribers for the purposes of subsection (1)(a) or (2)(a), as the case may be, shall be regarded as not having subscribed the nomination paper. *(L.N. 119 of 2003 and L.N. 160 of 2003; 25 of 2003 s. 50)*

(3) Where—

(a) as regards any geographical constituency or the District Council (second) functional constituency— *(2 of 2011 s. 43)*

(i) all the nominees on a nomination list withdraw their nomination for election in respect of that constituency under section 42 of the Ordinance; or *(2 of 2011 s. 43)*

(ii) the Returning Officer rejects a nomination list under section 38(7) of the Ordinance;

(b) as regards any functional constituency (other than the District Council (second) functional constituency)— *(25 of 2003 s. 50; 2 of 2011 s. 43)*

(i) the Returning Officer makes a decision under section 42A(1) of the Ordinance that a candidate is not validly nominated in respect of that functional constituency; or

(ii) a candidate withdraws his nomination for election in respect of that functional constituency under section 42 of the Ordinance,

(iii) *(Repealed 25 of 2003 s. 50)*

(c) *(Repealed L.N. 206 of 2001)*

the elector who has subscribed the nomination paper of the nominees on that nomination list (in the case of paragraph (a)) or the nomination paper of that candidate (in the case of paragraph (b)) in accordance with this section may subscribe another nomination paper, and— *(25 of 2003 s. 50)*

(i) his signature shall not be inoperative on that other nomination paper only because he has previously subscribed the nomination paper of those nominees or that candidate, as the case may be;

(ii) if he subscribes more than one nomination paper in contravention of this subsection, his signature shall be inoperative on any nomination paper so subscribed other than the first one delivered. *(L.N. 14 of 2000)*

(3A) If—

(a) a person subscribes the nomination paper of any person seeking nomination in respect of the District Council (first) functional constituency; and

(b) the nomination paper is delivered,

the signature of the person is inoperative on the nomination paper of the nominees on any nomination list seeking nomination in respect of the District Council (second) functional constituency that has not been delivered. *(2 of 2011 s. 43)*

(3B) If—

(a) a person subscribes the nomination paper of the nominees on any nomination list seeking nomination in respect of the District Council (second) functional constituency; and

(b) the nomination paper is delivered,

the signature of the person is inoperative on the nomination paper of any person seeking nomination in respect of the District Council (first) functional constituency that has not been delivered. *(2 of 2011 s. 43)*

(4) For the avoidance of doubt, it is declared that where the number of nomination papers subscribed by any person who has both of the following capacities— *(25 of 2003 s. 50)*

(a) an elector registered in respect of a geographical constituency;

(b) an elector registered in respect of a functional constituency,

(c) *(Repealed 25 of 2003 s. 50)*

(d) *(Repealed L.N. 206 of 2001)*

in any one of such capacities has reached the maximum number provided for in subsection (1)(b) or (2)(b) (as may be appropriate), subsections (1)(b) and (2)(b) shall not be construed as preventing such person to subscribe, subject to subsection (1)(b) or (2)(b) (as may be appropriate), other nomination papers in another such capacity of him.

(L.N. 206 of 2001; L.N. 119 of 2003 and L.N. 160 of 2003; 25 of 2003 s. 50)

12. Lists of objections in recriminatory case

(1) Where on the trial of a petition complaining that a person was not duly elected and claiming the office for some other person, the respondent intends to give evidence in accordance with rule 11(4) to prove that that other person was not duly elected in his place, the respondent shall, not less than 7 days before the day fixed for the trial of the petition, file a list of his objections to the election of that other person on which he intends to rely and serve a copy of the list on the petitioner and the Secretary for Justice.

(2) Where the petition claims the office for an unsuccessful candidate on the ground that—

(a) that person who is a candidate at an election for a functional constituency (other than the District Council (second) functional constituency); or *(25 of 2003 s. 50; 2 of 2011 s. 44)*

(b) the list of candidates referred to in section 38(10) of the Ordinance on which that person is one of the candidates,

had the number of valid votes that entitled him to claim the office, every party shall, not less than 7 days before the date fixed for the trial, file a list of the votes which that party contends were wrongly admitted or wrongly rejected, stating in respect of each such vote the grounds for his contention, and serve a copy of the list on every other party and the Secretary for Justice.

(3) Any party to a petition may inspect and obtain a copy of any list filed in accordance with subrule (1) or (2).

(4) Except by leave of the Court, and upon such terms as the Court may order, no evidence shall be given—

(a) by a respondent, of any objection to the election of any person which is not specified in a list filed by him in accordance with subrule (1); or

(b) by a party against the admission or rejection of any vote, or as to any ground of contention, which is not specified in a list filed by him in accordance with subrule (2).

Schedule

Election Petition

IN THE HIGH COURT OF HONG KONG

ORIGINAL JURISDICTION

In the Matter of the Legislative Council Ordinance (Cap. 542)

and

In the Matter of a Legislative Council election for the *_(name of geographical constituency)_ Geographical Constituency/_(name of functional constituency)_ Functional Constituency held on _(date of election)_.

*1. The Petition of _(name of Petitioner)_ states—

(a) that the Petitioner was a candidate at the above election;

(or) *1. The Petition of _(names of 10 or more Petitioners)_ states—

(a) that the Petitioners are electors who were entitled to vote at the above election;

*(b) in an election which was not contested, that *_(name of candidate)_ was a candidate at the election/_(name of each candidate)_ were candidates at the election, and on _(date on which that candidate was declared elected or those candidates were declared elected)_ the Returning Officer for the above-mentioned Constituency declared that *that candidate/those candidates *was/were elected for the above-mentioned Constituency in a notice of nominations published in accordance with regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541); and

(or) *(b) in a contested election, that the poll was held on the above day, that _(name of each candidate)_ were candidates at that election, and on _(date on which the successful candidate was declared elected or successful candidates were declared elected)_ the Returning Officer for the above-mentioned Constituency declared _(name of successful candidate or names of successful candidates)_ to be elected for the above-mentioned Constituency in a notice of result of election prepared in accordance with regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541), and that that notice was published in the Gazette on _(date of publication in Gazette of notice of result of election)_ in accordance with the regulation in force under that Ordinance; and

(c) that _(ground under section 61(1) of the Ordinance on which the election is questioned and on which relief is to be sought and the facts on which the Petitioner relies or the Petitioners rely)_.

*2. The *Petitioner/Petitioners therefore *requests/request, in the case of an election which was not contested, the Court to determine—

(a) whether any decision of the Returning Officer for the above-mentioned Constituency as to the validity of any nomination in the notice of nominations was correct;

(b) if the Court determines that the decision of the Returning Officer was not correct, whether the *candidate/candidates declared by the Returning Officer to have been elected for the above-mentioned Constituency in that notice of nominations *was/were duly elected; and

(c) any further or other relief as may be just.

(or) *2. The Petitioner therefore requests, in the case of a contested election, the Court to determine—

(a) whether *the candidate _(to be named)_/some other candidate _(to be named)_ declared by the Returning Officer for the above-mentioned Constituency to be elected in the notice of result of election was duly elected;

(b) if the Court determines that that person was not duly elected, whether *the Petitioner/some other candidate _(to be named)_ was duly elected in his place; and

(c) any further or other relief as may be just.

(or) *2. The Petitioner therefore requests, in the case of a contested election, the Court to determine—

(a) whether *the candidate *(to be named)*/some other candidate *(to be named)*/the candidates *(to be named)* declared by the Returning Officer for the above-mentioned Constituency to be elected in the notice of result of election *was/were duly elected;

(b) if the Court determines that *that person/those persons *was/were not duly elected, whether *the other candidate *(to be named)*/some other candidate *(to be named)*/the other candidates *(to be named)* *was/were duly elected in *his/their place; and

(c) any further or other relief as may be just.

Dated this ..... day of ..... 19 .....

Signed

*Petitioner/Petitioners

(or) *Solicitors

*This Petition is lodged by the *Petitioner/Petitioners.

(or) *This Petition is lodged by *(name of solicitors)*, Solicitors acting for and on behalf of the *Petitioner/Petitioners.

The address for service is *(address to be stated)*.

It is proposed to serve a copy of this Petition on *(name of Respondent or names of Respondents)* and on the Secretary for Justice.

* Delete whichever is inapplicable.

(25 of 2003 s. 50)

60I. Financial assistance not to be paid until disposal of election petition

(1) The Chief Electoral Officer must not make any payment of financial assistance during the period specified in section 53 for lodging an election petition, but may receive or process a claim during that period.

(2) If an election petition relating to an election for a constituency is lodged, the Chief Electoral Officer must not make any payment of financial assistance to any candidate for that constituency until the determination, abandonment or termination of the petition under Division 4 of Part V.

(3) In this section, a reference to the abandonment of an election petition includes a reference to withdrawing or ceasing to prosecute an election petition.

2. Interpretation

(1) In this Ordinance, unless the context otherwise requires — *(Amended 21 of 2001 s. 77)*

advantage (利益) means—

(a) any valuable consideration, gift or loan; or

(b) any office, employment or contract; or

(c) the full or partial payment, release, discharge or liquidation of an obligation; or

(d) the exercise of or forbearance from exercising a right or power; or

(e) the performance of or forbearance from performing a duty; or

(f) any favour, including—

(i) giving protection from a liability incurred or anticipated; and

(ii) giving protection from proceedings or possible proceedings of a disciplinary, civil or criminal nature; or

(g) any other service (other than voluntary service or the provision of entertainment),

but does not include an election donation if particulars of the donation are given in an election return that has been lodged with the appropriate authority;

appropriate authority (有關主管當局) means—

(a) in the case of an election to elect the Chief Executive, the Chief Electoral Officer; and *(Amended 21 of 2001 s. 77)*

(b) in the case of an election to elect a member or members of the Legislative Council, the Election Committee or a District Council, the Chief Electoral Officer; and

(c) in the case of an election to elect members of the Heung Yee Kuk or to elect the Chairman or Vice-Chairman or a member of the Executive Committee of a Rural Committee, the returning officer for the election or, if the returning officer for the election has not been appointed, the Director of Home Affairs; and

(d) in the case of an election to elect a Rural Representative, the Director of Home Affairs; *(Amended 2 of 2003 s. 68; 5 of 2014 s. 67)*

candidate (候選人)—

(a) means a person who stands nominated as a candidate at an election; and

(b) also means a person who, at any time before the close of nominations for an election, has publicly declared an intention to stand as a candidate at the election,

and in relation to an election to return Members for a Legislative Council geographical constituency or the District Council (second) functional constituency, includes a person who is one of a group of candidates; *(Amended 11 of 2012 s. 79)*

Chief Electoral Officer (總選舉事務主任) means the person holding office as such under section 9 of the Electoral Affairs Commission Ordinance (Cap. 541);

Chief Executive (行政長官) means the Chief Executive of the Hong Kong Special Administrative Region;

conduct (行為) engaged in by a person may be corrupt or illegal conduct even though the way in which it affects another person is only indirect;

constituency (選區或選舉界別) means—

(a) in relation to a Legislative Council election, a geographical or functional constituency as defined in section 3(1) of the Legislative Council Ordinance (Cap. 542); or *(Amended 25 of 2003 s. 54)*

(b) in relation to an Election Committee subsector election, the relevant Election Committee subsector; or

(c) in relation to a District Council election, an area declared to be a constituency under section 6(1) of the District Councils Ordinance (Cap. 547);

corporate elector (團體選民) has the same meaning as in section 3(1) of the Legislative Council Ordinance (Cap. 542);

Court means the Court of First Instance;

duress (脅迫手段) includes causing financial loss to a person by duress;

election (選舉) means an election to which this Ordinance applies;

election advertisement (選舉廣告), in relation to an election, means —

(a) a publicly exhibited notice; or

(b) a notice delivered by hand or electronic transmission; or

(c) a public announcement made by radio or television or by video or cinematographic film; or

(d) any other form of publication,

published for the purpose of promoting or prejudicing the election of a candidate or candidates at the election;

election agent (選舉代理人) means a person who is appointed in writing by a candidate at an election to be an election agent for the candidate at the election;

election appeal (選舉上訴) means an appeal to a Revising Officer under section 39 of the Schedule to the Chief Executive Election Ordinance (Cap. 569); *(Amended 21 of 2001 s. 77)*

Election Committee (選舉委員會) means the Election Committee constituted under section 8(1) of the Chief Executive Election Ordinance (Cap. 569); *(Amended 21 of 2001 s. 77)*

Election Committee subsector (選舉委員會界別分組) means a subsector represented on the Election Committee as provided by section 2(4) of the Schedule to the Chief Executive Election Ordinance (Cap. 569); *(Amended 21 of 2001 s. 77)*

election donation (選舉捐贈), in relation to a candidate or candidates at an election, means any of the following donations—

(a) any money given to or in respect of the candidate or candidates for the purpose of meeting, or contributing towards meeting, the election expenses of the candidate or candidates;

(b) any goods given to or in respect of the candidate or candidates for the purpose of promoting the election of the candidate or candidates or of prejudicing the election of another candidate or other candidates, and includes any goods given incidental to the provision of voluntary service;

(c) any service provided to or in respect of the candidate or candidates for the purpose of promoting the election of the candidate or candidates or of prejudicing the election of another candidate or other candidates, but does not include voluntary service;

election expense agent (選舉開支代理人), in relation to a candidate or group of candidates, means a person authorized by the candidate or candidates in accordance with section 23;

election expenses (選舉開支), in relation to a candidate or group of candidates at an election, means expenses incurred or to be

incurred, before, during or after the election period, by or on behalf of the candidate or group for the purpose of—

(a) promoting the election of the candidate or group; or

(b) prejudicing the election of another candidate or group,

and includes the value of election donations consisting of goods and services used for that purpose;

election period (選舉期間), in relation to an election, means the period beginning with the nomination day for the election and ending with the polling day for the election (or the last polling day if there is more than one polling day);

election petition (選舉呈請) means an election petition lodged under an electoral law for the purpose of questioning an election held under that law;

election return (選舉申報書) means the return required to be lodged by a candidate in accordance with section 37;

elector (選民)—

(a) in relation to an election to elect the Chief Executive, means a member of the Election Committee; and *(Amended 21 of 2001 s. 77)*

(b) in relation to an election to elect a Member of the Legislative Council, means an elector as defined by section 3(1) of the Legislative Council Ordinance (Cap. 542), and in relation to a corporate elector, includes the authorized representative of the elector; and

(c) in relation to an election to elect a member of the Election Committee, means a voter as defined by section 11(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569) or the authorized representative of a corporate voter; and *(Amended 21 of 2001 s. 77)*

(d) in relation to an election to elect a member of a District Council, means an elector as defined by section 2 of the District Councils Ordinance (Cap. 547); and

(e) in relation to an election to elect members of the Heung Yee Kuk, means a person who, in accordance with the Heung Yee Kuk Ordinance (Cap. 1097), is entitled to vote at the election; and

(f) in relation to an election to elect the Chairman or Vice-Chairman or a member of the Executive Committee of a Rural Committee, means a member of the general assembly of the Rural Committee; and

(g) in relation to an election to elect a Rural Representative for a Rural Area, means an elector, as defined by section 2(1) of the Rural Representative Election Ordinance (Cap. 576), for the Rural Area; *(Replaced 5 of 2014 s. 67)*

electoral law (選舉法) means—

(a) the Electoral Affairs Commission Ordinance (Cap. 541); or

(b) the Legislative Council Ordinance (Cap. 542); or

(c) the District Councils Ordinance (Cap. 547); or

(ca) the Chief Executive Election Ordinance (Cap. 569); or *(Added 21 of 2001 s. 77)*

(d) the Heung Yee Kuk Ordinance (Cap. 1097); or

(e) the Rural Representative Election Ordinance (Cap. 576); *(Replaced 2 of 2003 s. 68. Amended 5 of 2014 s. 67)*

electoral officer (選舉事務主任) means—

(a) the Chief Electoral Officer; or

(b) a returning officer; or

(c) an assistant returning officer; or

(d) the Electoral Registration Officer; or

(e) any person who is appointed under an electoral law to exercise functions in connection with an election;

Electoral Registration Officer (選舉登記主任) means the person holding office as such under section 75 of the Legislative Council Ordinance (Cap. 542) or section 44 of the Schedule to the Chief Executive Election Ordinance (Cap. 569) or section 51 of the Rural Representative Election Ordinance (Cap. 576), and includes any person appointed to act in the Officer's place when the Officer is absent from duty or the office is vacant; *(Amended 21 of 2001 s. 77; 2 of 2003 s. 68; 5 of 2014 s. 67)*

force (武力)—

(a) includes any form of violence or restraint; and

(b) in particular, includes—

(i) inflicting harm on a person (whether physical or mental); and

(ii) causing damage to, or destruction of, a person's property;

group of candidates (候選人組合)—

(a) means the persons whose names appear on a list of candidates nominated for election to return Members for a Legislative Council geographical constituency or the District Council (second) functional constituency, other than persons whose names have, in accordance with section 38 of the Legislative Council Ordinance (Cap. 542), been excluded from or struck out of such a list; and *(Amended 11 of 2012 s. 79)*

(b) in relation to a time before the close of nominations for such an election, also means those persons who have publicly declared their intention to stand for election as candidates whose names appear on such a list, but does not include persons who have publicly revoked their declaration of intention to stand at the election;

Legislative Council (立法會) means the Legislative Council of the Hong Kong Special Administrative Region;

notice (通知) includes leaflet, circular, bill, booklet, placard and poster; *(Amended 11 of 2012 s. 25)*

organization (組織) includes a company, association, society or other body of persons;

publish (發布) means print, exhibit, distribute, post up, publicly announce or make publicly known by any other means, and includes continue to publish;

returning officer (選舉主任)—

(a) in relation to an election to elect the Chief Executive, means the person appointed to be the Returning Officer under section 41 of the Chief Executive Election Ordinance (Cap. 569); and *(Amended 21 of 2001 s. 77)*

(b) in relation to an election for a Legislative Council constituency, means a Returning Officer appointed for the constituency under section 78 of the Legislative Council Ordinance (Cap. 542); and

(c) in relation to an election for an Election Committee subsector, means a Returning Officer appointed for the subsector under section 47 of the Schedule to the Chief Executive Election Ordinance (Cap. 569); and *(Amended 21 of 2001 s. 77)*

(d) in relation to an election for a constituency of a District Council, means a Returning Officer appointed for the constituency under section 75 of the District Councils Ordinance (Cap. 547); and

(e) in relation to an election to elect members of the Heung Yee Kuk, means the person appointed under section 7 of the Heung Yee Kuk Ordinance (Cap. 1097) to be the Returning Officer for the election; and

(f) in relation to an election to elect the Chairman or Vice-Chairman or a member of the Executive Committee of a Rural Committee, means the District Officer in the Home Affairs Department for the district for which the Rural Committee is established; and

(g) in relation to an election to elect a Rural Representative for a Rural Area, means a person appointed to be a Returning Officer for the Rural Area under section 54 of the Rural Representative Election Ordinance (Cap. 576), *(Replaced 5 of 2014 s. 67)*

and—

(i) if the Returning Officer referred to in paragraph (b), (c) or (d) has not been appointed, means, in so far as it relates to the relevant election, the Chief Electoral Officer; and

(ii) if the Returning Officer referred to in paragraph (e) or (g) has not been appointed, means the Director of Home Affairs; *(Amended 2 of 2003 s. 68)*

Rural Area (鄉郊地區) has the same meaning as in section 2(1) of the Rural Representative Election Ordinance (Cap. 576); *(Added 5 of 2014 s. 67)*

Rural Committee (鄉事委員會) has the same meaning as in section 3(3) of the Heung Yee Kuk Ordinance (Cap. 1097);

Rural Representative (鄉郊代表) has the same meaning as in section 2(1) of the Rural Representative Election Ordinance (Cap. 576); *(Added 5 of 2014 s. 67)*

valuable consideration (有值代價) means money or anything worth money;

value (價值) means, in relation to goods or a service that is donated, the price that could reasonably be expected to be paid for the goods or service if supplied by a willing supplier to a willing buyer on the open market, with both parties acting at arms length;

voluntary service (義務服務) means any service provided free of charge to or in respect of a candidate or candidates at an election by a natural person, voluntarily and personally, in the person's own time for the purpose of—

(a) promoting the election of the candidate or candidates; or

(b) prejudicing the election of another candidate or other candidates.

(Amended 5 of 2014 s. 67)

(2) In this Ordinance, a reference to the withdrawal of the nomination of a person as a candidate includes, in the case of a candidate at an election to elect the Chief Executive or to elect the members of the Election Committee, a reference to the withdrawal of his candidature. *(Added 21 of 2001 s. 77)*

(3) For the purposes of this Ordinance, a document published by a candidate during an election period that gives details of the work done by the candidate in the capacity of—

(a) the Chief Executive;

(b) a member of the Legislative Council;

(c) a member of a District Council;

(d) a member of the Heung Yee Kuk;

(e) the Chairman or Vice-Chairman or a member of the Executive Committee of a Rural Committee; or

(f) a Rural Representative, *(Amended 5 of 2014 s. 67)*

is an election advertisement. *(Added 11 of 2012 s. 25)*

(Amended 2 of 2003 s. 68)

14. Corrupt conduct to engage in certain deceptive behaviour in relation to electors

(1) A person engages in corrupt conduct at an election if the person, by a deception—

(a) induces another person to vote at the election for a particular candidate or particular candidates; or

(b) induces another person not to vote at the election, or not to vote at the election for a particular candidate or particular candidates; or

(c) gets another person to induce a third person to vote at the election for a particular candidate or particular candidates; or

(d) gets another person to induce a third person not to vote at the election, or not to vote at the election for a particular candidate or particular candidates; or

(e) obstructs or prevents another person from voting at the election; or

(f) gets another person to obstruct or prevent a third person from voting at the election.

(2) A person is taken to have engaged in corrupt conduct of a kind referred to in subsection (1) even though the conduct was engaged in by another person, but only if the other person was acting with the person's authority. That authority may be conferred expressly or by implication.

19. How candidate must dispose of certain election donations

(Amended E.R. 2 of 2019)

(1) A candidate or candidates must, on receiving an election donation of more than $1,000 or, in the case of an election donation consisting of goods or a service, of more than $1,000 in value, issue to the donor a receipt for the donation. The receipt must specify the name and address of the donor as supplied by the donor.

(2) If an election donation of more than $1,000 or, in the case of an election donation consisting of goods, of more than $1,000 in value, is given to or for a candidate or candidates and the candidate or candidates do not know the name and address of the donor, the candidate or candidates must ensure that the donation—

(a) is not used—

(i) for the purpose of meeting, or contributing towards meeting, the election expenses of the candidate or any of the candidates; or

(ii) in the case of an election donation consisting of goods, for the purpose of promoting the election of the candidate or any of the candidates or of prejudicing the election of another candidate or other candidates; and

(b) is given to a charitable institution or trust of a public character chosen by the candidate or candidates.

(3) If an election donation of money or goods has been given to or for a candidate or candidates and the donation—

(a) has not been used—

(i) for the purpose of meeting, or contributing towards meeting, the election expenses of the candidate or candidates; or

(ii) in the case of an election donation consisting of goods, for the purpose of promoting the election of the candidate or candidates or of prejudicing the election of another candidate or other candidates; or

(b) is not used in the case referred to in subsection (2),

the candidate or candidates must ensure that the donation is given to a charitable institution or trust of a public character chosen by the candidate or candidates.

(4) If the aggregate of all election donations given to or for a particular candidate or a particular group of candidates exceeds the maximum amount prescribed under section 45, the candidate or the candidates belonging to the group must ensure that the excess (not including election donations of services) is given to a charitable institution or trust of a public character chosen by the candidate or those candidates.

(5) If an election donation is received by a candidate or candidates, the candidate or each of the candidates engages in corrupt conduct at an election if—

(a) the candidate or candidates fail to comply with subsection (1) or (2); or

(b) the candidate or candidates fail to comply with any other requirement of this section before the time when the candidate's or each candidate's election return for the election is lodged in accordance with section 37.

(6) In this section, ***charitable institution or trust of a public character*** (屬公共性質的慈善機構或慈善信託) means a charitable institution or trust of a public character that is exempt from tax under section 88 of the Inland Revenue Ordinance (Cap. 112). *(Amended 12 of 2004 s. 28)*

23. Illegal conduct for persons other than candidates and election expense agents to incur election expenses

(1) A person, other than a candidate or a candidate's election expense agent, engages in illegal conduct at an election if the person incurs election expenses at or in connection with the election.

(1A) However, subsection (1) does not apply if—

(a) the person publishes an election advertisement on the Internet; and

(b) the only election expenses incurred by the person for the purpose of publishing the advertisement are either or both of the following charges—

(i) electricity charges;

(ii) charges necessary for accessing the Internet. *(Added 1 of 2019 s. 30)*

(2) If a candidate who belongs to a group of candidates incurs election expenses at or in connection with an election, the candidate engages in illegal conduct at the election unless each other candidate who belongs to the group has authorized the candidate to be the other candidate's election expense agent.

(3) A candidate engages in illegal conduct at an election if election expenses incurred by the candidate or by the candidate's election expense agent are not included in the candidate's election return.

(4) An election expense agent engages in illegal conduct at an election if the agent incurs election expenses that exceed the amount specified in the agent's authorization.

(5) For the purposes of this Ordinance, a person is an election expense agent of a candidate (other than a candidate who is a member of a group of 2 or more candidates) if—

(a) the person is authorized in writing by the candidate to incur election expenses at or in connection with the election on behalf of the candidate; and

(b) the maximum amount of election expenses that the person is authorized to incur is specified in the authorization; and

(c) a copy of the authorization has been served on the appropriate returning officer.

(6) For the purposes of this Ordinance, a person (including a candidate) is an election expense agent of a group of 2 or more candidates only if—

(a) the person is authorized in writing by each of the candidates to incur election expenses at or in connection with the election on behalf of the group; and

(b) the maximum amount of election expenses that the person is authorized to incur is specified in the authorization; and

(c) a copy of the authorization has been served on the appropriate returning officer.

(7) An authorization referred to in subsection (5) or (6) remains in force until the end of the relevant election period unless it is revoked earlier.

24. Illegal conduct for candidate to incur election expenses exceeding prescribed amount

(1) A candidate engages in illegal conduct at an election if the aggregate amount of election expenses incurred at or in connection with the election by or on behalf of the candidate exceeds the maximum amount of election expenses prescribed for a candidate by regulations in force under section 45.

(2) If regulations under section 45 prescribe a maximum amount of election expenses for groups of candidates at an election at which the list system of voting is used, each member of a group of candidates engages in illegal conduct at the election if the aggregate amount of the election expenses incurred at or in connection with the election by or on behalf of the group exceeds the maximum amount of election expenses so prescribed.

(3) In a prosecution alleging illegal conduct under this section by a candidate, it is a defence for the candidate to prove that the election expenses were incurred—

(a) without negligence by the candidate; and

(b) either without the candidate's consent or in excess of an amount specified in an authorization under section 23.

(4) For the purposes of this section, the value of an election donation consisting of goods or services is taken to be an amount of election expense incurred by or on behalf of a particular candidate or particular candidates if the goods or services are used for the purpose of promoting the election of the candidate or candidates or of prejudicing the election of another candidate or other candidates.

28. Court empowered to restrain person from repeating certain illegal conduct

(1) The Court may, on the hearing of an application under this section, grant an injunction restraining a person who is found to have engaged in illegal conduct at an election in contravention of section 25, 26 or 27—

(a) from continuing or repeating the conduct; or

(b) from engaging in any other conduct of a similar nature.

(2) An injunction under this section may be granted on such terms as the Court considers appropriate.

(3) The Court may, in addition to granting an injunction, make an order requiring a person to do a specified act.

(4) The Court may grant an interim injunction pending the determination of an application under this section. Such an injunction may be granted merely on the basis of rebuttable evidence of the illegal conduct alleged to have been engaged in.

(5) An application for an injunction under this section can be made by—

(a) in the case of—

(i) an election referred to in section 4(1)(a), (i) or (j), a candidate at the election; *(Amended 2 of 2003 s. 68; 11 of 2012 s. 28)*

(ii) an election referred to in any other paragraph of section 4(1), a candidate at the election — *(Amended 11 of 2012 s. 28)*

(A) for the same constituency; or

(B) in the case of an election relating to the Heung Yee Kuk or a Rural Committee, for the same body; or *(Replaced 21 of 2001 s. 80)*

(b) the election agent of such a candidate; or

(c) a person who is registered as an elector for the constituency, Rural Area or body concerned; or *(Amended 2 of 2003 s. 68; 5 of 2014 s. 70)*

(d) if the election is one at which corporate electors are eligible to vote, a member of a body that is registered as a corporate elector for the constituency or body concerned; or

(e) if the election is to elect a person as a Member of the Legislative Council to represent a functional constituency, a body or natural person referred to in section 25(5) or (6) of the Legislative Council Ordinance (Cap. 542).

(6) *(Repealed 2 of 2003 s. 68)*

(7) An application for an injunction under this section can also be made by—

(a) a person who alleges that the name or logo of or associated with the person, or a pictorial representation of the person; or

(b) an organization that alleges that the name or logo of or associated with the organization,

has been included in an election advertisement in contravention of section 27.

37. Candidate to lodge election return with appropriate authority

(1) Each candidate at an election must lodge with the appropriate authority an election return setting out—

(a) the candidate's election expenses at the election; and

(b) all election donations received by or on behalf of the candidate in connection with the election.

(1A) For an election to elect the Chief Executive, the candidate must ensure that the return is lodged before the expiry of the period of 60 days after the date on which— *(Amended 11 of 2019 s. 14)*

(a) the result of the election is published in the Gazette; or

(b) the proceedings for the election are declared to have been terminated. *(Added 15 of 2016 s. 5)*

(1B) For an election to membership of the Legislative Council, the candidate must ensure that the return is lodged before the expiry of the period of 60 days after—

(a) if the election is held for 2 or more constituencies—the date on which the election becomes settled in relation to all of the constituencies; or

(b) if the election is held for only 1 constituency—the date on which the election becomes settled in relation to the constituency. *(Added 15 of 2016 s. 5)*

(1C) For the purposes of subsection (1B), an election is settled in relation to a constituency on the date on which any of the following events occurs in relation to the constituency, or, if more than one of the following events occurs in relation to the constituency, on the date on which the last of those events occurs—

(a) the result of the election is notified in the Gazette;

(b) the proceedings for the election are declared to have been terminated;

(c) the election is declared to have failed. *(Added 15 of 2016 s. 5)*

(1D) For an election to membership of the Election Committee, the candidate must ensure that the return is lodged before the expiry of the period of 30 days after—

(a) if, according to a notice published under section 4 of the Electoral Affairs Commission (Electoral Procedure) (Election Committee) Regulation (Cap. 541 sub. leg. I), the election is one of the subsector elections that are to be held on the same date—the date on which the subsector elections become settled or, if the subsector elections become settled on different dates, the last of those dates; or

(b) in any other case—the date on which the election becomes settled. *(Added 15 of 2016 s. 5)*

(1E) For the purposes of subsection (1D), an election is settled on the date on which any of the following events occurs in relation to the election—

(a) the result of the election is notified in the Gazette;

(b) a declaration that no candidate was validly nominated is made. *(Added 15 of 2016 s. 5)*

(1F) For an election to membership of any District Council, the candidate must ensure that the return is lodged before the expiry of the period of 30 days after—

(a) if the election is held for 2 or more constituencies in relation to 1 or more District Councils—the date on which the election becomes settled in relation to all of the constituencies; or

(b) if the election is held for only 1 constituency—the date on which the election becomes settled in relation to the constituency. *(Added 15 of 2016 s. 5)*

(1G) For the purposes of subsection (1F), an election is settled in relation to a constituency on the date on which any of the following events occurs in relation to the constituency—

(a) the result of the election is notified in the Gazette;

(b) the proceedings for the election are declared to have been terminated;

(c) the election is declared to have failed. *(Added 15 of 2016 s. 5)*

(1H) For an election relating to the Heung Yee Kuk, the candidate must ensure that the return is lodged before the expiry of the period of 30 days after—

(a) if the election is held for 2 or more vacancies—the date on which the election becomes settled in relation to all of the vacancies; or

(b) if the election is held for only 1 vacancy—the date on which the election becomes settled in relation to the vacancy. *(Added 15 of 2016 s. 5)*

(1I) For the purposes of subsection (1H), an election is settled in relation to a vacancy on the date on which any of the following events occurs in relation to the vacancy—

(a) the result of the election is announced by the returning officer for the election;

(b) the election is declared to be invalid. *(Added 15 of 2016 s. 5)*

(1J) For an election relating to a Rural Committee, the candidate must ensure that the return is lodged before the expiry of the period of 30 days after—

(a) if the election is held for 2 or more offices—the date on which the election becomes settled in relation to all of the offices; or

(b) if the election is held for only 1 office—the date on which the election becomes settled in relation to the office. *(Added 15 of 2016 s. 5)*

(1K) For the purposes of subsection (1J), an election is settled in relation to an office on the date on which any of the following events occurs in relation to the office—

(a) the result of the election is announced by the returning officer for the election;

(b) the proceedings for the election are declared to have been terminated;

(c) the election is declared to have failed. *(Added 15 of 2016 s. 5)*

(1L) For a Rural Representative election for a Rural Area, the candidate must ensure that the return is lodged before the expiry of the period of 30 days after—

(a) if, according to a notice under section 20(3)(b) of the Rural Representative Election Ordinance (Cap. 576) or section 6 of the Electoral Procedure (Rural Representative Election) Regulation (Cap. 541 sub. leg. L), the election is one of the Rural Representative elections in relation to the same Rural Committee that are to be held on the same date—the date on which the Rural Representative elections become settled or, if the Rural Representative elections become settled on different dates, the last of those dates; or

(b) in any other case—the date on which the election becomes settled. *(Added 15 of 2016 s. 5)*

(1M) For the purposes of subsection (1L), an election is settled on the date on which any of the following events occurs in relation to the election, or, if more than one of the following events occurs in relation to the election, on the date on which the last of those events occurs—

(a) the result of the election is notified in the Gazette;

(b) the proceedings for the election are declared to have been terminated;

(c) the election is declared to have failed. *(Added 15 of 2016 s. 5)*

(1N) Despite subsections (1A), (1B), (1D), (1F), (1H), (1J) and (1L), the return may be lodged within any extended period allowed by the Court under section 40. *(Added 15 of 2016 s. 5)*

(2) The candidate must ensure that the return—

(a) *(Repealed 15 of 2016 s. 5)*

(b) is accompanied—

(i) in the case of each election expense of $500 or more, by an invoice and a receipt giving particulars of the expenditure; and *(Amended 11 of 2019 s. 14)*

(ii) in the case of each election donation of more than $1,000 or, in the case of an election donation consisting of goods or a service, of more than $1,000 in value, by a copy of the receipt issued to the donor giving particulars of the donor and the donation; and

(iii) where an election donation or part of an election donation that was received by or on behalf of the candidate in connection with the election was not used for that purpose was disposed of in accordance with section 19, by a copy of the receipt given by the recipient of the donation or part; and

(iv) where an election donation or part of an election donation that was received by or on behalf of the candidate in connection with the election was not used for that purpose was not disposed of in accordance with section 19(3), by an explanation setting out the reason why it was not disposed of in accordance with that section; and

(v) by a declaration in a form provided or specified by the appropriate authority verifying the contents of the return.

(3) For the purposes of subsection (2), an invoice and a receipt for an election expense may be included in the same document.

(4) In this section—

Rural Representative election (鄉郊代表選舉) means a rural ordinary election as defined by section 2(1) of the Rural Representative Election Ordinance (Cap. 576) or a rural by-election as defined by that section;

subsector election (界別分組選舉) has the meaning given by section 1(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569) (as read together with section 1(2)(b) of that Schedule). *(Added 15 of 2016 s. 5)*

37A. Relief for minor errors etc. in election return

(1) Subject to subsection (2), this section applies to—

(a) any error or false statement in an election return lodged by a candidate the nature of which is a failure to set out in the election return any election expense of the candidate at the election concerned or any election donation received by or on behalf of the candidate in connection with the election—

(i) that is required under section 37 to be set out in the election return; and

(ii) that does not exceed the limit prescribed in the Schedule for the election; and

(b) any error or false statement in an election return lodged by a candidate—

(i) the nature of which is incorrectness in the amount of any election expense of the candidate at the election concerned or any election donation received by or on behalf of the candidate in connection with the election; and

(ii) the correction of which requires an adjustment not exceeding the limit prescribed in the Schedule for the election in that amount.

(2) If—

(a) there are 2 or more errors or false statements in an election return; and

(b) the aggregate value of those errors or false statements exceeds the limit prescribed in the Schedule for the election concerned,

this section does not apply to the errors or false statements.

(3) For the purposes of subsection (2), the value of an error or false statement is—

(a) if the nature of the error or false statement is a failure to set out an election expense or election donation, the amount of the election expense or election donation;

(b) if the nature of the error or false statement is incorrectness in the amount of an election expense or election donation, the extent, in monetary terms, of the adjustment required to correct the error or false statement.

(4) Despite section 37, if this section applies to any error or false statement in an election return lodged by a candidate, the candidate may lodge, subject to subsections (5) and (6), with the appropriate authority a copy of the election return which is marked with the necessary revision to have the error or false statement corrected.

(5) A candidate may not lodge a copy of an election return in relation to an election under subsection (4) if the aggregate amount of election expenses incurred at or in connection with the election by or on behalf of the candidate exceeds the maximum amount of election expenses prescribed for a candidate by regulations in force under section 45.

(6) A copy of an election return lodged under subsection (4) by a candidate is of no effect unless—

(a) it is lodged within 30 days after the date on which the candidate receives a notice from the appropriate authority relating to the error or false statement in the election return;

(b) if the nature of the error or false statement is a failure to set out an election expense or election donation in the election return, it is accompanied by—

(i) (in the case of an election expense) an invoice and a receipt; or

(ii) (in the case of an election donation) a copy of a receipt and, if applicable, an explanation,

required under section 37(2)(b) had the election expense or election donation been set out in the election return; and

(c) it is accompanied by a declaration by the candidate in a form provided or specified by the appropriate authority verifying the contents of the copy of the election return.

(7) For the purposes of subsection (6), an invoice and a receipt for an election expense may be included in the same document.

(8) On the receipt under subsection (4) by an appropriate authority of a copy of an election return which is marked with any revision described in that subsection—

(a) the revision is deemed, except for the purposes of section 20, to have been made in the election return before the election return was lodged; and

(b) an invoice, a receipt, a copy of a receipt or an explanation (if any) accompanying the copy is deemed, except for the purposes of section 20, to have accompanied the election return when the election return was lodged.

(9) A group of candidates or a candidate who is not one of a group of candidates may only lodge one copy of an election return under subsection (4) in respect of an election.

(10) A copy of an election return may not be withdrawn or amended after it has been lodged under subsection (4).

(11) The Chief Executive in Council may by order amend the Schedule.

(12) In this section, a reference to an error or false statement in an election return includes—

(a) an error or false statement in any document accompanying the election return; or

(b) a failure to send any document required by section 37(2)(b) in relation to the election return.

(Added 18 of 2011 s. 47)

45. Chief Executive in Council may make regulations

(1) The Chief Executive in Council may make regulations prescribing the maximum amount of election expenses that can be incurred—

(a) by or on behalf of a candidate at an election; or

(b) where the list system of voting is used at an election, by or on behalf of a group of candidates.

(2) A regulation under this section may prescribe different maximum amounts for different kinds of elections and for different constituencies and for different Rural Areas and for different bodies to which this Ordinance applies. *(Amended 2 of 2003 s. 68; 5 of 2014 s. 72)*

Schedule

[s. 37A]

Limit Prescribed for Election Concerned for Purposes of Section 37A

(Schedule replaced 18 of 2011 s. 49)

Item	Election	Limit
1.	An election to elect the Chief Executive	$50,000
2.	An election to elect a Member or Members of the Legislative Council for the District Council (second) functional constituency within the meaning of the Legislative Council Ordinance (Cap. 542)	$50,000
3.	An election to elect a Member or Members of the Legislative Council for any geographical constituency within the meaning of the Legislative Council Ordinance (Cap. 542)	$30,000
4.	An election to elect a Member or Members of the Legislative Council for any functional constituency within the meaning of the Legislative Council Ordinance (Cap. 542) other than the District Council (second) functional constituency	$5,000
5.	An election to elect a member or members of the Election Committee	$5,000
6.	An election to elect a member or members of a District Council	$3,000
7.	An election to elect a member or members of the Heung Yee Kuk	$600
8.	An election to elect the Chairman or Vice-Chairman or a member of the Executive Committee of a Rural Committee	$600
9.	An election to elect a Rural Representative *(Amended 5 of 2014 s. 73)*	$600

(Amended 11 of 2019 s. 16)

2. Maximum amount of election expenses

The maximum amount of election expenses that can be incurred by or on behalf of a candidate at an election held under section 6 of the Chief Executive Election Ordinance (Cap. 569) is—*(L.N. 34 of 2016)*

(a) if the date of the poll at the election is before 26 March 2017—$13,000,000; or

(b) if the date of the poll at the election is on or after 26 March 2017—$15,700,000.

(18 of 2011 s. 42; L.N. 34 of 2016)

2. Interpretation

In this Regulation—

election (選舉) has the same meaning as in section 3(1) of the Legislative Council Ordinance (Cap. 542);

elector (選民) has the same meaning as in section 3(1) of the Legislative Council Ordinance (Cap. 542);

functional constituency (功能界別) has the same meaning as in section 3(1) of the Legislative Council Ordinance (Cap. 542);

geographical constituency (地方選區) has the same meaning as in section 3(1) of the Legislative Council Ordinance (Cap. 542);

registered (已登記) means registered in the final register compiled and published in accordance with the Legislative Council Ordinance (Cap. 542) and in force on the date of election.

3. Maximum amount of election expenses for geographical constituency

The maximum amount of election expenses that can be incurred at a geographical constituency election by or on behalf of all the candidates on a list within the meaning of section 49 of the Legislative Council Ordinance (Cap. 542) is— *(2 of 2011 s. 45; L.N. 226 of 2015)*

(a) for an election for the sixth term of office of the Legislative Council that commenced on 1 October 2016 — *(L.N. 17 of 2020)*

(i) in respect of the Kowloon West geographical constituency and the Kowloon East geographical constituency—$1,821,000 for each constituency;

(ii) in respect of the Hong Kong Island geographical constituency—$2,428,000;

(iii) in respect of the New Territories West geographical constituency and the New Territories East geographical constituency—$3,035,000 for each constituency; or

(b) for an election for any subsequent term of office of the Legislative Council—

(i) in respect of the Kowloon West geographical constituency and the Kowloon East geographical constituency—$1,996,000 for each constituency;

(ii) in respect of the Hong Kong Island geographical constituency—$2,661,000;

(iii) in respect of the New Territories West geographical constituency and the New Territories East geographical constituency—$3,326,000 for each constituency.

(c) *(Repealed L.N. 226 of 2015)*

(L.N. 226 of 2015; L.N. 17 of 2020)

3A. Maximum amount of election expenses for District Council (second) functional constituency

The maximum amount of election expenses that can be incurred at a District Council (second) functional constituency election by or on behalf of all the candidates on a list within the meaning of section 49 of the Legislative Council Ordinance (Cap. 542) is— *(L.N. 226 of 2015)*

(a) for an election for the sixth term of office of the Legislative Council that commenced on 1 October 2016 —$6,936,000; or

(b) for an election for any subsequent term of office of the Legislative Council—$7,602,000.

(2 of 2011 s. 46; L.N. 226 of 2015; L.N. 17 of 2020)

4. Maximum amount of election expenses for functional constituency other than District Council (second) functional constituency

(2 of 2011 s. 47)

The maximum amount of election expenses that can be incurred at an election by or on behalf of a candidate is— *(L.N. 226 of 2015)*

(a) for an election for the sixth term of office of the Legislative Council that commenced on 1 October 2016 — *(L.N. 17 of 2020)*

(i) in respect of any functional constituency specified in section 20(1)(a) to (d) of the Legislative Council Ordinance (Cap. 542)—$121,000;

(ii) in respect of any functional constituency specified in section 20(1)(e) to (zb) of that Ordinance—

(A) where there are not more than 5 000 electors registered for that constituency—$194,000;

(B) where there are more than 5 000 but not more than 10 000 electors registered for that constituency—$388,000;

(C) where there are more than 10 000 electors registered for that constituency—$583,000; or

(b) for an election for any subsequent term of office of the Legislative Council—

(i) in respect of any functional constituency specified in section 20(1)(a) to (d) of the Legislative Council Ordinance (Cap. 542)—$133,000;

(ii) in respect of any functional constituency specified in section 20(1)(e) to (zb) of that Ordinance—

(A) where there are not more than 5 000 electors registered for that constituency—$213,000;

(B) where there are more than 5 000 but not more than 10 000 electors registered for that constituency—$425,000;

(C) where there are more than 10 000 electors registered for that constituency—$639,000.

(L.N. 226 of 2015; L.N. 17 of 2020)

1. Interpretation

In this Order—

election (選舉) means—

(a) *(Repealed L.N. 120 of 2008)*

(b) a subsector election within the meaning of section 1 of the Schedule to the Chief Executive Election Ordinance (Cap. 569); *(21 of 2001 s. 51)*

Election Committee (選舉委員會) has the same meaning as in section 2(1) of the Chief Executive Election Ordinance (Cap. 569); *(21 of 2001 s. 51)*

registered (已登記)—

(a) *(Repealed L.N. 120 of 2008)*

(b) in relation to any election to the Election Committee, means registered in the subsector final register within the meaning of section 11(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569) and in force on the date of election; *(21 of 2001 s. 51)*

subsector (界別分組) has the same meaning as in section 1(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569); *(21 of 2001 s. 51; E.R. 2 of 2019)*

sub-subsectors (小組) means the 4 sub-subsectors referred to in section 2(9)(a) of the Schedule to the Chief Executive Election Ordinance (Cap. 569). *(21 of 2001 s. 51; E.R. 2 of 2019)*

(L.N. 120 of 2008; E.R. 2 of 2019)

2. Maximum scale of election expenses

(1)-(2) *(Repealed L.N. 120 of 2008)*

(3) For the purposes of section 45(1) of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554), the maximum scale of election expenses that may be incurred by or on behalf of a candidate for election to the Election Committee shall be— *(L.N. 120 of 2008)*

(a) in respect of the hotel subsector, the insurance subsector, the transport subsector, the agriculture and fisheries subsector, the Chinese People's Political Consultative Conference subsector, the Heung Yee Kuk subsector, the Hong Kong and Kowloon District Councils subsector and the New Territories District Councils subsector, $100,000;

(b) in respect of any of the remaining subsectors, other than the religious subsector, the National People's Congress subsector and the Legislative Council subsector—

(i) where there are not more than 5 000 registered voters, $160,000;

(ii) where there are over 5 000 but not more than 10 000 registered voters, $320,000;

(iii) where there are over 10 000 registered voters, $480,000;

(c) in respect of any of the sub-subsectors—

(i) where there are not more than 5 000 registered voters, $160,000;

(ii) where there are over 5 000 but not more than 10 000 registered voters, $320,000;

(iii) where there are over 10 000 registered voters, $480,000.

(L.N. 16 of 2000)

An Ordinance to provide for the election of the Chief Executive in accordance with Annex I to the Basic Law of the Hong Kong Special Administrative Region; to amend the Electoral Affairs Commission Ordinance to empower the Electoral Affairs Commission to supervise election of the Chief Executive; to amend the Legislative Council Ordinance to remove provisions concerning the constitution of the Election Committee and provide for by-election to return a Member of the Legislative Council by the Election Committee constituted under this Ordinance; to make necessary related amendments to the Elections (Corrupt and Illegal Conduct) Ordinance consequential upon the enactment of this Ordinance and to provide for matters related to or consequential upon such election.

[21 September 2001] *L.N. 187 of 2001*

(Enacting provision omitted—E.R. 1 of 2012)

(Format changes—E.R. 1 of 2012)

2. Interpretation

(1) In this Ordinance, unless the context otherwise requires—

Acting Chief Executive (署理行政長官) means any public officer assuming the duties of the Chief Executive pursuant to Article 53 of the Basic Law;

candidate (候選人) means a candidate who is determined to be validly nominated under section 17;

Chief Electoral Officer (總選舉事務主任) means the Chief Electoral Officer appointed under section 9 of the Electoral Affairs Commission Ordinance (Cap. 541);

Chief Executive (行政長官) means the Chief Executive of the Hong Kong Special Administrative Region;

Court (原訟法庭) means the Court of First Instance;

EAC Regulations (《選管會規例》) means regulations made under section 7 of the Electoral Affairs Commission Ordinance (Cap. 541);

election (選舉) means an election held under section 6;

Election Committee (選舉委員會) means the Election Committee constituted under section 8;

election petition (選舉呈請、選舉呈請書) means an election petition lodged under section 33(1);

Electoral Affairs Commission (選舉管理委員會) means the Electoral Affairs Commission established by section 3 of the Electoral Affairs Commission Ordinance (Cap. 541);

electoral officer (選舉事務人員) means—

(a) the Returning Officer;

(b) the Chief Electoral Officer;

(c) an Assistant Returning Officer appointed under section 41(3);

(d) the Electoral Registration Officer appointed under section 44 of the Schedule;

(e) an Assistant Electoral Registration Officer appointed under section 44 of the Schedule;

(f) a Revising Officer appointed under section 46 of the Schedule;

(g) a Returning Officer appointed under section 47 of the Schedule;

(h) an Assistant Returning Officer appointed under section 47 of the Schedule; or

(i) any other person who is appointed under this Ordinance or the Electoral Affairs Commission Ordinance (Cap. 541) to perform functions at or in connection with an election or a subsector election;

final register of members of the Election Committee (選舉委員會正式委員登記冊) means the register published under section 40(2), (3), (3A) or (4) of the Schedule; *(Amended 10 of 2006 s. 20)*

function (職能) includes a power and a duty;

member of the Election Committee (選舉委員) means a person whose name appears in the final register of members of the Election Committee;

poll (投票) means a poll conducted under section 23 or 24; *(Amended 10 of 2006 s. 7)*

polling date (投票日) means the date fixed in accordance with section 10 or 11 as the date of the poll at an election;

prescribed public officer (訂明公職人員) means any of the following—

(a) the Chairman of the Public Service Commission;

(b) the Commissioner and Deputy Commissioner of the Independent Commission Against Corruption and the holder of any other office under the Independent Commission Against Corruption Ordinance (Cap. 204);

(c) The Ombudsman and the holder of any appointment under section 6 of The Ombudsman Ordinance (Cap. 397);

(d) a member of the Electoral Affairs Commission;

(e) the Chief Executive of the Hong Kong Monetary Authority and any member of the senior management of that Authority, including divisional heads, executive directors, managers and counsel employed by that Authority;

(f) the Privacy Commissioner for Personal Data and any person employed or engaged by him under the Personal Data (Privacy) Ordinance (Cap. 486);

(g) the Chairperson of the Equal Opportunities Commission and any person employed or whose services are engaged by the Commission under the Sex Discrimination Ordinance (Cap. 480);

(h) any person holding an office, whether permanent or temporary, in a Government department or bureau and employed in the department or bureau;

Returning Officer (選舉主任) means the Returning Officer appointed under section 41(1);

Revising Officer (審裁官) has the meaning assigned to it by section 1(1) of the Schedule;

subsector election (界別分組選舉) has the meaning assigned to it by section 1 of the Schedule. *(Amended 15 of 2016 s. 22)*

(Amended 15 of 2016 s. 22)

(2) Any reference in this Ordinance to the performance of a function includes a reference to the exercise of a power or performance of a duty, as the case may be.

9. Term of office of Election Committee

(1) The term of office of the Election Committee shall be 5 years commencing on the date on which it is constituted. *(Amended 10 of 2006 s. 5)*

(2) The Election Committee shall be constituted on 1 February in the year in which the term of office of the Chief Executive is to expire. *(Added 10 of 2006 s. 5)*

16. Manner of nomination

(1) A nomination of a candidate shall be made in such form and manner as may be specified in the EAC Regulations made for the purposes of this section.

(2) A nomination of a candidate shall be made—

(a) subject to subsections (4) and (5), by not less than 150 members of the Election Committee; and *(Amended 1 of 2011 s. 4)*

(b) by delivering a duly completed nomination form to the Returning Officer before the close of nominations.

(3) A nomination made by a member of the Election Committee —

(a) shall be signified by his signature on the nomination form; and

(b) shall not be withdrawn or revoked by the member.

(4) The signature of a member of the Election Committee on a nomination form nominating a person is invalid and shall be disregarded for the purposes of subsections (2) and (3) if, at the time of the delivery of the form to the Returning Officer—

(a) a nomination form nominating a person other than the first-mentioned person for the same election and signed by the member has been delivered to the Returning Officer; and

(b) the person nominated by virtue of the nomination form referred to in paragraph (a) has not withdrawn his candidature under section 19.

(5) If a member of the Election Committee—

(a) resigns under section 3(3) of the Schedule;

(b) is serving a sentence of imprisonment for the time being;

(c) falls within paragraph (a), (b), (c), (f) or (g) of section 18 of the Schedule; or

(d) is or has been convicted, within the 3 years before the polling date of an election, in the manner prescribed by subparagraph (i), (ii) or (iii) of section 18(e) of the Schedule,

he shall be disqualified from making nomination at the election.

(6) The disqualification of a member of the Election Committee from making nomination shall not affect a nomination made by him before such disqualification.

(7) A nomination of a candidate shall be accompanied by—

(a) a declaration to the effect that—

(i) he stands for the election in an individual capacity; and

(ii) he will uphold the Basic Law and pledge allegiance to the Hong Kong Special Administrative Region; and

(b) a declaration as to his nationality and as to whether he has a right of abode in any foreign country.

(8) The declarations referred to in subsection (7) are not effective unless they are signed by the candidate concerned.

17. Determination of validity of nomination

The Returning Officer shall, as soon as practicable after receiving a nomination form, determine whether or not the person nominated by virtue of the nomination form is validly nominated in accordance with this Ordinance as a candidate at the election.

20. Disqualification from being elected

(1) If, after the close of nominations but before the close of polling, proof is given to the satisfaction of the Returning Officer that—

(a) a candidate does not satisfy the requirement in section 13(a), (b), (c) or (d);

(b) a candidate falls within any paragraph (except paragraph (h)) of section 14;

(c) a candidate is or has been convicted, within the 5 years before the polling date, in the manner prescribed by subparagraph (i), (ii), (iii) or (iv) of section 14(h); or

(d) the nomination of a candidate does not comply with this Ordinance,

the Returning Officer shall, by a public declaration, disqualify the candidate from being elected at the election.

(2) A declaration made under subsection (1) shall be published in the Gazette as soon as practicable after it is made.

22. Termination of election proceedings

(1AA) Where—

(a) at the close of nominations only one candidate is validly nominated; and

(b) proof is given to the satisfaction of the Returning Officer that the candidate dies or is disqualified under section 20(1) from being elected at any time after the close of nominations but before the declaration of the result of the election,

the Returning Officer shall, by a public declaration, terminate the proceedings for the election. *(Added 10 of 2006 s. 9)*

(1AB) Where—

(a) at the close of nominations only one candidate is validly nominated; and

(b) a poll is conducted under section 23 and the candidate is, under section 26A(4), not returned at the election,

the Returning Officer shall—

(c) publicly declare that no candidate is returned at the election;

(d) publish the declaration and the result of the poll in the Gazette; and

(e) by a public declaration, terminate the proceedings for the election. *(Added 10 of 2006 s. 9)*

(1) Where—

(a) at the close of nominations 2 or more candidates are validly nominated; and

(b) proof is given to the satisfaction of the Returning Officer that any candidate dies or is disqualified under section 20(1) from being elected at any time after the close of nominations but before the declaration of the result of the election,

the Returning Officer shall, by a public declaration, terminate the proceedings for the election.

(2) If a candidate is eliminated at any round of voting under section 27(3)(c) or (4)(c), he shall cease to be regarded as a candidate for the purposes of subsection (1)(b).

(3) If—

(a) at the close of nominations 2 or more candidates are validly nominated; and

(b) a poll is conducted under section 24 and, under section 27(2A), no candidate is returned at the election,

the Returning Officer must—

(c) publicly declare that no candidate is returned at the election;

(d) publish the declaration and the result of the poll in the Gazette; and

(e) by a public declaration, terminate the proceedings for the election. *(Added 1 of 2011 s. 5)*

26. Disqualification from voting

If a member of the Election Committee whose name appears on the final register of members of the Election Committee—

(a) resigns under section 3(3) of the Schedule; or *(Amended 7 of 2009 s. 3)*

(b) *(Repealed 7 of 2009 s. 3)*

(c) falls within paragraph (a), (b), (f) or (g) of section 18 of the Schedule, *(Amended 7 of 2009 s. 3)*

(d) *(Repealed 7 of 2009 s. 3)*

he shall be disqualified from voting at the poll.

26A. System of voting: only one candidate

(1) This section applies to an election in which at the close of nominations only one candidate is validly nominated.

(2) In the poll conducted in the election, the ballot papers shall be so designed as to allow members of the Election Committee to cast either a support vote or a not support vote.

(3) If the number of support votes obtained by the candidate exceeds 600, the candidate is returned at the election. *(Amended 1 of 2011 s. 6)*

(4) If the number of support votes obtained by the candidate does not exceed 600, the candidate is not returned at the election and section 22(1AB) applies. *(Amended 1 of 2011 s. 6)*

(Added 10 of 2006 s. 12)

27. System of voting: contested election

(Amended 10 of 2006 s. 13)

(1A) This section applies to an election in which at the close of nominations 2 or more candidates are validly nominated. *(Added 1 of 2011 s. 7)*

(1) If a candidate obtains more than 600 votes in any round of voting, the candidate is returned at the election.

(2) Where—

(a) there are 2 candidates in the election; or

(b) 2 candidates remain after the elimination of all other candidates under subsection (3)(c) or (4)(c),

a single round of voting must be conducted for the 2 candidates.

(2A) If in a round of voting conducted under subsection (2), no candidate obtains more than 600 votes, no candidate is returned at the election and section 22(3) applies. *(Added 1 of 2011 s. 7)*

(3) Where—

(a) there are 3 or more candidates in the election; and

(b) after the first round of voting—

(i) only 2 candidates obtain the highest and the same number of valid votes cast; or

(ii) (A) only one candidate obtains the highest number of valid votes cast but the candidate does not obtain more than 600 votes; and

(B) only one candidate obtains the next highest number of valid votes cast,

then—

(c) all candidates other than the 2 candidates referred to in paragraph (b)(i) or (ii) shall be eliminated; and

(d) subsection (2) applies in relation to those 2 candidates.

(4) Where—

(a) there are 3 or more candidates in the election; and

(b) after the first round of voting—

(i) 3 or more candidates obtain the highest and the same number of valid votes cast; or

(ii) (A) only one candidate obtains the highest number of valid votes cast but the candidate does not obtain more than 600 votes; and

(B) 2 or more candidates obtain the next highest and the same number of valid votes cast,

then—

(c) all candidates (if any) other than the candidates referred to in paragraph (b)(i) or (ii) shall be eliminated;

(d) as many rounds of voting as may be necessary shall be conducted for the candidates referred to in paragraph (b)(i) or (ii) until—

(i) one of them is returned under subsection (1); or

(ii) subsection (2) applies in relation to any 2 of them; and

(e) the foregoing provisions of this subsection apply in relation to any such round of voting as they apply in relation to the first round of voting.

(Amended 1 of 2011 s. 7)

32. Election may be questioned only by election petition made on specified grounds

(1) An election may be questioned only by an election petition on the ground that—

(a) the person declared by the Returning Officer under section 28 as elected was not duly elected because—

(i) he was not eligible to be nominated as a candidate under section 13;

(ii) he was disqualified under section 14 from being nominated as a candidate;

(iii) he should have been disqualified under section 20(1) from being elected but was not so disqualified;

(iv) he engaged in corrupt conduct or illegal conduct at the election;

(v) another person engaged in corrupt conduct or illegal conduct in respect of him at the election in connection with his candidature;

(vi) corrupt conduct or illegal conduct was generally prevalent at the election; or

(vii) material irregularity occurred in relation to—

(A) the election;

(B) the poll at the election; or

(C) the counting of votes in respect of the election; or

(b) the candidate declared by the Returning Officer under section 22(1AB)(c) as not returned at the election is not returned because material irregularity occurred in relation to—

(i) the election;

(ii) the poll at the election; or

(iii) the counting of votes in respect of the election. *(Replaced 10 of 2006 s. 15)*

(2) In this section—

corrupt conduct (舞弊行為) means corrupt conduct within the meaning of Part 2 of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554);

election (選舉) includes nomination proceedings and the decisions of the Returning Officer or any Assistant Returning Officer;

illegal conduct (非法行為) means illegal conduct within the meaning of Part 3 of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554).

33. Who may lodge election petition

(1) An election petition—

(a) may be lodged by any candidate in the election; or

(b) may be lodged by—

(i) a person who was determined under section 17 to be not validly nominated;

(ii) a person the nomination of whom was not accepted by the Returning Officer; or

(iii) a person who was disqualified under section 20(1) from being elected,

provided that the election petition is, subject to subsection (4), subscribed to by not less than 10 members of the Election Committee in the manner specified in subsection (2).

(2) An election petition shall set out the names and addresses of and be signed by the members of the Election Committee subscribing to it.

(3) A subscription by a member of the Election Committee to an election petition shall not be withdrawn or revoked by the member.

(4) If a member of the Election Committee is disqualified—

(a) under section 16(5) from making nomination at an election; or

(b) under section 26 from voting at the poll at an election,

he shall be disqualified from subscribing to an election petition questioning the election.

35. Respondent to election petition

The—

(a) person whose election is questioned by an election petition; and

(b) Returning Officer,

may be made a respondent to the petition.

41. Appointment of Returning Officers and assistants

(1) The Electoral Affairs Commission shall appoint—

(a) a permanent judge or non-permanent judge of the Court of Final Appeal within the meaning of the Hong Kong Court of Final Appeal Ordinance (Cap. 484);

(b) a Justice of Appeal within the meaning of the High Court Ordinance (Cap. 4); or

(c) a judge of the Court of First Instance (other than a recorder or a deputy judge of the Court of First Instance),

to be the Returning Officer.

(2) The Returning Officer has such functions as are conferred or imposed on him by or under this Ordinance.

(3) The Electoral Affairs Commission shall appoint such number of Assistant Returning Officers as appears to the Commission to be necessary to enable an election to be held smoothly.

(4) An Assistant Returning Officer may, with the authority of the Returning Officer, perform the functions of the Returning Officer.

(5) An appointment under subsection (1) or (3) shall be published in the Gazette.

(6) Expenses properly incurred by the Returning Officer in the performance of his functions under this Ordinance shall be a charge on and payable from the general revenue.

42. Offence to obstruct or hinder electoral officers

A person who, without reasonable excuse, obstructs or hinders, or interferes with, an electoral officer in the performance of a function conferred or imposed on him by or under this Ordinance commits an offence and is liable on conviction to a fine at level 2.

Schedule

[ss. 2, 8, 16, 26, 43 & 47]

Election Committee

Part 1

Preliminary

1. Interpretation

(1) In this Schedule—

body (團體) means an incorporated or unincorporated body, and includes a firm or a group of persons (which may include incorporated or unincorporated bodies) who are associated with each other through a shared relevant interest;

corporate member (團體成員), in relation to a body included in a subsector, means a body that is a member of the body so included;

elector (選民), in relation to a functional constituency or geographical constituency, has the meaning assigned to it by section 3(1) of the Legislative Council Ordinance (Cap. 542);

Electoral Registration Officer (選舉登記主任) means the person holding office as Electoral Registration Officer under section 44, and includes any person appointed to act in place of the Officer when the Officer is absent or when the office is vacant;

ex-officio member (當然委員), in relation to the Election Committee, means a member of that Committee referred to in section 2(7)(c);

functional constituency (功能界別) means a functional constituency specified in section 20(1) of the Legislative Council Ordinance (Cap. 542);

geographical constituency (地方選區) means an area declared to be a geographical constituency in accordance with Part 3 of the Legislative Council Ordinance (Cap. 542);

interim register of members of the Election Committee (選舉委員會暫行委員登記冊) means a register published under section 40(1); *(Added 10 of 2006 s. 21)*

Member (議員), in relation to the Legislative Council, has the meaning assigned to it by section 3(1) of the Legislative Council Ordinance (Cap. 542);

name (名稱), in relation to a subsector, is to be construed by reference to its description under the column headed "subsector" in Table 1, 2, 3 or 4 in section 2, as may be applicable;

officer (高級人員), in relation to a body corporate, includes a director or executive, or any other person concerned in the management, of the body;

registered (登記), in relation to a functional constituency or geographical constituency, means registered under the Legislative Council Ordinance (Cap. 542) as an elector for the constituency;

Returning Officer (選舉主任), in relation to a subsector, means the Returning Officer appointed for the subsector under section 47, and includes any person appointed to act in place of such an Officer when the Officer is absent or when an office of Returning Officer is vacant;

Revising Officer (審裁官) means a Revising Officer appointed under section 46, and includes any person appointed to act in place of the Officer when the Officer is absent or when the office of Revising Officer is vacant;

subsector (界別分組) means, subject to section 11, a subsector represented on the Election Committee as provided by section 2(4);

subsector by-election (界別分組補選) means an election to elect a member of the Election Committee assigned to a subsector who, under section 2(7)(b), is to be elected by the relevant subsector, otherwise than at a subsector ordinary election;

subsector election (界別分組選舉) means a subsector ordinary election or a subsector by-election;

subsector ordinary election (界別分組一般選舉) means an election to elect those members of the Election Committee assigned to a subsector who, under section 2(7)(b), are to be elected by the relevant subsector, for a new term of office of the Election Committee;

sub-subsector (小組) means a sub-subsector referred to in section 2(9)(a);

sub-subsector by-election (小組補選) means an election to elect a member of the Election Committee assigned to a sub-subsector who, under section 2(7)(b) and (9), is to be elected by the sub-subsector, otherwise than at a sub-subsector ordinary election;

sub-subsector ordinary election (小組一般選舉) means an election to elect those members of the Election Committee assigned to a sub-subsector who, under section 2(7)(b) and (9), are to be elected by the sub-subsector, for a new term of office of the Election Committee;

the regulations (《規例》) means regulations made under section 46 of this Ordinance.

(2) In this Schedule, unless the context otherwise requires, in respect of the sports, performing arts, culture and publication subsector—

(a) all references to "subsector", "subsector by-election" and "subsector ordinary election" mean "sub-subsector", "sub-subsector by-election" and "sub-subsector ordinary election" respectively and with any necessary modifications; and

(b) all references to "subsector election" mean "sub-subsector ordinary election" or "sub-subsector by-election" with any necessary modifications.

(3) For the purposes of this Schedule—

(a) the circumstances in which a person has a substantial connection with a body include, but are not limited to, being a member, partner, officer or employee of the body; and

(b) the circumstances in which a person has a substantial connection with a subsector include, but are not limited to, being a member, partner, officer or employee of—

(i) a body included in the subsector; or

(ii) a corporate member of a body referred to in subparagraph (i).

(4) For the purposes of this Schedule, a reference to an entitlement to vote at a general meeting of a body is a reference to an entitlement to vote at such a meeting as provided by the body's constitution and, in this subsection—

(a) the reference to the constitution of a body is a reference to the constitution either—

(i) as in force on 3 October 1997; or

(ii) as subsequently amended or substituted, but only if the amendment or substitution, in so far as it relates to—

(A) the objects of the body;

(B) the criteria and conditions of membership of the body; or

(C) the eligibility of members of the body to vote at a general meeting of the body,

has been approved in writing by the Secretary for Constitutional and Mainland Affairs; and *(Amended L.N. 130 of 2007)*

(b) ***constitution*** (章程), in relation to a body, includes articles of association and rules.

(5) In column 3 of Table 4 in section 2—

(aa) ***elected member*** (民選議員) means a person who is elected to be an elected member under Part V of the District Councils Ordinance (Cap. 547); *(Added 1 of 2011 s. 8)*

(a) ***Hong Kong and Kowloon District Councils*** (港九各區議會), in relation to the subsector specified in item 5 of that Table, means the District Councils specified in items 1 to 9 of Schedule 2 to the District Councils Ordinance (Cap. 547); and

(b) ***New Territories District Councils*** (新界各區議會), in relation to the subsector specified in item 6 of that Table, means the District Councils specified in items 10 to 18 of Schedule 2 to the District Councils Ordinance (Cap. 547).

(6) In item 8 of Table 5 in section 2—

(a) ***non-profit making company*** (非牟利公司) means a company formed for the purpose of promoting the aims specified in paragraph (4)(a), (b) or (c) opposite to that item in column 3 of that Table, that is required by its constitution to apply its profits, if any, or other income solely in promoting those aims and to prohibit the payment of any dividend to its members; and

(b) ***social service*** (社會服務) means the provision of any one or more of the following services for the benefit of the community—

(i) family and child welfare services;

(ii) services for young people;

(iii) services for the elderly;

(iv) services for offenders;

(v) rehabilitation services;

(vi) community development;

(vii) social security.

1A. Effect of inclement weather warning on date and period

(Amended 15 of 2016 s. 27)

(1) In this section—

gale warning (烈風警告) has the same meaning as in the Judicial Proceedings (Adjournment During Gale Warnings) Ordinance (Cap. 62);

inclement weather warning day (惡劣天氣警告日) means a working day on which a gale warning or a rainstorm warning is in force at any time during the ordinary business hours of the office of the Electoral Registration Officer;

rainstorm warning (暴雨警告) has the same meaning as in the Judicial Proceedings (Adjournment During Gale Warnings) Ordinance (Cap. 62);

working day (工作日) means any Monday, Tuesday, Wednesday, Thursday or Friday other than a general holiday.

(2) If—

(a) the Electoral Registration Officer is required by section 14 to do an act not later than a date; and

(b) the date falls on an inclement weather warning day,

that section has effect in relation to the act as if it requires the Officer to do the act not later than the next working day, which is not an inclement weather warning day, following the date.

(3) If—

(a) the Electoral Registration Officer is required by section 40(3A)(b) to do an act on a date; and

(b) the date falls on an inclement weather warning day,

that section has effect as if it required the Officer to do the act on the next working day which is not an inclement weather warning day, following the date. *(Added 15 of 2016 s. 27)*

(4) If—

(a) the Electoral Registration Officer is required by section 4(1) or 40 to do an act within a period; and

(b) the last day of the period falls on an inclement weather warning day,

the period is extended, in relation to the act, to end on the next working day which is not an inclement weather warning day, following the day mentioned in paragraph (b), and that section has effect accordingly. *(Added 15 of 2016 s. 27)*

(Added 12 of 2014 s. 23)

Part 2

Membership of Election Committee

2. How Election Committee is to be constituted

(1) The Election Committee is to consist of 1 200 members, who must be Hong Kong permanent residents. *(Amended 1 of 2011 s. 9)*

(2) The membership of the Election Committee (other than ex-officio members) is to be determined in accordance with the procedures specified in this Schedule.

(3) The members of the Election Committee are to be representative of 4 sectors, with each sector being represented by 300 members. *(Amended 1 of 2011 s. 9)*

(4) The sectors are to be composed of the subsectors specified in Tables 1, 2, 3 and 4.

(5) The composition of the subsectors is as follows—

(a) except in the case of the higher education and education subsectors, the social welfare subsector and the tourism and hotel subsectors, the composition of a subsector specified in Table 1, 2 or 3 which has the same name as that of a functional constituency is to be the same as that of the functional constituency;

(b) each of the subsectors specified in column 2 of Table 4 is to be composed of the persons described in column 3 of that Table in relation to the subsector;

(c) the Hong Kong Chinese Enterprises Association, tourism, hotel, Chinese medicine, higher education, education, Employers' Federation of Hong Kong and social welfare subsectors are to be composed as shown in Table 5; and

(d) the religious subsector is to be composed as described in Part 3.

(6) Subject to subsection (7), for the purpose of constituting the Election Committee, each subsector is allocated the number of members specified in the relevant Table in respect of the subsector.

(7) The Election Committee is constituted in the following manner—

(a) the number of members allocated to the religious subsector is to be nominated by that subsector in accordance with Part 3;

(b) subject to subsection (9), the number of members allocated to the subsectors specified in Tables 1, 2 and 3 (except those allocated to the religious subsector), and items 3, 4, 5 and 6 of Table 4 are to be elected by the relevant subsectors in accordance with Part 4; and

(c) subject to subsection (8), the number of members allocated to the subsector specified—

(i) in item 1 of Table 4 is to be filled by the persons holding office as Hong Kong deputies to the National People's Congress; and

(ii) in item 2 of Table 4 is to be filled by the persons holding office as the Members of the Legislative Council,

who are registered as ex-officio members of the Election Committee in, and whose names have not been removed from, the final register of members of the Election Committee.

(8) Subject to section 41, the Electoral Registration Officer shall, in compiling an interim register of members of the Election Committee under section 40(1) after the publication of results of the subsector ordinary elections, register— *(Amended 10 of 2006 s. 21)*

(a) the persons holding office on the date of those subsector ordinary elections (or the last of those dates, if different dates are specified for those subsector ordinary elections) as Hong Kong deputies to the National People's Congress; and

(b) the persons holding office on the date of those subsector ordinary elections (or the last of those dates, if different dates are specified for those subsector ordinary elections) as the Members of the Legislative Council,

(except those persons who are not Hong Kong permanent residents) as ex-officio members of the Election Committee, in accordance with the EAC Regulations.

(9) (a) Subject to paragraph (b), the number of members allocated to the sports, performing arts, culture and publication subsector is to be divided equally among the 4 sub-subsectors constituting that subsector, namely sports, performing arts, culture and publication sub-subsectors.

(b) If the number of members cannot be allocated equally as an integer, the sub-subsectors are to be allocated the largest possible integer, and the remaining number is to be allocated according to the number of voters of the sub-subsectors such that the sub-subsector having the greatest number of voters is allocated a seat first until all the seats are allocated.

Table 1

First Sector

Item	Subsector	Number of members
1.	Catering	17
2.	Commercial (first)	18
3.	Commercial (second)	18
4.	Employers' Federation of Hong Kong	16
5.	Finance	18
6.	Financial services	18
7.	Hong Kong Chinese Enterprises Association	16
8.	Hotel	17
9.	Import and export	18
10.	Industrial (first)	18
11.	Industrial (second)	18
12.	Insurance	18
13.	Real estate and construction	18
14.	Textiles and garment	18
15.	Tourism	18
16.	Transport	18
17.	Wholesale and retail	18

(Amended 1 of 2011 s. 9)

Table 2

Second Sector

Item	Subsector	Number of members
1.	Accountancy	30
2.	Architectural, surveying, planning and landscape	30
3.	Chinese medicine	30
4.	Education	30
5.	Engineering	30
6.	Health services	30
7.	Higher education	30
8.	Information technology	30
9.	Legal	30
10.	Medical	30

(Amended 1 of 2011 s. 9; 14 of 2015 s. 15)

Table 3

Third Sector

Item	Subsector	Number of members
1.	Agriculture and fisheries	60
2.	Labour	60
3.	Religious	60
4.	Social welfare	60
5.	Sports, performing arts, culture and publication	60

(Amended 1 of 2011 s. 9)

Table 4

Fourth Sector

Item	Subsector	Constituents	Number of members
1.	National People's Congress ("NPC")	Hong Kong deputies to the NPC.	36
2.	Legislative Council	Members of the Legislative Council.	70
3.	Chinese People's Political Consultative Conference ("CPPCC")	Hong Kong members of the National Committee of the CPPCC.	51
4.	Heung Yee Kuk	Chairman and Vice-Chairmen of the Heung Yee Kuk and the Ex-Officio, Special and Co-opted Councillors of the Full Council of the Heung Yee Kuk.	26
5.	Hong Kong and Kowloon District Councils	Elected members of the Hong Kong and Kowloon District Councils.	57
6.	New Territories District Councils	Elected members of the New Territories District Councils.	60

(Amended 1 of 2011 s. 9)

Table 5

Composition of Subsectors Referred to in Section 2(5)(c)

(Subsectors without an equivalent functional constituency)

Item	Subsector	Constituents

1.	Hong Kong Chinese Enterprises Association	Members of the Hong Kong Chinese Enterprises Association entitled to vote at general meetings of the Association.
2.	Tourism	(1A) Travel industry members of the body known immediately before 1 April 2001 as the Hong Kong Tourist Association, entitled immediately before that date, under the constitution of that body in force immediately before that date, to vote at general meetings of that body. *(Added 25 of 2003 s. 56)* (1) Members of the Travel Industry Council of Hong Kong entitled to vote at general meetings of the Council. (2) Members of The Board of Airline Representatives in Hong Kong. *(Replaced 25 of 2003 s. 56. Amended 10 of 2006 s. 32)*
3.	Hotel	(1) Members of the Hong Kong Hotels Association entitled to vote at general meetings of the Association. (2) Members of the Federation of Hong Kong Hotel Owners Limited entitled to vote at general meetings of the Federation. *(Amended 10 of 2006 s. 32)*
4.	Chinese medicine	(1) Members of— (a) The Hong Kong Association of Traditional Chinese Medicine Limited; (b) International General Chinese Herbalists and Medicine Professionals Association Limited; (c) Sin-Hua Herbalists' and Herb Dealers' Promotion Society Limited; (d) Society of Practitioners of Chinese Herbal Medicine Limited; (e) The Hong Kong T.C.M. Orthopaedic and Traumatic Association Limited; (f) The Hong Kong Federation of China of Traditional Chinese Medicine; (g) Hong Kong Acupuncturists Association; (h) Hong Kong Chinese Herbalists Association Limited; (i) Association of Hong Kong & Kowloon Practitioners of Chinese Medicine, Limited; (j) Hong Kong Chinese Medicine Practitioners Association Limited, who are Chinese medicine practitioners entitled to vote at the general meetings of the respective bodies. *(Replaced 1 of 2011 s. 9)* (2) Registered Chinese medicine practitioners registered under the Chinese Medicine Ordinance (Cap. 549). *(Added 1 of 2011 s. 9)*
5.	Higher education	(1) Full-time academic staff engaged in teaching or research and administrative staff of equivalent rank in— (a) institutions of higher education funded through the University Grants Committee; (b) approved post secondary colleges registered under the Post Secondary Colleges Ordinance (Cap. 320); (c) technical colleges established under the Vocational Training Council Ordinance (Cap. 1130); (d) The Hong Kong Academy for Performing Arts; (e) The Open University of Hong Kong. *(Amended 25 of 2003 s. 56; 14 of 2015 s. 15)* (f)-(m) *(Repealed 14 of 2015 s. 15)* (1A) Full-time academic staff engaged in teaching or research and administrative staff of equivalent rank in the institutions which—

(a) offer post secondary education leading to the award of any qualification entered into the Qualifications Register established under the Accreditation of Academic and Vocational Qualifications Ordinance (Cap. 592); and

(b) are set up by—

(i) an institution of higher education funded through the University Grants Committee;

(ii) The Hong Kong Academy for Performing Arts; or

(iii) The Open University of Hong Kong. *(Added 14 of 2015 s. 15)*

(2) Members of—

(a) the Council of the University of Hong Kong;

(b) the Council of The Chinese University of Hong Kong;

(c) the Council of The Hong Kong University of Science and Technology;

(d) the Council of the City University of Hong Kong;

(e) the Council of The Hong Kong Polytechnic University;

(f) the Council of The Hong Kong Academy for Performing Arts;

(g) the Council of The Open University of Hong Kong;

(h) the Vocational Training Council; *(Amended 10 of 2006 s. 32)*

(i) the Council of The Education University of Hong Kong; *(Amended 6 of 2016 s. 2)*

(j) the Council of the Hong Kong Baptist University;

(k) the Council of Lingnan University;

(l) the Board of Governors of the Hong Kong Shue Yan University; *(Amended 25 of 2003 s. 56; 7 of 2008 s. 10)*

(m) the Board of Governors of the Caritas Institute of Higher Education; *(Added 25 of 2003 s. 56. Amended 11 of 2012 s. 39; 14 of 2015 s. 15)*

(n) the Board of Governors of the Chu Hai College of Higher Education; *(Added 14 of 2015 s. 15)*

(o) the Board of Governors of the Centennial College; *(Added 14 of 2015 s. 15)*

(p) the Board of Governors of the Tung Wah College; *(Added 14 of 2015 s. 15)*

(q) the Board of Governors of The Hang Seng University of Hong Kong; *(Added 14 of 2015 s. 15. Amended 11 of 2019 s. 12)*

(r) the Board of Governors of the Hong Kong Nang Yan College of Higher Education; *(Added 14 of 2015 s. 15)*

(s) the Board of Governors of the HKCT Institute of Higher Education; *(Added 14 of 2015 s. 15. Amended 15 of 2016 s. 14)*

(t) the Board of Governors of the Gratia Christian College; *(Added 15 of 2016 s. 14. Amended 11 of 2019 s. 12)*

(u) the Board of Governors of Yew Chung College of Early Childhood Education. *(Added 11 of 2019 s. 12)*

6. Education

(1) Registered teachers registered under the Education Ordinance (Cap. 279).

(2) Permitted teachers engaged in full-time employment in schools registered or provisionally registered under the Education Ordinance (Cap. 279).

(3) Teachers and principals of schools entirely maintained and controlled by the Government.

(4) Persons whose principal or only employment is that of full-time teaching with the following bodies—

(a) technical institutes, industrial training centres and skills centres established under the Vocational Training Council Ordinance (Cap. 1130);

(b) industrial training centres established under the repealed Industrial Training (Construction Industry) Ordinance (Cap. 317) and maintained under the Construction Industry Council Ordinance (Cap. 587); *(Amended 12 of 2006 s. 84)*

(ba) industrial training centres established under the Construction Industry Council Ordinance (Cap. 587); *(Added 12 of 2006 s. 84)*

(c) industrial training centres established under the Industrial Training (Clothing Industry) Ordinance (Cap. 318);

(d) Hong Chi Association—Hong Chi Pinehill Integrated Vocational Training Centre; *(Replaced 18 of 2011 s. 52)*

(e) Caritas Lok Mo Integrated Vocational Training Centre of Caritas-Hong Kong incorporated under the Caritas—Hong Kong Incorporation Ordinance (Cap. 1092). *(Replaced 25 of 2003 s. 56. Amended 10 of 2006 s. 32)*

(5) Registered managers of schools registered under the Education Ordinance (Cap. 279).

7. Employers' Federation of Hong Kong

Members of the Employers' Federation of Hong Kong entitled to vote at general meetings of the Federation.

8. Social welfare

(1) Social workers registered under the Social Workers Registration Ordinance (Cap. 505).

(2) Corporate members of the Hong Kong Council of Social Service entitled to vote at general meetings of the Council.

(3) Exempted societies within the meaning of the Societies Ordinance (Cap. 151) that have been operating with paid employees to provide service on a regular basis in accordance with the following aims for a period of 12 months immediately before making the application for registration as a voter—

(a) to promote the co-ordination and improvement of social service activities;

(b) to develop resources, such as manpower, funds and data, for social service activities; or

(c) to promote public understanding of social service needs and the role of the voluntary agencies in meeting those needs,

and which publish their annual reports and audited accounts or certified accounts with regard to annual income and expenditure.

(4) Non-profit making companies registered under the Companies Ordinance (Cap. 622), or a former Companies Ordinance as defined by section 2(1) of the Companies Ordinance (Cap. 622), that have been operating with paid employees to provide service on a regular basis in accordance with the following aims for a period of 12 months immediately before making the application for registration as a voter— *(Amended 28 of 2012 ss. 912 & 920)*

(a) to promote the co-ordination and improvement of social service activities;

(b) to develop resources, such as manpower, funds and data, for social service activities; or

(c) to promote public understanding of social service needs and the role of the voluntary agencies in meeting those needs,

and which publish their annual reports and audited accounts or certified accounts with regard to annual income and expenditure.

2A. *(Omitted as expired—E.R. 1 of 2013)*

3. Resignation of member of Election Committee

(1) If a member of the Election Committee representing the subsector specified in item 3 of Table 4 in section 2 ceases to be a Hong Kong member of the National Committee of the Chinese People's Political Consultative Conference, he is deemed to have resigned from the membership of the Election Committee unless—

(a) the cessation is due to the expiry of the term of office of the National Committee of the Chinese People's Political Consultative Conference; and

(b) he is a Hong Kong member of the National Committee of the Chinese People's Political Consultative Conference when the immediately following term of office of that Committee commences. *(Replaced 10 of 2006 s. 6)*

(1A) If a member of the Election Committee representing the subsector specified in item 4 of Table 4 in section 2 ceases to be the Chairman or a Vice-Chairman of the Heung Yee Kuk or a Councillor of the Full Council of the Heung Yee Kuk, he is deemed to have resigned from the membership of the Election Committee unless—

(a) the cessation is due to the expiry of his term of office as the Chairman or a Vice-Chairman of the Heung Yee Kuk or a Councillor of the Full Council of the Heung Yee Kuk (as the case may be); and

(b) he is the Chairman or a Vice-Chairman of the Heung Yee Kuk or a Councillor of the Full Council of the Heung Yee Kuk immediately after the cessation. *(Added 10 of 2006 s. 6)*

(1B) If a member of the Election Committee representing the subsector specified in item 5 of Table 4 in section 2 ceases to be a member of a District Council specified in item 1, 2, 3, 4, 5, 6, 7, 8 or 9 of Schedule 2 to the District Councils Ordinance (Cap. 547), he is deemed to have resigned from the membership of the Election Committee unless—

(a) the cessation is due to the expiry of his term of office as a member of such District Council; and

(b) he is a member of such District Council immediately after the cessation. *(Added 10 of 2006 s. 6)*

(1C) If a member of the Election Committee representing the subsector specified in item 6 of Table 4 in section 2 ceases to be a member of a District Council specified in item 10, 11, 12, 13, 14, 15, 16, 17 or 18 of Schedule 2 to the District Councils Ordinance (Cap. 547), he is deemed to have resigned from the membership of the Election Committee unless—

(a) the cessation is due to the expiry of his term of office as a member of such District Council; and

(b) he is a member of such District Council immediately after the cessation. *(Added 10 of 2006 s. 6)*

(2) If—

(a) a person is a member of the Election Committee (other than an ex-officio member); and

(b) the Electoral Registration Officer, by adding the person's name to the final register of members of the Election Committee, registers the person as an ex-officio member of the Committee under section 41(3),

the person is deemed to have resigned, on the date of the publication under section 41(4) of a notice to the effect that the person's name has been so added, from the membership referred to in paragraph (a).

(3) A member of the Election Committee (other than an ex-officio member) may resign from the membership by giving written notice of resignation to the Electoral Registration Officer.

(4) A notice of resignation is not effective unless it is signed by the member concerned.

(5) A notice of resignation takes effect—

(a) on the date on which the notice is received by the Electoral Registration Officer; or

(b) if a later date is specified in the notice, on that later date.

4. Electoral Registration Officer to compile and publish provisional register

(1) The Electoral Registration Officer shall compile and publish in accordance with the EAC Regulations a provisional register of members of the Election Committee within 14 days after the making of a vacancy declaration. *(Amended 10 of 2006 s. 31)*

(2) The Electoral Registration Officer is not required to compile and publish a provisional register of members of the Election Committee under subsection (1) if— *(Amended 10 of 2006 s. 31)*

(a) the vacancy declaration is made within 12 months after the date of the making of another vacancy declaration; or *(Amended 10 of 2006 s. 31)*

(b) the election to fill the vacancy referred to in the vacancy declaration is to be held on a date that falls outside the term of office of the Election Committee.

(3) A provisional register of members of the Election Committee is to be based on the existing final register of members of the Election Committee.

(4) In compiling a provisional register of members of the Election Committee, the Electoral Registration Officer shall—

(a) after scrutinizing the existing final register of members of the Election Committee, strike out the names and other relevant particulars of those persons (other than ex-officio members) whom the Electoral Registration Officer is satisfied on reasonable grounds as, on the date of the making of the relevant vacancy declaration — *(Amended 10 of 2006 s. 31)*

(i) being dead;

(ii) having resigned, or being deemed to have resigned, from the Election Committee under section 3; or

(iii) having ceased to be registered or eligible to be registered, or having been disqualified from being registered, under the Legislative Council Ordinance (Cap. 542) as an elector for a geographical constituency; and

(b) enter the names and other relevant particulars of those persons on an omissions list.

(5) As soon as practicable after complying with subsection (4), the Electoral Registration Officer shall publish—

(a) in the Gazette; and

(b) in such other publications (if any) as are prescribed by the EAC Regulations,

a notice to the effect that the names and other relevant particulars of persons who are no longer eligible to have their names included in the final register of members of the Election Committee have been entered on an omissions list and specifying the times and the place at which the omissions list may be inspected.

(6) The Electoral Registration Officer shall, for the period prescribed for the purposes of this subsection by the EAC Regulations—

(a) keep the omissions list at that Officer's office; and

(b) during the ordinary business hours of that office, make that list available for inspection by members of the public, free of charge.

(7) In this section—

existing final register of members of the Election Committee (現有選舉委員會正式委員登記冊) means the final register of members of the Election Committee that is in effect under section 43 on the date of the making of the relevant vacancy declaration; *(Replaced 10 of 2006 s. 31)*

vacancy declaration (空缺宣布) means a declaration under section 5 of this Ordinance. *(Replaced 25 of 2003 s. 56)*

(Amended 10 of 2006 s. 31)

5. Supplementary nomination or subsector by-election to be held to fill vacancy in membership of Election Committee

(1) As soon as practicable after the Electoral Registration Officer has published a provisional register of members of the Election Committee, the Electoral Affairs Commission—

(a) shall ascertain the number of members representing each subsector (other than a subsector specified in items 1 and 2 of Table 4 in section 2) on the Election Committee; and

(b) if the number of members so ascertained as representing a subsector is less than the number of members allocated to the subsector in accordance with section 2(6), shall, in accordance with the EAC Regulations, arrange for a supplementary nomination (in the case of the religious subsector) or a subsector by-election (in the case of any other subsector) to be held to fill the vacancy among the members representing the subsector on the Election Committee.

(2) When making an ascertainment under subsection (1)(a), the Electoral Affairs Commission shall have regard to—

(a) the provisional register of members of the Election Committee; and

(b) the determinations of the Revising Officer on the appeals, if any, made under section 48 against the decisions of the Electoral Registration Officer in relation to the register.

Part 3

Religious Subsector

6. Composition of the religious subsector

(1) The religious subsector is to be composed of the following bodies (referred to in this Part as ***the designated bodies***)—

(a) Catholic Diocese of Hong Kong;

(b) Chinese Muslim Cultural and Fraternal Association;

(c) Hong Kong Christian Council;

(d) The Hong Kong Taoist Association;

(e) The Confucian Academy; and

(f) The Hong Kong Buddhist Association.

(2) The Chief Executive in Council may, by order published in the Gazette, distribute the number of members allocated to the religious subsector among the designated bodies.

7. Nomination of members by the religious subsector

(1) Subject to subsection (7), each designated body may nominate a number of persons selected by it as members representing the religious subsector on the Election Committee for a new term of office of the Committee.

(2) If—

(a) the Electoral Affairs Commission is required to arrange for a supplementary nomination to fill a vacancy among the members representing the religious subsector on the Election Committee; and

(b) the vacancy is due to the number of members from a designated body representing the religious subsector on the Election Committee being less than the assigned number for the body,

the designated body may nominate a number of persons selected by it to fill the vacancy.

(3) The process of nomination under subsection (1) or (2) (other than the selection of nominees) shall be carried out in accordance with the EAC Regulations.

(4) If—

(a) the number of persons nominated by a designated body under subsection (1) exceeds the assigned number for the body; or

(b) the number of persons nominated by a designated body under subsection (2) exceeds the number of vacancies to be filled,

subject to subsection (6), the body shall—

(c) indicate which of the nominees are to be given preference in making up the assigned number or in filling the vacancy; and

(d) then rank the excess nominees, if more than one, in order of priority.

(5) If the Returning Officer determines that any of the nominees to be given preference under subsection (4) is not validly nominated, the assigned number is to be made up or the vacancy is to be filled from the excess nominees (subject to their being validly nominated) in their order of priority.

(6) If—

(a) the number of persons nominated by a designated body under subsection (1) exceeds the assigned number for the body; or

(b) the number of persons nominated by a designated body under subsection (2) exceeds the number of vacancies to be filled,

but the body does not indicate preference under subsection (4) or the number of nominees to whom preference is given is less than the assigned number for that body or the number of vacancies to be filled, the Returning Officer shall determine which nominees of that body (subject to their being validly nominated) are to make up the assigned number or to fill the vacancy by drawing lots. The nominees on whom the lot falls are to become members of the Election Committee.

(7) The number of nominees to become members of the Election Committee from each designated body cannot exceed the assigned number for that body.

(8) The Returning Officer shall declare the nominees who become the members of the Election Committee as such members in accordance with the EAC Regulations.

(9) In this section—

assigned number (獲配席位數目), in relation to a designated body, means the number specified in an order made under section 6(2) for that body.

8. Who is qualified for selection as a nominee

(1) A person is eligible to be selected as a nominee under section 7 if the person—

(a) is both registered and eligible to be registered under the Legislative Council Ordinance (Cap. 542) as an elector for a geographical constituency, and is not disqualified from being so registered; and

(b) has a substantial connection with the religious subsector.

(2) A person is not eligible to be selected as a nominee under section 7(1) if the person—

(a) is a Hong Kong deputy to the National People's Congress or a Member of the Legislative Council (whether or not the person is an ex-officio member of the Election Committee); or

(b) is a candidate at a subsector ordinary election.

(3) A person is not eligible to be selected as a nominee under section 7(2) if the person—

(a) is a member of the Election Committee; or

(b) is a candidate at a subsector by-election, the nomination period for which coincides or partly coincides with the period during which the nomination under that section is to be made.

(4) A person who is selected as a nominee by a designated body as a member representing the religious subsector on the Election Committee is not eligible to be selected by another designated body as such a member if the period during which the nominations are to be made coincides or partly coincides.

9. When a person is disqualified from being a nominee

A person is disqualified from being a nominee under section 7 if the person—

(a) has in Hong Kong or in any other place been sentenced to death or imprisonment (by whatever name called) and has not either—

(i) served the sentence or undergone such other punishment as a competent authority may have substituted for the sentence; or

(ii) received a free pardon;

(b) on the date of nomination, is serving a sentence of imprisonment;

(c) without limiting paragraph (a), where the nomination is made within 3 years after the date of the person's conviction, is or has been convicted—

(i) of having engaged in corrupt conduct or illegal conduct in contravention of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554);

(ii) of an offence against Part II of the Prevention of Bribery Ordinance (Cap. 201); or

(iii) of any offence prescribed by the EAC Regulations;

(d) is found for the time being under the Mental Health Ordinance (Cap. 136) to be incapable, by reason of mental incapacity, of managing and administering his property and affairs; or

(e) is a member of the armed forces of the People's Republic of China or any other country or territory.

10. Application of the Elections (Corrupt and Illegal Conduct) Ordinance

The Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554) applies, with any necessary modifications, to and in relation to the selection and nomination of persons to be members of the Election Committee under section 7 in the same way as it applies to and in relation to a subsector election and so applies as if the persons selected or nominated were candidates at a subsector election.

Part 4

Subsector Election

Division 1—Preliminary

11. Interpretation

(1) In this Part, unless the context otherwise requires—

authorized representative (獲授權代表), in relation to a corporate voter, means the person authorized by the corporate voter to cast its vote at a subsector election;

corporate voter (團體投票人) means a body that is a voter for a subsector;

District Council ordinary election (區議會一般選舉) means elections to elect persons to fill the vacancies caused by the expiration of the term of office of the elected members of District Councils; *(Added 33 of 2002 s. 11)*

existing functional constituencies final register (現有功能界別正式選民登記冊) means the final register of electors for functional constituencies compiled under section 32(1) or (1A) of the Legislative Council Ordinance (Cap. 542) that is in effect on the date of registration of voters for the subsectors; *(Amended 33 of 2002 s. 11)*

existing geographical constituencies final register (現有地方選區正式選民登記冊) means the final register of electors for geographical constituencies compiled under section 32(1) or (1A) of the Legislative Council Ordinance (Cap. 542) that is in effect on the date of registration of voters for the subsectors; *(Amended 33 of 2002 s. 11)*

existing subsector final register (現有界別分組正式投票人登記冊), in relation to—

(a) the compilation of a subsector provisional register to be compiled and published not later than 30 November 2001, means the subsector final register that was compiled and published under section 10 of Schedule 2 to the Legislative Council Ordinance (Cap. 542) in force immediately before the commencement of section 73 of this Ordinance;

(b) the compilation of any other subsector provisional register, means the subsector final register that is in effect under section 15 at the time the subsector provisional register is compiled;

subsector (界別分組) means a subsector referred to in section 2(7)(b);

subsector final register (界別分組正式投票人登記冊) means the final register to be compiled and published under section 14(1)(b) or (1A)(b); *(Amended 33 of 2002 s. 11)*

subsector provisional register (界別分組臨時投票人登記冊) means the provisional register to be compiled and published under section 14(1)(a) or (1A)(a); *(Amended 33 of 2002 s. 11)*

voter (投票人) means a person whose name is registered in a subsector final register and who is eligible to be so registered and is not disqualified from being so registered or from voting at a subsector election.

(2) The results of subsector ordinary elections that are declared on different dates are, for the purposes of this Schedule, taken to have been declared on the later or latest of those dates.

Division 2—Registration of voters

12. Who is eligible to be registered as a voter

(1) Subject to this section—

(a) a person is eligible to be registered as a voter for a subsector with the same name as a functional constituency (other than the education subsector, the social welfare subsector and the tourism subsector) if—

(i) the person is eligible to be registered as an elector for that functional constituency and has made an application to be so registered; or

(ii) the person—

(A) is registered for that functional constituency in the existing functional constituencies final register; and

(B) is eligible to be, and is not disqualified from being, registered as an elector for that functional constituency; and

(b) a person is eligible to be registered as a voter for a subsector specified in Table 5 in section 2 (other than the higher education and education subsectors, the social welfare subsector and the tourism and hotel subsectors) if—

(i) the person—

(A) is a person specified opposite to that subsector in column 3 of Table 5 in section 2; and

(B) where the person is a natural person, is eligible to be registered as an elector under Part 5 of the Legislative Council Ordinance (Cap. 542) for a geographical constituency and has made an application to be so registered, or is registered in the existing geographical constituencies final register and is eligible to be, and is not disqualified from being, registered as an elector for a geographical constituency; or

(ii) the person—

(A) is registered for that subsector in the existing subsector final register; and

(B) is eligible to be, and is not disqualified from being, registered as a voter for that subsector.

(2) A person is eligible to be registered as a voter for the sports, performing arts, culture and publication subsector subject to the following conditions—

(a) a person who is registered, or applies to be registered, as an elector for the sports, performing arts, culture and publication functional constituency by virtue of being a person described in section 20V(1)(a) or (b) of, or Part 1 of Schedule 1B or item 40, 41, 43, 50, 54, 59 or 65 of Part 3 of Schedule 1B to, the Legislative Council Ordinance (Cap. 542) may be registered only as a voter for the sports sub-subsector; *(Amended 25 of 2003 s. 56; 7 of 2008 s. 10)*

(b) a person who is registered, or applies to be registered, as an elector for the sports, performing arts, culture and publication functional constituency by virtue of being a person described in section 20V(1)(i), (ka) or (kb) of, or item 1, 2, 3, 5, 9, 16, 17, 23, 24, 34, 39, 42, 45, 52, 55, 56, 57, 63, 64 or 66 of Part 3 of Schedule 1B to, the Legislative Council Ordinance (Cap. 542) may be registered only as a voter for the performing arts sub-subsector; *(Amended 25 of 2003 s. 56; 14 of 2015 s. 16)*

(c) a person who is registered, or applies to be registered, as an elector for the sports, performing arts, culture and publication functional constituency by virtue of being a person described in section 20V(1)(d) or (e) of, or Part 2 of Schedule 1B or item 6, 7, 10, 11, 13, 14, 19, 20, 22, 26, 27, 31, 33, 35, 37, 38, 48, 53, 58, 61 or 62 of Part 3 of Schedule 1B to, the Legislative Council Ordinance (Cap. 542) may be registered only as a voter for the culture sub-subsector; and

(d) a person who is registered, or applies to be registered, as an elector for the sports, performing arts, culture and publication functional constituency by virtue of being a person described in section 20V(1)(g), (h), (j) or (k) of, or item 15, 21, 28, 32, 36 or 51 of Part 3 of Schedule 1B to, the Legislative Council Ordinance (Cap. 542) may be registered only as a voter for the publication sub-subsector. *(Amended 7 of 2008 s. 10)*

(3) A person is eligible to be registered as a voter for the higher education subsector if the person—

(a) is a person described in section 20E(a), (aa) or (b) of the Legislative Council Ordinance (Cap. 542) and has made an application to be registered for the education functional constituency; or

(b) is registered for the education functional constituency in the existing functional constituencies final register, and is eligible to be registered as an elector for that functional constituency by virtue of being a person described in section 20E(a), (aa) or (b) of the Legislative Council Ordinance (Cap. 542). *(Amended 25 of 2003 s. 56)*

(4) A person is eligible to be registered as a voter for the education subsector if—

(a) the person is a person described in section 20E(c), (d), (e), (f) or (g) of the Legislative Council Ordinance (Cap. 542) and has made an application to be registered for the education functional constituency; or

(b) the person is registered for the education functional constituency in the existing functional constituencies final register, and is eligible to be registered as an elector for that functional constituency by virtue of being a person described in section 20E(c), (d), (e), (f) or (g) of the Legislative Council Ordinance (Cap. 542).

(5) A person is eligible to be registered as a voter for the social welfare subsector if—

(a) the person is a person described in section 20M of the Legislative Council Ordinance (Cap. 542) and has made an application to be registered for the social welfare functional constituency;

(b) the person is registered for the social welfare functional constituency in the existing functional constituencies final register, and is eligible to be registered as an elector for that functional constituency by virtue of being a person described in section 20M of the Legislative Council Ordinance (Cap. 542);

(c) the person is a person described in paragraph (2), (3) or (4) of item 8 of Table 5 in section 2 and has made an application to be registered for the social welfare subsector; or

(d) the person—

(i) is registered for the social welfare subsector in the existing subsector final register by virtue of being a person described in paragraph (2), (3) or (4) of item 8 of Table 5 in section 2; and

(ii) is not disqualified from being registered as a voter for that subsector.

(6) A person is eligible to be registered as a voter for the tourism subsector if the person—

(a) is a person described in section 20O(aa), (b) or (c) of the Legislative Council Ordinance (Cap. 542) and has made an application to be registered for the tourism functional constituency; or

(b) is registered for the tourism functional constituency in the existing functional constituencies final register, and is eligible to be registered as an elector for that functional constituency by virtue of being a person described in section 20O(aa), (b) or (c) of the Legislative Council Ordinance (Cap. 542). *(Amended 25 of 2003 s. 56)*

(7) A person is eligible to be registered as a voter for the hotel subsector if—

(a) the person is a person described in section 20O(d) or (e) of the Legislative Council Ordinance (Cap. 542) and has made an application to be registered for the tourism functional constituency; or

(b) the person is registered for the tourism functional constituency in the existing functional constituencies final register, and is eligible to be registered as an elector for that functional constituency by virtue of being a person described in section 20O(d) or (e) of the Legislative Council Ordinance (Cap. 542).

(8) A person is eligible to be registered as a voter for the Hong Kong and Kowloon District Councils subsector if the person is a person described opposite to that subsector in column 3 of Table 4 in section 2 and is eligible to be registered as an elector for the District Council (first) functional constituency. *(Amended 1 of 2011 s. 11)*

(9) A person is eligible to be registered as a voter for the New Territories District Councils subsector if the person is a person described opposite to that subsector in column 3 of Table 4 in section 2 and is eligible to be registered as an elector for the District Council (first) functional constituency. *(Amended 1 of 2011 s. 11)*

(10) Subject to this section—

(a) a person who is registered or applies to be registered as an elector for a functional constituency with the same name as a subsector, cannot, subject to paragraph (b), be registered only as an elector for that functional constituency and not as a voter for the subsector;

(b) a person who is registered or applies to be registered as a voter for a subsector with the same name as a functional constituency, cannot be registered only as a voter for that subsector and not as an elector for the functional constituency;

(c) a person who is registered, or has made an application to be registered, as an elector for a functional constituency with the same name as a subsector may be registered only as a voter for that subsector (whether or not the person is eligible to be registered as a voter for any other subsector), except that, if the person is eligible to be registered as a voter for any other subsector specified in item 3 of Table 4, or item 1, 4, 7 or 8 (by virtue of subsection (5)(c) or (d)) of Table 5, in section 2, the person may choose to be registered as a voter in the first-mentioned subsector or in that other subsector; and

(d) a person who ceases to be eligible to be registered as an elector for a functional constituency with the same name as a subsector ceases to be eligible to be registered as a voter for that subsector, but may, subject to paragraph (a) and subsection (12), apply to be registered as a voter for any other subsector for which the person is eligible to be registered as a voter.

(11) Subject to this section—

(a) a person who is eligible to be registered as a voter for the Hong Kong and Kowloon District Councils subsector may be registered only as a voter for that subsector; *(Replaced 1 of 2011 s. 11)*

(b) a person who is eligible to be registered as a voter for the New Territories District Councils subsector may be registered only as a voter for that subsector; *(Replaced 1 of 2011 s. 11)*

(c) a person who—

(i) is eligible to be registered as a voter for the Hong Kong and Kowloon District Councils subsector or the New Territories District Councils subsector; and

(ii) would, but for this paragraph, be eligible to be registered as a voter for any subsector other than the 2 subsectors referred to in subparagraph (i),

may be registered only as a voter for the Hong Kong and Kowloon District Councils subsector or the New Territories District Councils subsector, as the case may be; *(Replaced 1 of 2011 s. 11)*

(d) a person who ceases to be eligible to be registered as a voter for the Hong Kong and Kowloon District Councils subsector or the New Territories District Councils subsector may, subject to subsections (10)(a) and (12), apply to be registered as a voter for any other subsector for which the person is eligible to be registered as a voter; *(Replaced 1 of 2011 s. 11)*

(e) a person who—

(i) is a person described opposite to the Hong Kong and Kowloon District Councils subsector in column 3 of Table 4 in section 2; and

(ii) is eligible to be registered as an elector for the District Council (first) functional constituency,

cannot, subject to paragraph (g), be registered only as an elector for the District Council (first) functional constituency and not as a voter for the Hong Kong and Kowloon District Councils subsector; *(Replaced 1 of 2011 s. 11)*

(f) a person who—

(i) is a person described opposite to the New Territories District Councils subsector in column 3 of Table 4 in section 2; and

(ii) is eligible to be registered as an elector for the District Council (first) functional constituency,

cannot, subject to paragraph (h), be registered only as an elector for the District Council (first) functional constituency and not as a voter for the New Territories District Councils subsector; *(Replaced 1 of 2011 s. 11)*

(g) a person who is eligible to be registered as a voter for the Hong Kong and Kowloon District Councils subsector cannot be registered only as a voter for that subsector and not as an elector for the District Council (first) functional constituency; and *(Added 1 of 2011 s. 11)*

(h) a person who is eligible to be registered as a voter for the New Territories District Councils subsector cannot be registered only as a voter for that subsector and not as an elector for the District Council (first) functional constituency. *(Added 1 of 2011 s. 11)*

(12) A person who would, but for this subsection, be eligible to be registered as a voter for 2 or more subsectors (other than the Hong Kong and Kowloon District Councils subsector and the New Territories District Councils subsector) may, subject to subsection (10), be registered as a voter for only one of those subsectors of the person's choice. *(Amended 1 of 2011 s. 11)*

(13) A person who is registered, or applies to be registered, as an elector for the education functional constituency by virtue of being a person described in section 20E(a), (aa) or (b) of the Legislative Council Ordinance (Cap. 542) may be registered only as a voter for the higher education subsector. *(Amended 25 of 2003 s. 56)*

(14) A person who is registered, or applies to be registered, as an elector for the education functional constituency by virtue of being a person described in section 20E(c), (d), (e), (f) or (g) of the Legislative Council Ordinance (Cap. 542) may be registered only as a voter for the education subsector.

(15) A person who is eligible to be registered as a voter for both the education subsector and the higher education subsector, may only be registered as a voter for the higher education subsector.

(16) A person who is registered, or applies to be registered, as an elector for the tourism functional constituency by virtue of being a person described in section 20O(aa), (b) or (c) of the Legislative Council Ordinance (Cap. 542) may be registered only as a voter for the tourism subsector. *(Amended 25 of 2003 s. 56)*

(17) A person who is registered, or applies to be registered, as an elector for the tourism functional constituency by virtue of being a person described in section 20O(d) or (e) of the Legislative Council Ordinance (Cap. 542) may be registered only as a voter for the hotel subsector.

(18) A person who is eligible to be registered as a voter for both the tourism subsector and the hotel subsector, may only be registered as a voter for the hotel subsector.

(19) A person described in column 3 of Table 4 in section 2 in relation to the subsector specified in item 3 of that Table, who —

(a) is eligible to be registered as an elector under Part 5 of the Legislative Council Ordinance (Cap. 542) for a geographical constituency and has made an application to be so registered; or

(b) is registered in the existing geographical constituencies final register, and is eligible to be, and is not disqualified from being, registered as an elector for a geographical constituency,

is eligible to be registered as a voter in that subsector.

(20) A member of a body specified in item 1, 2, 3, 7 or 8 of column 3 of Table 5 in section 2 is not eligible to be registered as a voter for the relevant subsector, unless immediately before that member applies for registration as a voter—

(a) if the member is a corporate member of a body—

(i) that member has been a member of that body for at least 12 months; and

(ii) that member has been operating for at least 12 months; or

(b) if the member is a natural person, the person has been a member of that body for at least 12 months.

(21) A consular post to which any privilege or immunity is accorded under the Consular Relations Ordinance (Cap. 557) is not eligible to be registered as a voter for any subsector. *(Added 1 of 2011 s. 11)*

(22) An organization to which section 2 of the International Organizations and Diplomatic Privileges Ordinance (Cap. 190) applies or an international organization defined in section 2 of the International Organizations (Privileges and Immunities) Ordinance (Cap. 558) is not eligible to be registered as a voter for any subsector. *(Added 1 of 2011 s. 11)*

13. Corporate voter to have authorized representative

(1) A corporate voter is required to select one eligible person to be its authorized representative for the purpose of casting its vote at a subsector election.

(2) A person is eligible to be an authorized representative of a corporate voter for a subsector only if the person—

(a) is—

(i) registered as an elector for a geographical constituency; or

(ii) eligible to be registered as an elector for a geographical constituency and has applied to be so registered;

(b) has a substantial connection with the corporate voter;

(c) is not registered or has not made an application to be registered as a voter for the subsector; and

(d) is not disqualified from registration or voting under section 31 or 53 of the Legislative Council Ordinance (Cap. 542).

(3) A person who is an authorized representative of a corporate voter is not eligible to be selected as the authorized representative of another corporate voter.

(4) A person cannot act as an authorized representative of a corporate voter unless the person is registered as such a representative by the Electoral Registration Officer.

(5) A corporate voter may from time to time replace its authorized representative, but only in the circumstances and manner prescribed by the EAC Regulations. The replacement does not have effect until it is registered by the Electoral Registration Officer.

(6) An application may be made to the Electoral Registration Officer for the purposes of subsection (1) or (5) in accordance with the EAC Regulations by the corporate voter concerned. The application shall be in writing and be in a form specified under section 45.

(7) The Electoral Registration Officer may refuse an application made under subsection (6) only on the ground that the authorized representative specified in the application is ineligible to be, or is disqualified from being, such a representative.

14. Electoral Registration Officer to compile and publish a register of voters

(1) The Electoral Registration Officer shall compile and publish in accordance with the EAC Regulations—

(a) not later than 1 June in each year other than a year in which a District Council ordinary election is to be held, a provisional register of voters for subsectors; and *(Amended 12 of 2014 s. 171)*

(b) not later than 25 July in each year other than a year in which a District Council ordinary election is to be held, a final register of voters for subsectors. *(Amended 33 of 2002 s. 11)*

(1A) The Electoral Registration Officer shall compile and publish in accordance with the EAC Regulations—

(a) not later than 1 August in each year in which a District Council ordinary election is to be held, a provisional register of voters for subsectors; and *(Amended 12 of 2014 s. 171)*

(b) not later than 25 September in each year in which a District Council ordinary election is to be held, a final register of voters for subsectors. *(Added 33 of 2002 s. 11)*

(1B) Despite subsections (1) and (1A), as soon as practicable after the District Council ordinary election in 2011, the Electoral Registration Officer must, in accordance with the EAC Regulations—

(a) compile the subsector final register for the Hong Kong and Kowloon District Councils subsector by—

(i) striking out the names and other relevant particulars of all voters from the existing subsector final register; and

(ii) registering in the subsector final register all persons who are elected as members of a District Council specified in item 1, 2, 3, 4, 5, 6, 7, 8 or 9 of Schedule 2 to the District Councils Ordinance (Cap. 547) under Part V of that Ordinance as voters of the subsector;

(b) compile the subsector final register for the New Territories District Councils subsector by—

(i) striking out the names and other relevant particulars of all voters from the existing subsector final register; and

(ii) registering in the subsector final register all persons who are elected as members of a District Council specified in item 10, 11, 12, 13, 14, 15, 16, 17 or 18 of Schedule 2 to the District Councils Ordinance (Cap. 547) under Part V of that Ordinance as voters of the subsector;

(c) if the persons referred to in paragraphs (a)(ii) and (b)(ii) are registered as voters in any subsector other than the Hong Kong and Kowloon District Councils subsector and the New Territories District Councils subsector, strike out their names and other relevant particulars from the subsector final register for that subsector to the effect that they are no longer registered as voters for that subsector. *(Added 1 of 2011 s. 12)*

(1C) The Electoral Registration Officer must, as soon as practicable after complying with subsection (1B), publish in accordance with the EAC Regulations the subsector final register in which there is any addition or removal of names and other relevant particulars of voters. *(Added 1 of 2011 s. 12)*

(2) The Electoral Registration Officer may amend a subsector provisional register or subsector final register so as to rectify any clerical or printing error or any incorrect name or address of a person who is recorded in the register.

(3) A subsector provisional register is to be based on the existing subsector final register. *(Amended 10 of 2006 s. 31)*

(4) In compiling a subsector provisional register, the Electoral Registration Officer shall—

(a) after scrutinizing the register on which the subsector provisional register is to be based, strike out the names and other relevant particulars of those persons whom the Electoral Registration Officer is satisfied on reasonable grounds as being no longer eligible to have their names included in the subsector final register;

(b) enter the names and other relevant particulars of those persons on an omissions list; and

(c) add to the register the names and other relevant particulars of those persons who have made applications for registration since the date prescribed for the purposes of this paragraph by the EAC Regulations and who are eligible to have their names included in the subsector final register.

(5) As soon as practicable after complying with subsection (4), the Electoral Registration Officer shall publish—

(a) in the Gazette; and

(b) in such other publications (if any) as are prescribed by the EAC Regulations,

a notice to the effect that the names and other relevant particulars of persons who are no longer eligible to have their names included in the subsector final register have been entered on an omissions list and specifying the times and the place at which the omissions list may be inspected.

(6) The Electoral Registration Officer shall, for the period prescribed for the purposes of this subsection by the EAC Regulations—

(a) keep the omissions list at that Officer's office; and

(b) during the ordinary business hours of that office, make that list available for inspection by members of the public, free of charge.

15. When subsector final register is to take effect

A subsector final register takes effect on the date of its publication and continues to have effect until the publication of the next

subsector final register.

Division 3—Conduct of subsector elections

16. When a subsector ordinary election is to be held

(1) A subsector ordinary election is to be held on the date specified by the Chief Executive. The Chief Executive shall give notice of that date in the Gazette.

(2) The Chief Executive may specify different dates to hold different subsector ordinary elections.

17. Who is eligible to be nominated as a candidate at a subsector election

(1) A person is eligible to be nominated as a candidate at a subsector election for a subsector only if the person—

(a) has reached 18 years of age;

(b) is both registered and eligible to be registered for a geographical constituency; and

(c) either—

(i) is both registered and eligible to be registered as a voter for that subsector; or

(ii) satisfies the Returning Officer for the subsector that the person has a substantial connection with the subsector.

(2) A person is not eligible to be nominated as a candidate at a subsector ordinary election if the person is—

(a) a nominee of a designated body under section 7(1); or

(b) a Hong Kong deputy to the National People's Congress or a Member of the Legislative Council (whether or not the person is an ex-officio member of the Election Committee).

(3) A person is not eligible to be nominated as a candidate at a subsector by-election if—

(a) the person is a nominee of a designated body under section 7(2) and the period during which the nomination under that section is to be made and the nomination period for the by-election coincide or partly coincide; or

(b) the person is a member of the Election Committee.

18. When a person is disqualified from being a subsector candidate

A person is disqualified from being nominated as a candidate at a subsector election and from being elected as a member of the

Election Committee if the person—

(a) has ceased to have a substantial connection with the subsector concerned;

(b) has ceased to be registered or eligible to be registered as an elector for a geographical constituency;

(c) has in Hong Kong or in any other place been sentenced to death or imprisonment (by whatever name called) and has not either—

(i) served the sentence or undergone such other punishment as a competent authority may have substituted for the sentence; or

(ii) received a free pardon;

(d) on the date of nomination or on the date of the subsector election, is serving a sentence of imprisonment;

(e) without limiting paragraph (c), where the subsector election is to be held or is held within 3 years after the date of the person's conviction, is or has been convicted —

(i) of having engaged in corrupt conduct or illegal conduct in contravention of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554);

(ii) of an offence against Part II of the Prevention of Bribery Ordinance (Cap. 201); or

(iii) of any offence prescribed by the EAC Regulations;

(f) is found for the time being under the Mental Health Ordinance (Cap. 136) to be incapable, by reason of mental incapacity, of managing and administering his property and affairs; or

(g) is a member of the armed forces of the People's Republic of China or any other country or territory.

18A. When a person is disqualified from being a candidate for 4 subsectors in the Fourth Sector

(1) This section is without prejudice to section 18.

(2) A person is disqualified from—

(a) being nominated as a candidate at a subsector election for the subsector specified in item 3 of Table 4 in section 2; or

(b) being elected as a member of the Election Committee representing that subsector,

if he is not a Hong Kong member of the National Committee of the Chinese People's Political Consultative Conference.

(3) A person is disqualified from—

(a) being nominated as a candidate at a subsector election for the subsector specified in item 4 of Table 4 in section 2; or

(b) being elected as a member of the Election Committee representing that subsector,

if he is not the Chairman or a Vice-Chairman of the Heung Yee Kuk or a Councillor of the Full Council of the Heung Yee Kuk.

(4) A person is disqualified from—

(a) being nominated as a candidate at a subsector election for the subsector specified in item 5 of Table 4 in section 2; or

(b) being elected as a member of the Election Committee representing that subsector,

if the person is not elected as a member of a District Council specified in item 1, 2, 3, 4, 5, 6, 7, 8 or 9 of Schedule 2 to the District Councils Ordinance (Cap. 547) under Part V of that Ordinance in the District Council ordinary election held immediately before the relevant subsector election or in any District Council by-election for that District Council after the ordinary election. *(Amended 1 of 2011 s. 13)*

(5) A person is disqualified from—

(a) being nominated as a candidate at a subsector election for the subsector specified in item 6 of Table 4 in section 2; or

(b) being elected as a member of the Election Committee representing that subsector,

if the person is not elected as a member of a District Council specified in item 10, 11, 12, 13, 14, 15, 16, 17 or 18 of Schedule 2 to the District Councils Ordinance (Cap. 547) under Part V of that Ordinance in the District Council ordinary election held immediately before the relevant subsector election or in any District Council by-election for that District Council after the ordinary election. *(Amended 1 of 2011 s. 13)*

(Added 10 of 2006 s. 6)

18B. Election as District Council member does not affect nomination made earlier

(1) This subsection applies to a case in which—

(a) a person who is registered as a voter for any subsector other than the Hong Kong and Kowloon District Councils subsector and the New Territories District Councils subsector has subscribed the nomination paper of a candidate for that subsector in a subsector election; and

(b) after the subscription of the nomination paper but before the subsector election the person is elected as a member of a District Council under Part V of the District Councils Ordinance (Cap. 547).

(2) In a case to which subsection (1) applies—

(a) the validity of the subscription of the nomination paper is not affected by the person's election; and

(b) the person is disqualified—

(i) if the election is a subsector ordinary election, from subscribing the nomination paper of any candidate for the Hong Kong and Kowloon District Councils subsector or the New Territories District Councils subsector in that election; or

(ii) if the election is a subsector by-election, from subscribing the nomination paper of any candidate for the Hong Kong and Kowloon District Councils subsector or the New Territories District Councils subsector in any by-election for any subsector held during the term of the District Council for which the person is elected,

unless the candidate nominated by the person meets any description in subsection (3).

(3) The descriptions are—

(a) the candidate withdraws candidature under section 21;

(b) the Returning Officer decides under section 22(1) or 23(4) that the candidate is not validly nominated;

(c) the Returning Officer has given a notice of death in respect of the candidate under section 23(1).

(Added 1 of 2011 s. 14)

18C. Candidate for other subsectors cannot stand for District Councils subsector election even though elected as District Council member

(1) This subsection applies to a case in which—

(a) a person who is registered as a voter for any subsector other than the Hong Kong and Kowloon District Councils subsector and the New Territories District Councils subsector is nominated as a candidate for that subsector in a subsector election; and

(b) after the nomination but before the subsector election the person is elected as a member of a District Council under Part V of the District Councils Ordinance (Cap. 547).

(2) In a case to which subsection (1) applies—

(a) the validity of the nomination of the person for the subsector is not affected by the person's election; and

(b) the person is, whether or not returned at the election, disqualified—

(i) if the election is a subsector ordinary election, from being nominated as a candidate for the election in the Hong Kong and Kowloon District Councils subsector or the New Territories District Councils subsector; or

(ii) if the election is a subsector by-election, from being nominated as a candidate for the Hong Kong and Kowloon District Councils subsector by-election or the New Territories District Councils subsector by-election held during the term of the District Council for which the person is elected.

(Added 1 of 2011 s. 14)

19. Candidate to lodge deposit

(1) A person is validly nominated as a candidate for a subsector at a subsector election only if a deposit has, in the manner prescribed by the EAC Regulations, been lodged with the Returning Officer for the subsector concerned by or on behalf of the person.

(2) The deposit is to be of such an amount as prescribed by the regulations for the purposes of this section and is to be disposed of as provided by the regulations.

20. Person not to be nominated for more than one subsector

A person who is nominated as a candidate for a subsector at a subsector election is not eligible to be nominated as a candidate at another subsector election that is to be held on the same day or if the nomination periods for the elections coincide or partly coincide.

21. Withdrawal of candidature

(1) A candidate for a subsector election may withdraw the candidate's candidature at any time before the close of nominations.

(2) The withdrawal of such a candidate's candidature has effect only if it is in writing signed by the candidate and complies with the EAC Regulations.

22. Who are validly nominated candidates for subsector election

(1) The Returning Officer for a subsector shall, as soon as practicable after receiving a nomination form that complies with the EAC Regulations, decide in accordance with those Regulations whether or not a person is validly nominated as a candidate at the subsector election.

(2) The Returning Officer for a subsector shall, in accordance with the EAC Regulations, publish a notice stating which persons are validly nominated as candidates at the subsector election.

23. Death or disqualification of a validly nominated candidate before date of subsector election

(1) If, after the Returning Officer has made a decision under section 22(1) that a candidate is validly nominated for a subsector election, but before the date of the subsector election, proof is given to the satisfaction of the Returning Officer that the candidate has died, that Officer shall, in accordance with the EAC Regulations, give notice of the death.

(2) If a notice under section 22(2) has been published, the Returning Officer shall also, in accordance with the EAC Regulations—

(a) publicly declare that the candidate under subsection (1) has died; and

(b) further declare which candidates are validly nominated for the subsector election.

(3) Subsections (1) and (2) do not apply if the Returning Officer has publicly declared under section 25(1) that the candidate was duly elected as a member of the Election Committee.

(4) If, after the Returning Officer has made a decision under section 22(1) that a candidate is validly nominated for a subsector election, but before the date of the subsector election, proof is given to the satisfaction of the Returning Officer that the candidate is disqualified from being nominated as a candidate for a subsector election, the Returning Officer shall, in accordance with the EAC Regulations, vary the decision to the effect that the candidate is not validly nominated. If the Returning Officer so varies the decision, that Officer shall, in accordance with those Regulations, give notice of the variation of the decision.

(5) If a notice under section 22(2) has been published, the Returning Officer shall also, in accordance with the EAC Regulations—

(a) publicly declare that the decision has been varied; and

(b) further declare which candidates are validly nominated for the subsector election.

(6) Subsections (4) and (5) do not apply if the Returning Officer has publicly declared under section 25(1) that the candidate was duly elected as a member of the Election Committee.

24. When holding of a subsector election can be postponed or adjourned

(1) The Electoral Affairs Commission may by order direct the postponement of a subsector election if, before that election is held, the Commission is of the opinion that the election is likely to be obstructed, disrupted, undermined or seriously affected by riot or open violence or any danger to public health or safety.

(2) The Electoral Affairs Commission may by order direct the adjournment of the polling or counting of votes for a subsector election if, during the polling or counting of votes in respect of that election, the Commission is of the opinion that the polling or counting is likely to be or is being obstructed, disrupted, undermined or seriously affected by riot or open violence or any danger to public health or safety.

(3) The Returning Officer or Returning Officers concerned shall give effect to a direction under this section as soon as practicable after being notified of it.

(4) If the subsector election, or polling or counting of votes at the subsector election, is directed to be postponed or adjourned under this section, the Electoral Affairs Commission shall specify a date for the holding of the subsector election, or the polling or counting, in place of the postponed subsector election or the adjourned polling or counting. The Electoral Affairs Commission shall give notice of that date in the Gazette. That date is to be not later than 14 days after the date on which the election, polling or counting of votes would have taken place but for the direction.

(Amended 15 of 2016 s. 56)

25. What is to happen if insufficient number of candidates is nominated for a subsector

(1) If—

(a) after the close of nominations of candidates for a subsector ordinary election, no more candidates have been validly nominated than the number of members allocated to the subsector; or

(b) after the close of nominations of candidates for a subsector by-election, no more candidates have been validly nominated than the number of members to be returned at the by-election,

the Returning Officer concerned shall, in accordance with the EAC Regulations, publicly declare the candidates for the subsector to be duly elected as members of the Election Committee representing the subsector.

(2) If, after the close of nominations of candidates for a subsector election, no candidate was validly nominated, the Returning Officer concerned shall, by notice published in the Gazette, declare that no candidate was validly nominated for the subsector election.

(3) If—

(a) after the close of nominations of candidates for a subsector ordinary election, the number of candidates validly nominated was less than the number of members allocated to the subsector; or

(b) after the close of nominations of candidates for a subsector by-election, the number of candidates validly nominated was less than the number of members to be returned at the by-election,

the Returning Officer concerned shall, by notice published in the Gazette, declare that the number of members of the Election Committee returned at the subsector election for the

subsector is less than the number of members to be returned at the election.

26. Death or disqualification of a validly nominated candidate before declaration of election result

(1) If, on or after the date of a subsector election but before declaring the result of the subsector election, proof is given to the satisfaction of the Returning Officer concerned that a validly nominated candidate for the subsector election has died or is disqualified from being elected, the proceedings for the subsector election are to begin (if they have not begun) or to continue (if they have begun) as if the death or disqualification had not occurred.

(2) If—

(a) after the counting of votes is finished, the candidate referred to in subsection (1) is found to be successful at the subsector election; and

(b) there is no other candidate at the subsector election who can be returned under section 29(9) for the subsector in place of that candidate,

the Returning Officer concerned shall, in accordance with the EAC Regulations, declare that—

(c) no candidate is returned at the subsector election; or

(d) (where more than one member of the Election Committee are to be returned at the subsector election and there are other candidates returned at the subsector election) the number of members of the Election Committee returned at the subsector election for the subsector is less than the number of members to be returned at the election.

27. How subsector election is to be conducted

(1) At every contested subsector election—

(a) a poll is to be taken for the subsector; and

(b) voting at the poll is to be by secret ballot.

(2) The poll is to be conducted in accordance with the EAC Regulations.

(3) The Returning Officer appointed for a subsector is responsible for supervising a subsector election for the subsector in accordance with this Schedule, the Electoral Affairs Commission Ordinance (Cap. 541) and the EAC Regulations.

28. Who is entitled to vote at a subsector election

(1) A person is entitled to vote at a subsector election only if the person is registered as a voter for the subsector concerned.

(2) A person registered as a voter for a subsector may not be prevented from voting at a subsector election only because the person's name should not have been included in the subsector final register prepared for the subsector.

(3) A corporate voter may vote at a subsector election only by its authorized representative.

29. System of voting and counting of votes

(1) Voting and counting of votes at a poll referred to in section 27 is to be conducted in accordance with the simple or relative majority system of election (otherwise known as the "first past the post" system of voting).

(2) At a subsector ordinary election, a voter may vote for as many candidates as the number of members allocated to the subsector concerned and no more.

(3) At a subsector by-election, a voter may vote for as many candidates as the number of members to be returned at the by-election and no more.

(4) If a subsector ordinary election is contested by more candidates than the number of members allocated to the subsector, the candidates to be elected for the subsector are those who obtain the greatest number of votes at the election and then the next greatest and so on until the required number of members is elected.

(5) If a subsector by-election is contested by more candidates than the number of members to be returned at the by-election—

(a) in the case of a single vacancy, the candidate to be elected for the subsector is the one who obtains the greatest number of votes at the by-election; and

(b) in the case of more than one vacancy, the candidates to be elected for the subsector are those who obtain the greatest number of votes at the by-election and then the next greatest and so on until the required number of members is elected.

(6) If, after the counting is finished at a subsector election, a member is still to be returned for the subsector and the most successful candidates remaining have an equal number of votes, the Returning Officer shall determine the result of the election by drawing lots. The candidate on whom the lot falls is to be returned at the subsector election.

(7) As soon as practicable after determining the result of a subsector election, the Returning Officer concerned shall, in accordance with the EAC Regulations, publicly declare as elected the candidates who were successful at the subsector election.

(8) Despite subsection (7), if, before declaring the result of a subsector election, proof is given to the satisfaction of the Returning Officer that the candidate or a candidate who was successful at the subsector election has died or is disqualified from being elected, that Officer shall not declare that candidate as elected.

(9) If there is another candidate or there are other candidates at the subsector election who has not or have not been returned for the subsector, the candidate is to be returned or the candidate who obtains the greatest number of votes is to be returned (subject to that candidate's being not disqualified from being elected) in place of the deceased or disqualified candidate. In that case, the Returning Officer concerned shall publicly declare the candidate so returned to be elected.

30. When a voter is disqualified from voting at subsector election

(1) A person registered as a voter for a subsector is disqualified from voting at a subsector election for that subsector, if the person—

(a) has ceased to be eligible to be registered as a voter for that subsector;

(b)-(d) *(Repealed 7 of 2009 s. 4)*

(e) is found for the time being under the Mental Health Ordinance (Cap. 136) to be incapable, by reason of mental incapacity, of managing and administering his property and affairs; or

(f) is a member of the armed forces of the People's Republic of China or any other country or territory.

(2) This section applies to an authorized representative of a corporate voter in the same way as it applies to a voter who is a natural person.

31. Consequences of non-compliance with requirements of this Schedule

In any proceedings brought to question the validity of a subsector election, the Revising Officer shall not declare the election to be invalid only because of—

(a) a failure to comply with the regulations or with the EAC Regulations; or

(b) a mistake in the use of a form specified under this Schedule or under the Electoral Affairs Commission Ordinance (Cap. 541),

if the Revising Officer is satisfied on reasonable grounds that the conduct of the election was in accordance with the principles laid down in this Schedule and the Electoral Affairs Commission Ordinance (Cap. 541) and that the failure to comply or mistake did not affect the result of the election.

32. Misnomer or inaccuracy not to affect operation of election document

(1) A misnomer or inaccurate description of a person, a person's identity document or place specified in a document to which this section applies does not limit the full operation of the document with respect to that person, identity document or place if the description of the person, identity document or place is such as to be commonly understood.

(2) This section applies to a subsector provisional register, a subsector final register, a nomination paper, ballot paper, notice or other document prepared for the purposes of a subsector election.

(3) In this section—

identity document (身分證明文件) means—

(a) an identity card issued to a person under the Registration of Persons Ordinance (Cap. 177);

(b) a document issued by the Commissioner (within the meaning of section 1A(1) of the Registration of Persons Ordinance (Cap. 177)) to a person certifying that the person is exempt, under regulation 25 of the Registration of Persons Regulations (Cap. 177 sub. leg. A), from being required to register under that Ordinance; or *(Replaced 1 of 2019 s. 76)*

(c) any other document issued to a person that is acceptable to the Electoral Registration Officer as proof of the person's identity.

33. Subsector election to be presumed valid

Every subsector election is presumed to be valid, unless it is questioned by means of an appeal lodged with a Revising Officer within the period during which an appeal can be made to a Revising Officer under section 39 and the Officer, on the hearing of an appeal, determines that the election is invalid.

34. Subsector election not to be questioned only because of defect in appointment of electoral officer

A subsector election is not to be questioned only because of a defect in the appointment of an electoral officer who is responsible for conducting the subsector election.

35. Returning Officer to publish result of subsector election

(1) The Returning Officer shall publish in the Gazette the names of the persons duly elected as members of the Election Committee at a subsector election.

(2) The publication of a notice shall be in accordance with the EAC Regulations.

36. Offences by Returning Officers and others with respect to conduct of subsector election

(1) Any person holding office as a Returning Officer or an Assistant Returning Officer at a subsector election who neglects or refuses to perform the functions of that office in relation to such an election commits an offence and is liable on conviction to a fine at level 2.

(2) A prosecution for an offence under this section may be brought only with the consent of the Secretary for Justice.

(3) A person is not to be liable to conviction under this section unless the complaint or information alleging the offence is laid within 3 months after the date of the alleged commission of the offence.

37. Voter not to be required to disclose how vote was cast

(1) A voter who is asked to disclose the name of, or any particulars relating to, the subsector candidate for whom the voter voted at a subsector election is not required to answer the question.

(2) A person shall not, without lawful authority, require or purport to require a voter at a subsector election to disclose the name of, or any particulars relating to, a subsector candidate for whom the voter voted at the subsector election.

(3) A person who contravenes subsection (2) commits an offence and is liable on conviction to a fine at level 2.

(4) In this section, ***voter*** (投票人) includes an authorized representative of a corporate voter.

Division 4—Miscellaneous

38. Subsector candidates entitled to send letters to voters free of postage

(1) A validly nominated candidate at a subsector election is entitled to send free of postage one letter addressed to each voter whose name appears in the subsector final register for the subsector for which the candidate is nominated.

(2) Each such letter is to relate to the election concerned and is to comply with all requirements and limitations (if any) prescribed by the EAC Regulations.

(2A) A letter sent under subsection (1) by a candidate who is validly nominated at a subsector election—

(a) may contain information on any other candidate who is also validly nominated at that election; and

(b) is, if it contains any information mentioned in paragraph (a), not to be regarded, for the purposes of subsection (1), as being sent by that other candidate. *(Added 18 of 2011 s. 35)*

(3) The cost to the Postmaster General of enabling subsector candidates to exercise their entitlements under this section is a charge on, and is to be met from, the general revenue.

39. Subsector election may be questioned only by appeal to Revising Officer

(1) A person claiming to be a candidate at a subsector election may appeal against the result to a Revising Officer in accordance with the regulations.

(2) An appeal under subsection (1) may be lodged only during the period of 7 days following the date on which the Returning Officer has published in the Gazette the result being appealed against.

(3) Any person whose election is questioned by an appeal under this section and the Returning Officer in respect of the subsector election concerned may be made a respondent to the appeal.

(4) At the hearing of the appeal, the appellant is entitled to appear in person and, whether or not the appellant appears in person, to be represented by a legal practitioner or any other person.

(5) At the end of a hearing, the Revising Officer shall determine whether the person whose election is questioned was or was not duly elected.

(6) The determination of the Revising Officer on such an appeal is final.

Part 5

Interim Register and Final Register of Members of Election Committee

(Amended 10 of 2006 s. 21)

40. Electoral Registration Officer to compile and publish interim register and final register

(Amended 10 of 2006 s. 21)

(1) The Electoral Registration Officer shall compile and publish in accordance with the EAC Regulations— *(Amended 10 of 2006 s. 21; 1 of 2011 s. 15)*

(a) if the polling for the subsector ordinary elections for all subsectors is held on the same day, an interim register of members of the Election Committee within 7 days after the results of the elections are published under section 35; or

(b) if the polling for the subsector ordinary elections for different subsectors is held on different days, the relevant parts of an interim register of members of the Election Committee within 7 days after the results of the relevant elections are published under section 35. *(Amended 1 of 2011 s. 15)*

(2) The Electoral Registration Officer shall compile and publish in accordance with the EAC Regulations a final register of members of the Election Committee within 7 days after the result of a subsector by-election is published under section 35. *(Amended 10 of 2006 s. 21)*

(3) The Electoral Registration Officer shall also compile and publish in accordance with the EAC Regulations a final register of members of the Election Committee within 7 days after a nominee under section 7(2) is declared as a member of the Election Committee under section 7, unless the period during which the nomination under section 7(2) is to be made and the nomination period for a subsector by-election coincide or partly coincide.

(3A) The Electoral Registration Officer shall—

(a) compile in accordance with the EAC Regulations a final register of members of the Election Committee on the basis of the interim register of members of the Election Committee, incorporating any amendment made under section 41 or 42; and

(b) publish the final register in accordance with the EAC Regulations on the date on which the Election Committee is constituted. *(Added 10 of 2006 s. 21)*

(4) If—

(a) the Electoral Registration Officer has compiled and published a provisional register of members of the Election Committee under section 4;

(b) the Electoral Affairs Commission has ascertained under section 5(1)(a) the number of members representing each subsector (other than a subsector specified in items 1 and 2 of Table 4 in section 2) on the Election Committee; and

(c) the number of members representing each subsector on the Election Committee so ascertained is equal to the number of members allocated to the subsector in accordance with section 2(6),

the Electoral Registration Officer shall, as soon as practicable after the Electoral Affairs Commission's ascertainment, publish in accordance with the EAC Regulations the provisional register as a final register of members of the Election Committee.

41. Electoral Registration Officer to amend interim register or final register to give effect to change in ex-officio membership

(Amended 10 of 2006 s. 21)

(1) The Electoral Registration Officer may from time to time amend the interim register of members of the Election Committee or final register of members of the Election Committee in accordance with this section and the EAC Regulations to give effect to any change in the ex-officio membership of the Election Committee.

(2) If a person is registered as an ex-officio member of the Election Committee—

(a) by virtue of being a person referred to in section 2(7)(c)(i), and subsequently that person ceases to be a Hong Kong deputy to the National People's Congress, that person ceases to be an ex-officio member of the Election Committee and the Electoral Registration Officer shall, subject to subsection (3), remove that person's name from the interim register of members of the Election Committee or final register of members of the Election Committee; or

(b) by virtue of being a person referred to in section 2(7)(c)(ii), and subsequently that person ceases to be a Member of the Legislative Council, that person ceases to be an ex-officio member of the Election Committee and the Electoral Registration Officer shall, subject to subsection (3), remove that person's name from the interim register of members of the Election Committee or final register of members of the Election Committee.

(3) The Electoral Registration Officer shall register as ex-officio members of the Election Committee—

(a) persons who become Hong Kong deputies to the National People's Congress; and

(b) persons who become Members of the Legislative Council,

from time to time (except those persons who are not Hong Kong permanent residents) in accordance with the EAC Regulations.

(4) If the Electoral Registration Officer adds names to or removes names from the interim register or final register of members of the Election Committee under this section, that Officer shall, as soon as practicable after the addition or removal, publish, in accordance with the EAC Regulations, a notice to the effect that names have been so added or removed.

(Amended 10 of 2006 s. 21)

42. Electoral Registration Officer may amend register

(1) The Electoral Registration Officer may amend a provisional register, interim register or final register of members of the Election Committee so as to rectify any clerical or printing error or any incorrect name or address of a person who is recorded in the register.

(2) If a Revising Officer directs the Electoral Registration Officer to incorporate into the interim register of members of the Election Committee or final register of members of the Election Committee the Revising Officer's determination on an appeal under section 39 or 48, the Electoral Registration Officer shall also amend the register to effect the direction.

(3) If the Electoral Registration Officer amends the interim register of members of the Election Committee or final register of members of the Election Committee under subsection (2), that Officer shall, as soon as practicable after the amendment, publish, in accordance with the EAC Regulations, a notice of the amendment.

(Amended 10 of 2006 s. 21)

43. When final register is to take effect

(1) During the term of office of the Election Committee, a final register of members of the Election Committee is to—

(a) have effect as amended from time to time in accordance with sections 41 and 42 and the EAC Regulations after its publication; and

(b) cease to have effect on the publication of the next final register of members of the Election Committee.

(2) If names have been removed from or added to the final register of members of the Election Committee under section 41(2) or (3), or the register has been amended under section 42(2), the register as amended is to take effect on the date of the publication of the notice under section 41(4) or 42(3).

Part 6

Miscellaneous

44. Appointment of Electoral Registration Officer and assistants

(1) The Chief Executive shall appoint an Electoral Registration Officer and such number of Assistant Electoral Registration Officers as appears to the Chief Executive to be necessary for the purposes of registering persons as members of the Election Committee and as voters at subsector elections.

(2) The Electoral Registration Officer has such functions as are conferred or imposed on that Officer by or under this Schedule.

(3) An Assistant Electoral Registration Officer may, with the authority of the Electoral Registration Officer, perform the functions of Electoral Registration Officer.

(4) The Secretary for Constitutional and Mainland Affairs shall publish in the Gazette a notice of the appointment of a person as Electoral Registration Officer and the Officer's address. *(Amended L.N. 130 of 2007)*

(5) The executive authorities of the Government shall ensure that the Electoral Registration Officer is provided with such staff as that Officer requires in order to perform that Officer's functions under this Schedule.

(6) Expenses properly incurred by the Electoral Registration Officer in the performance of that Officer's functions under this Schedule or the Electoral Affairs Commission Ordinance (Cap. 541) are a charge on, and are payable from, the general revenue.

45. Electoral Registration Officer may specify forms

The Electoral Registration Officer may specify the form of any application, notice, return, record or other document required for the purposes of this Schedule.

46. Appointment of Revising Officer

(1) The Chief Justice may appoint an eligible person to be a Revising Officer for the purposes of this Schedule. *(Amended 1 of 2019 s. 72)*

(2) If no appointment is made under subsection (1), the Registrar of the High Court is taken to be a Revising Officer.

(3) A Revising Officer has such functions as are conferred or imposed on the Officer by or under this Schedule.

(4) A Revising Officer has, when performing the Officer's functions, the powers and immunities of a magistrate under sections 21, 22, 99, 125 and 126 of the Magistrates Ordinance (Cap. 227).

(5) In subsection (1)—

eligible person (合資格人士) means—

(a) a magistrate;

(b) a former magistrate;

(c) a retired magistrate; or

(d) a legal officer as defined by section 2 of the Legal Officers Ordinance (Cap. 87). *(Added 1 of 2019 s. 72)*

47. Appointment of Returning Officers and assistants

(1) The Electoral Affairs Commission shall appoint for each subsector a Returning Officer and such number of Assistant Returning Officers as appears to the Commission to be necessary to enable members of the Election Committee (other than ex-officio members) to be returned for the subsector.

(2) A Returning Officer has such functions as are conferred or imposed on that Officer by or under this Schedule.

(3) An Assistant Returning Officer may, with the authority of the Returning Officer concerned, perform the functions of Returning Officer.

(4) The Electoral Affairs Commission shall publish in the Gazette a notice of the appointment of a Returning Officer and that Officer's address.

(5) The executive authorities of the Government shall ensure that each Returning Officer is provided with such staff as that Officer requires in order to perform that Officer's functions under this Schedule.

(6) Expenses properly incurred by a Returning Officer in the performance of that Officer's functions under this Schedule or the Electoral Affairs Commission Ordinance (Cap. 541) are a charge on, and are payable from, the general revenue.

48. Right of appeal to Revising Officer against decisions of Electoral Registration Officer

(1) A person who is dissatisfied with a decision of the Electoral Registration Officer made for the purposes of this Schedule may appeal against the decision to a Revising Officer.

(2) The determination of a Revising Officer on such an appeal is final.

(2A) A Revising Officer may determine an appeal without a hearing on the basis of written submissions only. *(Added 1 of 2019 s. 8)*

(2B) Subsections (3) and (4) apply if a hearing is held for an appeal. *(Added 1 of 2019 s. 8)*

(3) The Electoral Registration Officer, or an Assistant Electoral Registration Officer, is required to appear as the respondent at the hearing of the appeal.

(4) At the hearing of the appeal, the appellant or any other person concerned in the appeal is entitled to appear in person and, whether or not the appellant appears in person, to be represented by a legal practitioner or any other person.

49. *(Repealed 10 of 2006 s. 31)*

(Amended E.R. 2 of 2012)
(Format changes—E.R. 1 of 2012)

2. Interpretation

(1) In this Regulation, unless the context otherwise requires—

appeal notice (上訴通知書) means an appeal notice lodged by a person under section 3;

appellant (上訴人) means a person who—

(a) lodges an appeal notice to a Revising Officer to appeal against the result of a subsector election under section 3; or

(b) submits a written representation to a Revising Officer to object to the registration of a declared member as a member of the Election Committee in the final register under section 4;

Assistant Electoral Registration Officer (助理選舉登記主任) means an Assistant Electoral Registration Officer appointed under section 44(1) of the Schedule to the Ordinance;

Assistant Returning Officer (助理選舉主任) means an Assistant Returning Officer appointed under section 47(1) of the Schedule to the Ordinance;

declared member (獲宣布委員) means a nominee who is declared by the Returning Officer as a member of the Election Committee under section 7 of the Schedule to the Ordinance;

designated body (指定團體) means a designated body referred to in section 6 of the Schedule to the Ordinance;

Electoral Registration Officer (選舉登記主任) has the meaning assigned to it by section 1(1) of the Schedule to the Ordinance;

final register (正式委員登記冊) means a register published under section 40(2), (3) or (4) of the Schedule to the Ordinance; *(10 of 2006 s. 22)*

identity document (身分證明文件) means—

(a) an identity card issued to a person under the Registration of Persons Ordinance (Cap. 177);

(b) a document issued by the Commissioner (within the meaning of section 1A(1) of the Registration of Persons Ordinance (Cap. 177)) to a person certifying that the person is exempt, under regulation 25 of the Registration of Persons Regulations (Cap. 177 sub. leg. A), from being required to register under that Ordinance; or *(1 of 2019 s. 81)*

(c) any other document issued to a person that is acceptable to the Electoral Registration Officer as proof of the person's identity;

interim register (暫行委員登記冊) means a register published under section 40(1) of the Schedule to the Ordinance; *(10 of 2006 s. 22)*

nominee (獲提名人) means a nominee referred to in section 7 of the Schedule to the Ordinance;

Returning Officer (選舉主任) has the meaning assigned to it by section 1(1) of the Schedule to the Ordinance;

sub-subsector by-election (小組補選) has the meaning assigned to it by section 1(1) of the Schedule to the Ordinance;

sub-subsector ordinary election (小組一般選舉) has the meaning assigned to it by section 1(1) of the Schedule to the Ordinance;

working day (工作日) means any Monday, Tuesday, Wednesday, Thursday or Friday other than a general holiday; *(15 of 2016 s. 28)*

written representation (書面申述) means a written representation referred to in section 4.

(2) In this Regulation, all references to "subsector election" shall, in respect of the sports, performing arts, culture and publication subsector, mean "sub-subsector ordinary election" or "sub-subsector by-election".

(3) In the Schedule, ***subsector ordinary election*** (界別分組一般選舉) and ***subsector by-election*** (界別分組補選) have the meaning assigned respectively to them by section 1(1) of the Schedule to the Ordinance.

3. Appeal against result of subsector election to Revising Officer

(1) A person claiming to be a candidate at a subsector election may appeal to a Revising Officer under section 39(1) of the Schedule to the Ordinance against the result of that subsector election by lodging an appeal notice.

(2) An appeal notice must be in the form specified in the Schedule.

(3) An appeal notice may be lodged to question a subsector election only on the ground that the person declared by the Returning Officer in accordance with EAC Regulations to have been elected as a member of the Election Committee at the subsector election was not duly elected because—

(a) the person was ineligible to be, or was disqualified from being, a candidate at the subsector election; or

(b) material irregularity occurred in relation to the subsector election, or to the polling or counting of votes at the subsector election.

(4) An appeal notice may be lodged to the Revising Officer only after the date on which the Returning Officer has published in the Gazette the result being appealed against and must reach the Revising Officer not later than 7 days after that date.

(5) Any person whose election is questioned by an appeal notice and the Returning Officer in respect of the subsector election concerned may be made a respondent to the appeal.

(6) Two or more candidates at a subsector election may be made respondents to the same appeal and their cases may be tried at the same time, but for the purposes of this section and section 6, the appeal is taken to be a separate appeal against each respondent.

(7) In subsection (3), ***subsector election*** (界別分組選舉) includes nomination proceedings and the decisions of the Returning Officer or any Assistant Returning Officer.

4. Appeals in relation to registration of nominees declared by Returning Officer as members of Election Committee

(1) A person who considers that a declared member is not eligible to be registered as a member of the Election Committee on the ground that—

(a) the declared member was ineligible to be selected as, or was disqualified from being, a nominee;

(b) material irregularity occurred in relation to the process of nomination;

(c) material irregularity occurred in relation to the determination of the Returning Officer as to the validity of the nomination of the declared member; or

(d) material irregularity occurred in relation to the determination of the Returning Officer under section 7(6) of the Schedule to the Ordinance,

may, by submitting a written representation, object to the registration of the declared member as a member of the

Election Committee in the interim register or final register and request the Revising Officer to determine whether some other nominee nominated by the designated body concerned should be declared and registered as a member of the Election Committee instead. *(10 of 2006 s. 23)*

(2) A written representation under subsection (1) may be submitted to the Revising Officer only after the date of the publication of the interim register or final register concerned and must reach the Revising Officer not later than 7 days after that date. *(10 of 2006 s. 23)*

(3) The Electoral Registration Officer, or an Assistant Electoral Registration Officer, is required to appear as the respondent at the hearing.

(4) The written representation referred to in subsection (1) shall state—

(a) the name, address and identity document number (if any) of the appellant;

(b) the name and address of the declared member concerned;

(c) the date on which the declared member concerned was declared as such member by the Returning Officer;

(d) the ground of appeal; and

(e) any other relevant information.

5. Fixing of hearing and notifying appellant thereof

(1) Where the Revising Officer receives an appeal notice or a written representation, as the case may be, he shall, as soon as practicable—

(a) subject to subsections (3) and (4), fix a date, time and place for holding a hearing as regards the appeal notice or the written representation, as the case may be; and

(b) send by post a notice under subsection (2)—

(i) to the appellant concerned at the address furnished as his address in the appeal notice or the written representation, as the case may be; and

(ii) (A) in the case of an appeal notice, to the person whose election is questioned; or

(B) in the case of a written representation, to the declared member concerned.

(2) A notice for the purposes of subsection (1)(b) shall—

(a) state that a hearing is to be held as regards the appeal notice or the written representation, as the case may be;

(b) specify the date, time and place fixed under subsection (1)(a) for such hearing;

(c) state that the appellant or the person whose election is questioned or the declared member concerned, as the case may be—

(i) may appear in person at the hearing and make representations to the Revising Officer regarding the appeal notice or the written representation, as the case may be;

(ii) may be represented at the hearing by a legal practitioner, or by any other person authorized in writing by the appellant or the person whose election is questioned or the declared member concerned (as the case may be) who may make representations on his behalf; or

(iii) whether or not he appears or is represented, may make representations in writing regarding the appeal notice or the written representation, as the case may be, and submit them, by post or by hand, at an address (which shall be specified in the notice) to reach the Revising Officer on a date at least 1 clear day before the date fixed for the hearing;

(d) in the case of a notice sent to an appellant, state that—

(i) in the case of an appeal notice, if the appellant—

(A) does not appear at the hearing;

(B) is not represented at the hearing by a legal practitioner or any other person authorized in writing by the appellant; and

(C) does not make representations in writing regarding his appeal notice to be received by the Revising Officer on a date at least 1 clear day before the date of the hearing,

the result of the subsector election to which the appeal notice relates shall stand;

(ii) in the case of a written representation, if the Electoral Registration Officer does not make representations to the Revising Officer at the hearing and if the appellant—

(A) does not appear at the hearing;

(B) is not represented at the hearing by a legal practitioner or any other person authorized in writing by the appellant; and

(C) does not make representations in writing regarding his written representation to be received by the Revising Officer on a date at least 1 clear day before the date of the hearing,

the decision of the Electoral Registration Officer in relation to the registration to which the written representation relates shall stand.

(3) The date fixed under subsection (1)(a) as regards an appeal notice shall be a date during the period beginning immediately after the date on which the result of the subsector election to which the appeal notice relates is published in the Gazette (***publication date***) and ending on a date not later than 20 days after the publication date.

(4) The date fixed under subsection (1)(a) as regards a written representation shall be a date during the period beginning immediately after the date on which the interim register or final register concerned is published (***publication date***) and ending on a date not later than 20 days after the publication date. *(10 of 2006 s. 24)*

(5) Despite subsections (3) and (4) and sections 6(1)(b) and (2)(b) and 9, if—

(a) the date fixed under subsection (1)(a) for a hearing—

(i) is the last day of the period referred to in subsection (3) or (4); or

(ii) is postponed under section 2A to or beyond the last day of the period mentioned in subparagraph (i); and

(b) the deadline for making representations in writing to the Revising Officer under this section is postponed under section 2A to that hearing day,

the Revising Officer may, in his or her discretion, postpone the hearing to the next working day which is not an inclement weather warning day, following the postponed deadline. *(15 of 2016 s. 30)*

(6) In this section—

inclement weather warning day (惡劣天氣警告日) has the meaning given by section 2A(1). *(15 of 2016 s. 30)*

6. Ruling of Revising Officer

(1) As regards an appeal notice—

(a) in the case where the appellant—

(i) does not appear at the hearing;

(ii) is not represented at the hearing by a legal practitioner or any other person authorized in writing by the appellant; and

(iii) does not make representations in writing regarding his appeal notice to be received by the Revising Officer on a date at least 1 clear day before the date of the hearing,

the result of the subsector election to which the appeal notice relates shall stand; or

(b) in any other case, the Revising Officer shall make a ruling within the period referred to in section 5(3) to determine whether the person whose election is questioned was or was not duly elected.

(2) As regards a written representation—

(a) in the case where the Electoral Registration Officer does not make representations to the Revising Officer at the hearing and the appellant—

(i) does not appear at the hearing;

(ii) is not represented at the hearing by a legal practitioner or any other person authorized in writing by the appellant; and

(iii) does not make representations in writing regarding his written representation to be received by the Revising Officer on a date at least 1 clear day before the date of the hearing,

the decision of the Electoral Registration Officer in relation to the registration to which the written representation relates shall stand; or

(b) in any other case, the Revising Officer shall make a ruling within the period referred to in section 5(4) to determine whether or not the declared member concerned should have been registered as a member of the Election Committee and if he determines that such person should not have been registered as a member of the Election Committee and the appellant has made a request referred to in section 4(1), determine whether some other nominee nominated by the designated body concerned should be declared and registered as a member of the Election Committee instead.

7. Appellant and other persons concerned to be notified of ruling

Where—

(a) the result of the subsector election to which the appeal notice relates stands pursuant to section 6;

(b) the decision of the Electoral Registration Officer stands pursuant to section 6; or

(c) the Revising Officer makes a ruling under section 6,

the Revising Officer shall notify the appellant and, where appropriate, the person whose election is questioned or the declared member concerned, by post, that the result or decision shall stand or of his ruling, as may be appropriate.

8. Electoral Registration Officer to be notified of ruling

(1) Where—

(a) the result of the subsector election to which the appeal notice relates stands pursuant to section 6;

(b) the decision of the Electoral Registration Officer stands pursuant to section 6; or

(c) the Revising Officer makes a ruling under section 6,

the Revising Officer shall notify the Electoral Registration Officer on a date not later than 3 working days after the expiry of the period referred to in section 5(3) or (4), as the case may be, that the result or decision shall stand or of his ruling, as may be appropriate.

(2) Where the Revising Officer—

(a) makes a ruling under section 6(1)(b) and determines that the person whose election is questioned was not duly elected; or

(b) makes a ruling under section 6(2)(b) and determines that the declared member concerned should not have been registered as a member of the Election Committee (whether or not he is also required to determine that some other nominee should be declared and registered as such a member instead),

he shall, on a date not later than 3 working days after the expiry of the period referred to in section 5(3) or (4), as the case may be, direct the Electoral Registration Officer to incorporate his ruling in the interim register or final register. *(10 of 2006 s. 25)*

10. Review of rulings by Revising Officer

(1) Subject to subsection (2), the Revising Officer may, on his own initiative or for good cause shown by the Electoral Registration Officer, the Returning Officer, the appellant, the person whose election is questioned or the declared member concerned, as the case may be, review any ruling made under section 6, and for that purpose may rehear the matter wholly or in part and reverse or confirm his previous ruling.

(2) A ruling made under section 6 during the period referred to in section 5(3) and (4) may only be reviewed during the period referred to in section 5(3) and (4) respectively.

(2A) Despite subsection (2), if the conditions under section 5(5)(a)(i) or (ii) and (b) are met, the period for a review of the ruling in respect of the appeal notice or written representation in question is extended to end on the next working day which is not an inclement weather warning day, following the postponed deadline for the making of representations in writing to the Revising Officer specified in section 5(5) in relation to that appeal notice or written representation. *(15 of 2016 s. 31)*

(3) In the case where the Revising Officer decides to review any ruling made under section 6, he shall determine the procedure for such review.

(4) In this section—

inclement weather warning day (惡劣天氣警告日) has the meaning given by section 2A(1). *(15 of 2016 s. 31)*

11. Revising Officer may require Electoral Registration Officer and Returning Officer to provide information

The Revising Officer may require the Electoral Registration Officer and the Returning Officer to provide any information which the Revising Officer considers necessary for him to make a determination under this Regulation.

Schedule

[ss. 2 & 3]

Appeal Notice

APPEAL NOTICE

In the Matter of the Chief Executive Election Ordinance (Cap. 569) and

*In the Matter of a *subsector ordinary election/subsector by-election for the (*name of subsector*) subsector held on (*date of election*).

(or)* In the Matter of a *sub-subsector ordinary election/sub-subsector by-election for the *sports/performing arts/culture/publication sub-subsector held on (*date of election*).

To: Revising Officer

I, (*name to be stated*), holder of an identity card issued under the Registration of Persons Ordinance (Cap. 177), (*number to be stated*) state—

1. (*a*) that I was a candidate at the above-mentioned election;

*(*b*) in an election which was not contested, that *(*name of candidate*) was a candidate at the above-mentioned election/(*name of each candidate*) were candidates at the above-mentioned election, and on (*date on which the candidate was declared elected or the candidates were declared elected*) the Returning Officer for the above-mentioned *subsector/sub-subsector declared in a notice published in accordance with regulations made under section 7 of the Electoral Affairs Commission Ordinance (Cap. 541) that *that candidate/those candidates *was/were elected for the above-mentioned *subsector/sub-subsector;

*(*b*) in a contested election, that the poll was held on the above day, that (*name of each candidate*) were candidates at the above-mentioned election, and on (*date on which the successful candidate was declared elected or the successful candidates were declared elected*) the Returning Officer for the above-mentioned *subsector/sub-subsector declared in a notice published in accordance with regulations made under section 7 of the Electoral Affairs Commission Ordinance (Cap. 541) that *(*name of successful candidate*)/(*names of successful candidates*) *was/were elected for the above-mentioned *subsector/sub-subsector;

(*c*) that (*ground under section 3(3) of the Election Committee (Appeals) Regulation (Cap. 569 sub. leg.A) on which the election is questioned and the facts on which the appellant relies*).

2. I therefore request the Revising Officer to determine whether the *candidate/candidates (*to be named*) declared by the Returning Officer for the above-mentioned *subsector/sub-subsector in accordance with regulations made under section 7 of the Electoral Affairs Commission Ordinance (Cap. 541) to have been elected *was/were duly elected.

Dated this ..... day of ..... 20 .....

Signed

Appellant

The address for service is (*address to be stated*).
*Delete whichever is inapplicable.

2. Interpretation

In this Regulation, unless the context otherwise requires—

appeal (上訴) means an appeal made under the Regulation against the decision of the Electoral Registration Officer not to register as an authorized representative a person appointed by a corporate voter as a replacement or a substitute under section 20 of the Regulation;

appellant (上訴人) means—

(a) a corporate voter who has made an appeal under the Regulation by means of a notice of appeal; or

(b) a person who has made a claim or an objection under the Regulation by means of a notice of claim or a notice of objection;

authorized representative (獲授權代表) has the meaning assigned to it by section 11(1) of the Schedule to the Ordinance;

claim (申索) means a claim made under the Regulation as regards an entry, or registration, in a subsector register or an Election Committee register;

corporate voter (團體投票人) has the meaning assigned to it by section 11(1) of the Schedule to the Ordinance;

District Council election year (區議會選舉年) means a year in which elections to elect persons to fill the vacancies caused by the expiration of the term of office of the elected members of District Councils are to be held; *(L.N. 27 of 2003)*

Election Committee final register (選舉委員會正式委員登記冊) means the final register of members of the Election Committee required to be published under section 40(2), (3), (3A) or (4) of the Schedule to the Ordinance; *(10 of 2006 s. 26)*

Election Committee provisional register (選舉委員會臨時委員登記冊) means the provisional register of members of the Election Committee required to be compiled and published under section 4 of the Schedule to the Ordinance;

Election Committee register (選舉委員會委員登記冊) means an Election Committee provisional register or an Election Committee final register;

Electoral Registration Officer (選舉登記主任) has the meaning assigned to it by section 1(1) of the Schedule to the Ordinance;

gale warning (烈風警告) has the same meaning as in the Judicial Proceedings (Adjournment During Gale Warnings) Ordinance (Cap. 62); *(1 of 2019 s. 18)*

inclement weather warning day (惡劣天氣警告日) means a working day on which a gale warning or a rainstorm warning is in force at any time during the ordinary business hours of the office of a Revising Officer; *(1 of 2019 s. 18)*

notice of appeal (上訴通知書) means a notice lodged by a corporate voter under the Regulation for the purpose of making an appeal;

notice of claim (申索通知書) means a notice lodged by a person under the Regulation for the purpose of making a claim;

notice of objection (反對通知書) means a notice lodged by a person under the Regulation for the purpose of making an objection;

objection (反對) means an objection made under the Regulation as regards an entry, or registration, in a subsector register or an Election Committee register;

rainstorm warning (暴雨警告) has the same meaning as in the Judicial Proceedings (Adjournment During Gale Warnings) Ordinance (Cap. 62); *(1 of 2019 s. 18)*

Regulation (《規例》) means 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);

subsector (界別分組) has the meaning assigned to it by section 11(1) of the Schedule to the Ordinance;

subsector final register (界別分組正式投票人登記冊) has the meaning assigned to it by section 11(1) of the Schedule to the Ordinance;

subsector provisional register (界別分組臨時投票人登記冊) has the meaning assigned to it by section 11(1) of the Schedule to the Ordinance;

subsector register (界別分組投票人登記冊) means a subsector provisional register or a subsector final register; *(1 of 2019 s. 18)*

working day (工作日) means a day that is not—

(a) a general holiday; or

(b) a Saturday. *(1 of 2019 s. 18)*

2A. Effect of inclement weather warning on date and period

(1) *(Repealed 1 of 2019 s. 19)*

(2) If—

(a) a date is prescribed in this Regulation (whether by reference to a specific day of a specific month or to a day otherwise ascertainable under this Regulation) or is fixed under this Regulation;

(b) an act is required or permitted by a provision of this Regulation to be done not later than, or on or before, the date or on the date; and

(c) the date falls on an inclement weather warning day,

the next working day, which is not an inclement weather warning day, following the date is taken to be prescribed or fixed in relation to the act instead for the provision.

(3) If—

(a) a period is prescribed in or fixed under this Regulation;

(b) an act is required or permitted by a provision of this Regulation to be done in, during or within the period; and

(c) the last day of the period falls on an inclement weather warning day,

the period is extended, in relation to the act, to end on the next working day, which is not an inclement weather warning day, following the day mentioned in paragraph (c), and the provision has effect accordingly.

(4) If—

(a) a date is prescribed by reference to a specific day of a specific month in a provision (***former provision***) specified in column 1 of Table 1;

(b) the same date is prescribed in the provision or provisions specified opposite to the former provision in column 2 of Table 1; and

(c) the date falls on an inclement weather warning day in a year,

the next working day, which is not an inclement weather warning day, following the date is taken to be prescribed in relation to that year instead for the provision or provisions and the former provision.

Table 1

Column 1	Column 2
section 29(1)(a)(i) of Cap. 541B	sections 3(4)(c)(i), 5(3)(a)(ii) and 7(2)(aa) and (2AA)(b)(i) *(15 of 2016 s. 32; 1 of 2019 s. 19)*
section 29(1)(a)(ii) of Cap. 541B	sections 3(4)(b) and (c)(ii), 5(3)(a)(i) and 7(2)(ab) and (2AA)(a)(i) *(15 of 2016 s. 32; 1 of 2019 s. 19)*
section 32(2)(ab)(i) of Cap. 541B	section 3(4)(c)(i)
section 32(2)(ab)(ii) of Cap. 541B	section 3(4)(b) and (c)(ii)

In this Table—

Cap. 541B stands for 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).

(5) Subsections (6) and (7) apply if—

(a) a date is prescribed by reference to a specific day of a specific month in a provision (***former provision***) specified in column 1 of Table 2;

(b) another date which is the day following the date mentioned in paragraph (a) is prescribed in the provision specified opposite to the former provision in column 2 of Table 2; and

(c) the date mentioned in paragraph (a) falls on an inclement weather warning day in a year.

Table 2

Column 1	Column 2
section 32(2)(ab)(i) of Cap. 541B	section 3(4)(b)
section 32(2)(ab)(ii) of Cap. 541B	section 3(4)(c)

In this Table—

Cap. 541B stands for 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).

(6) The next working day, which is not an inclement weather warning day, following the date mentioned in subsection (5)(a) is taken to be prescribed in relation to the year instead for the former provision.

(7) The day following the working day mentioned in subsection (6) is taken to be prescribed in relation to the year instead for the provision specified in subsection (5)(b).

(8) If in any year a day specified in column 1 of Table 3 falls on an inclement weather warning day, the provision or provisions specified opposite to the day in column 2 of Table 3 have effect in relation to that year as if the reference to that day in that provision or those provisions is substituted by a reference to the next working day, which is not an inclement weather warning day, following that day.

Table 3

Column 1	Column 2
the eighth day before the polling date	section 3(3)(a) and (b)
8 September	section 3(3)(b)(i) and (ii)
8 July	section 3(3)(b)(iii) and (iv)
11 July	sections 5(3)(a)(i) and 7(2)(ab) and (2AA)(a)(ii) *(1 of 2019 s. 19)*
11 September	sections 5(3)(a)(ii) and 7(2)(aa) and (2AA)(b)(ii) *(1 of 2019 s. 19)*
7 July	section 7(2AA)(a) *(1 of 2019 s. 19)*
7 September	section 7(2AA)(b) *(1 of 2019 s. 19)*

(9) Subsections (2) and (3) are subject to sections 3(5A) and 7(2A).

(10) *(Repealed 15 of 2016 s. 32)*

(12 of 2014 s. 24)

3. Fixing of hearing and notifying appellant thereof

(1A) This section does not apply to a claim or an objection if the Revising Officer directs under section 3A(2) that the claim or objection be determined without a hearing on the basis of written submissions only. *(1 of 2019 s. 20)*

(1) Where the Revising Officer receives a copy of a notice of appeal or a notice of claim or a notice of objection from the Electoral Registration Officer, the Revising Officer shall, as soon as practicable—

(a) subject to subsections (3), (4) and (5), fix a date, time and place for holding a hearing as regards the appeal or the claim or the objection to which the notice relates; and

(b) send by post, a notice under subsection (2)— *(L.N. 27 of 2003; 1 of 2019 s. 20)*

(i) to the appellant concerned to the address furnished as his address in the notice of appeal or the notice of claim or the notice of objection, as the case may be; and

(ii) in the case of a notice of objection, in addition to the appellant, to the person in respect of whom the objection is made.

(2) A notice for the purposes of subsection (1)(b) shall—

(a) state that a hearing is to be held as regards the notice of appeal or the notice of claim or the notice of objection, as the case may be;

(b) specify the date, time and place fixed under subsection (1)(a) for such hearing;

(c) state that the appellant or the person in respect of whom the objection is made, as the case may be—

(i) may appear in person at the hearing and make representations to the Revising Officer regarding the appeal or claim or objection concerned, as the case may be;

(ii) may be represented at such hearing by a legal practitioner or any other person (authorized in writing by the appellant or the person in respect of whom the objection is made, as may be appropriate) who may make representations on his behalf; or

(iii) whether or not he appears or is represented, may make representations in writing regarding the appeal or claim or objection concerned and submit them, by post or by hand, at an address (which shall be specified in the notice) to reach the Revising Officer before the date fixed for the hearing; *(L.N. 243 of 2001; 1 of 2019 s. 20)*

(d) in the case of a notice sent to an appellant, state that if the Electoral Registration Officer does not make representations to the Revising Officer at the hearing and if the appellant—

(i) does not appear at the hearing;

(ii) is not represented by a legal practitioner or any other person (authorized in writing by the appellant) at the hearing; and

(iii) does not make representations in writing regarding the appeal or claim or objection concerned to be received by the Revising Officer before the date of the hearing, *(L.N. 243 of 2001)*

the decision of the Electoral Registration Officer to which the notice of appeal or the notice of claim or the notice of objection (as the case may be) relates, shall stand; and *(1 of 2019 s. 20)*

(e) also in the case of a notice sent to an appellant, state that if the appellant—

(i) does not appear at the hearing; and

(ii) is not represented at the hearing by a legal practitioner or any other person (authorized in writing by the appellant),

the Revising Officer may make a ruling dismissing the appeal, claim or objection, whether or not the appellant has made representations in writing regarding the appeal, claim or objection. *(1 of 2019 s. 20)*

(3) Where a copy of a notice of appeal is received by the Revising Officer—

(a) on a date not later than the eighth day before the polling date for the subsector concerned, the date fixed under subsection (1)(a) as regards that notice shall be a date within a period of 21 days beginning from 25 days before such polling date; and *(L.N. 243 of 2001)*

(b) on a date later than the eighth day before the polling date for the subsector concerned, the date fixed under subsection (1)(a) as regards that notice shall be— *(L.N. 243 of 2001; L.N. 27 of 2003)*

(i) where the copy of the notice is so received on or before 8 September in a District Council election year, a date within a period of 28 days ending on 11 September in that year;

(ii) where the copy of the notice is so received after 8 September in a District Council election year, a date within a period of 27 days ending on 11 July in the next following year;

(iii) where the copy of the notice is so received on or before 8 July in any year which is not a District Council election year, a date within a period of 27 days ending on 11 July in that year; or

(iv) where the copy of the notice is so received after 8 July in any year which is not a District Council election year—

(A) a date within a period of 28 days ending on 11 September in the next following year, if that following year is a District Council election year; or

(B) a date within a period of 27 days ending on 11 July in the next following year, if that following year is not a District Council election year. *(L.N. 27 of 2003)*

(4) Where a copy of a notice of claim or a notice of objection as regards an entry, or registration, in a subsector register, is received by the Revising Officer—

(a) *(Repealed 1 of 2011 s. 16)*

(ab) during the period beginning on 3 July 2018 and ending on 29 August 2019, the date fixed under subsection (1)(a) as regards that notice must be a date between 1 August 2019 and 11 September 2019 (both dates inclusive); *(12 of 2014 s. 172)*

(b) during the period beginning on 30 August in any year subsequent to 2018, if that subsequent year is a District Council election year, and ending on 29 June in the year following that subsequent year, the date fixed under subsection (1)(a) as regards that notice shall be a date between 1 June and 11 July (both dates inclusive) in that following year; or

(c) during the period beginning on 30 June in any year subsequent to 2018, if that subsequent year is not a District Council election year, and— *(12 of 2014 s. 172; 1 of 2019 s. 20)*

(i) ending on 29 August in the year following that subsequent year, if that following year is a District Council election year, the date fixed under subsection (1)(a) as regards that notice shall be a date between 1 August and 11 September (both dates inclusive) in that following year; or

(ii) ending on 29 June in the year following that subsequent year, if that following year is not a District Council election year, the date fixed under subsection (1)(a) as regards that notice shall be a date between 1 June and 11 July (both dates inclusive) in that following year,

which date so fixed in accordance with paragraph (b) or (c)(i) or (ii), as the case may be, shall not be earlier than the third day after the day on which the copy of the notice is so received. *(L.N. 27 of 2003; 1 of 2011 s. 16; 12 of 2014 s. 172; 1 of 2019 s. 20)*

(5) Where a copy of a notice of claim or a notice of objection as regards an entry, or registration, in an Election Committee register, is received by the Revising Officer not later than the tenth day after the date of publication of the relevant Election Committee provisional register, the date fixed under subsection (1)(a) as regards that notice shall be a date within the period of 20 days after that date of publication, which date so fixed shall not be earlier than the third day after the day on which the copy of the notice is received. *(15 of 2016 s. 33)*

(5A) Despite subsections (3), (4) and (5) and section 6, if— *(15 of 2016 s. 33)*

(a) the date fixed under subsection (1)(a) for a hearing—

(i) is the last day of the period specified in subsection (3)(a) or (b)(i), (ii), (iii) or (iv)(A) or (B), (4)(ab), (b) or (c)(i) or (ii) or (5); or *(15 of 2016 s. 33)*

(ii) is postponed under section 2A to or beyond the last day of the period mentioned in subparagraph (i); and

(b) the deadline for the making of representations in writing to the Revising Officer under this section is postponed under section 2A to that hearing day,

the Revising Officer may, in his or her discretion, postpone the hearing to the next working day, which is not an inclement

weather warning day, following that postponed deadline. *(12 of 2014 s. 25)*

(6) As regards any notice of appeal or notice of claim or notice of objection—

(a) in the case where the Electoral Registration Officer does not make representations to the Revising Officer at the hearing and the appellant—

(i) does not appear at the hearing;

(ii) is not represented by a legal practitioner or any other person (authorized in writing by the appellant) at the hearing; and

(iii) does not make representations in writing regarding the appeal or claim or objection concerned to be received by the Revising Officer before the date of the hearing, *(L.N. 243 of 2001)*

the decision of the Electoral Registration Officer to which the notice of appeal or the notice of claim or the notice of objection (as the case may be) relates, shall stand; or

(b) in any other case, the Revising Officer shall make a ruling either allowing or dismissing the appeal or the claim or the objection, as the case may be, to which that notice relates.

(6A) Without limiting subsection (6), if the appellant—

(a) does not appear at the hearing; and

(b) is not represented at the hearing by a legal practitioner or any other person (authorized in writing by the appellant),

the Revising Officer may make a ruling dismissing the appeal, claim or objection, whether or not the appellant has made representations in writing regarding the appeal, claim or objection. *(1 of 2019 s. 20)*

(7) *(Repealed 1 of 2019 s. 20)*

3A. Revising Officer to determine certain claims or objections based on written submissions

(1) This section applies if—

(a) the Revising Officer receives a copy of a notice of claim or a notice of objection from the Electoral Registration Officer;

(b) the claim or objection is made in respect of a subsector provisional register; and

(c) the Electoral Registration Officer requests under a specified provision that the claim or objection be determined without a hearing on the basis of written submissions only.

(2) The Revising Officer must direct that the claim or objection be determined without a hearing on the basis of written submissions only.

(3) The Revising Officer must send by post a notice specified in subsection (4) to the party to whom the claim or objection relates—

(a) if the subsector provisional register concerned is compiled for a year that is not a District Council election year—not later than 29 June in that year; or

(b) if the subsector provisional register concerned is compiled for a District Council election year—not later than 29 August in that year.

(4) The notice must state that—

(a) the claim or objection is to be determined by the Revising Officer without a hearing on the basis of written submissions only;

(b) the party may make written representations regarding the claim or objection and submit them by post or by hand at the address, and by the date, specified in the notice; and

(c) after the claim or objection is determined, the party will be notified of the ruling of the Revising Officer by the date specified in section 4.

(5) The Revising Officer must make a ruling either allowing or dismissing the claim or objection.

(6) In this section—

party (一方) means—

(a) in relation to a claim—the person who made the claim; or

(b) in relation to an objection—

(i) the person who made the objection; or

(ii) the person in respect of whom the objection is made;

specified provision (指明條文) means section 32(4) or (5) of the Regulation.

(1 of 2019 s. 21)

4. Appellant and person in respect of whom objection is made to be notified of rulings etc.

(1) If a decision of the Electoral Registration Officer stands under section 3(6)(a), the Revising Officer must notify the party concerned of that fact.

(2) If the Revising Officer makes a ruling under section 3(6)(b) or (6A) or section 3A(5), the Revising Officer must notify the party concerned of the ruling.

(3) A notification under subsection (1) or (2) must be sent to the party by post.

(4) A notification in relation to a ruling made under section 3A(5) must be sent—

(a) if the subsector provisional register concerned is compiled for a year that is not a District Council election year—not later than 7 July in that year; or

(b) if the subsector provisional register concerned is compiled for a District Council election year—not later than 7 September in that year.

(5) In this section—

party (一方) means—

(a) in relation to an appeal—the corporate voter who made the appeal;

(b) in relation to a claim—the person who made the claim; or

(c) in relation to an objection—

(i) the person who made the objection; or

(ii) the person in respect of whom the objection is made.

(1 of 2019 s. 22)

5. Electoral Registration Officer to be notified of rulings made under section 3(6) and (6A) etc.

(1) If a hearing is held under section 3 for an appeal, a claim or an objection, the Revising Officer must, in accordance with subsection (3), give the Electoral Registration Officer written notice—

(a) that the decision of the Electoral Registration Officer in respect of the appeal, claim or objection is to stand under section 3(6)(a); or

(b) of the ruling of the Revising Officer made under section 3(6)(b) or (6A) in respect of the appeal, claim or objection.

(2) If a hearing is held for—

(a) a review under section 7(1)(a) of a ruling in respect of an appeal, a claim or an objection; or

(b) a review under section 7(1)(b) of a ruling in respect of a claim or an objection,

the Revising Officer must, in accordance with subsection (3), give the Electoral Registration Officer written notice of the result of the review.

(3) The Revising Officer must give the notice to the Electoral Registration Officer—

(a) after a hearing in connection with a claim or an objection in respect of a subsector provisional register is concluded —

(i) during the period beginning on 1 June in a year that is not a District Council election year and ending on 11 July in that year—not later than 17 July in that year; or

(ii) during the period beginning on 1 August in a District Council election year and ending on 11 September in that year—not later than 17 September in that year;

(b) after a hearing in connection with an appeal is concluded —

(i) during the period referred to in section 3(3)(a)—on a date at least 3 working days before the polling date mentioned in that section;

(ii) during the period referred to in section 3(3)(b)(ii), (iii) or (iv)(B)—not later than 17 July in the relevant year; or

(iii) during the period referred to in section 3(3)(b)(i) or (iv)(A)—not later than 17 September in the relevant year; or

(c) after a hearing in connection with a claim or an objection in respect of an Election Committee provisional register is concluded not later than the twentieth day after the date of publication mentioned in section 3(5)—not later than the twenty-first day after the date of publication.

(4) Despite subsection (3)(c), if a hearing is postponed under section 2A or 3(5A) and concluded later than the twentieth day after the date of publication, the Revising Officer may give the notice to the Electoral Registration Officer on or before the next working day (which is not an inclement weather warning day) following the date on which the hearing is concluded.

(1 of 2019 s. 22)

5A. Electoral Registration Officer to be notified of rulings made under section 3A(5)

If a ruling is made under section 3A(5), the Revising Officer must notify the Electoral Registration Officer of the ruling—

(a) if the subsector provisional register concerned is compiled for a year that is not a District Council election year—not later than 7 July in that year; or

(b) if the subsector provisional register concerned is compiled for a District Council election year—not later than 7 September in that year.

(1 of 2019 s. 23)

6. Determination of matters and powers of adjournment, etc.

The Revising Officer shall determine every matter to be determined by him under this Regulation as soon as practicable, and the hearing of any such matter shall, as far as practicable having regard to the interests of justice, be continued from day to day (excluding general holidays) until its conclusion, but subject to the foregoing, the determination and hearing of any such matter may be adjourned at any time to a date not later than the last day of the period as referred to in section 7(2)(aa), (ab), (a), (b)(i), (ii) or (iii), (c)(i) or (ii) or (f), as the case may be.

(L.N. 27 of 2003)

7. Review of rulings by Revising Officer

(1) The Revising Officer may, subject to subsection (2), and on his own initiative or for good cause shown by the Electoral Registration Officer or the appellant or the person in respect of whom the objection is made— *(1 of 2019 s. 24)*

(a) review a ruling made under section 3(6)(b) or (6A), and for that purpose, rehear the matter wholly or in part and reverse or confirm the ruling; or

(b) review a ruling made under section 3A(5), and for that purpose, hold a hearing and reverse or confirm the ruling. *(1 of 2019 s. 24)*

(2) A ruling under section 3(6)(b) or (6A) made— *(1 of 2019 s. 24)*

(aa) during the period beginning on 1 August in a District Council election year and ending on 11 September in that year may only be reviewed during that period; *(L.N. 27 of 2003; 12 of 2014 s. 174)*

(ab) during the period beginning on 1 June in any year which is not a District Council election year and ending on 11 July in that year may only be reviewed during that period; *(L.N. 27 of 2003; 12 of 2014 s. 174)*

(a) during the period referred to in section 3(3)(a) may only be reviewed during that period; *(12 of 2014 s. 27)*

(b) during the period referred to in— *(12 of 2014 s. 27)*

(i) section 3(3)(b)(ii) may only be reviewed during that period;

(ii) section 3(3)(b)(iii) may only be reviewed during that period; or

(iii) section 3(3)(b)(iv)(B) may only be reviewed during that period; *(L.N. 27 of 2003)*

(c) during the period referred to in— *(12 of 2014 s. 27)*

(i) section 3(3)(b)(i) may only be reviewed during that period; or

(ii) section 3(3)(b)(iv)(A) may only be reviewed during that period; or *(L.N. 27 of 2003)*

(d)-(e) *(Repealed L.N. 27 of 2003)*

(f) not later than the twentieth day after the date of publication of the relevant Election Committee provisional register as referred to in section 3(5) may only be reviewed during the period of 20 days after that date of publication.

(2AA) A ruling under section 3A(5)—

(a) if made during the period beginning on 1 June in a year that is not a District Council election year and ending on 7 July in that year—may only be reviewed during the period—

(i) beginning on 1 June in that year; and

(ii) ending on 11 July in that year; or

(b) if made during the period beginning on 1 August in a District Council election year and ending on 7 September in that year—may only be reviewed during the period—

(i) beginning on 1 August in that year; and

(ii) ending on 11 September in that year. *(1 of 2019 s. 24)*

(2A) Despite subsection (2), if the conditions under section 3(5A)(a)(i) or (ii) and (b) are met, the period for a review of the ruling in respect of the appeal, claim or objection in question is extended to the next working day, which is not an inclement weather warning day, following the postponed deadline for the making of representations in writing to the Revising Officer specified in section 3(5A) in relation to that appeal, claim or objection. *(12 of 2014 s. 27)*

(2B) A ruling made or reviewed after 11 September in a District Council election year because of an extension under subsection (2A) is deemed, for sections 35(5)(a) and 36(5)(a) of 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), to be made on 11 September in that year. *(12 of 2014 s. 27)*

(2C) A ruling made or reviewed after 11 July in a year which is not a District Council election year because of an extension under subsection (2A) is deemed, for sections 35(5)(b) and 36(5)(b) of 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), to be made on 11 July in that year. *(12 of 2014 s. 27)*

(2D) A ruling made or reviewed after the twentieth day after the date of publication of the relevant Election Committee provisional register as referred to in section 3(5) because of an extension under subsection (2A) is deemed, for section 37(1E) of 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), to be made not later than the twentieth day after that date. *(15 of 2016 s. 35)*

(3) In the case where the Revising Officer decides to review any ruling made under section 3(6)(b) or (6A) or section 3A(5), he shall determine the procedure for such review. *(1 of 2019 s. 24)*

(4) *(Repealed 1 of 2019 s. 24)*

2. Interpretation

(1) In this Regulation, unless the context otherwise requires— *(1 of 2019 s. 70)*

candidate (候選人) means a person nominated as a candidate for a subsector at a subsector election;

subsector (界別分組) has the meaning assigned to it by section 1 of the Schedule to the Ordinance;

subsector by-election (界別分組補選) has the meaning assigned to it by section 1 of the Schedule to the Ordinance;

subsector election (界別分組選舉) means a subsector ordinary election or a subsector by-election;

subsector ordinary election (界別分組一般選舉) has the meaning assigned to it by section 1 of the Schedule to the Ordinance;

voter (投票人) means a voter within the meaning of section 11(1) of the Schedule to the Ordinance.

(2) For the purposes of sections 4(2), 5(3) and (5) and 6(1), a reference to the Returning Officer, in relation to a subsector or sub-subsector (within the meaning of section 1(1) of the Schedule to the Ordinance), includes—

(a) an Assistant Returning Officer for the subsector or sub-subsector; and

(b) the Chief Electoral Officer. *(1 of 2019 s. 70)*

4. Return of deposit on invalid nomination etc.

(1) A deposit lodged in respect of a candidate's nomination shall be returned in accordance with subsections (2) and (3), if —

(a) the candidate withdraws his candidature under section 21 of the Schedule to the Ordinance;

(b) the Returning Officer makes a decision under section 22(1) of the Schedule to the Ordinance that the candidate is not validly nominated;

(c) the Returning Officer gives the notice of the death of the candidate under section 23(1) of the Schedule to the Ordinance;

(d) the Returning Officer gives the notice of the variation of the decision under section 23(4) of the Schedule to the Ordinance; or

(e) proof is given to the satisfaction of the Returning Officer that the candidate has died or is disqualified from being elected as referred to in section 26(1) of the Schedule to the Ordinance.

(2) The Returning Officer shall as soon as practicable —

(a) in the case of subsection (1)(a) or (b), after the publication under the EAC Regulations of a notice containing particulars of the candidates validly nominated in respect of the subsector concerned;

(b) in the case of subsection (1)(c), after the notice of the death is given under section 23(1) of the Schedule to the Ordinance or the declarations are made under section 23(2) of that Schedule (as may be applicable);

(c) in the case of subsection (1)(d), after the notice of the variation of the decision is given under section 23(4) of the Schedule to the Ordinance or the declarations are made under section 23(5) of that Schedule (as may be applicable);

(d) in the case of subsection (1)(e), after the publication under section 35 of the Schedule to the Ordinance of a notice containing the names of the persons duly elected as members of the Election Committee at the subsector election,

notify the Director of Accounting Services in writing that the deposit lodged in respect of the candidate's nomination is returnable to the person who lodged the deposit.

(3) The Director of Accounting Services shall, as soon as practicable after receiving a notification under subsection (2), return the deposit to the person who lodged the deposit, as specified in the notification.

8. Number and qualifications of subscribers to nomination paper

(1) The nomination paper of any person seeking nomination as a candidate for a subsector at a subsector election shall be subscribed by at least 5 other persons each being a voter registered for the subsector concerned.

(2) A voter registered for a subsector can, subject to subsection (4), subscribe any number of nomination papers up to the number of—

(a) members allocated to that subsector, if the nomination is for a subsector ordinary election; or

(b) members to be returned for that subsector, if the nomination is for a subsector by-election.

(3) The signature of a voter shall, subject to subsection (4), be inoperative on any nomination paper delivered after the delivery of the maximum number of nomination papers that can be subscribed by the voter under subsection (2) for the same election. *(L.N. 250 of 2001)*

(4) Where—

(a) a candidate has withdrawn his candidature under section 21 of the Schedule to the Ordinance;

(b) the Returning Officer has made a decision under section 22(1) of the Schedule to the Ordinance that the candidate is not validly nominated;

(c) the Returning Officer has made a decision under section 22(1) of the Schedule to the Ordinance that the candidate is validly nominated, but before the close of nominations —

(i) proof is given to the satisfaction of the Returning Officer that the candidate has died, and the Returning Officer gives notice of the death under section 23(1) of the Schedule to the Ordinance; or

(ii) the Returning Officer varies the decision to the effect that the candidate is not validly nominated and gives notice of the variation of the decision under section 23(4) of the Schedule to the Ordinance,

the voter who has subscribed the nomination paper of that candidate may subscribe another nomination paper, and—

(d) his signature shall not be inoperative on that other nomination paper only because he has previously subscribed the nomination paper of that candidate;

(e) if he subscribes more than one nomination paper in contravention of this subsection, his signature shall be inoperative on any nomination paper so subscribed other than the first one delivered.

(5) If—

(a) a voter has subscribed to the nomination paper nominating any candidate for a subsector at a subsector election; and

(b) the nomination paper has been delivered to the Returning Officer,

the signature of the voter on the nomination paper of any candidate for another subsector at a subsector election that has

not been so delivered is inoperative if the 2 elections are to be held on the same day or if the nomination periods for the 2 elections coincide or partly coincide. *(1 of 2011 s. 17)*

Schedule

[s. 5]

Election Petition

IN THE COURT OF FIRST INSTANCE OF THE HIGH COURT OF HONG KONG

ORIGINAL JURISDICTION

In the Matter of the Chief Executive Election Ordinance (Cap. 569)

and

In the Matter of the election of the Chief Executive held on *(date of election)*.

*1. The Petition of *(name of Petitioner)* states—

(*a*) that the Petitioner was a candidate at the above election;

(or) *1. The Petition of *(name of Petitioner) as subscribed to by (names of members of the Election Committee)* states—

(*a*) that the Petitioner is *a person who was determined under section 17 of the Chief Executive Election Ordinance (Cap. 569) to be not validly nominated/a person the nomination of whom was not accepted by the Returning Officer/a person who was disqualified under section 20(1) of that Ordinance from being elected and that the persons who have subscribed to the Petition are members of the Election Committee;

*(*b*) *[in an uncontested election]* that the poll was conducted on the above day, that *(name of candidate)* was the only candidate nominated at the election, and on *(date on which the candidate was declared elected)* the Returning Officer declared *(name of candidate)* to be elected under section 28(1)(*a*) of the Chief Executive Election Ordinance (Cap. 569) and that a notice of the result of the election was published in the Gazette on *(date of publication in the Gazette of the notice of the result of the election)* under section 28(1)(*b*) of that Ordinance; and

(or) *(*b*) *[in an uncontested election]* that the poll was conducted on the above day, that *(name of candidate)* was the only candidate nominated at the election, and on *(date on which the Returning Officer declared that no candidate was returned at the election)* the Returning Officer declared under section 22(1AB)(*c*) of the Chief Executive Election Ordinance (Cap. 569) that no candidate was returned at the election and that a notice of the result of the poll was published in the Gazette on *(date of publication in the Gazette of the notice of the result of the poll)* under section 22(1AB)(*d*) of that Ordinance; and

(or) *(*b*) *[in a contested election]* that the poll was conducted on the above day, that *(name of each candidate)* were candidates at that election, and on *(date on which the successful candidate was declared elected)* the Returning Officer declared *(name of the successful candidate)* to be elected under section 28(2)(*a*) of the Chief Executive Election Ordinance (Cap. 569), and that a notice of the result of the election was published in the Gazette on *(date of publication in the Gazette of the notice of the result of the election)* under section 28(2)(*b*) of that Ordinance; and

(*c*) that *(ground under section 32(1) of the Chief Executive Election Ordinance (Cap. 569) on which the election is questioned and on which relief is sought and the facts on which the Petitioner relies)*.

*2. The Petitioner therefore requests, in the case of an uncontested election in which the Returning Officer declared under section 22(1AB)(*c*) of the Chief Executive Election Ordinance (Cap. 569) that no candidate was returned at the election, the Court to determine whether *(name of the only candidate nominated at the election)* is duly elected.

(or) *2. The Petitioner therefore requests, in the case of an election at which a candidate was declared as elected, the Court to determine whether the candidate is duly elected.

Dated this ..... day of ..... 20 .....

Signed

*Petitioner

(or) *Solicitors

Subscribers

Name of *Election Committee Member*	Address of *Election Committee Member*	Signature of *Election Committee Member*

*This Petition is lodged by the Petitioner.

(or) *This Petition is lodged by *(name of solicitors)*, Solicitors acting for and on behalf of the Petitioner.

The address of service is *(address to be stated)*.

It is proposed to serve a copy of this Petition on *(name of Respondent or names of Respondents)*, the Secretary for Justice, the Secretary for Constitutional and Mainland Affairs and the Electoral Affairs Commission.

*Delete whichever is inapplicable.

(L.N. 211 of 2006; L.N. 130 of 2007)

14. Appeals in civil matters

(1) Subject to subsection (3) and section 14AA, an appeal shall lie as of right to the Court of Appeal from every judgment or order of the Court of First Instance in any civil cause or matter. *(Amended 25 of 1998 s. 2; 3 of 2008 s. 24)*

(2) *(Repealed 52 of 1987 s. 10)*

(3) No appeal shall lie—

(a) from an order of the Court of First Instance allowing an extension of time for appealing from a judgment or order; *(Amended 25 of 1998 s. 2) [cf. 1925 c. 49 s. 31 U.K.]*

(b) *(Repealed 52 of 1987 s. 10)*

(c) from a judgment or order of the Court of First Instance, where it is provided by any Ordinance or by rules of court that the same is to be final; *(Amended 25 of 1998 s. 2)*

(d) from an order absolute for the dissolution or nullity of marriage in favour of any party who, having had time and opportunity to appeal from the decree nisi on which the order was founded, has not appealed from that decree;

(e) without the leave of the court or tribunal in question or of the Court of Appeal, from an order of the Court of First Instance or any other court or tribunal made with the consent of the parties or relating only to costs which are by law left to the discretion of the court or tribunal; *(Replaced 52 of 1987 s. 10. Amended 25 of 1998 s. 2) [cf. 1981 c. 54 s. 18 U.K.]*

(ea) except as provided by the Arbitration Ordinance (Cap. 609), from any judgment or order of the Court of First Instance— *(Amended 25 of 1998 s. 2; 17 of 2010 s. 112)*

(i) under section 15(2) of that Ordinance refusing to direct an issue to be determined in accordance with an arbitration agreement; *(Replaced 17 of 2010 s. 112)*

(ii) under section 20(1) or (2) of that Ordinance refusing to refer the parties to arbitration; *(Replaced 17 of 2010 s. 112)*

(iii) under section 60(1) of that Ordinance directing the sale of property; *(Added 17 of 2010 s. 112)*

(iv) under section 81 of that Ordinance to set aside an arbitral award; *(Added 17 of 2010 s. 112)*

(v) under section 84, 87 or 92 of that Ordinance to grant or refuse leave to enforce an arbitral award; *(Added 17 of 2010 s. 112)*

(vi) under section 3 of Schedule 2 to that Ordinance on a question of law arising in the course of arbitral proceedings; *(Added 17 of 2010 s. 112)*

(vii) under section 4 of Schedule 2 to that Ordinance on a challenge against an arbitral award on the ground of serious irregularity; *(Added 17 of 2010 s. 112)*

(viii) under section 5 or 6 of Schedule 2 to that Ordinance on a question of law arising out of an arbitral award; *(Added 17 of 2010 s. 112)*

(ix) under section 7(2) and (3) of Schedule 2 to that Ordinance for an arbitral tribunal to state the reasons for its award and on related costs; *(Added 17 of 2010 s. 112)*

(x) under section 7(4) and (6) of Schedule 2 to that Ordinance on the giving of security for the costs of an application to challenge an arbitral tribunal or an appeal on a question of law arising out of an arbitral award, and for the money payable under the award pending the determination of the application or appeal; or *(Added 17 of 2010 s. 112)*

(xi) under section 7(7) of Schedule 2 to that Ordinance to impose conditions on granting leave to appeal on a question of law arising out of an arbitral award; *(Added 17 of 2010 s. 112)*

(Added 52 of 1987 s. 10)

(eb) from a decision of the Court of First Instance in respect of which a certificate is granted under section 27C of the Hong Kong Court of Final Appeal Ordinance (Cap. 484) and leave to appeal is granted under section 27D of that Ordinance in any proceedings; *(Added 11 of 2002 s. 6)*

(f) without the leave of the Court of First Instance or the Court of Appeal, from a judgment or order of the Court of First Instance given or made in summarily determining under rules of court any question at issue in interpleader proceedings: *(Amended 25 of 1998 s. 2)*
Provided that this paragraph shall have no effect in relation to any interpleader issue which is tried by a judge whether with or without a jury; *(Amended 21 of 2001 s. 48)*

(g) from a determination, judgment or order of the Court of First Instance referred to in section 22(1)(c) of the Hong Kong Court of Final Appeal Ordinance (Cap. 484). *(Added 21 of 2001 s. 48)*

(4) Rules of court made under section 54 may provide for orders or judgments of any prescribed description to be treated for any prescribed purpose connected with appeals to the Court of Appeal as final or as interlocutory. *(Added 52 of 1987 s. 10) [cf. 1981 c. 54 s. 60 U.K.]*

(5) No appeal shall lie from a decision of the Court of Appeal as to whether a judgment or order is, for any purpose connected with an appeal to that court, final or interlocutory. *(Added 52 of 1987 s. 10)*

Division 2—Appeal from Court of Appeal to Court; Appeal relating to Election

(Added 11 of 2002 s. 3. Amended 18 of 2011 s. 31)

22. Civil appeals*

(1) An appeal shall lie to the Court— *(Amended 21 of 2001 s. 52)*

(a) *(Repealed 20 of 2014 s. 8)*

(b) at the discretion of the Court of Appeal or the Court, from any judgment of the Court of Appeal in any civil cause or matter, whether final or interlocutory, if, in the opinion of the Court of Appeal or the Court, as the case may be, the question involved in the appeal is one which, by reason of its great general or public importance, or otherwise, ought to be submitted to the Court for decision; and *(Amended 21 of 2001 s. 52; 20 of 2014 s. 8)*

(c) at the discretion of the Court, from—

(i) a determination of the Court of First Instance under section 37(1) of the Chief Executive Election Ordinance (Cap. 569); *(Amended 18 of 2011 s. 32)*

(ii) a judgment or order of the Court of First Instance in —

(A) an application for judicial review under section 21K of the High Court Ordinance (Cap. 4); or

(B) any other proceedings under that Ordinance,

which put in issue whether the candidate is duly determined to be not returned at an election under section 26A(4) of the Chief Executive Election Ordinance (Cap. 569) or whether the candidate declared under section 28 of that Ordinance as elected at an election can lawfully assume the office of the Chief Executive; *(Added 21 of 2001 s. 52. Amended 10 of 2006 s. 19; 18 of 2011 s. 32)*

(iii) a determination of the Court of First Instance under section 67 of the Legislative Council Ordinance (Cap. 542); *(Added 18 of 2011 s. 32)*

(iv) a judgment or order of the Court of First Instance in —

(A) an application for judicial review under section 21K of the High Court Ordinance (Cap. 4); or

(B) any other proceedings under that Ordinance,

which put in issue whether a candidate declared under section 58 of the Legislative Council Ordinance (Cap. 542) as duly elected at an election can lawfully assume the office of a Member of the Legislative Council; *(Added 18 of 2011 s. 32)*

(v) a determination of the Court of First Instance under section 55 of the District Councils Ordinance (Cap. 547); *(Added 18 of 2011 s. 32)*

(vi) a judgment or order of the Court of First Instance in —

(A) an application for judicial review under section 21K of the High Court Ordinance (Cap. 4); or

(B) any other proceedings under that Ordinance,

which put in issue whether a candidate declared under section 46 of the District Councils Ordinance (Cap. 547) as duly elected at an election can lawfully assume the office of the elected member of the District Council constituency concerned; *(Added 18 of 2011 s. 32)*

(vii) a determination of the Court of First Instance under section 45 of the Rural Representative Election Ordinance (Cap. 576); or *(Added 18 of 2011 s. 32. Amended 5 of 2014 s. 2)*

(viii) a judgment or order of the Court of First Instance in —

(A) an application for judicial review under section 21K of the High Court Ordinance (Cap. 4); or

(B) any other proceedings under that Ordinance,

which put in issue whether a candidate declared under section 36 of the Rural Representative Election Ordinance (Cap. 576) as duly elected at an election can lawfully assume the office of the Rural Representative for the Rural Area concerned. *(Added 18 of 2011 s. 32. Amended 5 of 2014 s. 2)*

(2) *(Repealed 20 of 2014 s. 8)*

Editorial Note:

* For the application provision relating to the amendments made by 20 of 2014, see section 7 of 20 of 2014.

Cap. 553B	Electronic Transactions (Exclusion) Order	16/11/2017

Schedule 1

[s. 2]

Provisions Excluded from Application of Section 5 of Ordinance

Item	Enactment	Provision
1.	*(Repealed 16 of 2004 s. 16)*	
2-4.	*(Repealed L.N. 36 of 2003)*	
5.	Contracts for Employment Outside Hong Kong Ordinance (Cap. 78)	Sections 5(1) and 6 *(L.N. 156 of 2013)*
6.	*(Repealed L.N. 36 of 2003)*	
7.	*(Repealed L.N. 54 of 2010)*	
8.	Immigration Ordinance (Cap. 115)	Sections 2AB(2)(a), 2AC(2)(a), 5(6) and (7) and 6(1) and (2) *(L.N. 36 of 2003)*
9.	Buildings Ordinance (Cap. 123)	Sections 17(1) (Column B), 20(2) and 21(2) *(L.N. 90 of 2012)*
10.	Building (Administration) Regulations (Cap. 123 sub. leg. A)	Regulations 6(1) and 11 *(L.N. 90 of 2012)*
11.	Building (Planning) Regulations (Cap. 123 sub. leg. F)	Regulations 51(1) and 64(1) and (2) *(L.N. 90 of 2012)*
12-14.	*(Repealed L.N. 90 of 2012)*	
15-17.	*(Repealed L.N. 152 of 2006)*	
18.	*(Repealed L.N. 194 of 2015)*	
19.	Commercial Bathhouses Regulation (Cap. 132 sub. leg. I)	Section 5(1)
20.	Food Business Regulation (Cap. 132 sub. leg. X)	Section 32(1)
21.	Frozen Confections Regulation (Cap. 132 sub. leg. AC)	Section 18(1)
22.	Milk Regulation (Cap. 132 sub. leg. AQ)	Section 15(1)

Item	Enactment	Provision
23.	Offensive Trades Regulation (Cap. 132 sub. leg. AX)	Section 9(2)
24.	*(Repealed L.N. 152 of 2006)*	
25.	Public Cemeteries Regulation (Cap. 132 sub. leg. BI)	Section 5(a)
26.	Slaughterhouses Regulation (Cap. 132 sub. leg. BU)	Section 10(1)
27.	Swimming Pools Regulation (Cap. 132 sub. leg. CA)	Section 5(1)
28.	Places of Public Entertainment Regulations (Cap. 172 sub. leg. A)	Regulations 3(1), 5(1) and (2) and 162(1), (3), (4) and (5)
29.	Births and Deaths Registration Ordinance (Cap. 174)	Sections 12(2)(b)(i) and (c)(i) and 12A(b)(i) and (c)(i) *(8 of 2006 s. 50)*
30.	Registration of Persons Regulations (Cap. 177 sub. leg. A)	Regulation 4(1) and (1B)(a)
31.	Marriage Reform Ordinance (Cap. 178)	Section 9(4)(a)
32.	Marriage Ordinance (Cap. 181)	Section 14(1)
33.	Aerial Ropeways (Safety) Ordinance (Cap. 211)	Section 7
34-36.	*(Repealed L.N. 152 of 2006)*	
37.	*(Repealed L.N. 36 of 2003)*	
38.	Reserved Commodities (Control of Imports, Exports and Reserve Stocks) Regulations (Cap. 296 sub. leg. A)	Regulations 11(2) and 12(2)
39.	*(Repealed L.N. 152 of 2006)*	
40.	*(Repealed L.N. 215 of 2007)*	
41-43.	*(Repealed L.N. 152 of 2006)*	
44.	Road Traffic (Registration and Licensing of Vehicles) Regulations (Cap. 374 sub. leg. E)	Regulations 12R(1), 17(2) and 20(1) *(25 of 2005 s. 41; L.N. 152 of 2006)*
45.	*(Repealed L.N. 90 of 2012)*	
46.	Land Drainage (Consent and Approval) Regulation (Cap. 446 sub. leg. A)	Sections 3(1) and (2) and 4
47-48.	*(Repealed L.N. 215 of 2007)*	
49-50.	*(Repealed L.N. 152 of 2006)*	
51.	New Territories Land Exchange Entitlements (Redemption) Ordinance (Cap. 495)	Section 5(1) and (2) *(L.N. 152 of 2006)*

Item	Enactment	Provision
52.	Environmental Impact Assessment Ordinance (Cap. 499)	Sections 5(1) and (2), 6(2) and 7(1)(a) *(L.N. 84 of 2009; L.N. 90 of 2012)*
53.	*(Repealed L.N. 152 of 2006)*	
54-55.	*(Repealed 12 of 2014 s. 51)*	
56.	Electoral Affairs Commission (Nominations Advisory Committees (Legislative Council)) Regulation (Cap. 541 sub. leg. C)	Sections 5(13) and 8(2)
57.	Electoral Affairs Commission (Electoral Procedure) (Legislative Council) Regulation (Cap. 541 sub. leg. D)	Section 42(11) and (13) (to the extent to which it relates to a notice of appointment, or a notice of revocation, delivered to the Presiding Officer on polling day) and section 66(7) and (10) (to the extent to which it relates to a notice of appointment, or a notice of revocation, delivered to the Returning Officer or the Presiding Officer, as may be appropriate, on polling day) *(12 of 2014 s. 51)*
58.	Electoral Affairs Commission (Nominations Advisory Committees (District Councils)) Regulation (Cap. 541 sub. leg. E)	Sections 5(8) and 8(2)

Item	Enactment	Provision
59.	Electoral Affairs Commission (Electoral Procedure) (District Councils) Regulation (Cap. 541 sub. leg. F)	Section 45(8) and (10) (to the extent to which it relates to a notice of appointment, or a notice of revocation, delivered to the Presiding Officer on polling day), section 66(6) and (9) (to the extent to which it relates to a notice of appointment, or a notice of revocation, delivered to the Presiding Officer on polling day) and section 102(4) *(12 of 2014 s. 51)*
59A.	Electoral Affairs Commission (Nominations Advisory Committees (Election Committee)) Regulation (Cap. 541 sub. leg. H)	Sections 6(13) and 9(2) *(L.N. 268 of 2001)*
59B.	Electoral Affairs Commission (Electoral Procedure) (Election Committee) Regulation (Cap. 541 sub. leg. I)	Section 42(8) and (10) (to the extent to which it relates to a notice of appointment, or a notice of revocation, delivered to the Presiding Officer on polling day) and section 64(8) and (10) (to the extent to which it relates to a notice of appointment, or a notice of revocation, delivered to the Returning Officer on polling day) *(L.N. 268 of 2001; 15 of 2016 s. 48)*

Item	Enactment	Provision
59C.	Electoral Procedure (Chief Executive Election) Regulation (Cap. 541 sub. leg. J)	Section 4(1), section 9(2), section 25(5) and (7) (to the extent to which it relates to a notice of appointment, or a notice of revocation, delivered to the Presiding Officer on the polling date), section 44(4) and (6) (to the extent to which it relates to a notice of appointment, or a notice of revocation, delivered to the Returning Officer on the polling date) and section 80(2) *(L.N. 282 of 2001; 11 of 2012 s. 23; 15 of 2016 s. 48)*
60.	Legislative Council Ordinance (Cap. 542)	Sections 13(1), 14(1), 38(3), 40(1)(b) and 42(2) *(21 of 2001 s. 75; 12 of 2014 s. 51)*
61.	Registration of Electors (Appeals) Regulation (Cap. 542 sub. leg. B)	Section 2(1) and (2)(c)
62.	*(Repealed L.N. 268 of 2001)*	
63.	District Councils Ordinance (Cap. 547)	Sections 23(1), 25(1), 34(1)(b), 35(2) and 63(1) and Schedule 5, section 2 *(3 of 2013 s. 17)*
64.	Election (Corrupt and Illegal Conduct) Ordinance (Cap. 554)	Sections 37(1) and (2) and 37A(4) and (6) *(L.N. 167 of 2000; 18 of 2011 s. 50)*

Item	Enactment	Provision
65.	Chief Executive Election Ordinance (Cap. 569)	Sections 16(2) and (7), 31(1), 33(1) and 34(2) and the Schedule, sections 3(3) and 21(2) *(21 of 2001 s. 75; 12 of 2014 s. 51)*
66.	Election Committee (Appeals) Regulation (Cap. 569 sub. leg. A)	Sections 4(1) and 5(1) and (2)(c) *(L.N. 268 of 2001)*
67.	Election Committee (Registration) (Voters for Subsectors) (Members of Election Committee) (Appeals) Regulation (Cap. 569 sub. leg. B)	Section 3(1) and (2)(c) *(L.N. 268 of 2001)*
68.	Rural Representative Election Ordinance (Cap. 576)	Sections 8(1), 10(1), 24 and 26(2) *(2 of 2003 s. 68; 5 of 2014 s. 2)*
69-70.	*(Repealed L.N. 152 of 2006)*	
71.	*(Repealed L.N. 215 of 2007)*	
72.	Arbitration Ordinance (Cap. 609)	Sections 26(1), 31(7), 32(1)(a) and (3), 33(1), 50, 52, 54(1), 66(2), 67(1), 74(2) and 102(a) *(17 of 2010 s. 112)*

Item	Enactment	Provision
73.	Private Columbaria Ordinance (Cap. 630)	Sections 21(2)(b)(ii), 23(1)(a) and (3), 39(3)(a), (7) and (8), 40(4), 41(2)(a) and (3), 42(4), 43(2)(a) and (4), 44(1), (3)(b)(i) and (5), 49(3)(b) and (g), 50(1) and (2), 53(1) and (4), 56(2)(b), 57(10), 63(2)(b), 71(b) and (c), 75(1), (4)(a) and (8), 80(4), 84(2), 86(3)(b) and (13), 87(1)(b), 93(1), (3) and (4)(b), 98(1), 107(1)(b)(i), (ii)(A), (iii) and (iv) and 110(4)(b), section 6(1) of Schedule 1, sections 2(2)(b) and (c) and 5 of Schedule 3 and sections 4(3)(a), 13, 15(2) and 18(3) and (4) of Schedule 5 *(8 of 2017 s. 133; E.R. 4 of 2017)*

Schedule 11

[ss. 2 & 171 & Sch. 10]

Related Amendments

Part 1

Amendments to Inland Revenue Ordinance (Cap. 112)

1. Schedule 13 amended (institutions that may accredit or recognize training or development courses for the purpose of section 12(6)(c)(iii))

(Not yet in operation)

(1) Schedule 13—

Repeal item 35.

(2) Schedule 13—

Add

"39. The Travel Industry Authority established by section 150 of the Travel Industry Ordinance (37 of 2018)".

Part 2

Amendments to Prevention of Bribery Ordinance (Cap. 201)

2. Schedule 1 amended (public bodies)

*(1) Schedule 1—

Repeal items 55 and 69.

(2) Schedule 1—

Add

"134. Travel Industry Authority (including any committees and working groups established under the Travel Industry Ordinance (Cap. 634))". *(Amended E.R. 1 of 2019)*

Editorial Note:
* Not yet in operation.

Part 3

Repeal of Travel Agents Ordinance (Cap. 218)

3. Travel Agents Ordinance repealed

(Not yet in operation)

Travel Agents Ordinance—

Repeal the Ordinance and subsidiary legislation made under the Ordinance.

Part 4

Amendment to Hong Kong Tourism Board Ordinance (Cap. 302)

4. Section 2 amended (interpretation)

(Not yet in operation)

Section 2(1)—

Repeal the definition of *licensed travel agent*

Substitute

"***licensed travel agent*** (持牌旅行代理商) means a natural person who is engaged in the business of a licensed travel agent licensed under the Travel Industry Ordinance (37 of 2018);".

Part 5

Amendment to The Ombudsman Ordinance (Cap. 397)

5. Schedule 1 amended (organizations to which this Ordinance applies)

Schedule 1, Part 1—

Add in alphabetical order

"Travel Industry Authority.".

Part 6

Amendment to Administrative Appeals Board Ordinance (Cap. 442)

6. Schedule amended

(Not yet in operation)

The Schedule—

Repeal item 13.

Part 7

Amendment to Legislative Council Ordinance (Cap. 542)

7. Section 20O amended (composition of the tourism functional constituency)

(Not yet in operation)

Section 20O—

Repeal paragraph (b)

Substitute

"(b) persons holding travel agent licences under the Travel Industry Ordinance (37 of 2018);".

Part 8

Amendment to Chief Executive Election Ordinance (Cap. 569)

8. Schedule, section 2 amended (how Election Committee is to be constituted)

(Not yet in operation)

The Schedule, section 2, Table 5, item 2, column 3—

Repeal paragraph (1)

Substitute

"(1) Persons holding travel agent licences under the Travel Industry Ordinance (37 of 2018).".