

**Extract of paper prepared by the Administration for the Panel on Constitutional Affairs on "Provision of partial financial support to LegCo candidates"**

**Provision of partial financial support to LegCo Candidates**

10. It has been previously suggested that the feasibility of introducing a political party law should be examined, and that the Government has been requested to give consideration to this matter. According to our understanding, political parties or political groups mainly wish to obtain statutory recognition and financial support. After careful consideration, we have decided that now is not the time to introduce a political party law to regulate the operation of political parties. We believe that political parties should be allowed sufficient room to develop so as to facilitate effectively the development of political parties in Hong Kong. Imposing additional statutory controls on the operation of political parties might in fact hinder the development of political parties. Therefore, we suggest introducing additional provisions within the existing legal framework so as to implement the following measures –

- (a) providing partial financial support to candidates standing in LegCo elections; and
- (b) inviting the EAC to revisit the proposal to allow the printing of the names and emblems of candidates' parties (or organizations) or the candidates' photographs on the ballot paper.

11. Currently, LegCo candidates are entitled to two rounds of free mailing service so that they can communicate with their electorate. Besides, candidates may make use of the free TV and radio air time on RTHK to promote their election platforms. We understand that the free mailing service may not meet entirely the needs of candidates. Thus, to provide candidates with more flexibility to conduct their election activities, we recommend that candidates be provided with financial support. Details of the proposal are as follows.

- (a) Government will provide financial support to a candidate in accordance with the number of votes he has received, to meet part of his election expenses. The rate will be set at \$10 per vote but capped at 50% of the actual election expenses of the candidate concerned<sup>(Note 1)</sup>. Under the proposed scheme, only candidates who get elected, or those have received 5% of valid votes or more, will be given financial support. The proposed arrangements will be applicable to candidates in both the GC and FC elections.

- (b) In response to suggestions made previously that the support provided by the Government should be made more flexible, we recommend that the free mailing for candidates be reduced from two rounds to one. Every candidate will still be entitled to one round of free mailing.
- (c) As a corollary of our intention to enhance our financial support to election candidates, we propose to lower the existing threshold (5%)<sup>(Note 2)</sup> for the return of election deposit to 3%.
- (d) The free TV and radio air time on RTHK will be maintained to allow candidates to promote their election platforms.

12. From our perspective, the proposed scheme will not only provide financial support to candidates and their respective political parties or political group, but also provide them with more flexibility in planning their election activities. Under the proposed scheme, independent candidates will be eligible for the same support, in order to allow them adequate room to participate in elections. Candidates who receive broader public support in the elections will receive additional financial support to meet their election expenses, whereas those who receive moderate support (i.e. 3%) will also have their election deposit returned. We believe that, as a result of the proposal, more public-spirited candidates will be encouraged to stand in the elections.

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<sup>(Note 1)</sup> We are currently studying the issue of election expense limits in conjunction with that of the GC elections. Upon completion of the study, we will report to the Constitutional Affairs Panel as soon as possible.

<sup>(Note 2)</sup> Under section 4 of the Legislative Council (Subscribers and Election Deposit for Nomination) Regulation, the election deposit of unsuccessful candidates or lists will be forfeited unless the candidate/list has secured 5% or more valid votes of all those received for the constituency concerned.

