

CHAPTER 15

EXIT POLL

PART I : GENERAL

15.1 This chapter sets out the guidelines for the conduct, publication and broadcast of exit polls to avoid unfair interference with the election process by unduly influencing electors. The aim is to ensure that elections are conducted honestly and fairly.

15.2 **The EAC appeals to the media and organisations concerned for self-regulation, goodwill and voluntary cooperation in the conduct of exit polls, and the publication and broadcast of the result of exit polls so that elector behaviour will not be unduly affected.**

PART II : SECRECY OF THE VOTE

15.3 **The ballot is secret.** It is an elector's right to keep his vote secret. An elector does not have to disclose his choice of candidate/GC list if he does not want to. **It is a criminal offence for a person, without lawful authority, to require, or purport to require, an elector or authorised representative of a corporate elector to disclose the name of, or any particular relating to, the candidate/GC list for whom the elector/ authorised representative of a corporate elector voted at an election** [s 60 of the LCO and s 96 of the EAC (EP) (LC) Reg]. **Those who conduct exit polls must respect the electors' right and wish not to be disturbed.** The

interviewers should inform the electors being interviewed that their participation in the exit poll is voluntary prior to the conduct of exit poll. *[Amended in October 2007 and July 2008]*

15.4 Any announcement of results of exit polls or predictions, particularly in relation to any individual candidate or GC list, during the polling hours may affect elector behaviour and have an impact on election results. **The EAC, therefore, reminds the media and organisations concerned that they should not announce the results of exit polls or make specific remarks or predictions on the performance of individual candidate or GC list before the close of poll.** *[Amended in July 2008]*

15.5 Broadcasters' attention is invited to the provisions of the Television and Radio Code of Practice on Programme Standards which require news and current affairs programmes to be fair, objective and impartial.

PART III : CONDUCT OF EXIT POLLS

15.6 Exit polls may be conducted by any person or organisation. For security reasons, no exit poll may be conducted for dedicated polling stations. For the purpose of better control of the conduct of exit poll, persons or organisations intending to conduct exit polls must provide the following to REO at **the latest 10 days before the polling day:** *[Amended in July 2008 and January 2010]*

- (a) the name and address of the person or organisation intending to conduct exit poll on the polling day;
- (b) the identity document number and name of the person responsible

together with his telephone number(s) for contact, especially for the polling hours; and

- (c) a list showing the number of persons who will be employed for the conduct of the exit poll at each polling station on the polling day together with the identity document number and name of each of all the persons who will be so employed.

15.7 On the receipt of the application, the REO will consider the application and issue approval to the concerned person or organisation as appropriate. Before the grant of approval, the person or organisation allowed to conduct exit poll will be required to sign an **undertaking** to abide by the guidelines governing the conduct of exit poll. If a person or an organisation who/which fails to comply with the terms of the undertaking and the guidelines set out in this chapter, the approval to conduct exit poll on the polling day or during the polling hours may be revoked. The EAC may also make a reprimand or censure in a public statement which will include the name of the person or organisation who/which fails to comply with the terms of the undertaking/guidelines. A list of persons or organisations allowed to conduct exit poll together with their contact telephone numbers will be released to the public prior to the polling day for the reference of the public and candidates. Such a list will also be displayed at the respective polling stations. *[Amended in July 2008]*

15.8 Interviews are not allowed inside polling stations. Interviewers should note that canvassing activity is prohibited under criminal sanction within the NCZ except door-to-door canvassing activities on the storeys above or below street level in a building other than one in which there is a polling station provided that permission has been obtained for entry to the building for canvassing votes, and that obstruction is not posed to electors and no sound amplifying device is used. Interviewers must therefore be extremely careful

in conducting exit poll so as not to give rise to any suspicion that they are canvassing electors inside the NCZ. Interviewers, like any other person, are not allowed to stay or loiter in the areas designated as the NSZ (within the NCZ but immediately outside the entrance/exit to each polling station) [s 41 of the EAC (EP) (LC) Reg]. Interviewers are also not allowed to accost electors in the NSZ. All these measures are for the purpose of securing safe and smooth passage of electors into and out of polling stations. The PRO of a polling station may, if circumstances require, designate an area outside the exit of the polling station so that interviewers may only conduct exit poll within that area. *[Amended in October 2007]*

PART IV : IDENTIFICATION OF INTERVIEWERS

15.9 There had been occasions where exit poll interviewers were mistaken to be government officials or polling staff. Such interviewers are therefore required to display prominently an identification device showing the identity of the organisation/person conducting exit poll so that electors will not be misled into thinking that they are appointed by Government. In addition, the interviewers are required to make known to the electors that any response is entirely voluntary. Arrangements should be made for electors to be aware of the name of the organisation/person conducting the interview and the fact that the exit poll is not commissioned by the Government. *[Amended in July 2008]*

15.10 After receipt of the information referred to in para. 15.6 above, the REO will notify the organisation or person concerned to collect a number of identification device bearing the name of the organisation/person that is required to be displayed prominently by each of the persons included in the list in para. 15.6(c) above when conducting an exit poll. Any person not displaying prominently such a device will not be allowed to conduct an exit poll outside any polling station. *[Amended in July 2008]*

PART V : SANCTION

15.11 Apart from the criminal sanction provided in the LCO, if the EAC comes to know that any broadcaster or organisation has failed to heed or comply with the guidelines in this chapter, it may make a **reprimand** or **censure** in a public statement which will include the name of the broadcaster or the organisation concerned. *[Amended in July 2008]*