

# **2023 District Council Ordinary Election**

## **Election Brief**

### **Polling Arrangement for 2023 District Council Ordinary Election**

**Polling date:** 10 December 2023 (Sunday)

**Polling hours:** **District Committees constituency<sup>1</sup> (“DCC”) election**

8:30 a.m. to 2:30 p.m.

**District Council geographical constituency<sup>2</sup> (“DCGC”) election**

8:30 a.m. to 10:30 p.m.

(The polling hours of dedicated polling stations to be set up at the penal institutions are from 9:00 a.m. to 4:00 p.m.)

To reduce the electors’ queuing time and avoid excessive crowd gathering at the polling stations, the estimated queuing time will be provided outside polling stations and uploaded onto the dedicated election website for the 2023 District Council Ordinary Election on the polling day for electors' reference such that they may choose to vote at a time with fewer people.

### **Nomination Period**

**Nomination period:** 17 to 30 October 2023

Nomination forms can be downloaded from the Registration and Electoral Office (“REO”) website ([www.reo.gov.hk](http://www.reo.gov.hk)), or collected free of charge at the following offices:

District Offices; or

Offices of REO (8/F, Treasury Building, 3 Tonkin Street West, Cheung Sha Wan, Kowloon or Unit 2301-03, 23/F, Millennium City 6, 392 Kwun Tong Road, Kwun Tong, Kowloon)

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<sup>1</sup> The DCC of a District Council comprises eligible electors of the District Committees (i.e. the Area Committee, the District Fight Crime Committee and the District Fire Safety Committee (collectively known as “the three committees”)) of the District.

<sup>2</sup> Pursuant to the amended District Councils Ordinance (Cap. 547), there are 44 DCGCs with a total of 88 members returned in a District Council Ordinary Election.

## District Councils Brief

### **District Councils (Amendment) Ordinance 2023**

The Government announced the proposals on improving governance at the district level on 2 May 2023 and introduced the District Councils (Amendment) Bill 2023 into the Legislative Council on 31 May 2023 to implement the proposed reform of the District Councils, which was passed by the Legislative Council on 6 July 2023. The District Councils (Amendment) Ordinance 2023 was published in the Gazette and came into effect on 10 July 2023.

### Composition of District Councils

Pursuant to the amended District Councils Ordinance (Cap. 547), the District Councils should be composed of 470 members as follows:

|                             |   |           |
|-----------------------------|---|-----------|
| <b>Appointed Members :</b>  | To be appointed by Chief Executive                            | 179 seats |
| <b>DCC Members :</b>        | To be elected by the DCC electors of the respective Districts | 176 seats |
| <b>DCGC Members :</b>       | To be elected by the electors of the respective DCGCs         | 88 seats  |
| <b>Ex-officio Members :</b> | Chairmen of Rural Committees of the respective Districts      | 27 seats  |

The seventh-term of office of the District Councils begins on 1 January 2024. The term of office is four years.

The District Council Eligibility Review Committee (“DCERC”) will review and confirm the eligibility of all election candidates, as well as appointed and ex-officio members. The DCERC is to seek the opinion of the Committee for Safeguarding National Security of the Hong Kong Special Administrative Region (“CSNS”) as to whether the person fails to meet the legal requirements and conditions on upholding Basic Law and bearing allegiance to HKSAR. If the CSNS gives an opinion, the DCERC must make the decision in accordance with it.

## DCCs – 176 seats

| <b>District Council</b>                     | <b>Number of members to be returned</b> |
|---|---|
| <b>Central and Western District Council</b> | 8                                       |
| <b>Eastern District Council</b>             | 12                                      |
| <b>Kowloon City District Council</b>        | 8                                       |
| <b>Kwun Tong District Council</b>           | 16                                      |
| <b>Sham Shui Po District Council</b>        | 8                                       |
| <b>Southern District Council</b>            | 8                                       |
| <b>Wan Chai District Council</b>            | 4                                       |
| <b>Wong Tai Sin District Council</b>        | 8                                       |
| <b>Yau Tsim Mong District Council</b>       | 8                                       |
| <b>Islands District Council</b>             | 4                                       |
| <b>Kwai Tsing District Council</b>          | 12                                      |
| <b>North District Council</b>               | 8                                       |
| <b>Sai Kung District Council</b>            | 12                                      |
| <b>Sha Tin District Council</b>             | 16                                      |
| <b>Tai Po District Council</b>              | 8                                       |
| <b>Tsuen Wan District Council</b>           | 8                                       |
| <b>Tuen Mun District Council</b>            | 12                                      |
| <b>Yuen Long District Council</b>           | 16                                      |
| <b>Total</b>                                | <b>176</b>                              |

### **Nomination and Candidature**

- All registered Geographical Constituency (“GC”) electors aged 21 or above who have ordinarily resided in Hong Kong for 3 years immediately preceding the nomination can be nominated as candidates.
- Each candidate shall be nominated by at least 3 but not more than 6 electors for the DCC in each of the District Committees (i.e. the Area Committee, the District Fight Crime Committee and the District Fire Safety Committee) in the relevant District. A candidate needs not be a member of the District Committees.
- Each DCC elector can nominate a number of candidates not more than the number of members to be returned for the respective DCC at the election in the District.

### **Polling Arrangement**

- The DCC electors, on the basis of the list of nominees in their respective Districts, cast their votes by secret ballot. A ballot paper is valid only if the number of votes contained in the ballot paper is equal to the number of DCC members to be returned for the

constituency. The candidates who obtain the greatest number of votes and then the next greatest and so on until the required number of members is returned for the constituency in the election.

## **DCGCs – 88 seats**

### **Delineation and System of Election**

- In accordance with the District Councils Ordinance (Cap. 547) as amended by the District Councils (Amendment) Ordinance 2023, the boundaries of the existing 18 districts remain unchanged and there are a total of 44 DCGCs in the 18 districts. 2 members will be returned for each DCGC, resulting in a total of 88 DCGC members to be returned.
- The number and names of the DCGCs in each district are as follows:

| <b>District Council</b>                     | <b>Number of DCGCs</b> | <b>Names of DCGCs</b>   | <b>Total number of members to be returned</b> |
|---|------------------------|---|---|
| <b>Central and Western District Council</b> | 2                      | Central, Western  | 4   |
| <b>Eastern District Council</b>             | 3                      | Tai Pak, Hong Wan, Chai Wan   | 6   |
| <b>Kowloon City District Council</b>        | 2                      | Kowloon City North, Kowloon City South                                  | 4   |
| <b>Kwun Tong District Council</b>           | 4                      | Kwun Tong Southeast, Kwun Tong Central, Kwun Tong North, Kwun Tong West | 8   |
| <b>Sham Shui Po District Council</b>        | 2                      | Sham Shui Po West, Sham Shui Po East                                    | 4   |
| <b>Southern District Council</b>            | 2                      | Southern District Southeast, Southern District Northwest                | 4   |
| <b>Wan Chai District Council</b>            | 1                      | Wan Chai  | 2   |
| <b>Wong Tai Sin District Council</b>        | 2                      | Wong Tai Sin East, Wong Tai Sin West                                    | 4   |
| <b>Yau Tsim Mong District Council</b>       | 2                      | Yau Tsim Mong South, Yau Tsim Mong North                                | 4   |
| <b>Islands District Council</b>             | 1                      | Islands   | 2   |

|                                    |           |   |           |
|------------------------------------|-----------|---|-----------|
| <b>Kwai Tsing District Council</b> | 3         | Tsing Yi, Kwai Chung East, Kwai Chung West  | 6         |
| <b>North District Council</b>      | 2         | Wu Tip Shan, Robin's Nest   | 4         |
| <b>Sai Kung District Council</b>   | 3         | Sai Kung and Hang Hau, Tsueng Kwan O South, Tsueng Kwan O North                                 | 6         |
| <b>Sha Tin District Council</b>    | 4         | Sha Tin West, Sha Tin East, Sha Tin South, Sha Tin North  | 8         |
| <b>Tai Po District Council</b>     | 2         | Tai Po South, Tai Po North  | 4         |
| <b>Tsuen Wan District Council</b>  | 2         | Tsuen Wan Northwest, Tsuen Wan Southeast  | 4         |
| <b>Tuen Mun District Council</b>   | 3         | Tuen Mun East, Tuen Mun West, Tuen Mun North  | 6         |
| <b>Yuen Long District Council</b>  | 4         | Yuen Long Town Centre, Yuen Long Rural East, Tin Shui Wai South and Ping Ha, Tin Shui Wan North | 8         |
| <b>Total</b>                       | <b>44</b> |   | <b>88</b> |

### **Nomination and Candidature**

- All registered GC electors aged 21 or above who have ordinarily resided in Hong Kong for 3 years immediately preceding the nomination can be nominated as candidates.
- Candidates must fulfill the following two criteria:
  - (i) Nominated by at least 3 but not more than 6 electors for the DCC in each of the District Committees (i.e. the Area Committee, the District Fight Crime Committee and the District Fire Safety Committee) in the relevant District; and
  - (ii) Nominated by at least 50 but not more than 100 registered electors for the relevant DCGC.
- Each registered DCGC elector can only nominate 1 candidate in his/her own DCGC. If a DCGC elector is also a DCC elector, he/she can also nominate 1 candidate in each DCGC in the relevant District as an elector for the DCC.

### **Polling Arrangement**

- The DCGC electors shall, on the basis of the list of nominees in their respective DCGCs, vote for 1 candidate by secret ballot. The 2 candidates who obtain the greatest and next greatest numbers of votes in each DCGC shall be returned in the election.

## **Where to Vote**

- For DCC election, one polling station will be set up for each of the 18 Districts in Hong Kong for DCC electors to cast their DCC votes according to which DCC he/she belongs to.
- For DCGC election, multiple polling stations will be set up throughout Hong Kong for DCGC electors to cast their DCGC votes according to their registered residential addresses in the Final Register.
- If an elector is entitled to cast both DCC and DCGC votes, he/she will cast the DCC vote and DCGC vote at the designated DCC polling station and the designated DCGC polling station respectively on the polling day.
- Electors in custody will be arranged to vote at dedicated polling stations in penal institutions or police stations as appropriate.
- A poll card showing information about the designated polling station(s) will be issued to each elector at least 10 days before the polling day.
- Whether the polling station allocated to an elector is accessible to persons with special needs (wheelchair users or persons have mobility difficulty) will be specified in the location map attached to the poll card. If electors who are wheelchair users or have difficulty in walking find their designated polling station not accessible, they may apply to the REO to vote at the special polling station designated for the constituency for which he/she is entitled to vote by fax (2891 1180), by email (reoenq@reo.gov.hk), by telephone (2891 1001) or by mail (8/F, Treasury Building, 3 Tonkin Street West, Cheung Sha Wan, Kowloon) not later than 5 December 2023.
- If electors require assistance in interpreting the information on voting, they can call the Centre for Harmony and Enhancement of Ethnic Minority Residents (“CHEER”) through the following hotlines from 27 November to 1 December 2023, and from 4 to 10 December 2023.

| <b>Language</b>  | <b>Hotline No.</b> |
|------------------|--------------------|
| Bahasa Indonesia | 3755 6811          |
| Hindi            | 3755 6877          |
| Nepali           | 3755 6822          |
| Punjabi          | 3755 6844          |
| Tagalog          | 3755 6855          |
| Thai             | 3755 6866          |
| Urdu             | 3755 6833          |
| Vietnamese       | 3755 6888          |

## **How to Vote**

- An elector is required to bring along the original of his/her Hong Kong Identity Card (“HKID card”) or other specified alternative document(s) (please refer to the section “Document(s) Required for Collecting a Ballot Paper” below for details) to his/her designated polling station(s) as shown on the poll card on 10 December 2023 (Sunday) during the polling hours and present it to the polling staff inside the polling station.
- The polling staff will use a tablet of the Electronic Poll Register (“EPR”) System to scan an elector’s HKID card to check whether he/she is an elector of the relevant constituency. After verification, the polling staff will record the issuance in the EPR System and issue the ballot paper to the elector.
- In the event that the EPR System cannot be adopted in individual polling stations (e.g. due to lacking network coverage or system failure), the printed copy of the Final Register (“FR”) will be used in issuing ballot papers. The polling staff will check the elector’s HKID card against the entry in the printed copy of FR to verify whether the elector is a registered elector for the constituency. After verification, the polling staff will record the issuance in the FR and issue the ballot paper to the elector.

### **For DCC election**

- After collection of ballot paper, the elector should immediately proceed to one of the voting compartments.
- The elector is required to follow the instructions given by polling staff as well as those printed on the ballot paper and notices inside the voting compartment. The elector should mark the ballot paper inside a voting compartment.
- The elector should vote for no more than or less than the prescribed number of seats in the relevant constituency (that number will be shown on the ballot paper). The elector should use the black pen attached to the voting compartment to fill in black the ovals opposite the names of the candidates of his/her choice.
- After marking a ballot paper, the elector should follow the instructions (i) not to fold the ballot paper and insert the ballot paper into the WHITE ballot box with the marked side facing down, or (ii) fold the ballot paper so that the marked side is inside before putting the folded ballot paper into the WHITE ballot box.

### **For DCGC election**

- The polling staff will issue the ballot paper and a cardboard to which a “✓” chop is attached. After that, the elector should immediately proceed to one of the voting compartments.
- The elector is required to follow the instructions given by polling staff as well as those printed on the ballot paper and notices inside the voting compartment. The elector should mark the ballot paper inside a voting compartment.

- The elector must use the chop attached to the cardboard to stamp a “✓” in the circle opposite the name of candidate of his/her choice.
- The elector must not fold the ballot paper. After marking a ballot paper, the elector should insert the ballot paper into the BLUE ballot box with the marked side facing down.
- Each voting compartment is to be used by one elector at a time only. Based on the principles of the autonomy of voting and secrecy of votes, it is prohibited under the law to have anyone (even if he/she is an elector’s relative or friend) to accompany or assist the elector to cast his/her vote.
- If an elector makes an error in marking a ballot paper or has inadvertently spoiled a ballot paper, he/she may return that ballot paper to the Presiding Officer (“PRO”) and ask for a replacement.

### **Document(s) Required for Collecting a Ballot Paper**

- Under the prevailing legislation, a person applying for a ballot paper should produce the original of his/her HKID card or the following specified alternative document(s):
  - the original of a valid HKSAR Passport; or
  - the original of Certificate of Exemption; or
  - the original of an acknowledgement of application for the HKID card; or
  - the original of the person’s valid seaman’s identity book; or
  - the original of the person’s valid document of identity for visa purposes; or
  - a document evidencing a report to a police officer of the loss or destruction of the person’s HKID card or the Certificate of Exemption or the acknowledgement of application for the HKID card (commonly referred to as “a memo of lost property”), together with the original of a valid passport\* or similar travel document (e.g. a passport other than the HKSAR Passport or the Home Return Permit) showing his/her name and photograph.

\* British National (Overseas) (BN(O)) passport is not a valid travel document and proof of identity.
- For details, please refer to Section 53 of the Electoral Affairs Commission (Electoral Procedure) (District Councils) Regulation (Cap. 541F).



## Special Queue for Electors in Need

- Only electors are allowed entry into a polling station.
  - Under the "fair and equal treatment" principle, electors must queue to vote. If the PRO is satisfied that a person who arrives at, or is present in, the polling station to vote falls within the following descriptions, the PRO will direct the person to immediately proceed to the designated area or the end of the queue if there is a queue extending from that area, to apply for a ballot paper –
    - who is not less than 70 years of age\*;
    - who is pregnant; or
    - who, because of illness, injury, disability or dependence on mobility aids, is not able to queue for a long time or has difficulty in queuing.
- \* Including the following person –
- whose document shows the year of birth, without the month and day of birth, of the person which is 70 years earlier than the year within which the polling day falls;
  - whose document shows, without the day of birth, the year of birth of the person which is 70 years earlier than the year within which the polling day falls and the month of birth of the person which is same as or earlier than the month within which the polling day falls.
- The PRO will also designate a seating area inside the polling station for the above electors to take a rest, if they so wish. After resting, they can queue up along the special queue before being directed to the ballot paper issuing desks.
  - Based on the principles of the autonomy of voting and secrecy of votes, the law prohibits anyone (even if he/she is an elector's relative or friend) from accompanying or assisting the elector to cast his/her vote. An elector who has difficulty in marking the ballot paper by himself/herself may, in accordance with the law, ask the PRO or the PRO's deputy to mark the ballot paper on his/her behalf according to his/her voting preference, in the presence of one polling staff as a witness. The PRO has been allowed to exercise discretion, where appropriate, to allow accompanying persons to use the special queue together with electors who have a genuine need to be accompanied by others.
  - To facilitate polling staff's early resumption of work to serve electors after casting votes, if he/she arrives at the assigned polling station but finds a long queue waiting for admission outside the station, he/she may be permitted to enter the polling station for priority queuing to collect ballot papers and cast his/her votes after presenting his/her polling staff identification.

## Checklist for Electors

- According to the Elections (Corrupt and Illegal Conduct) Ordinance (Cap. 554) enforced by the Independent Commission Against Corruption (“ICAC”), an elector **MUST NOT** conduct the following acts within Hong Kong or elsewhere:
  - Solicit or accept any advantage (including money, gift, etc.), food, drink or entertainment from any person for not voting at an election, or voting or not voting for a particular candidate or particular candidates at an election.
  - Offer any advantage (including money, gift, etc.), food, drink or entertainment to any person as an inducement to or a reward for the latter not to vote at an election, or to vote or not to vote for a particular candidate or particular candidates at an election.
  - Use or threaten to use force or duress against any person for inducing the latter to vote or not to vote at an election; or to vote or not to vote for a particular candidate or particular candidates at an election.
  - Induce any person by deception not to vote at an election, or to vote or not to vote for a particular candidate or particular candidates at an election.
  - Willfully obstruct and prevent any person from voting at an election.
  - Vote at an election knowing that he/she is not entitled to do so; or vote at an election after having knowingly or recklessly given materially false or misleading information (e.g. false residential address) to an electoral officer.
  - Incur election expenses for a candidate at an election without being authorized.
  - in writing by the candidate as the election expense agent.
  - Publish a materially false or misleading statement of fact about a particular candidate or particular candidates at an election.
  - Publish an election advertisement that includes the support from any person or organization without prior written consent from the supporting person or organization.
  - Incite another person not to vote or to cast invalid vote at an election by carrying out any activity in public during the election period.
- ICAC has set up a Clean Election Website to provide reference materials and information on publicity programmes for election stakeholders. Please visit [www.icac.org.hk/elections](http://www.icac.org.hk/elections).
- The following actions are also prohibited in a polling station:
  - Communicate with other electors including showing his/her vote on the ballot paper to others or use mobile telephones or any other device for electronic communication.
  - Film, take photographs or make any audio or video recording.
  - Ask other electors to mark his/her ballot paper. In case of need, an elector may, in accordance of the law, request the PRO to mark his/her ballot paper in the presence of a polling officer.
  - Interfere with other electors who are casting their votes.