

CONTENTS

	<u>Page</u>	
CHAPTER 1	INTRODUCTION	1
Part I	: The Chief Executive Election	1
Part II	: The Guidelines	3
Part III	: Advisory Service to Candidates on the Guidelines	4
Part IV	: Sanction	5
CHAPTER 2	THE ELECTION COMMITTEE	6
Part I	: Functions, Term of Office and Composition of the Election Committee	6
Part II	: EC Subsector Elections	6
Part III	: Disqualification of EC Members	7
CHAPTER 3	NOMINATION OF CANDIDATES	10
Part I	: Qualifications and Disqualification for Nomination	10
Part II	: When and How to Nominate	12
Part III	: Validity of Nominations	15
Part IV	: Publication of Nominations	15
Part V	: Withdrawal of Candidature	17
Part VI	: Publicity	17
CHAPTER 4	THE VOTING SYSTEM	19
Part I	: Contested Election	19
Part II	: Uncontested Election	22

CHAPTER 5	POLLING AND COUNTING ARRANGEMENTS	24
Part I	: The Venue	24
Part II	: Voting and Counting	25
Part III	: Inside and Outside the Polling Station	27
Part IV	: Admission to the Polling Station	29
Part V	: Conduct inside the Polling Station	32
Part VI	: The Count	40
Part VII	: Rules relating to Counting	42.1
Part VIII	: Disposal of Documents	42.4
CHAPTER 6	ELECTION PETITION AND JUDICIAL REVIEW	43
Part I	: Grounds for Lodging an Election Petition	43
Part II	: Who could, and When to, Lodge Election Petitions and Appeals	44
Part III	: Judicial Review	45
CHAPTER 7	APPOINTMENT AND ROLES OF ELECTION AGENT, ELECTION EXPENSE AGENTS, POLLING AGENTS AND COUNTING AGENTS	46
Part I	: General	46
Part II	: Types and Numbers of Agents	46
Part III	: Qualifications of Agents	47
Part IV	: Civil Servants Acting as Agents	47
Part V	: Election Agent	48
Part VI	: Election Expense Agent	51
Part VII	: Polling Agent	54

Part VIII	: Counting Agent	63.1
CHAPTER 8	ELECTION ADVERTISEMENTS	64
Part I	: What Constitutes an Election Advertisement	64
Part II	: Period and Area of Display	69
Part III	: Allocation of Designated Spots	74
Part IV	: Conditions and Limitations on Display	76
Part V	: Serial Numbering, Declarations and Copies	78
Part VI	: Requirements relating to Printed Election Advertisements	83
Part VII	: Non-compliance and Consequences	84
Part VIII	: Advertisements of Political, Professional/Trade Bodies or Other Organisations	86
Part IX	: Free Postage for Election Advertisements	88
Part X	: Election Advertisements for Registered Electors in the Custody of CSD and Other Law Enforcement Agencies	93
CHAPTER 9	ELECTIONEERING AT THE LIVING AND WORKING PLACES OF ELECTORS, PREMISES OF ORGANISATIONS TO WHICH ELECTORS BELONG AND BUILDINGS WHICH ELECTORS FREQUENT	94
Part I	: General	94
Part II	: General Guidelines to be Observed by Candidates in the Conduct of Electioneering Activities	95
Part III	: Guidelines to be Observed by Owners, Management and Organisations for Handling Applications for Conduct of Electioneering Activities on the Premises Within their Jurisdiction	99

Part IV	: Conduct of Electioneering Activities in Premises under the Management of Housing Department and Hong Kong Housing Society	103
Part V	: Sanction	103
CHAPTER 10	ELECTION MEETINGS	104
Part I	: General	104
Part II	: Notification to the Police	106
Part III	: Election Meetings at Private Premises	111
Part IV	: Mobile Exhibitions	112
Part V	: Fund-raising Activities at Election Meetings	113
CHAPTER 11	ELECTION BROADCASTING, MEDIA REPORTING AND ELECTION FORUMS	114
Part I	: General	114
Part II	: Electioneering on TV and Radio	114
Part III	: Advertising through the Print Media	117
Part IV	: Election Forums	118
Part V	: Sanction	118
CHAPTER 12	USE OF SOUND AMPLIFYING DEVICE AND VEHICLES	119
Part I	: General	119
Part II	: Use of Loudspeakers and Vehicles	119
Part III	: Sanction	122

CHAPTER 13	ELECTIONEERING ACTIVITIES CONDUCTED IN SCHOOLS OR PARTICIPATED BY SCHOOL PUPILS	123
Part I	: General	123
Part II	: School Pupils	123
Part III	: Electioneering Activities in Schools	125
Part IV	: Sanction	126
CHAPTER 14	PROHIBITION AGAINST CANVASSING ACTIVITIES OUTSIDE POLLING STATION	127
Part I	: General	127
Part II	: Declaration of a No Canvassing Zone and No Staying Zone	127
Part III	: Conduct in No Canvassing Zone and No Staying Zone	128
Part IV	: Penalty	131
CHAPTER 15	EXIT POLL	132
Part I	: General	132
Part II	: Conduct of Exit Polls	132
Part III	: Secrecy of the Vote	134
Part IV	: Identification of Interviewers	134
Part V	: Sanction	135
CHAPTER 16	ELECTION EXPENSES AND DONATIONS	136
Part I	: What Constitutes Election Expenses	136
Part II	: Who may incur Election Expenses and their Limit	138

Part III	: Donations	140
Part IV	: Return and Declaration of Election Expenses and Donations	143
Part V	: Advance Return of Election Donations	145
Part VI	: Enforcement and Penalty	145
CHAPTER 17	CORRUPT AND ILLEGAL CONDUCT	148
Part I	: General	148
Part II	: Corrupt Conduct relating to Nomination and Withdrawal of Candidature	149
Part III	: Illegal Conduct relating to Electioneering	150
Part IV	: Corrupt Conduct relating to Electioneering and Voting	153
Part V	: Corrupt and Illegal Conduct relating to Election Expenses and Donations	155
Part VI	: Power of Court to Excuse Innocent Acts	155
Part VII	: Non-compliance with the Law and Sanction	156
CHAPTER 18	NAMEDROPPING	159
CHAPTER 19	ATTENDANCE OF PUBLIC FUNCTIONS BY BOTH GOVERNMENT OFFICIALS AND CANDIDATES	164
Part I	: General	164
Part II	: Attendance of Public Functions by Government Officials	165
Part III	: Attendance of Public Functions by Candidates	166
Part IV	: Principal Officials	167

CHAPTER 20	COMPLAINTS PROCEDURE	168
Part I	: General	168
Part II	: To Whom a Complaint may be Made	168
Part III	: Time and Procedure for Making Complaint	169
Part IV	: Complaints inside the Polling Station	170
Part V	: The Processing of Complaint	171
Part VI	: Electoral Affairs Commission's Report on Complaints	173
Part VII	: Obligations of the Returning Officer, the Presiding Officer and the Registration and Electoral Office	173
Part VIII	: Sanction for False Complaint	174
 APPENDICES		
Appendix A	: Action Checklist for Candidates	175
Appendix B	: The 4 Sectors of the Election Committee and Subsectors of Sectors	183
Appendix C	: Legal Provisions against Pressuring Electors Not to Nominate a Particular Candidate	186
Appendix D	: Methods of Folding of Election Advertisement	187
Appendix E	: Canvassing Activities which are Forbidden within a No Canvassing Zone	189
Appendix F	: Conduct of Electioneering Activities and Election Meetings in Premises under the Management of the Housing Department and the Hong Kong Housing Society	190
Appendix G	: Personal Data Privacy: Guidance on Electioneering Activities	192
Appendix H	: Guidance Note on Safe Conduct of Election-related	194

Activities

Appendix I	: Administrative Guidelines and Licensing Conditions for the issue of Public Fund-raising Permits for Non-charitable Purposes	196
Appendix J	: Fair and Equal Treatment of Candidates by the Print Media	204
Appendix K	: Application Procedure for the Approval of Float Design	205
Appendix L	: Items of Expenses which may be Counted towards Election Expenses	207
Appendix M	: Elaboration of Paragraph 16.6 of Chapter 16	210
Appendix N	: Support Clean Elections : A Handbook by the ICAC	211
Appendix O	: Form of Consent of Support	242
Appendix P	: Guidelines for Candidates on Sending Election Advertisements to Registered Electors in the Custody of the Correctional Services Department	246
INDEX		249