

**Legislative Council Panel on Constitutional Affairs**

**Practical Arrangements for the  
Election of the Fourth Term Chief Executive**

**INTRODUCTION**

This paper sets out the key practical arrangements for the 2012 Chief Executive (“CE”) Election to be held on 25 March 2012.

**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 2012. 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**

3. The Election Committee (“EC”) is responsible for electing the CE and members of the EC are electors in the CE election. Following the EC Subsector Elections held on 11 December 2011, an interim register of the EC members was published on 21 December 2011. The term of the EC will commence on 1 February 2012 and, in accordance with the relevant legislative provision, a final register of the EC members will be published on the same date.

**Nomination period**

4. According to the Chief Executive Election Ordinance (Cap. 569) (“CEEEO”), the nomination period shall not be less than 14 days and shall terminate on a day earlier than 21 days before the polling date. As promulgated in the notice of nomination gazetted on 23 December 2011, the nomination period for the 2012 CE Election will run from 14 to 29 February 2012. Nomination forms are available for collection at the REO and can be downloaded from the REO website.

## **Polling and counting station**

5. For the 2012 CE Election, the Main Polling Station and Central Counting Station will be located at the Hong Kong Convention and Exhibition Centre (“HKCEC”). Ballot paper issuing desks and voting compartments will be set up at the Main Polling Station for casting of votes. Similar to all other elections, an area outside the Main Polling Station will be designated as the No Canvassing Zone and the No Staying Zone<sup>1</sup>. The Central Counting Station will comprise a counting zone, a seating area for members of the EC, candidate(s) and their agents, a working area for the media, and a seating area for members of the public to observe the counting of votes.

6. Apart from the Main Polling Station at the HKCEC, dedicated polling stations (“DPSs”) will be set up at the penal institutions of the Correctional Services Department (“CSD”) to allow electors who are imprisoned or remanded under the custody of the CSD to cast votes. The number of these DPSs to be set up will depend on the distribution of such electors in the penal institutions on the polling day. For electors who are remanded or detained on the polling day by the law enforcement agencies other than CSD, such as the Police, Independent Commission Against Corruption, Customs and Excise Department, a DPS will be set up in the vicinity of HKCEC for them to cast votes.

## **Polling arrangement**

7. 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 2012). The polling notice will state the polling date, the address of the polling station and the polling hours (see paragraph 9 below). It will be accompanied by a location map of the polling station, detailed voting instructions, and information on the polling and counting procedures.

8. In a contested election where there are two or more validly nominated candidates contesting in the election, each elector can cast a single vote by marking the candidate of his choice with the “✓” chop provided at the polling station. In accordance with section 27 of the CEEO, if a candidate obtains more than 600 valid votes at the first round of the election, he will be elected. Otherwise, all candidates will be eliminated except those who obtain the highest and the same number of valid votes and, if there is only one candidate obtaining the highest number of valid votes, those who obtain the second highest number of

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<sup>1</sup> The boundary of both zones is to be determined by the Returning Officer. In accordance with the relevant legislative provision, he will give a notice indicating the boundary of the two zones to every candidate at least 7 days before the polling date.

valid votes. These candidates will proceed to the next round of voting. When there are only 2 validly nominated candidates at the close of nominations or 2 candidates remain after the elimination of all other candidates at the end of all the necessary rounds of voting as described above, only one single round of voting will need to be conducted for them. If a candidate obtains more than 600 valid votes in that single round of voting, he will be elected. If not, no candidate is returned at the election and the proceedings for the election will be terminated by a public declaration. In that case, another round of nomination and polling will be conducted as set out in paragraph 15 below.

9. Since there may be a need to hold more than one round of voting on the polling date, the designated time for the first three rounds of voting will be as follows:

<b>Round of voting</b>	<b>Time of voting</b>
First round of voting	9:00 am to 11:00 am
Second round of voting (if necessary)	2:00 pm to 3:00 pm
Third round of voting (if necessary)	7:00 pm to 8:00 pm

In the event that there is a need for the fourth round or further rounds, it will be held on 26 March 2012 at the same polling stations. For the DPSs at CSD penal institutions, if required to be set up, the polling hours will last an hour for each round of voting (i.e. 9:00 am to 10:00 am for the first round, 2:00 pm to 3:00 pm for the second round and 7:00 pm to 8:00 pm for the third round).

10. In an uncontested election where there is only one validly nominated candidate, an elector can cast either a “SUPPORT” vote or a “NOT SUPPORT” vote. The voting will start at 9:00 am and close at 11:00 am on 25 May 2012. Thereafter the count will start.

### **Design of ballot papers**

11. 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 of voting will be differentiated by different colours.

12. An elector shall mark the ballot paper inside the voting compartment by the “✓” chop provided at the polling stations. 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 7 above), and will be posted inside the polling stations and each voting compartment.

13. After casting their votes, electors may proceed to the Central 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 Main Polling Station for another round of voting, if required.

### **Counting of ballot papers**

14. The ballot papers will be counted manually. In a contested election, if a candidate obtains more than 600 valid votes in the first round of voting, the candidate is returned at the election. The Returning Officer (“RO”) shall then publicly declare the candidate as elected at the election, and publish the results of the election in the Gazette. However, if another round of voting is required, the RO will make a public announcement through the electronic media. Electors who have left the venue should watch out for such announcement and return to the Main Polling Station in time to cast their votes as necessary. Alternatively, they may enquire through the REO hotline about the need to return to HKCEC for another round of voting. The REO will also inform those electors who have upon request provided the REO with their contact telephone numbers or email addresses by SMS and emails if another round of voting is required.

15. If no candidate obtains more than 600 valid votes in that single round of voting mentioned in paragraph 8 above, no candidate is returned at the election and the RO must publicly declare that no candidate is returned at the election, publish the declaration and the result of the poll in the Gazette, and terminate the proceeding for the election by a public declaration. There will be another round of nomination and, if necessary, the electoral process will be repeated until a candidate is returned. In accordance with the CEEO, the new polling date shall be on the 42<sup>nd</sup> day after the termination of the proceedings of the election, i.e. 6 May 2012<sup>2</sup>.

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<sup>2</sup> Assuming the proceedings are terminated on 25 March 2011.

16. In an uncontested election, if the number of “SUPPORT” votes obtained by the candidate exceeds 600 in the poll, he shall be returned at the election. The RO shall then publicly declare him as elected at the election and publish the results of the election in the Gazette. If not, the RO shall publicly declare that no candidate is returned and the election be terminated. There will be another round of nomination and polling. If necessary, the electoral process will be repeated until a candidate is returned. In accordance with the CEEO, the new polling date shall be on the 42<sup>nd</sup> day after the termination of the proceedings of the election, i.e. 6 May 2012<sup>2</sup>.

### **Other related measures**

17. The whole operation will be manned mainly by the staff of the REO. To ensure the smooth conduct of the CE Election, sufficient training will be provided to the staff taking up the polling and counting duties. A Command Centre will be set up in the Central Counting Station at HKCEC on the polling day and will be supervised by the Chief Electoral Officer of the REO.

### **ADVICE SOUGHT**

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

Registration and Electoral Office  
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