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政制及內地事務局
政府總部



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28 February 2008

Clerk to the LegCo Panel on Constitutional Affairs
(Attn.: Mrs Percy Ma)
Legislative Council
Legislative Council Building
8 Jackson Road
Hong Kong
(Fax no.: 2509 9055)

Dear Mrs. Ma,

Panel on Constitutional Affairs

**Information on Exit Polls requested at the
Meeting on 21 January 2008**

I write to provide information on exit polls requested by Members at the Panel meeting on 21 January 2008.

Chapter 14 of the Guidelines on Election-related Activities in respect of the District Council Election ("the Guidelines") sets out the guidelines for the conduct, publication and broadcast of exit polls to ensure that elections are conducted honestly and fairly. The information requested is set out in the ensuing paragraphs.

(a) The Process of Approving the Applications from the 13 Organisations / Persons

The applications for conducting exit polls for the 2007 District Council ("DC") Election were processed in accordance with Chapter 14 of the Guidelines. The 13 organisations/ persons concerned submitted applications to the Registration and Electoral Office ("REO") with the following information:

- (i) their respective names and addresses;
- (ii) the name, identity document number and contact telephone number of the responsible persons; and
- (iii) a list of persons employed for the conduct of exit poll at each polling station together with their identity document numbers.

The REO considered these applications and issued approval in accordance with the Guidelines. The list of organisations/ persons approved to conduct exit polls at the polling stations concerned was uploaded to the website of the Electoral Affairs Commission ("EAC") on 16 November 2007. The list was also displayed at the respective polling stations on the polling day.

- (b) Background of the 13 organisations/ persons and whether they had any connection / association with the candidates of the DC election; and**
- (c) The reasons provided by the 13 organisations/ persons for conducting the exit polls**

Under the current provisions of the Guidelines, the organisations/persons applying for conducting exit polls only need to provide information on themselves, but do not have to set out the reasons for conducting the exit polls.

(d) Details of the guidelines for conducting exit polls provided to the 13 organisations/persons

The organisations/persons approved for conducting exit polls were provided with a copy of Chapter 14 of the Guidelines. Their attention was drawn to the Guidelines, in particular on the following:

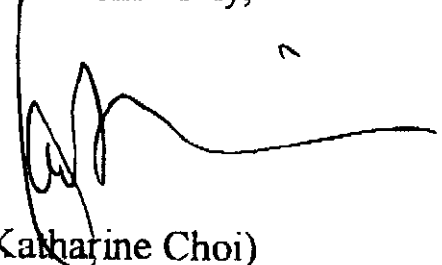
- (i) the interviewers were required to wear identification badges bearing the name of the organisation/person conducting the exit poll;
- (ii) the interviewers were not allowed to accost electors or stay or loiter in the areas designated as the No Staying Zone of the polling station concerned;
- (iii) the interviewers should respect the elector's right and wish not to be disturbed; and
- (iv) the concerned organisations/persons should refrain from announcing the results of exit polls or making specific remarks or predictions on the performance of individual candidates during the polling hours as such announcement or prediction might affect elector behaviour and have an impact on election results.

In addition, they were provided with location plans showing the No Staying Zone and No Canvassing Zone of the polling stations where exit polls were to be conducted.

(e) The results of these exit polls and their usage

Under the current legislation or Guidelines, there is no specific regulation on the use of information collected through exit polls. Nevertheless, any announcement of the results of exit polls or predictions during the polling hours may affect elector behaviour and may have an impact on election results. As such, the EAC appeals to the media and concerned organisations in the Guidelines to refrain from announcing the results of exit polls or making specific remarks or predictions on the performance of individual candidates until after the close of poll. If any organisation or person fails to comply with the Guidelines, the REO may address a warning letter to the concerned party on the breach of the Guidelines, and the EAC may also make a reprimand or censure in a public statement which may include the name of the concerned organisation or the person.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Katharine Choi', written over a vertical line that extends from the 'Yours sincerely,' text.

(Katharine Choi)
for Secretary for Constitutional
and Mainland Affairs