

**Legislative Council Panel on Constitutional Affairs**

**Practical Arrangements and Publicity  
for the 2020 Legislative Council General Election**

**PURPOSE**

The Administration is proactively preparing for the 2020 Legislative Council (“LegCo”) General Election. Although the situation of the COVID-19 epidemic has eased slightly, stepping up efforts to prevent and control the disease is still the top priority of the Government and the Hong Kong community. The Government will closely monitor the situation in assessing the impact of the epidemic on the LegCo election. For the purpose of planning and preparation, the Registration and Electoral Office (“REO”) tentatively uses 6 September 2020 as basis for its preparatory work for the polling date. This paper sets out the major electoral arrangements proposed by the Electoral Affairs Commission (“EAC”) for the election and the salient points of the publicity programme.

**BACKGROUND**

2. The EAC is a statutory and independent body responsible for the conduct and supervision of elections. The EAC, supported by the REO, is making preparations for various electoral arrangements for the 2020 LegCo General Election. The major 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, media centre and contingency planning are set out in the paragraphs 4 to 49 below.

3. Besides, as in previous elections, we will launch a series of publicity activities for the 2020 LegCo General Election. An inter-departmental working group led by the Constitutional and Mainland Affairs Bureau has been set up to organise the publicity campaign. The working group comprises representatives from the REO, Home Affairs Department, Information Services Department, Independent Commission Against Corruption and Radio Television Hong Kong. We shall launch the publicity campaign as detailed in paragraphs 50 to 53 starting from early July 2020 to call upon electors to cast their votes at the election.

## **PROPOSED ELECTORAL ARRANGEMENTS**

### **Polling Date and Nomination Period**

4. According to Section 6 of the Legislative Council Ordinance (Cap 542) (“LCO”), the date for holding a general election to elect the Members for each term of office of the Legislative Council must be not earlier than 60 days and not later than 15 days before the new term of office of the LegCo is to begin. Hence, for the purpose of all preparatory work, REO has tentatively used 6 September 2020 as the date of holding the general election for the seventh term LegCo.

5. Section 7 of the Electoral Affairs Commission (Electoral Procedure) (Legislative Council) Regulation (Cap. 541D) (“EAC(EP)(LC) 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, also, allow roughly five weeks for candidates’ canvassing activities between the end of the nomination period and the polling day. Following this practice, the CEO plans to set the nomination period for the coming general election from mid July to late July 2020, and the exact dates will be published in the Gazette in due course.

6. According to the legislation, except where the CEO has authorised any other manner of submission, the nomination forms must be submitted by the candidates in person to the relevant Returning Officers (“ROs”) at their offices within the nomination period.

### **Voter Registration**

7. There are at present about 4.13 million, 0.23 million and 3.86 million electors registered for the geographical constituencies (“GCs”), traditional functional constituencies (“FCs”) and District Council (second) functional constituency (“DC(second)FC”) respectively in the 2019 Final Register (“FR”). The 2020 voter registration campaign commenced on 26 February 2020 and the statutory deadline for application for voter registration was 2 May 2020. We plan to publish the 2020 FR before 25 July 2020, taking into consideration the requirement under section 20 of the Electoral Affairs Commission (Registration of Electors) (Legislative Council Geographical Constituencies) (District Council Constituencies) Regulation (Cap. 541A) and the nomination period of the election. The voter registration figure for the LegCo general election to be held on 6 September will be available by then. We estimate that there will be an increase

in the overall number of registered electors compared to the present figure. At present, we are planning our preparatory work for the election on the basis that about 4.2 million GC registered electors are eligible to vote in the election.

### **Number and Allocation of Polling Stations**

8. The REO will set up more than 610 ordinary polling stations (“OPSs”) for the 2020 LegCo General Election. We aim to have at least 90% of the polling stations set up at venues accessible to electors with mobility difficulties.

9. In the previous elections, some polling stations could not be returned to venue managements until the morning of the day after the polling day, and some schools had already made prior arrangements to release their premises for use for other purposes, quite a few schools and relevant organisations did not release their venues for use on the polling day. For those schools that have no prior appointments on the polling day, we need to resolve the problem of not being able to return the venues on time, such that they would be comfortable to release their venues. We are exploring with the Education Bureau to designate the day after the polling day as a school holiday in order to resolve the problem of not being able to return the venues on time. Meanwhile, to facilitate electors to cast their votes and to reduce confusion, it has been the established practice to use the same venues for setting up polling stations, as far as possible, for all the elections in the same election cycle. The REO has preliminarily approached the management of over 400 non-government venues to seek their agreement of using the venues concerned for setting up polling stations in the LegCo general election. We hope to set up polling stations for the LegCo general election at venues which were used for setting up polling stations in the 2019 District Council (“DC”) Ordinary Election. Meanwhile, a small number of venues were found to be too small or unsuitable for use for various reasons after the 2019 DC Ordinary Election, and hence we will identify alternative venues.

10. 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 their votes in the election. We also plan to set up three DPSs (one on Hong Kong Island, one in Kowloon and one in the New Territories) 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 Police, Independent Commission Against Corruption and the Customs and Excise Department, to cast their votes.

## **Polling Hours**

11. Following the established arrangement, the polling hours of OPSs and DPSs set up at police stations for the 2020 LegCo General 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 (including the suggestion of recruitment of retired civil servants and enhancement of training)**

12. For the 2020 LegCo General Election, we plan to recruit and train about 31 000 electoral staff for carrying out polling and counting duties on the polling day. Amongst these, about 26 000 staff will be deployed for manning polling stations and another about 5 000 for the operation at the Central Counting Station (“CCS”) to be set up at the AsiaWorld-Expo in Chek Lap Kok. The polling-cum-counting staff to be deployed to OPSs will perform polling duties and take charge of the counting of GC votes. For staff deployed to the CCS, they will be responsible for the counting of votes for the DC(second)FC and the traditional FCs.

13. We launched a recruitment exercise for the 2020 LegCo General Election in April 2020 to recruit existing civil servants as electoral staff of different ranks. Since we had great difficulties in recruiting electoral staff in the 2019 DC Ordinary Election, and with the increasing manpower demand due to rising voter turnout, we are making arrangements for appointing, in addition to serving civil servants, retired civil servants as electoral staff for the 2020 LegCo General Election (especially those who have served as electoral staff before retirement).

14. Briefing sessions on the polling and counting procedures and arrangements including hands-on practice of counting duties will be arranged for staff. We should 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. In light of the experience gained in the 2019 DC Ordinary Election, we shall enhance the Polling Management Training for the Presiding Officers (“PROs”) and Deputy Presiding Officers with more focus to be placed on matters such as strengthening their execution power in maintaining the order of the polling and counting stations, handling of re-counting and determination of questionable ballot papers. Besides, staff working in the CCS need to attend an on-site rehearsal of the counting duties on the day before the polling day.

## **Polling Arrangements**

15. As in the past LegCo general elections, a combined polling arrangement will be adopted to facilitate electors to cast votes. Under this arrangement, an eligible elector will cast all the votes he/she is eligible to cast at the same polling station. The ballot papers for GCs, traditional FCs and DC(second)FC will be of different sizes, colours, colour patterns and codes for easy differentiation. We shall continue to arrange dedicated ballot boxes for receiving these three different types of ballot papers separately. To ensure that ballot papers are put in the right ballot boxes, each type of ballot papers would bear the same colour to match that of the corresponding ballot boxes. Furthermore, depending on the number and types of ballot papers to be issued to individual electors, there would be four dedicated cardboards of different colours for holding the ballot papers. Such arrangement is to facilitate polling staff to monitor the casting of votes and ensure that no elector will bring any ballot paper out of the polling station. We will also step up the publicity to remind electors of the above polling procedures.

16. In order to allay some electors' concerns that when they applied for ballot papers at their assigned polling stations, they were being informed that the ballot paper had already been issued to another person assuming the same identity earlier on and to refine the ballot paper issuing procedures, the EAC recommended in the Report on the 2019 DC Ordinary Election that the REO should explore how to ascertain accurate verification of electors' identity by the polling staff, and to enable electors to witness the crossing out of their entries in the FR by the polling staff upon their collection of ballot papers without seeing the information of other electors on the FR. In this regard, apart from enhancing the training on verification of electors' identity to be provided to the polling staff, the REO has also worked out the proposed arrangement for electors to witness the crossing out of their entries in the FR by the polling staff. After ascertaining the voting eligibility of an elector, the polling staff at the ballot paper issuing desk will cover the personal data of other electors on the FR before inviting the elector to witness the crossing out of his/her name and the HKID Card number on the FR.

17. Besides, the Electoral Affairs Commission ("EAC") has conducted a consultation on various matters, including the polling arrangements, in the Proposed Guidelines on Election-related Activities in respect of the LegCo Election. Details of the relevant improvement measures will be published in the Guidelines on Election-related Activities in respect of the LegCo Election.

## **Vote Counting Arrangements**

### *Vote counting arrangements for GCs*

18. For the GCs, we will adopt the same poll-cum-count practice as in the past, with vote counting to be conducted at individual polling stations after the close of poll. Under this arrangement, a polling station (other than a small polling station (“SPS”) and a DPS as explained in paragraph 19 below) will be converted into a counting station immediately after the close of poll. During the conversion process, candidates and their agents may remain inside the polling station. After the conversion, candidates and their agents, the media and members of the public are allowed to be present in the counting station to observe the count.

19. The count will be conducted manually and, during the count, questionable ballot papers will first be separated for later determination of validity by the PROs. Candidates and their election or counting agents may make representations during the determination process but the decision of the PROs on the validity of ballot papers is final under the electoral law. To protect the secrecy of votes, GC ballot papers of the SPSs (with fewer than 500 registered electors) as well as all DPSs (after sorting by GCs at the Ballot Paper Sorting Stations) will be delivered to the respective main counting stations under police escort and accompanied by not more than two candidates and/or their agents, for mixing with the ballot papers cast in the main counting stations before counting. Noting that some people had raised doubts about this arrangement in the 2019 DC Ordinary Election, we will step up the publicity in explaining to the public the counting procedures.

20. Upon completion of the count at a counting station, the PRO will make known the counting results to the candidates or their agents present who will then have the opportunity to request a re-count of votes. If there is such a request and such request is accepted by the PRO, a re-count will be conducted on the spot immediately. When a re-count is not needed, the PRO will report the counting result to the Statistical Information Centre (“SIC”) for consolidation. After consolidating all the counting results of a GC, the SIC will report the aggregate counting result of the GC to the RO of the GC concerned in the CCS, who will make known the aggregate counting result to the candidates concerned or their agents present. The candidates or their agents will at that time have the opportunity to request a re-count of votes at all the counting stations of the GC. If there is such a request and such request is accepted by the RO, a re-count will be conducted at all the counting stations concerned immediately. When there is no request for a re-count, the RO will formally announce the election result at the

Media Centre (“MC”) in the CCS.

*Vote counting arrangements for FCs*

21. The REO has been actively exploring how to implement electronic counting in public elections so as to expedite the counting process. As reported to the LegCo Panel on Constitutional Affairs at its meeting on 18 February 2019, the REO had explored the feasibility of introducing a pilot scheme of electronic counting in some traditional FCs in the 2020 LegCo General Election. A demonstration was organised for LegCo members in the same month, and an open tender was conducted thereafter. Unfortunately, due to the social movement which has commenced since mid-2019 and the outbreak of the COVID-19 epidemic early this year, the relevant work has been substantially delayed and we will not be able to implement electronic counting in time in the 2020 LegCo General Election. We will continue our study with a view to adopting information technology in counting in the future.

22. As such, the vote counting arrangements for traditional FCs and DC(second)FC would largely follow those adopted as in the past, with votes to be counted manually and centrally in the CCS. After the close of poll, polling staff (including those in the SPSs and the DPSs) will deliver the traditional FC and the DC(second)FC ballot boxes to the CCS under police escort and accompanied by not more than two candidates and/or their agents. Counting zones will be set up in the CCS for the counting of votes of individual traditional FCs and the DC(second)FC respectively. A designated RO/Assistant Returning Officer (“ARO”) will be assigned to take charge of each FC counting zone. During the counting process, candidates and their agents, the media and members of the public are allowed to be present in the designated areas of the CCS to observe the count. The Chief Returning Officer will supervise the overall operation in the CCS.

23. The procedure for the determination of questionable ballot papers for all FCs including the DC(second)FC is essentially the same. Questionable ballot papers will first be separated during the counting process for subsequent determination by the ROs/AROs (including AROs(Legal))<sup>1</sup>. Candidates and their election or counting agents may make representations during the determination process. Again, the decision of the ROs on the validity of ballot papers is final under the electoral law. Upon completion of the count, the RO will make known the counting results to the candidates or their agents present in

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<sup>1</sup> Only the RO appointed for DC(second)FC may delegate the power to make a determination of the validity of a ballot paper or the power to make a decision as to whether the vote recorded on a ballot paper is to be counted to an ARO appointed for the constituency in accordance with section 92(3) and (4) of EAC(EP)(LC) Regulation.

the CCS. The candidates or their election agents will then have the opportunity to request a re-count of votes. If there is such a request which is accepted by the RO, the re-count will be conducted on the spot. When a re-count is not needed, the RO shall formally announce the election results at the MC.

### **Design of Ballot Papers and Ballot Boxes**

24. Candidates will be allowed to have certain specified particulars relating to their candidature printed on the ballot papers in the 2020 LegCo General Election. The design of the ballot papers for DC(second)FC and that of a GC are similar as the polling for both constituencies adopts a list system of proportional representation. The size of the ballot papers will however depend on the number of candidates/list of candidates contesting in the constituency. 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. The REO will work closely with the Government Logistics Department and conduct a full-scale checking on the ballot papers to ensure that they are correctly and properly printed.

25. Ballot boxes of three different colours will be used in the 2020 LegCo General Election for receiving the three different types of ballot papers, namely the white one for DC(second)FC ballot papers, the blue one for GC ballot papers and the red one for FC ballot papers. The back of the ballot papers will be printed with patterns bearing the same colours corresponding to that of their respective ballot boxes. This arrangement will facilitate easy identification for electors to insert the ballot papers into the correct ballot boxes and facilitate polling staff to monitor the vote casting process and provide assistance if necessary.

26. The REO will carefully and thoroughly test the capacity of the ballot boxes to be used in the 2020 LegCo General Election and will ensure that there will be a sufficient number of ballot boxes to cater for a 100% turnout of the registered electors.



## **Introduction to Candidates and Postage-free Election Mail (including Address Labels and Candidate Mailing Label System (“CMLS”))<sup>2</sup>**

27. Under the present arrangement, candidates/lists of candidates are free to make use of the Introduction to Candidates published by the Government to promote their election and candidatures. Candidates/lists of candidates who wish to make use of the Introduction to Candidates must submit the content of their electoral messages and candidatures to be printed in the Introduction to Candidates, in a format specified by the EAC, to the REO before the end of the nomination period. The REO will mail the Introduction to Candidates, together with the poll cards, to the electors before the polling day.

28. On the other hand, under section 43 of the LCO, a validly nominated list of candidates/candidate for a GC or FC is permitted to post, free of postage, one letter to each elector of the constituency for which the list of candidates/candidate is nominated. The purpose is to enable the candidates to promote or advertise themselves to electors. A candidate/list of candidates, who/which is validly nominated for a GC, the DC(second)FC and the Labour FC, may send postage-free joint election mail to electors under section 43(4A) to (4C) of the LCO. As in previous elections, the REO will provide guidance notes on the relevant arrangement to facilitate candidates to consider how to arrange the promotional letters. According to the electoral law amended in late 2019, the maximum size of a postage-free election mail has been revised from 175 mm x 245 mm to 165 mm x 245 mm and the thickness of each mail must not exceed 5 mm.

29. To facilitate candidates’ sending out election mail by free postage, the REO will continue to provide, upon request, each candidate/list of candidates with a set of address labels pertaining to the electors in the constituency concerned. Candidates/lists of 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 and those who have requested no receipt of election mail.

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<sup>2</sup> The Junior Police Officers’ Association (“JPOA”) made an application for appeal to the Court of Appeal (“CA”) on 14 April 2020, seeking an urgent interim injunction to restrain the 1<sup>st</sup> to 3<sup>rd</sup> Putative Respondents, i.e. the EAC, the CEO and the Electoral Registration Officer, from making available for public inspection of the electoral registers. The CA granted an interim injunction order on the same day until the disposal of the appeal. The hearing for the appeal was conducted on 5 May 2020 and the date of judgement as well as the decision of the CA are not known at the moment.

Insofar as extract of electoral registers is concerned, the CA ordered that “An interim injunction be granted restraining the 1<sup>st</sup> to 3<sup>rd</sup> Putative Respondents from making any communication with, or supplying any information to, members of the public, such that they or any of them are able to associate the electors’ names with their respective principal residential addresses until the disposal of the present appeal”.

30. The REO will also continue the practice of providing, upon request, each candidate/list of candidates with the CMLS containing the mailing information of electors (including their names and addresses and, if provided by the electors, their e-mail addresses for receipt of election mail) in the constituency. Candidates may make use of the information in the CMLS to post election mail or send out electronic election mail to the electors via their e-mail addresses. There will be reminder messages on/in the cover, the user guide and the programme of the CMLS to remind candidates of the proper use of electors' personal information (including the use of the "b.c.c." function or other proven means to prevent inadvertent disclosure of electors' e-mail addresses) and the legal consequences of not taking heed of the reminder. Candidates are required to sign an undertaking on the proper use of electors' information before they are provided with the address labels and/or CMLS.

31. The REO will inform the candidates to collect the electors' mailing information once available. In view of public health considerations, the REO will implement infection control measures having regard to the situation in the period concerned. The detailed arrangements will be announced in press release and the dedicated election website in due course.

### **Public Inspection of Election Advertisements ("EAs")**

32. To comply with the public inspection requirement stipulated in the electoral law, candidates/lists of candidate(s) may deposit copies of their EAs and the relevant information and 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 or list of candidates (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 or lists of candidates may post the hyperlinks of the EAs onto the Central Platform or Candidate's Platform in order to satisfy the public inspection requirement. During the statutory public inspection period, members of the public can login the Central Platform or visit the offices designated by the ROs to inspect the EAs deposited by the candidates/lists of candidates.

## **Facilitation Measures for Electors with Special Needs**

33. 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 2020 LegCo General Election –

- (a) For 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 install temporary ramps at the polling stations to facilitate wheelchair users. The REO will also remind electors who have mobility difficulties or are wheelchair-bound, 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 no later than five days before the polling day for re-allocation to an accessible polling station. The REO, upon request, will approach the Hong Kong Society for Rehabilitation for arrangement of Rehabuses to transport the above-mentioned electors to and from the polling stations.
- (b) For 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) For electors with visual impairment, the REO will continue to appeal to candidates/lists of candidates to provide the text version of their Introduction to Candidates for uploading onto the dedicated website ([www.elections.gov.hk](http://www.elections.gov.hk)) to facilitate the online reading of the relevant information using software aids by persons with visual impairment. At the same time, in addition to sending poll cards in accordance with the relevant electoral law, the REO will continue the arrangement to collect the e-mail addresses of electors with visual impairment via the Voter Registration website ([www.voterregistration.gov.hk](http://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.
- (d) A 24-hour Interactive Voice Response System ("IVRS") will be set up by the REO 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.

- (e) For electors who cannot speak Chinese or English, all polling stations will be equipped with explanatory notes in ten different languages (including Japanese, Korean and eight ethnic minorities ("EM") languages (Bahasa Indonesia, Tagalog, Thai, Hindi, Nepali, Urdu, Vietnamese and Punjabi)) 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 eight EM languages, 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 EM 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 A** for reference.

### **Central Command Centre ("CCC")**

34. A CCC will be set up each at REO's Office in Kowloonbay International Trade and Exhibition Centre ("KITEC") and the CCS on the polling day to oversee the conduct of the poll and vote counting, and to provide central command and helpdesk/support services.

### **Statistical Information Centre**

35. A SIC will be set up each inside the CCC at REO's office in KITEC and the CCS. The former is to collect and consolidate voter turnout statistics in respect of GCs and FCs, and counting results in respect of the GCs collected from the polling-cum-counting stations. The latter is to consolidate counting results

collected from the CCS in respect of FCs. The same arrangement was made in the 2016 LegCo General Election and has 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 2020 LegCo General Election on an hourly basis.

## **Media Centre**

36. A MC will be set up in the CCS to facilitate the dissemination of counting results to the candidates, the media and the public. Election results will be declared by the respective ROs at the MC. Inside the MC, there will be designated areas for use by candidates and their agents, the media and the public. If needed, media announcements will be made through the MC. To enhance transparency in the counting process and following the past practice, counting results of individual counting stations will be released at the MC. Interim aggregate counting results in respect of the GCs and DC(second)FC will be released at the MC starting from the early morning of 7 September 2020 until the election results have been declared by the ROs.

## **Security Planning**

37. We will prepare a detailed security plan to ensure public order and safeguard government properties at the CCS and the MC. We shall strictly follow the internal physical and technical security guidelines governing the use of personal data only on a “need-to-know” and “need-to-use” basis and provide sufficient training to staff in handling of personal data and security matters, etc.

## **Contingency Planning**

38. We shall put in place a mechanism to cater for the postponement or the adjournment of the election, the poll or the count for the 2020 LegCo General Election, as specified in Section 44 of the LCO and Schedule 2 to the EAC(EP)(LC) Regulation.

### **Statutory Provisions for Postponement or Adjournment of the Election**

39. Under the existing statutory provisions, the election, the poll or the count may be postponed/adjourned if it appears to the relevant authority (i.e., the Chief Executive, the EAC or the PRO, as the case might be) that the election, the poll or the 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 the count. The relevant statutory provisions are summarised at **Annex B**.

#### *Mechanism and Considerations for Postponement or Adjournment*

40. As part of the overall contingency plan, a Crisis Management Committee (“CMC”) will handle crises related to the election. The CMC will advise the EAC on all matters concerning postponement/adjournment of the election, the poll or the count under the three aforesaid occurrences. The Committee will be chaired by the EAC Chairman, and will comprise all EAC Members, Secretary for Constitutional and Mainland Affairs (or his representative), and representatives of relevant government bureaux/departments (of which the full list is at **Annex C**). As a matter of principle, the integrity and fairness of the election as well as the safety of electors and electoral staff will be the paramount considerations of the CMC in all circumstances. Prior to the election, relevant government bureaux/departments will liaise closely to monitor any occurrence obstructing or seriously affecting the polling and/or counting of the entire election/the election for a constituency.

41. The CMC needs to take into account the professional advice from relevant government bureaux/departments to assess whether there will be any occurrence/an occurrence will render any polling or counting station no longer operable or result in a situation being unsuitable or unsafe for electors to go to polling stations to cast their vote. The EAC will recommend the Chief Executive or decide to postpone the polling and/or counting of the entire election/the election for a constituency, if the EAC is satisfied with the assessment by the CMC that there is likely to be the three aforesaid occurrences.

#### *Arrangements in case of Postponement or Adjournment*

42. Where circumstances so require, the polling and/or counting of the entire election/the election for a constituency may be postponed to commence at a later hour<sup>3</sup> on the polling day or to another day. Similarly, if the polling and/or counting of the entire election/the election for a constituency is to be adjourned after commencement, it may either resume on the same polling day or be adjourned to another day.

43. Under the electoral law, where the polling and/or counting of the entire election/the election for a constituency has been postponed or adjourned to

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<sup>3</sup> Under the existing arrangement, the poll is scheduled to commence at 7:30 am.

another day, it must be not later than 14 days after the original polling day. As an established practice, the REO will make contingency arrangement for the resumed poll and/or count to be held on the Sunday immediately following the postponed or adjourned poll and/or count (i.e., tentatively on 13 September), and will inform the public of the arrangements by an announcement.

44. 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 or adjournment should normally not exceed 1.5 hours<sup>4</sup>; in other words, if the time “lost” exceeds 1.5 hours, it may be more appropriate to resume polling on another day.

45. 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 electors to cast their vote will remain unchanged.

46. 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, extra electoral materials, a fallback CCS, etc. to ensure the smooth conduct of the election.

### **Proposed Safety Measures for the election amid the COVID-19 Epidemic**

47. Though the number of confirmed cases of COVID-19 has significantly dropped recently, it is not certain whether the epidemic in Hong Kong will end when the poll of the 2020 LegCo General Election is held. In this connection, we plan to implement the following proposed safety measures in the polling stations and counting stations to ensure electors' safety and prevent the spread of

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<sup>4</sup> In the meantime, all electoral staff in the polling station will stay in the station with the support of the Police. The Civil Aid Service will also provide support if necessary. The PRO will safeguard the electoral materials and the ballot boxes. The Government will make an announcement prior to the resumption of the polling or counting to inform electors of the decision and to allow the candidates and their agents to monitor the process. And, the REO has arranged for 34 reserve polling or counting stations (as of April).

## COVID-19:

### Polling Stations

- (a) All polling staff are required to wear a mask and gloves and those showing signs of fever (i.e. body temperature higher than 38°C) will not be allowed to discharge electoral duties;
- (b) Before entering the polling stations, electors, candidates and agents are required to put on their own masks properly. They should rub their hands by using alcohol based handrub placed at the entrance of the polling stations and then wear the disposal hand gloves provided by the polling station;
- (c) Disinfectant floor mats sprayed with bleach will be placed at the entrance of the polling stations;
- (d) Installation of infrared thermographic camera at polling stations as far as possible to screen out electors showing signs of fever and provision of handheld electronic thermometers to polling stations where it is not feasible to install such camera;
- (e) Upon arrival at the polling station, temperatures of electors, candidates and agents will be taken. Electors showing signs of fever will be taken to a special voting compartment set up at a more secluded location of the polling station to cast their votes. The voting compartment will be disinfected after it has been used by an elector each time. Candidates and agents showing signs of fever are advised not to enter the polling station;
- (f) For some polling stations where no special voting compartment could be set up due to limited space, electors showing signs of fever will be advised to cast their votes at a designated polling station in the vicinity with a special voting compartment;
- (g) If the Government later decides to allow electors issued with compulsory quarantine order to go out temporarily to cast their votes, we shall consider setting up/designating one polling station in each of the five GC areas or to set up polling station in individual quarantine centre for these electors to cast their votes; and



- (h) Providing 70% alcohol sprays for polling staff to disinfect polling tables, tick chops, paperboards, etc. regularly.

Counting Stations (including CCS)

- (a) All counting staff are required to wear a mask and gloves and those CCS counting staff showing signs of fever will not be allowed to discharge counting duties;
- (b) Before entering the counting stations, members of the public, candidates and agents are required to put on their own masks properly;
- (c) Disinfectant floor mats sprayed with bleach will be placed at the entrance of the counting stations;
- (d) Installation of infrared thermographic camera at counting stations as far as possible to screen out any person showing signs of fever and provision of handheld electronic thermometers to counting stations where it is not feasible to install such camera; and
- (e) Upon arrival at the counting station, temperatures of the members of the public, candidates and agents were taken. Any one of them showing signs of fever and any person, who indicate that he/she has been issued with a compulsory quarantine order when asked by the electoral staff at the entrance, are not permitted to enter the counting station.

48. As in the past, REO will not set up special polling stations in hospitals for electors who are hospitalized due to various diseases. Firstly, it will be very difficult for the REO to compile the updated FR containing details of electors in each hospital accurately since there are many patient movements on each day. Besides, ballot papers cannot be issued to bedridden electors in their beds for the concern of secrecy of vote. Also, setting up polling station at hospitals will adversely affect the control of infectious disease since there may be many patients walking between the polling station and their rooms and the REO is unable to find another polling station if the hospital has an infectious disease outbreak very close to or on the polling day. This is particularly the case of COVID-19 which is a highly infectious disease and it is not practicable to make completely safe arrangements for electors who are hospitalized to cast their votes.

49. The REO will continue to closely monitor the development of COVID-19 in Hong Kong and draw up the details of the safety measures to ensure electors' safety and prevent the spread of COVID-19 in the polling and counting stations

in consultation with the Centre for Health Protection.

## **PUBLICITY PROGRAMME**

### **Objectives of the Publicity Programme**

50. The overall objectives of the proposed publicity programme are to encourage registered electors to actively participate in the 2020 LegCo General Election through standing for election and voting, introduce electoral procedures, and publicise the importance of clean and fair elections.

### **Timing of the Publicity Programme**

51. The publicity programme is planned to run for about two months from July this year until the polling day. We intend to adopt a phased approach in stepping up publicity. From early July onwards, the emphasis will be put on publicising the nomination period of the election. A series of publicity items and activities encouraging voter turnout, introducing electoral procedures and promoting clean and fair elections will be launched from August onwards to tie in with the canvassing period. In the week before the polling day, we will further step up publicity to call upon electors to cast their votes.

### **Publicity Activities**

52. A series of publicity activities will be launched through various channels in phases starting from early July, including –

- (a) Announcements of Public Interest will be broadcast on TV, outdoor large-scale screens, public transport, government venues and online as well as on radio;
- (b) advertisements will be placed at vantage points (e.g. major vehicular tunnels, ferry piers, bus shelters, MTR stations and trains, bus and tram bodies, etc.);
- (c) giant wall banners and billboards will be mounted on the exterior walls of commercial and government buildings in districts;
- (d) banners and lamppost buntings will be installed at specific locations;
- (e) posters will be put up in districts;
- (f) advertisements will be placed on newspapers;
- (g) advertisements will be placed on popular websites;
- (h) dedicated websites will be set up for easy access to information on the election and promoting clean elections;

- (i) special radio programmes will be produced to publicise polling procedures and encourage voting;
- (j) election forums will be held and broadcast on TV and radio to enhance electors' understanding of the candidates' platforms;
- (k) briefing sessions on the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554) and the proper conduct of electioneering and canvassing activities will be held for candidates, their electioneering teams, political parties, the elderly, students, etc.;
- (l) the message of clean elections will be publicised through flash roadshows in districts;
- (m) publicity activities will be rolled out on newspapers and radio programmes for residents of different races; and
- (n) enquiry and reporting hotlines will be set up.

### **Financial Implications**

53. The estimated cost of the publicity programme described in paragraphs 50 to 52 above is about \$32 million. REO has reserved sufficient provisions in the draft estimates for 2020-2021.

### **ADVICE SOUGHT**

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

**Constitutional and Mainland Affairs Bureau**  
**Registration and Electoral Office**  
**May 2020**

## **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](http://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](http://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 eight ethnic minority languages (Bahasa Indonesia, Hindi, Nepali, Punjabi, Tagalog, Thai, Vietnamese 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](http://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 eight 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 eight 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 eight 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.



**Legal Provisions and Authorities for Postponement of the Election or Adjournment of the Poll or the Count**

Occurrence	Legal Provision	Authority	Power	Scale of Postponement or Adjournment
(a) Riot, open violence or any danger to public health or safety	S. 44 of LCO, Cap. 542	CE	(a) To direct the postponement of a <u>general election</u> before the holding of election; or (b) To direct the adjournment of the polling or counting of votes in respect of a <u>general election</u>	All polling stations and counting stations
(a) Typhoon or other climatic condition of a serious nature (b) Material irregularity	S. 1 of Schedule 2 to EAC(EP)(LC)Reg, Cap. 541D	EAC	(a) To postpone a <u>general election</u> before the holding of election; or (b) To adjourn the poll or count during the 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 (c) Material irregularity	S. 2 of Schedule 2 to EAC(EP)(LC)Reg, Cap. 541D	EAC	(a) To postpone the election for a constituency at a <u>general election or by-election</u> during or before the election; or (b) To adjourn the poll or count in respect of a <u>general election or by-election</u> for a constituency at all the polling and counting stations	All polling stations and counting stations in respect of a single constituency
	S. 3 of Schedule 2 to EAC(EP)(LC)Reg, Cap. 541D	PRO	(a) To adjourn the poll at a particular polling station at a <u>general election or by-election</u> ; or (b) To adjourn the count at a particular counting station at a <u>general election or by-election</u>	A particular polling station or counting station

Abbreviations: CE = Chief Executive  
EAC = Electoral Affairs Commission  
PRO = Presiding Officer  
LCO = Legislative Council Ordinance  
EAC(EP)(LC)Reg = Electoral Affairs Commission (Electoral Procedure) (Legislative Council) Regulation

**Membership of the Crisis Management Committee**  
**for the 2020 Legislative Council General Election**

Chairman:	Chairman of the Electoral Affairs Commission
Members (core):	<ul style="list-style-type: none"><li>• Members of the Electoral Affairs Commission</li><li>• Secretary for Constitutional and Mainland Affairs (or his representative)</li><li>• Chief Electoral Officer</li><li>• Principal Electoral Officer</li><li>• Deputy Chief Electoral Officers of the Elections Division of the Registration and Electoral Office (“REO”)</li><li>• Chief Information Officer of the REO</li><li>• Directorate representative(s) from Home Affairs Bureau, Home Affairs Department, Department of Justice, and Information Services Department</li></ul>
Members (optional – depending on the nature of the crisis):	<p>Returning Officer(s) concerned and Directorate representative(s) from:</p> <ul style="list-style-type: none"><li>• Education Bureau (closure of schools)</li><li>• Food and Health Bureau (danger to public health or safety)</li><li>• Security Bureau (law and order)</li><li>• Hong Kong Police Force (law and order)</li><li>• Correctional Services Department (law and order of dedicated polling stations in penal institutions)</li><li>• Hong Kong Observatory (inclement weather)</li><li>• Department of Health (danger to public health)</li><li>• Government Logistics Department (printing and transport)</li><li>• Drainage Services Department (flooding)</li><li>• Fire Services Department (fire and other emergencies)</li><li>• Electrical and Mechanical Services Department (network and power failure)</li><li>• Government Flying Service (helicopter service)</li><li>• Marine Department (vessel service)</li><li>• Buildings Department (building safety)</li><li>• Civil Aid Service (crowd management)</li><li>• Civil Engineering and Development Department (landslide)</li><li>• Transport Department (public transport services)</li></ul>