

LEGISLATIVE COUNCIL BRIEF

ELECTORAL LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL 2025

INTRODUCTION

A At the meeting of the Executive Council (“ExCo”) on 18 March 2025, the Council **ADVISED** and the Chief Executive (“CE”) **ORDERED** that the Electoral Legislation (Miscellaneous Amendments) Bill 2025 (“the Bill”), at **Annex A**, should be introduced into the Legislative Council (“LegCo”). The Bill seeks to make some amendments to electoral laws so as to ensure the smooth conduct of two important elections to be held later this year (i.e. the 2025 Election Committee Subsector (“ECSS”) By-elections (“By-E”) and the 2025 Legislative Council General Election (“LCGE”)).

JUSTIFICATIONS

2. The Hong Kong Special Administrative Region improved the electoral system in 2021 and improved district governance and reformed the District Councils (“DCs”) in 2023, thereby fully implementing the principle of “patriots administering Hong Kong”. Five important elections¹ were successfully conducted along the way. The improved electoral system not only conforms to the “One Country, Two Systems” principle, but also meets the long-term development needs of Hong Kong. As pointed out by the CE in the Supplement to the 2024 Policy Address, the Government will adhere to the improved electoral system in the long run to ensure that elections are conducted in a fair, just, honest, safe and orderly manner; continue to enhance the electoral arrangements, and further the application of information technology and smart technologies in the election process to enhance efficiency and make the arrangements user-friendly. The Government will also work closely with the Electoral Affairs Commission (“EAC”) to prepare for the two elections this year, and to ensure that the

¹ i.e. 2021 ECSS Ordinary Elections, 2021 LCGE, 2022 CE Election, 2022 LegCo Election Committee Constituency (“ECC”) By-E and 2023 District Council Ordinary Election.

elections will be conducted in a fair, just, honest, safe and orderly manner.

3. The polling date of the LCGE this year will be on 7 December and the ECSS By-E will be held on 7 September to fill the vacancies of elected members of the Election Committee (“EC”) so that they could nominate candidates in the LCGE and vote in the ECC.

4. To ensure the smooth conduct of the aforesaid two elections, the Government proposes to make certain amendments to the relevant electoral laws.

THE BILL

5. The Bill provides for the following matters:

- (A) legislative amendments regarding the delineation of geographical constituencies (“GCs”) of the LCGE;
- (B) empowering the EAC the use of counting machines in the counting work for the LegCo functional constituencies (“FCs”) elections; and consolidating ballot paper accounts for relevant constituencies to enhance related counting procedures; and
- (C) improving the arrangements for publication of the ECSS registers.

(A) Legislative amendments regarding the delineation of GCs of the LCGE

6. According to the prevailing electoral laws, prior to the LCGE, the EAC must submit a report to the CE to elucidate its recommendations on the delineation and names of the LegCo GCs (“LCGCs”). The recommendations must satisfy the statutory criteria, including that each LCGC is constituted by two or more contiguous whole District Council Geographical Constituencies (“DCGCs”).

7. Following the improved electoral system in 2021, there are a total of 10 LCGCs. At that juncture, the Government primarily delineated the boundaries of LCGCs based on population quota, and each LCGC was still composed of the respective combination of the DCGCs at the time (452 in total). After the improvement on district governance and reforms to the DCs in 2023, the DCGCs have been substantially modified, in that the original 452 constituencies have been merged

into 44 new constituencies. The aim was to allow DCs to perform their consultative functions more effectively and to strengthen district governance. Under the circumstances, the delineation of LCGCs no longer has any direct connection with the DCGCs, and therefore we propose to remove the statutory connection between the delineation of LCGCs and DCGCs.

8. If the Bill is passed by the LegCo, the EAC will conduct relevant delineation work in accordance with the amended legislation, and will hold a 30-day public consultation on its recommendations on the boundaries and names of GCs. After considering public views, the EAC will submit a report on its formal recommendations to the CE. Should the CE in Council accepts the recommendations, the boundaries and names of LCGCs for 2025 LCGE will be promulgated through relevant subsidiary legislation procedures.

(B) Empowering the EAC the use of counting machines in the counting work for the LegCo FC elections; and consolidating ballot paper accounts for relevant constituencies to enhance related counting procedures

9. LCGE is composed of the elections for GCs, FCs and ECC. Among them, the overall counting procedures for FC elections is the most complicated. Taking the 2021 LCGE as an example, upon the close of poll, over some 600 polling stations across the territory had to prepare individual ballot paper accounts respectively for each FC (up to 28 FCs), followed by the delivery of a series of such accounts together with the sealed FC ballot boxes to the central counting station (“CCS”). Upon arrival at the CCS, the ballot boxes and ballot paper accounts underwent the handover procedures, after which the ballot boxes were opened with the ballot papers sorted manually by constituency, with the number of ballot papers verified with the relevant ballot paper accounts individually. Upon confirmation, the ballot papers were counted manually. As can be seen, the overall counting procedures for FCs are quite complicated and involve considerable manual efforts. Taking the example of the 2021 LCGE, despite the strengthened management by the EAC and the Registration and Electoral Office (“REO”), the counting work for all 28 FCs, involving a total of about 70 000 ballot papers, still took around 12 hours to complete.

10. Upon reviewing the relevant procedures and arrangements in details together with the EAC and the REO, we are of the view that, on the premise of ensuring a fair and just election, we should enhance relevant arrangements and introduce automation, with a view to further enhancing counting efficiency. With reference to

the application of counting machines in the counting work for the ECSS and the ECC elections, we propose empowering the EAC to, apart from manual counting, also consider using counting machines in the counting work for FC elections. And, the legislative provisions on the relevant counting procedures would need to be revised accordingly where counting machines are used. For instance, manual sorting of ballot papers by constituency before counting will no longer be necessary.

11. Besides, the EAC also agrees that there is room for enhancing the compilation of ballot paper accounts by the Presiding Officers (“PROs”) upon the close of poll. Taking FC elections as an example, each PRO (there are some 600 PROs) is required to compile an independent ballot paper account for each FC (i.e. up to the maximum of 28 ballot paper accounts). The compilation of the relevant accounts is labour-intensive and time-consuming. It also has a bearing on the earlier commencement of counting work after the close of poll. After studying the matter with the EAC, we propose consolidating those relevant accounts, in that a PRO, after the close of poll, would only be required to compile one consolidated account for all FC votes cast at the polling station concerned and no longer need to compile an account for each individual constituency. This will not only alleviate PRO’s workload and shorten the time for compilation, but also reduce the number of accounts to be handled and verified during the handover procedures at the CCS. It can also fully harness the capabilities of the counting machines to undergo collective counting without manual sorting, thereby achieving not only the goal of ensuring the fairness and impartiality of elections being unaffected but also further enhancing counting efficiency.

(C) Improving the arrangements for publication of the ECSS registers

12. According to the current elector/voter registration cycle, after carrying out the relevant statutory procedures², the REO will generally publish the final registers on 25 September every year. The final registers will remain in force until the publication of the final registers for the following year. If it is necessary to conduct any By-E, the EAC will do so using the relevant final registers in force at the time.

13. Under the improved electoral system in 2021, the law provides that ECSS By-E are to be conducted before a LCGE so as to fill the vacancies of elected members of the EC. As aforementioned, if the By-E concerned are to be held before the publication of the ECSS final register for that year, they must be conducted using the final register of the previous year, even though the latest situation of voters may not be

² Including processing applications for new registration or change of registration particulars, the publication of provisional registers and omission lists, and the processing of claims and objections.

completely reflected. Upon review, the REO is of the view that there is room for compressing the time required for, and expediting, certain registration procedures with a view to suitably advancing the publication of the final register (and, if necessary, the provisional register as well), so that the By-E may be conducted on the basis of an up-to-date register. As the polling date of the 2025 ECSS By-E is set for 7 September, to enable the By-E be conducted on the basis of the latest voter situation, we propose to introduce provisions to empower the Electoral Registration Officer (“ERO”) to advance by means of Gazette notice the deadlines for specific registration procedures related to ECSS registers in the year of LCGE³.

14. Main provisions of the Bill are summarised below:

- (a) **Part 1** sets out the short title;
- (b) **Division 1 of Part 2** amends Cap. 541 to remove the connection between the delineation of LCGCs and DCGCs in law;
- (c) **Divisions 2 of Part 2** amends Cap. 541B, and **Part 3** amends Cap. 569 and 569B, mainly to empower ERO to advance by means of Gazette notice the deadlines for specific registration procedures related to ECSS registers in the year of LCGE;
- (d) **Division 3 of Part 2** amends Cap. 541D mainly to enhance counting arrangements in LCGE, including the use of counting machines in FC elections and the consolidation of ballot paper accounts; and
- (e) **Division 4 of Part 2** amends Cap. 541I mainly to provide for the consolidation of ballot paper accounts to enhance counting arrangements in ECSS elections.

B The existing provisions being amended are at **Annex B**.

OTHER OPTIONS

15. The above proposals must be implemented through legislation. There is no other option.

³ Since, under the prevailing electoral system, ECSS By-E are to be conducted before the LCGE that year, hence the same situation will arise.

LEGISLATIVE TIMETABLE

16. The legislative timetable is as follows —

Publication in the Gazette	21 March 2025
First Reading and commencement of Second Reading debate	26 March 2025
Resumption of Second Reading debate, committee Stage and Third Reading	To be notified

IMPLICATIONS OF THE PROPOSAL

17. The Bill conforms to the Basic Law, including the provisions concerning human rights. The proposed amendments have no civil service, economic, productivity, sustainability, environmental, family and gender implications. It will not affect the current binding effect of the legislation and subsidiary legislation being amended. The Bill has no direct financial implication. The REO has earmarked sufficient resources for the two elections to be held this year. The REO will follow the established mechanism to seek additional resources as and when necessary.

PUBLIC CONSULTATION

18. We consulted the LegCo Panel on Constitutional Affairs on the proposed legislative framework on 16 December 2024. Members generally supported the Government to continue to enhance electoral arrangements with the spirit of steadfastly seeking progress while ensuring stability. They also expressed views on various issues, such as efficiency enhancement, safety and security, privacy protection and public perception, etc. Upon consideration of the opinion of LegCo Members and that of other stakeholders, the Government has incorporated the proposals to be implemented at the present stage into the Bill.

PUBLICITY

19. A press release will be issued, and a spokesperson will be made available to address media enquiries.

ENQUIRY

20. Any enquiry on this brief can be addressed to Mr Niki KWOK, Principal Assistant Secretary for Constitutional and Mainland Affairs, at 2810 2159.

Constitutional and Mainland Affairs Bureau
19 March 2025

Electoral Legislation (Miscellaneous Amendments) Bill 2025

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A BILL

To

Amend the Electoral Affairs Commission Ordinance and the Chief Executive Election Ordinance and their subsidiary legislation to make technical revisions in relation to the delineation of geographical constituency boundaries for the Legislative Council general elections; to enhance the counting procedures for functional constituencies; to consolidate ballot paper accounts; and to make related or technical amendments to the electoral legislation.

Enacted by the Legislative Council.

Part 1

Preliminary

1. **Short title**
This Ordinance may be cited as the Electoral Legislation (Miscellaneous Amendments) Ordinance 2025.
2. **Enactments amended**
The enactments specified in Parts 2 and 3 are amended as set out in those Parts.

Part 2

Amendments to Electoral Affairs Commission Ordinance and its Subsidiary Legislation

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

3. **Section 20 amended (criteria for making recommendations)**
 - (1) Section 20—
Repeal subsection (2).
 - (2) Section 20(4)—
Repeal
everything after “regard to”
Substitute
“existing boundaries of geographical constituencies.”.

Division 2—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)

4. **Section 24 amended (Electoral Registration Officer to prepare an omissions list)**
Section 24(3A), after “was made”—
Add
“or on the date that is 14 days before the date of notice in the Gazette of publication of the Election Committee provisional register (whichever is earlier)”.

5. **Section 41A added**

After section 41—

Add**“41A. Power of Electoral Registration Officer to advance certain dates consequent on Officer’s exercise of power under section 14(1AB) of Schedule to Chief Executive Election Ordinance**

If the Electoral Registration Officer exercises the power under section 14(1AB) of the Schedule to the Chief Executive Election Ordinance (Cap. 569) in respect of a subsector provisional register or a subsector final register, the Officer may, by notice published in the Gazette, advance all or any of the dates or periods stipulated under this Regulation for—

- (a) any matters leading to, or in relation to, the compilation or publication of the register concerned; and
- (b) any acts to be done in relation to the matters mentioned in paragraph (a).”

Division 3—Electoral Affairs Commission (Electoral Procedure) (Legislative Council) Regulation (Cap. 541 sub. leg. D)

6. **Section 2 amended (interpretation)**Section 2(1), definition of *verification of number of ballot papers*—**Repeal**

“or 73E(1)(d)”

Substitute

“, 73E(1)(d) or 77AA(8)”.

7. **Section 37 amended (Chief Electoral Officer to carry out other duties relating to polling stations)**

- (1) Section 37(2), after “crossed out”—

Add

“, or endorsed with a marking as directed by the Commission”.

- (2) Section 37(6)(b)—

Repeal

“or functional constituency”

Substitute

“, or for conducting the poll for an election for a functional constituency in relation to which the Commission has made a direction under section 57(2)”.

8. **Section 37A amended (Presiding Officer to display notice relating to deceased or disqualified candidates)**

- (1) Section 37A(1)(a), after “crossed out”—

Add

“, or endorsed with a marking as directed by the Commission,”.

- (2) Section 37A(3)(b), after “crossed out”—

Add

“, or endorsed with a marking as directed by the Commission,”.

9. **Section 49 amended (form of ballot papers and order of appearance of names of candidates on ballot papers)**

- (1) Section 49(3)—

Repeal

“or 3(b)”

Substitute

“, 3(b), 3(c) or 3(d)”.

- (2) Section 49(13A)(b), after “crossed out”—

Add

“, or endorsed with a marking as directed by the Commission.”.

- (3) Section 49(13B)—

Repeal

“or crossed out”

Substitute

“, crossed out or endorsed with a marking”.

10. Section 57 substituted

Section 57—

Repeal the section

Substitute

“57. How functional constituency ballot papers are to be marked

- (1) Subject to subsection (2), an elector or authorized representative voting for a functional constituency must mark the ballot paper by filling in black the ovals on it opposite the names of the candidates of the elector’s or authorized representative’s choice.
- (2) The Commission may, in relation to an election for a functional 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 an election—

- (a) an elector or authorized representative voting at the election must mark the ballot paper with the chop provided under section 37(6) for the purpose; and
 - (b) the chop is to be affixed to give a single “✓” in each of the circles on the ballot paper opposite the names of the candidates of the elector’s or authorized representative’s choice.
- (4) An elector or authorized representative may vote for a number of candidates not exceeding the number of Members to be returned for that functional constituency.”.

11. Section 64 substituted

Section 64—

Repeal the section

Substitute

“64. Presiding Officer to prepare ballot paper account

- (1) For each type of the ballot papers issued by a polling station, the Presiding Officer must prepare a statement in the specified form that shows—
 - (a) the total number of ballot papers issued by the polling station;
 - (b) the number of unused ballot papers;
 - (c) the number of spoilt ballot papers; and
 - (d) the number of tendered ballot papers.
- (2) In this section, a reference to type of ballot papers means the following type of ballot papers—
 - (a) ECC ballot papers;
 - (b) FC ballot papers; or
 - (c) GC ballot papers.”.

12. Section 69A amended (interpretation (Division 2 of Part 4))

Section 69A(1)—

Add in alphabetical order

“approved programme (認可程式) means any computer software that the Commission is satisfied is programmed to count the votes recorded on the ballot papers for one or more constituencies so as to give an accurate result;”.

13. Sections 73B amended (arrangements for sorting of and verifying number of FC ballot papers at central counting station)

(1) Section 73B(1)—

Repeal

“section 77”

Substitute

“section 77, if an approved programme is not to be used to count the ballot papers”.

(2) Section 73B(1)—

Repeal paragraph (c)**Substitute**

“(c) verify the total number recorded for the FC ballot papers under paragraph (b) by comparing it with the ballot paper account for the FC ballot boxes from that polling station;”.

(3) Section 73B(1)(d)—

Repeal

everything after “verification”

Substitute

“for each polling station under paragraph (c);”.

(4) Section 73B(1)(e)—

Repeal

everything after “relevant”

Substitute

“record prepared under paragraph (b);”.

(5) Section 73B(1)(f)—

Repeal

everything after “relevant”

Substitute

“record prepared under paragraph (b); and”.

14. Section 73C amended (arrangements for verifying number of ECC ballot papers at central counting station)

Section 73C(2)(b)—

Repeal

“sections 73B(7)(c) or 73E(5)(c)”

Substitute

“section 73B(7)(c), 73E(5)(c) or 77AA(11)(b)”.

15. Section 73E amended (arrangements for sorting of and counting number of ballot papers in ballot paper sorting station)

(1) Section 73E(1)—

Repeal paragraph (c)**Substitute**

“(c) verify the total number recorded for the GC ballot papers under paragraph (b) by comparing it with the ballot paper account for the GC ballot boxes from that polling station;”.

- (2) Section 73E(1)(d)—

Repeal

everything after “verification”

Substitute

“for each polling station under paragraph (c);”.

16. Section 75 amended (counting of votes for geographical constituencies)

Section 75(1A)—

Repeal

“section 73B(7)(b) and 73C(7)(a)”

Substitute

“sections 73B(7)(b), 73C(7)(a) and 77AA(11)(a)”.

17. Section 77 amended (counting of votes for functional constituencies)

- (1) Section 77, heading, after “constituencies”—

Add

“without use of approved programme”.

- (2) Before section 77(1)—

Add

“(1B) This section applies where the votes for functional constituencies are to be counted without the use of an approved programme.”.

- (3) Section 77(7)(a)(ii)—

Repeal

“57(2)”

Substitute

“57(1) or (3)(b)”.

18. Section 77AA added

After section 77—

Add

“77AA. Counting of votes for functional constituencies with use of approved programme

- (1) This section applies where the votes for functional constituencies are to be counted with the use of an approved programme.
- (2) The Returning Officer for a functional constituency must, at the counting zone for that constituency, count in accordance with this section the votes recorded on the following ballot papers for that constituency—
 - (a) the FC ballot papers from FC ballot boxes opened by the Officer under section 73;
 - (b) the FC ballot papers from the receptacles handed over to the Officer under section 73C(7)(b), 73D(6)(b) or 73E(5)(b).
- (3) The Returning Officer for a functional constituency must, at the counting zone for that constituency—
 - (a) count and record the total number of FC ballot papers from the FC ballot boxes from a polling station, or the receptacles from a counting station or ballot paper sorting station, as the case may be;
 - (b) verify the number recorded under paragraph (a) by comparing it with the ballot paper account for the FC ballot boxes from that polling station, or the relevant statement for the receptacles from that

- counting station or ballot paper sorting station, as the case may be; and
- (c) do the following—
- (i) for FC ballot papers from a polling station—mix the FC ballot papers with those from at least one other polling station (whether also with FC ballot papers mentioned in subparagraph (ii) or not);
 - (ii) for FC ballot papers from a counting station or ballot paper sorting station—mix the FC ballot papers with those from at least 2 polling stations.
- (4) The votes recorded on the ballot papers for each functional constituency are to be counted according to the system of counting described in section 51 of the Legislative Council Ordinance (Cap. 542).
- (5) In the course of counting in accordance with this section—
- (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 57(1) or (3)(b);
 - (iii) appears to be substantially mutilated; or
 - (iv) appears to be void for uncertainty, is questionable and must be separated by constituency and forwarded to the Returning Officer of the relevant functional constituency to decide whether the vote is to be counted in accordance with section 81; and

- (b) any ballot paper described in section 80(1)(b), (c), (d), (f), (hb) and (ib) must be separated and the vote is not to be counted in accordance with section 80.
- (6) In the course of counting in accordance with this section, the Returning Officer must, in relation to any GC ballot paper found—
- (a) sort the GC ballot papers according to each geographical constituency;
 - (b) count and record the number of the GC ballot papers for each geographical constituency;
 - (c) prepare a statement in writing as to the number recorded for each geographical constituency under paragraph (b);
 - (d) make into separate bundles the sorted GC ballot papers for each geographical constituency together with the statement prepared under paragraph (c); and
 - (e) place each bundle in a separate receptacle and seal each receptacle in the presence of those present at the counting zone.
- (7) In the course of counting in accordance with this section, the Returning Officer must, in relation to any ECC ballot paper found—
- (a) count and record the number of the ECC ballot papers;
 - (b) prepare a statement in writing as to the number recorded under paragraph (a);
 - (c) make into a bundle the ECC ballot papers together with the statement prepared under paragraph (b); and

- (d) place the bundle in a receptacle and seal the receptacle in the presence of those present at the counting zone.
- (8) The Returning Officer must—
 - (a) prepare a statement in writing as to the total number of the FC ballot papers counted by the approved programme and the total number of the FC ballot papers separated under subsection (5); and
 - (b) verify the statement by comparing it with the ballot paper accounts, and the relevant statements, as referred to in subsection (3)(b).
- (9) If the Returning Officer considers it necessary, or if required by a candidate, an election agent or a counting agent who is present at the counting zone, the Officer must, in preparing a verification of number of ballot papers under this section, compare the relevant ballot paper account with—
 - (a) the number of ballot papers recorded by the Officer;
 - (b) the spoilt ballot papers;
 - (c) the unused ballot papers; and
 - (d) the counterfoils or un-issued ballot papers.
- (10) The Returning Officer must hand over the receptacles mentioned in subsection (6)(e) or (7)(d) to an Assistant Returning Officer or a counting officer in attendance at the relevant counting zone.
- (11) An Assistant Returning Officer or a counting officer to whom receptacles are handed over under subsection (10) must—

- (a) hand over each receptacle containing a bundle of GC ballot papers to the Returning Officer for the relevant geographical constituency; and
- (b) hand over each receptacle containing a bundle of ECC ballot papers to the Returning Officer for the Election Committee constituency.
- (12) A candidate, an election agent or a counting agent may copy what is recorded on a ballot paper account or a verification of number of ballot papers.”.
- 19. **Section 78A amended (counting of votes for Election Committee constituency)**
Section 78A—
Repeal subsection (6).
- 20. **Section 79 amended (result of the counting of votes and re-count for functional constituencies or Election Committee constituency)**
Section 79(1)—
Repeal
“77”
Substitute
“77, 77AA”.
- 21. **Section 79A amended (result of the counting of votes and re-count for geographical constituencies)**
Section 79A(1), (7), (8)(b), (12)(b), (13)(b) and (14)(a) and (b)—
Repeal
“section 73B(7)(b) or 73C(7)(a)” (wherever appearing)
Substitute

“sections 73B(7)(b), 73C(7)(a) and 77AA(11)(a)”.

22. Section 80 amended (votes recorded on invalid ballot papers not to be counted)

(1) Section 80(1)(g)(ii)—

Repeal

“57(2)”

Substitute

“57(1) or (3)(b)”.

(2) Section 80(1)(hb)—

Repeal

“57(1)”

Substitute

“57(3)(a) or (4)”.

(3) Section 80(1)(ib), after “crossed out”—

Add

“, or endorsed with a marking as directed by the Commission,”.

(4) Section 80(2)—

Repeal

“57(2)”

Substitute

“57(1) or (3)(b)”.

(5) Section 80(3), after “crossed out”—

Add

“, or endorsed with a marking as directed by the Commission,”.

23. Section 81 amended (Returning Officer or Presiding Officer to make decisions on questionable ballot papers)

(1) Section 81(1)—

Repeal

“77(7)(a)”

Substitute

“77(7)(a), 77AA(5)(a)”.

(2) Section 81(2)(b)(ii) and (3)—

Repeal

“57(2)” (wherever appearing)

Substitute

“57(1) or (3)(b)”.

(3) Section 81(6)(k), after “crossed out”—

Add

“, or endorsed with a marking as directed by the Commission,”.

24. Schedule 3 amended (forms of ballot papers for a general election/by-election)

Schedule 3, after Form 3(b)—

Add

“Form 3(c)

Ballot Paper for Functional Constituency

《選舉管理委員會(選舉程序)(立法會)規例》
ELECTORAL AFFAIRS COMMISSION (ELECTORAL PROCEDURE)
(LEGISLATIVE COUNCIL) REGULATION

立法會*換屆選舉/補選
* (功能界別名稱)
LEGISLATIVE COUNCIL *GENERAL ELECTION/BY-ELECTION
(NAME OF FUNCTIONAL CONSTITUENCY)

* (選舉日期)
(date of election)

選票
BALLOT
PAPER

請只選擇一名候選人。NOTE FOR ONE CANDIDATE ONLY
請在每個候選人的姓名旁邊的圓圈內填上您的選擇。
Please fill in black the oval opposite the name of the
candidate of your choice.

<p>@1</p> <p>* 註冊團體的登記名稱及登記標誌 * Registered names and registered emblems of prescribed bodies and registered emblems of prescribed person</p> <p>* 獨立候選人 * Independent Candidate</p> <p>* 無黨派候選人 * Non-affiliated Candidate</p> <p>○ 候選人在提名表格上顯示的候選人姓名 *(Name of candidate as shown in Notice of Nominations)</p> <p>候選人照片 Photograph of candidate</p>	<p>@4</p> <p>○</p>
<p>@2</p> <p>○</p>	<p>@5</p> <p>○</p>
<p>@3</p> <p>○</p>	<p>@6</p> <p>○</p>

存根
COUNTERFOIL

編號)
Serial Number

- # A code will be assigned to the functional constituency concerned. Only the appropriate code will be printed.
- * Only the appropriate information will be printed.
- @ The code assigned for the relevant functional constituency will precede the number allocated to each candidate.

Form 3(d)

Ballot Paper for Functional Constituency

(More than One Vacancy)

《選舉管理委員會(選舉程序)(立法會)規例》
ELECTORAL AFFAIRS COMMISSION (ELECTORAL PROCEDURE)
(LEGISLATIVE COUNCIL) REGULATION

立法會*換屆選舉/補選
*** (功能界別名稱)**
LEGISLATIVE COUNCIL *GENERAL ELECTION/BY-ELECTION
(NAME OF FUNCTIONAL CONSTITUENCY)

*** (選舉日期)**
***(date of election)**

選票
BALLOT
PAPER

只可在選票上填寫最多三名候選人，否則選票作廢。
 Only the names of not more than three candidates may be marked on the ballot paper. Otherwise, the ballot paper will be invalid.

請在選票上填寫你選擇的候選人姓名 (不可超過三名)
 Please fill in black the oval opposite the name of not more than 3 candidates of your choice.

@1 *證明附錄的登記表格及登記標誌 *Registered names and registered emblems of prescribed bodies and registered emblems of prescribed person *獨立候選人 *Independent Candidate *非屬任何政黨 *Non-affiliated Candidate	@4
<input type="radio"/> *候選人姓名(如列上圖) *Name of candidate as shown in Notice of Nominations	<input type="radio"/> 候選人照片 Photograph of candidate
@2	@5
<input type="radio"/>	<input type="radio"/>
@3	@6
<input type="radio"/>	<input type="radio"/>

存報
 COUNTERFOIL
 (編號)
 Serial Number

A code will be assigned to the functional constituency concerned. Only the appropriate code will be printed.

* Only the appropriate information will be printed.

@ The code assigned for the relevant functional constituency will precede the number allocated to each candidate.”.

Division 4—Electoral Affairs Commission (Electoral Procedure) (Election Committee) Regulation (Cap. 541 sub. leg. I)

25. Section 2B amended (how NPC deputies and CPPCC members are to be registered as ex-officio members)

Section 2B(11)(b)—

Repeal

“—by 2 June of the relevant year”

Substitute

“(relevant year)—by 2 June in the year immediately before the relevant year”.

26. Section 2C amended (how other persons are to be registered as ex-officio members)

Section 2C(10)(b)—

Repeal

“—by 2 June of the relevant year”

Substitute

“(relevant year)—by 2 June in the year immediately before the relevant year”.

27. Section 37 amended (Chief Electoral Officer to carry out other duties relating to polling stations)

Section 37(2), after “crossed out”—

Add

“, or endorsed with a marking as directed by the Commission”.

28. Section 37A amended (Presiding Officer to display notice relating to deceased or disqualified candidates)

(1) Section 37A(1)(a), after “crossed out”—

Add

“, or endorsed with a marking as directed by the Commission,”.

(2) Section 37A(3)(b), after “crossed out”—

Add

“, or endorsed with a marking as directed by the Commission,”.

29. Section 49 amended (form of ballot papers and order of appearance of names of candidates on ballot papers)

(1) Section 49(8)(b), after “crossed out”—

Add

“, or endorsed with a marking as directed by the Commission,”.

(2) Section 49(9), after “crossed out”—

Repeal

“or crossed out”

Substitute

“, crossed out or endorsed with a marking”.

30. Section 62 substituted

Section 62—

Repeal the section

Substitute

“62. Presiding Officer to prepare ballot paper account

For the ballot papers issued by a polling station, the Presiding Officer must prepare a statement in the specified form that shows—

- (a) the total number of ballot papers issued by the polling station;
- (b) the number of unused ballot papers;
- (c) the number of spoilt ballot papers; and
- (d) the number of tendered ballot papers.”.

31. Section 69 amended (ballot boxes to be delivered to counting station)

Section 69—

Repeal

“together with”.

32. Section 73 amended (arrangements for counting of votes and verification of number of ballot papers in manual counting)

(1) Section 73(2)(a)—

Repeal subparagraph (iii)

Substitute

“(iii) verify the total number of ballot papers recorded for all subsectors under subparagraph (ii) by comparing it with the ballot paper account for that polling station;”.

(2) Section 73(2)(a)(v), after “of ballot papers”—

Add

“and the relevant records prepared under subparagraph (ii)”.

- (3) Section 73(2)(a)(vi)—

Repeal

“verification of number of ballot papers”

Substitute

“records prepared under subparagraph (ii)”.

- (4) Section 73(4)—

Repeal

“account”

Substitute

“accounts”.

- (5) Section 73(4)(a)—

Repeal

“the number of ballot papers recorded for the subsector”

Substitute

“the total number of ballot papers recorded for all subsectors”.

33. Section 74 amended (arrangements for counting of votes and verification of number of ballot papers in computer counting)

- (1) Section 74(2)—

Repeal paragraph (c)

Substitute

“(c) in relation to the ballot paper account that has been given into that Officer’s charge under section 71, retain the ballot paper account; and”.

- (2) Section 74(4)—

Repeal

“the Returning Officer must”

Substitute

“the Chief Returning Officer (Subsectors) (in the case of a central counting station), or the Returning Officer who supervises the counting station (in the case of a counting station that is not a central counting station), must”.

- (3) Section 74(4)(a)—

Repeal

“the number of ballot papers for the subsector”

Substitute

“the total number of ballot papers”.

- (4) Section 74(4)(a)(ii)—

Repeal

“the Returning Officer”

Substitute

“a Returning Officer”.

- (5) Section 74(4)—

Repeal paragraph (b)

Substitute

“(b) verify the number ascertained under paragraph (a) by comparing it with all ballot paper accounts received by the central counting station or the counting station that is not a central counting station, as the case may be; and”.

- (6) Section 74(5)—

Repeal

“Returning Officer”

Substitute

“Officer concerned”.

- (7) Section 74(5)—

Repeal

“account”

Substitute

“accounts”.

- (8) Section 74(5), Chinese text—

Repeal

“該選舉主任”

Substitute

“該名主任”.

- (9) Section 74(5)(a)—

Repeal

“the number of ballot papers ascertained for the subsector”

Substitute

“the total number of ballot papers ascertained”.

34. **Section 77 amended (votes recorded on invalid ballot papers not to be counted)**

Section 77(3), after “crossed out”—

Add

“, or endorsed with a marking as directed by the Commission.”.

Part 3

Amendments to Chief Executive Election Ordinance and its Subsidiary Legislation

Division 1—Chief Executive Election Ordinance (Cap. 569)

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

The Schedule, section 4(4)(a), after “declaration”—

Add

“or on the date that is 14 days before the date of notice in the Gazette of publication of the provisional register of members of the Election Committee (whichever is earlier)”.

36. **Schedule, section 11 amended (interpretation)**

- (1) The Schedule, section 11(1), definition of *subsector final register*—

Repeal

“or (1A)(b)”

Substitute

“, (1A)(b) or (1AB)(a)(ii)”.

- (2) The Schedule, section 11(1), definition of *subsector provisional register*—

Repeal

“or (1A)(a)”

Substitute

“, (1A)(a) or (1AB)(a)(i)”.

37. Schedule, section 12 amended (who is eligible to be registered as a voter)

The Schedule, section 12(1)(b)(i)—

Repeal sub-subparagraph (B)

Substitute

“(B) where the person is a natural person—

- (I) is eligible to be registered as an elector under Part 5 of the Legislative Council Ordinance (Cap. 542) for a geographical constituency and has made an application to be so registered, or is registered in the existing geographical constituencies final register and is eligible to be, and is not disqualified from being, registered as an elector for a geographical constituency; and
- (II) has reached 18 years of age by the date of publication of the subsector final register; or”.

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

The Schedule, after section 14(1A)—

Add

- “(1AB) Despite subsection (1), if a subsector provisional register and a subsector final register are required to be compiled and published in a year in which a general election is also held under the Legislative Council Ordinance (Cap. 542)—
- (a) the Electoral Registration Officer may, by notice published in the Gazette, do any of the following—
 - (i) specify an earlier date in the year by which the subsector provisional register must be so compiled and published;

- (ii) specify an earlier date in the year by which the subsector final register must be so compiled and published; and

- (b) the register concerned must be compiled and published not later than the earlier date so specified.”.

Division 2—Election Committee (Registration) (Voters for Subsectors) (Members of Election Committee) (Appeals) Regulation (Cap. 569 sub. leg. B)

39. Section 10 added

After section 9—

Add

“10. Power of Electoral Registration Officer to advance certain dates consequent on Officer’s exercise of power under section 14(1AB) of Schedule to Ordinance

If the Electoral Registration Officer exercises the power under section 14(1AB) of the Schedule to the Ordinance in respect of a subsector provisional register or a subsector final register, the Officer may, by notice published in the Gazette, advance all or any of the dates or periods stipulated under this Regulation for—

- (a) any matters leading to, or in relation to, the compilation or publication of the register concerned; and
- (b) any acts to be done in relation to the matters mentioned in paragraph (a).”.

Explanatory Memorandum

The main purpose of this Bill is to amend the following electoral legislation for the purposes set out in the long title of the Bill—

- (a) the Electoral Affairs Commission Ordinance (Cap. 541) (*Cap. 541*);
- (b) the Electoral Affairs Commission (Registration) (Electors for Legislative Council Functional Constituencies) (Voters for Election Committee Subsectors) (Members of Election Committee) Regulation (Cap. 541 sub. leg. B) (*Cap. 541B*);
- (c) the Electoral Affairs Commission (Electoral Procedure) (Legislative Council) Regulation (Cap. 541 sub. leg. D) (*Cap. 541D*);
- (d) the Electoral Affairs Commission (Electoral Procedure) (Election Committee) Regulation (Cap. 541 sub. leg. I) (*Cap. 541I*);
- (e) the Chief Executive Election Ordinance (Cap. 569) (*Cap. 569*);
- (f) the Election Committee (Registration) (Voters for Subsectors) (Members of Election Committee) (Appeals) Regulation (Cap. 569 sub. leg. B) (*Cap. 569B*).

2. The Bill contains 3 Parts.

Part 1—Preliminary

3. Clause 1 sets out the short title.

Part 2—Amendments to Cap. 541 and its Subsidiary Legislation

4. Division 1 of Part 2 amends section 20 of Cap. 541 to remove the connection between the delineation of geographical constituency

boundaries for the Legislative Council general elections, and the District Council constituencies and the Districts.

- 5. Division 2 of Part 2 amends Cap. 541B mainly by adding a new section 41A to provide that if a subsector provisional register and a subsector final register for the Election Committee are required to be compiled and published in a year in which a general election is also held under the Legislative Council Ordinance (Cap. 542), and if the Electoral Registration Officer exercises the newly added power mentioned in paragraph 7, the Officer may, by notice published in the Gazette, advance all or any of the dates or periods stipulated under Cap. 541B for—
 - (a) any matters leading to, or in relation to, the compilation or publication of the register concerned; and
 - (b) any acts to be done in relation to the matters mentioned in subparagraph (a).
- 6. Divisions 3 and 4 of Part 2 amend Cap. 541D and Cap. 541I mainly to enhance the counting procedures in the Legislative Council elections and the elections of the Election Committee, including—
 - (a) use of computer software that the Electoral Affairs Commission is satisfied is programmed to count the votes recorded on the ballot papers for the functional constituencies so as to give an accurate result; and
 - (b) consolidation of ballot paper accounts.

Part 3—Amendments to Cap. 569 and its Subsidiary Legislation

7. Part 3 amends Cap. 569 and Cap. 569B mainly to provide that if a subsector provisional register and a subsector final register for the Election Committee are required to be compiled and published in a year in which a general election is also held under the Legislative Council Ordinance (Cap. 542)—

- (a) the Electoral Registration Officer may, by notice published in the Gazette, do any of the following—
 - (i) specify an earlier date in the year by which the subsector provisional register must be so compiled and published;
 - (ii) specify an earlier date in the year by which the subsector final register must be so compiled and published; and
- (b) the register concerned must be compiled and published not later than the earlier date so specified.

20. Criteria for making recommendations

- (1) In making recommendations for the purposes of this Part, the Commission shall—
- (a) ensure that the extent of each proposed geographical constituency is such that the population in that constituency is as near as is practicable to the number which results (*the resulting number*) when the population quota is multiplied by the number of members to be returned to the Legislative Council by that geographical constituency pursuant to any electoral law;
 - (b) where it is not practicable to comply with paragraph (a) in respect of a proposed geographical constituency, ensure that the extent of the constituency is such that the population in that constituency does not exceed or fall short of the resulting number applicable to that constituency, by more than 15% thereof;
 - (c) ensure that the extent of each proposed District Council constituency is such that the population in that constituency is as near as is practicable to the number calculated in accordance with the formula set out in subsection (1A) (*relevant number*); (*Added 8 of 1999 s. 89. Amended 19 of 2023 s. 100*)
 - (d) where it is not practicable to comply with paragraph (c) in respect of a proposed District Council constituency, ensure that the extent of the proposed constituency is such that the population in that constituency does not exceed or fall short of the relevant number applicable to that constituency, by more than 25% thereof. (*Added 8 of 1999 s. 89. Amended 19 of 2023 s. 100*)
- (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.

(Added 19 of 2023 s. 100)

- (2) In making such recommendations the Commission shall ensure that each proposed geographical constituency is constituted by 2 or more contiguous whole District Council constituencies.
- (3) In making such recommendations the Commission shall have regard to—
 - (a) community identities and the preservation of local ties; and
 - (b) physical features such as size, shape, accessibility and development of the relevant area or any part thereof.
- (4) In making such recommendations in relation to a general election the Commission shall have regard to—
 - (a) existing boundaries of Districts; and
 - (b) existing boundaries of geographical constituencies.

(Replaced 78 of 1999 s. 7)
- (4A) Subject to subsection (4B), in making such recommendations in relation to an ordinary election, the Commission must follow the existing boundaries of Districts and the existing number of members to be returned for a District Council constituency as specified in or under the District Councils Ordinance (Cap. 547). *(Added 8 of 1999 s. 89. Amended 19 of 2023 s. 100)*
- (4B) If the Chief Executive in Council makes any order under section 8 of the District Councils Ordinance (Cap. 547)—
 - (a) not later than 12 months before the deadline for submitting a report for the ordinary election to which the recommendations relate; and
 - (b) which is applicable in relation to that ordinary election; and
 - (c) for the purpose of declaring Districts or specifying the number of members to be returned for a District Council constituency, *(Amended 19 of 2023 s. 100)*

the Commission must, in making such recommendations in relation to that ordinary election, follow the boundaries of the Districts as declared in the relevant order and the number of members as specified in the relevant order. *(Added 8 of 1999 s. 89. Amended 19 of 2023 s. 100)*

- (5) The Commission may depart from the strict application of subsection (1) only where it appears that a consideration referred to in subsection (3) renders such a departure necessary or desirable.
- (6) The Commission shall, for the purposes of subsection (1)—
- (a) endeavour to estimate the total population of Hong Kong, any District, any proposed geographical constituency or any proposed District Council constituency, as the case may be, in the year in which the election to which the recommendations relate, is to be held; and
 - (b) if it is not practicable to comply with paragraph (a), estimate the population of Hong Kong, the District, the geographical constituency or the District Council constituency, as the case may be, having regard to the available information which is the best possible in the circumstances for the purpose of making recommendations. *(Amended 19 of 2023 s. 100)*
- (7) *(Repealed 19 of 2023 s. 100)*
- (Amended 8 of 1999 s. 89; 78 of 1999 s. 7)*

24. Electoral Registration Officer to prepare an omissions list

(1) Subject to subsection (5), the Electoral Registration Officer must— (*L.N. 71 of 2011; 14 of 2021 s. 57*)

- (a) in compiling a functional constituencies provisional register, enter on a functional constituencies omissions list;
- (b) in compiling a subsector provisional register, enter on a subsector omissions list,

the personal particulars of—

- (i) any natural person regarding whom the Electoral Registration Officer has made an inquiry under section 22(1) on or before the date referred to in section 22(5)(a) or (b), as the case may be, if the result of the inquiry was as follows— (*L.N. 200 of 2001; L.N. 255 of 2002*)
 - (A) the information asked for was not received by the Electoral Registration Officer on or before the relevant date specified in subsection (7);
 - (B) (*Repealed 12 of 2014 s. 34*)
 - (C) the Electoral Registration Officer is satisfied on reasonable grounds (based on information received in response to the inquiry or otherwise) that the person is dead;
 - (D) the Electoral Registration Officer is satisfied on reasonable grounds (based on information received in response to the inquiry or otherwise) that the person is disqualified from being registered or is not qualified to be registered;
 - (E) the Electoral Registration Officer is satisfied on reasonable grounds, notwithstanding any information to the contrary received by that Officer, that the person is dead; or

- (F) the Electoral Registration Officer is satisfied on reasonable grounds, notwithstanding any information to the contrary received by that Officer, that the person is disqualified from being registered or is not qualified to be registered;
- (ia) any natural person—
 - (A) whose name is recorded in the existing functional constituencies final register or the existing subsector final register;
 - (B) who has, by a signed written notice, informed the Electoral Registration Officer on or before the relevant date specified in subsection (7) that he or she does not wish to be registered in the register; and
 - (C) who has, in the opinion of the Electoral Registration Officer, been informed (by means of that Officer's notification under subsection (7A)(a) or otherwise) of that Officer's intention to omit the person's personal particulars from the next functional constituencies final register or the next subsector final register; *(12 of 2014 s. 34)*
- (ii) any person whose name is recorded in the existing final register, if the Registrar of Births and Deaths has informed the Electoral Registration Officer, on or before the relevant date specified in subsection (7), that the person is dead; and
- (iii) any person whose name or other particulars are recorded in the existing final register and whose name and principal residential address are entered on the omissions list prepared for the current year under section 9 of the GC Register Regulation. *(L.N. 307 of 1999; L.N. 71 of 2011)*
- (1A) *(Repealed 14 of 2021 s. 57)*
- (1B) *(Repealed 14 of 2021 s. 57)*
- (1C) *(Repealed 14 of 2021 s. 57)*
- (2) *(Repealed L.N. 200 of 2001)*
- (3) If the Electoral Registration Officer has made an inquiry under section 22(2) on or before the date referred to in section 22(5) (a) or (b), as the case may be, regarding a body, and— *(L.N. 255 of 2002)*

- (i) the information asked for was not received by that Officer on or before the relevant date specified in subsection (7); or
- (ii) that Officer is satisfied on reasonable grounds, based on information received in response to the inquiry or otherwise or notwithstanding any information to the contrary received in response to the inquiry, that the body is no longer eligible to be registered as an elector or a voter,

that Officer must, subject to subsection (5), enter—

- (a) on a functional constituencies omissions list the relevant particulars of the body that is no longer eligible to be registered as an elector;
- (b) on a subsector omissions list the relevant particulars of the body that is no longer eligible to be registered as a voter. (*L.N. 307 of 1999*)

(3AA) The Electoral Registration Officer must also enter on a functional constituencies omissions list or a subsector omissions list the relevant particulars of any body—

- (a) the name of which is recorded in the existing functional constituencies final register or the existing subsector final register;
- (b) which has, by a written notice signed by the responsible person of the body, informed the Electoral Registration Officer on or before the relevant date specified in subsection (7) that it does not wish to be registered in the register; and
- (c) which has, in the opinion of the Electoral Registration Officer, been informed (by means of that Officer's notification under subsection (7A)(b) or otherwise) of that Officer's intention to omit the body's relevant particulars from the next functional constituencies final register or the next subsector final register. (*12 of 2014 s. 34*)

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

- (a) subsections (1), (3) and (3AA) do not apply; and
- (b) the Electoral Registration Officer must, subject to subsection (3AAC) and section 28AA(2), enter on the list the personal particulars or relevant particulars of all persons whose names are recorded in the subsector final register published in 2020. (*14 of 2021 s. 57*)

- (3AAC) The Electoral Registration Officer may decide not to enter on the 2021 subsector omissions list the personal particulars or relevant particulars of a person if the Officer is satisfied on reasonable grounds, based on any information received under section 9 or Part IV or V, or otherwise, that the person is eligible to be registered as a voter for any subsector. *(14 of 2021 s. 57)*
- (3A) The Electoral Registration Officer must, in compiling an Election Committee provisional register, enter on an Election Committee omissions list the personal particulars of any person (other than an ex-officio member) whom that Officer is satisfied on reasonable grounds, on the date on which the relevant vacancy declaration was made, as— *(L.N. 112 of 2006; L.N. 173 of 2017)*
- (a) being dead;
 - (b) having resigned, or being deemed to have resigned, from the Election Committee under section 3 of the Schedule to the Chief Executive Election Ordinance (Cap. 569); or
 - (c) having ceased to be registered, or eligible to be registered, or having been disqualified from being registered, under the Legislative Council Ordinance (Cap. 542) as an elector for a geographical constituency. *(L.N. 200 of 2001)*
- (4) The Electoral Registration Officer must, in a manner that Officer considers appropriate, show on an omissions list, that the personal particulars or relevant particulars entered on the omissions list are those that, that Officer proposes to omit from—
- (a) in the case of a functional constituencies omissions list, the next functional constituencies final register;
 - (b) in the case of a subsector omissions list, the next subsector final register;
 - (c) in the case of an Election Committee omissions list, the next Election Committee final register. *(L.N. 200 of 2001)*
- (5) Subject to subsection (5A), the Electoral Registration Officer may enter on a functional constituencies omissions list or a subsector omissions list, the personal particulars or relevant particulars of a person referred to in— *(14 of 2021 s. 57)*

- (a) subsection (1)(i)(A) or (3)(i), only if the inquiry was made from the person who is the subject of the inquiry; and that Officer has informed the person in writing by post (sent to the address recorded against the person's name in the existing final register and any other address that Officer considers appropriate) that the Electoral Registration Officer proposes to omit the person's name and other particulars from the next functional constituencies final register or the next subsector final register, as may be applicable, if the relevant information is not received by that Officer on or before the relevant date specified in subsection (7). *(12 of 2014 s. 34; L.N. 11 of 2016)*
- (b) *(Repealed 12 of 2014 s. 34)*
- (5A) In compiling the functional constituencies provisional register for 2021, subsection (5)(a) does not apply in relation to a person if an inquiry mentioned in section 22(4A) covering that person was made. *(14 of 2021 s. 57)*
- (6) *(Repealed L.N. 255 of 2002)*
- (7) For the purposes of subsections (1)(i)(A), (ia)(B) and (ii), (3)(i), (3AA)(b) and (5)(a), the relevant date is— *(12 of 2014 s. 34; 14 of 2021 s. 57)*
 - (a) in relation to the compilation of the functional constituencies provisional register for 2021—
 - (i) for subsections (1)(i)(A), (3)(i) and (5)(a)—a date specified by the Electoral Registration Officer in the inquiry that is not later than 19 September 2021;
 - (ii) for subsections (1)(ia)(B) and (3AA)(b)—2 May 2021; or
 - (iii) for subsection (1)(ii)—19 September 2021; or
 - (b) in relation to the compilation of the functional constituencies provisional register or subsector provisional register for any year subsequent to 2021—2 June in that year. *(14 of 2021 s. 57)*
- (7A) On receiving a notice referred to in subsection (1)(ia)(B) or (3AA)(b) from a person, the Electoral Registration Officer must notify, by post, the person of that Officer's intention to omit from the next functional constituencies final register or the next subsector final register, as the case may be— *(L.N. 11 of 2016)*
 - (a) if the person is a natural person—the person's personal particulars; or

(b) if the person is a body—the body’s relevant particulars.
(12 of 2014 s. 34)

(8) (Repealed 14 of 2021 s. 57)

(9) In this section—

elects not to be registered (選擇不登記) has the meaning given by section 11(2) and—

(a) a reference to “recipient” in section 11(2) is to be construed as a reference to a person in respect of whom an inquiry under section 22(1) is made; and

(b) a reference to “notification” in section 11(2) is to be construed as a reference to a letter of inquiry sent under section 22(3);

principal residential address (主要住址), in relation to a person, means the address of the only or principal residence (within the meaning of section 28(1B) or (3) of the Legislative Council Ordinance (Cap. 542)) of the person. (L.N. 71 of 2011)

(14 of 2021 s. 57)

(L.N. 307 of 1999; L.N. 200 of 2001)

2. Interpretation

(1) In this Regulation, unless the context otherwise requires—

authorized representative (獲授權代表) has the meaning assigned to it by section 3(1) of the Legislative Council Ordinance (Cap. 542);

ballot paper account (選票結算表) means a statement prepared under section 64;

ballot paper sorting station (選票分流站) means a place designated as a ballot paper sorting station under section 28; (*L.N. 130 of 2009*)

by-election (補選) has the meaning assigned to it by section 3(1) of the Legislative Council Ordinance (Cap. 542);

by-election notice (補選公告) means a notice published under section 8;

candidate (候選人) means, subject to subsection (2)— (*14 of 2021 s. 81*)

- (a) in relation to a particular geographical constituency—a candidate who is validly nominated to be returned as a Member for that geographical constituency at a general election or by-election;
- (b) in relation to a particular functional constituency—a candidate who is validly nominated to be returned as a Member for that functional constituency at a general election or by-election; and
- (c) in relation to the Election Committee constituency—a candidate who is validly nominated to be returned as a Member for the Election Committee constituency at a general election or by-election; (*14 of 2021 s. 81*)

Candidate Eligibility Review Committee (候選人資格審查委員會) means the Candidate Eligibility Review Committee established under section 9A of the Chief Executive Election Ordinance (Cap. 569); (*14 of 2021 s. 81*)

central counting station (中央點票站) means a counting station designated under section 28(9)(a)(ii) in relation to a general election for counting the votes for functional constituencies

and the Election Committee constituency; (*L.N. 65 of 2000; L.N. 84 of 2004; 14 of 2021 s. 81*)

Chief Returning Officer (總選舉主任) means the Returning Officer designated as such under section 99(a);

constituency (選區或界別) means a geographical constituency, a functional constituency or the Election Committee constituency; (*14 of 2021 s. 81*)

counting agent (監察點票代理人) means a person appointed as a counting agent under section 66;

counting of the votes (點票) includes, where appropriate, the separation, sorting and counting of ballot papers;

counting officer (點票人員) means, in relation to a counting station, a person appointed under section 67 as a counting officer for that counting station;

counting station (點票站) means a place designated as a counting station under section 28;

counting zone (點票區) means an area within a counting station assigned by the Chief Returning Officer, the Returning Officer or the Presiding Officer, as may be appropriate, for the counting of the votes; (*L.N. 84 of 2004; L.N. 130 of 2009*)

dedicated polling station (專用投票站) means a place designated as a dedicated polling station under section 28; (*L.N. 130 of 2009*)

ECC ballot paper (選委會界別選票) means a ballot paper to vote for a candidate standing for election for the Election Committee constituency; (*14 of 2021 s. 81*)

ECC polling station (選委會界別投票站) means a polling station assigned by the Chief Electoral Officer under section 30(1)(b) to conduct the polling for the Election Committee constituency; (*14 of 2021 s. 81*)

election (選舉) means a general election or a by-election;

election advertisement (選舉廣告), in relation to an election, means

—

- (a) a publicly exhibited notice, leaflet, circular, bill, booklet, placard or poster;
- (b) a notice, leaflet, circular, bill, booklet, placard or poster delivered by hand or electronic transmission;
- (c) a public announcement made by radio or television or by video or cinematographic film; or
- (d) any other form of publication,

published for the purpose of promoting or prejudicing the election of a candidate or candidates at the election; (*11 of 2012 s. 6*)

election agent (選舉代理人) means a person appointed as an election agent under section 23;

Election Committee constituency (選舉委員會界別) has the meaning given by section 3(1) of the Legislative Council Ordinance (Cap. 542); (*14 of 2021 s. 81*)

Election Committee final register (選舉委員會正式委員登記冊) means the final register of members of the Election Committee compiled under the Electoral Affairs Commission (Registration) (Electors for Legislative Council Functional Constituencies) (Voters for Election Committee Subsectors) (Members of Election Committee) Regulation (Cap. 541 sub. leg. B) and which is in effect; (*14 of 2021 s. 81*)

election expense agent (選舉開支代理人) has the meaning assigned to it by section 2 of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554); (*L.N. 65 of 2000*)

election expenses (選舉開支) has the meaning assigned to it by section 2 of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554), but the reference to “an election” in that meaning is to be construed as the election referred to in section 4(1)(b) or (c) of that Ordinance; (*10 of 2000 s. 47; L.N. 65 of 2000; 11 of 2012 s. 6*)

election notice (選舉公告) means— (*14 of 2021 s. 81*)

- (a) in relation to a geographical constituency—a notice published under section 4;
- (b) in relation to a functional constituency—a notice published under section 5; and
- (c) in relation to the Election Committee constituency—a notice published under section 6A; (*14 of 2021 s. 81*)

elector (選民) has the meaning assigned to it by section 3(1) of the Legislative Council Ordinance (Cap. 542);

emblem (標誌) has the meaning assigned to it by section 2(1) of the Particulars Relating to Candidates on Ballot Papers (Legislative Council and District Councils) Regulation (Cap. 541 sub. leg. M); (*L.N. 84 of 2004; L.N. 47 of 2007*)

FC ballot paper (功能界別選票) means a ballot paper to vote for a candidate standing for election for a functional constituency; (*11 of 2012 s. 66; 14 of 2021 s. 81*)

final register (正式登記冊) means—

- (a) the geographical constituencies final register;

- (b) the functional constituencies final register; or
- (c) the Election Committee final register; (14 of 2021 s. 81)

functional constituencies final register (功能界別正式選民登記冊) means the final register of electors for functional constituencies compiled under the Electoral Affairs Commission (Registration) (Electors for Legislative Council Functional Constituencies) (Voters for Election Committee Subsectors) (Members of Election Committee) Regulation (Cap. 541 sub. leg. B) and which is in effect; (L.N. 200 of 2001)

functional constituency (功能界別) has the meaning assigned to it by section 3(1) of the Legislative Council Ordinance (Cap. 542);

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

GC counting station (地方選區點票站) means a counting station designated under section 28(9)(a)(i) in relation to a general election for counting the votes for one geographical constituency; (L.N. 65 of 2000)

GC elector (地方選區選民) means a person who is entitled to vote for a geographical constituency; (L.N. 147 of 1998)

GC polling station (地方選區投票站) means a polling station assigned by the Chief Electoral Officer under section 30(1)(a) to conduct the polling for a particular geographical constituency; (L.N. 84 of 2004; 14 of 2021 s. 81)

general election (換屆選舉) has the meaning assigned to it by section 3(1) of the Legislative Council Ordinance (Cap. 542);

geographical constituencies final register (地方選區正式選民登記冊) means the final register of electors for geographical constituencies compiled under the Electoral Affairs Commission (Registration of Electors) (Legislative Council Geographical Constituencies) (District Council Geographical Constituencies) Regulation (Cap. 541 sub. leg. A) and which is in effect; (L.N. 284 of 1999; 19 of 2023 s. 110)

geographical constituency or **GC** (地方選區) means an area declared to be a geographical constituency under section 18(2) (a) of, or Schedule 6 to, the Legislative Council Ordinance (Cap. 542); (L.N. 84 of 2004; 14 of 2021 s. 81)

head-dress (頭飾) means anything which is worn on a person's head; (L.N. 84 of 2004)

identity card (身分證) has the meaning assigned to it by section 1A of the Registration of Persons Ordinance (Cap. 177); (*L.N. 147 of 1998*)

identity document (身分證明文件) has the meaning assigned to it by section 3(1) of the Legislative Council Ordinance (Cap. 542);

in custody (受羈押), in relation to a person, means the person is—

- (a) serving a sentence of imprisonment;
- (b) detained by the Correctional Services Department on remand; or
- (c) otherwise detained by any law enforcement agency under any lawful authority; (*L.N. 130 of 2009*)

law enforcement agency (執法機關) means—

- (a) the Customs and Excise Department;
- (b) the Hong Kong Police Force;
- (c) the Immigration Department;
- (d) the Independent Commission Against Corruption; or
- (e) any other department of the Government any officer of which is empowered by any Ordinance to exercise a power of arrest; (*L.N. 130 of 2009*)

main counting station (大點票站) means a place designated as a main counting station under section 28; (*L.N. 84 of 2004*)

maximum security prison (高度設防監獄) means a prison which is specified as a maximum security prison under rule 47A(1)(b) of the Prison Rules (Cap. 234 sub. leg. A); (*L.N. 130 of 2009*)

Member (議員) has the meaning assigned to it by section 3(1) of the Legislative Council Ordinance (Cap. 542);

no canvassing zone (禁止拉票區) means an area determined under section 40 to be an area in which canvassing of votes is prohibited;

no staying zone (禁止逗留區) means an area determined under section 40 to be an area in which staying or loitering is prohibited;

nomination form (提名表格) means a form referred to in section 10(1), 11(1) or 12A(1) (as applicable); (*L.N. 73 of 2011; 14 of 2021 s. 81*)

nomination period (提名期) means— (*14 of 2021 s. 81*)

- (a) in relation to nominations for a geographical constituency—the period specified under section 4(2)(b);

- (b) in relation to nominations for a functional constituency—the period specified under section 5(2)(b);
- (c) in relation to nominations for the Election Committee constituency—the period specified under section 6A(2)(b); and
- (d) for a by-election for a constituency—the relevant period specified under section 8(7)(a); (*14 of 2021 s. 81*)

Nominations Advisory Committee (提名顧問委員會) means a committee appointed under the Electoral Affairs Commission (Nominations Advisory Committees (Legislative Council)) Regulation (Cap. 541 sub. leg. C); (*L.N. 115 of 1999*)

notice appointing the election day (指定選舉日公告) means, in relation to a general election, a notice by which a date is specified by the Chief Executive under the Legislative Council Ordinance (Cap. 542) to hold an election to return—

- (a) the Members to be returned for geographical constituencies;
- (b) the Members to be returned for functional constituencies; or
- (c) the Members to be returned for the Election Committee constituency; (*14 of 2021 s. 81*)

notice of nominations (提名公告) means a notice published under section 21; (*L.N. 84 of 2004; 11 of 2012 s. 43; 14 of 2021 s. 81*)

ordinary business hours (通常辦公時間) means the hours—

- (a) between 9 a.m. and 5 p.m. on any Monday, Tuesday, Wednesday, Thursday or Friday (other than a general holiday); and
- (b) between 9 a.m. and 12 noon on a Saturday (other than a general holiday) during the period between—
 - (i) the date of publication of a notice under section 4(1), 5(1), 6A(1) or 8(1) in respect of an election; and
 - (ii) the date of publication of the result of the election under the Legislative Council Ordinance (Cap. 542) or the date of the declaration of the failure of the election under that Ordinance, whichever is the later; (*12 of 2014 s. 93; 14 of 2021 s. 81*)

polling agent (監察投票代理人) means a person appointed as a polling agent under section 42;

polling day (投票日) means the date on which the poll is to be held in an election;

polling hours (投票時間) means the hours for polling appointed under section 27;

polling officer (投票站人員) means, in relation to a polling station, a person appointed under section 34(2) as a polling officer for that polling station;

polling station (投票站) means a place designated as a polling station under section 28;

prescribed body (訂明團體) has the meaning assigned to it by section 2(1) of the Particulars Relating to Candidates on Ballot Papers (Legislative Council and District Councils) Regulation (Cap. 541 sub. leg. M); (*L.N. 84 of 2004; L.N. 47 of 2007*)

prescribed person (訂明人士) has the meaning assigned to it by section 2(1) of the Particulars Relating to Candidates on Ballot Papers (Legislative Council and District Councils) Regulation (Cap. 541 sub. leg. M); (*L.N. 84 of 2004; L.N. 47 of 2007*)

Presiding Officer (投票站主任) means— (*L.N. 130 of 2009*)

- (a) in relation to a polling station, the person appointed under section 34(1) as the Presiding Officer for that polling station;
- (b) in relation to a ballot paper sorting station, the person appointed under section 66A(1) as the Presiding Officer for that ballot paper sorting station; (*L.N. 130 of 2009*)

registered (登記), in the context of a registered emblem or a registered name, has the meaning assigned to it by section 2(1) of the Particulars Relating to Candidates on Ballot Papers (Legislative Council and District Councils) Regulation (Cap. 541 sub. leg. M); (*L.N. 84 of 2004; L.N. 47 of 2007*)

registered residential address (登記住址) means, in relation to a person, the address recorded in the particulars of that person in the geographical constituencies final register;

Returning Officer (選舉主任) has the meaning assigned to it by section 3(1) of the Legislative Council Ordinance (Cap. 542);

small polling station (小投票站) means a place designated as a small polling station under section 28; (*L.N. 84 of 2004*)

special polling station (特別投票站) means a polling station designated as such under section 29;

specified address (指明地點) means, in relation to a geographical constituency, a functional constituency or the Election Committee constituency, the address specified in the relevant election notice or by-election notice as the address at which

the nomination forms are to be submitted; (*L.N. 84 of 2004; 14 of 2021 s. 81*)

specified form (指明表格、指明格式) means, in relation to a particular purpose of this Regulation, the form specified under section 100 for that purpose;

spoilt ballot paper (損壞的選票) means a spoilt ballot paper within the meaning of section 62;

tendered ballot paper (重複的選票) means a tendered ballot paper within the meaning of section 60;

unused ballot paper (未用的選票) means an unused ballot paper within the meaning of section 61(2);

validly nominated candidate (獲有效提名的候選人) means—

- (a) subject to paragraph (b), a person whom the Candidate Eligibility Review Committee has decided under section 16 to be validly nominated; (*14 of 2021 s. 81*)
- (b) in case a declaration under section 42B(2)(b) or (5)(b) of the Legislative Council Ordinance (Cap. 542) is made, a person who is stated to be validly nominated in the declaration; (*L.N. 65 of 2000*)

verification of number of ballot papers (選票數目核實書) means a statement prepared under section 73B(1)(d), 73C(1)(d), 73D(1)(b) or (2)(a)(iii) or 73E(1)(d). (*14 of 2021 s. 81*)

(*L.N. 147 of 1998; L.N. 65 of 2000; L.N. 210 of 2001; L.N. 84 of 2004; L.N. 143 of 2019; 14 of 2021 s. 81*)

(2) In this Regulation—

- (a) in Part 2, ***candidate*** (候選人) includes a person who is being or has been nominated as a candidate to stand for election as a Member; and
 - (b) in section 25 and Part 7, ***candidate*** (候選人)— (*11 of 2012 s. 6*)
 - (i) means a person who stands nominated as a candidate at an election; and
 - (ii) also means a person who, at any time before close of nominations for an election, has publicly declared an intention to stand as a candidate at the election. (*L.N. 65 of 2000; 14 of 2021 s. 81*)
- (3) In this Regulation, unless it is provided otherwise, a reference to “Returning Officer” is to be construed— (*14 of 2021 s. 81*)
- (a) in relation to a geographical constituency—as the Returning Officer appointed for that geographical constituency;

- (b) in relation to a functional constituency—as the Returning Officer appointed for that functional constituency; and
 - (c) in relation to the Election Committee constituency—as the Returning Officer appointed for the Election Committee constituency. *(14 of 2021 s. 81)*
 - (4) *(Repealed 14 of 2021 s. 81)*
 - (5) In this Regulation, any provision which entitles or permits a candidate, an election agent, a polling agent or a counting agent to do anything in a polling station, counting station, counting zone or in relation to the counting of the votes is to be construed as entitling or permitting the candidate or the agent to do it in a polling station, counting station, counting zone or in relation to the counting of the votes for the constituency for which the candidate is standing for election or for which the agent is appointed, as the case may require.
 - (6) In this Regulation, unless it is provided otherwise—
 - (a) a reference to “counting station” is to be construed as including a main counting station and a ballot paper sorting station; and
 - (b) a reference to “polling station” is to be construed as including a small polling station, a special polling station and a dedicated polling station. *(L.N. 84 of 2004; L.N. 130 of 2009)*
 - (7) *(Repealed L.N. 210 of 2001)*
- (E.R. 2 of 2012)*

37. Chief Electoral Officer to carry out other duties relating to polling stations

- (1) The Chief Electoral Officer must provide at each polling station sufficient compartments as that Officer considers necessary to enable electors and authorized representatives to vote, screened from observation.
- (2) The Chief Electoral Officer must supply to each Presiding Officer, the number of ballot papers the Chief Electoral Officer considers necessary for the constituency or constituencies for which the polling station is to be used for polling. The Chief Electoral Officer must ensure that the name of any deceased or disqualified candidate regarding whom notice under section 22A(1) or 22B(1) is given or declarations under section 22A(3) or 22B(3) are made, and other information relating to that candidate, if printed on the ballot papers, are crossed out. *(L.N. 84 of 2004; 1 of 2019 s. 31)*

- (3) The Chief Electoral Officer must also supply to the Presiding Officer a copy of the appropriate part of the final register or registers.
- (4) There may be added to the copy the identity document numbers of the electors and authorized representatives and such other additional particulars or information as the Chief Electoral Officer thinks fit to include.
- (5) The form in which the copy is supplied may be in a printed form, a form which is capable of being read by a computer or any other form determined by the Chief Electoral Officer.
- (6) The Chief Electoral Officer must provide at each polling station—
 - (a) materials; and
 - (b) if the polling station is also assigned for conducting the poll for a geographical constituency or functional constituency, or for conducting the poll for a by-election for the Election Committee constituency in relation to which the Commission has made a direction under section 58A(2)—chops bearing the mark “✓”, with or without other design, (*14 of 2021 s. 108*)

that are necessary to enable electors and authorized representatives to mark ballot papers. (*L.N. 65 of 2000*)
- (7) The Chief Electoral Officer must do other acts and things as that Officer considers necessary for holding the poll effectively.

(*L.N. 65 of 2000*)

37A. Presiding Officer to display notice relating to deceased or disqualified candidates

- (1) This section applies if—
 - (a) the name of, and other information relating to, a candidate (***applicable candidate***) on a ballot paper are crossed out under section 37(2); and
 - (b) the ballot paper is used for polling at a polling station.
- (2) The Presiding Officer of the polling station must ensure that a notice specified in subsection (3) is displayed in a prominent place—
 - (a) if the polling station is not a dedicated polling station—outside the polling station; or
 - (b) if the polling station is a dedicated polling station—inside the polling station.

- (3) The notice must state that—
 - (a) the applicable candidate is—
 - (i) a deceased candidate regarding whom a declaration referred to in section 22A(3) has been made; or
 - (ii) a disqualified candidate regarding whom a declaration referred to in section 22B(3) has been made; and
 - (b) the name of, and other information relating to, the applicable candidate on the ballot paper are crossed out under section 37(2).

(1 of 2019 s. 32)

49. Form of ballot papers and order of appearance of names of candidates on ballot papers

(14 of 2021 s. 112)

- (1) A ballot paper to be used to vote for a geographical constituency is to be in Form 1 in Schedule 3.
- (2) *(Repealed 14 of 2021 s. 112)*
- (2A) *(Repealed 14 of 2021 s. 112)*
- (3) A ballot paper to be used to vote for a functional constituency is to be in Form 3(a) or 3(b) in Schedule 3, as appropriate. *(L.N. 65 of 2000; L.N. 73 of 2011; 14 of 2021 s. 112)*
- (3A) Subject to subsection (3B), a ballot paper to be used to vote for the Election Committee constituency is to be in Form 5(a) in Schedule 3. *(14 of 2021 s. 112)*
- (3B) If the Commission has made a direction under section 58A(2) in relation to a by-election for the Election Committee constituency, a ballot paper to be used to vote at that by-election is to be in Form 5(b) in Schedule 3. *(14 of 2021 s. 112)*
- (4) The Chief Electoral Officer may modify the layout of the form of any ballot paper prescribed in Schedule 3 (except Forms 5(a) and 5(b) in that Schedule) to incorporate particulars relating to candidates to be printed on a ballot paper in accordance with the Particulars Relating to Candidates on Ballot Papers (Legislative Council and District Councils) Regulation (Cap. 541 sub. leg. M). *(L.N. 84 of 2004; L.N. 47 of 2007; L.N. 66 of 2008; 14 of 2021 s. 112)*
- (5) The Commission may decide—
 - (a) to have a ballot paper printed in white or in colour or colour pattern;

- (b) the colour in which a ballot paper is to be printed or the colour pattern to be printed on a ballot paper;
 - (c) to have different types of ballot paper printed in different colours or with different colour patterns;
 - (d) whether or not to have a design on the back of a ballot paper;
 - (e) the design to be printed on the back of a ballot paper; or
 - (f) to have different designs printed on the back of different types of ballot papers.
- (6) The order in which the names of candidates appear on a GC ballot paper is to be determined by the Returning Officer by drawing lots. *(14 of 2021 s. 112)*
- (6A) A number is to be allocated to each candidate for a geographical constituency according to the result of the draw, and the number is to be printed on the ballot paper against the name of the candidate. *(14 of 2021 s. 112)*
- (6B) *(Repealed 14 of 2021 s. 112)*
- (7) The order in which the names of candidates appear on an FC ballot paper is to be determined by the Returning Officer by the drawing of lots. *(L.N. 147 of 1998; L.N. 73 of 2011; 14 of 2021 s. 112)*
- (8) Each functional constituency is to be assigned one or more letters of the alphabet by the Chief Electoral Officer as the code of the functional constituency. *(L.N. 73 of 2011 and 11 of 2012 s. 63; 14 of 2021 s. 112)*
- (8A) Each candidate for a functional constituency is to be allocated a number preceded by the code assigned under subsection (8), according to the result of the draw. The code and the number are to be printed on the ballot paper against the name of the candidate. *(L.N. 73 of 2011 and 11 of 2012 s. 63; 14 of 2021 s. 112)*
- (9) *(Repealed 14 of 2021 s. 112)*
- (10) *(Repealed L.N. 84 of 2004)*
- (10A) The order in which the names of candidates appear on an ECC ballot paper is to be determined by the Returning Officer by drawing lots. *(14 of 2021 s. 112)*
- (10B) A number is to be allocated to each candidate for the Election Committee constituency according to the result of the draw, and the number is to be printed on the ballot paper against the name of the candidate. *(14 of 2021 s. 112)*

- (11) A candidate may be present at the drawing of lots under this section or be represented by a person authorized in writing by him or her.
- (12) The Returning Officer must give notice to each candidate of the arrangements for the drawing of lots under this section. *(14 of 2021 s. 112)*
- (13) A ballot paper is to contain the following information—
 - (a) the name of the candidate;
 - (aa) insofar as may be applicable to the candidate, the particulars specified in the Schedule to the Particulars Relating to Candidates on Ballot Papers (Legislative Council and District Councils) Regulation (Cap. 541 sub. leg. M); and *(L.N. 66 of 2008; L.N. 143 of 2019)*
 - (b) *(Repealed L.N. 143 of 2019)*
 - (c) the number or a letter of the alphabet allocated to the candidate under this section. *(14 of 2021 s. 112)*
- (13A) In the case of the death or disqualification of a candidate who has been allocated a number or a letter of the alphabet under this section, the name of the candidate and the information under subsection (13) relating to that candidate—
 - (a) are to be omitted from the ballot paper; or
 - (b) if printed on the ballot paper, are to be crossed out under section 37(2). *(L.N. 65 of 2000; 1 of 2019 s. 33)*
- (13B) The number or letter of the alphabet allocated to a candidate under this section is not to be altered even if the information relating to another candidate for the constituency concerned who has died or is disqualified is omitted from the ballot paper or crossed out under subsection (13A). *(L.N. 65 of 2000; L.N. 84 of 2004)*
- (14) A ballot paper is to have the date and description of the election printed on the front of it.
- (15) A number may be printed on the counterfoil of a ballot paper, but that number is not to be printed or shown in any manner on the ballot paper.
- (16) A notice required to be given to a candidate under subsection (12) may be given to the election agent instead of to the candidate. *(L.N. 147 of 1998)*

69A. Interpretation (Division 2 of Part 4)

- (1) In this Division—

ECC ballot box (選委會界別票箱) means a ballot box for the receipt of ECC ballot papers;

FC ballot box (功能界別票箱) means a ballot box for the receipt of FC ballot papers;

GC ballot box (地方選區票箱) means a ballot box for the receipt of GC ballot papers.

(2) In this Division—

(a) a reference to the handing over of any item (including a ballot box or receptacle) to a person includes the giving of the item into the charge of that person; and

(b) a reference to any ECC ballot paper (except in section 78A) includes an envelope that contains, or appears to contain, any ECC ballot paper.

(3) Without limiting section 3(2), for the purposes of a by-election for a functional constituency or the Election Committee constituency, a reference in this Division to the central counting station is to be construed as a reference to the counting station for counting the votes cast for that constituency.

(14 of 2021 s. 128)

73B. Arrangements for sorting of and verifying number of FC ballot papers at central counting station

(1) At the central counting station, the Returning Officer for a functional constituency must, at the counting zone for that constituency, take the following steps in relation to the FC ballot papers from each polling station before counting the votes recorded on those ballot papers in accordance with section 77—

(a) sort the FC ballot papers according to each functional constituency;

(b) count and record the number of the FC ballot papers for each functional constituency;

(c) verify the number recorded for each functional constituency under paragraph (b) by comparing it with the ballot paper account for that constituency from that polling station;

(d) prepare a statement in writing as to the result of the verification for each functional constituency under paragraph (c);

- (e) retain the FC ballot papers for the functional constituency for which the Officer is appointed together with the relevant statement prepared under paragraph (d);
 - (f) make into separate bundles the sorted FC ballot papers for each other functional constituency together with the relevant statement prepared under paragraph (d); and
 - (g) place each bundle in a separate receptacle and seal each receptacle in the presence of those present at the counting zone.
- (2) In subsection (1), the reference to the FC ballot papers from each polling station is a reference to—
- (a) the FC ballot papers in the FC ballot boxes from a polling station that are handed over to the Returning Officer under section 72(1); and
 - (b) the FC ballot papers found in the GC ballot boxes or ECC ballot boxes from that polling station, if any, that are placed in a receptacle handed over to the Returning Officer under section 73C(7)(b), 73D(6)(b) or 73E(5)(b).
- (3) If any GC ballot paper is found in the FC ballot boxes, the Returning Officer must, in relation to such GC ballot papers from each polling station—
- (a) sort the GC ballot papers according to each geographical constituency;
 - (b) count and record the number of the GC ballot papers for each geographical constituency;
 - (c) prepare a statement in writing as to the number recorded for each geographical constituency under paragraph (b);
 - (d) make into separate bundles the sorted GC ballot papers for each geographical constituency together with the relevant statement prepared under paragraph (c); and
 - (e) place each bundle in a separate receptacle and seal each receptacle in the presence of those present at the counting zone.
- (4) If any ECC ballot paper is found in the FC ballot boxes, the Returning Officer must, in relation to such ECC ballot papers from each ECC polling station—
- (a) count and record the number of the ECC ballot papers;
 - (b) prepare a statement in writing as to the number recorded under paragraph (a);
 - (c) make into a bundle the ECC ballot papers together with the statement prepared under paragraph (b); and

- (d) place the bundle in a receptacle and seal the receptacle in the presence of those present at the counting zone.
- (5) If the Returning Officer considers it necessary or if required by a candidate, an election agent or a counting agent who is present at the counting zone, the Officer must, in preparing a verification of number of ballot papers under this section, compare the relevant ballot paper account with—
 - (a) the number of ballot papers recorded by the Officer;
 - (b) the spoilt ballot papers;
 - (c) the unused ballot papers; and
 - (d) the counterfoils or un-issued ballot papers.
- (6) The Returning Officer must hand over the receptacles mentioned in subsection (1)(g), (3)(e) or (4)(d) to an Assistant Returning Officer or a counting officer in attendance at the relevant counting zone.
- (7) An Assistant Returning Officer or a counting officer to whom receptacles are handed over under subsection (6) must—
 - (a) hand over each receptacle containing a bundle of FC ballot papers for a functional constituency to the Returning Officer for the relevant functional constituency;
 - (b) hand over each receptacle containing a bundle of GC ballot papers to the Returning Officer for the relevant geographical constituency; and
 - (c) hand over each receptacle containing a bundle of ECC ballot papers to the Returning Officer for the Election Committee constituency.
- (8) A candidate, an election agent or a counting agent may copy what is recorded on a ballot paper account or a verification of number of ballot papers.

(14 of 2021 s. 132)

73C. Arrangements for verifying number of ECC ballot papers at central counting station

- (1) At the central counting station, the Returning Officer for the Election Committee constituency must, at the counting zone for that constituency, take the following steps in relation to the ECC ballot papers from each ECC polling station before counting the votes recorded on those ballot papers in accordance with section 78A—

- (a) if envelopes for containing ECC ballot papers are used in the election—take out the ECC ballot papers from the envelopes;
 - (b) count and record the number of the ECC ballot papers;
 - (c) verify the number recorded under paragraph (b) by comparing it with the ballot paper account for the Election Committee constituency from that polling station; and
 - (d) prepare a statement in writing as to the result of the verification under paragraph (c).
- (2) In subsection (1), the reference to the ECC ballot papers from each ECC polling station is a reference to—
 - (a) the ECC ballot papers in the ECC ballot boxes from an ECC polling station that are handed over to the Returning Officer under section 72(2); and
 - (b) the ECC ballot papers found in the GC ballot boxes or FC ballot boxes from that polling station, if any, that are placed in a receptacle handed over to the Returning Officer under sections 73B(7)(c) or 73E(5)(c).
- (3) If any GC ballot paper is found in the ECC ballot boxes or envelopes mentioned in subsection (1)(a), the Returning Officer must, in relation to such GC ballot papers from each ECC polling station—
 - (a) sort the GC ballot papers according to each geographical constituency;
 - (b) count and record the number of the GC ballot papers for each geographical constituency;
 - (c) prepare a statement in writing as to the number recorded for each geographical constituency under paragraph (b);
 - (d) make into separate bundles the sorted GC ballot papers for each geographical constituency together with the relevant statement prepared under paragraph (c); and
 - (e) place each bundle in a separate receptacle and seal each receptacle in the presence of those present at the counting zone.
- (4) If any FC ballot paper is found in the ECC ballot boxes or envelopes mentioned in subsection (1)(a), the Returning Officer must, in relation to such FC ballot papers from each ECC polling station—
 - (a) sort the FC ballot papers according to each functional constituency;

- (b) count and record the number of the FC ballot papers for each functional constituency;
 - (c) prepare a statement in writing as to the number recorded for each functional constituency under paragraph (b);
 - (d) make into separate bundles the sorted FC ballot papers for each functional constituency together with the relevant statement prepared under paragraph (c); and
 - (e) place each bundle in a separate receptacle and seal each receptacle in the presence of those present at the counting zone.
- (5) If the Returning Officer considers it necessary or if required by a candidate, an election agent or a counting agent who is present at the counting zone, the Officer must, in preparing a verification of number of ballot papers under this section, compare the relevant ballot paper account with—
- (a) the number of ballot papers recorded by the Officer;
 - (b) the spoilt ballot papers;
 - (c) the unused ballot papers; and
 - (d) the counterfoils or un-issued ballot papers.
- (6) The Returning Officer must hand over the receptacles mentioned in subsection (3)(e) or (4)(e) to an Assistant Returning Officer or a counting officer in attendance at the counting zone.
- (7) An Assistant Returning Officer or a counting officer to whom receptacles are handed over under subsection (6) must—
- (a) hand over each receptacle containing a bundle of GC ballot papers to the Returning Officer for the relevant geographical constituency; and
 - (b) hand over the receptacles containing FC ballot papers from each ECC polling station to the Returning Officer to whom the FC ballot boxes from that polling station are handed over under section 72(1).
- (8) A candidate, an election agent or a counting agent may copy what is recorded on a ballot paper account or a verification of number of ballot papers.

(14 of 2021 s. 132)

73E. Arrangements for sorting of and counting number of ballot papers in ballot paper sorting station

- (1) The Presiding Officer of a ballot paper sorting station must, in relation to the GC ballot papers in the GC ballot boxes from each dedicated polling station or ECC polling station—
 - (a) sort the GC ballot papers according to each geographical constituency;
 - (b) count and record the number of the GC ballot papers for each geographical constituency;
 - (c) verify the number recorded for each geographical constituency under paragraph (b) by comparing it with the ballot paper account for that constituency from that polling station;
 - (d) prepare a statement in writing as to the result of the verification for each geographical constituency under paragraph (c);
 - (e) prepare a statement in writing as to the number of the GC ballot papers recorded for each geographical constituency after the verification under paragraph (c);
 - (f) make into separate bundles the sorted GC ballot papers for each geographical constituency together with the relevant statement prepared under paragraph (e);
 - (g) place each bundle in a separate receptacle and seal each receptacle in the presence of those present at the counting zone;
 - (h) arrange the receptacles to be delivered to the Presiding Officers of the respective main counting stations for the relevant geographical constituencies; and
 - (i) send to the Chief Electoral Officer—
 - (i) the ballot paper accounts for the relevant geographical constituencies from that polling station;
 - (ii) the verifications of number of ballot papers prepared under paragraph (d); and
 - (iii) the sealed packets made under section 63 or 63A for the relevant geographical constituencies from that polling station.
- (2) If any FC ballot paper is found in the GC ballot boxes that are opened at a ballot paper sorting station, the Presiding Officer of the ballot paper sorting station must, in relation to such FC ballot papers from each dedicated polling station or ECC polling station—
 - (a) sort the FC ballot papers according to each functional constituency;

- (b) count and record the number of the FC ballot papers for each functional constituency;
 - (c) prepare a statement in writing as to the number recorded for each functional constituency under paragraph (b);
 - (d) make into separate bundles the sorted FC ballot papers for each functional constituency together with the relevant statement prepared under paragraph (c); and
 - (e) place each bundle in a separate receptacle and seal each receptacle in the presence of those present at the counting zone.
- (3) If any ECC ballot paper is found in the GC ballot boxes that are opened at a ballot paper sorting station, the Presiding Officer of the ballot paper sorting station must, in relation to such ECC ballot papers from each dedicated polling station or ECC polling station—
- (a) count and record the number of the ECC ballot papers;
 - (b) prepare a statement in writing as to the number recorded under paragraph (a);
 - (c) make into a bundle the ECC ballot papers together with the statement prepared under paragraph (b); and
 - (d) place the bundle in a receptacle and seal the receptacle in the presence of those present at the counting zone.
- (4) The Presiding Officer must hand over the receptacles mentioned in subsection (2)(e) or (3)(d) to an Assistant Presiding Officer or a counting officer in attendance at the counting zone.
- (5) An Assistant Presiding Officer or a counting officer to whom receptacles are handed over under subsection (4) must—
- (a) deliver the receptacles to the central counting station;
 - (b) hand over the receptacles containing FC ballot papers from each dedicated polling station or ECC polling station to the Returning Officer to whom the FC ballot boxes from that polling station are handed over under section 72(1); and
 - (c) hand over the receptacles containing ECC ballot papers to the Returning Officer for the Election Committee constituency.

(14 of 2021 s. 132)

75. Counting of votes for geographical constituencies

- (1) The Presiding Officer of a GC counting station must, at the counting zone, count in accordance with this section the GC ballot papers mentioned in—
 - (a) if that counting station is not a main counting station— section 73D(1); or
 - (b) if that counting station is a main counting station— section 73D(1) and (2). *(14 of 2021 s. 134)*
- (1A) The Returning Officer for a geographical constituency must, at the counting zone for that constituency, count in accordance with this section the votes recorded on the GC ballot papers handed over to the Officer under section 73B(7)(b) and 73C(7) (a). *(14 of 2021 s. 134)*
- (2)-(4) *(Repealed L.N. 84 of 2004)*
- (4A) The Presiding Officer of a main counting station must, when counting the votes at the main counting station, mix the ballot papers in at least one of the ballot boxes at the polling station designated as the main counting station together with— *(L.N. 130 of 2009; 11 of 2012 s. 50)*
 - (a) the ballot papers that have been delivered to the main counting station from one or more small polling stations; and
 - (b) the ballot papers that have been delivered to the main counting station from one or more ballot paper sorting stations, or one or more dedicated polling stations, as may be appropriate. *(L.N. 84 of 2004; L.N. 130 of 2009; L.N. 197 of 2009; 11 of 2012 s. 50)*
- (5) GC ballot papers are to be separated with reference to the candidate for whom the vote has been recorded.
- (6) The votes recorded on the GC ballot papers are to be counted according to the system of counting described in section 49 of the Legislative Council Ordinance (Cap. 542). *(L.N. 84 of 2004; 11 of 2012 s. 71)*
- (7) In the course of counting in accordance with subsection (6)—
 - (a) any ballot paper—
 - (i) which appears to have any writing or mark by which the elector can possibly be identified;
 - (ii) which appears to be not marked in accordance with section 55(2);
 - (iii) which appears to be substantially mutilated; or
 - (iv) which appears to be void for uncertainty,

is questionable and must be separated and forwarded to the Returning Officer or the Presiding Officer (as appropriate) to decide whether the vote is to be counted in accordance with section 81; and *(1 of 2019 s. 87)*

- (b) any ballot paper described in section 80(1)(b), (c), (d), (f), (ha), (i) and (ib) must be separated and the vote is not to be counted pursuant to section 80. *(L.N. 84 of 2004; 1 of 2019 s. 45)*

(14 of 2021 s. 134)

77. Counting of votes for functional constituencies

(11 of 2012 s. 72; 14 of 2021 s. 137)

(1A) *(Repealed 14 of 2021 s. 137)*

- (1) The Returning Officer for a functional constituency must, at the counting zone for that constituency, count in accordance with this section the votes recorded on the following ballot papers for that constituency—

- (a) the FC ballot papers retained by the Officer under section 73B(1)(e); and
- (b) the FC ballot papers handed over to the Officer under section 73B(7)(a). *(14 of 2021 s. 137)*

(2) *(Repealed L.N. 84 of 2004)*

- (3) Ballot papers for a functional constituency that have been delivered from 2 or more polling stations must be mixed. *(L.N. 84 of 2004)*

(4) *(Repealed L.N. 84 of 2004)*

- (5) The ballot papers are to be separated with reference to the candidate for whom the vote has been recorded, or in the case of constituencies returning more than one Member, the candidates for whom the votes have been recorded.

- (6) The votes recorded on the ballot papers for each functional constituency are to be counted according to the system of counting described in section 51 of the Legislative Council Ordinance (Cap. 542). *(11 of 2012 s. 72)*

- (7) In the course of counting in accordance with subsection (6)—

- (a) any ballot paper—
 - (i) which appears to have any writing or mark by which the elector can possibly be identified;
 - (ii) which appears to be not marked in accordance with section 57(2);
 - (iii) which appears to be substantially mutilated; or

- (iv) which appears to be void for uncertainty,
is questionable and must be separated and forwarded to the Returning Officer to decide whether the vote is to be counted in accordance with section 81; and
- (b) any ballot paper described in section 80(1)(b), (c), (d), (f), (hb) and (ib) must be separated and the vote is not to be counted pursuant to section 80. (*L.N. 84 of 2004; 14 of 2021 s. 137*)

(*L.N. 65 of 2000*)

78A. Counting of votes for Election Committee constituency

- (1) The Returning Officer for the Election Committee constituency must, at the counting zone for that constituency, count in accordance with this section the votes recorded on the ECC ballot papers mentioned in section 73C(1).
- (2) ECC ballot papers from 2 or more ECC polling stations must be mixed.
- (3) The votes recorded on the ECC ballot papers are to be counted according to the system of counting described in section 52A of the Legislative Council Ordinance (Cap. 542).
- (4) The votes cast for the candidates for the Election Committee constituency may be counted by using an approved programme and a computer.
- (5) In the course of counting in accordance with subsection (3)—
 - (a) any ballot paper that—
 - (i) appears to have any writing or mark by which the elector can possibly be identified;
 - (ii) appears to be not marked in accordance with section 58A(1) or (3)(b);
 - (iii) appears to be substantially mutilated; or
 - (iv) appears to be void for uncertainty,
is questionable and must be separated and forwarded to the Returning Officer to decide whether the vote is to be counted in accordance with section 81; and
 - (b) any ballot paper described in section 80(1)(b), (c), (d), (f), (hd) and (ib) must be separated and the vote is not to be counted pursuant to section 80.

- (6) In this section—

approved programme (認可程式) means any computer software that the Commission is satisfied is programmed to count the

votes for the Election Committee constituency so as to give an accurate result.

(14 of 2021 s. 139)

79. Result of the counting of votes and re-count for functional constituencies or Election Committee constituency

(14 of 2021 s. 140)

- (1) After the votes are counted under section 77 or 78A, the Returning Officer must make known to the candidates who are present within the counting zone, the result of the counting of the votes. If the candidates are not present, the Returning Officer is to make known the result to their respective election agents or counting agents, if those agents are present at the counting zone. *(L.N. 84 of 2004; 11 of 2012 s. 74; 14 of 2021 s. 140)*
- (2) A candidate who is present when the votes are counted or re-counted or an election agent who is so present, may request the Returning Officer to count again the counted or re-counted (as the case may be) votes. That Officer must comply with the request unless the Officer is of the opinion that the request is unreasonable.
- (3) After a count or re-count is completed, nothing further is to be done until each candidate present at the completion, or the election agent of each candidate (but not both) if present at the completion of the count or re-count is given a reasonable opportunity to make a request for a re-count.

79A. Result of the counting of votes and re-count for geographical constituencies

- (1) After the votes recorded on the GC ballot papers for a geographical constituency (other than those recorded on the GC ballot papers to be handed over to the Returning Officer under section 73B(7)(b) or 73C(7)(a)) are counted under section 75, the Presiding Officer must make known to the candidates who are present within the counting zone the result of the counting of the votes. If the candidates are not present, that Officer is to make known the result to their respective election agents or counting agents, if those agents are present at the counting zone. *(L.N. 140 of 2004; 11 of 2012 s. 75)*

- (2) A candidate who is present when the votes are counted or re-counted, or an election agent or a counting agent who is so present, may request the Presiding Officer to count again the counted or re-counted (as the case may be) votes. That Officer must comply with the request unless the Officer is of the opinion that the request is unreasonable.
- (3) After a count or re-count is completed, nothing further is to be done until each candidate present at the completion, or the election agent or counting agent of each candidate if present at the completion, of the count or re-count is given a reasonable opportunity to make a request for a re-count. (*L.N. 140 of 2004*)
- (4) Where there is no request for a re-count or such request is rejected by the Presiding Officer or the re-count is completed and there is no request for a further re-count or the request for a further re-count has been rejected by the Presiding Officer, the Presiding Officer must report to the relevant Assistant Returning Officer for the geographical constituency the result of the counting of votes and re-count (if any).
- (5) After the Assistant Returning Officer has been notified of the results of the counting of votes and re-count (if any) of all the counting stations in his charge for the geographical constituency under subsection (4), that Officer must make known the results to the Returning Officer for the geographical constituency. (*L.N. 140 of 2004*)
- (6) After the Returning Officer has been notified of the results of the counting of votes and re-count (if any) of all the counting stations for the geographical constituency under subsection (5), that Officer must make known the results to the candidates or their election agents or counting agents at the place specified by the Returning Officer. If a candidate or the election agent of the candidate who is present at the specified place makes a request to the Returning Officer for a re-count of the votes of all the counting stations for the geographical constituency, that Officer must comply with the request unless the Officer is of the opinion that the request is unreasonable. (*L.N. 140 of 2004*)

(7) After the Returning Officer has made known the results under subsection (6), that Officer must also make known the estimated number of GC ballot papers to be handed over to him under section 73B(7)(b) or 73C(7)(a) for the geographical constituency (if any) to the candidates or their election agents or counting agents at the place specified by the Returning Officer. A candidate or the election agent of the candidate who is present at the specified place may make a request to the Returning Officer for a re-count of the votes of all the counting stations for the geographical constituency and the votes recorded on the GC ballot papers to be handed over to that Officer under section 73B(7)(b) or 73C(7)(a) for the geographical constituency. (*L.N. 140 of 2004; 11 of 2012 s. 75*)

(8) Where there is no request for a re-count of the votes of all the counting stations for the geographical constituency under subsection (6) or such request is rejected by the Returning Officer, that Officer must add together—

- (a) the results made known under subsection (6); and
- (b) the result of the counting of the votes recorded on the GC ballot papers handed over to that Officer under section 73B(7)(b) or 73C(7)(a) for the geographical constituency (if any), (*11 of 2012 s. 75*)

and make known the aggregate result to the candidates or their election agents or counting agents at the place specified by the Returning Officer. If a candidate or the election agent of the candidate who is present at the specified place makes a request to the Returning Officer for a re-count of the votes referred to in paragraph (b), that Officer must comply with the request unless the Officer is of the opinion that the request is unreasonable. (*L.N. 140 of 2004*)

(8A) For the purposes of subsection (8)(a), if the Returning Officer has made known the result of any re-count of a counting station for the geographical constituency under subsection (6), the result of the last re-count of that station is to be used in the calculation. (*14 of 2021 s. 141*)

(9) If the Returning Officer decides to comply with the request referred to in subsection (6), that Officer must require all the Assistant Returning Officers to instruct the Presiding Officers of the counting stations in their respective charge to conduct a re-count at the relevant counting stations forthwith. (*L.N. 140 of 2004*)

- (10) The Presiding Officer of each of the counting stations for the geographical constituency must make known the result of the re-count at the counting station to the candidates or their election agents or counting agents who are present at the counting station and must report that result to the relevant Assistant Returning Officer. (*L.N. 140 of 2004*)
- (11) After the Assistant Returning Officer has been notified of the results of the re-count of all the counting stations in his charge for the geographical constituency under subsection (10), that Officer must make known the results to the Returning Officer for the geographical constituency. (*L.N. 140 of 2004*)
- (12) After the Returning Officer has been notified of the results of the re-count of all the counting stations for the geographical constituency under subsection (11), that Officer must add together—
- (a) such results; and
 - (b) the result of the counting of the votes recorded on the GC ballot papers handed over to that Officer under section 73B(7)(b) or 73C(7)(a) for the geographical constituency (if any), (*11 of 2012 s. 75*)

and make known the aggregate result to the candidates or their election agents or counting agents at the place specified by the Returning Officer. If a candidate or the election agent of the candidate who is present at the specified place makes a request to the Returning Officer for a re-count of the votes referred to in paragraph (b), that Officer must comply with the request unless the Officer is of the opinion that the request is unreasonable. (*L.N. 140 of 2004*)

- (13) Subject to subsection (14), if the Returning Officer decides to comply with a request referred to in subsection (7), that Officer must conduct a re-count of—
- (a) the votes of all the counting stations in accordance with the steps as described in subsections (9), (10) and (11); and
 - (b) the votes recorded on the GC ballot papers handed over to that Officer under section 73B(7)(b) or 73C(7)(a) for the geographical constituency, (*11 of 2012 s. 75*)

and make known the final result to the candidates or their election agents or counting agents at the place specified by that Officer. When the final result has been made known, the counting of the votes and re-counts are completed for the purposes of section 83(1). (*L.N. 140 of 2004*)

- (14) The Returning Officer must not conduct a re-count under subsection (7)—
- (a) unless the request for such re-count is made immediately after that Officer makes known, under that subsection, the estimated number of GC ballot papers to be handed over to him under section 73B(7)(b) or 73C(7)(a) for the geographical constituency; or
 - (b) if the estimated number of GC ballot papers to be handed over to that Officer under section 73B(7)(b) or 73C(7)(a) for the geographical constituency is less than the difference between the numbers of remaining votes cast for any 2 candidates for the geographical constituency, as determined in accordance with the counting system under section 49 of the Legislative Council Ordinance (Cap. 542). (*L.N. 140 of 2004; 11 of 2012 s. 75*)
- (L.N. 84 of 2004; 14 of 2021 s. 141)*

80. Votes recorded on invalid ballot papers not to be counted

(L.N. 66 of 2008)

- (1) When counting the votes, a ballot paper of any of the following descriptions is not to be regarded as valid and the vote recorded on the ballot paper is not to be counted— (*L.N. 84 of 2004; L.N. 66 of 2008*)
- (a) on which there is writing or a mark by which the elector can possibly be identified;
 - (b) which has the words “重複” and “TENDERED” endorsed on the front of it;
 - (c) which has the words “損壞” and “SPOILT” endorsed on the front of it;
 - (d) which has the words “未用” and “UNUSED” endorsed on the front of it; (*L.N. 66 of 2008*)
 - (e) which is substantially mutilated;
 - (f) which is unmarked;
 - (g) subject to subsection (2)—
 - (i) a GC ballot paper that is not marked in accordance with section 55(2);
 - (ii) an FC ballot paper that is not marked in accordance with section 57(2); or
 - (iii) an ECC ballot paper that is not marked in accordance with section 58A(1) or (3)(b); (*14 of 2021 s. 143*)
 - (ga) (*Repealed 14 of 2021 s. 143*)

- (h) *(Repealed 14 of 2021 s. 143)*
 - (ha) a GC ballot paper that is not marked in accordance with section 55(1); *(L.N. 84 of 2004; L.N. 73 of 2011)*
 - (hb) an FC ballot paper that is not marked in accordance with section 57(1); *(L.N. 84 of 2004; L.N. 73 of 2011)*
 - (hc) *(Repealed 14 of 2021 s. 143)*
 - (hd) an ECC ballot paper that is not marked in accordance with section 58A(3)(a) or (4); *(14 of 2021 s. 143)*
 - (i) a GC ballot paper on which votes for more than one candidate are recorded; *(14 of 2021 s. 143)*
 - (ia) *(Repealed 14 of 2021 s. 143)*
 - (ib) a ballot paper on which a vote for a candidate whose name and other information are crossed out under section 37(2) is recorded; *(14 of 2021 s. 143)*
 - (j) which the Returning Officer or the Presiding Officer, as may be appropriate, determines as being void for uncertainty.
 - (2) In the case of a ballot paper referred to in subsection (1)(g)(i), (ii) or (iii), if the Returning Officer or the Presiding Officer, as may be appropriate, is satisfied that the intention of the elector or authorized representative is clear notwithstanding the deviation from the requirements in section 55(2), 57(2) or 58A(1) or (3)(b), as the case may be, that Officer may count the vote recorded on that ballot paper. *(11 of 2012 s. 53)*
 - (3) Subject to subsection (1)(ib), it is declared that the Returning Officer or the Presiding Officer, as may be appropriate, is not to make a decision not to count the vote recorded on a ballot paper solely because the name of, and other information relating to, a candidate on the ballot paper are crossed out under section 37(2). *(L.N. 65 of 2000; 1 of 2019 s. 34)*
 - (4) A candidate, an election agent or a counting agent—
 - (a) may inspect a ballot paper referred to in subsection (1)(b), (c), (d), (f), (ha), (hb), (hd), (i) or (ib); but
 - (b) is not entitled to make representations to the Returning Officer or the Presiding Officer concerning the ballot paper. *(L.N. 66 of 2008)*
- (L.N. 65 of 2000; L.N. 84 of 2004; 1 of 2019 s. 48; 14 of 2021 s. 143)*

81. Returning Officer or Presiding Officer to make decisions on questionable ballot papers

- (1) If a ballot paper is forwarded to the Returning Officer under section 75(7)(a), 77(7)(a) or 78A(5)(a), or to the Presiding Officer under section 75(7)(a), as may be appropriate, a candidate, an election agent or a counting agent, if present at the counting zone, may— (*L.N. 66 of 2008; 11 of 2012 s. 76; 1 of 2019 s. 88; 14 of 2021 s. 144*)
 - (a) inspect the ballot paper; and
 - (b) make representations to that Officer concerning the ballot paper. (*L.N. 84 of 2004; L.N. 66 of 2008*)
- (2) After considering the representations (if any) made under subsection (1), the Returning Officer or the Presiding Officer, as may be appropriate, must determine whether the ballot paper—
 - (a) is valid and the vote is to be counted; or
 - (b) is not to be regarded as valid pursuant to section 80 and the vote is not to be counted for—
 - (i) having on the ballot paper any writing or mark by which, in that Officer’s opinion, the elector can possibly be identified;
 - (ii) subject to subsection (3), being a ballot paper not marked in accordance with section 55(2), 57(2) or 58A(1) or (3)(b) (as may be applicable); (*1 of 2019 s. 49; 14 of 2021 s. 144*)
 - (iii) being a ballot paper which is substantially mutilated; or
 - (iv) being void for uncertainty. (*L.N. 84 of 2004*)
- (3) In the case of a ballot paper which is not marked in accordance with section 55(2), 57(2) or 58A(1) or (3)(b) (as may be applicable), if the Returning Officer or the Presiding Officer, as may be appropriate, is satisfied that the intention of the elector or authorized representative is clear notwithstanding the deviation from the requirements in section 55(2), 57(2) or 58A(1) or (3)(b), as the case may be, that Officer may count the vote recorded on that ballot paper. (*L.N. 84 of 2004; 1 of 2019 s. 49; 14 of 2021 s. 144*)
- (4) If the Returning Officer or the Presiding Officer, as may be appropriate, decides a questionable ballot paper the vote recorded on which is not to be counted, that Officer must endorse the words “不獲接納” and “rejected” on the front of it. If a candidate or an election agent or a counting agent objects to that Officer’s decision, that Officer must also add the words “反對此選票不獲接納” and “rejection objected to”. (*L.N. 84 of 2004*)

- (5) If a candidate or an election agent or a counting agent objects to the decision of the Returning Officer or the Presiding Officer, as may be appropriate, to count the vote recorded on a questionable ballot paper, that Officer must endorse the words “反對此選票獲接納” and “acceptance objected to” on that ballot paper. (*L.N. 84 of 2004*)
- (6) The Returning Officer or the Presiding Officer, as may be appropriate, is to prepare a statement of the ballot papers which are not to be regarded as valid. The statement is to be under the following heads—
- (a) writing or mark by which the elector can possibly be identified;
 - (b) endorsed with the words “重複” and “TENDERED”;
 - (c) endorsed with the words “損壞” and “SPOILT”;
 - (d) endorsed with the words “未用” and “UNUSED”; (*L.N. 66 of 2008*)
 - (e) substantially mutilated;
 - (f) unmarked;
 - (g) not marked in accordance with section 55, 57 or 58A (as may be applicable); (*14 of 2021 s. 144*)
 - (h) void for uncertainty; (*1 of 2019 s. 49*)
 - (i) a GC ballot paper on which votes for more than one candidate are recorded; (*14 of 2021 s. 144*)
 - (j) (*Repealed 14 of 2021 s. 144*)
 - (k) a ballot paper on which a vote for a candidate whose name and other information are crossed out under section 37(2) is recorded. (*14 of 2021 s. 144*)
- (7) Under this section, a candidate, or the election agent or counting agent of a candidate, may inspect a ballot paper, make representations or object to the decision of the Returning Officer or the Presiding Officer only in the name of that candidate but no other, regardless of to which candidate the ballot paper, representations or decision relates. (*14 of 2021 s. 144*)

Schedule 3

[s. 49]

Forms of Ballot Papers for a General Election/By-election

Form 1

Ballot Paper for Geographical Constituency

存根 COUNTERFOIL		(編號) (Serial Number)
(選舉管理委員會(選舉程序)(立法會)規例) ELECTORAL AFFAIRS COMMISSION (ELECTORAL PROCEDURE)(LEGISLATIVE COUNCIL) REGULATION 立法會一般選舉/補選 * (地方選區名稱) LEGISLATIVE COUNCIL GENERAL ELECTION/BY-ELECTION * (NAME OF GEOGRAPHICAL CONSTITUENCY) * (選舉日期) * (Date of election)		選票 BALLOT PAPER 新代號 新代號 請將此票紙上的印字及所選擇的候選人姓名正確的 填在內。 "X" 號 Use the area provided at the polling station to stamp "X" in the circle opposite the name of candidate of your choice.
1 * 註冊選舉的登記及登記號碼及 註冊人士的身份號碼 * Registered voters and registered numbers of prescribed voters and registered numbers of prescribed voters * 獨立候選人 * Independent Candidates * 新黨派候選人 * New political Candidates * (候選人姓名及在表格中的候選人姓名) * (Name of candidate as shown in Notice of Nominations) 候選人照片 Photograph of candidate	4 候選人照片 Photograph of candidate	
2 候選人照片 Photograph of candidate	5 候選人照片 Photograph of candidate	
3 候選人照片 Photograph of candidate	6 候選人照片 Photograph of candidate	

A code will be assigned to each of the geographical constituencies. Only the appropriate code will be printed.

* Only the appropriate information will be printed.

(14 of 2021 s. 159)

Form 2

(Repealed 14 of 2021 s. 159)

Form 2A

(Repealed 14 of 2021 s. 159)

Form 3(a)

Ballot Paper for Functional Constituency

存根 COUNTERFOIL		(編號) (Serial Number)
《選舉管理委員會(選舉程序)(立法會)規例》 ELECTORAL AFFAIRS COMMISSION (ELECTORAL PROCEDURE)(LEGISLATIVE COUNCIL) REGULATION		選 票 BALLOT PAPER
立法會* 全面選舉 / 補選 (功能界別名稱) LEGISLATIVE COUNCIL * GENERAL ELECTION BY ELECTION (NAME OF FUNCTIONAL CONSTITUENCY)		利(代號) 利(code)
* 選舉日期 (Date of election)		請於投票站提供的膠帶上印選票的候選人姓名旁邊的 圓圈內填上“J”號。 Use the strip provided at the polling station to stamp “J” in the circle opposite the name of candidate of your choice.
#1 # 訂明團體的登記名稱及登記地址 # 訂明人士的身份類別 # Registered names and registered addresses of prescribed bodies and registered persons # 獨立候選人 # Independent Candidates # 無黨派候選人 # Non-affiliated Candidates	#4	
#2	#5	
#3	#6	

- # A code will be assigned to the functional constituency concerned. Only the appropriate code will be printed.
- * Only the appropriate information will be printed.
- @ The code assigned for the relevant functional constituency will precede the number allocated to each candidate.

Form 3(b)

Ballot Paper for Functional Constituency (More than One Vacancy)

存根 COUNTERFOIL		(編號) (Serial Number)
《選舉管理委員會(選舉程序)(立法會)規例》 ELECTORAL AFFAIRS COMMISSION (ELECTORAL PROCEDURE (LEGISLATIVE COUNCIL) REGULATION)		選票 BALLOT PAPER
立法會 = 地區選舉 / 補選 (功能界別名稱) LEGISLATIVE COUNCIL (GENERAL ELECTION BY-ELECTION (NAME OF FUNCTIONAL CONSTITUENCY))		有代號 #(code)
* 選舉日期: (Date of election)		請將此票放入票箱內(切勿將此票放入票箱內) (Use the slot provided at the voting station to insert this ballot paper. Do not put this ballot paper in the ballot box.)

<div>#1</div> <div># 註冊團體的登記及編號(或登記號碼) # Registered bodies and registered numbers (or registered numbers) # 獨立候選人 # Independent Candidates # 無黨派候選人 # Non-affiliated Candidates</div> <div><div></div><div># (候選人姓名及全名) # (Name of candidate as shown in Notice of Nominations)</div><div>候選人姓名 (Name of candidate)</div></div>	<div>#4</div> <div></div> <div><div></div><div></div></div>
<div>#2</div> <div></div> <div><div></div><div></div></div>	<div>#5</div> <div></div> <div><div></div><div></div></div>
<div>#3</div> <div></div> <div><div></div><div></div></div>	<div>#6</div> <div></div> <div><div></div><div></div></div>

- # A code will be assigned to the functional constituency concerned. Only the appropriate code will be printed.
- * Only the appropriate information will be printed.
- @ The code assigned for the relevant functional constituency will precede the number allocated to each candidate.

Form 4

(Repealed L.N. 84 of 2004)

Form 5(a)

Ballot Paper for Election Committee Constituency (General Election or By-election)

《選舉管理委員會(選舉程序)(立法會)規例》 ELECTORAL AFFAIRS COMMISSION (ELECTORAL PROCEDURE) (LEGISLATIVE COUNCIL) REGULATION		選 票 BALLOT PAPER
立法會*換屆選舉/補選 選舉委員會界別 LEGISLATIVE COUNCIL *GENERAL ELECTION/BY-ELECTION ELECTION COMMITTEE CONSTITUENCY		
*(選舉日期) *(date of election)		
你必須選出#(數目)名不能多過或少過#(數目)名候選人 YOU MUST MARK YOUR #(Number) CHOICES, NO MORE AND NO LESS		
請用黑色筆填滿你所選擇的候選人姓名左邊的欄位。 Please shade in black the ovals opposite the names of the candidates of your choice.		
1. <input type="radio"/>	*(候選人姓名公告上顯示的候選人姓名) *(Name of candidate as shown in Notice of Nominations)	31. <input type="radio"/>
2. <input type="radio"/>		32. <input type="radio"/>
3. <input type="radio"/>		33. <input type="radio"/>
...		...
28. <input type="radio"/>		58. <input type="radio"/>
29. <input type="radio"/>		59. <input type="radio"/>
30. <input type="radio"/>		60. <input type="radio"/>
存根 COUNTERFOIL		(號碼) Serial Number

* Only the appropriate information will be printed.

The relevant number will be printed.

(14 of 2021 s. 159)

Form 5(b)

Ballot Paper for Election Committee Constituency (By-election in relation to which Commission has Made Direction under Section 58A(2))

<p>《選舉管理委員會(選舉程序)(立法會)規例》 ELECTORAL AFFAIRS COMMISSION (ELECTORAL PROCEDURE) (LEGISLATIVE COUNCIL) REGULATION</p> <p>立法會補選 選舉委員會界別 LEGISLATIVE COUNCIL BY-ELECTION ELECTION COMMITTEE CONSTITUENCY</p> <p>* (選舉日期) * (Date of election)</p>	<p>選 票 BALLOT PAPER</p>
<p>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</p> <p>請用投票站提供的印章，在所選候選人姓名旁的圓圈內蓋上 ✓ 號。 Please use the chop provided at the polling station to stamp a ✓ in the circle opposite the name of candidate of your choice</p>	
<p>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)</p>	<input type="radio"/>
<p>2</p>	<input type="radio"/>
<p>3</p>	<input type="radio"/>

* Only the appropriate information will be printed.

The relevant number will be printed.

(14 of 2021 s. 159)

2B. How NPC deputies and CPPCC members are to be registered as ex-officio members

- (1) An NPC deputy or a CPPCC member is to be registered as an ex-officio member under section 5I of the Schedule to Cap. 569 by a registration form that complies with this section and sections 5I and 5K of that Schedule.
- (2) The registration form must be in the specified form.
- (3) The registration form must be submitted by the Association to the Electoral Registration Officer on behalf of the NPC deputy or CPPCC member.
- (4) For the purpose of constituting a new term of office of the Election Committee, the Association must submit 1 registration form to the Electoral Registration Officer on behalf of all NPC deputies and CPPCC members who intend to be registered as ex-officio members.
- (5) The registration form must contain a declaration by each NPC deputy or CPPCC member to the effect that the deputy or member—
 - (a) is eligible to be registered as an ex-officio member; and
 - (b) is not disqualified from being so registered.
- (6) The registration form must also contain a declaration by each NPC deputy or CPPCC member as required by section 5K of the Schedule to Cap. 569.
- (7) The Association must indicate on the registration form the subsector in which each NPC deputy or CPPCC member intends to be registered in accordance with section 5I of the Schedule to Cap. 569.
- (8) The registration form must be—
 - (a) signed by each NPC deputy or CPPCC member whose name is on the registration form; and
 - (b) signed on behalf of the Association by a person authorized by the Association for that purpose.
- (9) The registration form must contain other particulars, if any, required to be furnished on that form.

- (10) The Electoral Registration Officer may require the Association, or an NPC deputy or a CPPCC member to be registered under this section, to furnish any other information to enable the Candidate Eligibility Review Committee to determine—
 - (a) that the deputy or member is eligible to be registered as an ex-officio member; or
 - (b) otherwise as to the validity of the registration.
- (11) The registration form must be submitted to the Electoral Registration Officer at the address specified by the Officer—
 - (a) for the purpose of constituting a new term of office of the Election Committee in 2021—by 5 July 2021;
 - (b) for the purpose of constituting a new term of office of the Election Committee in any year subsequent to 2021—by 2 June of the relevant year; or
 - (c) in any other case—as soon as possible after—
 - (i) a person becomes an NPC deputy or a CPPCC member; or
 - (ii) an NPC deputy or a CPPCC member becomes a holder of a specified office other than the office of NPC deputy or CPPCC member.
- (12) Despite subsections (4) and (11), if, during the specified period—
 - (a) a person becomes an NPC deputy or a CPPCC member; or
 - (b) an NPC deputy or a CPPCC member becomes a holder of a specified office other than the office of NPC deputy or CPPCC member,

the Association may submit another registration form to the Electoral Registration Officer in relation to the deputy or member by the end of the specified period.

2C. How other persons are to be registered as ex-officio members

- (1) A person other than an NPC deputy or a CPPCC member is to be registered as an ex-officio member under section 5J of the Schedule to Cap. 569 by submitting a registration form that complies with this section and sections 5J and 5K of that Schedule.
- (2) The registration form must be in the specified form.
- (3) Subject to subsections (4) and (5), the registration form must —

- (a) contain a declaration by the specified person concerned to the effect that the person—
 - (i) is holding the specified office concerned;
 - (ii) is eligible to be registered as an ex-officio member; and
 - (iii) is not disqualified from being so registered; and
 - (b) if section 5J(2) of the Schedule to Cap. 569 applies to the specified person—contain an indication to the effect that the person chooses to be registered as an ex-officio member as the holder of one of the specified offices.
- (4) If a specified person is exercising the power under section 5J(3) of the Schedule to Cap. 569, the registration form must —
- (a) contain a declaration by the designated person of the specified person to the effect that the designated person —
 - (i) is holding an office in a relevant body in relation to the specified office concerned;
 - (ii) is eligible to be registered as an ex-officio member; and
 - (iii) is not disqualified from being so registered; and
 - (b) be accompanied by a declaration by the specified person that he or she is not eligible to be registered as an ex-officio member, or is a holder of more than one specified office (excluding the office of NPC deputy or CPPCC member) (as the case may be).
- (5) If section 5J(4) of the Schedule to Cap. 569 applies, the registration form must—
- (a) contain a declaration by the Council Chairman or the Chairman of the Board of Governors concerned (as the case may be) to the effect that he or she—
 - (i) is holding that office;
 - (ii) is eligible to be registered as an ex-officio member; and
 - (iii) is not disqualified from being so registered; and
 - (b) be accompanied by a declaration by the holder of the specified office concerned as set out in section 5B(a), (b), (c), (d), (e), (f), (g), (h), (i), (j) or (k) of that Schedule that the holder is not eligible to be registered as an ex-officio member.

- (6) The registration form must also contain a declaration by the specified person or designated person (as the case may be) as required by section 5K of the Schedule to Cap. 569.
- (7) The registration form must be signed by—
 - (a) the specified person; and
 - (b) if the specified person is exercising the power under section 5J(3) of the Schedule to Cap. 569—the designated person.
- (8) The registration form must contain other particulars, if any, required to be furnished on that form.
- (9) The Electoral Registration Officer may require a specified person or designated person to be registered under this section to furnish any other information to enable the Candidate Eligibility Review Committee to determine—
 - (a) that the person is eligible to be registered as an ex-officio member; or
 - (b) otherwise as to the validity of the registration.
- (10) The registration form must be submitted to the Electoral Registration Officer at the address specified by the Officer—
 - (a) for the purpose of constituting a new term of office of the Election Committee in 2021—by 5 July 2021;
 - (b) for the purpose of constituting a new term of office of the Election Committee in any year subsequent to 2021—by 2 June of the relevant year; or
 - (c) in any other case—as soon as possible after a person becomes a holder of a specified office.
- (11) Despite subsection (10), if, during the specified period—
 - (a) a person becomes a specified person (other than an NPC deputy or a CPPCC member)—the specified person or the designated person of the specified person may submit a registration form to the Electoral Registration Officer by the end of the specified period;
 - (b) the registration of a designated person of a specified person is determined as invalid by the Candidate Eligibility Review Committee under section 5N of the Schedule to Cap. 569—the specified person may designate another person under section 5J(3) of that Schedule by submitting another registration form to the Electoral Registration Officer by the end of the specified period; or

- (c) the registration of a specified person is determined as invalid by the Candidate Eligibility Review Committee under section 5N of the Schedule to Cap. 569 by reason of the specified person being ineligible under section 5L of that Schedule—the specified person may designate another person under section 5J(3) of that Schedule by submitting another registration form to the Electoral Registration Officer by the end of the specified period (if applicable).

37. Chief Electoral Officer to carry out other duties relating to polling stations

- (1) The Chief Electoral Officer must provide at each polling station sufficient compartments as that Officer considers necessary to enable voters and authorized representatives to mark ballot papers, screened from observation.
- (2) The Chief Electoral Officer must supply to each Presiding Officer, the number of ballot papers the Chief Electoral Officer considers necessary for the subsector or subsectors for which the polling station is to be used for polling. The Chief Electoral Officer must ensure that the name of any deceased or disqualified candidate regarding whom notice under section 20(1) or 21(1) is given or declarations under section 20(3) or 21(3) are made, and other information relating to that candidate, if printed on the ballot papers, are crossed out. (*1 of 2019 s. 39*)
- (3) The Chief Electoral Officer must also supply to the Presiding Officer a copy of the part of the subsector final register relating to that subsector or subsectors.
- (4) The copy may contain the identity document numbers of the voters and authorized representatives and such other additional particulars or information as the Chief Electoral Officer thinks fit to include.
- (5) The form in which the copy is supplied may be a printed form, a form which is capable of being read by a computer or any other form determined by the Chief Electoral Officer.
- (6) The Chief Electoral Officer must provide at each polling station—
 - (a) materials; and
 - (b) if the polling station is to be used for polling for a subsector by-election in relation to which the Commission has made a direction under section 56(2), chops bearing the mark “ ✓ ”, with or without any design,

that are necessary to enable voters and authorized representatives to mark the ballot papers.

- (7) The Chief Electoral Officer must do other acts and things as that Officer considers necessary for holding the poll effectively.

37A. Presiding Officer to display notice relating to deceased or disqualified candidates

- (1) This section applies if—
 - (a) the name of, and other information relating to, a candidate (*applicable candidate*) on a ballot paper are crossed out under section 37(2); and
 - (b) the ballot paper is used for polling at a polling station.
- (2) The Presiding Officer of the polling station must ensure that a notice specified in subsection (3) is displayed in a prominent place—
 - (a) if the polling station is not a dedicated polling station—outside the polling station; or
 - (b) if the polling station is a dedicated polling station—inside the polling station.
- (3) The notice must state that—
 - (a) the applicable candidate is—
 - (i) a deceased candidate regarding whom a declaration referred to in section 20(3) has been made; or
 - (ii) a disqualified candidate regarding whom a declaration referred to in section 21(3) has been made; and
 - (b) the name of, and other information relating to, the applicable candidate on the ballot paper are crossed out under section 37(2).

(1 of 2019 s. 40)

49. Form of ballot papers and order of appearance of names of candidates on ballot papers

- (1) Subject to subsection (2), a ballot paper to be used to vote at a subsector election is to be in Form 1 in Schedule 2.
- (2) If the Commission has made a direction under section 56(2) in relation to a subsector by-election, the ballot paper to be used to vote at the subsector by-election is to be in Form 2 in Schedule 2.
- (3) The Commission may decide—

- (a) to have a ballot paper printed in white or in colour or a colour pattern;
 - (b) the colour in which a ballot paper is to be printed or the colour pattern to be printed on a ballot paper;
 - (c) to have the ballot papers for different subsectors printed in different colours or with different colour patterns;
 - (d) whether or not to have a design on the back of a ballot paper;
 - (e) the design to be printed on the back of a ballot paper; or
 - (f) to have different designs printed on the back of ballot papers for different subsectors.
- (4) The order in which the names of candidates appear on a ballot paper is to be determined by the Returning Officer by the drawing of lots. A number is to be allocated to each candidate in accordance with the result of the draw.
- (5) A candidate may be present at the drawing of lots under this section or be represented by a person authorized in writing by him or her.
- (6) The Returning Officer must give notice to each candidate of the arrangements for the drawing of lots under this section.
- (7) A ballot paper is to contain the following information—
 - (a) the name of the candidate;
 - (b) if the Commission so determines, the address of the candidate as shown on the notice of nominations that has been published under section 18; and
 - (c) the number allocated to the candidate under this section.
- (8) In the case of the death or disqualification of a candidate who has been allocated a number under this section, the name of the candidate and the information under subsection (7) relating to that candidate—
 - (a) are to be omitted from the ballot paper; or
 - (b) if printed on the ballot paper, are to be crossed out under section 37(2). (*1 of 2019 s. 41*)
- (9) The number allocated to a candidate under this section is not to be altered even if the information relating to another candidate for the subsector concerned who has died or is disqualified is omitted from the ballot paper or crossed out under subsection (8).
- (10) A ballot paper is to have the date and description of the subsector election printed on the front of it.

- (11) A number may be printed on the counterfoil of a ballot paper, but that number is not to be printed or shown in any manner on the ballot paper.
- (12) A notice required to be given to a candidate under subsection (6) may be given to the election agent of the candidate instead of to the candidate.

69. Ballot boxes to be delivered to counting station

A Presiding Officer must deliver or arrange to be delivered to the counting station designated for the counting of the votes cast at the subsector election concerned, the ballot boxes from that Officer's polling station, together with the sealed packets under section 61 and the ballot paper account prepared by that Officer.

73. Arrangements for counting of votes and verification of number of ballot papers in manual counting

(14 of 2021 s. 212)

- (1) This section applies where the votes cast for the candidates at the subsector election concerned are to be counted without the use of a computer.
- (2) At a central counting station, the Returning Officer must—
 - (a) in relation to the ballot papers in the ballot boxes that have been given into that Officer's charge under section 71, at the counting zone of which that Officer is in charge—
 - (i) arrange for the ballot papers to be sorted according to each subsector;
 - (ii) arrange for the number of ballot papers to be counted and recorded for each subsector;
 - (iii) verify the number recorded for each subsector under subparagraph (ii) by comparing it with the ballot paper account for that subsector; *(14 of 2021 s. 212)*
 - (iv) prepare a statement in writing as to the result of the verification;
 - (v) retain the ballot papers for the subsector for which that Officer is appointed together with the verification of number of ballot papers; *(14 of 2021 s. 212)*

- (vi) make into separate bundles the other sorted ballot papers together with the relevant verification of number of ballot papers, place each bundle in a separate receptacle and seal it in the presence of those present at the counting zone; and (*14 of 2021 s. 212*)
 - (vii) arrange for the Assistant Returning Officer in attendance at the counting zone to hand over the receptacles to the Returning Officer for the relevant subsector at the counting zone for that subsector; and
- (b) in relation to the ballot papers retained by that Officer under paragraph (a)(v) and those handed over to that Officer under paragraph (a)(vii), arrange for the votes recorded on the ballot papers to be counted, without the use of a computer, at the counting zone of which that Officer is in charge.
- (3) At a counting station that is not a central counting station, the Returning Officer must, in relation to the ballot papers in the ballot boxes that have been given into that Officer's charge under section 71—
 - (a) arrange for the number of ballot papers to be counted and recorded;
 - (b) verify the number recorded under paragraph (a) by comparing it with the ballot paper account; (*14 of 2021 s. 212*)
 - (c) prepare a statement in writing as to the result of the verification; and
 - (d) arrange for the votes recorded on the ballot papers to be counted without the use of a computer.
- (4) In preparing the verification of number of ballot papers, if the Returning Officer considers it necessary or if required by a candidate present at the counting zone or an election agent or a counting agent so present, that Officer must compare the ballot paper account with— (*14 of 2021 s. 212*)
 - (a) the number of ballot papers recorded for the subsector under subsection (2)(a)(ii) or (3)(a), as the case may be; and
 - (b) the number of the counterfoils or un-issued ballot papers, the unused ballot papers and the spoilt ballot papers.
- (5) A candidate, an election agent or a counting agent may copy what is recorded on the ballot paper account or the verification of number of ballot papers. (*14 of 2021 s. 212*)

74. Arrangements for counting of votes and verification of number of ballot papers in computer counting

(14 of 2021 s. 213)

- (1) This section applies where the votes cast for the candidates at the subsector election concerned are to be counted with the use of a computer.
- (2) At a central counting station, the Returning Officer must—
 - (a) in relation to the ballot papers in the ballot boxes that have been given into that Officer's charge under section 71, arrange for the votes recorded on the ballot papers to be counted with the use of a computer;
 - (b) in relation to the ballot papers the votes recorded on which cannot be counted with the use of a computer, at the counting zone of which that Officer is in charge—
 - (i) arrange for the ballot papers to be sorted according to each subsector;
 - (ii) retain the ballot papers for the subsector for which that Officer is appointed;
 - (iii) arrange for the number of the other sorted ballot papers to be counted and recorded for each of the other subsectors;
 - (iv) prepare a statement in writing as to the number of ballot papers recorded for each of the other subsectors under subparagraph (iii);
 - (v) make into separate bundles the other sorted ballot papers together with the relevant statement prepared under subparagraph (iv), place each bundle in a separate receptacle and seal it in the presence of those present at the counting zone; and
 - (vi) arrange for the Assistant Returning Officer in attendance at the counting zone to hand over the receptacles to the Returning Officer for the relevant subsector at the counting zone for that subsector;
 - (c) in relation to the ballot paper accounts that have been given into that Officer's charge under section 71—
 - (i) retain the ballot paper account for the subsector for which that Officer is appointed; and

- (ii) arrange for the Assistant Returning Officer in attendance at the counting zone to hand over the other ballot paper accounts to the Returning Officer for the relevant subsector at the counting zone for that subsector; and
- (d) in relation to the ballot papers retained by that Officer under paragraph (b)(ii) and those handed over to that Officer under paragraph (b)(vi), arrange for the votes recorded on the ballot papers to be counted, without the use of a computer, at the counting zone of which that Officer is in charge.
- (3) At a counting station that is not a central counting station, the Returning Officer must—
 - (a) in relation to the ballot papers in the ballot boxes that have been given into that Officer's charge under section 71, arrange for the votes recorded on the ballot papers to be counted with the use of a computer; and
 - (b) in relation to the ballot papers the votes recorded on which cannot be counted with the use of a computer, arrange for the votes recorded on the ballot papers to be counted without the use of a computer.
- (4) After the votes for a subsector election have been counted under subsection (2) or (3), the Returning Officer must—
 - (a) ascertain the number of ballot papers for the subsector in the ballot boxes from—
 - (i) the result of the counting of votes; and
 - (ii) the number of ballot papers that the Returning Officer decides under section 78 to be ballot papers the votes recorded on which are not to be counted;
 - (b) verify the number ascertained for the subsector under paragraph (a) by comparing it with the ballot paper accounts for that subsector; and *(14 of 2021 s. 213)*
 - (c) prepare a statement in writing as to the result of the verification.
- (5) In preparing the verification of number of ballot papers, if the Returning Officer considers it necessary or if required by a candidate present at the counting zone or an election agent or a counting agent so present, that Officer must compare the ballot paper account with— *(14 of 2021 s. 213)*
 - (a) the number of ballot papers ascertained for the subsector under subsection (4)(a); and

- (b) the number of the counterfoils or un-issued ballot papers, the unused ballot papers and the spoilt ballot papers.
- (6) A candidate, an election agent or a counting agent may copy what is recorded on the ballot paper account or the verification of number of ballot papers. *(14 of 2021 s. 213)*

77. Votes recorded on invalid ballot papers not to be counted

(L.N. 75 of 2011)

- (1) When counting votes, a ballot paper of any of the following descriptions is not to be regarded as valid and the vote recorded on the ballot paper is not to be counted— *(L.N. 114 of 2006; L.N. 176 of 2006; L.N. 75 of 2011)*
 - (a) on which there is writing or a mark by which the voter can possibly be identified; *(L.N. 114 of 2006)*
 - (b) which has the words “重複” and “TENDERED” endorsed on the front of it;
 - (c) which has the words “未用” and “UNUSED” endorsed on the front of it; *(L.N. 75 of 2011)*
 - (d) which has the words “損壞” and “SPOILT” endorsed on the front of it;
 - (e) which is substantially mutilated;
 - (f) which is unmarked;
 - (g) subject to subsection (2), which is not marked in accordance with section 56(1) or (2); *(1 of 2019 s. 55)*
 - (ga) on which votes are recorded for a number of candidates exceeding—
 - (i) for a subsector ordinary election—the number of EC members to be elected by the subsector concerned; or *(14 of 2021 s. 214)*
 - (ii) for a subsector by-election—the number of EC members to be returned at the by-election; *(1 of 2019 s. 55)*
 - (h) which the Returning Officer determines as being void for uncertainty.
- (2) In the case of a ballot paper referred to in subsection (1)(g) that is used for a subsector by-election in relation to which the Commission has made a direction under section 56(2), if the Returning Officer is satisfied that the intention of the voter or authorized representative is clear notwithstanding the deviation from the requirements in section 56(2)(b), that Officer may count the vote recorded on that ballot paper.

- (3) For the avoidance of doubt, it is declared that the Returning Officer is not to make a decision not to count the vote recorded on a ballot paper solely because the name of, and other information relating to, a candidate on the ballot paper are crossed out under section 37(2). (*1 of 2019 s. 42*)
- (4) A candidate, an election agent or a counting agent—
 - (a) may inspect a ballot paper referred to in subsection (1) (b), (c), (d), (f) or (ga); but (*1 of 2019 s. 55*)
 - (b) is not entitled to make representations to the Returning Officer concerning the ballot paper. (*L.N. 114 of 2006*)

Schedule

[ss. 2, 8, 9B, 16, 26, 43 & 47]
(Amended 14 of 2021 s. 405)

Election Committee

Part 1

Preliminary

1. Interpretation

(1) In this Schedule—

body (團體) means an incorporated or unincorporated body, and includes a firm or a group of persons (which may include incorporated or unincorporated bodies) who are associated with each other through a shared relevant interest;

corporate member (團體成員), in relation to a body included in a subsector, means a body that is a member of the body so included;

CPPCC member (全國政協委員) means a Hong Kong Special Administrative Region member of the National Committee of the Chinese People's Political Consultative Conference;
(Added 14 of 2021 s. 406)

designated body (指定團體), in relation to a subsector, means a body designated for the subsector in Division 1 of Part 3 for the purposes of section 2(5)(b); (Added 14 of 2021 s. 406)

designated person (指定人士), in relation to a specified person, means a person designated by the specified person under section 5J(3); (Added 14 of 2021 s. 406)

elector (選民), in relation to a functional constituency or geographical constituency, has the meaning assigned to it by section 3(1) of the Legislative Council Ordinance (Cap. 542);

Electoral Registration Officer (選舉登記主任) means the person holding office as Electoral Registration Officer under section 44, and includes any person appointed to act in place of the Officer when the Officer is absent or when the office is vacant;

ex-officio member (當然委員), in relation to the Election Committee, means a person who is registered as an ex-officio member of the Election Committee in, and whose name has not been removed from, the final register of members of the Election Committee; (*Added 14 of 2021 s. 406*)

functional constituency (功能界別) means a functional constituency specified in section 20(1) of the Legislative Council Ordinance (Cap. 542);

geographical constituency (地方選區) means an area declared to be a geographical constituency in accordance with Part 3 of the Legislative Council Ordinance (Cap. 542);

Hong Kong and Kowloon District Committees subsector (港九地區委員會界別分組) means the representatives of members of Area Committees, District Fight Crime Committees, and District Fire Safety Committees of Hong Kong and Kowloon subsector; (*Added 14 of 2021 s. 406*)

interim register of members of the Election Committee (選舉委員會暫行委員登記冊) means a register published under section 40(1); (*Added 10 of 2006 s. 21*)

Member (議員), in relation to the Legislative Council, has the meaning assigned to it by section 3(1) of the Legislative Council Ordinance (Cap. 542);

New Territories District Committees subsector (新界地區委員會界別分組) means the representatives of members of Area Committees, District Fight Crime Committees, and District Fire Safety Committees of the New Territories subsector; (*Added 14 of 2021 s. 406*)

NPC and CPPCC subsector (人大政協界別分組) means the Hong Kong Special Administrative Region deputies to the National People's Congress and Hong Kong Special Administrative Region members of the National Committee of the Chinese People's Political Consultative Conference subsector; (*Added 14 of 2021 s. 406*)

NPC deputy (全國人大代表) means a Hong Kong Special Administrative Region deputy to the National People's Congress; (*Added 14 of 2021 s. 406*)

officer (高級人員), in relation to a body corporate, includes a director or executive, or any other person concerned in the management, of the body;

registered (登記), in relation to a functional constituency or geographical constituency, means registered under the Legislative Council Ordinance (Cap. 542) as an elector for the constituency;

Returning Officer (選舉主任), in relation to a subsector, means the Returning Officer appointed for the subsector under section 47, and includes any person appointed to act in place of such an Officer when the Officer is absent or when an office of Returning Officer is vacant;

Revising Officer (審裁官) means a Revising Officer appointed under section 46, and includes any person appointed to act in place of the Officer when the Officer is absent or when the office of Revising Officer is vacant;

specified entity (指明實體), in relation to a subsector, means a person or body specified for the subsector in Division 5 of Part 4 for the purposes of section 2(5)(c); (*Added 14 of 2021 s. 406*)

specified office (指明職位), in relation to a subsector, means an office specified for the subsector in Division 1 of Part 2A for the purposes of section 2(5)(a); (*Added 14 of 2021 s. 406*)

specified person (指明人士), in relation to a subsector, means a person holding a specified office of the subsector; (*Added 14 of 2021 s. 406*)

subsector (界別分組) means, subject to section 11, a subsector represented on the Election Committee as provided by section 2(4);

subsector by-election (界別分組補選) means an election to elect a member of the Election Committee assigned to a subsector who, under section 2(7)(c), is to be elected by the relevant subsector, otherwise than at a subsector ordinary election; (*Amended 14 of 2021 s. 406*)

subsector election (界別分組選舉) means a subsector ordinary election or a subsector by-election;

subsector ordinary election (界別分組一般選舉) means an election to elect those members of the Election Committee assigned to a subsector who, under section 2(7)(c), are to be elected by the relevant subsector, for a new term of office of the Election Committee; (*Amended 14 of 2021 s. 406*)

the regulations (《規例》) means regulations made under section 46 of this Ordinance.

(*Amended 14 of 2021 s. 406*)

(2) (*Repealed 14 of 2021 s. 406*)

(3) For the purposes of this Schedule—

- (a) the circumstances in which a person has a substantial connection with a body include, but are not limited to, being a member, partner, officer or employee of the body; and
- (b) the circumstances in which a person has a substantial connection with a subsector include, but are not limited to, being a member, partner, officer or employee of—
 - (i) a body included in the subsector; or
 - (ii) a corporate member of a body referred to in subparagraph (i).
- (4) In this Schedule, unless otherwise stated, a reference to a Part or section is a reference to a Part or section of this Schedule.
(Replaced 14 of 2021 s. 406)
- (5)-(6) (Repealed 14 of 2021 s. 406)

1A. Effect of inclement weather warning on date and period

(Amended 15 of 2016 s. 27)

- (1) In this section—

gale warning (烈風警告) has the same meaning as in the Judicial Proceedings (Adjournment During Gale Warnings) Ordinance (Cap. 62);

inclement weather warning day (惡劣天氣警告日) means a working day on which a gale warning or a rainstorm warning is in force at any time during the ordinary business hours of the office of the Electoral Registration Officer;

rainstorm warning (暴雨警告) has the same meaning as in the Judicial Proceedings (Adjournment During Gale Warnings) Ordinance (Cap. 62);

working day (工作日) means any Monday, Tuesday, Wednesday, Thursday or Friday other than a general holiday.

- (2) If—

- (a) the Electoral Registration Officer is required by section 14 to do an act not later than a date; and

- (b) the date falls on an inclement weather warning day, that section has effect in relation to the act as if it requires the Officer to do the act not later than the next working day, which is not an inclement weather warning day, following the date.

- (3) If—

- (a) the Electoral Registration Officer is required by section 40(3A)(b) to do an act on a date; and

- (b) the date falls on an inclement weather warning day,

that section has effect as if it required the Officer to do the act on the next working day which is not an inclement weather warning day, following the date. *(Added 15 of 2016 s. 27)*

(4) If—

- (a) the Electoral Registration Officer is required by section 4(1) or 40 to do an act within a period; and
- (b) the last day of the period falls on an inclement weather warning day,

the period is extended, in relation to the act, to end on the next working day which is not an inclement weather warning day, following the day mentioned in paragraph (b), and that section has effect accordingly. *(Added 15 of 2016 s. 27)*

(Added 12 of 2014 s. 23)

Part 2

Membership of Election Committee

2. How Election Committee is to be constituted

- (1) The Election Committee is to consist of 1 500 members, who must be Hong Kong permanent residents. *(Amended 1 of 2011 s. 9)*
- (2) The membership of the Election Committee is to be determined in accordance with the procedures specified in this Schedule.
- (3) The members of the Election Committee are to be representative of 5 sectors, with each sector being represented by 300 members. *(Amended 1 of 2011 s. 9)*
- (4) The sectors are to be composed of the subsectors specified in Tables 1, 2, 3, 4 and 5.
- (5) Each subsector is to be composed of—
 - (a) if the number specified in column 3 of the relevant Table opposite to that subsector is not 0—the specified persons of that subsector;
 - (b) if the number specified in column 4 of the relevant Table opposite to that subsector is not 0—the designated bodies of that subsector; and
 - (c) if the number specified in column 5 of the relevant Table opposite to that subsector is not 0—the specified entities of that subsector. *(Replaced 14 of 2021 s. 407)*

- (6) Subject to subsection (7), for the purpose of constituting the Election Committee, each subsector is allocated the number of members specified in columns 3, 4 and 5 of the relevant Table in respect of the subsector.
- (7) The Election Committee is constituted in the following manner—
 - (a) subject to subsection (8), in relation to a subsector specified in column 2 of a Table, the number specified in column 3 of the Table opposite to the subsector is the number of members to be filled by the persons registered in accordance with Part 2A as ex-officio members of the subsector;
 - (b) in relation to a subsector specified in column 2 of a Table, the number specified in column 4 of the Table opposite to the subsector is the number of members to be nominated by the designated bodies of the subsector in accordance with Part 3;
 - (c) subject to subsection (8), in relation to a subsector specified in column 2 of a Table, the number specified in column 5 of the Table opposite to the subsector is the number of members to be elected by the specified entities of the subsector in accordance with Part 4.
(Replaced 14 of 2021 s. 407)
- (8) Despite subsection (7), for the purpose of constituting a new term of office of the Election Committee, if 1 NPC deputy or CPPCC member chooses, in accordance with section 5I(4), to be registered as a member of a subsector (***relevant subsector***) other than the NPC and CPPCC subsector, and the registration is determined as valid under section 5N—
 - (a) the number of members to be filled in relation to the relevant subsector under subsection (7)(a) is to be increased by 1 for that term of office; and
 - (b) the number of members to be elected by the relevant subsector under subsection (7)(c) is to be decreased by 1 for that term of office. *(Replaced 14 of 2021 s. 407)*
- (9) For the purpose of constituting a new term of office of the Election Committee, the Chief Electoral Officer must publish a notice in the Gazette in accordance with the EAC Regulations declaring—
 - (a) the number of NPC deputies or CPPCC members whose registrations are determined as valid in each subsector for that term of office; and

- (b) the number of members to be elected by each subsector in accordance with Part 4 for that term of office.
(Replaced 14 of 2021 s. 407)
- (10) To avoid doubt, the numbers declared under subsection (9) must remain unchanged for that term of office of the Election Committee. (Added 14 of 2021 s. 407)

(Amended 14 of 2021 s. 407)

Table 1

First Sector

Column 1	Column 2	Column 3	Column 4	Column 5
Item	Subsector	Number of ex-officio members	Number of members to be nominated	Number of members to be elected
1.	Catering	0	0	16
2.	Commercial (first)	0	0	17
3.	Commercial (second)	0	0	17
4.	Commercial (third)	0	0	17
5.	Employers' Federation of Hong Kong	0	0	15
6.	Finance	0	0	17
7.	Financial services	0	0	17
8.	Hotel	0	0	16
9.	Import and export	0	0	17
10.	Industrial (first)	0	0	17
11.	Industrial (second)	0	0	17
12.	Insurance	0	0	17
13.	Real estate and construction	0	0	17
14.	Small and medium enterprises	0	0	15
15.	Textiles and garment	0	0	17
16.	Tourism	0	0	17
17.	Transport	0	0	17
18.	Wholesale and retail	0	0	17

(Replaced 14 of 2021 s. 407)

Table 2**Second Sector**

Column 1	Column 2	Column 3	Column 4	Column 5
Item	Subsector	Number of ex-officio members	Number of members to be nominated	Number of members to be elected
1.	Accountancy	0	15	15
2.	Architectural, surveying, planning and landscape	15	0	15
3.	Chinese medicine	0	15	15
4.	Education	16	0	14
5.	Engineering	15	0	15
6.	Legal	6	9	15
7.	Medical and health services	15	0	15
8.	Social welfare	15	0	15
9.	Sports, performing arts, culture and publication	0	15	15
10.	Technology and innovation	0	15	15

*(Replaced 14 of 2021 s. 407)***Table 3****Third Sector**

Column 1	Column 2	Column 3	Column 4	Column 5
Item	Subsector	Number of ex-officio members	Number of members to be nominated	Number of members to be elected
1.	Agriculture and fisheries	0	0	60
2.	Associations of Chinese fellow townsmen	0	0	60
3.	Grassroots associations	0	0	60
4.	Labour	0	0	60

Column 1	Column 2	Column 3	Column 4	Column 5
Item	Subsector	Number of ex-officio members	Number of members to be nominated	Number of members to be elected
5.	Religious	0	60	0

(Replaced 14 of 2021 s. 407)

Table 4

Fourth Sector

Column 1	Column 2	Column 3	Column 4	Column 5
Item	Subsector	Number of ex-officio members	Number of members to be nominated	Number of members to be elected
1.	Members of the Legislative Council	90	0	0
2.	Heung Yee Kuk	0	0	27
3.	Representatives of associations of Hong Kong residents in the Mainland	0	27	0
4.	Representatives of members of Area Committees, District Fight Crime Committees, and District Fire Safety Committees of Hong Kong and Kowloon	0	0	76

Column 1	Column 2	Column 3	Column 4	Column 5
Item	Subsector	Number of ex-officio members	Number of members to be nominated	Number of members to be elected
5.	Representatives of members of Area Committees, District Fight Crime Committees, and District Fire Safety Committees of the New Territories	0	0	80

(Replaced 14 of 2021 s. 407)

Table 5

Fifth Sector

Column 1	Column 2	Column 3	Column 4	Column 5
Item	Subsector	Number of ex-officio members	Number of members to be nominated	Number of members to be elected
1.	Hong Kong Special Administrative Region deputies to the National People's Congress and Hong Kong Special Administrative Region members of the National Committee of the Chinese People's Political Consultative Conference	190	0	0

Column 1	Column 2	Column 3	Column 4	Column 5
Item	Subsector	Number of ex-officio members	Number of members to be nominated	Number of members to be elected
2.	Representatives of Hong Kong members of relevant national organisations	0	0	110

(Replaced 14 of 2021 s. 407)

2A. *(Omitted as expired—E.R. 1 of 2013)*

3. Resignation of member of Election Committee

- (1) If a person is registered as an ex-officio member of the Election Committee by virtue of holding a specified office, and the person ceases to hold the specified office, the person is regarded as having resigned from the membership of the Election Committee, unless—
 - (a) the cessation is due to the expiry of the person's term of office as the holder of the specified office; and
 - (b) the person holds the specified office immediately after the cessation. *(Replaced 14 of 2021 s. 408)*
- (1AA) If a designated person of a specified person is registered as an ex-officio member of the Election Committee, and the specified person ceases to hold a specified office, the designated person is regarded as having resigned from the membership of the Election Committee, unless—
 - (a) the cessation is due to the expiry of the specified person's term of office as the holder of the specified office; and
 - (b) the specified person holds the specified office immediately after the cessation. *(Added 14 of 2021 s. 408)*
- (1AAB) If a person (**registered member**) is registered as an ex-officio member of the Election Committee under section 5J(4) because a specified person is not eligible to be so registered, and the specified person ceases to hold the specified office concerned, the registered member is regarded as having resigned from the membership of the Election Committee, unless—
 - (a) the cessation is due to the expiry of the specified person's term of office as the holder of the specified office; and

- (b) the specified person holds the specified office immediately after the cessation. *(Added 14 of 2021 s. 408)*
- (1AAC) If a person is registered as an ex-officio member of the Election Committee under section 5J(3) or (4), and the person ceases to hold an office in, or the office of Council Chairman or the office of Chairman of the Board of Governors (as the case may be) in, the relevant body (as defined by section 5J(6)) concerned, the person is regarded as having resigned from the membership of the Election Committee, unless—
 - (a) the cessation is due to the expiry of the person's term of office as the holder of the office concerned; and
 - (b) the person holds the office immediately after the cessation. *(Added 14 of 2021 s. 408)*
- (1AAD) If a person is nominated as a member of the Election Committee representing the accountancy subsector under section 7, and the person ceases to be a Hong Kong Accounting Advisor appointed by the Ministry of Finance of the People's Republic of China, the person is regarded as having resigned from the membership of the Election Committee, unless—
 - (a) the cessation is due to the expiry of the person's term of office as a Hong Kong Accounting Advisor; and
 - (b) the person is a Hong Kong Accounting Advisor immediately after the cessation. *(Added 14 of 2021 s. 408)*
- (1AAE) If a person is nominated as a member of the Election Committee representing the Chinese medicine subsector under section 7, and the person ceases to be a Hong Kong member of the Council of the World Federation of Chinese Medicine Societies, the person is regarded as having resigned from the membership of the Election Committee, unless—
 - (a) the cessation is due to the expiry of the person's term of office as the member of the Council of the Federation; and
 - (b) the person is a member of the Council of the Federation immediately after the cessation. *(Added 14 of 2021 s. 408)*

- (1AAF) If a person is nominated as a member of the Election Committee representing the legal subsector under section 7, and the person ceases to be a Hong Kong member of the Council of the China Law Society, the person is regarded as having resigned from the membership of the Election Committee, unless—
- (a) the cessation is due to the expiry of the person's term of office as the member of the Council of the Society; and
 - (b) the person is a member of the Council of the Society immediately after the cessation. (*Added 14 of 2021 s. 408*)
- (1AAG) If a person is nominated as a member of the Election Committee representing the technology and innovation subsector under section 7, and the person ceases to be a Hong Kong academician of the Chinese Academy of Sciences or the Chinese Academy of Engineering, the person is regarded as having resigned from the membership of the Election Committee. (*Added 14 of 2021 s. 408*)
- (1A) If a member of the Election Committee representing the Heung Yee Kuk subsector ceases to be the Chairman or a Vice-Chairman of the Heung Yee Kuk or a Councillor of the Full Council of the Heung Yee Kuk, he is deemed to have resigned from the membership of the Election Committee unless— (*Amended 14 of 2021 s. 408*)
- (a) the cessation is due to the expiry of his term of office as the Chairman or a Vice-Chairman of the Heung Yee Kuk or a Councillor of the Full Council of the Heung Yee Kuk (as the case may be); and
 - (b) he is the Chairman or a Vice-Chairman of the Heung Yee Kuk or a Councillor of the Full Council of the Heung Yee Kuk immediately after the cessation. (*Added 10 of 2006 s. 6*)
- (1B) If a member of the Election Committee representing the Hong Kong and Kowloon District Committees subsector ceases to be a member of an Area Committee, District Fight Crime Committee or District Fire Safety Committee in a District mentioned in section 39ZH (*specified Committee*), the member is regarded as having resigned from the membership of the Election Committee, unless—
- (a) the cessation is due to the expiry of the member's term of office as a member of the specified Committee; and

- (b) the member is a member of the specified Committee immediately after the cessation. *(Replaced 14 of 2021 s. 408)*
- (1C) If a member of the Election Committee representing the New Territories District Committees subsector ceases to be a member of an Area Committee, District Fight Crime Committee or District Fire Safety Committee in a District mentioned in section 39ZI (*specified Committee*), the member is regarded as having resigned from the membership of the Election Committee, unless—
 - (a) the cessation is due to the expiry of the member's term of office as a member of the specified Committee; and
 - (b) the member is a member of the specified Committee immediately after the cessation. *(Replaced 14 of 2021 s. 408)*
- (2) If—
 - (a) a person is a member of the Election Committee (other than an ex-officio member); and
 - (b) the Electoral Registration Officer, by adding the person's name to the final register of members of the Election Committee, registers the person as an ex-officio member of the Committee under section 41(3),

the person is deemed to have resigned, on the date on which the person's name is so added, from the membership referred to in paragraph (a). *(Amended 14 of 2021 s. 408)*
- (2A) If—
 - (a) after a designated person is registered as an ex-officio member of the Election Committee, the person becomes a holder of a specified office; and
 - (b) the Electoral Registration Officer, by adding the person's name to the final register of members of the Election Committee, registers the person as an ex-officio member of the Committee under section 41(3) by reason of the person being the holder of the specified office,

the person is regarded as having resigned, on the date on which the person's name is so added, from the membership referred to in paragraph (a). *(Added 14 of 2021 s. 408)*
- (3) A member of the Election Committee (other than an ex-officio member) may resign from the membership by giving written notice of resignation to the Electoral Registration Officer.
- (4) A notice of resignation is not effective unless it is signed by the member concerned.

- (5) A notice of resignation takes effect—
 - (a) on the date on which the notice is received by the Electoral Registration Officer; or
 - (b) if a later date is specified in the notice, on that later date.

4. Electoral Registration Officer to compile and publish provisional register

- (1) The Electoral Registration Officer must compile and publish in accordance with the EAC Regulations a provisional register of members of the Election Committee—
 - (a) during the period beginning on the date of the making of a vacancy declaration and ending on 14 days after that date; or
 - (b) during the period beginning on the date falling 210 days before the specified date and ending on the date falling 165 days before the specified date. *(Replaced 14 of 2021 s. 409)*
- (2) The Electoral Registration Officer is not required to compile and publish a provisional register of members of the Election Committee under subsection (1) if— *(Amended 10 of 2006 s. 31)*
 - (a) a provisional register of members of the Election Committee was published within 12 months before the first day of the period referred to in subsection (1)(a) or (b); *(Replaced 14 of 2021 s. 409)*
 - (ab) the Election Committee was constituted within 12 months before the first day of the period referred to in subsection (1)(a) or (b); *(Added 14 of 2021 s. 409)*
 - (ac) the Legislative Council is dissolved during its current term of office by the Chief Executive in accordance with the Basic Law; or *(Added 14 of 2021 s. 409)*
 - (b) the election to fill the vacancy referred to in the vacancy declaration is to be held on a date that falls outside the term of office of the Election Committee.
- (3) A provisional register of members of the Election Committee is to be based on the existing final register of members of the Election Committee.
- (4) In compiling a provisional register of members of the Election Committee, the Electoral Registration Officer shall—

- (a) after scrutinizing the existing final register of members of the Election Committee, strike out the names and other relevant particulars of those persons (other than ex-officio members) whom the Electoral Registration Officer is satisfied on reasonable grounds as, on the date of the making of the relevant vacancy declaration — (*Amended 10 of 2006 s. 31*)
 - (i) being dead;
 - (ii) having resigned, or being deemed to have resigned, from the Election Committee under section 3; or
 - (iii) having ceased to be registered or eligible to be registered, or having been disqualified from being registered, under the Legislative Council Ordinance (Cap. 542) as an elector for a geographical constituency; and
 - (b) enter the names and other relevant particulars of those persons on an omissions list.
- (5) As soon as practicable after complying with subsection (4), the Electoral Registration Officer shall publish—
- (a) in the Gazette; and
 - (b) in such other publications (if any) as are prescribed by the EAC Regulations,
- a notice to the effect that the names and other relevant particulars of persons who are no longer eligible to have their names included in the final register of members of the Election Committee have been entered on an omissions list and specifying the times and the place at which a copy of the omissions list may be inspected. (*Amended 14 of 2021 s. 409*)
- (6) The Electoral Registration Officer shall, for the period prescribed for the purposes of this subsection by the EAC Regulations—
- (a) keep a copy of the omissions list at that Officer's office; and
 - (b) during the ordinary business hours of that office, make that copy available for inspection in accordance with the EAC Regulations. (*Amended 14 of 2021 s. 409*)
- (7) In this section—
- existing final register of members of the Election Committee*** (現有選舉委員會正式委員登記冊) means the final register of members of the Election Committee that is in effect under section 43 on the first day of the period referred to in

subsection (1)(a) or (b) (as the case may be); (*Replaced 10 of 2006 s. 31. Amended 14 of 2021 s. 409*)

specified date (指明日期) means the date on which the current term of office of the Legislative Council is to end; (*Added 14 of 2021 s. 409*)

vacancy declaration (空缺宣布) means a declaration under section 5 of this Ordinance. (*Replaced 25 of 2003 s. 56*)

(*Amended 10 of 2006 s. 31*)

5. Supplementary nomination or subsector by-election to be held to fill vacancy in membership of Election Committee

- (1) As soon as practicable after the Electoral Registration Officer has published a provisional register of members of the Election Committee, the Electoral Affairs Commission—
 - (a) must ascertain the number of members nominated in accordance with Part 3 or elected in accordance with Part 4 for each subsector on the Election Committee; and (*Replaced 14 of 2021 s. 410*)
 - (b) if the number of members so ascertained as representing a subsector is less than the number of members allocated to the subsector in accordance with section 2(7)(b) or (c), must, in accordance with the EAC Regulations, arrange for a supplementary nomination or a subsector by-election (as the case may be) to be held to fill the vacancy among the members representing the subsector on the Election Committee. (*Replaced 14 of 2021 s. 410*)
- (2) When making an ascertainment under subsection (1)(a), the Electoral Affairs Commission shall have regard to—
 - (a) the provisional register of members of the Election Committee; and
 - (b) the determinations of the Revising Officer on the appeals, if any, made under section 48 in relation to the register. (*Amended 14 of 2021 s. 410*)

Part 2A

Ex-Officio Members

(*Part 2A added 14 of 2021 s. 411*)

Division 1—Specified Offices

5A. Specified offices of the architectural, surveying, planning and landscape subsector

The specified offices of the architectural, surveying, planning and landscape subsector are—

- (a) the President of The Hong Kong Institute of Architects;
- (b) the President of The Hong Kong Institute of Surveyors;
- (c) the President of The Hong Kong Institute of Planners;
- (d) the President of The Hong Kong Institute of Landscape Architects;
- (e) the Chairman of the Hong Kong Housing Authority;
- (f) the Chairman of the Town Planning Board;
- (g) the Chairman of the Board of the Urban Renewal Authority;
- (h) the Chairman of the Hong Kong Housing Society;
- (i) the Chairman of the Antiquities Advisory Board;
- (j) the Chairperson of the Property Management Services Authority;
- (k) the Chairman of the Community Involvement Committee on Greening;
- (l) the Chairman of the Advisory Committee for the Fire Safety (Buildings) Ordinance and the Fire Safety (Commercial Premises) Ordinance;
- (m) the Chairman of the Harbourfront Commission;
- (n) the Chairman of the Land and Development Advisory Committee; and
- (o) the Chairman of the Lantau Development Advisory Committee.

5B. Specified offices of the education subsector

The specified offices of the education subsector are—

- (a) the Vice-Chancellor of The University of Hong Kong;
- (b) the Vice-Chancellor of The Chinese University of Hong Kong;
- (c) the President of The Hong Kong University of Science and Technology;
- (d) the President of the City University of Hong Kong;
- (e) the President of The Hong Kong Polytechnic University;

- (f) the President of The Education University of Hong Kong;
- (g) the President and Vice-Chancellor of the Hong Kong Baptist University;
- (h) the President of Lingnan University;
- (i) the President of the Hong Kong Metropolitan University;
(*Amended 22 of 2021 s. 2*)
- (j) the President of the Hong Kong Shue Yan University;
- (k) the President of The Hang Seng University of Hong Kong;
- (l) the office specified by Roman Catholic Diocese of Hong Kong;
- (m) the office specified by the Po Leung Kuk;
- (n) the office specified by the Hong Kong Sheng Kung Hui;
- (o) the office specified by the Tung Wah Group of Hospitals;
and
- (p) the office specified by The Hong Kong Council of the Church of Christ in China.

5C. Specified offices of the engineering subsector

The specified offices of the engineering subsector are—

- (a) the President of The Hong Kong Institution of Engineers;
- (b) the Chairman of the Board of the Airport Authority;
- (c) the Chairman of the Consulting Engineers' Committee;
- (d) the Chairperson of the Construction Industry Council;
- (e) the Chairman of the Building Contractors Committee;
- (f) the Chairman of the Advisory Committee on Water Supplies;
- (g) the Chairman of the Transport Advisory Committee;
- (h) the Chairman of the Advisory Council on the Environment;
- (i) the Chairman of the Electrical Safety Advisory Committee;
- (j) the Chairman of the Gas Safety Advisory Committee;
- (k) the Chairman of the Energy Advisory Committee;
- (l) the Chairman of the Advisory Committee on the Appearance of Bridges and Associated Structures;
- (m) the Chairman of the Lift and Escalator Safety Advisory Committee;

- (n) the Chairman of the Board of MTR Corporation Limited; and
- (o) the Chairperson of the Drinking Water Safety Advisory Committee.

5D. Specified offices of the legal subsector

The specified offices of the legal subsector are the Hong Kong members of the Committee for the Basic Law of the Hong Kong Special Administrative Region under the Standing Committee of the National People's Congress.

5E. Specified offices of the medical and health services subsector

The specified offices of the medical and health services subsector are—

- (a) the Chairman of the Hospital Authority;
- (b) the Chairman of the Board of Governors of The Prince Philip Dental Hospital;
- (c) the Chairman of the Medical Council of Hong Kong;
- (d) the Chairman of the Dental Council of Hong Kong;
- (e) the President of the Hong Kong Academy of Medicine;
- (f) the Chairman of the Nursing Council of Hong Kong;
- (g) the Chairman of the Midwives Council of Hong Kong;
- (h) the Chairman of the Supplementary Medical Professions Council;
- (i) the Chairman of the Pharmacy and Poisons Board;
- (j) the Chairman of the Chiropractors Council;
- (k) the Dean of Li Ka Shing Faculty of Medicine of The University of Hong Kong;
- (l) the Dean of Faculty of Medicine of The Chinese University of Hong Kong;
- (m) the Chairman of the Human Organ Transplant Board;
- (n) the Council Chairman of the Hong Kong St. John Ambulance; and
- (o) the Commissioner of the Auxiliary Medical Service.

5F. Specified offices of the social welfare subsector

The specified offices of the social welfare subsector are—

- (a) the Chairperson of the Executive Committee of the Hong Kong Council of Social Service;

- (b) the Chairperson of the Social Workers Registration Board;
- (c) the Chairman of the Council of the Institute of Social Service Development;
- (d) the Chairman of the Board of Directors of the Tung Wah Group of Hospitals;
- (e) the Chairman of the Board of Directors of the Po Leung Kuk;
- (f) the Chairman of the Board of Directors of the Yan Chai Hospital;
- (g) the Chairman of the Board of Directors of Pok Oi Hospital;
- (h) the Chairperson of the Board of Directors of Yan Oi Tong Limited;
- (i) the Chairman of the Executive Committee of The Lok Sin Tong Benevolent Society Kowloon;
- (j) the Chairman of the Board of Directors of New Home Association Limited;
- (k) the Chairperson of the Board of Directors of Social Workers Across Borders Limited;
- (l) the Chairperson of the Board of Directors of The Hong Kong Volunteers Federation Company Limited;
- (m) the Chairperson of the Council of The Hong Kong Federation of Trade Unions Hong Ling Society;
- (n) the Chairperson of the Executive Committee of The United Labour Chi Hong Association Limited; and
- (o) the Chairman of the Board of Directors of The Hong Kong Island Social Services Charitable Foundation Limited.

5G. Specified offices of the Members of the Legislative Council subsector

The specified offices of the Members of the Legislative Council subsector are Members of the Legislative Council.

5H. Specified offices of the NPC and CPPCC subsector

The specified offices of the NPC and CPPCC subsector are—

- (a) NPC deputies; and
- (b) CPPCC members.

Division 2—Procedural Matters

5I. Registration of NPC deputies and CPPCC members as ex-officio members

- (1) An NPC deputy or a CPPCC member may be registered as an ex-officio member, but only if the deputy or member is registered in accordance with this section and the EAC Regulations.
- (2) If an NPC deputy or a CPPCC member is holding a specified office of a subsector (*specified subsector*) other than the NPC and CPPCC subsector, the deputy or member may only be registered as an ex-officio member of the specified subsector.
- (3) To avoid doubt, if the NPC deputy or CPPCC member holds 2 or more specified offices of one or more specified subsectors —
 - (a) the deputy or member may only choose to be registered as an ex-officio member as the holder of one of the specified offices; and
 - (b) section 5J(3) or (4) (as appropriate) applies in relation to the other specified office or offices for the purpose of making a designation or registration.
- (4) Subject to subsection (2), an NPC deputy or a CPPCC member may choose to be registered as an ex-officio member of a subsector as defined by section 11(1) (*relevant subsector*) if—
 - (a) the total number of NPC deputies and CPPCC members who—
 - (i) are eligible to be registered as ex-officio members under section 5L;
 - (ii) are not disqualified from being registered as ex-officio members under section 5M; and
 - (iii) do not fall within subsection (2), exceeds the specified number; and
 - (b) the deputy or member has substantial connection with the relevant subsector.
- (5) For subsection (4)—
 - (a) the number of NPC deputy or CPPCC member who chooses to be registered as an ex-officio member of a relevant subsector must not exceed the number specified in column 5 of the Table concerned in section 2 opposite to the relevant subsector; and

- (b) the total number of NPC deputies and CPPCC members who choose to be registered as ex-officio members of the relevant subsectors must not exceed the difference between the specified number and the total number referred to in subsection (4)(a).
- (6) If, after the publication of the final register of members of the Election Committee for a term of office of the Election Committee under section 40(3A), an NPC deputy or a CPPCC member registered as an ex-officio member of a subsector resigns or is regarded as having resigned under section 3, a subsequently appointed NPC deputy or CPPCC member may only be registered as an ex-officio member of that subsector for that term of office of the Election Committee.
- (7) An NPC deputy or a CPPCC member may only be registered as an ex-officio member of a subsector under subsection (6) if the deputy or member has substantial connection with the subsector.
- (8) In this section—
specified number (指明數目) means the number specified in column 3 of Table 5 in section 2 opposite to the NPC and CPPCC subsector.

5J. Registration of other specified persons and designated persons as ex-officio members

- (1) Subject to section 5I, a specified person or a designated person of the specified person may be registered as an ex-officio member, but only if the specified person submits a registration form to the Electoral Registration Officer in accordance with this section and the EAC Regulations.
- (2) If a specified person holds more than one specified office, the person may only choose to be registered as an ex-officio member as the holder of one of the specified offices.
- (3) A specified person holding a specified office of an applicable subsector may designate another person who is holding an office in a relevant body in relation to the specified office to be registered as an ex-officio member if—
 - (a) the specified person is not eligible to be registered as an ex-officio member under section 5L; or
 - (b) the specified person is a holder of more than one specified office (excluding the office of NPC deputy or CPPCC member).

- (4) If a holder of a specified office set out in section 5B(a), (b), (c), (d), (e), (f), (g), (h), (i), (j) or (k) is not eligible to be registered as an ex-officio member under section 5L—
- (a) in relation to a specified office set out in section 5B(a)—the Council Chairman of the relevant body in relation to the specified office;
 - (b) in relation to a specified office set out in section 5B(b), (c), (d), (e), (f), (g), (h) or (i)—the Council Chairman of a relevant body in relation to the specified office; or
 - (c) in relation to a specified office set out in section 5B(j) or (k)—the Chairman of the Board of Governors of a relevant body in relation to the specified office,
- is to be regarded as a specified office of the relevant body.
- (5) To avoid doubt, for the purposes of subsection (3)—
- (a) if the specified person holds more than 2 specified offices of one or more applicable subsectors, the person may designate different persons to be registered as ex-officio members for different specified offices; and
 - (b) a designated person may only be registered as an ex-officio member for 1 specified office.

(6) In this section—

applicable subsector (適用界別分組) means—

- (a) the architectural, surveying, planning and landscape subsector;
- (b) the engineering subsector;
- (c) the medical and health services subsector; or
- (d) the social welfare subsector;

relevant body (相關團體), in relation to a specified office set out in a paragraph of a section in Division 1, means the body described in the paragraph.

5K. Validity of registration contingent on declaration

A registration of a person as an ex-officio member under section 5I or 5J is not valid unless—

- (a) the registration form contains a declaration to the effect that the person will uphold the Basic Law and pledge allegiance to the Hong Kong Special Administrative Region of the People's Republic of China; and
- (b) the declaration is signed by the person.

5L. Who is eligible to be registered as an ex-officio member

- (1) Subject to subsection (2), a person is eligible to be registered as an ex-officio member of a subsector under section 5I or 5J if the person—
 - (a) is eligible to be registered as an elector under Part 5 of the Legislative Council Ordinance (Cap. 542) for a geographical constituency and has made an application to be so registered, or is registered in the existing geographical constituencies final register (as defined by section 11(1)) and is eligible to be, and is not disqualified from being, registered as an elector for a geographical constituency; and
 - (b) is holding a specified office of the subsector.
- (2) Subsection (1)(b) does not apply to a person to be registered as an ex-officio member under section 5J(3).
- (3) However, a person is not eligible to be registered as an ex-officio member if the person—
 - (a) is a principal official appointed pursuant to a nomination under Article 48(5) of the Basic Law;
 - (b) is a directorate officer of the Government;
 - (c) is an Administrative Officer of the Government;
 - (d) is an Information Officer of the Government;
 - (e) is a police officer; or
 - (f) is any other civil servant who is holding an office specified in Division 1 in his or her official capacity.

5M. When a person is disqualified from being registered as an ex-officio member

- (1) A person is disqualified from being registered as an ex-officio member if the person—
 - (a) has in Hong Kong or in any other place been sentenced to death or imprisonment (by whatever name called) and has not either—
 - (i) served the sentence or undergone such other punishment as a competent authority may have substituted for the sentence; or
 - (ii) received a free pardon;
 - (ab) has been convicted of an offence endangering national security; (*Added 6 of 2024 s. 187*)
 - (b) on the date of submission of the registration form, is serving a sentence of imprisonment;

- (c) without limiting paragraph (a), where the registration form is submitted within 5 years after the date of the person's conviction, is or has been convicted—
 - (i) of having engaged in corrupt conduct or illegal conduct in contravention of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554);
 - (ii) of an offence against Part II of the Prevention of Bribery Ordinance (Cap. 201); or
 - (iii) of any offence prescribed by section 7 of Schedule 4A to the District Councils Ordinance (Cap. 547) or the EAC Regulations; (*Amended 19 of 2023 s. 188*)
 - (d) is found for the time being under the Mental Health Ordinance (Cap. 136) to be incapable, by reason of mental incapacity, of managing and administering his or her property and affairs; or
 - (e) is a member of the armed forces of the People's Republic of China or any other country or territory.
- (2) Without prejudice to section 13(1)(c) of the Electoral Affairs Commission Ordinance (Cap. 541), a person is also disqualified from being registered as an ex-officio member if, within the 5 years before the date of submission of the registration form—
- (a) the person has vacated an office, or has been disqualified from entering on an office, under the law, for declining or neglecting to take a specified oath; or
 - (b) the person has been declared or decided in accordance with any law—
 - (i) to be in breach of a specified oath; or
 - (ii) to have failed to fulfil the legal requirements and conditions on upholding the Basic Law and bearing allegiance to the Hong Kong Special Administrative Region of the People's Republic of China.

(3) In this section—

specified oath (指明誓言) means an oath taken under the law that the oath-taker will uphold the Basic Law and bear allegiance to the Hong Kong Special Administrative Region of the People's Republic of China.

5N. Determination of validity of registration

The Candidate Eligibility Review Committee must, as soon as practicable after a registration form that complies with this Part and

the EAC Regulations is submitted in accordance with those Regulations, determine whether or not the proposed registration is valid in accordance with Annex I to the Basic Law and this Ordinance.

5O. Application of the Elections (Corrupt and Illegal Conduct) Ordinance

The Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554) applies, with any necessary modifications, to and in relation to the registration and designation of persons to be ex-officio members of the Election Committee under section 5I or 5J in the same way as it applies to and in relation to a subsector election and so applies as if the persons to be registered were candidates at a subsector election.

Part 3

Nomination

(Amended 14 of 2021 s. 412)

Division 1—Designated Bodies

(Division 1 added 14 of 2021 s. 413)

5P. Designated body of the accountancy subsector

The designated body of the accountancy subsector is Association of Hong Kong Accounting Advisors Limited.

5Q. Designated body of the Chinese medicine subsector

The designated body of the Chinese medicine subsector is WFCMS (Hong Kong) Council Members Association Limited.

5R. Designated body of the legal subsector

The designated body of the legal subsector is China Law Society's HK Council Members Association.

5S. Designated bodies of the sports, performing arts, culture and publication subsector

The designated bodies of the sports, performing arts, culture and publication subsector are—

- (a) Sports Federation & Olympic Committee of Hong Kong, China;
- (b) China Federation of Literary and Art Circles Hong Kong Member Association Limited; and

- (c) Hong Kong Publishing Federation Limited.

5T. Designated body of the technology and innovation subsector

The designated body of the technology and innovation subsector is The Greater Bay Area Association of Academicians.

6. Designated bodies of the religious subsector

The designated bodies of the religious subsector are—

- (a) Catholic Diocese of Hong Kong;
- (b) Chinese Muslim Cultural and Fraternal Association;
- (c) Hong Kong Christian Council;
- (d) The Hong Kong Taoist Association;
- (e) The Confucian Academy; and
- (f) The Hong Kong Buddhist Association.

(Replaced 14 of 2021 s. 414)

6A. Designated bodies of the representatives of associations of Hong Kong residents in the Mainland subsector

The designated bodies of the representatives of associations of Hong Kong residents in the Mainland subsector are—

- (a) Mainland China (Shenzhen) Consultant Services Centre, The Hong Kong Federation of Trade Unions;
- (b) Mainland China (Guangzhou) Consultant Services Centre, The Hong Kong Federation of Trade Unions;
- (c) Mainland China (Dongguan) Consultant Services Centre, The Hong Kong Federation of Trade Unions;
- (d) Mainland China (Zhongshan) Consultant Services Centre, The Hong Kong Federation of Trade Unions;
- (e) Mainland China (Huizhou) Consultant Services Centre, The Hong Kong Federation of Trade Unions;
- (f) Mainland China (Fujian, Xiamen) Consultant Services Centre, The Hong Kong Federation of Trade Unions;
- (g) Hong Kong Chamber of Commerce in China;
- (h) Hong Kong Chamber of Commerce in China—Tianjin;
- (i) Hong Kong Chamber of Commerce in China—Shanghai;
- (j) Hong Kong Chamber of Commerce in China—Zhejiang;
- (k) Hong Kong Chamber of Commerce in China—Guangdong;
- (l) Hong Kong Chamber of Commerce in China—Fujian;

- (m) Hong Kong Chamber of Commerce in China—Guangxi;
- (n) Hong Kong Chamber of Commerce in China—Sichuan;
- (o) Hong Kong Chamber of Commerce in China—Wuhan;
- (p) Hong Kong Chamber of Commerce in China—Liaoning;
- (q) Hong Kong Chamber of Commerce in China—Shandong;
- (r) Hong Kong Professionals (Beijing) Association;
- (s) Shanghai Hong Kong Association;
- (t) Guangzhou Tianhe Hong Kong and Macau Youth Association;
- (u) Hong Kong Association of China Business;
- (v) Hong Kong Chamber of Commerce, Qianhai, Shenzhen;
- (w) Hong Kong and Macau Entrepreneurs Branch, Chongqing Overseas Association;
- (x) Fujian Federation of Overseas Chinese Entrepreneurs;
- (y) Hong Kong and Macao Youth Innovation and Entrepreneurship Federation in Zhongkai Huizhou;
- (z) The Hong Kong Fellowship in Huadu Guangzhou; and
- (za) The Hong Kong Fellowship in Chancheng Foshan.

(Added 14 of 2021 s. 415)

Division 2—Procedural Matters

(Added 14 of 2021 s. 416)

7. Nomination of members

(Amended 14 of 2021 s. 417)

- (1) Subject to subsection (7), each designated body of a subsector may nominate a number of persons selected by it as members representing the subsector on the Election Committee for a new term of office of the Committee. *(Amended 14 of 2021 s. 417)*
- (2) If—
 - (a) the Electoral Affairs Commission is required to arrange for a supplementary nomination to fill a vacancy among the members representing a subsector on the Election Committee; and
 - (b) the vacancy is due to the number of members from a designated body representing the subsector on the Election Committee being less than the assigned number for the body,

the designated body may nominate a number of persons selected by it to fill the vacancy. *(Amended 14 of 2021 s. 417)*

- (3) The process of nomination under subsection (1) or (2) (other than the selection of nominees) shall be carried out in accordance with the EAC Regulations.
- (4) If—
 - (a) the number of persons nominated by a designated body under subsection (1) exceeds the assigned number for the body; or
 - (b) the number of persons nominated by a designated body under subsection (2) exceeds the number of vacancies to be filled,subject to subsection (6), the body shall—
 - (c) indicate which of the nominees are to be given preference in making up the assigned number or in filling the vacancy; and
 - (d) then rank the excess nominees, if more than one, in order of priority.
- (4A) Subject to subsections (6) and (6A), the Candidate Eligibility Review Committee must, as soon as practicable after a nomination form that complies with the EAC Regulations is submitted in accordance with those Regulations, determine whether or not the nominees are validly nominated in accordance with Annex I to the Basic Law, this Ordinance and those Regulations. *(Added 14 of 2021 s. 417)*
- (5) If the Candidate Eligibility Review Committee determines that any of the nominees to be given preference under subsection (4) is not validly nominated, the assigned number is to be made up or the vacancy is to be filled from the excess nominees (subject to their being validly nominated) in their order of priority. *(Amended 14 of 2021 s. 417)*
- (6) If—
 - (a) the number of persons nominated by a designated body under subsection (1) exceeds the assigned number for the body; or
 - (b) the number of persons nominated by a designated body under subsection (2) exceeds the number of vacancies to be filled,but the body does not indicate preference under subsection (4) or the number of nominees to whom preference is given is less than the assigned number for that body or the number of vacancies to be filled, the Returning Officer must determine,

by drawing lots, the order of priority in which the nominees of that body are to make up the assigned number or to fill the vacancy. (*Amended 14 of 2021 s. 417*)

- (6A) The Candidate Eligibility Review Committee must, as soon as practicable after the order of priority is determined under subsection (6), determine in that order of priority whether or not a nominee to whom that subsection applies is validly nominated in accordance with Annex I to the Basic Law, this Ordinance and the EAC Regulations, until the number of validly nominated nominees is equal to the assigned number for the designated body concerned or the number of vacancies to be filled. (*Added 14 of 2021 s. 417*)
- (7) The number of nominees to become members of the Election Committee from each designated body cannot exceed the assigned number for that body.
- (8) The Candidate Eligibility Review Committee must declare the nominees who are validly nominated as members of the Election Committee in accordance with the EAC Regulations. (*Replaced 14 of 2021 s. 417*)
- (9) In this section—
assigned number (獲配席位數目)—

- (a) in relation to the designated body mentioned in section 5S(a) or (c)—means 3;
- (b) in relation to the designated body mentioned in section 5S(b)—means 9;
- (c) in relation to a designated body of the religious subsector—means 10;
- (d) in relation to a designated body of the representatives of associations of Hong Kong residents in the Mainland subsector—means 1; or
- (e) in relation to the designated body of any other subsector—means the number specified in column 4 of the relevant Table in section 2 opposite to the subsector. (*Replaced 14 of 2021 s. 417*)

7A. Validity of nomination contingent on declaration

A nomination of a person under section 7(1) or (2) is not valid unless—

- (a) the nomination form contains a declaration to the effect that the person will uphold the Basic Law and pledge allegiance to the Hong Kong Special Administrative Region of the People's Republic of China; and

- (b) the declaration is signed by the person.

(Added 14 of 2021 s. 418)

8. Who is eligible for selection as a nominee

(Amended 14 of 2021 s. 419)

- (1) A person is eligible to be selected as a nominee for a subsector under section 7 if the person— *(Amended 14 of 2021 s. 419)*
- (a) is both registered and eligible to be registered under the Legislative Council Ordinance (Cap. 542) as an elector for a geographical constituency, and is not disqualified from being so registered; and
 - (b) has a substantial connection with the subsector. *(Amended 14 of 2021 s. 419)*
- (2) A person is not eligible to be selected as a nominee under section 7(1) if the person—
- (a) is a specified person (whether or not the person is an ex-officio member of the Election Committee); *(Replaced 14 of 2021 s. 419)*
 - (ab) is a designated person (whether or not the person is an ex-officio member of the Election Committee); or *(Added 14 of 2021 s. 419)*
 - (b) is a candidate at a subsector ordinary election.
- (3) A person is not eligible to be selected as a nominee under section 7(2) if the person—
- (a) is a member of the Election Committee; or
 - (b) is a candidate at a subsector by-election, the nomination period for which coincides or partly coincides with the period during which the nomination under that section is to be made.
- (4) A person who is selected as a nominee by a designated body as a member of the Election Committee is not eligible to be selected by another designated body as such a member if the period during which the nominations are to be made coincides or partly coincides. *(Amended 14 of 2021 s. 419)*

9. When a person is disqualified from being a nominee

- (1) A person is disqualified from being a nominee under section 7 if the person— *(Amended 14 of 2021 s. 420)*
- (a) has in Hong Kong or in any other place been sentenced to death or imprisonment (by whatever name called) and has not either—

- (i) served the sentence or undergone such other punishment as a competent authority may have substituted for the sentence; or
 - (ii) received a free pardon;
 - (ab) has been convicted of an offence endangering national security; (*Added 6 of 2024 s. 187*)
 - (b) on the date of nomination, is serving a sentence of imprisonment;
 - (c) without limiting paragraph (a), where the nomination is made within 5 years after the date of the person's conviction, is or has been convicted— (*Amended 14 of 2021 s. 420*)
 - (i) of having engaged in corrupt conduct or illegal conduct in contravention of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554);
 - (ii) of an offence against Part II of the Prevention of Bribery Ordinance (Cap. 201); or
 - (iii) of any offence prescribed by section 7 of Schedule 4A to the District Councils Ordinance (Cap. 547) or the EAC Regulations; (*Amended 19 of 2023 s. 189*)
 - (d) is found for the time being under the Mental Health Ordinance (Cap. 136) to be incapable, by reason of mental incapacity, of managing and administering his property and affairs; or
 - (e) is a member of the armed forces of the People's Republic of China or any other country or territory.
- (2) Without prejudice to section 13(1)(c) of the Electoral Affairs Commission Ordinance (Cap. 541), a person is also disqualified from being a nominee if, within the 5 years before the date of nomination—
- (a) the person has vacated an office, or has been disqualified from entering on an office, under the law, for declining or neglecting to take a specified oath; or
 - (b) the person has been declared or decided in accordance with any law—
 - (i) to be in breach of a specified oath; or
 - (ii) to have failed to fulfil the legal requirements and conditions on upholding the Basic Law and bearing allegiance to the Hong Kong Special Administrative Region of the People's Republic of China. (*Added 14 of 2021 s. 420*)

(3) In this section—

specified oath (指明誓言) means an oath taken under the law that the oath-taker will uphold the Basic Law and bear allegiance to the Hong Kong Special Administrative Region of the People's Republic of China. (*Added 14 of 2021 s. 420*)

9A. When a person is disqualified from being a nominee for certain subsectors

- (1) This section is without prejudice to section 9.
- (2) A person is disqualified from being a nominee for the accountancy subsector if the person is not a Hong Kong Accounting Advisor appointed by the Ministry of Finance of the People's Republic of China.
- (3) A person is disqualified from being a nominee for the Chinese medicine subsector if the person is not a Hong Kong member of the Council of the World Federation of Chinese Medicine Societies.
- (4) A person is disqualified from being a nominee for the legal subsector if the person is not a Hong Kong member of the Council of the China Law Society.
- (5) A person is disqualified from being a nominee for the technology and innovation subsector if the person is not a Hong Kong academician of the Chinese Academy of Sciences or the Chinese Academy of Engineering.

(Added 14 of 2021 s. 421)

10. Application of the Elections (Corrupt and Illegal Conduct) Ordinance

The Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554) applies, with any necessary modifications, to and in relation to the selection and nomination of persons to be members of the Election Committee under section 7 in the same way as it applies to and in relation to a subsector election and so applies as if the persons selected or nominated were candidates at a subsector election.

Part 4

Subsector Election

Division 1—Preliminary

11. Interpretation

(1) In this Part, unless the context otherwise requires—

authorized representative (獲授權代表), in relation to a corporate voter, means the person authorized by the corporate voter to cast its vote at a subsector election;

corporate voter (團體投票人) means a body that is a voter for a subsector;

existing functional constituencies final register (現有功能界別正式選民登記冊) means the final register of electors for functional constituencies compiled under section 32(1) or (1A) of the Legislative Council Ordinance (Cap. 542) that is in effect on the date of registration of voters for the subsectors; (Amended 33 of 2002 s. 11)

existing geographical constituencies final register (現有地方選區正式選民登記冊) means the final register of electors for geographical constituencies compiled under section 32(1) or (1A) of the Legislative Council Ordinance (Cap. 542) that is in effect on the date of registration of voters for the subsectors; (Amended 33 of 2002 s. 11)

existing subsector final register (現有界別分組正式投票人登記冊), in relation to the compilation of a subsector provisional register, means the subsector final register that is in effect under section 15 at the time the subsector provisional register is compiled; (Added 14 of 2021 s. 423)

subsector (界別分組) means a subsector other than—

- (a) the religious subsector;
- (b) the Members of the Legislative Council subsector;
- (c) the representatives of associations of Hong Kong residents in the Mainland subsector; and
- (d) the NPC and CPPCC subsector; (Added 14 of 2021 s. 423)

subsector final register (界別分組正式投票人登記冊) means the final register to be compiled and published under section 14(1)(b) or (1A)(b); (Amended 33 of 2002 s. 11)

subsector provisional register (界別分組臨時投票人登記冊) means the provisional register to be compiled and published under section 14(1)(a) or (1A)(a); (Amended 33 of 2002 s. 11)

voter (投票人) means a person whose name is registered in a subsector final register and who is eligible to be so registered and is not disqualified from being so registered or from voting at a subsector election.

(Amended 14 of 2021 s. 423)

- (2) The results of subsector ordinary elections that are declared on different dates are, for the purposes of this Schedule, taken to have been declared on the later or latest of those dates.
- (3) In this Part, the number of members allocated to a subsector is the number of members declared in a notice published under section 2(9) to be elected by the subsector in accordance with this Part for the term of office of the Election Committee concerned. (*Added 14 of 2021 s. 423*)

11A. References to entitlement to vote at general meeting of or specified authority within body

- (1) For the purposes of this Part—
 - (a) a reference to an entitlement to vote at a general meeting of a body is a reference to an entitlement to vote at the general meeting as provided by the body’s constitution; and
 - (b) a reference to an entitlement to vote at the specified authority within a body is a reference to an entitlement to vote at that authority as provided by the body’s constitution.
- (2) In subsection (1), the reference to the constitution of a body is a reference to the constitution either—
 - (a) as in force at the commencement for any purpose of the provision (including a former provision) in this Ordinance or the Legislative Council Ordinance (Cap. 542) that first specifies the body for the purpose of the composition of any subsector or functional constituency (including a subsector or functional constituency provided under a former provision in this Ordinance or the Legislative Council Ordinance (Cap. 542)); or
 - (b) as subsequently amended or substituted, but only if the amendment or substitution, in so far as it relates to any of the following matters, has been approved in writing by the Secretary for Constitutional and Mainland Affairs—
 - (i) the objects of the body;
 - (ii) the criteria and conditions of—
 - (A) membership of the body; or
 - (B) membership of the specified authority within the body;
 - (iii) the eligibility of—
 - (A) members of the body to vote at a general meeting of the body; or

- (B) members of the specified authority within the body to vote at that authority;
- (iv) the limit on—
 - (A) the number of members of the body; or
 - (B) the number of members of the specified authority within the body.
- (3) For the purposes of subsection (1)(b)—
 - (a) a body (***first-mentioned body***) is also regarded as being entitled to vote at the specified authority within another body if a natural person who is entitled to vote at that authority—
 - (i) specifies in writing to the Electoral Registration Officer that the natural person represents the first-mentioned body at that authority; and
 - (ii) has substantial connection with the first-mentioned body; and
 - (b) if more than one body is specified by the same natural person under paragraph (a)(i) in respect of the specified authority within any other body, only the body last so specified is regarded as being entitled to vote at that authority.
- (4) To avoid doubt, nothing in subsection (2) is to be construed as —
 - (a) creating any restriction on a body regarding any amendment to, or substitution of, the constitution of the body; or
 - (b) conferring on the Secretary for Constitutional and Mainland Affairs a power to approve such an amendment or substitution,

for a purpose other than to define the specified entities of the relevant subsector.
- (5) In this section—

constitution (章程), in relation to a body, includes any articles of association or rules of the body;

former provision (原有條文) means a provision that is no longer in force;

specified authority (指明單位), in relation to a body, means any authority within the body (other than a general meeting) the entitlement to vote at which is mentioned in a provision in Division 5 that provides for the specified entities of a subsector.

Division 2—Registration of voters

12. Who is eligible to be registered as a voter

(1) Subject to this section—

(a) *(Repealed 14 of 2021 s. 425)*

(b) a person is eligible to be registered as a voter for a subsector if— *(Amended 14 of 2021 s. 425)*

(i) the person—

(A) is a specified entity of that subsector; and
(Replaced 14 of 2021 s. 425)

(B) where the person is a natural person, is eligible to be registered as an elector under Part 5 of the Legislative Council Ordinance (Cap. 542) for a geographical constituency and has made an application to be so registered, or is registered in the existing geographical constituencies final register and is eligible to be, and is not disqualified from being, registered as an elector for a geographical constituency; or

(ii) the person—

(A) is registered for that subsector in the existing subsector final register; and

(B) is eligible to be, and is not disqualified from being, registered as a voter for that subsector.

(2)-(10) *(Repealed 14 of 2021 s. 425)*

(11) Subject to this section—

(a) a person who—

(i) is eligible to be registered as a voter for the Heung Yee Kuk subsector; and

(ii) would, but for this paragraph, be eligible to be registered as a voter for any other subsector,
may be registered only as a voter for the Heung Yee Kuk subsector;

(b) a person who—

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

- (ii) would, but for this paragraph, be eligible to be registered as a voter for any subsector other than the Heung Yee Kuk subsector,
may be registered only as a voter for the representatives of Hong Kong members of relevant national organisations subsector; and
- (c) a person who—
 - (i) is eligible to be registered as a voter for the Hong Kong and Kowloon District Committees subsector or the New Territories District Committees subsector; and
 - (ii) would, but for this paragraph, be eligible to be registered as a voter for any subsector other than the 2 subsectors referred to in paragraph (a)(i) and (b)(i),
may be registered only as a voter for the Hong Kong and Kowloon District Committees subsector or the New Territories District Committees subsector, as the case may be. *(Replaced 14 of 2021 s. 425)*
- (12) A person who would, but for this subsection, be eligible to be registered as a voter for 2 or more subsectors (other than the Heung Yee Kuk subsector, the representatives of Hong Kong members of relevant national organisations subsector, the Hong Kong and Kowloon District Committees subsector and the New Territories District Committees subsector) may be registered as a voter for only one of those subsectors of the person's choice. *(Amended 1 of 2011 s. 11; 14 of 2021 s. 425)*
- (13)-(19) *(Repealed 14 of 2021 s. 425)*
- (19A) A body specified in section 39A, 39F, 39G, 39L, 39V(b), (h) or (i), 39Y(a) or (b), 39Z(a), 39ZD(b) or 39ZF as the specified entity of the subsector concerned is eligible to be registered as a corporate voter for that subsector only if it has been operating as such a specified entity for the 3 years immediately before making its application for registration as a voter. *(Added 14 of 2021 s. 425)*
- (19B) A body specified in section 39S as the specified entity of the accountancy subsector is eligible to be registered as a corporate voter for that subsector only if—
 - (a) it has been operating as such a specified entity for the 3 years immediately before making its application for registration as a voter; and

- (b) it has undertaken or carried out PIE engagement (as defined by section 3A(1) of the Accounting and Financial Reporting Council Ordinance (Cap. 588)) in the 3 years immediately before making the application for registration. *(Added 14 of 2021 s. 425. Amended L.N. 66 of 2022)*
- (19C) However, for the purposes of subsection (19B), if the body is a registered PIE auditor as defined by section 3A(1) of the Financial Reporting Council Ordinance (Cap. 588) immediately before the day* on which the Improving Electoral System (Consolidated Amendments) Ordinance 2021 (14 of 2021) is published in the Gazette, the body is not required to have been operating, as such a registered PIE auditor, for the 3 years immediately before making the application for registration. *(Added 14 of 2021 s. 425)*
- (20) A corporate member of a body specified in section 39B, 39C, 39D, 39E, 39H, 39I, 39J, 39K, 39M, 39N, 39O, 39P, 39U(b), 39ZA(a) or (c), 39ZC(a) or 39ZE(d) is eligible to be registered as a voter for the subsector concerned only if it has been a corporate member of that body and has been operating for the 3 years immediately before making its application for registration as a voter. *(Replaced 14 of 2021 s. 425)*
- (21) A consular post to which any privilege or immunity is accorded under the Consular Relations Ordinance (Cap. 557) is not eligible to be registered as a voter for any subsector. *(Added 1 of 2011 s. 11)*
- (22) An organization to which section 2 of the International Organizations and Diplomatic Privileges Ordinance (Cap. 190) applies or an international organization defined in section 2 of the International Organizations (Privileges and Immunities) Ordinance (Cap. 558) is not eligible to be registered as a voter for any subsector. *(Added 1 of 2011 s. 11)*
- (23) In computing the period for which a body to which subsection (19A), (19B) or (20) applies has been operating—
 - (a) it does not matter whether the period has begun before the day* on which the Improving Electoral System (Consolidated Amendments) Ordinance 2021 (14 of 2021) is published in the Gazette;
 - (b) any period for which the body has been operating before it becomes a specified entity of the subsector concerned is not to be taken into account; and
 - (c) if the relevant section mentioned in subsection (19A), (19B) or (20) refers to any entitlement to vote—

- (i) the body is not required to be so entitled to vote in order to be regarded as having become a specified entity of the subsector concerned; and
 - (ii) it does not matter whether the body is so entitled to vote throughout the period. *(Added 14 of 2021 s. 425)*
- (24) For the purposes of the subsector provisional register and subsector final register to be compiled for 2021, subsection (19A) or (20) (as the case may be) applies to a body registered in the subsector final register published for 2020 as if the reference to “making its application for registration as a voter” in that subsection were a reference to “5 July 2021”. *(Added 14 of 2021 s. 425)*

Editorial Note:

* Gazettal date: 31 May 2021.

13. Corporate voter to have authorized representative

- (1) A corporate voter is required to appoint one eligible person to be its authorized representative for the purpose of casting its vote at a subsector election. *(Amended 14 of 2021 s. 426)*
- (2) A person is eligible to be an authorized representative of a corporate voter for a subsector only if the person—
 - (a) is—
 - (i) registered as an elector for a geographical constituency; or
 - (ii) eligible to be registered as an elector for a geographical constituency and has applied to be so registered;
 - (b) has a substantial connection with the corporate voter; and *(Amended 14 of 2021 s. 426)*
 - (c) *(Repealed 14 of 2021 s. 426)*
 - (d) is not disqualified from registration or voting under section 31 or 53 of the Legislative Council Ordinance (Cap. 542).
- (3) A person who is an authorized representative of a corporate voter is not eligible to be appointed as the authorized representative of another corporate voter. *(Amended 14 of 2021 s. 426)*
- (4) A person cannot act as an authorized representative of a corporate voter unless the person is registered as such a representative by the Electoral Registration Officer.

- (5) A corporate voter may from time to time replace its authorized representative, but only in the circumstances and manner prescribed by the EAC Regulations. The replacement does not have effect until it is registered by the Electoral Registration Officer.
- (6) An application may be made to the Electoral Registration Officer for the purposes of subsection (1) or (5) in accordance with the EAC Regulations by the corporate voter concerned. The application shall be in writing and be in a form specified under section 45.
- (7) The Electoral Registration Officer may refuse an application made under subsection (6) only on the ground that the authorized representative specified in the application is ineligible to be, or is disqualified from being, such a representative.
- (8) A decision to appoint or replace an authorized representative of a corporate voter under subsection (1) or (5) may only be made by the governing authority, by whatever name called, of the corporate voter. *(Added 14 of 2021 s. 426)*

14. Electoral Registration Officer to compile and publish a register of voters

- (1) The Electoral Registration Officer must compile and publish in accordance with the EAC Regulations—
 - (a) not later than 1 August in each year, a provisional register of voters for subsectors; and
 - (b) not later than 25 September in each year, a final register of voters for subsectors. *(Replaced 14 of 2021 s. 427)*
- (1A) Despite subsection (1)—
 - (a) a provisional register required to be compiled and published under subsection (1)(a) for 2021 must be compiled and published not later than 18 July 2021; and
 - (b) a final register required to be compiled and published under subsection (1)(b) for 2021 must be compiled and published not later than 5 August 2021. *(Replaced 14 of 2021 s. 427)*
- (1B)-(1C) *(Repealed 14 of 2021 s. 427)*
- (2) The Electoral Registration Officer may amend a subsector provisional register or subsector final register so as to rectify any clerical or printing error or any incorrect name or address of a person who is recorded in the register.

- (3) A subsector provisional register is to be based on the existing subsector final register. *(Amended 10 of 2006 s. 31)*
- (4) In compiling a subsector provisional register, the Electoral Registration Officer shall—
 - (a) after scrutinizing the register on which the subsector provisional register is to be based, strike out the names and other relevant particulars of those persons whom the Electoral Registration Officer is satisfied on reasonable grounds as being no longer eligible to have their names included in the subsector final register;
 - (b) enter the names and other relevant particulars of those persons on an omissions list; and
 - (c) add to the register the names and other relevant particulars of those persons who have made applications for registration since the date prescribed for the purposes of this paragraph by the EAC Regulations and who are eligible to have their names included in the subsector final register.
- (5) As soon as practicable after complying with subsection (4), the Electoral Registration Officer shall publish—
 - (a) in the Gazette; and
 - (b) in such other publications (if any) as are prescribed by the EAC Regulations,

a notice to the effect that the names and other relevant particulars of persons who are no longer eligible to have their names included in the subsector final register have been entered on an omissions list and specifying the times and the place at which a copy of the omissions list may be inspected.
(Amended 14 of 2021 s. 427)
- (5A) Despite subsections (4) and (5), in compiling the subsector provisional register for 2021, the Electoral Registration Officer is not required to comply with those subsections in relation to the names and other relevant particulars of persons registered in the subsector final register published for 2020.
(Added 14 of 2021 s. 427)
- (6) The Electoral Registration Officer shall, for the period prescribed for the purposes of this subsection by the EAC Regulations—
 - (a) keep a copy of the omissions list at that Officer's office; and

- (b) during the ordinary business hours of that office, make that copy available for inspection in accordance with those Regulations. (*Amended 14 of 2021 s. 427*)

15. When subsector final register is to take effect

A subsector final register takes effect on the date of its publication and continues to have effect until the publication of the next subsector final register.

Division 3—Conduct of subsector elections

16. When a subsector ordinary election is to be held

- (1) A subsector ordinary election is to be held on the date specified by the Chief Executive. The Chief Executive shall give notice of that date in the Gazette.
- (2) The Chief Executive may specify different dates to hold different subsector ordinary elections.

17. Who is eligible to be nominated as a candidate at a subsector election

- (1) A person is eligible to be nominated as a candidate at a subsector election for a subsector only if the person—
 - (a) has reached 18 years of age;
 - (b) is both registered and eligible to be registered for a geographical constituency; and
 - (c) either—
 - (i) is both registered and eligible to be registered as a voter for that subsector; or
 - (ii) satisfies the Returning Officer for the subsector that the person has a substantial connection with the subsector.
- (2) A person is not eligible to be nominated as a candidate at a subsector ordinary election if the person is—
 - (a) a nominee of a designated body under section 7(1); (*Amended 14 of 2021 s. 428*)
 - (b) a specified person (whether or not the person is an ex-officio member of the Election Committee); or (*Replaced 14 of 2021 s. 428*)
 - (c) a designated person (whether or not the person is an ex-officio member of the Election Committee). (*Added 14 of 2021 s. 428*)

- (3) A person is not eligible to be nominated as a candidate at a subsector by-election if—
 - (a) the person is a nominee of a designated body under section 7(2) and the period during which the nomination under that section is to be made and the nomination period for the by-election coincide or partly coincide; or
 - (b) the person is a member of the Election Committee.

17A. Validity of nomination contingent on declaration

A nomination of a person as a candidate at a subsector election under section 17 is not valid unless—

- (a) the nomination form contains a declaration to the effect that the person will uphold the Basic Law and pledge allegiance to the Hong Kong Special Administrative Region of the People's Republic of China; and
- (b) the declaration is signed by the person.

(Added 14 of 2021 s. 429)

18. When a person is disqualified from being a subsector candidate

- (1) A person is disqualified from being nominated as a candidate at a subsector election and from being elected as a member of the Election Committee if the person— *(Amended 14 of 2021 s. 430)*
 - (a) has ceased to have a substantial connection with the subsector concerned;
 - (b) has ceased to be registered or eligible to be registered as an elector for a geographical constituency;
 - (c) has in Hong Kong or in any other place been sentenced to death or imprisonment (by whatever name called) and has not either—
 - (i) served the sentence or undergone such other punishment as a competent authority may have substituted for the sentence; or
 - (ii) received a free pardon;
 - (ca) has been convicted of an offence endangering national security; *(Added 6 of 2024 s. 187)*
 - (d) on the date of nomination or on the date of the subsector election, is serving a sentence of imprisonment;

- (e) without limiting paragraph (c), where the subsector election is to be held or is held within 5 years after the date of the person's conviction, is or has been convicted — (*Amended 14 of 2021 s. 430*)
 - (i) of having engaged in corrupt conduct or illegal conduct in contravention of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554);
 - (ii) of an offence against Part II of the Prevention of Bribery Ordinance (Cap. 201); or
 - (iii) of any offence prescribed by section 7 of Schedule 4A to the District Councils Ordinance (Cap. 547) or the EAC Regulations; (*Amended 19 of 2023 s. 190*)
 - (f) is found for the time being under the Mental Health Ordinance (Cap. 136) to be incapable, by reason of mental incapacity, of managing and administering his property and affairs; or
 - (g) is a member of the armed forces of the People's Republic of China or any other country or territory.
- (2) Without prejudice to section 13(1)(c) of the Electoral Affairs Commission Ordinance (Cap. 541), a person is also disqualified from being nominated as a candidate at a subsector election and from being elected as a member of the Election Committee if, within the 5 years before the date of nomination—
- (a) the person has vacated an office, or has been disqualified from entering on an office, under the law, for declining or neglecting to take a specified oath; or
 - (b) the person has been declared or decided in accordance with any law—
 - (i) to be in breach of a specified oath; or
 - (ii) to have failed to fulfil the legal requirements and conditions on upholding the Basic Law and bearing allegiance to the Hong Kong Special Administrative Region of the People's Republic of China. (*Added 14 of 2021 s. 430*)
- (3) In this section—
- specified oath*** (指明誓言) means an oath taken under the law that the oath-taker will uphold the Basic Law and bear allegiance to the Hong Kong Special Administrative Region of the People's Republic of China. (*Added 14 of 2021 s. 430*)

18A. When a person is disqualified from being a candidate for certain subsectors

(Amended 14 of 2021 s. 431)

- (1) This section is without prejudice to section 18.
- (1A) This section applies to the following subsectors—
 - (a) the Heung Yee Kuk subsector;
 - (b) the Hong Kong and Kowloon District Committees subsector; and
 - (c) the New Territories District Committees subsector.
(Added 14 of 2021 s. 431)
- (2) A person is disqualified from—
 - (a) being nominated as a candidate at a subsector election for a subsector; or
 - (b) being elected as a member of the Election Committee representing the subsector,if the person is not a specified entity of the subsector.
(Replaced 14 of 2021 s. 431)
- (3)-(5) *(Repealed 14 of 2021 s. 431)*

(Added 10 of 2006 s. 6)

18B- *(Repealed 14 of 2021 s. 432)*

18C.

19. Candidate to lodge deposit

- (1) A person is validly nominated as a candidate for a subsector at a subsector election only if a deposit has, in the manner prescribed by the EAC Regulations, been lodged with the Returning Officer for the subsector concerned by or on behalf of the person.
- (2) The deposit is to be of such an amount as prescribed by the regulations for the purposes of this section and is to be disposed of as provided by the regulations.

20. Person not to be nominated for more than one subsector

A person who is nominated as a candidate for a subsector at a subsector election is not eligible to be nominated as a candidate at another subsector election that is to be held on the same day or if the nomination periods for the elections coincide or partly coincide.

21. Withdrawal of candidature

- (1) A candidate for a subsector election may withdraw the candidate's candidature at any time before the close of nominations.
- (2) The withdrawal of such a candidate's candidature has effect only if it is in writing signed by the candidate and complies with the EAC Regulations.

22. Who are validly nominated candidates for subsector election

- (1) The Candidate Eligibility Review Committee must, as soon as practicable after a nomination form that complies with the EAC Regulations is submitted in accordance with those Regulations, decide in accordance with Annex I to the Basic Law and those Regulations whether or not a person is validly nominated as a candidate at a subsector election. *(Replaced 14 of 2021 s. 433)*
- (2) The Candidate Eligibility Review Committee must, in accordance with the EAC Regulations, publish a notice stating which persons are validly nominated as candidates at the subsector election. *(Amended 14 of 2021 s. 433)*

23. Death or disqualification of a validly nominated candidate before date of subsector election

- (1) If, after the Candidate Eligibility Review Committee has made a decision under section 22(1) that a candidate is validly nominated for a subsector election, but before the date of the subsector election, proof is given to the satisfaction of the Returning Officer that the candidate has died, that Officer shall, in accordance with the EAC Regulations, give notice of the death. *(Amended 14 of 2021 s. 434)*
- (2) If a notice under section 22(2) has been published, the Returning Officer shall also, in accordance with the EAC Regulations—
 - (a) publicly declare that the candidate under subsection (1) has died; and
 - (b) further declare which candidates are validly nominated for the subsector election.
- (3) Subsections (1) and (2) do not apply if the Returning Officer has publicly declared under section 25(1) that the candidate was duly elected as a member of the Election Committee.

- (4) If, after the Candidate Eligibility Review Committee has made a decision under section 22(1) that a candidate is validly nominated for a subsector election, but before the date of the subsector election, proof is given to the satisfaction of the Committee that the candidate is disqualified from being nominated as a candidate for a subsector election—
 - (a) the Committee must, in accordance with Annex I to the Basic Law and the EAC Regulations, vary the decision to the effect that the candidate is not validly nominated; and
 - (b) if the Committee so varies the decision, the Returning Officer must, in accordance with those Regulations, give notice of the variation of the decision. *(Replaced 14 of 2021 s. 434)*
- (5) If a notice under section 22(2) has been published, the Candidate Eligibility Review Committee must also, in accordance with the EAC Regulations— *(Amended 14 of 2021 s. 434)*
 - (a) publicly declare that the decision has been varied; and
 - (b) further declare which candidates are validly nominated for the subsector election.
- (6) Subsections (4) and (5) do not apply if the Returning Officer has publicly declared under section 25(1) that the candidate was duly elected as a member of the Election Committee.

24. When holding of a subsector election can be postponed or adjourned

- (1) The Electoral Affairs Commission may by order direct the postponement of a subsector election if, before that election is held, the Commission is of the opinion that the election is likely to be obstructed, disrupted, undermined or seriously affected by riot or open violence or any danger to public health or safety.
- (2) The Electoral Affairs Commission may by order direct the adjournment of the polling or counting of votes for a subsector election if, during the polling or counting of votes in respect of that election, the Commission is of the opinion that the polling or counting is likely to be or is being obstructed, disrupted, undermined or seriously affected by riot or open violence or any danger to public health or safety.
- (3) The Returning Officer or Returning Officers concerned shall give effect to a direction under this section as soon as practicable after being notified of it.

- (4) If the subsector election, or polling or counting of votes at the subsector election, is directed to be postponed or adjourned under this section, the Electoral Affairs Commission shall specify a date for the holding of the subsector election, or the polling or counting, in place of the postponed subsector election or the adjourned polling or counting. The Electoral Affairs Commission shall give notice of that date in the Gazette. That date is to be not later than 14 days after the date on which the election, polling or counting of votes would have taken place but for the direction.

(Amended 15 of 2016 s. 56)

25. What is to happen if insufficient number of candidates is nominated for a subsector

- (1) If—

- (a) after the close of nominations of candidates for a subsector ordinary election, no more candidates have been validly nominated than the number of members allocated to the subsector; or
- (b) after the close of nominations of candidates for a subsector by-election, no more candidates have been validly nominated than the number of members to be returned at the by-election,

the Returning Officer concerned shall, in accordance with the EAC Regulations, publicly declare the candidates for the subsector to be duly elected as members of the Election Committee representing the subsector.

- (2) Subject to subsection (2A), if, after the close of nominations of candidates for a subsector election, no candidate was validly nominated, the Candidate Eligibility Review Committee must, by notice published in the Gazette, declare that no candidate was validly nominated for the subsector election. *(Amended 14 of 2021 s. 435)*
- (2A) If, after the close of nominations of candidates for a subsector election, a notice has been given under section 23(1) or (4) and no candidate remains validly nominated, the Returning Officer concerned must, by notice published in the Gazette, declare that no candidate was validly nominated for the subsector election. *(Added 14 of 2021 s. 435)*
- (3) If—

- (a) after the close of nominations of candidates for a subsector ordinary election, the number of candidates validly nominated was less than the number of members allocated to the subsector; or
- (b) after the close of nominations of candidates for a subsector by-election, the number of candidates validly nominated was less than the number of members to be returned at the by-election,

the Returning Officer concerned shall, by notice published in the Gazette, declare that the number of members of the Election Committee returned at the subsector election for the subsector is less than the number of members to be returned at the election.

26. Death or disqualification of a validly nominated candidate before declaration of election result

- (1) If, on or after the date of a subsector election but before declaring the result of the subsector election—

- (a) proof is given to the satisfaction of the Returning Officer concerned that a validly nominated candidate for the subsector election has died; or
- (b) proof is given to the satisfaction of the Candidate Eligibility Review Committee that a validly nominated candidate for the subsector election is disqualified from being elected,

the proceedings for the subsector election are to begin (if they have not begun) or to continue (if they have begun) as if the death or disqualification had not occurred. (*Replaced 14 of 2021 s. 436*)

- (2) If—

- (a) after the counting of votes is finished, the candidate referred to in subsection (1) is found to be successful at the subsector election; and
- (b) there is no other candidate at the subsector election who can be returned under section 29(9) for the subsector in place of that candidate,

the Returning Officer concerned shall, in accordance with the EAC Regulations, declare that—

- (c) no candidate is returned at the subsector election; or

- (d) (where more than one member of the Election Committee are to be returned at the subsector election and there are other candidates returned at the subsector election) the number of members of the Election Committee returned at the subsector election for the subsector is less than the number of members to be returned at the election.

27. How subsector election is to be conducted

- (1) At every contested subsector election—
 - (a) a poll is to be taken for the subsector; and
 - (b) voting at the poll is to be by secret ballot.
- (2) The poll is to be conducted in accordance with the EAC Regulations.
- (3) The Returning Officer appointed for a subsector is responsible for supervising a subsector election for the subsector in accordance with this Schedule, the Electoral Affairs Commission Ordinance (Cap. 541) and the EAC Regulations.

28. Who is entitled to vote at a subsector election

- (1) A person is entitled to vote at a subsector election only if the person is registered as a voter for the subsector concerned.
- (2) A person registered as a voter for a subsector may not be prevented from voting at a subsector election only because the person's name should not have been included in the subsector final register prepared for the subsector.
- (3) A corporate voter may vote at a subsector election only by its authorized representative.

29. System of voting and counting of votes

- (1) Voting and counting of votes at a poll referred to in section 27 is to be conducted in accordance with the simple or relative majority system of election (otherwise known as the “first past the post” system of voting).
- (2) At a subsector ordinary election, a voter may vote for as many candidates as the number of members allocated to the subsector concerned and no more.
- (3) At a subsector by-election, a voter may vote for as many candidates as the number of members to be returned at the by-election and no more.

- (4) If a subsector ordinary election is contested by more candidates than the number of members allocated to the subsector, the candidates to be elected for the subsector are those who obtain the greatest number of votes at the election and then the next greatest and so on until the required number of members is elected.
- (5) If a subsector by-election is contested by more candidates than the number of members to be returned at the by-election—
 - (a) in the case of a single vacancy, the candidate to be elected for the subsector is the one who obtains the greatest number of votes at the by-election; and
 - (b) in the case of more than one vacancy, the candidates to be elected for the subsector are those who obtain the greatest number of votes at the by-election and then the next greatest and so on until the required number of members is elected.
- (6) If, after the counting is finished at a subsector election, a member is still to be returned for the subsector and the most successful candidates remaining have an equal number of votes, the Returning Officer shall determine the result of the election by drawing lots. The candidate on whom the lot falls is to be returned at the subsector election.
- (7) As soon as practicable after determining the result of a subsector election, the Returning Officer concerned shall, in accordance with the EAC Regulations, publicly declare as elected the candidates who were successful at the subsector election.
- (8) Despite subsection (7), if, before declaring the result of a subsector election, proof is given to the satisfaction of the Returning Officer that the candidate or a candidate who was successful at the subsector election has died or is disqualified from being elected, that Officer shall not declare that candidate as elected.
- (9) If there is another candidate or there are other candidates at the subsector election who has not or have not been returned for the subsector, the candidate is to be returned or the candidate who obtains the greatest number of votes is to be returned (subject to that candidate's being not disqualified from being elected) in place of the deceased or disqualified candidate. In that case, the Returning Officer concerned shall publicly declare the candidate so returned to be elected.

30. When a voter is disqualified from voting at subsector election

- (1) A person registered as a voter for a subsector is disqualified from voting at a subsector election for that subsector, if the person—
 - (a) has ceased to be eligible to be registered as a voter for that subsector;
 - (b)-(d) *(Repealed 7 of 2009 s. 4)*
 - (e) is found for the time being under the Mental Health Ordinance (Cap. 136) to be incapable, by reason of mental incapacity, of managing and administering his property and affairs; or
 - (f) is a member of the armed forces of the People’s Republic of China or any other country or territory.
- (2) This section applies to an authorized representative of a corporate voter in the same way as it applies to a voter who is a natural person.

31. Consequences of non-compliance with requirements of this Schedule

In any proceedings brought to question the validity of a subsector election, the Revising Officer shall not declare the election to be invalid only because of—

- (a) a failure to comply with the regulations or with the EAC Regulations; or
- (b) a mistake in the use of a form specified under this Schedule or under the Electoral Affairs Commission Ordinance (Cap. 541),

if the Revising Officer is satisfied on reasonable grounds that the conduct of the election was in accordance with the principles laid down in this Schedule and the Electoral Affairs Commission Ordinance (Cap. 541) and that the failure to comply or mistake did not affect the result of the election.

32. Misnomer or inaccuracy not to affect operation of election document

- (1) A misnomer or inaccurate description of a person, a person’s identity document or place specified in a document to which this section applies does not limit the full operation of the document with respect to that person, identity document or place if the description of the person, identity document or place is such as to be commonly understood.

(2) This section applies to a subsector provisional register, a subsector final register, a nomination paper, ballot paper, notice or other document prepared for the purposes of a subsector election.

(3) In this section—

identity document (身分證明文件) means—

- (a) an identity card issued to a person under the Registration of Persons Ordinance (Cap. 177);
- (b) a document issued by the Commissioner (within the meaning of section 1A(1) of the Registration of Persons Ordinance (Cap. 177)) to a person certifying that the person is exempt, under regulation 25 of the Registration of Persons Regulations (Cap. 177 sub. leg. A), from being required to register under that Ordinance; or (*Replaced 1 of 2019 s. 76*)
- (c) any other document issued to a person that is acceptable to the Electoral Registration Officer as proof of the person's identity.

33. Subsector election to be presumed valid

Every subsector election is presumed to be valid, unless it is questioned by means of an appeal lodged with a Revising Officer within the period during which an appeal can be made to a Revising Officer under section 39 and the Officer, on the hearing of an appeal, determines that the election is invalid.

34. Subsector election not to be questioned only because of defect in appointment of electoral officer

A subsector election is not to be questioned only because of a defect in the appointment of an electoral officer who is responsible for conducting the subsector election.

35. Returning Officer to publish result of subsector election

- (1) The Returning Officer shall publish in the Gazette the names of the persons duly elected as members of the Election Committee at a subsector election.
- (2) The publication of a notice shall be in accordance with the EAC Regulations.

36. Offences by Returning Officers and others with respect to conduct of subsector election

- (1) Any person holding office as a Returning Officer or an Assistant Returning Officer at a subsector election who neglects or refuses to perform the functions of that office in relation to such an election commits an offence and is liable on conviction to a fine at level 2.
- (2) A prosecution for an offence under this section may be brought only with the consent of the Secretary for Justice.
- (3) A person is not to be liable to conviction under this section unless the complaint or information alleging the offence is laid within 3 months after the date of the alleged commission of the offence.

37. Voter not to be required to disclose how vote was cast

- (1) A voter who is asked to disclose the name of, or any particulars relating to, the subsector candidate for whom the voter voted at a subsector election is not required to answer the question.
- (2) A person shall not, without lawful authority, require or purport to require a voter at a subsector election to disclose the name of, or any particulars relating to, a subsector candidate for whom the voter voted at the subsector election.
- (3) A person who contravenes subsection (2) commits an offence and is liable on conviction to a fine at level 2.
- (4) In this section, **voter** (投票人) includes an authorized representative of a corporate voter.

Division 4—Miscellaneous

38. Subsector candidates entitled to send letters to voters free of postage

- (1) A validly nominated candidate at a subsector election is entitled to send free of postage one letter addressed to each voter whose name appears in the subsector final register for the subsector for which the candidate is nominated.
- (2) Each such letter is to relate to the election concerned and is to comply with all requirements and limitations (if any) prescribed by the EAC Regulations.
- (2A) A letter sent under subsection (1) by a candidate who is validly nominated at a subsector election—
 - (a) may contain information on any other candidate who is also validly nominated at that election; and

- (b) is, if it contains any information mentioned in paragraph (a), not to be regarded, for the purposes of subsection (1), as being sent by that other candidate. (*Added 18 of 2011 s. 35*)
- (3) The cost to the Postmaster General of enabling subsector candidates to exercise their entitlements under this section is a charge on, and is to be met from, the general revenue.

39. Subsector election may be questioned only by appeal to Revising Officer

- (1) A person claiming to be a candidate at a subsector election may appeal against the result (including the decision of the Candidate Eligibility Review Committee) to a Revising Officer in accordance with the regulations. (*Amended 14 of 2021 s. 437*)
- (2) An appeal under subsection (1) may be lodged only during the period of 7 days following the date on which the Returning Officer has published in the Gazette the result being appealed against.
- (3) Any person whose election is questioned by an appeal under this section, the Returning Officer in respect of the subsector election concerned and the Candidate Eligibility Review Committee may be made a respondent to the appeal. (*Amended 14 of 2021 s. 437*)
- (4) At the hearing of the appeal, the appellant is entitled to appear in person and, whether or not the appellant appears in person, to be represented by a legal practitioner or any other person.
- (5) At the end of a hearing, the Revising Officer shall determine whether the person whose election is questioned was or was not duly elected.
- (6) The determination of the Revising Officer on such an appeal is final.

Division 5—Specified Entities

(Division 5 added 14 of 2021 s. 438)

Subdivision 1—First Sector

39A. Specified entities of the catering subsector

The specified entities of the catering subsector are any body that is a holder of a food business licence under the Public Health and Municipal Services Ordinance (Cap. 132) and—

- (a) is entitled to vote at the Board of The Association for Hong Kong Catering Services Management Limited;
- (b) is entitled to vote at the Board of The Association of Restaurant Managers Limited; or
- (c) is entitled to vote at the Board of Hong Kong Catering Industry Association Limited.

39B. Specified entities of the commercial (first) subsector

The specified entities of the commercial (first) subsector are any body that—

- (a) is a corporate member of The Hong Kong General Chamber of Commerce; and
- (b) is entitled to vote at the General Committee of the Chamber.

39C. Specified entities of the commercial (second) subsector

The specified entities of the commercial (second) subsector are any body that—

- (a) is a corporate member of The Chinese General Chamber of Commerce; and
- (b) is entitled to vote at the Committee of the Chamber.

39D. Specified entities of the commercial (third) subsector

The specified entities of the commercial (third) subsector are any body that—

- (a) is a corporate member of the Hong Kong Chinese Enterprises Association; and
- (b) is entitled to vote at the Board of the Association.

39E. Specified entities of the Employers' Federation of Hong Kong subsector

The specified entities of the Employers' Federation of Hong Kong subsector are any body that—

- (a) is a corporate member of the Employers' Federation of Hong Kong; and
- (b) is entitled to vote at the Council or the General Committee of the Federation.

39F. Specified entities of the finance subsector

The specified entities of the finance subsector are—

- (a) banks within the meaning of the Banking Ordinance (Cap. 155);
- (b) restricted licence banks within the meaning of the Banking Ordinance (Cap. 155); and
- (c) deposit-taking companies within the meaning of the Banking Ordinance (Cap. 155).

39G. Specified entities of the financial services subsector

- (1) The specified entities of the financial services subsector are—
 - (a) any body that is licensed under the Securities and Futures Ordinance (Cap. 571), and—
 - (i) is entitled to vote at the specified authority of The Chinese Securities Association of Hong Kong Company Limited;
 - (ii) is entitled to vote at the Board of Hong Kong Securities Professionals Association Limited;
 - (iii) is entitled to vote at the Committee of The Institute of Securities Dealers Limited;
 - (iv) is entitled to vote at the Board of Hong Kong Securities Association Limited;
 - (v) is entitled to vote at the Executive Committee of The Hong Kong Association of Online Brokers Limited;
 - (vi) is entitled to vote at the Executive Committee of The Hong Kong Institute of Financial Analysts and Professional Commentators Limited;
 - (vii) is entitled to vote at the Council of Hong Kong Securities and Futures Professional Association; or
 - (viii) is entitled to vote at the Board of Chinese Futures Association of Hong Kong Company Limited; and
 - (b) any body that is entitled to vote at the Executive and Supervisory Committee of the Chinese Gold and Silver Exchange.

- (2) In subsection (1)(a)(i)—

specified authority (指明單位) means either the Council or Board of Directors as specified by the President of the company mentioned in subsection (1)(a)(i).

39H. Specified entities of the hotel subsector

The specified entities of the hotel subsector are any body that—

- (a) is a corporate member of the Federation of Hong Kong Hotel Owners Limited; and
- (b) is entitled to vote at general meetings of the company.

39I. Specified entities of the import and export subsector

The specified entities of the import and export subsector are any body that—

- (a) is a corporate member of The Hong Kong Chinese Importers' and Exporters' Association; and
- (b) is entitled to vote at the Council of the Association.

39J. Specified entities of the industrial (first) subsector

The specified entities of the industrial (first) subsector are any body that—

- (a) is a corporate member of the Federation of Hong Kong Industries; and
- (b) is entitled to vote at the General Committee of the Federation.

39K. Specified entities of the industrial (second) subsector

The specified entities of the industrial (second) subsector are any body that—

- (a) is a corporate member of The Chinese Manufacturers' Association of Hong Kong; and
- (b) is entitled to vote at the General Committee of the Association.

39L. Specified entities of the insurance subsector

The specified entities of the insurance subsector are insurers authorized or deemed to be authorized under the Insurance Ordinance (Cap. 41).

39M. Specified entities of the real estate and construction subsector

The specified entities of the real estate and construction subsector are—

- (a) any body that—
 - (i) is a corporate member of The Real Estate Developers Association of Hong Kong; and
 - (ii) is entitled to vote at the Board of Directors or executive committee of the Association;
- (b) any body that—

- (i) is a corporate member of The Hong Kong Construction Association, Limited; and
- (ii) is entitled to vote at the Council of the company; and
- (c) any body that—
 - (i) is a corporate member of The Hong Kong E&M Contractors' Association Limited; and
 - (ii) is entitled to vote at the Council of the company.

39N. Specified entities of the small and medium enterprises subsector

The specified entities of the small and medium enterprises subsector are—

- (a) any body that—
 - (i) is a corporate member of Hong Kong Commerce and Industry Associations Limited; and
 - (ii) is entitled to vote at the Board of the company;
- (b) any body that—
 - (i) is a corporate member of The Hong Kong General Chamber of Small and Medium Business Limited; and
 - (ii) is entitled to vote at the General Committee of the company; and
- (c) any body that—
 - (i) is a corporate member of Hong Kong Small and Medium Enterprises Association Limited; and
 - (ii) is entitled to vote at the Council of the company.

39O. Specified entities of the textiles and garment subsector

The specified entities of the textiles and garment subsector are—

- (a) any body that—
 - (i) is a corporate member of the Textile Council of Hong Kong Limited; and
 - (ii) is entitled to vote at the General Committee of the company; and
- (b) any body that—
 - (i) is a corporate member of The Hong Kong General Chamber of Textiles Limited; and
 - (ii) is entitled to vote at the Board of Directors of the company.

39P. Specified entities of the tourism subsector

The specified entities of the tourism subsector are—

(a) any body that—

(i) is a licensed travel agent as defined by section 2(1) of the Travel Industry Ordinance (Cap. 634); and
(*Replaced 37 of 2018 s. 171 and 14 of 2021 s. 475*)

(ii) is—

(A) a corporate member of the Travel Industry Council of Hong Kong entitled to vote at the Board of Directors of the Council;

(B) a corporate member of Hong Kong Association of China Travel Organisers Limited entitled to vote at the Executive Committee of the company;

(C) a corporate member of International Chinese Tourist Association Limited entitled to vote at the Executive Committee of the company;

(D) a corporate member of The Federation of Hong Kong Chinese Travel Agents Limited entitled to vote at the Executive Committee of the company;

(E) a corporate member of Hong Kong Outbound Tour Operators' Association Limited entitled to vote at the Executive Committee of the company;

(F) a corporate member of Hong Kong Association of Travel Agents Limited entitled to vote at the Executive Committee of the company;

(G) a corporate member of Hongkong Taiwan Tourist Operators Association entitled to vote at the Executive Committee of the Association;

(H) a corporate member of Hongkong Japanese Tour Operators Association Limited entitled to vote at the Executive Committee of the company; or

(I) a corporate member of Society of IATA Passenger Agents Limited entitled to vote at the Executive Committee of the company; and

(b) any body that—

- (i) is a corporate member of The Board of Airline Representatives in Hong Kong; and
- (ii) is entitled to vote at the Executive Committee of the Board.

39Q. Specified entities of the transport subsector

The specified entities of the transport subsector are the bodies set out in Annex 1 to this Schedule.

39R. Specified entities of the wholesale and retail subsector

The specified entities of the wholesale and retail subsector are the bodies set out in Annex 2 to this Schedule.

Subdivision 2—Second Sector

39S. Specified entities of the accountancy subsector

The specified entities of the accountancy subsector are any practice unit (as defined by section 2(1) of the Accounting and Financial Reporting Council Ordinance (Cap. 588)) that is a registered PIE auditor as defined by section 3A(1) of that Ordinance.

(Amended L.N. 66 of 2022)

39T. Specified entities of the architectural, surveying, planning and landscape subsector

The specified entities of the architectural, surveying, planning and landscape subsector are the bodies set out in Annex 3 to this Schedule.

39U. Specified entities of the Chinese medicine subsector

The specified entities of the Chinese medicine subsector are—

- (a) Federation of the Hong Kong Chinese Medicine Practitioners and Chinese Medicines Traders Association Limited;
- (b) the corporate members of the Federation; and
- (c) the bodies set out in Annex 4 to this Schedule.

39V. Specified entities of the education subsector

The specified entities of the education subsector are—

- (a) institutions of higher education funded through the University Grants Committee;

- (b) post secondary colleges registered under the Post Secondary Colleges Ordinance (Cap. 320);
- (c) the Hong Kong Metropolitan University; (*Amended 22 of 2021 s. 2*)
- (d) The Hong Kong Academy for Performing Arts;
- (e) the Vocational Training Council;
- (f) The Hong Kong Examinations and Assessment Authority;
- (g) the Hong Kong Council for Accreditation of Academic and Vocational Qualifications;
- (h) schools registered under section 13 of the Education Ordinance (Cap. 279) or under either of the repealed Ordinances (as defined by section 3(1) of that Ordinance), other than an exempted school (as defined by section 2 of the Education (Exemption) (Private Schools Offering Non-Formal Curriculum) Order (Cap. 279 sub. leg. F)); and
- (i) schools entirely maintained and controlled by the Government.

39W. Specified entities of the engineering subsector

The specified entities of the engineering subsector are the bodies set out in Annex 5 to this Schedule.

39X. Specified entities of the legal subsector

The specified entities of the legal subsector are the bodies set out in Annex 6 to this Schedule.

39Y. Specified entities of the medical and health services subsector

The specified entities of the medical and health services subsector are—

- (a) any prescribed hospital (as defined by section 2(1) of the Hospital Authority Ordinance (Cap. 113));
- (b) any hospital licensed under the Private Healthcare Facilities Ordinance (Cap. 633); and
- (c) the bodies set out in Annex 7 to this Schedule.

39Z. Specified entities of the social welfare subsector

The specified entities of the social welfare subsector are—

- (a) any social welfare organizations receiving regular subsidies from the Social Welfare Department; and

- (b) the bodies set out in Annex 8 to this Schedule.

39ZA. Specified entities of the sports, performing arts, culture and publication subsector

The specified entities of the sports, performing arts, culture and publication subsector are—

- (a) the corporate members of the Sports Federation & Olympic Committee of Hong Kong, China;
- (b) Hong Kong Sports Institute Limited;
- (c) any body that—
 - (i) is a corporate member of the Hong Kong Publishing Federation Limited; and
 - (ii) is entitled to vote at general meetings of the company; and
- (d) the bodies set out in Annex 9 to this Schedule.

39ZB. Specified entities of the technology and innovation subsector

The specified entities of the technology and innovation subsector are the bodies set out in Annex 10 to this Schedule.

Subdivision 3—Third Sector

39ZC. Specified entities of the agriculture and fisheries subsector

The specified entities of the agriculture and fisheries subsector are —

- (a) the corporate members of each of the following bodies—
 - (i) The Federation of Vegetable Marketing Co-operative Societies, Limited;
 - (ii) The Federation of Pig Raising Co-operative Societies of Hong Kong, Kowloon and New Territories, Limited;
 - (iii) The Joint Association of Hong Kong Fishermen;
 - (iv) Federation of Hong Kong Aquaculture Associations;
 - (v) The Federation of Fishermen's Co-operative Societies of Shau Kei Wan District, Limited;
 - (vi) The Federation of Fishermen's Co-operative Societies of Tai Po District, N.T., Limited;
 - (vii) The Federation of Fishermen's Co-operative Societies of Sai Kung District, Limited;

- (viii) The Federation of Fishermen's Co-operative Societies of Southern District, Limited;
 - (ix) Hong Kong Fishermen Consortium;
 - (x) Federation of Hong Kong Agricultural Associations; and
- (b) the bodies set out in Annex 11 to this Schedule.

39ZD. Specified entities of the associations of Chinese fellow townsmen subsector

The specified entities of the associations of Chinese fellow townsmen subsector are—

- (a) the bodies set out in Annex 12 to this Schedule; and
- (b) the associations of Chinese fellow townsmen that are recognized by those bodies and at county level or above.

39ZE. Specified entities of the grassroots associations subsector

The specified entities of the grassroots associations subsector are—

- (a) Hong Kong Island Federation;
- (b) Kowloon Federation of Associations;
- (c) New Territories Association of Societies; and
- (d) any body that—
 - (i) is a corporate member of any of the federation or association mentioned in paragraph (a), (b) or (c); and
 - (ii) is entitled to vote at general meetings of the federation or association.

39ZF. Specified entities of the labour subsector

The specified entities of the labour subsector are the trade unions registered under the Trade Unions Ordinance (Cap. 332) of which all the voting members are employees.

Subdivision 4—Fourth Sector

39ZG. Specified entities of the Heung Yee Kuk subsector

The specified entities of the Heung Yee Kuk subsector are the Chairman and Vice-Chairmen of the Heung Yee Kuk and the Ex Officio, Special and Co-opted Councillors of the Full Council of the Kuk.

39ZH. Specified entities of the Hong Kong and Kowloon District Committees subsector

The specified entities of the Hong Kong and Kowloon District Committees subsector are the members of the Area Committees, District Fight Crime Committees and District Fire Safety Committees established in any of the following Districts—

- (a) Central & Western District;
- (b) Eastern District;
- (c) Southern District;
- (d) Wan Chai District;
- (e) Kowloon City District;
- (f) Kwun Tong District;
- (g) Sham Shui Po District;
- (h) Wong Tai Sin District;
- (i) Yau Tsim Mong District.

39ZI. Specified entities of the New Territories District Committees subsector

The specified entities of the New Territories District Committees subsector are the members of the Area Committees, District Fight Crime Committees and District Fire Safety Committees established in any of the following Districts—

- (a) Islands District;
- (b) Kwai Tsing District;
- (c) Sai Kung District;
- (d) Sha Tin District;
- (e) Tsuen Wan District;
- (f) Tuen Mun District;
- (g) Yuen Long District;
- (h) North District;
- (i) Tai Po District.

Subdivision 5—Fifth Sector

39ZJ. Specified entities of the representatives of Hong Kong members of relevant national organisations subsector

The specified entities of the representatives of Hong Kong members of relevant national organisations subsector are—

- (a) Hong Kong Special Administrative Region delegates of the All-China Women's Federation;
- (b) Hong Kong Special Administrative Region executive members of the All-China Federation of Industry and Commerce;
- (c) Hong Kong Special Administrative Region committee members of the All-China Federation of Returned Overseas Chinese;
- (d) Hong Kong Special Administrative Region committee members of the All-China Youth Federation; and
- (e) Hong Kong Special Administrative Region directors of the China Overseas Friendship Association.

Part 5

Interim Register and Final Register of Members of Election Committee

(Amended 10 of 2006 s. 21)

40. Electoral Registration Officer to compile and publish interim register and final register

(Amended 10 of 2006 s. 21)

- (1) The Electoral Registration Officer shall compile and publish in accordance with the EAC Regulations— *(Amended 10 of 2006 s. 21; 1 of 2011 s. 15)*
 - (a) if the polling for the subsector ordinary elections for all subsectors is held on the same day, an interim register of members of the Election Committee within 7 days after the results of the elections are published under section 35; or
 - (b) if the polling for the subsector ordinary elections for different subsectors is held on different days, the relevant parts of an interim register of members of the Election Committee within 7 days after the results of the relevant elections are published under section 35. *(Amended 1 of 2011 s. 15)*

- (1A) Subject to section 41, in compiling an interim register of members of the Election Committee under subsection (1) after the publication of results of the subsector ordinary elections, the Electoral Registration Officer must register the persons whose registrations are determined under section 5N as valid on the date of those subsector ordinary elections (or the last of those dates, if different dates are specified for those subsector ordinary elections) as ex-officio members of the Election Committee, in accordance with the EAC Regulations. *(Added 14 of 2021 s. 439)*
- (2) The Electoral Registration Officer shall compile and publish in accordance with the EAC Regulations a final register of members of the Election Committee within 7 days after the result of a subsector by-election is published under section 35. *(Amended 10 of 2006 s. 21)*
- (3) The Electoral Registration Officer shall also compile and publish in accordance with the EAC Regulations a final register of members of the Election Committee within 7 days after a nominee under section 7(2) is declared as a member of the Election Committee under section 7, unless the period during which the nomination under section 7(2) is to be made and the nomination period for a subsector by-election coincide or partly coincide.
- (3A) The Electoral Registration Officer shall—
- (a) compile in accordance with the EAC Regulations a final register of members of the Election Committee on the basis of the interim register of members of the Election Committee, incorporating any amendment made under section 41 or 42; and
 - (b) publish the final register in accordance with the EAC Regulations on the date on which the Election Committee is constituted. *(Added 10 of 2006 s. 21)*
- (4) If—
- (a) the Electoral Registration Officer has compiled and published a provisional register of members of the Election Committee under section 4;
 - (b) the Electoral Affairs Commission has ascertained under section 5(1)(a) the number of members nominated in accordance with Part 3 or elected in accordance with Part 4 for each subsector on the Election Committee; and *(Replaced 14 of 2021 s. 439)*

- (c) the number of members representing each subsector on the Election Committee so ascertained is equal to the number of members allocated to the subsector in accordance with section 2(7)(b) or (c) (as the case may be), *(Amended 14 of 2021 s. 439)*

the Electoral Registration Officer shall, as soon as practicable after the Electoral Affairs Commission's ascertainment, publish in accordance with the EAC Regulations the provisional register as a final register of members of the Election Committee.

41. Electoral Registration Officer to amend interim register or final register to give effect to change in ex-officio membership

(Amended 10 of 2006 s. 21)

- (1) The Electoral Registration Officer may from time to time amend the interim register of members of the Election Committee or final register of members of the Election Committee in accordance with this section and the EAC Regulations to give effect to any change in the ex-officio membership of the Election Committee.
- (2) If an ex-officio member of the Election Committee resigns from the membership of the Election Committee or is regarded as having resigned from such membership under section 3, the Electoral Registration Officer must remove the member's name from the interim register of members of the Election Committee or final register of members of the Election Committee. *(Replaced 14 of 2021 s. 440)*
- (3) Subject to section 2, the Electoral Registration Officer must register persons whose registrations are determined under section 5N as valid as ex-officio members of the Election Committee from time to time in accordance with the EAC Regulations. *(Replaced 14 of 2021 s. 440)*
- (4) If the Electoral Registration Officer adds names to or removes names from the interim register or final register of members of the Election Committee under this section, that Officer shall, as soon as practicable after the addition or removal, publish, in accordance with the EAC Regulations, a notice to the effect that names have been so added or removed.

(Amended 10 of 2006 s. 21)

42. Electoral Registration Officer may amend register

- (1) The Electoral Registration Officer may amend a provisional register, interim register or final register of members of the Election Committee so as to rectify any clerical or printing error or any incorrect name or address of a person who is recorded in the register.
- (2) If a Revising Officer directs the Electoral Registration Officer to incorporate into the interim register of members of the Election Committee or final register of members of the Election Committee the Revising Officer's determination on an appeal under section 39 or 48, the Electoral Registration Officer shall also amend the register to effect the direction.
- (3) If the Electoral Registration Officer amends the interim register of members of the Election Committee or final register of members of the Election Committee under subsection (2), that Officer shall, as soon as practicable after the amendment, publish, in accordance with the EAC Regulations, a notice of the amendment.

(Amended 10 of 2006 s. 21)

42A. Written oath of members of the Election Committee

- (1) Despite sections 40, 41 and 42, the Electoral Registration Officer must not include the name of a member-elect of a term of office in the final register of members of the Election Committee for that term of office unless the Officer has received the written Election Committee Oath signed by the member-elect under subsection (2).
- (2) A member-elect of a term of office must sign the written Election Committee Oath in the form prescribed in Annex 13 to this Schedule—
 - (a) if the member-elect falls within paragraph (a) of the definition of ***member-elect*** in subsection (3)—within the period between—
 - (i) the date of publication of the interim register of members of the Election Committee under section 40(1) for that term of office; and
 - (ii) 7 days before the date of publication of the final register of members of the Election Committee under section 40(3A)(b) for that term of office;
 - (b) if the member-elect falls within paragraph (b) of the definition of ***member-elect*** in subsection (3)—as soon as practicable after the member-elect's registration is determined as valid for that term of office under section 5N;

- (c) if the member-elect falls within paragraph (c) of the definition of ***member-elect*** in subsection (3)—within 3 days after the member-elect is declared as a member of the Election Committee for that term of office under section 7(8); or
 - (d) if the member-elect falls within paragraph (d) of the definition of ***member-elect*** in subsection (3)—within 3 days after the day on which the subsector by-election concerned is held for that term of office.
- (3) In this section—
- member-elect*** (候任委員), in relation to a term of office, means a person—
- (a) whose name appears in the interim register of members of the Election Committee published under section 40(1) for that term of office;
 - (b) whose registration is determined as valid under section 5N after the publication of the final register of members of the Election Committee under section 40(3A)(b) for that term of office;
 - (c) who is declared as a member of the Election Committee under section 7(8) after the publication of the final register of members of the Election Committee under section 40(3A)(b) for that term of office; or
 - (d) whose name appears in a notice published under section 35 in respect of a subsector by-election for that term of office;

term of office (任期) means a term of office of the Election Committee.

(Added 14 of 2021 s. 441)

43. When final register is to take effect

- (1) During the term of office of the Election Committee, a final register of members of the Election Committee is to—
 - (a) have effect as amended from time to time in accordance with sections 41 and 42 and the EAC Regulations after its publication; and
 - (b) cease to have effect on the publication of the next final register of members of the Election Committee.

- (2) If names have been removed from or added to the final register of members of the Election Committee under section 41(2) or (3), or the register has been amended under section 42(2), the register as amended is to take effect on the date of the publication of the notice under section 41(4) or 42(3).

Part 6

Miscellaneous

43A. Proceedings against persons on grounds of disqualification

- (1) The Secretary for Justice may bring proceedings in the Court against any member of the Election Committee or any person who claims to be entitled to be a member of the Election Committee on the ground that the member or person is disqualified from being a member of the Election Committee.
- (2) Immediately after proceedings are brought by the Secretary for Justice under this section against a person on the ground that the person is disqualified from being a member of the Election Committee—
- (a) for breach of an oath taken under section 42A; or
 - (b) for failure to fulfil the legal requirements and conditions on upholding the Basic Law and bearing allegiance to the Hong Kong Special Administrative Region of the People's Republic of China,
- the person's functions as a member of the Election Committee are suspended until the decision of the Court in the proceedings becomes final.
- (3) If a person's functions as a member of the Election Committee are suspended under subsection (2)—
- (a) before the publication of the final register of members of the Election Committee for the term of office of the Election Committee concerned—the Electoral Registration Officer must not include the person's name in the final register of members of the Election Committee; or
 - (b) after the publication of the final register of members of the Election Committee for the term of office of the Election Committee concerned—the Electoral Registration Officer must, as soon as practicable after the suspension, remove the person's name from the final register of members of the Election Committee.

- (4) For the purposes of this section, a decision of the Court becomes final—
- (a) if no motion for the purpose of an application for leave to appeal to the Court of Final Appeal under section 22(1)(f) of the Hong Kong Court of Final Appeal Ordinance (Cap. 484) is filed by the end of the period specified under subsection (9)—when that period expires; or
 - (b) if, before the end of that period, motion for the purpose of such an application is filed—
 - (i) when the application is abandoned or otherwise ceases to have effect;
 - (ii) when the application is refused; or
 - (iii) if the application is granted—
 - (A) when the appeal is abandoned or otherwise ceases to have effect; or
 - (B) when the appeal is determined.
- (5) If a person's functions as a member of the Election Committee are suspended under subsection (2), the person—
- (a) must not exercise any function of a member of the Election Committee; and
 - (b) must not act as a member of the Election Committee.
- (6) The Court may, on the application of a person whose functions as a member of the Election Committee are suspended under subsection (2), lift the suspension.
- (7) If, in proceedings brought under this section, it is proved that the defendant acted as a member of the Election Committee while disqualified from so acting, the Court may—
- (a) make a declaration to that effect;
 - (b) grant an injunction restraining the defendant from so acting; and
 - (c) order the defendant to pay to the Government such sum as the Court thinks appropriate, not exceeding \$5,000 for each occasion on which the person so acted while disqualified.
- (8) If, in proceedings brought under this section, it is proved that the defendant claimed to be entitled to act as a member of the Election Committee while disqualified from so acting, the Court may—
- (a) make a declaration to that effect; and

- (b) grant an injunction restraining the defendant from so acting.
- (9) Despite section 24 of the Hong Kong Court of Final Appeal Ordinance (Cap. 484), notice of a motion for the purpose of an application for leave to appeal to the Court of Final Appeal under section 22(1)(f) of that Ordinance must be filed within 14 working days after the date on which the written judgment of the Court to be appealed from is handed down, and the applicant must give the opposite party 3 days' notice of his or her intended application at any time during the period of 14 working days.
- (10) Proceedings against a person on the ground that the person has, while disqualified from so acting, acted or claimed to have been entitled to act, as a member of the Election Committee may be brought only in accordance with this section.
- (11) For the purposes of this section, a person is disqualified from acting as a member of the Election Committee if the person is not qualified to be, or is disqualified from being, a member of the Election Committee.
- (12) The Electoral Registration Officer must add a person's name to the final register of members of the Election Committee as soon as practicable after—
- (a) the Court has lifted the suspension of the person's functions as a member of the Election Committee under subsection (6); or
 - (b) the Court has decided that the person is not disqualified from acting as a member of the Election Committee and the decision of the Court becomes final.
- (13) If the Electoral Registration Officer adds or removes a name from the final register of members of the Election Committee under this section, that Officer must, as soon as practicable after adding or removing the name, publish, in accordance with the EAC Regulations, a notice to the effect that the name has been so added or removed.
- (14) In subsection (9)—
- working day*** (工作日) means any day other than—
- (a) a general holiday;
 - (b) a black rainstorm warning day as defined by section 71(2) of the Interpretation and General Clauses Ordinance (Cap. 1); or
 - (b) a gale warning day as defined by that section.

44. Appointment of Electoral Registration Officer and assistants

- (1) The Chief Executive shall appoint an Electoral Registration Officer and such number of Assistant Electoral Registration Officers as appears to the Chief Executive to be necessary for the purposes of registering persons as members of the Election Committee and as voters at subsector elections.
- (2) The Electoral Registration Officer has such functions as are conferred or imposed on that Officer by or under this Schedule.
- (3) An Assistant Electoral Registration Officer may, with the authority of the Electoral Registration Officer, perform the functions of Electoral Registration Officer.
- (4) The Secretary for Constitutional and Mainland Affairs shall publish in the Gazette a notice of the appointment of a person as Electoral Registration Officer and the Officer's address.
(Amended L.N. 130 of 2007)
- (5) The executive authorities of the Government shall ensure that the Electoral Registration Officer is provided with such staff as that Officer requires in order to perform that Officer's functions under this Schedule.
- (6) Expenses properly incurred by the Electoral Registration Officer in the performance of that Officer's functions under this Schedule or the Electoral Affairs Commission Ordinance (Cap. 541) are a charge on, and are payable from, the general revenue.

45. Electoral Registration Officer may specify forms

The Electoral Registration Officer may specify the form of any application, notice, return, record or other document required for the purposes of this Schedule.

46. Appointment of Revising Officer

- (1) The Chief Justice may appoint an eligible person to be a Revising Officer for the purposes of this Schedule. (Amended 1 of 2019 s. 72)
- (2) If no appointment is made under subsection (1), the Registrar of the High Court is taken to be a Revising Officer.
- (3) A Revising Officer has such functions as are conferred or imposed on the Officer by or under this Schedule.

(4) A Revising Officer has, when performing the Officer's functions, the powers and immunities of a magistrate under sections 21, 22, 99, 125 and 126 of the Magistrates Ordinance (Cap. 227).

(5) In subsection (1)—

eligible person (合資格人士) means—

- (a) a magistrate;
- (b) a former magistrate;
- (c) a retired magistrate; or
- (d) a legal officer as defined by section 2 of the Legal Officers Ordinance (Cap. 87). (*Added 1 of 2019 s. 72*)

47. Appointment of Returning Officers and assistants

- (1) The Electoral Affairs Commission shall appoint for each subsector a Returning Officer and such number of Assistant Returning Officers as appears to the Commission to be necessary to enable members of the Election Committee (other than ex-officio members) to be returned for the subsector.
- (2) A Returning Officer has such functions as are conferred or imposed on that Officer by or under this Schedule.
- (3) An Assistant Returning Officer may, with the authority of the Returning Officer concerned, perform the functions of Returning Officer.
- (4) The Electoral Affairs Commission shall publish in the Gazette a notice of the appointment of a Returning Officer and that Officer's address.
- (5) The executive authorities of the Government shall ensure that each Returning Officer is provided with such staff as that Officer requires in order to perform that Officer's functions under this Schedule.
- (6) Expenses properly incurred by—
 - (a) a Returning Officer in the performance of that Officer's functions under this Schedule or the Electoral Affairs Commission Ordinance (Cap. 541); or
 - (b) the Candidate Eligibility Review Committee in the performance of its functions under this Schedule or that Ordinance,

are a charge on, and are payable from, the general revenue.
(*Replaced 14 of 2021 s. 443*)

48. Right of appeal to Revising Officer

(Amended 14 of 2021 s. 444)

- (1) A person who is dissatisfied with a decision of the Electoral Registration Officer made for the purposes of this Schedule may appeal against the decision to a Revising Officer.
- (1A) Subject to section 9B of the Ordinance, a person who is dissatisfied with a decision of the Candidate Eligibility Review Committee made for the purposes of this Schedule may appeal against the decision to a Revising Officer. *(Added 14 of 2021 s. 444)*
- (2) The determination of a Revising Officer on such an appeal is final.
- (2A) A Revising Officer may determine an appeal without a hearing on the basis of written submissions only. *(Added 1 of 2019 s. 8)*
- (2B) *(Repealed 14 of 2021 s. 444)*
- (3) The Electoral Registration Officer or the Returning Officer for the relevant subsector may be made a respondent to the appeal. *(Replaced 14 of 2021 s. 444)*
- (3A) The Candidate Eligibility Review Committee may also be made a respondent to the appeal if the appeal is made under subsection (1A). *(Added 14 of 2021 s. 444)*
- (4) If a hearing is held for an appeal, the appellant or any other person concerned in the appeal is entitled to appear in person and, whether or not the appellant appears in person, to be represented by a legal practitioner or any other person. *(Amended 14 of 2021 s. 444)*

49. *(Repealed 10 of 2006 s. 31)*

Annex 1

Bodies Specified for the Transport Subsector

Item	Body
1.	Parking Management and Consultancy Services Limited
2.	Airport Authority
3.	Hong Kong Driver's Training Association
4.	The Association of N.T. Radio Taxicabs Ltd.
5.	Autotoll Limited

Item	Body
6.	The Chartered Institute of Logistics and Transport in Hong Kong
7.	China Merchants Shipping & Enterprises Co. Ltd.
8.	Chu Kong Shipping Enterprises (Holdings) Co. Ltd.
9.	Chuen Kee Ferry Limited
10.	Chuen Lee Radio Taxis Association Ltd.
11.	Citybus Ltd.
12.	Coral Sea Ferry Service Co., Ltd.
13.	COSCO-HIT Terminals (Hong Kong) Limited
14.	CTOD Association Company Ltd.
15.	Turbojet Ferry Services (Guangzhou) Limited
16.	Discovery Bay Transportation Services Ltd.
17.	Driving Instructors Merchants Association, Limited
18.	Eastern Ferry Company Limited
19.	Expert Fortune Ltd.
20.	Far East Hydrofoil Co. Ltd.
21.	Fat Kee Stevedores Ltd.
22.	The Fraternity Association of N.T. Taxi Merchants
23.	Fraternity Taxi Owners Association
24.	G.M.B. Maxicab Operators General Association Ltd.
25.	The Goods Vehicle Fleet Owners Association Ltd.
26.	Happy Taxi Operator's Association Ltd.
27.	Hoi Kong Container Services Co. Ltd.
28.	Hon Wah Public Light Bus Association Ltd.

Item	Body
29.	Hong Kong Air Cargo Terminals Limited
30.	Hong Kong & Kowloon Ferry Ltd.
31.	Hong Kong Kowloon Goods Vehicles, Omnibuses and Minibuses Instructors Association Limited
32.	Hong Kong & Kowloon Motor Boats & Tug Boats Association Limited
33.	Hong Kong & Kowloon Radio Car Owners Association Ltd.
34.	Hong Kong and Kowloon Rich Radio Car Service Centre Association Ltd.
35.	HongKong Association of Freight Forwarding and Logistics Limited
36.	Hong Kong Automobile Association
37.	The Hong Kong Cargo-Vessel Traders' Association Ltd.
38.	Hong Kong Commercial Vehicle Driving Instructors Association
39.	Hong Kong CFS and Logistics Association Limited
40.	Hong Kong Container Tractor Owner Association Ltd.
41.	Hong Kong Driving Instructors' Association
42.	Hong Kong Guangdong Transportation Association Ltd.
43.	The Hong Kong Institute of Marine Technology
44.	Hong Kong, Kowloon & NT Public & Maxicab Light Bus Merchants' United Association
45.	Hong Kong Taxi Owners' Association Limited
46.	The Hong Kong Liner Shipping Association
47.	H.K. Motor Car Driving Instructors' Association Limited
48.	Hong Kong Pilots Association Ltd.
49.	Hong Kong Public & Maxicab Light Bus United Associations

Item	Body
50.	Hong Kong Public Cargo Working Areas Traders Association Ltd.
51.	Hong Kong Scheduled (GMB) Licensee Association
52.	The Hong Kong School of Motoring Ltd.
53.	Hong Kong Sea Transport and Logistics Association Limited
54.	The Hong Kong Shipowners Association Ltd.
55.	Hong Kong Shipping Circles Association Ltd.
56.	Hong Kong Shipping Industry Institute
57.	Hong Kong Logistics Management Staff Association
58.	The Hong Kong Stevedores Employers' Association
59.	Hong Kong Tele-call Taxi Association
60.	Hong Kong Tramways, Limited
61.	Hong Kong Transportation Warehouse Wharf Club
62.	The Hongkong & Yaumati Ferry Co., Ltd.
63.	Hongkong International Terminals Ltd.
64.	Institute of Advanced Motorists (Hong Kong) Limited
65.	Institute of Seatransport
66.	Institute of Transport Administration (Hong Kong, China)
67.	Kowloon Fung Wong Public Light Bus Merchants & Workers' Association Ltd.
68.	The Kowloon Motor Bus Company (1933) Limited
69.	Kowloon Motor Driving Instructors' Association Ltd.
70.	The Kowloon PLB Chiu Chow Traders & Workers Friendly Association
71.	The Kowloon Taxi Owners Association Ltd.

Item	Body
72.	Kowloon Truck Merchants Association Ltd.
73.	Kwik Park Limited
74.	Lam Tin Wai Hoi Public Light Bus Association
75.	Lantau Taxi Association
76.	Lei Yue Mun Ko Chiu Road Public Light Bus Merchants Association Ltd.
77.	Lok Ma Chau China—Hong Kong Freight Association
78.	Long Win Bus Company Limited
79.	Mack & Co. Carpark Management Limited
80.	Marine Excursion Association Limited
81.	Maritime Affairs Research Association Ltd.
82.	MTR Corporation Limited
83.	Merchant Navy Officers' Guild—Hong Kong
84.	Metropark Limited
85.	Mid-stream Holdings (HK) Limited
86.	Mixer Truck Drivers Association
87.	Modern Terminals Ltd.
88.	N.T. San Tin PLB (17) Owners Association
89.	N.T. Taxi Merchants Association Ltd.
90.	N.T. Taxi Owners & Drivers Fraternal Association
91.	N.W. Area Taxi Drivers & Operators Association
92.	New Lantao Bus Co., (1973) Ltd.
93.	New Territories Cargo Transport Association Ltd.
94.	New World First Bus Services Limited

Item	Body
95.	North District Taxi Merchants Association
96.	Organisation of Hong Kong Drivers
97.	Public and Private Light Buses Driving Instructors' Society
98.	The Public Cargo Area Trade Association
99.	Public Light Bus General Association
100.	The Public Omnibus Operators Association Ltd.
101.	Public Vehicle Merchants Fraternity Association
102.	River Trade Terminal Co. Ltd.
103.	Route 3 (CPS) Company Limited
104.	Sai Kung Taxi Operators Association Ltd.
105.	CSX World Terminals Hong Kong Limited
106.	Serco Group (HK) Limited
107.	The "Star" Ferry Co., Ltd.
108.	Sun Hing Taxi Radio Association
109.	Taxi Association Limited
110.	Taxi Dealers & Owners Association Ltd.
111.	The Taxi Operators Association Ltd.
112.	Transport Infrastructure Management Limited
113.	Tuen Mun Public Light Bus Association
114.	Tung Yee Shipbuilding and Repairing Merchants General Association Limited
115.	United Friendship Taxi Owners & Drivers Association Ltd.
116.	Wai Fat Taxi Owners Association Ltd.

Item	Body
117.	Wai Yik Hong Kong & Kowloon & NT Taxi Owners Association
118.	West Coast International (Parking) Limited
119.	<i>(Repealed 18 of 2023 s. 28)</i>
120.	Wilson Parking (Hong Kong) Limited
121.	Wing Lee Radio Car Traders Association Ltd.
122.	Wing Tai Car Owners & Drivers Association Ltd.
123.	Wu Gang Shipping Co. Ltd.
124.	Xiamen United Enterprises (H.K.) Ltd.
125.	School Buses Operators Association Limited
126.	Sun Ferry Services Company Limited
127.	Shun Tak-China Travel Macau Ferries Limited
128.	Hong Kong Container Drayage Services Association Limited
129.	Hong Kong Kowloon & N.T. Grab-Mounted Lorries Association Limited
130.	Hong Kong Waste Disposal Industry Association
131.	HK Public-light Bus Owner & Driver Association
132.	Logistics Industry & Container Truck Drivers Union
133.	The Concrete Producers Association of Hong Kong Limited
134.	Hongkong Guangdong Boundary Crossing Bus Association Limited
135.	Tsui Wah Ferry Service Company Limited
136.	Quality Driver Training Centre Limited
137.	Public and Private Commercial Driving Instructors' Society
138.	Shun Tak-China Travel Ship Management Limited

Item	Body
139.	Cruise Ferries (HK) Limited
140.	Asia Airfreight Terminal Company Limited
141.	The Hong Kong Joint Branch of The Royal Institution of Naval Architects and The Institute of Marine Engineering, Science and Technology
142.	The Hongkong Salvage & Towage Company Limited
143.	The Institute of Chartered Shipbrokers, Hong Kong Branch
144.	Hongkong United Dockyards Limited
145.	Guangdong and Hong Kong Feeder Association Limited
146.	Hong Kong Right Hand Drive Motors Association Limited
147.	The Institute of the Motor Industry Hong Kong
148.	Hong Kong Vehicle Repair Merchants Association Limited
149.	Environmental Vehicle Repairers Association Limited
150.	The Hong Kong Taxi and Public Light Bus Association Limited
151.	Park Island Transport Company Limited
152.	Discovery Bay Road Tunnel Company Limited
153.	International Association of Transport Officers
154.	Hong Kong Express Airways Limited
155.	Hong Kong (Cross Border) Transportation Drivers' Association
156.	Hong Kong Logistics Association Limited
157.	Hong Kong Container Depot and Repairer Association Limited
158.	New World Parking Management Limited
159.	The Nautical Institute—Hong Kong Branch
160.	Worldwide Flight Services, Inc.

Item	Body
161.	NT Taxi Operations Union
162.	Sun Star Taxi Operators Association
163.	Taxi & P.L.B. Concern Group
164.	Tai Wo Motors Limited
165	Tuen Mun District Tourists and Passengers Omnibus Operators Association Limited
166.	Tsuen Wan District Tourists and Passengers Omnibus Operators Association Limited
167.	Yuen Long District Tourists and Passengers Omnibus Operators Association Limited
168.	Kowloon District Tourists and Passengers Omnibus Operators Association Limited
169.	Hong Kong District Tourists and Passengers Omnibus Operators Association Limited
170.	Sino Parking Services Limited
171.	Urban Parking Limited
172.	Greater Lucky (HK) Company Limited
173.	China Hongkong and Macau Boundary Crossing Bus Association Limited
174.	Ground Support Engineering Limited
175.	Cathay Pacific Services Limited
176.	Cathay Pacific Catering Services (H.K.) Limited
177.	LSG Lufthansa Service Hong Kong Limited
178.	Gate Gourmet Hong Kong, Limited
179.	ECO Aviation Fuel Services Limited
180.	Hong Kong Aircraft Engineering Company Limited

Item	Body
181.	China Aircraft Services Limited
182.	Dah Chong Hong – Dragonair Airport GSE Service Limited
183.	Jardine Air Terminal Services Limited
184.	Service Managers Association
185.	Driving Instructors Association
186.	The Chamber of Hong Kong Logistics Industry Limited
187.	New Horizon School of Motoring Limited
188.	Leinam School of Motoring Limited
189.	TIML MOM Limited
190.	Hong Kong Taxi Association
191.	Chung Shing Taxi Limited
192.	Hong Kong Air Cargo Carrier Limited
193.	Hong Kong Dumper Truck Drivers Association
194.	Shun Fung Motors Investment Management Company Limited
195.	Taxi Drivers and Operators Association
196.	Yiu Lian Dockyards Limited
197.	China Merchants Port Holdings Company Limited
198.	China Merchants Container Services Limited
199.	China Merchants Logistics Holding Hong Kong Company Limited
200.	China Merchants Energy Shipping (Hong Kong) Company Limited
201.	COSCO SHIPPING (Hong Kong) Co., Limited
202.	COSCO (H.K.) SHIPPING CO., LIMITED

Item	Body
203.	COSCO SHIPPING Container Line Agencies Limited
204.	COSCO SHIPPING International (Hong Kong) Co., Ltd.
205.	China Travel Tours Transportation Services Hong Kong Limited
206.	Sky Shuttle Helicopters Limited
207.	Hong Kong-Zhuhai-Macao Bridge Shuttle Bus Company Limited
208.	Hong Kong & Macao International Airport Transportation Service Co. Limited
209.	Hong Kong International Airport Ferry Terminal Services Limited
210.	Ocean Shipbuilding & Engineering Limited
211.	China Ferry Terminal Services Limited
212.	Turbojet Shipyard Limited
213.	Hong Kong Association of Aircargo Truckers Limited
214.	Hong Kong Auto (Parts & Machinery) Association Limited
215.	China Aviation Express (Hong Kong) Limited
216.	Chu Kong Godown Wharf & Transportation Company Limited
217.	Chu Kong Transhipment & Logistics Company Limited
218.	Chu Kong Transportation (H.K.) Limited
219.	Chu Kong Agency Company Limited
220.	Cotai Chu Kong Shipping Management Services Company Limited
221.	Yuet Hing Marine Supplies Company Limited
222.	Chu Kong Group Shipyard Company Limited
223.	Dong An Marine Safety Equipment Trading Limited

Item	Body
224.	Fortune Ferry Company Limited
225.	Hong Kong Wing Hing Marine Engineering Company Limited
226.	China National Aviation Leasing Limited
227.	Yuantong Marine Service Co. Limited
228.	Wang Tak Engineering & Shipbuilding Company Limited
229.	The Motor Transport Company of Guangdong and Hong Kong Limited
230.	Weisheng Transportation & Enterprises Company Limited
<i>(Annex 1 added 14 of 2021 s. 445)</i>	

Annex 2

Bodies Specified for the Wholesale and Retail Subsector

Item	Body
1.	Association of Better Business & Tourism Services
2.	Chinese Medicine Merchants Association Ltd.
3.	Chinese Merchants (H.K.) Association Limited
4.	Chinese Paper Merchants Association Limited
5.	The Cosmetic & Perfumery Association of Hong Kong Ltd.
6.	Eastern District Fresh Fish Merchants' Society
7.	Federation of Hong Kong Kowloon New Territories Hawker Associations
8.	The Federation of Hong Kong Watch Trades and Industries Ltd.
9.	HK Vegetable Wholesaler Community
10.	Hong Kong and Kowloon Bamboo Goods Merchants Association Limited
11.	Hong Kong and Kowloon Electrical Appliances Merchants Association Ltd.

Item	Body
12.	Hong Kong Electro-Plating Merchants Association Limited
13.	Hong Kong & Kowloon Fruit & Vegetable Employees & Employers Guild
14.	Hong Kong & Kowloon General Association of Liquor Dealers and Distillers
15.	Hong Kong and Kowloon Machinery and Instrument Merchants Association Ltd.
16.	Hong Kong & Kowloon Marine Products Merchants Association Ltd.
17.	Hong Kong & Kowloon Plastic Products Merchants United Association Limited
18.	The Hong Kong & Kowloon Provisions, Wine & Spirit Dealers' Association Limited
19.	Hong Kong and Kowloon Rattan Ware Merchants Association (Wing-Hing-Tong)
20.	Hong Kong & Kowloon Sauce & Preserved-Fruit Amalgamated Employers Association
21.	Hong Kong & Kowloon Tea Trade Merchants Association Ltd.
22.	Hong Kong & Kowloon Timber Merchants Association Limited
23.	Hong Kong & Kowloon Vermicelli & Noodle Manufacturing Industry Merchants' General Association Limited
24.	Hong Kong Art Craft Merchants Association, Ltd.
25.	Hong Kong Dried Seafood and Grocery Merchants Association Limited
26.	Hong Kong Egg Merchants Association (Fung-Kwai-Tong)
27.	Hong Kong Embroidery Merchants Association Limited
28.	Hong Kong Flower Retailers Association
29.	The Hong Kong Food Council Limited
30.	Hong Kong Fresh Fish Merchants Association

Item	Body
31.	Hong Kong Fur Federation
32.	Hong Kong Furniture & Decoration Trade Association Limited
33.	Hong Kong General Chamber of Pharmacy Limited
34.	Hong Kong Glass and Mirror Merchants and Manufacturers Association Company Limited
35.	Hong Kong Jewellers' & Goldsmiths' Association Limited
36.	The Federation of Hong Kong Footwear Limited
37.	The Hong Kong Medicine Dealers' Guild
38.	Hong Kong Metal Merchants Association
39.	Hong Kong Petroleum, Chemicals and Pharmaceutical Materials Merchants Association Ltd.
40.	Hong Kong Photo Marketing Association Limited
41.	Hong Kong Piece Goods Merchants' Association
42.	Hong Kong Plastic Material Suppliers Association Ltd.
43.	Hong Kong Plumbing and Sanitary Ware Trade Association Ltd.
44.	Hong Kong Provision & Grocery General Commercial Chamber
45.	Hong Kong Record Merchants Association Ltd.
46.	Hong Kong Rice Suppliers' Association Limited
47.	Hong Kong Retail Management Association Limited
48.	Hong Kong Yee Yee Tong Chinese Medicine Merchants Association Ltd.
49.	The Hong Kong & Kowloon General Merchandise Merchants' Association Limited
50.	Kowloon Cheung Sha Wan Wholesale Vegetable Market (Importers) Recreation Club Limited
51.	Kowloon Fresh Fish Merchants Association Limited

Item	Body
52.	The Kowloon Pearls, Precious Stones, Jade, Gold & Silver Ornament Merchants Association
53.	The Merchants Association of First Wholesalers/Jobbery of Imported Fresh Fruits & Vegetables Limited
54.	Mongkok Vegetable Wholesale Merchants Association Company Limited
55.	The Motor Traders Association of Hong Kong
56.	Nam Pak Hong Association
57.	Po Sau Tong Ginseng & Antler Association Hong Kong Ltd.
58.	The Rice Merchants' Association of Hong Kong Limited
59.	Kowloon Fruit & Vegetable Merchants Association Limited
60.	The Hong Kong And Kowloon Electric Trade Association
61.	Hong Kong Poultry Wholesalers Association
62.	Diamond Federation of Hong Kong, China Limited
63.	Tobacco Association of Hong Kong Limited
64.	Hong Kong Chinese Prepared Medicine Traders Association Limited
65.	Hong Kong Chinese Medicine Industry Association Limited
66.	Hong Kong Chinese Patent Medicine Manufacturers' Association Ltd.

(Annex 2 added 14 of 2021 s. 445)

Annex 3

Bodies Specified for the Architectural, Surveying, Planning and Landscape Subsector

Item	Body
1.	The Hong Kong Institute of Architects
2.	The Hong Kong Institute of Surveyors
3.	The Hong Kong Institute of Planners

Item	Body
4.	The Hong Kong Institute of Landscape Architects
5.	Hong Kong Housing Authority
6.	Hong Kong Housing Society
7.	Urban Renewal Authority
8.	Authorized Persons Registration Committee
9.	Inspectors Registration Committee
10.	Property Management Services Authority
11.	Hong Kong Green Building Council Limited
12.	BEAM Society Limited
13.	The Lands Department Estate Surveyors Association
14.	Housing Department Quantity Surveyors' Association
15.	Hong Kong Housing Department Architects Association
16.	Housing Department Estate Surveyors Association
17.	Planners Association of Hong Kong Housing Department
18.	Housing Department Landscape Architects Association
19.	Buildings Department Local Building Surveyors' Association
20.	Architectural Services Department Quantity Surveyors' Association
21.	Architectural Services Department Maintenance Surveyors' Association
22.	Architectural Services Department Architects' Association
23.	Association of Government Local Land Surveyors
24.	The Hong Kong Housing Department Maintenance Surveyors Association
25.	Hong Kong Government Local Town Planners Association
26.	Hong Kong Government Landscape Architects Association
27.	Aedas Limited

Item	Body
28.	AGC Design Limited
29.	Andrew Lee King Fun & Associates Architects Limited
30.	DLN Architects Limited
31.	Leigh & Orange Limited
32.	LWK & Partners (HK) Limited
33.	P&T Architects and Engineers Limited
34.	Ronald Lu & Partners (Hong Kong) Limited
35.	Wong & Ouyang (HK) Limited
36.	Wong Tung & Partners Limited
37.	Ho & Partners Architects Engineers & Development Consultants Limited
38.	Rocco Design Architects Limited
39.	Simon Kwan & Associates Limited
40.	TFP Farrells Limited
41.	Freevision Limited
42.	Fruit Design & Build Limited
43.	Prudential Surveyors International Limited
44.	Knight Frank Petty Limited
45.	Vigers Building Consultancy Limited
46.	KC Surveyors Limited
47.	Savills Project Consultancy Limited
48.	CBRE Limited
49.	Rider Levett Bucknall Limited
50.	Arcadis Hong Kong Limited
51.	Currie & Brown (China) Limited
52.	Urbis Limited

Item	Body
53.	Townland Consultants Limited
54.	Llewelyn-Davies Hong Kong Limited
55.	Earthasia Limited
56.	ACLA Limited

(Annex 3 added 14 of 2021 s. 445)

Annex 4

Bodies Specified for the Chinese Medicine Subsector

Part 1—Statutory Regulatory and Consultative Bodies

Item	Body
1.	Chinese Medicine Council of Hong Kong
2.	Chinese Medicine Development Committee

Part 2—Administrative and Training Institutions

Item	Body
1.	Hong Kong Registered Chinese Medicine Practitioners Association Limited
2.	China Society of Practitioners of Chinese Medicine Limited
3.	The Kowloon Chinese Herbalists Association Limited
4.	Buddhist Vassar Chinese Medical College Limited
5.	Hong Kong Wah Ha Medicine Association
6.	School of Chinese Medicine, The University of Hong Kong
7.	Hong Kong Acupuncture and Moxibustion Association
8.	School of Chinese Medicine, The Chinese University of Hong Kong
9.	Society for Research on Traditional Chinese Medicine Limited
10.	Wahhar College Hong Kong Limited

Item	Body
11.	School of Continuing and Professional Studies, The Chinese University of Hong Kong
12.	School of Chinese Medicine, Hong Kong Baptist University
13.	Hong Kong & Kowloon Chinese Medicine Merchants Association Limited
14.	Hong Kong Academy of Chinese Medicine Company Limited
15.	Hong Kong Association for Integration of Chinese-Western Medicine
16.	HKU School of Professional and Continuing Education
17.	Hospital Authority
18.	Tung Wah Group of Hospitals
19.	Modern Institute of Chinese Medicine
20.	College of Traditional Medicine
21.	The Hong Kong Association of Traditional Chinese Medicine Limited
22.	International General Chinese Herbalists and Medicine Professionals Association Limited
23.	Sin-Hua Herbalists' and Herb Dealers' Promotion Society Limited
24.	Society of Practitioners of Chinese Herbal Medicine Limited
25.	The Hong Kong T.C.M. Orthopaedic & Traumatic Association Limited
26.	Hong Kong Chinese Herbalists Association Limited
27.	Association of Hong Kong & Kowloon Practitioners of Chinese Medicine, Limited
28.	Hong Kong Chinese Medicine Practitioners Association Limited

Part 3—Other Relevant Bodies

Item	Body
1.	The Hong Kong Federation of China of Traditional Chinese Medicine
2.	Hong Kong Acupuncturists Association Limited
3.	Society for the Promotion of Chinese Traditional Medical Science Limited
4.	The Society of Hong Kong Professional Registered Chinese Medicine Practitioners Limited
5.	Hong Kong College of Traditional Chinese Medicine Limited
6.	Hong Kong Listed Chinese Medicine Practitioners Association
7.	International General Chinese Medicated Meal of Self Recovery Association Limited
8.	International Chinese Medicine and Integrative Manual Therapy Association Limited
9.	香港中華經筋醫學研究會%
10.	HK Scalp Acupuncture Association
11.	Hong Kong Chinese Medicine Practitioners' Rights General Union
12.	Hong Kong Chinese Spinal Orthopaedic Medicine Association Limited
13.	國際自然療能研究學會&
14.	Hong Kong Jingluo Medical Association
15.	The Hong Kong Professional Institute of Chinese Medicine Medicated Meal and Food Limited
16.	International Association of Medicinal Food Therapy Limited
17.	Modernized Chinese Medicine International Association Limited
18.	Association of Ancient & Contemporary Chinese Medicine Limited
19.	Hong Kong Shanwei Chinese Medicine Association
20.	中華國際傳統醫藥學會§

Item	Body
21.	Hong Kong Chinese Medicine and Herbs Association Limited
22.	Meridian Activation System Therapy-Chinese Medicine Association Limited
23.	International Chinese Medical Acupuncture & Anatomy Association Limited
24.	Hong Kong Medicinal Herbs Society
25.	Chinese (H.K.) East-West Medicine Integrate Association
<i>(Annex 4 added 14 of 2021 s. 445)</i>	

Editorial Note:

- [%] The English translation of “香港中華經筋醫學研究會” is “Hong Kong Chinese Meridian Ligamentous Chinese Medical Research Institute”.
- [&] The English translation of “國際自然療能研究學會” is “International Self-healing Research Institution”.
- [§] The English translation of “中華國際傳統醫藥學會” is “Zhong Hua International Association of Traditional Medicine”.

Annex 5

Bodies Specified for the Engineering Subsector

Item	Body
1.	The Hong Kong Institution of Engineers
2.	CLP Power Hong Kong Limited
3.	The Hong Kong and China Gas Company Limited
4.	The Hongkong Electric Company, Limited
5.	MTR Corporation Limited
6.	Airport Authority
7.	Kowloon-Canton Railway Corporation
8.	Structural Engineers Registration Committee
9.	Contractors Registration Committee
10.	Geotechnical Engineers Registration Committee
11.	Construction Industry Council

Item	Body
12.	Construction Industry Training Board
13.	Minor Works Contractors Registration Committee
14.	HKSAR Government Civil Engineers Association
15.	Buildings Department Structural Engineers' Association
16.	Hong Kong Housing Department Structural Engineers Association
17.	Association of Building Services Engineers of Housing Department
18.	Civil Engineering and Development Department Geotechnical Engineers' Association
19.	Association of Professional Engineers of Electrical & Mechanical Services Department
20.	Architectural Services Department Structural Engineers' Association
21.	Government Waterworks Professionals Association
22.	Hong Kong Housing Department Civil Engineers Association
23.	Hong Kong Institute of Environmental Protection Officers
24.	AECOM Asia Company Limited
25.	Arcadis Design & Engineering Limited
26.	Ove Arup & Partners Hong Kong Limited
27.	Atkins China Limited
28.	Meinhardt Infrastructure and Environment Limited
29.	Mott MacDonald Hong Kong Limited
30.	Mannings (Asia) Consultants Limited
31.	WSP (Asia) Limited
32.	Binnies Hong Kong Limited
33.	C. M. Wong & Associates Limited
34.	David S. K. Au and Associates Limited

Item	Body
35.	MVA Hong Kong Limited
36.	Aurecon Hong Kong Limited
37.	Fugro (Hong Kong) Limited
38.	Halcrow China Limited
39.	J. Roger Preston Limited
40.	Jacobs China Limited
41.	SMEC Asia Limited
42.	Golder Associates (HK) Limited
43.	Siu Yin Wai & Associates Limited
44.	Gammon Construction Limited
45.	Chun Wo Construction and Engineering Company Limited
46.	China State Construction Engineering (Hong Kong) Limited
47.	China Road and Bridge Corporation
48.	Hip Hing Engineering Company Limited
49.	China Harbour Engineering Company Limited
50.	Dragages Hong Kong Limited
51.	Yau Lee Construction Company Limited
52.	Leighton Contractors (Asia) Limited
53.	The Jardine Engineering Corporation, Limited
54.	Kum Shing (K.F.) Construction Company Limited
55.	Paul Y. Construction Company, Limited
56.	ATAL Engineering Limited
57.	CPC Construction Hong Kong Limited
58.	Sun Fook Kong (Civil) Limited
59.	Build King Construction Limited
60.	Penta-Ocean Construction Co., Ltd.

Item	Body
61.	Shui On Building Contractors Limited
62.	China Geo-Engineering Corporation
63.	China International Water & Electric Corporation
<i>(Annex 5 added 14 of 2021 s. 445)</i>	

Annex 6

Bodies Specified for the Legal Subsector

Item	Body
1.	The Law Society of Hong Kong
2.	Hong Kong Bar Association
3.	Hong Kong Society of Notaries
4.	Association of China-Appointed Attesting Officers Limited
5.	Hong Kong International Arbitration Centre
6.	The Small and Medium Law Firms Association of Hong Kong
7.	Hong Kong Federation of Women Lawyers Limited
8.	Hong Kong Young Legal Professionals Association Limited
9.	Hong Kong Legal Exchange Foundation Limited
10.	International Youth Legal Exchange Federation Limited
11.	Global Chinese Speaking Lawyers' Association Limited
12.	China International Economic and Trade Arbitration Commission Hong Kong Arbitration Center
13.	China Maritime Arbitration Commission Hong Kong Arbitration Center
14.	Hong Kong Maritime Arbitration Group
15.	eBRAM International Online Dispute Resolution Centre Limited
16.	Financial Dispute Resolution Centre
17.	Hong Kong Institute of Arbitrators

Item	Body
18.	Hong Kong Mediation Accreditation Association Limited
19.	Hong Kong Mediation Centre Limited
20.	Asian Academy of International Law Limited
21.	Legal Affairs Steering Committee of the Hong Kong Chinese Enterprises Association
22.	The Legal Education Fund Limited
23.	Basic Law Institute Limited
24.	Asia Pacific Law Association Limited
25.	Hong Kong Basic Law Education Association
26.	Basic Law Foundation Limited
27.	South China International Arbitration Center (HK) Limited
28.	Legal Profession Advancement Association Limited
29.	The Hong Kong and Mainland Legal Profession Association Limited
30.	International Probono Legal Services Association Limited
<i>(Annex 6 added 14 of 2021 s. 445)</i>	

Annex 7

Bodies Specified for the Medical and Health Services Subsector

Item	Body
1.	Hospital Authority
2.	Board of Governors of The Prince Philip Dental Hospital
3.	Medical Council of Hong Kong
4.	Dental Council of Hong Kong
5.	Hong Kong Academy of Medicine
6.	Nursing Council of Hong Kong
7.	Midwives Council of Hong Kong

Item	Body
8.	Supplementary Medical Professions Council
9.	Pharmacy and Poisons Board
10.	Chiropractors Council
11.	Li Ka Shing Faculty of Medicine of The University of Hong Kong
12.	Faculty of Medicine of The Chinese University of Hong Kong
13.	Hong Kong St. John Ambulance
14.	Auxiliary Medical Service
15.	Medical Laboratory Technologists Board
16.	Occupational Therapists Board
17.	Optometrists Board
18.	Physiotherapists Board
19.	Radiographers Board
20.	Hong Kong Association of Speech Therapists
21.	Hong Kong Institute of Audiologists
22.	The Hong Kong Academy of Accredited Dietitians
23.	The Hong Kong Association of Educational Psychologists
24.	Hong Kong Institute of Clinical Psychologists
25.	The Hong Kong Medical Association
26.	Hong Kong Dental Association Limited
27.	The Association of Licentiates of Medical Council of Hong Kong (A.L.M.C.H.K.)
28.	Association of Hong Kong Nursing Staff
29.	The College of Nursing, Hong Kong
30.	The Hong Kong Academy of Nursing Limited
31.	Hong Kong Women Doctors Association Limited
32.	Hong Kong Doctors Union

Annex 8

Bodies Specified for the Social Welfare Subsector

Item	Body
1.	Hong Kong Council of Social Service
2.	Social Workers Registration Board
3.	Institute of Social Service Development
4.	Tung Wah Group of Hospitals
5.	Po Leung Kuk
6.	Yan Chai Hospital
7.	Pok Oi Hospital
8.	Yan Oi Tong Limited
9.	The Lok Sin Tong Benevolent Society Kowloon
10.	New Home Association Limited
11.	Social Workers Across Borders Limited
12.	The Hong Kong Volunteers Federation Company Limited
13.	The Hong Kong Federation of Trade Unions Hong Ling Society
14.	The United Labour Chi Hong Association Limited
15.	The Hong Kong Island Social Services Charitable Foundation Limited

(Annex 8 added 14 of 2021 s. 445)

Annex 9

Bodies Specified for the Sports, Performing Arts, Culture and Publication Subsector

Part 1—Performing Arts Industry Associations and Local Licensed Broadcasting Institutions

Item	Body
1.	Hong Kong Motion Picture Industry Association Limited
2.	Hong Kong Film Awards Association Ltd.
3.	Association for Betterment of Hong Kong's Entertainment Industry in Mainland China Limited
4.	Federation of Hong Kong Filmmakers Limited
5.	Movie Producers and Distributors Association of Hong Kong Ltd.
6.	Hong Kong Chamber of Films Limited
7.	Hong Kong Theatres Association Ltd.
8.	華南電影工作者聯合會 ^{##}
9.	International Federation of the Phonographic Industry (Hong Kong Group) Limited
10.	Music Publishers Association of Hong Kong Limited
11.	Hong Kong Recording Industry Alliance Limited
12.	Television Broadcasts Limited
13.	HK Television Entertainment Company Limited
14.	Fantastic Television Limited
15.	Hong Kong Commercial Broadcasting Company Limited
16.	Metro Broadcast Corporation Limited
17.	The Hong Kong Film Development Council
18.	The Hong Kong International Film Festival Society Limited
19.	Hong Kong Film & Television Association Limited

Part 2—Cultural Public Institutions, Associations and Bodies

Item	Body
1.	Hong Kong Arts Development Council
2.	The Hong Kong Academy for Performing Arts
3.	West Kowloon Cultural District Authority
4.	The Hong Kong Philharmonic Society Limited
5.	Hong Kong Chinese Orchestra Limited
6.	Hong Kong Repertory Theatre Limited
7.	Chung Ying Theatre Company (HK) Limited
8.	Hong Kong Dance Company Limited
9.	The Hong Kong Ballet Limited
10.	Hong Kong Sinfonietta Limited
11.	City Contemporary Dance Company Limited
12.	Zuni Icosahedron
13.	Hong Kong Arts Festival Society Limited
14.	China Federation of Literary and Art Circles Hong Kong Member Association Limited
15.	China Theatre Association Hong Kong Member Branch
16.	China Film Hong Kong Association Limited
17.	Chinese Musicians Association—Hong Kong Members Branch
18.	China Artists Association Hong Kong Chapter
19.	China Opera Performing Artists Hong Kong Association
20.	Chinese Dancers Association Hong Kong Member Branch
21.	China Photographers Association Hong Kong Member Branch
22.	China Calligraphers Association Hong Kong Member Branch
23.	China Literature and Art Critics Association Hong Kong Member Branch
24.	The Association of Chinese Culture of Hong Kong
25.	Hong Kong Culture Association Limited

Item	Body
26.	The Chinese Artists Association of Hong Kong
27.	Hong Kong Chinese Opera Promotion Association Limited
28.	Cantonese Opera Musician and Vocalist Association Limited
29.	HK Chinese Opera and Performing Arts Group Association
30.	Hong Kong Cantonese Opera Artists Club Limited
31.	Hong Kong Association of Cantonese Opera Scholars Limited
32.	Hong Kong Federation of Drama Societies
33.	Actors' Family Limited
34.	The Nonsensemakers Limited
35.	Tang Shu-Wing Theatre Studio Limited
36.	Shakespeare4All Company Limited
37.	Spring-Time Experimental Theatre Limited
38.	Perry Chiu Experimental Theatre Limited
39.	Performing Arts Asia Limited
40.	Composers and Authors Society of Hong Kong Limited
41.	Hong Kong Composers' Guild Limited
42.	Hong Kong Chinese Instrumental Music Association
43.	Hong Kong Association of Choral Societies
44.	Hong Kong Music Tutors Union
45.	Opera Hong Kong Limited
46.	Hong Kong String Orchestra Limited
47.	Global Symphony Orchestra Society Limited
48.	The Hong Kong Children's Choir
49.	Yip's Children's Choir Limited
50.	Allegro Singers
51.	Hong Kong City Chinese Orchestra

Item	Body
52.	Hong Kong Dance Federation Limited
53.	Association of Hong Kong Dance Organizations
54.	Hong Kong Dance Alliance Limited
55.	The Hong Kong Ballet Group Limited
56.	Hong Kong Dance Sector Joint Conference
57.	The Association of Hong Kong Youth Dancers
58.	Miranda Chin Dance (Mirandance) Company Limited
59.	Budlet Folk Dance Club
60.	Starwave Production
61.	Xiang Gang Mei Xie
62.	Chinese Ink Painting Institute Hong Kong
63.	Hong Kong Water Colour Research Society
64.	Hong Kong Lan Ting Society
65.	Hong Kong Culture and Art Promotion Association
66.	Hong Kong Art Researching Association
67.	Hong Kong Modern Ink Painting Society Co. Limited
68.	Hong Kong Oil Painting Research Society
69.	Hong Kong Artists Society
70.	The Hong Kong Art Club
71.	Chung Fung Art Club
72.	To-day's Chinese Art Association
73.	Ling Ngai Art Association
74.	Hong Kong Graphics Society
75.	中國書協香港分會 ⁺⁺
76.	Hong Kong Chinese Calligraphy and Art Association
77.	China Hong Kong Institute of Calligraphy

Item	Body
78.	Calligraphy and Painting Study Association of Hong Kong Fukienese
79.	Hong Kong Association of Amateur Calligraphers
80.	Hong Kong Calligraphers' Association
81.	Hong Kong International Calligraphy and Seal Cutting Society
82.	Hong Kong Hard Pen Calligraphists' Association
83.	Friends of Shizhai
84.	The Jiazi Society of Calligraphy
85.	The Photographic Society of Hong Kong
86.	The Chinese Photographic Association of Hong Kong
87.	Sea Gull Photographic Association Limited
88.	The Photographic Salon Exhibitors Association
89.	Grace Photographic Club
90.	Hong Kong Camera Club, Limited
91.	United Artist Photographic Association Limited
92.	The Society of Worldwide Ethnic Chinese Photographers Limited
93.	The Hong Kong 35mm Photography Society, Limited
94.	The Hong Kong Miniature Cameras Photography Society
95.	Hong Kong CreArt Photographic Association Limited
96.	Overseas Chinese Photographers Association of Hong Kong
97.	The Art of Photography Association Limited
98.	The Federation of Hong Kong Writers
99.	The House of Hong Kong Literature Limited
100.	Hong Kong Writers Association Company Limited
101.	Hong Kong Society for Study of Poetry, Calligraphy and Couplet

Item	Body
102.	Hong Kong Literature Promoted Association
103.	國際華文詩人協會@@
104.	Magicians' Association of Hong Kong
105.	Hong Kong & Macau Intangible Cultural Heritage Research Centre Limited
106.	Wing Lung Art
107.	Hong Kong Book Reviewers Association
108.	Hong Kong Film Critics Association Limited
109.	Hong Kong Literary Criticism Society Company Limited
110.	Oriental Education Alliance Limited
111.	Hong Kong International Music Festival Limited
112.	The Association of Zhuangzi Culture & Research of Hong Kong
113.	Hong Kong Cantonese Opera Chamber of Commerce Limited
114.	Jingkun Theatre Limited

(Annex 9 added 14 of 2021 s. 445)

Editorial Note:

^{##} The English translation of “華南電影工作者聯合會” is “South China Film Industry Workers Union”.

⁺⁺ The English translation of “中國書協香港分會” is “China Calligraphers Association – Hong Kong Branch”.

^{@@} The English translation of “國際華文詩人協會” is “World Club of Chinese Poets”.

Annex 10

Bodies Specified for the Technology and Innovation Subsector

Part 1—National Level Research Platforms

Item	Body
1.	State Key Laboratory of Emerging Infectious Diseases (The University of Hong Kong)

Item	Body
2.	State Key Laboratory of Brain and Cognitive Science (The University of Hong Kong)
3.	State Key Laboratory of Translational Oncology (The Chinese University of Hong Kong)
4.	State Key Laboratory of Terahertz and Millimeter Waves (City University of Hong Kong)
5.	State Key Laboratory of Agrobiotechnology (The Chinese University of Hong Kong)
6.	State Key Laboratory of Ultraprecision Machining Technology (The Hong Kong Polytechnic University)
7.	State Key Laboratory of Molecular Neuroscience (The Hong Kong University of Science and Technology)
8.	State Key Laboratory of Marine Pollution (City University of Hong Kong)
9.	State Key Laboratory of Research on Bioactivities and Clinical Applications of Medicinal Plants (The Chinese University of Hong Kong)
10.	State Key Laboratory of Liver Research (The University of Hong Kong)
11.	State Key Laboratory of Synthetic Chemistry (The University of Hong Kong)
12.	State Key Laboratory of Chemical Biology and Drug Discovery (The Hong Kong Polytechnic University)
13.	State Key Laboratory of Environmental and Biological Analysis (Hong Kong Baptist University)
14.	State Key Laboratory of Pharmaceutical Biotechnology (The University of Hong Kong)
15.	State Key Laboratory of Digestive Disease (The Chinese University of Hong Kong)
16.	State Key Laboratory of Advanced Displays and Optoelectronics Technologies (The Hong Kong University of Science and Technology)

Item	Body
17.	Hong Kong Branch of National Engineering Research Center for Application Specific Integrated Circuit System
18.	Hong Kong Branch of National Engineering Research Center for Steel Construction
19.	Hong Kong Branch of National Rail Transit Electrification and Automation Engineering Technology Research Center
20.	Hong Kong Branch of National Precious Metals Material Engineering Research Center
21.	Hong Kong Branch of National Engineering Research Center for Tissue Restoration & Reconstruction
22.	Hong Kong Branch of Chinese National Engineering Research Center for Control & Treatment of Heavy Metal Pollution
23.	Hong Kong Institute of Science & Innovation, Chinese Academy of Sciences Limited
24.	Centre for Regenerative Medicine and Health, Hong Kong Institute of Science & Innovation, Chinese Academy of Sciences Limited
25.	Centre for Artificial Intelligence and Robotics, Hong Kong Institute of Science & Innovation, Chinese Academy of Sciences Limited

Part 2—Public Organizations Highly Relevant to Development of Innovation and Technology

Item	Body
1.	Hong Kong Applied Science And Technology Research Institute Company Limited
2.	Logistics and Supply Chain MultiTech R&D Centre Limited
3.	The Hong Kong Research Institute of Textiles and Apparel Limited
4.	Nano and Advanced Materials Institute Limited
5.	Hong Kong Cyberport Management Company Limited
6.	Hong Kong Science and Technology Parks Corporation

Item	Body
7.	The Hong Kong Institute of Biotechnology Limited
8.	Hong Kong Productivity Council
9.	Hong Kong Internet Registration Corporation Limited
10.	Hong Kong-Shenzhen Innovation and Technology Park Limited
11.	Automotive Platforms and Application Systems R&D Centre

Part 3—Academic Organizations and Professional Bodies Participating in Government’s Consultation related to Development of Innovation and Technology

Item	Body
1.	The Hong Kong Academy of Sciences
2.	Hong Kong Academy of Engineering Sciences
3.	The Hong Kong Young Academy of Sciences
4.	The Society of Hong Kong Scholars
5.	Internet Professional Association Limited
6.	Hong Kong Information Technology Joint Council Limited
7.	Hong Kong Computer Society
8.	Hong Kong Software Industry Association Limited
9.	Communications Association of Hong Kong Limited
10.	Hong Kong Society of Artificial Intelligence and Robotics Limited
11.	Hong Kong Biotechnology Organization
12.	HK Bio-Med Innotech Association Limited
13.	Hong Kong Data Centre Association Limited
14.	Hong Kong Federation of Innovative Technologies and Manufacturing Industries Limited
15.	Smart City Consortium Limited
16.	E-Commerce Association of Hong Kong Limited

Item	Body
17.	Esports Association of Hong Kong Limited
18.	The Hong Kong Electronic Industries Association Limited

(Annex 10 added 14 of 2021 s. 445)

Annex 11

Bodies Specified for the Agriculture and Fisheries Subsector

Item	Body
1.	Aberdeen Fishermen Friendship Association
2.	The Ap Lei Chau Fishermen's Credit Co-operative Society, Unlimited
3.	The Castle Peak Fishermen's Credit Co-operative Society, Unlimited
4.	The Castle Peak Mechanized Trawler Fishermen's Credit Co-operative Society, Unlimited
5.	Cheung Chau Fisheries Joint Association
6.	Cheung Chau Fishermen's Welfare Promotion Association
7.	The Fanling Kwun Ti Village Farmers' Irrigation Co-operative Society, Ltd.
8.	Fish Farming and Stuff Association
9.	Fisherman's Association of Po Toi Island
10.	Fishery Development Association (Hong Kong) Limited
11.	Fraternal Association of The Floating Population of Hong Kong
12.	The Guild of Graziers
13.	Hang Hau Grazier Association
14.	Hong Kong and Kowloon Fishermen Association Ltd.
15.	Hong Kong & Kowloon Floating Fishermen Welfare Promotion Association
16.	Hong Kong Fisheries Development Association

Item	Body
17.	Hong Kong Fishermen's Association
18.	Hong Kong Fishing Vessel Owners Association, Ltd.
19.	Hong Kong Florists Association
20.	Hong Kong Graziers Union
21.	Hong Kong Liner & Gill Netting Fisherman Association
22.	Hong Kong Livestock Industry Association
23.	Hong Kong N.T. Fish Culture Association
24.	Hong Kong N.T. Poultry (Geese & Ducks) Mutual Association
25.	Hong Kong Netting, Cultivation and Fisherman Association
26.	Hong Kong Off-shore Fishermen's Association
27.	The Lam Ti Agricultural Credit Co-operative Society, Limited
28.	Lamma Island Lo Dik Wan Aquaculture Association
29.	Lau Fau Shan Oyster Industry Association, New Territories
30.	Ma Wan Fisheries Rights Association Ltd.
31.	The Mui Wo Agricultural Products Marketing & Credit Co-operative Society, Ltd.
32.	Mui Wo Fishermen Fraternity Society
33.	N.T. Oyster and Aquatic Products United Association
34.	The New Territories Chicken Breeders Association, Ltd.
35.	The New Territories Fishermen Fraternity Association Ltd.
36.	New Territories Florist Association, Ltd.
37.	North District Florists Association
38.	Outlying Islands Mariculture Association (Cheung Chau)
39.	Peng Chau Fishermen Association Ltd.
40.	Quality Broiler Development Association
41.	Sai Kung (North) Sham Wan Marine Fish Culture Business Association

Item	Body
42.	Sai Kung Po Toi O Fish Culture Business Association
43.	Sai Kung Tai Tau Chau Fish Culture Business Association
44.	Sai Kung Tai Wu Kok Fishermen's Association
45.	The Sha Tau Kok Marine Fish Culture Association
46.	The Sha Tau Kok Small Long Liner and Gill Net Fishermen's Credit Co-operative Society, Unlimited
47.	The Shan Tong Vegetable Marketing Co-operative Society, Ltd.
48.	Shatin Ah Kung Kok Fishermen Welfare Association
49.	Shatin Florists Association
50.	Shau Kei Wan Deep Sea Capture Fishermen's Credit Co-operative Society, Unlimited
51.	Shau Kei Wan Fishermen Friendship Association
52.	Shau Kei Wan Pair Trawler Fishermen's Credit Co-operative Society, Unlimited
53.	The Shau Kei Wan Trawler Fishermen's Credit Co-operative Society, Unlimited
54.	Tai O Fishermen (Coastal Fishery) Association
55.	The Tai O Sha Chai Min Fishermen's Credit Co-operative Society, Unlimited
56.	The Tai Po Fishermen's Credit Co-operative Society, Unlimited
57.	Tai Po Florists and Horticulturists Association
58.	The Tai Po Purse Seiner and Small Long Liner Fishermen's Credit Co-operative Society, Unlimited
59.	The Tsuen Wan Fishermen's Credit Co-operative Society, Unlimited
60.	The Tuen Mun Mechanized Fishing Boat Fishermen's Credit Co-operative Society, Unlimited
61.	Tuen Mun Agricultural Association
62.	Tung Lung Chau Mariculture Association

Item	Body
63.	The Hong Kong Branch of the World's Poultry Science Association
64.	Yuen Long Agriculture Productivity Association
65.	Yung Shue Au Marine Fish Culture Business Association
66.	Tsing Yi Residents Association
67.	荃灣葵青居民聯會(漁民組) ^{^^}
68.	荃灣葵青漁民會 ^{\$\$}
69.	The Shau Kei Wan Stern Trawler Fishermen's Credit Co-operative Society, Unlimited
70.	Sustainable Ecological Ethical Development Foundation Limited
71.	N.T. North District Fishermen's Association
72.	Tai Po Off Shore Fishermen's Association
73.	Aberdeen Fisherwomen Association
74.	香港新界本地農協會 ^{%%}
75.	The Hong Kong Veterinary Association Limited

(Annex 11 added 14 of 2021 s. 445)

Editorial Note:

^{^^} The English translation of “荃灣葵青居民聯會(漁民組)” is “Tsuen Wan Kwai Tsing Residents Assn (Fishermen Group)”.

^{\$\$} The English translation of “荃灣葵青漁民會” is “Tsuen Wan & Kwai Ching Fishermen Association”.

^{%%} The English translation of “香港新界本地農協會” is “Hong Kong New Territories Local Farmers Association”.

Annex 12

Bodies Specified for the Associations of Chinese Fellow Townsman Subsector

Item	Body
1.	Federation of Hong Kong Guangdong Community Organisations Limited

Item	Body
2.	Hong Kong Federation of Fujian Associations Limited
3.	Federation of HK Guangxi Community Organisations Limited
4.	Hong Kong Federation of Hainan Community Organisations Limited
5.	The United Zhejiang Residents Associations (Hong Kong) Limited
6.	Federation of HK Jiangsu Community Organisations Limited
7.	Hong Kong Beijing Association Limited
8.	Hong Kong-Shanghai Economic Development Association Limited
9.	Federation of Hong Kong Hubei Associations Limited
10.	Hunan Fraternal Association of Hong Kong Limited
11.	Hong Kong Federation of Jiang Xi Associations Limited
12.	Federation of HK Shandong Community Organisations Limited
13.	Federation of HK Sichuan Community Organisations Limited
14.	The Hong Kong Tianjin Friendship Association Limited
15.	Hong Kong Chongqing Friendship Federation Limited
16.	Hong Kong Federation of Gan Su Limited
17.	Hong Kong Shaanxi Friendship Association Limited
18.	Hong Kong Hebei Friendship Association Limited
19.	The Anhui Fraternity Association (Hong Kong) Limited
20.	Hong Kong Shanxi Chamber of Commerce Limited
21.	Hong Kong Ningxia Federation of Associations Limited
22.	The Association of Hong Kong Yunnan Fellow Provincials Limited
23.	The Hong Kong Friendship Association of Guizhou Province
24.	Qinghai Hong Kong & Macau Association Limited

(Annex 12 added 14 of 2021 s. 445)

Annex 13

Election Committee Oath

I, *,
of *

****affirm/swear that—**

- (a) I will duly and faithfully fulfill the duties of the Election Committee according to the best of my ability;
- (b) I will uphold the Basic Law;
- (c) my allegiance is to the Hong Kong Special Administrative Region of the People's Republic of China; and
- (d) to the best of my knowledge and belief I am not disqualified from being a member of the Election Committee by virtue of—

****(i)** for persons to be registered as ex-officio members in accordance with Part 2A of the Schedule to the Chief Executive Election Ordinance (Cap. 569)—section 5M of that Schedule/

****(ii)** for persons nominated in accordance with Part 3 of the Schedule to the Chief Executive Election Ordinance (Cap. 569)—section 9 or 9A of that Schedule/

****(iii)** for persons elected in accordance with Part 4 of the Schedule to the Chief Executive Election Ordinance (Cap. 569)—section 18 or 18A of that Schedule.

****Affirmed/sworn this *..... day of *.....**

(Signature)

This acceptance was ****affirmed/sworn** and signed before me, a ****Magistrate/Commissioner for Oaths**.

(Signature)

* Complete as appropriate.

**** Delete whichever is inapplicable.**

(Annex 13 added 14 of 2021 s. 445)

(Amended E.R. 2 of 2012)

(Format changes—E.R. 1 of 2012)