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LC Paper No. CB(2)268/18-19(01)

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27 November 2018

Ms Joanne MAK
Clerk to Panel on Constitutional Affairs
Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong

Dear Ms Mak,

**Meeting of Panel on Constitutional Affairs
Supplementary Information regarding the
Practical Arrangements for the Legislative Council elections**

At the meeting of this Panel on 15 October 2018, some Members requested the Constitutional and Mainland Affairs Bureau to submit a written response in respect of the details of three practical arrangements in the Legislative Council (“LegCo”) elections. We herewith provide supplementary information as follows –

Time taken by Returning Officers (“ROs”) to decide on the validity of candidates’ nomination

At the meeting, Hon Raymond Chan enquired about the time taken by ROs to decide on the validity of candidates’ nominations after receipt of the candidates’ nomination forms in the 2012 LegCo General Election, 2016 LegCo General Election, as well as 2018 LegCo Kowloon West Geographical Constituency (“KW GC”) By-election. In accordance with Section 42A(1) of the Legislative Council Ordinance (Cap. 542), the RO must, as soon as practicable after receiving a nomination form, decide whether or not the candidate is validly nominated in accordance with Section 16 of the Electoral Affairs Commission (Electoral Procedure)

(Legislative Council) Regulation (Cap. 541D). However, the ROs must adopt a prudent approach in verifying the eligibility of the persons being nominated before they formally determine whether the nomination of the relevant candidate is valid, including whether that nomination satisfies the requirements under Sections 37, 39 and 40 of the Legislative Council Ordinance.

In respect of the aforesaid elections, the time taken by the ROs to decide on the validity of candidates' nomination after receipt of nomination forms was as follows –

LegCo election/by-election	Time taken
2012 LegCo General Election	1-14 days
2016 LegCo General Election	1-17 days
2018 LegCo KW GC By-election	4-10 days

Voter turnout rate at dedicated polling stations (“DPSs”)

Hon Paul Tse enquired at the meeting about the voter turnout rate at DPSs in the 2016 LegCo General Election and 2018 LegCo By-election. In the 2016 LegCo General Election, a total of 896 electors cast their votes at the DPSs; and in the 2018 LegCo By-election conducted in March this year, 337 electors voted at the DPSs. Given that the Registration and Electoral Office does not possess the total number of eligible electors at DPSs set up at penal institutions of the Correctional Services Department and police stations on the polling day, we are unable to provide the voter turnout rates at the DPSs.

Introduction to Candidates

Hon Helena Wong enquired at the meeting about the arrangements for the Introduction to Candidates in the LegCo GC general elections and LegCo GC by-elections. According to the existing legislation, in LegCo general elections, the list voting system in the form of proportional representation is adopted for the GC elections, hence the number of candidates in each list of candidates is relatively large. For instance, there were 84 lists of candidates totalling 213 validly nominated candidates in the 2016 LegCo General Election, and the number of validly nominated candidates in individual lists of candidates even reached the upper limit of members to be returned in the relevant GCs.

In order to reserve sufficient space for each list of candidates to promote their election platforms in the Introduction to Candidates, each list of candidates will be allocated a grid paper for printing the photos of all candidates on the list, as well as an A4 page for promoting their election platforms in LegCo general elections.

On the other hand, in the LegCo GC by-elections, given that only one Member will be returned in the GC concerned generally, i.e., there is usually only one candidate in each list of candidate, we have suitably adjusted the size allocated to each list of candidate in the Introduction to Candidates to provide 1/4 of an A4 page for each list of candidate to set out their information. Apart from the Introduction to Candidates, in accordance with Section 43 of the Legislative Council Ordinance and Section 101A of the Electoral Affairs Commission (Electoral Procedure)(Legislative Council) Regulation, in LegCo general elections and by-elections, each validly nominated candidate may post, free of postage, one letter to each elector of the constituency for which he/she is nominated. The purpose of the relevant arrangement is to enable the candidate to send election mail to promote himself/herself to electors.

Yours sincerely,



(Ms Cherie Yeung)
for Secretary for Constitutional and Mainland Affairs

cc: Chief Electoral Officer