

Election Committee Subsector Elections

Action Checklist for Candidates

A. Major Steps to be Observed

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| 1 week before and during
Nomination Period | <ol style="list-style-type: none"> 1. Obtain the following from the Returning Officer (“RO”), any District Office (“DO”) of the Home Affairs Department or the Registration and Electoral Office (“REO”): <ol style="list-style-type: none"> (a) nomination form; (b) notes on the preparation of a brief introduction for inclusion in the official leaflet; and (c) form on “Intention to Display Election Advertisements at Designated Spots”. |
| During Nomination
Period | <ol style="list-style-type: none"> 2. Except where the Chief Electoral Officer (“CEO”) authorises otherwise, personally deliver the following to the RO <u>before expiry of the Nomination Period</u>: <ol style="list-style-type: none"> (a) the duly completed Nomination Form; and (b) an election deposit of \$1,000 in cash or by cashier order or cheque made payable to “The Government of the Hong Kong Special Administrative Region”. <p style="margin-left: 40px;">In order to avoid the risk of invalidation of the nomination due to dishonoured cheques, candidates are strongly advised to submit the election deposit in cash or cashier order.</p> 3. Obtain from the RO the following: <ol style="list-style-type: none"> (a) copies of the relevant legislation; |

- (b) relevant extracts from the Final Register of Voters (both gum labels and soft copies) on signing an Undertaking on the Use of Electoral Records;
- (c) information regarding display spots on government land or property that are available to candidates for display of election advertisements; and
- (d) forms -
 - (i) Notice of Appointment of Election Agent
 - (ii) Notice of Authorisation of Person to Incur Election Expenses
 - (iii) Return and Declaration of Election Expenses and Donations
 - (iv) Notice of Appointment of Polling Agents
 - (v) Notice of Appointment of Counting Agents
 - (vi) Notice of Revocation of Appointment of Agent
 - (vii) Notice of Revocation of Authorisation to Incur Election Expenses
 - (viii) Notice of Withdrawal of Candidature
 - (ix) Declaration of Election Advertisements
 - (x) Corrective Declaration of Election Advertisements
 - (xi) Notification of Decision on Electioneering Activities
 - (xii) Consent of Support

- (xiii) Permission for Display/Distribution of Election Advertisements or Conduct of Electioneering Activities at Private Premises
- (xiv) Standard Receipt for Donations
- (xv) Declaration of Secrecy
- (xvi) Return of Election Deposit
- (xvii) Advance Return and Declaration of Donations
- (xviii) Notice of Posting of Election Mail
- (xix) Declaration for Posting of Election Mail
- (xx) Notification of the Intention to hold a Public Meeting/Procession

4. Lodge with the RO a Notice of Withdrawal of Candidature if the candidate wishes to withdraw his/her candidature.

Any time before, during or after handing in Nomination Form

5. (a) Except for the categories exempted, assign a serial number to all copies of each type of election advertisements intended for display, distribution or otherwise use.
- (b) Submit to the RO (or CEO if RO has not yet been appointed) a Declaration of Election Advertisements **before display, distribution or otherwise use of election advertisements.** Candidates may submit as many declarations as required from time to time.
- (c) Ensure that all printed election advertisements contain the name and address of the printer, date of printing and the number of copies printed.

- (d) Submit to the RO (or CEO if RO has not yet been appointed) 2 copies of each type of election advertisements **before display, distribution or otherwise use.**
- (e) Submit to the RO (or CEO if RO has not yet been appointed) **before display, distribution or otherwise use of election advertisements** at private premises, a copy of permission for display/distribution of election advertisements.
- (f) Submit to the RO (or CEO if RO has not yet been appointed) **before display, distribution or otherwise use of election advertisements,** a copy of Consent of Support, where necessary.
- Any time after handing in Nomination Form
6. Lodge with the RO a Notice of Appointment of Election Agent.
7. Lodge with the RO Notices of Authorisation of Persons to Incur Election Expenses.
8. Submit to the CEO an Advance Return and Declaration of Donations when a donation is received.
- Any time after handing in Nomination Form, but before expiry of Nomination Period
9. (a) Lodge with the RO 3 identical photographs of the candidate in specified size taken not longer than 6 months ago.
- (b) Lodge with the RO an introductory message for publication in the official introductory leaflet.
- (c) Lodge with the RO an “Intention to Display Election Advertisements at Designated Spots”.
- Any time after handing in Nomination Form, but not later than 1 week before polling day
10. Lodge with the CEO Notices of Appointment of Polling Agents.

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| | 11. Lodge with the RO Notices of Appointment of Counting Agents. |
| Within 3 days after close of nomination | 12. Attend the briefing for candidates and collect from the RO the following: <ul style="list-style-type: none"> (a) location and layout plans of the polling/counting station; and (b) name badges for candidates and their agents. |
| | 13. Attend meetings held by the RO to determine the candidate numbers by drawing of lots and to allocate display spots for display of election advertisements. |
| | 14. Receive from the RO copy of the permission/authorisation for display of election advertisements at designated spots. |
| Within 5 days after expiry of Nomination Period | 15. Receive from the RO information about the election agents appointed by other candidates for the same subsector. |
| Within 14 days after expiry of Nomination Period | 16. Receive from the RO the notice on all other validly nominated candidates for the same subsector. |
| 2 working days before posting postage-free election mail | 17. Give notice of the free posting of election mail by using the Notice of Posting of Election Mail and present two unsealed specimen packets to the Post Office for inspection and retention. |
| Not later than the period specified by the Post Office | 18. Post postage-free election mail and present to the Post Office a Declaration for Posting of Election Mail. |
| Not later than 7 days before polling day | 19. Receive from the RO information regarding the delineation of no canvassing zone and no staying zone for the polling station. |
| Not later than 12:00 noon on the day preceding polling day | 20. Lodge with the RO Corrective Declarations of Election Advertisements, if any. |

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| At least 1 working day before polling day | 21. Receive information from the RO on when and where the counting of votes is to take place. |
| Before entering polling/counting station | 22. Complete the Declarations of Secrecy (to be made by all candidates, their election agents, polling agents and counting agents). |
| Any time before polling day | 23. Lodge Notices of Revocation of Appointment of Agent, if any, with the RO (or the CEO if the appointment of polling agent is to be revoked). |
| On polling day | 24. Attend the poll and the count if so wishes, bringing along the Declaration of Secrecy. |
| | 25. Candidates or their election agents personally deliver Notices of Appointment of Polling Agents and Notices of Revocation of Appointment of Agent to the relevant Presiding Officers, if not yet submitted to the CEO under paras. 10 and 23 respectively. |
| | 26. Candidates or their election agents personally deliver Notices of Appointment of Counting Agents and Notices of Revocation of Appointment of Agent to the relevant RO, if not yet submitted to the RO under paras. 11 and 23 respectively. |
| Within 10 days after polling day | 27. Remove all election advertisements on display. |
| Not later than 30 days after the publication in the Gazette of election result or the declaration of termination of election proceedings or failure of election (if uncontested, the election result will be gazetted in the Notice of Nominations) | 28. (a) Lodge with the CEO a Return and Declaration of Election Expenses and Donations signed by the candidate with original receipted vouchers and duplicate donation receipts.

(b) An uncontested candidate who is returned as a Member should lodge with the CEO a Return and Declaration of Election Expenses and Donations signed by the candidate with original receipted vouchers and duplicate donation receipts not later than 30 days after the publication in the Gazette of the Notice of Nominations. |

Note:

Most of the forms mentioned in this checklist can be downloaded from the REO website at <http://www.reo.gov.hk>.

B. Handling and Declaring Election Expenses***Records Keeping******Before and After Nomination***

1. Record all expenses spent and all donations received.
2. Keep invoices/receipts for expenses of \$100 or above.
3. Issue receipt for any donation of more than \$1,000. (The candidate should use the standard receipt provided by the REO.)
4. Keep copies of all Declaration of Election Advertisements and copies of the election advertisements lodged with the RO.

Appointment of Election Agents/Election Expense Agents

5. Each candidate can only appoint one election agent. He has the authority to do everything a candidate is authorised to do for the purposes of the election except:
 - (a) anything a candidate is required to do in relation to his nomination;
 - (b) to withdraw the candidate's candidature;
 - (c) to incur election expenses unless he has been so authorised by the candidate; and
 - (d) to authorise a person as an election expense agent to incur election expenses.

6. Each candidate can appoint one or more persons authorised to incur election expenses on his behalf, ie the election expense agents, by completing the Notice of Authorisation of Persons to Incur Election Expenses. A candidate **may** also authorise his election agent to incur election expenses for him. These agents may incur expenses only after the candidate has authorised them to do so.

***Lodgement of
Authorisation and
Declaration to
appropriate authority***

7. Lodge with the RO the Notice of Appointment of Election Agent at any time after handing in Nomination Form.
8. The candidate must serve a notice of the authorisation for persons to incur election expenses to the RO (or CEO if the RO has not yet been appointed). It is important to note that the authorisation is not effective until it has been received by the RO or CEO (if the RO has not yet been appointed).
9. 2 copies of each type of election advertisements must be deposited with the RO (or CEO if the RO has not yet been appointed) together with a Declaration of Election Advertisements **before** display, distribution or otherwise use.

***Submission of Return and
Declaration of Election
Expenses and Donations***

***Not later than 30 days after the Publication in the
Gazette of Election Result or the Declaration of
Termination of Election Proceedings or Failure of
Election***

10. The completed return and declaration should be submitted together with all supporting vouchers and receipts.
11. The completed form should include all donations received by the candidate and all election expenses incurred by him or by his election expense agents, and also the removal cost for his election advertisements by government departments, if he has not removed all his election advertisements by the deadline specified by the Electoral Affairs Commission. ***Candidates are***

required to submit their election returns even if no election expenses have been incurred.

12. A candidate must make declaration before a Commissioner for Oaths (at District Offices) or a Justice of the Peace or a solicitor holding a practising certificate.
13. (a) A candidate must lodge his completed return with the CEO at 13/F, Guardian House, 32 Oi Kwan Road, Wan Chai by the deadline (ie not later than 30 days after the publication in the Gazette of election result or declaration of termination of election proceedings or failure of election).

(b) For an uncontested candidate who is returned as a member, he must lodge his completed election return with the CEO not later than 30 days after the publication in the Gazette of the Notice of Nominations.
14. If a candidate fails to lodge the return before the deadline, he can apply to the Court for an order allowing him to lodge the return with the CEO within such further period as the Court specifies.
15. If a candidate wishes to change any information in his election return before the deadline, he may lodge with the CEO before the deadline a supplementary declaration stating the information to be changed.
16. If a candidate wishes to change any information in the election return after the deadline, he must apply to the Court for an order enabling him to correct any error or false statement in his return or in any document accompanying his return.

[Amended in September 2006]