

CONTENTS

	<u>Page</u>
CHAPTER 1 INTRODUCTION	1
Part I : The Legislative Council	1
Part II : The Guidelines	6
Part III : Sanction	7
CHAPTER 2 GEOGRAPHICAL CONSTITUENCIES	8
Part I : Description	8
Part II : Registration of Electors	9
Part III : The Voting System	16
CHAPTER 3 FUNCTIONAL CONSTITUENCIES	22
Part I : Composition	22
Part II : Registration of Electors	22
Part III : The Voting Systems	31
CHAPTER 4 NOMINATION OF CANDIDATES	35
Part I : Qualification and Disqualification for Nomination	35
Part II : Nominations Advisory Committees	39
Part III : When and How to Nominate	42

Part IV	: Election Deposit	48
Part V	: Validity of Nominations	50
Part VI	: Withdrawal from Candidature	53
Part VII	: Notice of Nomination	54
Part VIII	: Particulars Relating to Candidates on Ballot Papers	54
Part IX	: Publicity	61
CHAPTER 5	POLLING AND COUNTING ARRANGEMENTS	63
Part I	: Before the Poll	63
Part II	: Inside the Polling Station	67
Part III	: Outside the Polling Station	68
Part IV	: Admission to the Polling Station	70
Part V	: Conduct inside the Polling Station	72
Part VI	: Close of Poll	81
Part VII	: The Count	83
Part VIII	: Declaration of Result	98
Part IX	: Disposal of Documents	99
CHAPTER 6	ELECTION PETITIONS	100
Part I	: Grounds for Lodging an Election Petition	100

Part II	: Who could, and When to, Lodge Election Petitions	101
CHAPTER 7	APPOINTMENT AND ROLES OF ELECTION AGENT, ELECTION EXPENSE AGENTS, POLLING AGENTS AND COUNTING AGENTS	102
Part I	: General	102
Part II	: Types and Numbers of Agents	102
Part III	: Qualifications of Agents	103
Part IV	: Civil Servants Acting as Agents	103
Part V	: Election Agent	104
Part VI	: Election Expense Agents	107
Part VII	: Polling Agents	111
Part VIII	: Counting Agents	123
CHAPTER 8	ELECTION ADVERTISEMENTS	127
Part I	: What Constitutes an Election Advertisement	127
Part II	: Period and Area of Display	132
Part III	: Allocation of Designated Spots	137
Part IV	: Conditions and Limitations on Display	140
Part V	: Serial numbering, Declarations and Copies	143
Part VI	: Requirements relating to Printed Election Materials	148

Part VII	: Non-Compliance and Consequences	149
Part VIII	: Advertisements of Political, Professional/Trade Bodies or Other Organisations	151
Part IX	: Free Postage for Election Advertisements	153
CHAPTER 9	ELECTIONEERING AT THE LIVING OR WORKING PLACES OF ELECTORS, PREMISES OF ORGANISATIONS TO WHICH ELECTORS BELONG AND BUILDINGS WHICH ELECTORS FREQUENT	160
Part I	: General	160
Part II	: Rights of Tenants and Owners	161
Part III	: Guidelines to be Observed by Candidates in the Conduct of Electioneering Activities	163
Part IV	: Guidelines to be Observed by Owners, Management and Organisations for Handling Applications for Conduct of Electioneering Activities on the Premises within their Jurisdiction	167
Part V	: Conduct of Electioneering Activities in Premises under the Management of Housing Department and Hong Kong Housing Society	173
Part VI	: Sanction	174
CHAPTER 10	ELECTION MEETINGS	175
Part I	: General	175
Part II	: Election Meetings in Public Places	177

Part III	: Election Meetings at Private Premises	182
Part IV	: Mobile Exhibitions	183
Part V	: Fund Raising Activities at Election Meetings	184
CHAPTER 11	ELECTION BROADCASTING, MEDIA REPORTING AND ELECTION FORUMS	185
Part I	: General	185
Part II	: Electioneering on Television and Radio	185
Part III	: Advertising through the Print Media	189
Part IV	: Election Forums	190
Part V	: Sanction	191
CHAPTER 12	USE OF SOUND AMPLIFYING DEVICE AND VEHICLES	192
Part I	: General	192
Part II	: Use of Loudspeakers and Vehicles	192
Part III	: Sanction	195
CHAPTER 13	ELECTIONEERING ACTIVITIES CONDUCTED IN SCHOOLS OR PARTICIPATED BY SCHOOL PUPILS	196
Part I	: General	196
Part II	: School Pupils	196

Part III	: Electioneering Activities in Schools	198
Part IV	: Sanction	199
CHAPTER 14	PROHIBITION AGAINST CANVASSING ACTIVITIES OUTSIDE POLLING STATIONS	200
Part I	: General	200
Part II	: Declaration of a No Canvassing Zone and No Staying Zone	200
Part III	: Conduct inside the No Canvassing Zone and No Staying Zone	202
Part IV	: Penalty	204
CHAPTER 15	EXIT POLL	205
Part I	: General	205
Part II	: Secrecy of the Vote	205
Part III	: Conduct of Exit Polls	206
Part IV	: Identification of Interviewers	208
Part V	: Sanction	209
CHAPTER 16	ELECTION EXPENSES AND DONATIONS	210
Part I	: What constitutes Election Expenses	210
Part II	: Who may incur Election Expenses and their Limit	213

Part III	:	Donations	216
Part IV	:	Return and Declaration of Election Expenses and Donations	218
Part V	:	Advance Return of Donations	220
Part VI	:	Financial Assistance	221
Part VII	:	Special Features Applicable to the List of Candidates in a Geographical Constituency Election	226
Part VIII	:	Enforcement and Penalty	229
CHAPTER 17		CORRUPT AND ILLEGAL CONDUCT	232
Part I	:	General	232
Part II	:	Corrupt Conduct relating to Nomination and Withdrawal of Candidature	233
Part III	:	Illegal Conduct relating to Electioneering	234
Part IV	:	Corrupt Conduct relating to Electioneering and Voting	238
Part V	:	Corrupt and Illegal Conduct relating to Election Expenses and Donations	240
Part VI	:	Power of Court to Excuse Innocent Acts	240
Part VII	:	Non-Compliance with the Law and Sanction	242
CHAPTER 18		NAMEDROPPING	244

CHAPTER 19	ATTENDANCE OF PUBLIC FUNCTIONS BY BOTH GOVERNMENT OFFICIALS AND CANDIDATES	250
Part I	: General	250
Part II	: Attendance of Public Functions by Government Officials	251
Part III	: Attendance of Public Functions by Candidates	252
Part IV	: Officials Under the Political Appointment System	253
CHAPTER 20	COMPLAINTS PROCEDURE	254
Part I	: General	254
Part II	: To Whom a Complaint may be Made	254
Part III	: Time and Procedure for Making Complaint	255
Part IV	: Complaints inside a Polling Station	256
Part V	: The Processing of Complaint	257
Part VI	: Electoral Affairs Commission's Report on Complaints	259
Part VII	: Obligations of the Returning Officer, the Presiding Officer and the Registration and Electoral Office	260
Part VIII	: Sanction for False Complaint	260

APPENDICES

Appendix A	Action Checklist for Candidates	261
Appendix B	The Functional Constituencies and their Electors	272
Appendix C	The Preferential Elimination System of Voting (Applicable to the Election of the 4 Special Functional Constituencies) - How Votes are Counted (with Annex showing Working Examples)	297
Appendix D	The Combined Polling Arrangements - Polling Stations for Various Kinds of Electors in the General Election	305
Appendix E	Methods of Folding of Election Mail	309
Appendix F	Canvassing Activities which are Forbidden within a No Canvassing Zone	311
Appendix G	Conduct of Electioneering Activities and Election Meetings in Premises under the Management of the Housing Department and the Hong Kong Housing Society	313
Appendix H	Personal Data Privacy: Guidance on Electioneering Activities	314
Appendix I	Guidance Note on Safe Conduct of Election-related Activities	316
Appendix J	Application for a Permit under S4(17) of Summary Offences Ordinance, Cap.228 for Non-Charitable Purposes – Administrative Guidelines and Licensing Conditions for the issue of Public Fund-raising Permits for Non-Charitable Purposes	318
Appendix K	Fair and Equal Treatment of Candidates by the Print Media	327
Appendix L	Application Procedure for the Approval of Float Design	329

Appendix M	Items of Expenses which may be Counted towards Election Expenses	331
Appendix N	Support Clean Elections: A Handbook by the ICAC	334
Appendix O	Form of Consent of Support	367
Appendix P	Guidelines for Mutual Aid Committees	371
INDEX		373