

## **Section 1 – Prologue**

### ***The vacancy***

1.1 In the 2000 Legislative Council (“LegCo”) general election held on 10 September 2000 (“the general election”), five members were returned from the Hong Kong Island geographical constituency (“GC”). One of them, Mr Gary CHENG Kai-nam, however, did not accept the office. In accordance with section 13(1) of the Legislative Council Ordinance (“LegCo Ord”), he gave notice of non-acceptance of office to the Clerk to the LegCo on 19 September 2000, ie within seven days after his election was published in the Gazette on 18 September 2000. Having received Mr Cheng’s notice of non-acceptance of office, the Clerk to the LegCo, in accordance with sections 13(4) and 35 of the LegCo Ord, published in the Gazette on 22 September 2000 that Mr Cheng had not accepted the office as a member of the LegCo and declared that a vacancy in the membership of the LegCo had arisen. In accordance with section 36(1)(a) of the LegCo Ord, the Electoral Affairs Commission (“EAC” or “Commission”) must arrange for a by-election to be held to return a

member from the Hong Kong Island GC to fill the vacancy (“the by-election”).

### ***The by-election***

1.2 The date for this by-election was fixed for 10 December 2000. Notice of the by-election was published in the Gazette on 5 October 2000.

### ***Nominations***

1.3 The nomination period started on 20 October and ended on 2 November 2000. By the close of nomination, the Returning Officer (“RO”) received six nominations in respect of Ms Jennifer CHOW Kit-bing, Mr SHI Kai-biu, Mr Paul TSE Wai-chun, Mr Simon LO Ching-cheung, Mr Chris CHUNG Shu-kun and Ms Audrey EU Yuet-mee respectively. All the nominations were found to be valid.