

Legislative Council Panel on Constitutional Affairs

1999 District Council Elections : Election Expenses Limit

Purpose

This paper sets out the Administration's preliminary proposal on the limit of election expenses for the District Council (DC) elections to be held in 1999. Member's views on the preliminary proposal are most welcome.

Background

2. Under Section 13(1) of the Corrupt and Illegal Practices Ordinance (Cap.288) ¹, the Chief Executive in Council is empowered to prescribe the limit of election expenses which may be incurred by or on behalf of a candidate running for elections to the DC ².
3. The setting of election expenses limit is to allow candidates to compete on a level playing field in an election. The limit does not restrict the way in which a candidate runs his campaign. Candidates are free to spend as much or as little as they like and on any items they want, provided their election expenses stay within the prescribed limit.
4. In setting the election expenses limit, the Government's principle has always been that the ceiling must not be so low as to place unreasonable restriction on election activities, nor so high as to deter less well-off candidates from standing for election. The limits for recent District Board elections were arrived at based on the population size of constituencies and various basic expenditure items commonly used by the candidates. The levels thus set were \$30,000 and \$45,000 for the 1991 and 1994 District Board elections respectively.

¹ The Corrupt and Illegal Practices Ordinance was amended by the District Councils Ordinance (8 of 1999) on 11 March to cover District Council elections.

² The Elections (Corrupt and Illegal Conduct) Bill was introduced into the Legislative Council on 3 February. It is being scrutinized by a Bills Committee. When the Bill is passed by the Legislative Council, it will replace the Corrupt and Illegal Practices Ordinance. Similar power for the Chief Executive in Council to prescribe the limit of election expenses for District Council elections is provided for in the Bill.

Preliminary Proposal

5. The established approach of estimating election expenses for District Board elections, and hence setting the expense limits, on the basis of the population size of constituencies and commonly used expenditure items is systematic, logical and objective. We consider that the same approach should be followed in determining the election expenses limit for the coming 1999 DC elections. Given that the population size of constituencies for the coming elections is similar to that for the 1994 District Board elections, we have used the same list of expenditure items as that used in setting the 1994 limit and updated the prices of the items to arrive at an estimate for the 1999 DC elections. Our calculation shows that the new election expense limit should be set at \$45,000, the same level for the 1994 District Board elections.

6. The detail calculation is at Annex.

Next Step

7. The Administration welcomes views from Members. We plan to table the relevant subsidiary legislation for scrutiny by the Legislative Council in May 1999.

Constitutional Affairs Bureau
12 April 1999

LS200

Detailed Calculation
計算方法詳情

Based on a District Council constituency¹ with a population of about 23,000
以一個人口約有 23,000 人的區議會選區¹計算

	<u>Unit Cost (\$)</u> 單位成本 (元)	<u>Quantity²</u> 數量 ²	<u>Amount (\$)</u> 款額 (元)
1. Banners 橫額	290 (222)	15 (15)	4,350 (3,330)
2. Publicity Boards 宣傳板	145 (212)	36 ³ (10)	5,220 (2,120)
2'. Placards 標語牌	- (36.4)	- (26) ³	- (946.4)
3. Posters 海報	3.5 (6.7)	500 (500)	1,750 (3,350)
4. Handbills 傳單	0.24 (0.46)	4,900 (4,900)	1,176 (2,254)
5. Sample Ballot Papers 選票樣本	0.24 (0.22)	4,900 (4,900)	1,176 (1,078)
6. Pamphlets 小冊子	0.7 (0.85)	19,600 (19,600)	13,720 (16,660)
7. Food and Drinks (Election Day) 膳食及飲品 (選舉日)	90 (67)	50 persons (50 persons) 人	4,500 (3,350)
8. Food and Drinks (Before Election Day) 膳食及飲品 (選舉日前)	60 (40)	30 man-day (30 man-day) 人工日	1,800 (1,200)
9. T-shirt and Armbands T 恤及臂章	49.5 (42.2)	50 (50)	2,475 (2,110)
10. Public meetings 公眾集會	198.8 (180.3)	8 hours (8 hours) 小時	1,590.4 (1,442.4)
11. Agent ID cards 代理人身份證明牌	1.7 (3.9)	50 (50)	85 (195)
12. Travelling expenses 交通費用	- NA - 不適用		2,100 (2,100)
13. Miscellaneous 雜項	- NA - 不適用		4,000 (4,000)
Total 總數			\$43,942.4 (\$44,135.8)
	Election Expenses Limit at say 選舉開支限額約為		\$45,000

() figures used in the calculation of the election expenses limit for the 1994 District Board elections.
括號內數字用以計算 1994 年區議會選舉的選舉開支限額。

- ¹ This is the largest constituency (Wo Che Estate) according to the Electoral Affairs Commission's provisional recommendations on the 1999 District Council boundaries. 根據選舉管理委員會就 1999 年區議會選區分界所提出的臨時建議，這是最大的區議會選區（禾輦邨）。
- ² The same list of expenditure items and the associated quantities for the 1994 District Board elections are adopted here. 這份資料採用了 1994 年區議會選舉的同一開支項目清單和數量。
- ³ Experience in past elections shows that placards, which are thinner boards, are no longer used by candidates. Instead, publicity boards are used. The proposed quantity for publicity boards is therefore arrived at by adding the number of placards to the number of publicity boards used in the calculation of the 1994 District Board election expenses limit. 根據過往選舉的經驗，候選人已不再採用標語牌（較薄的牌匾），反而會採用宣傳板。因此，在設定宣傳板的數量時，我們把用以計算 1994 年區議會選舉選舉開支限額的標語板數目併入宣傳板數目內。