

**Legislative Council  
Panel on Constitutional Affairs**

**Review of Operation of Polling and Counting Stations of  
District Council and Legislative Council Elections**

**Purpose**

This paper seeks Members' views on the operational arrangements of polling and counting stations of District Council ("DC") and Legislative Council ("LegCo") elections, including the procurement of venues for use as polling-cum-counting stations, counting arrangements, polling hours, and the feasibility of using information technology ("IT") in the election processes.

**Procurement of venues for use as polling stations**

2. During the 2015 DC and the 2016 LegCo elections, 495 and 571 ordinary polling stations ("OPSs") were set up respectively across Hong Kong by the Registration and Electoral Office ("REO") for electors to cast their votes<sup>1</sup>. With the exception of small polling stations allocated with a small number of electors, all OPSs were converted into counting stations after the close of poll. The Electoral Affairs Commission ("EAC") pointed out in its reports on the two said elections that the REO had encountered difficulties in securing suitable venues for use as polling stations. Despite the REO's effort to identify venues one year before the conduct of the respective elections, and the extra effort by the EAC Chairman to personally appeal by letter to the management of venues to make available their premises for use as polling and/or counting stations, there were still quite a number of schools and organisations concerned refusing to make available their venues on various grounds.

3. In the Report on the 2016 Legislative Council General Election ("the Report"), the EAC pointed out that "... it is up to the various organisations to decide whether to make available their premises and the REO could only play a passive role. The community should take heed and be concerned about the relevant problems, and support the concerted

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<sup>1</sup> In addition, the REO set up 21 dedicated polling stations at the penal institutions of the Correctional Services Department and three dedicated polling stations at police stations during the 2015 DC and 2016 LegCo elections to enable electors who were imprisoned, remanded or detained by the law enforcement agencies on the polling day to vote.

efforts in finding the solutions”. The EAC also recommended that “if suitable venues were not available, the electors affected should in the future be assigned to polling stations further away from their place of residence instead of venues not suitable for the purpose.” Apart from the above, there were Members who proposed at previous meetings of this Panel that the Government might consider compulsory acquisition of premises for setting up polling and/or counting stations if any management of venues refused to make available their premises.

4. According to past experience, since schools were well situated across the region, conveniently located, relatively spacious, and that the polling days were usually scheduled on Sundays, more than half of the polling stations were set up at schools in previous public elections<sup>2</sup>. In the light of the experience in recent years, we will explore with the Education Bureau whether to make it a mandatory requirement for government schools and government-subsidised schools to accede to the REO’s request for making their premises available for use as polling and/or counting stations. We will also, through the relevant policy bureaux, make a concerted appeal to the various school sponsoring bodies, social service agencies, public entities, community organisations, etc., in the hope that these organisations may give an active and positive response to the REO’s request and make their premises available for setting up polling and/or counting stations in future elections.

## **Counting arrangements**

### *Legislative Council election*

5. At present, the polling-cum-counting arrangement is adopted for LegCo geographical constituency (“GC”) elections, i.e., with the vote count conducted in each of the polling stations immediately after the close of poll. As for LegCo functional constituency (“FC”) elections, the central counting arrangement is adopted whereby ballot boxes are conveyed from all polling stations to the Central Counting Station (“CCS”) for counting of votes after the close of poll.

6. The EAC indicated in the Report on the 2016 Legislative Council General Election that “the ever-increasing voter turnout for the LegCo elections in recent years has led to a significant rise in the number of ballot papers to be counted, and as a result, the lengthening of the vote

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<sup>2</sup> Out of the 571 OPSs at the 2016 LegCo election, 315 were set up at schools.

counting time”<sup>3</sup>. If the polling hours in future LegCo elections are to remain unchanged, under the existing polling-cum-counting arrangement for GC elections, “the REO will need to procure the venues for three consecutive days (instead of two days) in order to meet the operational needs (i.e., setting up the polling stations one day before the polling day until the completion of counting on the day after the polling day)”. However, at present only the Leisure and Cultural Services Department, Home Affairs Department and some other individual venue management bodies allow REO to procure their facilities for three consecutive days during elections. As for venues of schools and other organisations, the REO is normally required to return these venues by 6:00 am on the day after the polling day (i.e., on Monday). Failure to return the venues on time will cause inconvenience to the relevant schools or organisations and affect the future negotiations with them for procuring the venues as polling stations.

7. After considering the EAC’s recommendations made in the Report, we hereby put forward the following three viable options to seek Members’ views.

*Option 1: To schedule the polling day on a Saturday*

8. The first option for consideration is to schedule the polling day on a Saturday in order to allow the count, when extended to Sunday, to be completed at the same venue. This option can resolve the problem of having to return the venues by 6:00 am on Monday morning. Also, the REO anticipates that the mode of operation under this option is similar to the existing arrangements, and hence this option will not require a substantial increase in manpower and additional resources in its implementation.

9. Nevertheless, electors’ acceptance of the re-scheduling of the polling day from Sunday to Saturday is the key to public acceptance of this option. The polling day of the LegCo election has been scheduled on a Sunday for many years and electors are used to this arrangement. Moreover, Sunday is a public holiday, whereas employees of many organisations and companies still need to work on Saturday, making it probably more difficult for electors to spare time to vote on Saturday.

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<sup>3</sup> In the 2016 LegCo election, over 95% of the GC counting stations completed the vote count by 7:00 am on the day after the polling day, and the vote count at the last GC counting station was completed at around 4:00 pm on the day after the polling day.

10. As regards the actual preparation and electoral arrangements of polling stations, if the poll is to start from Saturday morning, polling staff must take over the venues and set up the polling stations in the afternoon of Friday for the poll to be conducted the following day (and subsequently the count). For some of these venues (e.g., schools, community centres, elderly or youth centres, post offices), the services that they provide during Friday afternoon will be affected or even need to be suspended. Implementing this option requires the co-operation of the venue management bodies and their willingness to make appropriate adjustment to their operations.

*Option 2: To set up separate regional counting station(s) for each GC*

11. The second option for consideration is to keep the polling day scheduled on Sunday, while bringing back the counting arrangement previously adopted in the 2000 LegCo election, i.e., setting up one or more separate regional counting stations for each GC, while counting for FCs will continue to be conducted centrally. This option will not only ensure timely return of the venue by polling staff by 6:00 am on the morning after the polling day, but also allow candidates and their agents to gather and observe the entire process at regional counting stations. The news media will also enjoy greater convenience when making on-site situational reports at regional counting stations. Moreover, implementation of this option will not induce any change to the existing voting arrangements, obviating the need for electors to adjust to a new arrangement.

12. However, the REO envisages that implementation of this option may require a substantial increase in manpower and additional resources. In the 2016 LegCo election, the REO engaged over 23 000 civil servants, representing more than one-eighth of the civil service workforce, to serve as polling and counting staff at various polling stations as well as the CCS on the polling day. The REO preliminarily estimates that the additional process of vote counting at regional counting stations would require an additional 3 000 staff to work overnight at these stations. Recruiting 23 000 civil servants for the exercise was by no means easy, practical difficulties would arise to recruit a few thousand more civil servants for overnight counting.

13. As regards operational details, it is not easy indeed for the REO to identify a number of suitable venues for setting up regional counting stations (the relevant venues must have sufficient space for setting up counting tables for simultaneously counting ballot papers collected from

all polling stations within the relevant GC, and the area around the venue should also provide adequate parking/loading and unloading facilities), and to ensure the security and transport arrangements involved in delivering the ballot boxes to the regional counting stations. In fact, the arrangement of regional counting was adopted in the 2000 LegCo election, with one regional counting station set up at each of the five GCs. As the regional counting of GC votes took a relatively longer time to complete, the EAC has adopted the polling-cum-counting arrangement since the 2004 LegCo election. However, the ever-increasing voter turnout for the LegCo elections has lengthened the counting time in recent years. If the majority of polling venues cannot be made available for counting on the day after the poll (i.e., Monday), there is a genuine need to reconsider the feasibility of regional counting.

*Option 3: To designate the day following the polling day a school holiday*

14. The third option for consideration is to keep the polling day scheduled on Sunday, while designating the following day (i.e., Monday) a school holiday. This will enable the polling and counting of votes at polling stations set up at school premises to continue in situ without the need to return the school premises by 6:00 am the following day, which may affect the counting of votes. Taking the 2016 LegCo election as an example, the REO procured a total of 315 schools for use as polling stations, representing more than half of the total number of polling stations. We believe that this option can, to a certain extent, resolve the present problem of failing to return the premises on time. Moreover, this option will eliminate the risks involved in the process of transporting the ballot boxes and ballot papers, as well as other election materials from the polling stations to the reserve counting stations by polling staff in order to meet the deadline for returning the venue, and will also ensure that delay will not be caused to the counting process.

15. If the day following the polling day is designated a school holiday, we expect that there may be opposition from the education sector or even from some parents. In particular, schools that are not polling stations on the polling day may not appreciate the necessity of this option. Also, approximately 120 polling stations are set up at elderly and youth centres, etc. operated by non-government organisations. Even if the day following the polling day is designated a school holiday, the REO is still required to return these venues to the service organisations by 6:00 am on the day following the polling day.

16. Apart from the three options mentioned above, we have considered the feasibility of closing the poll at an earlier time so as to start counting as soon as possible, and to complete the counting of all GC votes before 6:00 am on the day after the polling day. We have also considered the feasibility of shortening the counting time of GC votes by means of electronic counting. Nevertheless, after studying the relevant issues, we find that there are difficulties in implementing these options. Please refer to paragraphs 20, 21 and 28 below for details.

### *District Council election*

17. The polling-cum-counting arrangement is also adopted for DC election at present. In the 2015 DC election, there were a total of 431 DC constituency areas (“DCCAs”) in the territory, with each DCCA returning one DC member. The REO normally sets up one to two polling station(s) in each contested DCCA. Once the counting of votes is completed at all polling station(s) in a certain DCCA, the DCCA may announce its counting result. Even if the counting of votes is not completed on schedule or a recount of votes is required for individual DCCAs, this will not affect the announcement of results and the return of venues by 6:00 am on the day after the polling day in the other DCCAs. Taking the 2015 DC election as an example, the vote count at around 95% of the counting stations was completed before 4:00 am on the day after the polling day, and the last counting result was announced at 5:55 am on that day. We propose that the polling-cum-counting arrangement be maintained for DC elections as we believe that the REO will be able to return most of the venues by 6:00 am on the day after the polling day.

### **Polling hours**

18. The polling hours for both DC and LegCo elections are from 7:30 am to 10:30 pm at present<sup>4</sup>. Some Members expressed the views that the poll running for 15 hours was too long, and they proposed advancing the closing time of the poll, thereby shortening the polling hours.

19. As the vote count starts upon the close of poll at 10:30 pm, the election results will usually not be available for announcement until the morning or even the afternoon on the day after the polling day. Counting staff, candidates and their agents need to perform and monitor

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<sup>4</sup> Polling hours for dedicated polling stations set up at penal institutions are an exception. Owing to security reasons, polling hours for these stations are from 9:00 am to 4:00 pm.

the counting work overnight. If the closing time of the poll is advanced, the counting work can start earlier such that the election results can be announced earlier. This will avoid candidates and their agents, as well as the media and electoral staff, to suffer from fatigue at the final and hectic stage of the election. Moreover, it will enable the election results to be announced to the public and the electors at an earlier stage. Shortening the polling hours will also lessen the disturbance caused to the neighbourhood of the counting stations due to the counting of votes at night, hence reducing the number of related complaints. It will also enable the REO to return venues as soon as possible on the day after the polling day and save costs, including that of renting the venues and remunerating electoral staff, as well as to attract more civil servants to apply for serving as electoral staff.

20. However, as the present polling hours have been in force since the first-term LegCo election in 1998 and the first-term DC election in 1999, electors have been well adapted to the arrangement. If the closing time of the poll is advanced, some electors may not be able or find it inconvenient to vote because the revised polling hours may conflict with their working hours. In this regard, the REO analysed the voter turnout in different time slots during the 2015 DC election and the 2016 LegCo GC elections. Results are as follows:

| Time Slots   | 2015 DC Election |  | 2016 LegCo GC Elections |  |
|--------------|------------------|--|-------------------------|--|
|              | Voter Turnout    | As a Percentage of Voter Turnout for Whole Day | Voter Turnout           | As a Percentage of Voter Turnout for Whole Day |
| 07:30-10:30  | 211 978          | 14.5%  | 269 046                 | 12.2%  |
| 10:30-13:30  | 339 205          | 23.1%  | 444 406                 | 20.2%  |
| 13:30-16:30  | 303 254          | 20.7%  | 464 037                 | 21.1%  |
| 16:30-19:30  | 304 115          | 20.7%  | 470 354                 | 21.3%  |
| 19:30-22:30  | 308 677          | 21.0%  | 554 440                 | 25.2%  |
| <b>Total</b> | 1 467 229        | 100%   | 2 202 283               | 100%   |

21. The above figures show that a considerable number of electors are used to vote at a later time on the polling day. As such, shortening the polling hours may affect the voter turnout rate, and will inevitably

lead to an increase in the hourly voter turnout, making it more likely that electors have to queue up at polling stations to cast votes. The REO may therefore need to set up more polling stations and recruit additional polling staff to reduce the number of electors per polling station and forestall the queues. This may offset the savings in resources from the shortening of polling hours mentioned above.

22. Based on the above analysis, we believe that it will be difficult to significantly shorten the polling hours. On the premise of ensuring that the elections are conducted in an open, fair and honest manner, if the community reaches a consensus of slightly shortening the polling hours, the REO is happy to explore the proposal in detail.

### **Use of IT in the election process**

23. The EAC mentioned in the Report that “the REO should continue to carry out comprehensive and in-depth feasibility studies to assess the use of IT in different aspects of the election process”. In fact, there were suggestions in the past for introducing computerisation of the election process.

#### *Electronic voting*

24. We explored two possible means to implement electronic voting, including online voting and setting up computerised voting systems at polling stations.

25. Online voting refers to the use of the Internet to enable online identity authentication and vote-casting by the elector using a personal computer or smartphone. There is no doubt that online vote-casting can facilitate electors’ voting as it saves the need for the electors to vote in person at the polling stations. However, online voting may pose difficulty for us to authenticate the identity of an elector and to ensure that the vote is cast by the elector without any interference. Moreover, online voting will substantially increase the opportunity and inducement for election bribery. We therefore consider that maintaining the existing voting arrangement, i.e., requesting electors to go to the polling stations in person and cast their votes on their own in an environment which is free from external interference, will ensure fairness and credibility of the electoral system.



26. As regards the proposal to set up electronic facilities at polling stations for authentication of electors' identity and vote-casting, taking the 2016 LegCo election as an example, a total of 571 polling stations<sup>5</sup> were set up, with some of them located in remote areas where proper IT infrastructures were not available. There is considerable risk involved if IT facilities and computer network systems are to be set up at 571 polling stations shortly before the polling day (usually the venue will only be made available for set up in the afternoon before the polling day). Furthermore, consideration should also be given to factors such as the need for on-site technical support at all polling stations on the polling day, the IT security issues arising from setting up computer equipment at polling stations, the cost involved in the IT-related equipment, etc. From the perspectives of risk management, IT security and cost-effectiveness, we consider it inappropriate to introduce electronic authentication of electors' identity and vote-casting at polling stations at this stage. Nonetheless, we will continue to assess the feasibility of introducing electronic voting having regard to the overall electoral arrangements at polling stations and the latest development in IT.

#### *Electronic counting of votes*

27. We have all along adopted a central computer counting system for the Election Committee subsector elections ("ECSS elections"). The system makes use of Optical Mark Recognition ("OMR") technology to convert the data on a ballot paper into digital information that can be processed by computer. When a ballot paper is put into the OMR machine, the system emits light beams to the squares on the ballot paper to identify the choice of the elector. Our aim is to extend the application of electronic counting of votes to LegCo elections, and we will conduct studies on the feasibility of introducing electronic counting of votes in elections for different constituencies.

28. As mentioned in the discussion paper in June 2017 on the design of ballot papers for LegCo elections, the size of a ballot paper has a bearing on the feasibility of electronic counting of votes. Taking the 2016 ECSS elections as an example, the maximum size of a ballot paper that could be read by the computer devices was only 210 mm (in width) x 660 mm (in length). However, at present, the maximum size of a LegCo GC ballot paper is 440 mm (in width) x 458 mm (in length). Therefore, ballot papers for GCs cannot be read by the existing computer devices. At the panel meeting in June 2017, we understand that Members have grave reservations about the options to simplify the design of ballot

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<sup>5</sup> The number of ballot paper issuing desks was as high as 2 800.

papers. Therefore, we consider that electronic counting of votes cannot be applied to GC elections for the time being, but the REO will continue to keep track of whether computer devices in the future can read ballot papers of a larger size.

29. With respect to the District Council (second) functional constituency (“DC (second) FC”) election, due to the enormous number of ballot papers involved, the time required for counting votes was longer than in other elections. If we could introduce electronic counting of votes, we believe that this would speed up the counting process and enhance the accuracy of the count. Also, the number of candidate lists for the DC (second) FC election is generally smaller than those for GC elections. Therefore, the size of ballot papers is smaller and the feasibility of introducing electronic counting of votes is higher. Taking the 2016 LegCo election as an example, more than 1.98 million ballot papers for DC (second) FC were counted. The counting of votes only finished at around 6:35 pm on the day after the polling day, making DC (second) FC the last constituency to finish the vote count in the whole LegCo election. The number of candidate lists was nine and the size of the ballot paper was 220 mm (in width) x 322 mm (in length). The REO will proactively study ways to introduce electronic counting of votes for the DC (second) FC in future LegCo elections, taking into account technical aspects, work flow and cost-effectiveness, etc.

30. With regard to the DC election and the LegCo traditional FC election, since the number of ballot papers for respective constituencies is comparatively smaller, the implementation of electronic counting of votes may not significantly reduce the counting time and achieve cost-effectiveness. As such, we do not recommend the implementation of electronic counting of votes in these elections for the time being.

### **Advice sought**

31. Members are invited to give views on the matters set out above. The Government will consider Members’ views before exploring with the EAC whether it is necessary to change the existing practice.

Constitutional and Mainland Affairs Bureau  
Registration and Electoral Office  
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