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14 September 2021

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

Dear Ms MAK,

**Meeting of the Panel on Constitutional Affairs  
Supplementary Information regarding the  
Publicity for the 2021 Legislative Council General Election**

At the meeting of the Panel on Constitutional Affairs (“CA”) held on 19 July 2021, Members requested the Government to provide details on the publicity for the 2021 Legislative Council General Election (“LCGE”). The supplementary information is set out in the ensuing paragraphs.

**Publicity on Improving the Electoral System**

Since the implementation of the Law of the People’s Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region (“the National Security Law”) on 30 June 2020, social stability has been restored in Hong Kong. The Decision of the National People’s Congress on Improving the Electoral System of the Hong Kong Special Administrative Region (“the Decision”), which was passed on 11 March 2021, ensures the implementation of the principle of “patriots administering Hong Kong” within the political

structure of Hong Kong. All along, the Government has been sparing no efforts in publicising among the community the necessity and urgency of improving the electoral system as well as the solid constitutional basis of the Decision. In fact, since March this year, the Constitutional and Mainland Affairs Bureau (“CMAB”) has devoted more than \$16 million on publicity through various channels to drive home the message that improving the electoral system can ensure Hong Kong stays true to the original aspiration in implementing the principle of “One Country, Two Systems” and get Hong Kong back on the right track, which is conducive to the long-term prosperity and stability of the city.

In addition to the publication of more than 100 000 booklets explaining in detail the background of and justifications for improving the electoral system, and the content of Annex I and Annex II to the Basic Law, the Government has launched a thematic website on improving the electoral system. Featuring simple language and images, the website elaborates on the key points and principles of the Decision, the main features of the Improving Electoral System (Consolidated Amendments) Bill 2021, the methods for the selection of the Chief Executive, the constitution of the Election Committee (“EC”) and the formation of the Legislative Council (“LegCo”), the candidate eligibility review mechanism, and the registration arrangements for voters and ex-officio members. Besides, the Government also enhances public awareness of the improvements to the electoral system through different channels, including publicity on external walls of government buildings, at prominent locations in different districts, on TV display panels in commercial and residential buildings, across public transport network, on TV channels, newspapers, online platforms and different publications, etc.. The CMAB will continue to keep its thematic website on improving the electoral system accessible, and will set up dedicated election pages on various social media platforms in mid-October to disseminate information about the LCGE.

Besides, to further explain to the public the necessity and urgency of improving the electoral system and the legal basis involved, and to illustrate how the improved electoral system can ensure the full implementation of “patriots administering Hong Kong” and enhance governance efficiency, the Chief Executive, Secretaries of Departments and Directors of Bureaux have held over 100 briefing sessions and seminars for various sectors of the community. They also attended numerous media interviews and activities, and published blogs and articles to explain the key points and principles of the improvements from time to

time. Moreover, the Chief Executive personally hosted a TV programme of the Radio Television Hong Kong (“RTHK”) entitled “*Get to Know the Election Committee Subsectors*”. Through the CE’s discussions with guests from the 40 EC subsectors, the programme aimed to provide the public with an in-depth explanation on improving the electoral system.

In accordance with Annex I and Annex II to the Basic Law, the Candidate Eligibility Review Committee (“CERC”) of the Hong Kong Special Administrative Region (“HKSAR”) is responsible for reviewing and confirming the eligibility of candidates for the EC members, for the office of the Chief Executive and for LegCo members. For the purpose of Annex I and Annex II to the Basic Law, the Chief Executive appointed the Chairperson, three official members and three non-official members of the CERC on 6 July 2021 under section 9A of the Chief Executive Election Ordinance (Cap. 569). After the first meeting of the CERC held on 14 July, a government press release was issued reiterating that to ensure “patriots administering Hong Kong”, the CERC would decide whether a candidate has complied with the legal requirements and conditions for upholding the Basic Law and bearing allegiance to the HKSAR of the People’s Republic of China.

## **Publicity for the 2021 LCGE**

### New Electoral Arrangements

As mentioned in the CA Panel discussion paper, the Government will spend about \$37.7 million to publicise the 2021 LCGE and encourage electors to stand for the election and vote at the LCGE. A number of publicity channels will be employed, including TV and radio channels, the Internet, newspapers, major means of public transport, giant posters and advertisements mounted at prominent locations and on external walls of buildings, lamppost buntings, banners, and posters in various districts. In addition to online platforms such as Google Display Network, Yahoo, YouTube, Facebook, Instagram and OpenRice which were used previously, the publicity for the LCGE this year will also adopt different media platforms, such as NewsHub and websites of major newspapers and mobile apps, for publicity. Moreover, the Registration and Electoral Office (“REO”) will launch a dedicated website for the 2021 LCGE in mid-October to provide important electoral information in languages of different races. In about a week

before the polling day, we will arrange for the broadcast of TV and radio Announcements of Public Interests (APIs) on daily countdowns to heighten the election atmosphere.

We will publicise the latest enhancement measures in electoral arrangement, including the Electronic Poll Register, special queue for electors in need, precautionary measures amid the COVID-19 epidemic, and amendments to the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554). Details of the relevant publicity are as follows:

- (a) the RTHK: it will conduct election forums, and produce short clips, trailers and special TV programmes. A new series of Putonghua radio APIs will also be introduced;
- (b) the REO: it will produce TV and radio APIs to introduce the new electoral arrangements. Leaflets will also be prepared for EC members to enhance their understanding of the electoral arrangements on the election committee constituency;
- (c) the Independent Commission Against Corruption (“ICAC”): it will introduce the new legal provisions through its talks and other publicity channels, and produce a new series of TV APIs and posters on clean elections, which will first be introduced in the Election Committee Subsector Elections; and
- (d) the CMAB: it will arrange for the broadcast of APIs on major TV stations.

#### False Information

To curb the spread of false information about the election, in addition to the clarifications by relevant Government officials and the Chairman of the Electoral Affairs Commission, clarification posts will also be published on the dedicated pages of the CMAB and the 2021 LCGE on Facebook, the thematic website on “Improve Electoral System” and the upcoming 2021 LCGE dedicated website, so as to provide the public with correct information as soon as possible to set the record right. Regarding the clarifications on online platforms, simple language and infographics will be used to facilitate better understanding of the

public and make it easier for them to forward the clarifications to their family and friends, thereby promoting the circulation of the correct information.

### Promoting Clean and Fair Elections

At the CA Panel meeting, Members cited the chaos that took place in the 2019 District Council Ordinary Election, including the problems of intentionally repeated queuing and that some electors were prevented from voting, and asked how the Government would ensure an open, fair and honest election. As a matter of fact, the Decision specifies that the HKSAR must conduct and regulate election-related activities efficiently in accordance with the law to implement a new electoral system suited to the actual situation in Hong Kong. In this regard, two new offences relating to corrupt conduct that willfully obstruct and prevent another person from voting at an election, and illegal conduct that incite voters not to vote, to cast blank or invalid votes by way of public activity during an election period, were introduced to the Elections (Corrupt and Illegal Conduct) Ordinance through the Improving Electoral System (Consolidated Amendments) Bill 2021.

The ICAC will launch a comprehensive education and publicity programme for the LCGE in October. Relevant publicity work includes: the production of new TV advertisements and educational videos, radio advertisements, online publicity, advertisements at prominent locations in various districts, Community Involvement Projects for the 18 districts, talks, brochures, leaflets, posters, flash roadshows, advertisements on government websites and in government venues, and the dedicated website for the 2021 LCGE. The ICAC will also continue to arrange talks and other publicity and education activities for relevant organisations and political parties, such as publishing feature articles, displaying posters, organising talks and activities for tertiary institutions, elderly centres and district organisations, so as to promote the importance of a clean and fair election among electors and the general public, and to prevent the public from breaching the law unintentionally.

### Cybercrime

The Internet is not an unreal world beyond the law. Insofar as the existing legislation in Hong Kong is concerned, most of the laws in the real world are also applicable to the Internet. Therefore, the public should use the Internet in a lawful and responsible manner. Any criminal offence, whether online or

offline, is regulated under the relevant laws. To tackle illegal activities on the Internet and to prevent and detect crimes, the Police have been gathering intelligence through various channels, such as information and messages on online platforms, and disseminating anti-crime messages via online platforms and social media. According to Article 29 of the National Security Law, a person who requests a foreign country or an institution, organisation or individual outside the mainland, Hong Kong, and Macao of the People's Republic of China, or conspires with a foreign country or an institution, organisation or individual outside the mainland, Hong Kong, and Macao of the People's Republic of China, or directly or indirectly receives instructions, control, funding or other kinds of support from a foreign country or an institution, organisation or individual outside the mainland, Hong Kong, and Macao of the People's Republic of China to rig or undermine an election in the HKSAR, which is likely to cause serious consequences, commits an offence. If a person is suspected to have contravened the National Security Law or the laws of the HKSAR, the Police will take enforcement actions in strict accordance with the law, based on the evidence gathered for the acts of the persons or entities concerned.

The REO will also explain to relevant email service providers in Hong Kong that election advertisements ("EAs") sent by candidates to electors through email in bulk should not be treated as spam email, because the intended recipients have given consent to receive EAs through email. The REO will also remind candidates to pay attention to the policies of individual email service providers. If the file size of the email is too large or the number of email sent exceeds the sending limit for each account set by the email service provider, it may result in delivery failure.

Yours sincerely,



(Ms Cherie Yeung)

for Secretary for Constitutional and Mainland Affairs

c.c. Secretary for Security  
Director of Information Services  
Chief Electoral Officer  
Commissioner, ICAC