

**ELECTORAL AFFAIRS COMMISSION (REGISTRATION OF ELECTORS)
(RURAL REPRESENTATIVE ELECTION) REGULATION
(Cap. 541 K)
(Sections 24 & 25)**

NOTICE OF CLAIM

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

To: Electoral Registration Officer (*Note 7 to Note 9*)

(A) NOTICE OF CLAIM

PART I: CLAIM FOR ENTITLEMENT TO BE REGISTERED (*Note 3*)

1. I hereby give you notice of my claim that I am entitled to be registered as an elector. The circumstances giving rise to my claim are as follows:

- (a) I have made an application to be registered as an elector but you have determined that I am not eligible to be registered.
- (b) I did not furnish particulars or proof as requested by you within the specified period or did not furnish particulars or proof to your satisfaction, and you have decided not to consider my application further.
- (c) You have decided not to consider my application for registration in the Indigenous Villages and Composite Indigenous Villages provisional register further on the ground that you have been unable to make a requirement for further particulars or proof regarding my application as I have not furnished the principal residential address, a postal address in Hong Kong, a facsimile number or an electronic mail address to enable you to communicate with me, and as a result, you are unable to determine whether or not I am eligible to be registered.
- (d) I have made an application for registration but my name is not recorded in the provisional register.
- (e) My name is included in an omissions list.

Please tick “✓” where appropriate.

2. I have read Note 3 explaining the circumstances giving rise to a claim as stipulated under s. 24(1) and (2) of Cap. 541K, and understood clearly that I have met the relevant circumstances to make the claim.

3. The grounds in support of my claim, with attachment of documentary proof, are as follows (***Part I of Note 5***):

4. I confirm that the particulars entered in this form are true and accurate. I have read Note 19 regarding s. 32(1)(f) of Cap. 541K. I understand that a person who in any notice of claim, makes any statement which the person knows to be false in a material particular or recklessly makes any statement which is incorrect in a material particular or knowingly omits any material particular from such an application, response, reply, request or notice commits an offence and is liable on conviction on indictment to a fine at level 3 and to imprisonment for 2 years.

PART II: CLAIM REGARDING REGISTERED PARTICULARS (Note 4)

1. I hereby give you notice of my claim regarding my particulars as recorded in the register of electors. The circumstances giving rise to my claim are as follows:
- (a) My name is recorded in a part or division of the provisional register, but I am entitled to be registered in a different part or division.
 - (b) I have applied for change of my particular(s) as recorded in the existing final register, but you have refused or decided not to process further my application.
 - (c) You have corrected my personal particular(s) without any request from me and I object to that correction.
2. I have read Note 4 explaining the circumstances giving rise to a claim as stipulated under s.24(3), (3A), (3B), (4) and (5) of Cap. 541K, and understood clearly that I have met the relevant circumstances to make the claim.
3. My particulars (**Note 6**) in the relevant register appear in the manner shown in the 2nd column of the table below, and I claim that these particulars should be amended in the manner as shown in the 3rd column of the same table.

1 st column	2 nd column	3 rd column
Particulars	Details as shown on the relevant provisional register	Alteration claimed by the claimant
Name of provisional register	<input type="checkbox"/> (a) Existing Villages provisional register <input type="checkbox"/> (b) Indigenous Villages and Composite Indigenous Villages provisional register <input type="checkbox"/> (c) Market Towns provisional register	<input type="checkbox"/> (a) Existing Villages provisional register <input type="checkbox"/> (b) Indigenous Villages and Composite Indigenous Villages provisional register <input type="checkbox"/> (c) Market Towns provisional register
Part of register (for Indigenous Villages and Composite Indigenous Villages register only)	<input type="checkbox"/> (a) Indigenous Villages <input type="checkbox"/> (b) Composite Indigenous Villages	<input type="checkbox"/> (a) Indigenous Villages <input type="checkbox"/> (b) Composite Indigenous Villages
Name of Village/Market Town		
Name of Claimant		
Principal Residential Address (Note 9)		

Please tick “✓” where appropriate.

4. The grounds in support of my claim, with attachment of documentary proof, are as follows (**Part II of Note 5**):

5. I confirm that the particulars entered in this form are true and accurate. I have read Note 19 regarding s. 32(1)(f) of Cap. 541K. I understand that a person who in any notice of claim, makes any statement which the person knows to be false in a material particular or recklessly makes any statement which is incorrect in a material particular or knowingly omits any material particular from such an application, response, reply, request or notice commits an offence and is liable on conviction on indictment to a fine at level 3 and to imprisonment for 2 years.

(B) PARTICULARS OF CLAIMANT (Note 6):

Name (in BLOCK LETTERS): _____

Type of Identity Document: _____

Identity Document Number: _____

Principal Residential Address: _____

Correspondence Address (if different from Principal Residential Address): _____

Daytime Telephone Number: _____ Fax Number (if any): _____

Email Address (if any): _____

(Date)

(Signature of Claimant)

To: Revising Officer

Notice of Claim

In connection with my claim lodged on _____ (Date),

- (1) I * will / will not appear at the hearing.
- (2) I * will / will not be represented by an authorized person (the person may be a legal practitioner or any other person) at the hearing. I attach herewith the relevant authorization in writing.
- (3) * I / My legal representative / My authorized representative * can speak fluent Cantonese / can only speak a dialect or language other than Cantonese. An interpreter is required (please state clearly the relevant dialect or language: _____)^.
- (4) I * will arrange _____ (number) witness(es)# / will not arrange any witness to attend the hearing to give evidence on my claim. The information of the witness(es) is / are as follow:
 - a) _____ (Name) _____ (Tel. No.)
He or she * can speak fluent Cantonese / can only speak a dialect or language other than Cantonese. An interpreter is required (please state clearly the relevant dialect or language: _____)^.
 - b) _____ (Name) _____ (Tel. No.)
He or she * can speak fluent Cantonese / can only speak a dialect or language other than Cantonese. An interpreter is required (please state clearly the relevant dialect or language: _____)^.

Name of Claimant (in BLOCK LETTERS) : _____ Signature of Claimant : _____

Daytime Tel No. : _____ Fax No. (if any) : _____

Email Address (if any) : _____ Date : _____

* Please delete whichever is inapplicable.

The claimant should liaise and arrange the witness(es) to attend the hearing to give evidence on his/ her claim by himself/ herself.

^ The claimant must make the request for interpretation service to the Registry for Rural Representative Election Appeals to Revising Officer (Revising Officer's Registry) at least 2 working days before the hearing date. Please note that the Revising Officer's Registry can only arrange an interpreter when circumstances warrant.

AUTHORIZATION TO LODGE NOTICE OF CLAIM
(Only for claimant whose principal residential address is not in Hong Kong)

Electoral Affairs Commission
(Registration of Electors) (Rural Representative Election) Regulation
(Cap. 541 K)
(Section 25)

RURAL REPRESENTATIVE ELECTION

I (Name in BLOCK LETTERS) _____, number of Identity Document _____ (if not Hong Kong Identity Card, please specify the type of Identity Document : _____) hereby authorize the person whose particulars appear below to deliver the Notice of Claim duly signed by me together with this authorization to the office of the Electoral Registration Officer or the Assistant Electoral Registration Officer on my behalf.

Name of the Authorized Person (in BLOCK LETTERS): _____

Type of Identity Document: _____

Identity Document Number: _____

Correspondence Address: _____

Daytime Telephone Number: _____

Fax Number (if any): _____

Email Address (if any): _____

(Date)

(Signature of Claimant)

**ELECTORAL AFFAIRS COMMISSION (REGISTRATION OF ELECTORS)
(RURAL REPRESENTATIVE ELECTION) REGULATION
(Cap. 541 K)**

EXPLANATORY NOTES FOR COMPLETING A NOTICE OF CLAIM

1. This Notice of Claim (“Notice”) can be used by the following persons:
 - (a) any person who has made an application to be registered as an elector but failed and who claims for entitlement to be so registered;
 - (b) any person whose particulars are included in an omissions list; and
 - (c) any elector who would like to make a claim regarding his/ her particulars as recorded in the provisional register.
2. You should refer to Note 3 and Note 4 to decide whether you should fill in Part I or Part II of this Notice.
3. Claim for entitlement to be registered (Part I of this Notice)

According to the Electoral Affairs Commission (Registration of Electors) (Rural Representative Election) Regulation (Cap. 541K) (“Regulation”), you may lodge a claim that you are entitled to be registered as an elector under the following circumstances:

- (a) you have made an application to be registered as an elector but the Electoral Registration Officer (ERO) has determined that you are not eligible to be registered [s. 24(1)(a)];
 - (b) you did not furnish particulars or proof as requested by the ERO within the specified period or did not furnish particulars or proof to the ERO’s satisfaction, and the ERO has decided not to consider your application further [s. 24(1)(b)];
 - (c) the ERO has decided not to consider your application for registration in the Indigenous Villages and Composite Indigenous Villages provisional register further on the ground that the ERO has been unable to make a requirement for further particulars or proof as you have not furnished the principal residential address, a postal address in Hong Kong, a facsimile number or an electronic mail address to enable the ERO to communicate with you and as a result, the ERO is unable to determine whether or not you are eligible to be registered [s. 24(1)(b)];
 - (d) you have made an application for registration, but your name is not recorded in the relevant provisional register [s. 24(1)(c)]; or
 - (e) your name is included in an omissions list [s. 24(2)].
4. Claim regarding particulars (Part II of this Notice)

According to the Regulation, you may lodge a claim under the following circumstances:

- (a) your name is recorded in a part or division of the provisional register, and you would like to claim that you are entitled to be registered in a different part or division [s. 24(3)];
- (b) you have made an application for change of particulars to the ERO to change your particulars as recorded in the existing final register, but the ERO has refused your request or has decided not to process further your application [s. 24(3A), 24(3B) and 24(4)]; or
- (c) the ERO on the basis of information obtained by him/ her has corrected your particulars in an entry and you object to that correction [s. 24(5)].

5. **You must provide sufficient information stating the grounds in support of your claim lodged under Part I or Part II of this Notice to inform the Revising Officer and the ERO.** While not attempting to be exhaustive, the following are some examples:

Example 1
Part I

- (a) you satisfy the eligibility requirements for registration as an elector for an Existing Village or a Market Town, such as having reached 18 years of age, being a Hong Kong permanent resident and being and has been a resident of an Existing Village or a Market Town for the 3 years immediately before the application for registration; or
- (b) you satisfy the eligibility requirements for registration as an elector for an Indigenous Village or Composite Indigenous Village, such as having reached 18 years of age, holding a valid identity document and being an indigenous inhabitant of an Indigenous Village or Composite Indigenous Village or a spouse/ surviving spouse of such person; or
- (c) you are not disqualified from being registered as an elector due to the following circumstances:
 - (i) having been found under the Mental Health Ordinance (Cap. 136) to be incapable, by reason of mental incapacity, of managing and administering your property and affairs; or
 - (ii) serving as a member of the armed forces of the People's Republic of China or any other country or territory.

For details of eligibility for registration as an elector, please refer to ss. 15 and 16 of the Rural Representative Election Ordinance (Cap. 576).

Example 2
Part II

The change of particulars as claimed by you is correct but is different from the particulars currently recorded in the register.

6. You must furnish your particulars at the space provided in this Notice.
7. If your principal residential address is in Hong Kong, you must deliver this Notice **in person¹ not later than 9 September 2024² (Monday to Friday: from 9 a.m. to 1 p.m. and 2 p.m. to 6 p.m.; other than Saturday and a general holiday)** at:

¹ Pursuant to s. 25(3A) of the Cap. 541K, if the claimant is in custody within the meaning of s. 2(1) of the Electoral Procedure (Rural Representative Election) Regulation (Cap. 541L), a notice sent by post by the claimant is deemed to be a notice delivered by the claimant in person. Being "in custody" means a person who is (a) serving a sentence of imprisonment; (b) detained by the Correctional Services Department on remand; or (c) otherwise detained by any law enforcement agency under any lawful authority. "Law enforcement agency" means (a) the Customs and Excise Department; (b) the Hong Kong Police Force; (c) the Immigration Department; (d) the Independent Commission Against Corruption; or (e) any other department of the Government of which any officer is empowered by any Ordinance to exercise a power of arrest.

² According to s. 25(4) of the Cap. 541K, the notice of claim must be lodged on or before 9 September of the current year. Hence, the notice of claim must be delivered to the office of the ERO/ the relevant Assistant Electoral Registration Officers (AERO) by the claimant in person not later than 6 p.m. on 9 September 2024 (Monday). If the claimant's principal residential address is not in Hong Kong, the claimant may deliver in person or authorize a person in writing to deliver on his/ her behalf, the completed notice of claim at the office of ERO or the relevant AERO not later than 6 p.m. on 9 September 2024 (Monday). The completed notice of claim may also be delivered by post, facsimile transmission (fax no.: (852) 2591 6392), electronic means (sending the notice as an electronic record authenticated by a digital signature) (email address: rre@had.gov.hk) to the office of ERO or the relevant AERO on or before 9 September 2024 (Monday) (Hong Kong time).

- (i) Office of the ERO (Home Affairs Department, 30th Floor, Southorn Centre, 130 Hennessy Road, Wan Chai, Hong Kong); or
- (ii) Office of the relevant Assistant Electoral Registration Officer (AERO) (District Office of the District in which the relevant Rural Committee (that the concerned Village/ Market Town belongs to) is located).

Addresses of the New Territories District Offices

Islands District Office

20th Floor, Harbour Building, 38 Pier Road, Central, Hong Kong

Kwai Tsing District Office

Kwai Tsing Home Affairs Enquiry Centre,
2nd Floor, Kwai Hing Government Offices Building,
166 - 174 Hing Fong Road, Kwai Chung, New Territories

North District Office

North Home Affairs Enquiry Centre,
Ground Floor, North District Government Offices,
3 Pik Fung Road, Fanling, New Territories

Sai Kung District Office

Sai Kung Home Affairs Enquiry Centre,
Ground Floor, Sai Kung Tseung Kwan O Government Complex,
38 Pui Shing Road, Hang Hau, Tseung Kwan O, New Territories

Sha Tin District Office

Sha Tin Home Affairs Enquiry Centre,
Ground Floor, Sha Tin Government Offices,
1 Sheung Wo Che Road, Sha Tin, New Territories

Tai Po District Office

Tai Po Home Affairs Enquiry Centre,
Ground Floor, Tai Po Government Offices Building,
1 Ting Kok Road, Tai Po, New Territories

Tsuen Wan District Office

Tsuen Wan Home Affairs Enquiry Centre,
1st Floor, Tsuen Wan Multi-storey Carpark Building,
174 - 208 Castle Peak Road, Tsuen Wan, New Territories

Tuen Mun District Office

Tuen Mun Home Affairs Enquiry Centre,
2nd Floor, Tuen Mun Government Offices,
1 Tuen Hi Road, Tuen Mun, New Territories

Yuen Long District Office

Yuen Long Home Affairs Enquiry Centre,
Ground Floor, Yuen Long District Office Building,
269 Castle Peak Road, Yuen Long, New Territories

8. If your principal residential address is not in Hong Kong, you may deliver this Notice by post, facsimile transmission (Fax. No.: (852) 2591 6392) or electronic means (an electronic record authenticated by a digital signature) (email address: rre@had.gov.hk) **not later than 9 September 2024² (Monday) (Hong Kong time)** at the office of the ERO or the relevant AERO at the address mentioned in paragraph 7 above. If the notice of claim is delivered by the claimant in person or by a person authorized in writing by him/her, it should be delivered to the office of ERO or the relevant AERO **not later than 6 p.m. on 9 September 2024 (Monday) (Monday to Friday: from 9 a.m. to 1 p.m. and 2 p.m. to 6 p.m.; other than Saturday and a general holiday)**.

9. “Principal Residential Address” refers to the address of the dwelling place at which the person resides and which constitutes the person’s sole or main home.
10. **The ERO or AERO may require you to identify yourself by presenting your identity document. You should therefore bring your identity document with you when you deliver this Notice.**
11. The ERO or AERO will forward your notice of claim to the Revising Officer for his/ her determination. The Revising Officer will be an eligible person appointed by the Chief Justice.
12. The Revising Officer will, by a notice of hearing, inform you of the date, time and place for holding a hearing as regards the claim to which your Notice relates. The hearing will be held between **30 August 2024 and 23 September 2024**. You may appear at the hearing either in person or be represented by a legal practitioner or any other person (authorized in writing by you). Whether or not you appear or are represented at the hearing, you may make written representations to reach the Revising Officer **not later than 1 day before the hearing date** at one of the following locations :

Location	Address	Business Hours
Office of the ERO	Please see para 7(i) above	Monday to Friday : from 9 a.m. to 1 p.m. and 2 p.m. to 6 p.m.; other than Saturday and a general holiday
Office of the relevant AERO	Please see para 7(ii) above	ditto
The Registry for Rural Representative Election Appeals to Revising Officer	4 th floor, Southorn Centre, 130 Hennessy Road, Wan Chai, Hong Kong	Monday to Friday : from 9 a.m. to 1 p.m. and 2 p.m. to 6 p.m.; Saturday : from 9 a.m. to 12 noon ; other than a general holiday

13. If you submit the written representation to the Revising Officer on the hearing day, the Revising Officer may decide not to accept your written representation. Please make sufficient copies of the written representation for distribution to all the relevant parties attending your hearing for their reference.
14. Pursuant to section 2(3) of the Rural Representative Election (Registration of Electors) (Appeals) Regulation (Cap. 576A), if you do not appear at the hearing, are not represented at the hearing by a legal practitioner or an authorized representative, and do not make written representations to reach the Revising Officer not later than 1 day before the hearing date, and the ERO does not make representations to the Revising Officer at the hearing, the decision of the ERO to which your notice of claim relates shall stand.
15. Pursuant to section 2(3A) of Cap. 576A, if you do not appear at the hearing and are not represented at the hearing by a legal practitioner or an authorized representative, the Revising Officer may make a ruling dismissing your claim, whether or not you have made representations in writing regarding the claim.
16. To facilitate the parties concerned to attend the hearings and enable the relevant parties and members of the public to obtain information about the hearings as soon as possible, the ERO will post information about the hearings, including the name of the claimant, case number, date, time and place of the hearing, on the Rural Representative Election website (www.had.gov.hk/rre). The relevant information will be removed from the website on or after 7 October 2024.
17. These notes are for general guidance only. You should also refer to the Rural Representative Election Ordinance (Cap. 576) and the Electoral Affairs Commission Ordinance (Cap. 541), and the subsidiary legislation made under these Ordinances. The relevant legislation can be found on the Hong Kong e-Legislation website (www.elegislation.gov.hk) and is on sale at the Publications Sales Unit of the Information Services Department.

18. For any enquiries, please call the Rural Representative Election Hotline at (852) 2152 1521.

19. **Offences and Penalties**

According to the Regulation, a person who in any notice of claim, makes any statement which the person knows to be false in a material particular or recklessly makes any statement which is incorrect in a material particular or knowingly omits any material particular from such an application, response, reply, request or notice commits an offence and is liable on conviction on indictment to a fine at level 3 and to imprisonment for 2 years [s. 32(1)].

Personal Information Collection Statement

Purpose of Collection

20. The personal data and other related information provided by you by means of this Notice will be used by this Department, the ERO and other relevant government departments and organizations for voter registration and election related purposes. The information in respect of your claim (including your name, case number and the date, time and place of hearing) will be published on the Rural Representative Election website according to the arrangement detailed in paragraph 16 above. The provision of personal data and other related information by means of this Notice is entirely voluntary. However, if you do not provide adequate and accurate data, this Department may not be able to process your Notice.

Transfer of Information

21. The information provided by you will be provided to the Revising Officer, and where necessary, may also be provided to other authorized departments/ organizations/ persons or law enforcement agencies for the purposes of voter registration, election and all purposes related thereto in accordance with the relevant Ordinances and/or subsidiary legislation.

Access to Personal Data and Enquiry

22. You have the rights 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 personal data requests and enquiries should be made in writing to the ERO (Address: 30th Floor, Southorn Centre, 130 Hennessy Road, Wan Chai, Hong Kong).

Important Notes

1. The notice of hearing shall specify the date, time and place fixed for the hearing. You may appear in person at the hearing and make representations to the Revising Officer regarding your claim.
2. If you wish to appear in person and to be represented by an authorized person (the person can be a legal practitioner or any other person) at the hearing, please inform the authorized person of the date, time and place of the hearing as specified in the notice of hearing and attend the hearing as scheduled.
3. If you do not wish to appear in person but to be represented by an authorized person (the person can be a legal practitioner or any other person) at the hearing, please inform the authorized person (who have to produce your written authorization) of the date, time and place of the hearing as specified in the notice of hearing and attend the hearing as scheduled.
4. The claimant may apply for a review of the ruling made by the Revising Officer **not later than 4 days** after the date on which the notification of ruling is given by hand immediately after the hearing, by post or facsimile transmission.
5. In general, the hearings will be conducted in Cantonese. If you/ your legal representative/ your authorized person(s)/ your witness(es) who give(s) evidence on your claim speak(s) dialect/ language other than Cantonese and require(s) an interpreter, you must make the request to the Registry for Rural Representative Election Appeals to Revising Officer (Revising Officer's Registry) **at least 2 working days** before the hearing date. Please note that the Revising Officer's Registry can only arrange an interpreter when circumstances warrant.
6. When Tropical Cyclone Warning Signal No. 8 or above, an "Extreme Condition" announcement or a black rainstorm warning signal is issued, the Judiciary will announce through the radio/ television and the Government's Press Releases webpage that the hearings of all courts/ tribunals will be adjourned, and the court/ tribunal registries and offices will also be closed. The hearings of claims and objections before the Revising Officer will be adjourned and the Revising Officer's Registry will also be closed. In general, resumption of hearing and re-opening of Revising Officer's Registry will be as follows:

Arrangement on Resumption of Hearing

- (a) If the signal is lowered or cancelled at or before 6 a.m. on a working day (i.e. Monday to Friday), the Revising Officer will resume hearing at the usual time in the morning.
- (b) If the signal is lowered or cancelled between 6 a.m. and 11 a.m. or at 11 a.m. on a working day (i.e. Monday to Friday), the Revising Officer will resume hearing at 2:30 p.m. Therefore, if you are supposed to attend the hearing that morning, you are required to attend the hearing at 2:30 p.m. on that day.
- (c) If the signal is lowered or cancelled after 11 a.m. on a working day (i.e. Monday to Friday), hearings will remain adjourned for the whole day. If you are supposed to attend the hearing on that day, you are required to attend the hearing at 9:30 a.m. the next working day or the day and time specified by the Revising Officer's Registry.
- (d) If hearings remain adjourned for the whole day on a Friday and you are supposed to attend a hearing on that day, you are required to attend the hearing at 9:30 a.m. the next working day, i.e. a Monday, which is not a public holiday or the day and time specified by the Revising Officer's Registry.

Arrangement on Re-opening of Revising Officer's Registry

- (e) If the signal is lowered or cancelled at or before 6 a.m. on a working day (i.e. Monday to Saturday), the Revising Officer's Registry will open as usual in the morning.
- (f) If the signal is lowered or cancelled after 6 a.m. on a working day (i.e. Monday to Saturday), subject to the circumstances prevailing at the time, the Revising Officer's Registry will generally aim to re-open either at the usual time in the morning or within two hours after the lowering or cancellation of the signal. However, the Revising Officer's Registry will in any event remain closed if the signal is lowered or cancelled two hours or less before the normal closing hour.

You should note the announcements on radio and television about the re-opening time of the court/ tribunal registries and offices and the resumption of court hearings, which are also applicable to the hearings of claims and objections before the Revising Officer and the Revising Officer's Registry. You may also view the announcement (upon issue) available on the Government's Press Release webpage (<http://www.info.gov.hk/gia>). If you have further enquires on the resumption of hearings before the Revising Officer and other related matters, please call the Rural Representative Election Hotline at 2152 1521 or the Revising Officer's Registry at 2835 1806. If you are unable to attend the resumed hearing due to inclement weather, you should inform the Revising Officer's Registry direct at 2835 1806 or via the Rural Representative Election Hotline at 2152 1521 as soon as possible so that your legal rights will not be affected.

Home Affairs Department
August 2024