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CONSTITUTIONAL AND MAINLAND AFFAIRS BUREAU  
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15 May 2012

Miss Flora Tai  
Clerk to Panel on Constitutional Affairs  
Legislative Council  
Legislative Council Complex  
1 Legislative Council Road  
Central, Hong Kong

Dear Ms Tai,

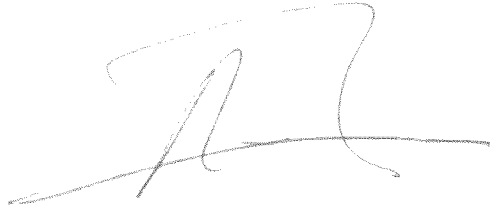
**Question raised by Hon Audrey Eu at  
the Constitutional Affairs Panel meeting on 16 April**

Our reply to the question on incumbent Members offering services to members of the public during the election period of the Legislative Council election raised by Hon Audrey Eu at the Constitutional Affairs Panel meeting on 16 April is set out below.

The Elections (Corrupt and Illegal Conduct) Ordinance, Cap. 554 (“ECICO”) prohibits the provision of advantages (including services), food, drink or entertainment in exchange for votes or not voting. The ECICO makes it an offence for any person (whether or not he/she is a candidate in the election), by himself/herself or through any other person, without reasonable excuse, to offer advantages before, during or after the election period, as an inducement to or reward for another to vote or not to vote for a particular candidate(s) at an election, or as an inducement to or reward for another not to vote at an election [Section 11 of ECICO]. It is also an offence for a person to provide or meet all or part of the cost of providing food, drink or entertainment for the above purposes [Section 12 of ECICO]. Any person who solicits or accepts such advantages, food, drink or entertainment may also be liable for an offence under the ECICO.

Candidates including incumbent Members offering services to members of the public should conduct themselves prudently in order to avoid committing an offence under the ECICO, and should seek legal advice in case of doubt.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Anne TENG', written in a cursive style.

( Ms Anne TENG )  
for Secretary for Constitutional and Mainland Affairs