Improving Electoral System (Consolidated Amendments) Bill 2021

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287. Section 20ZA amended (composition of the catering functional constituency) C1955

288. Sections 20ZB and 20ZC repealed C1955

Clause Page

289. Section 20ZD added C1955

20ZD. Composition of the Hong Kong Special Administrative Region deputies to the National People's Congress, Hong Kong Special Administrative Region members of the National Committee of the Chinese People's Political Consultative Conference and representatives of relevant national organisations functional constituency C1957

290. Section 21 amended (number of Members to be returned for functional constituency) C1959

291. Part 3, Division 3 added C1959

Division 3—Election Committee Constituency

21A. Establishment of Election Committee constituency C1959

21B. Number of Members to be returned for Election Committee constituency C1961

292. Part 4A added C1961

Part 4A

Candidate Eligibility Review Committee

23A. Establishment of Candidate Eligibility Review Committee C1961

293. Part 5 heading amended (registration of electors) C1963

Clause Page

294. Section 25 amended (who is eligible to be registered as an elector: functional constituencies) C1963

295. Section 27 amended (elector to be permanent resident of Hong Kong) C1973

296. Section 29 substituted C1973

29. Elector to be 18 years of age C1973

297. Section 30 amended (applicant for registration as elector to be in possession of identity document) C1975

298. Section 31 amended (when person is disqualified from being registered as an elector) C1975

299. Section 32 amended (Electoral Registration Officer to compile and publish electoral registers) C1975

300. Section 36 amended (by-election to be held to fill vacancy in membership of Legislative Council) C1979

301. Section 37 amended (who is eligible to be nominated as a candidate) C1981

302. Section 38 repealed (nomination lists for geographical constituencies and District Council (second) functional constituency) C1983

303. Section 39 amended (when person is disqualified from being nominated as a candidate and from being elected as a Member) C1983

304. Section 40 amended (what requirements are to be complied with by persons nominated as candidates) C1985

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305. Section 41 substituted C1985

41. Person not to be nominated for more than one constituency C1985

306. Section 42A amended (who are validly nominated candidates) C1985

307. Section 42B amended (death or disqualification of a validly nominated candidate for geographical constituency or District Council (second) functional constituency before date of election) C1987

308. Section 42C substituted C1989

42C. Death or disqualification of a validly nominated candidate for geographical constituency or functional constituency before date of election C1991

309. Section 43 amended (candidates entitled to send letter to electors free of postage) C1991

310. Section 46A amended (death or disqualification of a validly nominated candidate before declaration of election result) C1995

311. Section 48 amended (who is entitled to vote at an election) C1999

312. Section 49 substituted C2001

49. System of voting and counting of votes: geographical constituencies C2001

Clause Page

313. Section 50 repealed (system of voting and counting of votes: the Heung Yee Kuk, the agriculture and fisheries, the insurance and the transport functional constituencies) C2005

314. Section 51 amended (system of voting and counting of votes: other functional constituencies) C2005

315. Section 52A added C2009

52A. System of voting and counting of votes: Election Committee constituency C2009

316. Section 53 amended (when an elector is disqualified from voting at an election) C2013

317. Section 58 amended (Returning Officer to publish result of election) C2015

318. Part 6A heading amended (financial assistance for candidates and lists of candidates in respect of election expenses) C2015

319. Section 60A amended (interpretation: Part 6A) C2015

320. Section 60B amended (financial assistance payable to list of candidates and candidates) C2019

321. Section 60C substituted C2021

60C. Eligibility for financial assistance C2021

322. Section 60D repealed (amount payable as financial assistance: list of candidates) C2023

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323. Section 60E amended (amount payable as financial assistance: candidates for functional constituencies other than District Council (second) functional constituency) C2023

324. Section 60F amended (entitlement to financial assistance not affected by failure of election, but financial assistance not payable if election proceedings are terminated) C2025

325. Section 60H amended (recovery of payment of financial assistance) C2025

326. Section 60J repealed (financial assistance not to be paid until disposal of election petition) C2027

327. Section 61 amended (election may be questioned only by election petition made on specified grounds) C2027

328. Section 62 amended (who may lodge election petition) C2027

329. Section 63 amended (who may be made respondent to election petition) C2029

330. Section 67 amended (Court to determine election petition) C2029

331. Section 70B amended (Court of Final Appeal's determination) C2031

332. Section 78 amended (appointment of Returning Officers and assistants) C2031

333. Section 79 amended (offence to obstruct or hinder electoral officers) C2033

Clause Page

334. Section 82 amended (Chief Executive in Council may make regulations) C2033

335. Section 83 amended (Chief Executive in Council may amend Schedules 1, 1A, 1B, 1C, 1D and 1E) C2035

336. Schedule 1 amended (composition of the agriculture and fisheries functional constituency) C2035

337. Schedule 1A amended (composition of the transport functional constituency) C2037

338. Schedule 1B substituted C2045

Schedule 1B Composition of the Sports, Performing Arts, Culture and Publication Functional Constituency C2045

339. Schedule 1C amended (composition of the wholesale and retail functional constituency) C2059

340. Schedule 1D substituted C2061

Schedule 1D Composition of the Technology and Innovation Functional Constituency C2063

341. Schedule 1E repealed (composition of the catering functional constituency) C2075

342. Schedule 6 added C2075

Schedule 6 Geographical Constituencies for Seventh Term of Office of Legislative Council C2075

Clause Page

Division 2—Registration of Electors (Appeals) Regulation (Cap. 542 sub. leg. B)

343. Section 1 amended (interpretation) C2089

344. Section 1A amended (effect of inclement weather warning on date and period) C2091

345. Section 2 amended (fixing of hearing and notifying the appellant thereof) C2095

346. Section 2A amended (Revising Officer to determine certain claims or objections based on written submissions) C2097

347. Section 3 amended (appellant and person in respect of whom objection is made to be notified of rulings etc.) C2099

348. Section 4 amended (Electoral Registration Officer to be notified of rulings made under section 2(5) and (5A) etc.) C2101

349. Section 4A amended (Electoral Registration Officer to be notified of rulings made under section 2A(5)) C2103

350. Section 5 amended (determination of matters and powers of adjournment, etc.) C2103

351. Section 6 amended (review of rulings by Revising Officer) C2103

Division 3—Legislative Council (Subscribers and Election Deposit for Nomination) Regulation (Cap. 542 sub. leg. C)

352. Section 1 amended (interpretation) C2107

353. Section 2 amended (amount of deposit) C2109

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354. Sections 3 and 4 substituted C2109

3. Return of deposit on invalid nomination etc. C2111

4. Disposal of deposit after publication of election result or declaration of failure of election C2115

355. Section 5 amended (disposal of deposit in case of death) C2119

356. Section 7 substituted C2119

7. Number and qualifications of subscribers to nomination form C2119

Division 4—Legislative Council (Election Petition) Rules (Cap. 542 sub. leg. F)

357. Rule 12 amended (lists of objections in recriminatory case) C2131

358. Schedule amended (election petition) C2133

Division 5—Declaration of Geographical Constituencies (Legislative Council) Order 2019 (Cap. 542 sub. leg. M)

359. Declaration of Geographical Constituencies (Legislative Council) Order 2019 repealed C2135

Part 5

Amendment to District Councils Ordinance (Cap. 547)

360. Section 60I repealed (financial assistance not to be paid until disposal of election petition) C2137

Clause Page

Part 6

Amendments to Elections (Corrupt and Illegal Conduct) Ordinance and its Subsidiary Legislation

Division 1—Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554)

361. Section 2 amended (interpretation) C2139

362. Section 14 amended (corrupt conduct to engage in certain deceptive behaviour in relation to electors) C2141

363. Section 19 amended (how candidate must dispose of certain election donations) C2143

364. Section 23 amended (illegal conduct for persons other than candidates and election expense agents to incur election expenses) C2145

365. Section 24 amended (illegal conduct for candidate to incur election expenses exceeding prescribed amount) C2145

366. Section 27A added C2145

27A. Illegal conduct to incite another person not to vote, or to cast invalid vote, by activity in public during election period C2147

367. Section 28 amended (court empowered to restrain person from repeating certain illegal conduct) C2149

368. Section 37 amended (candidate to lodge election return with appropriate authority) C2151

369. Section 37A amended (relief for minor errors etc. in election return) C2151

Clause Page

370. Section 45 amended (Chief Executive in Council may make regulations) C2151

371. Schedule amended (limit prescribed for election concerned for purposes of section 37A) C2151

Division 2—Maximum Amount of Election Expenses (Chief Executive Election) Regulation (Cap. 554 sub. leg. A)

372. Section 2 amended (maximum amount of election expenses) C2153

Division 3—Maximum Amount of Election Expenses (Legislative Council Election) Regulation (Cap. 554 sub. leg. D)

373. Section 2 amended (interpretation) C2155

374. Section 3 substituted C2157

3. Maximum amount of election expenses for geographical constituency C2157

375. Section 3A repealed (maximum amount of election expenses for District Council (second) functional constituency) C2159

376. Section 4 substituted C2159

4. Maximum amount of election expenses for functional constituency C2161

377. Section 4A added C2161

4A. Maximum amount of election expenses for Election Committee constituency C2163

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Division 4—Maximum Scale of Election Expenses (Election Committee) Order (Cap. 554 sub. leg. I)

378. Section 1 amended (interpretation) C2163

379. Section 2 amended (maximum scale of election expenses) C2163

Part 7

Amendments to Chief Executive Election Ordinance and its Subsidiary Legislation

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

380. Long title substituted C2167

381. Section 2 amended (interpretation) C2167

382. Section 9 amended (term of office of Election Committee) C2167

383. Part 3A added C2169

Part 3A

Candidate Eligibility Review Committee

9A. Establishment of the Candidate Eligibility Review Committee C2169

384. Section 16 amended (manner of nomination) C2171

385. Section 17 substituted C2173

17. Determination of validity of nomination C2173

386. Section 20 amended (disqualification from being elected) C2175

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387. Section 22 amended (termination of election proceedings) C2175

388. Section 26 amended (disqualification from voting) C2177

389. Section 26A amended (system of voting: only one candidate) C2179

390. Section 27 amended (system of voting: contested election) C2179

391. Section 32 amended (election may be questioned only by election petition made on specified grounds) C2181

392. Section 33 amended (who may lodge election petition) C2181

393. Section 35 substituted C2181

35. Respondent to election petition C2183

394. Section 41 amended (appointment of Returning Officers and assistants) C2183

395. Section 42 substituted C2183

42. Offence to obstruct or hinder electoral officers or Candidate Eligibility Review Committee C2185

396. Schedule, section 1 amended (interpretation) C2185

397. Schedule, section 2 amended (how Election Committee is to be constituted) C2191

398. Schedule, section 3 amended (resignation of member of Election Committee) C2211

Clause Page

399. Schedule, section 4 amended (Electoral Registration Officer to compile and publish provisional register) C2219

400. Schedule, section 5 amended (supplementary nomination or subsector by-election to be held to fill vacancy in membership of Election Committee) C2221

401. Schedule, Part 2A added C2223

402. Schedule, Part 3 heading amended (religious subsector) C2251

403. Schedule, Part 3, Division 1 added C2253

404. Schedule, section 6 substituted C2255

405. Schedule, section 6A added C2255

406. Schedule, Part 3, Division 2 heading added C2261

407. Schedule, section 7 amended (nomination of members by the religious subsector) C2261

408. Schedule, section 7A added C2267

409. Schedule, section 8 amended (who is qualified for selection as a nominee) C2267

410. Schedule, section 9 amended (when a person is disqualified from being a nominee) C2269

411. Schedule, section 9A added C2271

412. Schedule, section 10 amended (application of the Elections (Corrupt and Illegal Conduct) Ordinance) C2273

413. Schedule, section 11 amended (interpretation) C2273

414. Schedule, section 11A added C2275

Clause Page

415. Schedule, section 12 amended (who is eligible to be registered as a voter) C2281

416. Schedule, section 13 amended (corporate voter to have authorized representative) C2291

417. Schedule, section 14 amended (Electoral Registration Officer to compile and publish a register of voters) C2291

418. Schedule, section 17 amended (who is eligible to be nominated as a candidate at a subsector election) C2295

419. Schedule, section 17A added C2295

420. Schedule, section 18 amended (when a person is disqualified from being a subsector candidate) C2297

421. Schedule, section 18A amended (when a person is disqualified from being a candidate for 4 subsectors in the Fourth Sector) C2299

422. Schedule, sections 18B and 18C repealed C2301

423. Schedule, section 22 amended (who are validly nominated candidates for subsector election) C2301

424. Schedule, section 23 amended (death or disqualification of a validly nominated candidate before date of subsector election) C2301

425. Schedule, section 26 amended (death or disqualification of a validly nominated candidate before declaration of election result) C2303

Clause Page

426. Schedule, section 39 amended (subsector election may be questioned only by appeal to Revising Officer) C2305

427. Schedule, Part 4, Division 5 added C2305

428. Schedule, section 40 amended (Electoral Registration Officer to compile and publish interim register and final register) C2337

429. Schedule, section 41 amended (Electoral Registration Officer to amend interim register or final register to give effect to change in ex-officio membership) C2339

430. Schedule, section 42A added C2341

431. Schedule, section 43A added C2345

432. Schedule, section 47 amended (appointment of Returning Officers and assistants) C2355

433. Schedule, section 48 amended (right of appeal to Revising Officer against decisions of Electoral Registration Officer) C2355

434. Schedule, Annexes 1 to 13 added C2357

Division 2—Election Committee (Appeals) Regulation (Cap. 569 sub. leg. A)

435. Section 2 amended (interpretation) C2495

436. Section 3 amended (appeal against result of subsector election to Revising Officer) C2497

437. Section 4 amended (appeals in relation to registration of nominees declared by Returning Officer as members of Election Committee) C2499

Clause Page

438. Section 4A added C2501

4A. Appeals in relation to registration of ex-officio members as members of Election Committee C2503

439. Section 5 amended (fixing of hearing and notifying appellant thereof) C2507

440. Section 6 amended (ruling of Revising Officer) C2509

441. Section 7 amended (appellant and other persons concerned to be notified of ruling) C2511

442. Section 8 amended (Electoral Registration Officer to be notified of ruling) C2513

443. Section 10 amended (review of rulings by Revising Officer) C2515

444. Section 11 amended (Revising Officer may require Electoral Registration Officer and Returning Officer to provide information) C2517

445. Schedule amended (appeal notice) C2517

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

446. Section 2 amended (interpretation) C2519

447. Section 2A amended (effect of inclement weather warning on date and period) C2519

448. Section 3 amended (fixing of hearing and notifying appellant thereof) C2523

Clause Page

449. Section 3A amended (Revising Officer to determine certain claims or objections based on written submissions) C2525

450. Section 4 amended (appellant and person in respect of whom objection is made to be notified of rulings etc.) C2527

451. Section 5 amended (Electoral Registration Officer to be notified of rulings made under section 3(6) and (6A) etc.) C2527

452. Section 5A amended (Electoral Registration Officer to be notified of rulings made under section 3A(5)) C2529

453. Section 6 amended (determination of matters and powers of adjournment, etc.) C2531

454. Section 7 amended (review of rulings by Revising Officer) C2531

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

455. Section 2 amended (interpretation) C2535

456. Section 4 amended (return of deposit on invalid nomination etc.) C2535

457. Section 8 amended (number and qualifications of subscribers to nomination paper) C2537

Clause Page

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

458. Distribution of Number of Members Among Designated Bodies (Election Committee) Order 2001 repealed C2539

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

459. Schedule amended (election petition) C2541

Part 8

Consequential Amendments

Division 1—High Court Ordinance (Cap. 4)

460. Section 14 amended (appeals in civil matters) C2543

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

461. Part II, Division 2 heading amended (appeal from Court of Appeal to Court; appeal relating to election) C2543

462. Section 22 amended (civil appeals) C2543

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

463. Schedule 1 amended (provisions excluded from application of section 5 of Ordinance) C2545

Division 4—Travel Industry Ordinance (Cap. 634)

464. Schedule 11 amended (related amendments) C2545

C1265

A BILL

To

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

Enacted by the Legislative Council.

Part 1

Preliminary

1. Short title and commencement

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

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

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

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

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

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

(a) Division 7 of Part 3;

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

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

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

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

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

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

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

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

(b) sections 384 to 395;

(c) section 398;

(d) section 431;

(e) Division 6 of Part 7;

(f) Divisions 1 and 2 of Part 8.

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

(a) section 12(2);

(b) section 14(2);

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

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

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

(f) section 30;

(g) section 34(2);

(h) section 52(6);

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

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

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

(l) section 73;

(m) section 74;

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

(o) section 344(2);

(p) section 399;

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

(r) section 447(2).

2. Enactments amended

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

Part 2

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

3. Section 2 amended (interpretation)

(1) Section 2—

Renumber the section as section 2(1).

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

Repeal

"5 September"

Substitute

"19 December".

(3) After section 2(1)—

Add

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

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

(1) Section 6(1)—

Repeal

"5 September"

Substitute

"19 December".

(2) Section 6(2)—

Repeal

"5 September"

Substitute

"19 December".

Part 3

Amendments to Electoral Affairs Commission Ordinance and its Subsidiary Legislation

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

5. Section 2 amended (interpretation)

Section 2(1)—

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

6. Section 3 amended (establishment and membership)

(1) Section 3(5)(d)—

Repeal subparagraph (iv)

Substitute

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

(2) Section 3(5)(k)—

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

7. Section 7 amended (regulations)

(1) Section 7(1)(hb)(iv)—

Repeal

"or in respect of a list of candidates".

(2) After section 7(6)—

Add

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

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

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

8. Section 8 amended (report on elections)

(1) Section 8(1), after "(6)"—

Add

", (6AA)".

(2) After section 8(6)—

Add

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

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

Repeal the full stop

Substitute a semicolon.

(4) Section 8(7)—

Add in alphabetical order

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

9. Section 18 amended (report on boundaries)

After section 18(4)—

Add

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

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

10. Section 2 amended (interpretation)

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

Repeal

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

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

Repeal

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

(3) Section 2(1)—

Repeal the definition of *Legislative Council constituency*—

Substitute

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

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

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

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

Repeal

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

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

(a) paragraph (a)—

Repeal

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

(b) paragraph (b)—

Repeal

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

(6) Section 2(1)—

Repeal the definition of *District Council election year*.

(7) Section 2(1)—

Add in alphabetical order

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

specified form (指明表格), in relation to a particular purpose under this Regulation, means the form specified pursuant to section 7(1)(i) of the Ordinance or under section 76 of the Legislative Council Ordinance (Cap. 542), for that purpose;".

11. Section 2AA added

After section 2—

Add

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

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

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

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

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

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

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

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

(a) is eligible under section 12 of the Schedule to Cap. 569 to be registered as a voter for a subsector in the subsector provisional register to be compiled for 2021; and

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

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

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

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

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

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

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

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

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

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

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

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

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

(6) In this section—

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

Cap. 541B (《第541B章》) means the Electoral Affairs Commission (Registration) (Electors for Legislative Council Functional Constituencies) (Voters for Election Committee Subsectors) (Members of Election Committee) Regulation (Cap. 541 sub. leg. B);

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

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

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

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

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

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

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

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

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

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

(1) Section 2A(4)—

Repeal Table 1

Substitute

"Table 1

Column 1	Column 2
section 4(1)(a)	section 4(2)(a) and (b)
section 4(3)(a)(i)	section 4(3)(a)(ii)
section 4(3)(b)(i)	section 4(3)(b)(ii)
section 10A(12)(a)(ii)	section 10A(12)(b)(i)
section 10A(12)(b)(ii)	section 10A(12)(c)(i)
section 10A(12)(c)(ii)	section 10A(12)(c)(i)

Column 1	Column 2
section 13(1A)(b)(i)	section 19(5)(a)
section 13(1A)(b)(ii)	section 19(5)(b)”.

(2) Section 2A(4), Table 1—

Repeal

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

Substitute

“section 13(1A)(b)	section 19(5)(b)”.

(3) Section 2A(5)—

Repeal Table 2

Substitute

“Table 2

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

13. Section 3 amended (form of register)

(1) Section 3(5)(a)(ii)—

Repeal

“or a sub-subsector”.

(2) Section 3(5)(b)—

Repeal

everything after “constituency”

Substitute

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

(3) After section 3(5)(b)—

Add

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

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

(4) Section 3(8)—

Repeal the definition of *subsector*

Substitute

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

(5) Section 3(8)—

Repeal the definition of *sub-subsector*.

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

(1) Section 4(1)—

Repeal paragraph (a)

Substitute

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

(2) After section 4(1)—

Add

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

(3) Section 4—

Repeal subsection (2)

Substitute

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

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

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

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

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

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

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

(b) if a person is an eligible person—

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

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

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

Section 5(11)—

Repeal

everything after “means—”

Substitute

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

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

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

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

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

Section 7(3)—

Repeal

everything after "existing final register"

Substitute

"only on or before—

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

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

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

Section 8(1)(c), after "(Cap. 542)"—

Add

"or Schedule 6 to that Ordinance".

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

Section 9(5)—

Repeal

everything after "of—"

Substitute

"(a) the provisional register for 2021—

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

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

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

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

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

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

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

(1) Section 10, heading—

Repeal

"**public inspection**"

Substitute

"**inspection by specified persons**".

(2) Section 10(2)—

Repeal

everything after ", is"

Substitute

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

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

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

(3) Section 10—

Repeal subsection (2)

Substitute

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

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

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

(4) Section 10(3)—

Repeal

"public inspection"

Substitute

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

(5) After section 10(3)—

Add

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

name of each person entered on the list in a way that—

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

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

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

(3C) The Electoral Registration Officer must also, in a way the Officer considers appropriate, make available for inspection by a person entered on an omissions list an extract from the list showing only the entry relating to that person in full.".

(6) Section 10—

Repeal subsection (4)

Substitute

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

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

(b) complete a form furnished by the Officer.

(5) In this section—

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

(a) a Legislative Council general election;

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

(c) a District Council ordinary election;

(d) a District Council by-election;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(1) Section 10A(3)—

Repeal

", in the application,".

(2) Section 10A—

Repeal subsection (5)

Substitute

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

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

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

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

(3) Section 10A(12)—

Repeal

everything after "of—"

Substitute

"(a) the provisional register for 2021—

(i) after 2 April 2020; but

(ii) not later than 2 April 2021;

(b) the provisional register for 2022—

(i) after 2 April 2021; but

(ii) not later than 2 June 2022; or

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

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

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

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

Section 11(5)—

Repeal

everything after "of—"

Substitute

"(a) the provisional register for 2021—

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

(A) after 2 May 2020; but

(B) not later than 2 May 2021; or

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

(A) after 2 May 2020; but

(B) not later than 14 August 2021;

(b) the provisional register for 2022—

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

(A) after 2 May 2021; but

(B) not later than 2 June 2022; or

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

(A) after 14 August 2021; but

(B) not later than 2 June 2022; or

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

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

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

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

Section 12(c)—

Repeal

everything after "section 4(1)—"

Substitute

"(i) for the provisional register for 2021—

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

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

(ii) for the provisional register for 2022—

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

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

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

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

(1) Section 13, heading—

Repeal

"**public inspection**"

Substitute

"**inspection by specified persons**".

(2) Section 13—

Repeal subsection (1)

Substitute

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

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

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

(b) not later than—

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

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

(3) Section 13(1A)(b)—

Repeal

everything after "not later than"

Substitute

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

(4) Section 13(2)(a)—

Repeal

"public inspection"

Substitute

"inspection by specified persons".

(5) Section 13(2)(b)—

Repeal

"by the public".

(6) Section 13—

Repeal subsection (3)

Substitute

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

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

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

(7) Section 13(3)—

Repeal

"public inspection"

Substitute

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

(8) Section 13(3)—

Repeal

everything after "ending on"

Substitute

"25 August in the same year.".

(9) Section 13(4)—

Repeal

"public inspection"

Substitute

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

(10) Section 13(4A)—

Repeal

"public inspection an"

Substitute

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

(11) Section 13(4A)—

Repeal

"public inspection."

Substitute

"such inspection.".

(12) After section 13(4A)—

Add

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

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

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

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

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

(13) Section 13—

Repeal subsection (5)

Substitute

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

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

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

(14) Section 13(6)—

Repeal

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

(15) After section 13(6)—

Add

"(7) In this section—

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

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

Section 14(2)(c)—

Repeal

everything after "Officer—"

Substitute

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

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

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

Section 15(7)—

Repeal

everything after "Officer—"

Substitute

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

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

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

Section 16(3)—

Repeal

everything after “delivered—”

Substitute

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

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

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

Section 18(2)(a)—

Repeal

everything after “removal—”

Substitute

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

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

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

Section 19—

Repeal subsection (5)

Substitute

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

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

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

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

(1) Section 20, heading—

Repeal

"**public inspection**"

Substitute

"**inspection by specified persons**".

(2) Section 20—

Repeal subsection (1)

Substitute

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

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

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

(b) not later than—

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

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

(3) Section 20(1A)(b)—

Repeal

everything after "not later than"

Substitute

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

(4) Section 20(2)(a)—

Repeal

"public inspection"

Substitute

"inspection by specified persons".

(5) Section 20(2)(b)—

Repeal

"inspected by the public"

Substitute

"so inspected".

(6) Section 20(3)—

Repeal

"public inspection"

Substitute

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

(7) Section 20(4)—

Repeal

"public inspection"

Substitute

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

(8) Section 20(4A)—

Repeal

"public inspection an"

Substitute

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

(9) Section 20(4A)—

Repeal

"public inspection."

Substitute

"such inspection.".

(10) After section 20(4A)—

Add

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

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

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

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

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

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

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

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

(11) Section 20—

Repeal subsection (5)

Substitute

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

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

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

(12) Section 20(6)—

Repeal

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

(13) After section 20(6)—

Add

"(7) In this section—

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

(a) a Legislative Council general election;

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

(c) a District Council ordinary election;

(d) a District Council by-election;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(c) a person who is—

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

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

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

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

Add

"**to specified persons**".

(2) Section 21(1)—

Repeal

"any person that Officer considers appropriate"

Substitute

"a specified person".

(3) Section 21—

Repeal subsection (5)

Substitute

"(5) In this section—

election (選舉) means—

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

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

specified person (指明的人) means—

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

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

31. Section 22 amended (offences and penalties)

Section 22(7)(c)—

Repeal

", 18 and 30"

Substitute

"and 18".

Division 3—Electoral Affairs Commission (Registration) (Electors for Legislative Council Functional Constituencies) (Voters for Election Committee Subsectors) (Members of Election Committee) Regulation (Cap. 541 sub. leg. B)

32. Section 2 amended (interpretation)

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

Repeal

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

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

Repeal

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

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

Repeal

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

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

Repeal

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

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

Add

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

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

Repeal

"or (1A)(b)".

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

Repeal

"or (1A)(a)".

(8) Section 2(1)—

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

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

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

Repeal the definitions.

(9) Section 2(1)—

Add in alphabetical order

"***eligible person*** (合資格人士) means—

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

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

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

member of District Committee (地區委員會的委員) means a person who is a member of any of the Area Committees, District Fight Crime Committees and District Fire Safety Committees specified in section 39ZH or 39ZI of the Schedule to the Chief Executive Election Ordinance (Cap. 569);

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

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

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

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

33. Section 2AA added

After section 2—

Add

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

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

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

(i) the agriculture and fisheries functional constituency;

(ii) the commercial (third) functional constituency;

(iii) the transport functional constituency;

(iv) the tourism functional constituency;

(v) the catering functional constituency;

(vi) the technology and innovation functional constituency;

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

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

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

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

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

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

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

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

(c) the person—

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

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

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

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

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

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

(4) In this section—

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

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

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

(1) Section 2A(4)—

Repeal Table 1

Substitute

"Table 1

Column 1	Column 2
section 19(1)(a)	section 19(4)(a) and (b)
section 19(4A)(a)(i)	section 19(4A)(a)(ii)
section 19(4A)(b)(i)	section 19(4A)(b)(ii)
section 26(4A)(a)(i)(B)	section 26(4A)(b)(i)(A)
section 26(4A)(a)(ii)(B)	section 26(4A)(b)(ii)(A)
section 26(4A)(b)(i)(B)	section 26(4A)(c)(i)
section 26(4A)(b)(ii)(B)	section 26(4A)(c)(i)
section 26(4A)(c)(ii)	section 26(4A)(c)(i)
section 26A(12)(a)(ii)	section 26A(12)(b)(i)
section 26A(12)(b)(ii)	section 26A(12)(c)(i)

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

(2) Section 2A(4), Table 1—

Repeal

“section 29(1A)(b)(i)	section 35(5)(a)
section 29(1A)(b)(ii)	section 36(5)(a)
section 29(1A)(b)(iii)	sections 35(5)(b) and 36(5)(b)”

Substitute

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

(3) Section 2A(5)—

Repeal Table 2

Substitute

“Table 2

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

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

(1) Section 3(1)—

Repeal

"Subject to subsection (1A), a"

Substitute

"A".

(2) Section 3—

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

(3) Section 3(4)—

Repeal

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

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

(1) Section 4(1)—

Repeal

"4"

Substitute

"5".

(2) Section 4(1)—

Repeal

"and the Fourth"

Substitute

", the Fourth Sector and the Fifth".

(3) Section 4(2)—

Repeal

everything after "Table.".

(4) Section 4(3)—

Repeal

everything after "voter.".

(5) Section 4(5) and (6)—

Repeal

"or sub-subsector" (wherever appearing).

(6) Section 4(7)—

Repeal

"or a sub-subsector".

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

(1) Section 5(1)—

Repeal

"4"

Substitute

"5".

(2) Section 5(2)—

Repeal

"or sub-subsector".

(3) Section 5(4)—

Repeal paragraph (e).

(4) Section 5(5)—

Repeal

"or sub-subsector".

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

Section 7(a)(iii)(A)—

Repeal

"the religious"

Substitute

"a".

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

(1) Section 9(2)(d)—

Repeal

"20ZB"

Substitute

"20ZD".

(2) Section 9(2)(f)—

Repeal the semicolon

Substitute

"; and".

(3) Section 9(2)—

Repeal paragraph (g).

(4) Section 9—

Repeal subsection (6A)

Substitute

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

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

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

(5) Section 9(7)—

Repeal the definition of *constitution*.

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

(1) Section 10—

Repeal subsection (1)

Substitute

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

(a) a body;

(b) a public authority;

(c) any other person.".

(2) Section 10—

Repeal subsection (6)

Substitute

"(6) In this section—

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

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

41. Section 11 amended (interpretation of Part IV)

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

Repeal

everything after "means"

Substitute

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

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

Repeal

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

(3) Section 11(1)—

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

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

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

Repeal the definitions.

(4) Section 11(3)—

Repeal

"Subject to subsection (4), for"

Substitute

"For".

(5) Section 11—

Repeal subsections (4) and (6).

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

(1) Section 12(2)—

Repeal

everything after "post—"

Substitute

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

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

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

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

(2) At the end of section 12—

Add

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

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

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

(b) not later than—

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

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

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

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

Section 13(2A)(c)—

Repeal

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

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

Section 13A—

Repeal the section.

45. Section 13B added

Before section 14—

Add

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

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

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

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

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

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

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

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

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

(1) Section 14(1)—

Repeal

"an elected DC member"

Substitute

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

(2) Section 14(1)(c)—

Repeal

"District Council (first)"

Substitute

"the NPC, CPPCC and relevant national organisations".

(3) After section 14(1)—

Add

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

representative of relevant national organisation) who—

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

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

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

(4) Section 14(5), after "(1)"—

Add

"or (1A)".

(5) Section 14—

Repeal subsection (6).

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

Section 14A—

Repeal the section.

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

Before section 15—

Add

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(d) is neither eligible to be registered as a voter for the Heung Yee Kuk subsector nor the representatives of Hong Kong members of relevant national organisations subsector.

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

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

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

Section 15—

Repeal the section.

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

(1) Section 16—

Repeal subsection (1A).

(2) Before section 16(2)—

Add

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

(3) Section 16(2)—

Repeal

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

(4) Section 16—

Repeal subsection (2A).

(5) Before section 16(3)—

Add

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

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

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

(6) Section 16—

Repeal subsection (3).

(7) Section 16(4)—

Repeal

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

Substitute

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

(8) Section 16—

Repeal subsection (5).

(9) Section 16(6)—

Repeal

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

Substitute

"If".

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

Section 18(1)—

Repeal paragraphs (a) and (b)

Substitute

"(a) in compiling—

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

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

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

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

(1) Section 19(1)—

Repeal paragraph (a)

Substitute

"(a) subject to subsection (4A)(a)(i) or (b)(i), the application must be made to the Electoral Registration Officer to be received by that Officer on or before 2 June in the year for which the relevant provisional register is to be compiled;".

(2) Section 19—

Repeal subsection (1A).

(3) Section 19(1B)(a)—

Repeal subparagraph (ii).

(4) Section 19(1B)(a)—

Repeal subparagraph (iii)

Substitute

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

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

(5) Section 19(1B)(b)—

Repeal

"(ii) or (iii)"

Substitute

"(iii) or (iv)".

(6) After section 19(1C)—

Add

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

(7) Section 19—

Repeal subsections (2) and (3).

(8) Section 19—

Repeal subsection (4)

Substitute

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

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

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

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

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

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

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

(b) if a person is an eligible person—

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

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

(9) Section 19—

Repeal subsection (7)

Substitute

"(7) In this section—

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

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

(1) Section 20(2)—

Repeal

everything after "Officer—"

Substitute

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

(b) if the form relates to registration in the functional constituencies provisional register or subsector provisional register to be compiled for any year subsequent to 2021—on or before 2 June in that year.".

(2) After section 20(2)—

Add

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

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

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

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

(1) Section 21—

Repeal subsection (7A).

(2) Section 21(12)(b)—

Repeal

everything after "means"

Substitute

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

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

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

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

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

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

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

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

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

(1) Section 22—

Repeal subsection (3A).

(2) After section 22(4)—

Add

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

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

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

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

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

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

(3) Section 22(5)—

Repeal

everything after "final register"

Substitute

"only on or before—

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

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

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

After section 23(3)—

Add

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

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

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

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

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

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

(1) Section 24(1)—

Repeal

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

Substitute

"subsection".

(2) Section 24—

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

(3) After section 24(3AA)—

Add

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

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

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

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

(4) Section 24(5)—

Repeal

"The"

Substitute

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

(5) After section 24(5)—

Add

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

(6) Section 24(7)—

Repeal

everything after "date is"

Substitute

"—

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

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

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

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

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

(7) Section 24—

Repeal subsection (8).

(8) Section 24(9)—

Repeal the definition of *corresponding subsector*.

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

(1) Section 25, heading—

Repeal

"**public inspection**"

Substitute

"**inspection by specified persons**".

(2) Section 25—

Repeal subsection (1)

Substitute

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

(a) in the Gazette; and

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

(3) Section 25(2)—

Repeal

everything after "relevant period"

Substitute

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

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

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

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

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

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

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

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

(4) Section 25—

Repeal subsection (2)

Substitute

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

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

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

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

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

(5) Section 25—

Repeal subsection (3).

(6) Section 25(4)—

Repeal

"Without affecting subsection (1), the"

Substitute

"The".

(7) Section 25(4)—

Repeal

"by members of the public, free of charge"

Substitute

"in accordance with this section by specified persons".

(8) After section 25(4)—

Add

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

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

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

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

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

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

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

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

(4C) The Electoral Registration Officer must, in a copy of an omissions list, or a copy of any part of an omissions list, that is made available for inspection

by the general public under this section, show only the entries relating to the bodies, but not the entries relating to the natural persons, entered on the list.

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

(9) Section 25—

Repeal subsection (6)

Substitute

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

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

(b) complete a form furnished by the Officer.

(7) In this section—

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

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

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

(i) a Legislative Council general election;

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

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

(i) a subsector ordinary election;

(ii) a subsector by-election; or

(c) for an Election Committee omissions list—

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

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

(A) a Legislative Council general election;

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

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

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

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

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

(a) for a functional constituencies omissions list—

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

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

(b) for a subsector omissions list—

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

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

(c) for an Election Committee omissions list—

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

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

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

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

specified person (指明的人)—

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

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

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

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

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

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

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

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

subsector ordinary election (界別分組一般選舉) has the meaning given by section 1(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569).”.

59. Section 26 amended (request for change of certain particulars in existing final register and correction of entries in it)

(1) Section 26(4A)—

Repeal

everything after "of—"

Substitute

"(a) the functional constituencies provisional register or subsector provisional register for 2021—

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

(A) after 2 April 2020; but

(B) not later than 2 April 2021; or

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

(A) after 2 April 2020; but

(B) not later than 14 June 2021;

(b) the functional constituencies provisional register or subsector provisional register for 2022—

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

(A) after 2 April 2021; but

(B) not later than 2 June 2022; or

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

(A) after 14 June 2021; but

(B) not later than 2 June 2022;

(c) the functional constituencies provisional register or subsector provisional register for any year subsequent to 2022—

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

(ii) not later than 2 June in the current year; or

(d) an Election Committee provisional register—

(i) if another Election Committee provisional register has been published during the term of office of the Election Committee—

(A) after the seventh day after the date on which that other register was last published; but

(B) not later than the date on which a specified declaration was made; or

(ii) if no Election Committee provisional register has been published during the term of office of the Election Committee—not later than the date on which a specified declaration was made.".

(2) Section 26(5)—

Repeal

everything after "of—"

Substitute

"(a) the functional constituencies provisional register or subsector provisional register for 2021—

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

(A) after 2 May 2020; but

(B) not later than 2 May 2021; or

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

(A) after 2 May 2020; but

(B) not later than 14 June 2021;

(b) the functional constituencies provisional register or subsector provisional register for 2022—

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

(A) after 2 May 2021; but

(B) not later than 2 June 2022; or

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

(A) after 14 June 2021; but

(B) not later than 2 June 2022;

(c) the functional constituencies provisional register or subsector provisional register for any year subsequent to 2022—

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

(ii) not later than 2 June in the current year; or

(d) an Election Committee provisional register—

(i) if another Election Committee provisional register has been published during the term of office of the Election Committee—

(A) after the seventh day after the date on which that other register was last published; but

(B) not later than the date on which a specified declaration was made; or

(ii) if no Election Committee provisional register has been published during the term of office of the Election Committee—not later than the date on which a specified declaration was made.”.

(3) Section 26(8), definition of ***specified period***—

Repeal

everything after “means”

Substitute

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

(a) if the requirement is made in relation to a request made by a person who is not an eligible person—

(i) within the period specified in subsection (4A)(a)(i)—11 May 2021; or

(ii) within the period specified in subsection (4A)(b)(i)—11 July 2022;

(b) if the requirement is made in relation to a request made by a person who is an eligible person—

(i) within the period specified in subsection (4A)(a)(ii)—

(A) in the case of a functional constituencies provisional register—14 August 2021; or

(B) in the case of a subsector provisional register—27 June 2021; or

(ii) within the period specified in subsection (4A)(b)(ii)—11 July 2022; or

(c) if the requirement is made in relation to a request made by any person within a period specified in subsection (4A)(c)—the first 11 July that follows the period.".

60. Section 26A amended (application for change of personal particulars in existing final register)

(1) Section 26A(3)—

Repeal

“, in the application,”.

(2) Section 26A—

Repeal subsection (5)

Substitute

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

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

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

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

(3) Section 26A(12)—

Repeal

everything after “of—”

Substitute

“(a) the functional constituencies provisional register or subsector provisional register for 2021—

(i) after 2 April 2020; but

(ii) not later than 2 April 2021;

(b) the functional constituencies provisional register or subsector provisional register for 2022—

(i) after 2 April 2021; but

(ii) not later than 2 June 2022;

(c) the functional constituencies provisional register or subsector provisional register for any year subsequent to 2022—

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

(ii) not later than 2 June in the current year; or

(d) an Election Committee provisional register—

(i) if another Election Committee provisional register has been published during the term of office of the Election Committee—

(A) after the seventh day after the date on which that other register was last published; but

(B) not later than the date on which a specified declaration was made; or

(ii) if no Election Committee provisional register has been published during the term of office of the Election Committee—not later than the date on which a specified declaration was made.".

61. Section 27 amended (what is to be contained in a functional constituencies provisional register)

(1) Section 27(1)(a)—

Repeal

"and 26A"

Substitute

", 26A and 28AA".

(2) Section 27(1)(c)(i)—

Repeal

everything after "Part IV—"

Substitute

"(A) for the functional constituencies provisional register to be compiled for 2021—during the period beginning on 3 May 2020 and ending on 14 August 2021;

(B) for the functional constituencies provisional register to be compiled for 2022—during the period beginning on 15 August 2021 and ending on 2 June 2022; or

(C) for the functional constituencies provisional register to be compiled for any year subsequent to 2022—during the period beginning on 3 June in the preceding year and ending on 2 June in the current year; and".

(3) Section 27(1)(c)(ii)—

Repeal

everything after "Officer—"

Substitute

"(A) for the functional constituencies provisional register to be compiled for 2021—during the period beginning on 3 May 2020 and ending on—

(I) for persons who are not eligible persons—2 May 2021; or

(II) for persons who are eligible persons—14 June 2021;

(B) for the functional constituencies provisional register to be compiled for 2022—during the period beginning on the following date and ending on 2 June 2022—

(I) for persons who are not eligible persons—3 May 2021; or

(II) for persons who are eligible persons—15 June 2021; or

(C) for the functional constituencies provisional register to be compiled for any year subsequent to 2022—during the period beginning on 3 June in the preceding year and ending on 2 June in the current year; and".

62. Section 28 amended (what is to be contained in a subsector provisional register)

(1) Section 28(1)(aa)—

Repeal

"and 26A"

Substitute

", 26A and 28AA".

(2) Section 28(1)(a)(i)—

Repeal

everything after "Part IV—"

Substitute

"(A) for the subsector provisional register to be compiled for 2021—during the period beginning on 3 May 2020 and ending on 14 June 2021;

(B) for the subsector provisional register to be compiled for 2022—during the period beginning on 15 June 2021 and ending on 2 June 2022; or

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

(3) Section 28(1)(a)(ii)—

Repeal

everything after "Officer—"

Substitute

"(A) for the subsector provisional register to be compiled for 2021—during the period beginning on 3 May 2020 and ending on—

(I) for persons who are not eligible persons—2 May 2021; or

(II) for persons who are eligible persons—14 June 2021;

(B) for the subsector provisional register to be compiled for 2022—during the period beginning on the following date and ending on 2 June 2022—

(I) for persons who are not eligible persons—3 May 2021; or

(II) for persons who are eligible persons—15 June 2021; or

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

(4) Section 28—

Repeal subsections (2) and (3).

63. Section 28AA added

After section 28—

Add

"**28AA. Treatment of particulars recorded in existing final registers for certain functional constituencies and subsectors in compiling functional constituencies provisional register and subsector provisional register for 2021**

(1) In compiling the functional constituencies provisional register for 2021, the Electoral Registration Officer is not required to include in that register, or the omissions list prepared in compiling that register, the personal particulars or relevant particulars of the persons whose names are recorded in the functional constituencies final register published in 2020 under the part for—

(a) the District Council (first) functional constituency;

(b) the District Council (second) functional constituency; or

(c) the information technology functional constituency.

(2) In compiling the subsector provisional register for 2021, the Electoral Registration Officer is not required to include in that register, or the omissions list prepared in compiling that register, the personal particulars or relevant particulars of the persons whose names are recorded in the subsector final register published in 2020 under the section for—

(a) the information technology subsector;

(b) the Hong Kong and Kowloon District Councils subsector; or

(c) the New Territories District Councils subsector.

(3) To avoid doubt, the Electoral Registration Officer is not, for the purposes of section 31(1)(a), regarded as having determined a person to be not eligible to be registered as an elector or voter only by reason of not having included the personal particulars or relevant particulars of that person in a provisional register or omissions list under subsection (1) or (2).".

64. Section 29 amended (Electoral Registration Officer to publish a notice that provisional register is available for public inspection)

(1) Section 29, heading—

Repeal

"**public inspection**"

Substitute

"**inspection by specified persons**".

(2) Section 29—

Repeal subsection (1)

Substitute

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

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

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

(b) not later than—

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

(ii) for the subsector provisional register compiled for 2021—27 June 2021;

(iii) for the functional constituencies provisional register or subsector provisional register compiled for any year subsequent to 2021—1 August in that year; or

(iv) for an Election Committee provisional register—the date by which the provisional register is required to be compiled under section 4 of the Schedule to the Chief Executive Election Ordinance (Cap. 569).".

(3) Section 29(1A)(b)—

Repeal

everything after "not later than—"

Substitute

"(i) for a functional constituencies provisional register or subsector provisional register—1 August in the year for which the provisional register is compiled; or

(ii) for an Election Committee provisional register—the date by which the provisional register is required to be compiled under section 4 of the Schedule to the Chief Executive Election Ordinance (Cap. 569).".

(4) Section 29(2)(a)—

Repeal

"public inspection"

Substitute

"inspection by specified persons".

(5) Section 29(2)(b)—

Repeal

"by the public".

(6) Section 29—

Repeal subsection (3)

Substitute

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

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

(b) for the subsector provisional register compiled for 2021—1 July 2021;

(c) for the functional constituencies provisional register or subsector provisional register compiled for any year subsequent to 2021—25 August in that year; or

(d) for an Election Committee provisional register—the seventh day after the date of notice.".

(7) Section 29(3)—

Repeal

"public inspection"

Substitute

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

(8) Section 29(3)—

Repeal

everything after "on—"

Substitute

"(a) for a functional constituencies provisional register or subsector provisional register—25 August in the same year; or

(b) for an Election Committee provisional register—the seventh day after the date of notice.".

(9) Section 29(4)—

Repeal

"public inspection"

Substitute

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

(10) After section 29(4)—

Add

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

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

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

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

(b) in relation to each body registered—

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

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

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

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

(4D) The Electoral Registration Officer must also, in a way the Officer considers appropriate, make available for inspection by a person registered in a functional

constituencies provisional register, subsector provisional register or Election Committee provisional register an extract from the register showing only the entry relating to that person in full.".

(11) Section 29—

Repeal subsection (5)

Substitute

"(5) The Electoral Registration Officer may require a person who wishes to inspect under this section a copy of, or an extract from, a functional constituencies provisional register, subsector provisional register or Election Committee provisional register, or a copy of a part or section of those registers, to—

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

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

(12) Section 29(5A)—

Repeal

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

(13) Section 29(6)—

Repeal

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

(14) After section 29(7)—

Add

"(8) In this section—

general public (一般人士) has the meaning given by section 25(7);

specified person (指明的人), in relation to a functional constituencies provisional register, subsector provisional register or Election Committee provisional register, means a person who is entitled to inspect under section 25 a copy of the omissions list prepared in compiling the register.".

65. Section 30 amended (person may object to registration of registered person in the register)

Section 30(2)(c)—

Repeal

everything after "Officer—"

Substitute

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

(ii) if the objection relates to a person registered in the subsector provisional register compiled for 2021—not later than 1 July 2021;

(iii) if the objection relates to a person registered in the functional constituencies provisional register or subsector provisional register compiled for any year subsequent to 2021—not later than 25 August in that year; or

(iv) if the objection relates to a person registered in an Election Committee provisional register—not later than the seventh day after the date of publication of the relevant Election Committee provisional register.".

66. Section 31 amended (who may lodge a notice of claim)

(1) Section 31—

Repeal subsection (6A).

(2) Section 31(8)—

Repeal

everything after "Officer—"

Substitute

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

(b) if the claim relates to a subsector register compiled, or the omissions list prepared in compiling the subsector provisional register, for 2021—not later than 1 July 2021;

(c) if the claim relates to a functional constituencies register or subsector register compiled, or the omissions list prepared in compiling the functional constituencies provisional register or subsector provisional register, for any year subsequent to 2021—not later than 25 August in that year; or

(d) if the claim relates to an Election Committee register or Election Committee omissions list—not later than the seventh day after the date of publication of the relevant Election Committee provisional register.".

(3) Section 31(9) and (9A)—

Repeal

"(8)(a)(i) or (ii)"

Substitute

"(8)(a), (b) or (c)".

67. Section 32 amended (Electoral Registration Officer to deliver copies of notices of objection, notices of claim and notices of appeal to Revising Officer)

(1) Section 32(2)—

Repeal

everything after "delivered—"

Substitute

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

(b) if the notice relates to a subsector register compiled, or the omissions list prepared in compiling the subsector provisional register, for 2021—not later than 2 July 2021;

(c) if the notice relates to a functional constituencies register or subsector register compiled, or the omissions list prepared in compiling the functional constituencies provisional register or subsector provisional register, for any year subsequent to 2021—not later than 29 August in that year; or

(d) if the notice relates to an Election Committee register or Election Committee omissions list—not later than the tenth day after the date of publication of the relevant Election Committee provisional register.".

(2) Section 32(3)(b)—

Repeal

everything after "31A(2)(d)—"

Substitute

"(i) if the notice is received on or before 26 August in a year—not later than 29 August in that year; or

(ii) if the notice is received after 26 August in a year—not later than 29 August in the following year.".

(3) Before section 32(6)(a)—

Add

"(aa) the notice of objection is made in relation to the functional constituencies provisional register or subsector provisional register compiled for 2021;".

(4) Before section 32(7)(a)—

Add

"(aa) the notice of claim is made in relation to the functional constituencies provisional register or subsector provisional register compiled for 2021;".

68. Section 34 amended (Electoral Registration Officer to correct entries in provisional register with approval of Revising Officer)

(1) Section 34—

Repeal subsection (1A).

(2) Section 34(2)—

Repeal

"or (1A)".

(3) Section 34(2)(a)—

Repeal

everything after "removal—"

Substitute

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

(ii) in relation to the subsector final register to be compiled for 2021—not later than 11 July 2021;

(iii) in relation to the functional constituencies final register or subsector final register to be compiled for any year subsequent to 2021—not later than 11 September in that year; or

(iv) in relation to an Election Committee final register—not later than the twentieth day after the date of publication of the relevant Election Committee provisional register; and".

69. Section 35 amended (what is to be contained in a functional constituencies final register)

Section 35—

Repeal subsection (5)

Substitute

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

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

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

70. Section 36 amended (what is to be contained in a subsector final register)

(1) Section 36—

Repeal subsection (5)

Substitute

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

(a) in relation to the subsector final register to be compiled for 2021—the period beginning on 27 June 2021 and ending on 11 July 2021; or

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

(2) Section 36—

Repeal subsection (6).

71. Section 37 amended (what is to be contained in an Election Committee interim register and an Election Committee final register)

Section 37(1)(c)—

Repeal

"2(8)"

Substitute

"5I, 5J".

72. Section 38 amended (Electoral Registration Officer to publish notice of and make available for public inspection functional constituencies final register and subsector final register)

(1) Section 38, heading—

Repeal

"**public inspection**"

Substitute

"**inspection by specified persons**".

(2) Section 38—

Repeal subsection (1)

Substitute

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

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

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

(b) not later than—

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

(ii) for the subsector final register compiled for 2021—25 July 2021; or

(iii) for the functional constituencies final register or subsector final register compiled for any year subsequent to 2021—25 September in that year.”.

(3) Section 38(1A)(b)—

Repeal

everything after “not later than”

Substitute

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

(4) Section 38(2)(a)—

Repeal

“and where applicable, the subsector final register,”

Substitute

“or a copy of the subsector final register (as the case may be)”.

(5) Section 38(2)(a)—

Repeal

“public inspection”

Substitute

“inspection by specified persons”.

(6) Section 38(2)(b)—

Repeal

“inspected by the public”

Substitute

“so inspected”.

(7) Section 38—

Repeal subsection (2A).

(8) Section 38(3)—

Repeal

"public inspection"

Substitute

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

(9) Section 38(3)—

Repeal

"and where applicable, the subsector final register,"

Substitute

"or a copy of the subsector final register (as the case may be)".

(10) Section 38(4)—

Repeal

"public inspection"

Substitute

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

(11) After section 38(4)—

Add

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

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

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

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

(b) in relation to each body registered—

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

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

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

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

(a) for a person being a validly nominated candidate for a functional constituency—a copy of the part of the functional constituencies final register that relates to that functional constituency; or

(b) for a person being a validly nominated candidate for a subsector—a copy of the section of the subsector final register that relates to that subsector.

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

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

(12) Section 38—

Repeal subsection (4A)

Substitute

"(4A) The Electoral Registration Officer may require a person who wishes to inspect under this section a copy of, or an extract from, a functional constituencies final register or subsector final register, or a copy of a part or section of those registers, to—

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

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

(13) Section 38(5)—

Repeal

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

(14) Section 38(6)—

Repeal

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

(15) After section 38(6)—

Add

"(7) In this section—

coming election (下一個選舉) means—

(a) in relation to a functional constituencies final register—any of the following elections that is held within 1 year after the publication date—

(i) a Legislative Council general election;

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

(b) in relation to a subsector final register—any of the following elections that is held within 1 year after the publication date—

(i) a subsector ordinary election;

(ii) a subsector by-election;

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

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

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

previous election (先前的選舉) means—

(a) in relation to a functional constituencies final register—

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

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

(b) in relation to a subsector final register—

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

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

publication date (刊登日期) means—

(a) in relation to a functional constituencies final register—the date on which a notice relating to the register is published under subsection (1); or

(b) in relation to a subsector final register—the date on which a notice relating to the register is published under subsection (1);

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

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

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

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

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

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

(c) a person who is—

(i) for a functional constituencies final register—a validly nominated candidate for a functional constituency at a coming election; or

(ii) for a subsector final register—a validly nominated candidate for a subsector at a coming election; or

(d) any member of the public who does not fall within paragraphs (a), (b) and (c);

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

subsector ordinary election (界別分組一般選舉) has the meaning given by section 1(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569).".

73. Section 39 amended (publication of an Election Committee interim register and an Election Committee final register)

(1) Section 39(2)(a)—

Repeal

"public inspection"

Substitute

"inspection by specified persons".

(2) Section 39(2)(b)—

Repeal

"inspected by the public"

Substitute

"so inspected".

(3) Section 39(3)—

Repeal

"public inspection"

Substitute

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

(4) Section 39(4)—

Repeal

"public inspection"

Substitute

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

(5) After section 39(4)—

Add

"(4AA) The Electoral Registration Officer must, in a copy of an Election Committee interim register or Election Committee final register, or a copy of any part of an Election Committee interim register or Election Committee final register, that is made available for inspection by specified persons under this section,

show the name of each person registered in a way that—

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

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

(4AAB) Subsection (4AA) does not affect the way in which any other particulars of a person registered in an Election Committee interim register or Election Committee final register may be shown.

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

(6) Section 39—

Repeal subsection (4A)

Substitute

"(4A) The Electoral Registration Officer may require a person who wishes to inspect under this section a copy of, or an extract from, an Election Committee interim register or Election Committee final register, or a copy of a part of such register, to—

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

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

(7) After section 39(5)—

Add

"(6) In this section—

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

coming election (下一個選舉), in relation to an Election Committee interim register or Election Committee final register, means—

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

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

(i) a Legislative Council general election;

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

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

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

previous election (先前的選舉), in relation to an Election Committee interim register or Election Committee final register, means—

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

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

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

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

specified person (指明的人), in relation to an Election Committee interim register or Election Committee final register, means—

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

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

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

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

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

(c) a person who is a validly nominated candidate for a coming election.”.

74. Section 41 amended (Electoral Registration Officer may make available extracts of registers for purposes of an election)

(1) Section 41, heading, after "**registers**"—

Add

"**to specified persons**".

(2) Section 41(1)—

Repeal

", to any person that Officer considers appropriate"

Substitute

"to a specified person".

(3) Section 41—

Repeal subsection (5)

Substitute

"(5) In this section—

election (選舉) means—

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

(b) an election as defined by section 2(1) of the Chief Executive Election Ordinance (Cap. 569); or

(c) an Election Committee subsector election;

specified person (指明的人) means—

(a) in relation to a functional constituencies provisional register, subsector provisional register or Election Committee provisional register—a person who is entitled to inspect under section 25 a copy of the omissions list prepared in compiling the register by virtue of being a person falling within paragraph (a)(ii)

of the definition of ***specified person*** in section 25(7);

(b) in relation to a functional constituencies final register or subsector final register—a person falling within paragraph (b) or (c) of the definition of ***specified person*** in section 38(7); or

(c) in relation to an Election Committee interim register or Election Committee final register—a person falling within paragraph (b) or (c) of the definition of ***specified person*** in section 39(6).".

75. Section 42 amended (offences and penalties)

Section 42(9)(c)—

Repeal

", 18 and 30"

Substitute

"and 18".

Division 4—Electoral Affairs Commission (Nominations Advisory Committees (Legislative Council)) Regulation (Cap. 541 sub. leg. C)

76. Section 1 amended (interpretation)

(1) Section 1(1), definition of ***candidate***—

Repeal

everything after "means—"

Substitute

"(a) in relation to a geographical constituency—a person who is nominated to be returned as a Member for that geographical constituency at a general election or by-election;

(b) in relation to a functional constituency—a person who is nominated to be returned as a Member for that functional constituency at a general election or by-election; or

(c) in relation to the Election Committee constituency—a person who is nominated to be returned as a Member for the Election Committee constituency at a general election or by-election;".

(2) Section 1(1), definition of ***geographical constituency***, after "of"—

Add

", or Schedule 6 to,".

(3) Section 1(1), definition of ***nomination form***—

Repeal

everything after "for the purposes of—"

Substitute

"(a) in relation to a geographical constituency—nominating a candidate to be returned as a Member for that geographical constituency;

(b) in relation to a functional constituency—nominating a candidate to be returned as a Member for that functional constituency; or

(c) in relation to the Election Committee constituency—nominating a candidate to be returned as a Member for the Election Committee constituency;".

(4) Section 1(1)—

Add in alphabetical order

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

77. Section 3 amended (functions)

(1) Section 3(1)(a)(i)—

Repeal

"or a functional"

Substitute

", a functional constituency or the Election Committee".

(2) Section 3(1)(b)(i)—

Repeal

"or a functional"

Substitute

", a functional constituency or the Election Committee".

78. Section 5 amended (procedure relating to applications by prospective candidates)

(1) Section 5(1)—

Repeal

everything after "nominated as a candidate"

Substitute

"in respect of—

(a) a geographical constituency;

(b) a functional constituency; or

(c) the Election Committee constituency.”.

(2) Section 5(6)—

Repeal

everything after “may”

Substitute

“, under subsection (1), make—

(a) only 1 application in respect of the geographical constituencies;

(b) only 1 application in respect of each functional constituency; and

(c) only 1 application in respect of the Election Committee constituency.”.

(3) Section 5(9)—

Repeal

everything after “may”

Substitute

“, under subsection (1)(b), but subject to subsection (6)(b), apply for advice in respect of more than one functional constituency.”.

(4) Section 5(11)(a)—

Repeal

“geographical constituency or the functional constituency, as the case may be”

Substitute

“constituency to which the application relates”.

79. Section 6 amended (procedure relating to applications by Returning Officers)

(1) Section 6(1)—

Repeal

everything after "a geographical constituency"

Substitute

", a functional constituency or the Election Committee constituency (***relevant constituency***) is eligible to be, or is disqualified from being, nominated as a candidate in respect of the relevant constituency.".

(2) Section 6(4)—

Repeal

"that geographical constituency or functional"

Substitute

"the relevant".

(3) Section 6(5)—

Repeal

"making a decision"

Substitute

"forming an opinion".

(4) Section 6(5)—

Repeal

"validly nominated"

Substitute

"eligible to be, or is disqualified from being, nominated as a candidate".

(5) Section 6(5)—

Repeal

"or a functional"

Substitute

", a functional constituency or the Election Committee".

(6) Section 6(6)—

Repeal

everything after "appointed for the"

Substitute

"relevant constituency.".

Division 5—Electoral Affairs Commission (Electoral Procedure) (Legislative Council) Regulation (Cap. 541 sub. leg. D)

80. Section 2 amended (interpretation)

(1) Section 2(1), definition of ***candidate***—

Repeal

everything after "subsection (2)"

Substitute

"—

(a) in relation to a particular geographical constituency—a candidate who is validly nominated to be returned as a Member for that geographical constituency at a general election or by-election;

(b) in relation to a particular functional constituency—a candidate who is validly nominated to be returned as a Member for that functional constituency at a general election or by-election; and

(c) in relation to the Election Committee constituency—a candidate who is validly nominated to be returned as a Member for the Election Committee constituency at a general election or by-election;".

(2) Section 2(1), definition of ***central counting station***, after "constituencies"—

Add

"and the Election Committee constituency".

(3) Section 2(1), definition of ***constituency***—

Repeal

"or a functional"

Substitute

", a functional constituency or the Election Committee".

(4) Section 2(1), definition of ***election notice***—

Repeal

everything after "means"

Substitute

"—

(a) in relation to a geographical constituency—a notice published under section 4;

(b) in relation to a functional constituency—a notice published under section 5; and

(c) in relation to the Election Committee constituency—a notice published under section 6A;".

(5) Section 2(1), definition of ***FC ballot paper***—

Repeal

everything after "vote for"

Substitute

"a candidate standing for election for a functional constituency;".

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

Repeal

everything after "means—"

Substitute

"(a) the geographical constituencies final register;

(b) the functional constituencies final register; or

(c) the Election Committee final register;".

(7) Section 2(1), definition of ***geographical constituency*** or ***GC***, after "of"—

Add

", or Schedule 6 to,".

(8) Section 2(1), definition of ***nomination form***—

Repeal

"or 11(1)"

Substitute

", 11(1) or 12A(1)".

(9) Section 2(1), definition of ***nomination period***—

Repeal

everything after "means"

Substitute

"—

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

(b) in relation to nominations for a functional constituency—the period specified under section 5(2)(b);

(c) in relation to nominations for the Election Committee constituency—the period specified under section 6A(2)(b); and

(d) for a by-election for a constituency—the relevant period specified under section 8(7)(a);".

(10) Section 2(1), definition of ***notice appointing the election day***—

Repeal

everything after "return—"

Substitute

"(a) the Members to be returned for geographical constituencies;

(b) the Members to be returned for functional constituencies; or

(c) the Members to be returned for the Election Committee constituency;".

(11) Section 2(1), definition of ***notice of nominations***—

Repeal

everything after "under"

Substitute

"section 21;".

(12) Section 2(1), definition of ***ordinary business hours***, paragraph (b)(i), after "5(1)"—

Add

", 6A(1)".

(13) Section 2(1), definition of ***specified address***—

Repeal

"or a functional"

Substitute

", a functional constituency or the Election Committee".

(14) Section 2(1), definition of ***validly nominated candidate***, paragraph (a)—

Repeal

"Returning Officer"

Substitute

"Candidate Eligibility Review Committee".

(15) Section 2(1)—

(a) definition of ***list of candidates***;

(b) definition of ***multiple candidates list***;

(c) definition of ***multiple nominees list***;

(d) definition of ***nomination list***;

(e) definition of ***ordinary functional constituencies***;

(f) definition of ***single candidate list***;

(g) definition of ***single nominee list***;

(h) definition of ***special functional constituencies***;

(i) definition of ***verification of the ballot paper account***—

Repeal the definitions.

(16) Section 2(1)—

Add in alphabetical order

"***Candidate Eligibility Review Committee*** (候選人資格審查委員會) has the meaning given by section 3(1) of the Legislative Council Ordinance (Cap. 542);

ECC ballot paper (選委會界別選票) means a ballot paper to vote for a candidate standing for election for the Election Committee constituency;

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

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

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

(17) Section 2(2)(a)—

Repeal

"(including a person whose name appears on a nomination list as a nominee)".

(18) Section 2(2)(b)—

Repeal

everything after "at the election"

Substitute a full stop.

(19) Section 2(3)—

Repeal

everything after "construed"

Substitute

"—

(a) in relation to a geographical constituency—as the Returning Officer appointed for that geographical constituency;

(b) in relation to a functional constituency—as the Returning Officer appointed for that functional constituency; and

(c) in relation to the Election Committee constituency—as the Returning Officer appointed for the Election Committee constituency.".

(20) Section 2—

Repeal subsection (4).

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

Section 2A(1), definition of ***working day***, paragraph (b)(i), after "5(1)"—

Add

", 6A(1)".

82. Section 6A added

Before section 7—

Add

"**6A. Chief Electoral Officer to publish notice specifying period and place for submitting nomination forms for Election Committee constituency**

(1) As soon as practicable after the publication of the notice appointing the election day, the Chief Electoral Officer must publish in the Gazette, for the Election Committee constituency, a notice that complies with subsection (2).

(2) A notice mentioned in subsection (1) must state—

(a) the number of Members to be returned for the Election Committee constituency;

(b) the period within which nomination forms for the Election Committee constituency are to be submitted to the Returning Officer;

(c) the address at which the nomination forms are to be submitted;

(d) that nomination forms must be submitted during ordinary business hours;

(e) the date on which the election for the Election Committee constituency is to be held; and

(f) that a poll will be held on the date referred to in paragraph (e) for the Election Committee constituency, if the number of validly nominated candidates standing for that constituency exceeds the number of Members to be returned for that constituency.".

83. Section 8 amended (Chief Electoral Officer to publish by-election notice if a by-election is to be held under section 36 of the Legislative Council Ordinance)

(1) Before section 8(5)—

Add

"(4A) If a by-election is to be held for the Election Committee constituency, the by-election notice must state the number of Members to be returned for that constituency at the by-election.".

(2) Section 8(5)—

Repeal

"and (3)"

Substitute

", (3) and (4A)".

(3) Section 8(6)—

Repeal

everything after "the geographical constituency"

Substitute

", functional constituency or Election Committee constituency exceeds the number of Members to be returned for that constituency at the by-election.".

84. Section 10 amended (how to nominate a candidate for a geographical constituency or District Council (second) functional constituency)

(1) Section 10, heading—

Repeal

"**or District Council (second) functional constituency**".

(2) Section 10(1)—

Repeal

everything after "geographical constituency"

Substitute

"by submitting to the Returning Officer a nomination form that complies with this section.".

(3) Section 10(2)—

Repeal

"for the purposes of subsection (1)".

(4) Section 10(4)—

Repeal

"Each candidate on a nomination list"

Substitute

"The candidate".

(5) Section 10—

Repeal subsections (5) and (6)

Substitute

"(5) The nomination form must contain a declaration by the candidate to the effect that the candidate—

(a) is eligible to be nominated as a candidate for a geographical constituency;

(b) is not disqualified from being so nominated; and

(c) consents to being so nominated.

(6) The nomination form—

(a) must contain—

(i) the name of the candidate as shown on the candidate's identity document (being the identity document on the basis of which the particulars of the candidate are recorded in the geographical constituencies final register); and

(ii) the identity document number and address of the candidate; and

(b) if the Returning Officer is satisfied that the candidate is usually known by a name different from that shown on the identity document mentioned in paragraph (a)(i)—may also include that different name.".

(6) Section 10(7)—

Repeal

"each candidate"

Substitute

"the candidate".

(7) Section 10(10)—

Repeal

everything after "considers appropriate"

Substitute

"for enabling the Candidate Eligibility Review Committee to be satisfied—

(a) that the candidate is eligible to be nominated as a candidate for a geographical constituency; or

(b) otherwise as to the validity of the nomination.".

(8) After section 10(10)—

Add

"(10A) Only 1 person can be nominated by each nomination form.".

(9) Section 10(12)—

Repeal

", or one of the candidates, on the nomination list".

85. Section 11 amended (how to nominate a candidate for a functional constituency (other than District Council (second) functional constituency))

(1) Section 11, heading—

Repeal

"**(other than District Council (second) functional constituency)**".

(2) Section 11(1)—

Repeal

everything after "a functional constituency"

Substitute

"by submitting to the Returning Officer a nomination form that complies with this section.".

(3) Section 11—

Repeal subsection (6)

Substitute

"(6) The nomination form—

(a) must contain—

(i) the name of the candidate as shown on the candidate's identity document (being the identity document on the basis of which the particulars of the candidate are recorded in the geographical constituencies final register); and

(ii) the identity document number and address of the candidate; and

(b) if the Returning Officer is satisfied that the candidate is usually known by a name different from that shown on the identity document mentioned in paragraph (a)(i)—may also include that different name.".

(4) Section 11(11)—

Repeal

everything after "considers appropriate"

Substitute

"for enabling the Candidate Eligibility Review Committee to be satisfied—

(a) that the candidate is eligible to be nominated as a candidate for the functional constituency concerned; or

(b) otherwise as to the validity of the nomination.".

(5) Section 11—

Repeal subsection (12)

Substitute

"(12) Only 1 person can be nominated by each nomination form.".

(6) Section 11(14)—

Repeal

everything after "candidate"

Substitute

"—

(a) in person; or

(b) in a way authorized by the Chief Electoral Officer.".

86. Section 12A added

Before section 13—

Add

"**12A. How to nominate candidate for Election Committee constituency**

(1) A person is to be nominated as a candidate for the Election Committee constituency by submitting to the Returning Officer a nomination form that complies with this section.

(2) The nomination form must be submitted in accordance with this section.

(3) The nomination form must be—

(a) in the specified form; and

(b) subscribed in accordance with the Legislative Council (Subscribers and Election Deposit for Nomination) Regulation (Cap. 542 sub. leg. C).

(4) The candidate must make the declarations and promissory oath required by section 40(1)(b) of the Legislative Council Ordinance (Cap. 542) in the appropriate place on the nomination form.

(5) The nomination form must contain a declaration by the candidate to the effect that the candidate—

(a) is eligible to be nominated as a candidate for the Election Committee constituency;

(b) is not disqualified from being so nominated; and

(c) consents to being so nominated.

(6) The nomination form—

(a) must contain—

(i) the name of the candidate as shown on the candidate's identity document (being the identity document on the basis of which the particulars of the candidate are recorded in the geographical constituencies final register); and

(ii) the identity document number and address of the candidate; and

(b) if the Returning Officer is satisfied that the candidate is usually known by a name different from that shown on the identity document mentioned in paragraph (a)(i)—may also include that different name.

(7) The nomination form must be signed by the candidate in each place the candidate's signature is required on that form.

(8) The nomination form must—

(a) be signed by each subscriber; and

(b) contain the name and identity document number of each subscriber.

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

(10) The Returning Officer may require a candidate to furnish any other information that Officer considers appropriate for enabling the Candidate Eligibility Review Committee to be satisfied—

(a) that the candidate is eligible to be nominated as a candidate for the Election Committee constituency; or

(b) otherwise as to the validity of the nomination.

(11) Only 1 person can be nominated by each nomination form.

(12) The nomination form must be submitted to the Returning Officer within the nomination period at the specified address.

(13) The nomination form must be submitted by the candidate—

(a) in person; or

(b) in a way authorized by the Chief Electoral Officer.”.

87. Section 15 amended (Returning Officer not to accept nomination form without deposit and to issue receipt for deposit)

Section 15(3), Chinese text—

Repeal

“地方選區或功能”

Substitute

“選區或”.

88. Section 16 amended (Returning Officer to decide whether candidates are validly nominated)

(1) Section 16, heading—

Repeal

"**Returning Officer**"

Substitute

"**Candidate Eligibility Review Committee**".

(2) Section 16—

Repeal subsection (1)

Substitute

"(1) The Returning Officer must, as soon as practicable after receiving a nomination form, forward the form to the Candidate Eligibility Review Committee.

(1A) The Candidate Eligibility Review Committee must, as soon as practicable after receiving a nomination form forwarded by the Returning Officer, decide whether a candidate is validly nominated.".

(3) Section 16(2)—

Repeal

"or 11 (as may be applicable) and sections 37, 39 and 40 of the Legislative Council Ordinance (Cap. 542) are complied with"

Substitute

", 11 or 12A (as may be applicable), and sections 37, 39 and 40 of the Legislative Council Ordinance (Cap. 542), are complied with in relation to a candidate".

(4) Section 16(2)(a)—

Repeal

"Returning Officer"

Substitute

"Candidate Eligibility Review Committee".

(5) Section 16(3)—

Repeal

"Returning Officer may"

Substitute

"Candidate Eligibility Review Committee may".

(6) Section 16(3)(c)—

Repeal

"Returning Officer"

Substitute

"Candidate Eligibility Review Committee".

(7) Section 16(3)—

Repeal paragraph (d)

Substitute

"(d) the nomination form relates to a constituency but—

(i) the candidate has been nominated for another constituency in the same election; and

(ii) the Candidate Eligibility Review Committee is satisfied that the other candidature has not been withdrawn;".

(8) After section 16(3)—

Add

"(3A) In deciding whether a candidate is validly nominated for a constituency, the Candidate Eligibility Review Committee—

(a) may require the Returning Officer to advise the Committee, and have regard to such advice of the Returning Officer, as to any of the matters specified in subsection (3B); and

(b) may require the candidate to furnish any other information that Committee considers appropriate to be satisfied—

(i) that the candidate is eligible to be nominated as a candidate for the constituency concerned; or

(ii) otherwise as to the validity of the nomination.

(3B) The matters specified for subsection (3A)(a) are—

(a) whether, in the opinion of the Returning Officer, section 10, 11 or 12A (as may be applicable) are complied with in relation to the candidate;

(b) subject to subsection (3C), whether, in the opinion of the Returning Officer, sections 37, 39 and 40 of the Legislative Council Ordinance (Cap. 542) are complied with in relation to the candidate;

(c) whether, in the opinion of the Returning Officer, the nomination form of the candidate is valid;

(d) whether the candidate has withdrawn candidature for that constituency;

(e) whether the nomination form of the candidate has been signed by the prescribed number of subscribers qualified to subscribe to the nomination form under the Legislative Council (Subscribers and Election Deposit for Nomination) Regulation (Cap. 542 sub. leg. C);

(f) whether the nomination form of the candidate has been completed or signed as required under this Regulation;

(g) in the opinion of the Returning Officer—

(i) whether the candidate is eligible to be nominated as a candidate under the Legislative Council Ordinance (Cap. 542); and

(ii) whether the candidate is disqualified from being nominated as a candidate under that Ordinance;

(h) whether the candidate has been nominated for another constituency in the same election and, if so, whether the other candidature has been withdrawn;

(i) whether the candidate has lodged the appropriate deposit; and

(j) whether, according to the information available to the Returning Officer, the candidate is dead.

(3C) For the purposes of subsection (3B)(b), the Returning Officer is not to advise on whether a candidate has complied with section 40(1)(b)(i) of the Legislative Council Ordinance (Cap. 542).".

(9) Section 16(4), after "number of subscribers"—

Add

"(including how such subscribers are to be composed of)".

(10) After section 16(4)—

Add

"(5) In this section, a reference to section 37, 39 or 40 of the Legislative Council Ordinance (Cap. 542) being complied with in relation to a candidate for constituency is to be construed as follows—

(a) for section 37 of that Ordinance—that the candidate is eligible to be nominated as a candidate at an election for that constituency under that section;

(b) for section 39 of that Ordinance—that the candidate is not disqualified from being nominated as a candidate at an election for that constituency under that section; and

(c) for section 40 of that Ordinance—that the candidate has complied with that section.".

89. Section 17 amended (Returning Officer to have regard to advice of Nominations Advisory Committee)

Section 17—

Repeal

"deciding under section 16"

Substitute

"forming an opinion for the purposes of section 16(3A)(a) and (3B)(g) as to".

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

(1) Section 18(1)—

Repeal

"making a decision under section 16"

Substitute

"forming an opinion for the purposes of section 16(3A)(a) and (3B)(c) as to whether the nomination form is valid".

(2) Section 18—

Repeal subsection (2).

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

(1) Section 19, heading—

Repeal

"**Returning Officer to endorse invalid nomination forms**"

Substitute

"**Candidate Eligibility Review Committee to endorse invalid nomination forms and Returning Officer to notify candidates of decision as to validity of nomination**".

(2) Section 19—

Repeal subsection (1)

Substitute

"(1) If the Candidate Eligibility Review Committee decides that the nomination of a candidate is invalid, the Committee must endorse on the nomination form the decision and the reasons for it.".

(3) Section 19(2)—

Repeal

"Returning Officer"

Substitute

"Candidate Eligibility Review Committee".

(4) After section 19(2)—

Add

"(2A) The Candidate Eligibility Review Committee must, after deciding whether a person is validly nominated—

(a) inform the Returning Officer of the decision; and

(b) return the nomination form to the Returning Officer for retention.".

(5) Section 19(3)—

Repeal

"a decision that a person is validly nominated or is not validly nominated"

Substitute

"the Candidate Eligibility Review Committee's decision mentioned in subsection (1)".

92. Section 21 amended (Returning Officer to publish a notice of particulars of validly nominated candidates)

(1) Section 21—

Repeal subsections (2) and (3)

Substitute

"(2) A notice under subsection (1) must be published for—

(a) all geographical constituencies and functional constituencies; and

(b) the Election Committee constituency.

(3) For the purposes of subsection (2)(a)—

(a) separate notices may be published for each geographical constituency and each functional constituency; or

(b) 1 notice may be published for all the geographical constituencies and 1 notice may be published for all the functional constituencies.

(3A) For the purposes of subsection (2)(b), a separate notice must be published for the Election Committee constituency.".

(2) Section 21—

Repeal subsection (4)

Substitute

"(4) A notice published for a geographical constituency must state—

(a) the name and address of each validly nominated candidate for that geographical constituency; and

(b) the number allocated to each candidate under section 49(6A).".

(3) Section 21—

Repeal subsection (4A).

(4) Section 21(5)—

Repeal

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

(5) Section 21(5)—

Repeal paragraph (b)

Substitute

"(b) the code assigned to that functional constituency under section 49(8) followed by the number allocated to each candidate under section 49(8A).".

(6) Before section 21(7)—

Add

"(6A) A notice published for the Election Committee constituency must state—

(a) the name and address of each validly nominated candidate for the Election Committee constituency; and

(b) the number allocated to each candidate under section 49(10B).".

93. Section 22 amended (Returning Officer to publish a notice for the purposes of section 46(1) of the Legislative Council Ordinance)

(1) Before section 22(4)—

Add

"(3A) If, for the Election Committee constituency, no more candidates have been validly nominated than the number of Members to be returned for that constituency, the Returning Officer must, in the notice published for that constituency under section 21 or in a separate notice, declare, for the purposes of section 46(1) of the Legislative Council Ordinance (Cap. 542), the candidate or candidates as being duly elected as a Member or Members for that constituency.".

(2) Section 22(4)—

Repeal

"or (2)"

Substitute

", (2) or (3A)".

94. Section 22A amended (Returning Officer to notify and declare if a validly nominated candidate for a geographical constituency or District Council (second) functional constituency is proved to have died)

(1) Section 22A, heading—

Repeal

"**a geographical constituency or District Council (second) functional**"

Substitute

"**Election Committee**".

(2) Section 22A(1)(b)—

Repeal

"constituency concerned"

Substitute

"Election Committee constituency".

(3) Section 22A—

Repeal subsection (2)

Substitute

"(2) The Returning Officer under subsection (1) must—

(a) endorse on the nomination form of the deceased candidate that the candidate has died; and

(b) sign the endorsement.".

(4) Section 22A(4)—

Repeal

"(2)(b) or".

(5) Section 22A(4)—

Repeal paragraph (b)

Substitute

"(b) that the deceased candidate was nominated for the Election Committee constituency; and".

(6) Section 22A(4)(c)—

Repeal

"constituency concerned"

Substitute

"Election Committee constituency".

(7) Section 22A(5)—

Repeal paragraph (b)

Substitute

"(b) that the deceased candidate was nominated for the Election Committee constituency; and".

(8) Section 22A(5)(c)—

Repeal

"constituency concerned"

Substitute

"Election Committee constituency".

(9) Section 22A—

Repeal subsection (6).

95. Section 22B amended (Returning Officer to notify and declare if a validly nominated candidate for a geographical constituency or District Council (second) functional constituency is proved to be disqualified)

(1) Section 22B, heading—

Repeal

"**a geographical constituency or District Council (second) functional**"

Substitute

"**Election Committee**".

(2) Section 22B(1)—

Repeal

"that Officer"

Substitute

"the Candidate Eligibility Review Committee".

(3) Section 22B(1)(b)—

Repeal

"constituency concerned"

Substitute

"Election Committee constituency".

(4) Section 22B—

Repeal subsection (2)

Substitute

"(2) The Candidate Eligibility Review Committee must—

(a) endorse on the nomination form of the disqualified candidate that the Committee's decision made under section 42A(1) of the Legislative Council Ordinance (Cap. 542) in relation to that candidate is varied and the reason for the variation of decision; and

(b) sign the endorsement.".

(5) Section 22B(3)—

Repeal

"that Officer"

Substitute

"the Candidate Eligibility Review Committee".

(6) Section 22B(4)—

Repeal

"(2)(b) or".

(7) Section 22B(4)—

Repeal paragraph (b)

Substitute

"(b) that the disqualified candidate was nominated for the Election Committee constituency;".

(8) Section 22B(4)(c)—

Repeal

"Returning Officer"

Substitute

"Candidate Eligibility Review Committee".

(9) Section 22B(4)(d)—

Repeal

"constituency concerned"

Substitute

"Election Committee constituency".

(10) Section 22B(5)—

Repeal paragraph (b)

Substitute

"(b) that the disqualified candidate was nominated for the Election Committee constituency; and".

(11) Section 22B(5)(c)—

Repeal

"constituency concerned"

Substitute

"Election Committee constituency".

(12) Section 22B—

Repeal subsection (6).

96. Section 22C amended (no poll upon death or disqualification of candidate for a geographical constituency or District Council (second) functional constituency under certain circumstances)

(1) Section 22C, heading—

Repeal

"**a geographical constituency or District Council (second) functional**"

Substitute

"**Election Committee**".

(2) Section 22C(1)(a), (b) and (c)—

Repeal

"constituency concerned"

Substitute

"Election Committee constituency".

(3) Section 22C(1), Chinese text—

Repeal

"該選區或選舉界別" (wherever appearing)

Substitute

"該界別".

(4) Section 22C—

Repeal subsection (5).

97. Section 23 amended (a candidate or a list of candidates may appoint election agent)

(1) Section 23, heading—

Repeal

"**or a list of candidates**".

(2) Section 23—

Repeal subsections (1) and (2).

(3) Section 23—

Repeal subsection (3)

Substitute

"(3) Each candidate for a constituency may appoint 1 person as the candidate's election agent.".

(4) Section 23—

Repeal subsection (6)

Substitute

"(6) A candidate must give notice of appointment of the candidate's election agent to the Returning Officer.".

(5) Section 23(9)—

Repeal

everything after "the candidate"

Substitute a full stop.

(6) Section 23(10)—

Repeal

"or a nomination list or a list of candidates".

(7) Section 23(11)—

Repeal

everything after "the revocation.".

(8) Section 23(12)—

Repeal

everything after "the candidate"

Substitute a full stop.

(9) Section 23(14)—

Repeal

"or, in the case of a multiple nominees list or a multiple candidates list, all the candidates on the relevant list jointly,".

(10) Section 23(17)—

Repeal

"or the candidates on a nomination list or a list of candidates".

(11) Section 23(17)—

Repeal

"or by the candidates on a nomination list or a list of candidates, as the case may be".

(12) Section 23(18)(a)—

Repeal

"or 11"

Substitute

“, 11 or 12A”.

(13) Section 23(19)—

Repeal

“or list of candidates”.

(14) Section 23(19), Chinese text—

Repeal

“或同一份候選人名單上的候選人”.

(15) Section 23(21)—

Repeal

“, any candidate on the list of candidates”.

98. Section 24 amended (Returning Officer to send to other candidates a notice of particulars of election agent)

(1) Section 24—

Repeal subsection (1).

(2) Section 24(2)—

Repeal

“functional constituency (other than the District Council (second) functional constituency),”

Substitute

“constituency”.

(3) Section 24(4)—

Repeal

“subsections (1) and (2)”

Substitute

“subsection (2)”.

(4) Section 24(5)—

Repeal

"(1) or".

(5) Section 24(9)—

Repeal

"(1) or".

99. Section 25 amended (authorization of election expense agent to incur election expenses at or in connection with an election)

(1) Section 25(8)—

Repeal

", or each of the candidates,".

(2) Section 25(15)—

Repeal

", or each of the candidates,".

100. Section 27 amended (appointment and notification of polling hours)

Section 27(4)—

Repeal

everything after "specifying"

Substitute

"—

(a) the polling hours for the geographical constituencies, functional constituencies and Election Committee constituency; and

(b) if appropriate, the polling hours for each polling station.".

101. Section 28 amended (designation of polling stations, counting stations and ballot paper sorting stations)

Section 28(9)(a)(ii), after "constituencies"—

Add

"and the Election Committee constituency".

102. Section 28A added

After section 28—

Add

"**28A. Chief Electoral Officer may require certain premises for use as polling stations or counting stations**

(1) For the purposes of section 28(1)(a), (b) or (c), the Chief Electoral Officer may, by written notice, require an owner or occupier of any target premises to—

(a) allow an authorized person to carry out a site visit at the premises for enabling the Officer to determine whether the premises are suitable for use as a polling station or counting station in an election; and

(b) if the Officer considers the premises suitable—take the steps specified in subsection (2).

(2) The steps specified for the purposes of subsection (1)(b) are—

(a) to make available the premises for use as a polling station or counting station in the election; and

(b) to allow an authorized person to carry out preparatory work and store materials at the premises for a purpose relating to such use.

(3) If any target premises are used as a polling station or counting station as a result of a person's compliance with a requirement made under subsection (1), the Chief Electoral Officer must pay to the person a user fee for the period during which the premises are so used.

(4) The amount of the user fee payable under subsection (3) is to be—

(a) agreed between the person and the Chief Electoral Officer; or

(b) if no agreement can be reached—determined by the court by reference to the loss suffered by the person for making available the premises.

(5) A person who fails to comply with a requirement made under subsection (1) is liable to pay a financial penalty of $10,000.

(6) For the purposes of this section—

(a) a user fee payable under subsection (3) is recoverable as a civil debt due from the Government; and

(b) a financial penalty payable under subsection (5) is recoverable as a civil debt due to the Government.

(7) In this section—

authorized person (獲授權人) means a person authorized in writing by the Chief Electoral Officer for the purposes of this section;

occupier (佔用人), in relation to any target premises—

(a) means a tenant, subtenant or any other person in lawful occupation of the premises; but

(b) does not include an owner of the premises;

owner (業主), in relation to any target premises, means—

(a) a person who appears from the records at the Land Registry to be the owner of—

(i) the land on which the premises situate; or

(ii) if the land is divided into shares—an undivided share in the land that relates to the premises; and

(b) a registered mortgagee in possession of such land or share;

target premises (目標處所) means a school or building described in section 28(2)(c) or (d) or any part of it.".

103. Section 30 amended (Chief Electoral Officer to assign polling stations for constituencies and to allocate polling stations to electors and authorized representatives)

(1) Section 30(2)—

Repeal

everything after "voting for"

Substitute

"any combination of the following constituencies to take place at a GC polling station—

(a) one or more geographical constituencies;

(b) one or more functional constituencies;

(c) the Election Committee constituency.".

(2) Section 30(4)(a)—

Repeal

"paragraph (aa)"

Substitute

"paragraphs (aa) and (ab)".

(3) After section 30(4)(aa)—

Add

"(ab) may allocate to a GC elector who is also entitled to vote for the Election Committee constituency a GC polling station that is also assigned for conducting the poll for the Election Committee constituency to cast the vote for the geographical constituency; and".

(4) Section 30(4)—

Repeal paragraph (b)

Substitute

"(b) may allocate to a GC elector the GC polling station of the GC elector for any or all of the following purposes—

(i) if the GC elector is also entitled to vote for a functional constituency as an elector—to cast the vote for that functional constituency as an elector;

(ii) if the GC elector is also entitled to vote for a functional constituency as an authorized representative—to cast the vote for that functional constituency as an authorized representative;

(iii) if the GC elector is also entitled to vote for the Election Committee constituency—to cast the vote for the Election Committee constituency.".

(5) Section 30(4)—

Repeal paragraphs (c), (ca) and (cb).

(6) Section 30(5)—

Repeal

"or (aa)"

Substitute

", (aa) or (ab)".

104. Section 33 amended (Chief Electoral Officer may allocate special polling stations)

Section 33(7)—

Repeal

"geographical constituency, and the functional constituency, if any,"

Substitute

"constituency or constituencies".

105. Section 35 amended (Chief Electoral Officer to supply candidates with copy of final register)

(1) Section 35—

Repeal subsection (1)

Substitute

"(1) The Chief Electoral Officer must supply to each candidate for a geographical constituency a copy of the part of the final register which relates to the constituency for which that candidate is nominated.".

(2) Section 35(2)—

Repeal

"(other than the District Council (second) functional constituency),".

(3) Before section 35(4)—

Add

"(3A) The Chief Electoral Officer must supply to each candidate for the Election Committee constituency a copy of the Election Committee final register.".

106. Section 36 amended (Chief Electoral Officer to supply Returning Officer with copy of final register)

(1) Section 36(1)—

Repeal the comma

Substitute

"for a geographical constituency or functional constituency".

(2) Before section 36(3)—

Add

"(2A) The Chief Electoral Officer must supply to the Returning Officer for the Election Committee constituency a copy of the Election Committee final register.".

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

(1) Section 37(3), Chinese text—

Repeal

"或(如適用的話)選舉委員會正式委員登記冊的文本".

(2) Section 37(6)(b)—

Repeal

"ordinary functional constituency,"

Substitute

"functional constituency, or for conducting the poll for a by-election for the Election Committee constituency in relation to which the Commission has made a direction under section 58A(2)—".

108. Section 40 amended (Returning Officer to determine no canvassing zones and no staying zones)

(1) Section 40—

Repeal subsection (3).

(2) Section 40(4)—

Repeal

"functional constituency (other than the District Council (second) functional constituency), the Returning Officer for the functional"

Substitute

"constituency, the Returning Officer for that".

(3) Section 40(7) and (9)—

Repeal

"(3),".

109. Section 42 amended (candidates may appoint polling agents)

(1) Section 42(2)—

Repeal

"or the candidate as on a list of candidates".

(2) Section 42—

Repeal subsection (3)

Substitute

"(3) A candidate may appoint a maximum of 2 polling agents for each polling station.".

(3) Section 42—

Repeal subsections (4) and (5).

(4) Section 42(8A)—

Repeal

", (4), (5)".

(5) Section 42(8A)(a)—

Repeal

"or a list of candidates".

(6) Section 42(8A)(b)—

Repeal

"or a list of candidates".

(7) Section 42(8A)(b)—

Repeal

"or list of candidates".

(8) Section 42(8C)—

Repeal

", any candidate on the list of candidates".

(9) Section 42(8C)—

Repeal

"or list of candidates".

(10) Section 42(9)(a)—

Repeal

", or in the case of a multiple candidates list, by any candidate on the list in person".

(11) Section 42(9)(b)—

Repeal

"or of the list,".

(12) Section 42—

Repeal subsection (11)

Substitute

"(11) A notice of appointment must—

(a) be in writing;

(b) be in the specified form;

(c) state the name, identity card number and residential address of the polling agent; and

(d) be signed by the candidate.".

(13) Section 42—

Repeal subsection (13)

Substitute

"(13) A notice of revocation must be—

(a) in writing;

(b) in the specified form; and

(c) signed by the candidate.".

(14) Section 42(14A)(a)(i)—

Repeal

", or in the case of a multiple candidates list, by any candidate on the list in person".

(15) Section 42(14A)(a)(ii)—

Repeal

"or of the list,".

110. Section 44 amended (who may enter or be present at a polling station)

(1) Section 44(4)(i)—

Repeal

"or".

(2) Section 44(4)(j)—

Repeal the full stop

Substitute

"; or".

(3) After section 44(4)(j)—

Add

"(k) an individual who provides the assistance mentioned in section 111(2)(c) pursuant to an authorization under that section.".

(4) Section 44(6)—

Repeal

"or list of candidates".

(5) Section 44(6)—

Repeal

"or list may"

Substitute

"may".

(6) Section 44(7)—

Repeal

"or one of the candidates on a multiple candidates list".

(7) Section 44(7)—

Repeal

"or list".

(8) Section 44(8)—

Repeal

"or a list of candidates".

(9) Section 44(8)—

Repeal

"or list".

(10) Section 44(12)—

Repeal

"or a list of candidates".

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

(1) Section 49, heading—

Repeal

"**lists or**".

(2) Section 49—

Repeal subsections (2) and (2A).

(3) Section 49(3)—

Repeal

"any other"

Substitute

"a".

(4) After section 49(3)—

Add

"(3A) Subject to subsection (3B), a ballot paper to be used to vote for the Election Committee constituency is to be in Form 5(a) in Schedule 3.

(3B) If the Commission has made a direction under section 58A(2) in relation to a by-election for the Election Committee constituency, a ballot paper to be used to vote at that by-election is to be in Form 5(b) in Schedule 3.".

(5) Section 49(4), after "Schedule 3"—

Add

"(except Forms 5(a) and 5(b) in that Schedule)".

(6) Section 49—

Repeal subsections (6) and (6A)

Substitute

"(6) The order in which the names of candidates appear on a GC ballot paper is to be determined by the Returning Officer by drawing lots.

(6A) A number is to be allocated to each candidate for a geographical constituency according to the result of the draw, and the number is to be printed on the ballot paper against the name of the candidate.".

(7) Section 49—

Repeal subsection (6B).

(8) Section 49(7)—

Repeal

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

(9) Section 49(8)—

Repeal

"ordinary".

(10) Section 49(8A)—

Repeal

"an ordinary functional constituency (other than the District Council (second) functional constituency)"

Substitute

"a functional constituency".

(11) Section 49—

Repeal subsection (9).

(12) Before section 49(11)—

Add

"(10A) The order in which the names of candidates appear on an ECC ballot paper is to be determined by the Returning Officer by drawing lots.

(10B) A number is to be allocated to each candidate for the Election Committee constituency according to the result of the draw, and the number is to be printed on the ballot paper against the name of the candidate.".

(13) Section 49(12)—

Repeal

everything after "section.".

(14) Section 49(13)(c)—

Repeal

"or the list of candidates".

112. Section 49A added

After section 49—

Add

"**49A. Arrangement for giving ballot papers to elderly persons, pregnant women, etc.**

(1) The Presiding Officer may designate an area in the polling station for giving a ballot paper to a person—

(a) who is not less than 70 years of age;

(b) whose document specified in section 50(1A)(a), (ab), (b), (c), (d), (e) or (f) shows the year of birth, without the month and day of birth, of the person which is 70 years earlier than the year within which the polling day falls;

(c) whose document specified in section 50(1A)(a), (ab), (b), (c), (d), (e) or (f) shows, without the day of birth—

(i) the year of birth of the person which is 70 years earlier than the year within which the polling day falls; and

(ii) the month of birth of the person which is the same as the month within which the polling day falls;

(d) who is pregnant; or

(e) who, because of illness, injury, disability or dependence on mobility aids—

(i) is not able to queue for a long time; or

(ii) has difficulty in queuing.

(2) If the Presiding Officer is satisfied that a person who arrives at, or is present in, the polling station to vote falls within the description in subsection (1)(a), (b), (c), (d) or (e), the Officer may direct the person to immediately proceed to the following location to apply for a ballot paper—

(a) the area designated under subsection (1); or

(b) if there is a queue extending from that area—the end of the queue.".

113. Section 51 amended (questions to be asked from persons applying for a ballot paper)

(1) Section 51(2)—

Repeal

"or an FC"

Substitute

", an FC ballot paper or an ECC".

(2) Before section 51(3)(d)—

Add

"(ca) "Are you the person registered in the Election Committee final register, as follows (the Presiding Officer to read the whole entry as it is recorded in the register)?" or "你是否已登記在選舉委員會正式委員登記冊上，並且有關登記記項一如以下所述 (the Presiding Officer to read the whole entry as it is recorded in the register)?";".

(3) Section 51(3)(e)—

Repeal the full stop

Substitute a semicolon.

(4) At the end of section 51(3)—

Add

"(g) "Have you already voted for the Election Committee constituency in this election?" or "在這次選舉中，你是否已經就選舉委員會界別投票?".".

114. Section 53 amended (Presiding Officer to issue one or more ballot papers depending on the entitlement to vote)

(1) Before section 53(4)—

Add

"(3A) At a polling station used only for polling for the Election Committee constituency, the Presiding Officer is to issue only one ballot paper to an elector who applies for a ballot paper.".

(2) Section 53—

Repeal subsection (4)

Substitute

"(4) At a GC polling station that is also used for polling for one or more functional constituencies or the Election Committee constituency, or both—

(a) if an elector is entitled to vote for the relevant geographical constituency (***GC elector***)—the Presiding Officer must issue a GC ballot paper to the elector;

(b) if the GC elector is also entitled to vote for a functional constituency as an elector and the polling station is used for polling for that constituency—the Presiding Officer must also issue the FC ballot paper for that constituency to the elector;

(c) if the GC elector is also entitled to vote for a functional constituency as an authorized representative and the polling station is used for polling for that constituency—the Presiding Officer must also issue the FC ballot paper for that constituency to the elector; and

(d) if the GC elector is also entitled to vote for the Election Committee constituency and the polling station is used for polling for that constituency—the Presiding Officer must also issue an ECC ballot paper to the elector.".

(3) Section 53(7)—

Repeal

everything after "Officer"

Substitute

"must—

(a) if a printed copy of the relevant final register is used to record the issue—mark the copy by placing a line across the name and identity document number of the elector or authorized representative; or

(b) if an FR electronic copy (as defined by section 109) of the relevant final register is used to record the issue—make, by using an electronic device, a record in the entry relating to the elector or authorized representative in the FR electronic copy,

to denote that the ballot paper or ballot papers the elector or authorized representative is entitled to have issued to him or her at the relevant polling station has been or have been so issued.".

115. Section 53A amended (elector who has not cast vote may not return to cast vote unless permitted)

Section 53A(7)—

Repeal

"or (2)"

Substitute

", (2), (3A) or (4)".

116. Section 54 amended (procedure for voting)

(1) Section 54(1), after "or (3A)"—

Add

", or as directed by the Commission under subsection (3B),".

(2) Section 54(3)—

Repeal

"or the District Council (second) functional constituency".

(3) Section 54(3A)—

Repeal

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

(4) After section 54(3A)—

Add

"(3B) The Commission may direct, in a way it thinks fit, an elector voting for the Election Committee constituency—

(a) to put the ballot paper, unfolded, into the ballot box with the marked side facing down;

(b) to—

(i) fold the ballot paper so that the marked side is inside; and

(ii) put the folded ballot paper into the ballot box;

(c) to—

(i) put the ballot paper, unfolded, into an envelope provided at the polling station; and

(ii) put the ballot paper contained in the envelope into the ballot box; or

(d) to—

(i) fold the ballot paper so that the marked side is inside;

(ii) put the folded ballot paper into an envelope provided at the polling station; and

(iii) put the ballot paper contained in the envelope into the ballot box.”.

(5) Section 54(5)—

Repeal

“and (3A)”

Substitute

“, (3A) and (3B)”.

117. Section 55 amended (how geographical constituency and District Council (second) functional constituency ballot papers are to be marked)

(1) Section 55, heading—

Repeal

"**and District Council (second) functional constituency**".

(2) Section 55(1)—

Repeal

"or the District Council (second) functional constituency (as applicable)".

(3) Section 55(2)—

Repeal

"list of candidates"

Substitute

"candidate".

118. Section 56 repealed (how special functional constituency ballot papers are to be marked)

Section 56—

Repeal the section.

119. Section 57 amended (how ordinary functional constituency (other than District Council (second) functional constituency) ballot papers are to be marked)

(1) Section 57, heading—

Repeal

"**ordinary functional constituency (other than District Council (second) functional constituency)**"

Substitute

"**functional constituency**".

(2) Section 57(1)—

Repeal

"an ordinary functional constituency (other than the District Council (second) functional constituency)"

Substitute

"a functional constituency".

(3) Section 57(1)—

Repeal

"that ordinary"

Substitute

"that".

120. Section 58A added

Before section 59—

Add

"**58A. How ECC ballot papers are to be marked**

(1) Subject to subsection (2), an elector voting for the Election Committee constituency must mark the ballot paper by filling in black the ovals on it opposite the names of the candidates of the elector's choice.

(2) The Commission may, in relation to a by-election for the Election Committee constituency, direct that the ballot paper must be marked with a chop provided for that purpose by the Chief Electoral Officer at the polling station and bearing the mark "✓", with or without any design.

(3) If the Commission makes a direction under subsection (2) in relation to a by-election—

(a) an elector voting at the by-election must mark the ballot paper with the chop provided under section 37(6) for the purpose; and

(b) the chop is to be affixed to give a single "✓" in each of the circles on the ballot paper opposite the names of the candidates of the elector's choice.

(4) An elector voting for the Election Committee constituency must vote for a number of candidates that is equal to the number of Members to be returned for the Election Committee constituency at the election.".

121. Section 59 amended (marking of ballot papers for or by incapacitated person)

Section 59(2)—

Repeal

"56 or 57"

Substitute

"57 or 58A".

122. Section 63 amended (steps to be taken at the close of the poll: a polling station which is also a counting station)

Section 63(2)(e)—

Repeal subparagraph (iv)

Substitute

"(iv) if the copy of the relevant final register or registers has been marked under section 53(7)(a)—the marked copy.".

123. Section 63A amended (steps to be taken at the close of the poll: a polling station which is not a counting station)

Section 63A(1)(e)—

Repeal subparagraph (iv)

Substitute

"(iv) if the copy of the relevant final register or registers has been marked under section 53(7)(a)—the marked copy.".

124. Part 4, Division 1 heading added

Before section 65—

Add

"Division 1—Matters relating to Counting Stations".

125. Section 65 amended (Returning Officer and Presiding Officer to give notice of time and place of counting of votes to candidates)

(1) Section 65(8)—

Repeal

"or a list of candidates".

(2) Section 65—

Repeal subsection (8A).

126. Section 66 amended (candidates may appoint counting agents)

(1) Section 66(1)—

Repeal

"or a list of candidates".

(2) Section 66(1)—

Repeal

"or the list,".

(3) Section 66(2)—

Repeal

"or a list of candidates".

(4) Section 66—

Repeal subsection (3).

(5) Section 66(6)(a)—

Repeal

", or in the case of a multiple candidates list, by any candidate on the list in person".

(6) Section 66(6)(b)—

Repeal

"or of the list,".

(7) Section 66—

Repeal subsection (7)

Substitute

"(7) A notice of appointment must—

(a) be in writing;

(b) be in the specified form;

(c) state the name, identity card number and residential address of the counting agent; and

(d) be signed by the candidate.".

(8) Section 66—

Repeal subsection (10)

Substitute

"(10) A notice of revocation must be—

(a) in writing;

(b) in the specified form; and

(c) signed by the candidate.”.

(9) Section 66(11)(a)—

Repeal

“, or in the case of a multiple candidates list, by any candidate on the list in person”.

(10) Section 66(11)(b)—

Repeal

“or of the list,”.

127. Part 4, Division 2 heading and section 69A added

After section 69—

Add

“Division 2—Procedures for Counting of Votes

69A. Interpretation (Division 2 of Part 4)

(1) In this Division—

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

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

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

(2) In this Division—

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

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

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

128. Section 70 substituted

Section 70—

Repeal the section

Substitute

“**70. FC ballot boxes and ECC ballot boxes to be delivered to central counting station**

(1) The Presiding Officer of a polling station that is also designated as a counting station (other than a main counting station) must deliver, or arrange to be delivered, to the central counting station—

(a) the FC ballot boxes and ECC ballot boxes from that polling station;

(b) the sealed packets made by the Officer under section 63(2)(e)(i), (ii) and (iii) for functional constituencies and the Election Committee constituency; and

(c) the ballot paper accounts prepared by the Officer under section 64 for functional constituencies and the Election Committee constituency.

(2) The Presiding Officer of a polling station that is also designated as a main counting station must deliver, or arrange to be delivered, to the central counting station—

(a) the FC ballot boxes and ECC ballot boxes from that polling station;

(b) the sealed packets made by the Officer under section 63(2)(e)(i), (ii) and (iii) for functional constituencies and the Election Committee constituency;

(c) the ballot paper accounts prepared by the Officer under section 64 for functional constituencies and the Election Committee constituency; and

(d) the following items that were delivered to the Officer under section 63A(3) from a small polling station or under section 63A(4) from a dedicated polling station—

(i) FC ballot boxes and ECC ballot boxes;

(ii) sealed packets made under section 63A(1)(e)(i), (ii) and (iii) for functional constituencies and the Election Committee constituency; and

(iii) ballot paper accounts prepared under section 64 for functional constituencies and the Election Committee constituency.

(3) The Presiding Officer of a ballot paper sorting station must deliver, or arrange to be delivered, to the central counting station the following items that were delivered to the Officer under section 63A(4) from a dedicated polling station—

(a) FC ballot boxes and ECC ballot boxes;

(b) sealed packets made under section 63A(1)(e)(i), (ii) and (iii) for functional constituencies and the Election Committee constituency; and

(c) ballot paper accounts prepared under section 64 for functional constituencies and the Election Committee constituency.

(4) Subsection (1) applies to a by-election for a functional constituency or the Election Committee constituency as if—

(a) the reference to "a polling station that is also designated as a counting station (other than a main counting station)" in that subsection were a reference to a polling station for that constituency; and

(b) the references to ballot boxes, sealed packets and ballot paper accounts in that subsection were references to ballot boxes, sealed packets and ballot paper accounts for that constituency.".

129. Section 71 amended (arrangements for the supervision of counting station and counting zone)

Section 71—

Repeal subsection (1)

Substitute

"(1) The Chief Returning Officer is to supervise the central counting station, in which—

(a) the Returning Officer for a functional constituency is to be in charge of the counting zone for that constituency; and

(b) the Returning Officer for the Election Committee constituency is to be in charge of the counting zone for that constituency.".

130. Sections 72, 73 and 73A substituted

Sections 72, 73 and 73A—

Repeal the sections

Substitute

"**72. FC ballot boxes, ECC ballot boxes, etc. delivered to central counting station to be handed over to Returning Officer**

(1) After the FC ballot boxes, and the sealed packets and ballot paper accounts for functional constituencies, from a polling station are delivered to the central counting station under section 70, they are to be handed over to the Returning Officer for a functional constituency.

(2) After the ECC ballot boxes, and the sealed packets and ballot paper accounts for the Election Committee constituency, from a polling station are delivered to the central counting station under section 70, they are to be handed over to the Returning Officer for the Election Committee constituency.

(3) If the Chief Returning Officer considers that the arrangement described in subsection (1) or (2) is not practicable, the Officer may—

(a) modify that arrangement; and

(b) modify any other arrangement described in this Division that becomes not practicable because of the modification under paragraph (a).

73. Returning Officer at central counting station to open FC ballot boxes, ECC ballot boxes, etc.

(1) After an FC ballot box or ECC ballot box, or a receptacle containing FC ballot papers or ECC ballot papers, is handed over to a Returning Officer at the central counting station, the Officer must open it by breaking the seal in the presence of the candidates, or their election agents or counting agents, who are present at the counting zone.

(2) The Returning Officer must permit a candidate, or the election agent or counting agent of a candidate, to inspect any paper, other than a ballot paper, taken from the ballot box or receptacle, if so requested by the candidate or agent, before that paper is disposed of.

(3) No person may be permitted under subsection (2) to inspect a ballot paper.

73A. Presiding Officer of counting station to open GC ballot boxes etc.

(1) The Presiding Officer of a counting station must open a GC ballot box in that Officer's charge, or a receptacle containing GC ballot papers handed over to the Officer, by breaking the seal in the presence of the candidates, or their election agents or counting agents, who are present at the counting zone.

(2) The Presiding Officer must permit a candidate, or the election agent or counting agent of a candidate, to inspect any paper, other than a ballot paper, taken from the ballot box or receptacle, if so requested by the candidate or agent, before that paper is disposed of.

(3) No person may be permitted under subsection (2) to inspect a ballot paper.”.

131. Sections 73B to 73E added

After section 73A—

Add

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

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

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

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

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

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

(e) retain the FC ballot papers for the functional constituency for which the Officer is appointed together with the relevant statement prepared under paragraph (d);

(f) make into separate bundles the sorted FC ballot papers for each other functional constituency together with the relevant statement prepared under paragraph (d); and

(g) place each bundle in a separate receptacle and seal each receptacle in the presence of those present at the counting zone.

(2) In subsection (1), the reference to the FC ballot papers from each polling station is a reference to—

(a) the FC ballot papers in the FC ballot boxes from a polling station that are handed over to the Returning Officer under section 72(1); and

(b) the FC ballot papers found in the GC ballot boxes or ECC ballot boxes from that polling station, if any, that are placed in a receptacle handed over to the Returning Officer under section 73C(7)(b), 73D(7)(b) or 73E(5)(b).

(3) If any GC ballot paper is found in the FC ballot boxes, the Returning Officer must, in relation to such GC ballot papers from each polling station—

(a) sort the GC ballot papers according to each geographical constituency;

(b) count and record the number of the GC ballot papers for each geographical constituency;

(c) prepare a statement in writing as to the number recorded for each geographical constituency under paragraph (b);

(d) make into separate bundles the sorted GC ballot papers for each geographical constituency together with the relevant statement prepared under paragraph (c); and

(e) place each bundle in a separate receptacle and seal each receptacle in the presence of those present at the counting zone.

(4) If any ECC ballot paper is found in the FC ballot boxes, the Returning Officer must, in relation to such ECC ballot papers from each polling station—

(a) count and record the number of the ECC ballot papers;

(b) prepare a statement in writing as to the number recorded under paragraph (a);

(c) make into a bundle the ECC ballot papers together with the statement prepared under paragraph (b); and

(d) place the bundle in a receptacle and seal the receptacle in the presence of those present at the counting zone.

(5) If the Returning Officer considers it necessary or if required by a candidate, an election agent or a counting agent who is present at the counting zone, the Officer must, in preparing a verification of number of ballot papers under this section, compare the relevant ballot paper account with—

(a) the number of ballot papers recorded by the Officer;

(b) the spoilt ballot papers;

(c) the unused ballot papers; and

(d) the counterfoils or un-issued ballot papers.

(6) The Returning Officer must hand over the receptacles mentioned in subsection (1)(g), (3)(e) or (4)(d) to an Assistant Returning Officer or a counting officer in attendance at the relevant counting zone.

(7) An Assistant Returning Officer or a counting officer to whom receptacles are handed over under subsection (6) must—

(a) hand over each receptacle containing a bundle of FC ballot papers for a functional constituency to the Returning Officer for the relevant functional constituency;

(b) hand over each receptacle containing a bundle of GC ballot papers to the Returning Officer for the relevant geographical constituency; and

(c) hand over each receptacle containing a bundle of ECC ballot papers to the Returning Officer for the Election Committee constituency.

(8) A candidate, an election agent or a counting agent may copy what is recorded on a ballot paper account or a verification of number of ballot papers.

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

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

(a) count and record the number of the ECC ballot papers;

(b) verify the number recorded under paragraph (a) by comparing it with the ballot paper account for the Election Committee constituency from that polling station; and

(c) prepare a statement in writing as to the result of the verification under paragraph (b).

(2) In subsection (1), the reference to the ECC ballot papers from each polling station is a reference to—

(a) the ECC ballot papers in the ECC ballot boxes from a polling station that are handed over to the Returning Officer under section 72(2); and

(b) the ECC ballot papers found in the GC ballot boxes or FC ballot boxes from that polling station, if any, that are placed in a receptacle handed over to the Returning Officer under sections 73B(7)(c), 73D(7)(c) or 73E(5)(c).

(3) If any GC ballot paper is found in the ECC ballot boxes, the Returning Officer must, in relation to such GC ballot papers from each polling station—

(a) sort the GC ballot papers according to each geographical constituency;

(b) count and record the number of the GC ballot papers for each geographical constituency;

(c) prepare a statement in writing as to the number recorded for each geographical constituency under paragraph (b);

(d) make into separate bundles the sorted GC ballot papers for each geographical constituency together with the relevant statement prepared under paragraph (c); and

(e) place each bundle in a separate receptacle and seal each receptacle in the presence of those present at the counting zone.

(4) If any FC ballot paper is found in the ECC ballot boxes, the Returning Officer must, in relation to such FC ballot papers from each polling station—

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

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

(c) prepare a statement in writing as to the number recorded for each functional constituency under paragraph (b);

(d) make into separate bundles the sorted FC ballot papers for each functional constituency together with the relevant statement prepared under paragraph (c); and

(e) place each bundle in a separate receptacle and seal each receptacle in the presence of those present at the counting zone.

(5) If the Returning Officer considers it necessary or if required by a candidate, an election agent or a counting agent who is present at the counting zone, the Officer must, in preparing a verification of number of ballot papers under this section, compare the relevant ballot paper account with—

(a) the number of ballot papers recorded by the Officer;

(b) the spoilt ballot papers;

(c) the unused ballot papers; and

(d) the counterfoils or un-issued ballot papers.

(6) The Returning Officer must hand over the receptacles mentioned in subsection (3)(e) or (4)(e) to an Assistant Returning Officer or a counting officer in attendance at the counting zone.

(7) An Assistant Returning Officer or a counting officer to whom receptacles are handed over under subsection (6) must—

(a) hand over each receptacle containing a bundle of GC ballot papers to the Returning Officer for the relevant geographical constituency; and

(b) hand over the receptacles containing FC ballot papers from each polling station to the Returning Officer to whom the FC ballot boxes from that polling station are handed over under section 72(1).

(8) A candidate, an election agent or a counting agent may copy what is recorded on a ballot paper account or a verification of number of ballot papers.

73D. Arrangements for verifying number of GC ballot papers at GC counting station

(1) The Presiding Officer of a GC counting station must, at the counting zone, in relation to the GC ballot papers in the GC ballot boxes from the polling station that is in the same place as the counting station, after counting the votes recorded on those ballot papers in accordance with section 75—

(a) verify the number of the GC ballot papers counted by comparing it with the ballot paper account for the relevant geographical constituency from that polling station; and

(b) prepare a statement in writing as to the result of the verification under paragraph (a).

(2) The Presiding Officer of a GC counting station that is a main counting station must also, at the counting zone—

(a) in relation to the GC ballot papers in the GC ballot boxes received from a small polling station or dedicated polling station—before counting the votes recorded on those ballot papers in accordance with section 75—

(i) count and record the number of the GC ballot papers;

(ii) verify the number recorded under subparagraph (i) by comparing it with the ballot paper account for the relevant geographical constituency from that polling station; and

(iii) prepare a statement in writing as to the result of the verification under subparagraph (ii);

(b) in relation to the GC ballot papers in the receptacles received from a ballot paper sorting station—before counting the votes recorded on those ballot papers in accordance with section 75—

(i) count and record the number of the GC ballot papers;

(ii) verify the number recorded under subparagraph (i) by comparing it with the statement prepared under section 73E(1)(e) from that ballot paper sorting station; and

(iii) prepare a statement in writing as to the result of the verification under subparagraph (ii).

(3) If any FC ballot paper is found in the GC ballot boxes that are opened at a GC counting station, the Presiding Officer of the GC counting station must, in relation to such FC ballot papers from each polling station—

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

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

(c) prepare a statement in writing as to the number recorded for each functional constituency under paragraph (b);

(d) make into separate bundles the sorted FC ballot papers for each functional constituency together with the relevant statement prepared under paragraph (c); and

(e) place each bundle in a separate receptacle and seal each receptacle in the presence of those present at the counting zone.

(4) If any ECC ballot paper is found in the GC ballot boxes that are opened at a GC counting station, the Presiding Officer of the GC counting station must, in relation to such ECC ballot papers from each polling station—

(a) count and record the number of the ECC ballot papers;

(b) prepare a statement in writing as to the number recorded under paragraph (a);

(c) make into a bundle the ECC ballot papers together with the statement prepared under paragraph (b); and

(d) place the bundle in a receptacle and seal the receptacle in the presence of those present at the counting zone.

(5) If the Presiding Officer considers it necessary or if required by a candidate, an election agent or a counting agent who is present at the counting zone, the Officer must, in preparing a verification of number of ballot papers under this section, compare the relevant ballot paper account with—

(a) the number of ballot papers recorded by the Officer;

(b) the spoilt ballot papers;

(c) the unused ballot papers; and

(d) the counterfoils or un-issued ballot papers.

(6) The Presiding Officer must hand over the receptacles mentioned in subsection (3)(e) or (4)(d) to an Assistant Presiding Officer or a counting officer in attendance at the counting zone.

(7) An Assistant Presiding Officer or a counting officer to whom receptacles are handed over under subsection (6) must—

(a) deliver the receptacles to the central counting station;

(b) hand over the receptacles containing FC ballot papers from each polling station to the Returning Officer to whom the FC ballot boxes from that polling station are handed over under section 72(1); and

(c) hand over the receptacles containing ECC ballot papers to the Returning Officer for the Election Committee constituency.

(8) A candidate, an election agent or a counting agent may copy what is recorded on a ballot paper account or a verification of number of ballot papers.

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

(1) The Presiding Officer of a ballot paper sorting station must, in relation to the GC ballot papers in the GC ballot boxes from each dedicated polling station—

(a) sort the GC ballot papers according to each geographical constituency;

(b) count and record the number of the GC ballot papers for each geographical constituency;

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

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

(e) prepare a statement in writing as to the number of the GC ballot papers recorded for each geographical constituency after the verification under paragraph (c);

(f) make into separate bundles the sorted GC ballot papers for each geographical constituency together with the relevant statement prepared under paragraph (e);

(g) place each bundle in a separate receptacle and seal each receptacle in the presence of those present at the counting zone;

(h) arrange the receptacles to be delivered to the Presiding Officers of the respective main counting stations for the relevant geographical constituencies; and

(i) send to the Chief Electoral Officer—

(i) the ballot paper accounts for the relevant geographical constituencies from that polling station;

(ii) the verifications of number of ballot papers prepared under paragraph (d); and

(iii) the sealed packets made under section 63A for the relevant geographical constituencies from that polling station.

(2) If any FC ballot paper is found in the GC ballot boxes that are opened at a ballot paper sorting station, the Presiding Officer of the ballot paper sorting station must, in relation to such FC ballot papers from each dedicated polling station—

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

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

(c) prepare a statement in writing as to the number recorded for each functional constituency under paragraph (b);

(d) make into separate bundles the sorted FC ballot papers for each functional constituency together with the relevant statement prepared under paragraph (c); and

(e) place each bundle in a separate receptacle and seal each receptacle in the presence of those present at the counting zone.

(3) If any ECC ballot paper is found in the GC ballot boxes that are opened at a ballot paper sorting station, the Presiding Officer of the ballot paper sorting station must, in relation to such ECC ballot papers from each dedicated polling station—

(a) count and record the number of the ECC ballot papers;

(b) prepare a statement in writing as to the number recorded under paragraph (a);

(c) make into a bundle the ECC ballot papers together with the statement prepared under paragraph (b); and

(d) place the bundle in a receptacle and seal the receptacle in the presence of those present at the counting zone.

(4) The Presiding Officer must hand over the receptacles mentioned in subsection (2)(e) or (3)(d) to an Assistant Presiding Officer or a counting officer in attendance at the counting zone.

(5) An Assistant Presiding Officer or a counting officer to whom receptacles are handed over under subsection (4) must—

(a) deliver the receptacles to the central counting station;

(b) hand over the receptacles containing FC ballot papers from each dedicated polling station to the Returning Officer to whom the FC ballot boxes from that polling station are handed over under section 72(1); and

(c) hand over the receptacles containing ECC ballot papers to the Returning Officer for the Election Committee constituency.”.

132. Sections 74, 74AAA, 74A, 74AA, 74AB and 74B repealed

Sections 74, 74AAA, 74A, 74AA, 74AB and 74B—

Repeal the sections.

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

(1) Section 75—

Repeal subsection (1)

Substitute

“(1) The Presiding Officer of a GC counting station must, at the counting zone, count in accordance with this section the GC ballot papers mentioned in—

(a) if that counting station is not a main counting station—section 73D(1); or

(b) if that counting station is a main counting station—section 73D(1) and (2).

(1A) The Returning Officer for a geographical constituency must, at the counting zone for that constituency, count in accordance with this section the votes recorded on the GC ballot papers handed over to the Officer under section 73B(7)(b) and 73C(7)(a).”.

(2) Section 75(5)—

Repeal

"list of candidates for which"

Substitute

"candidate for whom".

(3) Section 75(6)—

Repeal

", including those recorded on the GC ballot papers handed over to a Returning Officer under section 74(8)(c) or 74AAA(4)(c),".

(4) Section 75(7)(b)—

Repeal

", (i) and (ia)"

Substitute

"and (i)".

134. Section 75A amended (special arrangements for counting of votes for geographical constituencies)

Section 75A(3)—

Repeal

"a ballot paper account or re-verification of a ballot paper account,"

Substitute

"number of ballot papers".

135. Section 76 repealed (counting of votes for special functional constituencies)

Section 76—

Repeal the section.

136. Section 77 amended (counting of votes for ordinary functional constituencies other than District Council (second) functional constituency)

(1) Section 77, heading—

Repeal

"**ordinary functional constituencies other than District Council (second) functional constituency**"

Substitute

"**functional constituencies**".

(2) Section 77—

Repeal subsection (1A).

(3) Section 77—

Repeal subsection (1)

Substitute

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

(a) the FC ballot papers retained by the Officer under section 73B(1)(e); and

(b) the FC ballot papers handed over to the Officer under section 73B(7)(a).".

137. Sections 77A and 77B repealed

Sections 77A and 77B—

Repeal the sections.

138. Section 78A added

Before section 79—

Add

"**78A. Counting of votes for Election Committee constituency**

(1) The Returning Officer for the Election Committee constituency must, at the counting zone for that constituency, count in accordance with this section the votes recorded on the ECC ballot papers (whether contained in envelopes or not) mentioned in section 73C(1).

(2) Envelopes that contain, or appear to contain, ECC ballot papers from 2 or more polling stations must be mixed.

(3) All ECC ballot papers contained in envelopes must be taken out of the envelopes after the envelopes are mixed under subsection (2).

(4) If ECC ballot papers (not contained in envelopes) from 2 or more polling stations are received, the ECC ballot papers must be mixed.

(5) The votes recorded on the ECC ballot papers are to be counted according to the system of counting described in section 52A of the Legislative Council Ordinance (Cap. 542).

(6) The votes cast for the candidates for the Election Committee constituency may be counted by using an approved programme and a computer.

(7) In the course of counting in accordance with subsection (5)—

(a) any ballot paper that—

(i) appears to have any writing or mark by which the elector can possibly be identified;

(ii) appears to be not marked in accordance with section 58A(1) or (3)(b);

(iii) appears to be substantially mutilated; or

(iv) appears to be void for uncertainty,

is questionable and must be separated and forwarded to the Returning Officer to decide whether the vote is to be counted in accordance with section 81; and

(b) any ballot paper described in section 80(1)(b), (c), (d), (f), (hd) and (ib) must be separated and the vote is not to be counted pursuant to section 80.

(8) In this section—

approved programme (認可程式) means any computer software that the Commission is satisfied is programmed to count the votes for the Election Committee constituency so as to give an accurate result.".

139. Section 79 amended (result of the counting of votes and re-count for functional constituencies)

(1) Section 79, heading, after "**constituencies**"—

Add

"**or Election Committee constituency**".

(2) Section 79(1)—

Repeal

"76, 77 or 77A"

Substitute

"77 or 78A".

140. Section 79A amended (result of the counting of votes and re-count for geographical constituencies)

(1) Section 79A(1)—

Repeal

"74(8)(c) or 74AAA(4)(c)"

Substitute

"73B(7)(b) or 73C(7)(a)".

(2) Section 79A(5), after "votes"—

Add

"and re-count (if any)".

(3) Section 79A(6), after "of votes"—

Add

"and re-count (if any)".

(4) Section 79A(7) and (8)(b)—

Repeal

"74(8)(c) or 74AAA(4)(c)" (wherever appearing)

Substitute

"73B(7)(b) or 73C(7)(a)".

(5) After section 79A(8)—

Add

"(8A) For the purposes of subsection (8)(a), if the Returning Officer has made known the result of any re-count of a counting station for the geographical constituency under subsection (6), the result of the

last re-count of that station is to be used in the calculation.”.

(6) Section 79A(12)(b), (13)(b) and (14)(a)—

Repeal

“74(8)(c) or 74AAA(4)(c)”

Substitute

“73B(7)(b) or 73C(7)(a)”.

(7) Section 79A(14)(b)—

Repeal

“74(8)(c) or 74AAA(4)(c)”

Substitute

“73B(7)(b) or 73C(7)(a)”.

(8) Section 79A(14)(b)—

Repeal

“lists of”.

141. Part 4, Division 3 heading added

After section 79A—

Add

“**Division 3—Decision on Ballot Papers**”.

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

(1) Section 80(1)—

Repeal paragraph (g)

Substitute

"(g) subject to subsection (2)—

(i) a GC ballot paper that is not marked in accordance with section 55(2);

(ii) an FC ballot paper that is not marked in accordance with section 57(2); or

(iii) an ECC ballot paper that is not marked in accordance with section 58A(1) or (3)(b);".

(2) Section 80(1)—

Repeal paragraphs (ga) and (h).

(3) Section 80(1)(ha)—

Repeal

"or an FC ballot paper for the District Council (second) functional constituency, which"

Substitute

"that".

(4) Section 80(1)(hb)—

Repeal

"for an ordinary functional constituency (other than the District Council (second) functional constituency) which"

Substitute

"that".

(5) Section 80(1)—

Repeal paragraph (hc).

(6) Before section 80(1)(i)—

Add

"(hd) an ECC ballot paper that is not marked in accordance with section 58A(3)(a) or (4);".

(7) Section 80(1)—

Repeal paragraph (i)

Substitute

"(i) a GC ballot paper on which votes for more than one candidate are recorded;".

(8) Section 80(1)—

Repeal paragraph (ia).

(9) Before section 80(1)(j)—

Add

"(ib) an ECC ballot paper on which a vote for a candidate whose name and other information are crossed out under section 37(2) is recorded;".

(10) Section 80(2)—

Repeal

"or (ii) or (h)"

Substitute

", (ii) or (iii)".

(11) Section 80(2)—

Repeal

"56(2A) or 57(2)"

Substitute

"57(2) or 58A(1) or (3)(b)".

(12) Section 80(3)—

Repeal

"(1)(ia)"

Substitute

"(1)(ib)".

(13) Section 80(4)(a)—

Repeal

"(ga), (ha), (hb), (hc), (i) or (ia)"

Substitute

"(ha), (hb), (hd), (i) or (ib)".

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

(1) Section 81(1)—

Repeal

"76(6)(a), 77(7)(a) or 77A(4)(a)"

Substitute

"77(7)(a) or 78A(7)(a)".

(2) Section 81(2)(b)(ii)—

Repeal

"56(2A) or 57(2)"

Substitute

"57(2) or 58A(1) or (3)(b)".

(3) Section 81(3)—

Repeal

"56(2A) or 57(2)" (wherever appearing)

Substitute

"57(2) or 58A(1) or (3)(b)".

(4) Section 81(6)(g)—

Repeal

"56 or 57"

Substitute

"57 or 58A".

(5) Section 81(6)—

Repeal paragraph (i)

Substitute

"(i) a GC ballot paper on which votes for more than one candidate are recorded;".

(6) Section 81(6)—

Repeal paragraph (j).

(7) At the end of section 81(6)—

Add

"(k) an ECC ballot paper on which a vote for a candidate whose name and other information are crossed out under section 37(2) is recorded.".

(8) Section 81—

Repeal subsection (7)

Substitute

"(7) Under this section, a candidate, or the election agent or counting agent of a candidate, may inspect a ballot paper, make representations or object to the decision of the Returning Officer or the Presiding Officer only in the name of that candidate but no other, regardless of to which candidate the ballot paper, representations or decision relates.".

144. Part 4, Division 4 heading added

After section 82—

Add

"Division 4—Declaration of Election Results".

145. Section 83 amended (Returning Officer to declare election result)

(1) Section 83(1)—

Repeal

"49(13), 50(7) and 51(7)"

Substitute

"49(5), 51(7) and 52A(8)".

(2) Section 83—

Repeal subsection (2)

Substitute

"(2) Subsection (3) applies if, before the Returning Officer declares a candidate to be elected—

(a) proof is given to the satisfaction of the Officer that the candidate has died; or

(b) proof is given to the satisfaction of the Candidate Eligibility Review Committee that the candidate is disqualified from being elected.

(3) In the circumstances mentioned in subsection (2)(a) or (b), the Returning Officer—

(a) must not declare that candidate to be elected; and

(b) must declare the election—

(i) to have failed as provided in section 46A(3)(a) of the Legislative Council Ordinance (Cap. 542); or

(ii) to have failed to the extent as provided in section 46A(3)(b) of that Ordinance.".

146. Section 84 amended (the form in which Returning Officer is to publish result of election)

(1) Section 84(2)—

Repeal

"or Form 4 in Schedule 4, as appropriate"

Substitute

"in Schedule 4".

(2) Before section 84(4)—

Add

"(3A) The notice to be published under section 58(3A) of the Legislative Council Ordinance (Cap. 542) for the Election Committee constituency is to be in Form 5 in Schedule 4.".

(3) Section 84(4)—

Repeal

"or (2)"

Substitute

", (2) or (3A)".

(4) Section 84(5)—

Repeal

"or the functional"

Substitute

", the functional constituency or the Election Committee".

147. Section 86 amended (Returning Officer or Presiding Officer to send ballot papers, accounts, packets, etc. to Chief Electoral Officer)

(1) Section 86(1)(a)—

Repeal

“, verification of the ballot paper accounts and the re-verification of the ballot paper accounts”

Substitute

“and verification of number of ballot papers”.

(2) Section 86(1)(g)—

Repeal

“; and”

Substitute a semicolon.

(3) After section 86(1)(g)—

Add

“(ga) if the copy of the relevant final register or registers has been marked under section 53(7)(a)—the marked copy; and”.

148. Section 88 amended (Chief Electoral Officer to retain election documents for at least 6 months)

Section 88, after “section 86”—

Add

“and the copies of the relevant final registers in which records have been made under section 53(7)(b)”.

149. Section 92 amended (Returning Officer may delegate certain functions)

(1) Section 92(3)—

Repeal paragraphs (a) and (b).

(2) Section 92—

Repeal subsection (4).

150. Section 96 amended (enforcement of provisions as to secrecy)

(1) Section 96(5)—

Repeal

"final register marked under section 53(7)"

Substitute

"relevant final register in printed form marked under section 53(7)(a)".

(2) Section 96(6)—

Repeal

"or re-verifications of such accounts"

Substitute

"of number of ballot papers".

(3) Section 96—

Repeal subsection (11)

Substitute

"(11) In this section—

elector (選民) includes an authorized representative.".

151. Section 97 amended (procedure after election proceedings are terminated)

Section 97(1)—

Repeal

"42C or 46A(1)"

Substitute

"42C(2) or 46A(2)".

152. Section 97A amended (procedure in case of death or disqualification of candidate after close of poll)

Section 97A—

Repeal subsection (1)

Substitute

"(1) Subsection (1A) applies if, after the close of polling for a constituency but before the declaration of the result of the election—

(a) proof is given to the satisfaction of the Returning Officer that a candidate has died; or

(b) proof is given to the satisfaction of the Candidate Eligibility Review Committee that a candidate is disqualified from being elected.

(1A) In the circumstances mentioned in subsection (1)(a) or (b), the Returning Officer must direct that the counting of the votes for the constituency is to begin or continue, as the case may be, as if the death or disqualification had not occurred.".

153. Section 98 amended (publication and display of notices, etc.)

(1) Section 98(2)(aa)—

Repeal

"Returning Officer"

Substitute

"Candidate Eligibility Review Committee".

(2) Section 98(2)(e)—

Repeal

"lists of candidates or".

154. Section 101A amended (letters that may be sent free of postage by candidates)

(1) Section 101A(1)—

Repeal

"list of candidates under section 43(1) of the Legislative Council Ordinance (Cap. 542), or a candidate under section 43(2) of that Ordinance,"

Substitute

"candidate under section 43(1), (2) or (3A) of the Legislative Council Ordinance (Cap. 542)".

(2) Section 101A(1)(b)—

Repeal

"or candidates on the list, or of the candidate,".

(3) Section 101A—

Repeal subsections (2) and (3)

Substitute

"(2) If letters are sent, in a bulk mailing, free of postage by or on behalf of a candidate under section 43(1), (2) or (3A) of the Legislative Council Ordinance (Cap. 542), the candidate, or any person authorized by that candidate, must provide the Postmaster General with—

(a) a specimen of the materials contained in that bulk mailing; and

(b) a declaration—

(i) in the specified form;

(ii) signed by that candidate or the person; and

(iii) stating that the materials contained in that bulk mailing are identical with the specimen provided to the Postmaster General.

(3) If the following applies in relation to any letters sent, in a bulk mailing, free of postage by or on behalf of a candidate under section 43(1), (2) or (3A) of the Legislative Council Ordinance (Cap. 542), the candidate is liable for payment of postage for all the letters in that bulk mailing—

(a) any letter in that bulk mailing does not comply with subsection (1); or

(b) a declaration under subsection (2)(b) is false in any particular.".

155. Section 104 amended (interpretation (Part 7))

Section 104(1), definition of ***election period***, paragraph (b)(i)—

Repeal

"42C"

Substitute

"42C(2)".

156. Part 8 added

After Part 7—

Add

"Part 8

Electronic Copy of Final Register for Purposes of Section 53(7)(b)

109. Interpretation (Part 8)

In this Part—

FR electronic copy (正式登記冊電子文本) means an electronic copy of the final register, or of part of the final register, created and maintained under section 110;

obtain access (取覽), in relation to an FR electronic copy, includes causing an electronic device to perform a function so as to obtain access to the data or information contained in the FR electronic copy.

110. FR electronic copy

(1) The Commission may, for the purposes of section 53(7)(b), create and maintain an electronic copy of the final register, or of part of the final register—

(a) to be stored on an electronic platform; and

(b) access to which can be obtained through the Internet by using an electronic device.

(2) An FR electronic copy is to contain the identity document numbers of the electors and authorized representatives and such additional particulars or information that the Chief Electoral Officer thinks fit to include.

111. Protection of FR electronic copy

(1) A person commits an offence if the person obtains access to an FR electronic copy without legal authority to do so.

(2) For the purposes of subsection (1), an individual has legal authority to obtain access to an FR electronic copy if—

(a) the individual is authorized by the Commission to assist in the creation or maintenance of the FR electronic copy and the individual acts in compliance with the terms of the authorization;

(b) the individual is a Presiding Officer or polling officer who is authorized by the Commission to use the FR electronic copy for the purposes of section 53(7)(b) and the individual so uses the FR electronic copy in compliance with the terms of the authorization; or

(c) the individual is authorized by the Commission to assist in making the FR electronic copy available for the use mentioned in paragraph (b) and the individual acts in compliance with the terms of the authorization.

(3) A person commits an offence if the person, without lawful excuse—

(a) damages any data or information contained in an FR electronic copy; or

(b) otherwise tampers with an FR electronic copy to make its operation defective.

(4) A person who commits an offence under subsection (1) or (3) is liable on conviction on indictment to imprisonment for 2 years.

112. Commission may authorize access to FR electronic copy

(1) A member of the Commission may, for the purposes of section 111(2)—

(a) grant an authorization to an individual; and

(b) determine the terms of the authorization.

(2) An authorization granted to an individual under subsection (1) must—

(a) be in writing;

(b) specify the name and appropriate identification details of the individual; and

(c) set out the terms of the authorization.”.

157. Schedule 2 amended (postponement and adjournment of general election and by-election)

(1) Schedule 2, section 5(2)—

Repeal

“marked copies of the final register”

Substitute

“copy of the relevant final register or registers that has been marked under section 53(7)(a) of this Regulation”.

(2) Schedule 2, section 6(2)—

Repeal

“a ballot paper account or re-verification of a ballot paper account”

Substitute

“number of ballot papers”.

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

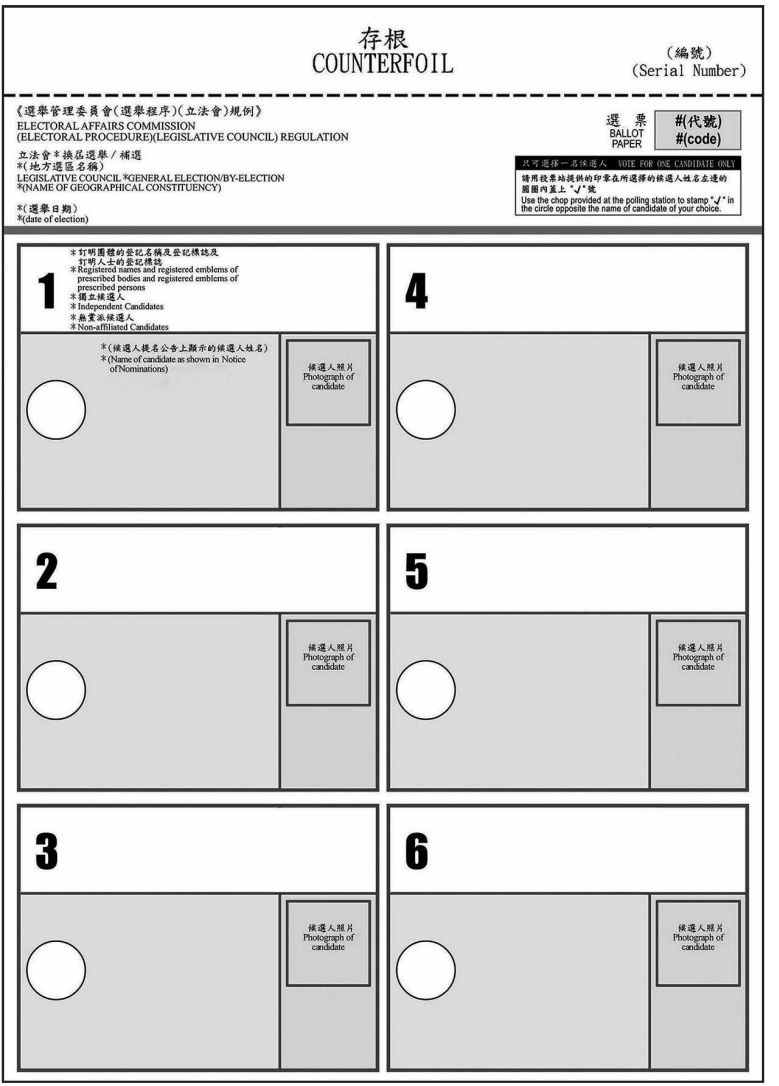
(1) Schedule 3—

Repeal Form 1

Substitute

"Form 1

Ballot Paper for Geographical Constituency



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

* Only the appropriate information will be printed.”.

(2) Schedule 3—

Repeal Forms 2 and 2A.

(3) Schedule 3, Form 3(a), heading—

Repeal

"**an Ordinary Functional Constituency (other than the District Council (Second) Functional Constituency)**"

Substitute

"**Functional Constituency**".

(4) Schedule 3, Form 3(a)—

Repeal

"ordinary" (wherever appearing).

(5) Schedule 3, Form 3(b), heading—

Repeal

"**an Ordinary Functional Constituency (other than the District Council (Second) Functional Constituency)**"

Substitute

"**Functional Constituency**".

(6) Schedule 3, Form 3(b)—

Repeal

"ordinary" (wherever appearing).

(7) At the end of Schedule 3—

Add

"**Form 5(a)**

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

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

選 票
BALLOT PAPER

立法會*換屆選舉/補選
選舉委員會界別
LEGISLATIVE COUNCIL *GENERAL ELECTION/BY-ELECTION
ELECTION COMMITTEE CONSTITUENCY

*(選舉日期)
*(date of election)

你必須選出#(數目)名(不能多過或少過#(數目)名)候選人
YOU MUST MARK YOUR #(Number) CHOICES, NO MORE AND NO LESS

請用黑色筆填滿你所選擇的候選人姓名左邊的橢圓圈。
Please shade in black the ovals opposite the names of the candidates of your choice.

*(候選人提名公告上顯示的候選人姓名) *(Name of candidate as shown in Notice of Nominations)	
1. ⬭	31. ⬭
2. ⬭	32. ⬭
3. ⬭	33. ⬭
⋮	⋮
28. ⬭	58. ⬭
29. ⬭	59. ⬭
30. ⬭	60. ⬭

存 根
COUNTERFOIL

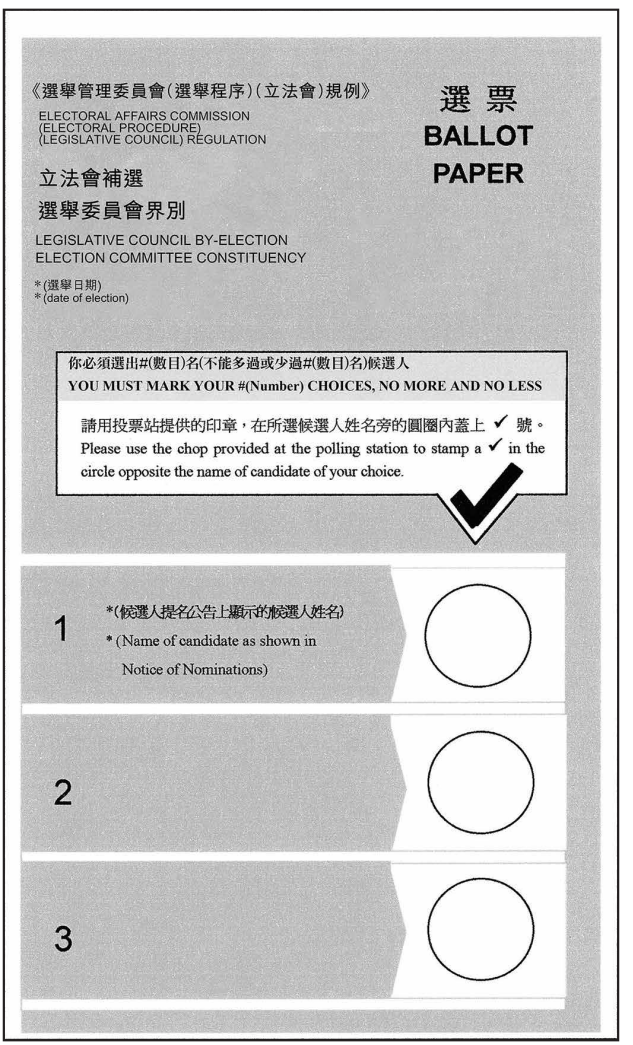
(編號)
Serial Number

* Only the appropriate information will be printed.

\# The relevant number will be printed.

Form 5(b)

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



* Only the appropriate information will be printed.

\# The relevant number will be printed.".

159. Schedule 4 amended (forms for the notice of election result under section 58 of the Legislative Council Ordinance (Cap. 542))

(1) Schedule 4—

Repeal Forms 1 and 2

Substitute

"Form 1

Notice of Result of Election for Geographical Constituency

《選舉管理委員會 (選舉程序) (立法會) 規例》

ELECTORAL AFFAIRS COMMISSION
(ELECTORAL PROCEDURE) (LEGISLATIVE COUNCIL)
REGULATION

選舉結果公告

NOTICE OF RESULT OF ELECTION

立法會 *換屆選舉 / 補選

(地方選區名稱)

LEGISLATIVE COUNCIL *GENERAL ELECTION/BY-ELECTION

**(Name of Geographical Constituency)*

1. 於 *(　年　月　日) 舉行的上述選舉的結果公布如下——

The following is a statement of the result of the above election held on *(date)—

候選人姓名 Name of Candidate	候選人所得票數 Number of Votes Given to the Candidate

2. 特此公布下列候選人 *依據以抽籤方式決定的選舉結果而在上述地方選區當選——

It is hereby notified that the following candidate(s) *is/are declared to be elected for the above-mentioned geographical constituency *pursuant to a result determined by drawing lots—

(當選的候選人姓名)

(Name(s) of Candidate(s) Elected)

日期 :..... 上述地方選區的選舉主任

Date: ..... Returning Officer
for the above-mentioned geographical constituency

* Only the appropriate information will be printed.

Form 2

Notice of Result of Election for Functional Constituency

《選舉管理委員會 (選舉程序) (立法會) 規例》

ELECTORAL AFFAIRS COMMISSION
(ELECTORAL PROCEDURE) (LEGISLATIVE COUNCIL)
REGULATION

選舉結果公告

NOTICE OF RESULT OF ELECTION

立法會 *換屆選舉 / 補選

**(功能界別名稱)*

LEGISLATIVE COUNCIL *GENERAL ELECTION/BY-ELECTION

**(Name of Functional Constituency)*

1. 於 *(　年　月　日) 舉行的上述選舉的結果公布如下——

The following is a statement of the result of the above election held on *(date)—

候選人姓名 Name of Candidate	候選人所得票數 Number of Votes Given to the Candidate

2. 特此公布下列候選人 *依據以抽籤方式決定的選舉結果而在上述功能界別當選——

It is hereby notified that the following candidate(s) *is/are declared to be elected for the above-mentioned functional constituency *pursuant to a result determined by drawing lots—

(當選的候選人姓名)

(Name(s) of Candidate(s) Elected)

日期 :..... 上述功能界別的選舉主任

Date: ..... Returning Officer
for the above-mentioned functional constituency

* Only the appropriate information will be printed.”.

(2) Schedule 4—

Repeal Form 4.

(3) At the end of Schedule 4—

Add

"Form 5

Notice of Result of Election for Election Committee Constituency

《選舉管理委員會 (選舉程序) (立法會) 規例》

ELECTORAL AFFAIRS COMMISSION
(ELECTORAL PROCEDURE) (LEGISLATIVE COUNCIL)
REGULATION

選舉結果公告

NOTICE OF RESULT OF ELECTION

立法會 *換屆選舉 / 補選

選舉委員會界別

LEGISLATIVE COUNCIL *GENERAL ELECTION/BY-ELECTION

Election Committee Constituency

1. 於 *(　年　月　日) 舉行的上述選舉的結果公布如下——

The following is a statement of the result of the above election held on *(date)—

候選人姓名 Name of Candidate	候選人所得票數 Number of Votes Given to the Candidate

2. 特此公布下列候選人 *依據以抽籤方式決定的選舉結果而在選舉委員會界別當選——

It is hereby notified that the following candidate(s) *is/are declared to be elected for the Election Committee constituency *pursuant to a result determined by drawing lots—

(當選的候選人姓名)

(Name(s) of Candidate(s) Elected)

日期 :..... 選舉委員會界別的選舉主任

Date: ..... Returning Officer
for the Election Committee constituency

* Only the appropriate information will be printed.”.

Division 6—Electoral Affairs Commission (Electoral Procedure) (District Councils) Regulation (Cap. 541 sub. leg. F)

160. Section 2 amended (interpretation)

Section 2(1)—

(a) **Repeal the definition of *verification of the ballot paper account*;**

(b) **Add in alphabetical order**

"***verification of number of ballot papers*** (選票數目核實書) means a statement prepared under section 75 or 75A(d).".

161. Section 31A added

After section 31—

Add

"**31A. Chief Electoral Officer may require certain premises for use as polling stations or counting stations**

(1) For the purposes of section 31(1)(a), (b) or (c), the Chief Electoral Officer may, by written notice, require an owner or occupier of any target premises to—

(a) allow an authorized person to carry out a site visit at the premises for enabling the Officer to determine whether the premises are suitable for use as a polling station or counting station in an election; and

(b) if the Officer considers the premises suitable—take the steps specified in subsection (2).

(2) The steps specified for the purposes of subsection (1)(b) are—

(a) to make available the premises for use as a polling station or counting station in the election; and

(b) to allow an authorized person to carry out preparatory work and store materials at the premises for a purpose relating to such use.

(3) If any target premises are used as a polling station or counting station as a result of a person's compliance with a requirement made under subsection (1), the Chief Electoral Officer must pay to the person a user fee for the period during which the premises are so used.

(4) The amount of the user fee payable under subsection (3) is to be—

(a) agreed between the person and the Chief Electoral Officer; or

(b) if no agreement can be reached—determined by the court by reference to the loss suffered by the person for making available the premises.

(5) A person who fails to comply with a requirement made under subsection (1) is liable to pay a financial penalty of $10,000.

(6) For the purposes of this section—

(a) a user fee payable under subsection (3) is recoverable as a civil debt due from the Government; and

(b) a financial penalty payable under subsection (5) is recoverable as a civil debt due to the Government.

(7) In this section—

authorized person (獲授權人) means a person authorized in writing by the Chief Electoral Officer for the purposes of this section;

occupier (佔用人), in relation to any target premises—

(a) means a tenant, sub-tenant or any other person in lawful occupation of the premises; but

(b) does not include an owner of the premises;

owner (業主), in relation to any target premises, means—

(a) a person who appears from the records at the Land Registry to be the owner of—

(i) the land on which the premises situate; or

(ii) if the land is divided into shares—an undivided share in the land that relates to the premises; and

(b) a registered mortgagee in possession of such land or share;

target premises (目標處所) means a school or building described in section 31(2)(c) or (d) or any part of it.".

162. Section 47 amended (who may enter or be present at a polling station)

(1) Section 47(4)(h)—

Repeal

"or".

(2) Section 47(4)(i)—

Repeal the full stop

Substitute

"; or".

(3) After section 47(4)(i)—

Add

"(j) an individual who provides the assistance mentioned in section 112(2)(c) pursuant to an authorization under that section.".

163. Section 52A added

After section 52—

Add

"**52A. Arrangement for giving ballot papers to elderly persons, pregnant women, etc.**

(1) The Presiding Officer may designate an area in the polling station for giving a ballot paper to a person—

(a) who is not less than 70 years of age;

(b) whose document specified in section 53(1A)(a), (ab), (b), (c), (d), (e) or (f) shows the year of birth, without the month and day of birth, of the person which is 70 years earlier than the year within which the polling day falls;

(c) whose document specified in section 53(1A)(a), (ab), (b), (c), (d), (e) or (f) shows, without the day of birth—

(i) the year of birth of the person which is 70 years earlier than the year within which the polling day falls; and

(ii) the month of birth of the person which is the same as the month within which the polling day falls;

(d) who is pregnant; or

(e) who, because of illness, injury, disability or dependence on mobility aids—

(i) is not able to queue for a long time; or

(ii) has difficulty in queuing.

(2) If the Presiding Officer is satisfied that a person who arrives at, or is present in, the polling station to vote falls within the description in subsection (1)(a), (b), (c), (d) or (e), the Officer may direct the person to immediately proceed to the following location to apply for a ballot paper—

(a) the area designated under subsection (1); or

(b) if there is a queue extending from that area—the end of the queue.".

164. Section 56 amended (Presiding Officer to issue only one ballot paper to an elector)

Section 56(3)—

Repeal

everything after "Officer"

Substitute

"must—

(a) if a printed copy or extract of the relevant final register is used to record the issue—mark the copy or extract by placing a line across the name and identity document number of the elector; or

(b) if an FR electronic copy or extract (as defined by section 110) of the relevant final register is used to record the issue—make, by using an electronic device, a record in the entry relating to the elector in the FR electronic copy or extract,

to denote that the ballot paper the elector is entitled to have issued to him or her at the relevant polling station has been so issued.”.

165. Section 63 amended (steps to be taken at the close of the poll: a polling station which is also a counting station)

Section 63(2)(e)—

Repeal subparagraph (iv)

Substitute

“(iv) if the copy or extract of the relevant final register has been marked under section 56(3)(a)—the marked copy or extract.”.

166. Section 63A amended (steps to be taken at the close of the poll: a polling station which is not a counting station)

Section 63A(1)(e)—

Repeal subparagraph (iv)

Substitute

“(iv) if the copy or extract of the relevant final register has been marked under section 56(3)(a)—the marked copy or extract.”.

167. Section 75 amended (Presiding Officer to verify ballot paper account)

(1) Section 75, heading—

Repeal

“**ballot paper account**”

Substitute

“**number of ballot papers**”.

(2) Section 75(1A)(a)(i)—

Repeal

"the ballot paper account prepared under section 64 by comparing it with the number"

Substitute

"the number by comparing it with the ballot paper account prepared under section 64".

(3) Section 75(1A)(a)(ii)—

Repeal

"the statement prepared under section 75A(e) by comparing it with the number"

Substitute

"the number by comparing it with the statement prepared under section 75A(e)".

(4) Section 75(2) and (3)—

Repeal

"verification of the ballot paper account"

Substitute

"verification of number of ballot papers".

168. Section 75A amended (arrangements for sorting in ballot paper sorting stations)

(1) Section 75A—

Repeal paragraph (c)

Substitute

"(c) verify the number of envelopes recorded for each constituency under paragraph (b) by comparing it with the ballot paper account for that constituency;".

(2) Section 75A(i)—

Repeal

"verification of the ballot paper accounts"

Substitute

"verifications of number of ballot papers".

169. Section 84 amended (Chief Electoral Officer to receive ballot papers, accounts, packets, etc.)

(1) Section 84(1)(a)—

Repeal

"verification of the ballot paper account"

Substitute

"verification of number of ballot papers".

(2) Section 84(2)(e)—

Repeal

"; and"

Substitute a semicolon.

(3) After section 84(2)(e)—

Add

"(ea) if the copy or extract of the relevant final register has been marked under section 56(3)(a)—the marked copy or extract; and".

170. Section 86 amended (Chief Electoral Officer to retain election documents for at least 6 months)

Section 86, after "section 84"—

Add

"and the copies or extracts of the relevant final register in which records have been made under section 56(3)(b)".

171. Section 94 amended (enforcement of provisions as to secrecy)

(1) Section 94(5)—

Repeal

"final register marked under section 56(3)"

Substitute

"relevant final register in printed form marked under section 56(3)(a)".

(2) Section 94(6)—

Repeal

"or re-verifications of such accounts"

Substitute

"of number of ballot papers".

172. Section 95 amended (procedure after election proceedings are terminated)

Section 95(3)(b)—

Repeal subparagraph (iv)

Substitute

"(iv) if the copy or extract of the relevant final register has been marked under section 56(3)(a)—the marked copy or extract.".

173. Part 8 added

After Part 7—

Add

"Part 8

Electronic Copy or Extract of Final Register for Purposes of Section 56(3)(b)

110. Interpretation (Part 8)

In this Part—

FR electronic copy or extract (正式登記冊電子文本或摘錄) means an electronic copy or extract of the final register, or of part of the final register, created and maintained under section 111;

obtain access (取覽), in relation to an FR electronic copy or extract, includes causing an electronic device to perform a function so as to obtain access to the data or information contained in the FR electronic copy or extract.

111. FR electronic copy or extract

(1) The Commission may, for the purposes of section 56(3)(b), create and maintain an electronic copy or extract of the final register, or of part of the final register—

(a) to be stored on an electronic platform; and

(b) access to which can be obtained through the Internet by using an electronic device.

(2) An FR electronic copy or extract is to contain the identity document numbers of the electors and such additional particulars or information that the Chief Electoral Officer thinks fit to include.

112. Protection of FR electronic copy or extract

(1) A person commits an offence if the person obtains access to an FR electronic copy or extract without legal authority to do so.

(2) For the purposes of subsection (1), an individual has legal authority to obtain access to an FR electronic copy or extract if—

(a) the individual is authorized by the Commission to assist in the creation or maintenance of the FR electronic copy or extract and the individual acts in compliance with the terms of the authorization;

(b) the individual is a Presiding Officer or polling officer who is authorized by the Commission to use the FR electronic copy or extract for the purposes of section 56(3)(b) and the individual so uses the FR electronic copy or extract in compliance with the terms of the authorization; or

(c) the individual is authorized by the Commission to assist in making the FR electronic copy or extract available for the use mentioned in paragraph (b) and the individual acts in compliance with the terms of the authorization.

(3) A person commits an offence if the person, without lawful excuse—

(a) damages any data or information contained in an FR electronic copy or extract; or

(b) otherwise tampers with an FR electronic copy or extract to make its operation defective.

(4) A person who commits an offence under subsection (1) or (3) is liable on conviction on indictment to imprisonment for 2 years.

113. Commission may authorize access to FR electronic copy or extract

(1) A member of the Commission may, for the purposes of section 112(2)—

(a) grant an authorization to an individual; and

(b) determine the terms of the authorization.

(2) An authorization granted to an individual under subsection (1) must—

(a) be in writing;

(b) specify the name and appropriate identification details of the individual; and

(c) set out the terms of the authorization.".

174. Schedule 1 amended (postponement and adjournment of ordinary election and by-elections)

(1) Schedule 1, section 5(2)—

Repeal

"marked copies of the final register"

Substitute

"copy or extract of the relevant final register that has been marked under section 56(3)(a) of this Regulation".

(2) Schedule 1, section 6(2)—

Repeal

"a ballot paper account or re-verification of a ballot paper account"

Substitute

"number of ballot papers".

Division 7—Electoral Affairs Commission (Nominations Advisory Committees (Election Committee)) Regulation (Cap. 541 sub. leg. H)

175. Section 2 amended (interpretation)

(1) Section 2(1)—

Repeal the definition of *by-election*

Substitute

"***by-election*** (補選) means a subsector by-election as defined by section 1(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569);".

(2) Section 2(1)—

Repeal the definition of *candidate*

Substitute

"***candidate*** (候選人), in relation to a particular subsector, means a person who is nominated to be returned as a member of the Election Committee assigned to that subsector at an ordinary election or by-election;".

(3) Section 2(1)—

Repeal the definition of *designated body*

Substitute

"***designated body*** (指定團體) has the meaning given by section 1(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569);".

(4) Section 2(1)—

Repeal the definition of *nomination form*

Substitute

"***nomination form*** (提名表格), in relation to a subsector, means a form specified by the Commission under section 7(1)(i) of the Ordinance submitted for the purpose of—

(a) nominating a candidate for the ordinary election or by-election of the subsector, as the case may be;

(b) a designated nomination by setting out the nominees to represent the subsector on the Election Committee; or

(c) a supplementary designated nomination by setting out the nominee or nominees, as the case may be, to represent the subsector on the Election Committee;".

(5) Section 2(1)—

Repeal the definition of *nomination period*

Substitute

"***nomination period*** (提名期), in relation to a particular ordinary election, by-election, designated nomination or supplementary designated nomination, means the period specified under any regulation providing for the procedure for that ordinary election, by-election, designated nomination or supplementary designated nomination, as the case may be, as the period for submitting to the Returning Officer nomination forms relating to that ordinary election, by-election, designated nomination or supplementary designated nomination, as the case may be;".

(6) Section 2(1)—

Repeal the definition of *nominee*

Substitute

"***nominee*** (獲提名人) means a person nominated by a designated body to be a member on the Election Committee;".

(7) Section 2(1)—

Repeal the definition of *ordinary election*

Substitute

"***ordinary election*** (一般選舉) means a subsector ordinary election as defined by section 1(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569);".

(8) Section 2(1)—

Repeal the definition of *subsector*

Substitute

"***subsector*** (界別分組) has the meaning given by section 1(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569), but does not include the Members of the Legislative Council subsector and the Hong Kong Special Administrative Region deputies to the National People's Congress and Hong Kong Special Administrative Region members of the National Committee of the Chinese People's Political Consultative Conference subsector;".

(9) Section 2(1)—

(a) definition of ***nomination for the religious subsector***;

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

(c) definition of ***subsector by-election***;

(d) definition of ***subsector ordinary election***;

(e) definition of ***sub-subsector***;

(f) definition of ***sub-subsector by-election***;

(g) definition of ***sub-subsector ordinary election***;

(h) definition of ***supplementary nomination for the religious subsector***—

Repeal the definitions.

(10) Section 2(1)—

Add in alphabetical order

"***designated nomination*** (指定提名) means the nomination of a person or persons by a designated body to be a member or members on the Election Committee under section 7(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569);

supplementary designated nomination (補充指定提名) means the nomination of a person or persons by a designated body to fill a vacancy or vacancies among the members on the Election Committee under section 7(2) of the Schedule to the Chief Executive Election Ordinance (Cap. 569).".

(11) Section 2(2)(a)—

Repeal

"19"

Substitute

"17A or 19".

(12) Section 2(2)(b)—

Repeal

"nomination for the religious subsector or supplementary nomination for the religious subsector"

Substitute

"designated nomination or supplementary designated nomination".

(13) Section 2(2)(b), after "that Ordinance"—

Add

", but nothing in this Regulation is to be construed as empowering or requiring a Committee to advise on any matter relating to any requirements under section 7A of that Schedule".

176. Section 3 amended (appointment of the Committee)

(1) Section 3(4)—

Repeal

"nomination for the religious subsector or supplementary nomination for the religious subsector"

Substitute

"designated nomination or supplementary designated nomination".

(2) Section 3(5)(b)—

Repeal

"nomination for the religious subsector"

Substitute

"designated nomination".

(3) Section 3(5)(c)—

Repeal

"supplementary nomination for the religious subsector"

Substitute

"supplementary designated nomination".

(4) Section 3(5)(c), Chinese text—

Repeal

"該項補充提名"

Substitute

"該項補充指定提名".

177. Section 4 amended (functions)

(1) Section 4(1)(a)(i)—

Repeal

"or a sub-subsector, as the case may be".

(2) Section 4(1)(a)(ii) and (iii)—

Repeal

"nomination for the religious subsector"

Substitute

"designated nomination".

(3) Section 4(1)(a)(iii)—

Repeal

"religious subsector"

Substitute

"subsector concerned".

(4) Section 4(1)(b)(i)—

Repeal

"or a sub-subsector, as the case may be".

(5) Section 4(1)(b)(ii)—

Repeal

"nomination for the religious subsector"

Substitute

"designated nomination".

(6) Section 4(1)(b)(iii)—

Repeal

"supplementary nomination for the religious subsector"

Substitute

"supplementary designated nomination".

(7) Section 4(2)—

Repeal

"nomination for the religious subsector or supplementary nomination for the religious subsector"

Substitute

"designated nomination or supplementary designated nomination".

(8) Section 4(3) and (4)—

Repeal

"nomination for the religious subsector" (wherever appearing)

Substitute

"designated nomination".

(9) Section 4(4)—

Repeal

"supplementary nomination for the religious subsector"

Substitute

"supplementary designated nomination".

178. Section 6 amended (procedure relating to applications by prospective candidates, prospective nominees or designated bodies)

(1) Section 6—

Repeal subsection (1)

Substitute

"(1) A prospective candidate for an ordinary election may apply in accordance with subsection (4) for the advice of a Committee as to whether he or she is eligible to be, or is disqualified from being, nominated as a candidate in respect of a particular subsector.".

(2) Section 6(2) and (3)—

Repeal

"nomination for the religious subsector"

Substitute

"designated nomination".

(3) Section 6(3)—

Repeal

"religious subsector"

Substitute

"subsector concerned".

(4) Section 6—

Repeal subsection (6)

Substitute

"(6) A prospective candidate may make only 1 application in respect of a particular subsector.".

(5) Section 6(7)—

Repeal

"nomination for the religious subsector"

Substitute

"designated nomination".

(6) Section 6(8)—

Repeal

"religious subsector"

Substitute

"subsector concerned".

(7) Section 6—

Repeal subsection (9)

Substitute

"(9) To avoid doubt, it is declared that a prospective candidate may, subject to subsection (6), apply for advice in respect of more than one subsector.".

(8) Section 6(10)—

Repeal

"nomination for the religious subsector"

Substitute

"designated nomination".

(9) Section 6(11)(a)—

Repeal

"or the sub-subsector, as the case may be".

(10) Section 6(11)(c)—

Repeal

"religious subsector"

Substitute

"subsector concerned".

(11) Section 6(12)(a)(i)—

Repeal

"nomination for the religious subsector"

Substitute

"designated nomination".

(12) Section 6(13)—

Repeal

"nomination for the religious subsector"

Substitute

"designated nomination".

179. Section 7 amended (procedure relating to applications by Returning Officers)

(1) Section 7—

Repeal subsection (1)

Substitute

"(1) A Returning Officer may, as regards an ordinary election or by-election in relation to which a Committee is appointed, apply in accordance with subsection (3) to that Committee for advice as to whether a particular candidate who has submitted a nomination form to that Officer under any relevant regulation made under the Ordinance in respect of a subsector is eligible to be, or is disqualified from being, nominated as a candidate in respect of that subsector.".

(2) Section 7(2)—

Repeal

"nomination for the religious subsector, or a supplementary nomination for the religious subsector"

Substitute

"designated nomination or supplementary designated nomination".

(3) Section 7(4)(a)—

Repeal

"or the sub-subsector, as the case may be".

(4) Section 7(5)—

Repeal

everything before "the Returning Officer"

Substitute

"(5) In forming an opinion under the relevant regulations made under the Ordinance as to whether—

(a) a particular candidate is eligible to be, or is disqualified from being, nominated as a candidate in respect of a subsector; or

(b) a particular nominee is eligible to be, or is disqualified from being, nominated by a designated body to be a member representing the subsector concerned on the Election Committee,".

(5) Section 7(6)(a)—

Repeal

"or the sub-subsector, as the case may be".

(6) Section 7(6)(b)—

Repeal

"nomination for the religious subsector or supplementary nomination for the religious subsector" (wherever appearing)

Substitute

"designated nomination or supplementary designated nomination".

180. Section 9 amended (Committee to attend and give advice at the meeting called by the Commission)

Section 9(1)(a) and (b)—

Repeal

"nomination for the religious subsector or supplementary nomination for the religious subsector"

Substitute

"designated nomination or supplementary designated nomination".

181. Section 10 amended (advice not to preclude seeking of nomination, etc.)

(1) Section 10(1)(b)—

Repeal

"nomination for the religious subsector or a supplementary nomination for the religious subsector"

Substitute

"designated nomination or supplementary designated nomination".

(2) Section 10(2), definition of ***final register***, after "(3)"—

Add

", (3A)".

Division 8—Electoral Affairs Commission (Electoral Procedure) (Election Committee) Regulation (Cap. 541 sub. leg. I)

182. Section 1 amended (interpretation)

(1) Section 1(1)—

Repeal the definition of *designated body*

Substitute

"***designated body*** (指定團體) has the meaning given by section 1(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569);".

(2) Section 1(1), definition of ***ordinary business hours***, paragraph (b)—

Repeal

"for the religious subsector"

Substitute

"under section 7 of the Schedule to the Chief Executive Election Ordinance (Cap. 569)".

(3) Section 1(1), definition of ***specified address***, paragraph (a)—

Repeal

"for the religious subsector".

(4) Section 1(1), definition of ***specified address***, paragraph (a)—

Repeal

"religious subsector nomination"

Substitute

"designated nomination".

(5) Section 1(1), definition of ***subsector***—

Repeal

", subject to subsection (3), the meaning assigned to it by section 1"

Substitute

"the meaning given by section 1(1)".

(6) Section 1(1), definition of ***subsector by-election***—

Repeal

"2(7)(b)"

Substitute

"2(7)(c)".

(7) Section 1(1), definition of ***subsector ordinary election***—

Repeal

"2(7)(b)"

Substitute

"2(7)(c)".

(8) Section 1(1), definition of ***validly nominated candidate***, paragraph (a)—

Repeal

"Returning Officer"

Substitute

"Candidate Eligibility Review Committee".

(9) Section 1(1)—

(a) **Repeal the definition of *verification of the ballot paper account*;**

(b) **Add in alphabetical order**

"***verification of number of ballot papers*** (選票數目核實書) means a statement prepared under section 73(2)(a)(iv) or (3)(c) or 74(4)(c);".

(10) Section 1(1)—

(a) definition of ***religious subsector nomination form***;

(b) definition of ***sub-subsector***;

(c) definition of ***sub-subsector by-election***;

(d) definition of ***sub-subsector ordinary election***—

Repeal the definitions.

(11) Section 1(1)—

Add in alphabetical order

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

CPPCC member (全國政協委員) has the meaning given by section 1(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569);

designated nomination form (指定提名表格) means the specified form submitted under section 7 setting out the nominees to represent a subsector on the Election Committee;

NPC deputy (全國人大代表) has the meaning given by section 1(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569);".

(12) Section 1(3)(a), after "subsector;"—

Add

"and".

(13) Section 1(3)—

Repeal paragraph (b).

183. Section 1A amended (effect of inclement weather warning on date and period)

Section 1A(1), definition of ***working day***, paragraph (b)—

Repeal

"for the religious subsector"

Substitute

"under section 7 of the Schedule to the Chief Executive Election Ordinance (Cap. 569)".

184. Section 2 amended (application)

(1) Section 2(a)—

Repeal

"for the religious subsector".

(2) Section 2(a)—

Repeal

"for that subsector".

185. Part 1A added

After Part 1—

Add

"Part 1A

Registration as Ex-Officio Members

2A. Interpretation (Part 1A)

In this Part—

Association (協進會) means the Friends of Hong Kong Association Limited;

designated person (指定人士) has the meaning given by section 1(1) of the Schedule to Cap. 569;

Electoral Registration Officer (選舉登記主任) has the meaning given by section 1(1) of the Schedule to Cap. 569;

relevant body (相關團體) has the meaning given by section 5J(6) of the Schedule to Cap. 569;

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

specified office (指明職位) has the meaning given by section 1(1) of the Schedule to Cap. 569;

specified period (指明期間), in relation to a new term of office of the Election Committee, means the period—

(a) beginning on the date immediately following the date mentioned in section 2B(11)(a) or (b) or 2C(10)(a) or (b) (as the case may be); and

(b) ending on 7 days after—

(i) the date on which the subsector ordinary election is to be held for that term of office; or

(ii) if different subsector ordinary elections are to be held on different dates for that term of office—the last of those dates;

specified person (指明人士) has the meaning given by section 1(1) of the Schedule to Cap. 569.

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

(1) An NPC deputy or a CPPCC member is to be registered as an ex-officio member under section 5I of the Schedule to Cap. 569 by a registration form that complies with this section and sections 5I and 5K of that Schedule.

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

(3) The registration form must be submitted by the Association to the Electoral Registration Officer on behalf of the NPC deputy or CPPCC member.

(4) For the purpose of constituting a new term of office of the Election Committee, the Association must submit 1 registration form to the Electoral Registration Officer on behalf of all NPC deputies and CPPCC members who intend to be registered as ex-officio members.

(5) The registration form must contain a declaration by each NPC deputy or CPPCC member to the effect that the deputy or member—

(a) is eligible to be registered as an ex-officio member; and

(b) is not disqualified from being so registered.

(6) The registration form must also contain a declaration by each NPC deputy or CPPCC member as required by section 5K of the Schedule to Cap. 569.

(7) The Association must indicate on the registration form the subsector in which each NPC deputy or CPPCC member intends to be registered in accordance with section 5I of the Schedule to Cap. 569.

(8) The registration form must be—

(a) signed by each NPC deputy or CPPCC member whose name is on the registration form; and

(b) signed on behalf of the Association by a person authorized by the Association for that purpose.

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

(10) The Electoral Registration Officer may require the Association, or an NPC deputy or a CPPCC member to be registered under this section, to furnish any other information that the Officer considers appropriate for enabling the Candidate Eligibility Review Committee to be satisfied—

(a) that the deputy or member is eligible to be registered as an ex-officio member; or

(b) otherwise as to the validity of the registration.

(11) The registration form must be submitted to the Electoral Registration Officer at the address specified by the Officer—

(a) for the purpose of constituting a new term of office of the Election Committee in 2021—by 14 June 2021;

(b) for the purpose of constituting a new term of office of the Election Committee in any year subsequent to 2021—by 2 June of the relevant year; or

(c) in any other case—as soon as possible after—

(i) a person becomes an NPC deputy or a CPPCC member; or

(ii) an NPC deputy or a CPPCC member becomes a holder of a specified office other than the office of NPC deputy or CPPCC member.

(12) Despite subsections (4) and (11), if, during the specified period—

(a) a person becomes an NPC deputy or a CPPCC member; or

(b) an NPC deputy or a CPPCC member becomes a holder of a specified office other than the office of NPC deputy or CPPCC member,

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

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

(1) A person other than an NPC deputy or a CPPCC member is to be registered as an ex-officio member under section 5J of the Schedule to Cap. 569 by submitting a registration form that complies with this section and sections 5J and 5K of that Schedule.

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

(3) Subject to subsections (4) and (5), the registration form must—

(a) contain a declaration by the specified person concerned to the effect that the person—

(i) is holding the specified office concerned;

(ii) is eligible to be registered as an ex-officio member; and

(iii) is not disqualified from being so registered; and

(b) if section 5J(2) of the Schedule to Cap. 569 applies to the specified person—contain an indication to the effect that the person chooses to be registered as an ex-officio member as the holder of one of the specified offices.

(4) If a specified person is exercising the power under section 5J(3) of the Schedule to Cap. 569, the registration form must—

(a) contain a declaration by the designated person of the specified person to the effect that the designated person—

(i) is holding an office in a relevant body in relation to the specified office concerned;

(ii) is eligible to be registered as an ex-officio member; and

(iii) is not disqualified from being so registered; and

(b) be accompanied by a declaration by the specified person that he or she is not eligible to be registered as an ex-officio member, or is a holder of more than one specified offices (excluding the office of NPC deputy or CPPCC member) (as the case may be).

(5) If section 5J(4) of the Schedule to Cap. 569 applies, the registration form must—

(a) contain a declaration by the Council Chairman or the Chairman of the Board of Governors concerned (as the case may be) to the effect that he or she—

(i) is holding that office;

(ii) is eligible to be registered as an ex-officio member; and

(iii) is not disqualified from being so registered; and

(b) be accompanied by a declaration by the holder of the specified office concerned as set out in section 5B(a), (b), (c), (d), (e), (f), (g), (h), (i), (j) or (k) of that Schedule that the holder is not eligible to be registered as an ex-officio member.

(6) The registration form must also contain a declaration by the specified person or designated person (as the case may be) as required by section 5K of the Schedule to Cap. 569.

(7) The registration form must be signed by—

(a) the specified person; and

(b) if the specified person is exercising the power under section 5J(3) of the Schedule to Cap. 569—the designated person.

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

(9) The Electoral Registration Officer may require a specified person or designated person to be registered under this section to furnish any other information that the Officer considers appropriate for enabling the Candidate Eligibility Review Committee to be satisfied—

(a) that the person is eligible to be registered as an ex-officio member; or

(b) otherwise as to the validity of the registration.

(10) The registration form must be submitted to the Electoral Registration Officer at the address specified by the Officer—

(a) for the purpose of constituting a new term of office of the Election Committee in 2021—by 14 June 2021;

(b) for the purpose of constituting a new term of office of the Election Committee in any year subsequent to 2021—by 2 June of the relevant year; or

(c) in any other case—as soon as possible after a person becomes a holder of a specified office.

(11) Despite subsection (10), if, during the specified period—

(a) a person becomes a specified person (other than an NPC deputy or a CPPCC member)—the specified person or the designated person of the specified person may submit a registration form to the Electoral Registration Officer by the end of the specified period;

(b) the registration of a designated person of a specified person is determined as invalid by the Candidate Eligibility Review Committee under section 5N of the Schedule to Cap. 569—the specified person may designate another person under section 5J(3) of that Schedule by submitting another registration form to the Electoral Registration Officer by the end of the specified period; or

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

2D. Candidate Eligibility Review Committee to determine whether person is validly registered

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

(2) The Candidate Eligibility Review Committee must, as soon as practicable after receiving a registration form forwarded by the Electoral Registration Officer, determine the validity of the registration of the persons concerned.

(3) Without prejudice to sections 5K, 5L and 5M of the Schedule to Cap. 569, the Candidate Eligibility Review Committee may determine a registration form or a registration of a person on the form to be invalid if and only if—

(a) the registration form or the registration of a person on the form has not been completed or signed as required under this Regulation;

(b) the Candidate Eligibility Review Committee is satisfied that the person is not eligible to be, or is disqualified from being, registered as an ex-officio member under that Schedule; or

(c) the Candidate Eligibility Review Committee is satisfied that the person is dead.

(4) In determining whether a registration form or a registration of a person is valid, the Candidate Eligibility Review Committee—

(a) may require the Electoral Registration Officer to advise the Committee, and have regard to such advice of the Electoral Registration Officer, as to any of the matters specified in subsection (5); and

(b) may require a relevant body or the person to furnish any other information that the Committee considers appropriate to be satisfied as to the validity of the registration form or the registration.

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

(a) whether, in the opinion of the Electoral Registration Officer, section 5I, 5J, 5L or 5M of the Schedule to Cap. 569 are complied with in relation to the person;

(b) whether, in the opinion of the Electoral Registration Officer, the registration form or the registration of the person on the form is valid;

(c) whether the registration form has been completed or signed as required under this Regulation;

(d) in the opinion of the Electoral Registration Officer—

(i) whether the person is eligible to be registered as an ex-officio member under the Schedule to Cap. 569; and

(ii) whether the person is disqualified from being so registered under that Schedule; and

(e) whether, according to the information available to the Electoral Registration Officer, the person is dead.

(6) For the purposes of subsection (5)(a), the Electoral Registration Officer is not to advise on whether a person has complied with section 5I(4)(b) or (7) of the Schedule to Cap. 569.

(7) If the Candidate Eligibility Review Committee determines that a registration form or a registration of a person is invalid, the Committee must endorse on the relevant registration form the determination and the reasons for it.

(8) After the Candidate Eligibility Review Committee has made a determination on the validity of a registration form or a registration of a person, the Electoral Registration Officer must, as soon as practicable—

(a) inform the Association or the person (as the case may be) of the determination in writing; and

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

(i) publish in the Gazette a notice declaring the registration as valid; and

(ii) register the person as an ex-officio member under section 40(1A) or 41 of the Schedule to Cap. 569.

(9) In this section, a reference to section 5L or 5M of the Schedule to Cap. 569 being complied with in relation to a person is to be construed as follows—

(a) for section 5L of that Schedule—that the person is eligible to be registered as an ex-officio member under that section; and

(b) for section 5M of that Schedule—that the person is not disqualified from being so registered under that section.".

186. Part 2 heading amended (nominations and supplementary nominations for religious subsector and nominations for other subsectors and other stages of subsector election before poll)

Part 2, heading—

Repeal

"**for Religious Subsector and Nominations for Other Subsectors**".

187. Section 3 amended (Chief Electoral Officer to publish notice calling for nominations or supplementary nominations for religious subsector)

(1) Section 3, heading—

Repeal

"**for religious subsector**"

Substitute

"**under section 7 of Schedule to Chief Executive Election Ordinance**".

(2) Section 3(1)—

Repeal

", for the religious subsector,".

(3) Section 3(2)—

Repeal

"the religious"

Substitute

"a".

(4) Section 3(3)(a)—

Repeal subparagraph (i)

Substitute

"(i) in subsection (1), the name of each designated body and the assigned number (as defined by section 7(9) of the Schedule to the Chief Executive Election Ordinance (Cap. 569)) in relation to each designated body;".

188. Section 4 amended (Chief Electoral Officer to publish notice specifying period and address for submitting subsector nomination forms)

(1) Section 4(3)(a)—

Repeal subparagraph (i)

Substitute

"(i) in subsection (1)—

(A) the names of all the subsectors (as defined by section 11(1) of the Schedule to the Chief Executive Election Ordinance (Cap. 569));

(B) the number of NPC deputies and CPPCC members whose registration is declared as valid under section 2D(8)(b)(i) for each subsector for the term of office of the Election Committee concerned; and

(C) the number of EC members to be elected by each of the subsectors for the term of office of the Election Committee concerned;".

(2) Section 4(3)(f)(i)—

Repeal

"allocated to"

Substitute

"to be elected by".

189. Section 6 amended (notices under sections 3 and 4 to be in specified form)

Section 6—

Repeal

"for the religious subsector".

190. Section 7 amended (how to nominate EC members for religious subsector)

(1) Section 7, heading—

Repeal

"**for religious subsector**"

Substitute

"**under section 7 of Schedule to Chief Executive Election Ordinance**".

(2) Section 7—

Repeal subsection (1)

Substitute

"(1) A person is to be nominated as an EC member under section 7 of the Schedule to the Chief Executive Election Ordinance (Cap. 569) by the submission by a designated body of a nomination form in the specified form that complies with this section and sections 7 and 7A of that Schedule.".

(3) Section 7(2)—

Repeal

"religious subsector nomination form"

Substitute

"designated nomination form".

(4) Section 7(2)(a)—

Repeal

everything after "as"

Substitute

"an EC member;".

(5) Section 7(2)(d)—

Repeal

"religious subsector nomination form"

Substitute

"designated nomination form".

(6) After section 7(2)—

Add

"(2A) The designated nomination form must also contain a declaration by each nominee as required by section 7A of the Schedule to the Chief Executive Election Ordinance (Cap. 569).".

(7) Section 7(3), (4) and (5)—

Repeal

"religious subsector nomination form"

Substitute

"designated nomination form".

(8) Section 7—

Repeal subsection (6)

Substitute

"(6) The Returning Officer may require a designated body or a person who is being nominated under this section to furnish any other information that the Officer considers appropriate for enabling the Candidate Eligibility Review Committee to be satisfied—

(a) that the person is eligible to be nominated as an EC member; or

(b) otherwise as to the validity of the nomination.".

(9) Section 7(7)—

Repeal

"religious subsector nomination form"

Substitute

"designated nomination form".

191. Section 8 amended (how to nominate candidates for other subsectors)

(1) Section 8, heading—

Repeal

"**other subsectors**"

Substitute

"**subsector election**".

(2) After section 8(4)—

Add

"(4A) The subsector nomination form must also contain a declaration by the person being nominated as the candidate as required by section 17A of the Schedule to the Chief Executive Election Ordinance (Cap. 569).".

(3) Section 8—

Repeal subsection (10)

Substitute

"(10) The Returning Officer may require a person who is being nominated as a candidate to furnish any other information that the Officer considers appropriate for enabling the Candidate Eligibility Review Committee to be satisfied—

(a) that the candidate is eligible to be nominated as a candidate; or

(b) otherwise as to the validity of the nomination.".

192. Section 9 amended (Returning Officer may assist in preparation of nomination forms)

Section 9(1)—

Repeal

"religious subsector nomination form"

Substitute

"designated nomination form".

193. Section 10 amended (Returning Officer to make available copies of nomination forms for public inspection)

(1) Section 10—

Repeal

"religious subsector nomination forms" (wherever appearing)

Substitute

"designated nomination forms".

(2) Section 10—

Repeal

"become"

Substitute

"are validly nominated as".

194. Section 12 substituted

Section 12—

Repeal the section

Substitute

"**12. Candidate Eligibility Review Committee to determine whether nominee is validly nominated**

(1) The Returning Officer must, as soon as practicable after receiving a designated nomination form—

(a) forward the form to the Candidate Eligibility Review Committee; and

(b) if section 7(6) of the Schedule to the Chief Executive Election Ordinance (Cap. 569) (***Schedule to Cap. 569***) applies—determine the order of priority under that section.

(2) The Candidate Eligibility Review Committee must, as soon as practicable after receiving a designated nomination form or the order of priority (if applicable) forwarded by the Returning Officer, determine the validity of nomination of those nominees the number of whom are necessary for the purpose of making up the assigned number, or filling the vacancy, mentioned in section 7 of the Schedule to Cap. 569 for the designated body concerned.

(3) To avoid doubt, the Candidate Eligibility Review Committee is not required to determine the validity of nomination of the nominees who are not necessary for the purpose mentioned in subsection (2).

(4) The Candidate Eligibility Review Committee must decide whether it is necessary to determine the validity of nomination of a nominee for the purpose mentioned in subsection (2) according to—

(a) if section 7(4) of the Schedule to Cap. 569 applies—the preference and ranking mentioned in that section; or

(b) if section 7(6) of the Schedule to Cap. 569 applies—the order of priority determined under that section.

(5) Without prejudice to section 7 and sections 7A, 8, 9 and 9A of the Schedule to Cap. 569, the Candidate Eligibility Review Committee may determine a designated nomination form or a nomination of a nominee on the form to be invalid if and only if—

(a) the designated nomination form or the nomination of a nominee on the form has not been completed or signed as required under this Regulation;

(b) the Candidate Eligibility Review Committee is satisfied that the nominee is not eligible to be, or is disqualified from being, nominated as an EC member under that Schedule; or

(c) the Candidate Eligibility Review Committee is satisfied that the nominee is dead.

(6) In determining whether a designated nomination form or a nomination of a nominee is valid, the Candidate Eligibility Review Committee—

(a) may require the Returning Officer to advise the Committee, and have regard to such advice of the Returning Officer, as to any of the matters specified in subsection (7); and

(b) may require a designated body or the nominee to furnish any other information that the Committee considers appropriate to be satisfied as to the validity of the designated nomination form or the nomination.

(7) The matters specified for subsection (6)(a) are—

(a) whether, in the opinion of the Returning Officer, section 8, 9 or 9A of the Schedule to Cap. 569 are complied with in relation to the nominee;

(b) whether, in the opinion of the Returning Officer, the designated nomination form or the nomination of the nominee on the form is valid;

(c) whether the designated nomination form has been completed or signed as required under this Regulation;

(d) in the opinion of the Returning Officer—

(i) whether the nominee is eligible to be nominated as an EC member of the subsector concerned under the Schedule to Cap. 569; and

(ii) whether the nominee is disqualified from being so nominated under that Schedule; and

(e) whether, according to the information available to the Returning Officer, the nominee is dead.

(8) In this section, a reference to section 8, 9 or 9A of the Schedule to Cap. 569 being complied with in relation to a nominee for a subsector is to be construed as follows—

(a) for section 8 of that Schedule—that the nominee is eligible to be selected for that subsector under that section; and

(b) for section 9 or 9A of that Schedule—that the nominee is not disqualified from being a nominee for that subsector under that section.”.

195. Section 13 amended (Returning Officer to decide whether candidates are validly nominated)

(1) Section 13, heading—

Repeal

“**Returning Officer**”

Substitute

“**Candidate Eligibility Review Committee**”.

(2) Section 13—

Repeal subsection (1)

Substitute

“(1) The Returning Officer must, as soon as practicable after receiving a subsector nomination form, forward the form to the Candidate Eligibility Review Committee.

(1A) The Candidate Eligibility Review Committee must, as soon as practicable after receiving a subsector nomination form forwarded by the Returning Officer, decide whether a candidate is validly nominated.”.

(3) Section 13(2)—

Repeal

“18, 18A, 18B and 18C”

Substitute

“17A, 18 and 18A”.

(4) Section 13(2)(a)—

Repeal

“Returning Officer”

Substitute

“Candidate Eligibility Review Committee”.

(5) Section 13(3)—

Repeal

“18, 18A, 18B and 18C”

Substitute

“17A, 18 and 18A”.

(6) Section 13(3)—

Repeal

“Returning Officer” (wherever appearing)

Substitute

“Candidate Eligibility Review Committee”.

(7) After section 13(3)—

Add

"(3A) In deciding whether a candidate is validly nominated for a subsector, the Candidate Eligibility Review Committee—

(a) may require the Returning Officer to advise the Committee, and have regard to such advice of the Returning Officer, as to any of the matters specified in subsection (3B); and

(b) may require the candidate to furnish any other information that the Committee considers appropriate to be satisfied as to the validity of the nomination.

(3B) The matters specified for subsection (3A)(a) are—

(a) whether, in the opinion of the Returning Officer, section 17, 18 or 18A of the Schedule to the Chief Executive Election Ordinance (Cap. 569) are complied with in relation to the candidate;

(b) whether, in the opinion of the Returning Officer, the subsector nomination form is valid;

(c) whether the candidate has withdrawn the candidature for the subsector concerned;

(d) whether the subsector nomination form has been signed by the prescribed number of subscribers qualified to subscribe to the subsector nomination form as required under the Election Committee (Subscribers and Election Deposit for Nomination) Regulation (Cap. 569 sub. leg. C);

(e) whether the subsector nomination form has been completed or signed as required under this Regulation;

(f) in the opinion of the Returning Officer—

(i) whether the candidate is eligible to be nominated as a candidate of the subsector concerned under the Schedule to the Chief Executive Election Ordinance (Cap. 569); and

(ii) whether the candidate is disqualified from being so nominated under that Schedule;

(g) whether the candidate has lodged the appropriate deposit; and

(h) whether, according to the information available to the Returning Officer, the candidate is dead.".

(8) After section 13(4)—

Add

"(5) In this section, a reference to section 17, 18 or 18A of the Schedule to the Chief Executive Election Ordinance (Cap. 569) being complied with in relation to a candidate for a subsector is to be construed as follows—

(a) for section 17 of that Schedule—that the candidate is eligible to be nominated as a candidate at an election for that subsector under that section; and

(b) for section 18 or 18A of that Schedule—that the candidate is not disqualified from being nominated as a candidate at an election for that subsector under that section.".

196. Section 14 amended (Returning Officer to have regard to advice of Nominations Advisory Committee)

Section 14—

Repeal

everything before "or as a candidate"

Substitute

"In forming an opinion for the purposes of section 12(6)(a) and (7)(d) or 13(3A)(a) and (3B)(f) as to whether a person is eligible to be, or is disqualified from being, nominated as an EC member".

197. Section 15 amended (Returning Officer may give opportunity to rectify nomination form)

(1) Section 15(1)—

Repeal

"religious subsector nomination form"

Substitute

"designated nomination form".

(2) Section 15(1)—

Repeal

everything after "that Officer may,"

Substitute

"before forming an opinion for the purposes of section 12(6)(a) and (7)(b) or 13(3A)(a) and (3B)(b), as to whether the designated nomination form or subsector nomination form is valid, as may be appropriate, give the nominee, the designated body or the candidate a reasonable opportunity to rectify it.".

(3) Section 15(2)—

Repeal

"religious subsector nomination form"

Substitute

"designated nomination form".

198. Section 16 amended (Returning Officer to endorse that nomination form is invalid)

(1) Section 16, heading—

Repeal

"**Returning Officer to endorse that nomination form is invalid**"

Substitute

"**Candidate Eligibility Review Committee to endorse invalid nomination form**".

(2) Section 16—

Repeal subsection (1)

Substitute

"(1) If the Candidate Eligibility Review Committee decides that a designated nomination form or a subsector nomination form is invalid, or that the nomination of a nominee or of a candidate is invalid, the Committee must endorse on the relevant nomination form the decision and the reasons for it.".

(3) Section 16(2)—

Repeal

"Returning Officer"

Substitute

"Candidate Eligibility Review Committee".

(4) After section 16(2)—

Add

"(2A) The Candidate Eligibility Review Committee must, after deciding whether a person is validly nominated—

(a) inform the Returning Officer of the decision; and

(b) return the designated nomination form or subsector nomination form to the Returning Officer for retention.".

(5) Section 16(3)—

Repeal

everything before "must"

Substitute

"(3) A determination under section 12(2) or a decision under section 12(4) made in relation to a nominee".

(6) Section 16(4)—

Repeal

"a decision"

Substitute

"the decision of the Candidate Eligibility Review Committee".

199. Section 19 amended (Returning Officer to publish notice for purposes of sections 7(8) and 25(1) of Schedule to Chief Executive Election Ordinance)

(1) Section 19(1)—

Repeal

everything after "nominees"

Substitute

"is or are validly nominated as an EC member or EC members.".

(2) Section 19(2)(a)—

Repeal

"allocated to"

Substitute

"to be elected by".

200. Section 21 amended (Returning Officer to notify and declare if validly nominated candidate is disqualified)

(1) Section 21(1)—

Repeal

"that Officer"

Substitute

"the Candidate Eligibility Review Committee".

(2) Section 21(2)—

Repeal

"Returning Officer under subsection (1)"

Substitute

"Candidate Eligibility Review Committee".

(3) Section 21(2)(a)(i)—

Repeal

"that Officer's"

Substitute

"the Committee's".

(4) Section 21(2)(b)—

Repeal

"that Officer considers it appropriate to do so,"

Substitute

"the Committee considers it appropriate to do so, instruct the Returning Officer concerned to".

(5) Section 21(3)—

Repeal

"that Officer"

Substitute

"the Candidate Eligibility Review Committee".

(6) Section 21(4)(c)—

Repeal

"Returning Officer"

Substitute

"Candidate Eligibility Review Committee".

201. Section 22 amended (no poll upon death or disqualification of candidate under certain circumstances)

Section 22(1)(a)(i) and (c)(i)—

Repeal

"allocated to"

Substitute

"to be elected by".

202. Section 28A added

After section 28—

Add

"**28A. Chief Electoral Officer may require certain premises for use as polling stations or counting stations**

(1) For the purposes of section 28(1)(a) or (b), the Chief Electoral Officer may, by written notice, require an owner or occupier of any target premises to—

(a) allow an authorized person to carry out a site visit at the premises for enabling the Officer to determine whether the premises are suitable for use as a polling station or counting station in a subsector election; and

(b) if the Officer considers the premises suitable—take the steps specified in subsection (2).

(2) The steps specified for the purposes of subsection (1)(b) are—

(a) to make available the premises for use as a polling station or counting station in the subsector election; and

(b) to allow an authorized person to carry out preparatory work and store materials at the premises for a purpose relating to such use.

(3) If any target premises are used as a polling station or counting station as a result of a person's compliance with a requirement made under subsection (1), the Chief Electoral Officer must pay to the person a user fee for the period during which the premises are so used.

(4) The amount of the user fee payable under subsection (3) is to be—

(a) agreed between the person and the Chief Electoral Officer; or

(b) if no agreement can be reached—determined by the court by reference to the loss suffered by the person for making available the premises.

(5) A person who fails to comply with a requirement made under subsection (1) is liable to pay a financial penalty of $10,000.

(6) For the purposes of this section—

(a) a user fee payable under subsection (3) is recoverable as a civil debt due from the Government; and

(b) a financial penalty payable under subsection (5) is recoverable as a civil debt due to the Government.

(7) In this section—

authorized person (獲授權人) means a person authorized in writing by the Chief Electoral Officer for the purposes of this section;

occupier (佔用人), in relation to any target premises—

(a) means a tenant, subtenant or any other person in lawful occupation of the premises; but

(b) does not include an owner of the premises;

owner (業主), in relation to any target premises, means—

(a) a person who appears from the records at the Land Registry to be the owner of—

(i) the land on which the premises situate; or

(ii) if the land is divided into shares—an undivided share in the land that relates to the premises; and

(b) a registered mortgagee in possession of such land or share;

target premises (目標處所) means a school or building described in section 28(2)(c) or (d) or any part of it.”.

203. Section 44 amended (who may enter or be present at polling station)

(1) Section 44(4)(i)—

Repeal

"or".

(2) Section 44(4)(j)—

Repeal the full stop

Substitute

"; or".

(3) After section 44(4)(j)—

Add

"(k) an individual who provides the assistance mentioned in section 114(2)(c) pursuant to an authorization under that section.".

204. Section 49A added

After section 49—

Add

"**49A. Arrangement for giving ballot papers to elderly persons, pregnant women, etc.**

(1) The Presiding Officer may designate an area in the polling station for giving a ballot paper to a person—

(a) who is not less than 70 years of age;

(b) whose document specified in section 50(1A)(a), (ab), (b), (c), (d), (e) or (f) shows the year of birth, without the month and day of birth, of the person which is 70 years earlier than the year within which the polling day falls;

(c) whose document specified in section 50(1A)(a), (ab), (b), (c), (d), (e) or (f) shows, without the day of birth—

(i) the year of birth of the person which is 70 years earlier than the year within which the polling day falls; and

(ii) the month of birth of the person which is the same as the month within which the polling day falls;

(d) who is pregnant; or

(e) who, because of illness, injury, disability or dependence on mobility aids—

(i) is not able to queue for a long time; or

(ii) has difficulty in queuing.

(2) If the Presiding Officer is satisfied that a person who arrives at, or is present in, the polling station to vote falls within the description in subsection (1)(a), (b), (c), (d) or (e), the Officer may direct the person to immediately proceed to the following location to apply for a ballot paper—

(a) the area designated under subsection (1); or

(b) if there is a queue extending from that area—the end of the queue.”.

205. Section 53 amended (Presiding Officer to issue ballot papers to voter or authorized representative)

Section 53(5)—

Repeal

everything after “Officer”

Substitute

"must—

(a) if a printed copy of the subsector final register is used to record the issue—mark the copy by placing a line across the name and identity document number of the voter or authorized representative; or

(b) if an FR electronic copy (as defined by section 112) of the subsector final register is used to record the issue—make, by using an electronic device, a record in the entry relating to the voter or authorized representative in the FR electronic copy,

to denote that the ballot paper or ballot papers the voter or authorized representative is entitled to have issued to him or her at the relevant polling station has been so issued.".

206. Section 56 amended (how ballot papers are to be marked)

Section 56(3)—

Repeal

"allocated to"

Substitute

"to be elected by".

207. Section 61 amended (steps to be taken at polling station after close of poll)

Section 61(1)(b)—

Repeal subparagraph (iv)

Substitute

"(iv) if the copy of the subsector final register has been marked under section 53(5)(a)—the marked copy.".

208. Section 73 amended (arrangements for counting of votes and verification of the ballot paper account in manual counting)

(1) Section 73, heading—

Repeal

"**verification of the ballot paper account**"

Substitute

"**verification of number of ballot papers**".

(2) Section 73(2)(a)—

Repeal subparagraph (iii)

Substitute

"(iii) verify the number recorded for each subsector under subparagraph (ii) by comparing it with the ballot paper account for that subsector;".

(3) Section 73(2)(a)(v) and (vi)—

Repeal

"verification of the ballot paper account"

Substitute

"verification of number of ballot papers".

(4) Section 73(3)—

Repeal paragraph (b)

Substitute

"(b) verify the number recorded under paragraph (a) by comparing it with the ballot paper account;".

(5) Section 73(4) and (5)—

Repeal

"verification of the ballot paper account"

Substitute

"verification of number of ballot papers".

209. Section 74 amended (arrangements for counting of votes and verification of the ballot paper account in computer counting)

(1) Section 74, heading—

Repeal

"**verification of the ballot paper account**"

Substitute

"**verification of number of ballot papers**".

(2) Section 74(4)—

Repeal paragraph (b)

Substitute

"(b) verify the number ascertained for the subsector under paragraph (a) by comparing it with the ballot paper accounts for that subsector; and".

(3) Section 74(5) and (6)—

Repeal

"verification of the ballot paper account"

Substitute

"verification of number of ballot papers".

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

Section 77(1)(ga)(i)—

Repeal

"allocated to"

Substitute

"to be elected by".

211. Section 78A amended (Returning Officer to prepare ballot paper statement)

Section 78A(2)(h)(i)—

Repeal

"allocated to"

Substitute

"to be elected by".

212. Section 81 amended (form in which Returning Officer is to publish result of subsector election)

(1) Section 81—

Repeal subsection (1A).

(2) Section 81(2)—

Repeal

"subsections (1) and (1A)"

Substitute

"subsection (1)".

213. Section 83 amended (Returning Officer to send ballot papers, accounts, packets, etc. to Chief Electoral Officer)

(1) Section 83(1)(a)—

Repeal

", verification of the ballot paper account and the re-verification of the ballot paper account"

Substitute

"and verification of number of ballot papers".

(2) Section 83(1)(g)—

Repeal

"; and"

Substitute a semicolon.

(3) After section 83(1)(g)—

Add

"(ga) if the copy of the subsector final register has been marked under section 53(5)(a)—the marked copy; and".

214. Section 85 amended (Chief Electoral Officer to retain subsector election documents for at least 6 months)

Section 85, after "section 83"—

Add

"and the copies of the subsector final register in which records have been made under section 53(5)(b)".

215. Section 89 amended (Returning Officer may perform functions through Assistant Returning Officers)

Section 89(2)—

Repeal paragraph (a).

216. Section 93 amended (enforcement of provisions as to secrecy)

(1) Section 93(5)—

Repeal

"marked under section 53(5)"

Substitute

"in printed form marked under section 53(5)(a)".

(2) Section 93(6)—

Repeal

"or re-verifications of such accounts"

Substitute

"of number of ballot papers".

217. Section 94 amended (procedure in case of death or disqualification of candidate on polling day but before declaration of result)

Section 94—

Repeal subsection (1)

Substitute

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

(a) proof is given to the satisfaction of the Returning Officer that a candidate for the subsector election has died; or

(b) proof is given to the satisfaction of the Candidate Eligibility Review Committee that a candidate for the subsector election is disqualified from being elected,

the Returning Officer must direct that the proceedings for the subsector election are to begin or to continue, as the case may be, as if the death or disqualification had not occurred.".

218. Section 95 amended (publication and display of notices, etc.)

Section 95(2)(a) and (b)—

Repeal

"Returning Officer"

Substitute

"Candidate Eligibility Review Committee".

219. Part 8 added

After Part 7—

Add

"Part 8

Electronic Copy of Subsector Final Register for Purposes of Section 53(5)(b)

112. Interpretation (Part 8)

In this Part—

FR electronic copy (正式登記冊電子文本) means an electronic copy of the subsector final register, or of part of the subsector final register, created and maintained under section 113;

obtain access (取覽), in relation to an FR electronic copy, includes causing an electronic device to perform a function so as to obtain access to the data or information contained in the FR electronic copy.

113. FR electronic copy

(1) The Commission may, for the purposes of section 53(5)(b), create and maintain an electronic copy of the subsector final register, or of part of the subsector final register—

(a) to be stored on an electronic platform; and

(b) access to which can be obtained through the Internet by using an electronic device.

(2) An FR electronic copy is to contain the identity document numbers of the voters and authorized representatives and such additional particulars or information that the Chief Electoral Officer thinks fit to include.

114. Protection of FR electronic copy

(1) A person commits an offence if the person obtains access to an FR electronic copy without legal authority to do so.

(2) For the purposes of subsection (1), an individual has legal authority to obtain access to an FR electronic copy if—

(a) the individual is authorized by the Commission to assist in the creation or maintenance of the FR electronic copy and the individual acts in compliance with the terms of the authorization;

(b) the individual is a Presiding Officer or polling officer who is authorized by the Commission to use the FR electronic copy for the purposes of section 53(5)(b) and the individual so uses the FR electronic copy in compliance with the terms of the authorization; or

(c) the individual is authorized by the Commission to assist in making the FR electronic copy available for the use mentioned in paragraph (b) and the individual acts in compliance with the terms of the authorization.

(3) A person commits an offence if the person, without lawful excuse—

(a) damages any data or information contained in an FR electronic copy; or

(b) otherwise tampers with an FR electronic copy to make its operation defective.

(4) A person who commits an offence under subsection (1) or (3) is liable on conviction on indictment to imprisonment for 2 years.

115. Commission may authorize access to FR electronic copy

(1) A member of the Commission may, for the purposes of section 114(2)—

(a) grant an authorization to an individual; and

(b) determine the terms of the authorization.

(2) An authorization granted to an individual under subsection (1) must—

(a) be in writing;

(b) specify the name and appropriate identification details of the individual; and

(c) set out the terms of the authorization.”.

220. Schedule 1 amended (postponement and adjournment of subsector elections)

(1) Schedule 1, section 4(2)—

Repeal

“marked copies of the subsector final register”

Substitute

“copy of the subsector final register that has been marked under section 53(5)(a) of this Regulation”.

(2) Schedule 1, section 5(2)—

Repeal

"the ballot paper account or re-verification of the ballot paper account"

Substitute

"number of ballot papers".

221. Schedule 2 amended (form of ballot paper and form of notice of result of subsector election)

(1) Schedule 2—

Repeal Form 1

Substitute

"**Form 1**

Ballot Paper for Subsector Election

《選舉管理委員會(選舉程序)(選舉委員會)規例》
ELECTORAL AFFAIRS COMMISSION (ELECTORAL PROCEDURE) (ELECTION COMMITTEE) REGULATION

選舉委員會界別分組一般選舉 / 補選
ELECTION COMMITTEE SUBSECTOR ORDINARY ELECTION / BY-ELECTION

選 票
BALLOT PAPER

*(界別分組名稱)
*(Name of subsector)

*(選舉日期)
*(date of election)

請選出不多於#(數目)名候選人
MARK UP TO #(Number) CHOICES AND NO MORE

請用黑色筆填滿你所選擇的候選人姓名左邊的橢圓圈。
Please fill in black the ovals opposite the names of the candidates of your choice.

*+(候選人提名公告上顯示的候選人姓名) *+(Name of candidate as shown in Notice of Nominations)	
1 ⬭	16 ⬭
2 ⬭	17 ⬭
3 ⬭	18 ⬭
⋮	⋮
13 ⬭	28 ⬭
14 ⬭	29 ⬭
15 ⬭	30 ⬭

* Only the appropriate information will be printed.

\+ Address of the candidate to be included if required under section 49(7)(b).

\# The relevant number will be printed.”.

(2) Schedule 2—

Repeal Form 2

Substitute

“Form 2

Ballot Paper for Subsector By-Election in relation to which Commission has Made Direction under Section 56(2)

《選舉管理委員會(選舉程序)(選舉委員會)規例》
ELECTORAL AFFAIRS COMMISSION
(ELECTORAL PROCEDURE)
(ELECTION COMMITTEE) REGULATION
選舉委員會界別分組補選
ELECTION COMMITTEE
SUBSECTOR BY-ELECTION

*(選舉日期)
*(date of election)

選 票
BALLOT
PAPER

*(界別分組名稱)
*(Name of subsector)

只可投票選出不多於#(數目)名候選人
VOTE FOR UP TO #(Number) CANDIDATE(S) AND NO MORE

請用投票站提供的印章，在所選候選人姓名旁的圓圈內蓋上 ✓ 號。
Please use the chop provided at the polling station to stamp a ✓ in the circle opposite the name of candidate of your choice.

1 *+(候選人提名公告上顯示的候選人姓名)
*+(Name of candidate as shown in Notice of Nominations)

2

3

* Only the appropriate information will be printed.

\+ Address of the candidate to be included if required under section 49(7)(b).

\# The relevant number will be printed.”.

(3) Schedule 2, Form 3—

Repeal

"***(界別分組 / 小組名稱)**"

Substitute

"***(界別分組名稱)**".

(4) Schedule 2, Form 3—

Repeal

"***(Name of subsector/sub-subsector)**"

Substitute

"***(Name of subsector)**".

(5) Schedule 2, Form 3—

Repeal

"*界別分組 / 小組" (wherever appearing)

Substitute

"界別分組".

(6) Schedule 2, Form 3—

Repeal

"*subsector/sub-subsector" (wherever appearing)

Substitute

"subsector".

(7) Schedule 2—

Repeal Form 4.

Division 9—Electoral Procedure (Chief Executive Election) Regulation (Cap. 541 sub. leg. J)

222. Section 2 amended (interpretation)

Section 2(1)—

Add in alphabetical order

"***Candidate Eligibility Review Committee*** (候選人資格審查委員會) means the Candidate Eligibility Review Committee established under section 9A of the Election Ordinance;

member of the Election Committee (選舉委員) has the meaning given by section 2(1) of the Election Ordinance;".

223. Section 4 amended (how to nominate a candidate)

Section 4—

Repeal subsection (3)

Substitute

"(3) The Returning Officer may require a person who is nominated as a candidate to furnish any other information that the Officer considers appropriate for enabling the Candidate Eligibility Review Committee to be satisfied—

(a) that the person is eligible to be nominated as a candidate; or

(b) otherwise as to the validity of the nomination.".

224. Section 4A added

After section 4—

Add

"**4A. Candidate Eligibility Review Committee to decide whether candidates are validly nominated**

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

(2) The Candidate Eligibility Review Committee must, as soon as practicable after receiving a nomination form forwarded by the Returning Officer, decide whether a candidate is validly nominated.

(3) If sections 13, 14 and 16 of the Election Ordinance are complied with in relation to a candidate, the candidate stands validly nominated unless—

(a) the Candidate Eligibility Review Committee decides that the nomination form is invalid; or

(b) the candidate withdraws his or her candidature.

(4) Without prejudice to sections 13, 14 and 16 of the Election Ordinance, the Candidate Eligibility Review Committee may decide that a nomination is invalid if and only if—

(a) the nomination form has not been signed by the number of members of the Election Committee qualified to make the nomination as required under section 16(2)(a) of the Election Ordinance;

(b) the nomination form has not been completed or signed as required under this Regulation;

(c) the Candidate Eligibility Review Committee is satisfied that the candidate is not eligible to be, or is disqualified from being, nominated as a candidate under the Election Ordinance; or

(d) the Returning Officer is satisfied that the candidate is dead.

(5) In deciding whether a candidate is validly nominated, the Candidate Eligibility Review Committee—

(a) may require the Returning Officer to advise the Committee, and have regard to such advice of the Returning Officer, as to any of the matters specified in subsection (6); and

(b) may require the candidate to furnish any other information that the Committee considers appropriate to be satisfied as to the validity of the nomination.

(6) The matters specified for subsection (5)(a) are—

(a) subject to subsection (7), whether, in the opinion of the Returning Officer, sections 13, 14 and 16 of the Election Ordinance are complied with in relation to the candidate;

(b) whether, in the opinion of the Returning Officer, the nomination form of the candidate is valid;

(c) whether the candidate has withdrawn candidature;

(d) whether the nomination form of the candidate has been signed by the number of members of the Election Committee qualified to make the nomination as required under section 16(2)(a) of the Election Ordinance;

(e) whether the nomination form of the candidate has been completed or signed as required under this Regulation;

(f) in the opinion of the Returning Officer—

(i) whether the candidate is eligible to be nominated as a candidate under the Election Ordinance; and

(ii) whether the candidate is disqualified from being nominated as a candidate under that Ordinance; and

(g) whether, according to the information available to the Returning Officer, the candidate is dead.

(7) For the purposes of subsection (6)(a), the Returning Officer is not to advise on whether a candidate has complied with section 16(7)(a)(ii) of the Election Ordinance.

(8) In this section, a reference to section 13, 14 or 16 of the Election Ordinance being complied with in relation to a candidate is to be construed as follows—

(a) for section 13 of that Ordinance—that the candidate is eligible to be nominated as a candidate at an election under that section;

(b) for section 14 of that Ordinance—that the candidate is not disqualified from being nominated as a candidate at an election under that section; and

(c) for section 16 of that Ordinance—that the candidate has complied with that section.”.

225. Section 5 amended (Returning Officer may give opportunity to rectify a nomination form)

Section 5(1)—

Repeal

everything after “may,”

Substitute

"before forming an opinion for the purposes of section 4A(5)(a) and (6)(b) as to whether the nomination form is valid, give the candidate a reasonable opportunity to rectify it.".

226. Section 6 amended (Returning Officer to endorse invalid nomination forms)

(1) Section 6, heading—

Repeal

"**Returning Officer**"

Substitute

"**Candidate Eligibility Review Committee**".

(2) Section 6(1)—

Repeal

"Returning Officer determines that a nomination form or the nomination of a candidate is invalid, he shall"

Substitute

"Candidate Eligibility Review Committee determines that a nomination form or the nomination of a candidate is invalid, the Committee must".

(3) Section 6(2)—

Repeal

"Returning Officer shall"

Substitute

"Candidate Eligibility Review Committee must".

(4) After section 6(2)—

Add

"(3) The Candidate Eligibility Review Committee must, after deciding whether a person is validly nominated—

(a) inform the Returning Officer of the decision; and

(b) return the nomination form to the Returning Officer for retention.".

227. Section 7 amended (Returning Officer to notify determination of validity of nomination)

Section 7(1)—

Repeal

"determining"

Substitute

"the Candidate Eligibility Review Committee has determined".

228. Section 26 amended (admission to polling station)

(1) Section 26(1)(m)—

Repeal

"or".

(2) Section 26(1)(n)—

Repeal the comma

Substitute

"; or".

(3) After section 26(1)(n)—

Add

"(o) an individual who provides the assistance mentioned in section 93(2)(c) pursuant to an authorization under that section,".

229. Section 34 amended (issue of ballot paper)

Section 34(3)—

Repeal paragraphs (a) and (b)

Substitute

"(a) if a printed copy of the final register is used to record the issue—marking the copy in the polling officer's possession—

(i) by placing a line across the name and identity document number of the elector; or

(ii) in such other manner that the Chief Electoral Officer may direct;

(b) if an FR electronic copy (as defined by section 91) is used to record the issue—making, by using an electronic device, a record in the entry relating to the elector in the FR electronic copy.".

230. Section 41 amended (steps to be taken at a polling station after the close of the poll)

Section 41(1)(b)—

Repeal subparagraph (v)

Substitute

"(v) if the copy of the final register has been marked under section 34(3)(a)—the marked copy,".

231. Section 49 amended (counting of votes)

Section 49(1A)(a)—

Repeal subparagraph (ii)

Substitute

"(ii) verify the number of DPS ballot papers recorded under subparagraph (i) by comparing it with the ballot paper account of the dedicated polling station; and".

232. Section 52 amended (verification of ballot paper account)

(1) Section 52, heading—

Repeal

"**ballot paper account**"

Substitute

"**number of ballot papers**".

(2) Section 52(1)—

Repeal paragraph (c)

Substitute

"(c) verify the numbers recorded under paragraphs (a) and (b) by comparing them with the ballot paper account of the main polling station; and".

233. Section 53 amended (result of counting and re-count)

Section 53(1)—

Repeal

"ballot paper accounts"

Substitute

"number of ballot papers".

234. Section 54 amended (notice of further round of voting)

Section 54(1)(b)(i)—

Repeal

"600"

Substitute

"750".

235. Section 57 amended (ballot papers, accounts, packets, etc. to be sent to Chief Electoral Officer)

(1) Section 57(i)—

Repeal

"and".

(2) After section 57(i)—

Add

"(ia) if the copy of the final register has been marked under section 34(3)(a)—the marked copy; and".

236. Section 59 amended (retention of election documents)

Section 59(a), after "section 57"—

Add

"and the copies of the final register in which records have been made under section 34(3)(b)".

237. Section 63 amended (procedure after adjournment of polling)

Section 63(1)—

Repeal paragraph (e)

Substitute

"(e) if the copy of the final register has been marked under section 34(3)(a)—the marked copy,".

238. Section 70 amended (secrecy)

Section 70(1)(d), after "final register"—

Add

"in printed form".

239. Section 76 amended (limit on the Returning Officer's power to delegate)

Section 76—

Repeal paragraph (a).

240. Part 11 added

After Part 10—

Add

"Part 11

Electronic Copy of Final Register for Purposes of Section 34(3)(b)

91. Interpretation (Part 11)

In this Part—

FR electronic copy (正式登記冊電子文本) means an electronic copy of the final register, or of part of the final register, created and maintained under section 92;

obtain access (取覽), in relation to an FR electronic copy, includes causing an electronic device to perform a function so as to obtain access to the data or information contained in the FR electronic copy.

92. FR electronic copy

(1) The Commission may, for the purposes of section 34(3)(b), create and maintain an electronic copy of the final register, or of part of the final register—

(a) to be stored on an electronic platform; and

(b) access to which can be obtained through the Internet by using an electronic device.

(2) An FR electronic copy is to contain the identity document numbers of the electors and such additional particulars or information that the Chief Electoral Officer thinks fit to include.

93. Protection of FR electronic copy

(1) A person commits an offence if the person obtains access to an FR electronic copy without legal authority to do so.

(2) For the purposes of subsection (1), an individual has legal authority to obtain access to an FR electronic copy if—

(a) the individual is authorized by the Commission to assist in the creation or maintenance of the FR electronic copy and the individual acts in compliance with the terms of the authorization;

(b) the individual is a Presiding Officer or polling officer who is authorized by the Commission to use the FR electronic copy for the purposes of section 34(3)(b) and the individual so uses the FR electronic copy in compliance with the terms of the authorization; or

(c) the individual is authorized by the Commission to assist in making the FR electronic copy available for the use mentioned in paragraph (b) and the individual acts in compliance with the terms of the authorization.

(3) A person commits an offence if the person, without lawful excuse—

(a) damages any data or information contained in an FR electronic copy; or

(b) otherwise tampers with an FR electronic copy to make its operation defective.

(4) A person who commits an offence under subsection (1) or (3) is liable on conviction on indictment to imprisonment for 2 years.

94. Commission may authorize access to FR electronic copy

(1) A member of the Commission may, for the purposes of section 93(2)—

(a) grant an authorization to an individual; and

(b) determine the terms of the authorization.

(2) An authorization granted to an individual under subsection (1) must—

(a) be in writing;

(b) specify the name and appropriate identification details of the individual; and

(c) set out the terms of the authorization.".

Division 10—Particulars Relating to Candidates on Ballot Papers (Legislative Council and District Councils) Regulation (Cap. 541 sub. leg. M)

241. Section 2 amended (interpretation)

(1) Section 2(1)—

Repeal the definition of *relevant cut-off date*

Substitute

"***relevant cut-off date*** (有關截止日期)—

(a) in relation to the annual registration cycle ending on 31 December 2021—means 15 July 2021; or

(b) in relation to any subsequent annual registration cycle—means 15 June in that annual registration cycle;".

(2) Section 2(1), definition of ***requestor***—

Repeal

"or 4(2)".

(3) Section 2(1)—

Repeal the definition of *subject of request*

Substitute

"***subject of request*** (請求標的), in relation to a request made under section 3(2), means any of the particulars specified in section 3(2)(a) and (b) that are sought to be printed on a ballot paper.".

(4) Section 2(1)—

Repeal the definition of *LC nomination list*.

(5) Section 2(1)—

Add in alphabetical order

"***LC Election Committee constituency*** (立法會選舉委員會界別) means the Election Committee constituency as defined by section 3(1) of the Legislative Council Ordinance (Cap. 542);".

242. Section 2A added

Part 1, after section 2—

Add

"**2A. Application**

This Regulation does not apply—

(a) in relation to a general election in so far as the election of LC members for the LC Election Committee constituency is concerned; and

(b) in relation to a by-election held for electing LC members for the LC Election Committee constituency.".

243. Section 3 amended (request by candidate for LC functional constituency or sole candidate on LC nomination list or by candidate for DC constituency)

(1) Section 3, heading—

Repeal

"**LC functional constituency or sole candidate on LC nomination list or by candidate for**"

Substitute

"**LC geographical constituency, LC functional constituency or**".

(2) Section 3(1)(a)—

Repeal subparagraphs (i) and (ii)

Substitute

"(i) to a candidate for an LC geographical constituency; or

(ii) to a candidate for an LC functional constituency; or".

244. Section 4 repealed (request by candidate on LC nomination list with more than one candidate)

Section 4—

Repeal the section.

245. Section 5 amended (consent of prescribed body in relation to request)

(1) Section 5(1)—

Repeal

"or 4(5)(e)".

(2) Section 5(1)(c)—

Repeal

everything after "given to"

Substitute

"the requestor concerned; and".

(3) Section 5(1)(d)—

Repeal

everything after "ballot paper"

Substitute

"as particulars relating to the requestor concerned.".

(4) Section 5(2)—

Repeal

"or 4(2)".

(5) Section 5(3)—

Repeal

"or 4(2)".

246. Section 6 amended (Commission may refuse to accept request)

(1) Section 6(1)—

Repeal

"or 4(2)".

(2) Section 6(1)(a)—

Repeal

"or 4(5)".

247. Section 7 amended (size and position of printing)

Section 7—

Repeal

"or 4(2)".

248. Part 3 heading amended (application for registration of name and emblem as particulars to be included as subject of request made under section 3 or 4)

Part 3, heading—

Repeal

"**or 4**".

249. Section 13 amended (applicant may vary application, etc.)

Section 13(1)—

Repeal paragraphs (a) and (b)

Substitute

"(a) if the application is made on or before the relevant cut-off date of an annual registration cycle—within 21 days after that cut-off date; or

(b) if the application is made after the relevant cut-off date of an annual registration cycle—within 21 days after the relevant cut-off date of the next following annual registration cycle.”.

250. Section 21 amended (Commission may de-register name and emblem)

(1) Section 21(1)(a)—

Repeal

“or 4(2)”.

(2) Section 21(2)(a)—

Repeal

“or 4(2)”.

251. Section 32 amended (signature of document)

Section 32(2)—

Repeal

everything after “the notice”

Substitute a full stop.

252. Schedule amended (particulars relating to candidates)

The Schedule—

Repeal

“[ss. 3 & 4]”

Substitute

“[s. 3]”.

Division 11—Electoral Affairs Commission (Financial Assistance for Legislative Council Elections and District Council Elections) (Application and Payment Procedure) Regulation (Cap. 541 sub. leg. N)

253. Section 2 amended (interpretation)

(1) Section 2(1), definition of ***claim***—

Repeal paragraph (a).

(2) Section 2(1), definition of ***declared election expenses***—

Repeal paragraph (a).

(3) Section 2(1), definition of ***eligible LC candidate***—

Repeal

"60C(2)(a) or (b)"

Substitute

"60C(a) or (b)".

(4) Section 2(1), definition of ***LC candidate***—

Repeal

everything after "election for a"

Substitute

"constituency as defined by section 3(1) of the Legislative Council Ordinance (Cap. 542);".

(5) Section 2(1)—

(a) definition of ***eligible list of LC candidates***;

(b) definition of ***list of LC candidates***—

Repeal the definitions.

(6) Section 2—

Repeal subsection (2).

254. Section 3 amended (requirements to be complied with when making claims)

(1) Section 3(2)—

Repeal

"If the claim is made by an LC candidate or a DC candidate, the"

Substitute

"The".

(2) Section 3—

Repeal subsections (3) and (3A).

(3) Section 3(4)(a)—

Repeal

"or made in respect of a list of LC candidates".

(4) Section 3(6)(a)—

Repeal the semicolon

Substitute

"; or".

(5) Section 3(6)—

Repeal paragraph (b).

255. Section 4 amended (presentation of claims)

Section 4(1)—

Repeal

everything after "in person"

Substitute

"by—

(a) the candidate who makes the claim and has signed the claim form; or

(b) the candidate's agent.".

256. Section 5 amended (verification of claims (eligibility, further information, etc.))

(1) Section 5(1)(a)—

Repeal

"60C(2)"

Substitute

"60C".

(2) Section 5(1)(a)—

Repeal the semicolon

Substitute

"; or".

(3) Section 5(1)—

Repeal paragraph (b).

(4) Section 5(3)—

Repeal

"or any candidate on the list of LC candidates in respect of which the claim is made to provide further information as he"

Substitute

"to provide further information as the Officer".

(5) Section 5(4)—

Repeal

everything after "must be"

Substitute

"—

(a) in writing; and

(b) sent by registered post to the address of the candidate as stated on the claim form.".

257. Section 7 amended (withdrawal of claims)

(1) Section 7(2)—

Repeal

everything after "signed"

Substitute

"by the candidate who made the claim.".

(2) Section 7(4)—

Repeal

everything after "in person"

Substitute

"by—

(a) the candidate who made the claim and has signed the notice; or

(b) the candidate's agent.".

258. Section 8 amended (payment of claims after verification)

(1) Section 8—

Repeal subsection (1).

(2) Section 8(2)—

Repeal

"verifying the claim"

Substitute

"verifying a claim made by an eligible LC candidate or eligible DC candidate".

(3) Section 8—

Repeal subsection (4)

Substitute

"(4) The payment is to be made to the candidate who has signed the claim form.".

259. Section 9 amended (payment in cases of death of candidate (single candidate))

(1) Section 9, heading—

Repeal

"**(single candidate)**".

(2) Section 9(1)—

Repeal

"8(4)(a)"

Substitute

"8(4)".

260. Section 10 repealed (payment in cases of death of candidate (multi-candidate list))

Section 10—

Repeal the section.

261. Section 13 amended (making claims on behalf of deceased candidates)

Section 13(1)—

Repeal

"or a candidate on an eligible list of LC candidates".

Part 4

Amendments to Legislative Council Ordinance and its Subsidiary Legislation

Division 1—Legislative Council Ordinance (Cap. 542)

262. Section 3 amended (interpretation)

(1) Section 3(1), definition of ***constituency***—

Repeal

everything after "means—"

Substitute

"(a) a geographical constituency;

(b) a functional constituency; or

(c) the Election Committee constituency;".

(2) Section 3(1), definition of ***corporate member***—

Repeal

"20A to 20ZB"

Substitute

"20B, 20N, 20O, 20P, 20Q, 20QA, 20R, 20S, 20U, 20V, 20W, 20X and 20Y".

(3) Section 3(1), definition of ***elector***—

Repeal

everything after "means"

Substitute

"—

(a) in relation to an election for a geographical constituency or functional constituency—a person who is registered in accordance with this Ordinance in a final register and who is not disqualified from being registered or from voting at the election; or

(b) in relation to an election for the Election Committee constituency—a person who is a member of the Election Committee and who is not disqualified from being registered as such a member or from voting at the election;".

(4) Section 3(1)—

Repeal the definitions of *District Council ordinary election* and *nomination list*.

(5) Section 3(1)—

Add in alphabetical order

"***Candidate Eligibility Review Committee*** (候選人資格審查委員會) means the Candidate Eligibility Review Committee established under section 23A;

Election Committee (選舉委員會) means the Election Committee constituted under section 8(1) of the Chief Executive Election Ordinance (Cap. 569);

Election Committee constituency (選舉委員會界別) means the Election Committee constituency established under section 21A;

member of the Election Committee (選舉委員) has the meaning given by section 2(1) of the Chief Executive Election Ordinance (Cap. 569);".

(6) Section 3—

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

263. Section 3AA added

After section 3—

Add

"**3AA. References to entitlement to vote at general meeting of or specified authority within body**

(1) For the purposes of this Ordinance—

(a) a reference to an entitlement to vote at a general meeting of a body is a reference to an entitlement to vote at the general meeting as provided by the body's constitution; and

(b) a reference to an entitlement to vote at the specified authority within a body is a reference to an entitlement to vote at that authority as provided by the body's constitution.

(2) In subsection (1), the reference to the constitution of a body is a reference to the constitution either—

(a) as in force at the commencement for any purpose of the provision (including a former provision) in this Ordinance that first specifies the body for the purpose of the composition of any functional constituency (including a functional constituency provided under such a former provision); or

(b) as subsequently amended or substituted, but only if the amendment or substitution, in so far as it relates to any of the following matters, has been approved in writing by the Secretary for Constitutional and Mainland Affairs—

(i) the objects of the body;

(ii) the criteria and conditions of—

(A) membership of the body; or

(B) membership of the specified authority within the body;

(iii) the eligibility of—

(A) members of the body to vote at a general meeting of the body; or

(B) members of the specified authority within the body to vote at that authority.

(3) For the purposes of subsection (1)(b)—

(a) a body (***first-mentioned body***) is also regarded as being entitled to vote at the specified authority within another body if a natural person who is entitled to vote at that authority—

(i) specifies in writing to the Electoral Registration Officer that the natural person represents the first-mentioned body at that authority; and

(ii) has substantial connection with the first-mentioned body; and

(b) if more than one body is specified by the same natural person under paragraph (a)(i) in respect of the specified authority within any other body, only the body last so specified is regarded as being entitled to vote at that authority.

(4) To avoid doubt, nothing in subsection (2) is to be construed as—

(a) creating any restriction on a body regarding any amendment to, or substitution of, the constitution of the body; or

(b) conferring on the Secretary for Constitutional and Mainland Affairs a power to approve such an amendment or substitution,

for a purpose other than to define the composition of the relevant functional constituency.

(5) In this section—

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

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

specified authority (指明單位), in relation to a body, means any authority within the body (other than a general meeting) the entitlement to vote at which is mentioned in a provision in Division 2 of Part 3 that provides for the composition of a functional constituency.".

264. Section 8 amended (different dates may be specified for different classes of elections)

(1) Section 8—

Renumber the section as section 8(1).

(2) Section 8(1)—

Repeal

everything after "classes of Members—"

Substitute

"(a) the Members to be returned for geographical constituencies;

(b) the Members to be returned for functional constituencies; and

(c) the Members to be returned for the Election Committee constituency.".

(3) After section 8(1)—

Add

"(2) The dates specified under subsection (1) must not be more than 7 days apart.".

265. Part 3, Division 1 heading added

Part 3, before section 18—

Add

"**Division 1—Geographical Constituencies**".

266. Section 18 amended (establishment of geographical constituencies)

(1) Section 18(1)—

Repeal

"5"

Substitute

"10".

(2) After section 18(3)—

Add

"(3A) For the seventh term of office of the Legislative Council—

(a) the areas of Hong Kong that form the geographical constituencies and the names of those constituencies are specified in Schedule 6; and

(b) no order is to be made under subsection (2).".

(3) Section 18(4), after "this section"—

Add

", or Schedule 6,".

267. Section 19 amended (number of Members to be returned for geographical constituency)

(1) Section 19(1)—

Repeal

"35"

Substitute

"20".

(2) Section 19(2)—

Repeal

everything after "is"

Substitute

"2".

268. Part 3, Division 2 heading added

Before section 20—

Add

"**Division 2—Functional Constituencies**".

269. Section 20 amended (establishment of functional constituencies)

(1) Section 20(1)—

Repeal paragraphs (h) and (i).

(2) Before section 20(1)(j)—

Add

"(ia) the medical and health services functional constituency;".

(3) After section 20(1)(q)—

Add

"(qa) the commercial (third) functional constituency;".

(4) Section 20(1)(z)—

Repeal

"information technology"

Substitute

"technology and innovation".

(5) Section 20(1)—

Repeal paragraphs (zb) and (zc).

(6) At the end of section 20(1)—

Add

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

(7) Section 20(2)—

Repeal

"20ZC"

Substitute

"20ZD".

270. Section 20B amended (composition of the agriculture and fisheries functional constituency)

(1) Section 20B(a)(viii)—

Repeal

"and".

(2) After section 20B(a)(viii)—

Add

"(ix) Hong Kong Fishermen Consortium;

(x) Federation of Hong Kong Agricultural Associations; and".

271. Section 20E amended (composition of the education functional constituency)

(1) Section 20E(b)—

Repeal subparagraphs (xii), (xiii), (xiv), (xv), (xvi), (xvii), (xviii), (xix), (xx) and (xxi).

(2) At the end of section 20E(b)—

Add

"(xxii) Board of Governors of post secondary colleges registered under the Post Secondary Colleges Ordinance (Cap. 320); and".

272. Sections 20H and 20I repealed

Sections 20H and 20I—

Repeal the sections.

273. Section 20IA added

Before section 20J—

Add

"**20IA. Composition of the medical and health services functional constituency**

The medical and health services functional constituency is composed of—

(a) medical practitioners registered or deemed to be registered under the Medical Registration Ordinance (Cap. 161); and

(b) dentists registered, deemed to be registered or exempt from registration under the Dentists Registration Ordinance (Cap. 156); and

(c) chiropractors registered under the Chiropractors Registration Ordinance (Cap. 428); and

(d) nurses registered or enrolled or deemed to be registered or enrolled under the Nurses Registration Ordinance (Cap. 164); and

(e) midwives registered or deemed to be registered under the Midwives Registration Ordinance (Cap. 162); and

(f) pharmacists registered under the Pharmacy and Poisons Ordinance (Cap. 138); and

(g) medical laboratory technologists registered under the Medical Laboratory Technologists (Registration and Disciplinary Procedure) Regulations (Cap. 359 sub. leg. A); and

(h) radiographers registered under the Radiographers (Registration and Disciplinary Procedure) Regulation (Cap. 359 sub. leg. H); and

(i) physiotherapists registered under the Physiotherapists (Registration and Disciplinary Procedure) Regulation (Cap. 359 sub. leg. J); and

(j) occupational therapists registered under the Occupational Therapists (Registration and Disciplinary Procedure) Regulations (Cap. 359 sub. leg. B); and

(k) optometrists registered under the Optometrists (Registration and Disciplinary Procedure) Regulation (Cap. 359 sub. leg. F); and

(l) dental hygienists enrolled under the Ancillary Dental Workers (Dental Hygienists) Regulations (Cap. 156 sub. leg. B); and

(m) audiologists, audiology technicians, chiropodists (also known as "podiatrists"), dental surgery assistants, dental technicians, dental technologists, dental therapists, dietitians, dispensers, mould laboratory technicians, orthoptists, clinical psychologists, educational psychologists, prosthetists, speech therapists and scientific officers (medical) who are in the service under the Government, or are employed in Hong Kong, at the following institutions—

(i) public hospitals within the meaning of the Hospital Authority Ordinance (Cap. 113);

(ii) hospitals within the meaning of the Private Healthcare Facilities Ordinance (Cap. 633) for each of which a licence under that Ordinance is in force;

(iii) clinics maintained or controlled by the Government or The Chinese University of Hong Kong or by the University of Hong Kong;

(iv) services subvented by the Government; and

(n) Chinese medicine practitioners who are members of any of the following bodies and entitled to vote at general meetings of the respective bodies—

(i) The Hong Kong Association of Traditional Chinese Medicine Limited;

(ii) International General Chinese Herbalists and Medicine Professionals Association Limited;

(iii) Sin-Hua Herbalists' and Herb Dealers' Promotion Society Limited;

(iv) Society of Practitioners of Chinese Herbal Medicine Limited;

(v) The Hong Kong T.C.M. Orthopaedic and Traumatic Association Limited;

(vi) The Hong Kong Federation of China of Traditional Chinese Medicine;

(vii) Hong Kong Acupuncturists Association;

(viii) Hong Kong Chinese Herbalists Association Limited;

(ix) Association of Hong Kong & Kowloon Practitioners of Chinese Medicine, Limited;

(x) Hong Kong Chinese Medicine Practitioners Association Limited; and

(o) registered Chinese medicine practitioners registered under the Chinese Medicine Ordinance (Cap. 549).".

274. Section 20N amended (composition of the real estate and construction functional constituency)

Section 20N, before "members" (wherever appearing)—

Add

"corporate".

275. Section 20O amended (composition of the tourism functional constituency)

Section 20O—

Repeal

everything after "bodies—"

Substitute

"(a) bodies that are—

(i) travel agents holding licences as defined by section 2 of the Travel Agents Ordinance (Cap. 218); and

(ii) any of the following—

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

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

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

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

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

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

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

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

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

(b) bodies that are corporate members of The Board of Airline Representatives in Hong Kong entitled to vote at the Executive Committee of the Board; and

(c) bodies that are—

(i) licence holders as defined by section 2(1) of the Hotel and Guesthouse Accommodation Ordinance (Cap. 349); and

(ii) corporate members of the Federation of Hong Kong Hotel Owners Limited entitled to vote at general meetings of the company.".

276. Section 20P amended (composition of the commercial (first) functional constituency)

Section 20P—

Repeal

"bodies that are"

Substitute

"corporate".

277. Section 20Q amended (composition of the commercial (second) functional constituency)

Section 20Q, before "members"—

Add

"corporate".

278. Section 20QA added

After section 20Q—

Add

"**20QA. Composition of the commercial (third) functional constituency**

The commercial (third) functional constituency is composed of corporate members of the Hong Kong Chinese Enterprises Association entitled to vote at general meetings of the Association.".

279. Section 20R amended (composition of the industrial (first) functional constituency)

Section 20R, before "members"—

Add

"corporate".

280. Section 20S amended (composition of the industrial (second) functional constituency)

Section 20S—

Repeal

"bodies that are"

Substitute

"corporate".

281. Section 20U amended (composition of the financial services functional constituency)

Section 20U(1)(c), before "members"—

Add

"corporate".

282. Section 20V substituted

Section 20V—

Repeal the section

Substitute

"**20V. Composition of the sports, performing arts, culture and publication functional constituency**

The sports, performing arts, culture and publication functional constituency is composed of—

(a) corporate members of the Sports Federation & Olympic Committee of Hong Kong, China; and

(b) Hong Kong Sports Institute Limited; and

(c) corporate members of the Hong Kong Publishing Federation Limited entitled to vote at general meetings of the company; and

(d) the bodies named in Schedule 1B.".

283. Section 20W substituted

Section 20W—

Repeal the section

Substitute

"**20W. Composition of the import and export functional constituency**

The import and export functional constituency is composed of corporate members of The Hong Kong Chinese Importers' and Exporters' Association entitled to vote at general meetings of the Association.".

284. Section 20X amended (composition of the textiles and garment functional constituency)

(1) Section 20X(a), Chinese text—

Repeal

"會員" (wherever appearing)

Substitute

"成員".

(2) Section 20X(b)(xii)—

Repeal

"; and"

Substitute a full stop.

(3) Section 20X—

Repeal paragraphs (c), (d) and (e).

285. Section 20Y amended (composition of the wholesale and retail functional constituency)

Section 20Y, before "members"—

Add

"corporate".

286. Section 20Z substituted

Section 20Z—

Repeal the section

Substitute

"**20Z. Composition of the technology and innovation functional constituency**

The technology and innovation functional constituency is composed of the bodies named in Schedule 1D.".

287. Section 20ZA amended (composition of the catering functional constituency)

Section 20ZA—

Repeal

everything after "composed of"

Substitute

"bodies that are holders of food business licences under the Public Health and Municipal Services Ordinance (Cap. 132) and—

(a) are entitled to vote at the Board of The Association for Hong Kong Catering Services Management Limited;

(b) are entitled to vote at the Board of The Association of Restaurant Managers Limited; or

(c) are entitled to vote at the Board of Hong Kong Catering Industry Association Limited.".

288. Sections 20ZB and 20ZC repealed

Sections 20ZB and 20ZC—

Repeal the sections.

289. Section 20ZD added

Before section 21—

Add

"20ZD. Composition of the Hong Kong Special Administrative Region deputies to the National People's Congress, Hong Kong Special Administrative Region members of the National Committee of the Chinese People's Political Consultative Conference and representatives of relevant national organisations functional constituency

The Hong Kong Special Administrative Region deputies to the National People's Congress, Hong Kong Special Administrative Region members of the National Committee of the Chinese People's Political Consultative Conference and representatives of relevant national organisations functional constituency is composed of—

(a) Hong Kong Special Administrative Region deputies to the National People's Congress; and

(b) Hong Kong Special Administrative Region members of the National Committee of the Chinese People's Political Consultative Conference; and

(c) Hong Kong Special Administrative Region delegates of the All-China Women's Federation; and

(d) Hong Kong Special Administrative Region executive members of the All-China Federation of Industry and Commerce; and

(e) Hong Kong Special Administrative Region committee members of the All-China Federation of Returned Overseas Chinese; and

(f) Hong Kong Special Administrative Region committee members of the All-China Youth Federation; and

(g) Hong Kong Special Administrative Region directors of the China Overseas Friendship Association.”.

290. Section 21 amended (number of Members to be returned for functional constituency)

(1) Section 21(a)—

Repeal

“and the District Council (second) functional constituency”.

(2) Section 21(b)—

Repeal

“; and”

Substitute a full stop.

(3) Section 21—

Repeal paragraph (c).

291. Part 3, Division 3 added

Part 3, after section 21—

Add

“Division 3—Election Committee Constituency

21A. Establishment of Election Committee constituency

(1) The Election Committee constituency is established for the purpose of returning Members at elections for that constituency.

(2) The Election Committee constituency is composed of all members of the Election Committee.

21B. Number of Members to be returned for Election Committee constituency

At a general election, 40 Members are to be returned for the Election Committee constituency.".

292. Part 4A added

Before Part 5—

Add

"Part 4A

Candidate Eligibility Review Committee

23A. Establishment of Candidate Eligibility Review Committee

(1) A Candidate Eligibility Review Committee is established for the purposes of Annex II to the Basic Law and this Ordinance.

(2) The Candidate Eligibility Review Committee is to consist of the following members—

(a) the chairperson; and

(b) at least 2 but not more than 4 other members.

(3) Each member of the Candidate Eligibility Review Committee is to be appointed by the Chief Executive by notice published in the Gazette.

(4) Only a principal official appointed pursuant to a nomination under Article 48(5) of the Basic Law is eligible for appointment under subsection (3).".

293. Part 5 heading amended (registration of electors)

Part 5, heading, after "**Electors**"—

Add

"**for Geographical Constituencies and Functional Constituencies**".

294. Section 25 amended (who is eligible to be registered as an elector: functional constituencies)

(1) Section 25(1)(a)—

Repeal subparagraphs (viii) and (ix).

(2) Before section 25(1)(a)(x)—

Add

"(ixa) for the medical and health services functional constituency, in section 20IA; or".

(3) After section 25(1)(a)(xvii)—

Add

"(xviia) for the commercial (third) functional constituency, in section 20QA; or".

(4) Section 25(1)(a)(xxvi)—

Repeal

"information technology"

Substitute

"technology and innovation".

(5) Section 25(1)(a)—

Repeal subparagraphs (xxviii) and (xxix).

(6) At the end of section 25(1)(a)—

Add

"(xxx) for the Hong Kong Special Administrative Region deputies to the National People's Congress, Hong Kong Special Administrative Region members of the National Committee of the Chinese People's Political Consultative Conference and representatives of relevant national organisations functional constituency, in section 20ZD; and".

(7) Section 25—

Repeal subsection (2A).

(8) Section 25(3)—

Repeal paragraph (ca).

(9) Section 25(3)(c)—

Repeal

", subject to paragraph (ca),".

(10) Section 25(3)(c)—

Repeal

"; and"

Substitute a semicolon.

(11) After section 25(3)(c)—

Add

"(cb) subject to paragraph (c), a person eligible to be registered as an elector for the Hong Kong Special Administrative Region deputies to the National People's Congress, Hong Kong Special Administrative Region members of the National Committee of the Chinese People's Political Consultative Conference and representatives of relevant national organisations functional constituency and who would, but for this paragraph, be eligible to be registered in another functional

constituency of that person's choice may be registered only for the Hong Kong Special Administrative Region deputies to the National People's Congress, Hong Kong Special Administrative Region members of the National Committee of the Chinese People's Political Consultative Conference and representatives of relevant national organisations functional constituency and not for that other functional constituency; and".

(12) Section 25(3)(d)—

Repeal

"(ca) and (c)"

Substitute

"(c) and (cb)".

(13) Section 25(3)(d)—

Repeal

"or the transport"

Substitute

", the transport, the finance, the technology and innovation or the sports, performing arts, culture and publication".

(14) Section 25(4)—

Repeal

", 20V(1)(b), (d), (e), (j) or (k), 20W(a) to (c), 20X(d) or (e), 20Z(1)(l) or 20ZA(a)"

Substitute

"or 20ZA".

(15) Section 25(4)—

Repeal

"12 months"

Substitute

"3 years".

(16) Section 25(5)—

Repeal

"to 20S, 20U(1)(c), 20V(1)(a) or (g) to (i), 20W(e), 20X(a) or (b) or 20Z(1)(ia), (ja)(i) or (k) or Schedule 1C"

Substitute

", 20O, 20P, 20Q, 20QA, 20R, 20S, 20U(1)(c), 20V(a) or (c), 20W, 20X(a) or (b) or 20Y".

(17) Section 25(5)—

Repeal

"12 months"

Substitute

"3 years".

(18) Section 25—

Repeal subsection (6).

(19) Section 25—

Repeal subsection (7)

Substitute

"(7) In computing the period for which a body to which subsection (4) or (5) applies has been operating—

(a) it does not matter whether the period has begun before the day on which the Improving Electoral System (Consolidated Amendments) Ordinance 2021 (of 2021) is published in the Gazette; but

(b) any period for which the body has been operating before it becomes the body mentioned in subsection (4), or the corporate member mentioned in subsection (5), as the case may be, is not to be taken into account.”.

(20) After section 25(7)—

Add

“(8) For the purposes of the provisional and final registers of functional constituencies to be compiled for 2021—

(a) paragraph (b) applies if—

(i) a corporate elector is registered in the final register of functional constituencies published for 2020 by virtue of being a body mentioned in subsection (4), or being a corporate member mentioned in subsection (5); and

(ii) the corporate elector would, but for this subsection, remain eligible to be registered as such by virtue of being a body mentioned in subsection (4), or being a corporate member mentioned in subsection (5), of the amended section 25;

(b) in the circumstances mentioned in paragraph (a), the amended section 25 applies to the corporate elector as if the reference to “making its application for registration as an elector” in its subsection (4) or (5) (as the case may be) were a reference to “14 June 2021”; and

(c) in this subsection—

amended section 25 (經修訂的第25條) means this section as amended by section 294 of the Improving Electoral System (Consolidated Amendments) Ordinance 2021 (of 2021) on the day on which that Ordinance is published in the Gazette.".

295. Section 27 amended (elector to be permanent resident of Hong Kong)

Section 27, before "constituency"—

Add

"geographical constituency or functional".

296. Section 29 substituted

Section 29—

Repeal the section

Substitute

"**29. Elector to be 18 years of age**

(1) A natural person is not eligible to be registered as an elector for a geographical constituency or functional constituency unless—

(a) the person has reached 18 years of age; or

(b) the person's eighteenth birthday falls on or before 25 September next following the person's application for registration.

(2) Despite subsection (1)(b), if a person's eighteenth birthday falls on or before 25 September 2021 but after 25 July 2021, the person is not eligible to be

registered as an elector for a geographical constituency or functional constituency until the person has reached 18 years of age.".

297. Section 30 amended (applicant for registration as elector to be in possession of identity document)

Section 30(1) and (2), after "an elector"—

Add

"for a geographical constituency or functional constituency".

298. Section 31 amended (when person is disqualified from being registered as an elector)

Section 31(1), before "constituency"—

Add

"geographical constituency or functional".

299. Section 32 amended (Electoral Registration Officer to compile and publish electoral registers)

(1) Section 32—

Repeal subsections (1) and (1A)

Substitute

"(1) The Electoral Registration Officer must—

(a) not later than 1 August in each year, compile and publish in accordance with regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541)—

(i) a provisional register of geographical constituencies; and

(ii) a provisional register of functional constituencies; and

(b) not later than 25 September in each year, compile and publish in accordance with regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541)—

(i) a final register of geographical constituencies; and

(ii) a final register of functional constituencies.

(1A) Despite subsection (1)—

(a) a provisional register required to be compiled and published under subsection (1)(a)(i) or (ii) in 2021 may be compiled and published not later than 13 September 2021; and

(b) a final register required to be compiled and published under subsection (1)(b)(i) or (ii) in 2021 may be compiled and published not later than 25 October 2021.".

(2) After section 32(5)—

Add

"(5AA) Despite subsections (4) and (5), in compiling the provisional register of functional constituencies for 2021, the Electoral Registration Officer is not required to comply with those subsections in relation to the names and other relevant particulars of persons registered in the final register of functional constituencies published in 2020 as electors of the following functional constituencies—

(a) the information technology functional constituency;

(b) the District Council (first) functional constituency; and

(c) the District Council (second) functional constituency.".

(3) Section 32(5A)(a), after "at which"—

Add

"a copy of".

(4) Section 32(6)(a), after "keep"—

Add

"a copy of".

(5) Section 32(6)(b)—

Repeal

"list available for inspection by members of the public"

Substitute

"copy available for inspection in accordance with regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541)".

300. Section 36 amended (by-election to be held to fill vacancy in membership of Legislative Council)

(1) Section 36(1)(b)—

Repeal

"42C"

Substitute

"42C(2)".

(2) Section 36(1)(b), after "election for a"—

Add

"geographical constituency or".

(3) Section 36(1)(ca)—

Repeal

"46A(1)"

Substitute

"46A(2)".

301. Section 37 amended (who is eligible to be nominated as a candidate)

(1) Section 37(2)(b)(i)—

Repeal

"in the case of a functional constituency other than the District Council (second) functional constituency,".

(2) Section 37(2)(b)(ii)—

Repeal

"in the case of a functional constituency other than the District Council (first) functional constituency and the District Council (second) functional constituency,".

(3) Section 37(2)(f)—

Repeal

"; and"

Substitute a full stop.

(4) Section 37(2)—

Repeal paragraph (g).

(5) After section 37(3)—

Add

"(3A) A person is eligible to be nominated as a candidate at an election for the Election Committee constituency only if the person—

(a) has reached 21 years of age; and

(b) is both registered and eligible to be registered as an elector for a geographical constituency; and

(c) is not disqualified from being elected as a Member by virtue of section 39 or any other law; and

(d) has ordinarily resided in Hong Kong for the 3 years immediately preceding the nomination; and

(e) is a Chinese citizen who is a permanent resident of Hong Kong with no right of abode in any country other than the People's Republic of China.".

302. Section 38 repealed (nomination lists for geographical constituencies and District Council (second) functional constituency)

Section 38—

Repeal the section.

303. Section 39 amended (when person is disqualified from being nominated as a candidate and from being elected as a Member)

Section 39(4)—

Repeal

"(other than the District Council (first) functional constituency and the District Council (second) functional constituency)".

304. Section 40 amended (what requirements are to be complied with by persons nominated as candidates)

Section 40(1)(b)(iii)(I)—

Repeal

"(other than the District Council (first) functional constituency and the District Council (second) functional constituency)".

305. Section 41 substituted

Section 41—

Repeal the section

Substitute

"**41. Person not to be nominated for more than one constituency**

A person is not eligible to be nominated as a candidate for a constituency if the person is currently nominated as a candidate for another constituency.".

306. Section 42A amended (who are validly nominated candidates)

Section 42A—

Repeal subsection (1)

Substitute

"(1) The Candidate Eligibility Review Committee must, as soon as practicable after a nomination form that complies with regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541) is submitted in accordance with those regulations, decide in accordance with Annex II to the Basic Law and those regulations whether or not the person to whom the form relates is validly nominated as a candidate.".

307. Section 42B amended (death or disqualification of a validly nominated candidate for geographical constituency or District Council (second) functional constituency before date of election)

(1) Section 42B, heading—

Repeal

"**geographical constituency or District Council (second) functional**"

Substitute

"**Election Committee**".

(2) Section 42B(1)—

Repeal

"after the Returning Officer"

Substitute

"after the Candidate Eligibility Review Committee".

(3) Section 42B(1)—

Repeal

"a geographical constituency or the District Council (second) functional"

Substitute

"the Election Committee".

(4) Section 42B(2)(b), Chinese text—

Repeal

"選區或選舉".

(5) Section 42B—

Repeal subsection (4)

Substitute

"(4) If, after the Candidate Eligibility Review Committee has made a decision under section 42A(1) that a candidate is validly nominated for election for the Election Committee constituency, but before the date of the election, proof is given to the satisfaction of the Candidate Eligibility Review Committee that the candidate is disqualified from being nominated as a candidate—

(a) the Candidate Eligibility Review Committee must, in accordance with regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541), vary the decision to the effect that the candidate is not validly nominated; and

(b) after the Candidate Eligibility Review Committee so varies the decision, the Returning Officer must, in accordance with those regulations, give notice of the variation of the decision.".

(6) Section 42B(5)(b), Chinese text—

Repeal

"選區或選舉".

308. Section 42C substituted

Section 42C—

Repeal the section

Substitute

"**42C. Death or disqualification of a validly nominated candidate for geographical constituency or functional constituency before date of election**

(1) Subsection (2) applies if, after the close of nominations for an election for a geographical constituency or functional constituency, but before the date of the election—

(a) proof is given to the satisfaction of the Returning Officer that a candidate who is validly nominated for election for the constituency has died; or

(b) proof is given to the satisfaction of the Candidate Eligibility Review Committee that a candidate who is validly nominated for election for the constituency is disqualified from being nominated as a candidate for the constituency.

(2) In the circumstances mentioned in subsection (1)(a) or (b), the Returning Officer must, in accordance with regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541), publicly declare that the proceedings for the election for the constituency are terminated.".

309. Section 43 amended (candidates entitled to send letter to electors free of postage)

(1) Section 43(1)—

Repeal

"or the District Council (second) functional constituency".

(2) Section 43(1)—

Repeal

"list of candidates" (wherever appearing)

Substitute

"candidate".

(3) Section 43(1), Chinese text—

Repeal

"或由他人代為如此寄出 (以每份名單計)"

Substitute

"(或由他人代為如此寄出)".

(4) Section 43(2)—

Repeal

"person who is an elector for the functional constituency (other than the District Council (second) functional constituency)"

Substitute

"elector for the functional constituency".

(5) Before section 43(4)—

Add

"(3A) One letter, addressed to each member of the Election Committee, may be sent free of postage by or on behalf of each candidate validly nominated for the Election Committee constituency.".

(6) Section 43—

Repeal subsections (4A), (4B) and (4C)

Substitute

"(4A) A letter sent under subsection (1) by or on behalf of a candidate who is validly nominated for a geographical constituency may contain information on another candidate who is also validly nominated for that constituency.

(4B) A letter sent under subsection (2) by or on behalf of a candidate who is validly nominated for the labour functional constituency may contain information on any other candidate who is also validly nominated for that constituency.

(4C) A letter sent under subsection (3A) by or on behalf of a candidate who is validly nominated for the Election Committee constituency may contain information on any other candidate who is also validly nominated for that constituency.".

(7) Section 43(4D)—

Repeal

"or list of candidates" (wherever appearing).

(8) Section 43(4D)—

Repeal

"and (2)"

Substitute

", (2) and (3A)".

(9) Section 43(5)—

Repeal

"or a list of candidates".

310. Section 46A amended (death or disqualification of a validly nominated candidate before declaration of election result)

(1) Section 46A—

Repeal subsections (1) and (2)

Substitute

"(1) Subsection (2) applies if, on the date of an election but before the close of polling for the election—

(a) proof is given to the satisfaction of the Returning Officer that a validly nominated candidate for election for a constituency has died; or

(b) proof is given to the satisfaction of the Candidate Eligibility Review Committee that a validly nominated candidate for election for a constituency is disqualified from being elected.

(2) In the circumstances mentioned in subsection (1)(a) or (b), the Returning Officer must, in accordance with regulations in force under the Electoral Affairs Commission Ordinance (Cap. 541), publicly declare that the proceedings for the election for the constituency are terminated.

(2A) Subsections (2B) and (3) apply if, after the close of polling for an election but before declaring the result of the election—

(a) proof is given to the satisfaction of the Returning Officer that a validly nominated candidate for election for a constituency has died; or

(b) proof is given to the satisfaction of the Candidate Eligibility Review Committee that a validly nominated candidate for election for a constituency is disqualified from being elected.

(2B) In the circumstances mentioned in subsection (2A)(a) or (b)—

(a) the proceedings for the election for the constituency are not to be terminated at that stage; and

(b) if the counting of votes in respect of the election has not begun or is being conducted, the counting of votes is to begin or to continue as if the death or disqualification had not occurred.”.

(2) Section 46A(3)—

Repeal

“subsection (2)”

Substitute

“subsection (2A)”.

(3) Section 46A—

Repeal subsection (4).

311. Section 48 amended (who is entitled to vote at an election)

(1) Section 48(1)—

Repeal

“to return a Member for a”

Substitute

“for a geographical constituency or functional”.

(2) Before section 48(4)—

Add

“(3D) A person is entitled to vote at an election for the Election Committee constituency only if the person is a member of the Election Committee.”.

(3) Section 48(5)—

Repeal

“constituency may not be prevented from voting at an election”

Substitute

"geographical constituency or functional constituency may not be prevented from voting at an election for the constituency".

312. Section 49 substituted

Section 49—

Repeal the section

Substitute

"**49. System of voting and counting of votes: geographical constituencies**

(1) Voting and counting of votes at a poll for the return of Members for a geographical constituency is to be conducted in accordance with the simple or relative majority system of election (otherwise known as the "first past the post" voting system) whereby an elector may vote for 1 candidate.

(2) The candidates to be returned as Members for a geographical constituency at a general election are the 2 candidates who obtain the greatest and next greatest numbers of votes.

(3) Subsection (2) applies with any necessary modifications to a by-election to fill vacancies among the Members to be returned for a geographical constituency.

(4) If, after the counting is finished at an election for a geographical constituency, a Member or 2 Members are still to be returned for the constituency and the most successful candidates remaining have an equal number of votes—

(a) the Returning Officer must determine the result of the election for the purpose of returning the Member or Members still to be returned by drawing lots; and

(b) the candidate or candidates on whom the lot falls is or are to be returned at the election.

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

(6) Subsection (7) applies if, before declaring the result of an election for a geographical constituency—

(a) proof is given to the satisfaction of the Returning Officer that the candidate or a candidate who was successful at the election (***successful candidate***) has died; or

(b) proof is given to the satisfaction of the Candidate Eligibility Review Committee that a successful candidate is disqualified from being elected.

(7) In the circumstances mentioned in subsection (6)(a) or (b), the Returning Officer—

(a) must not declare that candidate as elected; and

(b) must publicly declare, under section 46A(3), that the election—

(i) has failed; or

(ii) (where more than one Member is to be returned at the election for the geographical constituency concerned and there is another candidate returned for the

constituency) has failed to the extent that the number of candidate returned at the election for the constituency was less than the number of Members to be returned for the constituency.”.

313. Section 50 repealed (system of voting and counting of votes: the Heung Yee Kuk, the agriculture and fisheries, the insurance and the transport functional constituencies)

Section 50—

Repeal the section.

314. Section 51 amended (system of voting and counting of votes: other functional constituencies)

(1) Section 51, heading—

Repeal

“**other**”.

(2) Section 51—

Repeal subsection (1).

(3) Section 51(2) and (6)—

Repeal

“to which this section applies”.

(4) Section 51(7)—

Repeal

“As”

Substitute

“Subject to subsection (9), as”.

(5) Section 51(7)—

Repeal

"to which this section applies".

(6) Section 51—

Repeal subsection (8)

Substitute

"(8) Subsection (9) applies if, before declaring the result of an election for a functional constituency—

(a) proof is given to the satisfaction of the Returning Officer that the candidate or a candidate who was successful at the election (***successful candidate***) has died; or

(b) proof is given to the satisfaction of the Candidate Eligibility Review Committee that a successful candidate is disqualified from being elected.

(9) In the circumstances mentioned in subsection (8)(a) or (b), the Returning Officer—

(a) must not declare that candidate as elected; and

(b) must publicly declare, under section 46A(3), that the election—

(i) has failed; or

(ii) (where more than one Member is to be returned at the election for the functional constituency concerned and there is another candidate or there are other candidates returned for the constituency) has failed to the extent that the number of candidates returned at the election for the constituency was less than the number of Members to be returned for the constituency.".

315. Section 52A added

Before section 53—

Add

"52A. System of voting and counting of votes: Election Committee constituency

(1) Voting and counting of votes at a poll for the return of Members for the Election Committee constituency is to be conducted in accordance with the simple or relative majority system of election (otherwise known as the "first past the post" voting system) whereby an elector may vote for a number of candidates that is equal to the number of vacancies.

(2) At a general election, a member of the Election Committee is entitled to cast 40 votes for the candidates validly nominated for election for the Election Committee constituency.

(3) At a by-election to fill a vacancy among the Members to be returned for the Election Committee constituency, a member of the Election Committee is entitled to cast the same number of votes as the number of Members to be returned at the by-election.

(4) The votes cast by a member of the Election Committee at a general election or at a by-election are valid only if the member has cast all the votes under the member's entitlement for that general election or by-election as specified in subsection (2) or (3) and no more.

(5) The candidates to be returned as Members for the Election Committee constituency at a general election are the 40 candidates who obtain the greatest and next 39 greatest numbers of votes.

(6) Subsection (5) applies with any necessary modifications to a by-election to fill vacancies among the Members to be returned for the Election Committee constituency.

(7) If, after the counting is finished at an election for the Election Committee constituency, a Member or Members are still to be returned for the constituency and the most successful candidates remaining have an equal number of votes—

(a) the Returning Officer must determine the result of the election for the purpose of returning the Member or Members still to be returned by drawing lots; and

(b) the candidate or candidates on whom the lot falls is or are to be returned at the election.

(8) Subject to subsection (10), as soon as practicable after determining the result of an election for the Election Committee constituency, the Returning Officer must publicly declare as elected the candidate or candidates who were successful at the election.

(9) Subsection (10) applies if, before declaring the result of an election for the Election Committee constituency—

(a) proof is given to the satisfaction of the Returning Officer that the candidate or a candidate who was successful at the election (***successful candidate***) has died; or

(b) proof is given to the satisfaction of the Candidate Eligibility Review Committee that a successful candidate is disqualified from being elected.

(10) In the circumstances mentioned in subsection (9)(a) or (b), the Returning Officer—

(a) must not declare that candidate as elected; and

(b) must publicly declare, under section 46A(3), that the election—

(i) has failed; or

(ii) (where more than one Member is to be returned at the election for the Election Committee constituency and there is another candidate or there are other candidates returned for the constituency) has failed to the extent that the number of candidates returned at the election for the constituency was less than the number of Members to be returned for the constituency.”.

316. Section 53 amended (when an elector is disqualified from voting at an election)

(1) Section 53(1)—

Repeal

“is disqualified from voting at an election”

Substitute

“for a geographical constituency or functional constituency is disqualified from voting at an election for that constituency”.

(2) Before section 53(4)—

Add

"(3A) A member of the Election Committee is disqualified from voting at an election for the Election Committee constituency if the member falls within any paragraph of section 26 of the Chief Executive Election Ordinance (Cap. 569).".

317. Section 58 amended (Returning Officer to publish result of election)

Before section 58(4)—

Add

"(3A) The Returning Officer for an election to return Members for the Election Committee constituency must publish in the Gazette a notice declaring that the candidates returned at the election are the Members duly elected for the constituency.".

318. Part 6A heading amended (financial assistance for candidates and lists of candidates in respect of election expenses)

Part 6A, heading—

Repeal

"**and Lists of Candidates**".

319. Section 60A amended (interpretation: Part 6A)

(1) Section 60A(1)—

Repeal the definition of *declared election expenses*

Substitute

"***declared election expenses*** (申報選舉開支), in relation to a candidate, means the amount set out as election expenses incurred by the candidate in the election return lodged for the relevant election;".

(2) Section 60A(1), definition of ***disqualified candidate***—

Repeal

"Returning Officer under section 46A(2)"

Substitute

"Candidate Eligibility Review Committee under section 46A(2A)(b)".

(3) Section 60A(1), definition of ***elected as a Member***, paragraph (b)—

Repeal

"Returning Officer under section 46A(2)"

Substitute

"Candidate Eligibility Review Committee under section 46A(2A)(b)".

(4) Section 60A(1), definition of ***eligible candidate***—

Repeal

"60C(2)(a) or (b)"

Substitute

"60C(a) or (b)".

(5) Section 60A(1)—

Repeal the definition of *eligible list of candidates*.

(6) Section 60A—

Repeal subsection (2).

(7) Section 60A(4)—

Repeal

everything after "Part—"

Substitute

"(a) the total number of valid votes cast in a constituency is the total number of ballot papers containing valid votes received in that constituency; and

(b) the total number of valid votes cast for a candidate for a constituency is the total number of ballot papers containing valid votes cast for the candidate.".

(8) Section 60A—

Repeal subsection (5)

Substitute

"(5) For the purposes of section 60E(2)(a)—

(a) the number of registered electors for a geographical constituency or functional constituency is the number of electors registered for that constituency in the final register of that constituency in force at the time the election is held; and

(b) the number of members of the Election Committee is the number of members in the final register of members of the Election Committee as defined by section 2(1) of the Chief Executive Election Ordinance (Cap. 569).".

320. Section 60B amended (financial assistance payable to list of candidates and candidates)

(1) Section 60B, heading—

Repeal

"**list of candidates and**".

(2) Section 60B—

Repeal subsections (1) and (2)

Substitute

"(1) An eligible candidate for a constituency is entitled to financial assistance in the form of a monetary payment, in accordance with this Part, in respect of the declared election expenses of the candidate.

(2) Subject to this Part, financial assistance is payable to an eligible candidate whether or not the candidate represents a political party or an organization that is not a political party or is an independent candidate.".

321. Section 60C substituted

Section 60C—

Repeal the section

Substitute

"**60C. Eligibility for financial assistance**

Only the following candidates for a constituency are eligible for financial assistance—

(a) a candidate who is elected as a Member; or

(b) a candidate who is not elected as a Member but who—

(i) is not a disqualified candidate; and

(ii) obtains at least 5% of the total number of valid votes cast in the constituency concerned.".

322. Section 60D repealed (amount payable as financial assistance: list of candidates)

Section 60D—

Repeal the section.

323. Section 60E amended (amount payable as financial assistance: candidates for functional constituencies other than District Council (second) functional constituency)

(1) Section 60E, heading—

Repeal

"**: candidates for functional constituencies other than District Council (second) functional constituency**".

(2) Section 60E(1)—

Repeal

"functional constituency (other than the District Council (second) functional constituency)"

Substitute

"constituency".

(3) Section 60E(2)—

Repeal

"functional constituency (other than the District Council (second) functional constituency)"

Substitute

"constituency".

(4) Section 60E(2)—

Repeal paragraph (a)

Substitute

"(a) the amount obtained by—

(i) for a geographical constituency or functional constituency—multiplying 50% of the number of registered electors for the constituency by the specified rate; or

(ii) for the Election Committee constituency—multiplying 50% of the number of members of the Election Committee by the specified rate;".

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

Section 60F(2)—

Repeal

"46A(1)"

Substitute

"46A(2)".

325. Section 60H amended (recovery of payment of financial assistance)

(1) Section 60H(1)—

Repeal

"(whether a list of candidates or a candidate)".

(2) Section 60H—

Repeal subsection (3).

(3) Section 60H(4)—

Repeal

"(including a candidate on a list of candidates)".

326. Section 60J repealed (financial assistance not to be paid until disposal of election petition)

Section 60J—

Repeal the section.

327. Section 61 amended (election may be questioned only by election petition made on specified grounds)

Section 61(3)—

Repeal the definition of *election*

Substitute

"***election*** (選舉)—

(a) is to be construed subject to Annex II to the Basic Law; and

(b) subject to paragraph (a), includes nomination proceedings and the decisions of the Candidate Eligibility Review Committee, the Returning Officer or any Assistant Returning Officer.".

328. Section 62 amended (who may lodge election petition)

(1) Section 62(1), before "constituency"—

Add

"geographical constituency or functional".

(2) At the end of section 62—

Add

"(3) An election petition may be lodged, in the case of an election for the Election Committee constituency—

(a) by 10 or more members of the Election Committee entitled to vote at the election; or

(b) by a person claiming to have been a candidate in the election.”.

329. Section 63 amended (who may be made respondent to election petition)

Section 63—

Repeal subsection (1)

Substitute

“(1) The following persons may be made a respondent to an election petition—

(a) a person whose election is questioned by the petition;

(b) the Returning Officer; and

(c) if grounds for the petition relate to a decision of the Candidate Eligibility Review Committee—the Candidate Eligibility Review Committee.”.

330. Section 67 amended (Court to determine election petition)

(1) Section 67(1)—

Repeal

“Returning Officer”

Substitute

“Candidate Eligibility Review Committee”.

(2) Section 67(1), English text—

Repeal

“that Officer”

Substitute

“the Returning Officer”.

331. Section 70B amended (Court of Final Appeal's determination)

Section 70B(a)(i)(A)—

Repeal

"Returning Officer"

Substitute

"Candidate Eligibility Review Committee".

332. Section 78 amended (appointment of Returning Officers and assistants)

(1) Section 78—

Repeal subsection (1)

Substitute

"(1) The Electoral Affairs Commission must appoint for each constituency a number of Returning Officers and Assistant Returning Officers that the Commission considers to be necessary to enable an election to be held in the constituency, but only 1 Returning Officer may be appointed for each geographical constituency or functional constituency.".

(2) After section 78(3)—

Add

"(3A) If more than one Returning Officer is appointed for the Election Committee constituency, a function or duty of the Returning Officer for that constituency may be exercised or performed by any one of the Returning Officers appointed.".

(3) Section 78(7)—

Repeal

"in the exercise or performance of that Officer's"

Substitute

"or the Candidate Eligibility Review Committee in exercising or performing the Officer's or Committee's".

333. Section 79 amended (offence to obstruct or hinder electoral officers)

(1) Section 79, heading, after "**officers**"—

Add

"**or Candidate Eligibility Review Committee**".

(2) Section 79, after "electoral officer"—

Add

"or the Candidate Eligibility Review Committee".

(3) Section 79—

Repeal

"2"

Substitute

"5".

334. Section 82 amended (Chief Executive in Council may make regulations)

(1) Section 82(2)(a)—

Repeal

"or a list of candidates".

(2) Section 82(2)(b)—

Repeal

"or a list of candidates".

(3) Section 82(2)(c)—

(a) **Repeal**

"or list of candidates fail"

Substitute

"fails";

(b) **Repeal**

"or list of candidates obtain"

Substitute

"obtains".

335. Section 83 amended (Chief Executive in Council may amend Schedules 1, 1A, 1B, 1C, 1D and 1E)

(1) Section 83, heading—

Repeal

"**, 1D and 1E**"

Substitute

"**and 1D**".

(2) Section 83(1)—

Repeal

", 1D and 1E"

Substitute

"and 1D".

336. Schedule 1 amended (composition of the agriculture and fisheries functional constituency)

(1) Schedule 1—

Repeal

"[s. 20B]"

Substitute

"[ss. 20B & 83]".

(2) Schedule 1, column 2, heading, after "Body"—

Add

"composing the constituency".

337. Schedule 1A amended (composition of the transport functional constituency)

(1) Schedule 1A—

Repeal

"[s. 20D]"

Substitute

"[ss. 20D & 83]".

(2) Schedule 1A, column 2, heading, after "Body"—

Add

"composing the constituency".

(3) Schedule 1A, item 11—

Repeal

"Ltd."

Substitute

"Limited".

(4) Schedule 1A, item 20—

Repeal

"Co."

Substitute

"Company Limited".

(5) Schedule 1A, English text, item 53—

Repeal

"Hong Kong Motor Car Driving Instructors Association Ltd."

Substitute

"H.K. Motor Car Driving Instructors' Association Limited".

(6) Schedule 1A—

Repeal items 99, 103, 105, 125, 136 and 140.

(7) Schedule 1A, item 150—

Repeal

"H.K. & Kowloon and New Territories"

Substitute

"Hong Kong & Kowloon & NT".

(8) Schedule 1A—

Repeal item 163

Substitute

"163. Sun Ferry Services Company Limited".

(9) Schedule 1A, Chinese text, item 213—

Repeal

"Cathay Pacific Services Limited"

Substitute

"國泰航空服務有限公司".

(10) Schedule 1A, Chinese text, item 214—

Repeal

"Cathay Pacific Catering Services (H.K.) Limited"

Substitute

"國泰航空飲食服務 (香港) 有限公司".

(11) Schedule 1A, Chinese text, item 218—

Repeal

"Hong Kong Aircraft Engineering Company Limited"

Substitute

"香港飛機工程有限公司".

(12) Schedule 1A, after item 233—

Add

"234. Yiu Lian Dockyards Limited

235. China Merchants Port Holdings Company Limited

236. China Merchants Container Services Limited

237. China Merchants Logistics Holding Hong Kong Company Limited

238. China Merchants Energy Shipping (Hong Kong) Company Limited

239. COSCO SHIPPING (Hong Kong) Co., Limited

240. Cosco (H.K.) Shipping Co., Limited

241. COSCO SHIPPING Container Line Agencies Limited

242. COSCO SHIPPING International (Hong Kong) Co., Ltd.

243. China Travel Tours Transportation Services Hong Kong Limited

244. Sky Shuttle Helicopters Limited

245. Hong Kong-Zhuhai-Macao Bridge Shuttle Bus Company Limited

246. Hong Kong & Macao International Airport Transportation Service Co. Limited
247. Hong Kong International Airport Ferry Terminal Services Limited
248. Ocean Shipbuilding & Engineering Limited
249. China Ferry Terminal Services Limited
250. Turbojet Shipyard Limited
251. Hong Kong Association of Aircargo Truckers Limited
252. Hong Kong Auto (Parts & Machinery) Association Limited
253. China Aviation Express (Hong Kong) Limited
254. Chu Kong Godown Wharf & Transportation Company Limited
255. Chu Kong Transhipment & Logistics Company Limited
256. Chu Kong Transportation (H.K.) Limited
257. Chu Kong Agency Company Limited
258. Cotai Chu Kong Shipping Management Services Company Limited
259. Yuet Hing Marine Supplies Company Limited
260. Chu Kong Group Shipyard Company Limited
261. Dong An Marine Safety Equipment Trading Limited
262. Fortune Ferry Company Limited
263. Hong Kong Wing Hing Marine Engineering Company Limited
264. China National Aviation Leasing Limited

265. Yuantong Marine Service Co. Limited

266. Wang Tak Engineering & Shipbuilding Company Limited

267. The Motor Transport Company of Guangdong and Hong Kong Limited

268. Weisheng Transportation & Enterprises Company Limited".

338. Schedule 1B substituted

Schedule 1B—

Repeal the Schedule

Substitute

"Schedule 1B

[ss. 20V & 83]

Composition of the Sports, Performing Arts, Culture and Publication Functional Constituency

Part 1

Performing Arts Industry Associations and Local Licensed Broadcasting Institutions

Item	Body composing the constituency
1.	Hong Kong Motion Picture Industry Association Limited
2.	Hong Kong Film Awards Association Ltd.

Item	Body composing the constituency
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 composing the constituency
1.	Hong Kong Arts Development Council
2.	The Hong Kong Academy for Performing Arts
3.	West Kowloon Cultural District Authority
4.	The Hong Kong Philharmonic Society Limited
5.	Hong Kong Chinese Orchestra Limited
6.	Hong Kong Repertory Theatre Limited
7.	Chung Ying Theatre Company (HK) Limited
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

Item	Body composing the constituency
18.	China Artists Association Hong Kong Chapter
19.	China Opera Performing Artists Hong Kong Association
20.	Chinese Dancres Association Hong Kong Member Branch
21.	China Photographers Association Hong Kong Member Branch
22.	China Calligraphers Association Hong Kong Member Branch
23.	China Literature and Art Critics Association Hong Kong Member Branch
24.	The Association of Chinese Culture of Hong Kong
25.	Hong Kong Culture Association Limited
26.	The Chinese Artists Association of Hong Kong
27.	Hong Kong Chinese Opera Promotion Association Limited
28.	Cantonese Opera Musician and Vocalist Association Limited
29.	HK Chinese Opera and Performing Arts Group Association
30.	Hong Kong Cantonese Opera Artists Club Limited
31.	Hong Kong Association of Cantonese Opera Scholars Limited
32.	Hong Kong Federation of Drama Societies
33.	Actors' Family Limited
34.	The Nonsensemakers Limited

Item	Body composing the constituency
35.	Tang Shu-Wing Theatre Studio Limited
36.	Shakespeare4All Company Limited
37.	Spring-Time Experimental Theatre Limited
38.	Perry Chiu Experimental Theatre Limited
39.	Performing Arts Asia Limited
40.	Composers and Authors Society of Hong Kong Limited
41.	Hong Kong Composers' Guild Limited
42.	Hong Kong Chinese Instrumental Music Association
43.	Hong Kong Association of Choral Societies
44.	Hong Kong Music Tutors Union
45.	Opera Hong Kong Limited
46.	Hong Kong String Orchestra Limited
47.	Global Symphony Orchestra Society Limited
48.	The Hong Kong Children's Choir
49.	Yip's Children's Choir Limited
50.	Allegro Singers
51.	Hong Kong City Chinese Orchestra
52.	Hong Kong Dance Federation Limited
53.	Association of Hong Kong Dance Organizations
54.	Hong Kong Dance Alliance Limited
55.	The Hong Kong Ballet Group Limited
56.	Hong Kong Dance Sector Joint Conference
57.	The Association of Hong Kong Youth Dancers

Item	Body composing the constituency
58.	Miranda Chin Dance (Mirandance) Company Limited
59.	Budlet Folk Dance Club
60.	Starwave Production
61.	Xiang Gang Mei Xie
62.	Chinese Ink Painting Institute Hong Kong
63.	Hong Kong Water Colour Research Society
64.	Hong Kong Lan Ting Society
65.	Hong Kong Culture and Art Promotion Association
66.	Hong Kong Art Researching Association
67.	Hong Kong Modern Ink Painting Society Co. Limited
68.	Hong Kong Oil Painting Research Society
69.	Hong Kong Artists Society
70.	The Hong Kong Art Club
71.	Chung Fung Art Club
72.	To-day's Chinese Art Association
73.	Ling Ngai Art Association
74.	Hong Kong Graphics Society
75.	中國書協香港分會
76.	Hong Kong Chinese Calligraphy and Art Association
77.	China Hong Kong Institute of Calligraphy
78.	Calligraphy and Painting Study Association of Hong Kong Fukienese
79.	Hong Kong Association of Amateur Calligraphers

Item	Body composing the constituency
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

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

339. Schedule 1C amended (composition of the wholesale and retail functional constituency)

(1) Schedule 1C—

Repeal

"[s. 20Y]"

Substitute

"[ss. 20Y & 83]".

(2) Schedule 1C, column 2, heading, after "Body"—

Add

"the corporate members of which compose the constituency".

(3) Schedule 1C—

Repeal items 1 and 3.

(4) Schedule 1C, Chinese text, item 7—

Repeal

"妝"

Substitute

"粧".

(5) Schedule 1C—

Repeal items 15, 16, 18, 20, 24, 28, 36 and 40.

(6) Schedule 1C, Chinese text, item 42, after "委員"—

Add

"會".

(7) Schedule 1C—

Repeal items 53, 54, 72, 73, 79 and 87.

340. Schedule 1D substituted

Schedule 1D—

Repeal the Schedule

Substitute

"Schedule 1D

[ss. 20Z & 83]

Composition of the Technology and Innovation Functional Constituency

Part 1

National Level Research Platforms

Item	Body composing the constituency
1.	State Key Laboratory of Emerging Infectious Diseases (The University of Hong Kong)
2.	State Key Laboratory of Brain and Cognitive Science (The University of Hong Kong)
3.	State Key Laboratory of Translational Oncology (The Chinese University of Hong Kong)
4.	State Key Laboratory of Terahertz and Millimeter Waves (City University of Hong Kong)
5.	State Key Laboratory of Agrobiotechnology (The Chinese University of Hong Kong)
6.	State Key Laboratory of Ultraprecision Machining Technology (The Hong Kong Polytechnic University)
7.	State Key Laboratory of Molecular Neuroscience (The Hong Kong University of Science and Technology)
8.	State Key Laboratory of Marine Pollution (City University of Hong Kong)

Item	Body composing the constituency
9.	State Key Laboratory of Research on Bioactivities and Clinical Applications of Medicinal Plants (The Chinese University of Hong Kong)
10.	State Key Laboratory of Liver Research (The University of Hong Kong)
11.	State Key Laboratory of Synthetic Chemistry (The University of Hong Kong)
12.	State Key Laboratory of Chemical Biology and Drug Discovery (The Hong Kong Polytechnic University)
13.	State Key Laboratory of Environmental and Biological Analysis (Hong Kong Baptist University)
14.	State Key Laboratory of Pharmaceutical Biotechnology (The University of Hong Kong)
15.	State Key Laboratory of Digestive Disease (The Chinese University of Hong Kong)
16.	State Key Laboratory of Advanced Displays and Optoelectronics Technologies (The Hong Kong University of Science and Technology)
17.	Hong Kong Branch of National Engineering Research Center for Application Specific Integrated Circuit System
18.	Hong Kong Branch of National Engineering Research Center for Steel Construction
19.	Hong Kong Branch of National Rail Transit Electrification and Automation Engineering Technology Research Center
20.	Hong Kong Branch of National Precious Metals Material Engineering Research Center

Item	Body composing the constituency
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 composing the constituency
1.	Hong Kong Applied Science And Technology Research Institute Company Limited
2.	Logistics and Supply Chain MultiTech R&D Centre Limited
3.	The Hong Kong Research Institute of Textiles and Apparel Limited
4.	Nano and Advanced Materials Institute Limited

Item	Body composing the constituency
5.	Hong Kong Cyberport Management Company Limited
6.	Hong Kong Science and Technology Parks Corporation
7.	The Hong Kong Institute of Biotechnology Limited
8.	Hong Kong Productivity Council
9.	Hong Kong Internet Registration Corporation Limited
10.	Hong Kong-Shenzhen Innovation and Technology Park Limited
11.	Automotive Platforms and Application Systems R&D Centre

Part 3

Academic Organizations and Professional Bodies Participating in Government's Consultation related to Development of Innovation and Technology

Item	Body composing the constituency
1.	The Hong Kong Academy of Sciences
2.	Hong Kong Academy of Engineering Sciences
3.	The Hong Kong Young Academy of Sciences
4.	The Society of Hong Kong Scholars
5.	Internet Professional Association Limited
6.	Hong Kong Information Technology Joint Council Limited
7.	Hong Kong Computer Society

Item	Body composing the constituency
8.	Hong Kong Software Industry Association Limited
9.	Communications Association of Hong Kong Limited
10.	Hong Kong Society of Artificial Intelligence and Robotics Limited
11.	Hong Kong Biotechnology Organization
12.	HK Bio-Med Innotech Association Limited
13.	Hong Kong Data Centre Association Limited
14.	Hong Kong Federation of Innovative Technologies and Manufacturing Industries Limited
15.	Smart City Consortium Limited
16.	E-Commerce Association of Hong Kong Limited
17.	The Hong Kong Association for the Advancement of Science and Technology Limited
18.	Hong Kong Digital Entertainment Association Limited
19.	Esports Association of Hong Kong Limited
20.	The Hong Kong Electronic Industries Association Limited
21.	The Hong Kong Association for Computer Education
22.	eHealth Consortium Limited
23.	The Institution of Engineering and Technology Hong Kong
24.	Information Systems Audit and Control Association China Hong Kong Chapter Limited
25.	The Association for Computing Machinery, Hong Kong Chapter

Item	Body composing the constituency
26.	Cyberport Startup Alumni Association
27.	Hong Kong O2O E-Commerce Federation Limited
28.	Hong Kong Innovative Technology Development Association Limited
29.	The Chamber of Hong Kong Computer Industry Limited
30.	Hong Kong Electronic Sports Federation Limited
31.	The Hong Kong Institution of Engineers, Information Technology Division
32.	Hong Kong Public Key Infrastructure Forum Limited
33.	Hong Kong Internet Service Providers Association Limited
34.	Hong Kong Life Sciences Society Limited
35.	Hong Kong Netrepreneurs Association Limited
36.	Hong Kong Wireless Technology Industry Association Limited
37.	Hong Kong Information Technology Federation Limited
38.	British Computer Society (Hong Kong Section) Limited
39.	Professional Information Security Association Limited
40.	Information Security and Forensics Society
41.	Hong Kong Retail Technology Industry Association Limited”.

341. Schedule 1E repealed (composition of the catering functional constituency)

Schedule 1E—

Repeal the Schedule.

342. Schedule 6 added

After Schedule 5—

Add

"Schedule 6

[s. 18]

Geographical Constituencies for Seventh Term of Office of Legislative Council

1. Interpretation

In this Schedule—

approved map (獲批准地圖) means a map approved by the Chief Executive in Council on 13 April 2021;

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

(a) where it coincides with a green line described in the map legend as "District Boundary"—"2021 Legislative Council Geographical Constituency Boundary (coincides with District Boundary)"; and

(b) where it does not coincide with a green line mentioned in paragraph (a)—"2021 Legislative Council Geographical Constituency Boundary";

constituency code (選區代號), in relation to a geographical constituency specified in this Schedule, means the code specified in brackets below the name of the constituency in column 3 of the Table in section 2 of this Schedule.

2. Specification of Legislative Council geographical constituencies

(1) Each area delineated and marked on an approved map as described in column 2 of the Table is specified to be a geographical constituency for an election to elect Members for the seventh term of office of the Legislative Council.

(2) The name of a geographical constituency specified under subsection (1) is specified in column 3 of the Table opposite the relevant area.

Table

Geographical Constituencies

Column 1 Item	Column 2 Delineation of Area	Column 3 Name of Geographical Constituency (Constituency Code)
1.	The area delineated by the constituency boundary on the approved map identified as Plan No. LCCA/R/2021/HK-E and marked with the names Eastern District and Wan Chai District.	Hong Kong Island East (LC1)
2.	The area delineated by the constituency boundary on the approved map identified as Plan No. LCCA/R/2021/HK-W and marked with the names Central & Western District, Southern District and Islands District.	Hong Kong Island West (LC2)

Column 1 Item	Column 2 Delineation of Area	Column 3 Name of Geographical Constituency (Constituency Code)
3.	The area delineated by the constituency boundary on the approved map identified as Plan No. LCCA/R/2021/KLN-E and marked with the names Kwun Tong District and South-eastern part of Wong Tai Sin District.	Kowloon East (LC3)
4.	The area delineated by the constituency boundary on the approved map identified as Plan No. LCCA/R/2021/KLN-W and marked with the names Yau Tsim Mong District and Sham Shui Po District.	Kowloon West (LC4)

Column 1 Item	Column 2 Delineation of Area	Column 3 Name of Geographical Constituency (Constituency Code)
5.	The area delineated by the constituency boundary on the approved map identified as Plan No. LCCA/R/2021/KLN-C and marked with the names Kowloon City District and North-western part of Wong Tai Sin District.	Kowloon Central (LC5)
6.	The area delineated by the constituency boundary on the approved map identified as Plan No. LCCA/R/2021/NT-SE and marked with the names Sai Kung District and Eastern part of Sha Tin District.	New Territories South East (LC6)

Column 1 Item	Column 2 Delineation of Area	Column 3 Name of Geographical Constituency (Constituency Code)
7.	The area delineated by the constituency boundary on the approved map identified as Plan No. LCCA/R/2021/NT-N and marked with the names North District and North-western part of Yuen Long District.	New Territories North (LC7)
8.	The area delineated by the constituency boundary on the approved map identified as Plan No. LCCA/R/2021/NT-NW and marked with the names Tuen Mun District and South-eastern part of Yuen Long District.	New Territories North West (LC8)

Column 1 Item	Column 2 Delineation of Area	Column 3 Name of Geographical Constituency (Constituency Code)
9.	The area delineated by the constituency boundary on the approved map identified as Plan No. LCCA/R/2021/NT-SW and marked with the names Kwai Tsing District and Tsuen Wan District.	New Territories South West (LC9)
10.	The area delineated by the constituency boundary on the approved map identified as Plan No. LCCA/R/2021/NT-NE and marked with the names Tai Po District and Western part of Sha Tin District.	New Territories North East (LC10)”.

Division 2—Registration of Electors (Appeals) Regulation (Cap. 542 sub. leg. B)

343. Section 1 amended (interpretation)

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

(a) paragraph (a)—

Repeal

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

(b) paragraph (b)—

Repeal

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

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

(a) paragraph (a)—

Repeal

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

(b) paragraph (b)—

Repeal

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

(3) Section 1, definition of ***provisional register***—

(a) paragraph (a)—

Repeal

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

(b) paragraph (b)—

Repeal

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

(4) Section 1—

Repeal the definition of *District Council election year*.

344. Section 1A amended (effect of inclement weather warning on date and period)

(1) Section 1A(4)—

Repeal Table 1

Substitute

"Table 1

Column 1	Column 2
section 13(1A)(b)(i) of Cap. 541A and section 29(1A)(b)(i) of Cap. 541B	section 6(2AA)(a)
section 13(1A)(b)(ii) of Cap. 541A and section 29(1A)(b)(iii) of Cap. 541B	sections 2(3)(b) and 6(2)(a) and (2AA)(b)
section 16(3)(b) of Cap. 541A and section 32(2)(c) of Cap. 541B	section 2(3)(b)(i) and (ii)

In this Table—

Cap. 541A stands for the Electoral Affairs Commission (Registration of Electors) (Legislative Council Geographical Constituencies) (District Council Constituencies) Regulation (Cap. 541 sub. leg. A);

Cap. 541B stands for the Electoral Affairs Commission (Registration) (Electors for Legislative Council Functional Constituencies) (Voters for Election Committee Subsectors) (Members of Election Committee) Regulation (Cap. 541 sub. leg. B)."

(2) Section 1A(4), Table 1—

Repeal

"section 13(1A)(b)(i) of Cap. 541A and section 29(1A)(b)(i) of Cap. 541B	section 6(2AA)(a)
section 13(1A)(b)(ii) of Cap. 541A and section 29(1A)(b)(iii) of Cap. 541B	sections 2(3)(b) and 6(2)(a) and (2AA)(b)"

Substitute

"section 13(1A)(b) of Cap. 541A and section 29(1A)(b)(i) of Cap. 541B	sections 2(3)(b) and 6(2)(a) and (2AA)(b)".

(3) Section 1A—

Repeal subsections (5), (6) and (7).

(4) Section 1A(8)—

Repeal Table 3

Substitute

"Table 3

Column 1	Column 2
the eighth day before the polling date	section 2(4)(a) and (b)
8 September	section 2(4)(b)(i) and (ii)
11 September	section 6(2)(a) and (2AA)(b)
11 October	section 6(2AA)(a)".

345. Section 2 amended (fixing of hearing and notifying the appellant thereof)

(1) After section 2(1A)—

Add

"(1B) This section also does not apply to a claim or an objection made in relation to a geographical constituencies register or functional constituencies register compiled for 2021.".

(2) Section 2—

Repeal subsections (3) and (4)

Substitute

"(3) If a copy of a notice of claim or a notice of objection is received by the Revising Officer, the date fixed under subsection (1)(a) as regards the claim or objection to which the notice relates must be—

(a) on or after the third day after the day on which the copy of the notice is received; and

(b) a date within the period beginning on 1 August and ending on 11 September in—

(i) if the date of receipt falls on or before 29 August in a year—that year; or

(ii) if the date of receipt falls after 29 August in a year—the next year.

(4) If a copy of a notice of appeal is received by the Revising Officer, the date fixed under subsection (1)(a) as regards the appeal to which the notice relates must be—

(a) if the copy of the notice is received on or before the eighth day before the polling date for the functional constituency concerned—a date within a period of 21 days beginning from 25 days before the polling date; or

(b) if the copy of the notice is received after the eighth day before the polling date for the functional constituency concerned—

(i) if the date of receipt falls on or before 8 September in a year—a date within a period of 28 days ending on 11 September in that year; or

(ii) if the date of receipt falls after 8 September in a year—a date within a period of 27 days ending on 11 September in the next year.".

(3) Section 2(4A)(a)(i)—

Repeal

"(3)(a), (b) or (c)(i) or (ii) or (4)(a) or (b)(i), (ii), (iii) or (iv)(A) or (B)"

Substitute

"(3)(b)(i) or (ii) or (4)(a) or (b)(i) or (ii)".

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

(1) After section 2A(1)—

Add

"(1A) This section also applies to a claim or an objection made in relation to a geographical constituencies register or functional constituencies register compiled for 2021.".

(2) Section 2A—

Repeal subsection (3)

Substitute

"(3) The Revising Officer must send by post a notice specified in subsection (4) to the party to whom the claim or objection relates—

(a) if the claim or objection relates to a geographical constituencies register or functional constituencies register compiled for 2021—not later than 29 September 2021; or

(b) if the claim or objection relates to a geographical constituencies register or functional constituencies register compiled for any year subsequent to 2021—not later than 29 August in that year.".

347. Section 3 amended (appellant and person in respect of whom objection is made to be notified of rulings etc.)

Section 3—

Repeal subsection (4)

Substitute

"(4) A notification in relation to a ruling made under section 2A(5) must be sent—

(a) if the claim or objection concerned relates to a geographical constituencies register or functional constituencies register compiled for 2021—not later than 7 October 2021; or

(b) if the claim or objection concerned relates to a geographical constituencies register or functional constituencies register compiled for any year subsequent to 2021—not later than 7 September in that year.”.

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

Section 4—

Repeal subsection (3)

Substitute

“(3) The Revising Officer must give the notice to the Electoral Registration Officer—

(a) after a hearing in connection with a claim or an objection is concluded—not later than 17 September in the year in which the hearing is concluded; or

(b) after a hearing in connection with an appeal is concluded—

(i) during the period specified in section 2(4)(a)—on a date at least 3 working days before the polling date mentioned in that section; or

(ii) during the period specified in section 2(4)(b)(i) or (ii)—not later than 17 September in the year in which the hearing is concluded.”.

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

Section 4A—

Repeal paragraphs (a) and (b)

Substitute

"(a) if the ruling relates to a geographical constituencies register or functional constituencies register compiled for 2021—not later than 7 October 2021; or

(b) if the ruling relates to a geographical constituencies register or functional constituencies register compiled for any year subsequent to 2021—not later than 7 September in that year.".

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

Section 5—

Repeal

", (b), (c), (d)(i), (ii) or (iii) or (e)(i) or (ii)"

Substitute

"or (b)".

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

(1) After section 6(1)—

Add

"(1A) Despite subsection (1)(b), if the ruling being reviewed relates to a geographical constituencies register or functional constituencies register compiled for 2021, the Revising Officer must determine whether to reverse or confirm the ruling without a hearing on the basis of written submissions only.".

(2) Section 6—

Repeal subsections (2) and (2AA)

Substitute

"(2) A ruling under section 2(5)(b) or (5A) made—

(a) during the period beginning on 1 August and ending on 11 September in a year may only be reviewed during that period; or

(b) during the period specified in section 2(4)(a) or (b)(i) or (ii) may only be reviewed during that period.

(2AA) A ruling under section 2A(5) may only be reviewed during the following period—

(a) if the ruling relates to a geographical constituencies register or functional constituencies register compiled for 2021—the period beginning on 13 September 2021 and ending on 11 October 2021; or

(b) if the ruling relates to a geographical constituencies register or functional constituencies register compiled for any year subsequent to 2021—the period beginning on 1 August and ending on 11 September in that year.".

(3) Section 6(2B)—

Repeal

"District Council election".

(4) Section 6(2B)(a)—

Repeal

"19(5)(a)"

Substitute

"19(5)(b)".

(5) Section 6(2B)(b)—

Repeal

"35(5)(a) and 36(5)(a)"

Substitute

"35(5)(b) and 36(5)(b)".

(6) Section 6—

Repeal subsection (2C).

Division 3—Legislative Council (Subscribers and Election Deposit for Nomination) Regulation (Cap. 542 sub. leg. C)

352. Section 1 amended (interpretation)

(1) Section 1(1), definition of ***deposit***—

Repeal the semicolon

Substitute a full stop.

(2) Section 1(1)—

(a) definition of ***election***;

(b) definition of ***list of candidates***;

(c) definition of ***nomination list***;

(d) definition of ***nominee***—

Repeal the definitions.

(3) Section 1—

Repeal subsection (3)

Substitute

"(3) For the purposes of sections 3(2), 4(3) and (5) and 5(1), a reference to the Returning Officer, in relation to a constituency, includes—

(a) an Assistant Returning Officer for that constituency; and

(b) the Chief Electoral Officer appointed under section 9 of the Electoral Affairs Commission Ordinance (Cap. 541).".

353. Section 2 amended (amount of deposit)

Section 2—

Repeal subsection (1)

Substitute

"(1) The amount of deposit to be lodged by or on behalf of a person in respect of the person's nomination as a candidate for a constituency at an election is—

(a) for a geographical constituency—$50,000;

(b) for a functional constituency—$25,000; or

(c) for the Election Committee constituency—$25,000.".

354. Sections 3 and 4 substituted

Sections 3 and 4—

Repeal the sections

Substitute

"**3. Return of deposit on invalid nomination etc.**

(1) The deposit lodged by or on behalf of a person in respect of the person's nomination as a candidate for a constituency at an election must be returned in accordance with this section if—

(a) a decision is made under section 42A(1) of the Ordinance that the person is not validly nominated as a candidate for that constituency;

(b) the person withdraws the person's nomination as a candidate for election in respect of that constituency under section 42 of the Ordinance;

(c) for a person nominated in respect of the Election Committee constituency—a decision has been made under section 42A(1) of the Ordinance that the person is validly nominated as a candidate for that constituency, and subsequently—

(i) a notice of death of that person is given under section 42B(1) of the Ordinance; or

(ii) the decision under section 42A(1) of the Ordinance is varied under section 42B(4)(a) of the Ordinance to the effect that the person is not validly nominated; or

(d) the proceedings for the election for that constituency are terminated under section 42C(2) or 46A(2) of the Ordinance.

(2) The Returning Officer for the constituency concerned must, as soon as practicable after the following event, notify the Director of Accounting Services in writing that the deposit lodged by or on behalf of the candidate concerned is returnable to that candidate,

or to the person who lodged the deposit on behalf of that candidate, as the case may be—

(a) for a case mentioned in subsection (1)(a) or (b)—the publication under the appropriate regulations of a notice containing particulars of the candidates validly nominated in respect of that constituency;

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

(i) if no declarations mentioned in section 42B(2) or (5) of the Ordinance are to be made in accordance with the appropriate regulations in relation to the death or variation of decision—the publication under the appropriate regulations of a notice containing particulars of the candidates validly nominated in respect of the Election Committee constituency; or

(ii) if declarations mentioned in section 42B(2) or (5) of the Ordinance are to be made in accordance with the appropriate regulations in relation to the death or variation of decision—the making of those declarations; or

(c) for a case mentioned in subsection (1)(d)—the publication under the appropriate regulations of a notice declaring that the proceedings for the election for that constituency are terminated.

(3) The Director of Accounting Services must, as soon as practicable after receiving a notification under subsection (2), return the amount of the deposit to the candidate, or to the person who lodged the

deposit on behalf of that candidate, as specified in the notification.

4. Disposal of deposit after publication of election result or declaration of failure of election

(1) Subject to subsection (2), the deposit lodged by or on behalf of each candidate for a constituency at an election must, unless it is to be returned in accordance with section 3, be returned in accordance with this section after the following declaration is made—

(a) a declaration under section 46(1) of the Ordinance that a candidate is duly elected as a Member in respect of that constituency;

(b) a declaration under section 49(5), 50(7), 51(7) or 52A(8) of the Ordinance that a candidate is elected as a Member in respect of that constituency; or

(c) a declaration under section 46A(3)(a) of the Ordinance that the election for that constituency has failed.

(2) The deposit lodged in respect of an unsuccessful candidate's nomination must be forfeited to the general revenue in accordance with this section if, as determined by a counting of the votes and any re-count, the total number of ballot papers containing valid votes in favour of the candidate is less than 3% of the total number of ballot papers containing valid votes received in the constituency concerned.

(3) Subject to subsection (5), the Returning Officer for the constituency concerned must, as soon as practicable after the following event, notify the Director of Accounting Services in writing that the deposit lodged by or on behalf of the candidate concerned is returnable to that candidate, or to the person who lodged the deposit on behalf of that candidate, as the case may be—

(a) for a case mentioned in subsection (1)(a)—the publication under the appropriate regulations of a notice declaring that the candidate is duly elected in respect of that constituency;

(b) for a case mentioned in subsection (1)(b)—the publication under the appropriate regulations of a notice of the result of the election for that constituency; or

(c) for a case mentioned in subsection (1)(c)—the publication under the appropriate regulations of a notice declaring that the election for that constituency has failed.

(4) The Director of Accounting Services must, as soon as practicable after receiving a notification under subsection (3), return the amount of the deposit to the candidate, or to the person who lodged the deposit on behalf of that candidate, as specified in the notification.

(5) The Returning Officer for the constituency concerned must, as soon as practicable after the publication of the notice mentioned in subsection (3)(b) or (c), notify the Director of Accounting Services in writing that, in relation to any unsuccessful candidate mentioned in subsection (2), the deposit lodged in respect of the candidate's nomination for the

constituency concerned at the relevant election is to be forfeited to the general revenue.”.

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

(1) Section 5(1)(a)—

Repeal

“or by a person on behalf of the nominees on a nomination list”.

(2) Section 5(1)—

Repeal

“geographical constituency or functional”.

356. Section 7 substituted

Section 7—

Repeal the section

Substitute

“**7. Number and qualifications of subscribers to nomination form**

(1) The nomination form of a person seeking nomination in respect of a geographical constituency—

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

(i) the number of electors subscribing must be not less than 100 but not more than 200; and

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

(b) must be subscribed by members of the Election Committee as follows—

(i) the number of members subscribing must be not less than 10 but not more than 20;

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

(iii) there must be not less than 2 but not more than 4 members representing each of the 5 sectors of the Election Committee.

(2) The nomination form of a person seeking nomination in respect of a functional constituency—

(a) must be subscribed by electors for the functional constituency as follows—

(i) the number of electors subscribing must be not less than 10 but not more than 20; and

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

(b) must be subscribed by members of the Election Committee as follows—

(i) the number of members subscribing must be not less than 10 but not more than 20;

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

(iii) there must be not less than 2 but not more than 4 members representing each of the 5 sectors of the Election Committee.

(3) The nomination form of a person seeking nomination in respect of the Election Committee constituency must be subscribed by members of the Election Committee as follows—

(a) the number of members subscribing must be not less than 10 but not more than 20;

(b) the members must not be the person seeking the nomination; and

(c) there must be not less than 2 but not more than 4 members representing each of the 5 sectors of the Election Committee.

(4) A person whose signature as a subscriber to a nomination form is in surplus having regard to the required number of subscribers for the purposes of subsection (1)(a)(i) or (b)(i) or (iii), (2)(a)(i) or (b)(i) or (iii) or (3)(a) or (c) must be regarded as not having subscribed the nomination form.

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

(a) if the person is subscribing as an elector for a geographical constituency for the purposes of subsection (1)(a)—1 nomination form in respect of the geographical constituency;

(b) if the person is subscribing as an elector for a functional constituency for the purposes of subsection (2)(a)—a number of nomination forms in respect of the functional constituency up to the number of Members to be returned for the functional constituency at the election; and

(c) if the person is subscribing as a member of the Election Committee—

(i) for the purposes of subsection (1)(b)—1 nomination form in respect of all geographical constituencies;

(ii) for the purposes of subsection (2)(b)—1 nomination form in respect of all functional constituencies; and

(iii) for the purposes of subsection (3)—1 nomination form in respect of the Election Committee constituency.

(6) If a person subscribes more nomination forms than the number the person is entitled to subscribe under subsection (5)(a), (b) or (c)(i), (ii) or (iii) in a particular capacity (***specified number***), the person's signature is inoperative on any nomination form subscribed in that capacity delivered after the delivery of the specified number of nomination form so subscribed by that person.

(7) Subsection (8) applies if a person subscribes in both of the following capacities in respect of a geographical constituency—

(a) as an elector for the geographical constituency for the purposes of subsection (1)(a);

(b) as a member of the Election Committee for the purposes of subsection (1)(b).

(8) In the circumstances mentioned in subsection (7)—

(a) the person's signatures in both capacities in respect of the geographical constituency are operative only if the person is subscribing the same nomination form; or

(b) if the person is subscribing in one capacity one nomination form and in another capacity another nomination form in respect of the geographical constituency—

(i) the person's signature as an elector for the geographical constituency for the purposes of subsection (1)(a) is inoperative; and

(ii) the person's signature as a member of the Election Committee for the purposes of subsection (1)(b) is operative.

(9) Subsection (10) applies if a person subscribes in both of the following capacities in respect of a functional constituency—

(a) as an elector for the functional constituency for the purposes of subsection (2)(a);

(b) as a member of the Election Committee for the purposes of subsection (2)(b).

(10) In the circumstances mentioned in subsection (9)—

(a) the person's signatures in both capacities in respect of the functional constituency are operative only if the person is subscribing the same nomination form; or

(b) if the person is subscribing in one capacity one nomination form and in another capacity another nomination form in respect of the functional constituency—

(i) the person's signature as an elector for the functional constituency for the purposes of subsection (2)(a) is inoperative; and

(ii) the person's signature as a member of the Election Committee for the purposes of subsection (2)(b) is operative.

(11) Despite subsections (6), (8)(b) and (10)(b)—

(a) a person who has subscribed the nomination form of another person (***nominee***) as a candidate for a constituency (***previous nomination form***) in a particular capacity may subscribe in accordance with this section another nomination form (***next nomination form***) in that capacity if—

(i) a decision is made under section 42A(1) of the Ordinance that the nominee is not validly nominated as a candidate for that constituency; or

(ii) the nominee withdraws the nomination under section 42 of the Ordinance; and

(b) for the purposes of paragraph (a)—

(i) the person's signature is not to be inoperative on the next nomination form only because the person has subscribed the previous nomination form; and

(ii) if the person subscribes more than one nomination form as the next nomination form, the person's signature is inoperative on any nomination form so subscribed other than the first one delivered.

(12) A person is disqualified from subscribing a nomination form as an elector for a geographical constituency or functional constituency if the person is disqualified from being registered as such an elector or from voting at an election for that constituency.

(13) A person is disqualified from subscribing a nomination form as a member of the Election Committee if the person is—

(a) disqualified from being registered as such a member or from voting at an election for the Election Committee constituency; or

(b) disqualified from making a nomination at an election under section 6 of the Chief Executive Election Ordinance (Cap. 569).

(14) To avoid doubt, even if the number of nomination forms subscribed by a person in a particular capacity has reached the number the person is entitled to subscribe under subsection (5)(a), (b) or (c)(i), (ii) or (iii), the person is not prevented from subscribing in accordance with this section other nomination forms in another capacity.".

Division 4—Legislative Council (Election Petition) Rules (Cap. 542 sub. leg. F)

357. Rule 12 amended (lists of objections in recriminatory case)

Rule 12—

Repeal subrule (2)

Substitute

"(2) If the petition claims the office for a person who is an unsuccessful candidate on the ground that the person had the number of valid votes that entitled the person to claim the office, every party must, not less than 7 days before the date fixed for the trial—

(a) file a list of the votes that the party contends were wrongly admitted or wrongly rejected, stating in respect of each such vote the grounds for the contention; and

(b) serve a copy of the list on every other party and the Secretary for Justice.".

358. Schedule amended (election petition)

(1) The Schedule, after "Functional Constituency"—

Add

"/Election Committee Constituency".

(2) The Schedule—

Repeal

"decision of the Returning Officer for the above-mentioned Constituency as to the validity of any nomination in the notice of nominations"

Substitute

"decision of the Candidate Eligibility Review Committee as to the validity of any nomination in the notice of nominations (as read with the definition of ***election*** in section 61(3) of the Legislative Council Ordinance (Cap. 542))".

(3) The Schedule—

Repeal

"the decision of the Returning Officer"

Substitute

"the decision of the Candidate Eligibility Review Committee".

Division 5—Declaration of Geographical Constituencies (Legislative Council) Order 2019 (Cap. 542 sub. leg. M)

359. Declaration of Geographical Constituencies (Legislative Council) Order 2019 repealed

The Declaration of Geographical Constituencies (Legislative Council) Order 2019 (Cap. 542 sub. leg. M)—

Repeal the Order.

Part 5

Amendment to District Councils Ordinance (Cap. 547)

360. Section 60I repealed (financial assistance not to be paid until disposal of election petition)

Section 60I—

Repeal the section.

Part 6

Amendments to Elections (Corrupt and Illegal Conduct) Ordinance and its Subsidiary Legislation

Division 1—Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554)

361. Section 2 amended (interpretation)

(1) Section 2(1), definition of ***candidate***—

Repeal

everything after "at the election"

Substitute a semicolon.

(2) Section 2(1), definition of ***constituency***, paragraph (a)—

Repeal

"or functional constituency"

Substitute

"constituency, a functional constituency or the Election Committee constituency,".

(3) Section 2(1), definition of ***election expense agent***—

Repeal

"or group of candidates".

(4) Section 2(1), definition of ***election expense agent***—

Repeal

"or candidates".

(5) Section 2(1), definition of ***election expenses***—

Repeal

"or group of candidates".

(6) Section 2(1), definition of ***election expenses***—

Repeal

"or group" (wherever appearing).

(7) Section 2(1), Chinese text, definition of ***選舉開支***—

Repeal

"或另一候選人組合".

(8) Section 2(1)—

Repeal the definition of *group of candidates*.

(9) After section 2(3)(a)—

Add

"(ab) a member of the Election Committee;".

362. Section 14 amended (corrupt conduct to engage in certain deceptive behaviour in relation to electors)

(1) Section 14, heading, after "**deceptive**"—

Add

"**or obstructive**".

(2) Section 14(1)(d)—

Repeal

"; or"

Substitute a full stop.

(3) Section 14(1)—

Repeal paragraphs (e) and (f).

(4) After section 14(1)—

Add

"(1A) A person engages in corrupt conduct at an election if the person wilfully—

(a) obstructs or prevents another person from voting at the election; or

(b) gets another person to obstruct or prevent a third person from voting at the election.

(1B) It is a defence for a person charged with an offence under section 6(1) for having engaged in the corrupt conduct under subsection (1A) to prove that, at the time of the alleged offence, the person had lawful authority or reasonable excuse for doing the act to which the charge relates.".

(5) Section 14(2), after "(1)"—

Add

"or (1A)".

363. Section 19 amended (how candidate must dispose of certain election donations)

(1) Section 19(4)—

Repeal

"or a particular group of candidates".

(2) Section 19(4)—

Repeal

"or the candidates belonging to the group".

(3) Section 19(4)—

Repeal

"or those candidates".

364. Section 23 amended (illegal conduct for persons other than candidates and election expense agents to incur election expenses)

(1) Section 23—

Repeal subsection (2).

(2) Section 23(5)—

Repeal

"(other than a candidate who is a member of a group of 2 or more candidates)".

(3) Section 23(5)(a), Chinese text—

Repeal

"獲該"

Substitute

"獲某".

(4) Section 23—

Repeal subsection (6).

(5) Section 23(7)—

Repeal

"or (6)".

365. Section 24 amended (illegal conduct for candidate to incur election expenses exceeding prescribed amount)

Section 24—

Repeal subsection (2).

366. Section 27A added

After section 27—

Add

"27A. Illegal conduct to incite another person not to vote, or to cast invalid vote, by activity in public during election period

(1) A person engages in illegal conduct at an election if the person carries out any activity in public that—

(a) incites another person not to vote at the election; or

(b) incites another person voting at the election to deal with a ballot paper issued to the person in any way that would render the ballot paper invalid at the election under any electoral law.

(2) Subsection (1) applies only to an activity in public carried out during the election period of the election concerned.

(3) In determining whether any activity in public incites another person as described in subsection (1), regard may be had to all circumstances of the case, including—

(a) the contents of the activity;

(b) the intended audience of the activity; and

(c) the circumstances in which the activity is carried out.

(4) It is a defence for a person charged with an offence under section 22(1) for having engaged in the illegal conduct under subsection (1) to prove that, at the time of the alleged offence, the person had lawful authority or reasonable excuse for doing the act to which the charge relates.

(5) In this section—

activity in public (公開活動) includes any of the following activities, whether or not the person carrying out the activity is in a public place while carrying out the activity—

(a) any form of communication to the public, including speaking, writing, printing, displaying notices, broadcasting, screening and playing of tapes or other recorded material;

(b) any conduct (not being a form of communication referred to in paragraph (a)) observable by the public, including actions and gestures and the wearing or display of clothing, signs, flags, emblems and insignia;

(c) the distribution or dissemination of any matter to the public.".

367. Section 28 amended (court empowered to restrain person from repeating certain illegal conduct)

(1) Section 28(1)—

Repeal

"or 27"

Substitute

", 27 or 27A".

(2) Section 28(5)(e)—

Repeal

"or natural person referred to in section 25(5) or (6)"

Substitute

"mentioned in section 25(4) or (5)".

368. Section 37 amended (candidate to lodge election return with appropriate authority)

Section 37(4), definition of ***subsector election***—

Repeal

"(as read together with section 1(2)(b) of that Schedule)".

369. Section 37A amended (relief for minor errors etc. in election return)

Section 37A(9)—

Repeal

"A group of candidates or a candidate who is not one of a group of candidates"

Substitute

"A candidate".

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

Section 45(1)—

Repeal

everything after "incurred"

Substitute

"by or on behalf of a candidate at an election.".

371. Schedule amended (limit prescribed for election concerned for purposes of section 37A)

(1) The Schedule—

Repeal item 2.

(2) The Schedule, item 4—

Repeal

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

(3) The Schedule, after item 4—

Add

"4A.	An election to elect a Member or Members of the Legislative Council for the Election Committee constituency within the meaning of the Legislative Council Ordinance (Cap. 542)	$5,000".

Division 2—Maximum Amount of Election Expenses (Chief Executive Election) Regulation (Cap. 554 sub. leg. A)

372. Section 2 amended (maximum amount of election expenses)

(1) Section 2(a)—

Repeal

"26 March 2017—$13,000,000"

Substitute

"27 March 2022—$15,700,000".

(2) Section 2(b)—

Repeal

"26 March 2017—$15,700,000"

Substitute

"27 March 2022—$17,600,000".

Division 3—Maximum Amount of Election Expenses (Legislative Council Election) Regulation (Cap. 554 sub. leg. D)

373. Section 2 amended (interpretation)

(1) Section 2—

Renumber the section as section 2(1).

(2) Section 2(1)—

Repeal the definition of *registered*

Substitute

"***registered*** (已登記)—

(a) in relation to an election for a geographical constituency or functional constituency—means registered in the final register compiled and published in accordance with the Legislative Council Ordinance (Cap. 542) and in force on the date of election; and

(b) in relation to an election for the Election Committee constituency—means registered in the final register of members of the Election Committee compiled and published in accordance with the Schedule to the Chief Executive Election Ordinance (Cap. 569) and in force on the date of election.".

(3) Section 2(1), Chinese text, definition of ***選舉***—

Repeal the full stop

Substitute a semicolon.

(4) Section 2(1)—

Add in alphabetical order

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

(5) After section 2(1)—

Add

"(2) In this Regulation, a reference to an election for the seventh term of office of the Legislative Council does not include the discontinued election as defined by section 2(1) of the Emergency (Date of General Election) (Seventh Term of the Legislative Council) Regulation (Cap. 241 sub. leg. L).".

374. Section 3 substituted

Section 3—

Repeal the section

Substitute

"**3. Maximum amount of election expenses for geographical constituency**

The maximum amount of election expenses that can be incurred at an election for a geographical constituency by or on behalf of a candidate for an election for the seventh term of office or any subsequent term of office of the Legislative Council is—

(a) for the Hong Kong Island East geographical constituency—$3,310,000;

(b) for the Hong Kong Island West geographical constituency—$2,900,000;

(c) for the Kowloon East geographical constituency—$3,110,000;

(d) for the Kowloon West geographical constituency—$3,110,000;

(e) for the Kowloon Central geographical constituency—$3,110,000;

(f) for the New Territories South East geographical constituency—$3,040,000;

(g) for the New Territories North geographical constituency—$2,760,000;

(h) for the New Territories North West geographical constituency—$3,310,000;

(i) for the New Territories South West geographical constituency—$3,450,000; or

(j) for the New Territories North East geographical constituency—$3,110,000.".

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

Section 3A—

Repeal the section.

376. Section 4 substituted

Section 4—

Repeal the section

Substitute

"**4. Maximum amount of election expenses for functional constituency**

The maximum amount of election expenses that can be incurred at an election for a functional constituency by or on behalf of a candidate for an election for the seventh term of office or any subsequent term of office of the Legislative Council is—

(a) for a functional constituency specified in section 20(1)(a), (b), (c), (d), (t), (v) and (z) of the Legislative Council Ordinance (Cap. 542)—$133,000; or

(b) for a functional constituency specified in section 20(1)(e), (f), (g), (ia), (j), (k), (l), (m), (n), (o), (p), (q), (qa), (r), (s), (u), (w), (x), (y), (za) and (zd) of that Ordinance—

(i) if there are not more than 5 000 electors registered for that constituency—$213,000;

(ii) if there are more than 5 000 but not more than 10 000 electors registered for that constituency—$425,000; or

(iii) if there are more than 10 000 electors registered for that constituency—$639,000.".

377. Section 4A added

After section 4—

Add

"**4A. Maximum amount of election expenses for Election Committee constituency**

The maximum amount of election expenses that can be incurred at an election for the Election Committee constituency by or on behalf of a candidate for an election for the seventh term of office or any subsequent term of office of the Legislative Council is $213,000.".

Division 4—Maximum Scale of Election Expenses (Election Committee) Order (Cap. 554 sub. leg. I)

378. Section 1 amended (interpretation)

(1) Section 1, definition of ***subsector***—

Repeal

"1(1)"

Substitute

"11(1)".

(2) Section 1, English text, definition of ***subsector***—

Repeal the semicolon

Substitute a full stop.

(3) Section 1—

Repeal the definition of *sub-subsectors*.

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

Section 2—

Repeal subsection (3)

Substitute

"(3) For the purposes of section 45(1) of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554),

the maximum scale of election expenses that may be incurred by or on behalf of a candidate for an election to the Election Committee in respect of a subsector is—

(a) if there are not more than 500 registered voters in the subsector—$100,000;

(b) if there are more than 500 but not more than 5 000 registered voters in the subsector—$160,000;

(c) if there are more than 5 000 but not more than 10 000 registered voters in the subsector—$320,000; or

(d) if there are more than 10 000 registered voters in the subsector—$480,000.”.

Part 7

Amendments to Chief Executive Election Ordinance and its Subsidiary Legislation

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

380. Long title substituted

The long title—

Repeal the long title

Substitute

"An Ordinance to provide for the election of the Chief Executive, and the constitution of the Election Committee, in accordance with Annex I to the Basic Law of the Hong Kong Special Administrative Region; and to provide for related matters.".

381. Section 2 amended (interpretation)

Section 2(1)—

Add in alphabetical order

"***Candidate Eligibility Review Committee*** (候選人資格審查委員會) means the Candidate Eligibility Review Committee established under section 9A;".

382. Section 9 amended (term of office of Election Committee)

(1) Section 9—

Repeal subsection (1)

Substitute

"(1) The term of office of the Election Committee is as prescribed by Annex I to the Basic Law.".

(2) After section 9(2)—

Add

"(3) Despite subsection (2), for the year of 2021, the Election Committee is to be constituted on 22 October 2021.

(4) The term of office of the Election Committee constituted on 22 October 2021 ends on 21 October 2026.".

383. Part 3A added

After Part 3—

Add

"Part 3A

Candidate Eligibility Review Committee

9A. Establishment of the Candidate Eligibility Review Committee

(1) A Candidate Eligibility Review Committee is established for the purposes of Annex I to the Basic Law and this Ordinance.

(2) The Candidate Eligibility Review Committee is to consist of the following members—

(a) the chairperson; and

(b) at least 2 but not more than 4 other members.

(3) Each member of the Candidate Eligibility Review Committee is to be appointed by the Chief Executive by notice published in the Gazette.

(4) Only a principal official appointed pursuant to a nomination under Article 48(5) of the Basic Law is eligible for appointment under subsection (3).".

384. Section 16 amended (manner of nomination)

(1) Section 16(2)—

Repeal paragraph (a)

Substitute

"(a) subject to subsections (4) and (5), by not less than 188 members of the Election Committee (with not less than 15 members of the Election Committee in each of the 5 sectors referred to in section 2(3) and (4) of the Schedule); and".

(2) Section 16(5)(c)—

Repeal

"section 18 of the Schedule; or"

Substitute

"section 18(1) of the Schedule;".

(3) Section 16(5)(d)—

Repeal

"3"

Substitute

"5".

(4) Section 16(5)(d)—

Repeal

"section 18(e) of the Schedule,"

Substitute

"section 18(1)(e) of the Schedule;".

(5) After section 16(5)(d)—

Add

"(e) is in breach of an oath taken under section 42A of the Schedule; or

(f) fails, or is declared or decided in accordance with any law to have failed, to fulfil the legal requirements and conditions on upholding the Basic Law and bearing allegiance to the Hong Kong Special Administrative Region of the People's Republic of China,".

(6) After section 16(5)—

Add

"(5A) To avoid doubt, if a person's functions as a member of the Election Committee are suspended under section 43A(2) of the Schedule, the person is disqualified from making nomination at the election.".

385. Section 17 substituted

Section 17—

Repeal the section

Substitute

"**17. Determination of validity of nomination**

The Candidate Eligibility Review Committee must, as soon as practicable after a nomination form that complies with the EAC Regulations is submitted in accordance with those Regulations, determine whether or not the person nominated by virtue of the nomination form is validly nominated in accordance with Annex I to the Basic Law,

this Ordinance and those Regulations as a candidate at the election.”.

386. Section 20 amended (disqualification from being elected)

(1) Section 20(1)—

Repeal

“Returning Officer” (wherever appearing)

Substitute

“Candidate Eligibility Review Committee”.

(2) Section 20(1)—

Repeal

“shall, by a public declaration,”

Substitute

“must”.

(3) Section 20—

Repeal subsection (2)

Substitute

“(2) After the Candidate Eligibility Review Committee disqualifies a candidate under subsection (1), the Returning Officer must publish a public declaration and a notice in the Gazette as soon as practicable.”.

387. Section 22 amended (termination of election proceedings)

(1) Section 22(1AA)—

Repeal paragraph (b)

Substitute

“(b) at any time after the close of nominations but before the declaration of the result of the election—

(i) proof is given to the satisfaction of the Returning Officer that the candidate dies; or

(ii) proof is given to the satisfaction of the Candidate Eligibility Review Committee that the candidate is disqualified under section 20(1) from being elected,".

(2) Section 22(1)—

Repeal paragraph (b)

Substitute

"(b) at any time after the close of nominations but before the declaration of the result of the election—

(i) proof is given to the satisfaction of the Returning Officer that any candidate dies; or

(ii) proof is given to the satisfaction of the Candidate Eligibility Review Committee that any candidate is disqualified under section 20(1) from being elected,".

388. Section 26 amended (disqualification from voting)

(1) Section 26—

Renumber the section as section 26(1).

(2) Section 26(1)(a)—

Repeal

"or".

(3) Section 26(1)(c)—

Repeal

"section 18 of the Schedule,"

Substitute

"section 18(1) of the Schedule;".

(4) Section 26(1)—

Add

"(e) is in breach of an oath taken under section 42A of the Schedule; or

(f) fails, or is declared or decided in accordance with any law to have failed, to fulfil the legal requirements and conditions on upholding the Basic Law and bearing allegiance to the Hong Kong Special Administrative Region of the People's Republic of China,".

(5) After section 26(1)—

Add

"(2) To avoid doubt, if a person's functions as a member of the Election Committee are suspended under section 43A(2) of the Schedule, the person is disqualified from voting at the poll.".

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

Section 26A—

Repeal

"600" (wherever appearing)

Substitute

"750".

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

Section 27—

Repeal

"600" (wherever appearing)

Substitute

"750".

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

Section 32(2)—

Repeal the definition of *election*

Substitute

"***election*** (選舉)—

(a) is to be construed subject to Annex I to the Basic Law; and

(b) subject to paragraph (a), includes nomination proceedings and the decisions of the Candidate Eligibility Review Committee, the Returning Officer or any Assistant Returning Officer;".

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

(1) Section 33(1)(b)(i), after the semicolon—

Add

"or".

(2) Section 33(1)(b)—

Repeal subparagraph (ii).

393. Section 35 substituted

Section 35—

Repeal the section

Substitute

"**35. Respondent to election petition**

The following persons may be made a respondent to an election petition—

(a) a person whose election is questioned by the petition;

(b) the Returning Officer; and

(c) if grounds for the petition relate to a decision of the Candidate Eligibility Review Committee—the Candidate Eligibility Review Committee.".

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

Section 41—

Repeal subsection (6)

Substitute

"(6) Expenses properly incurred by—

(a) the Returning Officer in the performance of the Officer's functions under this Ordinance; or

(b) the Candidate Eligibility Review Committee in the performance of its functions under this Ordinance,

are to be a charge on and payable from the general revenue.".

395. Section 42 substituted

Section 42—

Repeal the section

Substitute

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

A person who, without reasonable excuse, obstructs or hinders, or interferes with, an electoral officer or the Candidate Eligibility Review Committee in the performance of a function conferred or imposed on the officer or the Committee respectively by or under this Ordinance commits an offence and is liable on conviction to a fine at level 5.".

396. Schedule, section 1 amended (interpretation)

(1) The Schedule, section 1(1), definition of ***subsector by-election***—

Repeal

"2(7)(b)"

Substitute

"2(7)(c)".

(2) The Schedule, section 1(1), definition of ***subsector ordinary election***—

Repeal

"2(7)(b)"

Substitute

"2(7)(c)".

(3) The Schedule, section 1(1)—

(a) definition of ***ex-officio member***;

(b) definition of ***sub-subsector***;

(c) definition of ***sub-subsector by-election***;

(d) definition of ***sub-subsector ordinary election***—

Repeal the definitions.

(4) The Schedule, section 1(1)—

Add in alphabetical order

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

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

designated person (指定人士), in relation to a specified person, means a person designated by the specified person under section 5J(3);

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

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

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

NPC and CPPCC subsector (人大政協界界別分組) means the Hong Kong Special Administrative Region deputies to the National People's Congress and Hong Kong Special Administrative Region members of the

National Committee of the Chinese People's Political Consultative Conference subsector;

NPC deputy (全國人大代表) means a Hong Kong Special Administrative Region deputy to the National People's Congress;

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

specified office (指明職位), in relation to a subsector, means an office specified for the subsector in Division 1 of Part 2A for the purposes of section 2(5)(a);

specified person (指明人士), in relation to a subsector, means a person holding a specified office of the subsector;".

(5) The Schedule, section 1—

Repeal subsection (2).

(6) The Schedule, section 1—

Repeal subsection (4)

Substitute

"(4) In this Schedule, unless otherwise stated, a reference to a Part or section is a reference to a Part or section of this Schedule.".

(7) The Schedule, section 1—

Repeal subsections (5) and (6).

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

(1) The Schedule, section 2(1)—

Repeal

"1 200"

Substitute

"1 500".

(2) The Schedule, section 2(2)—

Repeal

"(other than ex-officio members)".

(3) The Schedule, section 2(3)—

Repeal

"4"

Substitute

"5".

(4) The Schedule, section 2(4)—

Repeal

"and 4"

Substitute

", 4 and 5".

(5) The Schedule, section 2—

Repeal subsection (5)

Substitute

"(5) Each subsector is to be composed of—

(a) if the number specified in column 3 of the relevant Table opposite to that subsector is not 0—the specified persons of that subsector;

(b) if the number specified in column 4 of the relevant Table opposite to that subsector is not 0—the designated bodies of that subsector; and

(c) if the number specified in column 5 of the relevant Table opposite to that subsector is not 0—the specified entities of that subsector.".

(6) The Schedule, section 2(6), after "specified in"—

Add

"columns 3, 4 and 5 of".

(7) The Schedule, section 2—

Repeal subsections (7), (8) and (9)

Substitute

"(7) The Election Committee is constituted in the following manner—

(a) subject to subsection (8), in relation to a subsector specified in column 2 of a Table, the number specified in column 3 of the Table opposite to the subsector is the number of members to be filled by the persons registered in accordance with Part 2A as ex-officio members of the subsector;

(b) in relation to a subsector specified in column 2 of a Table, the number specified in column 4 of the Table opposite to the subsector is the number of members to be nominated by the designated bodies of the subsector in accordance with Part 3;

(c) subject to subsection (8), in relation to a subsector specified in column 2 of a Table, the number specified in column 5 of the Table

opposite to the subsector is the number of members to be elected by the specified entities of the subsector in accordance with Part 4.

(8) Despite subsection (7), for the purpose of constituting a new term of office of the Election Committee, if 1 NPC deputy or CPPCC member chooses, in accordance with section 5I(4), to be registered as a member of a subsector (***relevant subsector***) other than the NPC and CPPCC subsector, and the registration is determined as valid under section 5N—

(a) the number of members to be filled in relation to the relevant subsector under subsection (7)(a) is to be increased by 1 for that term of office; and

(b) the number of members to be elected by the relevant subsector under subsection (7)(c) is to be decreased by 1 for that term of office.

(9) For the purpose of constituting a new term of office of the Election Committee, the Chief Electoral Officer must publish a notice in the Gazette in accordance with the EAC Regulations declaring—

(a) the number of NPC deputies or CPPCC members whose registrations are determined as valid in each subsector for that term of office; and

(b) the number of members to be elected by each subsector in accordance with Part 4 for that term of office.

(10) To avoid doubt, the numbers declared under subsection (9) must remain unchanged for that term of office of the Election Committee.”.

(8) The Schedule, section 2—

Repeal Tables 1, 2, 3, 4 and 5

Substitute

"**Table 1**

First Sector

Column 1	Column 2	Column 3	Column 4	Column 5
Item	Subsector	Number of ex-officio members	Number of members to be nominated	Number of members to be elected
1.	Catering	0	0	16
2.	Commercial (first)	0	0	17
3.	Commercial (second)	0	0	17
4.	Commercial (third)	0	0	17
5.	Employers' Federation of Hong Kong	0	0	15
6.	Finance	0	0	17
7.	Financial services	0	0	17
8.	Hotel	0	0	16
9.	Import and export	0	0	17

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
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

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

Table 3

Third Sector

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

Table 4

Fourth Sector

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

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

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	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
	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			
2.	Representatives of Hong Kong members of relevant national organisations	0	0	110".

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

(1) The Schedule, section 3—

Repeal subsection (1)

Substitute

"(1) If a person is registered as an ex-officio member of the Election Committee by virtue of holding a specified office, and the person ceases to hold the specified office, the person is regarded as having resigned from the membership of the Election Committee, unless—

(a) the cessation is due to the expiry of the person's term of office as the holder of the specified office; and

(b) the person holds the specified office immediately after the cessation.

(1AA) If a designated person of a specified person is registered as an ex-officio member of the Election Committee, and the specified person ceases to hold a specified office, the designated person is regarded as having resigned from the membership of the Election Committee, unless—

(a) the cessation is due to the expiry of the specified person's term of office as the holder of the specified office; and

(b) the specified person holds the specified office immediately after the cessation.

(1AAB) If a person (***registered member***) is registered as an ex-officio member of the Election Committee under section 5J(4) because a specified person is not eligible to be so registered, and the specified person ceases to hold the specified office concerned, the registered member is regarded as having resigned from the membership of the Election Committee, unless—

(a) the cessation is due to the expiry of the specified person's term of office as the holder of the specified office; and

(b) the specified person holds the specified office immediately after the cessation.

(1AAC) If a person is registered as an ex-officio member of the Election Committee under section 5J(3) or (4), and the person ceases to hold an office in, or the office of Council Chairman or the office of Chairman of the Board of Governors (as the case may be) in, the relevant body (as defined by section 5J(6)) concerned, the person is regarded as having resigned from the membership of the Election Committee, unless—

(a) the cessation is due to the expiry of the person's term of office as the holder of the office concerned; and

(b) the person holds the office immediately after the cessation.

(1AAD) If a person is nominated as a member of the Election Committee representing the accountancy subsector under section 7, and the person ceases to be a Hong Kong Accounting Advisor appointed by the Ministry of Finance of the People's Republic of China, the person is regarded as having resigned from the membership of the Election Committee, unless—

(a) the cessation is due to the expiry of the person's term of office as a Hong Kong Accounting Advisor; and

(b) the person is a Hong Kong Accounting Advisor immediately after the cessation.

(1AAE) If a person is nominated as a member of the Election Committee representing the Chinese medicine subsector under section 7, and the person ceases to be a Hong Kong member of the Council of the World Federation of Chinese Medicine Societies, the person is regarded as having resigned from the membership of the Election Committee, unless—

(a) the cessation is due to the expiry of the person's term of office as the member of the Council of the Federation; and

(b) the person is a member of the Council of the Federation immediately after the cessation.

(1AAF) If a person is nominated as a member of the Election Committee representing the legal subsector under section 7, and the person ceases to be a Hong Kong member of the Council of the China Law Society, the person is regarded as having resigned from the membership of the Election Committee, unless—

(a) the cessation is due to the expiry of the person's term of office as the member of the Council of the Society; and

(b) the person is a member of the Council of the Society immediately after the cessation.

(1AAG) If a person is nominated as a member of the Election Committee representing the technology and innovation subsector under section 7, and the person ceases to be a Hong Kong academician of the Chinese Academy of Sciences or the Chinese Academy of Engineering, the person is regarded as having resigned from the membership of the Election Committee.".

(2) The Schedule, section 3(1A)—

Repeal

"subsector specified in item 4 of Table 4 in section 2"

Substitute

"Heung Yee Kuk subsector".

(3) The Schedule, section 3—

Repeal subsections (1B) and (1C)

Substitute

"(1B) If a member of the Election Committee representing the Hong Kong and Kowloon District Committees subsector ceases to be a member of an Area

Committee, District Fight Crime Committee or District Fire Safety Committee in a District mentioned in section 39ZH (***specified Committee***), the member is regarded as having resigned from the membership of the Election Committee, unless—

(a) the cessation is due to the expiry of the member's term of office as a member of the specified Committee; and

(b) the member is a member of the specified Committee immediately after the cessation.

(1C) If a member of the Election Committee representing the New Territories District Committees subsector ceases to be a member of an Area Committee, District Fight Crime Committee or District Fire Safety Committee in a District mentioned in section 39ZI (***specified Committee***), the member is regarded as having resigned from the membership of the Election Committee, unless—

(a) the cessation is due to the expiry of the member's term of office as a member of the specified Committee; and

(b) the member is a member of the specified Committee immediately after the cessation.".

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

(1) The Schedule, section 4(5), before "the omissions list"—

Add

"a copy of".

(2) The Schedule, section 4(6)(a), before "the omissions list"—

Add

"a copy of".

(3) The Schedule, section 4(6)(b)—

Repeal

everything after "make that"

Substitute

"copy available for inspection in accordance with the EAC Regulations.".

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

The Schedule, section 5(1)—

Repeal paragraphs (a) and (b)

Substitute

"(a) must ascertain the number of members nominated in accordance with Part 3 or elected in accordance with Part 4 for each subsector on the Election Committee; and

(b) if the number of members so ascertained as representing a subsector is less than the number of members allocated to the subsector in accordance with section 2(7)(b) or (c), must, in accordance with the EAC Regulations, arrange for a supplementary nomination or a subsector by-election (as the case may be) to be held to fill the vacancy among the members representing the subsector on the Election Committee.".

401. Schedule, Part 2A added

The Schedule, after Part 2—

Add

"Part 2A

Ex-Officio Members

Division 1—Specified Offices

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

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

(a) the President of The Hong Kong Institute of Architects;

(b) the President of The Hong Kong Institute of Surveyors;

(c) the President of The Hong Kong Institute of Planners;

(d) the President of The Hong Kong Institute of Landscape Architects;

(e) the Chairman of the Hong Kong Housing Authority;

(f) the Chairman of the Town Planning Board;

(g) the Chairman of the Board of the Urban Renewal Authority;

(h) the Chairman of the Hong Kong Housing Society;

(i) the Chairman of the Antiquities Advisory Board;

(j) the Chairperson of the Property Management Services Authority;

(k) the Chairman of the Community Involvement Committee on Greening;

(l) the Chairman of the Advisory Committee for the Fire Safety (Buildings) Ordinance and the Fire Safety (Commercial Premises) Ordinance;

(m) the Chairman of the Harbourfront Commission;

(n) the Chairman of the Land and Development Advisory Committee; and

(o) the Chairman of the Lantau Development Advisory Committee.

5B. Specified offices of the education subsector

The specified offices of the education subsector are—

(a) the Vice-Chancellor of The University of Hong Kong;

(b) the Vice-Chancellor of The Chinese University of Hong Kong;

(c) the President of The Hong Kong University of Science and Technology;

(d) the President of the City University of Hong Kong;

(e) the President of The Hong Kong Polytechnic University;

(f) the President of The Education University of Hong Kong;

(g) the President and Vice-Chancellor of the Hong Kong Baptist University;

(h) the President of Lingnan University;

(i) the President of The Open University of Hong Kong;

(j) the President of the Hong Kong Shue Yan University;

(k) the President of The Hang Seng University of Hong Kong;

(l) the office specified by Roman Catholic Diocese of Hong Kong;

(m) the office specified by the Po Leung Kuk;

(n) the office specified by the Hong Kong Sheng Kung Hui;

(o) the office specified by the Tung Wah Group of Hospitals; and

(p) the office specified by The Hong Kong Council of the Church of Christ in China.

5C. Specified offices of the engineering subsector

The specified offices of the engineering subsector are—

(a) the President of The Hong Kong Institution of Engineers;

(b) the Chairman of the Board of the Airport Authority;

(c) the Chairman of the Consulting Engineers' Committee;

(d) the Chairperson of the Construction Industry Council;

(e) the Chairman of the Building Contractors Committee;

(f) the Chairman of the Advisory Committee on Water Supplies;

(g) the Chairman of the Transport Advisory Committee;

(h) the Chairman of the Advisory Council on the Environment;

(i) the Chairman of the Electrical Safety Advisory Committee;

(j) the Chairman of the Gas Safety Advisory Committee;

(k) the Chairman of the Energy Advisory Committee;

(l) the Chairman of the Advisory Committee on the Appearance of Bridges and Associated Structures;

(m) the Chairman of the Lift and Escalator Safety Advisory Committee;

(n) the Chairman of the Board of MTR Corporation Limited; and

(o) the Chairperson of the Drinking Water Safety Advisory Committee.

5D. Specified offices of the legal subsector

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

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

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

(a) the Chairman of the Hospital Authority;

(b) the Chairman of the Board of Governors of The Prince Philip Dental Hospital;

(c) the Chairman of the Medical Council of Hong Kong;

(d) the Chairman of the Dental Council of Hong Kong;

(e) the President of the Hong Kong Academy of Medicine;

(f) the Chairman of the Nursing Council of Hong Kong;

(g) the Chairman of the Midwives Council of Hong Kong;

(h) the Chairman of the Supplementary Medical Professions Council;

(i) the Chairman of the Pharmacy and Poisons Board;

(j) the Chairman of the Chiropractors Council;

(k) the Dean of Li Ka Shing Faculty of Medicine of The University of Hong Kong;

(l) the Dean of Faculty of Medicine of The Chinese University of Hong Kong;

(m) the Secretary General of the Hong Kong Red Cross;

(n) the Council Chairman of the Hong Kong St. John Ambulance; and

(o) the Commissioner of the Auxiliary Medical Service.

5F. Specified offices of the social welfare subsector

The specified offices of the social welfare subsector are—

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

(b) the Chairperson of the Social Workers Registration Board;

(c) the Chairman of the Council of the Institute of Social Service Development;

(d) the Chairman of the Board of Directors of the Tung Wah Group of Hospitals;

(e) the Chairman of the Board of Directors of the Po Leung Kuk;

(f) the Chairman of the Board of Directors of the Yan Chai Hospital;

(g) the Chairman of the Board of Directors of Pok Oi Hospital;

(h) the Chairperson of the Board of Directors of Yan Oi Tong Limited;

(i) the Chairman of the Executive Committee of The Lok Sin Tong Benevolent Society Kowloon;

(j) the Chairman of the Board of Directors of New Home Association Limited;

(k) the Chairperson of the Board of Directors of Social Workers Across Borders Limited;

(l) the Chairperson of the Board of Directors of The Hong Kong Volunteers Federation Company Limited;

(m) the Chairperson of the Council of The Hong Kong Federation of Trade Unions Hong Ling Society;

(n) the Chairperson of the Executive Committee of The United Labour Chi Hong Association Limited; and

(o) the Chairman of the Board of Directors of The Hong Kong Island Social Services Charitable Foundation Limited.

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

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

5H. Specified offices of the NPC and CPPCC subsector

The specified offices of the NPC and CPPCC subsector are—

(a) NPC deputies; and

(b) CPPCC members.

Division 2—Procedural Matters

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

(1) An NPC deputy or a CPPCC member may be registered as an ex-officio member, but only if the deputy or member is registered in accordance with this section and the EAC Regulations.

(2) If an NPC deputy or a CPPCC member is holding a specified office of a subsector (***specified subsector***) other than the NPC and CPPCC subsector, the deputy or member may only be registered as an ex-officio member of the specified subsector.

(3) To avoid doubt, if the NPC deputy or CPPCC member holds 2 or more specified offices of one or more specified subsectors—

(a) the deputy or member may only choose to be registered as an ex-officio member as the holder of one of the specified offices; and

(b) section 5J(3) or (4) (as appropriate) applies in relation to the other specified office or offices for the purpose of making a designation or registration.

(4) Subject to subsection (2), an NPC deputy or a CPPCC member may choose to be registered as an ex-officio member of a subsector as defined by section 11(1) (***relevant subsector***) if—

(a) the total number of NPC deputies and CPPCC members who—

(i) are eligible to be registered as ex-officio members under section 5L;

(ii) are not disqualified from being registered as ex-officio members under section 5M; and

(iii) do not fall within subsection (2),

exceeds the specified number; and

(b) the deputy or member has substantial connection with the relevant subsector.

(5) For subsection (4)—

(a) the number of NPC deputy or CPPCC member who chooses to be registered as an ex-officio member of a relevant subsector must not exceed the number specified in column 5 of the Table concerned in section 2 opposite to the relevant subsector; and

(b) the total number of NPC deputies and CPPCC members who chooses to be registered as an ex-officio member of the relevant subsectors must not exceed the difference between the specified number and the total number referred to in subsection (4)(a).

(6) If, after the publication of the final register of members of the Election Committee for a term of office of the Election Committee under section 40(3A), an NPC deputy or a CPPCC member registered as an ex-officio member of a subsector resigns or is regarded as having resigned under section 3, a subsequently appointed NPC deputy or CPPCC member may only be registered as an ex-officio member of that subsector for that term of office of the Election Committee.

(7) An NPC deputy or a CPPCC member may only be registered as an ex-officio member of a subsector under subsection (6) if the deputy or member has substantial connection with the subsector.

(8) In this section—

specified number (指明數目) means the number specified in column 3 of Table 5 in section 2 opposite to the NPC and CPPCC subsector.

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

(1) Subject to section 5I, a specified person or a designated person of the specified person may be registered as an ex-officio member, but only if the specified person submits a registration form to the Electoral Registration Officer in accordance with this section and the EAC Regulations.

(2) If a specified person holds more than one specified office, the person may only choose to be registered as an ex-officio member as the holder of one of the specified offices.

(3) A specified person holding a specified office of an applicable subsector may designate another person who is holding an office in a relevant body in relation to the specified office to be registered as an ex-officio member if—

(a) the specified person is not eligible to be registered as an ex-officio member under section 5L; or

(b) the specified person is a holder of more than one specified office (excluding the office of NPC deputy or CPPCC member).

(4) If a holder of a specified office set out in section 5B(a), (b), (c), (d), (e), (f), (g), (h), (i), (j) or (k) is not eligible to be registered as an ex-officio member under section 5L—

(a) in relation to a specified office set out in section 5B(a)—the Council Chairman of the relevant body in relation to the specified office;

(b) in relation to a specified office set out in section 5B(b), (c), (d), (e), (f), (g), (h) or (i)—the Council Chairman of a relevant body in relation to the specified office; or

(c) in relation to a specified office set out in section 5B(j) or (k)—the Chairman of the Board of Governors of a relevant body in relation to the specified office,

is to be regarded as a specified office of the relevant body.

(5) To avoid doubt, for the purposes of subsection (3)—

(a) if the specified person holds more than 2 specified offices of one or more applicable subsectors, the person may designate different persons to be registered as ex-officio members for different specified offices; and

(b) a designated person may only be registered as an ex-officio member for 1 specified office.

(6) In this section—

applicable subsector (適用界別分組) means—

(a) the architectural, surveying, planning and landscape subsector;

(b) the engineering subsector;

(c) the medical and health services subsector; or

(d) the social welfare subsector;

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

5K. Validity of registration contingent on declaration

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

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

(b) the declaration is signed by the person.

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

(1) Subject to subsection (2), a person is eligible to be registered as an ex-officio member of a subsector under section 5I or 5J if the person—

(a) is eligible to be registered as an elector under Part 5 of the Legislative Council Ordinance (Cap. 542) for a geographical constituency and has made an application to be so registered, or is registered in the existing geographical constituencies final register (as defined by section 11(1)) and is eligible to be, and is not disqualified from being, registered as an elector for a geographical constituency; and

(b) is holding a specified office of the subsector.

(2) Subsection (1)(b) does not apply to a person to be registered as an ex-officio member under section 5J(3) or (4).

(3) However, a person is not eligible to be registered as an ex-officio member if the person—

(a) is a principal official of the Government;

(b) is a directorate officer of the Government;

(c) is an Administrative Officer of the Government;

(d) is an Information Officer of the Government;

(e) is a police officer; or

(f) is any other civil servant who is holding an office specified in Division 1 in his or her official capacity.

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

(1) A person is disqualified from being registered as an ex-officio member if the person—

(a) has in Hong Kong or in any other place been sentenced to death or imprisonment (by whatever name called) and has not either—

(i) served the sentence or undergone such other punishment as a competent authority may have substituted for the sentence; or

(ii) received a free pardon;

(b) on the date of submission of the registration form, is serving a sentence of imprisonment;

(c) without limiting paragraph (a), where the registration form is submitted within 5 years after the date of the person's conviction, is or has been convicted—

(i) of having engaged in corrupt conduct or illegal conduct in contravention of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554);

(ii) of an offence against Part II of the Prevention of Bribery Ordinance (Cap. 201); or

(iii) of any offence prescribed by the EAC Regulations;

(d) is found for the time being under the Mental Health Ordinance (Cap. 136) to be incapable, by reason of mental incapacity, of managing and administering his or her property and affairs; or

(e) is a member of the armed forces of the People's Republic of China or any other country or territory.

(2) Without prejudice to section 13(1)(c) of the Electoral Affairs Commission Ordinance (Cap. 541), a person is also disqualified from being registered as an ex-officio member if, within the 5 years before the date of submission of the registration form—

(a) the person has vacated an office, or has been disqualified from entering on an office, under the law, for declining or neglecting to take a specified oath; or

(b) the person has been declared or decided in accordance with any law—

(i) to be in breach of a specified oath; or

(ii) to have failed to fulfil the legal requirements and conditions on upholding the Basic Law and bearing allegiance to the Hong Kong Special Administrative Region of the People's Republic of China.

(3) In this section—

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

5N. Determination of validity of registration

The Candidate Eligibility Review Committee must, as soon as practicable after a registration form that complies with this Part and the EAC Regulations is submitted in accordance with those Regulations, determine whether or not the proposed registration is valid in accordance with Annex I to the Basic Law and this Ordinance.

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

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

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

The Schedule, Part 3, heading—

Repeal

"**Religious Subsector**"

Substitute

"**Nomination**".

403. Schedule, Part 3, Division 1 added

The Schedule, Part 3, before section 6—

Add

"Division 1—Designated Bodies

5P. Designated body of the accountancy subsector

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

5Q. Designated body of the Chinese medicine subsector

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

5R. Designated body of the legal subsector

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

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

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

(a) Sports Federation & Olympic Committee of Hong Kong, China;

(b) China Federation of Literary and Art Circles Hong Kong Member Association Limited; and

(c) Hong Kong Publishing Federation Limited.

5T. Designated body of the technology and innovation subsector

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

404. Schedule, section 6 substituted

The Schedule—

Repeal section 6

Substitute

"**6. Designated bodies of the religious subsector**

The designated bodies of the religious subsector are—

(a) Catholic Diocese of Hong Kong;

(b) Chinese Muslim Cultural and Fraternal Association;

(c) Hong Kong Christian Council;

(d) The Hong Kong Taoist Association;

(e) The Confucian Academy; and

(f) The Hong Kong Buddhist Association.".

405. Schedule, section 6A added

The Schedule, after section 6—

Add

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

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

(a) Mainland China (Shenzhen) Consultant Services Centre, The Hong Kong Federation of Trade Unions;

(b) Mainland China (Guangzhou) Consultant Services Centre, The Hong Kong Federation of Trade Unions;

(c) Mainland China (Dongguan) Consultant Services Centre, The Hong Kong Federation of Trade Unions;

(d) Mainland China (Zhongshan) Consultant Services Centre, The Hong Kong Federation of Trade Unions;

(e) Mainland China (Huizhou) Consultant Services Centre, The Hong Kong Federation of Trade Unions;

(f) Mainland China (Fujian, Xiamen) Consultant Services Centre, The Hong Kong Federation of Trade Unions;

(g) Hong Kong Chamber of Commerce in China;

(h) Hong Kong Chamber of Commerce in China—Tianjin;

(i) Hong Kong Chamber of Commerce in China—Shanghai;

(j) Hong Kong Chamber of Commerce in China—Zhejiang;

(k) Hong Kong Chamber of Commerce in China—Guangdong;

(l) Hong Kong Chamber of Commerce in China—Fujian;

(m) Hong Kong Chamber of Commerce in China—Guangxi;

(n) Hong Kong Chamber of Commerce in China—Sichuan;

(o) Hong Kong Chamber of Commerce in China—Wuhan;

(p) Hong Kong Chamber of Commerce in China—Liaoning;

(q) Hong Kong Chamber of Commerce in China—Shandong;

(r) Hong Kong Professionals (Beijing) Association;

(s) Shanghai Hong Kong Association;

(t) Guangzhou Tianhe Hong Kong and Macau Youth Association;

(u) Hong Kong Association of China Business;

(v) Hong Kong Chamber of Commerce, Qianhai, Shenzhen;

(w) Hong Kong and Macau Entrepreneurs Branch, Chongqing Overseas Association;

(x) Fujian Federation of Overseas Chinese Entrepreneurs;

(y) Hong Kong and Macao Youth Innovation and Entrepreneurship Federation in Zhongkai Huizhou;

(z) The Hong Kong Fellowship in Huadu Guangzhou; and

(za) The Hong Kong Fellowship in Chancheng Foshan.”.

406. Schedule, Part 3, Division 2 heading added

The Schedule, before section 7—

Add

"**Division 2—Procedural Matters**".

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

(1) The Schedule, section 7, heading—

Repeal

"**by the religious subsector**".

(2) The Schedule, section 7(1), after "designated body"—

Add

"of a subsector".

(3) The Schedule, section 7(1)—

Repeal

"religious".

(4) The Schedule, section 7(2)(a)—

Repeal

"the religious"

Substitute

"a".

(5) The Schedule, section 7(2)(b)—

Repeal

"religious".

(6) The Schedule, after section 7(4)—

Add

"(4A) Subject to subsections (6) and (6A), the Candidate Eligibility Review Committee must, as soon as practicable after a nomination form that complies with the EAC Regulations is submitted in accordance with those Regulations, determine whether or not the nominees are validly nominated in accordance with Annex I to the Basic Law, this Ordinance and those Regulations.".

(7) The Schedule, section 7(5)—

Repeal

"Returning Officer"

Substitute

"Candidate Eligibility Review Committee".

(8) The Schedule, section 7(6)—

Repeal

everything after "Officer"

Substitute

"must determine, by drawing lots, the order of priority in which the nominees of that body are to make up the assigned number or to fill the vacancy.".

(9) The Schedule, after section 7(6)—

Add

"(6A) The Candidate Eligibility Review Committee must, as soon as practicable after the order of priority is

determined under subsection (6), determine in that order of priority whether or not a nominee to whom that subsection applies is validly nominated in accordance with Annex I to the Basic Law, this Ordinance and the EAC Regulations, until the number of validly nominated nominees is equal to the assigned number for the designated body concerned or the number of vacancies to be filled.”.

(10) The Schedule, section 7—

Repeal subsections (8) and (9)

Substitute

“(8) The Returning Officer must declare the nominees who are validly nominated as members of the Election Committee in accordance with the EAC Regulations.

(9) In this section—

assigned number (獲配席位數目)—

(a) in relation to the designated body mentioned in section 5S(a) or (c)—means 3;

(b) in relation to the designated body mentioned in section 5S(b)—means 9;

(c) in relation to a designated body of the religious subsector—means 10;

(d) in relation to a designated body of the representatives of associations of Hong Kong residents in the Mainland subsector—means 1; or

(e) in relation to the designated body of any other subsector—means the number specified in column 4 of the relevant Table in section 2 opposite to the subsector.”.

408. Schedule, section 7A added

The Schedule, after section 7—

Add

"**7A. Validity of nomination contingent on declaration**

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

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

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

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

(1) The Schedule, English text, section 8, heading—

Repeal

"**qualified**"

Substitute

"**eligible**".

(2) The Schedule, section 8(1), after "nominee"—

Add

"for a subsector".

(3) The Schedule, section 8(1)(b)—

Repeal

"religious".

(4) The Schedule, section 8(2)—

Repeal paragraph (a)

Substitute

"(a) is a specified person (whether or not the person is an ex-officio member of the Election Committee);

(ab) is a designated person (whether or not the person is an ex-officio member of the Election Committee); or".

(5) The Schedule, section 8(4)—

Repeal

"representing the religious subsector on"

Substitute

"of".

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

(1) The Schedule—

Renumber section 9 as section 9(1).

(2) The Schedule, section 9(1)(c)—

Repeal

"3"

Substitute

"5".

(3) The Schedule, after section 9(1)—

Add

"(2) Without prejudice to section 13(1)(c) of the Electoral Affairs Commission Ordinance (Cap. 541), a person is also disqualified from being a nominee if, within the 5 years before the date of nomination—

(a) the person has vacated an office, or has been disqualified from entering on an office, under the law, for declining or neglecting to take a specified oath; or

(b) the person has been declared or decided in accordance with any law—

(i) to be in breach of a specified oath; or

(ii) to have failed to fulfil the legal requirements and conditions on upholding the Basic Law and bearing allegiance to the Hong Kong Special Administrative Region of the People's Republic of China.

(3) In this section—

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

411. Schedule, section 9A added

The Schedule, after section 9—

Add

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

(1) This section is without prejudice to section 9.

(2) A person is disqualified from being a nominee for the accountancy subsector if the person is not a Hong Kong Accounting Advisor appointed by the Ministry of Finance of the People's Republic of China.

(3) A person is disqualified from being a nominee for the Chinese medicine subsector if the person is not a Hong Kong member of the Council of the World Federation of Chinese Medicine Societies.

(4) A person is disqualified from being a nominee for the legal subsector if the person is not a Hong Kong member of the Council of the China Law Society.

(5) A person is disqualified from being a nominee for the technology and innovation subsector if the person is not a Hong Kong academician of the Chinese Academy of Sciences or the Chinese Academy of Engineering.".

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

The Schedule, Chinese text, section 10—

Repeal

"為選舉委員的人"

Substitute

"某人為選舉委員".

413. Schedule, section 11 amended (interpretation)

(1) The Schedule, section 11(1)—

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

(b) definition of ***existing subsector final register***;

(c) definition of ***subsector***—

Repeal the definitions.

(2) The Schedule, section 11(1)—

Add in alphabetical order

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

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

(a) the religious subsector;

(b) the Members of the Legislative Council subsector;

(c) the representatives of associations of Hong Kong residents in the Mainland subsector; and

(d) the NPC and CPPCC subsector;".

(3) The Schedule, after section 11(2)—

Add

"(3) In this Part, the number of members allocated to a subsector is the number of members declared in a notice published under section 2(9) to be elected by the subsector in accordance with this Part for the term of office of the Election Committee concerned.".

414. Schedule, section 11A added

The Schedule, Part 4, Division 1, after section 11—

Add

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

(1) For the purposes of this Part—

(a) a reference to an entitlement to vote at a general meeting of a body is a reference to an entitlement to vote at the general meeting as provided by the body's constitution; and

(b) a reference to an entitlement to vote at the specified authority within a body is a reference to an entitlement to vote at that authority as provided by the body's constitution.

(2) In subsection (1), the reference to the constitution of a body is a reference to the constitution either—

(a) as in force at the commencement for any purpose of the provision (including a former provision) in this Ordinance or the Legislative Council Ordinance (Cap. 542) that first specifies the body for the purpose of the composition of any subsector or functional constituency (including a subsector or functional constituency provided under a former provision in this Ordinance or the Legislative Council Ordinance (Cap. 542)); or

(b) as subsequently amended or substituted, but only if the amendment or substitution, in so far as it relates to any of the following matters, has been approved in writing by the Secretary for Constitutional and Mainland Affairs—

(i) the objects of the body;

(ii) the criteria and conditions of—

(A) membership of the body; or

(B) membership of the specified authority within the body;

(iii) the eligibility of—

(A) members of the body to vote at a general meeting of the body; or

(B) members of the specified authority within the body to vote at that authority;

(iv) the limit on—

(A) the number of members of the body; or

(B) the number of members of the specified authority within the body.

(3) For the purposes of subsection (1)(b)—

(a) a body (***first-mentioned body***) is also regarded as being entitled to vote at the specified authority within another body if a natural person who is entitled to vote at that authority—

(i) specifies in writing to the Electoral Registration Officer that the natural person represents the first-mentioned body at that authority; and

(ii) has substantial connection with the first-mentioned body; and

(b) if more than one body is specified by the same natural person under paragraph (a)(i) in respect of the specified authority within any other body, only the body last so specified is regarded as being entitled to vote at that authority.

(4) To avoid doubt, nothing in subsection (2) is to be construed as—

(a) creating any restriction on a body regarding any amendment to, or substitution of, the constitution of the body; or

(b) conferring on the Secretary for Constitutional and Mainland Affairs a power to approve such an amendment or substitution,

for a purpose other than to define the specified entities of the relevant subsector.

(5) In this section—

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

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

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

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

(1) The Schedule, section 12(1)—

Repeal paragraph (a).

(2) The Schedule, section 12(1)(b)—

Repeal

everything after "a subsector" and before "if".

(3) The Schedule, section 12(1)(b)(i)—

Repeal sub-subparagraph (A)

Substitute

"(A) is a specified entity of that subsector; and".

(4) The Schedule, section 12—

Repeal subsections (2), (3), (4), (5), (6), (7), (8), (9) and (10).

(5) The Schedule, section 12—

Repeal subsection (11)

Substitute

"(11) Subject to this section—

(a) a person who—

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

(ii) would, but for this paragraph, be eligible to be registered as a voter for any other subsector,

may be registered only as a voter for the Heung Yee Kuk subsector;

(b) a person who—

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

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

may be registered only as a voter for the representatives of Hong Kong members of relevant national organisations subsector; and

(c) a person who—

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

(ii) would, but for this paragraph, be eligible to be registered as a voter for any subsector other than the 2 subsectors referred to in paragraph (a)(i) and (b)(i),

may be registered only as a voter for the Hong Kong and Kowloon District Committees subsector or the New Territories District Committees subsector, as the case may be.".

(6) The Schedule, section 12(12)—

Repeal

"(other than the Hong Kong and Kowloon District Councils subsector and the New Territories District Councils subsector) may, subject to subsection (10),"

Substitute

"(other than the Heung Yee Kuk subsector, the representatives of Hong Kong members of relevant national organisations subsector, the Hong Kong and Kowloon District Committees subsector and the New Territories District Committees subsector) may".

(7) The Schedule, section 12—

Repeal subsections (13), (14), (15), (16), (17), (18) and (19).

(8) The Schedule, before section 12(20)—

Add

"(19A) A body specified in section 39A, 39F, 39G, 39L, 39S, 39V(b), (h) or (i), 39Y(a) or (b), 39Z(a) or 39ZF as the specified entity of the subsector concerned is eligible to be registered as a corporate voter for that subsector only if it has been operating for the 3 years immediately before making its application for registration as a voter.

(19B) However, for the purposes of subsection (19A), for an application for registration as a corporate voter for the accountancy subsector made before 1 October 2022, a body specified in section 39S as the specified entity of that subsector is not required to have been operating, as a practice unit falling within section 39S(b), for the 3 years immediately before making the application.".

(9) The Schedule, section 12—

Repeal subsection (20)

Substitute

"(20) A corporate member of a body specified in section 39B, 39C, 39D, 39E, 39H, 39I, 39J, 39K, 39M, 39N, 39O, 39P, 39U(b), 39ZA(a) or (c), 39ZC(a), 39ZD(b) or 39ZE(d) is eligible to be registered as a voter for the subsector concerned only if it has been a corporate member of that body and has been operating for the 3 years immediately before making its application for registration as a voter.".

(10) The Schedule, after section 12(22)—

Add

"(23) In computing the period for which a body to which subsection (19A) or (20) applies has been operating—

(a) it does not matter whether the period has begun before the day on which the Improving Electoral System (Consolidated Amendments) Ordinance 2021 (of 2021) is published in the Gazette; but

(b) any period for which the body has been operating before it becomes the body mentioned in subsection (19A), or the corporate member mentioned in subsection (20), as the case may be, is not to be taken into account.

(24) For the purposes of the subsector provisional register and subsector final register to be compiled for 2021—

(a) paragraph (b) applies if—

(i) a corporate voter is registered in the subsector final register published for 2020 by virtue of being a body mentioned in subsection (19A), or being a corporate member mentioned in subsection (20); and

(ii) the corporate voter would, but for this subsection, remain eligible to be registered as such by virtue of being a body mentioned in subsection (19A), or being a corporate member mentioned in subsection (20), of the amended section 12;

(b) in the circumstances mentioned in paragraph (a), the amended section 12 applies to the corporate voter as if the reference to "making its application for registration as a voter" in its subsection (19A) or (20) (as the case may be) were a reference to "14 June 2021"; and

(c) in this subsection—

amended section 12 (經修訂的第12條) means this section as amended by section 415 of the Improving Electoral System (Consolidated Amendments) Ordinance 2021 (of 2021) on the day on which that Ordinance is published in the Gazette.".

416. Schedule, section 13 amended (corporate voter to have authorized representative)

(1) The Schedule, section 13(2)(b), after the semicolon—

Add

"and".

(2) The Schedule, section 13(2)—

Repeal paragraph (c).

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

(1) The Schedule, section 14—

Repeal subsections (1) and (1A)

Substitute

"(1) The Electoral Registration Officer must compile and publish in accordance with the EAC Regulations—

(a) not later than 1 August in each year, a provisional register of voters for subsectors; and

(b) not later than 25 September in each year, a final register of voters for subsectors.

(1A) Despite subsection (1)—

(a) a provisional register required to be compiled and published under subsection (1)(a) for 2021 must be compiled and published not later than 27 June 2021; and

(b) a final register required to be compiled and published under subsection (1)(b) for 2021 must be compiled and published not later than 25 July 2021.".

(2) The Schedule, section 14—

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

(3) The Schedule, section 14(5), before "the omissions list"—

Add

"a copy of".

(4) The Schedule, after section 14(5)—

Add

"(5A) Despite subsections (4) and (5), in compiling the subsector provisional register for 2021, the Electoral Registration Officer is not required to comply with those subsections in relation to the names and other relevant particulars of persons registered in the subsector final register published for 2020.".

(5) The Schedule, section 14(6)(a), before "the omissions list"—

Add

"a copy of".

(6) The Schedule, section 14(6)(b)—

Repeal

everything after "make that"

Substitute

"copy available for inspection in accordance with those Regulations.".

418. Schedule, section 17 amended (who is eligible to be nominated as a candidate at a subsector election)

(1) The Schedule, section 17(2)(a)—

Repeal

"or".

(2) The Schedule, section 17(2)—

Repeal paragraph (b)

Substitute

"(b) a specified person (whether or not the person is an ex-officio member of the Election Committee); or

(c) a designated person (whether or not the person is an ex-officio member of the Election Committee).".

419. Schedule, section 17A added

The Schedule, after section 17—

Add

"**17A. Validity of nomination contingent on declaration**

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

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

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

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

(1) The Schedule—

Renumber section 18 as section 18(1).

(2) The Schedule, section 18(1)(e)—

Repeal

"3"

Substitute

"5".

(3) The Schedule, after section 18(1)—

Add

"(2) Without prejudice to section 13(1)(c) of the Electoral Affairs Commission Ordinance (Cap. 541), a person is also disqualified from being nominated as a candidate at a subsector election and from being elected as a member of the Election Committee if, within the 5 years before the date of nomination—

(a) the person has vacated an office, or has been disqualified from entering on an office, under the law, for declining or neglecting to take a specified oath; or

(b) the person has been declared or decided in accordance with any law—

(i) to be in breach of a specified oath; or

(ii) to have failed to fulfil the legal requirements and conditions on upholding the Basic Law and bearing allegiance to the Hong Kong Special Administrative Region of the People's Republic of China.

(3) In this section—

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

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

(1) The Schedule, section 18A, heading—

Repeal

"**4 subsectors in the Fourth Sector**"

Substitute

"**certain subsectors**".

(2) The Schedule, after section 18A(1)—

Add

"(1A) This section applies to the following subsectors—

(a) the Heung Yee Kuk subsector;

(b) the Hong Kong and Kowloon District Committees subsector; and

(c) the New Territories District Committees subsector.".

(3) The Schedule, section 18A—

Repeal subsection (2)

Substitute

"(2) A person is disqualified from—

(a) being nominated as a candidate at a subsector election for a subsector; or

(b) being elected as a member of the Election Committee representing the subsector,

if the person is not a specified entity of the subsector.”.

(4) The Schedule, section 18A—

Repeal subsections (3), (4) and (5).

422. Schedule, sections 18B and 18C repealed

The Schedule—

Repeal sections 18B and 18C.

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

The Schedule, section 22—

Repeal subsection (1)

Substitute

“(1) The Candidate Eligibility Review Committee must, as soon as practicable after a nomination form that complies with the EAC Regulations is submitted in accordance with those Regulations, decide in accordance with Annex I to the Basic Law and those Regulations whether or not a person is validly nominated as a candidate at a subsector election.”.

424. Schedule, section 23 amended (death or disqualification of a validly nominated candidate before date of subsector election)

(1) The Schedule, section 23(1)—

Repeal

“Returning Officer has”

Substitute

"Candidate Eligibility Review Committee has".

(2) The Schedule, section 23—

Repeal subsection (4)

Substitute

"(4) If, after the Candidate Eligibility Review Committee has made a decision under section 22(1) that a candidate is validly nominated for a subsector election, but before the date of the subsector election, proof is given to the satisfaction of the Committee that the candidate is disqualified from being nominated as a candidate for a subsector election—

(a) the Committee must, in accordance with Annex I to the Basic Law and the EAC Regulations, vary the decision to the effect that the candidate is not validly nominated; and

(b) if the Committee so varies the decision, the Returning Officer must, in accordance with those Regulations, give notice of the variation of the decision.".

425. Schedule, section 26 amended (death or disqualification of a validly nominated candidate before declaration of election result)

The Schedule, section 26—

Repeal subsection (1)

Substitute

"(1) If, on or after the date of a subsector election but before declaring the result of the subsector election—

(a) proof is given to the satisfaction of the Returning Officer concerned that a validly nominated candidate for the subsector election has died; or

(b) proof is given to the satisfaction of the Candidate Eligibility Review Committee that a validly nominated candidate for the subsector election is disqualified from being elected,

the proceedings for the subsector election are to begin (if they have not begun) or to continue (if they have begun) as if the death or disqualification had not occurred.".

426. Schedule, section 39 amended (subsector election may be questioned only by appeal to Revising Officer)

(1) The Schedule, section 39(1), after "result"—

Add

"(including the decision of the Candidate Eligibility Review Committee)".

(2) The Schedule, section 39(3)—

Repeal

"and"

Substitute a comma.

(3) The Schedule, section 39(3), after "concerned"—

Add

"and the Candidate Eligibility Review Committee".

427. Schedule, Part 4, Division 5 added

The Schedule, Part 4, after Division 4—

Add

"Division 5—Specified Entities

Subdivision 1—First Sector

39A. Specified entities of the catering subsector

The specified entities of the catering subsector are any body that is a holder of a food business licence under the Public Health and Municipal Services Ordinance (Cap. 132) and—

(a) is entitled to vote at the Board of The Association for Hong Kong Catering Services Management Limited;

(b) is entitled to vote at the Board of The Association of Restaurant Managers Limited; or

(c) is entitled to vote at the Board of Hong Kong Catering Industry Association Limited.

39B. Specified entities of the commercial (first) subsector

The specified entities of the commercial (first) subsector are any body that—

(a) is a corporate member of The Hong Kong General Chamber of Commerce; and

(b) is entitled to vote at the General Committee of the Chamber.

39C. Specified entities of the commercial (second) subsector

The specified entities of the commercial (second) subsector are any body that—

(a) is a corporate member of The Chinese General Chamber of Commerce; and

(b) is entitled to vote at the Committee of the Chamber.

39D. Specified entities of the commercial (third) subsector

The specified entities of the commercial (third) subsector are any body that—

(a) is a corporate member of the Hong Kong Chinese Enterprises Association; and

(b) is entitled to vote at the Board of the Association.

39E. Specified entities of the Employers' Federation of Hong Kong subsector

The specified entities of the Employers' Federation of Hong Kong subsector are any body that—

(a) is a corporate member of the Employers' Federation of Hong Kong; and

(b) is entitled to vote at the Council or the General Committee of the Federation.

39F. Specified entities of the finance subsector

The specified entities of the finance subsector are—

(a) banks within the meaning of the Banking Ordinance (Cap. 155);

(b) restricted licence banks within the meaning of the Banking Ordinance (Cap. 155); and

(c) deposit-taking companies within the meaning of the Banking Ordinance (Cap. 155).

39G. Specified entities of the financial services subsector

(1) The specified entities of the financial services subsector are—

(a) any body that is licensed under the Securities and Futures Ordinance (Cap. 571), and—

(i) is entitled to vote at the specified authority of The Chinese Securities Association of Hong Kong Company Limited;

(ii) is entitled to vote at the Board of Hong Kong Securities Professionals Association Limited;

(iii) is entitled to vote at the Committee of The Institute of Securities Dealers Limited;

(iv) is entitled to vote at the Board of Hong Kong Securities Association Limited;

(v) is entitled to vote at the Executive Committee of The Hong Kong Association of Online Brokers Limited;

(vi) is entitled to vote at the Executive Committee of The Hong Kong Institute of Financial Analysts and Professional Commentators Limited;

(vii) is entitled to vote at the Council of Hong Kong Securities and Futures Professional Association; or

(viii) is entitled to vote at the Board of Chinese Futures Association of Hong Kong Company Limited; and

(b) any body that is entitled to vote at the Executive and Supervisory Committee of the Chinese Gold and Silver Exchange.

(2) In subsection (1)(a)(i)—

specified authority (指明單位) means either the Council or Board of Directors as specified by the President of the company mentioned in subsection (1)(a)(i).

39H. Specified entities of the hotel subsector

The specified entities of the hotel subsector are any body that—

(a) is a licence holder as defined by section 2(1) of the Hotel and Guesthouse Accommodation Ordinance (Cap. 349);

(b) is a corporate member of the Federation of Hong Kong Hotel Owners Limited; and

(c) is entitled to vote at general meetings of the company.

39I. Specified entities of the import and export subsector

The specified entities of the import and export subsector are any body that—

(a) is a corporate member of The Hong Kong Chinese Importers' and Exporters' Association; and

(b) is entitled to vote at the Council of the Association.

39J. Specified entities of the industrial (first) subsector

The specified entities of the industrial (first) subsector are any body that—

(a) is a corporate member of the Federation of Hong Kong Industries; and

(b) is entitled to vote at the General Committee of the Federation.

39K. Specified entities of the industrial (second) subsector

The specified entities of the industrial (second) subsector are any body that—

(a) is a corporate member of The Chinese Manufacturers' Association of Hong Kong; and

(b) is entitled to vote at the General Committee of the Association.

39L. Specified entities of the insurance subsector

The specified entities of the insurance subsector are insurers authorized or deemed to be authorized under the Insurance Ordinance (Cap. 41).

39M. Specified entities of the real estate and construction subsector

The specified entities of the real estate and construction subsector are—

(a) any body that—

(i) is a corporate member of The Real Estate Developers Association of Hong Kong Limited; and

(ii) is entitled to vote at the general committee or executive committee of the company;

(b) any body that—

(i) is a corporate member of The Hong Kong Construction Association, Limited; and

(ii) is entitled to vote at the Council of the company; and

(c) any body that—

(i) is a corporate member of The Hong Kong E&M Contractors' Association Limited; and

(ii) is entitled to vote at the Council of the company.

39N. Specified entities of the small and medium enterprises subsector

The specified entities of the small and medium enterprises subsector are—

(a) any body that—

(i) is a corporate member of Hong Kong Commerce and Industry Associations Limited; and

(ii) is entitled to vote at the Board of the company;

(b) any body that—

(i) is a corporate member of The Hong Kong General Chamber of Small and Medium Business Limited; and

(ii) is entitled to vote at the General Committee of the company; and

(c) any body that—

(i) is a corporate member of Hong Kong Small and Medium Enterprises Association Limited; and

(ii) is entitled to vote at the Council of the company.

39O. Specified entities of the textiles and garment subsector

The specified entities of the textiles and garment subsector are—

(a) any body that—

(i) is a corporate member of the Textile Council of Hong Kong Limited; and

(ii) is entitled to vote at the General Committee of the company; and

(b) any body that—

(i) is a corporate member of The Hong Kong General Chamber of Textiles Limited; and

(ii) is entitled to vote at the Board of Directors of the company.

39P. Specified entities of the tourism subsector

The specified entities of the tourism subsector are—

(a) any body that—

(i) is a travel agent holding a licence as defined by section 2 of the Travel Agents Ordinance (Cap. 218); and

(ii) is—

(A) a corporate member of the Travel Industry Council of Hong Kong entitled to vote at the Board of Directors of the Council;

(B) a corporate member of Hong Kong Association of China Travel Organisers Limited entitled to vote at the Executive Committee of the company;

(C) a corporate member of International Chinese Tourist Association Limited entitled to vote at the Executive Committee of the company;

(D) a corporate member of The Federation of Hong Kong Chinese Travel Agents Limited entitled to vote at the Executive Committee of the company;

(E) a corporate member of Hong Kong Outbound Tour Operators' Association Limited entitled to vote at the Executive Committee of the company;

(F) a corporate member of Hong Kong Association of Travel Agents Limited entitled to vote at the Executive Committee of the company;

(G) a corporate member of Hongkong Taiwan Tourist Operators Association entitled to vote at the Executive Committee of the Association;

(H) a corporate member of Hongkong Japanese Tour Operators Association Limited entitled to vote at the Executive Committee of the company; or

(I) a corporate member of Society of IATA Passenger Agents Limited entitled to vote at the Executive Committee of the company; and

(b) any body that—

(i) is a corporate member of The Board of Airline Representatives in Hong Kong; and

(ii) is entitled to vote at the Executive Committee of the Board.

39Q. Specified entities of the transport subsector

The specified entities of the transport subsector are the bodies set out in Annex 1 to this Schedule.

39R. Specified entities of the wholesale and retail subsector

The specified entities of the wholesale and retail subsector are the bodies set out in Annex 2 to this Schedule.

Subdivision 2—Second Sector

39S. Specified entities of the accountancy subsector

The specified entities of the accountancy subsector are any practice unit (as defined by section 2(1) of the Professional Accountants Ordinance (Cap. 50)) that—

(a) is registered under the Professional Accountants Ordinance (Cap. 50); and

(b) is a registered PIE auditor as defined by section 3A(1) of the Financial Reporting Council Ordinance (Cap. 588).

39T. Specified entities of the architectural, surveying, planning and landscape subsector

The specified entities of the architectural, surveying, planning and landscape subsector are the bodies set out in Annex 3 to this Schedule.

39U. Specified entities of the Chinese medicine subsector

The specified entities of the Chinese medicine subsector are—

(a) Federation of the Hong Kong Chinese Medicine Practitioners and Chinese Medicines Traders Association;

(b) the corporate members of the Federation; and

(c) the bodies set out in Annex 4 to this Schedule.

39V. Specified entities of the education subsector

The specified entities of the education subsector are—

(a) institutions of higher education funded through the University Grants Committee;

(b) post secondary colleges registered under the Post Secondary Colleges Ordinance (Cap. 320);

(c) The Open University of Hong Kong;

(d) The Hong Kong Academy for Performing Arts;

(e) the Vocational Training Council;

(f) The Hong Kong Examinations and Assessment Authority;

(g) the Hong Kong Council for Accreditation of Academic and Vocational Qualifications;

(h) schools registered under section 13 of the Education Ordinance (Cap. 279) or under either of the repealed Ordinances (as defined by section 3(1) of that Ordinance), other than an exempted school (as defined by section 2 of the Education (Exemption) (Private Schools Offering Non-Formal Curriculum) Order (Cap. 279 sub. leg. F)); and

(i) schools entirely maintained and controlled by the Government.

39W. Specified entities of the engineering subsector

The specified entities of the engineering subsector are the bodies set out in Annex 5 to this Schedule.

39X. Specified entities of the legal subsector

The specified entities of the legal subsector are the bodies set out in Annex 6 to this Schedule.

39Y. Specified entities of the medical and health services subsector

The specified entities of the medical and health services subsector are—

(a) any prescribed hospital (as defined by section 2(1) of the Hospital Authority Ordinance (Cap. 113));

(b) any hospital licensed under the Private Healthcare Facilities Ordinance (Cap. 633); and

(c) the bodies set out in Annex 7 to this Schedule.

39Z. Specified entities of the social welfare subsector

The specified entities of the social welfare subsector are—

(a) any social welfare organizations receiving regular subsidies from the Social Welfare Department; and

(b) the bodies set out in Annex 8 to this Schedule.

39ZA. Specified entities of the sports, performing arts, culture and publication subsector

The specified entities of the sports, performing arts, culture and publication subsector are—

(a) the corporate members of the Sports Federation & Olympic Committee of Hong Kong, China;

(b) Hong Kong Sports Institute Limited;

(c) any body that—

(i) is a corporate member of the Hong Kong Publishing Federation Limited; and

(ii) is entitled to vote at general meetings of the company; and

(d) the bodies set out in Annex 9 to this Schedule.

39ZB. Specified entities of the technology and innovation subsector

The specified entities of the technology and innovation subsector are the bodies set out in Annex 10 to this Schedule.

Subdivision 3—Third Sector

39ZC. Specified entities of the agriculture and fisheries subsector

The specified entities of the agriculture and fisheries subsector are—

(a) the corporate members of each of the following bodies—

(i) The Federation of Vegetable Marketing Co-operative Societies, Limited;

(ii) The Federation of Pig Raising Co-operative Societies of Hong Kong, Kowloon and New Territories, Limited;

(iii) The Joint Association of Hong Kong Fishermen;

(iv) Federation of Hong Kong Aquaculture Associations;

(v) The Federation of Fishermen's Co-operative Societies of Shau Kei Wan District, Limited;

(vi) The Federation of Fishermen's Co-operative Societies of Tai Po District, N.T., Limited;

(vii) The Federation of Fishermen's Co-operative Societies of Sai Kung District, Limited;

(viii) The Federation of Fishermen's Co-operative Societies of Southern District, Limited;

(ix) Hong Kong Fishermen Consortium;

(x) Federation of Hong Kong Agricultural Associations; and

(b) the bodies set out in Annex 11 to this Schedule.

39ZD. Specified entities of the associations of Chinese fellow townsmen subsector

The specified entities of the associations of Chinese fellow townsmen subsector are—

(a) the bodies set out in Annex 12 to this Schedule; and

(b) the associations of Chinese fellow townsmen that are recognized by those bodies and at county level or above.

39ZE. Specified entities of the grassroots associations subsector

The specified entities of the grassroots associations subsector are—

(a) Hong Kong Island Federation;

(b) Kowloon Federation of Associations;

(c) New Territories Association of Societies; and

(d) any body that—

(i) is a corporate member of any of the federation or association mentioned in paragraph (a), (b) or (c); and

(ii) is entitled to vote at general meetings of the federation or association.

39ZF. Specified entities of the labour subsector

The specified entities of the labour subsector are the trade unions registered under the Trade Unions Ordinance (Cap. 332) of which all the voting members are employees.

Subdivision 4—Fourth Sector

39ZG. Specified entities of the Heung Yee Kuk subsector

The specified entities of the Heung Yee Kuk subsector are the Chairman and Vice-Chairmen of the Heung Yee Kuk and the Ex Officio, Special and Co-opted Councillors of the Full Council of the Kuk.

39ZH. Specified entities of the Hong Kong and Kowloon District Committees subsector

The specified entities of the Hong Kong and Kowloon District Committees subsector are the members of the Area Committees, District Fight Crime Committees and District Fire Safety Committees established in any of the following Districts—

(a) Central & Western District;

(b) Eastern District;

(c) Southern District;

(d) Wan Chai District;

(e) Kowloon City District;

(f) Kwun Tong District;

(g) Sham Shui Po District;

(h) Wong Tai Sin District;

(i) Yau Tsim Mong District.

39ZI. Specified entities of the New Territories District Committees subsector

The specified entities of the New Territories District Committees subsector are the members of the Area Committees, District Fight Crime Committees and District Fire Safety Committees established in any of the following Districts—

(a) Islands District;

(b) Kwai Tsing District;

(c) Sai Kung District;

(d) Sha Tin District;

(e) Tsuen Wan District;

(f) Tuen Mun District;

(g) Yuen Long District;

(h) North District;

(i) Tai Po District.

Subdivision 5—Fifth Sector

39ZJ. Specified entities of the representatives of Hong Kong members of relevant national organisations subsector

The specified entities of the representatives of Hong Kong members of relevant national organisations subsector are—

(a) Hong Kong Special Administrative Region delegates of the All-China Women's Federation;

(b) Hong Kong Special Administrative Region executive members of the All-China Federation of Industry and Commerce;

(c) Hong Kong Special Administrative Region committee members of the All-China Federation of Returned Overseas Chinese;

(d) Hong Kong Special Administrative Region committee members of the All-China Youth Federation; and

(e) Hong Kong Special Administrative Region directors of the China Overseas Friendship Association.".

428. Schedule, section 40 amended (Electoral Registration Officer to compile and publish interim register and final register)

(1) The Schedule, after section 40(1)—

Add

"(1A) Subject to section 41, in compiling an interim register of members of the Election Committee under subsection (1) after the publication of results of the subsector ordinary elections, the Electoral Registration Officer must register the persons whose registrations are determined under section 5N as valid on the date of those subsector ordinary elections (or the last of those dates, if different dates are specified for those subsector ordinary elections) as ex-officio members of the Election Committee, in accordance with the EAC Regulations.".

(2) The Schedule, section 40(4)—

Repeal paragraph (b)

Substitute

"(b) the Electoral Affairs Commission has ascertained under section 5(1)(a) the number of members nominated in accordance with Part 3 or elected in accordance with Part 4 for each subsector on the Election Committee; and".

(3) The Schedule, section 40(4)(c)—

Repeal

"2(6)"

Substitute

"2(7)(b) or (c) (as the case may be)".

429. Schedule, section 41 amended (Electoral Registration Officer to amend interim register or final register to give effect to change in ex-officio membership)

The Schedule, section 41—

Repeal subsections (2) and (3)

Substitute

"(2) If an ex-officio member of the Election Committee resigns from the membership of the Election Committee or is regarded as having resigned from such membership under section 3, the Electoral Registration Officer must remove the member's name from the interim register of members of the Election Committee or final register of members of the Election Committee.

(3) Subject to section 2, the Electoral Registration Officer must register persons whose registrations are determined under section 5N as valid as ex-officio members of the Election Committee from time to time in accordance with the EAC Regulations.".

430. Schedule, section 42A added

The Schedule, after section 42—

Add

"**42A. Written oath of members of the Election Committee**

(1) Despite sections 40, 41 and 42, the Electoral Registration Officer must not include the name of a member-elect of a term of office in the final register of members of the Election Committee for that term of office unless the Officer has received the written Election Committee Oath signed by the member-elect under subsection (2).

(2) A member-elect of a term of office must sign the written Election Committee Oath in the form prescribed in Annex 13 to this Schedule—

(a) if the member-elect falls within paragraph (a) of the definition of ***member-elect*** in subsection (3)—within the period between—

(i) the date of publication of the interim register of members of the Election Committee under section 40(1) for that term of office; and

(ii) 7 days before the date of publication of the final register of members of the Election Committee under section 40(3A)(b) for that term of office;

(b) if the member-elect falls within paragraph (b) of the definition of ***member-elect*** in subsection (3)—as soon as practicable after the member-elect's registration is determined as valid for that term of office under section 5N;

(c) if the member-elect falls within paragraph (c) of the definition of ***member-elect*** in subsection (3)—within 3 days after the member-elect is declared as a member of the Election Committee for that term of office under section 7(8); or

(d) if the member-elect falls within paragraph (d) of the definition of ***member-elect*** in subsection (3)—within 3 days after the day on which the subsector by-election concerned is held for that term of office.

(3) In this section—

member-elect (候任委員), in relation to a term of office, means a person—

(a) whose name appears in the interim register of members of the Election Committee published under section 40(1) for that term of office;

(b) whose registration is determined as valid under section 5N after the publication of the final register of members of the Election Committee under section 40(3A)(b) for that term of office;

(c) who is declared as a member of the Election Committee under section 7(8) after the publication of the final register of members of the Election Committee under section 40(3A)(b) for that term of office; or

(d) whose name appears in a notice published under section 35 in respect of a subsector by-election for that term of office;

term of office (任期) means a term of office of the Election Committee.".

431. Schedule, section 43A added

The Schedule, Part 6, before section 44—

Add

"**43A. Proceedings against persons on grounds of disqualification**

(1) The Secretary for Justice may bring proceedings in the Court against any member of the Election Committee or any person who claims to be entitled to be a member of the Election Committee on the ground that the member or person is disqualified from being a member of the Election Committee.

(2) Immediately after proceedings are brought by the Secretary for Justice under this section against a person on the ground that the person is disqualified from being a member of the Election Committee—

(a) for breach of an oath taken under section 42A; or

(b) for failure to fulfil the legal requirements and conditions on upholding the Basic Law and bearing allegiance to the Hong Kong Special Administrative Region of the People's Republic of China,

the person's functions as a member of the Election Committee are suspended until the decision of the Court in the proceedings becomes final.

(3) If a person's functions as a member of the Election Committee are suspended under subsection (2)—

(a) before the publication of the final register of members of the Election Committee for the term of office of the Election Committee concerned—the Electoral Registration Officer must not include the person's name in the final register of members of the Election Committee; or

(b) after the publication of the final register of members of the Election Committee for the term of office of the Election Committee concerned—the Electoral Registration Officer must, as soon as practicable after the suspension, remove the person's name from the final register of members of the Election Committee.

(4) For the purposes of this section, a decision of the Court becomes final—

(a) if no motion for the purpose of an application for leave to appeal to the Court of Final Appeal under section 22(1)(d) of the Hong Kong Court of Final Appeal Ordinance (Cap. 484) is filed by the end of the period specified under subsection (9)—when that period expires; or

(b) if, before the end of that period, motion for the purpose of such an application is filed—

(i) when the application is abandoned or otherwise ceases to have effect;

(ii) when the application is refused; or

(iii) if the application is granted—

(A) when the appeal is abandoned or otherwise ceases to have effect; or

(B) when the appeal is determined.

(5) If a person's functions as a member of the Election Committee are suspended under subsection (2), the person—

(a) must not exercise any function of a member of the Election Committee; and

(b) must not act as a member of the Election Committee.

(6) The Court may, on the application of a person whose functions as a member of the Election Committee are suspended under subsection (2), lift the suspension.

(7) If, in proceedings brought under this section, it is proved that the defendant acted as a member of the Election Committee while disqualified from so acting, the Court may—

(a) make a declaration to that effect;

(b) grant an injunction restraining the defendant from so acting; and

(c) order the defendant to pay to the Government such sum as the Court thinks appropriate, not exceeding $5,000 for each occasion on which the person so acted while disqualified.

(8) If, in proceedings brought under this section, it is proved that the defendant claimed to be entitled to act as a member of the Election Committee while disqualified from so acting, the Court may—

(a) make a declaration to that effect; and

(b) grant an injunction restraining the defendant from so acting.

(9) Despite section 24 of the Hong Kong Court of Final Appeal Ordinance (Cap. 484), notice of a motion for the purpose of an application for leave to appeal to the Court of Final Appeal under section 22(1)(d) of that Ordinance must be filed within 14 working days after the date on which the written judgment of the Court to be appealed from is handed down, and the applicant must give the opposite party 3 days' notice of his or her intended application at any time during the period of 14 working days.

(10) Proceedings against a person on the ground that the person has, while disqualified from so acting, acted or claimed to have been entitled to act, as a member of the Election Committee may be brought only in accordance with this section.

(11) For the purposes of this section, a person is disqualified from acting as a member of the Election Committee if the person is not qualified to be, or is disqualified from being, a member of the Election Committee.

(12) The Electoral Registration Officer must add a person's name to the final register of members of the Election Committee as soon as practicable after—

(a) the Court has lifted the suspension of the person's functions as a member of the Election Committee under subsection (6); or

(b) the Court has decided that the person is not disqualified from acting as a member of the Election Committee and the decision of the Court becomes final.

(13) If the Electoral Registration Officer adds or removes a name from the final register of members of the Election Committee under this section, that Officer must, as soon as practicable after adding or removing the name, publish, in accordance with the EAC Regulations, a notice to the effect that the name has been so added or removed.

(14) In subsection (9)—

working day (工作日) means any day other than—

(a) a general holiday;

(b) a black rainstorm warning day as defined by section 71(2) of the Interpretation and General Clauses Ordinance (Cap. 1); or

(c) a gale warning day as defined by that section.".

432. Schedule, section 47 amended (appointment of Returning Officers and assistants)

The Schedule, section 47—

Repeal subsection (6)

Substitute

"(6) Expenses properly incurred by—

(a) a Returning Officer in the performance of that Officer's functions under this Schedule or the Electoral Affairs Commission Ordinance (Cap. 541); or

(b) the Candidate Eligibility Review Committee in the performance of its functions under this Schedule or that Ordinance,

are a charge on, and are payable from, the general revenue.".

433. Schedule, section 48 amended (right of appeal to Revising Officer against decisions of Electoral Registration Officer)

(1) The Schedule, section 48, heading—

Repeal

"**against decisions of Electoral Registration Officer**".

(2) The Schedule, after section 48(1)—

Add

"(1A) Subject to Annex I to the Basic Law, a person who is dissatisfied with a decision of the Candidate Eligibility Review Committee made for the purposes of this Schedule may appeal against the decision to a Revising Officer.".

(3) The Schedule, section 48—

Repeal subsection (2B).

(4) The Schedule, section 48—

Repeal subsection (3)

Substitute

"(3) The Electoral Registration Officer or the Returning Officer for the relevant subsector may be made a respondent to the appeal.

(3A) The Candidate Eligibility Review Committee may also be made a respondent to the appeal if the appeal is made under subsection (1A).".

(5) The Schedule, section 48(4)—

Repeal

"At the hearing of the appeal,"

Substitute

"If a hearing is held for an appeal,".

434. Schedule, Annexes 1 to 13 added

At the end of the Schedule—

Add

"Annex 1

Bodies Specified for the Transport Subsector

Item	Body
1.	Parking Management and Consultancy Services Limited
2.	Airport Authority
3.	Hong Kong Driver's Training Association
4.	The Association of N.T. Radio Taxicabs Ltd.
5.	Autotoll Limited
6.	The Chartered Institute of Logistics and Transport in Hong Kong
7.	China Merchants Shipping & Enterprises Co. Ltd.
8.	Chu Kong Shipping Enterprises (Holdings) Co. Ltd.
9.	Chuen Kee Ferry Limited
10.	Chuen Lee Radio Taxis Association Ltd.
11.	Citybus Ltd.
12.	Coral Sea Ferry Service Co., Ltd.
13.	COSCO-HIT Terminals (Hong Kong) Limited

Item	Body
14.	CTOD Association Company Ltd.
15.	Turbojet Ferry Services (Guangzhou) Limited
16.	Discovery Bay Transportation Services Ltd.
17.	Driving Instructors Merchants Association, Limited
18.	Eastern Ferry Company Limited
19.	Expert Fortune Ltd.
20.	Far East Hydrofoil Co. Ltd.
21.	Fat Kee Stevedores Ltd.
22.	The Fraternity Association of N.T. Taxi Merchants
23.	Fraternity Taxi Owners Association
24.	G.M.B. Maxicab Operators General Association Ltd.
25.	The Goods Vehicle Fleet Owners Association Ltd.
26.	Happy Taxi Operator's Association Ltd.
27.	Hoi Kong Container Services Co. Ltd.
28.	Hon Wah Public Light Bus Association Ltd.
29.	Hong Kong Air Cargo Terminals Limited

Item	Body
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

Item	Body
42.	Hong Kong Guangdong Transportation Association Ltd.
43.	The Hong Kong Institute of Marine Technology
44.	Hong Kong, Kowloon & NT Public & Maxicab Light Bus Merchants' United Association
45.	Hong Kong Taxi Owners' Association Limited
46.	The Hong Kong Liner Shipping Association
47.	H.K. Motor Car Driving Instructors' Association Limited
48.	Hong Kong Pilots Association Ltd.
49.	Hong Kong Public & Maxicab Light Bus United Associations
50.	Hong Kong Public Cargo Working Areas Traders Association Ltd.
51.	Hong Kong Scheduled (GMB) Licensee Association
52.	The Hong Kong School of Motoring Ltd.
53.	Hong Kong Sea Transport and Logistics Association Limited
54.	The Hong Kong Shipowners Association Ltd.

Item	Body
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.

Item	Body
70.	The Kowloon PLB Chiu Chow Traders & Workers Friendly Association
71.	The Kowloon Taxi Owners Association Ltd.
72.	Kowloon Truck Merchants Association Ltd.
73.	Kwik Park Limited
74.	Lam Tin Wai Hoi Public Light Bus Association
75.	Lantau Taxi Association
76.	Lei Yue Mun Ko Chiu Road Public Light Bus Merchants Association Ltd.
77.	Lok Ma Chau China—Hong Kong Freight Association
78.	Long Win Bus Company Limited
79.	Mack & Co. Carpark Management Limited
80.	Marine Excursion Association Limited
81.	Maritime Affairs Research Association Ltd.
82.	MTR Corporation Limited
83.	Merchant Navy Officers' Guild—Hong Kong
84.	Metropark Limited

Item	Body
85.	Mid-stream Holdings (HK) Limited
86.	Mixer Truck Drivers Association
87.	Modern Terminals Ltd.
88.	N.T. San Tin PLB (17) Owners Association
89.	N.T. Taxi Merchants Association Ltd.
90.	N.T. Taxi Owners & Drivers Fraternal Association
91.	N.W. Area Taxi Drivers & Operators Association
92.	New Lantao Bus Co., (1973) Ltd.
93.	New Territories Cargo Transport Association Ltd.
94.	New World First Bus Services Limited
95.	North District Taxi Merchants Association
96.	Organisation of Hong Kong Drivers
97.	Public and Private Light Buses Driving Instructors' Society
98.	The Public Cargo Area Trade Association
99.	Public Light Bus General Association

Item	Body
100.	The Public Omnibus Operators Association Ltd.
101.	Public Vehicle Merchants Fraternity Association
102.	River Trade Terminal Co. Ltd.
103.	Route 3 (CPS) Company Limited
104.	Sai Kung Taxi Operators Association Ltd.
105.	CSX World Terminals Hong Kong Limited
106.	Serco Group (HK) Limited
107.	The “Star” Ferry Co., Ltd.
108.	Sun Hing Taxi Radio Association
109.	Taxi Association Limited
110.	Taxi Dealers & Owners Association Ltd.
111.	The Taxi Operators Association Ltd.
112.	Transport Infrastructure Management Limited
113.	Tuen Mun Public Light Bus Association
114.	Tung Yee Shipbuilding and Repairing Merchants General Association Limited

Item	Body
115.	United Friendship Taxi Owners & Drivers Association Ltd.
116.	Wai Fat Taxi Owners Association Ltd.
117.	Wai Yik Hong Kong & Kowloon & NT Taxi Owners Association
118.	West Coast International (Parking) Limited
119.	Western Harbour Tunnel Co. Ltd.
120.	Wilson Parking (Hong Kong) Limited
121.	Wing Lee Radio Car Traders Association Ltd.
122.	Wing Tai Car Owners & Drivers Association Ltd.
123.	Wu Gang Shipping Co. Ltd.
124.	Xiamen United Enterprises (H.K.) Ltd.
125.	School Buses Operators Association Limited
126.	Sun Ferry Services Company
127.	Shun Tak-China Travel Macau Ferries Limited
128.	Hong Kong Container Drayage Services Association Limited

Item	Body
129.	Hong Kong Kowloon & N.T. Grab-Mounted Lorries Association Limited
130.	Hong Kong Waste Disposal Industry Association
131.	HK Public-light Bus Owner & Driver Association
132.	Logistics Industry & Container Truck Drivers Union
133.	The Concrete Producers Association of Hong Kong Limited
134.	Hongkong Guangdong Boundary Crossing Bus Association Limited
135.	Tsui Wah Ferry Service Company Limited
136.	Quality Driver Training Centre Limited
137.	Public and Private Commercial Driving Instructors' Society
138.	Shun Tak-China Travel Ship Management Limited
139.	Cruise Ferries (HK) Limited
140.	Asia Airfreight Terminal Company Limited
141.	The Hong Kong Joint Branch of The Royal Institution of Naval Architects and The Institute of Marine Engineering, Science and Technology

Item	Body
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

Item	Body
155.	Hong Kong (Cross Border) Transportation Drivers' Association
156.	Hong Kong Logistics Association Limited
157.	Hong Kong Container Depot and Repairer Association Limited
158.	New World Parking Management Limited
159.	The Nautical Institute—Hong Kong Branch
160.	Worldwide Flight Services, Inc.
161.	NT Taxi Operations Union
162.	Sun Star Taxi Operators Association
163.	Taxi & P.L.B. Concern Group
164.	Tai Wo Motors Limited
165.	Tuen Mun District Tourists and Passengers Omnibus Operators Association Limited
166.	Tsuen Wan District Tourists and Passengers Omnibus Operators Association Limited
167.	Yuen Long District Tourists and Passengers Omnibus Operators Association Limited

Item	Body
168.	Kowloon District Tourists and Passengers Omnibus Operators Association Limited
169.	Hong Kong District Tourists and Passengers Omnibus Operators Association Limited
170.	Sino Parking Services Limited
171.	Urban Parking Limited
172.	Greater Lucky (HK) Company Limited
173.	China Hongkong and Macau Boundary Crossing Bus Association Limited
174.	Ground Support Engineering Limited
175.	Cathay Pacific Services Limited
176.	Cathay Pacific Catering Services (H.K.) Limited
177.	LSG Lufthansa Service Hong Kong Limited
178.	Gate Gourmet Hong Kong, Limited
179.	ECO Aviation Fuel Services Limited
180.	Hong Kong Aircraft Engineering Company Limited
181.	China Aircraft Services Limited

Item	Body
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

Item	Body
196.	Yiu Lian Dockyards Limited
197.	China Merchants Port Holdings Company Limited
198.	China Merchants Container Services Limited
199.	China Merchants Logistics Holding Hong Kong Company Limited
200.	China Merchants Energy Shipping (Hong Kong) Company Limited
201.	COSCO SHIPPING (Hong Kong) Co., Limited
202.	COSCO (H.K.) SHIPPING CO., LIMITED
203.	COSCO SHIPPING Container Line Agencies Limited
204.	COSCO SHIPPING International (Hong Kong) Co., Ltd.
205.	China Travel Tours Transportation Services Hong Kong Limited
206.	Sky Shuttle Helicopters Limited
207.	Hong Kong-Zhuhai-Macao Bridge Shuttle Bus Company Limited
208.	Hong Kong & Macao International Airport Transportation Service Co. Limited

Item	Body
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

Item	Body
223.	Dong An Marine Safety Equipment Trading Limited
224.	Fortune Ferry Company Limited
225.	Hong Kong Wing Hing Marine Engineering Company Limited
226.	China National Aviation Leasing Limited
227.	Yuantong Marine Service Co. Limited
228.	Wang Tak Engineering & Shipbuilding Company Limited
229.	The Motor Transport Company of Guangdong and Hong Kong Limited
230.	Weisheng Transportation & Enterprises Company Limited

Annex 2

Bodies Specified for the Wholesale and Retail Subsector

Item	Body
1.	Association of Better Business & Tourism Services
2.	Chinese Medicine Merchants Association Ltd.

Item	Body
3.	Chinese Merchants (H.K.) Association Limited
4.	Chinese Paper Merchants Association Limited
5.	The Cosmetic & Perfumery Association of Hong Kong Ltd.
6.	Eastern District Fresh Fish Merchants' Society
7.	Federation of Hong Kong Kowloon New Territories Hawker Associations
8.	The Federation of Hong Kong Watch Trades and Industries Ltd.
9.	HK Vegetable Wholesaler Community
10.	Hong Kong and Kowloon Bamboo Goods Merchants Association Limited
11.	Hong Kong and Kowloon Electrical Appliances Merchants Association Ltd.
12.	Hong Kong Electro-Plating Merchants Association Limited
13.	Hong Kong & Kowloon Fruit & Vegetable Employees & Employers Guild
14.	Hong Kong & Kowloon General Association of Liquor Dealers and Distillers

Item	Body
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.

Item	Body
25.	Hong Kong Dried Seafood and Grocery Merchants Association Limited
26.	Hong Kong Egg Merchants Association (Fung-Kwai-Tong)
27.	Hong Kong Embroidery Merchants Association Limited
28.	Hong Kong Flower Retailers Association
29.	The Hong Kong Food Council Limited
30.	Hong Kong Fresh Fish Merchants Association
31.	Hong Kong Fur Federation
32.	Hong Kong Furniture & Decoration Trade Association Limited
33.	Hong Kong General Chamber of Pharmacy Limited
34.	Hong Kong Glass and Mirror Merchants and Manufacturers Association Company Limited
35.	Hong Kong Jewellers' & Goldsmiths' Association Limited
36.	The Federation of Hong Kong Footwear Limited
37.	The Hong Kong Medicine Dealers' Guild

Item	Body
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

Item	Body
51.	Kowloon Fresh Fish Merchants Association Limited
52.	The Kowloon Pearls, Precious Stones, Jade, Gold & Silver Ornament Merchants Association
53.	The Merchants Association of First Wholesalers/ Jobbery of Imported Fresh Fruits & Vegetables Limited
54.	Mongkok Vegetable Wholesale Merchants Association Company Limited
55.	The Motor Traders Association of Hong Kong
56.	Nam Pak Hong Association
57.	Po Sau Tong Ginseng & Antler Association Hong Kong Ltd.
58.	The Rice Merchants' Association of Hong Kong Limited
59.	Kowloon Fruit & Vegetable Merchants Association Limited
60.	The Hong Kong And Kowloon Electric Trade Association
61.	Hong Kong Poultry Wholesalers Association
62.	Diamond Federation of Hong Kong, China Limited

Item	Body
63.	Tobacco Association of Hong Kong Limited
64.	Hong Kong Chinese Prepared Medicine Traders Association Limited
65.	Hong Kong Chinese Medicine Industry Association Limited
66.	Hong Kong Chinese Patent Medicine Manufacturers' Association Ltd.

Annex 3

Bodies Specified for the Architectural, Surveying, Planning and Landscape Subsector

Item	Body
1.	The Hong Kong Institute of Architects
2.	The Hong Kong Institute of Surveyors
3.	The Hong Kong Institute of Planners
4.	The Hong Kong Institute of Landscape Architects
5.	Hong Kong Housing Authority
6.	Hong Kong Housing Society

Item	Body
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

Item	Body
21.	Architectural Services Department Maintenance Surveyors' Association
22.	Architectural Services Department Architects' Association
23.	Association of Government Local Land Surveyors
24.	The Hong Kong Housing Department Maintenance Surveyors Association
25.	Hong Kong Government Local Town Planners Association
26.	Hong Kong Government Landscape Architects Association
27.	Aedas Limited
28.	AGC Design Limited
29.	Andrew Lee King Fun & Associates Architects Limited
30.	DLN Architects Limited
31.	Leigh & Orange Limited
32.	LWK & Partners (HK) Limited
33.	P&T Architects and Engineers Limited

Item	Body
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

Item	Body
49.	Rider Levett Bucknall Limited
50.	Arcadis Hong Kong Limited
51.	Currie & Brown (China) Limited
52.	Urbis Limited
53.	Townland Consultants Limited
54.	Llewelyn-Davies Hong Kong Limited
55.	Earthasia Limited
56.	ACLA Limited

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
11.	School of Continuing and Professional Studies, The Chinese University of Hong Kong

Item	Body
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

Item	Body
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

Item	Body
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

Item	Body
18.	Association of Ancient & Contemporary Chinese Medicine Limited
19.	Hong Kong Shanwei Chinese Medicine Association
20.	中華國際傳統醫藥學會
21.	Hong Kong Chinese Medicine and Herbs Association Limited
22.	Meridian Activation System Therapy-Chinese Medicine Association Limited
23.	International Chinese Medical Acupuncture & Anatomy Association Limited
24.	Hong Kong Medicinal Herbs Society
25.	Hong Kong Association for Integration of Chinese-Western Medicine

Annex 5

Bodies Specified for the Engineering Subsector

Item	Body
1.	The Hong Kong Institution of Engineers
2.	CLP Power Hong Kong Limited

Item	Body
3.	The Hong Kong and China Gas Company Limited
4.	The Hongkong Electric Company, Limited
5.	MTR Corporation Limited
6.	Airport Authority
7.	Kowloon-Canton Railway Corporation
8.	Structural Engineers Registration Committee
9.	Contractors Registration Committee
10.	Geotechnical Engineers Registration Committee
11.	Construction Industry Council
12.	Construction Industry Training Board
13.	Minor Works Contractors Registration Committee
14.	HKSAR Government Civil Engineers Association
15.	Buildings Department Structural Engineers' Association
16.	Hong Kong Housing Department Structural Engineers Association
17.	Association of Building Services Engineers of Housing Department

Item	Body
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

Item	Body
31.	WSP (Asia) Limited
32.	Binnies Hong Kong Limited
33.	C. M. Wong & Associates Limited
34.	David S. K. Au and Associates Limited
35.	MVA Hong Kong Limited
36.	Aurecon Hong Kong Limited
37.	Fugro (Hong Kong) Limited
38.	Halcrow China Limited
39.	J. Roger Preston Limited
40.	Jacobs China Limited
41.	SMEC Asia Limited
42.	Golder Associates (HK) Limited
43.	Siu Yin Wai & Associates Limited
44.	Gammon Construction Limited
45.	Chun Wo Construction and Engineering Company Limited

Item	Body
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

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

Item	Body
9.	Hong Kong Legal Exchange Foundation Limited
10.	International Youth Legal Exchange Federation Limited
11.	Global Chinese Speaking Lawyers' Association Limited
12.	China International Economic and Trade Arbitration Commission Hong Kong Arbitration Center
13.	China Maritime Arbitration Commission Hong Kong Arbitration Center
14.	Hong Kong Maritime Arbitration Group
15.	eBRAM International Online Dispute Resolution Centre Limited
16.	Financial Dispute Resolution Centre
17.	Hong Kong Institute of Arbitrators
18.	Hong Kong Mediation Accreditation Association Limited
19.	Hong Kong Mediation Centre Limited
20.	Asian Academy of International Law Limited
21.	Legal Affairs Steering Committee of the Hong Kong Chinese Enterprises Association

Item	Body
22.	The Legal Education Fund Limited
23.	Basic Law Institute Limited
24.	Asia Pacific Law Association Limited
25.	Hong Kong Basic Law Education Association
26.	Basic Law Foundation Limited
27.	South China International Arbitration Center (HK) Limited
28.	Legal Profession Advancement Association Limited
29.	The Hong Kong and Mainland Legal Profession Association Limited
30.	International Probono Legal Services Association Limited

Annex 7

Bodies Specified for the Medical and Health Services Subsector

Item	Body
1.	Hospital Authority
2.	Board of Governors of The Prince Philip Dental Hospital
3.	Medical Council of Hong Kong
4.	Dental Council of Hong Kong
5.	Hong Kong Academy of Medicine
6.	Nursing Council of Hong Kong
7.	Midwives Council of Hong Kong
8.	Supplementary Medical Professions Council
9.	Pharmacy and Poisons Board
10.	Chiropractors Council
11.	Li Ka Shing Faculty of Medicine of The University of Hong Kong

Item	Body
12.	Faculty of Medicine of The Chinese University of Hong Kong
13.	Hong Kong Red Cross
14.	Hong Kong St. John Ambulance
15.	Auxiliary Medical Service
16.	Medical Laboratory Technologists Board
17.	Occupational Therapists Board
18.	Optometrists Board
19.	Physiotherapists Board
20.	Radiographers Board
21.	Hong Kong Association of Speech Therapists
22.	Hong Kong Institute of Audiologists
23.	The Hong Kong Academy of Accredited Dietitians
24.	The Hong Kong Association of Educational Psychologists
25.	Hong Kong Institute of Clinical Psychologists
26.	The Hong Kong Medical Association

Item	Body
27.	Hong Kong Dental Association Limited
28.	The Association of Licentiates of Medical Council of Hong Kong (A.L.M.C.H.K.)
29.	Association of Hong Kong Nursing Staff
30.	The College of Nursing, Hong Kong
31.	The Hong Kong Academy of Nursing Limited
32.	Hong Kong Women Doctors Association Limited
33.	Hong Kong Doctors Union

Annex 8

Bodies Specified for the Social Welfare Subsector

Item	Body
1.	Hong Kong Council of Social Service
2.	Social Workers Registration Board
3.	Institute of Social Service Development
4.	Tung Wah Group of Hospitals
5.	Po Leung Kuk

Item	Body
6.	Yan Chai Hospital
7.	Pok Oi Hospital
8.	Yan Oi Tong Limited
9.	The Lok Sin Tong Benevolent Society Kowloon
10.	New Home Association Limited
11.	Social Workers Across Borders Limited
12.	The Hong Kong Volunteers Federation Company Limited
13.	The Hong Kong Federation of Trade Unions Hong Ling Society
14.	The United Labour Chi Hong Association Limited
15.	The Hong Kong Island Social Services Charitable Foundation Limited

Annex 9

Bodies Specified for the Sports, Performing Arts, Culture and Publication Subsector

Part 1—Performing Arts Industry Associations and Local Licensed Broadcasting Institutions

Item	Body
1.	Hong Kong Motion Picture Industry Association Limited
2.	Hong Kong Film Awards Association Ltd.
3.	Association for Betterment of Hong Kong's Entertainment Industry in Mainland China Limited
4.	Federation of Hong Kong Filmmakers Limited
5.	Movie Producers and Distributors Association of Hong Kong Ltd.
6.	Hong Kong Chamber of Films Limited
7.	Hong Kong Theatres Association Ltd.
8.	華南電影工作者聯合會
9.	International Federation of the Phonographic Industry (Hong Kong Group) Limited

Item	Body
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

Item	Body
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

Item	Body
18.	China Artists Association Hong Kong Chapter
19.	China Opera Performing Artists Hong Kong Association
20.	Chinese Dancres Association Hong Kong Member Branch
21.	China Photographers Association Hong Kong Member Branch
22.	China Calligraphers Association Hong Kong Member Branch
23.	China Literature and Art Critics Association Hong Kong Member Branch
24.	The Association of Chinese Culture of Hong Kong
25.	Hong Kong Culture Association Limited
26.	The Chinese Artists Association of Hong Kong
27.	Hong Kong Chinese Opera Promotion Association Limited
28.	Cantonese Opera Musician and Vocalist Association Limited
29.	HK Chinese Opera and Performing Arts Group Association

Item	Body
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

Item	Body
45.	Opera Hong Kong Limited
46.	Hong Kong String Orchestra Limited
47.	Global Symphony Orchestra Society Limited
48.	The Hong Kong Children's Choir
49.	Yip's Children's Choir Limited
50.	Allegro Singers
51.	Hong Kong City Chinese Orchestra
52.	Hong Kong Dance Federation Limited
53.	Association of Hong Kong Dance Organizations
54.	Hong Kong Dance Alliance Limited
55.	The Hong Kong Ballet Group Limited
56.	Hong Kong Dance Sector Joint Conference
57.	The Association of Hong Kong Youth Dancers
58.	Miranda Chin Dance (Mirandance) Company Limited
59.	Budlet Folk Dance Club
60.	Starwave Production

Item	Body
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

Item	Body
77.	China Hong Kong Institute of Calligraphy
78.	Calligraphy and Painting Study Association of Hong Kong Fukienese
79.	Hong Kong Association of Amateur Calligraphers
80.	Hong Kong Calligraphers' Association
81.	Hong Kong International Calligraphy and Seal Cutting Society
82.	Hong Kong Hard Pen Calligraphists' Association
83.	Friends of Shizhai
84.	The Jiazi Society of Calligraphy
85.	The Photographic Society of Hong Kong
86.	The Chinese Photographic Association of Hong Kong
87.	Sea Gull Photographic Association Limited
88.	The Photographic Salon Exhibitors Association
89.	Grace Photographic Club
90.	Hong Kong Camera Club, Limited
91.	United Artist Photographic Association Limited

Item	Body
92.	The Society of Worldwide Ethnic Chinese Photographers Limited
93.	The Hong Kong 35mm Photography Society, Limited
94.	The Hong Kong Miniature Cameras Photography Society
95.	Hong Kong CreArt Photographic Association Limited
96.	Overseas Chinese Photographers Association of Hong Kong
97.	The Art of Photography Association Limited
98.	The Federation of Hong Kong Writers
99.	The House of Hong Kong Literature Limited
100.	Hong Kong Writers Association Company Limited
101.	Hong Kong Society for Study of Poetry, Calligraphy and Couplet
102.	Hong Kong Literature Promoted Association
103.	國際華文詩人協會
104.	Magicians' Association of Hong Kong

Item	Body
105.	Hong Kong & Macau Intangible Cultural Heritage Research Centre Limited
106.	Wing Lung Art
107.	Hong Kong Book Reviewers Association
108.	Hong Kong Film Critics Association Limited
109.	Hong Kong Literary Criticism Society Company Limited
110.	Oriental Education Alliance Limited
111.	Hong Kong International Music Festival Limited
112.	The Association of Zhuangzi Culture & Research of Hong Kong
113.	Hong Kong Cantonese Opera Chamber of Commerce Limited
114.	Jingkun Theatre Limited

Annex 10

Bodies Specified for the Technology and Innovation Subsector

Part 1—National Level Research Platforms

Item	Body
1.	State Key Laboratory of Emerging Infectious Diseases (The University of Hong Kong)
2.	State Key Laboratory of Brain and Cognitive Science (The University of Hong Kong)
3.	State Key Laboratory of Translational Oncology (The Chinese University of Hong Kong)
4.	State Key Laboratory of Terahertz and Millimeter Waves (City University of Hong Kong)
5.	State Key Laboratory of Agrobiotechnology (The Chinese University of Hong Kong)
6.	State Key Laboratory of Ultraprecision Machining Technology (The Hong Kong Polytechnic University)
7.	State Key Laboratory of Molecular Neuroscience (The Hong Kong University of Science and Technology)
8.	State Key Laboratory of Marine Pollution (City University of Hong Kong)

Item	Body
9.	State Key Laboratory of Research on Bioactivities and Clinical Applications of Medicinal Plants (The Chinese University of Hong Kong)
10.	State Key Laboratory of Liver Research (The University of Hong Kong)
11.	State Key Laboratory of Synthetic Chemistry (The University of Hong Kong)
12.	State Key Laboratory of Chemical Biology and Drug Discovery (The Hong Kong Polytechnic University)
13.	State Key Laboratory of Environmental and Biological Analysis (Hong Kong Baptist University)
14.	State Key Laboratory of Pharmaceutical Biotechnology (The University of Hong Kong)
15.	State Key Laboratory of Digestive Disease (The Chinese University of Hong Kong)
16.	State Key Laboratory of Advanced Displays and Optoelectronics Technologies (The Hong Kong University of Science and Technology)
17.	Hong Kong Branch of National Engineering Research Center for Application Specific Integrated Circuit System

Item	Body
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
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

Item	Body
13.	Hong Kong Data Centre Association Limited
14.	Hong Kong Federation of Innovative Technologies and Manufacturing Industries Limited
15.	Smart City Consortium Limited
16.	E-Commerce Association of Hong Kong Limited
17.	Esports Association of Hong Kong Limited
18.	The Hong Kong Electronic Industries Association Limited

Annex 11

Bodies Specified for the Agriculture and Fisheries Subsector

Item	Body
1.	Aberdeen Fishermen Friendship Association
2.	The Ap Lei Chau Fishermen's Credit Co-operative Society, Unlimited
3.	The Castle Peak Fishermen's Credit Co-operative Society, Unlimited
4.	The Castle Peak Mechanized Trawler Fishermen's Credit Co-operative Society, Unlimited

Item	Body
5.	Cheung Chau Fisheries Joint Association
6.	Cheung Chau Fishermen's Welfare Promotion Association
7.	The Fanling Kwun Ti Village Farmers' Irrigation Co-operative Society, Ltd.
8.	Fish Farming and Stuff Association
9.	Fisherman's Association of Po Toi Island
10.	Fishery Development Association (Hong Kong) Limited
11.	Fraternal Association of The Floating Population of Hong Kong
12.	The Guild of Graziers
13.	Hang Hau Grazier Association
14.	Hong Kong and Kowloon Fishermen Association Ltd.
15.	Hong Kong & Kowloon Floating Fishermen Welfare Promotion Association
16.	Hong Kong Fisheries Development Association
17.	Hong Kong Fishermen's Association

Item	Body
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.

Item	Body
31.	The Mui Wo Agricultural Products Marketing & Credit Co-operative Society, Ltd.
32.	Mui Wo Fishermen Fraternity Society
33.	N.T. Oyster and Aquatic Products United Association
34.	The New Territories Chicken Breeders Association, Ltd.
35.	The New Territories Fishermen Fraternity Association Ltd.
36.	New Territories Florist Association, Ltd.
37.	North District Florists Association
38.	Outlying Islands Mariculture Association (Cheung Chau)
39.	Peng Chau Fishermen Association Ltd.
40.	Quality Broiler Development Association
41.	Sai Kung (North) Sham Wan Marine Fish Culture Business Association
42.	Sai Kung Po Toi O Fish Culture Business Association
43.	Sai Kung Tai Tau Chau Fish Culture Business Association

Item	Body
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

Item	Body
56.	The Tai Po Fishermen's Credit Co-operative Society, Unlimited
57.	Tai Po Florists and Horticulturists Association
58.	The Tai Po Purse Seiner and Small Long Liner Fishermen's Credit Co-operative Society, Unlimited
59.	The Tsuen Wan Fishermen's Credit Co-operative Society, Unlimited
60.	The Tuen Mun Mechanized Fishing Boat Fishermen's Credit Co-operative Society, Unlimited
61.	Tuen Mun Agricultural Association
62.	Tung Lung Chau Mariculture Association
63.	The Hong Kong Branch of the World's Poultry Science Association
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

Item	Body
69.	The Shau Kei Wan Stern Trawler Fishermen's Credit Co-operative Society, Unlimited
70.	Sustainable Ecological Ethical Development Foundation Limited
71.	N.T. North District Fishermen's Association
72.	Tai Po Off Shore Fishermen's Association
73.	Aberdeen Fisherwomen Association
74.	香港新界本地農協會
75.	The Hong Kong Veterinary Association Limited

Annex 12

Bodies Specified for the Associations of Chinese Fellow Townsmen Subsector

Item	Body
1.	Federation of Hong Kong Guangdong Community Organisations Limited
2.	Hong Kong Federation of Fujian Associations Limited
3.	Federation of HK Guangxi Community Organisations Limited

Item	Body
4.	Hong Kong Federation of Hainan Community Organisations Limited
5.	The United Zhejiang Residents Associations (Hong Kong) Limited
6.	Federation of HK Jiangsu Community Organisations Limited
7.	Hong Kong Beijing Association Limited
8.	Hong Kong-Shanghai Economic Development Association Limited
9.	Federation of Hong Kong Hubei Associations Limited
10.	Hunan Fraternal Association of Hong Kong Limited
11.	Hong Kong Federation of Jiang Xi Associations Limited
12.	Federation of HK Shandong Community Organisations Limited
13.	Federation of HK Sichuan Community Organisations Limited
14.	The Hong Kong Tianjin Friendship Association Limited
15.	Hong Kong Chongqing Friendship Federation Limited

Item	Body
16.	Hong Kong Federation of Gan Su Limited
17.	Hong Kong Shaanxi Friendship Association Limited
18.	Hong Kong Hebei Friendship Association Limited
19.	The Anhui Fraternity Association (Hong Kong) Limited
20.	Hong Kong Shanxi Chamber of Commerce Limited
21.	Hong Kong Ningxia Federation of Associations Limited
22.	The Association of Hong Kong Yunnan Fellow Provincials Limited
23.	The Hong Kong Friendship Association of Guizhou Province
24.	Qinghai Hong Kong & Macau Association Limited

Annex 13

Election Committee Oath

I, * ....., of *..... **affirm/swear that—

(a) I will duly and faithfully fulfill the duties of the Election Committee according to the best of my ability;

(b) I will uphold the Basic Law;

(c) my allegiance is to the Hong Kong Special Administrative Region of the People's Republic of China; and

(d) to the best of my knowledge and belief I am not disqualified from being a member of the Election Committee by virtue of—

**(i) for persons to be registered as ex-officio members in accordance with Part 2A of the Schedule to the Chief Executive Election Ordinance (Cap. 569)—section 5M of that Schedule/

**(ii) for persons nominated in accordance with Part 3 of the Schedule to the Chief Executive Election Ordinance (Cap. 569)—section 9 or 9A of that Schedule/

**(iii) for persons elected in accordance with Part 4 of the Schedule to the Chief Executive Election Ordinance (Cap. 569)—section 18 or 18A of that Schedule.

**Affirmed/sworn this *..... day of *.....

(Signature) …….

This acceptance was **affirmed/sworn and signed before me, a **Magistrate/Commissioner for Oaths.

(Signature) …….

* Complete as appropriate.

** Delete whichever is inapplicable.".

Division 2—Election Committee (Appeals) Regulation (Cap. 569 sub. leg. A)

435. Section 2 amended (interpretation)

(1) Section 2(1), definition of ***appellant***, paragraph (a)—

Repeal

"or".

(2) Section 2(1), definition of ***appellant***, paragraph (b)—

Repeal

"in the final register".

(3) Section 2(1), definition of ***appellant***, after paragraph (b)—

Add

"(c) submits a written representation to a Revising Officer to object to the registration of an ex-officio member as a member of the Election Committee under section 4A(1); or

(d) submits a written representation to a Revising Officer to claim that the person is eligible to be, and is not disqualified from being, registered as an ex-officio member under section 4A(2);".

(4) Section 2(1), definition of ***designated body***—

Repeal

"means a designated body referred to in section 6"

Substitute

"has the meaning given by section 1(1)".

(5) Section 2(1), definition of ***written representation***, after "section 4"—

Add

"or 4A".

(6) Section 2(1)—

(a) definition of ***sub-subsector by-election***;

(b) definition of ***sub-subsector ordinary election***—

Repeal the definitions.

(7) Section 2(1)—

Add in alphabetical order

"***ex-officio member*** (當然委員) has the meaning given by section 1(1) of the Schedule to the Ordinance;".

(8) Section 2—

Repeal subsection (2).

436. Section 3 amended (appeal against result of subsector election to Revising Officer)

(1) After section 3(5)—

Add

"(5A) If the grounds of the appeal relate to a decision of the Candidate Eligibility Review Committee, the Committee may also be made a respondent to the appeal.".

(2) Section 3—

Repeal subsection (7)

Substitute

"(7) In subsection (3)—

subsector election (界別分組選舉)—

(a) is to be construed subject to Annex I to the Basic Law; and

(b) subject to paragraph (a), includes nomination proceedings and the determinations or decisions of the Candidate Eligibility Review Committee, the Returning Officer or any Assistant Returning Officer.".

437. Section 4 amended (appeals in relation to registration of nominees declared by Returning Officer as members of Election Committee)

(1) Section 4, heading—

Repeal

"**registration of nominees declared by Returning Officer**"

Substitute

"**declaration and registration of nominees**".

(2) Section 4(1)—

Repeal

"A person"

Substitute

"Subject to Annex I to the Basic Law, a person".

(3) Section 4(1), after "eligible to be"—

Add

"declared and".

(4) Section 4(1)(c)—

Repeal

"Returning Officer"

Substitute

"Candidate Eligibility Review Committee".

(5) Section 4(1), after "object to the"—

Add

"declaration and".

(6) Section 4(1)—

Repeal

everything after "final register"

Substitute a full stop.

(7) Section 4—

Repeal subsection (3)

Substitute

"(3) The Electoral Registration Officer or the Returning Officer for the relevant subsector may be made a respondent to the appeal.

(3A) The Candidate Eligibility Review Committee may also be made a respondent to the appeal if the ground mentioned in subsection (1)(a) or (c) is relied on as the ground of appeal.".

438. Section 4A added

After section 4—

Add

"**4A. Appeals in relation to registration of ex-officio members as members of Election Committee**

(1) Subject to Annex I to the Basic Law, a person who considers that an ex-officio member is not eligible to be registered as a member of the Election Committee on the ground that—

(a) the ex-officio member was ineligible to be registered as, or was disqualified from being, a member of the Election Committee;

(b) material irregularity occurred in relation to the process of registration; or

(c) material irregularity occurred in relation to the determination of the Candidate Eligibility Review Committee as to the validity of the registration of the ex-officio member,

may, by submitting a written representation, object to the registration of the ex-officio member as a member of the Election Committee in the interim register or final register.

(2) A person whose registration has been determined by the Candidate Eligibility Review Committee to be invalid under section 5N of the Schedule to the Ordinance may, subject to Annex I to the Basic Law, claim that he or she is eligible to be, and is not disqualified from being, registered as an ex-officio member by submitting a written representation.

(3) A written representation under subsection (1) or (2)—

(a) may be submitted to the Revising Officer only after—

(i) the date of publication of the interim register concerned; or

(ii) if the relevant determination of the Candidate Eligibility Review Committee is made after the date of publication of the interim register concerned, and—

(A) the determination is that the registration is valid—the date of publication of the relevant notice under section 41(4) of the Schedule to the Ordinance; or

(B) the determination is that the registration is invalid—the date of issuance of the notice informing the relevant person of the determination,

as the case may be; and

(b) must reach the Revising Officer not later than 7 days after the relevant date.

(4) The Electoral Registration Officer may be made a respondent to the appeal.

(5) The Candidate Eligibility Review Committee may also be made a respondent to the appeal if the ground mentioned in subsection (1)(a) or (c) or (2) is relied on as the ground of appeal.

(6) The written representation referred to in subsection (1) must state—

(a) the name, address and identity document number (if any) of the appellant;

(b) the name and address of the ex-officio member concerned;

(c) the date on which the ex-officio member concerned was registered as a member of the Election Committee by the Electoral Registration Officer;

(d) the ground of appeal; and

(e) any other relevant information.

(7) The written representation referred to in subsection (2) must state—

(a) the name, address and identity document number (if any) of the appellant;

(b) the date on which the appellant received the notice from the Electoral Registration Officer informing the appellant the determination of the Candidate Eligibility Review Committee that the registration of the appellant was invalid;

(c) the ground of appeal; and

(d) any other relevant information.”.

439. Section 5 amended (fixing of hearing and notifying appellant thereof)

(1) Section 5(1)(b)(ii)(B), after “concerned”—

Add

“or the ex-officio member concerned”.

(2) Section 5(2)(c)—

Repeal

“or the person whose election is questioned or the declared member concerned” (wherever appearing)

Substitute

“, the person whose election is questioned, the declared member concerned or the ex-officio member concerned”.

(3) Section 5(2)(d)(ii)—

Repeal

“Electoral Registration Officer does”

Substitute

“Candidate Eligibility Review Committee, the Electoral Registration Officer and the Returning Officer concerned do”.

(4) Section 5(2)(d)(ii)—

Repeal

“the decision of the Electoral Registration Officer in relation to the registration”

Substitute

“the determination or decision of the Candidate Eligibility Review Committee, the Electoral Registration Officer or the Returning Officer concerned (as the case may be) in relation to the registration or declaration”.

440. Section 6 amended (ruling of Revising Officer)

(1) Section 6(2)(a)—

Repeal

“Electoral Registration Officer does”

Substitute

“Candidate Eligibility Review Committee, the Electoral Registration Officer and the Returning Officer concerned do”.

(2) Section 6(2)(a)—

Repeal

"the decision of the Electoral Registration Officer in relation to the registration"

Substitute

"the determination or decision of the Candidate Eligibility Review Committee, the Electoral Registration Officer or the Returning Officer concerned (as the case may be) in relation to the registration or declaration".

(3) Section 6(2)(b)—

Repeal

everything after "declared member concerned"

Substitute

"or the ex-officio member concerned should have been registered as a member of the Election Committee.".

441. Section 7 amended (appellant and other persons concerned to be notified of ruling)

(1) Section 7(b)—

Repeal

"the decision of the Electoral Registration Officer"

Substitute

"the determination or decision of the Candidate Eligibility Review Committee, the Electoral Registration Officer or the Returning Officer concerned (as the case may be)".

(2) Section 7—

Repeal

"or the declared member concerned, by post, that the result"

Substitute

“, the declared member concerned or the ex-officio member concerned (as the case may be), by post, that the result, determination”.

442. Section 8 amended (Electoral Registration Officer to be notified of ruling)

(1) Section 8(1)(b)—

Repeal

“the decision of the Electoral Registration Officer”

Substitute

“the determination or decision of the Candidate Eligibility Review Committee, the Electoral Registration Officer or the Returning Officer concerned (as the case may be)”.

(2) Section 8(1)—

Repeal

“that the result”

Substitute

“that the result, determination”.

(3) Section 8(2)—

Repeal paragraph (b)

Substitute

“(b) makes a ruling under section 6(2)(b) and determines that—

(i) the declared member concerned or the ex-officio member concerned should not have been registered as a member of the Election Committee; or

(ii) the appellant concerned should have been registered as an ex-officio member,".

(4) After section 8(2)—

Add

"(3) In this section—

final register (正式委員登記冊) means the final register of members of the Election Committee having effect under section 43 of the Schedule to the Ordinance.".

443. Section 10 amended (review of rulings by Revising Officer)

(1) Section 10(1), before "Electoral"—

Add

"Candidate Eligibility Review Committee, the".

(2) Section 10(1)—

Repeal

"or the declared member concerned"

Substitute

", the declared member concerned or the ex-officio member concerned".

(3) Section 10(1), after "rehear"—

Add

"or redetermine (as the case may be)".

444. Section 11 amended (Revising Officer may require Electoral Registration Officer and Returning Officer to provide information)

(1) Section 11, heading, after "**require**"—

Add

"**Candidate Eligibility Review Committee,**".

(2) Section 11, after "require"—

Add

"the Candidate Eligibility Review Committee,".

445. Schedule amended (appeal notice)

(1) The Schedule—

Repeal

"*In the Matter of a *subsector"

Substitute

"In the Matter of a *subsector".

(2) The Schedule—

Repeal

"(or)*".

(3) The Schedule—

Repeal

"In the Matter of a *sub-subsector ordinary election/sub-subsector by-election for the *sports/performing arts/culture/publication sub-subsector held on (*date of election*).".

(4) The Schedule—

Repeal

"*subsector/sub-subsector" (wherever appearing)

Substitute

"subsector".

Division 3—Election Committee (Registration) (Voters for Subsectors) (Members of Election Committee) (Appeals) Regulation (Cap. 569 sub. leg. B)

446. Section 2 amended (interpretation)

Section 2—

Repeal the definition of *District Council election year*.

447. Section 2A amended (effect of inclement weather warning on date and period)

(1) Section 2A(4)—

Repeal Table 1

Substitute

"Table 1

Column 1	Column 2
section 29(1A)(b)(ii) of Cap. 541B	section 7(2AA)(a)(i)
section 29(1A)(b)(iii) of Cap. 541B	sections 3(4)(b) and 7(2)(aa) and (2AA)(b)(i)
section 32(2)(c) of Cap. 541B	section 3(4)(b)(i) and (ii)

In this Table—

Cap. 541B stands for the Electoral Affairs Commission (Registration) (Electors for Legislative Council Functional Constituencies) (Voters for Election Committee Subsectors) (Members of Election Committee) Regulation (Cap. 541 sub. leg. B).".

(2) Section 2A(4), Table 1—

Repeal

"section 29(1A)(b)(ii) of Cap. 541B	section 7(2AA)(a)(i)
section 29(1A)(b)(iii) of Cap. 541B	sections 3(4)(b) and 7(2)(aa) and (2AA)(b)(i)"

Substitute

"section 29(1A)(b)(i) of Cap. 541B	sections 3(4)(b) and 7(2)(aa) and (2AA)(b)(i)".

(3) Section 2A—

Repeal subsections (5), (6) and (7).

(4) Section 2A(8)—

Repeal Table 3

Substitute

"Table 3

Column 1	Column 2
the eighth day before the polling date	section 3(3)(a) and (b)
8 September	section 3(3)(b)(i) and (ii)
11 September	section 7(2)(aa) and (2AA)(b)(ii)
11 July	section 7(2AA)(a)".

448. Section 3 amended (fixing of hearing and notifying appellant thereof)

(1) After section 3(1A)—

Add

"(1AA) This section also does not apply to a claim or an objection made in relation to a subsector register compiled for 2021.".

(2) Section 3—

Repeal subsections (3) and (4)

Substitute

"(3) If a copy of a notice of appeal is received by the Revising Officer, the date fixed under subsection (1)(a) as regards the appeal to which the notice relates must be—

(a) if the copy of the notice is received on or before the eighth day before the polling date for the subsector concerned—a date within a period of 21 days beginning from 25 days before the polling date; or

(b) if the copy of the notice is received after the eighth day before the polling date for the subsector concerned in a year and—

(i) if the date of receipt falls on or before 8 September in a year—a date within a period of 28 days ending on 11 September in that year; or

(ii) if the date of receipt falls after 8 September in a year—a date within a period of 27 days ending on 11 September in the next year.

(4) If a copy of a notice of claim or a notice of objection as regards an entry, or registration, in a subsector register, is received by the Revising Officer, the date fixed under subsection (1)(a) as regards the claim or objection to which the notice relates must be—

(a) on or after the third day after the day on which the copy of the notice is received; and

(b) a date within the period beginning on 1 August and ending on 11 September in—

(i) if the date of receipt falls on or before 29 August in a year—that year; or

(ii) if the date of receipt falls after 29 August in a year—the next year.".

(3) Section 3(5A)(a)—

Repeal subparagraph (i)

Substitute

"(i) is the last day of the period specified in subsection (3)(a) or (b)(i) or (ii), (4)(b) or (5); or".

449. Section 3A amended (Revising Officer to determine certain claims or objections based on written submissions)

(1) After section 3A(1)—

Add

"(1A) This section also applies to a claim or an objection made in relation to a subsector register compiled for 2021.".

(2) Section 3A(3)—

Repeal paragraphs (a) and (b)

Substitute

"(a) if the claim or objection relates to a subsector provisional register compiled for 2021—not later than 2 July 2021; or

(b) if the claim or objection relates to a subsector provisional register compiled for any year subsequent to 2021—not later than 29 August in that year.".

450. Section 4 amended (appellant and person in respect of whom objection is made to be notified of rulings etc.)

Section 4—

Repeal the subsection (4)

Substitute

"(4) A notification in relation to a ruling made under section 3A(5) must be sent—

(a) if the ruling relates to a subsector provisional register compiled for 2021—not later than 7 July 2021; or

(b) if the ruling relates to a subsector provisional register compiled for any year subsequent to 2021—not later than 7 September in that year.".

451. Section 5 amended (Electoral Registration Officer to be notified of rulings made under section 3(6) and (6A) etc.)

(1) Section 5(3)—

Repeal paragraph (a)

Substitute

"(a) after a hearing in connection with a claim or an objection in respect of a subsector provisional register is concluded—not later than 17 September in the year in which the hearing is concluded;".

(2) Section 5(3)(b)(i), after the semicolon—

Add

"or".

(3) Section 5(3)(b)—

Repeal subparagraph (ii)

Substitute

"(ii) during the period referred to in section 3(3)(b)(i) or (ii)—not later than 17 September in the year in which the hearing is concluded; or".

(4) Section 5(3)(b)—

Repeal subparagraph (iii).

452. Section 5A amended (Electoral Registration Officer to be notified of rulings made under section 3A(5))

Section 5A—

Repeal paragraphs (a) and (b)

Substitute

"(a) if the ruling relates to a subsector provisional register compiled for 2021—not later than 7 July 2021; or

(b) if the ruling relates to a subsector provisional register compiled for any year subsequent to 2021—not later than 7 September in that year.".

453. Section 6 amended (determination of matters and powers of adjournment, etc.)

Section 6—

Repeal

"7(2)(aa), (ab), (a), (b)(i), (ii) or (iii), (c)(i) or (ii) or (f)"

Substitute

"7(2)(aa), (a) or (f)".

454. Section 7 amended (review of rulings by Revising Officer)

(1) After section 7(1)—

Add

"(1A) Despite subsection (1)(b), if the ruling being reviewed relates to a subsector register compiled for 2021, the Revising Officer must determine whether to reverse or confirm the ruling without a hearing on the basis of written submissions only.".

(2) Section 7(2)—

Repeal paragraph (aa)

Substitute

"(aa) during the period beginning on 1 August and ending on 11 September in a year may only be reviewed during that period;".

(3) Section 7(2)—

Repeal paragraph (ab).

(4) Section 7(2)—

Repeal paragraph (a)

Substitute

"(a) during the period referred to in section 3(3)(a) or (b)(i) or (ii) may only be reviewed during that period; or".

(5) Section 7(2)—

Repeal paragraphs (b) and (c).

(6) Section 7—

Repeal subsection (2AA)

Substitute

"(2AA) A ruling under section 3A(5) may only be reviewed during the following period—

(a) if the ruling relates to a subsector register compiled for 2021—the period—

(i) beginning on 27 June 2021; and

(ii) ending on 11 July 2021; or

(b) if the ruling relates to a subsector register compiled for any year subsequent to 2021—the period—

(i) beginning on 1 August; and

(ii) ending on 11 September in that year.".

(7) Section 7(2B)—

Repeal

"District Council election".

(8) Section 7(2B)—

Repeal

"sections 35(5)(a) and 36(5)(a)"

Substitute

"sections 35(5)(b) and 36(5)(b)".

(9) Section 7—

Repeal subsection (2C).

Division 4—Election Committee (Subscribers and Election Deposit for Nomination) Regulation (Cap. 569 sub. leg. C)

455. Section 2 amended (interpretation)

(1) Section 2(2)—

Repeal

"or sub-subsector (within the meaning of section 1(1) of the Schedule to the Ordinance)".

(2) Section 2(2)(a)—

Repeal

"or sub-subsector".

456. Section 4 amended (return of deposit on invalid nomination etc.)

(1) Section 4(1)(b)—

Repeal

"Returning Officer"

Substitute

"Candidate Eligibility Review Committee".

(2) Section 4(1)(d)—

Repeal

"or".

(3) Section 4(1)—

Repeal paragraph (e)

Substitute

"(e) proof is given to the satisfaction of the Returning Officer that the candidate has died as referred to in section 26(1)(a) of the Schedule to the Ordinance; or

(f) proof is given to the satisfaction of the Candidate Eligibility Review Committee that the candidate is disqualified from being elected as referred to in section 26(1)(b) of the Schedule to the Ordinance.".

(4) Section 4(2)(d), after "(1)(e)"—

Add

"or (f)".

457. Section 8 amended (number and qualifications of subscribers to nomination paper)

(1) Section 8(2)(a)—

Repeal

"allocated to"

Substitute

"to be elected by".

(2) Section 8(4)(b)—

Repeal

"Returning Officer"

Substitute

"Candidate Eligibility Review Committee".

(3) Section 8(4)(c)—

Repeal

"Returning Officer has"

Substitute

"Candidate Eligibility Review Committee has".

(4) Section 8(4)(c)(i), Chinese text—

Repeal

"該選舉"

Substitute

"有關的選舉".

(5) Section 8(4)(c)(ii)—

Repeal

"Returning Officer"

Substitute

"Candidate Eligibility Review Committee".

(6) Section 8(4)(c)(ii), after "nominated and"—

Add

"the Returning Officer".

Division 5—Distribution of Number of Members Among Designated Bodies (Election Committee) Order 2001 (Cap. 569 sub. leg. D)

458. Distribution of Number of Members Among Designated Bodies (Election Committee) Order 2001 repealed

The Distribution of Number of Members Among Designated Bodies (Election Committee) Order 2001 (Cap. 569 sub. leg. D)—

Repeal the Order.

Division 6—Chief Executive Election (Election Petition) Rules (Cap. 569 sub. leg. E)

459. Schedule amended (election petition)

The Schedule—

Repeal

"a person the nomination of whom was not accepted by the Returning Officer/".

Part 8

Consequential Amendments

Division 1—High Court Ordinance (Cap. 4)

460. Section 14 amended (appeals in civil matters)

Section 14(3)(g)—

Repeal

"or order of the Court of First Instance referred to in section 22(1)(c)"

Substitute

", order or decision of the Court of First Instance referred to in section 22(1)(c) or (d)".

Division 2—Hong Kong Court of Final Appeal Ordinance (Cap. 484)

461. Part II, Division 2 heading amended (appeal from Court of Appeal to Court; appeal relating to election)

Part II, Division 2, heading, after "**Election**"—

Add

"**; Appeal relating to Certain Proceedings**".

462. Section 22 amended (civil appeals)

(1) Section 22(1)(b)—

Repeal

"and".

(2) Section 22(1)(c)(viii)—

Repeal

"concerned."

Substitute

"concerned; and".

(3) After section 22(1)(c)—

Add

"(d) at the discretion of the Court, from a decision of the Court of First Instance in proceedings brought under section 43A of the Schedule to the Chief Executive Election Ordinance (Cap. 569) (including a decision for the purpose of an application under section 43A(6) of that Schedule).".

Division 3—Electronic Transactions (Exclusion) Order (Cap. 553 sub. leg. B)

463. Schedule 1 amended (provisions excluded from application of section 5 of Ordinance)

Schedule 1, item 60—

Repeal

"38(3),".

Division 4—Travel Industry Ordinance (Cap. 634)

464. Schedule 11 amended (related amendments)

(1) Schedule 11—

Repeal section 7

Substitute

"**7. Section 20O amended (composition of the tourism functional constituency)**

Section 20O(a)—

Repeal subparagraph (i)

Substitute

"(i) licensed travel agents as defined by section 2(1) of the Travel Industry Ordinance (Cap. 634); and".".

(2) Schedule 11—

Repeal section 8

Substitute

"**8. Schedule, section 39P amended (specified entities of the tourism subsector)**

The Schedule, section 39P(a)—

Repeal subparagraph (i)

Substitute

"(i) is a licensed travel agent as defined by section 2(1) of the Travel Industry Ordinance (Cap. 634); and".".

Explanatory Memorandum

This Bill introduces amendments to various items of electoral legislation for the purposes set out in the long title of the Bill and is divided into 8 Parts.

Part 1—Preliminary

2. Part 1 sets out the short title and provides for commencement.

Part 2—Amendments to Emergency (Date of General Election) (Seventh Term of the Legislative Council) Regulation (Cap. 241 sub. leg. L) (*Cap. 241L*)

3. Part 2 amends Cap. 241L to specify 19 December 2021 as the date for the general election for the seventh term of office of the Legislative Council (***7th term of LegCo***).

Part 3—Amendments to Electoral Affairs Commission Ordinance and its Subsidiary Legislation

4. Part 3 is divided into 11 Divisions.

*Division 1—Electoral Affairs Commission Ordinance (Cap. 541) (**Cap. 541**)*

5. Division 1 of Part 3 amends Cap. 541 to—

(a) repeal historical references to bodies that are no longer existent such as the Provisional District Board and the Provisional Legislative Council;

(b) enable regulations made under Cap. 541 to provide for the imposition and enforcement in court of a financial penalty for any contravention of a requirement in or made under the regulations; and

(c) in view of the revised constitution of the Legislative Council (***LegCo***) (see paragraph 19(a))—

(i) revise the provisions that relate to the making of reports on subsector elections by the Electoral Affairs Commission (***EAC***); and

(ii) provide that the EAC is not required to make reports on the delineation of geographical constituencies for the general election for the 7th term of LegCo.

*Division 2—Electoral Affairs Commission (Registration of Electors) (Legislative Council Geographical Constituencies) (District Council Constituencies) Regulation (Cap. 541 sub. leg. A) (**Cap. 541A**)*

6. Division 2 of Part 3 amends Cap. 541A to—

(a) simplify the annual registration cycles for the registration of electors for geographical constituencies (***GC electors***) by specifying 1 set of deadlines for the registration procedures regardless of whether a District Council ordinary election is to be held in the year concerned;

(b) make special arrangements relating to the registration of GC electors in the 2021 registration cycle for persons affected by the revisions concerning—

(i) electors for functional constituencies (***FC electors***);

(ii) voters for subsectors of the Election Committee (***subsector voters***); and

(iii) ex-officio members of the Election Committee; and

(c) enhance the arrangements for the compilation and inspection of the omissions lists, provisional registers and final registers relating to GC electors (***GC electors registration records***).

7. For paragraph 6(c), the following arrangements will apply starting from 1 May 2022—

(a) the Electoral Registration Officer may require a person who applies for registration as a GC elector to provide proof of residential address;

(b) copies of GC electors registration records will be made available for inspection at specified places only by specified persons (i.e. the press, political parties and candidates at a relevant election); and

(c) the names of the natural persons recorded on such copies will be shown only partially.

*Division 3—Electoral Affairs Commission (Registration) (Electors for Legislative Council Functional Constituencies) (Voters for Election Committee Subsectors) (Members of Election Committee) Regulation (Cap. 541 sub. leg. B) (**Cap. 541B**)*

8. Division 3 of Part 3 amends Cap. 541B to—

(a) simplify the annual registration cycles for the registration of FC electors and subsector voters by specifying 1 set of deadlines for the respective registration procedures regardless of whether a

District Council ordinary election is to be held in the year concerned;

(b) make special arrangements—

(i) relating to the omission of existing FC electors who are no longer eligible and the registration of certain eligible FC electors in the 2021 registration cycle arising from the revised electorates and eligibilities for registration for some functional constituencies (see paragraph 19(b)); and

(ii) relating to the omission of existing subsector voters who are no longer eligible and the registration of certain eligible subsector voters in the 2021 registration cycle arising from the revised constitution of the Election Committee concerning the entities entitled to vote at a subsector election (see paragraph 41(c)(iii)); and

(c) enhance the arrangements for the compilation and inspection of—

(i) the omissions lists, provisional registers and final registers relating to FC electors (***FC electors registration records***);

(ii) the omissions lists, provisional registers and final registers relating to subsector voters (***subsector voters registration records***); and

(iii) the omissions lists, provisional registers, interim registers and final registers relating to members of the Election Committee (***EC members registration records***).

9. For paragraph 8(c)—

(a) arrangements similar to those described in paragraph 7 will, starting from 1 May 2022, apply to—

(i) FC electors registration records;

(ii) subsector voters registration records; and

(iii) EC members registration records; and

(b) such arrangements will not affect the arrangements for public inspection of—

(i) entries relating to corporate electors on FC electors registration records; and

(ii) entries relating to corporate voters on subsector voters registration records.

*Division 4—Electoral Affairs Commission (Nominations Advisory Committees (Legislative Council)) Regulation (Cap. 541 sub. leg. C) (**Cap. 541C**)*

10. Division 4 of Part 3 amends Cap. 541C to—

(a) in view of the revised constitution of the LegCo (see paragraph 19(a)), revise the provisions that relate to the giving of advice by a nomination advisory committee to cover a person nominated as a candidate for the Election Committee constituency; and

(b) in view of the revised procedures for determining the validity of the nomination of a person as a candidate at a LegCo election (see paragraph 19(c)), revise the provisions that incidentally refer to the role of the Returning Officer in such procedures.

*Division 5—Electoral Affairs Commission (Electoral Procedure) (Legislative Council) Regulation (Cap. 541 sub. leg. D) (**Cap. 541D**)*

11. Division 5 of Part 3 amends Cap. 541D to—

(a) in view of the revised constitution of the LegCo (see paragraph 19(a)), revise the provisions that relate to the procedures for LegCo elections (including nomination of candidates, voting and counting of votes); and

(b) introduce the following measures to facilitate the conduct of LegCo elections—

(i) to empower the Chief Electoral Officer to require certain premises for use as polling stations or counting stations;

(ii) to empower Presiding Officers of polling stations to make special arrangement for elderly persons, pregnant women and ill, injured or disabled persons to apply for ballot papers; and

(iii) to implement the use of electronic copy of final registers.

*Division 6—Electoral Affairs Commission (Electoral Procedure) (District Councils) Regulation (Cap. 541 sub. leg. F) (**Cap. 541F**)*

12. Division 6 of Part 3 amends Cap. 541F to introduce measures similar to those mentioned in paragraph 11(b) to facilitate the conduct of District Council elections.

*Division 7—Electoral Affairs Commission (Nominations Advisory Committees (Election Committee)) Regulation (Cap. 541 sub. leg. H) (**Cap. 541H**)*

13. Division 7 of Part 3 amends Cap. 541H to—

(a) in view of the revised constitution and method of forming the Election Committee (see paragraph 41(c)), revise the provisions that relate to the nomination for the religious subsector to cover nomination by designated bodies for other subsectors; and

(b) in view of the revised procedures for determining the validity of the nomination of a person as a nominee or candidate at a subsector election (see paragraph 41(d)(ii) and (iii)), revise the provisions that incidentally refer to the role of the Returning Officer in such procedures.

*Division 8—Electoral Affairs Commission (Electoral Procedure) (Election Committee) Regulation (Cap. 541 sub. leg. I) (**Cap. 541I**)*

14. Division 8 of Part 3 amends Cap. 541I to—

(a) in view of the revised constitution and method of forming the Election Committee (see paragraph 41(c))—

(i) provide for the procedures for registration as ex-officio members of the Election Committee; and

(ii) revise the provisions that relate to the nomination for the religious subsector to cover nomination by designated bodies for other subsectors;

(b) in view of the revised procedures for determining the validity of the nomination of a person as a nominee or candidate at a subsector election (see paragraph 41(d)(ii) and (iii)), revise the provisions that incidentally refer to the role of the Returning Officer in such procedures; and

(c) introduce measures similar to those mentioned in paragraph 11(b) to facilitate the conduct of subsector elections.

*Division 9—Electoral Procedure (Chief Executive Election) Regulation (Cap. 541 sub. leg. J) (**Cap. 541J**)*

15. Division 9 of Part 3 amends Cap. 541J to—

(a) in view of the revised procedures for determining the validity of the nomination of a person as a candidate at a Chief Executive election (see paragraph 41(d)(iv)), revise the provisions that incidentally refer to the role of the Returning Officer in such procedures; and

(b) implement the use of electronic copy of the final register.

*Division 10—Particulars Relating to Candidates on Ballot Papers (Legislative Council and District Councils) Regulation (Cap. 541 sub. leg. M) (**Cap. 541M**)*

16. Division 10 of Part 3 amends Cap. 541M to, in view of the revised constitution of the LegCo (see paragraph 19(a))—

(a) revise the provisions that relate to requests by candidates for geographical constituencies and functional constituencies to print particulars relating to them on ballot papers; and

(b) provide that Cap. 541M does not apply in relation to the Election Committee constituency.

*Division 11—Electoral Affairs Commission (Financial Assistance for Legislative Council Elections and District Council Elections) (Application and Payment Procedure) Regulation (Cap. 541 sub. leg. N) (**Cap. 541N**)*

17. Division 11 of Part 3 amends Cap. 541N to—

(a) in view of the revised constitution of the LegCo (see paragraph 19(a)), revise the provisions that relate to the application and payment of financial assistance to candidates at LegCo elections, including to cover a candidate for the Election Committee constituency; and

(b) make consequential amendments in view of the removal of the requirements mentioned in paragraphs 19(f) and 34.

Part 4—Amendments to Legislative Council Ordinance and its Subsidiary Legislation

18. Part 4 is divided into 5 Divisions.

*Division 1—Legislative Council Ordinance (Cap. 542) (**Cap. 542**)*

19. Division 1 of Part 4 amends Cap. 542 to—

(a) revise the constitution of the LegCo starting from the 7th term of LegCo, including to establish the Election Committee constituency as a third type of constituency in addition to the existing 2 types (i.e. geographical constituencies and functional constituencies);

(b) revise the electorates and eligibilities for registration as an elector for some existing functional constituencies, and provide for these matters for the Election Committee constituency, starting from the 7th term of LegCo;

(c) revise the procedures for determining the validity of the nomination of a person as a candidate for any constituency at a LegCo election, which will apply to the Election Committee constituency as well, and provide for the eligibility for being nominated as a candidate for the Election Committee constituency, starting from the 7th term of LegCo;

(d) revise the system of voting for the geographical constituencies and some functional constituencies, and provide for the system of voting for the Election Committee constituency, starting from the 7th term of LegCo;

(e) provide for the boundaries of the geographical constituencies for the 7th term of LegCo; and

(f) make miscellaneous amendments, including to remove the requirement to withhold the financial assistance payable to a candidate at a LegCo election until all election petitions in relation to the election are disposed of.

20. For paragraph 19(a), in terms of the overall constitution of the LegCo—

(a) the number of members of the LegCo is increased from 70 to 90; and

(b) the LegCo is to be constituted by the following 3 types of constituencies—

(i) geographical constituencies;

(ii) functional constituencies; and

(iii) the Election Committee constituency.

21. As regards the geographical constituencies—

(a) the number of members to be returned is decreased from 35 to 20;

(b) the number of geographical constituencies is increased from 5 to 10; and

(c) each geographical constituency is to return 2 members.

22. As regards the functional constituencies—

(a) the number of members to be returned is decreased from 35 to 30;

(b) the following changes are made in relation to particular functional constituencies—

(i) the medical functional constituency and the health services functional constituency are merged as the medical and health services functional constituency;

(ii) the information technology functional constituency is replaced by a new functional consistency named the technology and innovation functional constituency;

(iii) the following functional constituencies are abolished—

(A) the District Council (first) functional constituency; and

(B) the District Council (second) functional constituency; and

(iv) the following new functional constituencies are added—

(A) the commercial (third) functional constituency; and

(B) the Hong Kong Special Administrative Region deputies to the National People's Congress, Hong Kong Special Administrative Region members of the National Committee of the Chinese People's Political Consultative Conference and representatives of relevant national organisations functional constituency; and

(c) each functional constituency (except the labour constituency) is to return 1 member, while the labour constituency is to return 3 members.

23. As regards the Election Committee constituency—

(a) the number of members to be returned is 40; and

(b) the constituency is to be composed of all members of the Election Committee.

24. For paragraph 19(b), in so far as the electorates of functional constituencies are concerned—

(a) the electorate of the medical and health services functional constituency is identical to that of the existing 2 functional constituencies from which it is merged, except that Chinese medicine practitioners are also included;

(b) the electorates of the following functional constituencies are revised so that they are to be composed of corporate electors only—

(i) the real estate and construction functional constituency;

(ii) the commercial (second) functional constituency;

(iii) the industrial (first) functional constituency;

(iv) the sports, performing arts, culture and publication functional constituency;

(v) the import and export functional constituency;

(vi) the textiles and garment functional constituency;

(vii) the wholesale and retail functional constituency; and

(viii) the catering functional constituency;

(c) the electorates of the following functional constituencies are revised—

(i) the agriculture and fisheries functional constituency;

(ii) the transport functional constituency;

(iii) the tourism functional constituency;

(iv) the sports, performing arts, culture and publication functional constituency;

(v) the import and export functional constituency;

(vi) the textiles and garment functional constituency;

(vii) the wholesale and retail functional constituency; and

(viii) the catering functional constituency; and

(d) the electorates of the 3 new functional constituencies are also provided.

25. Moreover, for those functional constituencies with corporate electors—

(a) the existing requirement for a body to have been operating for the 12 months before its application for registration as an elector is extended to 3 years; and

(b) an existing corporate elector registered in the 2020 final register for functional constituencies is required to have met the 3-year operating requirement by 14 June 2021 in order for it to remain registered.

26. The following priorities will apply to the registration of electors for functional constituencies—

(a) for a natural person—

(i) registration as an elector for the Heung Yee Kuk functional constituency is to prevail over registration as an elector for other functional constituencies; and

(ii) registration as an elector for the Hong Kong Special Administrative Region deputies to the National People's Congress, Hong Kong Special Administrative Region members of the National Committee of the Chinese People's Political Consultative Conference and representatives of relevant national organisations functional constituency is to prevail over registration as an elector for other functional constituencies except the Heung Yee Kuk functional constituency; and

(b) for a body—registration as an elector in any of the following 6 functional constituencies is to prevail over registration in other functional constituencies—

(i) the agriculture and fisheries functional constituency;

(ii) the insurance functional constituency;

(iii) the transport functional constituency;

(iv) the finance functional constituency;

(v) the technology and innovation functional constituency;

(vi) the sports, performing arts, culture and publication functional constituency.

27. For paragraph 19(c)—

(a) a Candidate Eligibility Review Committee is established for the purposes of Annex II to the Basic Law and Cap. 542 to determine the validity of the nomination of a person as a candidate for any constituency at a LegCo election; and

(b) the eligibility for being nominated as a candidate for the Election Committee constituency is the same as that for a geographical constituency.

28. For paragraph 19(d), all constituencies (including the Election Committee constituency) are to adopt the simple or relative majority system of election (otherwise known as the "first past the post" voting system). In other words, the following current voting systems are replaced—

(a) the list system of proportional representation for geographical constituencies; and

(b) the preferential elimination system of voting for the following functional constituencies—

(i) the Heung Yee Kuk functional constituency;

(ii) the agriculture and fisheries functional constituency;

(iii) the insurance functional constituency; and

(iv) the transport functional constituency.

*Division 2—Registration of Electors (Appeals) Regulation (Cap. 542 sub. leg. B) (**Cap. 542B**)*

29. Division 2 of Part 4 amends Cap. 542B to—

(a) simplify the annual cycles for claims, objections and appeals relating to registration of electors at LegCo elections by specifying 1 set of deadlines for the relevant procedures regardless of whether a District Council ordinary election is to be held in the year concerned; and

(b) as part of the special arrangements relating to registration of GC electors and FC electors in the 2021 registration cycles (see paragraphs 6(b) and 8(b)(i)), provide that any claim and objection made during the 2021 registration cycles are to be determined based on written submissions only.

*Division 3—Legislative Council (Subscribers and Election Deposit for Nomination) Regulation (Cap. 542 sub. leg. C) (**Cap. 542C**)*

30. Division 3 of Part 4 amends Cap. 542C to—

(a) in view of the revised constitution of the LegCo (see paragraph 19(a)), revise the provisions that relate to the deposits required to be lodged by a person nominated as a candidate at a LegCo election, including to cover the Election Committee constituency; and

(b) revise the provisions that relate to the number and qualifications of subscribers required for being nominated as a candidate at a LegCo election, including to cover the Election Committee constituency.

31. For paragraph 30(b)—

(a) the nomination of a person as a candidate for any constituency must be subscribed by members of the Election Committee representing all of the 5 sectors; and

(b) the subscriptions by members of the Election Committee are, in the case of a candidate for a geographical constituency or functional constituency, required in addition to the currently required subscriptions by electors of the constituency concerned.

*Division 4—Legislative Council (Election Petition) Rules (Cap. 542 sub. leg. F) (**Cap. 542F**)*

32. Division 4 of Part 4 amends Cap. 542F to make minor textual amendments in view of the revised constitution of the LegCo (see paragraph 19(a)) and the revised procedures for determining the validity of the nomination of a person as a candidate at a LegCo election (see paragraph 19(c)).

*Division 5—Declaration of Geographical Constituencies (Legislative Council) Order 2019 (Cap. 542 sub. leg. M) (**Cap. 542M**)*

33. Division 5 of Part 4 repeals Cap. 542M in view of the revised geographical constituencies for the 7th term of LegCo (see paragraph 19(e)).

Part 5—Amendment to District Councils Ordinance (Cap. 547) (*Cap. 547*)

34. Part 5 amends Cap. 547 to remove the requirement to withhold the financial assistance payable to a candidate at a District Council election until all election petitions in relation to the election are disposed of.

Part 6—Amendments to Elections (Corrupt and Illegal Conduct) Ordinance and its Subsidiary Legislation

35. Part 6 is divided into 4 Divisions.

*Division 1—Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554) (**Cap. 554**)*

36. Division 1 of Part 6 amends Cap. 554 to—

(a) make minor textual amendments in view of the revised constitution of the LegCo (see paragraph 19(a)); and

(b) introduce offences for the following conduct—

(i) wilfully obstructing or preventing another person from voting at an election; or

(ii) inciting by any public activity another person not to vote, or to cast an invalid vote, at an election.

*Division 2—Maximum Amount of Election Expenses (Chief Executive Election) Regulation (Cap. 554 sub. leg. A) (**Cap. 554A**)*

37. Division 2 of Part 6 amends Cap. 554A to increase the maximum amount of election expenses that can be incurred by or on behalf of a candidate at a Chief Executive election.

*Division 3—Maximum Amount of Election Expenses (Legislative Council Election) Regulation (Cap. 554 sub. leg. D) (**Cap. 554D**)*

38. Division 3 of Part 6 amends Cap. 554D to revise the provisions that relate to the maximum amounts of election expenses for the constituencies of the LegCo, including to cover the Election Committee constituency.

*Division 4—Maximum Scale of Election Expenses (Election Committee) Order (Cap. 554 sub. leg. I) (**Cap. 554I**)*

39. Division 4 of Part 6 amends Cap. 554I to revise the maximum scale of election expenses that may be incurred by or on behalf of a candidate at a subsector election in view of the revised constitution of the Election Committee (see paragraph 41(c)).

Part 7—Amendments to Chief Executive Election Ordinance and its Subsidiary Legislation

40. Part 7 is divided into 6 Divisions.

*Division 1—Chief Executive Election Ordinance (Cap. 569) (**Cap. 569**)*

41. Division 1 of Part 7 amends Cap. 569 to—

(a) provide for the establishment of a Candidate Eligibility Review Committee;

(b) revise the method of selecting the Chief Executive;

(c) revise the constitution and method of forming the Election Committee, including—

(i) to provide that the holder of specified offices may register as ex-officio members of the Election Committee;

(ii) to provide that designated bodies may nominate members of the Election Committee; and

(iii) to specify the entities entitled to vote at a subsector election;

(d) revise the procedures for determining the validity of—

(i) the registration of a person as an ex-officio member of the Election Committee;

(ii) the nomination of a person as a nominee;

(iii) the nomination of a person as a candidate at a subsector election; and

(iv) the nomination of a person as a candidate at a Chief Executive election;

(e) introduce the requirement for persons applying to be registered as ex-officio members of the Election Committee, nominated as nominees or nominated as candidates at a subsector election to sign a statutory declaration to the effect that the person upholds the Basic Law and pledges allegiance to the Hong Kong Special Administrative Region of the People's Republic of China;

(f) introduce the requirement for a member-elect to sign a written oath before the member-elect may be registered as a member of the Election Committee; and

(g) provide that proceedings may be brought by the Secretary for Justice against a person on the ground of disqualification from being a member of the Election Committee and provide for suspension of functions of such a member.

42. For paragraph 41(b)—

(a) the number of members of the Election Committee required for nomination of a candidate at a Chief Executive election is increased from 150 to 188, which needs to include at least 15 members in each of the 5 sectors of the Election Committee; and

(b) the number of votes required for a candidate to be returned at a Chief Executive election is increased from 600 to 750.

43. For paragraph 41(c)—

(a) the number of members of the Election Committee is increased from 1 200 to 1 500;

(b) the number of sectors of the Election Committee is increased from 4 to 5;

(c) for the first sector—

(i) the Hong Kong Chinese Enterprises Association subsector is renamed as the commercial (third) subsector;

(ii) the small and medium enterprises subsector is added; and

(iii) the number of members to be elected by the other subsectors is adjusted accordingly;

(d) for the second sector—

(i) the medical subsector and the health services subsector are merged as the medical and health services subsector;

(ii) the education subsector and the higher education subsector are merged as the education subsector;

(iii) the information technology subsector is replaced by the technology and innovation subsector;

(iv) the social welfare subsector and the sports, performing arts, culture and publication subsector are moved from the third sector to the second sector; and

(v) certain members of the subsectors under the second sector are to be ex-officio members or to be nominated instead of being elected;

(e) for the third sector—the associations of Chinese fellow townsmen subsector and the grassroots associations subsector are added;

(f) for the fourth sector—

(i) the National People's Congress subsector and the Chinese People's Political Consultative Conference subsector are moved to the fifth sector;

(ii) the Hong Kong and Kowloon District Councils subsector is replaced by the representatives of members of Area Committees, District Fight Crime Committees, and District Fire Safety Committees of Hong Kong and Kowloon subsector;

(iii) the New Territories District Councils subsector is replaced by the representatives of members of Area Committees, District Fight Crime Committees, and District Fire Safety Committees of the New Territories subsector;

(iv) the representatives of associations of Hong Kong residents in the Mainland subsector is added; and

(v) the number of members for each subsector is adjusted accordingly; and

(g) for the fifth sector—

(i) the National People's Congress subsector and the Chinese People's Political Consultative Conference subsector, originally under the fourth sector, are merged as the Hong Kong Special Administrative Region deputies to the National People's Congress and Hong Kong Special Administrative Region members of the National Committee of the Chinese People's Political Consultative Conference subsector; and

(ii) the representatives of Hong Kong members of relevant national organisations subsector is added.

44. Moreover, for corporate voters—

(a) the existing requirement for a body to have been operating for the 12 months before its application for registration as a voter is extended to 3 years; and

(b) an existing corporate voter registered in the 2020 final subsector register is required to have met the 3-year operating requirement by 14 June 2021 in order for it to remain registered.

*Division 2—Election Committee (Appeals) Regulation (Cap. 569 sub. leg. A) (**Cap. 569A**)*

45. Division 2 of Part 7 amends Cap. 569A to—

(a) provide for an appeal mechanism for ex-officio members of the Election Committee; and

(b) in view of the revised procedures for determining the validity of the nomination of a person as a nominee or candidate at a subsector election (see paragraph 41(d)(ii) and (iii)), revise the provisions that incidentally refer to the role of the Returning Officer in such procedures.

*Division 3—Election Committee (Registration) (Voters for Subsectors) (Members of Election Committee) (Appeals) Regulation (Cap. 569 sub. leg. B) (**Cap. 569B**)*

46. Division 3 of Part 7 amends Cap. 569B to—

(a) simplify the annual cycles for claims, objections and appeals relating to registration of voters at subsector elections by specifying 1 set of deadlines for the relevant procedures regardless of whether a District Council ordinary election is to be held in the year concerned; and

(b) as part of the special arrangements relating to registration of subsector voters in the 2021 registration cycle (see paragraph 8(b)(ii)), provide that any claim and objection made during the 2021 registration cycle are to be determined based on written submissions only.

*Division 4—Election Committee (Subscribers and Election Deposit for Nomination) Regulation (Cap. 569 sub. leg. C) (**Cap. 569C**)*

47. Division 4 of Part 7 amends Cap. 569C to, in view of the revised procedures for determining the validity of the nomination of a person as a candidate at a subsector election (see paragraph 41(d)(iii)), revise the provisions that incidentally refer to the role of the Returning Officer in such procedures.

*Division 5—Distribution of Number of Members Among Designated Bodies (Election Committee) Order 2001 (Cap. 569 sub. leg. D) (**Cap. 569D**)*

48. Division 5 of Part 7 repeals Cap. 569D as the relevant numbers are specified in the Schedule to Cap. 569 instead.

*Division 6—Chief Executive Election (Election Petition) Rules (Cap. 569 sub. leg. E) (**Cap. 569E**)*

49. Division 6 of Part 7 amends Cap. 569E to, in view of the revised procedures for determining the validity of the nomination of a candidate at a Chief Executive election (see paragraph 41(d)(iv)), revise the form that incidentally refers to the role of the Returning Officer in such procedures.

Part 8—Consequential Amendments

50. Part 8 consequentially amends the High Court Ordinance (Cap. 4), the Hong Kong Court of Final Appeal Ordinance (Cap. 484), the Electronic Transactions (Exclusion) Order (Cap. 553 sub. leg. B) and the Travel Industry Ordinance (Cap. 634) in view of the amendments made to Cap. 542 and Cap. 569.