



Guidance Notes

**Application for Registration as
an Elector in a Functional Constituency and
as a Voter in an Election Committee Subsector**

Legal

Registration and Electoral Office

CONTENTS

	<u>Page Number</u>
I. Introduction	1
II. Who is Eligible to Apply for Registration in the Legal Functional Constituency and its Corresponding Election Committee Subsector	2
III. Who is Disqualified from being Registered	5
IV. How to Submit an Application	5
V. Further Enquiries	6
VI. Personal Information Collection Statement	6
VII. Language Preference for Election-related Communications	7
Appendix A List of Functional Constituencies and their corresponding Election Committee Subsectors	8
Appendix B Eligibility for registration in the Legal Functional Constituency and its corresponding subsector of the Election Committee	9

The Guidance Notes and application forms are obtainable from the following sources -

- (a) Registration and Electoral Office:
- (i) 10th Floor, Harbour Centre
25 Harbour Road
Wan Chai
Hong Kong
 - (ii) 10th Floor, Guardian House
32 Oi Kwan Road
Wan Chai
Hong Kong
- (b) Registration and Electoral Office Website: www.reo.gov.hk
- (c) Registration and Electoral Office Enquiry Hotline: 2891 1001

I. Introduction

If you are eligible, you may apply to be registered as -

an elector in this Functional Constituency (“FC”) and a voter in the corresponding subsector of the Election Committee (“EC”), i.e. a subsector having the same name as the FC, at the same time,

OR

an elector in this FC and a voter in **ONE** of the following optional subsectors, instead of the subsector corresponding to this FC -

- (1) Chinese Medicine;
- (2) Chinese People’s Political Consultative Conference;
- (3) Hong Kong Chinese Enterprises Association,

OR

an elector in **ONE** of the FCs listed in **Appendix A**, and a voter in either its corresponding EC subsector or **ONE** of the above optional subsectors.

An eligible person is entitled to be registered in only **ONE** FC and/or only **ONE** EC subsector. If you are an elector/a voter already registered in an FC/EC subsector and submit an application for registration in a different FC/EC subsector, your new application (if accepted) will replace the registration of the existing FC/EC subsector in the next Final Register.

If you are registered as an elector in an FC and as a voter in an EC subsector, you will be entitled to vote in a general election or by-election, in respect of the Legislative Council (“LegCo”) and the EC subsector -

- (1) to elect a Member of the LegCo in respect of your FC; and
- (2) to elect your representatives in respect of your EC subsector as members of the EC. Under the Basic Law, the EC is responsible for returning the Chief Executive.

II. Who is Eligible to Apply for Registration in the Legal Functional Constituency (“FC”) and its Corresponding Election Committee (“EC”) Subsector

- (1) You are eligible to be registered as an individual elector for this FC and as an individual voter for its corresponding EC subsector if you meet the following requirements -
 - (A) you possess the qualifications required for registration in this FC and its corresponding EC subsector (for details, please refer to **Appendix B**); and
 - (B) you are registered as an elector in a Geographical Constituency (“GC”) or are eligible and have applied to be so registered.
 - (a) Generally, you are eligible to be registered as an elector in a GC if -
 - (i) you are a permanent resident of the Hong Kong Special Administrative Region as defined by the Hong Kong Special Administrative Region Passports Ordinance (Cap. 539);
 - (ii) you ordinarily reside in Hong Kong;
 - (iii) you have reached 18 years of age or will reach 18 years of age on or before 25 September (for District Council Election year) OR 25 July (for Non-District Council Election year) next following your application for registration;
 - (iv) you hold an identity document, e.g. a Hong Kong permanent identity card; and
 - (v) you are not subject to any disqualification from registration.

For enquiries on permanent resident status, please call the Immigration Department hotline : 2824 6111.

- (b) (i) You will be registered in a LegCo GC and the District Council constituency to which you belong according to your residential address which should be your only or principal residence in Hong Kong, i.e. a dwelling place in Hong Kong at which you reside and which constitutes your sole or main home. The residential address will be provided to the candidates of the constituencies/subsector concerned for the purpose of sending election advertisements in future elections.
- (ii) Please notify the Electoral Registration Officer in writing of any subsequent change of residential address as this might entail a consequential change of the constituencies in which you are registered. **If you do not notify the Electoral Registration Officer of your new residential address, you may cease to be registered in GC, FC and/or EC subsector.**
- (iii) Please provide a postal address only if there is no postal service available for your residential address, or if you are an imprisoned person (please see Note (C) (b) below in respect of the latter situation). Please do not fill in this part if you do not meet either of the above two criteria.
- (C) If you are an imprisoned person, please note the following -
- (a) Registered address : Please complete the relevant section of the application form to state the scenario applicable to you. Address of penal institution will **not** be accepted as a residential address for registration as elector. When you fill in that section of the form -
- if the second scenario is applicable, please enclose the relevant proofs requested; or

- if the third scenario is applicable, and if you need to obtain the address furnished and last recorded under the Registration of Persons Regulations, please approach the Immigration Department. The request for information should be addressed to: Executive Officer (Registration of Persons) Support, 12/F, Immigration Tower, 7 Gloucester Road, Wan Chai, Hong Kong. [If you need any assistance, you may contact the Electoral Registration Officer.]

 - (b) Postal address : An imprisoned person may choose to provide the address of the penal institution where you are imprisoned or other address in the application form as your postal address. The postal address will be provided to candidates for the purpose of sending election-related materials to the electors concerned. If you choose to use the address of a penal institution as your postal address, you are advised to provide the prisoner number for easy transmission of the election-related materials within/among the penal institutions.

 - (c) Action required for an imprisoned person upon his release in future : If you use your last dwelling-place in Hong Kong at which you resided or the address last recorded under the Registration of Persons Regulations as the registered address, you have to report your new residential address to the Electoral Registration Officer as soon as possible after you have served the sentence of imprisonment and left the penal institution. Otherwise, the Electoral Registration Officer will put your name into the omissions list according to the procedures prescribed in the relevant legislation. **If you do not update your record by providing your new principal residential address before the statutory deadline, your name will be removed from the Final Register.**
- (2) If you are eligible to be registered in the **Heung Yee Kuk FC** and any other FC at the same time, you may only be registered in the **Heung Yee Kuk FC** and not in any other FC.

III. Who is Disqualified from being Registered

A person is disqualified from being registered as an individual elector or voter, or as an AR, if he -

- (1) is found under the Mental Health Ordinance (Cap. 136) to be incapable, by reason of mental incapacity, of managing and administering his property and affairs; or
- (2) is a member of any armed forces.

IV. How to Submit an Application

Please use Form REO-41 (“Application by an individual for registration in a functional constituency and an EC subsector”) to apply for registration in this FC and an EC subsector.

If you are holding a valid personal digital certificate, you may also apply for registration on-line through the “GovHK” website: www.gov.hk

Please return the completed form, which must be signed by you, to the Electoral Registration Officer as soon as possible.

The Final Register of electors will be published in September in a year in which District Council Election is to be held (i.e. District Council Election year), while for a year which is not a District Council Election year, the Final Register of electors will be published in July. In this regard, the deadlines for application for registration are as follows:

District Council Election year: 16 July

Non District Council Election year: 16 May

The above deadlines refer to the dates on which an application reaches the Registration and Electoral Office. Applications which reach this office later than the above dates will be considered for the purpose of compiling the register of electors for the following year.

If you have not received any reply from the Registration and Electoral Office 14 days after submission of your application form, you may call the Enquiry Hotline 2891 1001 to check the progress of your application.

V. Further Enquiries

For enquiries on voter registration, please call 2891 1001 or write to the address below by post, or fax to 2891 1180, or access to the website: www.reo.gov.hk.

Registration and Electoral Office
10th Floor, Guardian House
32 Oi Kwan Road
Wan Chai
Hong Kong

VI. Personal Information Collection Statement

Purpose of Collection

The personal data and other related information provided by you by means of the application form will be used by this office for voter registration and election-related purposes. The provision of personal data and other related information by means of the application form is voluntary. However, if you do not provide adequate and accurate data, we may not be able to process your application for registration. **If the Electoral Registration Officer has accepted your application for registration, your particulars, i.e. the personal data and other related information provided by means of the application form will be included in the electoral registers and made available for public inspection.**

Any person who uses the personal data provided in this form without the express prior consent of the data subject for any purposes other than the purposes stated above may contravene the Personal Data (Privacy) Ordinance (Cap. 486).

Transfer of Information

Where necessary, the information provided by you may also be provided to other authorized departments/organizations/persons for the purposes of voter registration and election under relevant Ordinances and/or subsidiary legislations, and all purposes related thereto.

Access to Personal Data and Enquiry

You have a right to request access to, and to request the correction of, the personal data and other related information you supplied in accordance with the provisions of the Personal Data (Privacy) Ordinance (Cap. 486). Such requests and enquiries should be made in writing to the Electoral Registration Officer at 10th Floor, Harbour Centre, 25 Harbour Road, Wan Chai, Hong Kong.

VII. Language Preference for Election-related Communications

Normally, election-related communications issued to electors by the Registration and Electoral Office are in both Chinese and English. Your language preference would facilitate candidates' communications with you at elections in the language of your choice. If you do not complete this section, it will be assumed that your preferred language is Chinese.

Note: This booklet is for general guidance only. For more details, applicants may refer to the Legislative Council Ordinance (Cap. 542), the Chief Executive Election Ordinance (Cap. 569), the Electoral Affairs Commission Ordinance (Cap. 541) and subsidiary legislations made thereunder. The legislations can be found on the website: www.legislation.gov.hk and are on sale at the Government Bookstore (www.bookstore.gov.hk) or Publications Sales Unit of Information Services Department.

Appendix A

List of Functional Constituencies and their corresponding Election Committee Subsectors

- (1) Accountancy
- (2) Architectural, Surveying and Planning
- (3) Catering
- (4) Commercial (Second)
- (5) District Council¹
- (6) Education²
- (7) Engineering
- (8) Health Services
- (9) Heung Yee Kuk
- (10) Import and Export
- (11) Industrial (First)
- (12) Information Technology
- (13) Legal
- (14) Medical
- (15) Real Estate and Construction
- (16) Social Welfare
- (17) Sports, Performing Arts, Culture and Publication
- (18) Textiles and Garment
- (19) Wholesale and Retail

-
1. For the District Council FC, its corresponding subsector is either the Hong Kong and Kowloon District Councils subsector or the New Territories District Councils subsector.
 2. For the Education FC, its corresponding subsector is either the Education subsector or the Higher Education subsector.

**Registration in the
Legal
Functional Constituency (“FC”) and
Election Committee (“EC”) Subsector**

1. Who is eligible to be registered

You are eligible to be registered if you are one of the following categories of persons -

- (a) members of The Law Society of Hong Kong entitled to vote at general meetings of the Society;
- (b) members of the Hong Kong Bar Association entitled to vote at general meetings of the Association;
- (c) legal officers within the meaning of the Legal Officers Ordinance (Cap. 87);
- (d) persons appointed under section 3 of the Legal Aid Ordinance (Cap. 91);
- (e) persons deemed to be legal officers for the purpose of the Legal Officers Ordinance (Cap. 87) by section 75(3) of the Bankruptcy Ordinance (Cap. 6) or section 3(3) of the Director of Intellectual Property (Establishment) Ordinance (Cap. 412);
- (f) the Legal Adviser of the Legislative Council Secretariat and his or her assistants who are in the full-time employment of The Legislative Council Commission and are barristers or solicitors as defined in the Legal Practitioners Ordinance (Cap. 159).

2. Points to note

- (a) You do not need to apply to be registered in the Legal FC/subsector again if you have already been so registered in the existing Final Registers. If you wish to confirm whether you are a registered elector/voter, you may call the Enquiry Hotline of Registration and Electoral Office at 2891 1001 for checking.
- (b) If you are also eligible to be registered in one of the following optional subsectors -
 - (1) Chinese Medicine;
 - (2) Chinese People’s Political Consultative Conference;
 - (3) Hong Kong Chinese Enterprises Association,

you may apply to be registered in one of these subsectors by providing the name of the optional subsector on the application form. In this case, you will be registered in the Legal FC and the subsector of your choice.

3. What application form should be used

Please use Form REO-41 (Blue) (“Application by an individual for registration in a functional constituency and an Election Committee subsector”) to apply for registration in this FC and an EC subsector.