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186. Schedule, section 5M amended (when a person is disqualified from being registered as an ex-officio member)..................................................................................... C1971

187. Schedule, section 9 amended (when a person is disqualified from being a nominee).............. C1973

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A BILL

To

Amend the District Councils Ordinance to revise the functions and composition of District Councils; to establish the District Council Eligibility Review Committee; to provide for the mechanism for sanctioning misconduct of members of District Councils; to provide for related matters; and to make minor technical amendments.

Enacted by the Legislative Council.

Part 1

Preliminary

1. Short title and commencement

(1) This Ordinance may be cited as the District Councils (Amendment) Ordinance 2023.

(2) This Ordinance—

(a) comes into operation on the day on which it is published in the Gazette for the purpose only of enabling arrangements to be made for the constitution of the seventh term of office of the District Councils; and
Part 1
Clause 2

(b) in so far as it has not come into operation under paragraph (a), comes into operation on 1 January 2024.

2. **Enactments amended**

The enactments specified in Parts 2, 3 and 4 are amended as set out in those Parts.
Amendments to District Councils Ordinance (Cap. 547)

3. **Long title amended**
   (1) The long title—
   **Repeal**
   “composition and functions”
   **Substitute**
   “functions and composition”.
   (2) The long title, after “procedure for”—
   **Add**
   “appointment, registration and”.
   (3) The long title, after “Councils;”—
   **Add**
   “to provide for the mechanism for sanctioning misconduct of members of District Councils;”.

4. **Section 2 amended (interpretation)**
   (1) Section 2, definition of **by-election**—
   **Repeal**
   “an elected”
   **Substitute**
   “a”.
Section 2, definition of *candidate*—

Repeal
“an elected”
Substitute
“a”.

Section 2, definition of *committee*—

Repeal
“It”
Substitute
“the Chairman of the District Council”.

Section 2, definition of *District Council*, before “means”—

Add
“, in relation to a District,”.

Section 2, definition of *District Council*, after “Ordinance”—

Add
“for the District”.

Section 2, definition of *District Officer*—

Repeal
“means, in relation to a District Council,”
Substitute
“, in relation to a District, means”.

Section 2, definition of *District Officer*—

Repeal
“for which that District Council is established”.

Section 2, definition of *existing final register*—
第 2 部
第 4 條

Part 2
Clause 4

Repeal
“existing final register (現有的正式選民登記冊)”
Substitute
“existing GC register (現有的地方選區選民登記冊)”.

(9) Section 2, definition of *ex officio member*—
Repeal
“section 9(1)(c)”
Substitute
“Division 2 of Part IV”.

(10) Section 2, definition of *ordinary election*, paragraph (a)—
Repeal
“the elected”.

(11) Section 2, definition of *ordinary election*, paragraph (b)—
Repeal
“elected members of”.

(12) Section 2, English text, definition of *the regulations*—
Repeal
“Ordinance;”
Substitute
“Ordinance.”.

(13) Section 2—
(a) definition of *constituency*;
(b) definition of *corrupt conduct*;
(c) definition of *elected member*;
(d) definition of *elector*;
(e) definition of *illegal conduct*;

廢除
“現有的正式選民登記冊 (existing final register)”
代以
“現有的地方選區選民登記冊 (existing GC register)”。

(9) 第 2 條，當然議員的定義——
廢除
“第 9(1)(c) 條”
代以
“第 IV 部第 2 分部”。

(10) 第 2 條，一般選舉的定義，(a) 段——
廢除
“民選”。

(11) 第 2 條，一般選舉的定義，(b) 段——
廢除
“民選議員”。

(12) 第 2 條，英文文本，*the regulations* 的定義——
廢除
“Ordinance;”
代以
“Ordinance.”。

(13) 第 2 條——
(a) 選區的定義；
(b) 舞弊行為的定義；
(c) 民選議員的定義；
(d) 選民的定義；
(e) 非法行為的定義；
(f) definition of *member*;

(g) definition of *Vice Chairman*—

Repeal the definitions.

(14) Section 2—

Add in alphabetical order

“constituency” (界別或選區) means—

(a) a District Committees constituency; or

(b) a District Council geographical constituency;

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);

District Committee (地區委員會), in relation to a District, means—

(a) an Area Committee established in the District;

(b) the District Fight Crime Committee established in the District; or

(c) the District Fire Safety Committee established in the District;

District Committees constituencies register (地區委員會界別選民名冊) means a register of electors for District Committees constituencies compiled and published under section 31A;

District Committees constituency (地區委員會界別), in relation to a District Council, means the District Committees constituency established for the District Council under section 5A;

District Council geographical constituency (區議會地方選區), in relation to a District Council, means an area declared or specified to be a District Council
geographical constituency for the District Council under section 6;

*elector (選民)—*

(a) in relation to a District Committees constituency, means a person whose name is included in the existing DCC register; or  
(b) in relation to a District Council geographical constituency, means a person whose name is included in the existing GC register;

*Eligibility Review Committee (資格審查委員會)* means the District Council Eligibility Review Committee established under section 10A;

*existing DCC register* (現有的地區委員會界別選民名冊) means a District Committees constituencies register that is currently in force;

*member (議員) means—*

(a) a person appointed under Division 1 of Part IV as a member of a District Council;  
(b) a person elected at an election under Part V as a member of a District Council; or  
(c) a person registered under Division 2 of Part IV as an ex officio member of a District Council;

*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;”.

區議會地方選區 (District Council geographical constituency) 就某區議會而言，指根據第6條宣布或指明為該區議會的區議會地方選區的地區；

現有的地區委員會界別選民名冊 (existing DCC register)指現正有效的地區委員會界別選民名冊；

資格審查委員會 (Eligibility Review Committee)指根據第10A條設立的區議會資格審查委員會；

舞弊或非法行為 (corrupt or illegal conduct) 指在違反《選舉 (舞弊及非法行為) 條例》(第554章)的情況下作出的舞弊或非法行為；

選民 (elector)—

(a) 就地區委員會界別而言，指名列現有的地區委員會界別選民名冊的人；或  
(b) 就區議會地方選區而言，指名列現有的地方選區選民登記冊的人；

議員 (member) 指——

(a) 根據第 IV 部第1分部獲委任為區議會議員的人；  
(b) 根據第 V 部於選舉當選為區議會議員的人；或  
(c) 根據第 IV 部第2分部登記為區議會當然議員的人。”。
5. Part II heading amended (declaration of Districts, establishment of District Councils, declaration of number of elected members and declaration of constituencies)

Part II, heading—

Repeal
everything after "Establishment".

Substitute
"，Functions and Composition of District Councils, etc.”.

6. Sections 4A and 4B added

After section 4—

Add

“4A. Functions of District Councils

The functions of a District Council of a District are—

(a) to be consulted by the Government on the district affairs affecting the livelihood and living environment in the District and well-being of the people in the District;

(b) to collect the views of the people in the District in respect of an issue specified by the Chairman of the District Council, and to submit to the Government a summary of the views collected and the suggested corresponding measures;

(c) to establish a regular communication mechanism with the people in the District, to meet with them and listen to their views regularly;
(d) to support, and assist in, the promotion of laws and Government policies in the District, and assist the Government in carrying out various consultation, publicity and liaison activities, such as district forum;
(e) to assist in the smooth delivery of cultural, recreational, environmental sanitary and other services relating to the interests of the people in the District under the coordination of the Government;
(f) to apply for funding for projects and activities such as—
   (i) those for the purpose of promotion of sports, arts and culture;
   (ii) local events and celebration events; and
   (iii) greening and volunteer work;
(g) to provide services for people in the District, such as consultation and case referral services;
(h) to cooperate with other consultation and service organizations in the District under the coordination of the Government to achieve the best results in serving the people in the District; and
(i) to undertake any other matters as commissioned by the Government from time to time.

4B. Term of office of District Councils

(1) The term of office of a District Council is 4 years.
(2) Each term of office of a District Council is to begin on 1 January next following an ordinary election.”.
7. **Section 5 substituted**

Section 5—

*Repeal the section*

*Substitute*

“5. **Composition of District Councils**

(1) The District Council of each District is to consist of—

(a) the District Officer of the District;

(b) the persons appointed under Division 1 of Part IV as members of the District Council;

(c) the persons elected under Part V as members for the District Committees constituency of the District Council;

(d) the persons elected under Part V as members for the District Council geographical constituencies of the District Council; and

(e) if there is one or more Rural Committees in the District—the persons registered under Division 2 of Part IV as ex officio members of the District Council.

(2) For the purposes of subsection (1)(b), in relation to a District Council specified in column 2 of Part 1 of Schedule 3, the number specified in column 3 of that Part opposite to the District Council is the maximum number of members to be appointed to that Council.

(3) For the purposes of subsection (1)(c), in relation to a District Council specified in column 2 of Part 1 of Schedule 3, the number specified in column 4 of that Part opposite to the District Council is the number
2. Section 5A added

After section 5—

Add

“5A. Establishment of District Committees constituencies

(1) A District Committees constituency having the name specified in column 3 of Schedule 3A is established for each District Council specified opposite to it in column 2 of that Schedule for the purpose of

members to be returned for the District Committees constituency of that Council.

(4) For the purposes of subsection (1)(d), in relation to a District Council specified in column 2 of Part 1 of Schedule 3, the number specified in column 5 of that Part opposite to the District Council is the number of members to be returned for the District Council geographical constituencies of that Council.

(5) For the purposes of subsection (1)(e)—

(a) in relation to a District Council specified in column 2 of Part 1 of Schedule 3, the number specified in column 6 of that Part opposite to the District Council is the number of ex officio members of that Council; and

(b) a Rural Committee specified in column 5 of Part 2 of Schedule 3 is taken to be in the District specified opposite to the Rural Committee in column 2 of that Part.

(6) Subsection (5)(b) and Part 2 of Schedule 3 are without prejudice to any other law governing Rural Committees.”.
9. **Section 6 amended (declaration of constituencies)**

(1) Section 6, heading, after “of”—

Add

“District Council geographical”.

(2) Section 6(1)—

Repeal paragraph (a)

Substitute

“(a) declare any area within a District to be a District Council geographical constituency for the purpose of returning members of the District Council of that District at elections for that constituency; and”.

(3) After section 6(1)—

Add

“(1A) The number of District Council geographical constituencies in each District is to be half of the number of members to be returned for the District Council geographical constituencies for the District Council of that District.”.

(4) After section 6(2)—

Add

“(2A) For the seventh term of office of the District Councils—
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(a) the areas that form the District Council geographical constituencies and the names of those constituencies are specified in Schedule 8; and

(b) no order is to be made under subsection (1).”.

(5) Section 6(3), after “this section”—

Add
“, or Schedule 8,”.

(6) Section 6(3) and (5)—

Repeal
“a constituency”

Substitute
“a District Council geographical constituency”.

10. Section 7 substituted

Section 7—

Repeal the section

Substitute

“7. Number of members to be returned for each District Council geographical constituency

The number of members to be returned for each District Council geographical constituency is 2.”.

11. Section 8 amended (Chief Executive in Council may amend Schedule 1, 2 or 3)

(1) Section 8, heading—

Repeal
“or 3”
12. **Part III repealed (composition of a District Council)**

Part III—

*Repeal the Part.*

13. **Part IIIA added**

Before Part IV—

*Add*
District Council Eligibility Review Committee

10A. Establishment of the District Council Eligibility Review Committee

(1) A District Council Eligibility Review Committee is established for the purposes of this Ordinance and such other purposes as may be prescribed by any other Ordinance.

(2) The Eligibility Review Committee is to consist of the following members—
   (a) the chairperson;
   (b) at least 2 but not more than 4 official members; and
   (c) at least 1 but not more than 3 non-official members.

(3) Each member of the 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) as the chairperson or an official member referred to in subsection (2)(a) or (b).

(5) Only a person who is not a public officer is eligible for appointment under subsection (3) as a non-official member referred to in subsection (2)(c).

(6) The Chief Executive must report any appointment made under subsection (3) to the Central People’s Government for the record.
10B. Functions of the Eligibility Review Committee

(1) The Eligibility Review Committee is to review and confirm the eligibility of—

(a) any person proposed to be appointed under Division 1 of Part IV as a member;

(b) any person proposed to be registered under Division 2 of Part IV as an ex officio member; or

(c) any person nominated under Part V as a candidate.

(2) In deciding the eligibility of a person under subsection (1)—

(a) the Eligibility Review Committee is to seek the opinion of the Committee for Safeguarding National Security of the Hong Kong Special Administrative Region (CSNS) as to whether the person fails 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; and

(b) if an opinion is given by CSNS—the Eligibility Review Committee must make the decision in accordance with the opinion.”.

14. Part IV, Division 1 added

Part IV, before Division 2—

Add
“Division 1—Appointed Members

11. Chief Executive to appoint members

(1) The Chief Executive may appoint as members of a District Council a number of persons not exceeding the number specified in column 3 of Part 1 of Schedule 3 in relation to that District Council.

(2) The Chief Executive may only appoint a person as a member under subsection (1) if the proposal to appoint the person is decided as valid by the Eligibility Review Committee under section 13.

(3) If the Chief Executive appoints a person as a member under subsection (1), the Designated Officer must issue a letter of appointment to the person.

(4) A person appointed as a member holds office from the date specified in the letter of appointment and vacates office on 31 December of the year in which an ordinary election is next held after the appointment.

(5) The Designated Officer must, within 21 days after the date of the letter of appointment, publish in the Gazette the person’s name and his or her term of office as a member.

12. Who is eligible to be appointed as member

(1) A person is eligible to be appointed as a member only if the person—

(a) has reached 21 years of age;

(b) is registered as an elector in the existing GC register;

(c) is not disqualified from voting at an election;
13. Decision on validity of proposals to appoint persons as members

(1) The Designated Officer may submit a proposal to appoint a person as a member to the Eligibility Review Committee.

(2) The Eligibility Review Committee must, as soon as practicable after receiving a proposal submitted by the Designated Officer, decide whether or not the proposal is valid.

(3) Without prejudice to sections 12 and 14, the Eligibility Review Committee may decide a proposal to appoint a person to be invalid if and only if—

(a) the Eligibility Review Committee is satisfied that the person fails 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;
(b) the Eligibility Review Committee is satisfied that the person is not eligible to be, or disqualified from being, appointed as a member; or
(c) the Eligibility Review Committee is satisfied that the person is dead.

(4) In deciding whether a proposal to appoint a person is valid, the Eligibility Review Committee—

(a) may require the Designated Officer to furnish any information in the possession of the Officer that relates to any of the matters specified in subsection (5);
(b) may require the person to furnish any other information that the Committee considers appropriate for enabling the Committee to be satisfied as to the validity of the proposal; and
(c) may require the Designated Officer to obtain any other information that relates to any of the matters specified in subsection (5) from any person.

(5) The matters specified for subsection (4)(a) and (c) are—

(a) whether the proposal is valid;
(b) whether the person is eligible to be appointed as a member under section 12;
(c) whether the person is disqualified from being so appointed under section 14; and
(d) whether the person is dead.

(6) If the Eligibility Review Committee decides that a proposal to appoint a person is invalid—
(a) the Committee must inform the Designated Officer of the decision and the reasons for it; and
(b) the Designated Officer must, as soon as practicable, inform the person and the Chief Electoral Officer of the decision and the reasons in writing.

14. Disqualification from being appointed as members

(1) A person is disqualified from being appointed as a member if the person—

(a) is—

(i) a judicial officer; or

(ii) a prescribed public officer;

(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 substituted for the sentence; or

(ii) received a free pardon;

(c) has been convicted of treason;

(d) on the date of submission of the proposal to appoint the person, is serving a sentence of imprisonment;

(e) without limiting paragraph (b), where the proposal to appoint the person is submitted within 5 years after the date of the person’s conviction, has been convicted—

(a) 該委員會須將該決定及作出該決定的理由通知指定人員；及
(b) 指定人員須在切實可行的範圍內，盡快將該決定及作出該決定的理由以書面通知該人及總選舉事務主任。

14. 喪失獲委任為議員的資格的情況

(1) 任何人如有以下情況，即喪失獲委任為議員的資格——

(a) 是——

(i) 司法人員；或

(ii) 訂明公職人員；

(b) 已在香港或任何其他地方被判處死刑或監禁 (不論如何稱述)，但——

(i) 既未服該刑罰或主管當局用以替代該刑罰的其他懲罰；而

(ii) 亦未獲赦免；

(c) 已被裁定犯叛逆罪；

(d) 在委任該人的建議呈交當日，正囚服刑而受監禁；

(e) 在不局限 (b) 段的原則下，自委任該人的建議呈交當日起計之前的 5 年內，曾被裁定犯以下罪行——
(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;
(ii) of having engaged in corrupt or illegal conduct;
(iii) of an offence against Part II of the Prevention of Bribery Ordinance (Cap. 201); or
(iv) of any offence prescribed by section 86A, section 7 of Schedule 4A or regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541);

(f) is a representative or a salaried functionary of the government of a place outside Hong Kong;

(g) 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 level or local level; or

(h) is an undischarged bankrupt or, within 5 years before the date of submission of the proposal to appoint the person, 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.
(2) A person is also disqualified from being appointed as a member if, within 5 years before the date of submission of the proposal to appoint the person—

(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) A person is also disqualified from being appointed as a member if the person 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.

(4) Subsection (3) does not prevent a person from being eligible for appointment as a member if subsequently it is found under the Mental Health Ordinance (Cap. 136) that the person has become capable of managing and administering his or her property and affairs.

15. How an appointed member can resign

(1) A person appointed as a member may at any time resign from office as a member by giving written notice of resignation to the Designated Officer.

(2) A notice of resignation is not effective unless it is signed by the member concerned.

15. 委任議員辭去席位的方式

(1) 任何獲委任為議員的人，可隨時向指定人員發出書面辭職通知而辭去議員席位。

(2) 辭職通知須由有關的議員簽署，否則不具效力。
15. **Section 17 substituted**

Section 17—

Repeal the section

Substitute
“17. Who is eligible to be registered as ex officio member

A person who is holding office as the Chairman of a Rural Committee specified in column 5 of Part 2 of Schedule 3 is eligible to be registered in accordance with this Division as an ex officio member of the District Council specified opposite to the Rural Committee in column 3 of that Part.”.

16. Sections 17A, 17B and 17C added

Add

“17A. How to register as ex officio members

(1) A person who is holding office as the Chairman of a Rural Committee may be registered as an ex officio member only if the person submits a registration form that complies with this section to the Designated Officer.

(2) The registration form must be in the specified form.

(3) The registration form must contain—

(a) a declaration by the person to the effect that the person—

(i) is holding office as the Chairman of a Rural Committee; and

(ii) is not disqualified from being registered as an ex officio member; and

(b) a declaration by the person 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.
(4) The registration form must be signed by the person.

(5) The registration form must contain other particulars (if any) required to be furnished on that form.

(6) The Designated Officer may require a person to be registered under this section to furnish any other information to enable the Eligibility Review Committee to decide whether or not the registration is valid.

(7) For the purpose of constituting the seventh term of office of the District Councils, the registration form must be submitted to the Designated Officer by 1 December 2023.

17B. Decision on validity of registration

(1) The Designated Officer must, as soon as practicable after receiving a registration form, forward the form to the Eligibility Review Committee.

(2) The Eligibility Review Committee must, as soon as practicable after receiving a registration form forwarded by the Designated Officer, decide whether or not the registration is valid.

(3) Without prejudice to sections 17, 17A and 19, the Eligibility Review Committee may decide a registration of a person to be invalid if and only if—

(a) the registration form has not been completed or signed as required under section 17A;

(b) the Eligibility Review Committee is satisfied that the person is disqualified from being registered as an ex officio member; or

(c) the Eligibility Review Committee is satisfied that the person is dead.
(4) In deciding whether a registration of a person is valid, the Eligibility Review Committee—
   (a) may require the Designated Officer to furnish any information in the possession of the Officer that relates to any of the matters specified in subsection (5);
   (b) may require the person to furnish any other information that the Committee considers appropriate for enabling the Committee to be satisfied as to the validity of the registration; and
   (c) may require the Designated Officer to obtain any other information that relates to any of the matters specified in subsection (5) from any person.

(5) The matters specified for subsection (4)(a) and (c) are—
   (a) whether sections 17 and 17A are complied with in relation to the person;
   (b) whether the registration of the person is valid;
   (c) whether the registration form has been completed or signed as required under section 17A;
   (d) whether the person is disqualified from being registered as an ex officio member; and
   (e) whether the person is dead.

(6) If the Eligibility Review Committee decides that a registration of a person is invalid—
   (a) the Committee must endorse on the relevant registration form the decision and the reasons for it; and
(b) the Designated Officer must, as soon as practicable, inform the Chief Electoral Officer of the decision and the reasons in writing.

(7) After the Eligibility Review Committee has made a decision on the validity of a registration of a person—

(a) the Designated Officer must, as soon as practicable, inform the person of the decision in writing; and

(b) if the registration of the person is decided as valid—

(i) the Committee must, as soon as practicable, publish in the Gazette a notice declaring the registration as valid; and

(ii) the Designated Officer must, within 21 days after the decision, publish in the Gazette the person's name and his or her term of office as an ex officio member.

17C. Member taken to have resigned on becoming ex officio member

If—

(a) a person is holding office as a member of a District Council (otherwise than being an ex officio member) (first office); and

(b) the person becomes eligible to be registered as an ex officio member of the same or another District Council (second office),

the person is taken to have resigned from the first office with effect immediately before the date on which the person commences to hold the second office.”.
17. Section 18 repealed (when the office of ex officio member becomes vacant)

Section 18—

Repeal the section.

18. Section 19 amended (disqualification of ex officio members)

(1) Section 19, heading—

Repeal

“of”

Substitute

“from being registered as”.

(2) Section 19(1)—

Repeal

“holding office”

Substitute

“being registered”.

(3) Section 19(1)(d)—

Repeal

“term of office is to begin”

Substitute

“registration form is submitted”.

(4) Section 19(1)(d)—

Repeal

“, or is convicted after the beginning of the term of office”.

(5) Section 19(1)(d)(ii)—

Repeal
Part 2
Clause 18

“in contravention of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554)”.

(6) Section 19(1)(d)(iv), after “by”—
Add
“section 86A, section 7 of Schedule 4A or”.

(7) Section 19(1)(g)—
Repeal
“the previous 5 years”
Substitute
“5 years before the date of submission of the registration form”.

(8) Section 19—
Repeal subsection (1A)
Substitute
“(1A) A person is also disqualified from being registered as an ex officio member if, within 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
(9) Section 19—
Repeal subsection (1B).

(10) Section 19(2)—
Repeal
“An ex officio member”
Substitute
“A person”.

(11) Section 19(2)—
Repeal
“holding office”
Substitute
“being registered as an ex officio member”.

(12) Section 19(3)—
Repeal
“holding office”
Substitute
“being registered”.

(13) Section 19—
Repeal subsections (4), (5), (6) and (7).

19. Section 19A added
Part IV, Division 2, after section 19—
“19A. When the office of ex officio member becomes vacant

(1) The office of an ex officio member becomes vacant if—
   (a) the member dies;
   (b) the member’s term of office as Chairman of a Rural Committee ends;
   (c) the member otherwise ceases to hold office as Chairman of a Rural Committee; or
   (d) the member is disqualified under section 26A from holding office as a member.

(2) For the purpose of constituting the seventh term of office of the District Councils, if a person who is an ex officio member of the sixth term of office of a District Council fails to submit a registration form in accordance with section 17A, the office of the ex officio member becomes vacant at the end of the sixth term of office of the District Council.

(3) If the office of an ex officio member becomes vacant under subsection (1) or (2), the person or the person’s successor as the Chairman of the Rural Committee (as the case requires) may be registered as an ex officio member in accordance with this Division.”.

20. Part IV, Division 3 heading amended (elected members)

Part IV, Division 3, heading—

Repeal

“Elected Members”

Substitute
Part 2

Clause 21

“Members Returned at Election”.

21. Section 20 amended (who is eligible to be nominated as a candidate)

(1) Section 20(1)(b)—
Repeal “an elector”
Substitute “registered as an elector in the existing GC register”.

(2) Section 20(1)(d)—
Repeal “an elected”
Substitute “a”.

(3) Section 20(4), Chinese text—
Repeal “選區” (wherever appearing)
Substitute “界別或選區”.

22. Section 21 amended (when person is disqualified from being nominated as a candidate and from being elected as an elected member)

(1) Section 21, heading—
Repeal “an elected”
Substitute “a”.

21. 修訂第 20 條 (獲提名為候選人的資格)

(1) 第 20(1)(b) 條——
廢除 “是一名”
代以 “已在現有的地方選區選民登記冊內登記為”。

(2) 第 20(1)(d) 條——
廢除 “民選”。

(3) 第 20(4) 條，中文文本——
廢除 所有 “選區”
代以 “界別或選區”。

22. 修訂第 21 條 (喪失獲提名為候選人及當選為民選議員的資格的情況)

(1) 第 21 條，標題——
廢除 “民選”。

“選舉產生的”。
(2) Section 21(1)—
Repeal
“an elected member”
Substitute
“a member at an election”.

(3) Section 21(1)(e)(ii)—
Repeal
“in contravention of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554)”.

(4) Section 21(1)(e)(iv), after “by”—
Add
“section 7 of Schedule 4A or”.

(5) Section 21(1)(f)—
Repeal
“an elected member”
Substitute
“a member at an election”.

(6) Section 21(1A) and (3)—
Repeal
“an elected member”
Substitute
“a member at an election”.

(7) Section 21—
Repeal subsection (4).

23. Section 22 amended (how long elected member is to hold office)
(1) Section 22, heading—
24. **Section 23 amended (elected members to accept office)**

(1) **Section 23, heading—**

**Repeal**

“Elected members to accept office”

**Substitute**

“A member elected at an ordinary election”.

(2) **Section 22(1)—**

**Repeal**

“An elected member”

**Substitute**

“A member elected at an ordinary election”.

(3) **Section 22(2)—**

**Repeal**

“an elected member’s (first elected member) office becoming vacant”

**Substitute**

“a member’s office becoming vacant under section 26”.

(4) **Section 22(2)—**

**Repeal**

“on the day the first elected member would have vacated office had that member served the full term”

**Substitute**

“at the end of the term of office of the District Council during which the by-election was held”.

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Part 2

Clause 24

District Councils (Amendment) Bill 2023

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C1633
Part 2
Clause 25

Substitute
“Members elected at election taken to have accepted office”.

(2) Section 23(1)—
Repeal
“to be a member”
Substitute
“as a member at an election”.

(3) Section 23(3)—
Repeal
“an elected”
Substitute
“a”.

25. Section 24 repealed (disqualification of elected members)
Section 24—
Repeal the section.

26. Section 25 amended (how an elected member can resign)
(1) Section 25, heading—
Repeal
“an elected member”
Substitute
“a member returned at election”.

(2) Section 25(1)—
Repeal
“An elected member”
27. Section 26 amended (when elected member’s office becomes vacant)

(1) Section 26, heading—
Repeal
“elected member’s office”
Substitute
“the office of a member returned at election”.

(2) Section 26—
Repeal
“An elected member’s office”
Substitute
“The office of a member returned at an election”.

(3) Section 26(b)—
Repeal
“10”
Substitute
“17C”.

(4) Section 26(c)—
Repeal
28. Part IV, Division 4 added
Part IV, after Division 3—
Add

“Division 4—Disqualification of Members

26A. Disqualification from holding office as members
(1) A member is disqualified from holding office if the member—
(a) becomes—
   (i) a judicial officer; or
   (ii) a prescribed public officer;
(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 substituted for the sentence; or
   (ii) received a free pardon;
(c) has been convicted of treason;
(d) without limiting paragraph (b), is 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;
(ii) of having engaged in corrupt or illegal conduct;
(iii) of an offence against Part II of the Prevention of Bribery Ordinance (Cap. 201); or
(iv) of any offence prescribed by section 86A, section 7 of Schedule 4A or regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541);

(e) becomes a representative or a salaried functionary of the government of a place outside Hong Kong;

(f) becomes 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 level or local level; or

(g) becomes 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.

(2) A member is also disqualified from holding office if the member—

(a) is in breach of an oath taken under section 19A of the Oaths and Declarations Ordinance (Cap. 11); or
Clause 28

(b) 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.

(3) A member is also disqualified from holding office if the member 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.

(4) Subsection (3) does not prevent a person from being eligible to be appointed or registered as a member, or to be a candidate at an election, if subsequently it is found under the Mental Health Ordinance (Cap. 136) that the person has become capable of managing and administering his or her property and affairs.

(5) Subject to subsection (7), a member is also disqualified from holding office for the remainder of that member’s term of office if the member does not attend meetings of the District Council for 4 consecutive months (disqualifying period) without obtaining the consent of the Council before the end of that period.

(6) The disqualifying period under subsection (5) begins on the day next following the date of the meeting of the Council at which the member is first absent without consent.

(7) If during the disqualifying period no meetings are held or only 1 meeting is held, that period is extended to end immediately after the 3rd consecutive meeting from which the member is absent.
Section 27 amended (Chief Executive to specify dates for holding ordinary elections)

(1) Section 27(4)—

Repeal
“elected members”

Substitute
“District Councils”.

(2) After section 27(4)—

Add
“(5) The Chief Executive may specify different dates for holding an ordinary election to return each of the following classes of members—

(a) the members to be returned for each District Committees constituency; and

(b) the members to be returned for all District Council geographical constituencies.”.

Section 29 amended (who is entitled to vote at an election)

(1) Section 29(1)—

Repeal
“only if the person is an elector”

Substitute
“for a District Committees constituency or a District Council geographical constituency only if the person is an elector for the constituency”.
(2) 第 29 條——
廢除第 (2) 及 (3) 款。

(3) 第 29(4) 條——
廢除
“選民只有權在選舉中”
代以
“某界別或選區的選民只有權在選舉中就該界別或選區”。

(4) 第 29 條——
廢除第 (5) 款。

(5) 第 29(6) 條——
廢除
“在其後的選舉中，選民不得僅因選民”
代以
“選民不得僅因其”。

(6) 第 29(6) 條——
廢除
“正式”
代以
“地方選區”。

(7) 第 29(7) 條——
廢除
“(5) 或”。

31. 修訂第 30 條（選民喪失在選舉中投票的資格的情況）
(1) 第 30 條——

31. Section 30 amended (when an elector is disqualified from voting at an election)
(1) Section 30—
Part 2
Clause 32

Renumber the section as section 30(1).
(2) After section 30(1)—

Add
“(2) An elector of a District Committees constituency is also disqualified from voting at an election for the constituency if the elector has ceased to be a member of a District Committee in the District concerned.”.

32. Section 31 repealed (Electoral Registration Officer to publish register for the first ordinary election)
Section 31—

Repeal the section.

33. Section 31A added
Part V, at the end of Division 2—

Add
“31A. Electoral Registration Officer to compile and publish District Committees constituencies register
(1) The Electoral Registration Officer must compile and publish a register of electors for District Committees constituencies in accordance with Schedule 4A.
(2) Schedule 4A also has effect in relation to the inspection of the register and use of information in the register.”.

34. Section 32 amended (vacancy in membership of elected members of a District Council to be declared)
(1) Section 32, heading—

Repeal
Part 2
Clause 35

“elected members of a District Council”
Substitute
“members returned at election”.

(2) Section 32(1)—
Repeal
“an elected member”
Substitute
“a member returned at an election”.

(3) Section 32(2)—
Repeal
“an elected”
Substitute
“a”.

35. Section 33 amended (by-election to be held to fill vacancy in membership of District Councils)

(1) Section 33(1)—
Repeal paragraph (b).

(2) Section 33(1)(c), after “the election”—
Add
“or because the number of validly nominated candidates for the election was less than the number of members to be returned for the constituency”.

35. 修订第33条（举行补选以填补区议会席空缺）

(1) 第33(1)条——
废除 (b) 段。

(2) 第33(1)(c)条——
废除
“选区的选举因无候选选人获有效提名参加选举而未能完成时”
代以
“界别或选区的选举因以下原因而未能完成时：无候选选人获有效提名参加选举，或获有效提名参加选举的候选人数目少于该界别或选区所须选出的议员人数”。

(2) 第32(1)条——
废除
“如民选议员席出现空缺，指定人员必须在知悉出现空缺后21天内，藉宪制公告宣布民选”
代以
“如选举产生的议员席出现空缺，指定人员须在知悉出现空缺后21天内，藉宪制公告宣布”。

(3) 第32(2)条——
废除
“民选议员之前死亡，则指定人员在知悉此事后，必须宣布区议会民选”
代以
“议员之前死亡，则指定人员在知悉此事时，须宣布”。

33(1) —
加“或因为有效提名的候选人数目少于被选举的议席数目”。“
36. Section 34 amended (what requirements are to be complied with by persons nominated as candidates)

Section 34—

Repeal subsection (1)

Substitute

“(1) A person is to be nominated as a candidate for an election by submitting a nomination form in accordance with this section and regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541).

(1A) The nomination form must—

(a) be subscribed in accordance with the regulations;

(b) be accompanied by a deposit; and
37. **Section 36 amended (who are validly nominated candidates)**

   (1) Section 36(1)—

   **Repeal**

   “Returning Officer”

   **Substitute**

   “Eligibility Review Committee”.

   (2) After section 36(1)—

   **Add**

   “(1A) The Eligibility Review Committee 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.”.

   (3) Section 36(2)—

   **Repeal**

   “after the Returning Officer”

   **Substitute**

   “after the Eligibility Review Committee”.

   (4) Section 36(2)—

   **Repeal**

   everything after “(Cap. 541)”

   **Substitute**

   “, give notice of the death of the candidate.”.
(5) Section 36(2), Chinese text—
Repeal
“某選區”
Substitute
“某界別或選區”.
(6) After section 36(2)—
Add
“(2A) If a notice under subsection (1A) 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.”.
(7) Section 36(3)—
Repeal
“Subsection (2) does”
Substitute
“Subsections (2) and (2A) do”.
(8) Section 36(3)—
Repeal
“an elected”
Substitute
“a”.
(9) Section 36—
Repeal subsection (4)
“(4) 資格審查委員會在根據第 (1) 款作出決定指某候選人是獲有效提名參加某界別或選區的選舉之後，如在指明舉行選舉的日期前，該委員會接獲證明並信納該候選人喪失獲提名為候選人的資格，則——

(a) 該委員會須按照根據《選舉管理委員會條例》(第 541 章) 訂立並正有效的規例更改該項決定，示明該候選人並非獲有效提名；及

(b) 在該委員會如此更改該項決定後，選舉主任須按照該等規例發出關於更改該項決定的通知。

(4A) 如有公告根據第 (1A) 款刊登，資格審查委員會亦須按照根據《選舉管理委員會條例》(第 541 章) 訂立並正有效的規例——

(a) 公開宣布有關決定已被更改；及

(b) 進一步宣布哪名候選人或哪些候選人獲有效提名參加有關界別或選區的選舉。”。

(10) 第 36(5) 條，在 “第 (4)” 之後——

加入

Substitute

“(4) If, after the Eligibility Review Committee has made a decision under subsection (1) that a candidate is validly nominated for election for a constituency but before the date specified for holding the election, proof is given to the satisfaction of the Committee that the candidate is disqualified from being nominated as a candidate—

(a) the 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 Committee so varies the decision, the Returning Officer must, in accordance with those regulations, give notice of the variation of the decision.

(4A) If a notice under subsection (1A) has been published, the Eligibility Review Committee 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.”.

(10) Section 36(5)—

Repeal

“Subsection (4) does”

Substitute
38. Section 37 amended (candidates entitled to send letters to electors free of postage)

Section 37(1), Chinese text—

Replace
“選區” (wherever appearing)

Substitute
“界別或選區”.

39. Sections 39, 40 and 41 substituted

Sections 39, 40 and 41—

Replace the sections

Substitute

“If, after the close of nomination of candidates for election for a constituency, the number of validly nominated candidates is no more than the number of members to be returned for the constituency, the Returning Officer must, in accordance with regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541), publicly declare the candidate or candidates to be duly elected as a member or members.
40. Death or disqualification of validly nominated candidate on date of election

(1) Subsections (2) and (3) apply if, on the date of an election but before the result of the election is declared—

(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 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)—

(a) the proceedings for the election for the constituency are not to be terminated at that stage;
41. **How election is to be conducted**

**(1)** At every contested election to return a member for a constituency—

(a) a poll is to be taken of the electors of the constituency; and

(b) the voting at the poll is to be by secret ballot.
40. 加入第 41A 及 41B 條

在第 41 條之後——

加入

“41A. 投票及點票制度：地區委員會界別

(1) 在選出地區委員會界別的議員的選舉中進行的投票及點票，須按照簡單或相對多數選舉制 ( 亦稱為 “得票最多者當選” 投票制 ) 進行；根據該制度，地區委員會界別的選民有權投票選取的候選人數目，與議席空缺的數目一樣。

(2) 在某項選舉中，地區委員會界別的選民有權投票選取的候選人數目，與該界別在該項選舉中所須選出的議員人數一樣。

(3) 在某項選舉中，地區委員會界別的選民所投的票在以下情況方為有效：該選民投票選取的候選人數目，與第 (2) 款中指明該選民在該項選舉中有權投票選取的候選人數目一樣。
Part 2
Clause 40

41B. System of voting and counting of votes: District Council geographical constituencies

(1) Voting and counting of votes at a poll for the return of members for a District Council geographical constituency is to be conducted in accordance with

(4) The candidates to be returned as members for a District Committees constituency at an election 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 returned for the constituency at that election.

(5) If, after the counting is finished at an election for a District Committees 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.

(6) Subject to subsection (7), as soon as practicable after determining the result of an election for a District Committees constituency, the Returning Officer must publicly declare as elected the candidate or candidates who were successful at the election.

(7) If a candidate referred to in section 40(1)(a) or (b) was successful at the election for the constituency, the Returning Officer must not declare the candidate as elected.

(4) 某地區委員會界別的議員候選人須按在選舉中得票多寡順序排列，數目相等於所須選出的議員人數的最前列候選人即在該項選舉中當選為該界別的議員。

(5) 如在某地區委員會界別的選舉點票結束後，該界別尚須選出一名或多於一名議員，而在剩餘的候選人中，得票最多的候選人所得的票數相同，則——

(a) 為選出尚須選出的議員，選舉主任須以抽籤的方式決定選舉結果；及

(b) 中籤的候選人即為在該項選舉中選出者。

(6) 除第 (7) 款另有規定外，在決定地區委員會界別的選舉結果後，選舉主任須在切實可行的範圍內，盡快公開宣布在選舉中勝出的候選人當選。

(7) 如第 40(1)(a) 或 (b) 條所描述的候選人在有關界別的選舉中勝出，選舉主任不得宣布該候選人當選。

41B. 投票及點票制度：區議會地方選區

(1) 在選出區議會地方選區的議員的選舉中進行的投票及點票，須按照簡易或相對多數選舉制 (亦稱為“得
the simple or relative majority system of election (otherwise known as the “first past the post” voting system) whereby an elector of the District Council geographical constituency is entitled to vote for 1 candidate.

(2) The candidates to be returned as members for a District Council geographical constituency at an ordinary 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 District Council geographical constituency.

(4) If, after the counting is finished at an election for a District Council geographical constituency, 1 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 (6), as soon as practicable after determining the result of an election for a District Council geographical constituency, the Returning Officer must publicly declare as elected the candidate or candidates who were successful at the election.
(6) If a candidate referred to in section 40(1)(a) or (b) was successful at the election for the constituency, the Returning Officer must not declare the candidate as elected.”.

41. Section 43 amended (misnomer or inaccuracy not to affect operation of election document)
Section 43(2)—
Repeal
“nomination paper”
Substitute
“nomination form”.

42. Section 46 amended (Returning Officer to publish result of election)
(1) Section 46(1)—
Repeal
“an elected member”
Substitute
“a member or members”.
(2) Section 46(1)—
Repeal
“returned at the election is the elected member”
Substitute
“or candidates returned at the election is or are the members”.

(6) 如第 40(1)(a) 或 (b) 條所提及的候選人在有關選區的選舉中勝出，選舉主任不得宣布該候選人當選。”。
43. Section 49 amended (election may be questioned only by election petition made on specified grounds)

(1) Section 49(1)—

Repeal
“return an elected”
Substitute
“return a”.

(2) Section 49(1)(a)—

Repeal
“an elected”
Substitute
“a”.

(3) Section 49(2)—

Repeal
“an elected”
Substitute
“a”.

(4) Section 49(3), definition of election, after “of”—

Add
“the Eligibility Review Committee,”.

(5) Section 49(3)—

Repeal the definition of corrupt or illegal conduct.

44. Sections 50 and 51 substituted

Sections 50 and 51—

Repeal the sections
Substitute
50. Who may lodge election petition

(1) An election petition may be lodged in respect of an election for a District Committees constituency—
   (a) by 3 or more electors entitled to vote in the constituency; or
   (b) by a person claiming to have been a candidate in the constituency.

(2) An election petition may be lodged in respect of an election for a District Council geographical constituency—
   (a) by 10 or more electors entitled to vote in the constituency; or
   (b) by a person claiming to have been a candidate in the constituency.

51. Who may be made respondent to election petition

(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 in respect of the election; and
   (c) if grounds for the petition relate to a decision of the Eligibility Review Committee—the Eligibility Review Committee.

(2) 2 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
Section 55 amended (Court to determine election petition)

(1) Section 55(1)—
Repeal “Returning Officer”
Substitute “Eligibility Review Committee”.

(2) Section 55(1), English text—
Repeal “that Officer”
Substitute “the Returning Officer”.

Section 58B amended (Court of Final Appeal’s determination)

Section 58B(a)(i)(A)—
Repeal “Returning Officer”
Substitute “Eligibility Review Committee”.

Section 59 amended (acts of person not invalid if determined not duly elected)

Section 59—
Repeal “an elected” (wherever appearing)
Substitute
48. Section 60 amended (what is to happen if an elected member is determined not to have been duly elected)
   (1) Section 60, heading—
       Repeal
       “an elected”
       Substitute
       “a”.
   (2) Section 60(1), (1A), (2), (3), (4) and (5)—
       Repeal
       “an elected” (wherever appearing)
       Substitute
       “a”.

49. Section 60A amended (interpretation: Part VA)
   (1) Section 60A(1), definition of disqualified candidate—
       Repeal
       “Returning Officer under section 40(2)”
       Substitute
       “Eligibility Review Committee under section 40(1)(b)”.
   (2) Section 60A(1)—
       (a) Repeal the definition of elected as an elected member;
       (b) Add in alphabetical order
           “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
Part 2
Clause 49

46, unless he or she is determined under section 55(1) or (2) or 58B to be not duly elected;

(b) a deceased candidate who is found to be successful at the election under section 40(3), unless proof is given to the satisfaction of the Eligibility Review Committee under section 40(1)(b) that he or she is disqualified from being elected; or

(c) a candidate who becomes a member under section 60(2);”.

(3) Section 60A(2)(a) and (b), Chinese text—
Repeal
“選區” (wherever appearing)
Substitute
“界別或選區”.

(4) Section 60A—
Repeal subsection (3)
Substitute
“(3) For section 60D(2)(a)—

(a) the number of electors for a District Committees constituency is the number of electors for the constituency as shown in the District Committees constituencies register that is in force at the time the election is held; and

(b) the number of electors for a District Council geographical constituency is the number of electors registered for that constituency as shown in the final register of geographical constituencies compiled and published by the
Section 60C amended (eligibility for financial assistance)

(1) Section 60C, English text—

Repeal
“he is”

Substitute
“the candidate”.

(2) Section 60C(a)—

Repeal
“a candidate who is elected as an elected”

Substitute
“is elected as a”.

(3) Section 60C(b)—

Repeal
“a candidate who is not elected as an elected member but who”

Substitute
“is not elected as a member but”.

(4) Section 60C, Chinese text—

Repeal
“選區” (wherever appearing)

Substitute
“界別或選區”.

(5) Section 60C, Chinese text—
51. **Section 60D amended (amount payable as financial assistance)**

   (1) Section 60D(1), Chinese text—
   
   廢除
   “選區”
   代以
   “界別或選區”。

   (2) Section 60D(2)(a) —
   廢除
   “登記”。

   (3) Section 60D(2), Chinese text—
   廢除
   所有 “選區”
   代以
   “界別或選區”。

52. **Section 60E amended (entitlement to financial assistance not affected by failure of election, but financial assistance not payable if election proceedings are terminated)**

   (1) Section 60E, heading—
   
   廢除
   “，但如選舉程序終止則不須支付資助”。

   (2) Section 60E —
Part 2
Clause 53

Repeal subsection (2).

53. Part VI heading amended (functions, Chairman and Vice Chairman and procedure of a District Council)

Part VI, heading—
Repeal
“Functions, Chairman and Vice Chairman”
Substitute
“Chairman”.

54. Part VI, Division 1 heading repealed (functions of a District Council)

Part VI, Division 1, heading—
Repeal the heading.

55. Section 61 repealed (functions of a District Council)

Section 61—
Repeal the section.

56. Part VI, Division 2 heading repealed (Chairman and Vice Chairman of a District Council)

Part VI, Division 2, heading—
Repeal the heading.

57. Section 62 substituted

Section 62—
Repeal the section
Substitute
“62. District Officer to be Chairman
The District Officer of a District is to be the Chairman of the District Council of the District.”.

58. Sections 63, 64 and 65 repealed
Sections 63, 64 and 65—
Repeal the sections.

59. Sections 66 and 67 substituted
Sections 66 and 67—
Repeal the sections
Substitute

“66. Chairman to preside at meetings
The Chairman of a District Council is to preside at meetings of the District Council.

67. Chairman to have a casting vote
At a meeting of a District Council, the Chairman is to have an original vote and a casting vote if the votes are equal.”.

60. Part VI, Division 3 heading repealed (procedure of a District Council)
Part VI, Division 3, heading—
Repeal the heading.

61. Section 68 amended (District Council may make standing orders)
(1) Section 68, heading—
Repeal
Part 2
Clause 62

"District Council"
Substitute
"Chairman".

(2) Section 68—
Repeal subsection (1)
Substitute
“(1) The Chairman of a District Council may make standing orders for regulating the procedure of the District Council and its committees.”.

(3) Section 68—
Repeal subsection (3)
Substitute
“(3) The standing orders of a District Council must provide for the quorum of its committees.”.

62. Section 69 amended (District Council may appoint secretary)

(1) Section 69, heading—
Repeal
“District Council”
Substitute
“Chairman”.

(2) Section 69(1)—
Repeal
“its functions, a”
Substitute
“the functions of a District Council, the Chairman of the”.

(3) Section 69(2)—
63. **Section 71 amended (District Council may appoint committees)**

1. **Section 71, heading—**
   - **Repeal**
     “District Council may appoint committees”
   - **Substitute**
     “Committees of a District Council”.

2. **Section 71(1)—**
   - **Repeal**
     “its functions, a District Council may”
   - **Substitute**
     “the functions of a District Council, the Chairman of the District Council must”.

3. **Section 71(2)—**
   - **Repeal**
     “A District Council may appoint to a”
   - **Substitute**
     “The Chairman of a District Council may appoint to the”.

4. **Section 71(3)—**
   - **Repeal**
     “A committee of a District Council is to elect”
   - **Substitute**
     “The Chairman of a District Council may appoint to the”.

63. **修訂第71條（區議會可委出委員會）**

1. 第71條，標題——
   - 廢除
     “可委出”
   - 代以
     “轄下的”。

2. 第71(1)條——
   - 廢除
     “可”
   - 代以
     “主席須”。

3. 第71(2)條，在“可委任”之前——
   - 加入
     “主席”。

4. 第71(3)條——
   - 廢除
     “轄下的委員會須選出”
   - 代以
64. **Section 71A added**

After section 71—

Add

“Chairman may require members to collect views

The Chairman of a District Council may require members of the District Council to collect the views of the people in the District concerned in respect of an issue specified by the Chairman.”.

65. **Section 72 amended (proceedings of a District Council or a committee not affected by vacancy or defect in membership etc.)**

(1) Section 72(2)(b), after “the”—

Add

“appointment, registration or”.

(2) Section 72—

Repeal subsection (4)

Substitute

“(4) For the purposes of this section, a vacancy in the membership of a District Council includes a vacancy in its membership when it first meets after an ordinary election.”.

66. **Part VIA added**

After Part VI—

Add
Part VIA

Misconduct and Sanctions

72A. Interpretation: Part VIA

In this Part—

Secretary (局長) means the Secretary for Home and Youth Affairs.

72B. Secretary may issue guidelines on performance of members

(1) For the purposes of this Part, the Secretary may issue guidelines indicating—

(a) the standard of performance required of a member; and

(b) the misconduct that may constitute grounds for imposing sanction.

(2) The Secretary must—

(a) publish the guidelines in a way appropriate to bring them to the notice of the members; and

(b) make copies of the guidelines available to the public.

(3) Guidelines issued under this section are not subsidiary legislation.

(4) The Secretary may amend or revoke any of the guidelines. Subsections (2) and (3) apply to an amendment or revocation of guidelines in the same way as they apply to the guidelines.

(5) A person does not incur any civil or criminal liability only because the person has contravened any of the guidelines.
72C. Investigation on misconduct of members

(1) An investigation on an alleged misconduct of a member of a District Council may be initiated by—
(a) the Chairman and 3 or more members of the District Council; or
(b) a motion passed by more than half of the members present in a meeting of the District Council.

(2) If an investigation is initiated under subsection (1), the Secretary must appoint a supervisory committee that consists of the following persons to conduct the investigation—
(a) 1 person who is not a member of any District Council; and
(b) 4 members of any District Council that is not the District Council mentioned in subsection (1).

(3) The supervisory committee is to conduct the investigation to—
(a) establish whether the facts on which the allegation is based are true;
(b) proof that the person contravened, or did not contravene, the provision may be relied on by a party to the proceedings as tending to establish or negate the matter.
(b) give its opinion on whether the established facts constitute grounds for imposing sanction under section 72D; and  
(c) if there is ground for imposing sanction—give its opinion on the appropriate sanction to be imposed on the member concerned.

(4) The supervisory committee must submit a written report to the Secretary as soon as practicable after the completion of the investigation stating the established facts and its opinion mentioned in subsection (3).

### 72D. Secretary may impose sanctions etc.

(1) The Secretary may, after considering the report of a supervisory committee on a member under section 72C, issue a letter of persuasion to, or impose any of the following sanctions on, the member as the Secretary considers appropriate—

(a) warning;

(b) financial penalty;

(c) suspension of the member’s functions and duties as a member.

(2) The amount of financial penalty imposed under subsection (1)(b) is to be—

(a) determined by the Secretary; and

(b) deducted from the member’s remuneration to which the member is entitled.

(3) If a person’s functions and duties as a member are suspended under subsection (1)(c), during the period of suspension, the person—

(a) must not act as a member;
(b) must not do anything for the purpose of carrying into effect the provisions of this Ordinance or any other enactment conferring functions on a District Council;

(c) must not enjoy any corresponding entitlement; and

(d) is not to be regarded as a member for the purposes of section 86.

(4) Despite subsection (3)(c), the person is entitled to be reimbursed the operating expenses incurred by the person during the period of suspension.

(5) If a person’s functions and duties as a member are suspended under subsection (1)(c) and the person is absent from a meeting of a District Council during the suspension, the person is not to be regarded as being absent from that meeting for the purposes of section 26A(5).

(6) The Secretary must, as soon as practicable after imposing a sanction on a member under subsection (1), inform the member in writing.

(7) If a person acts, or claims to be entitled to act, as a member while his or her functions and duties as a member are suspended under subsection (1)(c), the Secretary for Justice may apply to the Court for an interim injunction restraining the person from so acting or claiming.

72E. Appeal against sanctions

(1) A member who is aggrieved by a decision of the Secretary under section 72D may appeal to the Chief Secretary for Administration.
(2) The appeal must be made within 14 days after the date of the decision.
(3) The appeal does not suspend the decision unless the Chief Secretary for Administration decides otherwise.
(4) On an appeal under subsection (1) against a decision, the Chief Secretary for Administration may confirm, vary or reverse the decision.
(5) The Chief Secretary for Administration must issue a notice of decision made under subsection (3) or (4) to the member who made the appeal.”.

67. Section 74 substituted

Section 74—

Repeal the section

Substitute

“74. Designated Officer and Electoral Registration Officer may specify forms

(1) The Designated Officer may specify the form of any registration, notice or other document required for the purposes of Part IV.
(2) The Electoral Registration Officer may specify the form of any application, notice, return, record or other document required for the purposes of Part V.”.

68. Section 75 amended (appointment of Returning Officers and assistants)

Section 75(1), Chinese text—

Repeal

“選區” (wherever appearing)
69. **Section 76 amended (offence to obstruct or hinder electoral officer)**

(1) Section 76, heading, after “officer”—

Add

“or Eligibility Review Committee”.

(2) Section 76, after “officer”—

Add

“or the Eligibility Review Committee”.

(3) Section 76—

Repeal

“level 2”

Substitute

“level 5”.

70. **Section 79 amended (proceedings against persons on grounds of disqualification)**

Section 79(2D)—

Repeal

“sections 19(4) and 24(5)”

Substitute

“section 26A(5)”.

71. **Part IX heading amended (Chief Executive in Council to make regulations and amend Schedule 4, 5 or 7)**

Part IX, heading—
72. 修訂第81條（行政長官會同行政會議可訂立規例）
第81(2)(a)條——
廢除
“書”
代以
“表格”。

73. 修訂第82條（行政長官會同行政會議可修訂附表4、5或7）

(1) 第82條，標題——
廢除
“4、5”
代以
“4A”。

(2) 第82條——
廢除
“4、5”
代以
“4A”。

Repeal
“4, 5”
Substitute
“4A”.

Section 81 amended (Chief Executive in Council may make regulations)
Section 81(2)(a)—
Repeal
“paper”
Substitute
“form”.

Section 82 amended (Chief Executive in Council may amend Schedule 4, 5 or 7)

(1) Section 82, heading—
Repeal
“4, 5”
Substitute
“4A”.

(2) Section 82—
Repeal
“4, 5”
Substitute
“4A”.
74. Section 83 repealed (Designated Officer to give notice of membership)

Section 83—

Repeal the section.

75. Section 84 amended (Designated Officer to give notice of vacancy)

Section 84, after “membership of”—

Add

“a member appointed under Division 1 of Part IV or”.

76. Section 86A added

After section 86—

Add

“86A. Offence of false declaration

(1) A person commits an offence if the person—

(a) makes a statement that the person knows to be false in a material particular in a specified document;

(b) recklessly makes a statement that is incorrect in a material particular in a specified document; or

(c) knowingly omits a material particular from a specified document.

(2) A person commits an offence if the person, directly or indirectly, by himself or herself or by another person on his or her behalf, conspires with, incites, compels, induces, coerces, intimidates or persuades another person to—
(a) make a false statement in a specified document; or
(b) provide information that the person knows to be wrong in a material particular in a specified document.

(3) A person who commits an offence under subsection (1) or (2) is liable on conviction to a fine at level 2 and to imprisonment for 6 months.

(4) An offence under this section is to be an offence prescribed for the purposes of sections 14, 19 and 26A.

(5) In this section—

specified document (指明文件) means a registration form, declaration or any other document required or used for the purposes of Division 1 or 2 of Part IV.”.

77. Section 87 repealed (transitional: application of section 28 to first ordinary election)
Section 87—
Repeal the section.

78. Schedule 3 amended
(1) Schedule 3—
Repeal
“Schedule 3

[ss. 5, 8 & 9]”

Substitute

“Schedule 3

[ss. 5, 8, 11 & 17]”

Composition of District Councils”.

(2) Schedule 3—
Repeal Part 1
Substitute

“Part 1

Number of Members

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<th>Item</th>
<th>District Council</th>
<th>Number of appointed members</th>
<th>Number of members to be returned for District Council geographical constituencies</th>
<th>Number of members to be returned for District Council committees constituencies</th>
<th>Number of ex officio members</th>
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### 79.

**Schedule 3A added**

After Schedule 3—

**Add**

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<td>Number of ex officio members</td>
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<th>委任議員的人數</th>
<th>地區委員會界別所須選出的議員人數</th>
<th>區議會地方選區所須選出的議員人數</th>
<th>當然議員的人數</th>
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**Establishment of District Committees Constituencies**

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</tbody>
</table>
80. 附表 4 ( 接受席位書 )
附表 4——
廢除該附表。

81. 加入附表 4A
在附表 5 之前——
加入

<table>
<thead>
<tr>
<th>Item</th>
<th>Column 1</th>
<th>Column 2</th>
<th>Column 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>15.</td>
<td>大埔區議會</td>
<td>大埔地區委員會界別</td>
<td>Tai Po District Council</td>
</tr>
<tr>
<td>16.</td>
<td>荃灣區議會</td>
<td>荃灣地區委員會界別</td>
<td>Tsuen Wan District Council</td>
</tr>
<tr>
<td>17.</td>
<td>屯門區議會</td>
<td>屯門地區委員會界別</td>
<td>Tuen Mun District Council</td>
</tr>
<tr>
<td>18.</td>
<td>元朗區議會</td>
<td>元朗地區委員會界別”</td>
<td>Yuen Long District Council</td>
</tr>
</tbody>
</table>

80. Schedule 4 repealed (forms for acceptance of office)
Schedule 4—
Repeal the Schedule.

81. Schedule 4A added
Before Schedule 5—
Add
District Committees Constituencies Register

1. **When must a District Committees constituencies register be compiled**

   The Electoral Registration Officer must compile a District Committees constituencies register for an election not later than 7 days before the beginning of the nomination period for the election as determined under regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541).

2. **Form of register**

   (1) A District Committees constituencies register is to be divided into parts by reference to District Committees constituencies so that there is a separate part in the register for the District Committees constituency of the District Council of each District.

   (2) Each part of the register must be further divided into 3 sections corresponding to the 3 District Committees in the District concerned so that there is a separate section for each District Committee.

   (3) For the purposes of subsection (2), if there are 2 or more Area Committees in a District, those Area Committees are to be regarded as 1 District Committee in the District.

   (4) Subject to subsection (6), each section of the register must contain an entry for each member of the
第 2 部
Part 2

第 81 條
Clause 81

関選民名冊中與該地區委員會相關的分部須就該委員載有記項，且不得載有其他記項。

(5) 在有關選民名冊中關乎某地地區委員會委員的記項

須顯示——

(a) 在現有的地方選區選民登記冊中，關乎該委員的記項所顯示的該委員的姓名；及

(b) 在現有的地方選區選民登記冊中，關乎該委員的記項所顯示的該委員的主要住址。

(6) 在第 (7) 款的規限下，如某人屬 2 個或多於 2 個地區委員會的委員，關乎該人的記項只可按以下方式加載於有關選民名冊的其中一個分部——

(a) 該記項須加載於與該等地區委員會相應的選民名冊分部中，載有最少記項的分部 (指明分

部)；及

(b) 如有多於一個指明分部，選舉登記主任須以抽籤的方式決定該記項應加載於哪一分部。

(7) 如有 2 名或多於 2 名人士均屬 2 個或多於 2 個地區委員會的委員，選舉登記主任須按該等人士各別的姓名的英文字母順序，決定在有關選民名冊中加載關乎該等人士的記項的先後次序。

(8) 在符合本條的規定下，選舉登記主任可決定選民名冊的格式。

District Committee concerned who is registered as an elector in the existing GC register and no more.

(5) An entry in the register relating to a member of a District Committee must show—

(a) the name of the member as shown in the entry relating to the member in the existing GC register; and

(b) the principal residential address of the member as shown in the entry relating to the member in the existing GC register.

(6) Subject to subsection (7), if a person is a member of 2 or more District Committees, the entry relating to the person may only be included under 1 section of the register in the following way—

(a) among the sections of the register that correspond to those District Committees, the entry is to be included in the section with the fewest number of entries (specified section); and

(b) if there are more than one specified section, the Electoral Registration Officer must decide the section under which the entry is to be included by drawing lots.

(7) If there are 2 or more persons who are members of 2 or more District Committees, the Electoral Registration Officer must decide the order in which the entries relating to those persons are to be included in the register by the alphabetical order of their respective surnames in English.

(8) Subject to this section, the Electoral Registration Officer may determine the form of the register.
3. Electoral Registration Officer may request information for compiling register

(1) For the purpose of compiling a District Committees constituencies register, the Electoral Registration Officer may request the Designated Officer to furnish the name, identity document number and sex of each member of each District Committee.

(2) If the Electoral Registration Officer makes a request under subsection (1), the Designated Officer must furnish the information within 7 days.

(3) The Electoral Registration Officer may, in a particular case, extend the period referred to in subsection (2) as the Officer considers appropriate.

(4) If the period is extended under subsection (3), the Designated Officer must furnish the information within the extended period.

4. Electoral Registration Officer to publish notice of register

(1) The Electoral Registration Officer must, as soon as practicable after a District Committees constituencies register is compiled under section 1 of this Schedule, publish a notice that complies with subsection (2) in—

(a) the Gazette;

(b) at least one Chinese language daily newspaper in circulation in Hong Kong; and

(c) at least one English language daily newspaper in circulation in Hong Kong.

(2) A notice under subsection (1) must specify—
(a) 選民名冊的文本可供指明的人在通常辦公時間內查閱；及
(b) 指明的人可於何處如此查閱選民名冊的文本。

(3) 如在某日根據第 (1) 款就某份選民名冊刊登公告，則該選民名冊自該日起生效並持續有效，直至有關選舉結束為止。

5. 選舉登記主任須提供選民名冊予指明的人查閱

(1) 選舉登記主任須按照本條在根據本附表第 4 條就地區委員會界別選民名冊刊登的公告內所指明的地方 (指明地方)，提供該選民名冊的文本，以供指明的人在通常辦公時間內免費查閱。
(2) 選舉登記主任如認為適當，則除在指明地方外，亦可按照本條在其他增設的地方，提供選民名冊的任何特定的一部的文本，以供指明的人查閱。
(3) 選舉登記主任可決定根據第 (2) 款如此查閱有關文本的期間及時間。
(4) 為施行第 (2) 及 (3) 款，選舉登記主任可按照本條進一步提供選民名冊的增設文本或選民名冊的任何特定的一部的增設文本，以供指明的人查閱，而該增

(a) that a copy of the register is available for inspection by specified persons during ordinary business hours; and
(b) the place or places at which a copy of the register may be so inspected.

(3) The register takes effect on the date of publication of the notice under subsection (1) in relation to the register and continues to have effect until the conclusion of the election.

5. Electoral Registration Officer must make the register available for inspection by specified persons

(1) The Electoral Registration Officer must make available for inspection in accordance with this section by specified persons a copy of a District Committees constituencies register at the place or places specified in the notice published under section 4 of this Schedule in respect of the register (specified places) during ordinary business hours free of charge.
(2) The Electoral Registration Officer may make available for inspection in accordance with this section by specified persons, a copy of a specific part of the register at a place additional to the specified places, if the Officer considers appropriate.
(3) The Electoral Registration Officer may determine the period during which and the times at which it may be so inspected under subsection (2).
(4) For the purposes of subsections (2) and (3), the Electoral Registration Officer may further make available for inspection in accordance with this section by specified persons an additional copy of the register or an additional copy of a specific part
of the register, in which entries are arranged in a way that the Officer considers appropriate for such inspection.

(5) The Electoral Registration Officer must, in a copy of the register, or a copy of any part of the 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.

(6) Subsection (5) does not affect the way in which any other particulars of a person registered in the register may be shown.

(7) A person who is a validly nominated candidate for a District Committees constituency at a coming election may, in that capacity, inspect under this section only a copy of the part of the register that relates to the constituency.

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

(9) The Electoral Registration Officer may require a person who wishes to inspect under this section a copy of, or an extract from, a register, or a copy of any part of a register, to—
(10) In this section—

coming election (下一個選舉), in relation to a register, means an election that is held within 1 year after the publication date;

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

(a) the last ordinary election that was held before the publication date; or
(b) any by-election that was held after the election mentioned in paragraph (a) and before the publication date;

publication date (刊登日期), in relation to a register, means the date on which a notice relating to the register is published under section 4(1) of this Schedule;

specified person (指明的人) 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 6 of this Schedule for a purpose related to a previous election;
(ii) was represented by a validly nominated candidate at a previous election; or

(a) produce to the Officer the identity document of the person; and
(b) complete a form furnished by the Officer.

(10) 在本條中——

下一個選舉 (coming election) 就選民名冊而言，指在刊登日期後 1 年內舉行的任何選舉；

刊登日期 (publication date) 就選民名冊而言，指根據本附表第 4(1) 條刊登關於該名冊的公告的日期；

先前的選舉 (previous election) 就選民名冊而言，指——

(a) 在刊登日期之前最後一次舉行的一般選舉；或
(b) 在 (a) 段所述的選舉之後而在刊登日期之前舉行的任何補選；

指明的人 (specified person) 指——

(a) 屬政府新聞處處長所管理的政府新聞處新聞發布系統的登記用戶的人；
(b) 根據香港法律成立或登記或獲豁免登記，並符合以下說明的團體或組織——

(i) 該團體或組織根據本附表第 6 條為與任何先前的選舉有關的目的獲提供摘錄；
(ii) 該團體或組織在先前的選舉中由獲有效提名的候選人代表；或

(a) 向選舉登記主任交出該人的身分證明文件；及
(b) 填寫選舉登記主任所提供的表格。
(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 District Committees constituency at a
coming election.

6. Electoral Registration Officer may make available extracts
of register to specified persons for purposes of an election

(1) The Electoral Registration Officer may, at any time
after the publication of a District Committees
constituencies register, make available an extract from
such published register for any purpose related to an
election to a specified person.

(2) The Electoral Registration Officer may, before
making available an extract, arrange the entries in
the extract in a form that the Officer considers
appropriate for the purposes of this section.

(3) When the Electoral Registration Officer makes
available an extract under subsection (1), the Officer
must specify the particular election for which it may
be used.

(4) 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 7(1)(a), (c) or (d) of this
Schedule for a purpose other than a purpose related
to the election for which it may be used under
subsection (3).

(5) In an extract made available under this section, the
Electoral Registration Officer may include (by way of
a note or other means that the Officer considers...
料：詳情收錄在該摘錄中的人是否有權在選舉中投票。

(6) 在本條中——
指明的人 (specified person) 指在本附表第 5(10) 條中指明的人的定義的 (b) 或 (c) 段所指的人。

7. 為與選舉無關的目的使用選民名冊內的資料的罪行

(1) 任何人為與選舉有關的目的以外的目的——

(a) 以任何形式重現或複製或准許另一人以任何形式重現或複製載錄於地區委員會界別選民名冊內的任何記項中的任何詳情或地區委員會界別選民名冊的任何摘錄中的任何詳情；

(b) 使用或准許另一人使用與任何人有關且是為編製地區委員會界別選民名冊而取得的資料；

(c) 使用或准許另一人使用與任何人有關且是載錄於地區委員會界別選民名冊內或其摘錄中的資料；或

(d) 將 (a)、(b) 或 (c) 段所指的任何資料傳給任何人，

即屬犯罪，一經定罪，可處第 2 級罰款及監禁 6 個月。

appropriate) information as to whether any person whose particulars are included in that extract is entitled to vote at an election.

(6) In this section—
specified person (指明的人) means a person falling within paragraph (b) or (c) of the definition of specified person in section 5(10) of this Schedule.

7. Offences for using information in a register for purposes unrelated to an election

(1) A person who—

(a) reproduces or permits another person to reproduce in any form any particular contained in an entry in a District Committees constituencies register or an extract from a District Committees constituencies register;

(b) uses or permits another person to use any information relating to a person obtained for the purpose of compiling a District Committees constituencies register;

(c) uses or permits another person to use any information relating to a person contained in a District Committees constituencies register or an extract from a District Committees constituencies 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 on conviction to a fine at level 2 and to imprisonment for 6 months.
(2) Despite anything to the contrary in subsection (1), a person who contravenes section 6(4) of this Schedule commits an offence and is liable on conviction to a fine at level 2 and to imprisonment for 6 months.

(3) An offence under subsection (1) or (2) is to be an offence prescribed for the purposes of—
  (a) sections 14, 19, 21 and 26A;
  (b) sections 39 and 40 of the Legislative Council Ordinance (Cap. 542); and
  (c) sections 14 and 20 of the Chief Executive Election Ordinance (Cap. 569) and sections 5M, 9 and 18 of the Schedule to that Ordinance.

8. Electoral Registration Officer may amend register

(1) The Electoral Registration Officer may, during the period in which a District Committees constituencies register takes effect, amend the register in accordance with section 2 of this Schedule if—
  (a) the Designated Officer informs the Electoral Registration Officer of any change in the membership of a District Committee; or
  (b) a member of a District Committee becomes, or ceases to be, registered as an elector in the existing GC register.

(2) If the Electoral Registration Officer amends the register under subsection (1), the Officer must, as soon as practicable after the amendment, publish, in accordance with section 4 of this Schedule, a notice to the effect that the register has been so amended.
82. 廢除附表 5 (本條例第 65 條所指的表決程序)
 附表 5——
 廢除該附表。

83. 修訂附表 7 (資助：指明資助額)
(1) 附表 7，(a) 段——
  廢除
  “2019 年 12 月 31 日結束的任期的議員的選舉——$14”
  代以
  “2023 年 12 月 31 日結束的任期的議員的選舉——$15”。
(2) 附表 7，(b) 段——
  廢除
  “$15”
  代以
  “$16”。

84. 加入附表 8
  在附表 7 之後——
  加入

(3) 選舉登記主任亦可修訂選民名冊，以更正任何文書上或印刷上的錯誤，或選民名冊所記錄的人的任何不正確或過時的姓名、地址或其他個人詳情。”。

82. Schedule 5 repealed (voting procedure under section 65 of this Ordinance)
Schedule 5—
Repeal the Schedule.

83. Schedule 7 amended (financial assistance: specified rate)
(1) Schedule 7, paragraph (a)—
  Repeal
  “2019—$14”
  Substitute
  “2023—$15”.
(2) Schedule 7, paragraph (b)—
  Repeal
  “$15”
  Substitute
  “$16”.

84. Schedule 8 added
After Schedule 7—
Add
“Schedule 8

District Council Geographical Constituencies for Seventh Term of Office of District Councils

1. Interpretation

In this Schedule—

approved map (獲批准地圖) means a map approved by the Chief Executive in Council on 30 May 2023 that, in relation to a District, is the map or any of the maps specified for the District in column 3 of the Table in section 2 of this Schedule;

constituency boundary (選區分界), in relation to a District Council geographical constituency specified in this Schedule, means the boundary delineating the constituency represented on the relevant approved map by a green line described in the map legend as—

(a) where it coincides with a red line described in the map legend as “District Boundary”—“2023 District Council Geographical Constituency Boundary (coincides with District Boundary)”; and

(b) where it does not coincide with a red line mentioned in paragraph (a)—“2023 District Council Geographical Constituency Boundary”.

2. Specification of District Council geographical constituencies

(1) Each area delineated and marked on an approved map as described in column 3 of the Table is specified to be a District Council geographical constituency.
(2) The name of the District Council geographical constituency is specified in column 4 of the Table opposite the relevant area.

<table>
<thead>
<tr>
<th>Table</th>
<th>District Council Geographical Constituencies</th>
</tr>
</thead>
<tbody>
<tr>
<td>Column 1</td>
<td>Column 2</td>
</tr>
<tr>
<td>Item</td>
<td>Name of District</td>
</tr>
<tr>
<td>1.</td>
<td>Central and Western District</td>
</tr>
<tr>
<td>Item</td>
<td>Name of District</td>
</tr>
<tr>
<td>------</td>
<td>------------------</td>
</tr>
<tr>
<td>(2)</td>
<td>Western</td>
</tr>
<tr>
<td>(1)</td>
<td>Eastern</td>
</tr>
</tbody>
</table>

2. 東區

(1) 在以圖則編號 DCGC/R/2023/C 作識別的獲批准地圖上，以有關選區分界劃定並以代號 C1 標示的地區。

(2) 在該獲批准地圖上，以有關選區分界劃定並以代號 A2 標示的地區。
### Column 1
Name of District

### Column 2
Geographical Constituency

<table>
<thead>
<tr>
<th>Item</th>
<th>Name of District</th>
<th>Delineation of Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>(2)</td>
<td>Hong Wan</td>
<td>That area delineated by the relevant constituency boundary on that approved map and marked with the code C2.</td>
</tr>
<tr>
<td>(3)</td>
<td>Chai Wan</td>
<td>That area delineated by the relevant constituency boundary on that approved map and marked with the code C3.</td>
</tr>
<tr>
<td>3.</td>
<td>Kowloon City</td>
<td>That area delineated by the relevant constituency boundary on the approved map identified as Plan No. DCGC/R/2023/G and marked with the code G1.</td>
</tr>
</tbody>
</table>

### Column 1
Name of District

### Column 2
Geographical Constituency

<table>
<thead>
<tr>
<th>Item</th>
<th>Name of District</th>
<th>Delineation of Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>(2)</td>
<td>Hong Wan</td>
<td>That area delineated by the relevant constituency boundary on that approved map and marked with the code C2.</td>
</tr>
<tr>
<td>(3)</td>
<td>Chai Wan</td>
<td>That area delineated by the relevant constituency boundary on that approved map and marked with the code C3.</td>
</tr>
<tr>
<td>3.</td>
<td>Kowloon City</td>
<td>That area delineated by the relevant constituency boundary on the approved map identified as Plan No. DCGC/R/2023/G and marked with the code G1.</td>
</tr>
</tbody>
</table>

### Column 1
Name of District

### Column 2
Geographical Constituency

<table>
<thead>
<tr>
<th>Item</th>
<th>Name of District</th>
<th>Delineation of Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>(2)</td>
<td>Hong Wan</td>
<td>That area delineated by the relevant constituency boundary on that approved map and marked with the code C2.</td>
</tr>
<tr>
<td>(3)</td>
<td>Chai Wan</td>
<td>That area delineated by the relevant constituency boundary on that approved map and marked with the code C3.</td>
</tr>
<tr>
<td>3.</td>
<td>Kowloon City</td>
<td>That area delineated by the relevant constituency boundary on the approved map identified as Plan No. DCGC/R/2023/G and marked with the code G1.</td>
</tr>
</tbody>
</table>
### District Councils (Amendment) Bill 2023

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
<th>Column 3</th>
<th>Column 4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Item</td>
<td>Name of District</td>
<td>Delineation of Area</td>
<td>Geographical Constituency</td>
</tr>
</tbody>
</table>

#### Part 2

**Clause 84**

<table>
<thead>
<tr>
<th>Item</th>
<th>Name of District</th>
<th>Delineation of Area</th>
<th>Geographical Constituency</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.</td>
<td>Kwun Tong District</td>
<td>(1) That area delineated by the relevant constituency boundary on the approved map identified as Plan No. DCGC/R/2023/J and marked with the code J1.</td>
<td>Kwun Tong Southeast</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(2) That area delineated by the relevant constituency boundary on that approved map and marked with the code J2.</td>
<td>Kwun Tong Central</td>
</tr>
</tbody>
</table>

(2) That area delineated by the relevant constituency boundary on that approved map and marked with the code G2.

(2) In the approved map, the area delineated by the relevant constituency boundary is marked with the code G2 and it is in the Kowloon City South District.

4. Kwun Tong District (1) That area delineated by the relevant constituency boundary on the approved map identified as Plan No. DCGC/R/2023/J and marked with the code J1.

(2) That area delineated by the relevant constituency boundary on that approved map and marked with the code J2.
<table>
<thead>
<tr>
<th>Item</th>
<th>Name of District</th>
<th>Delineation of Area</th>
<th>Geographical Constituency</th>
</tr>
</thead>
<tbody>
<tr>
<td>(3)</td>
<td>Sham Shui Po West</td>
<td>DCGC/R/2023/F and marked with the code F1.</td>
<td>深水埗西 DCGC/R/2023/F and marked with the code F1.</td>
</tr>
<tr>
<td>(4)</td>
<td>Sham Shui Po West</td>
<td>DCGC/R/2023/F and marked with the code F1.</td>
<td>深水埗西 DCGC/R/2023/F and marked with the code F1.</td>
</tr>
<tr>
<td>(5)</td>
<td>Sham Shui Po West</td>
<td>DCGC/R/2023/F and marked with the code F1.</td>
<td>深水埗西 DCGC/R/2023/F and marked with the code F1.</td>
</tr>
<tr>
<td>Item</td>
<td>Name of District</td>
<td>Delineation of Area</td>
<td>Geographical Constituency</td>
</tr>
<tr>
<td>------</td>
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<td>--------------------------</td>
</tr>
<tr>
<td>6.</td>
<td>Southern District</td>
<td>(1) That area delineated by the relevant constituency boundary on the approved maps identified as Plan Nos. DCGC/R/2023/D1 and DCGC/R/2023/D2 and marked with the code D1.</td>
<td>Southern District Southeast</td>
</tr>
<tr>
<td></td>
<td>South</td>
<td>(2) That area delineated by the relevant constituency boundary on that approved map and marked with the code F2.</td>
<td>Sham Shui Po East</td>
</tr>
</tbody>
</table>

(2) In the approved map, the relevant district council area is marked with the code F2.

6. 南區

(1) It is delineated by the relevant constituency boundary on the approved maps identified as Plan Nos. DCGC/R/2023/D1 and DCGC/R/2023/D2 and marked with the code D1.

(2) In the approved map, the relevant district council area is marked with the code F2.

6. 南區東南

<table>
<thead>
<tr>
<th>Item</th>
<th>Name of District</th>
<th>Delineation of Area</th>
<th>Geographical Constituency</th>
</tr>
</thead>
<tbody>
<tr>
<td>6.</td>
<td>South</td>
<td>(2) That area delineated by the relevant constituency boundary on the approved map and marked with the code F2.</td>
<td>Sham Shui Po East</td>
</tr>
<tr>
<td></td>
<td>South</td>
<td>(1) That area delineated by the relevant constituency boundary on the approved maps identified as Plan Nos. DCGC/R/2023/D1 and DCGC/R/2023/D2 and marked with the code D1.</td>
<td>Southern District Southeast</td>
</tr>
</tbody>
</table>

(2) In the approved map, the relevant district council area is marked with the code F2.
### Clause 84

<table>
<thead>
<tr>
<th>Column 1</th>
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<th>Column 4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Item</td>
<td>Name of District</td>
<td>Delineation of Area</td>
<td>Geographical Constituency</td>
</tr>
</tbody>
</table>

(2) That area delineated by the relevant constituency boundary on the approved map identified as Plan No. DCGC/R/2023/D1 and marked with the code D2.

7. **Wan Chai District**

That area delineated by the relevant constituency boundary on the approved map identified as Plan No. DCGC/R/2023/B and marked with the code B1.
### 地方行政

<table>
<thead>
<tr>
<th>Item</th>
<th>Name of District</th>
<th>Delineation of Area</th>
<th>Geographical Constituency</th>
</tr>
</thead>
<tbody>
<tr>
<td>8.</td>
<td>Wong Tai Sin East</td>
<td>(1) That area delineated by the relevant constituency boundary on the approved map identified as Plan No. DCGC/R/2023/H and marked with the code H1.</td>
<td>Wong Tai Sin East</td>
</tr>
<tr>
<td></td>
<td>Wong Tai Sin West</td>
<td>(2) That area delineated by the relevant constituency boundary on that approved map and marked with the code H2.</td>
<td>Wong Tai Sin West</td>
</tr>
</tbody>
</table>

**(1) 在以圖則編號 DCGC/R/2023/H 作識別的獲批准地圖上，以有關選區分界劃定並以代號 H1 標示的地區。**

**(2) 在該獲批准地圖上，以有關選區分界劃定並以代號 H2 標示的地區。**
<table>
<thead>
<tr>
<th>Item</th>
<th>Name of District</th>
<th>Delineation of Area</th>
<th>Geographical Constituency</th>
</tr>
</thead>
<tbody>
<tr>
<td>9.</td>
<td>Yau Tsim Mong South</td>
<td>(1) That area delineated by the relevant constituency boundary on the approved map identified as Plan No. DCGC/R/2023/E and marked with the code E1.</td>
<td>Yau Tsim Mong South</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(2) That area delineated by the relevant constituency boundary on that approved map and marked with the code E2.</td>
<td>Yau Tsim Mong North</td>
</tr>
<tr>
<td>Item</td>
<td>Name of District</td>
<td>Delineation of Area</td>
<td>Geographical Constituency</td>
</tr>
<tr>
<td>------</td>
<td>------------------</td>
<td>---------------------</td>
<td>---------------------------</td>
</tr>
<tr>
<td>10.</td>
<td>Islands District</td>
<td>That area delineated by the relevant constituency boundary on the approved map identified as Plan No. DCGC/R/2023/T and marked with the code T1.</td>
<td>Islands</td>
</tr>
<tr>
<td>11.</td>
<td>Kwai Tsing District</td>
<td>(1) That area delineated by the relevant constituency boundary on the approved map identified as Plan No. DCGC/R/2023/S and marked with the code S1.</td>
<td>Tsing Yi</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(2) That area delineated by the relevant constituency boundary on that approved map and marked with the code S2.</td>
<td>Kwai Chung East</td>
</tr>
<tr>
<td>Item</td>
<td>Name of District</td>
<td>Delineation of Area</td>
<td>Geographical Constituency</td>
</tr>
<tr>
<td>------</td>
<td>------------------</td>
<td>---------------------</td>
<td>--------------------------</td>
</tr>
<tr>
<td>(3)</td>
<td>Kwai Chung West</td>
<td>S3</td>
<td></td>
</tr>
<tr>
<td>12.</td>
<td>North District</td>
<td>N1</td>
<td></td>
</tr>
</tbody>
</table>

(3) 在該獲批准地圖上，以有關選區分界劃定並以代號 S3 標示的地區。

(1) 在以圖則編號 DCGC/R/2023/N1 作識別的獲批准地圖上，以有關選區分界劃定並以代號 N1 標示的地區。
### Column 1 | Column 2 | Column 3 | Column 4
---|---|---|---
### Item | Name of District | Delineation of Area | Geographical Constituency

| (2) | That area delineated by the relevant constituency boundary on the approved maps identified as Plan Nos. DCGC/R/2023/N1 and DCGC/R/2023/N2 and marked with the code N2. | | Robin’s Nest |

| 13. | Sai Kung District | That area delineated by the relevant constituency boundary on the approved maps identified as Plan Nos. DCGC/R/2023/Q1 and DCGC/R/2023/Q2 and marked with the code Q1. | Sai Kung and Hang Hau |

| (1) | That area delineated by the relevant constituency boundary on the approved maps identified as Plan Nos. DCGC/R/2023/Q1 and DCGC/R/2023/Q2 and marked with the code Q1. | | Sai Kung and Hang Hau |

| 13. | Sai Kung | | |
### District Councils (Amendment) Bill 2023

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
<th>Column 3</th>
<th>Column 4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Item</td>
<td>Name of District</td>
<td>Delineation of Area</td>
<td>Geographical Constituency</td>
</tr>
<tr>
<td>(2)</td>
<td>Tseung Kwan</td>
<td>South</td>
<td></td>
</tr>
<tr>
<td></td>
<td>DCGC/R/2023/Q2</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>That area delineated by the relevant constituency boundary on the approved map identified as Plan No. DCGC/R/2023/Q2 and marked with the code Q2.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(3)</td>
<td>Tseung Kwan</td>
<td>North</td>
<td></td>
</tr>
<tr>
<td></td>
<td>DCGC/R/2023/Q2</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>That area delineated by the relevant constituency boundary on the approved map identified as Plan No. DCGC/R/2023/Q2 and marked with the code Q3.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(2) 在以圖則編號DCGC/R/2023/Q2作識別的獲批准地區劃定並以代號Q2標示的地區。

(3) 在以圖則編號DCGC/R/2023/Q2作識別的獲批准地區劃定並以代號Q3標示的地區。
14. Sha Tin District

1. That area delineated by the relevant constituency boundary on the approved map identified as Plan No. DCGC/R/2023/R and marked with the code R1.

2. That area delineated by the relevant constituency boundary on that approved map and marked with the code R2.

3. That area delineated by the relevant constituency boundary on that approved map and marked with the code R3.
<table>
<thead>
<tr>
<th>Item</th>
<th>Name of District</th>
<th>Delineation of Area</th>
<th>Geographical Constituency</th>
</tr>
</thead>
<tbody>
<tr>
<td>15.</td>
<td>Tai Po District</td>
<td>(1) That area delineated by the relevant constituency boundary on the approved map identified as Plan No. DCGC/R/2023/P1 and marked with the code P1.</td>
<td>Tai Po South</td>
</tr>
<tr>
<td>(4)</td>
<td>That area delineated by the relevant constituency boundary on that approved map and marked with the code R4.</td>
<td>Sha Tin North</td>
<td></td>
</tr>
</tbody>
</table>

(4) 在該獲批准地圖上，以有關選區分界劃定並以代號 R4 標示的地區。

15. 大埔區 (1) 在以圖則編號 DCGC/R/2023/P1 作識別的獲批准地圖上，以有關選區分界劃定並以代號 P1 標示的地區。
(2) That area delineated by the relevant constituency boundary on the approved maps identified as Plan Nos. DCGC/R/2023/P1 and DCGC/R/2023/P2 and marked with the code P2.

16. **Tsuen Wan District**

   (1) That area delineated by the relevant constituency boundary on the approved map identified as Plan No. DCGC/R/2023/K and marked with the code K1.
### District Councils (Amendment) Bill 2023

#### Clause 84

<table>
<thead>
<tr>
<th>Item</th>
<th>Name of District Council</th>
<th>Geographical Constituency</th>
<th>Delineation of Area</th>
<th>Name of District</th>
<th>地方行政區名稱</th>
<th>區議會地方選區名稱</th>
<th>劃定地區</th>
</tr>
</thead>
<tbody>
<tr>
<td>17.</td>
<td>Tuen Mun District</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(1)</td>
<td>Tuen Mun East</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>(1)</td>
</tr>
<tr>
<td>(2)</td>
<td>Tuen Mun West</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>(2)</td>
</tr>
</tbody>
</table>

(1) 那區域於那獲批準選區範圍界標記並以代號 L1 標示的地區。

(2) 那區域於那獲批準選區範圍界標記並以代號 L2 標示的地區。
### Part 2

#### Clause 84

<table>
<thead>
<tr>
<th>Item</th>
<th>Name of District</th>
<th>Delineation of Area</th>
<th>Geographical Constituency</th>
</tr>
</thead>
<tbody>
<tr>
<td>(3)</td>
<td>That area delineated by the relevant constituency boundary on that approved map and marked with the code L3.</td>
<td>Tuen Mun North</td>
<td></td>
</tr>
<tr>
<td>(2)</td>
<td>That area delineated by the relevant constituency boundary on that approved map and marked with the code M2.</td>
<td>Yuen Long Rural East</td>
<td></td>
</tr>
<tr>
<td>(1)</td>
<td>That area delineated by the relevant constituency boundary on the approved map identified as Plan No. DCGC/R/2023/M and marked with the code M1.</td>
<td>Yuen Long Town Centre</td>
<td></td>
</tr>
</tbody>
</table>

#### C1786

<table>
<thead>
<tr>
<th>第 1 欄</th>
<th>第 2 欄</th>
<th>第 3 欄</th>
<th>第 4 欄</th>
</tr>
</thead>
<tbody>
<tr>
<td>18. 元朗區</td>
<td>(1) 在以圖則編號DCGC/R/2023/M作識別的獲批准地圖上，以有關選區分界劃定並以代號M1標示的地區。</td>
<td>元朗市中心</td>
<td>Yuen Long District</td>
</tr>
<tr>
<td>(2) 在該獲批准地圖上，以有關選區分界劃定並以代號M2標示的地區。</td>
<td>元朗鄉郊東</td>
<td>Yuen Long Rural East</td>
<td></td>
</tr>
</tbody>
</table>

### Column 1

<table>
<thead>
<tr>
<th>Name of District</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tuen Mun North</td>
</tr>
<tr>
<td>Yuen Long Rural East</td>
</tr>
<tr>
<td>Yuen Long Town Centre</td>
</tr>
</tbody>
</table>

### Column 2

<table>
<thead>
<tr>
<th>Delineation of Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>That area delineated by the relevant constituency boundary on that approved map and marked with the code L3.</td>
</tr>
<tr>
<td>That area delineated by the relevant constituency boundary on the approved map identified as Plan No. DCGC/R/2023/M and marked with the code M1.</td>
</tr>
</tbody>
</table>

### Column 3

<table>
<thead>
<tr>
<th>Geographical Constituency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tuen Mun North</td>
</tr>
<tr>
<td>Yuen Long Rural East</td>
</tr>
<tr>
<td>Yuen Long Town Centre</td>
</tr>
</tbody>
</table>

### Column 4

<table>
<thead>
<tr>
<th>Name of District</th>
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<tbody>
<tr>
<td>Tuen Mun North</td>
</tr>
<tr>
<td>Yuen Long Rural East</td>
</tr>
<tr>
<td>Yuen Long Town Centre</td>
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</tbody>
</table>
Part 2
Clause 84

<table>
<thead>
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</thead>
<tbody>
<tr>
<td>Item</td>
<td>Name of District</td>
<td>Delineation of Area</td>
<td>Geographical Constituency</td>
</tr>
</tbody>
</table>

(3) That area delineated by the relevant constituency boundary on that approved map and marked with the code M3. Tin Shui Wai South and Ping Ha

(4) That area delineated by the relevant constituency boundary on that approved map and marked with the code M4. Tin Shui Wai North.
Part 3
Amendments to Subsidiary Legislation under District Councils Ordinance (Cap. 547)

Division 1—District Councils (Subscribers and Election Deposit for Nomination) Regulation (Cap. 547 sub. leg. A)

85. Section 1 amended (interpretation)

Section 1(3), Chinese text—

Repeal
“選區” (wherever appearing)
Substitute
“界别或選區”.

86. 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 36(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 35 of the Ordinance; or

c) a decision has been made under section 36(1) of the Ordinance that the person is validly nominated as a candidate for a constituency, and subsequently—

(i) a declaration that the person has died is made under section 36(2A)(a) of the Ordinance; or

(ii) the decision under section 36(1) of the Ordinance is varied under section 36(4) of the Ordinance to the effect that the person is not validly nominated.

(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; or

(b) for a case mentioned in subsection (1)(c)—

(i) if no declarations mentioned in section 36(2A) or (4A) 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 that constituency; or

(ii) if declarations mentioned in section 36(2A) or (4A) 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.

(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 39(1) of the Ordinance that a candidate is duly elected as a member in respect of that constituency;

(b) a declaration under section 41A(6) or 41B(5) of the Ordinance that a candidate is elected as a member in respect of that constituency; or

(ii) if declarations mentioned in section 36(2A) or (4A) 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.
(c) a declaration under section 40(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.
District Councils (Amendment) Bill 2023

Part 3—Division 1
Clause 87

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.”.

87. Section 5 amended (disposal of deposit in case of death of candidate)

Section 5(1), Chinese text—
Repeal
“選區” (wherever appearing)
Substitute
“界別或選區”.

88. Section 6 amended (notifications in specified form)

Section 6—
Repeal
everything after “Regulation”
Substitute
“must be in a form specified by the Electoral Affairs Commission.”.

第 3 部——第 1 分部
第 87 條

(4) 廟務署署長須在接獲第 (3) 款所指的通知後，在切實可行的範圍內，盡快將有關按金的款額發還該通知所指明的有關候選人，或該通知所指明的代該候選人繳存該等按金的人。

(5) 有關界別或選區的選舉主任，須在第 (3)(b) 或 (c) 款提及的公告刊登後，在切實可行的範圍內，盡快以書面通知庫務署署長，說明由第 (2) 款提及的落選候選人或由他人代該候選人就該候選人在有關選舉中有關界別或選區的提名而繳存的按金，須沒收並撥歸政府一般收入內。”。

第 5(1) 條，中文文本——
廢除
所有 “選區”
代以
“界別或選區”。

第 6 條——
廢除
在 “發出的” 之後的所有字句
代以
“任何通知均須採用選舉管理委員會指明的格式。”。

修訂第 5 條 (在候選人去世的情況下對按金的處置)
修訂第 6 條 (指明格式的通知)
89. Section 7 substituted

Section 7—

Repeal the section

Substitute

“7. Number and qualifications of subscribers required for nomination form

(1) The nomination form of a person seeking nomination in respect of the District Committees constituency of the District Council of a District must be subscribed by electors for the District Committees constituency as follows—

(a) there must be not less than 3 but not more than 6 electors in each of the District Committees in the District; and

(b) the electors must not be the person seeking the nomination.

(2) The nomination form of a person seeking nomination in respect of a District Council geographical constituency of the District Council of a District—

(a) must be subscribed by electors for the District Council geographical constituency as follows—

(i) the number of electors subscribing must be not less than 50 but not more than 100; and

(ii) the electors must not be the person seeking the nomination; and

(b) must be subscribed by electors for the District Committees constituency of the District Council as follows—
(i) there must be not less than 3 but not more than 6 electors in each of the District Committees in the District; and

(ii) the electors must not be the person seeking the nomination.

(3) For the purposes of subsections (1)(a) and (2)(b)(i), if there are 2 or more Area Committees in a District, those Area Committees are to be regarded as 1 District Committee in the District.

(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), (2)(a)(i) or (b)(i) must be regarded as not having subscribed the nomination form."

90. Section 8 added

After section 7—

Add

"8. How many nomination forms can a subscriber subscribe to

(1) A person is entitled to subscribe at an election—

(a) if the person is subscribing as an elector for a District Committees constituency for the purposes of section 7(1)(a)—a number of nomination forms in respect of the District Committees constituency up to the number of members to be returned for the constituency at the election;
(b) if the person is subscribing as an elector for a District Council geographical constituency for the purposes of section 7(2)(a)(i)—1 nomination form in respect of the District Council geographical constituency; and

(c) if the person is subscribing as an elector for a District Committees constituency of a District Council for the purposes of section 7(2)(b)(i)—1 nomination form in respect of each District Council geographical constituency of the District Council.

(2) If a person subscribes more nomination forms than the number the person is entitled to subscribe under subsection (1)(a), (b) or (c) 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.

(3) Despite subsection (2)—

(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 36(1) of the Ordinance that the nominee is not validly nominated as a candidate for that constituency; or
Clause 90

(ii) the nominee withdraws the nomination under section 35 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.

(4) 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 (1)(a), (b) or (c), the person is not prevented from subscribing in accordance with this section the same or another nomination form in another capacity.

(5) A person is disqualified from subscribing a nomination form as an elector for a District Committees constituency if the person is disqualified from voting at an election for that constituency.

(6) A person is disqualified from subscribing a nomination form as an elector for a District Council geographical constituency if the person is disqualified from being registered as such an elector or from voting at an election for that constituency.”.
91. Schedule substituted

The Schedule—
Repeal the Schedule
Substitute

“Schedule

[ r. 4 ]

Election Petition

IN THE HIGH COURT OF HONG KONG

ORIGINAL JURISDICTION

In the Matter of the District Councils Ordinance (Cap. 547)

and

In the Matter of a District Council election for the
*(name of District Committees constituency) District
Committees Constituency/(name of District Council
geographical constituency) District Council Geographical Constituency held on (date of election).

1. The Election Petition of (name of Petitioner or names of Petitioners) states—

*(a) that the Petitioner was a candidate at the above election;
(or) *(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 *(name of successful candidate or names of successful candidates) to be elected for the above-mentioned Constituency in a notice published in the Gazette on *(date of publication of that notice) 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 the 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 of that notice of result of election) in accordance with regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541); and
accordance with regulations in force under that Ordinance; and

(c) that (ground under section 49(1) of the District Councils Ordinance (Cap. 547) 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, in the case of an election which was not contested, the Court to determine—

(a) whether any decision of the District Council Eligibility Review Committee as to the validity of any nomination in the notice of nominations published in accordance with regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541) (as read with the definition of election in section 49(3) of the District Councils Ordinance (Cap. 547)) was correct;

(b) if the Court determines that the decision of the District Council Eligibility Review Committee was not correct, whether the *candidate/candidates declared by the Returning Officer to have been elected for the above-mentioned Constituency in the notice published for the purposes of section 39(1) of the District Councils Ordinance (Cap. 547) *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 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 that person's place; and

(c) any further or other relief as may be just.

Dated this ............ day of ............. 20 .......

(或) *2. (如屬有競逐的選舉) 呈請人因此請求原訟法庭——

(a) 裁定上述 *界別／選區的選舉主任在有關公告中宣布當選議員的 *候選人(填上姓名)／其他候選人(填上姓名)是否妥為選出；

(b) (如原訟法庭裁定該人並非妥為選出) 裁定 *呈請人／其他候選人(填上姓名) 是否妥為選出，以取代上述候選人；及

(c) 裁定任何進一步或其他公正的濟助。

(或) *2. (如屬有競逐的選舉) 呈請人因此請求原訟法庭——

(a) 裁定上述 *界別／選區的選舉主任在有關公告中宣布當選議員的 *候選人(填上姓名)／其他候選人(填上姓名)是否妥為選出；

(b) (如原訟法庭裁定 *該人／該等人事非妥為選出) 裁定 *另一候選人(填上姓名)／其他候選人(填上姓名) 是否妥為選出，以取代上述候選人；及

(c) 裁定任何進一步或其他公正的濟助。

日期：20........... 年 ........... 月 ........... 日
Part 3—Division 3
Clause 92
District Councils (Amendment) Bill 2023

Signed

*Petitioner/Petitioners
(or) *Solicitors

*This Election Petition is lodged by the *Petitioner/Petitioners.
(or) *This Election 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 Election Petition on (name of Respondent or names of Respondents) and on the Secretary for Justice.

* Delete whichever is inapplicable.”.

Division 3—Declaration of Constituencies (District Councils) Order 2018 (Cap. 547 sub. leg. H)

92. Declaration of Constituencies (District Councils) Order 2018
Repealed

Declaration of Constituencies (District Councils) Order 2018—
Repeal the Order.
第 4 部

相關修訂

第 1 分部——《選舉管理委員會條例》(第 541 章)

93. 修訂詳題

詳題——

廢除
“地方選區及區議會”
代以
“立法會地方選區及區議會地方”。

94. 修訂第 2 條 (釋義)

(1) 第 2(1) 條，地區選區的定義——

廢除
“指的”
代以
“界定的區議會地方”。

(2) 第 2(1) 條，地方選區的定義——

廢除
“除第 17 條另有規定外，”。

95. 修訂第 8 條 (選舉的報告)

(1) 第 8(1) 條——

廢除

Part 4—Division 1
Clause 93

Related Amendments

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

93. Long title amended

The long title—

Repeal
“geographical constituencies and District Council”
Substitute
“Legislative Council geographical constituencies and
District Council geographical”.

94. Section 2 amended (interpretation)

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

Repeal
“constituency within the meaning of”
Substitute
“District Council geographical constituency as defined
by”.

(2) Section 2(1), definition of geographical constituency—

Repeal
“, subject to section 17,.”.

95. Section 8 amended (report on elections)

(1) Section 8(1)—

Repeal
96. Section 17 amended (definitions)

(1) Section 17(1), definition of population quota—

*Repeal*

everything after “in relation to”

*Substitute*

“a general election, means the total population of Hong Kong divided by the total number of members to be returned for all the geographical constituencies in that election.”.

(2) Section 17(1)—

*Repeal the definition of geographical constituency.*

(3) Section 17(1)—

*Add in alphabetical order*

“*District* (地方行政區) has the meaning given by section 2 of the District Councils Ordinance (Cap. 547);”. 

(2) After section 8(6A)—

*Add*

“(6B) If the Chief Executive specifies under section 27(5) of the District Councils Ordinance (Cap. 547) different dates for holding an ordinary election for the District Committees constituencies (as defined by section 2 of that Ordinance) and the District Council constituencies, the period within which the report in relation to that election is to be made under subsection (1) begins only on the conclusion of the election for all the constituencies.”.
(4) 第 17 條——
廢除第 (2) 款
代以
“(2) 在本部中——
(a) 凡提述香港的人口之處，須解釋為提述選管會根據第 20(6) 條所估計的香港的人口；及
(b) 凡提述某地方行政區的人口之處，須解釋為提述選管會根據第 20(6) 條所估計的該地方行政區的人口。”。

97. **修訂第 18 條 （關於選區分界的報告）**
在第 18(5) 條之後——
加入
“(6) 儘管有第 (1)(b) 款的規定，選管會無須根據該款，就為第七屆區議會的任期而舉行的一般選舉提交報告。”。

98. **修訂第 19 條 （臨時建議）**
第 19 條——
廢除第 (9) 款。

99. **修訂第 20 條 （作出建議的準則）**
(1) 第 20(1)(c) 條——
廢除
在“範圍內”之後的所有字句
代以

(4) **Section 17—**
Repeal subsection (2)
Substitute
“(2) In this Part—
(a) a reference to the population of Hong Kong is to be construed as a reference to the population of Hong Kong as estimated by the Commission under section 20(6); and
(b) a reference to the population of a District is to be construed as a reference to the population of the District as estimated by the Commission under section 20(6).”.

97. **Section 18 amended (report on boundaries)**
After section 18(5)—
Add
“(6) Despite subsection (1)(b), the Commission is not required to submit a report under that subsection in relation to the ordinary election for the seventh term of office of the District Councils.”.

98. **Section 19 amended (provisional recommendations)**
Section 19—
Repeal subsection (9).

99. **Section 20 amended (criteria for making recommendations)**
(1) Section 20(1)(c)—
Repeal
everything after “as near”
Substitute
45

1

Part 4—Division 1
Clause 99

(as is practicable to the number calculated in accordance with the formula set out in subsection (1A) (relevant number));”.

(2) Section 20(1)(d)—
Repeal
“population quota”
Substitute
“relevant number applicable to that constituency”.

(3) After section 20(1)—
Add
“(1A) For the purposes of subsection (1)(c) and (d), the formula is—

\[
\frac{A}{B} \times C
\]

where—
A is the total population of the District in which the proposed District Council constituency is situated;
B is the total number of members to be returned for all the District Council constituencies in the District pursuant to any electoral law; and
C is the number of members to be returned by the proposed District Council constituency pursuant to any electoral law.”.

(4) Section 20(4A)—
Repeal
“elected to a District Council”
Substitute
“returned for a District Council constituency”.

(1A) 為施行第 (1)(c) 及 (d) 款，有關公式為—

\[
\frac{A}{B} \times C
\]

公式中—
A 指建議中的區議會選區所位於的地方行政區的人口總數；
B 指依據任何選舉法就該地方行政區的所有區議會選區而所須選出的議員總數；及
C 指依據任何選舉法從該建議中的區議會選區中所須選出的議員人數。”

(3) 在第 20(1) 條之後—
加入
“(1A) 為施行第 (1)(c) 及 (d) 款，有關公式為—

\[
\frac{A}{B} \times C
\]

“(1A) 為施行第 (1)(c) 及 (d) 款，有關公式為—

\[
\frac{A}{B} \times C
\]

公式中—
A 指建議中的區議會選區所位於的地方行政區的人口總數；
B 指依據任何選舉法就該地方行政區的所有區議會選區而所須選出的議員總數；及
C 指依據任何選舉法從該建議中的區議會選區中所須選出的議員人數。”

(4) 第 20(4A) 條—
廢除
“區議會現有的通過選舉產生”
代以
“區議會現有的所須選出”。

(2) 第 20(1)(d) 條—
廢除
“標準人口基數的 75%，亦不多於該基數”
代以
“適用於該區議會選區的有關數目的 75%，亦不多於有關數目”。
(5) Section 20(4B)(c)—
Repeal
“elected to a District Council”
Substitute
“returned for a District Council constituency”.

(6) Section 20(4B)—
Repeal
“to be elected as”
Substitute
“as”.

(7) Section 20(6)(a)—
Repeal
“or any proposed constituency”
Substitute
“, any District, any proposed geographical constituency or
any proposed District Council constituency”.

(8) Section 20(6)(b), after “Hong Kong,”—
Add
“the District,”.

(9) Section 20—
Repeal subsection (7).
100. **Title amended**

The title, after “District Council”—

Add “Geographical”.

101. **Section 2 amended (interpretation)**

Section 2(1)—

Repeal the definition of District Council constituency

Substitute “District Council constituency” (District Council constituency)—

(a) in relation to the compilation of a register for 2023 or any subsequent year before the specified year mentioned in paragraph (b)—means an area that is specified to be a District Council geographical constituency (as defined by section 2 of the District Councils Ordinance (Cap. 547)) (DCGC) in Schedule 8 to that Ordinance; or

(b) in relation to the compilation of a register for the year in which the first order made under section 6(1)(a) of that Ordinance after 2023 comes into operation (specified year) or any subsequent year—means an area that is declared to be a DCGC in the last order made under that section immediately before the date by which the register must be compiled under
102. **Section 3 amended (form of register)**

(1) Section 3(5)(a)(ii) —

Repeal

"or".

(2) Section 3(5)(a)(iii) —

Repeal the semicolon

Substitute

"; or".

(3) After section 3(5)(a)(iii) —

Add

"(iv) an elector for a District Committees constituency;".

(4) Section 3(5)(c) —

Repeal

"and".

(5) Section 3(5)(d) —

Repeal the full stop

Substitute

"; and".

(6) After section 3(5)(d) —

Add

"(e) the District Committees constituency for which a person is an elector.".

(7) Section 3(8) —

Repeal the definition of elector
Section 8 amended (Electoral Registration Officer to determine whether persons registered in the existing final register are registered in the appropriate section and subsection)

(1) Section 8(1)(d), after “that Ordinance”—

Add

“or Schedule 8 to that Ordinance”.

(2) Section 8(2), after “subsection (1)”—

Add

“(specified information) or make the specified information available to that person in any way the Electoral Registration Officer considers appropriate”.

Substitute

“elector (選民)—

(a) in relation to a functional constituency—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); or

(b) in relation to a District Committees constituency—means a person whose name is included in a register of electors for District Committees constituencies compiled and published under section 31A of the District Councils Ordinance (Cap. 547);”.

(8) Section 3(8)—

Add in alphabetical order

“District Committees constituency (地區委員會界別) has the meaning given by section 2 of the District Councils Ordinance (Cap. 547);”.

103. Section 8 amended (Electoral Registration Officer to determine whether persons registered in the existing final register are registered in the appropriate section and subsection)
104. Section 10 amended (Electoral Registration Officer to publish a notice that omissions list is available for inspection by specified persons)

(1) Section 10(5), definition of *coming election*, paragraph (d), after “by-election”—
Add
“for a District Council constituency”.

(2) Section 10(5), definition of *previous election*, paragraph (d), after “by-election”—
Add
“for a District Council constituency”.

105. Section 20 amended (Electoral Registration Officer to publish notice of final register and to make final register available for inspection by specified persons)

(1) Section 20(7), definition of *coming election*, paragraph (d), after “by-election”—
Add
“for a District Council constituency”.

(2) Section 20(7), definition of *previous election*, paragraph (d), after “by-election”—
Add
“for a District Council constituency”.

106. Section 22 amended (offences and penalties)

(1) Section 22(7)(b)—
Repeal
“19, 21, 24”
Substitute
Part 4—Division 3
Clause 107

“14, 19, 21, 26A”.

(2) Section 22(7)(c), before “9 and”—
Add
“5M,”.

(3) Section 22(8)(b)—
Repeal
“19, 21 and 24”
Substitute
“14, 19, 21 and 26A”.

(4) Section 22(8)(c), before “9 and”—
Add
“5M,”.

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)

107. Section 2 amended (interpretation)
Section 2(1), definition of GC Register Regulation, after “District Council”—
Add
“Geographical”.

108. Section 42 amended (offences and penalties)
(1) Section 42(9)(b)—
Repeal
“19, 21, 24”
第 4 部——第 4 分部
第 109 條

代以
“14，19，21，26A”。

(2) 第 42(9)(c) 條，在“9 及”之前——
加入
“5M，”。

(3) 第 42(10)(b) 條——
廢除
“19，21 及 24”
代以
“14，19，21 及 26A”。

(4) 第 42(10)(c) 條，在“9 及”之前——
加入
“5M，”。

第 4 分部——《選舉管理委員會 (選舉程序) (立法會) 規例》
（第 541 章，附屬法例 D）

109. 修訂第 2 條 (釋義)
第 2(1) 條，地方選區正式選民登記冊的定義，在“區議會”之後——
加入
“地方”。

Substitute
“14, 19, 21, 26A”。

(2) Section 42(9)(c), before “9 and” —
Add
“5M,”.

(3) Section 42(10)(b) —
Repeal
“19, 21 and 24”
Substitute
“14, 19, 21 and 26A”.

(4) Section 42(10)(c), before “9 and” —
Add
“5M,”.

Division 4—Electoral Affairs Commission (Electoral Procedure) (Legislative Council) Regulation (Cap. 541 sub. leg. D)

109. Section 2 amended (interpretation)
Section 2(1), definition of geographical constituencies final register, after “District Council” —
Add
“Geographical”.
Division 5—Electoral Affairs Commission (Nominations Advisory Committees (District Councils)) Regulation (Cap. 541 sub. leg. E)

110. Section 1 amended (interpretation)
(1) Section 1(1), definition of nomination form—
Repeal
“an elected member”
Substitute
“a member of a District Council”.

(2) Section 1(1)—
(a) definition of constituency;
(b) definition of elected member—
Repeal the definitions.

(3) Section 1(1)—
Add in alphabetical order
“constituency” (界別或選區) has the meaning given by section 2 of the District Councils Ordinance (Cap. 547);”.

111. Section 6 amended (procedure relating to applications by Returning Officers)
Section 6(5), Chinese text—
Repeal
“選區” (wherever appearing)
Substitute
“界別或選區”.
112. Section 2 amended (interpretation)

(1) Section 2(1), definition of candidate—
Repeal
“an elected”
Substitute
“a”.

(2) Section 2(1)—
Repeal the definition of election day
Substitute
“election day (选举日), in relation to a constituency, means the date on which an election for the constituency is to be held;”.

(3) Section 2(1)—
Repeal the definition of elector
Substitute
“elector (選民) has the meaning given by section 2 of the District Councils Ordinance (Cap. 547);”.

(4) Section 2(1), definition of geographical constituencies final register, after “District Council”—
Add
“Geographical”.

(5) Section 2(1)—
Repeal the definition of nomination period
Substitute
“nomination period (提名期) means—
(a) in relation to nominations for a constituency, the period specified under section 8(2)(b); and
(b) for a by-election for a constituency, the period specified under section 10(5)(a);”.

(6) Section 2(1), definition of notice appointing the election day—
Repeal
everything after “Ordinance”
Substitute
“(Cap. 547)—
(a) to hold an election to return members for District Committees constituencies; or
(b) to hold an election to return members for District Council geographical constituencies;”.

(7) Section 2(1), definition of ordinary business hours, paragraph (b)(ii)—
Repeal
“or termination”.

(8) Section 2(1)—
Repeal the definition of registered residential address
Substitute
“registered residential address (登記住址), in relation to a person, means the address recorded in the particulars of that person in the final register;”.

(9) Section 2(1)—
Repeal the definition of validly nominated candidate
Substitute
Part 4—Division 6
Clause 112

“validly nominated candidate” (獲有效提名的候選人)—
(a) subject to paragraph (b), means a person whom the Eligibility Review Committee has decided under section 16 to be validly nominated; or
(b) in case a declaration under section 24(2) or 25(2) is made, means a person who is stated to be validly nominated in the declaration;”.

(10) Section 2(1), Chinese text—
(a) definition of 指明地點;
(b) definition of 提名表格;
(c) definition of 選票—
Repeal
substitute “選區” (wherever appearing)
Substitute
“界別或選區”.

(11) Section 2(1), Chinese text, definition of 選票區—
Repeal
“選區”.
Substitute
“選票區”.

(12) Section 2(1)—
(a) definition of constituency;
(b) definition of elected member;
(c) definition of final register—
Repeal the definitions.

(13) Section 2(1)—
Add in alphabetical order
“正式選民冊 (final register) 指——
(a) 地區委員會界別選民名冊；或
(b) 地方選區正式選民登記冊；

地方選區選票 (GC ballot paper) 指投參加議會地方選
區選舉的候選人的票所用的選票；

地區委員會界別 (District Committees constituency) 具有
《區議會條例》(第 547 章) 第 2 條所給予的涵義；

地區委員會界別選民名冊 (District Committees constituencies register) 指根據《區議會條例》(第 547
章) 第 31A 條編製和發表並正有效的地區委員會界別選民名冊；

地區委員會界別選票 (DCC ballot paper) 指投參加地區
委員會界別選舉的候選人的票所用的選票；

界別或選區 (constituency) 具有《區議會條例》(第 547 章)
第 2 條所給予的涵義；

區議會地方選區 (District Council geographical constituency) 具有《區議會條例》(第 547 章) 第 2 條
所給予的涵義；

資格審查委員會 (Eligibility Review Committee) 具有《區
議會條例》(第 547 章) 第 2 條所給予的涵義；

議員 (member) 指根據《區議會條例》(第 547 章) 第 V 部
於選舉當選為區議會議員的人。”。

(14) 第 2(2)(a) 及 (b) 條——

“constituency (界別或選區) has the meaning given by
section 2 of the District Councils Ordinance (Cap. 547);

DCC ballot paper (地區委員會界別選票) means a ballot
paper to vote for a candidate standing for election
for a District Committees constituency;

District Committees constituencies register (地區委員會界
別選民名冊) means the register of electors for
District Committees constituencies compiled and
published under section 31A of the District Councils
Ordinance (Cap. 547) that is in effect;

District Committees constituency (地區委員會界別) has
the meaning given by section 2 of the District Councils Ordinance (Cap. 547);

District Council geographical constituency (區議會地方選
區) has the meaning given by section 2 of the District Councils
Ordinance (Cap. 547);

Eligibility Review Committee (資格審查委員會) has the
meaning given by section 2 of the District Councils
Ordinance (Cap. 547);

final register (正式選民冊) means—
(a) the District Committees constituencies register; or
(b) the geographical constituencies final register;

GC ballot paper (地方選區選票) means a ballot paper to
vote for a candidate standing for election for a
District Council geographical constituency;

member (議員) means a person elected at an election
under Part V of the District Councils Ordinance
(Cap. 547) as a member of a District Council;”.

(14) Section 2(2)(a) and (b)—
113. 修訂第 2A 條 ( 惡劣天氣警告對日期和期間的影響 )  
第 2A(1) 條，工作日的定義，(b)(ii) 段——  
廢除  
“或終止”。

114. 廢除第 2 部第 1 分部 ( 為首屆一般選舉發表選民登記冊 )  
第 2 部——  
廢除第 1 分部。

115. 修訂第 8 條 ( 總選舉事務主任須刊登公告指明呈交提名表格的限期和地點 )  
(1) 第 8(1) 條——  
廢除  
“必須於指定選舉日公告刊登後，在切實可行範圍內盡快”  
代以
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“day for a constituency, the Chief Electoral Officer must publish in the Gazette, for the constituency, a”.

(2) Section 8(2)—
Repeal
“, in relation to each constituency”.

(3) Section 8(2)—
Repeal paragraph (a)
Substitute
“(a) the name of the constituency and the name of the relevant District;”.

(4) After section 8(2)(a)—
Add
“(ab) the number of members to be returned for the constituency;”.

(5) Section 8(2)(b), Chinese text—
Repeal
“選區”
Substitute
“界別或選區”.

(6) Section 8(2)(e), after “election”—
Add
“for the constituency”.

(7) Section 8(2)—
Repeal paragraph (f)
Substitute
“(f) that a poll will be held on the date referred to in paragraph (e) for the constituency, if the number of validly nominated candidates for election for the constituency exceeds the number of members to be returned for the constituency.”.

116. **Section 9 amended (Chief Electoral Officer to determine nomination period)**

Section 9(1), after “period”—
Add
“for a constituency”.

117. **Section 10 amended (Chief Electoral Officer to publish by-election notice if a by-election is to be held under section 33 of the District Councils Ordinance)**

(1) Section 10(2)—
Repeal
everything after “by-election is to be”
Substitute
“held—
(a) the name of the constituency and the name of the relevant District; and
(b) the number of members to be returned for the constituency at the by-election.”.

(2) Section 10(3), after “to be held”—
Add
“for the constituency”.

(3) Section 10(4)—
Repeal
everything after “subsection (3) if”
Substitute
“the number of validly nominated candidates for election for the constituency exceeds the number of members to be returned for the constituency at the by-election.”.

118. Section 12 amended (how to nominate a candidate for a constituency)

(1) Section 12, Chinese text, heading—
Repeal
“選區”.
Substitute
“界別或選區”.

(2) Section 12(1), after “candidate”—
Add
“for a constituency”.

(3) Section 12(4)—
Repeal
“34(1)(b)”
Substitute
“34(1A)(c)”.

(4) Section 12(5)(a), after “candidate”—
Add
“for the constituency”.

(5) Section 12(6)(a), Chinese text—
Repeal
“登記冊內的資料”
代以
“冊內的詳情”。

(6) 第 12(10) 條——
廢除
在 “選舉主任認為” 之後的所有字句
代以
“就下述目的而屬適當的任何其他資料；為使資格審查委員會信納——
(a) 該候選人有資格獲提名為有關界別或選區的候選人；或
(b) 其他關於提名是否有效的事宜。”。

119. 修訂第 16 條（選舉主任須決定候選人是否獲有效提名）
(1) 第 16 條，標題——
廢除
“選舉主任”
代以
“資格審查委員會”。
(2) 第 16 條——
廢除第 (1) 款
代以
“(1) 選舉主任須在收到任何提名表格後，在切實可行範圍內，盡快將該表格轉交資格審查委員會。

119. Section 16 amended (Returning Officer to decide whether candidates are validly nominated)
(1) Section 16, heading—
Repeal
“Returning Officer”
Substitute
“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 Eligibility Review Committee.
(1A) The 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)(a)—
   Repeal
   “Returning Officer”
   Substitute
   “Eligibility Review Committee”.

(4) Section 16(3)—
   Repeal
   “Returning Officer may”
   Substitute
   “Eligibility Review Committee may”.

(5) Section 16(3)(c) and (d)—
   Repeal
   “Returning Officer”
   Substitute
   “Eligibility Review Committee”.

(6) Section 16(3)(d), Chinese text—
   Repeal
   “選區” (wherever appearing)
   Substitute
   “界別或選區”.

(7) After section 16(3)—
   Add
“(3A) In deciding whether a candidate is validly nominated for a constituency, the 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 the 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 12 is complied with in relation to the candidate; 

(b) subject to subsection (3C), whether, in the opinion of the Returning Officer, sections 20, 21 and 34 of the District Councils Ordinance (Cap. 547) 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

“(3A) 資格審查委員會在決定某候選人是否就某界別或選區獲有效提名時——

(a) 可要求選舉主任就第 (3B) 款指明的任何事宜，向該委員會提供意見，並可顧及該等意見；及

(b) 可要求該候選人提供該委員會認為適當的任何其他資料，以令該委員會信納——

(i) 該候選人有資格獲提名為有關界別或選區的候選人；或

(ii) 其他關於提名是否有效的事宜。

(3B) 為施行第 (3A)(a) 款而指明的事宜為——

(a) 選舉主任認為第 12 條是否就有關候選人而獲遵從；

(b) 在第 (3C) 條的規限下，選舉主任認為《區議會條例》(第 547 章) 第 20、21 及 34 條是否就該候選人而獲遵從；

(c) 選舉主任認為該候選人的提名表格是否有效；

(d) 該候選人是否已在有關界別或選區的選舉中退選；

(e) 在該候選人的提名表格上簽署為提名人而其資格是符合《區議會 (提名所需的選舉按金及簽署人) 規例》(第 547 章，附屬法例 A) 所訂的
nomination form under the District Councils (Subscribers and Election Deposit for Nomination) Regulation (Cap. 547 sub. leg. A); (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 District Councils Ordinance (Cap. 547); 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 the Eligibility Review Committee on whether a candidate has complied with section 34(1A)(c) of the District Councils Ordinance (Cap. 547).”.

(8) After section 16(4)—

Add

nomination form under the District Councils (Subscribers and Election Deposit for Nomination) Regulation (Cap. 547 sub. leg. A); (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 District Councils Ordinance (Cap. 547); 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 the Eligibility Review Committee on whether a candidate has complied with section 34(1A)(c) of the District Councils Ordinance (Cap. 547).”.

(8) After section 16(4)—

Add
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“(5) In this section, a reference to section 20, 21 or 34 of the District Councils Ordinance (Cap. 547) being complied with in relation to a candidate for a constituency is to be construed as follows—

(a) for section 20 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 21 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 34 of that Ordinance—that the candidate has complied with that section.”.

120. 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”.

121. Section 18 amended (Returning Officer may give opportunity to rectify a nomination form)

Section 18(1)—

Repeal
“making a decision under section 16”

Substitute
122. Section 19 amended (Returning Officer to endorse invalid nomination forms)

(1) Section 19, heading—

Repeal
"Returning Officer to endorse invalid nomination forms"

Substitute
"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 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
“Eligibility Review Committee”.

(4) After section 19(2)—

Add
“(2A) The Eligibility Review Committee must, after deciding whether a person is validly nominated—
123. Section 21 amended (no nomination for more than one constituency)

(1) Section 21, Chinese text, heading—
Repeal
“選區”
Substitute
“界別或選區”.

(2) Section 21(1) and (2), Chinese text—
Repeal
“選區” (wherever appearing)
Substitute
“界別或選區”.

(3) Section 21(2), Chinese text—
Repeal
124. **Section 22 amended (Returning Officer to publish a notice of particulars of validly nominated candidates)**

(1) **Section 22, heading**—

Repeal

"Returning Officer"

Substitute

"Eligibility Review Committee".

(2) **Section 22(1)—**

Repeal

"Returning Officer"

Substitute

"Eligibility Review Committee".

(3) **Section 22(2)—**

Repeal

"constituencies"

Substitute

"District Committees constituencies and District Council geographical constituencies".

(4) **Section 22(3)—**

Repeal

everything after “(2)”

Substitute

“—"
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(a) separate notices may be published for each District Committees constituency and each District Council geographical constituency;

(b) 1 notice may be published for all the District Committees constituencies and all the District Council geographical constituencies in 1 District; or

(c) 1 notice may be published for all the District Committees constituencies and 1 notice may be published for all the District Council geographical constituencies.”.

(5) Section 22(4), Chinese text—

Repeal
“選區” (wherever appearing)

Substitute
“界別或選區”.

(6) Section 22—

Repeal subsection (6).

125. Section 23 amended (Returning Officer to publish a notice for the purposes of section 39(1) of the District Councils Ordinance)

(1) Section 23—

Repeal subsection (1)

Substitute
“(1) If, for a constituency, no more candidates have been validly nominated than the number of members to be returned for that constituency, the Returning Officer must, for the purposes of section 39(1) of the District Councils Ordinance (Cap. 547), declare in a notice the candidate or candidates as being duly

125. 修訂第 23 條（選舉主任須為施行《區議會條例》第 39(1) 條而刊登公告）

(1) 第 23 條——

代以

“(1) 如某界別或選區獲有效提名的候選人數目，不超過該界別或選區所須選出的議員人數，則選舉主任須在公告中，為施行《區議會條例》(第 547 章) 第
39(1) 條而宣布该名或该等候选人为就该区或選區而妥为選出的議員。’。

(2) 第 23(2) 條——
廢除
“另外刊登的公告必”
代以
“公告”。

(3) 第 23(2)(b) 條——
廢除
“民選”。

126. 修訂第 24 條 (如證明獲有效提名的候選人去世選舉主任須作出通知及宣布)

(1) 第 24(1) 條——
廢除
在 “如選舉主任在” 之後而在 “須盡快” 之前的所有字句
代以
“有關界別或選區的選舉日前但在資格審查委員會決定
某名候選人獲有效提名後，信納某名候選人去世一事
已獲證明，選挙主任”。

(2) 第 24(2)、(4)(b) 及 (c)、(5)(b) 及 (c) 及 (7) 條，中文文本——
廢除
“選區”
代以
“界別或選區”。

(3) 第 24 條——
廢除第 (8)、(9) 及 (10) 款。

126. Section 24 amended (Returning Officer to notify and declare if a validly nominated candidate is proved to have died)

(1) Section 24(1)—
Repeal
“but after that Officer”
Substitute
“for the constituency but after the Eligibility Review Committee”.

(2) Section 24(2), (4)(b) and (c), (5)(b) and (c) and (7), Chinese text—
Repeal
“選區”
Substitute
“界別或選區”.

(3) Section 24—
Repeal subsections (8), (9) and (10).
127. Section 25 amended (Returning Officer to vary decision if a validly nominated candidate is proved to be disqualified)

(1) Section 25, heading—

Repeal

“vary decision”

Substitute

“notify, and Eligibility Review Committee to declare,.”.

(2) Section 25—

Repeal subsections (1) and (2)

Substitute

“(1) If the disqualification of a candidate is proved to the satisfaction of the Eligibility Review Committee before the election day for the constituency but after the Committee has decided that the candidate is validly nominated, the Returning Officer must notify the Chief Electoral Officer as soon as possible.

(2) The Eligibility Review Committee must, as soon as practicable, declare that the Committee's decision under section 16 is varied to the effect that the candidate is not validly nominated. The Committee must further declare which candidates are validly nominated for election for the relevant constituency.”.

(3) Section 25(3)(d)—

Repeal

“returning officer”

Substitute

“Eligibility Review Committee”.

(4) Section 25(4)(b), Chinese text—

Repeal
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“該選區”
代以
“有關界別或選區”。

(5) Section 25(4)(c)—
Repeal
“Returnng Officer”
Substitute
“Eligibility Review Committee”.

(6) Section 25(4)(d) and (5)(b) and (c), Chinese text—
Repeal
“選區”
Substitute
“界別或選區”.

(7) Section 25—
Repeal subsection (6)
Substitute
“(6) The Eligibility Review Committee must endorse on the nomination form of the disqualified candidate that the Committee’s decision under section 16 in relation to that candidate is varied and the reasons for it. The Committee must sign the endorsement.”.

(8) Section 25(7), Chinese text—
Repeal
“選區”
Substitute
“界別或選區”.

(9) Section 25—
Repeal subsections (8), (9) and (10).

128. Section 25A added

Part 2, Division 2, after section 25—

Add

“25A. No poll upon death or disqualification of candidate under certain circumstances

(1) If, after the death referred to in section 24(1) or the disqualification referred to in section 25(1)—

(a) the number of candidates 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,

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.

(2) The Returning Officer must in the notice under section 24(3)(a) or 25(3)(a), if any, or in a separate notice—

(a) for subsection (1)(a)—declare, for the purposes of section 39(1) of the District Councils Ordinance (Cap. 547), the remaining candidate or candidates as being duly elected as a member or members;
(b) for subsection (1)(b)—declare, for the purposes of section 39(2) of the District Councils Ordinance (Cap. 547), the election to have failed;
(c) for subsection (1)(c), declare—
(i) for the purposes of section 39(1) of that Ordinance, the remaining candidate or candidates as being duly elected as a member or as members; and
(ii) for the purposes of section 39(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
(c) be in the specified form.

(4) A separate notice containing a declaration under subsection (2)(b) or (c)(ii) must comply with section 97(1).”.

129. Section 31 amended (designation of polling stations, counting stations and ballot paper sorting stations)

(1) Section 31(1B), Chinese text—

Repeal
130. Section 33 amended (Chief Electoral Officer to assign polling stations for constituencies and to allocate polling stations to electors)

(1) Section 33, Chinese text, heading—

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所有 “選區”
代以
“界別或選區”。

(2) 第 31(1C) 條——
廢除
“總選舉事務主任必”
代以
“就區議會地方選區而言，總選舉事務主任”。

(3) 第 31(1CA) 條——
廢除
“總選舉事務主任必”
代以
“就某一界別或選區而言，總選舉事務主任”。

(4) 第 31(1D) 條，中文文本——
廢除
在“須指定”之前的字句
代以
“(1D) 如就某一界別或選區而言，有 2 個或多於 2 個的投票站被指定而其中至少有一個是小投票站、特別投票站或專用投票站，則總選舉事務主任”。

(5) 第 31(1E) 條，在“只有在”之前——
加入
“就區議會地方選區而言，”。

130. 修訂第 33 條 (總選舉事務主任須為選區編配投票站及分配投票站予選民)

(1) 第 33 條，中文文本，標題——

Substitute
“選區” (wherever appearing)

Substitute
“界別或選區”.

(2) Section 31(1C), after “must”—
Add
“, in relation to a District Council geographical constituency,”.

(3) Section 31(1CA), after “must”—
Add
“, in relation to a constituency,”.

(4) Section 31(1D), Chinese text—
Repeal
everything before “須指定”

Substitute
“(1D) 如就某一界別或選區而言，有 2 個或多於 2 個的投票站被指定而其中至少有一個是小投票站、特別投票站或專用投票站，則總選舉事務主任”.

(5) Section 31(1E), after “may”—
Add
“, in relation to a District Council geographical constituency,”.
(2) Section 33(1), Chinese text—
Repeal “選區” (wherever appearing)
Substitute “界別或選區”.

(3) Section 33(2)—
Repeal everything after “Officer”
Substitute “
(a) must allocate to each elector a polling station to cast the vote he or she is entitled to cast at an election; and
(b) if an elector is entitled to cast more than one vote at an election—may allocate to the elector one polling station or more than one polling station to cast the person’s votes.”.

(4) Section 33(3)(a), after “an elector”—
Add “for a District Council geographical constituency”.

131. Section 34 amended (Chief Electoral Officer to send poll cards to electors)
(1) Section 34(2)(b), Chinese text—
Repeal
“登記”。

(2) After section 34(2A)—
Add
“(2B) If an elector is entitled to cast more than one vote at an election, the Chief Electoral Officer may send separate poll cards for each vote or send one poll card for all the votes.”.

(3) Section 34(3)—
Repeal
everything after “poll card”
Substitute
“or each poll card the polling station or stations at which the elector must cast his or her vote or votes.”.

Section 35 amended (Chief Electoral Officer may allocate special polling stations)

(1) Section 35(1), Chinese text—
Repeal
“選區”
Substitute
“界別或選區”.

(2) Section 35(6), after “constituency”—
Add
“or constituencies”.

132. Section 35 amended (Chief Electoral Officer may allocate special polling stations)
133. Section 36 amended (persons to vote at the correct polling station)

Section 36(1), English text, after “station”—

Add

“or stations”.

134. Section 38 amended (Chief Electoral Officer to supply candidates with copy or extract of final register)

(1) Section 38, Chinese text, heading—

Repeal

“登記”.

(2) Before section 38(1)—

Add

“(1A) The Chief Electoral Officer must supply to each candidate for a District Committees constituency a copy or extract of the part of the District Committees constituencies register relating to the constituency for which that candidate is nominated.”.

(3) Section 38(1)—

Repeal

everything after “each candidate”

Substitute

“for a District Council geographical constituency a copy or extract of the part of the geographical constituencies final register relating to the constituency for which that candidate is nominated.”.

(4) Section 38—

Repeal subsection (3).

(5) Section 38(4)—
135. Section 39 amended (Chief Electoral Officer to supply Returning Officer with copy or extract of final register)

(1) Section 39, Chinese text, heading—
Repeal
“An extract under subsection (1)(b)”
Substitute
“A copy or extract under this section”.

(2) Before section 39(1)—
Add
“(1A) The Chief Electoral Officer must supply to the Returning Officer for a District Committees constituency a copy or extract of the part of the geographical constituencies final register relating to the constituency for which the Returning Officer is appointed.”.

(3) Section 39(1)—
Repeal
everything after “to the Returning Officer”
Substitute
“for a District Council geographical constituency a copy or extract of the part of the geographical constituencies final register relating to the constituency for which the Returning Officer is appointed.”.

(4) Section 39—
Repeal subsection (3).

(5) Section 39(4)—
Repeal “subsection (1)(b)”
Substitute “this section”.

136. Section 40 amended (Chief Electoral Officer to carry out other duties relating to polling stations)

(1) Section 40(2)—
Repeal “24 or 25”
Substitute “24(2) or 25(2)”.

(2) Section 40(2), Chinese text—
Repeal “選區進行投票之用，總選舉事務主任必須向該投票站的投票站主任提供其認為是該選區所需數目的選票。總選舉事務主任必”
Substitute “界別或選區進行投票之用，總選舉事務主任須向該投票站的投票站主任提供其認為是該界別或選區所需數目的選票。總選舉事務主任”.

(3) Section 40(3)—
Repeal everything after “Presiding Officer”
Substitute
第 4 部——第 6 分部
第 137 條

“亦須向投票站主任提供正式選民冊內的適當部分的文本或摘錄。”。

(4) 第 40 條——
廢除第 (4) 款。

(5) 第 40(5) 條——
廢除
“(3)(b)”
代以
“(3)”。

(6) 第 40(7) 條——
廢除
在 “總選舉事務主任” 之後的所有字句
代以
“須在每個投票站提供為使選民能填劃選票而需要的——
(a) 物料；及
(b) 如有關投票站亦被編配供進行區議會地方選區投票，或供進行地區委員會界別補選（選管會已根據第 57A(2) 條作出的指示所關乎者）投票——附有 “√” 號（不論是否有任何設計）的印章。”。

137. 修訂第 52 條 (選票的格式及候選人姓名在選票上的排列次序)
(1) 第 52 條——

Part 4—Division 6
Clause 137

“a copy or extract of the appropriate part of the final register.”.

(4) Section 40—
Repeal subsection (4).

(5) Section 40(5)—
Repeal
“(3)(b)”
Substitute
“(3)”.

(6) Section 40(7)—
Repeal
everything after “polling station”
Substitute
“(a) materials; and
(b) if the polling station is assigned for conducting the poll for a District Council geographical constituency or for conducting a poll for a by-election for the District Committees constituency in relation to which the Commission has made a direction under section 57A(2)—chops bearing the mark “√”, with or without any design,
that are necessary to enable electors to mark the ballot papers.”.

137. Section 52 amended (form of ballot paper and order of appearance of names of candidates on ballot papers)
(1) Section 52—
Repeal subsection (1)
Substitute
“(1) A ballot paper to be used to vote for a District Committees constituency is to be in Form 1 in Schedule 2.

(1AA) A ballot paper to be used to vote for a District Council geographical constituency is to be in Form 2 in Schedule 2.

(1AAB) If the Commission has made a direction under section 57A(2) in relation to a by-election for a District Committees constituency, a ballot paper to be used at that by-election is to be in Form 3 in Schedule 2.”.

(2) Section 52(1A), after “Schedule 2”—
Add
“(except Forms 1 and 3 in that Schedule)”.

(3) After section 52(2)(b)—
Add
“(ba) to have different types of ballot paper printed in different colours or with different colour patterns;”.

(4) Section 52(2)(c)—
Repeal
“paper; or”
Substitute
“paper;”.

(5) Section 52(2)(d)—
Repeal the full stop
Substitute
(6) After section 52(2)(d)—
Add
“(e) to have different designs printed on the back of different types of ballot papers.”.

(7) Section 52(3) and (9), Chinese text—
Repeal
“選區”
Substitute
“界別或選區”.

138. Section 54 amended (questions to be asked from persons applying for a ballot paper)

(1) After section 54(1)—
Add
“(1A) When asking the questions, the Presiding Officer must have regard to whether the ballot paper applied for is a DCC ballot paper or a GC ballot paper, and that Officer must choose, frame, adjust or modify the questions accordingly.”.

(2) Section 54—
Repeal subsection (2)
Substitute
“(2) The questions referred to in subsection (1) are—
(a) “Are you the person registered in the final register now in effect for this District Committees constituency, as follows (the Presiding Officer to read the whole entry as it is recorded in the copy or extract of the final
district council geographical constituency, as follows (the Presiding Officer to read the whole entry as it is recorded in the copy or extract of the final register supplied to that Officer)?

(b) “Are you the person registered in the final register now in effect for this District Council geographical constituency, as follows (the Presiding Officer to read the whole entry as it is recorded in the copy or extract of the final register supplied to that Officer)?”;

(c) “Have you already voted for this or any other District Committees constituency in this election?”;

(d) “Have you already voted for this or any other District Council geographical constituency in this election?”.

(3) Section 54(4), Chinese text—
Repeal
“將向該人”
Substitute
“向該人”.
139. Section 56 amended (Presiding Officer to issue only one ballot paper to an elector)

(1) Section 56, heading, after “elector”—
Add
“for a constituency”.

(2) Section 56(1), after “a ballot paper”—
Add
“for a constituency”.

(3) Section 56(2) and (3)(a) and (b), Chinese text—
Repeal
“選民登記冊”
Substitute
“選民冊”.

(4) Section 56(3)(b), Chinese text—
Repeal
“登記冊電子文本” (wherever appearing)
Substitute
“選民冊電子文本”.

140. Section 56A amended (elector who has not cast vote may return to cast vote with permission)
Section 56A(1)(a) and (5)(a), after “ballot paper”—
Add
“for a constituency”.

141. Section 57 amended (procedure for voting)
(1) Section 57(1), after “a ballot paper”—
Add
“for a constituency”.

(2) Section 57(2)—

Repeal

everything after “elector must”

Substitute

“, before leaving the voting compartment, conceal the mark on it as directed by the Commission under subsection (2A).”.

(3) Section 57—

Repeal subsection (2A)

Substitute

“(2A) The Commission may direct, in a way it considers appropriate, the elector—

(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;
142. **Section 57A added**

After section 57—

Add

“57A. **How DCC ballot papers are to be marked**

(1) An elector voting for a District Committees 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) However, the Commission may, in relation to a by-election for a District Committees 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 40(7) for the purpose; and

(b) the chop is to be affixed to give a single “✓” in each of the circles opposite the names of the candidates of the elector’s choice on the ballot paper.
143. Section 58 amended (how ballot papers are to be marked)

(1) Section 58, heading, before “ballot”—
   Add
   “GC”.

(2) Section 58(1), after “elector”—
   Add
   “voting for a District Council geographical constituency”.

144. Section 59 amended (marking of ballot papers for or by incapacitated person)

Section 59(2)—
   Repeal
   “section 58”
   Substitute
   “section 57A or 58 (as applicable)”.

145. Section 64 amended (Presiding Officer to prepare a ballot paper account for each packet of sealed ballot papers)

(1) Section 64(1) and (2), Chinese text—
   Repeal
   “選區”
   Substitute
   “界別或選區”.

(2) Section 64(3)(a) and (4)—
146. **Section 75B added**

After section 75A—

**Add**

“75B. **Counting of votes for District Committees constituencies**

(1) This section applies to the counting of the votes for a District Committees constituency.

(2) The Presiding Officer of a main counting station must, at the counting zone, count in accordance with this section.

(3) 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—

(a) the ballot papers that have been delivered to the main counting station from one or more special 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.

(4) The votes recorded on the ballot papers are to be counted according to the system of counting described in section 41A of the District Councils Ordinance (Cap. 547).
Part 4—Division 6
Clause 147

147. Section 76 amended (counting of votes)

(1) Section 76, heading, after “votes”—

Add

“for District Council geographical constituencies”.

(5) The votes cast may be counted by using an approved programme and a computer.

(6) In the course of counting in accordance with subsection (4)—

(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 57A(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 Presiding Officer to decide whether the vote is to be counted in accordance with section 79; and

(b) any ballot paper described in section 78(1)(b), (c), (d), (f), (ha) and (hb) must be separated and the vote is not to be counted pursuant to section 78.

(7) 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 a District Committees constituency so as to give an accurate result.”.

147. 修訂第 76 條 (點票)

(1) 第 76 條，標題，在 “點票” 之前——

加入

“為區議會地方選區”。

(5) 所投的票可採用認可程式及電腦而點算。

(6) 在按照第 (4) 款點算的過程中——

(a) 任何看似——

(i) 有任何文字或記認而藉此可能識別選民身分；
(ii) 沒有按照第 57A(1) 或 (3)(b) 條填劃；
(iii) 相當殘破；或
(iv) 無明確選擇以致無效，

的選票即屬有問題，並須予以分開及送交投票站主任，讓投票站主任按照第 79 條決定有關的投票應否點算；及

(b) 任何第 78(1)(b), (c), (d), (f), (ha) 及 (hb) 條描述的選票須予以分開，而依據第 78 條有關的投票不予點算。

(7) 在本條中——

認可程式 (approved programme) 指選管會信納是為地區委員會界別點票用而編寫並能提供準確的點票結果的任何電腦軟件。”。
Part 4—Division 6
Clause 148

(2) Before section 76(1)—
Add
“(1A) This section applies to the counting of the votes for a District Council geographical constituency.”.

(3) Section 76(4)—
Repeal
“41”
Substitute
“41B”.

148. Section 78 amended (votes recorded on invalid ballot papers not to be counted)

(1) After section 78(1)(f)—
Add
“(fa) for a DCC ballot paper—which is not marked in accordance with section 57A(1) or (3)(b);”.

(2) Section 78(1)(g)—
Repeal
“a ballot paper which”
Substitute
“for a GC ballot paper—which”.

(3) After section 78(1)(ha)—
Add
“(hb) for a DCC ballot paper—which is not marked in accordance with section 57A(3)(a) or (4);”.

(4) Section 78(1)(i)—
Repeal
“which”
代以
“就地方選區選票而言——載有”。
(5) 第 78(2)(a) 條，在“(ha)”之後——
加入
“、(hb)”。

149. 修訂第 79 條 (投票站主任須就問題選票作出決定)
(1) 第 79(1) 條，在“根據第”之後——
加入
“75B(6)(a) 或”。
(2) 第 79(2)(b)(ii) 條——
廢除
“58(2) 條”
代以
“57A(1) 或 (3)(b) 或 58(2) 條 (視何者適用而定)”。
(3) 第 79(3) 條——
廢除
“按照第 58(2) 條”
代以
“按照第 57A(1) 或 (3)(b) 或 58(2) 條 (視何者適用而定)”。
(4) 第 79(3) 條——
廢除
“偏離第 58(2) 條”
代以
“偏離第 57A(1) 或 (3)(b) 或 58(2) 條 (視情況所需而定)”。

149. Section 79 amended (Presiding Officer to make decisions on questionable ballot papers)
(1) Section 79(1), after “section”—
Add
“75B(6)(a) or”.
(2) Section 79(2)(b)(ii)—
Repeal
“section 58(2)”
Substitute
“section 57A(1) or (3)(b) or 58(2) (as applicable)”。
(3) Section 79(3)—
Repeal
“with section 58(2)”
Substitute
“with section 57A(1) or (3)(b) or 58(2) (as applicable)”。
(4) Section 79(3)—
Repeal
“in section 58(2)”
Substitute
“in section 57A(1) or (3)(b) or 58(2) (as the case requires)”.
（5）第 79(6)(g) 條——
廢除
“58 條”
代以
“57A 或 58 條（視何者適用而定）”。

（6）第 79(6)(i) 條，在“選票”之前——
加入
“地方選區”。

150. 修訂第 80A 條（點票及重新點票結果：一個點票站）
（1）第 80A(1) 條，中文文本——
廢除
“選區”
代以
“界別或選區”。

（2）第 80A(2) 條——
廢除
“根據第 76 條點票後，投票站主任必”
代以
“點票後，投票站主任”。

（3）第 80A(7) 條，中文文本——
廢除
“必須向有關選區”
代以
“須向有關界別或選區”。

（5）Section 79(6)(g)—
Repeal
“section 58”
Substitute
“section 57A or 58 (as applicable)”.

（6）Section 79(6)(i), before “ballot”—
Add
“GC”.

150. Section 80A amended (result of the counting of votes and re-count: one counting station)
（1）Section 80A(1), Chinese text—
Repeal
“選區”
Substitute
“界別或選區”.

（2）Section 80A(2)—
Repeal
“under section 76”.

（3）Section 80A(7), Chinese text—
Repeal
“必須向有關選區”
Substitute
“須向有關界別或選區”.

District Councils (Amendment) Bill 2023
Part 4—Division 6
Clause 150
151. Section 80B amended (result of the counting of votes and re-count: 2 or more counting stations)

(1) Section 80B(1), Chinese text—
  Repeal
  “選區”
  Substitute
  “界別或選區”.

(2) Section 80B(2)—
  Repeal
  “under section 76”.

(3) Section 80B(7), (8), (9), (10) and (12), Chinese text—
  Repeal
  “選區” (wherever appearing)
  Substitute
  “界別或選區”.

152. Section 80C amended (determination of result in the event of equality of votes)

(1) Section 80C—
  Repeal subsection (1)
  Substitute
  “(1) If in relation to a 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, the Returning Officer for the constituency must determine the result of the election by drawing lots as provided in section 41A(5)
Part 4—Division 6
Clause 153

153. Section 81 amended (Returning Officer to declare election result)

(1) Section 81(1)—
    Repeal
    “section 41(4)”
    Substitute
    “section 41A(6) or 41B(5) (as applicable)”.

(2) Section 81(2)—
    Repeal
    everything after “declared to be elected”
    Substitute
    “—
    (a) it is proved to the satisfaction of the Returning Officer that the candidate has died; or

(3) Section 80C(2), Chinese text—
    Repeal
    “選區”
    Substitute
    “界別或選區”.

153. 修訂第 81 條（選舉主任須宣布選舉結果）

(1) 第 81(1) 條——
    廢除
    “41(4) 條”
    代以
    “41A(6) 或 41B(5) 條（視何者適用而定）”。

(2) 第 81(2) 條——
    廢除
    在“當選前”之後的所有字句
    代以
    “—
    (a) 選舉主任信納該候選人已去世一事已獲證明；或

(2) 第 80C(2) 條——
    廢除
    “41(3) 條所指的抽籤，該選舉主任必”
    代以
    “41A(5) 或 41B(4) 條（視何者適用而定）所指的抽籤，該選舉主任”。

(3) 第 80C(2) 條，中文文本——
    廢除
    “選區”
    代以
    “界別或選區”。

41B(4) 條（視何者適用而定）規定的抽籤的方式決定選舉結果”。

(2) 第 80C(2) 條——
    廢除
    “41(3) 條所指的抽籤，該選舉主任必”
    代以
    “41A(5) 或 41B(4) 條（視何者適用而定）所指的抽籤，該選舉主任”。

(3) 第 80C(2) 條，中文文本——
    廢除
    “選區”
    代以
    “界別或選區”。
(b) it is proved to the satisfaction of the Eligibility Review Committee that the candidate is disqualified from being elected, the Returning Officer must not declare the candidate to be elected and must declare the election to have failed, as provided in section 40(3)(a) of the District Councils Ordinance (Cap. 547) or to have failed to the extent as provided in section 40(3)(b) of that Ordinance.”.

154. **Section 90 amended (Returning Officer may perform functions through Assistant Returning Officers)**

(1) Section 90(1), Chinese text—

Repeal

“選區” (wherever appearing)

Substitute

“界別或選區”.

(2) Section 90(2)—

Repeal paragraph (a).

155. **Section 95 repealed (procedure after election proceedings are terminated)**

Section 95—

Repeal the section.

156. **Section 96 amended (procedure in case of death or disqualification of candidate after close of poll)**

Section 96—

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) it is proved to the satisfaction of the Returning Officer that a candidate has died; or

(b) it is proved to the satisfaction of the 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.”.

157. Section 98 amended (publication and display of notices, etc.)
Section 98(2)(a) and (b)—
Repeal
“Returning Officer”
Substitute
“Eligibility Review Committee”.

158. Section 100 amended (Commission to specify forms)
Section 100(6)—
Repeal
“elected”.

159. Section 104 amended (offence of false declaration)
Section 104(4)—
Repeal
“24”
160. 修訂第 110 條 ( 釋義 ( 第 8 部 ) )
(1) 第 110 條，正式登記冊電子文本或摘錄的定義——
   (a) 廢除
       “登記”
       代以
       “選民”；
   (b) 廢除
       “登記”。
(2) 第 110 條，中文文本，取覽的定義——
   廢除
   所有“登記”
   代以
   “選民”。

161. 取代附表 2
附表 2——
   廢除該附表
   代以

Substitute
“26A”.

160. Section 110 amended (interpretation (Part 8))
(1) Section 110, definition of FR electronic copy or extract—
    Repeal
    “登記”
    Substitute
    “選民”.
(2) Section 110, Chinese text, definition of 取覽—
    Repeal
    “登記” (wherever appearing)
    Substitute
    “選民”.

161. Schedule 2 substituted
Schedule 2—
    Repeal the Schedule
    Substitute
“Schedule 2

Forms of Ballot Papers for an Ordinary Election/By-election

Form 1

Ballot Paper for District Committees Constituency
Part 4—Division 6  
Clause 161

District Councils (Amendment) Bill 2023

Table 2
Ballot Paper for District Council Geographical Constituency

A code will be assigned to each District Committees constituency. Only the appropriate code will be printed.
* Only the appropriate information will be printed.
@ The relevant number will be printed.

Form 2

Ballot Paper for District Council Geographical Constituency
Part 4—Division 6
Clause 161
District Councils (Amendment) Bill 2023

Part 4—Division 6
Clause 161

# A code will be assigned to each District Council geographical constituency. Only the appropriate code will be printed.
* Only the appropriate information will be printed.

Form 3

Ballot Paper for District Committees Constituency (By-election in relation to which Commission has Made Direction under Section 57A(2))
District Councils (Amendment) Bill 2023

Part 4—Division 6
Clause 161

C1943

選票
BALLOT
PAPER

選票
BALLOT
PAPER

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，在所選擇的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

存根
COUNTERFOIL

(Serial Number)
162. "界別或選區" substituted for "選區"

(1) Schedule 3—
Repeal
“選區” (wherever appearing)
Substitute
“界別或選區”.

(2) The following provisions, Chinese text—
(a) section 26(17)(a);
(b) section 27(1);
(c) section 30(2) and (4);
(d) section 32(1) and (3)(b);
(e) section 41(2);
(f) section 43(1), (2), (3) and (5);
(g) section 45(2) and (5B)(a);
(h) section 47(4)(b);
(i) section 48(2)(b) and (6)(a);
(j) section 63(3);
(k) section 65(2), (2A)(a) and (b), (3), (5) and (6);
(l) section 66(1);
(m) section 75A(a), (b), (c) and (h);
(n) section 83(2)(c);
(o) section 84(1) and (2);
Clause 163

Substitute "選區” (wherever appearing)

163. “選民冊” substituted for “選民登記冊”

(1) The following provisions, Chinese text—
(a) section 53(1) and (2);
(b) section 63(2)(e)(iv);
(c) section 63A(1)(e)(iv);
(d) section 84(2)(ea);
(e) section 86;
(f) section 94(1) and (5);
(g) section 111(1);
(h) Schedule 1, section 5(2)—
Repeal “選民登記冊” (wherever appearing)

Substitute “選民冊”.
(2) Part 8, Chinese text, heading—
Repeal
“選民登記冊”
Substitute
“選民冊”.

164. “選民冊電子文本” substituted for “登記冊電子文本”

(1) The following provisions, Chinese text—
(a) section 111(2);
(b) section 112(1), (2) and (3)(a) and (b)—
Repeal
“登記冊電子文本” (wherever appearing)
Substitute
“選民冊電子文本”.

(2) The following provisions, Chinese text—
(a) section 111, heading;
(b) section 112, heading;
(c) section 113, heading—
Repeal
“登記冊電子文本” (wherever appearing)
Substitute
“選民冊電子文本”.
Part 4—Division 7
Clause 165

Division 7—Electoral Affairs Commission (Electoral Procedure) (Election Committee) Regulation (Cap. 541 sub. leg. I)

165. Section 1 amended (interpretation)
Section 1(1), definition of geographical constituencies final register, after “District Council”—
Add
“Geographical”.

Division 8—Particulars Relating to Candidates on Ballot Papers (Legislative Council and District Councils) Regulation (Cap. 541 sub. leg. M)

166. Section 2 amended (interpretation)
(1) Section 2(1), definition of DC election—
Repeal
“elected”.
(2) Section 2(1), definition of member—
Repeal
“elected”.
(3) Section 2(1), definition of relevant nomination period, paragraph (b), after “for a DC”—
Add
“geographical”.
(4) Section 2(1)—
(a) definition of DC constituency;
(b) definition of DC elected member—
Part 4—Division 8
Clause 167

Repeal the definitions.

(5) Section 2(1)—
Add in alphabetical order
“DC District Committees constituency (區議會地區委員會界別) means a District Committees constituency as defined by section 2 of the District Councils Ordinance (Cap. 547);

DC geographical constituency (區議會地方選區) means a District Council geographical constituency as defined by section 2 of the District Councils Ordinance (Cap. 547);

DC member (區議會議員) means a person within the meaning of paragraph (b) of the definition of member in section 2 of the District Councils Ordinance (Cap. 547);”.

167. Section 2A amended (application)

(1) Section 2A(a)—
Repeal
“and”.

(2) Section 2A(b)—
Repeal the full stop
Substitute a semicolon.

(3) After section 2A(b)—
Add
“(c) in relation to an ordinary election in so far as the election of DC members for the DC District Committees constituencies is concerned; and
Part 4—Division 9

Clause 169

(d) in relation to a by-election held for electing a DC member for a DC District Committees constituency.”.

168. Section 3 amended (request by candidate for LC geographical constituency, LC functional constituency or DC constituency)

(1) Section 3, heading, after “DC”—
Add
“geographical”.

(2) Section 3(1)(b), before “constituency”—
Add
“geographical”.


169. Section 2 amended (interpretation)

Section 2(1), definition of DC candidate—
Repeal
“District Council constituency”
Substitute
“constituency as defined by section 2 of the District Councils Ordinance (Cap. 547)”.

(d) 為選出區議會地區委員會界別的區議會議員而舉行的補選。”。
第 10 分部——《立法會條例》(第 542 章)

170. 修訂第 39 條 (喪失獲提名為候選人或當選為議員的資格的情況)
第 39(1)(e)(iv) 條，在“根據”之前——
加入
“《區議會條例》(第 547 章) 附表 4A 第 7 條所訂明或”。

171. 修訂第 40 條 (獲提名的候選人須遵從的規定)
第 40(1)(b)(iii)(D)(III) 條，在“根據”之前——
加入
“《區議會條例》(第 547 章) 附表 4A 第 7 條所訂明或”。

第 11 分部——《選民登記 (上訴) 規例》(第 542 章，附屬法例 B)

172. 修訂第 1 條 (釋義)
第 1 條，《地方選區登記規例》的定義，在“區議會”之後——
加入
“地方”。

173. 修訂第 1A 條 (惡劣天氣警告對日期和期間的影響)
第 1A(4) 條，列表 1，在“區議會”之後——
加入
“地方”。

Division 10—Legislative Council Ordinance (Cap. 542)

170. Section 39 amended (when person is disqualified from being nominated as a candidate and from being elected as a Member)
Section 39(1)(e)(iv), after “by”—
Add
“section 7 of Schedule 4A to the District Councils Ordinance (Cap. 547) or”.

171. Section 40 amended (what requirements are to be complied with by persons nominated as candidates)
Section 40(1)(b)(iii)(D)(III), after “by”—
Add
“section 7 of Schedule 4A to the District Councils Ordinance (Cap. 547) or”.

Division 11—Registration of Electors (Appeals) Regulation (Cap. 542 sub. leg. B)

172. Section 1 amended (interpretation)
Section 1, definition of GC Registration Regulation, after “District Council”—
Add
“Geographical”.

173. Section 1A amended (effect of inclement weather warning on date and period)
Section 1A(4), Table 1, after “District Council”—
Add
“Geographical”.
Part 4—Division 12
Clause 175

174. Section 6 amended (review of rulings by Revising Officer)
Section 6(2B)(a), after “District Council”—

Add “Geographical”.

Division 12—Elections (Corrupt and Illegal Conduct)
Ordinance (Cap. 554)

175. Section 2 amended (interpretation)
(1) Section 2(1), definition of constituency, paragraph (c)—

Repeal “an area declared to be a constituency under section 6(1)”

Substitute “a District Committees constituency or a District Council geographical constituency, as defined by section 2”.

(2) Section 2(1), Chinese text, definition of 選舉主任, paragraph (d)—

Repeal “選區” (wherever appearing)

Substitute “選區或選舉界別”.

176. Section 4 amended (what elections do this Ordinance apply to)
Section 4(1)(e)—

Repeal “the elected”.

C1959

174. 修訂第 6 條 (覆核審裁官的判定)
第 6(2B)(a) 條，在“區議會”之後——
加入“地方”。

第 12 分部——《選舉 (舞弊及非法行為) 條例》(第 554 章)

175. 修訂第 2 條 (釋義)
(1) 第 2(1) 條, 選區或選舉界別的定義, (c) 段——

廢除
“第 6(1) 條宣布為選區的地區”

代以
“第 2 條所界定的地區委員會界別或區議會地方選區”。

(2) 第 2(1) 條, 中文文本, 選舉主任的定義, (d) 段——

廢除
所有“選區”

代以
“選區或選舉界別”。

176. 修訂第 4 條 (本條例適用的選舉)
第 4(1)(e) 條——

廢除
“民選”。

C1958

174. 修訂第 6 條 (覆核審裁官的判定)
第 6(2B)(a) 條，在“區議會”之後——
加入“地方”。

第 12 分部——《選舉 (舞弊及非法行為) 條例》(第 554 章)

175. 修訂第 2 條 (釋義)
(1) 第 2(1) 條, 選區或選舉界別的定義, (c)段——

廢除
“第 6(1) 條宣布為選區的地區”

代以
“第 2 條所界定的地區委員會界別或區議會地方選區”。

(2) 第 2(1) 條, 中文文本, 選舉主任的定義, (d) 段——

廢除
所有“選區”

代以
“選區或選舉界別”。

176. 修訂第 4 條 (本條例適用的選舉)
第 4(1)(e) 條——

廢除
“民選”。
177. Section 37 amended (candidate to lodge election return with appropriate authority)

(1) Section 37(1F)—

Repeal
“30”

Substitute
“60”.

(2) Section 37(1F)(a) and (b) and (1G), Chinese text—

Repeal
“選區” (wherever appearing)

Substitute
“選區或選舉界別”.

(3) Section 37(1G)—

Repeal paragraph (b).

178. Section 41 amended (appropriate authority to keep election returns)

(1) Section 41(6)(a)—

Repeal
“(1F)”.

(2) Section 41(6)(b)—

Repeal
“或 (1B)”

Substitute
“(1B) or (1F)”.

(3) Section 37(1G)—

Repeal paragraph (b).
179. Schedule amended (limit prescribed for election concerned for purposes of section 37A)

The Schedule, item 6—

Repeal
“3,000”

Substitute
“5,000”.

Division 13—Maximum Amount of Election Expenses (District Council Election) Regulation (Cap. 554 sub. leg. C)

180. Section 1A added

Before section 2—

Add

“1A. Interpretation

In this Regulation—

District Committees constituency (地區委員會界別) has the meaning given by section 2 of the District Councils Ordinance (Cap. 547);

District Council geographical constituency (區議會地方選區) has the meaning given by section 2 of the District Councils Ordinance (Cap. 547);

election (選舉) has the meaning given by section 2 of the District Councils Ordinance (Cap. 547).”.

181. Section 2 repealed (application)

Section 2—

Repeal the section.
182. **修訂第 3 條 (選舉開支最高限額)**

(1) 第 3 條，標題，在“選舉”之前——
加入
“地區委員會界別的”。

(2) 第 3 條——
廢除
在“在”之後的所有字句
代以
“地區委員會界別的選舉中，就為第七屆或其後任何一
屆區議會的任期而舉行的選舉而言，可由任何一名候選
人或由他人代該名候選人招致的選舉開支的最高限額為
$100,000。”。

183. **加入第 3A 條**

在第 3 條之後——
加入

“3A. 區議會地方選區的選舉開支最高限額
在附表第 2 欄中指明的區議會地方選區的選舉中，就為
第七屆或其後任何一屆區議會的任期而舉行的選舉而言，
可由任何一名候選人或由他人代該名候選人招致的選舉
開支的最高限額為該附表第 3 欄中與該選區相對之處指
明的款額。”。

184. **加入附表**

在規例的末處——
加入

“3A. Maximum amount of election expenses for District Council geographical constituency
The maximum amount of election expenses that can be incurred at an election for a District Council geographical constituency specified in column 2 of the Schedule by or on behalf of a candidate for an election for the seventh term of office or any subsequent term of office of a District Council is $100,000.”.
### Schedule

Maximum Amount of Election Expenses for District Council Geographical Constituencies

<table>
<thead>
<tr>
<th>Item</th>
<th>District Council Geographical Constituency</th>
<th>Maximum Amount of Election Expenses $</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Central</td>
<td>512,400</td>
</tr>
<tr>
<td>2.</td>
<td>Western</td>
<td>585,600</td>
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<tr>
<td>3.</td>
<td>Wan Chai</td>
<td>951,600</td>
</tr>
<tr>
<td>4.</td>
<td>Tai Pak</td>
<td>805,200</td>
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<tr>
<td>5.</td>
<td>Hong Wan</td>
<td>878,400</td>
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<tr>
<td>6.</td>
<td>Chai Wan</td>
<td>878,400</td>
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<tr>
<td>7.</td>
<td>Southern District Southeast</td>
<td>658,800</td>
</tr>
<tr>
<td>8.</td>
<td>Southern District Northwest</td>
<td>585,600</td>
</tr>
<tr>
<td>9.</td>
<td>Yau Tsim Mong South</td>
<td>732,000</td>
</tr>
<tr>
<td>10.</td>
<td>Yau Tsim Mong North</td>
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<tr>
<td>11.</td>
<td>Sham Shui Po West</td>
<td>878,400</td>
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<tr>
<td>12.</td>
<td>Sham Shui Po East</td>
<td>951,600</td>
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<tr>
<td>13.</td>
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<td>14.</td>
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<td>15.</td>
<td>Wong Tai Sin East</td>
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<td>16.</td>
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<td>17.</td>
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<td>26.</td>
<td>Yuen Long Town Centre</td>
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<td>28.</td>
<td>Tin Shui Wai South and Ping Ha</td>
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<td>29.</td>
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<td>30.</td>
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<td>Robin’s Nest</td>
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<td>32.</td>
<td>Tai Po South</td>
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<td>33.</td>
<td>Tai Po North</td>
</tr>
<tr>
<td>34.</td>
<td>Sai Kung and Hang Hau</td>
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<tr>
<td>35.</td>
<td>Tseung Kwan O South</td>
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<td>36.</td>
<td>Tseung Kwan O North</td>
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### Column 3
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第 14 分部——《行政長官選舉條例》(第 569 章)

### Division 14—Chief Executive Election Ordinance (Cap. 569)

185. 修訂第 14 條 (喪失獲提名為候選人的資格)

第 14(1)(h)(iv) 條，在“為施行”之前——

加入

“《區議會條例》(第 547 章) 附表 4A 第 7 條所訂明或”。

186. 修訂附表第 5M 條 (喪失登記為當然委員的資格)

附表，第 5M(1)(c)(iii) 條，在“《選管會”之前——

加入

“《區議會條例》(第 547 章) 附表 4A 第 7 條或”。

<table>
<thead>
<tr>
<th>Item</th>
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<th>Maximum Amount of Election Expenses</th>
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</thead>
<tbody>
<tr>
<td>37.</td>
<td>Sha Tin West</td>
<td>732,000</td>
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<tr>
<td>38.</td>
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<td>39.</td>
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<td>40.</td>
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<td>42.</td>
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<td>43.</td>
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<tr>
<td>44.</td>
<td>Islands</td>
<td>732,000</td>
</tr>
</tbody>
</table>
187. Schedule, section 9 amended (when a person is disqualified from being a nominee)

The Schedule, section 9(1)(c)(iii), after “by”—

Add

“section 7 of Schedule 4A to the District Councils Ordinance (Cap. 547) or”.

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

The Schedule, section 18(1)(e)(iii), after “by”—

Add

“section 7 of Schedule 4A to the District Councils Ordinance (Cap. 547) or”.

Division 15—Other Miscellaneous Amendments

Subdivision 1—Post Office Regulations (Cap. 98 sub. leg. A)

189. Regulation 6 amended

(1) Regulation 6(1)(d)(i)－

Repeal

“registered in the final register in respect of the”

Substitute

“in the DC”.

(2) Regulation 6(2)(b), definition of constituency－

Repeal

“or a constituency declared under the District Councils Ordinance (Cap. 547)”.

(3) Regulation 6(2)(b), definition of final register—
Repeal
“or a register of electors for an election under the District Councils Ordinance (Cap. 547), as the case may require”.

(4) Regulation 6(2)(b)—
Add in alphabetical order
“DC constituency (區議會界別或選區) means a constituency as defined by section 2 of the District Councils Ordinance (Cap. 547);”.

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

190. Section 22 amended (civil appeals)
Section 22(1)(c)(vi)—
Repeal
“the elected”
Substitute
“a”.

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

191. Schedule 1 amended (provisions excluded from application of section 5 of Ordinance)
Schedule 1, item 63—
Repeal
“23(1), 25(1), 34(1)(b), 35(2) and 63(1) and Schedule 5, section 2”
192. 修訂附表 2 (獲豁除於本條例第 6 條的適用範圍之外的條文)

(1) 附表 2，第 13 項，在“區議會”之後——
加入
“地方”。

(2) 附表 2，第 20 項——
廢除
“23(2), 25(2), 35(2) 及 63(2)”
代以
“15(2), 17A(4), 23(2), 25(2) 及 35(2)”。

Substitute
“15(1), 17A(1), 23(1), 25(1), 34(1) 及 (1A)(c) 及 35(2)”。

192. Schedule 2 amended (provisions excluded from application of section 6 of Ordinance)

(1) Schedule 2, item 13, after “District Council”——
Add
“Geographical”.

(2) Schedule 2, item 20——
Repeal
“23(2), 25(2), 35(2) and 63(2)”
Substitute
“15(2), 17A(4), 23(2), 25(2) and 35(2)”.
Explanatory Memorandum

The main object of this Bill is to amend the District Councils Ordinance (Cap. 547) (Cap. 547) to—

(a) revise the functions and composition of District Councils;

(b) establish the District Council Eligibility Review Committee; and

(c) provide for the mechanism for sanctioning misconduct of members of District Councils.

2. The Bill is divided into 4 Parts.

Part 1—Preliminary

3. Part 1 sets out the short title and provides for commencement.

Part 2—Amendments to Cap. 547

4. Part 2 amends Cap. 547 to—

(a) revise the functions of District Councils starting from the seventh term of District Councils;

(b) revise the composition of District Councils starting from the seventh term of District Councils to provide that the District Council of each District is to consist of—

(i) the District Officer of the District;

(ii) persons appointed as members of the District Council;
(iii) 當選為該區議會的地區委員會界別的議員的人；
(iv) 當選為該區議會的區議會地方選區的議員的人；及
(v) (如適用的話) 登記為該區議會的當然議員的人；
(c) 自第七屆區議會起，設立區議會資格審查委員會，並訂定自第七屆區議會起決定以下事宜的程序——
(i) 委任某人為區議員的建議是否有效；
(ii) (如某人擬登記為區議會當然議員) 該項登記是否有效；及
(iii) (如某人在區議會選舉獲提名為任何界別或選區的候選人) 該項提名是否有效；
(d) 訂定自第七屆區議會起地區委員會界別的投票制度，並修改自第七屆區議會起區議會地方選區的投票制度；
(e) 就分區議員行為失當，訂立機制；及
(f) 就第七屆區議會的區議會地方選區的分界，訂定條文。

5. 就第4(a) 及 (b)(i) 段所述——

(iii) persons elected as members for the District Committees constituency of the District Council;
(iv) persons elected as members for the District Council geographical constituencies of the District Council; and
(v) (if applicable) persons registered as ex officio members of the District Council;
(c) establish the District Council Eligibility Review Committee and provide for the procedures for deciding the validity of—
(i) the proposal to appoint a person as a member of a District Council;
(ii) the registration of a person as an ex officio member of a District Council; and
(iii) the nomination of a person as a candidate for any constituency at a District Council election, starting from the seventh term of District Councils;
(d) provide for the system of voting for District Committees constituencies, and revise the system of voting for District Council geographical constituencies, starting from the seventh term of District Councils;
(e) provide for the mechanism for sanctioning misconduct of members of District Councils; and
(f) provide for the boundaries of the District Council geographical constituencies for the seventh term of District Councils.

5. For paragraph 4(a) and (b)(i)—
6. 就第4(b)(ii)段所述——
   (a) 行政長官可委任某些人士為區議員；及
   (b) 所有區議會委任議員的人數上限為 179。

7. 就第4(b)(iii)段所述——
   (a) 每個地方行政區的區議會均設地區委員會界別；
   (b) 地區委員會界別由在有關地方行政區設立的所有以下地區委員會的所有委員組成——
      (i) 分區委員會；
      (ii) 地區撲滅罪行委員會；及
      (iii) 地區防火委員會；
   (c) 所有地區委員會界別所須選出的議員總人數為 176；及
   (d) 選舉登記主任須編製和發表地區委員會界別選民名冊。

8. 就第4(b)(iv)段所述——

(a) the District Officer of the District is to be the Chairman of the District Council of that District;
(b) certain functions of a District Council are to be transferred to the Chairman of the District Council; and
(c) there is no longer any Vice Chairman for a District Council.

6. For paragraph 4(b)(ii)—
   (a) the Chief Executive may appoint persons as members of the District Councils; and
   (b) the maximum number of appointed members for all District Councils is 179.

7. For paragraph 4(b)(iii)—
   (a) a District Committees constituency is established for the District Council of each District;
   (b) a District Committees constituency is to compose of all members of all the District Committees established in the District concerned, namely—
      (i) the Area Committee or Committees;
      (ii) the District Fight Crime Committee; and
      (iii) the District Fire Safety Committee;
   (c) the total number of members to be returned for all District Committees constituencies is 176; and
   (d) the Electoral Registration Officer is to compile and publish a register of electors for District Committees constituencies.

8. For paragraph 4(b)(iv)—
Paragraph 9

(a) each District Council geographical constituency is to return 2 members; and
(b) the total number of members to be returned for all District Council geographical constituencies is 88.

9. For paragraph 4(d), all constituencies (including the District Committees constituencies) are to adopt the simple or relative majority system of election (otherwise known as the “first past the post” voting system). In particular—

(a) an elector for a District Committees constituency is entitled to cast the same number of votes as the number of members to be returned for the constituency at an election, and the votes are valid only if the elector has cast all the votes under the elector’s entitlement for that election and no more; and
(b) an elector of the District Council geographical constituency is entitled to vote for 1 candidate.

10. For paragraph 4(e)—

(a) the Secretary for Home and Youth Affairs (Secretary) is empowered to issue guidelines indicating—
   (i) the standard of performance required of a member; and
   (ii) the misconduct that may constitute grounds for imposing sanction;

(b) an investigation on an alleged misconduct of a member of a District Council may be initiated by—
   (i) the Chairman and 3 or more members of the District Council; or
(ii) a motion passed by more than half of the members present in a meeting of the District Council;

(c) if an investigation is initiated, the Secretary must appoint a supervisory committee to conduct the investigation, and the committee must submit a written report stating the established facts and its opinion on the appropriate sanction to be imposed;

(d) the Secretary may, after considering the report, issue a letter of persuasion to, or impose any of the following sanctions on, the member—

(i) warning;

(ii) financial penalty;

(iii) suspension of the member’s functions and duties as a member; and

(e) if the member is aggrieved by the decision of the Secretary, the member may appeal to the Chief Secretary for Administration.

Part 3—Amendments to Subsidiary Legislation under Cap. 547

11. Part 3 is divided into 3 Divisions.

Division 1—District Councils (Subscribers and Election Deposit for Nomination) Regulation (Cap. 547 sub. leg. A) (Cap. 547A)

12. Division 1 of Part 3 amends Cap. 547A to—
(a) in view of the revised composition of District Councils (see paragraph 4(b)), revise the provisions that relate to the deposit required to be lodged by a person nominated as a candidate at a District Council election, including to cover the District Committees constituencies; and

(b) revise the provisions that relate to the number and qualifications of subscribers required for being nominated as a candidate at a District Council election, including to cover the District Committees constituencies.

13. For paragraph 12(b)—

(a) the nomination of a person as a candidate for any constituency must be subscribed by at least 3 but not more than 6 members of each District Committee in the District concerned; and

(b) in the case of a candidate for a District Council geographical constituency, the nomination must also be subscribed by at least 50 but not more than 100 electors of the constituency.

Division 2—District Councils (Election Petition) Rules (Cap. 547 sub. leg. C) (Cap. 547C)

14. Division 2 of Part 3 amends Cap. 547C to make minor textual amendments to the form for an election petition in view of the revised composition of District Councils to cover an election for a District Committees constituency (see paragraph 4(b)(iii)) and the revised procedures for determining the validity of the nomination of a person as a candidate at a District Council election (see paragraph 4(c)(iii)).
第3分部——2018年選區(區議會)宣佈令(第547章，附屬法例H) (《第547H章》)

15. 鑑於第七屆區議會的區議會地方選區的分界有所修改 (參閱第4(f)段)，第3部分第3分部廢除《第547H章》。

第4部——相關修訂

16. 第4部分為15個分部。

第1部分——選舉管理委員會條例(第541章) (《第541章》)

17. 鑑於區議會的組成有所修改 (參閱第4(b)段)，第4部分第1分部修訂《第541章》，以——
   (a)  修改關於選舉管理委員會(選管會)就區議會選舉作出報告的條文；
   (b)  訂定選管會無須就為第七屆區議會而舉行的一般選舉，就區議會地方選區的劃定作出報告；及
   (c)  修改就區議會地方選區的劃定作出建議的準則。

第2部分——選舉管理委員會(選民登記)(立法會地方選區)(區議會選區)規例(第541章，附屬法例A) (《第541A章》)

18. 第4部分第2分部修訂《第541A章》，以——

Division 3—Declaration of Constituencies (District Councils) Order 2018 (Cap. 547 sub. leg. H) (Cap. 547H)

15. Division 3 of Part 3 repeals Cap. 547H in view of the revised boundaries of the District Council geographical constituencies for the seventh term of District Councils (see paragraph 4(f)).

Part 4—Related Amendments

16. Part 4 is divided into 15 Divisions.

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

17. Division 1 of Part 4 amends Cap. 541 to, in view of the revised composition of District Councils (see paragraph 4(b))—
   (a)  revise the provisions that relate to the making of reports on District Council elections by the Electoral Affairs Commission (EAC);
   (b)  provide that the EAC is not required to make reports on the delineation of District Council geographical constituencies for the ordinary election for the seventh term of District Councils; and
   (c)  revise the criteria for making recommendations as to the delineation of District Council geographical constituencies.

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

18. Division 2 of Part 4 amends Cap. 541A to—
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(a) amend the title of Cap. 541A to clarify that it relates to registration of electors for District Council geographical constituencies;

(b) empower the Electoral Registration Officer (ERO) to indicate on a register of electors for geographical constituencies required to be compiled under the Legislative Council Ordinance (Cap. 542) (GC register) whether a person is an elector for a District Committees constituency and the District Committees constituency for which a person is an elector;

(c) require the ERO to either inform a person of the section and subsection in which the person is registered in a GC register or make the information available to the person in any way the ERO considers appropriate; and

(d) make miscellaneous amendments, including to update cross references to certain provisions of Cap. 547.

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)

19. Division 3 of Part 4 amends Cap. 541B to make miscellaneous amendments, including to update cross references to certain provisions of Cap. 547.
Division 4—Electoral Affairs Commission (Electoral Procedure) (Legislative Council) Regulation (Cap. 541 sub. leg. D) (Cap. 541D)

20. Division 4 of Part 4 consequentially amends Cap. 541D in view of the amendment to the title of Cap. 541A.

Division 5—Electoral Affairs Commission (Nominations Advisory Committees (District Councils)) Regulation (Cap. 541 sub. leg. E) (Cap. 541E)

21. Division 5 of Part 4 amends Cap. 541E to, in view of the revised composition of District Councils (see paragraph 4(b)), revise certain definitions so that the advice given by a Nominations Advisory Committee (District Councils) may cover a person nominated as a candidate for a District Committees constituency.

Division 6—Electoral Affairs Commission (Electoral Procedure) (District Councils) Regulation (Cap. 541 sub. leg. F) (Cap. 541F)

22. Division 6 of Part 4 amends Cap. 541F to—
   (a) in view of the revised composition of District Councils (see paragraph 4(b)), revise the provisions that relate to the procedures for District Councils elections (including nomination of candidates, voting and counting of votes); and
   (b) in view of the revised procedures for determining the validity of the nomination of a person as a candidate at a District Council election (see paragraph 4(c)(iii)), revise the provisions that incidentally refer to the role of the Returning Officer in such procedures.
23. Division 7 of Part 4 consequentially amends Cap. 541I in view of the amendment to the title of Cap. 541A.

Division 8—Particulars Relating to Candidates on Ballot Papers (Legislative Council and District Councils) Regulation (Cap. 541 sub. leg. M) (Cap. 541M)

24. Division 8 of Part 4 amends Cap. 541M to, in view of the revised composition of District Councils (see paragraph 4(b))—

(a) revise the provisions that relate to requests by candidates for District Council geographical constituencies to print particulars relating to them on ballot papers; and

(b) provide that Cap. 541M does not apply in relation to District Committees constituencies.


25. Division 9 of Part 4 amends Cap. 541N to, in view of the revised composition of District Councils (see paragraph 4(b)), revise the definition of DC candidate so that the procedure for making or withdrawing claims for financial assistance payable under Part VA of Cap. 547 applies to a candidate for a District Committees constituency.
Division 10—Legislative Council Ordinance (Cap. 542) (Cap. 542)

26. Division 10 of Part 4 consequentially amends Cap. 542 in view of the new offence under the new Schedule 4A to Cap. 547.

Division 11—Registration of Electors (Appeals) Regulation (Cap. 542 sub. leg. B) (Cap. 542B)

27. Division 11 of Part 4 consequentially amends Cap. 542B in view of the amendment to the title of Cap. 541A.

Division 12—Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554) (Cap. 554)

28. Division 12 of Part 4 amends Cap. 554 to—
   (a) make minor textual amendments in view of the revised composition of District Councils (see paragraph 4(b));
   (b) revise the time limit for lodging an election return for a District Council election; and
   (c) raise the upper limit of the aggregate value of errors in relation to rectification of an election return for a District Council election.

Division 13—Maximum Amount of Election Expenses (District Council Election) Regulation (Cap. 554 sub. leg. C) (Cap. 554C)

29. Division 13 of Part 4 amends Cap. 554C to provide for the maximum amounts of election expenses for the District Committees constituencies and the District Council geographical constituencies.
Division 14—Chief Executive Election Ordinance (Cap. 569) (Cap. 569)

30. Division 14 of Part 4 consequentially amends Cap. 569 in view of the new offence under the new Schedule 4A to Cap. 547.

Division 15—Other Miscellaneous Amendments

31. Division 15 of Part 4 consequentially amends the Post Office Regulations (Cap. 98 sub. leg. A), the Hong Kong Court of Final Appeal Ordinance (Cap. 484) and the Electronic Transactions (Exclusion) Order (Cap. 553 sub. leg. B) in view of the amendments to Cap. 547.