

Legislative Council Panel on Constitutional Affairs

Practical Arrangements for the Election of the Third Term Chief Executive

INTRODUCTION

This paper sets out the key electoral arrangements for the Chief Executive (“CE”) Election to be held on 25 March 2007.

BACKGROUND

2. The Electoral Affairs Commission (“EAC”) is the statutory and independent body responsible for the conduct and supervision of elections. The EAC, supported by the Registration and Electoral Office (“REO”), is making preparations for various electoral arrangements for the CE Election. The poll will be held on 25 March 2007. The relevant practical arrangements relating to the polling and the counting of votes are set out in the following paragraphs.

DETAILED ARRANGEMENTS

Register of members of the Election Committee (“EC”)

3. The EC is responsible for electing the CE. Following the EC Subsector Elections held on 10 December 2006, an interim register of the EC members has been compiled and published. The term of the EC will commence on 1 February 2007, and a final register of the EC members will be published on the same date.

Nomination period

4. According to the law, the nomination period shall not be less than 14 days and shall terminate on a day earlier than 21 days before the polling date. The exact dates will be announced. Nomination forms will be available at the REO upon the announcement of the nomination period.

Polling and counting station

5. Polling and counting will be centralised, and we are now arranging for this to be conducted at Asia World Expo. The polling station will comprise issuing desks and voting compartments. Similar to all other elections, an area outside the polling station will be designated as the No Canvassing Zone and the No Staying Zone¹. The counting station will comprise a counting zone, a seating area for members of the EC, candidate (s) and agents, a working area for the media, and a seating area for members of the public who wish to observe the counting of votes.

Polling arrangement

6. The REO will send to each elector a polling notice at least 10 days before the polling date (i.e. on or before 15 March 2007). The polling notice will state the polling date, the address of the polling station and the polling hours (see paragraph 7 below). It will be accompanied by a location map of the polling station, detailed voting instructions, and details of the polling and counting procedures.

7. In a contested election where there is more than one validly nominated candidate, different rounds of voting may need to be held on the polling date. The first round of voting will start at 9 am and close at 10 am. Thereafter, the count will start. If none of the candidates obtains an absolute majority of valid votes, another round of voting will be held. This round will start at 2 pm and close at 3 pm. The count will follow thereafter. If again none of the candidates obtains an absolute majority, the third round of voting will be held. This round will start at 7 pm and close at 8 pm. Again, the count will follow thereafter. In the event that there is a need for the fourth round or further rounds, it will be held on the following day.

8. In an uncontested election where there is only one validly nominated candidate, the voting will start at 9 am and close at 10 am. Thereafter the count will start. Please refer to paragraph 13 below on the arrangements, if the number of support votes obtained by the candidate exceeds or does not exceed half of the total number of valid votes cast in the poll.

¹ The boundary of both zones is to be determined by the Returning Officer. He will give a notice indicating the boundary of the two zones to every candidate at least 7 days before the polling date.

Design of ballot papers

9. The design of ballot papers will follow the forms set out in the law. In a contested election where more than one round of voting may be required, ballot papers to be used in different rounds will be differentiated by different colours.

10. An elector shall mark the ballot paper inside the voting compartment by the “✓” chop provided. After marking the ballot paper, he shall fold the ballot paper so that the marked side is inside, and then put the folded ballot paper into the ballot box. The voting instructions will be set out in the polling notice to be sent to each elector (see paragraph 6 above), and will be posted inside the polling station and each voting compartment.

11. After casting their votes, electors may proceed to the counting station to observe the count or leave the venue. In a contested election, electors will be encouraged to observe the count and stay until the counting result is known, so that they can proceed to the polling station for another round of voting, if required.

Counting of ballot papers

12. The ballot papers will be counted manually. In a contested election, if a candidate obtains more than half of the total number of valid votes cast in any round of voting, he shall be returned at the election. In a contested election, if another round of voting is required, the Returning Officer will make a public announcement through the electronic media. Electors who have left the venue should keep a close watch of such announcement and return to the polling station in time to cast their votes. Alternatively, they may enquire through the REO hotline about the need to return for another round of voting.

13. In an uncontested election, if the number of support votes obtained by the candidate exceeds half of the total number of valid votes cast in the poll, he shall be returned at the election. If not, the Returning Officer shall publicly declare that no candidate is returned and the election be terminated. In accordance with the Chief Executive Election Ordinance (Cap 569), the new polling date shall be on the 42nd day after the termination of the proceedings of the election, i.e. 6 May 2007.

Other related measures

14. To ensure the smooth conduct of the CE Election, training will be provided to staff taking up the polling and counting duties. A Central Command Centre will be set up on the polling day and will be supervised by the Chief Electoral Officer of the REO.

ADVICE SOUGHT

15. Members are invited to give their views on the arrangements outlined in this paper.

Registration and Electoral Office
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