

**Legislative Council Panel on Constitutional Affairs**

**Practical Arrangements for the 2011 District Council Election**

**PURPOSE**

This paper sets out the key electoral arrangements proposed by the Electoral Affairs Commission (“EAC”) for the 2011 District Council (“DC”) Election to be held on 6 November 2011.

**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 2011 DC Election. Some of the key practical arrangements relating to polling stations, counting of votes and submission of election advertisements (“EAs”) are set out in the following paragraphs.

**PROPOSED ARRANGEMENTS**

**Polling Date and Nomination Period**

3. In accordance with section 27 of the District Councils Ordinance (Cap 547), the Chief Executive has determined 6 November 2011 as the date for holding the fourth DC ordinary election. The relevant notice was published in the Gazette on 3 June 2011.

4. 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. It is an established practice to set a 14-day nomination period and, also, allow roughly five weeks for candidates’ canvassing activities between close of nomination and the polling day. Following this practice, we plan to set the nomination period for the coming election from 15 to 28 September 2011. The nomination period will be gazetted in due course.

## **Number and Allocation of Polling Stations**

5. There are at present about 3.43 million electors registered for the geographical constituencies (“GCs”). The 2011 voter registration drive is under way. The deadline for application for registration is 16 July 2011. The final voter registration figure for the upcoming DC Election will be available when the 2011 Final Register of GC electors is published in accordance with section 20 of the Electoral Affairs Commission (Registration of Electors) (Legislative Council Geographical Constituencies) (District Council Constituencies) Regulation (Cap 541A). With the launch of the 2011 voter registration publicity campaign on 11 June 2011, the REO estimates that there will be about 3.5 million GC registered electors who are eligible to cast votes in the 2011 DC Election.

6. To cater for casting of votes, at least one polling station will be set up in each of the 412 DC Constituency Areas (“DCCAs”). For those DCCAs which cover a large geographical area, the REO will set up more than one polling station therein to facilitate electors to cast their votes. Depending on the number of contested DCCAs, the REO will set up around 560 ordinary polling stations in the 2011 DC Election. We aim to have at least 90% of the polling stations set up at venues accessible to electors with disabilities, as compared to 85% for the 2010 Legislative Council (LC) By-election. Assuming that there would be no fewer than 3.5 million registered electors, about 6,250 electors will be assigned to each polling station on average. This is similar to the figure in the 2007 DC Election. For Members’ information, in the 2007 DC Election, out of the 405 DCCAs, the seats for 41 DCCAs were elected uncontested. For the remaining 364 DCCAs, 488 polling stations were set up on the polling day.

7. Apart from ordinary polling stations, 22 dedicated polling stations (“DPSs”) will be set up at the penal institutions of the Correctional Services Department (“CSD”) for registered electors imprisoned or remanded under the custody of the CSD to cast votes in the election. We also plan to set up three DPSs at police stations across the territory for registered electors who are remanded or detained on the polling day by law enforcement agencies (“LEA”) other than CSD, such as the Police, Independent Commission Against Corruption, Customs and Excise Department, to cast their votes.

## **Vote Counting Arrangements**

8. Same as that of the 2007 DC Election and the 2008 LC Election, the vote counting will be decentralised to be conducted at individual polling stations. Under this arrangement, a polling station (other than a small polling

station, a special polling station and a DPS as explained in paragraph 9 below) will be converted into a counting station immediately after the close of poll. When the counting station is re-opened, candidates and their agents, the media and members of the public are allowed to be present in the counting station to observe the count. Questionable ballot papers will be separated during the counting process for determination of validity by the Presiding Officers (“PROs”). Candidates and their election or counting agents may make representations during the determination process.

9. To protect the secrecy of votes, ballot papers of the small polling stations (with fewer than 200 registered electors), special polling stations (for use by electors with disabilities) as well as all DPSs (after sorting by DCCAs at the Ballot Paper Sorting Stations) will be delivered to the respective main counting stations for mixing with other ballot papers cast therein by other electors before counting.

10. Upon completion of the count at a counting station, the PRO will make known the counting results to the candidates or their agents, who will then have the opportunity to request recount of votes. If there is such a request which is accepted by the PRO, the recount will be performed on-the-spot. If there is no request or further request for a recount<sup>1</sup>, the PRO will report the result of the counting of votes to the Returning Officer (RO) 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. Same as in the 2007 DC Election, candidates will be allowed to have certain specified particulars relating to them printed on the ballot papers in the 2011 DC Election. The size of the ballot papers will be similar to those of the 2007 DC Election. The candidate will be invited to check the final proofs of the ballot papers to ensure that the information contained therein is accurate before the ballot papers are printed. A full-scale checking on the ballot papers will also be conducted to ensure that they are correctly and properly printed.

12. The REO will carefully and thoroughly test the ballot boxes to be used in the 2011 DC Election and will ensure that the provision of the ballot boxes is adequate to cater for a 100% turnout of registered electors.

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

## **Address Labels**

13. Under section 37 of the District Councils Ordinance (Cap 547), a validly nominated candidate may send free of postage one letter to each elector of the constituency for which he is nominated. The purpose is to enable the candidate to mail EAs to promote or advertise himself to electors. To facilitate candidates, it has been an established practice of the REO to provide each candidate upon request with a set of address labels pertaining to the electors in the constituency. Under the present arrangement, the address labels are printed on an individual basis (i.e. one address label for one elector). There has been a suggestion from some Members that candidates should be allowed a choice to have the address labels printed on a household basis (i.e. one address label for one household) to suit their own needs.

14. On the printing of labels, it is noted that there were practical difficulties in determining whether or not electors sharing the same address belonged to the same family or household in some circumstances. Moreover, the right of access to EAs of individual electors would be of utmost importance and should not be compromised, particularly when public resources are involved in the printing of the address labels and posting of the advertisements. Furthermore, to facilitate candidates, a mark “H” is currently placed on the address labels with two or more elector sharing the same address and a mark “I” for the others. If a candidate wishes to send his EAs on a household basis, he may just send only one mail to the addresses marked “H”. Also, each validly nominated candidate will receive, in addition to the address labels, a computer disc (referred to as Candidate Mailing Label System “CMLS”) containing the mailing information of electors (including the names, addresses and email addresses of electors) extracted from the Final Register. Candidates may therefore make use of the information in the CMLS to generate address labels according to their own needs. Having regard to these considerations, the REO will continue with the existing practice to provide address labels to candidates on an individual basis and has already initiated necessary action for procurement and the required printing work.

## **Declaration of Electronic EAs**

15. We note that sending EAs through electronic means by candidates to electors is getting more and more popular. We are making effort to facilitate the submission of these EAs which are displayed, distributed or otherwise used electronically (e.g. electioneering messages on Facebook, Twitters and websites) to ROs. Subject to enactment of necessary amendments to the relevant sections of the Electoral Affairs Commission (Electoral Procedure) (District Council) Regulation (Cap 541F) and the comments received from the public consultation exercise on the Election Guidelines, candidates will be allowed to

submit an electronic copy each of these EAs to the ROs, together with the related declaration, electronically in accordance with the method, formats, and standard to be prescribed by the EAC in its Election Guidelines. These EAs would also be made available for public inspection electronically at ROs' offices. For those EAs of which prior submission to ROs are not practicable (e.g. electioneering messages of interactive and spontaneous nature through social networking and communication websites on the Internet), candidates are also allowed to deposit with the ROs the declaration and electronic copies of the EAs by the end of the first working day following the day on which the concerned EAs are displayed, distributed or otherwise used. Pending comments received from the public consultation exercise and the experience to be gained in future elections, consideration will be given to extending this arrangement to other forms of EAs if practicable.

### **Reduction of Paper Consumption on Election-related Materials**

16. For environmental protection reasons, we will continue to adopt various measures to reduce paper consumption on election-related materials including:

- (a) providing address labels of electors (except those who have provided REO with their email addresses) to candidates only upon request;
- (b) email addresses of electors, if available, will be provided to candidates;
- (c) promoting electors to register their e-mail addresses with the REO through GovHK and encouraging candidates to send their EAs by electronic means to electors who have provided their e-mail addresses;
- (d) maintaining the space allocated to each candidate on the introductory leaflet at 1/4 of a A4 page as in 2007 DC Election; and
- (e) using recycled paper or paper made from wood-pulp derived from sustainable forest to print electoral documents as far as practicable.

Furthermore, all electoral documents such as candidates' introductory leaflets and ballot papers will be printed with environmentally friendly ink.

## Other Related Measures

17. Other key measures which we propose to put in place to ensure the smooth conduct of the 2011 DC Elections include:

- (a) Organisation and set-up of the Central Command Centre : A Central Command Centre (“CCC”) will be set up at REO’s Caroline Hill Road Office on the polling day to oversee the conduct of the poll and provide central command and helpdesk/support services.
- (b) Compilation of voter turnout statistics : The Statistical Information Centre will be set up inside the CCC to collect and consolidate voter turnout statistics and counting results collected from the polling and counting stations via fax machines. The same arrangement was made in the 2008 LC Election and 2010 LC By-election which had proved to be efficient and reliable. The voter turnout figures will be made available to the public through press releases and the dedicated website for the 2011 DC Election on an hourly basis.
- (c) Staff recruitment : About 15,600 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 on the polling and counting procedures and arrangements including hands-on practice of counting duties will be arranged for staff. Polling Management Training which includes crisis management, quality polling service, training on emotional quotient, and experience sharing workshop will be organised for staff at the supervisory level. For staff who are deployed to compile statistical returns on the polling day, specialised training on statistical work will also be organised for them.
- (e) Contingency planning : An emergency depot will be set up in each of the 18 administrative districts to provide quick replenishment of supplies to the polling stations where necessary. Each emergency depot will be equipped with vehicles for urgent deployment if the need arises. We will

draw up a comprehensive contingency plan to deal with various kinds of incidents on the polling day.

**ADVICE SOUGHT**

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

Registration and Electoral Office  
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