

**立法會**  
**Legislative Council**

Ref : CB4/PL/CA

LC Paper No. CB(4)1488/20-21  
(These minutes have been seen  
by the Administration)

**Panel on Constitutional Affairs**

**Minutes of meeting**  
**held on Monday, 19 July 2021, at 2:30 pm**  
**in Conference Room 1 of the Legislative Council Complex**

**Members present** : Hon Holden CHOW Ho-ding (Chairman)  
Hon Kenneth LAU Ip-keung, BBS, MH, JP (Deputy Chairman)  
Hon Jeffrey LAM Kin-fung, GBS, JP  
Hon WONG Ting-kwong, GBS, JP  
Hon Starry LEE Wai-king, SBS, JP  
Hon CHAN Kin-por, GBS, JP  
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP  
Hon WONG Kwok-kin, GBS, JP  
Hon Mrs Regina IP LAU Suk-ye, GBM, GBS, JP  
Hon Paul TSE Wai-chun, JP  
Hon Steven HO Chun-yin, BBS, JP  
Hon MA Fung-kwok, GBS, JP  
Hon LEUNG Che-cheung, SBS, MH, JP  
Hon Alice MAK Mei-kuen, BBS, JP  
Hon Christopher CHEUNG Wah-fung, SBS, JP  
Hon Elizabeth QUAT, BBS, JP  
Hon Martin LIAO Cheung-kong, GBS, JP  
Hon Jimmy NG Wing-ka, BBS, JP  
Hon CHEUNG Kwok-kwan, JP  
Hon LUK Chung-hung, JP

**Members absent** : Hon CHUNG Kwok-pan  
Dr Hon Junius HO Kwan-yiu, JP  
Dr Hon CHENG Chung-tai

**Public Officers attending** : Item III

Ms Maisie CHAN Kit-ling, JP  
Deputy Secretary for Constitutional and Mainland Affairs

Ms Cherie YEUNG Lok-sze  
Principal Assistant Secretary for Constitutional and Mainland  
Affairs

Mr Alan YUNG Ying-fai  
Chief Electoral Officer  
Registration and Electoral Office

Ms Rosanna HO Koon-ling  
Principal Electoral Officer  
Registration and Electoral Office

**Clerk in  
attendance** : Ms Joanne MAK  
Chief Council Secretary (4) 7

**Staff in  
attendance** : Mr Bonny LOO  
Senior Assistant Legal Adviser 3

Ms Clara WONG  
Assistant Legal Adviser 4

Mr Dennis HO  
Senior Council Secretary (4) 7

Miss Kitty LEUNG  
Council Secretary (4) 7

Ms Louisa YU  
Legislative Assistant (4) 7

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**I. Information paper(s) issued since the last meeting**

Members noted that no information paper had been issued since the last meeting.

## **II. Date of next meeting and items for discussion**

[LC Paper Nos. CB(4)1236/20-21(01) and (02)]

2. The Chairman informed members that with the expected prorogation of the current legislative term at the end of October 2021, the Panel had to consider the meeting arrangements for the remainder of the current legislative session. He said that the regular meetings of the Panel were normally scheduled for the third Monday of each month at 2:30 pm. As the third Monday of September 2021 (i.e. 20 September 2021) would be the day after the 2021 Election Committee ("EC") Subsector Ordinary Elections, the Chairman said that after liaising with the Administration, the next regular meeting was proposed to be held on Monday, 27 September 2021, at 2:30 pm to discuss "Practical arrangements for the 2021 Legislative Council General Election". He also requested members to reserve a meeting time slot on Monday, 18 October 2021, at 2:30 pm for holding a regular meeting. Members raised no objection to the above arrangements.

*(Post-meeting note: The Administration announced on 21 July 2021 that the Chief Executive had specified 30 October 2021 as the date from which the sixth-term Legislative Council ("LegCo") would stand prorogued.)*

## **III. Publicity for the 2021 Legislative Council General Election**

[LC Paper Nos. CB(4)1236/20-21(03) and (04)]

3. With the aid of PowerPoint, the Deputy Secretary for Constitutional and Mainland Affairs ("DS(CMA)") and the Principal Assistant Secretary for Constitutional and Mainland Affairs ("PAS(CMA)") briefed members on the salient points of the Administration's paper [LC Paper No. CB(4)1236/20-21(03)].

*(Post-meeting note: The PowerPoint presentation materials were issued vide LC Paper No. CB(4)1265/20-21(01) on 19 July 2021.)*

## Discussion

*Enhancing the public's understanding of the improved electoral system and of the new electoral arrangements*

4. Mr Christopher CHEUNG said that as the 2021 LegCo General Election ("LCGE") would be the first LegCo election held under the improved electoral system, the Administration should step up publicity on the new composition of LegCo, the new geographical constituency boundaries, as well as the criteria to stand for election after implementing the improved electoral system. He also considered that the new offences under the Elections (Corrupt and Illegal Conduct)

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Ordinance (Cap. 554) ("ECICO") should be widely publicized to prevent people from breaching the law unintentionally. Mr Steven HO took the view that the proposed publicity programme should cover changes in the voting procedures for certain functional constituencies ("FCs") (e.g. the Agriculture and Fisheries FC). Ms Alice MAK considered that the Administration should also publicize the new electoral arrangements (e.g. the Electronic Poll Register and the special queue for electors in need). She suggested that the responsible Government officials should promote the relevant messages in person so as to attract the public's attention.

5. Ms Elizabeth QUAT, Mr Jeffery LAM and the Chairman stressed that the proposed publicity programme for the 2021 LCGE should include promoting the principle of "patriots administering Hong Kong" and reminding electors not to elect those who did not love the Country. Mr LAM pointed out that Mr XIA Baolong, Director of the Hong Kong and Macao Affairs Office of the State Council, had recently remarked that the power of administering Hong Kong should be firmly kept in the hands of patriots; and anti-China destabilizing forces should be excluded from Hong Kong's governance structure. Ms QUAT and Mr Steven HO considered that the proposed publicity programme should include explaining how the implementation of the Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region would ensure electors' safety in the upcoming LCGE.

6. PAS(CMA) pointed out that the publicity campaign on the improved electoral system had been launched since March 2021 and a separate budget of more than \$16 million had been set aside for it. The publicity campaign covered a wide range of activities and items including the dedicated website that would be set up by the Registration and Electoral Office ("REO") in mid-October 2021 to facilitate the public to obtain information about the 2021 LCGE. Meanwhile, the dedicated website on "Improve Electoral System" maintained by the Constitutional and Mainland Affairs Bureau ("CMAB") would continue to be accessible to facilitate the public's understanding of LegCo's new composition, electorate, etc. In addition, CMAB would roll out election pages on social media platforms in mid-October for disseminating information related to the 2021 LCGE. She added that the new offences under ECICO, including the corrupt conduct to engage in certain deceptive or obstructive behaviour in relation to electors as well as the illegal conduct to incite another person not to vote, or to cast an invalid vote, by activity in public during the election period, would be suitably incorporated in the relevant education and publicity materials to facilitate the public's understanding of the new offences.

7. DS(CMA) said that under the improved electoral system, the EC constituency ("ECC") would return 40 Members of LegCo. REO planned to set up a central polling station for ECC. As such, in addition to uploading information on REO's dedicated election website, REO would prepare leaflets for members of EC with

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information on the polling procedures (e.g. collection of ballot paper(s), casting of vote(s), etc.), counting of votes, voting secrecy and the importance of clean elections, etc.

8. DS(CMA) further said that the principle of "patriots administering Hong Kong" was also highlighted on the dedicated website on "Improve Electoral System". REO would work with Radio Television Hong Kong to ensure that the principle of "patriots administering Hong Kong" would be covered in television and radio Announcements in the Public Interest under the proposed publicity programme. The Chairman urged the Administration to extensively publicize the principle of "patriots administering Hong Kong" and the rationale behind it. DS(CMA) said that the Administration would consider members' views and suggestions in drawing up details of the publicity programme.

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*Ensuring a clean and fair election*

9. Members in general considered that the Administration's paper under discussion failed to provide information on any measures to be taken to prevent the unlawful acts (e.g. obstructing electors from voting) that had occurred during the 2019 District Council Ordinary Election ("DCOE") from happening again. Ms Elizabeth QUAT recalled that in the run-up to the 2019 DCOE, a large amount of posters and publicity materials were displayed in many public places to smear certain candidates and the Government, and yet no action was taken by Government departments concerned then to remove those materials. She said that this had greatly undermined the fairness of the election. Also referring to the 2019 DCOE, Mr Steven HO urged the Administration to tackle the problem of repeated queuing. Ms Alice MAK considered that the proposed publicity programme should seek to let electors know that in the upcoming LCGE, they would be able to exercise their voting right in a safe environment.

10. Mr Jimmy NG raised concern that some people with an ulterior motive might disseminate misleading information to discredit the 2021 LCGE. He enquired whether the Administration was prepared to make timely clarifications to dispel rumours so as to ensure that the 2021 LCGE could be held in a fair manner. The Deputy Chairman also considered it important for the Government to take timely action to dispel rumours during the election. He was, however, concerned about how the Administration would deal with the situation where people took advantage of grey areas in the law and tried to discredit the 2021 LCGE or mislead electors in an oblique way. Mr Martin LIAO considered that CMAB should collaborate with the Independent Commission Against Corruption ("ICAC"), the Police and the Office for Safeguarding National Security of the Central People's Government in the Hong Kong Special Administrative Region in formulating effective measures to prevent people from trying to sabotage the election or

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committing the aforementioned new offences under ECICO. The Chairman said that the publicity programme should highlight that stringent enforcement action would be taken in respect of the new offences under ECICO.

11. DS(CMA) said that any complaints about unauthorized display of publicity materials in public places would be referred to relevant Government departments for immediate action. She pledged that the Administration would make use of CMAB's dedicated website on "Improve Electoral System", the election pages on social media, as well as other channels to dispel rumours and misleading information about the election in a timely manner as appropriate. DS(CMA) further said that REO would collaborate with ICAC and the Police to ensure that the 2021 LCGE would be held in a clean and fair manner. For publicity efforts, the message of clean elections would be disseminated across the territory through briefings on ECICO for candidates, political parties and other relevant parties, materials to be distributed to candidates and their election agents/helpers, and electors, talks and activities for different groups of electors, dedicated website, flash roadshows and publicity through various media. A series of education videos would also be broadcast on media platforms such as broadcasting channels at government venues, government websites and infotainment channels on major means of public transport to educate the public on the major provisions in ECICO. As for enforcement, DS(CMA) assured members that the Police and ICAC would take law enforcement actions promptly in response to complaints about suspected criminal, corrupt or illegal activities relating to the election.

*Budget for the publicity programme*

12. Mr Martin LIAO enquired why the budgets for the publicity programmes for the 2016 LCGE and the discontinued 2020 LCGE were \$33 million and \$32 million respectively, whereas that for the 2021 LCGE had increased to about \$37.7 million (i.e. increased by 18%). Mr Jeffery LAM asked whether the Administration had explored any new approach to publicize more effectively the election and the new offences under ECICO.

13. DS(CMA) clarified that the actual expenditures for the publicity programmes for the 2016 LCGE and the discontinued 2020 LCGE were around \$30 million and \$19 million respectively. She explained that the budget for the proposed publicity programme for the 2021 LCGE was increased to about \$37.7 million mainly to cover anticipated additional publicity activities to publicize various new electoral arrangements and the new offences under ECICO. To this end, more advertisements would be placed on popular social media platforms such as Facebook, Instagram, Google, Yahoo and OpenRice in order to effectively spread the message to different groups of electors.

*Safety measures amid Coronavirus Disease 2019 pandemic and other issues*

14. In response to Dr Priscilla LEUNG's enquiry about safety measures amid the Coronavirus Disease 2019 pandemic, the Chief Electoral Officer ("CEO") said that REO was exploring with the Centre for Health Protection ("CHP") how to facilitate electors undergoing compulsory quarantine to cast their votes in the 2021 LCGE. That said, he remarked that there might be difficulties setting up polling stations at various designated quarantine hotels in view of the number of these hotels and the large number of electors undergoing quarantine therein. REO would further discuss with CHP and make public announcement once details of the relevant arrangements had been confirmed.

15. Dr Priscilla LEUNG said that in the run-up to the 2015 DCOE, her email account was blocked by Gmail, which had prevented her from disseminating election advertisements ("EAs") to electors by email during the critical stage of electioneering. She asked how the Administration would prevent recurrence of similar incidents and forestall interference with the social media platforms of candidates by foreign forces in the run-up to the 2021 LCGE. CEO said that REO would attempt to seek assistance and cooperation from relevant email service providers which operated in Hong Kong to disseminate the EAs of candidates sent through their email system and avoid treating these EAs wrongly as junk mails as the recipients had given consent to receive EAs through email.

16. Mr WONG Ting-kwong enquired why his application to register as an ex-officio member of the LegCo Subsector of EC, which had been submitted before the deadline of 5 July 2021, had not yet been confirmed. CEO explained that all applications for registration as ex-officio members of EC were being considered by the Candidate Eligibility Review Committee ("CERC"). After CERC had determined their validity and published a gazette notice, REO would register the applicant as an ex-officio member.

Admin 17. The Chairman requested the Administration to provide a written response to various views and concerns raised by members at this meeting for follow-up. DS(CMA) agreed to provide a paper.

**IV. Any other business**

18. There being no other business, the meeting ended at 3:35 pm.