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Panel on Constitutional Affairs Background brief prepared by the Legislative Council Secretariat for the meeting on 18 July 2011

Practical arrangements for the Election Committee subsector elections

Purpose

This paper gives a brief account of the past discussion held by the Panel on Constitutional Affairs ("the Panel") on the practical arrangements for the Election Committee ("EC") subsector elections.

Background

2. The Electoral Affairs Commission ("EAC") is a statutory and independent body responsible for the conduct and supervision of elections. Supported by the Registration and Electoral Office ("REO"), EAC is tasked to review and make recommendations on the delineation of the Legislative Council ("LegCo") and District Council constituency boundaries, and to make regulations, guidelines and arrangements for the registration of electors and the conduct of public elections.

3. In the 2006 EC subsector elections, polling was conducted in 110 polling stations across Hong Kong. A central counting station was set up in the New Annex of the Hong Kong Convention and Exhibition Centre.

Past discussions of the Panel

Polling stations

4. The Panel had discussed practical arrangements for the 2006 EC subsector elections at its meeting on 15 May 2006. Noting that there were about 100 polling stations and 200 000 registered voters involved in the EC subsector elections, some members asked whether REO intended to set up more polling stations in areas which had a high voter turnout rate in 2000. These members urged the Administration to explore the possibility of setting up polling stations in close proximity to the working place of the voters of the professional EC subsectors.

5. The Administration advised that the designation of polling stations would depend on the distribution of registered voters in the 18 districts. Based on the geographical distribution of voters, REO would consult the District Office concerned about the need to set up more polling stations in a district with a larger electorate.

Design of ballot papers

6. Some members said that at the last EC subsector elections, a number was allocated to each candidate by drawing of lots. The names of candidates appeared on a ballot paper in the order of the numbers allocated. With up to as many as 90 candidates' names appeared on a ballot paper, they expressed concern that a voter might have difficulty in identifying the candidates of his choice. They urged the Administration to make the voting procedure more user-friendly, e.g. listing the candidates' names by alphabetical order on a ballot paper. These members also asked whether emblems of political parties would be printed on the ballot paper for easy identification. Some other members, however, considered it inappropriate to allow political parties to have their emblems printed on the ballot paper. They suggested that a joint ticket arrangement should be adopted to allow easy identification of candidates by voters.

7. The Administration advised that it was a statutory requirement for the order of candidates appearing on a ballot paper and the number assigned to each candidate to be determined by drawing of lots. The Administration considered that the ballot paper would be too congested to accommodate any emblem of candidates or their sponsoring bodies, given the possibly large number of candidates involved. The Administration, however, would send an introductory leaflet on the candidates to voters before the polling day. Voters could bring along the leaflet to the polling station or ask the Presiding Officer for a copy to facilitate voting on the polling day. If a voter made an error in marking a ballot paper, he could request the Presiding Officer to issue another ballot paper to him. The Administration advised that it would be prepared to listen further to members' views on the proposal on a joint ticket arrangement on the ballot paper.

Vote counting arrangements

8. Some members were of the view that given the small electorate of the EC subsector elections, it was necessary to prevent the elections from becoming a platform for secret political dealings. These members also expressed concern about the protection of secrecy of votes if vote counting would be conducted in individual polling stations, having regard to the small number of voters involved in each station.

9. The Administration advised that it was not uncommon for candidates to make certain promises to canvass for votes in an election. Given that Hong Kong was a transparent, open and compact society, any so-called secret dealings between a candidate and his/her voters could be uncovered easily. In addition, whatever promises a Chief Executive ("CE") candidate might make at an election forum, any legislative and financial proposals put forth by the Administration after he/she assumed the office of CE would require the approval of the Legislative Council ("LegCo"). The Government was also subject to the monitoring of the media, the public, and an independent judicial system. Hong Kong had an effective checks and balances system to ensure clean elections. The Administration further advised that in order to protect the secrecy of votes, the ballot boxes of the 100 polling stations would be delivered to a central counting station. After verification of the number of ballot papers received at individual stations, the ballot papers for a subsector would be mixed together before counting.

Recent development

10. At its meetings held on 17 January and 18 March 2011, the Panel discussed, among other things, the practical arrangements for the District Council, EC subsector, CE and LegCo elections to be held in 2011 and 2012. Some members considered that the polling hours were unduly long (from 7:30 am to 10:30 pm) and suggested that the Administration should review the feasibility of shortening the polling hours. Some members called on the Administration to improve arrangements for electors with a disability to access polling stations.

11. When REO briefed the Panel on the key electoral arrangements proposed by EAC for the 2011 DC election at its meeting on 20 June 2011, members had diverse views about whether the polling hours for the 2011 DC election should be reduced. While some members considered that the polling hours should be shortened so as to save staffing resources, some other members expressed concern that the shortening of the polling hours would reduce the voters' turnout rate as many workers had to work very long hours even on Sundays. The Administration advised that it would listen to the views of members and political parties in reviewing whether the polling hours should be slightly revised.

12. The Administration is scheduled to brief the Panel on the practical arrangements for the 2011 EC subsector elections at the upcoming meeting on 18 July 2011.

Relevant papers

13. A list of the relevant papers available on the LegCo website is in the **Appendix**.

Council Business Division 2
Legislative Council Secretariat
14 July 2011

Appendix

Relevant documents on practical arrangements for the Election Committee subsector elections

Committee	Date of meeting	Paper
Panel on Constitutional Affairs	15.5.2006 (Item V)	Agenda Minutes
	17.1.2011 (Item IV)	Agenda
	18.3.2011 (Item IV)	Agenda
	20.6.2011 (Item III)	Agenda

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