

LC Paper No. CB(2)797/99-00(01)

CA Panel - 17 Jan 2000

Proposed Counting Arrangements for the 2000 Legislative Council Elections

Consultation Document

Electoral Affairs Commission

January 2000

Subject of Consultation

1.1 The next Legislative Council (LegCo) Elections will be held in September 2000, on a date to be appointed by the Chief Executive. The Electoral Affairs Commission (EAC) is now drafting the Proposed Guidelines on Election-related Activities in respect of the 2000 LegCo Elections and will consult the public on the proposed guidelines in February 2000. Whilst the EAC intends to maintain most of the electoral arrangements used in the 1998 LegCo Elections for the 2000 LegCo Elections, it has nevertheless taken the opportunity to consider adopting a different arrangement for the counting of ballot papers in the 2000 LegCo Elections. Owing to the importance of the subject, the EAC would like to consult the public before it arrives at a decision.

Background

1.2 Centralised counting was used in the last LegCo general election held in 1998. The EAC, in its Report on the 1998 LegCo Elections, considered the counting arrangements for the 1998 LegCo Elections satisfactory and recommended that these arrangements should be adopted for future elections.

1.3 Indications are that it will not be possible to hire the same venue as in 1998 for the purpose of a centralised counting for the 2000 LegCo Elections, and it would not be possible to obtain another venue of similar or even comparable size and convenience. Moreover, there has been a general concern that the counting process should be speeded up as much as possible.

1.4 The EAC has also considered the 18 district counting stations model adopted in the 1999 District Councils (DCs) Election but has concluded that the model does not compare well with the two options set out below for the purpose of the LegCo Elections, taking into account the various advantages and disadvantages of one or the other of those options.

Two Proposed Options to Conduct the Count

1.5 The EAC considers it necessary to explore the following two options to conduct the count for the 2000 LegCo Elections-

- (a) one regional counting station for each of the five Geographical Constituencies (GCs), and one central counting station for the Functional Constituencies (FCs) and the Election Committee (EC); and
- (b) GC ballot papers will be counted at each polling station while FC and EC ballot papers will be counted at a central counting station.

1.6 For easy reference, a table outlining the main features, the pros and cons of the above two options is at **Annex**. Before the EAC makes its final decision, it welcomes views and suggestions from members of the public on these two options.

Consultation Timetable

1.7 Any views or suggestions on this consultation document should be sent to reach the Electoral Affairs Commission **on or before 9 February 2000** at the following address-

Address: Electoral Affairs Commission c/o Registration and
Electoral Office 14th Floor, Guardian House 32 Oi
Kwan Road Wan Chai Hong Kong

Fax number: 2893 2545

E-mail: eacenq@eac.gcn.gov.hk

1.8 Views or suggestions on this consultation document can also be given to the EAC at the following public forum-

Date: 25 January 2000 (Tuesday)

Time: 3:30 pm

Venue: Recital Hall 8th Floor, City
Hall High Block
Edinburgh Place Central
Hong Kong

1.9 The EAC would wish, either in discussion with others or in any subsequent report, whether privately or publicly, to be able to refer to and attribute comments submitted in response to this consultation document. Any request to treat all or part of a response or the identity of the representor in confidence will be respected, but if no such request is made, it will be assumed that the response is not intended to be confidential.

**Proposed Counting Arrangements for
2000 Legislative Council Election**

	<p align="center">Option 1</p> <p align="center">1 Counting Station for each Geographical Constituency (GC) and 1 Central Counting Station for the Functional Constituencies (FCs) and the Election Committee (EC)—</p> <p align="center">5 GC counting stations</p>	<p align="center">Option 2</p> <p align="center">Each Polling Station to Count its own GC Ballot Papers plus 1 Central Counting Station for the FCs and the EC—</p> <p align="center">About 500 GC polling/counting stations</p>
<p>1. General arrangements</p>	<p>(a) There will be 1 counting station in each of the 5 GCs. Ballot boxes from polling stations within the GC will be delivered to the counting station for counting.</p> <p>(b) There will be a Central Co-ordination Centre (CCC) for the collection of voter turnout rates from polling stations and election results from the GC counting stations.</p> <p>(c) A part of the CCC will also serve as the central counting station for FCs and the EC.</p> <p>(d) All FC and EC ballot boxes will be delivered to the CCC direct from polling stations.</p> <p>(e) FC and EC ballot papers will be sorted and counted at the CCC.</p> <p>(f) (i) Announcement of FC and EC election results will be made at the CCC.</p> <p>(ii) Announcement of GC election results will be made at the respective GC counting station.</p>	<p>(a) GC ballot papers will be counted at each polling station.</p> <p>(b) There will be a CCC for the collection of voter turnout rates and number of votes cast for each list within a GC from polling stations, and for the calculation of the election results of GCs.</p> <p>(c) A part of the CCC will also serve as the central counting station for FCs and the EC.</p> <p>(d) FC ballot boxes will first be opened for verification of ballot paper accounts before delivery to the CCC for counting. EC ballot boxes will be delivered to the CCC direct from polling stations.</p> <p>(e) FC and EC ballot papers will be sorted and counted at the CCC.</p> <p>(f) Announcement of all GC, FC and EC election results will be made at the CCC.</p>

	(g)All electoral information on the polling day will be disseminated to the media through a press centre at the CCC.	(g)All electoral information on the polling day will be disseminated to the media through a press centre at the CCC.
2. Accommodation	(a)There should be no difficulty in finding a suitable venue, e.g. indoor recreation centre, in each of the 5 GCs.	(a)(i) No need to identify separate venues for counting station. (ii) Some of the polling stations used in the DCs Election may not be suitable for use as polling cum counting stations and alternative venues will have to be identified for the purpose.
3. Staffing	A typical GC counting station may accommodate 300 to 350 staff depending on the size of the venue. It follows that a total of about 1,500 to 1,750 counting staff may be mobilised at the 5 GC counting stations	On the basis of 1 counting staff for 1,000 ballot papers, and an average of 3,000 ballot papers cast at each polling station (as in the 1998 LegCo Election), an average of 3 counting staff in each polling station will be required. This means a total of about 1,500 counting staff for 500 polling/counting stations.
4. Set-up cost	(a)The estimated cost for setting up the CCC and the central counting station for FCs and the EC is \$2,000,000. (b)The set-up cost is estimated to be \$521,000 per station, totalling \$2,605,000.	(a)The estimated cost for setting up the CCC and the central counting station for FCs and the EC is the same as Option 1. (b)As the polling stations can be used for the counting, no additional set-up cost will be required.
5. Counting process and counting time	Counting can commence after the arrival of ballot boxes from the polling stations. Counting would be completed later than Option 2.	Counting can commence after the close of the poll and following the setting up of the venue for counting purposes. No need to deliver the GCs ballot boxes or to wait for the arrival of ballot boxes from polling stations to counting stations.
6. Convenience to candidates	(a)Candidates and their representatives can observe the count at their own GC counting station.	(a)(i) Candidates may have to rely on their polling agents to witness the count. (ii) Some candidates may have difficulty in fielding a sufficient number of counting agents to all the counting stations within their GCs to observe the count and the determination of questionable ballot papers.

7. Transportati- on of ballot boxes	Ballot boxes from about 100 polling stations will need to be delivered to each of the 5 GC counting stations. Completion of count will therefore be later than Option 2.	No transportation of GC ballot boxes will be required. The option is the speediest and safest way to handle GC ballot boxes.
8. Determination of questionab- le ballot papers	<p>(a) An Assistant Returning Officer (Legal) (ARO(L)) will be appointed for each GCs and will be stationed at the counting station for the related GC.</p> <p>(b) Determination of questionable ballot papers for a GC will be made by the Returning Officer (RO) who will be assisted by the ARO(L) of that GC.</p> <p>(c) As determination of questionable ballot papers for a GC is made by the same person, no question of inconsistency will arise.</p> <p>(d) Candidates and their representatives will need to cover their own single counting station to participate in the process of determination of questionable ballot papers, if they so wish.</p>	<p>(a) An Assistant Returning Officer (Legal) (ARO(L)) will be appointed for each GC and stationed at the CCC.</p> <p>(b) The Presiding Officer (PRO) can be appointed as an Assistant Returning Officer (ARO) and empowered to supervise the counting work and to determine questionable ballot papers.</p> <p>(c) There may be reservations about the competence and experience of the PRO to perform the dual duties of polling and counting, but -</p> <ul style="list-style-type: none"> (i) determination of questionable ballot papers should pose little problem with the use of the chop (as in the 1999 DCs Election); (ii) the PRO can seek legal advice by faxing the questionable ballot papers to the ARO(L) stationed at the CCC; and (iii) intensive training of PROs may overcome problems. <p>(d) Candidates and their representatives will need to cover about 100 counting stations to participate in the process of determination of questionable ballot papers, if they so wish.</p>
9. Recount	(a) Recount of GC ballot papers is possible as all ballot papers within one GC are centralized at a counting station. But time for recounting will be long in view of the large number of ballot papers (ranging from 207,000 to 377,000 for each GC in the 1998 LegCo Election).	(a)(i) Because of the considerably smaller number of ballot papers in each polling station (ranging from 12 to 9,400 in the 1998 LegCo Elections), counting of ballot papers may be completed within a short time.

		(ii) All ballot papers in the polling station will be counted twice to ensure accuracy. A new regulation will need to be introduced to disallow candidates' request for recount at the CCC.
10. Transparency	<p>(a) Candidates and their representatives can observe the counting process in their own GC counting station.</p> <p>(b) The public, though admitted to the counting station, will be too far away from the counting tables to see the votes on the ballot papers during the count.</p>	<p>(a) Candidates and their representatives are allowed to observe the counting process but because of the large number of polling/counting stations, sufficiency of their manpower may be a problem.</p> <p>(b) Transparency of the counting process will be higher than Option 1 as the public will be allowed entry to the polling/counting stations to witness the count at a much closer distance. Vote marked on the ballot papers will be shown to those present at the count.</p>
11. Media coverage	<p>(a) Election results will be transmitted from the 5 GC counting stations to the CCC and made known to the media.</p> <p>(b) The media will have to cover the announcement of GC election results in the 5 GC counting stations separately.</p> <p>(c) Less manpower will be needed if the media wishes to cover each of the 5 counting stations and the CCC.</p>	<p>(a) The number of votes cast for each list of candidates of the GC will be transmitted from all the polling stations to the CCC and made known to the media in the same manner as the reporting of voter turnout rates in the 1999 DCs Election. No problem is anticipated.</p> <p>(b) The media will cover the centralised announcement of election results for the GCs at the CCC.</p> <p>(c) Much more manpower will be needed if the media wishes to cover all 500 counting stations and the CCC.</p>
12. Secrecy of the vote	(a) Vote secrecy will be ensured by the provision of envelopes for all FCs ballot papers in the same way as in the 1998 LegCo Elections.	(a) Vote secrecy will be ensured by the provision of envelopes for all FCs ballot papers in the same way as in the 1998 LegCo Elections.

	(b)Secrecy of the GC votes will be fully maintained.	(b)There may be reservations that secrecy of the GC votes may not be ensured in a polling/counting station if only a few votes have been cast therein, but that is highly unlikely in view of the fact that only two polling stations catered for less than 50 electors in the 1999 DCs Election.
13. Handling of misplaced GCs and FCs ballot papers	<p>(a)(i) Ballot boxes for the GCs will be opened at their respective GC counting stations.</p> <p>(ii) All FC ballot boxes will be opened at the FCs central counting station.</p> <p>(b)After all ballot boxes have been opened, any FCs ballot papers found in the GC ballot boxes will be delivered to the FC central counting station without being taken out of the envelopes. Any GC ballot papers found in FC ballot boxes will be delivered to the 5 GC counting stations.</p>	<p>(a)The GC and FC ballot boxes will be opened for verification of ballot paper accounts at the polling/counting stations.</p> <p>(b)During the verification of ballot papers accounts,</p> <p>(i) any GC ballot papers found inside the FC ballot box will be retained at the polling/counting station for counting with the main ulk of GC ballot papers; and</p> <p>(ii) any FCs ballot papers found in the GC ballot box will be re-sealed together with the other FC ballot papers without being taken out of the envelopes and delivered to the FC central counting station for sorting and counting.</p>