

**Legislative Council
Panel on Constitutional Affairs
Meeting on 21 September 1998**

**Electoral Affairs Commission
Report on the 1998 Legislative Council Elections**

Introduction

This paper sets out the major recommendations in the Electoral Affairs Commission (EAC) Report on the 1998 Legislative Council (LegCo) Elections (the Report).

Background

2. The 1998 LegCo elections were held on 24 May. Section 8 of the Electoral Affairs Commission Ordinance (Ordinance 129 of 1997) requires, inter-alia, that the EAC shall make a report to the Chief Executive, within three months after the election, on matters relating to that election in respect of which the EAC has any function.

The Report

3. The EAC submitted its report to the Chief Executive on 24 August 1998. The Report sets out the arrangements made by the EAC for the LegCo elections, including the registration of electors, the electoral procedure and arrangements, the formulation of the EAC guidelines, the conduct of the elections and the complaints system. The Report also contains a detailed review of these arrangements in the light of experience, and the improvement measures proposed for future elections.

4. In line with the EAC's recommendation, the Administration made public the Report on 16 September 1998. Advance copies were delivered to Members on the same day.

Summary of Major Recommendations

Voter Registration System

5. The EAC suggests that consideration should be given to obliterating certain personal information (e.g. identity card numbers) of electors from the register for better protection of personal data. Moreover, arrangements should be made to allow electors to indicate their preference for Chinese or English as the language to be used in election mail. To ensure that electors are aware that poll cards would be sent to their updated addresses as provided by the Housing Department, notices of change of registered addresses should be sent to both the old and new addresses of the electors concerned.

Computerization of Electoral Arrangements

6. The EAC recommends that the present computer system should be enhanced to improve the voter registration record system and allow for the easy retrieval of information. Besides, the viability of computerized electorate data should be further studied with a view to making the polling and counting arrangements even simpler. However, as this would have large resource and technical implications, the EAC regards this as a matter requiring improvement in the long-term.

Review of Electoral Legislation and Guidelines

7. The EAC considers that certain areas in the electoral legislation and guidelines should be reviewed to address the potential problems identified, such as the possible abuse of free mailing services for candidates, and nuisance caused by the use of loudhailers in electioneering activities. Moreover, the various requirements in respect of the declaration of election advertisements and election expenses in the Corrupt and Illegal Practices Ordinance (CIPO) and the Electoral Affairs Commission (Electoral Procedure) (Legislative Council) Regulation should be reviewed and clarified where appropriate to facilitate compliance and enforcement.

Polling and Other Practical Arrangements

8. The EAC has recommended a number of measures to further improve the polling arrangements. These include conducting prior consultation with concerned departments and disabled groups on the

locations of polling stations; provision of adequate and better polling equipment; introducing measures to facilitate verification of electors' personal particulars at polling stations, and preserving the contingency arrangements of allocating an alternative polling station for electors designated to polling stations which are seriously affected by inclement weather.

9. As regards improvements to other practical arrangements, the EAC has recommended that consideration be given to printing the official introductory leaflets in full colour; allowing the use of political party names and logos on ballot papers; and continuing with mock polling and counting rehearsals, as well as opening sample polling stations to familiarize electoral staff and the public with the procedures before polling day.

Way Forward

10. The Administration will study carefully the EAC's recommendations in consultation with the departments concerned. All views and suggestions will be considered carefully to see how the electoral process and the various practical arrangements can be further improved in future elections.

Constitutional Affairs Bureau
16 September 1998