

**Administration's Responses to Points raised
on 31 May 2001**

**by Members of the Bills Committee
on the Chief Executive Election Bill**

(for submission to the Bills Committee meeting to be held on 19 June 2001)

Regulation of electioneering activities

Q1: How are the electioneering activities in respect of an incumbent head of states seeking re-election in some overseas countries regulated?

A1: We have looked into the practices in France and USA, both of which adopt the presidential system of government.

In both France and USA, a president seeking re-election is subject to the same rules and regulations applicable to all presidential candidates. In USA, there are also rules governing the participation of civil servants in political activities (the Hatch Act). Under the Hatch Act, most U.S. government employees are permitted to take an active part in political campaigns, except for some federal agencies and categories of employees (e.g. Judges and Staff of the Federal Elections Commission) who are prohibited from engaging in partisan political activity. Moreover, political campaigns are not allowed in U.S. federal property.

For the CE election, the EAC will promulgate guidelines which are applicable to all candidates.

Constitutional Affairs Bureau
16 June 2001