

## **Legislative Council Panel on Constitutional Affairs**

### **Systems of Voting and Voter Registration for LegCo elections**

#### **Purpose**

This paper sets out the Administration's views on the desirability and feasibility of automatic voter registration and computerised voting.

#### **Background**

2. At a meeting of the Legislative Council (LegCo) Subcommittee on subsidiary legislation relating to the 2000 LegCo election in December 1999, some Members expressed the view that electoral arrangements should be voter friendly as far as practicable. They specifically asked the Administration to consider introducing automatic registration of electors, and setting up a computerised voting system.

3. Under an automatic registration system, the names and other relevant information of eligible voters would automatically be put into a voter register, thereby eliminating the need to go through a registration process. Computerised voting may involve virtual polling and/or the use of electronic voting devices. Virtual polling, including electronic verification of electors' identities, allows electors to cast their votes for a particular constituency at any polling stations. Computerised voting could enable electors to cast their votes through an electronic voting device.

#### **Automatic Voter Registration**

4. The Administration has been actively pursuing automatic registration of eligible electors as a long term objective. However, actual implementation would only be possible after a number of practical problems have been resolved. These include -

- (a) putting in place an electronic database which captures accurate and up-to-date personal records, including residential addresses, of all eligible electors; and
- (b) weeding out ineligible voters from an automatic register.

5. On the setting up of an electronic database, the Immigration Department is conducting a consultancy study to prepare for the launch of the next generation of the Registration of Persons (ROP) system. As part of the study, the consultant has been asked to look into the feasibility of enhancing the ROP system to capture and update the residential addresses of identity card holders to facilitate the compilation of an automatic voter register. Separately, the Registration and Electoral Office (REO) will shortly conduct a feasibility study on the development of a new Electoral and Registration System. The results of these two studies, expected to be available in the latter half of 2000, will give us a better idea of the feasibility of automatic registration.

6. There is presently a set of qualification and disqualification provisions in the electoral laws governing the registration of voters. Apart from being a Hong Kong permanent resident aged 18 or above, a person must be ordinarily residing in Hong Kong and is not caught by any of the disqualification provisions (e.g. being convicted of a corrupt offence within the past three years). We need to consider how to weed out ineligible voters under an automatic registration system.

### **Computerised Voting**

7. The current strategy of the Administration is to introduce more information technology in various elections to facilitate voting and counting. For example, we have utilised an electronic counting system in the 1998 Election Committee (EC) and EC subsector elections of the LegCo.

8. While virtual polling would further enhance convenience to electors and electronic voting could help reduce the counting time required after the close of the poll, we need to consider carefully a number of factors, before deciding whether to implement computerised voting. These factors include -

#### **(a) Public acceptance of electronic voting**

Whether the public would readily accept electronic voting is a fundamental problem that needs to be addressed. The existing manual system has worked well and is regarded as credible and

highly transparent by the community at large. Any electronic voting system would invariably bring about a lower degree of transparency than the manual system we are now using. This might affect the public's confidence in the credibility of the elections;

**(b) Technical requirements of computerised voting**

If a computerised voting system is adopted, we must ensure that it is accurate, reliable and secure. The design must be capable of protecting the system from outside interference which may undermine the impartiality of the elections. It must also be able to meet the requirement of producing evidence in court in the event of an election petition.

Considering that some of the polling stations are currently housed in venues with unstable electricity supply or vulnerable to flooding etc., we need to overcome the difficulties in putting in place backup facilities or contingency measures that would ensure that polling activities would not be affected in case of power or hardware failures; and

**(c) Cost effectiveness of computerised voting**

The costs involved in the procurement, installation and testing of the computer equipment would be very high, not to mention the resources required for storage, maintenance and repair. Given the fast pace of technological development, the equipment could easily become obsolete. The cost of a computerised voting system must be carefully balanced against the benefit of convenience to voters and shorter counting time.

9. In view of the above, we have to do more to improve the viability of implementing a computerised voting system at this stage. We will continue to explore whether the present voting arrangements could be further improved. As mentioned in paragraph 5, REO will shortly conduct a feasibility study on the development of a new Electoral and Registration System. Apart from looking at the viability of automatic registration, the study will also assess the feasibility and costs of implementing virtual polling and computerised voting and counting. On the basis of the results of

the feasibility study, we will further consider the pros and cons of implementing computerised voting systems.

## **Conclusion**

10. Members are requested to note the content of this paper.

Constitutional Affairs Bureau

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