

Information (1st edition)
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SUGGESTED AMENDMENT TO LAW

Electors (Concept and (Legal Practice) Ordinance (Cap 554)

Redefine "candidate" in s.2

- "candidate" means a person who
 - (a) meets the qualification to stand nominated for an election;
 - (b) gathers the minimal number of subscribers required for an election; and
 - (c) formally furnishes a valid registration with the Electoral Affairs Commission.

Legislative Council Ordinance (Cap 941)

- Redefine "candidate" in s.2
 - "candidate" has the same meaning under the Electors (Concept and (Legal Practice) Ordinance (Cap 554));
- In s.17(1)(d), replace "is the President";
- Replace s.22 by "22. (fine spent)";
- Replace s.23 by "23. (fine spent)";
- Amend sections, if any, to the effect that "election committee" or "member of the election committee" will be struck out.
- Add s.35(3) : -
 - "(3) The vacancy which falls on a geographical constituency shall be filled by the candidate who represents the next highest percentage of total valid votes on the intimate election, provided that the percentage exceeds 3%;"
- In s.37(1)(a) and 37(2)(a), replace "21" by "18";
- Repeal s.39(1)(b);
- In s.39(1)(c), after "breach" add, section to treason or any act that physically endangers the security of the state;";
- In s.39(1)(e), repeal "without leaving paragraph (b)" and repeal subparagraph (i);
- In s.40(1), repeal "a" by the election committee";
- Repeal s.40(1)(b)(iii), and
- Add s.40(4) : -
 - "(4) A candidate shall if the nomination form declares: -
 - (a) that he shall uphold the basic law of Hong Kong;
 - (b) that he pledges allegiance to the interests of Hong Kong;
 - (c) if there is any of his landed interest in Hong Kong or elsewhere;
 - (d) his political conviction plus his option of political connection at the election;
 - (e) his personal health condition; and
 - (f) any other matter that the Electoral Affairs Commission requires.

District Council Ordinance (Cap 587)

- Redefine the candidate in s.2
 - "candidate" has the same meaning under the Electors (Concept and (Legal Practice) Ordinance (Cap 554));
- In s.20(1)(a), replace "21" by "18";
- Replace s.20(1)(e) by "has Hong Kong as his place of domicile";
- Amend provisions to the effect that the District Council be composed of elected members only;
- Add provisions to the effect that the chairpersons and vice-chairpersons be holding not at the same time any offices of any consultative bodies whose members are nominated by the Government; and
- Add provisions to the effect that: -
 - (1) no one will obstruct, without lawful authority, any member of the District Council from going out his office.
 - (2) A member of the District Council is free from arrest when he is attending a meeting of the District Council, its committee or any official meeting he is entitled to attend, provided that the arrest is made on grounds of preservation of life and property.
 - (3) A member of the District Council is immune from prosecution or penalty for the sake of his expressions in a meeting of the District Council or its committee while the meeting is transacting business.

[Signature]

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