

**Legislative Council
Panel on Constitutional Affairs**

Practical Arrangements for the 2015 District Council Ordinary Election

PURPOSE

This paper sets out the key electoral arrangements proposed by the Electoral Affairs Commission (“EAC”) for the 2015 District Council (“DC”) Ordinary Election to be held on 22 November 2015.

BACKGROUND

2. The EAC is a 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 2015 DC Ordinary Election. The key practical arrangements relating to polling stations, deployment of electoral staff, counting of votes, public inspection of election advertisements (“EAs”), facilitation measures for electors with special needs and contingency planning are set out in the following paragraphs.

PROPOSED ARRANGEMENTS

Polling Date and Nomination Period

3. In accordance with section 27 of the District Councils Ordinance (Cap. 547), the Chief Executive has determined 22 November 2015 as the date for holding the fifth DC ordinary election. The relevant notice was published in the Gazette on 13 March 2015.

4. Section 9 of the Electoral Affairs Commission (Electoral Procedure) (District Councils) Regulation (Cap. 541F) provides that the nomination period is to be determined by the Chief Electoral Officer (“CEO”). The same section provides that the nomination period must not be less than 14 days or more than 21 days, and that it must end not less than 28 days and not more than 42 days before the date on which the election is to be held. It is an established practice to set a 14-day nomination period and, also, allow roughly five weeks for candidates’ canvassing activities between close of nomination and the polling day. Following this practice, we plan to set the nomination

period for the coming election from 2 to 15 October 2015. The nomination period will be gazetted for public information in due course.

Registered Electors

5. There are at present about 3.51 million electors registered for the geographical constituencies (“GCs”). The 2015 voter registration drive is currently under way and the deadline for application for registration is 2 July 2015. The final voter registration figure for the upcoming DC ordinary election will be available when the 2015 Final Register of GC electors is published in late September 2015 in accordance with section 20 of the Electoral Affairs Commission (Registration of Electors) (Legislative Council Geographical Constituencies) (District Council Constituencies) Regulation (Cap. 541A). With the launch of the 2015 voter registration publicity campaign on 9 May 2015, the REO estimates that the number of GC registered electors will rise to about 3.6 million in the current voter registration cycle.

Polling Stations

6. There are going to be 431 DC Constituency Areas (“DCCAs”) in total and at least one polling station will be set up in each of the contested DCCAs. For those DCCAs which cover a large geographical area, the REO will set up more than one polling station to facilitate electors to cast their votes. Depending on the number of contested DCCAs, and subject to successful identification of suitable venues for use as polling stations, the REO plans to set up around 580 ordinary polling stations (“OPSs”) in the 2015 DC Ordinary Election. We aim to have at least 90% of the polling stations set up at venues accessible to electors with mobility difficulties. Assuming that there will be some 3.6 million registered electors who are eligible to cast votes in the election, on average about 6,000 electors will be assigned to a polling station. This is similar to the arrangement in the 2011 DC Ordinary Election. For Members’ information, in the 2011 DC Ordinary Election, out of the 412 DCCAs, 76 were uncontested; for the remaining 336 DCCAs, 452 polling stations were set up on the polling day.

7. Apart from OPSs, 21 dedicated polling stations (“DPSs”) will be set up at the penal institutions of the Correctional Services Department (“CSD”) for registered electors imprisoned or remanded under the custody of the CSD to cast votes in the election. We also plan to set up three DPSs at police stations across the territory for registered electors who are remanded or detained on the polling day by law enforcement agencies (“LEA”) other than CSD, such as the Police, Independent Commission Against Corruption, Customs and Excise Department, to cast their votes.

Polling Hours

8. Same as the 2011 DC Ordinary Election and the 2012 Legislative Council (“LC”) General Election, the polling hours of OPSs and the DPSs set up at police stations for the 2015 DC Ordinary Election will run from 7:30 am to 10:30 pm. As for the DPSs set up at CSD penal institutions, due to security considerations, the polling hours will be from 9:00 am to 4:00 pm on the polling day.

Electoral Staff Recruitment and Training

9. About 17,500 civil servants from across government bureau/departments will be recruited and trained to carry out polling and counting duties on the polling day.

10. Training sessions will be arranged to familiarise electoral staff with the polling and counting procedures. equip them with the skills required for carrying out the duties, as well as facilitate their acquisition of knowledge and skills for assisting electors with different needs to vote. We will continue to remind all staff working at polling stations to pay attention to electors with special needs and provide these electors with assistance whenever necessary. In particular, a tailor-made session with special emphasis on crisis management and experience sharing will be organised for staff at the supervisory level to enhance their abilities in managing polling stations and responding to contingencies. For staff who are deployed to compile statistical returns on the polling day, specialised training on statistical work will be organised for them.

Vote Counting Arrangements

11. Same as the arrangement made for the 2011 DC Ordinary Election and the GCs in the 2012 LC General Election, the vote counting process will be conducted at individual polling stations after the close of poll. Under this arrangement, a polling station (other than a small polling station, a special polling station and a DPS, as explained in paragraph 12 below) will be closed temporarily for conversion into a counting station immediately after the close of poll. During the conversion process, candidates and their agents may remain inside the polling station. When the counting station is ready for operation, members of the public and the media will be allowed to be present in the counting station to observe the count.

12. To protect the secrecy of votes, ballot papers from the small polling stations (at which fewer than 200 registered electors are allocated to vote

in a DC election), special polling stations (the ones accessible to electors with mobility difficulty) and all DPSs (after sorting by DCCAs at the Ballot Paper Sorting Station) will be delivered to the respective main counting stations for mixing with other ballot papers cast therein before counting.

13. Questionable ballot papers will be separated during the counting process for the Presiding Officers (“PROs”) to determine their validity. Candidates and their election or counting agents may make representations as allowed under electoral law during the determination process. Upon completion of the count at a counting station, the PRO will make known the counting results to the candidates or their agents, who will then have the opportunity to request a recount of votes. If there is such a request and such request is accepted by the PRO, the recount will be performed on-the-spot. If there is no request for a recount¹, the PRO will report the result of the counting of votes to the Returning Officer (“RO”) of the DCCA concerned, who will formally announce the election result when the counting results of all the relevant counting stations in the DCCA have been finalised.

Design of Ballot Papers and Ballot Boxes

14. Same as in the 2011 DC Ordinary Election, candidates will be allowed to have certain specified particulars² relating to them printed on the ballot papers in the 2015 DC Ordinary Election. The size of the ballot papers will be similar to those of the 2011 DC Ordinary Election. The candidates will be invited to check the final proofs of the ballot papers to ensure the accuracy of the information contained therein before the ballot papers are printed. A full-scale check on the ballot papers will also be conducted to ensure that they are correctly and properly printed.

15. The REO will carefully and thoroughly test the ballot boxes to be used in the 2015 DC Ordinary Election and will ensure that there are enough ballot boxes to cater for a 100% turnout of registered electors.

Address Labels

16. Under section 37 of the District Councils Ordinance (Cap. 547), a validly nominated candidate is permitted to post, free of postage, one letter to each elector of the constituency for which he/she is nominated. The purpose is

¹ Or if such request is rejected by the PRO as being unreasonable in accordance with section 80A(5) or 80B(5) of Electoral Affairs Commission (Electoral Procedure) (District Councils) Regulation (Cap. 541F).

² The specified particulars include the name, photo and political affiliation of the candidate.

to enable the candidate to mail EAs to promote or advertise himself/herself to electors. To facilitate candidates in sending out EAs by free postage, it has been an established practice of the REO to, upon request, provide each candidate with a set of address labels pertaining to the electors in the constituency. Adopting the same measure implemented since the 2012 LC General Election, we shall continue to offer candidates the choice to select between address labels printed on a household basis (i.e., one address label for one household) and address labels printed on an individual basis (i.e., one address label for each individual elector except those who have provided REO with their email addresses for receiving EAs). REO would continue to encourage candidates to choose household labels and, where electors have provided their email addresses, use email for canvassing in the interest of reducing paper consumption. Address labels will be printed and provided to the candidates normally within five working days upon receipt of their requests.

17. The REO will also continue the practice of providing, upon request, each validly nominated candidate with a computer disc (referred to as Candidate Mailing Label System “CMLS”) containing the mailing information of electors (including the names and addresses extracted from the Final Register and, if provided by the electors to the REO for receiving EAs, the email addresses of electors). Candidates may make use of the information in the CMLS to generate address labels according to their own needs for posting of EAs or sending out EAs to electors electronically via email. Candidates will be reminded to use the “b.c.c.” function when using emails for mass distribution of EAs to electors, to protect the privacy of individual electors. A reminder message will be printed on the paper cover of the disc to alert candidates to the suggested arrangement and the legal consequences of not taking heed of the reminder.

Election Advertisements

18. Since the 2012 LC General Election, a more efficient, open and user-friendly system for submission of EAs for public inspection has been in use. Under the current electoral law, candidates may choose to deposit copies of their EAs and the relevant information/documents with ROs, or post the electronic copies onto a central platform maintained by the CEO (referred to as Central Platform) or an open platform maintained by the candidate (referred to as Candidate’s Platform) for public inspection; as long as the information is provided within one working day after the publication of the EAs, the public inspection requirement is considered satisfied. For those EAs of which posting onto the Central Platform or Candidate’s Platform is not practicable (e.g., electioneering messages of interactive and spontaneous nature distributed through social networking and communication websites on the internet),

candidates only need to post the hyperlinks to the relevant websites onto the platform in order to satisfy the public inspection requirement.

Facilitation Measures for Electors with Special Needs

19. As in previous elections, REO will make its best endeavours to facilitate electors with special needs to exercise their right to vote. Some key measures which will be implemented in the 2015 DC Ordinary Election are set out below-

- (a) to facilitate electors with mobility difficulties, we aim to have at least 90% of our polling stations set up in accessible venues. Where circumstances permit, the REO would set up temporary ramps at the polling stations to facilitate electors with mobility difficulties or wheelchair users. Through poll cards and various promotion channels, REO will remind electors who have mobility difficulties or are wheelchair bound, that if they find it difficult to access the allocated polling station, they may apply to the REO five days before the polling day for re-allocation to a special polling station set up in an accessible venue. As in past elections, upon request the REO will approach the Hong Kong Society for Rehabilitation for arrangement of Rehabuses to transport electors with disabilities to and from polling stations;
- (b) all polling stations are provided with a pictorial voting aid to assist the electors with hearing impairment to understand the voting procedures. As far as possible, sign language translation and subtitles are incorporated in the Announcements-in-the-Public-Interests (“APIs”) to be broadcast in the run-up to the election to publicise the voting procedures;
- (c) to assist electors with visual impairment, we have since the 2012 LC General Election introduced an arrangement for candidates to provide a text version of their “Introduction to Candidates”³ for uploading onto the election website (www.elections.gov.hk). With the aid of computer software, electors with visual impairment can access such information online. We will continue to encourage candidates to provide a text version of their “Introduction to Candidates” in the coming DC ordinary election. At the same time, we have embarked on a pilot arrangement to

³ “Introduction to Candidates” is an introductory leaflet published by REO for candidates to promote their election platforms.

collect the email addresses of electors with visual impairment via the relevant non-governmental organisations to enable delivery of polling information to these electors electronically by email, apart from by post. Upon receipt of the email, the electors would then be able to read the electronic polling information with the aid of a computer. Other facilitation measures such as provision of braille templates and braille lists of candidates at the polling stations will continue to assist the electors in the casting of votes; and

- (d) to cater for electors of ethnic minorities who cannot speak English or Chinese, all polling stations will be equipped with a self-explanatory language assistance folder containing voting instructions written in seven ethnic minority languages (namely Bahasa Indonesia, Tagalog, Thai, Hindi, Nepali, Urdu and Punjabi), to facilitate them to understand the voting procedures. In addition, we shall collaborate with the Centre for Harmony and Enhancement of Ethnic Minority Residents (commonly known as “CHEER”) to provide interpretation service in the seven ethnic minority languages, through the REO telephone hotline service, to help electors of ethnic minorities understand the voting procedures and to facilitate their making of enquiries on election-related matters during the two weeks prior to and on the polling day.

A summary of the facilitation measures which the REO plans to put in place to serve electors with special needs is at **Annex A** for reference.

Reduction of Paper Consumption on Election-related Materials

20. For environmental protection reasons, we will continue to adopt various measures to reduce paper consumption on election-related materials including:

- (a) providing printed address labels of electors (except those who have provided REO with their email addresses for receiving EAs) to candidates only upon request;
- (b) appealing to electors to register (during voter registration or through a dedicated web platform on GovHK) their email addresses with the REO for receiving EAs and encouraging candidates to send their EAs by electronic means to electors who have provided their email addresses;
- (c) encouraging candidates to use household address labels to send

promotional letters to electors and suggesting them to include a message in their EAs to encourage the recipient electors to share and pass on the EAs to the other electors residing at the same address after reading;

- (d) maintaining an open platform for candidates to submit electronic copies instead of hard copies of the EAs for public inspection;
- (e) allowing candidates and electors to submit certain electoral forms or notices through electronic means⁴ as permitted under the existing legal provisions;
- (f) keeping the size of the “Introduction to Candidates” to a reasonable minimum and maintaining the space to be allocated to each candidate on the leaflet at 1/4 of a A4 page as in the 2011 DC Ordinary Election;
- (g) using recycled paper or paper made from wood-pulp derived from sustainable forest to print electoral documents as far as practicable; and
- (h) exploring possible ways to recycle paper used for the election.

Furthermore, all electoral documents such as the “Introduction to Candidates” and ballot papers will be printed with environmentally friendly ink.

Contingency Planning

21. As in past elections, contingency plans have been drawn up and arrangements made to cater for possible emergency situations. To ensure smooth conduct of the poll, reserve polling/counting stations will be arranged to cater for emergencies such as fire, flooding or disruption of power supply. A team of reserve electoral staff will also be on standby ready to provide reinforcement to polling stations as needed. Furthermore, emergency depots will be set up across the territory to provide quick replenishment of stores to polling stations as required. REO has also drawn up a contingency plan to set out the essential arrangements for the handling of crises and matters relating to the postponement of election or the adjournment of poll or count for the 2015

⁴ Electronic means include sending the relevant electoral forms by facsimile, by electronic mail, and, where applicable, by submission of electronic forms attached with digital signatures via a platform maintained by the REO.

DC Ordinary Election. Some key features of this contingency plan are at **Annex B** for reference.

Central Command Centre (“CCC”)

22. A CCC will be set up at REO’s office in Kowloonbay International Trade and Exhibition Centre on the polling day to oversee the conduct of the poll and provide central command and helpdesk/support services.

Statistical Information Centre (“SIC”)

23. The SIC will be set up inside the CCC to collect and consolidate voter turnout statistics and counting results collected from the polling and counting stations. The same arrangement was made in the 2011 DC Ordinary Election and 2012 LC General Election, and had proved to be efficient and reliable. The voter turnout figures will be made available to the public through press releases and the dedicated website for the 2015 DC Ordinary Election on an hourly basis.

ADVICE SOUGHT

24. Members are invited to express views on the proposed arrangements set out in this paper.

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Facilitation Measures for Electors with Special Needs

For electors with visual impairment

- Electors with visual impairment may call the REO hotline on 2891 1001 (i) to learn of the name and address of the polling station allocated to them and enquire about their voter registration records and (ii) to ask the hotline staff to provide election-related information and read out the contents of the “Introduction to Candidates” pertaining to their constituencies.
- In accordance with the Web Content Accessibility Guidelines Version 2.0 Level AA accessibility requirements promulgated by the World Wide Web Consortium, the REO has updated its websites to incorporate accessible designs convenient for browsing by people with visual impairment. All the election websites (i.e., www.eac.gov.hk, www.reo.gov.hk, www.elections.gov.hk) are compatible with screen readers and/or Braille display devices. Also, solid font colors are used to increase color contrast and thereby enhance legibility.
- The REO encourages candidates to provide a text version of their “Introduction to Candidates” for uploading onto the election website www.elections.gov.hk to facilitate persons with visual impairment to read the relevant information online using software aids.
- The REO has embarked on a pilot arrangement to collect the email addresses of electors with visual impairment via the relevant non-governmental organisations to enable delivery of polling information to these electors electronically by email, apart from by post. Upon receipt of the email, the electors would then be able to read the electronic polling information with the aid of a computer.
- The REO provides braille templates to facilitate electors with visual impairment to mark ballot papers.
- Staff at the polling stations provide electors with visual impairment with a Braille list of candidates to facilitate their reading of the relevant information.
- If electors with visual impairment request staff at the polling stations to mark ballot papers for them, the Presiding Officer, Deputy

Presiding Officer or Assistant Presiding Officer will do so for them according to their choice in a voting compartment. The whole process would be witnessed by another staff at the polling station to ensure the voting is conducted in a fair manner.

- To facilitate electors with visual impairment to cast their votes, their guide dogs may enter and accompany them inside the polling stations.

For electors with hearing impairment

- All polling stations provide a pictorial voting aid to assist electors with hearing impairment to understand the voting procedures.
- The REO provides, as far as possible, sign language translation and subtitles in the Announcements in the Public Interest (APIs) relating to the voting procedures.

For electors who cannot speak English or Chinese

- All polling stations are equipped with a Language Assistance Folder containing voting instructions written in seven ethnic minority languages (namely Bahasa Indonesia, Tagalog, Thai, Hindi, Nepali, Urdu, Punjabi), to assist those who cannot communicate in Chinese and English to understand the voting procedures.
- The REO will collaborate with the Centre for Harmony and Enhancement of Ethnic Minority Residents (commonly known as “CHEER”) to provide interpretation service in the seven ethnic minority languages, through the REO telephone hotline service, to help electors of ethnic minorities understand the voting procedures and to facilitate their making of enquiries on election-related matters during the two weeks prior to and leading up to the polling day.

For electors with mobility difficulties

- Where circumstances permit, the REO sets up temporary ramps at the polling stations that are not readily accessible to electors who have mobility difficulties or are wheelchair bound.
- All polling stations are equipped with one or two enlarged voting compartments with lower polling tables to facilitate voting by wheelchair users.
- Through poll cards and various promotion channels such as radio APIs, election website and press releases, as well as reaching out to organisations of persons with disabilities via the Hong Kong Council of Social Service, the REO provides information to and reminds electors who have mobility difficulties or are wheelchair bound that if they find it difficult to access the allocated polling station, they may apply to the REO five days before the polling day for re-allocation to a special polling station set up in an accessible venue.
- Where appropriate, the REO may, via the Hong Kong Society for Rehabilitation, arrange free Rehabus service to transport electors with disabilities to and from polling stations.

Registration and Electoral Office

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**Key Features of the Contingency Plan for the Handling of Crises
and Matters relating to Postponement or Adjournment of the Election
for the 2015 District Council (“DC”) Ordinary Election**

Statutory Provisions for Postponement or Adjournment of Election

Under the existing statutory provisions, the ordinary election or the poll or count may be postponed/adjourned if it appears to the relevant authority (i.e., the Chief Executive, the Electoral Affairs Commission (“EAC”) or the Presiding Officer, as the case might be) that the ordinary election or the poll or count is likely to be obstructed, disrupted, undermined or seriously affected by three types of occurrence, namely (i) a typhoon or other climatic condition of a serious nature; (ii) riot, open violence or any danger to public health or safety; or (iii) an occurrence which appears to be a material irregularity relating to the election, the poll or count. A summary showing the relevant statutory provisions in respect of the occurrences is provided in the **Appendix**.

Mechanism and Considerations for Postponement/Adjournment

2. As part of the overall contingency plan, a Crisis Management Committee (“Committee”) will be set up, where necessary, to provide advice to the EAC on the handling of any crises relating to the DC Ordinary Election and, in particular, all matters concerning postponement/adjournment of election or poll or count under the three aforesaid occurrences. The Committee will be chaired by the EAC Chairman and will comprise all EAC Members and representatives of relevant government bureaux/departments. As a matter of principle, the deliberation and advice of the Committee will be guided by objective and scientific evidence and, in all circumstances, the integrity and fairness of the election as well as the safety of electors and electoral staff will be the paramount considerations.

3. Before making a decision on whether the election/poll should be postponed/adjourned under the prescribed occurrences mentioned in paragraph 1, the relevant authority, assisted by the Committee, will take into account the professional advice from relevant government bureaux/departments (such as the Hong Kong Observatory and the Department of Health) as appropriate to assess whether the occurrence will render any polling station no longer operable or result in a situation being unsafe or unsuitable for electors to go to polling stations to cast their vote.

4. As to considering adjournment of a count, while the occurrence of a typhoon or other climatic condition of a serious nature might to some extent affect the attendance of candidates, their agents or members of the public in the counting stations, it would normally not obstruct, disrupt, undermine or

seriously affect the count, which is held in enclosed areas in most of the cases. Therefore, adjournment of the count due to such occurrence should normally be unnecessary. In the case of an occurrence of danger to public health and safety or material irregularity, depending on the circumstances and subject to the advice of the Committee, the EAC will consider if the count should be adjourned and, if necessary, be relocated to and resume at reserve counting stations.

Arrangements in case of Postponement/Adjournment

5. Where circumstances so require, a poll may be postponed to commence at a later hour¹ on the polling day or to another day. Similarly, if a poll is to be adjourned after commencement, it may either resume on the same polling day or be adjourned to another day.

6. Under the electoral law, where a poll has been postponed or adjourned to another day, it must be not later than 14 days after the original polling day. As an established practice, REO will make contingency arrangement for the resumed poll to be held on the Sunday immediately following the postponed or adjourned poll. If it is expected that the need for postponement or adjournment will only last for a short while, best endeavors will be made for the resumption of the poll on the same polling day.

7. Where a postponed/adjourned poll is to resume on the same polling day, the polling hours will also need to be adjusted or extended to make up for the polling time lost due to postponement or adjournment. As a general rule, the adjusted or extended polling hours should not go beyond midnight having regard to considerations such as safety and convenience of electors. Therefore, if the resumed poll is to be held on the same polling day, the allowable duration of postponement/adjournment should normally not exceed 1.5 hours; in other words, if the time “lost” exceeds 1.5 hours, it may be more appropriate to resume polling on another day.

8. In case a poll which has not commenced has to be postponed to another day, the usual polling hours should remain unchanged, i.e. from 7:30 am to 10:30 pm. However, where a commenced poll needs to be adjourned to another date, it will preferably be resumed at the same hour of the day at which the original poll is adjourned such that both the aggregate number of polling hours and the coverage of polling time in a day for the voters to cast their vote will remain largely unchanged.

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¹ Under the existing arrangement, the poll is scheduled to commence at 0730 hours.

Legal Provisions and Authorities for Postponement or Adjournment of District Council Election (“DCE”), Poll or Count

Occurrence	Legal Provision	Authority	Power	Scale of Postponement or Adjournment
(a) Riot, open violence or any danger to public health or safety	S. 38 of DCO (Cap. 547)	CE	(a) To direct the postponement of the DC ordinary election before the holding of election; or (b) To direct the adjournment of the polling or counting of votes in respect of the DC ordinary election	All polling stations and counting stations
(a) Typhoon or other climatic condition of a serious nature (b) Material irregularity relating to the election, the poll or count	S. 1 of Schedule 1 to EAC(EP)(DC)Reg (Cap. 541F)	EAC	(a) To postpone the DC ordinary election before the holding of election; or (b) To adjourn the poll or count during the ordinary election	All polling stations and counting stations
(a) Typhoon or other climatic condition of a serious nature (b) Riot, open violence or any danger to public health or safety	S. 2 of Schedule 1 to EAC(EP)(DC)Reg(Cap. 541F)	EAC	(a) To postpone the DCE for a constituency during or before the election; or (b) To adjourn the poll or count in respect of the DCE at all the polling/counting stations for a constituency	All polling/counting stations in respect of a single constituency
(c) Material irregularity relating to the election, the poll or count	S. 3 of Schedule 1 to EAC(EP)(DC)Reg(Cap. 541F)	PRO	(a) To adjourn the poll at a particular polling station; or (b) To adjourn the count at a particular counting station	A particular polling station or counting station

Abbreviations:

CE = Chief Executive

EAC = Electoral Affairs Commission

PRO = Presiding Officer

EAC(EP)(DC)Reg = Electoral Affairs Commission (Electoral Procedure)(District Councils) Regulation

DCO = District Councils Ordinance