

Legislative Council Panel on Constitutional Affairs

Checking Measures to Improve the Voter Registration System

Purpose

This paper explains the various checking measures on the registered residential addresses of electors introduced by the Registration and Electoral Office (“REO”) in 2012 to enhance the accuracy of the information in the voter registers.

Checking Measures

2. According to the current legislation, any eligible Hong Kong permanent resident has to provide a true and accurate residential address if he wishes to apply to be registered as an elector. After the 2011 District Council (“DC”) Election, there were complaints and media reports on cases of suspected false addresses of electors. To address public concern and to maintain the integrity of the voter registration system, the Administration conducted a review on the current voter registration system in late 2011 and proposed a series of improvement measures. After considering the views of the Members of the Legislative Council and those from the community, the REO has implemented a series of measures since January 2012 to improve the voter registration system and to enhance the accuracy of the information in the voter registers. The checking measures implemented by the REO in this regard include:

- (a) Follow up on the undelivered poll cards of the DC Election and the Election Committee Subsector Elections in 2011: the REO has issued a letter by registered mail to the elector concerned for any undelivered poll cards received, requesting the elector to confirm whether the address on the current final register is his principal residential address and to provide an address proof. If that letter is also undelivered or if the elector fails to reply by the deadline on the inquiry letter, the registration particulars of that elector will be removed from the 2012 provisional register and be included in the omissions list;

- (b) Checks on multiple electors or multiple surnames of electors at one registered residential address: the REO will require the electors concerned to provide proof or information if the number of electors or the surnames of electors exceed a certain number to confirm their residential addresses;
- (c) Random sampling checks: the REO has conducted random sampling checks on all electors in Hong Kong and requested the selected electors to provide proof or information to confirm their residential addresses;
- (d) Follow up on the undelivered letters on the voter registration of District Council (second) functional constituency (“DC (second) FC”): the REO sent a letter relating to the voter registration arrangements for the newly established DC (second) FC to all 3.56 million registered electors in Hong Kong in late February 2012. The envelope was specially designed to facilitate the public to return wrongly addressed letters to the REO for follow up action. The REO has issued inquiry letters to all electors whose letters are undelivered and requested them to confirm whether they still reside at the registered addresses and provide address proof;
- (e) Checks on demolished units or vacant units pending demolition: the REO has received a list of recently demolished buildings or buildings vacated pending demolition from the departments concerned (such as the Buildings Department and the Rating and Valuation Department). The REO has identified electors who may not have updated their residential addresses and issued inquiry letters to them;
- (f) Full-scale data matching with the Housing Department and the Hong Kong Housing Society: after seeking the agreement of the Privacy Commissioner for Personal Data, the REO has conducted a full-scale data matching exercise with the Housing Department and the Housing Society in March and April 2012 to confirm the accuracy of registered addresses of electors residing in public housing estates contained in the voter registers;

- (g) Follow up on suspected false address cases arising from the 2011 DC Election: the REO has issued 6 470 inquiry letters to electors involving in suspected false addresses from complaints received and media reports. The REO has thus far referred cases involving 2 120 electors to the law enforcement agencies for investigation (1 537 electors were involved in cases referred to the Hong Kong Police Force, while 583 electors were involved in cases referred to the Independent Commission Against Corruption); and
- (h) Other categories: the REO by applying internal criteria has identified a number of addresses suspected to be incomplete or located in non-domestic buildings from the current final register and issued inquiry letters to the electors concerned.

Number of Electors Covered by the Checking Measures

3. The REO has conducted different types of checks against 1.7 million electors through the aforesaid checking measures, covering 48% of all the 3.56 million electors in the current final register. In accordance with the checking results, the REO has issued inquiry letters to a total of 296 000 electors (17% of the all electors selected for checking), requesting them to confirm whether the addresses in the current final register are still their principal residential addresses. As at 25 May 2012, the REO has received the replies from about 40 000 electors, which is about 13% of the number of inquiry letters sent.

4. Details of the distribution of inquiry letters and the electors' replies as at 25 May 2012 are at **Annex**.

Statutory Written Inquiry

5. Section 7 of the Electoral Affairs Commission (Registration of Electors) (Legislative Council Geographical Constituencies) (District Council Constituencies) Regulation (Cap. 541A) ("the Regulation") provides that the Electoral Registration Officer ("ERO") may make inquiries that he considers fit to ascertain whether the address recorded in the existing final register against a person's name is no longer that person's principal residential address in compiling a provisional register. The Regulation also provides that the inquiry must be made in writing and must be sent by registered post addressed to the person from whom it is made. Moreover, section 9 of the Regulation provides that if the ERO has reason to believe that the address recorded in the existing final

register against a person's name is no longer the person's principal residential address and the principal residential address of that person is not known to the ERO at the time the omissions list is prepared, he must enter the name and the principal residential address of that person on the omissions list.

Methods for Handling Written Inquiry

6. The REO adopts different methods when issuing inquiry letters to electors under various checking measures. As regards the checking measures for those electors without reasonable grounds to suspect that their registered residential addresses are no longer their principal residential addresses, i.e., checks on multiple electors or multiple surnames of electors at one registered residential address and random sampling checks as stated in paragraphs 2(b) and 2(c) above, the REO first issues an enquiry letter to the elector concerned by surface mail and provides the elector about two to three weeks to reply. If the elector concerned replies to the enquiry letter and confirms his principal residential address, the REO will not issue an inquiry letter to the elector. If the elector fails to reply by the deadline as stated in the enquiry letter, or if the letter is returned to the REO because it is undelivered, the REO will issue an inquiry letter to the elector concerned by registered mail in accordance with the Regulation, and will request the elector to reply within three weeks. As such, this kind of electors will receive a total of two letters from the REO and has a total of about six weeks to reply. The name of such an elector will not be included into the omissions list unless the elector fails to provide a reply to the satisfaction of the ERO in any of the two letters.

7. As regards the electors for whom the REO has reasonable grounds to believe that their registered residential addresses are no longer their principal residential addresses, i.e., follow up of the undelivered poll cards arising from the DC Election and the Election Committee Subsector Elections in 2011, checks on the undelivered letters on the voter registration of DC (second) FC, checks on demolished or vacant units pending demolition, full-scale data matching with the Housing Department and the Hong Kong Housing Society, suspected false address cases arising from the 2011 DC Election and other categories as stated in paragraphs 2(a), 2(d), 2(e), 2(f), 2(g) and 2(h) above respectively, the REO will issue an inquiry letter to the elector concerned by registered mail in accordance with the Regulation, requesting them to confirm in writing his registered residential address and provide an address proof within three weeks.

Omissions List

8. For electors who have received the inquiry letters but have not replied to the REO by the deadline of 16 May 2012 to confirm their current residential addresses, the REO will remove their names from the provisional register to be published on 15 June 2012 and include them in the omissions list. For those whose names are included in the omissions list, they must reply to the inquiry letter, update their residential addresses or make a claim by 29 June 2012 so that their names could be included in the final register to be published in July 2012 after obtaining approval from the Revising Officer.

9. The 2012 provisional register and omissions list will be available for public inspection from 15 June to 29 June 2012. Full copies of the geographical constituencies provisional register can be inspected at the REO's Office at Harbour Centre, Wan Chai during office hours¹. The relevant section of the register pertinent to a particular district will also be available at the respective District Office during their office hours. As regards the geographical constituencies omissions list, full copies will be available for public inspection at the REO's Harbour Centre Office and the various District Offices.

Calling the REO's Hotline

10. Electors may call the REO hotline at 2891 1001 if they wish to make enquiries relating to updating of registration particulars or inquiry letters. They may also call the REO hotline during office hours between 15 June and 29 June 2012 and REO staff will be available to assist them to check whether their names are included in the 2012 provisional register or omissions list so that they can update their registration particulars with the REO if necessary.

Enhanced Publicity

11. Since February 2012, the REO has been enhancing its publicity throughout Hong Kong including issuing press releases, broadcasting Announcements in Public Interests (APIs) on radio and publishing advertisements on newspapers to appeal to electors to update their residential addresses and remind the electors being inquired to reply as soon as possible. The REO will publish advertisements on newspapers, broadcast APIs on radio, and publish information on the

¹ Mondays to Fridays, 9 a.m. to 6 p. m.

electronic panels in MTR trains and the Government website again in June 2012 to remind the public the arrangements to inspect the provisional register and the omissions list and appeal to registered electors to update their residential addresses by the deadline of 29 June 2012.

Advice Sought

12. Members are requested to note the REO's various checking measures on registered residential addresses of electors and the publicity arrangements.

Constitutional and Mainland Affairs Bureau
Registration and Electoral Office
May 2012

Registration and Electoral Office
Enhanced checking measures
Number of inquiry letters issued and the replies received
(as at 25 May 2012)

Checking Measures	Number of electors covered	Number of inquiry letters issued	Number of replies returned
(a) Follow up on the undelivered poll cards arising from the District Council Election and the Election Committee Subsector Elections in 2011	77 970	77 970	2 000
(b) Checks on multiple electors or multiple surnames of electors at one registered residential address (same address with more than a certain number of electors/surnames)	23 900	13 400	3 600
(c) Random sampling checks	107 000	30 860	9 530
(d) Follow up on the undelivered letters on the voter registration of District Council (second) functional constituency	138 600	67 600	2 700
(e) Checks on demolished or vacant units pending demolition	510	510	40
(f) Full-scale data matching with the Housing Department and the Hong Kong Housing Society	1 450 000	99 000	20 280
(g) Follow up on suspected false address cases arising from the 2011 District Council Election	9 940	6 470	2 300
(h) Other categories (incomplete addresses, commercial addresses or suspected non-residential addresses)	6 900	780	180
Total:	1 701 620*	296 590	40 630

*Note : The total number of electors targetted is 1 701 620 instead of the original sum of 1 814 820 as some of the electors were checked more than once under different checking measures.