



立法會秘書處 法律事務部
LEGAL SERVICE DIVISION
LEGISLATIVE COUNCIL SECRETARIAT

來函檔號 YOUR REF : ACCT/2/1/2C
本函檔號 OUR REF : LS/B/11/2022
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By Email (ericlee@fstb.gov.hk)

30 May 2022

Mr Eric LEE
Principal Assistant Secretary for Financial Services and
the Treasury (Financial Services)4
Financial Services and the Treasury Bureau
15/F, Queensway Government Offices
66 Queensway
Hong Kong

Dear Mr LEE,

Professional Accountants (Amendment) Bill 2022

We are scrutinizing the captioned Bill with a view to advising Members on its legal and drafting aspects. We should be grateful if you could clarify the following issue.

2. The proposed new section 13(3) appears to provide that the candidate who is an “eligible past Vice-President” (defined under the proposed new section 13(6)) would be deemed to have been elected and become an elected member, without having to fulfil the nomination requirements for election as elected members.

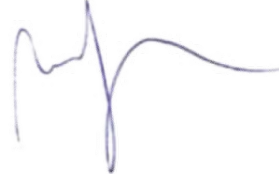
3. However, it is noted that according to paragraph 20(b)(ii) of the Legislative Council Brief (File Ref.: ACCT/2/1/2C) issued by the Financial Services and the Treasury Bureau on 11 May 2022, an eligible past Vice-President would only be deemed to have been elected as elected members of the new term of the Council upon fulfilment of the nomination requirements for election as an elected member.

4. Please clarify whether an eligible past Vice-President would have to fulfil the nomination requirements as provided in the proposed new Schedule 1 before he/she would be deemed to have been elected as an elected member. If that is the case, please consider whether it is necessary

to provide clearly under the Bill that the nomination requirements laid down in the proposed new Schedule 1 would also apply to eligible past Vice-Presidents for the purpose of the proposed new section 13(3).

5. We look forward to receiving your reply in both English and Chinese as soon as practicable, preferably before the first meeting of the Bills Committee.

Yours sincerely,



(Mark LAM)
Assistant Legal Adviser

c.c. Department of Justice
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