

Candidate Eligibility Review Committee announces 57 registrations of ex-officio members of Election Committee valid

The Candidate Eligibility Review Committee (CERC) published a notice in the Gazette today (January 26) to declare the names of 57 Election Committee (EC) ex-officio members who were determined to be validly registered.

Registrations of ex-officio members arising from change of term of the Legislative Council (LegCo)

The current term EC has 337 ex-officio members. All of the 90 LegCo members may register as ex-officio members in the Members of the LegCo subsector. According to the law, the Sixth LegCo members who are re-elected would not need to register again if they are already registered EC ex-officio members. After the 2021 LegCo General Election was successfully held on December 19, 2021, the Registration and Electoral Office (REO) had immediately issued letters to invite all newly elected LegCo members to submit their registrations, and a total of 51 registration forms were received. After review, the CERC determined the registrations as ex-officio members of these 51 LegCo members as valid.

In addition, two retired members of the Sixth LegCo are Hong Kong Special Administrative Region (HKSAR) members of the National Committee of the Chinese People's Political Consultative Conference (CPPCC). In their capacities as HKSAR members of the National Committee of the CPPCC, they had submitted registrations as ex-officio members in the HKSAR deputies to the National People's Congress (NPC) and HKSAR members of the CPPCC National Committee subsector. After review, the CERC determined these two registrations as ex-officio members as valid.

Registrations of ex-officio members arising from changes of holders of specified offices

In accordance with section 5J of the Schedule to the Chief Executive Election Ordinance (Cap. 569) (the Ordinance), a person holding a specified office under Part 2A of the Schedule may register as an ex-officio member of the EC. If the person holds more than one specified office(s), he/she can register as EC ex-officio member in only one of his/her capacities, while for his/her other specified office(s) held, he/she may designate another person who is holding an office in the relevant body to register as an ex-officio member.

The REO had received four registrations of ex-officio members arising from changes of holders of specified offices. After review, the CERC

determined these four registrations as ex-officio members as valid. The subsectors and specified offices involved are listed below:

Subsector	Specified office
Legal	The Hong Kong members of the Committee for the Basic Law of the HKSAR under the Standing Committee of the NPC
Social welfare	The Chairman of the Board of Directors of the Hong Kong Island Social Services Charitable Foundation Limited
Architectural, surveying, planning and landscape	The President of the Hong Kong Institute of Surveyors
Education	The Vice-Chancellor of The University of Hong Kong

The relevant gazette notice has been published today, and uploaded to the voter registration website (<https://www.voterregistration.gov.hk/eng/home.html>). The REO has also informed all of the validly registered ex-officio members. After they have completed the written oath as required under section 42A of the Schedule to the Ordinance, the Electoral Registration Officer would include their names in the EC Final Register. The EC will have a total of 1 463 members by then.

Pursuant to Annex I of the Basic Law, the CERC is responsible for reviewing and confirming the eligibility of candidates for EC membership (including ex-officio members); and determining whether a candidate complies with the legal requirements and conditions for upholding the Basic Law of the HKSAR and bearing allegiance to the HKSAR of the People's Republic of China. The CERC is chaired by the Chief Secretary for Administration, Mr John Lee Ka-chiu, with three official members (the Secretary for Constitutional and Mainland Affairs, Mr Erick Tsang Kwok-wai; the Secretary for Home Affairs, Mr Caspar Tsui Ying-wai; and the Secretary for Security, Mr Tang Ping-keung) and three non-official members (Miss Elsie Leung Oi-sie, Mrs Rita Fan Hsu Lai-tai and Professor Lawrence Lau Juen-yee). Section 9A of the Ordinance provides that only a Principal Official appointed pursuant to a nomination under Article 48(5) of the Basic Law is eligible for appointment as the chairperson or an official member of the CERC. The Chief Executive (CE) is also required under the Ordinance to report any CERC appointment made to the Central People's Government (CPG) for the record.

A Government spokesman said, "the Secretary for Home Affairs (SHA), Mr Caspar Tsui Ying-wai, has been on leave since January 7, 2022 as per CE's instruction. Given that Mr Tsui is appointed as official member of the CERC on an ad personam basis and his appointment had been reported to the CPG for record, it is not permissible for acting SHA to stand-in Mr Tsui to attend CERC meeting. To ensure the newly registered members can exercise their nomination rights during the nomination period of the CE Election in

February, the CERC considered that the work of the committee should not be delayed owing to the absence of Mr Tsui, and thus it was decided that the CERC Chairperson and the other five CERC members should proceed with reviewing the 57 registrations received and determined their validity."