

Legislative Council Panel on Constitutional Affairs

Practical Arrangements for the 2019 District Council Ordinary Election

PURPOSE

The 2019 District Council (“DC”) Ordinary Election will be held on 24 November 2019. This paper sets out the key electoral arrangements proposed by the Electoral Affairs Commission (“EAC”) for the Election.

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 the 2019 DC Ordinary Election. The key practical arrangements relating to polling stations, deployment of electoral staff, counting of votes, public inspection of election advertisements, facilitation measures for electors with special needs, Central Command Centre (“CCC”), contingency planning, etc. 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 24 November 2019 as the date for holding the sixth DC Ordinary Election. The relevant notice was published in the Gazette on 15 March 2019.

4. Section 9 of the Electoral Affairs Commission (Electoral Procedure) (District Councils) Regulation (Cap. 541F) (“EAC(EP)(DC) Regulation”) 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 allow roughly five weeks for candidates to conduct canvassing activities between the close of nomination and the polling day. Following this practice, we plan to set the nomination period for the coming election from 4 to 17 October 2019. The

nomination period will be gazetted for public information in due course.

Registered Electors

5. There are at present about 3.81 million electors registered for the geographical constituencies (“GCs”). The 2019 voter registration drive is under way. The deadline for application for new registration is 2 July 2019. The final voter registration figure for the upcoming DC ordinary election will be available when the 2019 Final Register of GC electors is published 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 2019 voter registration publicity campaign in April 2019, the REO estimates that there will be about 3.9 million registered electors who will be eligible to cast their votes in the 2019 DC Ordinary Election.

Polling Stations

6. In order to facilitate the casting of votes by electors, at least one polling station will be set up in each of the 452 DC Constituency Areas (“DCCAs”), with more than one in those covering a large geographical area. Depending on the number of contested DCCAs, and subject to the successful identification of suitable venues for use as polling stations, the REO plans to set up around 600 ordinary polling stations (“OPSs”) in the 2019 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 approximately 3.9 million registered electors, about 6,500 electors will be assigned to each OPS on average. This is similar to the 2018 Legislative Council (“LegCo”) Kowloon West GC By-election held in November 2018. For Members’ information, in the 2015 DC Ordinary Election, out of the 431 DCCAs, 68 were uncontested. For the remaining 363 DCCAs, 495 polling stations were set up on the polling day.

7. Apart from OPSs, 20 dedicated polling stations (“DPSs”) will be set up at the penal institutions of the Correctional Services Department (“CSD”) for the registered electors imprisoned or remanded under the custody of the CSD on the polling day to cast their 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 other than CSD, such as the Hong Kong Police Force (“the Police”), Independent Commission Against Corruption, Customs and Excise Department, to cast their

votes.

Polling Hours

8. Following the established arrangement, the polling hours of OPSs and DPSs set up at police stations for the 2019 DC Ordinary Election will run from 7:30 am to 10:30 pm. As for DPSs set up at CSD penal institutions, due to security considerations, the polling hours will run from 9:00 am to 4:00 pm.

Electoral Staff Recruitment and Training

9. We launched a recruitment exercise in early April 2019 for electoral staff of different ranks for the 2019 DC Ordinary Election. We aim to recruit about 20,000 civil servants from various government bureaux/departments to carry out polling and counting duties on the polling day.

10. Briefing sessions on the polling and counting procedures and arrangements including hands-on practice of counting duties will be arranged for electoral staff. We shall also 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. Besides, polling management training will be organised for staff at the supervisory level. The training covers handling of personal data, crisis management, quality polling service, complaints handling, and team building. It also includes experience sharing by polling staff and briefing by the Police on their duties at the polling stations. For staff who will be deployed to compile statistical returns on the polling day, specialised training on statistical work will also be organised for them.

Vote Counting Arrangements

11. The vote counting process will be de-centralised to 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 set up at venue not designated as counting 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. The conversion process will be witnessed by the candidates and their agents, if they are present. When the conversion is completed, candidates and their agents, the media and members of the public will be allowed to be present in the counting station to observe the count. Questionable ballot papers will be separated during the counting process for

determination of validity by the Presiding Officers (“PROs”). Candidates and their election or counting agents may make representations as allowed under electoral law during the determination process. The decision of the PROs in respect of any ballot paper shall be final and may only be questioned by election petition.

12. To protect the secrecy of votes, ballot papers from the small polling stations (with fewer than 200 registered electors), special polling stations (for use by electors with disabilities) set up at venues not designated as counting stations of the same DCCAs as well as all DPSs (after sorting by DCCAs at the respective Ballot Paper Sorting Stations) will be delivered to the respective main counting stations for mixing with other ballot papers cast therein before counting.

13. 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. If such a request is accepted by the PRO, the recount will be performed on-the-spot. If there is no request or further 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 declare the election result when the counting results of all counting stations in the DCCA have been finalised.

Design of Ballot Papers and Ballot Boxes

14. Candidates will be allowed to have certain specified particulars² relating to them, in addition to their names and candidate numbers, printed on the ballot papers in the 2019 DC Ordinary Election. The candidates will be invited to check the final proofs of the ballot papers to ensure that the information contained therein is accurate before the ballot papers are printed. A full-scale checking on the ballot papers will also be conducted to ensure that they are correctly and properly printed.

15. We will ensure that the total quantity of ballot papers will be sufficient to cater for 100% turnout and for the replacement of inadvertently marked ballot papers. We will carefully and thoroughly test the ballot boxes to be used in the 2019 DC Ordinary Election and will ensure that there are enough ballot boxes to cater for a 100% turnout of registered electors.

¹ Or if such request is rejected by the PRO as being unreasonable in accordance with section 80A(5) or 80B(5) of EAC(EP)(DC) Regulation.

² Other specified particulars include candidate’s photo, information relating to the prescribed bodies/persons and the words “Independent Candidate” or “Non-affiliated Candidate”.

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 to enable the candidate to send election mail to promote or advertise himself/herself to electors. To facilitate candidates' sending out election mail by free postage, the REO will continue to provide each candidate, normally within five working days upon request, with a set of address labels pertaining to the electors in the constituency. Candidates may 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 the REO with their e-mail addresses.

17. We shall also continue the practice of providing, upon request, each candidate with a computer disc (referred to as Candidate Mailing Label System ("CMLS")) containing the mailing information of electors (including their names, latest residential addresses and, if provided by the electors during voter registration, their e-mail addresses) in the constituency. Candidates may make use of the information in the CMLS to generate address labels according to their own needs for posting of election mail or sending out electronic election mail to the electors via their e-mail addresses. A message will be printed on the paper cover and user guide of the disc to remind candidates of the proper use of electors' personal data and the legal consequences of not taking heed of the reminder. The CMLS programme will also include a pop-up message to remind candidates of the protection of electors' personal data, including the use of "b.c.c." function or other proven means to prevent inadvertent disclosure of electors' e-mail addresses. Candidates are required to sign an undertaking on the proper use of electors' information before they are provided with address labels and/or CMLS discs.

Public Inspection of Election Advertisements ("EAs")

18. To comply with the public inspection requirement stipulated in the electoral law, candidates may 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 within one working day after the publication of the EAs. For those EAs of which posting on the Central Platform or Candidate's Platform is not practicable (e.g. electioneering messages of interactive and spontaneous

nature, video streaming or live broadcasting through social networking and communication websites on the internet), candidates may post the hyperlinks of the EAs onto the Central Platform or Candidate Platform in order to satisfy the public inspection requirement.

“Introduction to Candidates” and Postage-free Election Mail

19. Under the present arrangement, candidates are free to make use of the “Introduction to Candidates” and postage-free election mail which are published or funded by the Government to promote their election and candidatures, as long as the requirements under the law and the EAC guidelines are satisfied. Candidates who wish to make use of the “Introduction to Candidates” leaflets must submit the content of their electoral messages and candidatures to be printed in the leaflets, in a format specified by the EAC, to the REO before the end of the nomination period. The REO will mail the leaflets, together with the poll card, to the electors before the polling day.

Facilitation Measures for Electors with Special Needs

20. As in previous elections, the REO will continue to make the best endeavours to facilitate the exercise of right to vote by electors with special needs. The following facilitation measures will be implemented in the 2019 DC Ordinary Election –

- (a) to assist 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 for wheelchair users. REO will also remind electors who have mobility difficulties or are wheelchair users, through location maps attached to poll cards and various promotion channels, that if they have been allocated to an inaccessible polling station, they may apply to the REO at least five days before the polling day for re-allocation to another polling station. As in the last election, the REO, upon request, will approach the Hong Kong Society for Rehabilitation for arrangement of Rehabuses to transport these electors to and from the polling stations;
- (b) to assist electors with hearing impairment, all polling stations are provided with a pictorial voting aid to assist them in understanding the voting procedures. Sign language translation has been incorporated in the Announcements in the Public Interest relating to

the voting procedures and where there is a practical need, such translation service will also be made available at candidates' briefing;

- (c) to assist electors with visual impairment, we have since the 2012 LegCo General Election appealed to candidates to provide the text version of their "Introduction to Candidates" for uploading onto the dedicated website (www.elections.gov.hk) to facilitate the online reading of the relevant information using software aids by persons with visual impairment. We shall continue this practice in the coming DC ordinary election. At the same time, we shall continue the arrangement to collect the e-mail addresses of electors with visual impairment via the Voter Registration website (www.voterregistration.gov.hk) and to use e-mail to send to them the relevant polling information (including hyperlinks to the text version of "Introduction to Candidates") electronically. These electors would be informed through short message service that the REO has issued the e-mail to them and they can open the e-mail and read the electronic polling information with software aids. This service will supplement the sending of poll cards as provided under section 34 of the EAC(EP)(DC) Regulation;
- (d) a 24-hour Interactive Voice Response System ("IVRS") will be provided for electors with visual impairment to listen to the recording made from the text version of the "Introduction to Candidates" at any time. They can also be redirected to the operators of the REO's enquiry hotline during the hotline's operating hours to obtain other electoral information. On the polling day, the aforesaid electors will be allowed to use the telephones at the polling stations to access the IVRS through a dedicated telephone line without redirect function. Other facilitation measures such as provision of braille templates and braille list of candidates at the polling stations will continue; and
- (e) to assist electors who cannot speak Chinese or English, all polling stations will be equipped with explanatory notes in nine different languages (including Japanese, Korean and seven ethnic minorities ("EM") languages) to enable electors with different needs to understand the voting procedures. In addition, we shall collaborate with the Centre for Harmony and Enhancement of Ethnic Minority Residents ("CHEER") to provide interpretation service in seven EM languages (Bahasa Indonesia, Tagalog, Thai, Hindi, Nepali, Urdu and Punjabi), through the REO telephone hotline service, to help EM

electors understand the voting procedures and to facilitate their making enquiries on election-related matters during the two weeks prior to the polling day. The same service will also be available on the polling day. Arrangement will also be made with the CHEER for providing the interpretation service over the phone if electors of ethnic minorities make a request to the PROs for language assistance at the polling stations.

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

Reduction of Paper Consumption on Election-related Materials

21. To protect the environment, we shall continue to adopt various measures to reduce paper consumption on election-related materials, including –

- (a) where possible, providing bulky materials in an electronic format to candidates for reference;
- (b) providing printed address labels of electors (except those who have provided REO with their e-mail addresses) to candidates only upon request;
- (c) providing candidates with e-mail addresses of electors, if available, for sending electronic election mail;
- (d) appealing to electors to register their e-mail addresses with the REO through GovHK and encouraging candidates to send their election mail by electronic means to electors who have provided e-mail addresses;
- (e) encouraging candidates to use household address labels to send promotional letters to electors and suggesting them to include a message in their election mail to encourage the recipient electors to share and pass on the election mail after reading to the other electors residing at the same address;
- (f) allowing candidates to submit electronic copies of the EAs onto an open platform for public inspection;
- (g) allowing candidates and electors to submit certain electoral forms or

notices through electronic means³ if permitted under the existing legal provisions;

- (h) keeping the size of the “Introduction to Candidates” to a reasonable minimum by allocating to each candidate on the leaflet 1/4 of an A4 page;
- (i) using recycled paper or paper made from wood-pulp derived from sustainable forest to print electoral documents as far as practicable; and
- (j) exploring possible ways to recycle waste paper left after the election.

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

Central Command Centre

22. A CCC will be set up at REO’s office in the 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 2015 DC Ordinary Election and 2016 LegCo General Election which 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 2019 DC Ordinary Election on an hourly basis.

Contingency Planning

24. We shall put in place a mechanism to cater for the postponement of election or the adjournment of poll or count for the 2019 DC Ordinary Election, in the event that the ordinary election or the poll or the count is likely to be

³ 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.

obstructed, disrupted, undermined or seriously affected by an occurrence as specified in Schedule 1 to the EAC(EP)(DC) Regulation. As regards other logistical arrangements, suitable contingency measures will be implemented to make available a number of reserve polling and counting stations, standby electoral staff and transport services and extra electoral materials, etc. to ensure the smooth conduct of the election.

25. Section 7(3) of Schedule 1 to the EAC(EP)(DC) Regulation requires that the postponed election or the adjourned poll or count should be held not later than 14 days from the date on which it would have been held. As it has been the established practice to hold the poll on a Sunday, the postponed election or the adjourned poll would normally resume on the following Sunday as far as circumstances permit. For contingency planning, the fallback date would be 1 December 2019 if postponement or adjournment is required.

ADVICE SOUGHT

26. Members are invited to comment on the arrangements set out in this paper.

**Registration and Electoral Office
June 2019**

Facilitation Measures for Electors with Special Needs

(A) Electors with mobility difficulties

1. The Registration and Electoral Office (“REO”) aims to have at least 90% of polling stations set up at venues which are accessible to electors with mobility difficulties or who are wheelchair users. Where the circumstances permit, temporary ramps will be set up at polling stations for wheelchair users.
2. Telephone number of the polling station will be posted near the ramp leading to the station. If necessary, electors with mobility difficulties can contact the polling staff for assistance.
3. The REO will indicate in the polling station location map to be sent together with the poll card to electors whether the allocated polling station is accessible to electors with mobility difficulties or who are wheelchair users. If these electors are allocated to inaccessible polling stations, they may apply to the REO at least five days before the polling day for re-allocation to a polling station set up at an accessible venue.
4. Upon request, the REO will approach the Hong Kong Society for Rehabilitation for arrangement of Rehabuses to transport electors with mobility difficulties to and from polling stations.
5. All accessible polling stations will be equipped with enlarged voting compartments with lower polling tables for electors who are wheelchair users.
6. If necessary, electors can seek help from the Presiding Officer (“PRO”) to mark the ballot papers on their behalf according to their choice inside a voting compartment with a polling staff serving as a witness. Where space permits, one of the voting compartments at each polling station will be separated from the remaining compartments in order to prevent electors at the adjacent compartments from overhearing the conversation between the polling staff and the electors concerned.

(B) Electors with visual impairment

1. All the election websites have incorporated accessible designs. Most of the information or documents on the websites are convenient for browsing by persons with visual impairment with the aid of screen reading software.
2. Appeal will be made to candidates to provide a text version of their “Introduction to Candidates” for uploading onto the dedicated website (www.elections.gov.hk) to facilitate online reading of the relevant information using assistive software by persons with visual impairment.
3. Electors with visual impairment may provide/update their e-mail addresses for receiving soft copy of electoral information from the REO by completing an electronic form at the Voter Registration website (www.voterregistration.gov.hk). They would be reminded through Short Message Service to read the e-mail issued by the REO.
4. The telephone number of the enquiry hotline (2891 1001) will be read out in radio Announcements in the Public Interest (“APIs”) and TV APIs so that persons with visual impairment may obtain information relating to electoral arrangements through the hotline.
5. A web accessible version of the TV APIs will be available on the dedicated website to facilitate the browsing of election-related information by electors with visual impairment.
6. A 24-hour Interactive Voice Response System (“IVRS”) (2893 3762) will be provided for electors with visual impairment to listen to the recording made from the text version of the “Introduction to Candidates” at any time. They can also be redirected to the operators of the REO’s enquiry hotline during the hotline’s operating hours to obtain other electoral information. On the polling day, electors with visual impairment will be allowed to use the telephones at the polling stations to access the IVRS through a dedicated telephone line without redirect function.

7. A braille list of candidates with the candidate numbers, candidates' names and the names of prescribed bodies will be available at polling stations to facilitate the access of electors with visual impairment to the relevant information.
8. Braille templates will be available at polling stations to facilitate the marking of ballot papers by electors with visual impairment themselves.
9. If necessary, electors can seek help from the PRO to mark the ballot papers on their behalf according to their choice inside a voting compartment with a polling staff serving as a witness. Where space permits, one of the voting compartments at each polling station will be separated from the remaining compartments in order to prevent electors at the adjacent compartments from overhearing the conversation between the polling staff and the electors concerned.
10. Electors with visual impairment may bring along their guide dogs into the polling stations.

(C) Electors with hearing impairment

1. Sign language interpretation and subtitles will be included in all election-related TV APIs.
2. An "Illustration on Guidance on Voting Procedure" ("pictorial voting aid") is available at all polling stations to assist electors with hearing impairment in understanding the voting procedures. The pictorial voting aid will be uploaded onto the dedicated website for electors' reference before the poll.

(D) Ethnic minority electors and electors in need

1. Electoral information in seven ethnic minority languages (Bahasa Indonesia, Hindi, Nepali, Punjabi, Tagalog, Thai, and Urdu) will be available on the dedicated website.

2. Electoral information in Bahasa Indonesia, Hindi, Nepali, Tagalog Thai, and Urdu will also be available on the homepage of the Home Affairs Department's Race Relations Unit (www.had.gov.hk/rru).
3. Information on the election will be broadcast in five ethnic minority languages (Bahasa Indonesia, Hindi, Nepali, Thai, and Urdu) on radio.
4. Appeal will be made to candidates to provide election advertisements in English and/or ethnic minority languages to facilitate understanding by electors who do not read Chinese.
5. Polling stations will be equipped with a Language Assistance Folder which will contain guides on voting procedures written in the aforesaid seven ethnic minority languages to assist ethnic minority electors in casting their votes.
6. The REO will collaborate with the Centre for Harmony and Enhancement of Ethnic Minority Residents to provide free interpretation service in the aforesaid seven ethnic minority languages, through the REO's dedicated telephone line, to help electors of ethnic minorities understand the voting procedures and to facilitate their making of enquiries on election-related matters.
7. Electoral information in the aforesaid seven ethnic minority languages will be posted in eight support centres for the ethnic minorities run by non-governmental organisations.

(E) Other electors with special needs

1. A pictorial voting aid explaining the voting procedures will be provided at all polling stations to assist electors in need (e.g. electors with intellectual differences, electors with speech or communication impairment and electors who are not familiar with Chinese or English, etc.) in understanding the voting procedures. The pictorial voting aid will be uploaded onto the dedicated website for electors' reference before the poll.

2. Electors who are unable to cast their votes on their own can seek help from the PRO to mark the ballot papers on their behalf according to their voting choice. The whole process will be witnessed by another polling staff to ensure that the voting will be conducted in a fair manner. According to the current legislation, all polling staff (including the PRO) must sign a declaration of secrecy in the specified form and must comply with various requirements concerning voting secrecy. To further protect the privacy of the electors concerned, where space permits, one of the voting compartments at each polling station will be separated from the remaining compartments in order to prevent electors at the adjacent compartments from overhearing the conversation between the polling staff and the electors concerned.