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26 April 2004

Mrs Percy Ma  
Clerk to LegCo Panel on Constitutional Affairs  
Legislative Council  
3/F Citibank Tower3  
Garden Road, Central  
Hong Kong

Dear Percy,

**LegCo Panel on Constitutional Affairs  
Meeting on 19 April**

Further to my letter of 19 April 2003 regarding the press release issued by the Registration and Electoral Office on the subject of “UNUSED” ballot papers, I append below the replies to the enquiries made by the Hon Andrew Wong and the Hon Emily Lau at the captioned meeting.

**“SPOILT” ballot papers**

At the Panel meeting held on 19 April 2004, the Hon Andrew Wong asked what ballot papers would be marked “SPOILT”. Under the Electoral Affairs Commission (Electoral Procedure) (Legislative Council) Regulation, if an elector makes an error in marking his ballot paper or accidentally spoils it, he may hand it back to the polling staff at the issuing desk in return for another new ballot paper. The original ballot paper will be stamped with the word “SPOILT” and then kept separately by the Presiding Officer. All such ballot papers will be sealed and delivered to the Registration and Electoral Officer after the completion of all procedures at the polling station.

## **Publication of the finalized Electoral Affairs Commission Guidelines**

At the meeting, the Hon. Emily Lau asked about the timing of the publication of the finalized Guidelines on Election-related Activities in respect of the Legislative Council Elections. In accordance with section 6(2) of the Electoral Affairs Commission Ordinance, the Electoral Affairs Commission (EAC) consulted the public on its Proposed Guidelines between 22 March 2004 and 20 April 2004. Traditionally, the EAC does not issue a revised version of the guidelines to the public for further comments after the completion of the public consultation period. The EAC will take into account the views of the public before finalizing the guidelines. It plans to publish the finalized guidelines in July 2004, after the conclusion of the negative vetting period of the EAC (Electoral Procedure)(Legislative Council)(Amendment) Regulation, which will be made by the EAC in May 2004.

I should be grateful if you would circulate this letter to Members for their information.

Yours sincerely,

(LI Wing)  
Chief Electoral Officer