

**ELECTORAL AFFAIRS COMMISSION (REGISTRATION OF ELECTORS)
(VILLAGE REPRESENTATIVE ELECTION) REGULATION
(Cap. 541, sub. leg. K)**

**NOTICE OF OBJECTION
(Section 23 of the Regulation)**

(Please read the attached explanatory notes before completing this Notice)

To: Electoral Registration Officer (Note 4)

I hereby give you notice that I object to: -

- the registration of the following person as an elector in the final register for Existing Villages in respect of _____ Village.
- the registration of the following person as an elector in the Indigenous Villages and Composite Indigenous Villages final register in respect of _____ Village.

PARTICULARS OF THE PERSON OBJECTED TO: -

Name	Principal Residential Address

The grounds of my objection are: _____

PARTICULARS OF OBJECTOR (Note 5): -

Name: _____

Identity Document: _____

Identity Document Number: _____

Correspondence Address: _____

Telephone Number (Daytime): _____ Fax Number: _____

Email Address : _____

Date: _____

(Signature of Objector)

Please tick where appropriate

To: Revising Officer

- (1) I *will / will not be represented by a legal practitioner / other person(s).
- (2) I *do / do not wish to appear at the hearing of my objection.
- (3) Since I /my legal practitioner/my authorized person(s) will attend the hearing but cannot speak fluent Cantonese, (please state clearly the speaking dialect or language :_____), an interpreter is required.

(Signature of Objector)

Tel. no. (Daytime): _____

Fax no.: _____

Email Address : _____

Date : _____

* Delete whichever is inappropriate

For Official Use Only

Application No. : _____

Name of the person being objected (PBO) to : _____

Contact Telephone No. of the PBO to : _____

Fax No. : _____

Email Address : _____

Remarks :

Name and Post of the DO Staff : _____

**ELECTORAL AFFAIRS COMMISSION (REGISTRATION OF ELECTORS)
(VILLAGE REPRESENTATIVE ELECTION) REGULATION**

EXPLANATORY NOTES FOR COMPLETING A NOTICE OF OBJECTION

1. The Notice of Objection should be used if you consider that any registered person whose particulars are recorded in the Existing Villages provisional register or Indigenous Villages and Composite Indigenous Villages provisional register is not eligible to be registered:
 - (a) as an elector; or
 - (b) in the division of an Existing Villages register; or
 - (c) in the part or division of an Indigenous Villages and Composite Indigenous Villages register.

2. A separate Notice must be used for each person objected to.

3. You should state the grounds in support of your objection in the Notice. While not attempting to be exhaustive, the following are some examples:
 - (a) in the case of registration as elector for the Indigenous Inhabitant Representative Election of an Indigenous Village or a Composite Indigenous Village, the person objected to is not an indigenous inhabitant or the spouse of an indigenous inhabitant of that village or does not satisfy the requirement for age, and in the case of registration as an elector for the Resident Representative Election of an Existing Village, the person objected to is not a permanent resident of Hong Kong, or does not satisfy the requirements for age or the length of residency;
 - (b) the person objected to is disqualified from registration for:-
 - (i) having been sentenced to death or imprisonment (by whatever name called) in Hong Kong or any other place and having not either served the sentence or received a free pardon;
 - (ii) serving a sentence of imprisonment on the date of application for registration;
 - (iii) having been convicted of having engaged in corrupt or illegal conduct in contravention of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554), or an offence against Part II of the Prevention of Bribery Ordinance (Cap. 201), or any offence prescribed by regulations under the Electoral Affairs Commission Ordinance (Cap. 541), where the election is to be held or is held within 3 years after the date of conviction;
 - (iv) having been 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
 - (v) serving as a member of the armed forces of the People's Republic of China

or any other country or territory.

- (c) the principal residential address of the person objected to as recorded in the register is wrong, or his residential address only entitles him to be registered in another division in the register (This only applies to the Existing Villages register).

4. You must deliver the Notice **in person** during ordinary office hours (Monday to Friday : from 9 a.m. to 1 p.m. and 2 p.m. to 5 p.m.; except Saturday and general holiday) from 10 September 2008 to 23 September 2008 at

- (i) the office of Electoral Registration Officer (ERO) (Home Affairs Department, 30/F Southorn Centre, 130 Hennessy Road, Wanchai, Hong Kong); or
- (ii) the office of Assistant Electoral Registration Officer (AERO) (the District Office of the District in which the Village of the person objected to is located)

Addresses of the New Territories District Offices

- (a) Islands District Office
20/F., Harbour Building, 38 Pier Road, Central, Hong Kong;
- (b) Kwai Tsing District Office
Public Enquiry Service Centre, 2/F., Kwai Hing Government Offices Building, 166 - 174, Hing Fong Road, Kwai Chung, New Territories;
- (c) North District Office
Public Enquiry Service Centre, G/F., North District Government Offices, 3 Pik Fung Road, Fanling, New Territories;
- (d) Sai Kung District Office
2/F., Sai Kung Government Offices Building, 34 Chan Man Street, Sai Kung, New Territories;
- (e) Sha Tin District Office
4/F., Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin, New Territories;
- (f) Tai Po District Office
Public Enquiry Service Centre, G/F., Tai Po Government Offices Building, 1 Ting Kok Road, Tai Po, New Territories;
- (g) Tsuen Wan District Office
Public Enquiry Service Centre, 1/F., Tsuen Wan Multi-storey Carpark Building, 174 - 208 Castle Peak Road, Tsuen Wan, New Territories;
- (h) Tuen Mun District Office
Public Enquiry Service Centre, 2/F., Tuen Mun Government Offices, 1 Tuen Hi Road, Tuen Mun, New Territories; and
- (i) Yuen Long District Office
4/F., Yuen Long District Office Building, 269 Castle Peak Road, Yuen Long, New Territories.

5. You must furnish your own particulars at the places provided in the Notice.

6. The ERO may require you to identify yourself by asking to see your Hong Kong identity card or passport. You should therefore bring your identity card or passport with you when you deliver the Notice.

7. The ERO will forward your objection to the Revising Officer for his determination. The Revising Officer will be a magistrate appointed by the Chief Justice or a Registrar of the High Court.

8. The Revising Officer will, by notice, inform you and the person objected to of the date (which will be **after 10 September of the current year but not later than 30 September of the current year**) in respect of Notices received by the ERO **on or before 23 September of the current year**), time and place for holding a hearing as regards the objection to which your Notice relates. Both you and the person objected to may appear at the hearing either in person or be represented by a legal practitioner or an authorized person. Whether or not you appear or are represented at the hearing, you may make written representations to the Revising Officer, which should reach him not later than one day before the date of the hearing. This arrangement also applies to the person you objected to.

9. If you do not appear or are not represented at the hearing, or if the Revising Officer does not receive any written representations from you not later than one day before the date of the hearing, and the ERO does not make representations to the Revising Officer at the hearing, the decision of the ERO to which your Notice relates shall stand.

10. These notes are for general guidance only. Applicants should also refer to the Village Representative Election Ordinance (Cap.576), the Electoral Affairs Commission Ordinance (Cap. 541), and subsidiary legislation made thereunder. These legislations can be found on the website: www.justice.gov.hk/home.htm and are on sale at the Government Publication Centre.

11. For enquiries, please call our Election Hotline at: (852) 2152 1521.

12. You should note the following personal information collection statement:

(a) Purpose of Collection

The personal data and other related information provided by you by means of this Notice will be used by the Home Affairs Department / ERO for voter registration and election related purposes. The provision of personal data and other related information by means of this Notice is voluntary. However, if you do not provide adequate and accurate data we may not be able to process your Notice.

(b) Classes of Transferees

The particulars submitted by you will be provided to the Revising Officer, and, where necessary, may also be provided to other departments/organizations/persons for the purposes of voter registration and election under relevant Ordinances and/or subsidiary legislation and all purposes related thereto.

(c) Access to Personal Data

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 should be made in writing to the ERO or AERO's office at the address mentioned in paragraph 4 above.

Important Notes

1. If you wish to appear and will be represented by a legal practitioner / an authorized person at the hearing, please inform your representative of the hearing date as shown in the Notice of Hearing and attend accordingly.
2. If you will not be represented but wish to appear at the hearing yourself, please attend the hearing on the date as shown in the Notice of Hearing.
3. If you do not wish to appear but will be represented by a legal practitioner/an authorized person at the hearing, please inform your representative of the hearing date as shown in the Notice of Hearing and attend accordingly.
4. If you will neither be represented nor wish to appear at the hearing, the Revising Officer will proceed to consider the written representations (*the written representation must reach the Revising Officer not later than 1 day before the date fixed for the hearing*) on the appointed date of hearing in your absence. You will be informed of the ruling of the Revising Officer as soon as possible.
5. To facilitate the Revising Officer ruling on the status of indigenous inhabitant, please submit the supporting evidence in relation to the status of indigenous inhabitant, if possible before attending the hearing.
6. To facilitate the Revising Officer to rule on the status of resident, please submit the supporting evidence in relation to the status of resident, if possible before attending the hearing.
7. The appellant or the person in respect of whom the objection is made may apply for a review of the ruling made by the Revising Officer not later than 2 days after the date on which the notification is sent.
8. In general, the hearings will be conducted in Cantonese. If you/ your legal practitioner/ your authorized person(s) speak other dialect/language, you shall notify the Revising officer at least 2 days in advance for arranging an interpreter.

Home Affairs Department
August 2008