

立法會
Legislative Council

LC Paper No. CB(2)772/18-19(04)

Ref : CB2/PL/CA

Panel on Constitutional Affairs

**Information note prepared by the Legislative Council Secretariat for the
meeting on 18 February 2019**

Electronic vote counting and advance polling

The Panel on Constitutional Affairs ("the Panel") has not discussed specifically the subjects of electronic vote counting and advance polling in detail before. However, members had expressed the view at various meetings that the Registration and Electoral Office ("REO") should carry out studies to assess the use of information technology in the election process to address the lengthening of the vote counting time due to the ever-increasing voter turnout for the Legislative Council ("LegCo") elections in recent years. During discussion of the Electoral Affairs Commission ("EAC") Report on the 2016 LegCo General Election at the meeting on 25 January 2017, some members also expressed concern that the time taken in the counting of votes in the 2016 LegCo general election was unduly long.¹ They considered that the existing manual counting arrangement did not keep pace with the development of modern technology and called on the Administration to explore the use of vote counting machines to facilitate the counting process. The Administration advised that it agreed to EAC's recommendation that computerization of the electoral process should be the way forward and undertook to carry out relevant feasibility studies.

2. Some members also proposed that arrangements should be made to enable those civil servants who served as polling staff or were on shift on the polling day to cast their votes in advance. They requested the Administration to implement relevant arrangements in the 2020 LegCo general election.

Electronic vote counting

3. In July 2017, the Administration reverted to the Panel in writing advising that it had all along adopted a central computer counting system for the Election

¹ According to the Administration's paper (LC Paper No. CB(2)1853/16-17(01)), in the 2016 LegCo general election, over 95% of the geographical constituency ("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.

Committee subsector ("ECSS") elections.² The Administration's aim was to extend the application of electronic counting of votes to LegCo elections as well. However, the present ballot papers for geographical constituencies ("GCs"), the maximum size of which being 440 mm (in width) x 458 mm (in length), could not be read by the existing computer devices. The Administration advised that electronic counting of votes therefore could not be applied to GC elections for the time being. However, REO would continue to keep track of whether computer devices in the future could read ballot papers of a larger size.

4. With respect to the District Council (second) functional constituency ("DC (second) FC") election, the Administration advised that due to the enormous number of ballot papers involved, the time required for counting votes was longer than in other elections. If electronic counting of votes could be introduced, 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 was generally smaller than those for GC elections. Therefore, the size of ballot papers was smaller and the feasibility of introducing electronic counting of votes was higher. REO would 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.

5. With regard to the DC election and the LegCo traditional FC election, the Administration explained that since the number of ballot papers for respective constituencies was comparatively smaller, the implementation of electronic counting of votes might not significantly reduce the counting time and achieve cost-effectiveness. As such, the Administration did not recommend the implementation of electronic counting of votes in these elections for the time being.

Advance polling

6. At the Council meeting of 6 June 2018, Hon Starry LEE raised an oral question on electoral arrangements which also included the proposal that arrangements be made to enable those civil servants who served as polling staff or were on shift on the polling day to cast their votes in advance.

² According to the Administration, the central computer counting system for the ECSS elections 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.

7. The Secretary for Constitutional and Mainland Affairs replied that in examining the proposal, the Administration must carefully consider the storage and safe-keeping of the marked copies of the final register, ballot papers and ballot boxes between the commencement of advance polling and the actual polling day, and how to regulate exit polls conducted on the advance polling day, so as to prevent electors' voting preference on the actual polling day from being influenced by the results of these exit polls. Hon Starry LEE's question and the Administration's reply are in the **Appendix**.

8. The Administration will brief the Panel on launching pilot schemes of electronic counting and advance polling in the 2020 LegCo General Election at the next meeting on 18 February 2019.

Council Business Division 2
Legislative Council Secretariat
15 February 2019

Appendix

Press Releases

LCQ2: Electoral arrangements

Following is a question by the Hon Starry Lee and a reply by the Secretary for Constitutional and Mainland Affairs, Mr Patrick Nip, in the Legislative Council today (June 6):

Question:

In November last year, the Government published a Consultation Paper on Review of Electoral Arrangements, launching a public consultation on three issues related to elections, including the polling hours. The consultation report was released last month. In this connection, will the Government inform this Council:

(1) as some members of the public are of the view that the existing polling hours and the time taken in counting votes are unduly long, causing impacts on society, the electors and the candidates, but the consultation report proposes that the polling hours of the Legislative Council (LegCo) and District Council (DC) elections be maintained, of the authorities' measures to alleviate the relevant impacts;

(2) as the Government has indicated in the consultation report that it will study the making of arrangements to enable those civil servants who serve as polling staff or are on shift on the polling day to cast their votes in advance, and to enable eligible electors who are Hong Kong permanent residents working or residing on the Mainland to cast their votes in advance at the offices of the SAR Government on the Mainland, whether such studies can be completed expeditiously so that the relevant arrangements can be implemented in the 2020 LegCo general election; and

(3) whether it will review the vote counting arrangement for the election of District Council (second) functional constituency seats in LegCo, such as by drawing reference to the vote counting arrangement for geographical constituencies in which a polling station will be converted into a counting station immediately after the close of poll for counting votes on the spot; whether it will conduct a feasibility study on introducing electronic counting to LegCo and DC elections; if so, of the details; if not, the reasons for that?

Reply:

President,

My reply to Hon Starry Lee's question is as follows:

The Constitutional and Mainland Affairs Bureau published the Consultation Paper on Review of Electoral Arrangements in November last year and launched a public consultation that last for about seven weeks on three issues related to electoral arrangements. The public consultation period ended in late December last year. Having collated and analysed the views received, we have published the Consultation Report in mid May to set out the outcome of the consultation and our proposed way forward for the three issues.

In respect of the polling hours of Legislative Council (LegCo) and District Council (DC) elections, as mentioned in the Consultation Report, among the written submissions received during the public consultation period, the political parties which supported slightly shortening the polling hours pointed out that Hong Kong's polling hours were the longest as compared to other countries and regions. The advantages of shortening the polling hours are that the relevant counting work can commence earlier, thereby enabling the venues of the polling stations to be returned as early as possible on the day after the polling day, alleviating the fatigue suffered by the stakeholders concerned, as well as lessening the disturbance caused to the neighbourhood of the counting stations. On the other hand, some political parties and quite a few members of the public who opposed to shortening the polling hours pointed out that if the closing time of the poll was advanced, some electors may not be able to or find it inconvenient to vote because the revised polling hours may conflict with their working hours. After carefully considering all the views and recommendations received for the public consultation, we proposed that the present polling hours of LegCo and DC elections should be maintained for the time being before the Government completes a holistic review on other issues related to polling hours.

We will study a host of issues related to polling hours, including the feasibility of extending the time of procurement of venues for setting up as polling and counting stations, use of information technology in the counting process, and formulating alternative arrangements for electors who are unable to go to polling stations in person on the polling day to vote due to the shortening of polling hours, etc. We will critically examine the various operational details and legal issues involved, with an aim to ensuring that elections are conducted in a fair, open and honest manner.

During the public consultation period, we also received proposals from political parties and LegCo Members on arranging advance polling for civil servants who serve as polling staff and who are on shift on the polling day, and allowing eligible electors who are Hong Kong permanent residents working/residing in the Mainland to cast their votes at the offices of the Government in the Mainland. While examining the proposal on formulating advance polling arrangements for civil servants who serve as polling staff and who are on shift, we must carefully consider the storage and safe-keeping of the marked copies of the final register, ballot papers and ballot boxes between the commencement of advance polling and the actual polling day, and how to regulate exit polls conducted on the advance polling day, so as to prevent electors' voting preference on the actual polling day from being influenced by the results of these exit polls. Besides, to ensure that elections are conducted in a fair, open and honest manner, any proposed arrangements for polling outside Hong Kong must be critically examined, such as how the polling and counting process could be effectively monitored by candidates and their agents, transportation of ballot papers and ballot boxes to and from polling stations outside Hong Kong, as well as the relevant arrangements during polling and counting and application of Hong Kong's relevant electoral legislation and regulation during the process, the risks involved in the process and ways of handling any emergency and unforeseen incidents occurred at polling stations outside Hong Kong, etc.

As regards expediting the counting procedure, the

Registration and Electoral Office is proactively studying ways to introduce electronic counting of votes for the DC (second) Functional Constituency (DC (second) FC) in future LegCo elections, taking into account the technical aspects, work flow and cost-effectiveness, etc. We have examined the feasibility of counting the votes of DC (second) FC in polling stations. We consider that this option would involve much operational difficulty as polling staff are already responsible for the counting of votes of the geographical constituency, and most of the polling stations need to be returned to the venue management in the early morning on the day following the polling day. As for DC elections, 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 DC elections for the time being. We will continue to review the relevant procedures and examine whether there is any room for streamlining the counting procedure.

The raft of measures mentioned above, if implemented, would help facilitate early announcement of election results and alleviate the fatigue suffered by relevant stakeholders. We will proactively study and follow up on these issues, with a view to realising some of the measures as early as in the 2020 LegCo election.

Thank you Mr President.

Ends/Wednesday, June 6, 2018
Issued at HKT 12:35

NNNN