

**Legislative Council
Panel on Constitutional Affairs**

**Proposed Creation of One Supernumerary Post of
Principal Executive Officer in the Registration and Electoral Office**

Purpose

This paper seeks Members' views on our proposal to create a time-limited supernumerary post of Principal Executive Officer (PEO)(D1) in the Registration and Electoral Office (REO) from 1 April 2014 to 31 December 2017 to assist the Electoral Affairs Commission (EAC) and the Chief Electoral Officer (CEO) in the preparation and conduct of the 2015 District Council (DC) election, the 2016 Legislative Council (LegCo) election, the 2016 Nominating Committee (NC) election¹ and the 2017 Chief Executive (CE) election.

Background

2. The REO, being the executive arm of the EAC, is responsible for providing administrative support to the EAC in the efficient discharge of its statutory functions under the EAC Ordinance (Cap. 541). These include review and delineation of constituency boundaries, registration of electors, compilation of election guidelines and reports, conduct and supervision of elections and handling of complaints. At present, the REO is headed by the CEO ranked at the Senior Principal Executive Officer (D2) level, who is underpinned by two deputies pitched at Chief Executive Officer level and a Senior Systems Manager under its permanent establishment. Since the inception of the REO in 1994, the CEO post has been the only directorate post of the department in spite of a steady growth in both the volume of work and the complexity of electoral matters over the years. The CEO has already been fully engaged in providing day-to-day executive support to the EAC, attending LegCo meetings, answering enquiries from the LegCo and the media, and performing his role as the Head of Department overseeing the administration and operation of the REO.

¹ In accordance with Article 45 of the Basic Law, a Nominating Committee will be formed to nominate candidates for the 2017 CE Election. For the purposes of this paper, it is assumed that the Nominating Committee will be formed by an election.

3. By established practice, in election years, the establishment of the REO will be strengthened by the creation of time-limited civil service posts and engagement of non-civil service contract (NCSC) staff to cope with the increased workload arising from the preparation and conduct of elections and large-scale voter registration campaigns, as well as the related operational and administrative duties. In 2008, in order to ensure the successful conduct of the 2008 LegCo election, a time-limited supernumerary PEO post was for the first time created to deputise the CEO in overseeing the detailed operational arrangements for the election. Similarly, for operational reasons, a time-limited PEO post was again created in the last election cycle from 2010-11 to 2012-13 to deputise the CEO and head a dedicated Elections Division set up to undertake work relating to the planning, management and conduct of the elections in the cycle.

4. Starting from the last election cycle, the scale and complexity of the operational arrangements for holding major public elections have grown substantially as a result of changes made to the electoral arrangements and the introduction of new and improvement initiatives. We envisage that the scale and complexity of the planning and preparatory work for the coming election cycle will be no less than the last cycle. The rising expectations of the public will also have impact on many facets of REO's delivery of electoral services in the course of the elections. In this regard, there is a cogent need for the REO to ensure that a robust establishment with a sufficient complement of staff is put in place in a timely manner to undertake electoral planning and implementation work for the 2015-17 election cycle.

General elections from 2015 to 2017

5. In the coming election cycle, the Administration needs to hold four major territory-wide elections (i.e. the DC, LegCo, NC and CE elections) within a short span of 17 months from November 2015 to March 2017. Furthermore, it is anticipated that the REO would be facing an extremely hectic timetable during the period of seven months from September 2016 to March 2017 which will see the three major elections (namely LegCo, NC and CE elections) taking place closely one after another. Therefore, an early commencement of the required planning and preparation for the elections is imperative.

6. To ensure that the elections will be conducted in an open, honest and fair manner and in accordance with the prevailing electoral

laws, the REO is required to undertake a full range of electoral tasks at **Annex A**, which must be completed within a tight timeframe in accordance with the relevant statutory provisions. To cope with this extremely tight timetable and huge workload, the bulk of planning and preparatory work of these elections need to be done concurrently. Therefore, a dedicated Elections Division needs to be established to handle the huge volume of publicity work, undertake detailed electoral planning and execute arrangements for each of the elections in parallel. Furthermore, in implementing universal suffrage in the CE election in 2017, the election will become a territory-wide one with a scale comparable to a LegCo general election for geographical constituencies. All in all, the volume of work for the next election cycle will be tremendous and unprecedented, and thorough preparation and meticulous planning would be needed.

7. For all these reasons, a dedicated directorate officer with profound administrative experience, the right calibre and appropriate seniority is required to oversee the overall planning and execution work of the entire electoral process for the four major elections. The proposed job description of the PEO post and the existing and proposed organisation chart of the REO are in **Annexes B to D**.

Need for a supernumerary PEO post

8. The responsibilities of the PEO post mentioned in **Annex B** involve complex and sensitive issues cutting across policy and other areas which exceed the level normally expected from non-directorate officers and require coordination and input at the directorate level. For instance, in order to formulate and execute the detailed operational arrangements, it would require the cooperation, input and support of many other government departments including the Government Logistics Department, the Office of the Government Chief Information Officer and its contractors, the Hong Kong Post, the Home Affairs Department, the Information Services Department, the Correctional Services Department and the Hong Kong Police Force. Arising from these, an officer pitched at the directorate level would be needed to represent the REO to work with the relevant departments in various inter-departmental working groups or meetings and to ensure that the required liaison and co-ordination work will proceed smoothly. In addition, the officer will represent the REO in many other senior level meetings with outside bodies including the venue vendors, political parties, etc., on matters relating to election preparation and execution.

9. The CEO, being the only directorate post under REO's current establishment, will be overloaded with too wide a spectrum of duties during the elections when he will have to attend personally to the overall planning, management and conduct of the elections. In the run-up to and during an election cycle, the CEO will be heavily engaged in a number of tasks including, in particular, assisting the EAC to review constituency boundaries and guidelines, leading and overseeing voter registration exercises, monitoring the development and implementation of information technology projects and coordinating the resources planning and administration work for the cycle. Therefore, it is hardly possible for the CEO to spare sufficient time to co-ordinate and execute the detailed operational arrangements for the major elections. Having regard to the experience of the 2008 LegCo election and the election cycle from 2010-11 to 2012-13, we propose that a time-limited supernumerary PEO post should be created, to be designated as Principal Electoral Officer, to deputise the CEO and underpin him in steering and overseeing the work related to the planning, preparation and conduct of the elections from 2015 to 2017.

10. In addition, experience in the past two election cycles shows that the early provision of the PEO post is essential to ensure that necessary planning work can commence in good time. Accordingly, we propose creation of the PEO post for 45 months from 1 April 2014 to 31 December 2017. The review exercise on the demarcation of constituency boundaries for the 2015 DC election is expected to be in full swing in the second quarter of 2014. At about the same time, the REO will need to kick-start its planning and preparatory work for the elections in 2015, 2016 and 2017. The timely provision of the PEO post in April 2014 would ensure that the REO will have dedicated directorate input in the early stage to oversee the overall operational arrangements relating to the planning, management and conduct of elections throughout the coming election cycle. After the conduct of the 2017 CE election in March 2017, the PEO post will look after a range of residual electoral work including the processing of applications for financial assistance from candidates and the handling of complaints and election-related enquiries, etc. The PEO will also be tasked to conduct comprehensive reviews on the preparation and conduct of the four elections from 2015 to 2017 and construct a knowledge database which would normally take six to nine months to complete after the 2017 CE election. The REO can draw on such experience when planning for the next round of elections.

Alternatives considered

11. The CEO is the only directorate officer in the REO's establishment, and hence there is no other directorate staff mechanism in the REO for redeployment. We also consider it impracticable for the CEO to manage all the above tasks without strengthening the directorate support of the REO because the CEO is currently already fully loaded in providing executive support to the EAC and administering the day-to-day operation of the REO. The absence of a dedicated directorate officer to steer the electoral preparation work would pose an unbearable risk on the smooth conduct of elections. The alternative of engaging NCSC staff has been explored as well but is considered not viable due to the complexity and the sensitive nature of the duties involved and the difficulty for an outsider to be conversant with the government rules and regulations within a short span of time.

Financial implications

12. The proposed creation of a time-limited supernumerary PEO post will bring about an additional notional annual salary cost at mid-point of \$1,465,200. The additional full annual average staff cost, including salaries and staff on-cost, is \$1,953,564. The REO will include sufficient provision in the draft Estimates of the relevant financial years to meet the cost of the proposal.

Advice sought

13. Members are invited to note and comment on this proposal. Subject to Members' views, we would submit the proposal to the Establishment Subcommittee for recommendation to the Finance Committee for approval.

**Constitutional and Mainland Affairs Bureau
Registration and Electoral Office
October 2013**

Electoral Tasks of the Registration and Electoral Office

- (a) making amendments to the existing subsidiary legislation governing voter registration and electoral arrangements of the respective elections;
- (b) reviewing and updating the constituency boundaries of District Council constituency areas and Legislative Council geographical constituencies, conducting public consultation exercises and notifying the affected registered voters;
- (c) launching voter registration drives, conducting vetting exercises/updating particulars of registered electors to ensure accuracy and compiling voter registers;
- (d) planning and launching publicity programmes for the four elections;
- (e) reviewing and updating the Electoral Affairs Commission electoral guidelines for the four elections and conducting the concerned public consultation exercises;
- (f) planning and carrying out recruitment exercises for the appointment of polling and counting staff, and organising comprehensive training programmes for these staff to ensure that they can effectively discharge the polling and counting duties;
- (g) planning and making detailed logistical arrangements for the four elections, including the identification and booking of suitable venues for use as polling stations, counting stations and the central counting stations, acquisition of electoral equipment and services and the production of comprehensive logistical plans for delivery of electoral equipment to polling and counting stations;
- (h) printing and drawing up dispatch arrangements of election-related publicity materials and poll cards to electors, and designing and printing ballot papers;
- (i) appointing Returning Officers and Nomination Advisory Committees, and making publicity arrangements on candidate nominations for the four elections;

- (j) organising briefings for candidates and preparing updated electoral documents for candidates and their agents;
- (k) planning and setting up the Central Command Centre to coordinate the operation of all polling/counting stations and provide related support services on the polling day;
- (l) planning and setting up the Statistical Information Centre and formulating plans and methodology on collection and compilation of electoral statistical reports and the release of such information to the public;
- (m) handling election complaints and preparing election reports according to the statutory schedule; and
- (n) devising comprehensive contingency plans for each election.

**Proposed Job Description
Principal Electoral Officer**

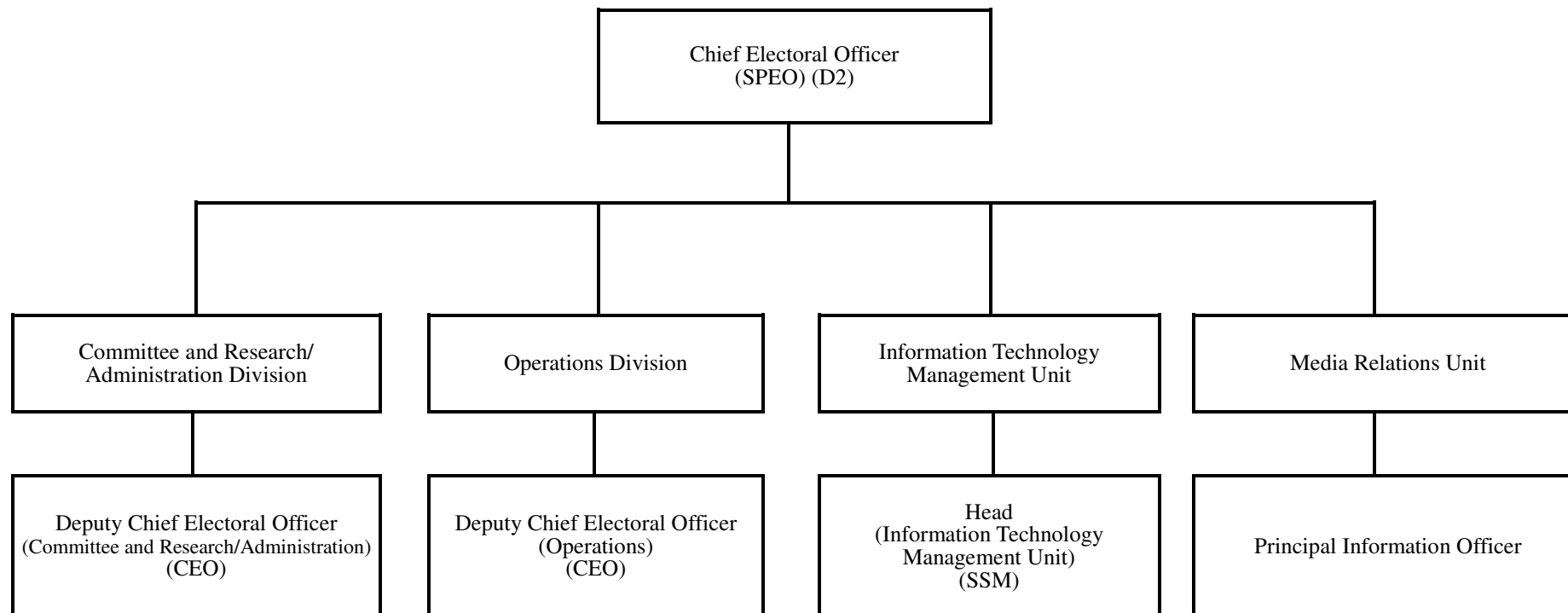
Rank : Principal Executive Officer (D1)

Responsible to : Chief Electoral Officer

Main Duties and Responsibilities –

1. To oversee the Election Divisions for the preparation and conduct of the 2015 District Council (DC) election, the 2016 Legislative Council (LegCo) election, the 2016 Nominating Committee (NC) election and the 2017 Chief Executive (CE) election.
2. To supervise four Deputy Chief Electoral Officers at the Chief Executive Officer rank, being the heads of the four sub-divisions under the Elections Division, to ensure the overall coordination of work for efficient resource and operational management.
3. To evaluate legislative proposals and provide executive support in legislative amendment exercises.
4. To represent the Chief Electoral Officer (CEO) and the Registration and Electoral Office at inter-departmental meetings and negotiate with various bureaux and departments for the smooth planning and conduct of the 2015 DC election, the 2016 LegCo election, the 2016 NC election and the 2017 CE election.
5. To deputise the CEO in providing executive support to the Electoral Affairs Commission to implement a wide range of electoral activities.
6. To provide policy and strategic support to the CEO in the implementation of new electoral arrangements and to conduct related research and operational trials.
7. To consolidate, review and revise contingency plans for the major elections.

Existing Organisation Chart of Registration and Electoral Office



- Legend:
- SPEO Senior Principal Executive Officer
 - PEO Principal Executive Officer
 - CEO Chief Executive Officer
 - SSM Senior Systems Manager

