

Legislative Council Panel on Constitutional Affairs

Practical Arrangements for the 2007 District Council Election

INTRODUCTION

This paper sets out the key electoral arrangements proposed by the Electoral Affairs Commission (“EAC”) for the 2007 District Council (“DC”) Election to be held on 18 November 2007.

BACKGROUND

2. The EAC is a statutory and independent body responsible for the conduct and supervision of elections. The EAC, supported by the Registration and Electoral Office (“REO”), is making preparations for various electoral arrangements for the 2007 DC Election. Some of the key practical arrangements relating to the polling and counting of votes are set out in the following paragraphs.

DETAILED ARRANGEMENTS

Polling Date and Polling Hours

3. In accordance with section 27 of the District Councils Ordinance (Cap 547), the Chief Executive has determined 18 November 2007 as the date for holding the third DC ordinary election. The relevant notice was published in the Gazette on 20 April 2007.

4. Same as the 2003 DC Election, the polling will be conducted from 7:30am to 10:30pm.

Nomination Period

5. Section 9 of the Electoral Affairs Commission (Electoral Procedure) (District Councils) Regulation (Cap. 541F) provides that the nomination period is to be determined by the Chief Electoral Officer (“CEO”). The same section provides that the nomination period must not be less than 14 days or more than 21 days, and that it must end not less than 28 days and not more than 42 days before the date on which the election is to be held.

6. Under section 28 of the District Councils Ordinance (Cap. 547), the Director of Home Affairs may, to facilitate the holding of a DC ordinary election, determine a date with effect from which the operation of the DCs is to be suspended until the commencement of the term of office of the members elected at that election. The purpose of the suspension is to provide a level playing field for all candidates in the election, and to avoid giving undue advantage to incumbent DC members running for the new term. The operation of DCs is normally suspended upon the commencement of the nomination period. We have received views from DC Chairmen and Vice-Chairmen that if the nomination period and hence the suspension of DC operation starts before 1 October 2007, the organization of and participation in National Day celebration activities by DCs will be affected. Taking into account such views, we plan to set the nomination period for the election from 2 October to 15 October 2007. The nomination period will be gazetted in due course.

Number and Allocation of Polling Stations

7. There are at present about 3.18 million electors registered for the geographical constituencies ("GCs"). The 2007 voter registration drive is under way. The deadline for application for registration is 16 July 2007. The final voter registration figure for the upcoming DC Election will be available when the 2007 Final Register of GC electors is published by 25 September 2007 in accordance with section 20 of the Electoral Affairs Commission (Registration of Electors) (Legislative Council Geographical Constituencies) (District Council Constituencies) Regulation (Cap 541A). The REO estimates that there would be a total of not less than 3.2 million registered electors. There will be at least one polling station in each of the 405 DC Constituency Areas ("DCCAs"). For those DCCAs which cover a large geographical area, the REO will set up more than one polling station therein so as to facilitate the electors to cast their votes. Depending on the number of contested DCCAs, the REO will set up a maximum of around 540 polling stations in the 2007 DC Election. Assuming that there would be no fewer than 3.2 million registered electors, about 5,900 or more voters will be assigned to each polling station on average. This is similar to the figure in the 2003 DC Election. For Members' information, in the 2003 DC Election, out of the 400 DCCAs, the seats for 74 DCCAs were elected uncontested. For the remaining 326 DCCAs, 423 polling stations were set up on the polling day.

Vote Counting Arrangements

8. In the 2003 DC Election, the vote counting was decentralized to be conducted at individual polling stations. In view of the successful experience in 2003, the same arrangement will be adopted in the 2007 DC Election. Specifically, immediately after the close of poll, a polling station (other than a small polling station with less than 200 registered electors and a special polling station used by disabled electors) will be converted into a counting station. Candidates or their agents and members of the public will be allowed to be present in the counting station to observe the count.

9. The ballot papers of a small polling station or a special polling station will be delivered to a main counting station converted from a polling station which serves not less than 200 registered electors (after including those served by the relevant small/special polling station(s)). To protect the secrecy of votes cast, the ballot papers from the small/special polling station(s) will be mixed with those in the main counting station before they are counted.

10. When the count starts, the Presiding Officer (“PRO”) for the polling station will assume the role of the counting supervisor. He/She will be assisted by the polling staff, who will then take up the role of counting staff. He/She will also be responsible for determining the validity of questionable ballot papers. Upon completion of the count, the PRO will make known the counting results to candidates or their agents, who will then have the opportunity to request a recount of votes. If there is such a request, the recount will be performed on-the-spot. When there is no request or further request for a recount¹, the PRO will report the result of the counting of votes to the Returning Officer of the DCCA concerned, who will formally announce the election result when the results of all the relevant counting stations in the DCCA have been finalised.

Design of Ballot Papers and Ballot Boxes

11. To facilitate electors to identify DC election candidates, candidates will be allowed to have certain specified particulars relating to them printed on the ballot papers in the 2007 DC Election. This arrangement is similar to that in the 2004 Legislative Council Election. To cater for this new measure, the size of the new ballot papers will be about 70% larger than that of the 2003 DC Election.

1 Or when such request is rejected by the PRO as being unreasonable in accordance with sections 80A(5) or 80B(5) of Electoral Affairs Commission (Electoral Procedure) (District Councils) Regulation (Cap 541F).

12. Having regard to the larger ballot papers to be used, the REO is carefully and thoroughly testing the ballot boxes for use in the 2007 DC Election. There will be an adequate provision of ballot boxes.

Other Related Measures

13. Other key measures which the EAC will put in place to ensure the smooth conduct of the 2007 DC Elections are :

- (a) Organisation and set-up of the Central Command Centre : The Central Command Centre on the polling day will be set up in the REO office in Guardian House. It will be supervised by the Chief Electoral Officer of the REO, and all units of the Centre will be accommodated in the same place to facilitate communication and coordination.
- (b) Compilation of voter turnout statistics : As in the 2003 DC Election, an Interactive Voice Response System (“IVRS”) will be set up to capture the turnout figures from all the polling stations. A back up system using spreadsheet function of personal computers would also be set up to provide emergency support in case the IVRS breaks down.
- (c) Staff recruitment : About 14,000 civil servants from various Government Bureaux/Departments are expected to be recruited and trained to carry out polling and vote counting duties on the polling day.
- (d) Staff training : Briefing sessions will be arranged for staff to familiarize them with the polling and counting procedures and arrangements including hands on practice of counting duties. Polling Management Training which includes crisis management, quality polling service, EQ training, and experience sharing workshop will be organized for staff at the supervisory level. For staff who have to compile statistical returns on the polling day, specialized training on statistical work will also be organized for them.
- (e) Contingency planning: An emergency depot will be set up in each of the 18 administrative districts to ensure quick replenishment of supplies where necessary. Each emergency depot will be equipped with vehicles for urgent deployment in case of emergencies. The REO will draw up

comprehensive contingency plans, and there will be training on crisis management for core REO staff.

ADVICE SOUGHT

14. Members are invited to express views on the arrangements set out in this paper.

Registration and Electoral Office
June 2007