

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

### **Independent Committee of Experts for the Review on the Management, Planning and Conduct of Elections**

#### **Purpose**

This paper informs Members of the appointments made by the Chief Executive to the Independent Committee of Experts for the Review on the Management, Planning and Conduct of Elections.

#### **Background**

2. The third term Legislative Council (LegCo) Election was held on 12 September. In view of public concern on the various problems regarding the practical arrangements for polling day, the Electoral Affairs Commission (EAC) made public on 10 November 2004 the Interim Report on the 2004 LegCo election to give an account of the progress of the Commission's investigation into the problems with the arrangements on the polling day and its findings.

3. The various problems identified in the Interim Report reveal that there is room for improvement in the planning and conduct of election. In view of this, the Chief Executive announced on 10 November 2004 that a non-statutory Independent Committee of Experts would be set up. In the light of the EAC reports, information obtained by the Committee and its assessment of the management responsibilities for the arrangements for the 2004 LegCo election, the Committee will review the management, planning and conduct of elections, and to make recommendations on improvement measures.

4. The EAC continued its investigation into the uncompleted complaint cases as well as other outstanding issues after the submission of the Interim Report. The EAC made public the Final Report on the 2004 LegCo Election on 15 December 2004 which gives a detailed report on the findings of those issues and sets out the recommendations on improvement measures for future elections.

## **The Committee**

5. The Chief Executive announced on 15 December 2004 the appointment of Dr. Daniel TSE Chi Wai as the Chairman of the Independent Committee of Experts, and Mr Philip CHEN Nan Lok, Mr Daniel Lai and Mr Herbert TSOI Hak Kong as members of the Committee. Dr TSE is a renowned academic. Mr CHEN, Mr LAI and Mr TSOI are experienced members in, respectively, management and logistics, information technology and legal fields.

6. The terms of reference of the Committee is at the Annex. The Committee is expected to start work in early January 2005 and to take about three months to complete its work and compile a report to the Chief Executive. During the review, the Committee will invite views and comments from parties concerned. The report of the Committee will be made public.

Constitutional Affairs Bureau  
15 December 2004

**Independent Committee of Experts for the Review  
on the Management, Planning and Conduct of Elections**

**Terms of Reference**

Having regard to the reports of the Electoral Affairs Commission (EAC) and any further information obtained by the Committee regarding the arrangements for the 2004 Legislative Council election, and in the light of the Committee's assessment of the management responsibilities for these arrangements-

- (a) to review and advise on how:
  - (i) the Registration and Electoral Office (REO) may better support the EAC in carrying out its statutory functions in the conduct and supervision of elections;
  - (ii) the REO may better perform its functions in relation to the management, planning and conduct of elections; and
  - (iii) the communication system and other arrangements for the counting of votes and for the reporting, compilation and announcement of polling and counting figures and other relevant matters can be improved, and
- (b) to make such recommendations as it considers necessary for further follow-up action.

*Explanatory notes:*

- (1) *The Committee will invite relevant departments and organisations to provide information in relation to their role and involvement in the management, planning and conduct of the 2004 LegCo election.*
- (2) *The Committee will invite the public and other parties concerned to provide information in relation to the problems regarding the practical arrangements for the 2004 LegCo election.*
- (3) *The report to be submitted by the Committee to the Chief Executive will be made public.*